

Rezoning from A-4 to I-2

Rezoning from A-4 to I-2

Rezoning Exhibit Z-22-10
Rezoning from A-4 to I-2
Parcels 527308004 &
527308003
Legal Location: Lots 1-9
& 35-40, Blk 22,
West Side Addition, ex track
sold to USA
formerly #05273-06-001

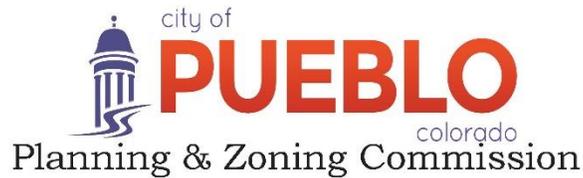


0 45 90 180 270 Feet

Mike Castellucci
Chair

Patrick Avalos
Vice Chair

Sarah Martinez
City Council Representative



Christopher Pasternak

Alexandra Aznar

Elizabeth Bailey

Cheryl Spinuzzi

MINUTES OF REGULAR MEETING

City of Pueblo, Colorado

Wednesday, July 13, 2022 – 3:30 p.m.

City Council Chambers, 1 City Hall Place

Join Zoom Meeting online:

<https://pueblo.zoom.us/j/92717867722?pwd=WUdnaHVGbnlCdHRrUHNFZnpPWG1Ydz09>

Join Zoom Meeting by phone:

+1 669 900 6833 US (San Jose)

+1 346 248 7799 US (Houston)

Online and phone Meeting ID and Password:

Meeting ID: 927 1786 7722

Passcode: 195462

MEETING CALLED TO ORDER

The meeting was called to order at 3:31 p.m. with Commissioner Castellucci presiding.

The meeting was held at City Council Chambers, 1 City Hall Place, commissioners, applicants, and the public participated in person and via Zoom.

Commissioners Present: Mike Castellucci, Cheryl Spinuzzi, Alexandra Aznar, Christopher Pasternak, Sarah Martinez, and Lisa Bailey.

Commissioners Absent: Patrick Avalos

Staff Members Present: Dan Kogovsek, City Attorney; Scott Hobson, Acting Director for Department of Planning and Community Development; Beritt Odom, Principal Planner; Bart Mikitowicz, Sr. Planner

APPROVAL OF THE JULY 13, 2022, AGENDA:

Bailey moved to approve the agenda with the following changes:

1. Move S-22-06, North Vista Filing No. 5 Subdivision to the August 10, 2022, Public Hearing.
2. Move CP-22-01, Pueblo Regional Comprehensive Plan to the last item on the July 13th agenda.
3. Move Z-22-05, Cottages at Park West Rezoning to the August 10, 2022, Public Hearing
4. Move S-22-03, Cottages at Park West, Subdivision to the August 10, 2022, Public Hearing.
5. Move SAP-22-01, Cottages at Park West, Special Area Plan to the August 10, 2022, Public Hearing.

Seconded by Aznar,

Motion carried 6-0, Avalos absent

PUBLIC HEARING AND ACTION

1. **Z-22-10 Rezone:** Parcels 527306003 & 527306004- Intersection of Jasper Street and 12th Street- legally described as Lots 1-9 and 35-40, Block 22, West Side Addition excluding track sold to USA from A-4, Agricultural Four to I-2, Industrial District.

Staff report by Wade Broadhead, Sr. Planner, report given by Beritt Odom, Principal Planner

BACKGROUND AND ANALYSIS:

The subject property is located in the West Side neighborhood and consists of two parcels bisected by an active railroad line. The parcel is currently undeveloped and sits at the intersection of Jasper and 12th street just east of Pueblo Boulevard and 11th street. The neighborhood is characterized by a mixture of uses including industrial lands, some single-family homes, vacant properties, undeveloped prairie, and a landscaping business. These uses are set in a mixture of B-3, I-2, R-2, and A-4 zoned property.

According to the Pueblo Comprehensive Comp Plan this property is designated Light Industry future Land Use Category. Light Industry is characterized by manufacturing, processing, and various other industrial uses. The applicant is proposing the rezoning to accommodate low level industrial uses or equipment storage in the future. The property immediately to the south already contains a roofing company and is zoned I-2. Commercial development of the property in the future may include onsite and offsite public improvements which will be handled during the commercial site plan review process depending on the scale of development. The northeast parcel in particular is adjacent to a platted but never fully constructed street. Adding buildings to that parcel may require extensive improvements.

COMPREHENSIVE PLAN COMPLIANCE:

The proposed rezoning request conforms with the Pueblo Regional Comprehensive Plan designation is Light Industry. The primary uses in Light Industry include research and development, manufacturing/processing, maintenance/repair shops, warehousing, and distribution. The *Light Industry* includes more intensive industrial uses that require larger sites and have a greater impact on surrounding areas, including outdoor storage and other on-site activities. The tentative plan for the site is industrial outdoor storage which is allowed in the Light Industry Future Land Use category. Zone District I-2 allows the proposed future uses, and the rezoning is consistent with the comprehensive plan designation.

RECOMMENDATION:

Staff recommends the Planning and Zoning Commission make a recommendation to City Council that the zoning map amendment be **APPROVED**.

Castellucci asked about the parcel configuration of the rezoning request. Odom stated that the alley bisects the two separate parcels. Odom stated that it is likely that each of the parcels will most likely have to be subdivided prior to development because full street infrastructure is not present at either site.

Spinuzzi asked if the parcels may be used as is? Odom stated that it may be possible to institute an outdoor storage use without permanent structures and that would be more likely on the western parcel as Jasper runs adjacent.

HEARING: Melvin Ortiz, property owner testified in favor of the application.

No one testified in opposition.

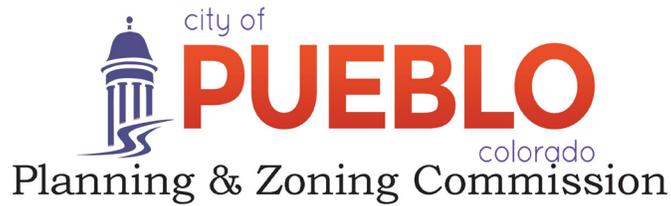
MOTION: Bailey moved to approve. Seconded by Aznar.

Motion carried 6-0. Avalos absent.

Mike Castellucci
Chair

Patrick Avalos
Vice Chair

Sarah Martinez
City Council Representative



Christopher Pasternak

Alexandra Aznar

Elizabeth Bailey

Cheryl Spinuzzi

Z-22-10

TO: City of Pueblo, Planning and Zoning Commission
FROM: Wade Broadhead, Senior Planner
THROUGH: Scott Hobson, Acting Director of Planning and Community Development
DATE: July 13, 2022
SUBJECT: Rezone from A-4, Agricultural Four to I-2, Industrial District
APPLICANT: Melvin Ortiz
PROPERTY OWNER: Same
LOCATION: Parcels 527306003 and 527306004

Legal Description: Lots 1-9 and 35-40, Block 22, West Side Addition, excluding track sold to USA, formerly #05273-06-001

Generally located at the intersection of 12th Street and Jasper

CONCURRENT REQUESTS: None

REQUEST:

The applicant is requesting to rezone two .9-acre parcels from A-4, Agricultural Four to I-2, Industrial District

BACKGROUND AND ANALYSIS:

The subject property is located in the West Side neighborhood and consists of two parcels bisected by an active railroad line. The parcel is currently undeveloped and sits at the intersection of Jasper and 12th street just east of Pueblo Boulevard and 11th street. The neighborhood is characterized by a mixture of uses including industrial lands, some single-family homes, vacant properties, undeveloped prairie, and a landscaping business. These uses are set in a mixture of B-3, I-2, R-2 and A-4 zoned property.

According to the Pueblo Comprehensive Comp Plan this property is designated Light Industry future Land Use Category. Light Industry is characterized by manufacturing, processing, and various other industrial uses. The applicant is proposing the rezoning to accommodate low level industrial uses or equipment storage in the future. The property immediately to the south already contains a roofing company and is zoned I-2. Commercial development of the property in the future may include onsite and offsite public improvements which will be handled during the commercial site plan review process depending on the scale of development. The northeast parcel in particular is adjacent to a platted but never fully constructed street. Adding buildings to that parcel may require extensive improvements.

PLANNING AND COMMUNITY DEVELOPMENT COMMENTS

CHARACTER AND COMPATIBILITY:

❑ **Site Character:**

The project is in a mixed neighborhood setting with single family residences, vacant homes and lots, landscaping businesses, and a roofing company.

❑ **Neighborhood Compatibility:**

- North A-4, undeveloped land and one residence with livestock
- East I-2, undeveloped land and one residence
- South I-2, undeveloped land and one roofing company business
- West A-4/B-3/I-2- vacant and occupied homes, landscaping business, undeveloped parcels

❑ **Comprehensive Plan Compliance:**

The proposed rezoning request conforms with the Pueblo Regional Comprehensive Plan designation is Light Industry. The primary uses in Light Industry include research and development, manufacturing/processing, maintenance/repair shops, warehousing, and distribution. The *Light Industry* includes more intensive industrial uses that require larger sites and have a greater impact on surrounding areas, including outdoor storage and other on-site activities. The tentative plan for the site is industrial outdoor storage which is allowed in the Light Industry Future Land Use category. Zone District I-2 allows the proposed future uses and the rezoning is consistent with the comprehensive plan designation.

ABILITY TO COMPLY WITH THE PROPOSED ZONE DISTRICT:

❑ Minimum lot size and area:

- The I-2 Zone District requires a minimum of 10,000 square foot of lot area, with a minimum of 50-foot-wide street frontage.
- Each parcel is approximately .9 acres and they have a lot width of over 50 feet on Jasper and 12th Street. The existing site has been reviewed, and it complies with the minimum lot area and width for the proposed zone district.

❑ Lot coverage:

- The I-2 Zone District allows a maximum lot coverage of 100% but there is no existing or proposed building at the time of this application.
- At the time of building permit, any additional structures will be required to comply with the lot coverage and floor area ratio requirements.

❑ **Zone District performance standards:**

Section 17-4-5(3), I-2 Performance Standards Regulations:

- Additional performance standards will be reviewed at the time of commercial site plan request.

APPLICATION REQUIREMENT PER §17-6-1 OF THE PUEBLO MUNICIPAL CODE

The applicant's name and address and the name and address of any person, firm or corporation represented by such applicant in the application

- ❑ Comments **The application contains applicant's information.**

The interest of the applicant and the interest of the person, firm or corporation represented by the applicant, be it legal, sales development, operation or other interest.

- Comments **The property owner is aware of the proposed rezoning.**

The nature of the amendment and a legal description of the property that would be affected by the amendment.

- Comments **The legal description is on file and was submitted.**

A general description of the proposed development to the distance which will be affected; such description including subjects of environmental effect, economic effect and traffic effect, if any; and such description carried out in scope and detail to the extent needed to support the requested amendment and as may be required by the Planning and Zoning Commission.

- Comments **The applicant proposes to use the property as a general industrial storage.**

A tentative site plan showing proposed structures, uses, open spaces, facilities for parking and loading and arrangements for pedestrian and vehicular circulation.

- Comments **A site plan has not been provided.**

A statement of the proposed time schedule for beginning and completion of development.

- Comments **The applicant has not outlined a timeline.**

A statement reasonably indicating the applicant's economic responsibility and capability of accomplishing the development for which a zoning amendment is requested.

- Comments **The applicant does not have a specific plan yet for the redevelopment of the property.**

REFERRAL AGENCIES AND COMMENTS:

- City Public Works-No comment
- City Transportation-No comment.
- City Law Department-No comment
- Pueblo Regional Building Department-No comment
- City Fire Department-No comment
- City Wastewater-No comment
- City Stormwater-No comment
- City Parks and Recreation Department-No comment
- Xcel Energy-No comment
- Black Hills Energy-No comment

RECOMMENDED ACTION:

Staff recommends the Planning and Zoning Commission make a recommendation to City Council that the zoning map amendment be **APPROVED**.

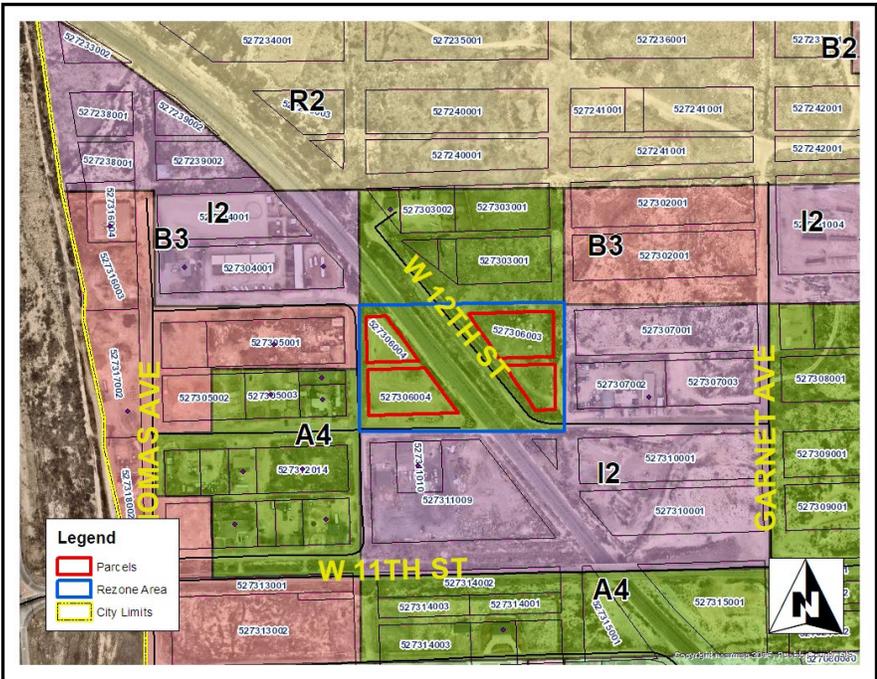
ATTACHMENTS:

- A. **Arial Photograph**
- B. **Zoning Map**
- C. **Comprehensive Plan Map**
- D. **Pictometry View**
- E. **Site Photographs**
- F. **Application and Statement of Facts**
- G. **Rezoning Map Exhibit**

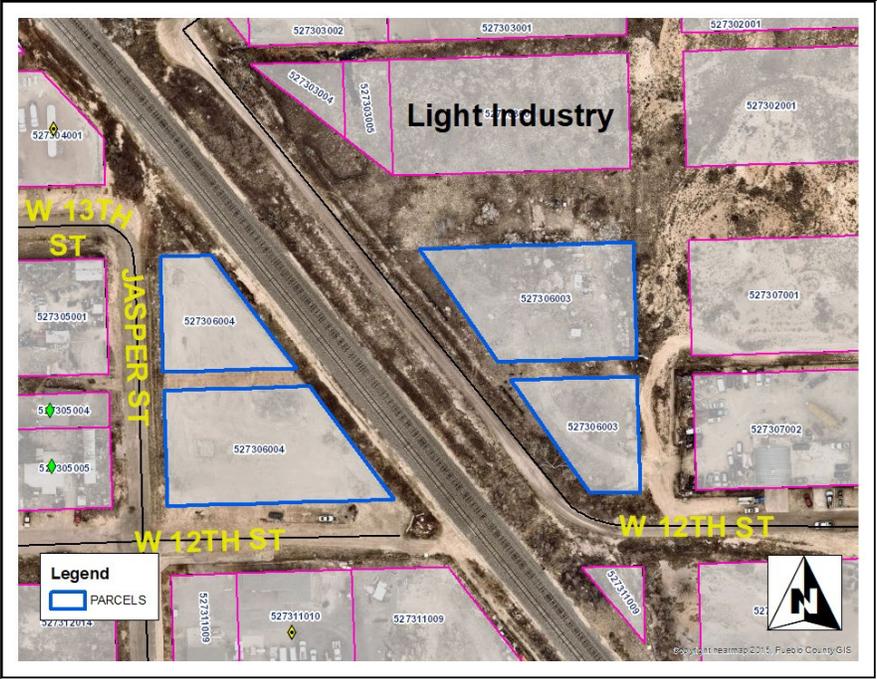
ATTACHMENTS:



A. Aerial Photograph



B. Zoning Map



C. Comprehensive Plan Map



D. Pictometry view of the property



E. Site Photographs: Looking South across 13th street



E. Site Photographs: View looking at the eastern parcel on the slope.



Planning & Community Development

211 East D Street | Pueblo, Colorado 81003 | Tel 719-553-2259 | Fax 719-553-2359 | TTY 719-553-2611 | www.pueblo.us

Planning & Zoning Map Amendment Application (Rezoning)

Please type or print clearly. Illegible applications will not be accepted. Case #: _____

Property Owner	
Name: <i>Melvin Ortiz</i>	
Company:	
Address: <i>3900 Azalea St.</i>	Zip: <i>81005</i>
Phone: <i>(719) 564-7425</i>	Email: <i>grammieda@yahoo.com</i>
Applicant	
Name: <i>Melvin Ortiz</i>	
Company:	
Address: <i>3900 Azalea St.</i>	Zip: <i>81005</i>
Phone: <i>(719) 564-7425</i>	Email: <i>grammieda@yahoo.com</i>
Person or Firm Representing (If Different From) Owner or Applicant	
Name:	
Company:	
Address:	Zip:
Phone: ()	Email:
<i>The applicant will be the primary contact unless otherwise noted.</i>	
Project Location: (address or general description)	
Parcel# <i>527306003 + 527306004</i>	
Lots <i>1-9 + 35 Thru 40 BLK 22 West Side Add EXC TR SOLD TO USA</i>	
Legal Description: <i>#696497 Formerly #05273-06-001</i>	
Subdivision:	Acreage:
Existing Zone District: <i>A-4</i>	Proposed Zone District: <i>I-2</i>

Purpose of this Application:

- To permit development of the property not allowed under the existing zone district.
- To provide proper zone district in conjunction with the subdivision plan for the area.
- In conjunction with the Annexation petition to annex the property in a use different than the existing Pueblo County Zoning.
- Other (specify): _____

(Continued from previous page)

Statement of Facts:	
Justifying the zone change request. Be specific; use additional sheets if necessary.	
Rezoned from A-4 to I-2 to conform to Comprehensive Plan	
Light Industrial. This will allow a use not authorized in a A-4	
Description of area surrounding proposed development:	
A general description of the proposed development to the distance which will be affected; such description including subjects of environmental effect, economic effect and traffic effect, if any; and such description carried out in scope and detail to the extent needed to support the requested amendment and as may be required by the Planning and Zoning Commission.	
To allow an industrial storage yard on site. Zims Towing is located to the east.	
<input type="checkbox"/> A tentative site plan showing proposed structures, uses, open spaces, facilities for parking and loading and arrangements for pedestrian and vehicular circulation.	
Estimated date for beginning project: N/A	
Estimated date for completion of project: N/A	
A statement reasonably indicating the applicant's economic responsibility and capability of accomplishing the development for which a zoning amendment is requested.	
Rezoned to encourage redevelopment	
<input type="checkbox"/> CD with DWF and DWG (Autocad) file of all plans and drawings & a PDF of all documents submitted. (if applicable)	
By signing below, the Property Owner and Applicant are representing that each understands and agrees to the following terms:	
1. Authorized personnel from the City of Pueblo, are hereby granted the right to enter the subject property for the purposes of reviewing and processing the application, including Certificate of Occupancy Inspections.	
Zoning Compliance (Completed by City Staff)	
Office Use Only	Application received by: _____ Date: _____
	Application checked for completeness by: _____ Date: _____
	Case Manager: _____ Fee Paid: _____
	Hearing date: _____
<input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Approved w/conditions	



Planning & Community Development

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- 2. There are no known hazards or vicious animals present on the subject property.
- 3. All information contained in this application, is true and accurate to the best of my knowledge.
- 4. The City of Pueblo is under no obligation to approve the request contained in this application. No promises of approval are conveyed with the acceptance of this application.

Property Owner

Print Name: Melvin Ortiz

Signature: [Handwritten Signature] Date: May 4, 2022

Applicant, if different from Property Owner

Print Name: Melvin Ortiz

Signature: [Blank] Date: May 4, 2022

Parcel # 527306004

Lots 15 to 30 INC EXC TR SOLD TO USA # 696497

BLK 22 West Side ADD FORMERLY # 05273-06-002



Rezoning Exhibit Z-22-10
 Rezoning from A-4 to I-2
 Parcels 527308004 &
 527308003
 Legal Location: Lots 1-9
 & 35-40, Blk 22,
 West Side Addition, ex track
 sold to USA
 formerly #05273-06-001

June 28, 2022

This is to inform you that the City Planning and Zoning Commission will hold a public hearing on a request by **Melvin Ortiz** for approval of the following application:

Z-22-10 Parcels 527306003 & 527306004: Rezone two one-acre parcels legally described as lots 1-9 and 35 – 40, Block 22, West Side Addition excluding track sold to USA from A-4, Agricultural Four to I-2, Industrial District.

The Planning and Zoning Commission meeting will be held July 13, 2022, at 3:30 p.m., in City Council Chambers, 1 City Hall Place, Pueblo, CO or by Zoom: <https://pueblo.zoom.us/j/92717867722?pwd=WUdnaHVGbnlCdHRrUHNFZnpPWG1Ydz09>, Meeting ID: 927 1786 7722, Passcode: 195462, Telephone: 1 346 248 7799 US (Houston), 1 669 900 6833 US (San Jose). You are welcome to attend this public hearing and express your viewpoint concerning this proposal. To review the plans and staff report for the proposed application, please visit www.pueblo.us/PandZ and click on “Most Recent Agenda” no sooner than the Friday prior to the hearing. **Please contact the planner listed below if you have questions.**

Scott Hobson, Director
Planning & Community Development
Wade Broadhead, Sr. Planner
(719) 553-2280

June 28, 2022

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Scott Hobson, Director
Planning & Community Development
Wade Broadhead, Sr. Planner
(719) 553-2280

CASE NUMBER Z-22-10

CERTIFICATION

I hereby certify that I did this day cause written notice of the public hearing on the proposed Zoning Map Amendment of the property located at parcels 527306003 and 527306004 to be sent to the attached list of owners of the real property lying within three hundred (300) feet of the said property on which the Zoning Map Amendment is proposed by depositing the same properly addressed and postage paid in the post office, as set forth in the Code of Ordinances, Section 17-6-2.

6-27-22

(Date)

PUEBLO PLANNING & ZONING COMMISSION

By Karen Elgin

I hereby certify that I did this day verify and photograph the posted notice of the public hearing on the Zoning Map Amendment of the property located at parcels 527306003 and 527306004, upon which action is pending as set forth in the Code of Ordinances, Section 17-6-2.

6-27-22

(Date)

PUEBLO PLANNING & ZONING COMMISSION

By Karen Elgin

Owner	OwnerStree	OwnerCity	Own	OwnerZip
MURPHY FRANK JAMES	1110 CROWLEY RD	ARLINGTON	TX	76012-2701
DK PROPERTIES LLC	1251 JASPER ST	PUEBLO	CO	81003-3941
WARD MICHAEL P	2017 JONES AVE	PUEBLO	CO	81004-2717
PRATT DENNIS SR	2101 HOG FARM RD	PUEBLO	CO	81005-9623
RODEWALD FAMILY TRUST	211 VERCELLI DR	PUEBLO	CO	81005-1142
PUEBLO COUNTY	215 W 10TH ST	PUEBLO	CO	81003-2945
VILLALOBOS CORRAL URIEL	2221 NEWPORT AVE	PUEBLO	CO	81003-3811
FLOYD ROSA L/FLOYD CARLTON J/FLO	22457 E POLK DR	AURORA	CO	80016-7005
C + L TURNER PROPERTIES LLC + JASPER	3202 W 10TH ST	PUEBLO	CO	81003-3963
GINTHER JAMES B	3205 W 12TH ST	PUEBLO	CO	81003-3930
NUNNERY BERNIS LEE	3225 W 11TH ST	PUEBLO	CO	81003-3955
ORTIZ MELVIN	3900 AZALEA ST	PUEBLO	CO	81005-3012
DREILING CYNTHIA A	630 S CAMROSE DR	PUEBLO WEST	CO	81007-1527
MARTIN FRANCK	6809 TIGER WALK	LITTLETON	CO	81024-9586
FLICK JAY E	PO BOX 62	PORT ISABEL	TX	78578-0062