

Weston Burrer
Chair

Brian Lucas
Vice Chair

Jeff Falletta

PUEBLO 
Planning & Zoning Commission

Rod Johnson

Jean Latka

Vera Ortegon

Chuck Pelto

REGULAR MEETING

City of Pueblo, Colorado

Wednesday, April 13, 2011 – 3:30 p.m.

City Council Chambers – 301 West B Street

Minutes

MEETING CALLED TO ORDER

The meeting was called to order at 3:32 p.m. with Acting Chairperson Brian Lucas presiding.

Commissioners Present: Jeff Falletta, Brian Lucas, Vera Ortegon, and Chuck Pelto.

Commissioners Absent: Weston Burrer, Rod Johnson, and Jean Latka.

Staff Members Present: Jeff Bailey, P.E., Assistant City Manager for Development Services; Paul Willumstad, Attorney for the Planning and Zoning Commission; Pepper Whittlef, Traffic Engineer; and Kelly Grisham, Planner.

APPROVAL OF AGENDA

Motion was made by Council Person Ortegon to amend the agenda to combine items SAP-110-01 and S-11-03 for purposes of the Public Hearing and to move item ODP-11-01 to the end of the agenda, seconded by Commissioner Pelto. **Motion passed 4-0.**

PUBLIC HEARINGS AND ACTION

1a. **SAP-11-01 – Special Area Plan:** Vinci Subdivision, A Special Area Plan.

BACKGROUND

Staff report given by Kelly Grisham.

The applicant is requesting the Special Area Plan to facilitate subdivision of the property in a manner that would not be permissible under the current R-2 Zone District. The subdivision will create three lots, but the lots will not front onto a public street. The proposed subdivision and special area plan will allow access to be provided to all lots via a private street (Serenity Place). In addition, the applicant is requesting to modify the setbacks from the front, but will maintain the required setbacks along the periphery of the subdivision.

RECOMMENDED ACTION

Staff recommends the Planning and Zoning Commission make the necessary findings to forward a recommendation to City Council that the request for a Special Area Plan be **APPROVED** with the following conditions:

1. The plan shall provide for the use and continuous maintenance of any remaining open space, as well as, land common to all properties or controlled by a corporation or homeowners association composed of all present and future owners of all property within the proposed development and provision is made for the recording of such with each deed. Provide a copy of all covenants and restrictions for approval by the Planning and Community Development Department prior to the recording of the subdivision or special area plan.
2. Revise setbacks shown on the Plan as follows:
 - a. All rear setbacks from the Roger Dorey property to the west of the Development shall be 15'.
 - b. All front yard setbacks from Serenity Place shall be at least 20' and must be shown from the edge of the Serenity Place easement.
 - c. If front door of Lot 3 will face rear of Lot 2, the setback from the adjoining property line shall be a minimum of 15'; otherwise, setback shown is acceptable.
3. Indicate proposed residences shown are for information purposes only, and not intended as building envelopes. Indicate construction shall meet setbacks as shown.
4. Address comments contained in Memorandum from Lee Huffstutter, Board of Water Works, dated March 24, 2011.

Unless otherwise stated, all conditions must be met prior to City Council review.

HEARING

Tim Vinci, 27 Starling Drive, Pueblo, CO, the applicant, appeared and testified in favor of the application.

No one spoke in opposition to the application.

Acting Chairperson Lucas closed the hearing and requested a motion.

COMMISSION ACTION

Motion was made by Commissioner Falletta to recommend approval of the application, seconded by Commissioner Peltó, with the following conditions:

1. The plan shall provide for the use and continuous maintenance of any remaining open space, as well as, land common to all properties or controlled by a corporation or homeowners association composed of all present and future owners of all property within the proposed development and provision is made for the recording of such with each deed. Provide a copy of all covenants and restrictions for approval by the Planning & Community Development Department prior to the recording of the Subdivision or Special Area Plan.
2. Revise setbacks shown on the Plan as follows:
 - a. All rear setbacks from the Roger Dorey property to the west of the Development shall be 15'.
 - b. All front yard setbacks from Serenity Place shall be at least 20' and must be shown from the edge of the Serenity Place easement.

- c. If front door of Lot 3 will face rear of Lot 2, the setback from the adjoining property line shall be a minimum of 15'; otherwise, setback shown is acceptable.
3. Indicate proposed residences shown are for information purposes only, and not intended as building envelopes. Indicate construction shall meet setbacks as shown.
4. Address comments contained in Memorandum from Lee Huffstutter, Board of Water Works, dated March 24, 2011.

Unless otherwise stated, all conditions must be met prior to City Council review.

Motion passed 4-0.

1b. **S-11-03 – Subdivision:** Vinci Subdivision, A Special Area Plan.

BACKGROUND

Staff report given by Kelly Grisham.

The applicant is proposing to subdivide the one acre property into three lots, each approximately ¼ acre in size. In addition, the subdivision will create a 1/8th acre parcel for drainage and a park facility. A single-family residence exists on the proposed Lot 2. A private street, Serenity Place, located along the east of the property will provide access to all three lots.

RECOMMENDED ACTION

Move that the requested Subdivision be **APPROVED** with the following noted:

Request for waiver from requirements: Request for waiver from the requirements of Section 12-4-7, Dedication of Parks and Recreation Facilities.

Subdivision Review Committee has no objection to the request. Parcel A will be sodded, landscaped and otherwise developed for private recreation for the residents thereof.

Requests for Modifications to Requirements: None.

Plat Deficiencies: None

Conditions of Approval:

1. Indicate on Plat that Parcel A is not intended for construction of a building.
2. Serenity Place to be a public ingress/egress easement.
3. Provide Ratification of Plat, signed by the lien holder, prior to the Subdivision or Special Area Plan being placed on City Council agenda.
4. Address additional comments contained in the Memorandum from Daryl Wood, Stormwater Coordinator, dated February 22, 2011, and updated March 14, 2011.

5. Address comments contained in the Memorandum from Pepper Whittlef, Traffic Engineer, with concurrence of Woody Percival, Fire Inspector, dated February 23, 2011.

HEARING

Tim Vinci, 27 Starling Drive, Pueblo, CO, the applicant, appeared and testified in favor of the application.

No one spoke in opposition to the application.

Acting Chairperson Lucas closed the hearing and asked for a motion.

COMMISSION ACTION

Motion was made by Commissioner Falletta to recommend approval of the application, seconded by Commissioner Pelto, with the following conditions and waivers:

Request for waiver from requirements: Request for waiver from the requirements of Section 12-4-7, Dedication of Parks and Recreation Facilities.

Subdivision Review Committee has no objection to the request. Parcel A will be sodded, landscaped and otherwise developed for private recreation for the residents thereof.

Requests for Modifications to Requirements: None.

Plat Deficiencies: None

Conditions of Approval:

1. Indicate on Plat that Parcel A is not intended for construction of a building.
2. Serenity Place to be a public ingress/egress easement.
3. Provide Ratification of Plat, signed by the lien holder, prior to the Subdivision or Special Area Plan being placed on City Council agenda.
4. Address additional comments contained in the Memorandum from Daryl Wood, Stormwater Coordinator, dated February 22, 2011, and updated March 14, 2011.
5. Address comments contained in the Memorandum from Pepper Whittlef, Traffic Engineer, with concurrence of Woody Percival, Fire Inspector, dated February 23, 2011.

Motion passed 4-0.

2. **DPR-11-03 – Development Plan Review:** Pueblo Fire Station #4. Generally located to the west of Lake Avenue and Lakeshore Drive.

BACKGROUND

Staff report given by Kelly Grisham.

The City of Pueblo is requesting Development Plan Approval for Fire Station #4, which is located in Lot 1, Block 1 of the Pueblo Fire Station #4 Subdivision. The subdivision is located west of Lake Avenue and Lakeshore Drive. The building is designed in a Spanish Colonial/Mission Revival style and is a 12,400 sq. ft. facility. The facility will be located on a three acre parcel and will include site improvements associated with the existing S-1 Zone District. A photovoltaic array will sit on the small one story roof on the southern elevation. The submitted plans appear to be generally compliant with Ordinances; however, the plans are not final construction documents. Staff is recommending that the Planning and Zoning Commission review and approve the concept plans submitted, and require full compliance with Ordinances verified by staff once final construction documents are submitted.

RECOMMENDED ACTION

Staff recommends the Planning and Zoning Commission approve the proposed Site Plan for the Fire Station #4 with the following conditions:

1. Prior to the issuance of any building permits for the property final construction plans must be submitted and approved by the City of Pueblo Departments of Transportation, Public Works, Stormwater, Sanitary Sewer and Planning and Community Development.
2. Provide final photometric and manufacturers cut sheets, compliant with Section 17-4-52 of the PMC prior to building permit sign off.
3. Provide final landscape plans, compliant with Section 17-4-7 of the PMC, including 20% of the parcel as landscaped open space, prior to building permit sign off.
4. Provide note for all parking stall marking to be 4" white.
5. Provide the following notes for the handicap parking:
 - 4" white striping;
 - Install R7-8(a) sign at a height of no less than 7' from sidewalk elevation
 - Paint curb head blue
 - Ensure the maximum slope of no more than 2% in all directions for the space and access aisle.

HEARING

Mickey Beyer, Assistant Director of Public Works, 211 East D Street, Pueblo, CO appeared and testified in favor of the application.

Chief Shawn Shelton, Pueblo Fire Department, 1551 Bonforte Boulevard, Pueblo, CO appeared and testified in favor of the application.

Fire Chief Chris Riley, Pueblo Fire Department, 1551 Bonforte Boulevard, Pueblo, CO appeared and testified in favor of the application.

No one spoke in opposition to the application.

Acting Chairperson Lucas closed the hearing and asked for a motion.

COMMISSION ACTION

Motion was made by Commissioner Pelto to recommend approval of the application, seconded by Council Person Ortegon, with the following conditions:

1. Prior to the issuance of any building permits for the property final construction plans must be submitted and approved by the City of Pueblo Departments of Transportation, Public Works, Stormwater, Sanitary Sewer and Planning and Community Development.
2. Provide final photometric and manufacturers cut sheets, compliant with Section 17-4-52 of the PMC prior to building permit sign off.
3. Provide final landscape plans, compliant with Section 17-4-7 of the PMC, including 20% of the parcel as landscaped open space, prior to building permit sign off.
4. Provide note for all parking stall marking to be 4” white.
5. Provide the following notes for the handicap parking:
 - 4” white striping;
 - Install R7-8(a) sign at a height of no less than 7’ from sidewalk elevation
 - Paint curb head blue
 - Ensure the maximum slope of no more than 2% in all directions for the space and access aisle.

Motion passed 4-0.

4. **ODP-11-01 – Overall Development Plan:** Pueblo Country Club. 111 acres at 725 West 31st Street.

BACKGROUND

Staff report given by Kelly Grisham.

The applicant is requesting approval of the Overall Development Plan to enable them to subdivide four (4) portions of the large Pueblo Country Club property. According to Section 12-4-5(a)(1) of the Pueblo Municipal Code (PMC) “When a tract of land proposed for subdivision constitutes a part of a larger tract of land owned or controlled by the subdivider, whose intention is to subdivide the remaining part or parts of the larger tract at some future date, a master development plan shall be prepared and submitted by the developer and approved by the Planning Commission prior to preparation and submission of the subdivision plat of the tract proposed for initial subdivision.”

The applicant has indicated four phases of possible future development (as conditioned, the final Plan would include five phases). Phase I proposes development of single family residential. In order to facilitate this development, the applicant will be required to subdivide and rezone the property to an R-1, Single Family Residential Zone District. Phase II proposed development of either multiple family residential or offices and will be required to subdivide and rezone to an R-5, Multiple Family Residential and Office District. Phase III had proposed development of single family residential, however, the applicant has requested that Phase III be removed from this application. Phase IV proposes to keep the existing development of an indoor tennis facility. The Subdivision Review Committee and Staff are

recommending several conditions of approval regarding general details of the Plan as well as creating an additional phase for development, for the remainder of the golf course.

RECOMMENDED ACTION

It is the recommendation of the SRC that the Overall Development Plan be **APPROVED** with the following conditions:

1. Include notes on the plan restricting the use of fences, especially fully opaque fences, between the developments and the golf course for Phases I and II and require a seamless interface with the golf course by incorporating balconies, porches, windows, or other similar architectural features.
2. Revise the Overall Development Plan Zoning General Note for Phase I to indicate that rezoning to the R-1 will be required prior to development of the site, rather than stating that it is the proposed Zone District.
3. Revise the Overall Development Plan Zoning General Note for Phase II to indicate that rezoning to the R-5 will be required prior to development of the site, rather than stating that it is the proposed Zone District.
4. Revise the Phase I intensity to be 50% maximum lot coverage and Phase II intensity to a Floor Area Ratio of 2.
5. Revise Phase I and II parks general note to be: “will comply with Section 12-4-7(e) of the PMC at the time of subdivision.”
6. Show a 5th phase that includes the remainder of the golf course ownership, and provide information on development (existing golf course), parks (n/a), utilities (existing), density (n/a) and access point (existing via 8th Avenue).
7. Add a note for Phase IV requiring compliance with landscaping, parking and lighting at the time of subdivision or land use application.
8. Move the heading of “Phasing of infrastructure” to be directly above the phasing section of the Plan.
9. Address comments contained in Memorandum from Lee Huffstutter, Board of Water Works, dated March 24, 2011.
10. Address comments contained in Memorandum from Carl Buford, Colorado Department of Transportation, dated March 1, 2011.
11. Remove Phase III from the Plan and indicate under General Notes that Phase III is “Reserved for future Overall Development Plan Amendment”

HEARING

Randy Reeves, Cardinal Point Surveying, 4776 Eagleridge Circle, Pueblo, CO appeared on behalf of the applicant and testified in favor of the application.

Norm Froelich, 2 Country Club Village, Pueblo, CO appeared to asked questions regarding the Overall Development Plan.

No one spoke in opposition to the application.

Acting Chairperson Lucas closed the hearing and requested a motion.

COMMISSION ACTION

Motion was made by Council Person Ortegon to recommend approval of the application, seconded by Commission Falletta, with the following conditions:

1. Include notes on the plan restricting the use of fences, especially fully opaque fences, between the developments and the golf course for Phases I and II and require a seamless interface with the golf course by incorporating balconies, porches, windows, or other similar architectural features.
2. Revise the Overall Development Plan Zoning General Note for Phase I to indicate that rezoning to the R-1 will be required prior to development of the site, rather than stating that it is the proposed Zone District.
3. Revise the Overall Development Plan Zoning General Note for Phase II to indicate that rezoning to the R-5 will be required prior to development of the site, rather than stating that it is the proposed Zone District.
4. Revise the Phase I intensity to be 50% maximum lot coverage and Phase II intensity to a Floor Area Ratio of 2.
5. Revise Phase I and II parks general note to be: “will comply with Section 12-4-7(e) of the PMC at the time of subdivision.”
6. Show a 5th phase that includes the remainder of the golf course ownership, and provide information on development (existing golf course), parks (n/a), utilities (existing), density (n/a) and access point (existing via 8th Avenue).
7. Add a note for Phase IV requiring compliance with landscaping, parking and lighting at the time of subdivision or land use application.
8. Move the heading of “Phasing of infrastructure” to be directly above the phasing section of the Plan.
9. Address comments contained in Memorandum from Lee Huffstutter, Board of Water Works, dated March 24, 2011.
10. Address comments contained in Memorandum from Carl Buford, Colorado Department of Transportation, dated March 1, 2011.
11. Remove Phase III from the Plan and indicate under General Notes that Phase III is “Reserved for future Overall Development Plan Amendment”

Motion passed 4-0.

APPROVAL OF MINUTES

Motion was made by Council Person Ortegon to approve the Minutes of the March 9, 2011 Public Hearing, seconded by Commissioner Falletta. **Motion passed 4-0.**

SCHEDULE PUBLIC HEARING

The Public Hearing for May is cancelled due to a lack of quorum. Motion by Council Person Ortegon, seconded by Commissioner Pelto. **Motion passed 4-0.**

SCHEDULE WORK SESSION

The Work Session for April will convene on Wednesday, April 20, 2011 at 5:00 p.m. in the Planning Conference Room, 211 East D. Street. Motion by Commissioner Pelto, seconded by Commissioner Falletta. **Motion passed 4-0.**

ADJOURN

There being no further business the Regular Meeting was adjourned at 4:26 p.m.

Respectfully submitted,

Attest:

Weston Burrer
Chairperson

Jerry M. Pacheco
Executive Secretary

Digital recordings of all the meetings of the Planning and Zoning Commission are maintained and available for inspection and review during normal business hours (M – F, 8 a.m. – 5 p.m.) at the Department of Planning & Community Development, 211 East D Street, Pueblo, CO.