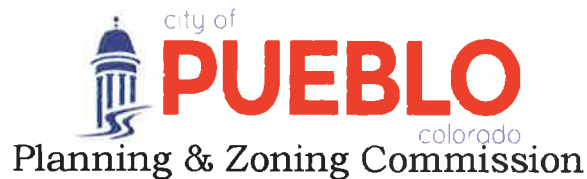


Jean Latka
Chair

Brandice Eslinger
Vice Chair

Bob Schilling
City Council Representative



Mike Castellucci

Brian Lucas

Yvonne Lujan-Slak

David Webb

REGULAR MEETING
City of Pueblo, Colorado
Wednesday, August 12, 2015 – 3:30 p.m.
City Council Chambers – 1 City Hall Place

Minutes

MEETING CALLED TO ORDER

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

Commissioners Present: Bob Schilling, Brandice Eslinger, Brian Lucas, Mike Castellucci, Yvonne Lujan-Slak and David Webb.

Commissioners Absent: Jean Latka.

Staff Members Present: Paul Willumstad, Attorney for the Planning and Zoning Commission; Steven Meier, Director of Planning and Community Development; Pepper Whittlef, Transportation Engineer; and Kelly Grisham, Senior Planner.

APPROVAL OF AGENDA

A Motion was made by Commissioner Webb to approve the agenda, seconded by Commissioner Castellucci. **Motion passed 5-0 (Latka and Lucas absent).**

PUBLIC HEARINGS AND ACTION

1. **SUP-15-01 – Special Use Permit:** 105 S. Victoria Street for a non-governmental use (tower).

The applicant has requested to withdraw the Special Use Permit application.

COMMISSION ACTION

A Motion was made by Council Person Schilling, seconded by Commissioner Webb to approval the withdrawal of the application.

Motion passed 5-0 (Latka and Lucas absent).

2. **V-15-03 – Vacation:** 1111 Bonforte Boulevard. Vacating two (2) utility easements.

BACKGROUND

Staff report given by Kelly Grisham.

The applicant is requesting to vacate a 10' wide utility easement, which straddles the lot lines between Lot 18, Block 141, Belmont Villa Filing 1, and Lot 25, Block 141, Belmont 84th Filing. The current easements are located along the property line, and the building was constructed over the lot lines and easements. This request will eliminate the building being built over the easements. All utilities, except Black Hills Energy, have responded that they are in support of the vacation.

RECOMMENDED ACTION

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

HEARING

No one testified in favor to the proposed vacation.

No one testified in opposition to the proposed vacation.

Acting Chairperson Eslinger closed the public hearing and requested a motion.

COMMISSION ACTION

A Motion to recommend approval of the proposed vacation was made by Commissioner Webb, seconded by Council Person Schilling.

Motion passed 5-0 (Latka, and Lucas absent).

3. **Rezoning:** Fountain Creek Rezoning approximately 30 acres from I-3 and S-3 to BP, Business Park Zone District. Generally located south of 26th Street, and east of I-25.

The application must be continued to the September 9, 2015 Public Hearing due to failed notice.

COMMISSION ACTION

A Motion to continue the proposed rezoning was made by Council Person Schilling, seconded by Commissioner Webb.

Motion passed 5-0 (Latka and Lucas absent).

4. **Subdivision:** Fountain Creek Subdivision of approximately 28 acres, into 4 lots. Generally located south of 26th Street, and east of I-25.

The application must be continued to the September 9, 2015 Public Hearing due to failed notice.

COMMISSION ACTION

A Motion to continue the proposed subdivision was made by Commissioner Webb, seconded by Commissioner Castelucci.

Motion passed 5-0 (Latka and Lucas absent).

~ Commissioner Lucas arrived ~

5. **V-15-04 – Vacation:** Kelly Avenue and Hillside Street Vacation.

BACKGROUND

Staff report given by Kelly Grisham.

The applicant is requesting to vacate Kelly Avenue, Hillside Street and Anaya Street, between River Street and Granite Street for the I-25 at Ilex highway project. The purpose of the vacation is for construction and maintenance of roadway improvements. It does not appear that any properties gain access from the streets being vacated.

RECOMMENDED ACTION

Staff recommends the Planning and Zoning Commission make a recommendation to City Council that the Annexation be **APPROVED** with the following condition:

- The text “Existing ROW” in Gruma Drive needs to be removed as Gruma is within a Parcel and not dedicated ROW as shown.

HEARING

Walter Modlin, 46 Drake Street, Pueblo, CO appeared and testified in favor of the application.

Kathy Bacino, 218 S. Branford, Pueblo, CO appeared and testified in opposition of the application.

James Bacino, 234 E. River Street, Pueblo, CO appeared and testified in opposition of the application.

Acting Chairperson Eslinger closed the hearing and requested a motion.

COMMISSION ACTION

Motion was made to forward a recommendation of approval the application by Commissioner Webb, seconded by Commissioner Castellucci.

Motion passed 6-0 (Latka absent).

6. **A-15-02 – Annexation:** MVD Pueblo Suburban Development, LLC is requesting to annex a 684-acre site into the City to facilitate the construction of an agricultural greenhouse production complex.

BACKGROUND

Staff report given by Kelly Grisham.

The applicant is proposing to annex the subject property into the City of Pueblo in order to facilitate the construction of an agricultural greenhouse production complex, including a series of large-scale greenhouse structures. When the greenhouse facilities are fully developed it is estimated that approximately 1,500 jobs could be provided within this complex. Zoning of the property, as well as subdivision, will be brought before the Commission within the next several months. The applicant is proposing a rezoning to A-1, Agricultural One Zone District, which would allow agricultural products to be grown within the greenhouse complex. The proposed zoning designation does not permit grow facilities for marijuana or other marijuana products. Primary access to the property will be provided through the extension of Greenhorn Drive south to the property. Water and sanitary sewer service that was installed to serve the Vestas Towers Plant is currently extended along the western boundary of the property.

Staff is working with the Applicant to include language in the Annexation Agreement that will allow the Administrative Official the ability to make modifications to the Zoning Code regarding the architecture of the greenhouse structures. In lieu of the modifications to the architecture requirements, Staff would require landscaping in the parking lot as well as along the public right-of-ways.

RECOMMENDED ACTION

Staff recommends the Planning and Zoning Commission make a recommendation to City Council that the Annexation be APPROVED with the following condition:

1. Applicant must sign an Annexation Agreement, including the provisions included in Exhibit C of Section XIV. Special Improvements and Dedications.

HEARING

Mike Cuppy, NorthStar Engineering, 111 East 5th Street, Pueblo, CO, the applicant, appeared and testified in favor of the application.

No one testified in opposition to the proposed annexation.

Acting Chairperson Eslinger closed the hearing and requested a motion.

COMMISSION ACTION

Motion was made to forward a recommendation of approval of the application by Councilperson Schilling, seconded by Commissioner Webb, with the following condition:

1. Applicant must sign an Annexation Agreement, including the provisions included in Exhibit C of Section XIV. Special Improvements and Dedications.

Motion passed 6-0 (Latka absent).

7. **ODP-15-01 – Overall Development Plan:** Southern Colorado Clinic annexation.

BACKGROUND

Staff report given by Kelly Grisham.

The applicant is requesting approval of the Overall Development Plan to enable them to subdivide off portions of the large Southern Colorado Clinic 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 annexed the property into the City of Pueblo in 2014 and has indicated a desire to subdivide only a portion of their ownership that lies to the west of the Wild Horse Creek Arroyo. Development on the east side of the arroyo will be costly and will not be done at this time. Final zoning and subdivision of the subject parcel will be filed for City consideration and approval subsequent to the approval of the Overall Development Plan.

RECOMMENDED ACTION

It is the recommendation of the SRC that the Overall Development Plan be **APPROVED** with the following conditions, which must be complete and approved by staff prior to the first Subdivision of this area being scheduled for Planning and Zoning Commission:

1. Drainage Report (M. Turner, 8/3/15):
 - a. Include a location map.
 - b. Describe the method for the hydrologic analysis in the hydrology section of the report (e.g. Rational, SCS, or CUHP).
 - c. Provide a discussion the arroyo located in Basin 11-A-3 that is planned to be filled in.
 - d. Make changes to Drainage Report as per redlined comments by Melanie Turner on 7/24/15.
2. Drainage Basin Plan (M. Turner, 8/3/15):
 - a. Show the existing drainage facility. Will the proposed facility in 11-A-3 be linked in series to the existing facility or will it outfall directly to Wildhorse Creek?
 - b. Show existing and proposed flow arrows. Show how each facility will outfall.
 - c. Clean up overlapping numbers on property lines.
3. Transportation Master Plan (P. Whittlef, 7/23/15)
 - a. Address how you will handle emergency access to the site.

- b. Provide a copy of the Access Permit from CDOT and include as part of the Transportation Master Plan.
 - c. The emergency access exhibit must also show the emergency access locations.
 - d. The roadway exhibit must be modified to show a roundabout at the intersection of Tuxedo Boulevard and Parker Boulevard. The location of Tuxedo Boulevard may move slightly depending on the Hwy 50 design. The City will coordinate with the applicant the planned location relative to the existing highway projects.
4. Overall Development Plan (K. Grisham, 8/4/15)
- a. Provide a phasing plan in conjunction with the Development Plan showing the anticipated phasing of the development.
 - b. Provide an Environmental Study as part of the Overall Development Plan, as required by Annexation Agreement. If an Environmental Study is not necessary, provide a letter stating that the property does not include any land that is adjacent to or has previously used for solid waste disposal by land filling.
 - c. Show emergency access point on the Development Plan.
 - d. Show the general location of the trail easements that will be dedicated as part of the first Subdivision, and as required by the Annexation Agreement.
 - e. Show the general location of the North-South Utility Corridor that will be dedicated to the City as part of the first Subdivision, and as required by the Annexation Agreement.

HEARING

Mike Cuppy, NorthStar Engineering, 111 East 5th Street, Pueblo, CO, the applicant, appeared and testified in favor of the application.

No one testified in opposition to the proposed overall development plan.

Acting Chairperson Eslinger closed the hearing and requested a motion.

COMMISSION ACTION

Motion was made to forward a recommendation of approval of the application by Councilperson Schilling, seconded by Commissioner Castellucci, with the following conditions, which must be complete and approved by staff prior to the first Subdivision of this area being scheduled for Planning and Zoning Commission:

1. Drainage Report (M. Turner, 8/3/15):
 - a. Include a location map.
 - b. Describe the method for the hydrologic analysis in the hydrology section of the report (e.g. Rational, SCS, or CUHP).
 - c. Provide a discussion the arroyo located in Basin 11-A-3 that is planned to be filled in.
 - d. Make changes to Drainage Report as per redlined comments by Melanie Turner on 7/24/15.
2. Drainage Basin Plan (M. Turner, 8/3/15):

- a. Show the existing drainage facility. Will the proposed facility in 11-A-3 be linked in series to the existing facility or will it outfall directly to Wildhorse Creek?
 - b. Show existing and proposed flow arrows. Show how each facility will outfall.
 - c. Clean up overlapping numbers on property lines.
3. Transportation Master Plan (P. Whittlef, 7/23/15)
- a. Address how you will handle emergency access to the site.
 - b. Provide a copy of the Access Permit from CDOT and include as part of the Transportation Master Plan.
 - c. The emergency access exhibit must also show the emergency access locations.
 - d. The roadway exhibit must be modified to show a roundabout at the intersection of Tuxedo Boulevard and Parker Boulevard. The location of Tuxedo Boulevard may move slightly depending on the Hwy 50 design. The City will coordinate with the applicant the planned location relative to the existing highway projects.
4. Overall Development Plan (K. Grisham, 8/4/15)
- a. Provide a phasing plan in conjunction with the Development Plan showing the anticipated phasing of the development.
 - b. Provide an Environmental Study as part of the Overall Development Plan, as required by Annexation Agreement. If an Environmental Study is not necessary, provide a letter stating that the property does not include any land that is adjacent to or has previously used for solid waste disposal by land filling.
 - c. Show emergency access point on the Development Plan.
 - d. Show the general location of the trail easements that will be dedicated as part of the first Subdivision, and as required by the Annexation Agreement.
 - e. Show the general location of the North-South Utility Corridor that will be dedicated to the City as part of the first Subdivision, and as required by the Annexation Agreement.

Motion passed 6-0 (Latka absent).

8. **Development Plan Review:** East Side Library art approval at 1315 E. 7th Street.

The application must be continued to the September 9, 2015 Public Hearing due to failed notice.

COMMISSION ACTION

A Motion to continue the proposed development plan review was made by Councilperson Schilling, seconded by Commissioner Castelucci.

Motion passed 6-0 (Latka absent).

APPROVAL OF MINUTES

A Motion was made by Councilperson Schilling to approve the Minutes of the July 8, 2015 Public Hearing, seconded by Commissioner Webb. **Motion passed 6-0.**

OLD/NEW BUSINESS

No Old/New Business was discussed.

SCHEDULE PUBLIC HEARING

The Public Hearing for September will convene on September 9, 2015 at 3:30 p.m. in the City Council Chambers.

SCHEDULE WORK SESSION


The Work Session for August will convene on Wednesday, August 26, 2015 at 3:30 p.m. in the Planning Department Conference Room, 211 East D Street.

ADJOURN

There being no further business the Regular Meeting was adjourned at 4:20 p.m.

Respectfully submitted,

Attest:



Jean Latka
Chairperson



Steven Meier
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.