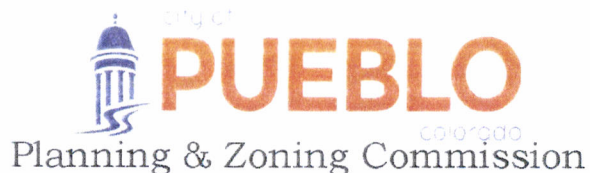


Brandice Eslinger
Chair

Brian Lucas
Vice Chair

Bob Schilling
City Council Representative



Mike Castellucci

Jean Latka

Yvonne Lujan-Slak

David Webb

REGULAR MEETING
City of Pueblo, Colorado
Wednesday, June 8, 2016 – 3:30 p.m.
City Council Chambers – 1 City Hall Place

Minutes

MEETING CALLED TO ORDER

The meeting was called to order at 3:31 p.m. with Acting Chairperson Brian Lucas presiding.

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

Commissioners Absent: Jean Latka.

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

APPROVAL OF AGENDA

A Motion was made by Council Person Schilling to approve the agenda, combining items 1a, 1b and 1c, for hearing purposes, seconded by Commissioner Webb.

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

PUBLIC HEARINGS AND ACTION

- 1a. Z-15-10 – MVD Rezoning.** Rezoning of approximately 690 acres, located east of I-25 and North of Vestas Towers America Site from County A-1 and City A-1.
- 1b. V-15-07 – MVD Vacation.** Vacation of a portion of Greenhorn Drive, located east of I-25 and North of Vestas Towers America Site.
- 1c. S-15-07 – MVD Subdivision.** Subdivision of approximately 690 acres, located east of I-25 and North of Vestas America Site

Staff recommends the applications be continued to the July 13, 2016 Public Hearing with the condition that the applicant pay the Planning and Zoning Continuance fee.

COMMISSION ACTION

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

Motion passed 5-(Latka and Eslinger absent).

~ Commissioner Eslinger arrived at the meeting ~

2a. V-16-02 – Mass Street Vacation. Vacation of Mass Street, west of Kennedy Street.

BACKGROUND

Staff report given by Kelly Grisham.

The applicant is requesting to vacate the dead-end section of Mass Street, which is east of the property that they are subdividing concurrently with this request. The vacated portion of Mass Street will be deeded to the property owners to the north and south of Mass Street. Staff is recommending the applicant be required to construct curb, gutter and sidewalk along Mass Street once the vacation is approved by City Council, eliminating the confusion of Mass Street being a street.

RECOMMENDED ACTION

Staff recommends that the Vacation be APPROVED with the following condition:

1. Upon approval of the vacation, construct full curb, gutter and sidewalk for the portion of Mass Street that will be vacated, along Kennedy Street. The requirement of these improvements shall be included in the Subdivision Improvement Agreement and shall be constructed with the improvements associated with the Dill Subdivision.

Just prior to the hearing, Staff was informed that the property owner to the south of Mass Street was opposed to the vacation; therefore, Staff changed their recommendation to continue the case to the July 13, 2016 Public Hearing to give the applicant and the property owner time to come to an agreement regarding the vacation.

HEARING

Rick Kidd, Kidd Engineering, 44811 East Hwy 50, Avondale, CO, the applicant, appeared and testified in favor of the application.

Les Shaver, 1012 Kennedy Street, Pueblo, CO, appeared and testified in favor of the proposed application.

No one testified in opposition to the proposed application.

Acting Chairperson Lucas closed the hearing and requested a motion.

COMMISSION ACTION

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

Motion passed 5-0-1 (Latka absent and Castellucci abstained).

2b. S-15-10 – Dill Subdivision 1-lot, and 1 parcel subdivision of vacant land, located on Highway 50 Bypass Frontage Road, at the 1000 block of E US Hwy 50 Bypass

BACKGROUND

Staff report given by Kelly Grisham.

The subject property is located along the frontage road, east of Big R and north of the Belmont Post Office. The applicant is requesting to combine the two existing parcels into one lot for the purpose of construction of a mini-storage facility. With this request, the applicant is also requesting to vacate a portion of Mass Street that is west of Kennedy Street.

RECOMMENDED ACTION

The Subdivision Review Committee recommends the Planning and Zoning Commission forward a recommendation the requested Subdivision be **APPROVED** with the following noted:

Request for waiver from requirements:

The applicant is requesting a waiver of the existing overhead electric lines along Hwy 50 By-pass and on the east of the property.

The Subdivision Review Committee meeting discussed the two waiver requests and makes the following recommendation:

- 1. SRC does not support the waiver request along the frontage road. This line stops at the post office, can be put underground, and would not affect any single family residential properties.*
- 2. SRC supports the waiver request for the lines along the eastern edge of the property as those feed power to the homes along that property line. Requiring the applicant to bury that overhead electric line would result in all of the residences along that property line (9 single family homes) to be converted to underground electric service.*

Requests for Modifications to Requirements:

None Requested

Plat Deficiencies:

None

Conditions of Approval:

(Unless otherwise noted, all conditions of approval must be completed prior to the case being scheduled for City Council hearing.)

1. Include the undergrounding of the overhead electric along frontage road in the Subdivision Improvement Agreement and place underground as required by the approved SIA.
2. Provide a surveyors statement on the plat. See Public Works engineering for a sample of the statement.
3. The subdivision shall not be approved or recorded unless Mass Street is vacated.
4. Comply with the attached memo from Stormwater Utility dated June 3, 2016.
5. Comply with the attached letter from CDOT dated April 26, 2016
6. Provide a supplemental map with all applicable checklist items addressed.
7. Provide an updated plat map with all requirement met.

Just prior to the hearing, Staff was informed that the property owner to the south of Mass Street opposed to the vacation; therefore, Staff changed their recommendation to continue the case to the July 13, 2016 Public Hearing to give the applicant and the property owner time to come to an agreement regarding the vacation.

HEARING

Rick Kidd, Kidd Engineering, 44811 East Hwy 50, Avondale, CO, the applicant, appeared and testified in favor of the application.

No one testified in favor to the proposed application.

No one testified in opposition to the proposed application.

Acting Chairperson Lucas closed the hearing and requested a motion.

COMMISSION ACTION

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

Motion passed 5-0-1 (Latka absent and Castellucci abstained).

3. **V-16-03 – Bowen Vacation.** Vacation of all of the Drainage Easement within Lots 1 and 2, Bowen Subdivision.

BACKGROUND

Staff report given by Kelly Grisham.

The applicant is requesting to vacate all of the drainage easements located within Lots 1 and 2, Bowen's Subdivision for the purpose of redesigning the existing drainage and detention facilities. The purpose of the easement vacation is so the applicant can relocate and redesign the drainage and detention facilities to better accommodate development on the property.

RECOMMENDED ACTION

Staff recommends that the Vacation be APPROVED with the following conditions:

1. Revise the “purpose statement” of Drainage Easement “A” to something similar to the following:
“Purpose: To redesign the drainage facilities for the drainage easement dedicated to the public for perpetual use.”
2. Revise the “purpose statement” of Detention Pond Easement “B” to something similar to the following:
“Purpose: To redesign the detention facilities for Bowen’s Subdivision.”

(Reword these statements as you find appropriate. These comments are also shown on the attached dwf.)

3. Change the narrative to express that the intent is to redesign and relocate the drainage and detention facilities.

HEARING

Darlene Horn, DK Horn Engineering, Inc, 1910 Aspen Circle, Pueblo, CO, the applicant, appeared and testified in favor of the application.

No one testified in favor to the proposed application.

Bill Genovese, 2022 Acero Avenue, Pueblo, CO, appeared and testified in opposition to the proposed application.

Acting Chairperson Lucas closed the hearing and requested a motion.

COMMISSION ACTION

A Motion to approve the proposed vacation was made by Council Person Schilling, seconded by Commissioner Webb with the following conditions of approval:

1. Revise the “purpose statement” of Drainage Easement “A” to something similar to the following:
“Purpose: To redesign the drainage facilities for the drainage easement dedicated to the public for perpetual use.”
2. Revise the “purpose statement” of Detention Pond Easement “B” to something similar to the following:
“Purpose: To redesign the detention facilities for Bowen’s Subdivision.”

(Reword these statements as you find appropriate. These comments are also shown on the attached dwf.)

3. Change the narrative to express that the intent is to redesign and relocate the drainage and detention facilities.

Motion passed 6-0 (Latka absent).

- 4. Z-16-04 – 1245 Palmer Avenue Rezoning.** Rezoning from O-1 to R-1, Single Family Residential.

BACKGROUND

Staff report given by Kelly Grisham.

The subject property is located at 1245 Palmer Avenue and previously rezoned from R-3 to O-1 to allow office uses at the property. The applicant is now trying to sell the property and would like to go back to a residential district. The other properties in the neighborhood are all residential; therefore, rezoning back to R-3 would be consistent with the neighborhood.

RECOMMENDED ACTION

Staff recommends that the Rezoning be APPROVED.

HEARING

Arlene Raigoza, 36 Tulane, Pueblo, CO, the applicant, appeared and testified in favor of the application.

Donna Waugh, 1241 Palmer Avenue, Pueblo, CO, appeared and testified in favor of the application.

No one testified in opposition to the proposed application.

Acting Chairperson Lucas closed the hearing and requested a motion.

COMMISSION ACTION

A Motion to approve the proposed vacation was made by Commissioner Eslinger, seconded by Commissioner Webb.

Motion passed 6-0 (Latka absent).

- 5. V-16-04 – Alley Vacation.** Vacation of ½ of the alley adjacent to 302 East City Center Drive.

BACKGROUND

Staff report given by Kelly Grisham.

The applicant is requesting to vacate ½ of the alley adjacent to the property located at 302 E. City Center Drive for the purpose of providing additional area for commercial improvements. Staff does not support this vacation request and recommends the vacation be denied. First, the alley is located on the bluff overlooking the property. As such, no additional development on the bluff would be possible. Second, the remaining alley would be 8 feet wide, which is too narrow for access to the properties to the south of the alley. An existing overhead electric line is located along the southern portion of the alley (the portion that would remain), making it