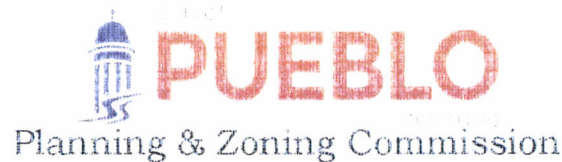


Brandice Eslinger
Chair

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, September 14, 2016 – 3:30 p.m.

City Council Chambers – 1 City Hall Place

Minutes

MEETING CALLED TO ORDER

The meeting was called to order at 3:30 p.m. with Chairperson Brandice Eslinger presiding.

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

Commissioners Absent: Brian Lucas

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 3a and 3b, for hearing purposes, seconded by Commissioner Latka.

Motion passed 6-0 (Lucas absent).

PUBLIC HEARINGS AND ACTION

1. **V-16-06 – Vacation: Ilex & I25.** Vacation of portions of Albany Street, Hector Garcia Place, S. Bradford Street, Kelly Avenue and the alley in Block 15, Plan of Pueblo for the purpose of the I-25/Ilex project reconstruction.

Staff recommends the application be continued to the October 12, 2016 Public Hearing.

COMMISSION ACTION

A Motion to continue the proposed vacation to the October 12, 2016 public hearing was made by Council Person Schilling, seconded by Commissioner Latka.

Motion passed 6-0 (Lucas absent).

2. **S-16-07 – Subdivision: New Horizons.** Subdividing approximately 2 acres, located at 2928 & 2918 N. Elizabeth Street.

BACKGROUND

Staff report given by Kelly Grisham.

The subject property is located at 2928 N. Elizabeth, at the site of the old Rosarios restaurant. The applicant is requesting to combine the two existing parcels into one (1) lot for the purpose of construction of a thrift store. Previously, a portion of the main building was constructed over a lot line and an existing Storm sewer pipe. The applicant has recently demolished the portion of the main building that was not property permitted (patio and steak house restaurant) and located over the lot line and storm sewer pipe. By demolishing the portion of the building that was not up to code requirements, they have brought the site further into compliance. Only the old Rosario's restaurant remains of that building and is planned to be used in the future. Closer to 30th Street, the old PS I Love You flower shop remains and is planned to also be used in the future. With this development, the applicant is proposing to construct a retail sales building and associated site improvements for a New Horizons Thrift Store. Along 30th Street, this subdivision will dedicate the additional right-of-way required for 30th Street right-of-way (approximately 10' in width, adjacent to the property).

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 to underground the existing overhead electric lines along Elizabeth Street.

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

SRC does not support the waiver request along Elizabeth Street. Elizabeth Street is a major hub of commercial development, and by leaving the line above ground, the view corridor along Elizabeth Street will never be improved. The Subdivision Review Committee does however understand that undergrounding only a portion of the line along Elizabeth Street is not financially feasible; therefore, we are recommending that an improvement fund be set up for all properties along Elizabeth to pay into in lieu of placing a portion of the line underground, and using some of the underground funds from Black Hills Energy, eventually, the line along Elizabeth Street can be placed underground. In addition, as properties along Elizabeth Street develop, more of the electric service lines will be placed underground, thereby reducing the cost of undergrounding the line.

Staff has contacted Black Hills Energy for a cost estimate to underground the entire overhead electric line along the east side of Elizabeth Street. Once this cost estimate is provided, the City will divide the cost among the properties that front on the east side of

Elizabeth Street, based on each property's frontage length plus 1/2 of any adjacent rights-of-ways that intersect Elizabeth Street.

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.)

Planning:

1. Provide cash in lieu of undergrounding the overhead electric line along the east side of Elizabeth equal to the assessed value of the property's portion of the Elizabeth Street Undergrounding Improvement Fund. Once the cost estimate is provided from Black Hills Energy to underground the entire length of the overhead electric line along Elizabeth Street, City Staff will determine the portion of the cost associated with this Subdivision. The assessment must be paid to the City prior to the Subdivision being recorded.

Stormwater

(See attached memorandum from Melanie Turner, dated September 6, 2016):

2. Provide the legal documentation to release the drainage easements recorded on Book 1482, Page 61 & 62.
3. Provide the legal documentation to release the drainage easement with reception No. 1343249.
4. On the plat, provide a dedication statement for the proposed drainage easement.
5. On the plat, provide a maintenance statement for the drainage facilities.
6. Revise plat note No. 11: Change the year from 1952 to 1962.
7. Revise plat note No. 15: Correct the misspelling of Myrtle.
8. In the drainage report, add a discussion of existing drainage easements (to be released) and proposed drainage easements.
9. On the plat, add a drainage easement for the detention pond (this was an additional condition that was requested to be added to the conditions of approval at the hearing).

Comments:

(No action required; for information only)

Stormwater

(See attached memorandum from Melanie Turner, dated September 6, 2016):

1. A more exhaustive review of the drainage plan and report will be conducted after the final drainage plan and report (as well as more calculations and details) are submitted in conjunction with a commercial site plan or Part II subdivision plans.

Transportation

(See attached memorandum from Pepper Whittlef, dated September 6, 2016):

2. As shown on the plat an additional 10' of right-of-way is required for 30th Street. If the development site plan requires existing improvements to remain (retaining wall), the applicant will be required to obtain a revocable permit from City Council.

3. Access points to Elizabeth Street will be limited to one for the entire site.

HEARING

Mervin Stoltzfus, 1331 Harrison Avenue, Canon City, CO, the applicant, appeared and testified in favor of the application.

Richard Jay, 29244 Karen Road, Pueblo, CO, the applicant, appeared and testified in favor of the application.

No one testified in opposition to the proposed application.

Chairperson Eslinger closed the hearing and requested a motion.

COMMISSION ACTION

A Motion to deny the waiver request was made by Commissioner Latka, seconded by Council Person Schilling.

Motion passed 5-1 (Lucas absent, and Webb dissented).

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

1. Provide cash in lieu of undergrounding the overhead electric line along the east side of Elizabeth equal to the assessed value of the property's portion of the Elizabeth Street Undergrounding Improvement Fund. Once the cost estimate is provided from Black Hills Energy to underground the entire length of the overhead electric line along Elizabeth Street, City Staff will determine the portion of the cost associated with this Subdivision. The assessment must be paid to the City prior to the Subdivision being recorded.
2. Provide the legal documentation to release the drainage easements recorded on Book 1482, Page 61 & 62.
3. Provide the legal documentation to release the drainage easement with reception No. 1343249.
4. On the plat, provide a dedication statement for the proposed drainage easement.
5. On the plat, provide a maintenance statement for the drainage facilities.
6. Revise plat note No. 11: Change the year from 1952 to 1962.
7. Revise plat note No. 15: Correct the misspelling of Myrtle.
8. In the drainage report, add a discussion of existing drainage easements (to be released) and proposed drainage easements.
9. On the plat, add a drainage easement for the detention pond

Motion passed 6-0 (Lucas absent).

- 3a. **V-16-05 – Easement Vacation: Eagleridge Estates.** Vacation of a sanitary sewer easement, located at the corner of Outlook Boulevard and Ridge Drive.

BACKGROUND

Staff report given by Kelly Grisham.

The applicant is requesting to vacate the full 20 foot wide sanitary sewer easement, which is no longer necessary with the subdivision of the Eagleridge Estates Subdivision, Filing No. 3. A new 20' sanitary sewer easement will be dedicated with the new subdivision. The Wastewater Department has no issues with the vacation of the easement.

RECOMMENDED ACTION

Staff recommends that the Vacation be APPROVED.

HEARING

Michael Cuppy, 111 E. 5th Street, Pueblo, CO, the applicant, appeared and testified in favor of the application.

No one testified in favor of the proposed application.

No one testified in opposition of the proposed application.

Chairperson Eslinger 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 Latka.

Motion passed 6-0 (Lucas absent).

- 3b. **S-16-08 – Subdivision: Eagleridge Estates.** Subdivision of approximately 27 acres, generally located along Whistler Drive, Between Ridge Drive and Wills Boulevard

BACKGROUND

Staff report given by Kelly Grisham.

The subject property is located at the between Wills Boulevard and Ridge Drive, along Whistler Drive, in the Eagleridge Estates neighborhood. The applicant is proposing to subdivide the area into 103 single family residential lots. The subdivision is a resubdivision of Lot 1, Block 4 of the Eagleridge Estates, Filing No. 2 Subdivision, which was approved and recorded in 2006.

Staff has reviewed the lot sizes and confirms that all lots meet the minimum requirements of the R-2U Zone.

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:

None Requested

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.)

Public Works:

1. ~~Address lot line and right of way issues at Darter Court, Gannet Lane and Crested Hill per red lines sent with first comments dated June 21, 2016.~~ (condition removed at the hearing).

Stormwater (see attached memorandum from Melanie Turner, dated August 31, 2016):

2. On the plat maintenance statement that refers to drainage facilities, add the following to the end of the last sentence: "...upon which the easements are located."
3. In the drainage report, refer to the Urban Storm Drainage Criteria Manual (latest volume) as the criteria that the water quality features must be designed in accordance with.

Comments:

(No action required; for information only)

Stormwater

(see attached memorandum from Melanie Turner, dated September 6, 2016):

1. A more exhaustive review of the drainage plan and report will be conducted after the final drainage plan and report (as well as more calculations and details) are submitted in conjunction with a commercial site plan or Part II subdivision plans.

HEARING

Michael Cuppy, 111 E. 5th Street, Pueblo, CO, the applicant, appeared and testified in favor of the application.

No one testified in favor of the proposed application.

No one testified in opposition of the proposed application.

Chairperson Eslinger closed the hearing and requested a motion.