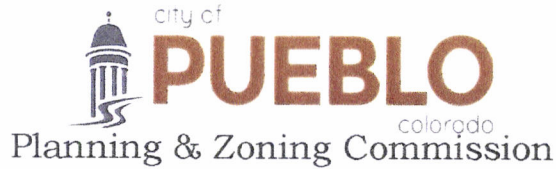


Brandice Eslinger  
Chair

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, October 12, 2016 – 3:30 p.m.  
City Council Chambers – 1 City Hall Place

**Minutes**

**MEETING CALLED TO ORDER**

The meeting was called to order at 3:33 p.m. with Acting Chairperson Jean Latka presiding.

**Commissioners Present:** Brandice Eslinger, Bob Schilling, David Webb, Mike Castellucci, and Jean Latka

**Commissioners Absent:** Brian Lucas and Yvonne Lujan-Slak.

**Staff Members Present:** Paul Willumstad, Attorney for the Planning and Zoning Commission; Steven Meier, Director of Planning and Community Development; Bob Jagger, Assistant City Attorney; and Scott Hobson, Assistant City Manager for Community Investment.

**APPROVAL OF AGENDA**

Approval of agenda not completed.

**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.

*The applicant requested the application be withdrawn.*

**COMMISSION ACTION**

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

**Motion passed 5-0 (Lujan-Slak and Lucas absent).**

2. **S-16-09 – Subdivision: Doud Subdivision.** Subdividing approximately 2.68 acres into 1 commercial building site. Generally located along N. Elizabeth, just north of the Harley Davidson Store.

## **BACKGROUND**

Staff report given by Steven Meier.

The subject property is located along N. Elizabeth, north of the Harley Davidson retail store (5001 N. Elizabeth), passed the property subdivided for the Tractor Supply Co. The applicant is proposing to subdivide the property, totaling approximately 2.68 acres, into one (1) lot for the purpose of construction of a retail commercial development (Sportsman's Warehouse). While the area being subdivided is part of a larger parcel, the applicant is proposing to subdivide a portion of the property as permitted by the Master Development Plan that was previously approved.

## **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.)

### **Planning Department** (K. Grisham, 10/4/16)

1. Remove the existing billboard sign at the end of the current agreement, which is 12/31/2016.

### **Stormwater Department** (M. Turner, 10/4/16)

#### **Supplemental Map**

1. Use the same line type in the legend as you do in the drawing (for the storm pipe).

#### **Utility Map**

2. Use the same line type in the legend as you do in the drawing (for the storm pipe).
3. Label the storm pipe as existing.

### **CDOT** (V. Sword, 8/15/16)

1. Any utility work within the state highway right-of-way will require a utility permit from the CDOT.

## **HEARING**

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

No one testified in opposition to the proposed application.

Acting Chairperson Latka closed the hearing and requested a motion.

### **COMMISSION ACTION**

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

1. Remove the existing billboard sign at the end of the current agreement, which is 12/31/2016.
2. Use the same line type in the legend as you do in the drawing (for the storm pipe).
3. Use the same line type in the legend as you do in the drawing (for the storm pipe).
4. Label the storm pipe as existing.
5. Any utility work within the state highway right-of-way will require a utility permit from the CDOT.

**Motion passed 5-0 (Lujan-Slak and Lucas absent).**

5. **TA-16-02 – Text Amendment** An Ordinance amending Chapter 4 of Title XVII relating to modification of existing telecommunications towers.

### **BACKGROUND**

Staff report given by Bob Jagger.

Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012, as interpreted by the October 21, 2014 Federal Communications Commission's Acceleration of Broadband Deployment Report & Order, requires a local government to approve any eligible facilities request for a colocation on, or modification of an existing tower or base station that does not substantially change the physical dimensions of such tower or base station. The purpose of the proposed Ordinance is to make the current provisions of Chapter 4 of Title XVII relating to Tower and Antenna Requirements consistent with the requirements of the foregoing legislation while maintaining local authority that remains with respect to such requests.

### **RECOMMENDED ACTION**

Staff recommends the Planning and Zoning Commission forward a recommendation the requested Text Amendment be **APPROVED**.

### **HEARING**

No one testified in favor of the proposed application.

No one testified in opposition of the proposed application.