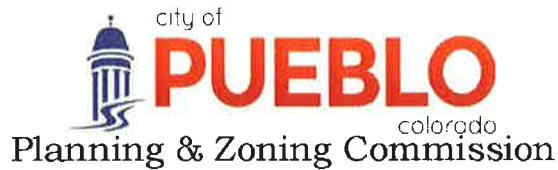


Brandice Eslinger  
Chair

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, July 12, 2017 – 3:30 p.m.

City Council Chambers – 1 City Hall Place

### **Minutes**

### **MEETING CALLED TO ORDER**

The meeting was called to order at 3:36 p.m. with Chairperson Brandice Eslinger presiding.

***Commissioners Present:*** Brandice Eslinger, Brian Lucas, Jean Latka, Mike Castellucci, Bob Schilling, and Yvonne Lujan-Slak

***Commissioners Absent:*** none

***Staff Members Present:*** Paul Willumstad, Attorney for the Planning and Zoning Commission; Kelly Grisham, Senior Planner; Scott Hobson, Assistant City Manager for Community Investment; and Pepper Whittlef, Traffic Engineer.

### **APPROVAL OF AGENDA**

A Motion was made by Commissioner Latka to approve the agenda, seconded by Council Person Schilling.

**Motion passed 5-0 (Lucas absent).**

### **PUBLIC HEARINGS AND ACTION**

#### **Consent Agenda**

- 1. SNC-17-01. Street Name Change E. 47<sup>th</sup> Street to Vision Hills Parkway** Changing the street name of E. 47<sup>th</sup> Street to Vision Hills Parkway, from Jerry Murphy to the eastern City of Pueblo corporate limits. (Staff report by Kelly Grisham)
- 2. TA-17-05. Text Amendment.** An Ordinance amending 17-4-51 of Chapter 4 of Title XVII relating to solar array uses. *Removed from consent agenda.*
- 3. PUD-17-02. PUD Site Plan Review – Uplands Townhomes Site Plan Review.** Generally located between Northern Avenue and Sprague Avenue, east of Acero Avenue. *Continue to the August 9, 2017 Public Hearing*
- 4. HARP-17-01. HARP Review – 140 Central Main Street.** Master Sign Plan review. *Continue to the August 9, 2017 Public Hearing*

5. **TA-17-04. Text Amendment.** An Ordinance amending Chapter 10 of Title XVII by removing content-based language within the Sign Code and modifying the regulations for Electronic Variable Message signs. *Continue to the August 9, 2017 Public Hearing*
6. **Z-17-09. Rezoning. 1635 S Pueblo Blvd. Southwest Church of Christ.** Rezone from R-5 to B-3, Highway and Arterial District. Located at 1635 S. Pueblo Boulevard (Staff report by Kelly Grisham) *Continue to the August 9, 2017 Public Hearing*

### **COMMISSION ACTION**

A Motion to **MOVE** item 2. to the regular agenda was made by Commissioner Castellucci, seconded by Council Person Schilling.

**Motion passed 5-0 (Lucas absent).**

A Motion to **APPROVE** item 1. and **CONTINUE** items 3, 4, 5 and 6 to the August 9, 2017 Public Hearing was made by Commissioner Latka, seconded by Commissioner Lujan-Slak.

**Motion passed 5-0 (Lucas absent).**

### **Regular Agenda**

7. **Z-17-08 – Rezoning. 400 E. Routt.** Rezone from R-3 to CCN, Commercial Charter Neighborhood District. Generally located at the northeast corner of Routt Avenue and Lake Avenue

### **STAFF REVIEW AND FINDINGS:**

Staff report given by Kelly Grisham.

The subject property is located at 400 E. Routt Avenue, on the corner of Routt Avenue and Lake Avenue. The applicant is requesting to rezone the property from R-3 to CCN, Commercial Charter Neighborhood District to utilize the property for a host home for up to twelve (12) 18-25 year olds who are homeless. Many of the young adults that would be housed at this location would be those that are aging out of foster care. As stated in the application, the proposed program is not a recovery program, a welfare program or a mandated program. The proposed use is not permitted in the existing R-3 Zone District, but it would be allowed as a Special Use Permit in the CCN Zone District as a Boarding House. A Boarding House is defined as “a residential structure providing individual sleeping accommodations but not individual kitchen facilities. Meals are prepared and served to only members in residence in a common eating area. No supervision, medical treatment or rehabilitation is provided as an accessory use.”

The purpose of the standards of the CCN Zone District are designed to retain and conserve suitable areas for commercial, office and mixed-use development that primarily serve the residents of the surrounding charter neighborhood. While staff does not fully support the use of the property as a board house for homeless young adults, the rezoning to CCN is appropriate for this property. Staff is recommending approval of the proposed zone district, with the understanding that the Zoning Board of Appeals will be tasked with reviewing the proposed use for appropriateness in the existing neighborhood.

**RECOMMENDED ACTION:**

Staff recommends the Planning and Zoning Commission forward a recommendation of **APPROVAL** the rezoning with the following conditions of approval:

1. Restore the tree-lawn along Lake Avenue and Routt Avenue, between the sidewalk and the street, with a shade tree every 30 feet, and grass.
2. A Special Use Permit is required for a boarding house.
3. Bring corner curb ramps up to ADA compliance;
4. Replace the majority of the sidewalk along Lake Avenue – sidewalk is either; broken or exceeds 2% cross slope as required by ADA;
5. Replace damaged curb and gutter along Lake Avenue;
6. Replace alley apron on Lake Avenue;
7. Trim corner shrubs down to 2 feet in height to allow for better visibility at the corner;
8. Limb tree on Lake Avenue for an 8' clearance along the sidewalk;
9. Limb tree on Routt Avenue to increase visibility of the STOP sign.

**HEARING**

**Ann Weaver, 257 S. Mangrum Place, Pueblo West, CO**, the applicant, appeared and testified in favor of the application.

**Julie Fairman, 411 E. Routt, Pueblo, CO**, appeared and testified in opposition to the application.

**Dallas Parga, 412 E. Routt, Pueblo, CO**, appeared and testified in opposition to the application.

**Melinda Schamel, 407 Van Buren, Pueblo, CO**, appeared and testified in opposition to the application.

**Randy Schamel, 407 Van Buren, Pueblo, CO**, appeared and testified in opposition to the application.

Chairperson Eslinger closed the hearing and requested a motion.

**COMMISSION ACTION**

A Motion to **APPROVE** the proposed application was made by Commissioner Lujan-Slak, seconded by Council Person Schilling with the following conditions of approval:

1. Restore the tree-lawn along Lake Avenue and Routt Avenue, between the sidewalk and the street, with a shade tree every 30 feet, and grass.
2. A Special Use Permit is required for a boarding house.
3. Bring corner curb ramps up to ADA compliance;
4. Replace the majority of the sidewalk along Lake Avenue – sidewalk is either; broken or exceeds 2% cross slope as required by ADA;
5. Replace damaged curb and gutter along Lake Avenue;
6. Replace alley apron on Lake Avenue;

7. Trim corner shrubs down to 2 feet in height to allow for better visibility at the corner;
8. Limb tree on Lake Avenue for an 8' clearance along the sidewalk;
9. Limb tree on Routt Avenue to increase visibility of the STOP sign.

**Motion passed 4-1 (Lucas absent, Eslinger opposed).**

8. **Z-17-06 – Rezoning. 2568-2570 Taylor Lane.** Rezoning from R-3 to B-1, Neighborhood Business District.

**STAFF REVIEW AND FINDINGS:**

Staff report given by Kelly Grisham.

The subject property is located at 2568 & 2570 Taylor Lane. The applicant is requesting to rezone the property from R-3 to B-1, Neighborhood Business District to utilize the property for a youth vision clinic next to their existing dentistry clinic. The proposed use is not permitted in the existing R-3 Zone District; however, it is allowed as a use by right in the B-1 Zone District. As a condition of the proposed rezoning, the applicant will have to bring the property into compliance with the B-1 Zone District, which includes landscaping, site improvements, public improvements, parking and transportation requirements. These requirements are to ensure the property will not have a negative impact on the surrounding properties.

Staff has received complaints regarding the associated property to the east, 2603 Taylor Lane, due to the employees parking on Taylor Lane. Staff understands that the business owners of the property require the employees to park on street, rather than in the business parking lot. To mitigate this issue, the applicant has worked out an agreement with the church across the street, to allow the employees park in the church parking lot during business hours. With this agreement, staff feels all negative impacts of the rezoning have been addressed.

**RECOMMENDED ACTION:**

Staff recommends the Planning and Zoning Commission forward a recommendation of **APPROVAL** the rezoning with the following conditions of approval:

1. Provide a complete landscaping plan complying with Section 17-4-7 of the Pueblo Municipal Code for review and approval.
2. Provide a complete site plan complying with the site plan requirements for public improvements and transportation (parking) for review and approval.
3. Install landscaping and site improvements (as per approved site plan) within one (1) year from the date of approval of the rezoning at City Council.
4. Provide a copy of the parking agreement with the church.

**HEARING**

**Pawel Bielecki, 647 S. Avenida Del Oro, Pueblo West, CO,** the applicant, appeared and testified in favor of the application.

**Michael Herrera, 6425 Hawkeye Circle, Colorado Springs, CO,** appeared and testified in favor of the application.

**Dennis Cruz, 132 Michigan Street Apt. A, Pueblo, CO,** appeared and testified in opposition to the application.

Chairperson Eslinger closed the hearing and requested a motion.

### **COMMISSION ACTION**

A Motion to **APPROVE** the proposed application was made by Commissioner Latka, seconded by Council Person Schilling with the following conditions of approval:

1. Provide a complete landscaping plan complying with Section 17-4-7 of the Pueblo Municipal Code for review and approval.
2. Provide a complete site plan complying with the site plan requirements for public improvements and transportation (parking) for review and approval.
3. Install landscaping and site improvements (as per approved site plan) prior to issuance of the Certificate of Occupancy of the building.
4. Provide a copy of the parking agreement with the church.

**Motion passed 4-1 (Lucas absent, Castellucci opposed).**

2. **TA-17-05 - Text Amendment** An Ordinance amending Section 17-4-51 of Chapter 4 of Title XVII of the Pueblo Municipal Code relating to solar array uses

### **STAFF REVIEW AND FINDINGS:**

Staff report given by Kelly Grisham.

The current ordinance allows accessory solar arrays as a conditional use in all zone districts; however, there are instances where the principal use the property could be a solar array. The proposed ordinance will create the zone districts where the solar array is allowed as a principal use (Permitted Use in the A-1, A-2, I-3, S-1, S-2 and S-5 Zone Districts and a Use by Review in the I-2 Zone District).

### **RECOMMENDED ACTION:**

Staff recommends the Planning and Zoning Commission **APPROVE** the proposed application.

### **HEARING**

No one testified in favor to the proposed application.

No one testified in opposition to the proposed application.

Chairperson Eslinger closed the hearing and requested a motion.

### **COMMISSION ACTION**

A Motion to approve the proposed ordinance was made by Council Person Schilling, seconded by Commissioner Latka.

**Motion passed 5-0 (Lucas absent).**

**APPROVAL OF MINUTES**

A Motion was made by Commissioner Latka to **APPROVE** the Minutes of the June 14, 2017 Public Hearing, seconded by Council Person Schilling.

**Motion passed 5-0 (Lucas absent).**

**OLD/NEW BUSINESS**

**ADJOURN**

There being no further business the Regular Meeting was adjourned at 5:17 p.m.

Respectfully submitted,

Attest:



Brandice Eslinger  
Chairperson



Steven Meier  
Executive Secretary