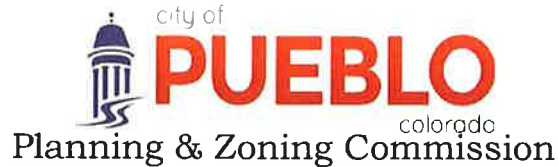


Mike Castellucci
Chair

Alex San Filippo-Rosser
Vice Chair

Bob Schilling
City Council Representative



Patrick Avalos

Alexandra Aznar

Elizabeth Bailey

Cheryl Spinuzzi

MINUTES OF REGULAR MEETING
City of Pueblo, Colorado
Wednesday, October 14, 2020– 3:30 p.m.
The meeting and Public Hearing will be held via Zoom

Join Zoom Meeting online:

<https://pueblo.zoom.us/j/93519142144?pwd=c0pjMVgvK05JdllyQndqTHRJMTduUT09>

Join Zoom Meeting by phone:

+1 669 900 6833 US (San Jose)
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)

Online and phone Meeting ID and Password:

Meeting ID: 935 1914 2144
Passcode: 428244

MEETING CALLED TO ORDER

The meeting was called to order at 3:30 p.m. with Commissioner Castellucci presiding.
This meeting was held via conference call. All votes were recorded by roll call, to distinguish each speaker.

Commissioners Present: Mike Castellucci, Patrick Avalos, Alex San-Filippo-Rosser, Cheryl Spinuzzi, Alexandra Aznar, and Lisa Bailey.

Commissioners Absent: Bob Schilling,

Staff Members Present: Dan Kogovsek, City Attorney; Scott Hobson, Acting Director for Department of Planning and Community Development; Beritt Odom, Principal Planner; Chelsea Stromberg, Planner; Joe Martellaro, Associate Engineer.

APPROVAL OF AGENDA

A Motion was made by Bailey to approve the agenda, Seconded by San-Filippo-Rosser.

Motion passed 6-0 (Bob Schilling Absent)

PUBLIC HEARINGS AND ACTION

Regular Agenda

1a. V-20-02 North Vista Highlands Filing NO. 2 Vacation

STAFF REVIEW AND FINDINGS:

Staff report given by Principal Planner, Beritt Odom.

The property owner and developer, David Resnick, is requesting to vacate portions of streets and alleys within the Fountain Lake Subdivision, north and west of the North Vista Subdivision, Filing No. 1. A portion of Columbia, Oriental, and Lafayette Avenues, surrounding Block 86 must remain to provide access to the two parcels not included in the North Vista ownership and development.

The Fountain Lake Subdivision was primarily a residential subdivision and was recorded in 1888, but never fully developed. The southeastern streets and alleys of the Fountain Lake Subdivision were vacated in 2018 to facilitate the North Vista Subdivision, Filing No. 1. The purpose of the proposed vacation is to facilitate the North Vista Highlands Subdivision, Filing No. 2, which will include two large lots intended for multi-family residential development.

Applicable Regulations:

Sec. 12-5-1 through 6 of the Pueblo Municipal Code (PMC) concerning vacations of streets, alleys, etc.

RECOMMENDED ACTION:

Staff recommends that the Vacation be **APPROVED** with the following conditions addressed prior to City Council review and approval:

1. Amend the Vacation Plat title to include the following statement: "A Portion of Streets and Alleys within the Fountain Lake Subdivision" (Joe Martellaro, Public Works, redlined Street and Alley Vacation Plat).
2. Public Access must be maintained to the two parcels within Block 86 of the Fountain Lake Subdivision; therefore, the south-east corner vacation of Lafayette Ave. and Oriental Ave. should be removed from the vacation; or the applicant can create parcels for a cul-de-sac bulb at the end of each street on the plat and dedicate a public utility easement and public ingress/egress easement on the entire parcel (Joe Martellaro, Public Works, redlined Street and Alley Vacation Plat, September 29, 2020).

HEARING:

Kevin Resnick 3111 E. Spaulding Ave. #105 Pueblo, CO, and Mike Cuppy 111 E 5th St. Pueblo, CO; appeared and testified in favor of the application. Kevin Resnick stated that he had received a copy of the staff report for V-20-02 and deferred all questions to Mike Cuppy, PE, NorthStar Engineering. Mike Cuppy stated that they will comply with the conditions listed in the staff report. He will set up a meeting with Joe Martellaro to discuss how to best provide access to the two parcels that are not located in the North Vista PUD.

Cheryl Spinuzzi, asked if the nw quarter section was not owned by the developer and that is why it was not included in the vacation? Mike Cuppy responded that the owner does own that section but it was never subdivided in the Fountain Lake Subdivision.

No one testified in opposition of the application.

Commissioner Castellucci closed the hearing and requested a motion.

COMMISSION ACTION:

A Motion to forward a recommendation to City Council that the vacation be **APPROVED WITH CONDITIONS**, was made by Bailey, seconded by San-Filippo-Rosser:

Motion passed 6-0. (Bob Schilling Absent)

1b. S-20-01 North Vista Highlands Filing NO. 2 Subdivision. The applicant is requesting to subdivide the 640.599-acre property, to create two lots and six parcels reserved for future development and public utilities.

STAFF REVIEW AND FINDINGS:

Staff report given by Principal Planner, Beritt Odom.

The North Vista Master Plan Planned Unit Development (PUD) requires a land use plan to be approved by the Planning and Zoning Commission prior to subdividing property within the PUD (Section 2, 2.2.3 North Vista Planned Unit Development). A Land Use Plan for the subject site was reviewed and approved by the Planning and Zoning Commission on March 13, 2019. The land use plan established multi-family development, not to exceed 32.15 acres, located south of Home of Heroes Parkway and between Walking Stick Boulevard and Cedarweed Boulevard. The proposed subdivision creates two large lots for multi-family with a combined total of 30.354 acres meeting the requirements of the approved land use plan.

The North Vista Highlands, Filing No. 2 Subdivision also includes six parcels dedicated for future development, utility extensions and right-of-way. Future development parcels include, Parcel A located north of Home of Heroes Parkway is 392.908 acres. Parcel B, 152.564 acres, is located south of the future extension of Home of Heroes Parkway and west of Cedarweed Boulevard. Parcel C is 46.833 acres and is located south of the future extension of Home of Heroes Parkway and east of Walking Stick Boulevard and north of Parcel J, that was subdivided in the North Vista Highlands, Filing No. 1.

Three public utility and future right-of-way parcels will also be platted with this subdivision, Parcels D, E, and F. Parcels D and E are 30-foot wide parcels located south of Lot 1, Block 1 and Lot 1, Block 2. Both parcels are aligned so that they can be resubdivided in the future as a public right-of-way, providing the northern half of two streets that will primarily service the single-family residential development to the south. Parcel F is an 80-foot wide parcel beginning at the southern terminus of Cedarweed Boulevard extending south to Vision Hills Parkway. Presently, Parcel F will provide for utility extensions and secondary access to the multi-family developments located in Lot 1, Block 1 and Lot 1, Block 2. Design and development of Parcel F for secondary access will be determined by Fire Code. Parcel F will be resubdivided in the future as a public right-of-

way to service future single-family development to the east. Ms. Odom stated that the proposed subdivision conforms with the applicable Municipal Codes and PUD Development Guide.

Staff recommends the Planning and Zoning Commission forward a recommendation that the requested subdivision be approved with the Requests for Modifications and Conditions of Approval, enumerated in the written staff report, addressed prior to the subdivision being scheduled for City Council review.

HEARING:

Kevin Resnick 3111 E. Spaulding Ave Pueblo, CO, and Mike Cuppy 111 E 5th St. Pueblo, CO; appeared and testified in favor of the application.

Thomas Rhona 4809 Cedarweed St. Pueblo CO; appeared and testified against the application.

Mr. Rhona is concerned that this development is North of his property. He wants to make sure that the development will be compatible with the existing development. Mr. Rhona questioned if the lots will be comparable in size. He asked if stormwater would be addressed properly, to keep sediment from depositing. He is also concerned about increased density. There are only single-family homes and trails along the Southern property line.

Mike Cuppy responded stating that the lot sizes would be 7000 & 9000 square foot along the southern boundary and that the development will be comparable, noting greenbelt development between existing properties. He also mentioned buying overhead lines soon.

Mr. Cuppy stated that he would like to address the conditions noted in the staff report:

- Concerning conditions 1-3 transfer of property, Mike stated that they would provide a signature line on the plat for the Metro District in lieu of transferring the property.
- Mike proposed to create a parcel, to provide access to the two parcels not included in the North Vista PUD, in the alignment of the future extension of Jerry Murphy Road.
- The secondary access in the alignment of Cedarweed cannot be complete prior to City Council but will be incorporated into the Part II design documents.
- A final drainage report has been provided to the Stormwater Department and therefore does not need to be provided prior to City Council approval.

COMMISSION ACTION:

A Motion to forward a recommendation to City Council that the North Vista Highlands Filing NO. 2 Subdivision be **APPROVED**, (With oral conditions as amended by Mike Cuppy) was made by San-Filippo-Rosser, seconded by Bailey.

Motion passed 6-0. (Bob Schilling Absent)

2. Z-20-07 Rezoning 2022 & 2024 S Pueblo Blvd. Applicant is requesting to rezone Lot 11 Block 27 Highland Park Subdivision, 15th Filing. Total rezone area is 13,634 square feet.

STAFF REVIEW AND FINDINGS:

Staff report given by Principal Planner, Beritt Odom.

BACKGROUND AND ANALYSIS:

The subject property has an existing commercial building that contains four units with separate address points, 2020, 2022, 2024, and 2026 S. Pueblo Boulevard. The structure was constructed in 1979 and is classified as a "Retail Store" by the Pueblo County Assessor. The property is located at the north east corner of Redwood Lane and South Pueblo Boulevard. The remaining portion of the block is zoned R-5, Multiple Residential and Office District developed with commercial structures containing professional office uses, a church and two multi-family residential structures.

Uses of the subject property are limited to office, residential, museum, hospital, churches etc. Retail sales are not allowed as a use by right or review in the R-5 Zone District. The property is located adjacent to Pueblo Boulevard, which is an arterial street and is developed with a mixture of commercial, multi-family, single-family, office, and civic uses. The applicant is requesting to rezone to B-3 to expand the allowed uses for the site to include retail sales. The B-3 Zone District will not prohibit the current professional office uses that are established at the site.

The existing commercial structure is 2,824 square feet, 18 parking spaces are provided on site and landscaping is limited to the established tree lawn adjacent to South Pueblo Boulevard. According to Section 17-4-43, (b), (4), of the Pueblo Municipal Code, retail uses in a B-3 Zone District require 10 parking spaces, plus one additional parking space for each 250 square feet of gross floor area in excess of 2,500 square feet. The minimum number of required parking spaces for this site is 11, therefore the 18 parking spaces provided exceed code requirements for the zone district change. The existing tree lawn was exclusively planted with turf grass, no trees or shrubbery. The current condition of turf grass, within the tree lawn, is spotty with areas of dead turf and bare dirt.

Non-residential uses sit adjacent to the subject property to the north and east. Because of this, there is no need to establish buffers along the northern and eastern property lines. Redwood Lane is located adjacent to the southern property line and single-family homes are located adjacent to the south side of Redwood Lane.

RECOMMENDED ACTION:

Staff recommends the Planning and Zoning Commission make a recommendation to City Council that the zoning map amendment be **APPROVED**, with the condition that the turf grass, within the tree lawn, adjacent to South Pueblo Boulevard is reestablished with irrigation within one year of the Zoning Map Amendment Ordinance being approved.

HEARING:

Jesus Contreras (property owner) 3005 Sonoma Dr. Pueblo, CO; appeared and testified in favor of the application. He stated he will comply with all the conditions.

No one testified in opposition of the application.

Commissioner Spinuzzi made the comment that there was nothing on the line, should be no trouble filling the office space.

COMMISSION ACTION:

A Motion to forward a recommendation to City Council that the Rezoning of 2022 & 2024 S Pueblo Blvd. be **APPROVED**, was made by Bailey, seconded by Spinuzzi.

Motion passed 6-0. (Bob Schilling Absent)

3. S-20-03 St. Charles Industrial Park Filing NO. 3 Subdivision. The City is requesting to subdivide a 469.72-acre parcel into one I-3, Heavy Industrial Zone District lot within the St. Charles Industrial Park.

STAFF REVIEW AND FINDINGS:

BACKGROUND AND REVIEW:

In February 2020, the City purchased 454.27 acres of land located west of Lime Road and north of the Vossloh North America (formerly Rocla Inc). The property was purchased and annexed, by the City, in connection with the development of the St. Charles Industrial Park for industrial economic development projects, including rail-based industry and solar energy generation. The subject property was annexed into the City in July of 2020 with Ordinance 9752. The Ordinance proposing the I-3 Zone District was presented to City Council on October 13th for first reading with an anticipated second reading and approval on October 26, 2020.

The proposed subdivision meets the minimum lot area and width requirements for the I-3 Zone District. The subdivision area is approximately 15.45-acres larger than the annexation area because the subdivision includes a rail spur that is owned by the City and was annexed into the City in 2012.

HEARING:

Scott Hobson Acting Director for Department of Planning and Community Development; appeared and testified on behalf of the City of Pueblo.

Robert Thielemier 2990 Lime Rd. Pueblo, CO; appeared and testified against the application.

Mr. Thielemier had concerns about the condition of Lime Rd. He stated the road was already in bad condition and feared it would get worse.

It was noted that funds will be utilized from a solar lease to make improvements to Lime Rd. and provide future alignment to Lime Rd.

Commissioner Spinuzzi asked why not subdivide the lots now, City is not certain what future development projects will consist of and how the land will need to be subdivided.

COMMISSION ACTION:

A Motion to forward a recommendation to City Council that the St. Charles Industrial Park Filing NO. 3 Subdivision be **APPROVED**, was made by Bailey, seconded by Avalos.

Motion passed 6-0. (Bob Schilling Absent)

APPROVAL OF MINUTES:

A Motion was made by Commissioner Bailey to **APPROVE** the Minutes of the September 9, 2020 Public Hearing, seconded by Commissioner Avalos:

Motion passed 6-0. (Bob Schilling Absent)

OLD/NEW BUSINESS:

1. 2020 Three Mile Plan

REQUEST:

The City is requesting review and approval of the 2020 City of Pueblo Three-Mile Annexation Plan, as required by the Colorado Revised Statutes, §31-12-105.

ANALYSIS:

The Colorado Revised Statutes, §31-12-105, (1), (e), (I) states, “prior to completion of any annexation within the three-mile area, the municipality shall have in place a plan for that area that generally describes the proposed location, character, and extent of streets, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, aviation fields, other public ways, grounds, open spaces, public utilities, and terminals for water, light, sanitation, transportation, and power to be provided by the municipality and the proposed land uses for the area. Such plan shall be updated at least once annually.” The proposed City of Pueblo Three-Mile Annexation Plan defines a three-mile boundary around the current City limits in which annexations may occur. The Three-Mile Annexation Plan references the Pueblo Regional Development Plan and its attached maps, as amended September 8, 2014, for information regarding infrastructure, transportation, and municipal services as required by State Statutes.

RECOMMENDED ACTION:

Staff recommends the Planning and Zoning Commission make the necessary findings of fact to forward a recommendation to City Council that the City of Pueblo Three-Mile Annexation Plan be **APPROVED**.

STAFF REVIEW AND FINDINGS:

The proposed City of Pueblo Three-Mile Annexation Boundary Map fulfills the annual requirement to adopt a plan for the orderly development of the City. The map defines areas that may be annexed into the City in 2020 and references the Pueblo Regional Development Plan for information regarding municipal services. Approval of this plan will facilitate annexations proposed for 2020.

A Motion to forward a recommendation to City Council that the 3 Mile Plan be **APPROVED** was made by Bailey, seconded by San-Filippo-Rosser:

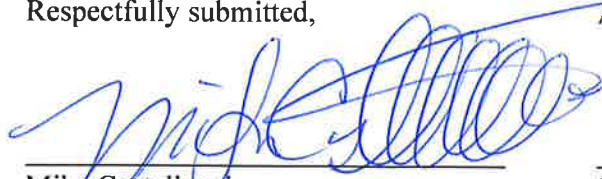
Motion passed 6-0. (Bob Schilling Absent)

ADJOURN:

There being no further business the Regular Meeting was adjourned at 4:55 p.m.

Respectfully submitted,

Attest:



Mike Castellucci
Chairperson



Scott Hobson
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.