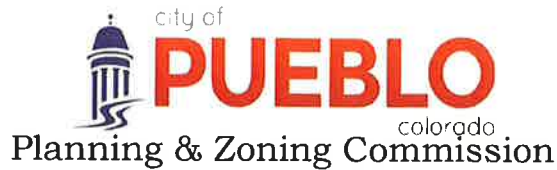


Mike Castellucci
Chair

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, November 11, 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=c0pjMVgvK05JdllyQndqTHRJMlduUT09>

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 3:32 p.m. with Commissioner Castellucci presiding.

This meeting was held by Zoom, online meeting platform. All votes were recorded by roll call, to distinguish each speaker.

Commissioners Present: Mike Castellucci, Alex San-Filippo-Rosser, Bob Schilling, Alexandra Aznar, Cheryl Spinuzzi (at 3:54 pm), Patrick Avalos (late) and Lisa Bailey.

Commissioners Absent: None

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

APPROVAL OF AGENDA

A Motion was made by Schilling to approve the agenda, Seconded by Bailey.

Motion passed 5-0 (Commissioner Avalos was absent and Commissioner Spinuzzi was absent at this time)

PUBLIC HEARINGS AND ACTION

Regular Agenda

1. Z-20-03 Rezoning.

The applicant is requesting to amend the North Vista Master Plan, Planned Unit Development Guide relating to the 1,186-acre property located north of Vision Hills Parkway and east of Overton Road. The PUD amendment includes 14.39-acres of recently annexed land in the PUD Zone District.

STAFF REVIEW AND FINDINGS:

Staff report given by Principal Planner, Beritt Odom.

December 10, 2008 the Planning and Zoning Commission recommended approval of the North Vista Masterplan, Planned Unit Development, Pueblo Colorado. City Council approved the North Vista PUD in March 2009, providing zoning regulations and general design standards for the 1,172-acre property. With the economic downturn of 2008, development of North Vista stalled until recent years with the purchase of the property and revived development interests. Two land use plans and two subdivisions within the North Vista Master Plan, PUD area have been reviewed by the Planning and Zoning commission and approved by City Council. Additionally, six enclaves that were in separate ownership and not annexed into the City at the time the original North Vista PUD Zoning was approved were annexed in 2019. David Resnick, Ownership Representative, is requesting to modify the original PUD to reflect current development trends and include four of the recently annexed enclaves (14.39-acres) into the North Vista PUD Zone District. Since the original PUD Development Guide approval 11-years ago, architectural and development trends have evolved. The Ownership Representative and Founder is requesting to modify the North Vista PUD Master Plan to streamline the development process and provide opportunities for residential, commercial, and mixed-use development in the northern portion of Pueblo. Below is a summary of requested modifications to the North Vista Master Plan PUD Development Guide:

- The legal description of the total land area included within the PUD is modified to include four of the annexed enclave parcels.
- Proposal to transfer allowed number of dwelling units between planning areas.
- Proposal to only require consent of the “founder” future amendments to the PUD
- Definition is provided for the Design Review Board, as established in the Declaration of Covenants, Conditions and Restrictions for North Vista Highlands.
- Syntax revisions throughout the development guide.
- Proposed flexibility on when a fire station is to be accommodated.
- Specific references to the Declaration and the owner association created by the Founder, the declaration did not exist at the time of approval in 2009.
- Proposed flexibility in architectural features and exterior materials on residential and commercial structures.
- Approval of signs by the Design Review Board and City.
- Proposed flexibility in fencing materials adjacent to parks, open space, and trail corridors.
- Proposed flexibility in calculating park requirements on a PUD-wide basis as opposed to calculating park area for individual subdivisions.
- Proposed ability to allow private streets within specific subdivisions.
- Proposed community farms and gardens as well as solar energy production.

- Planning Area 2, residential development within 300-feet of the southern boundary is proposed to be restricted to single-family residential-without accessory dwelling units.
- Changes in maximum number of dwelling units in Planning Areas 2-10, the cumulative number of dwelling units does not exceed the current number of allowed dwelling units.
- Minor changes to total area contained with select Planning Areas.
- Infrastructure flexibility is proposed-to allow for transportation plan changes and substitution for City cross sections on roadway design standards.
- New definitions for Accessory Dwelling Units, Community Farm, Energy Production, and amendments to the park's definition, defining the three types of parks allowed within the PUD.

RECOMMENDED ACTION:

Staff recommends the Planning and Zoning Commission make a recommendation to City Council that the zoning map amendment be **APPROVED** with conditions. Documents addressing the following conditions must be submitted for review and approval by Planning Department staff prior to recommending the PUD amendment to City Council for approval:

1. North Vista Highlands Design Guidelines shall be approved by the City of Pueblo Planning and Community Development Staff prior to approving any building permits within the North Vista PUD Zone District.
2. North Vista PUD Exhibits shall be amended to reflect applicable changes to the PUD Development Guide.
3. Section 2.2.3 remove reference to "preliminary plat," replace with "subdivision." The City does not have a preliminary plat process.
4. Section 2.3 remove the word "or" and replace with "and" within the first sentence of the paragraph. The sentence should read, "A Design Review Board (DRB) shall be established to review and approve all proposed residential and commercial development within the boundaries of the PUD area, as well as any proposed changes to an existing home."
5. Section 5.1 must state that the Design Review Board "will provide a letter of approval to the City Department of Planning and Community Development before a building permit is issued."
6. Section 5.2 retain the general residential architectural guidelines. The specific material references may be removed.
7. Section 5.3 retain the general multi-family and commercial structure guidelines. Specific references to materials may be removed.
8. Section 6.1 retain provisions for the sign program. The Municipal Code does not contain regulations for signs in a PUD Zone District. Therefore, the developer must create a program detailing specification for all signage within a development, prior to the issuance of sign permits. Please refer to staff comments, dated October 19, 2020.
9. Section 6.2 include a statement that all outdoor lighting must adhere to Section 17-4-52, of the Pueblo Municipal Code.
10. Section 6.4 Landscaping include a requirement for commercial and commercial mixed-use developments to provide a minimum buffer between the commercial or mixed-use development and developments that are strictly residential. This provision shall either

utilize the buffer requirements found in Section 17-4-7, (b), (3), d, of the municipal code or create more stringent buffer requirements specific to the North Vista PUD.

11. Section 7.7 Dedication of Parks, Trails, and Open Space, the applicant shall develop regulations that address:
 - a. Regulations and procedures that ensure the equitable distribution of park land dedication and park development fees to all residential subdividers.
 - b. Provisions for the minimum area of park land dedication per dwelling unit. Arroyos and natural open space may qualify to meet a portion of the minimum area of park land dedication per dwelling unit. The applicant shall submit a proposal to the Planning and Parks Department to allow a portion of open space to qualify as dedication park area.
 - c. A portion of Open Space may be included in the calculation for required park development.
 - d. Provide clear definitions of the different classifications of parks and their respective sizes. The size of the North Vista development does not warrant the development of Regional Parks. The development of two District parks and multiple neighborhood/neighborhood pocket parks is appropriate.
 - e. Identification of park land shall also define the general area of future district park development. Stormwater detention areas and floodplains are not acceptable areas for district or neighborhood parks.
 - f. Conveyance of dedicated land shall include the entity responsible for development and maintenance of neighborhood parks. The City does not object to the taking on ownership of District parks following full development. The City will not own nor maintain neighborhood parks.
 - g. Standards for park and trail development.
12. Remove all allowances for wind energy production within the PUD.
13. Section 8.3 include provisions for public utility access within gated residential developments with private streets.
14. Section 8.4 clarify whether multi-family open space requirements may be reduced if they are located adjacent to a neighborhood park/pocket park, district park, open space, or all of the aforementioned types of outdoor recreation areas.
15. Section 8.4 include playgrounds as an amenity in the active space.
16. Section 10.7 The definition must also include language to provide the Zoning Board of Appeals guidance on instituting conditions to protect the peace and comfort of any neighborhood as established in Section 11-4-31 of the Pueblo Municipal Code. The definition of a Community Farm must also exclude feed lots, kennels, and commercial livestock breeding activities. A minimum of one-fourth acre of land must be provided for each horse or other large animal, which may include but is not limited to bovine. Each swine, goat, or sheep must have a minimum of 15 square feet of area. All stables and corrals must be set back 15-feet from the property lines.
17. Section 10.10 remove wind from the definition of “Energy Production.”

18. 10.18 Parks definition shall be amended to reflect the standards developed in Section 7.7 of the PUD Development Guide.
19. Section 9.1 reintroduce the original language relating to the requirement for a Traffic Impact Analysis, but change the language to read, "The City may request a Traffic Impact Analysis at the time of subdivision. The analysis will outline any street improvements that may be necessary for roadways in the vicinity of the North Vista development." Remove the last sentence of the paragraph.

HEARING:

David Resnick, 4068 Crystal Court, Boulder, CO; appeared and testified in favor of the application. Mr. Resnick would rather use the municipal code, but the signage/language is different for PUD. One of the major issues is parks. Mr. Resnick would rather make a park that people would use. By that, he means making long walking trails. He wants the trails he is going to make in the arroyos to be counted in the percentage of parks. He wants the trails to be landscaped as well. He would like to create two large areas for parks one is where there was supposed to be a lake. The next one would be a trail system that connects with other smaller parks and would lead to a community farm. In smaller community areas there will be playgrounds that are commonly in communities. Commissioner Castellucci asked what happens if the Commission allows the applicant to work with City Staff to create park regulations that allow a portion of the arroyos and open space to be counted as public parks? Mr. Kogovsek, City Attorney, said P&Z can defer to staff to approve park regulations. Commissioner Castellucci suggests that they come to an agreement with the City and Mr. Resnick about the maximum percentage of arroyos and open space that can be counted towards required parks. Commissioner San Filippo- Rosser asked if Mr. Resnick can comply with all 19 conditions the staff recommends. Mr. Resnick said he feels that they can comply with all the conditions. Commissioner Spinuzzi asked Mr. Resnick what exactly was a community farm? Mr. Resnick answered by saying it would be an area where they could have planter boxes of vegetables and maybe have some small farm animals. Principal Planner Ms. Odom states that the definition in the PUD Development guide contains language prohibiting fed lots, commercial breeding and stipulates area requirements for livestock.

John Millea 5 Kalanchoe Court, Pueblo, CO; appeared and testified in opposition of the application. Mr. Millea said he had two concerns about the subdivision. Safety of the property with respect to the storm water and compatibility with the rest of the houses in University Hills. Mr. Resnick said there will have to be a master drainage plan for the stormwater. He also stated that after this subdivision is finished it would put his house in less risk of the water from the arroyo. Mr. Millea also asked who is on the design review board for the North Vista subdivision? Ms. Odom said that the covenant chooses who is on the board but also asked Mr. Resnick for clarification. Mr. Millea is also worried about with smaller lots there would be more neighbors looking into his backyard. Ms. Odom states that there is a 40-foot buffer between the different subdivisions. Development is limited to single-family homes without accessory dwelling units within 300-feet of the south property line.

Thomas Wrona 4809 Cedarweed Blvd, Pueblo, CO; appeared and testified in opposition of the application. Mr. Wrona's primary concern is the compatibility of the new subdivision to the rest of University Hills area. Mr. Wrona is worried about the lot sizes being too small in the new subdivision compared to the lot sizes in University Hills. Commissioner Castellucci pointed out the subdivision by his house was approved back in 2018. Also, the lots next to them are larger to

provide more of a buffer of lot sizes and will be the same R-2 zone district as University Hills. Mr. Resnick said that the borders of the subdivision will have bigger lots around the subdivision making it more compatible with University Hills. Commissioner Spinuzzi points out that University Hills was not developed for million-dollar homes.

Commissioner Castellucci closed the hearing and requested a motion.

COMMISSION ACTION:

A Motion to forward a recommendation to City Council that the rezone be **APPROVED** (with staff conditions), was made by Shilling, seconded by Bailey:

Motion passed 7-0.

2. PUD-20-01 Planned Unit Development Site Plan North Vista Highlands PUD.

The applicant is requesting PUD Site Plan approval to construct a community center and swimming pool in the North Vista Planning Area 4.

BACKGROUND:

December 10, 2008 the Planning and Zoning Commission recommended approval of the North Vista Master Plan, Planned Unit Development, Pueblo Colorado. City Council approved the North Vista PUD in March 2009, providing zoning regulations and general design standards for the 1,172-acre property. The Planning and Zoning Commission approved a Land Use Plan for Planning Area 3 on October 24, 2018, which is required by the PUD Development Plan. A schematic design and general location of the community center and outdoor recreation amenities were approved as part of the land use plan in 2018. A Rearrangement of Property Boundaries for Lot 1, Block 19 and Parcel E of the North Vista Highlands, Filing No. 1 Subdivision was approved by the City's Subdivision Review Committee on September 2, 2020 to accommodate the community center and outdoor recreation amenities. An amendment of the North Vista Master Plan PUD is currently proposed by the Ownership Representative and "Founder," David Resnick to include recently annexed enclaves in the North Vista PUD and streamline the development process. The proposed site plan has been reviewed by City staff to determine zoning compliance with both the original 2009 PUD and the proposed PUD amendment. Staff finds that the community center and outdoor recreational amenities complies with both zoning documents.

STAFF REVIEW AND FINDINGS:

The plans submitted are not fully compliant with the North Vista Master Plan, Planned Unit Development, the North Vista Highlands Design Guidelines, and the Pueblo Municipal Code. Staff recommends several conditions of approval to bring the proposed plans into compliance. All conditioned documents and plans must be submitted to the Planning and Community Development Department for staff review and approval prior to receiving authorization for a building permit.

RECOMMENDED ACTION:

<p>RECOMMENDED MOTION: Staff recommends the Planning and Zoning Commission APPROVE the proposed PUD Site Plan with the following conditions:</p>
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Conditions of Approval (all documents must be reviewed and approved by City staff prior to building permit approval):

1. Provide a letter from the Design Review Board approving the overall clubhouse and pool design.
2. Provide documentation from the Design Review Board that the covered front entry is not desired for this structure (North Vista PUD, 2009, section 5.3.2).
3. Indicate if the clubhouse and pool area will be fenced. If fencing will be incorporated in the clubhouse and pool development, provide specifications including the height, location, and materials of all fencing.
4. Provide Design Review Board documentation of fence approval.
5. Provide a full landscape plan, for the entire development site that fulfills the requirements of the PUD and Pueblo Municipal Code §17-4-7.
6. Provide a letter from the Design Review Board approving the proposed landscape plan.
7. Provide a sign plan including the following items:
 - i. A site plan showing all existing or approved buildings with the dimensions of building frontage and square feet of each building site. The plan should indicate where each of the signs will be located on the site.
 - ii. Sign specifications including type of sign (i.e. wall, monument, pole sign), height and type of mounting of the sign, sign materials, method of illumination for signs, rendering of each sign, and size of each sign.
 - iii. Directory signs, building identification signs, information signs and display boxes, if any shall be included in the planned sign program.
8. Provide a lighting plan that includes the following information:
 - i. Property lines with dimensions
 - ii. Parking lot and building mounted lighting locations, height, and luminaire type
 - iii. Lighting Photometric Plans (6:00 a.m. to midnight)
 1. Photometric plans must contain property lines and dimensions
 2. Include illuminated signs in plans and calculations
 3. Include light trespass study extended at least 20-feet beyond the property lines (show offset line at 20-feet beyond property line)
 4. Average illumination level on plan
 5. Manufacturers lighting cutsheets
9. *Provide existing and finished topographic character of the land at a contour interval of not greater than five feet on the site plan.*

	<p><i>10. Plans indicating the size, location and capacity of the proposed sanitary sewer and storm drainage systems.</i></p> <p><i>11. Provide a copy of the agreement which will govern the development, management, use, and maintenance of the recreational facility. Section 4.1 of the North Vista Master Plan, Planned Unit Development states that the North Vista Community Association is "responsible for the ongoing upkeep and maintenance of any privately owned common grounds, structures, signs, etc." Please provide appropriate documentation addressing these items for the clubhouse and pool.</i></p> <p><i>12. A development schedule indicating the sequence and anticipated dates for beginning and completing the Site Plan area.</i></p>
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HEARING:

Sharon Allen, 1430 Franklin Street, Colorado Springs, CO; appeared and testified in favor of the application.

COMMISSION ACTION:

A Motion to forward a recommendation to City Council that the Planned Unit Development Site Plan North Vista Highlands PUD, be **APPROVED** (with staff conditions), was made by Bailey, seconded by Schilling.

Motion passed 7-0.

3. Z-20-09 Rezone to B-3 Highway and Arterial Business District.

The applicant is requesting to rezone 2218 S. Prairie Blvd legally described as all of Lot 17, except the easterly 55 feet thereof, and that portion of Lot 18 lying south of and adjacent thereto, Bockman Subdivision, County of Pueblo, State of Colorado. Also described as Parcel "A" of rearrangement of property boundaries recorded February 12, 1990 in Book 2483 at Page 568. Total rezone area is 34,720 square feet of unimproved land.

BACKGROUND AND ANALYSIS:

The subject property was zoned R-2 in 1972 when the property was annexed into the City. It appears that the area to the west of Minnequa Lake was identified primarily for residential uses in the late 1960's; however, market demand has precipitated a commercial evolution along Prairie. The property is a large, 34,720 square foot, unimproved parcel that was rearranged in 1990 to accommodate non-residential development.

The site sits adjacent to Prairie Avenue, which is currently classified as a principal arterial street, reserved for "fast or heavy traffic" (Pueblo Municipal Code § 12-4-3, (9), b.). Single-family residential development is generally not an appropriate use adjacent to a heavy traffic street. Single-family residential uses are located to the north and east of the subject site with commercial office and personal storage uses located directly south

STAFF REVIEW AND FINDINGS:

Current uses of the subject property are limited to single-family residential; however, the Pueblo Regional Comprehensive Plan has designated the property for arterial commercial mixed uses. The proposed B-3 commercial zoning conforms with the future land use designation and is appropriate for the Prairie Avenue corridor. Additionally, Parcel A meets all B-3 Zone District regulations for area and width.

RECOMMENDED ACTION:

Staff recommends the Planning and Zoning Commission make a recommendation to City Council that the zoning map amendment be **APPROVED**.

HEARING:

Gerald Bensko Jr., 5203 Lynn Meadows Drive, Pueblo, CO; appeared and testified in favor of the application.

COMMISSION ACTION:

A Motion to forward a recommendation to City Council to Rezone to B-3 Highway and Arterial Business District, be **APPROVED**, was made by Bailey, seconded by San Filippo-Rosser.

Motion passed 7-0.

4. SNC-20-02 Street Name Change Long St to Bandera Parkway.

Case will be continued to December 9, 2020 hearing, due to the entire notice not being published in the Pueblo Chieftain.

APPROVAL OF MINUTES

A Motion was made by Commissioner Schilling to **APPROVE** the Minutes of the October 14, 2020 Public Hearing, seconded by Commissioner Bailey:

Motion passed 7-0.

OLD/NEW BUSINESS

The city and the county have joined forces and received Grant funds to make a new comprehensive plan. Planning Commission has hired a consultant, Clarion to help with the comprehensive plan. Kickoff meeting will be November 19, 2020 at 5:30pm it will be a zoom meeting.

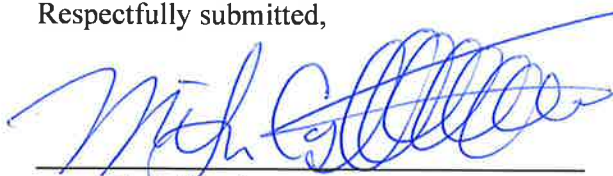
Commissioner Spinuzzi attended a TAC meeting and they have leftover consolidated planning grant funds that can be used on transportation, planning or designs. They are eligible for the \$880,000 in funds. Can contact John Adams if you have an idea or plans that you can use the leftover funds for. They said we need to use up the funds or we will lose them.

ADJOURN

There being no further business the Regular Meeting was adjourned at 5:15 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.

