

Jean Latka  
*Chair*

Brandice Eslinger  
*Vice Chair*

Chris Kaufman  
*City Council Representative*

# PUEBLO

## Planning & Zoning Commission

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Weston Burrer

David Webb

Brian Lucas

Raymond Seybold

**REGULAR MEETING**  
City of Pueblo, Colorado  
Wednesday, July 10, 2013 – 3:30 p.m.  
City Council Chambers – 301 West B Street

### Minutes

#### MEETING CALLED TO ORDER

The meeting was called to order at 3:34 p.m. with Chairperson Jean Latka presiding.

**Commissioners Present:** Weston Burrer, Chris Kaufman, Jean Latka, Brian Lucas, and David Webb.

**Commissioners Absent:** Brandice Eslinger and Ray Seybold.

**Staff Members Present:** Jeff Bailey, P.E., Assistant City Manager for Development Services; Paul Willumstad, Attorney for the Planning and Zoning Commission; Pepper Whittlef, Transportation Engineer; Kelly Grisham, Planner; Beritt Odom, Senior Planner; and Wade Broadhead, Planner.

#### APPROVAL OF AGENDA

Motion was made by Commissioner Lucas to approve the agenda. Motion seconded by Commissioner Burrer. **Motion passed 5-0.**

#### PUBLIC HEARINGS AND ACTION

1. **S-13-04 – Subdivision:** Bowen Subdivision. A 2.61-acre, one lot resubdivision of a portion of Lot 2, Ormandale Subdivision, generally located at 2011 Acero Avenue, just south of Lakeview Avenue.

A motion was made by Commissioner Lucas to continue this item to the August 14, 2013 Public Hearing, seconded by Commissioner Burrer. **Motion passed 5-0.**

2. **Z-13-03 – Rezoning:** Spanish Peaks PUD. Rezoning 9.96-acres from B-3 to PUD. Generally located in the 3200 block of Spaulding Avenue across from the YMCA.

#### BACKGROUND

Staff report given by Kelly Grisham.

The applicant is requesting to rezone the proposed Lot 1, Block 1, Park West Business Campus, Filing No. 8, containing approximately 10 acres (433,946 square feet) to the Spanish Peaks Health & Wellness Center PUD.

The subject property is located in the Park West Business Campus, across from the YMCA Community Campus. The applicant proposes to rezone the subject property from B-3, Highway and Arterial Business District to Spanish Peaks Health & Wellness Center PUD to facilitate the construction of an integrated health and wellness campus. As proposed, the PUD provides a new land use area listing specific permitted uses, standards, and performance standards.

Three (3) Land Use Areas have been created with this PUD: 1. Planning Area-1 (PA-1) – Bistro Area; 2. Planning Area-2 (PA-2) – Maintenance Area; and 3. Planning Area-3 (PA-3) – Office and Site Area. The Land Use Table designates the uses allowed by right, conditionally, by review, and not permitted in each of these areas. In addition, the PUD Development Guide provides performance standards for the building and site architecture, outdoor lighting, signage, landscaping, and pedestrian access.

The property is currently vacant, undeveloped land, with native grasses. The neighborhood is a mix of residential, commercial, and community uses; therefore, the proposed rezoning and uses are consistent with the neighborhood. The project site has been designated by the Pueblo Comprehensive Plan as “Arterial Commercial Mixed Use” and “Urban Residential;” therefore, the proposed rezoning is consistent with the Comprehensive Plan. The PUD Development Guide does not specify minimum lot size and area; however, it does note that to the extent that the Development Guide does not address a specific requirement, the requirements of the City B-3 Zone District will be utilized. The B-3 Zone District requires a minimum lot size of 50’ wide, with a minimum area of 5,000 square feet. As created with the Park West Business Campus, Filing No. 8 Subdivision, the property is 433,946 square feet (approximately 10 acres) with a lot frontage of approximately 536’, which more than meets the requirements of the B-3 Zone District. The Land Use Area allows a maximum lot coverage of 50 percent and a floor area ratio of 1.5. At the time of building permit, the structures will be required to comply with the lot coverage requirements. After consideration of the minimum lot size and area, lot coverage, and zone district performance standards, Staff has determined that the property has the ability to comply with the proposed zone district.

### **RECOMMENDED ACTION**

Staff recommends the Planning and Zoning Commission make the necessary findings of fact to forward a recommendation to City Council that the zoning map amendment be **APPROVED** with the following conditions of approval:

1. Prior to the issuance of any building permits for the property, the PUD site plan must be submitted and approved by the Planning and Zoning Commission.
2. Provide a phasing plan per Section 17-8-6(1)j of the PMC prior to approval of the PUD Site Plan.

3. Amend the definition of Medical Laboratory to follow the same formatting as the rest of the definitions.
4. Amend the definition of '24 Hour Service' Areas to list the specific areas or uses that will be utilized on a 24 hour basis.
5. Amend the reference to IES for additional definitions. These must be included in the PUD Development Guide if not clearly defined in the Pueblo Municipal Code.

### **HEARING**

**Mike Cuppy, NorthStar Engineering, 111 East 5<sup>th</sup> Street, Pueblo, CO** appeared and testified in favor of the application.

**Dr. Dorothy Perry, CEO, Spanish Peaks Mental Health Center, Inc., 1026 West Abriendo Avenue, Pueblo, CO** appeared and testified in favor of the application.

**David Lytle, Attorney for Spanish Peaks Mental Health Center, 229 Colorado Avenue, Pueblo, CO** appeared and testified in favor of the application.

**James Hadley, 511 West 29<sup>th</sup> Street, Pueblo, CO** appeared and testified in favor of the application.

No one spoke in opposition to the application.

Chairperson Latka closed the hearing and requested a motion.

### **COMMISSION ACTION**

A motion was made by Council Person Kaufman to approve the proposed application, seconded by Commissioner Burrer, with the following conditions:

1. Prior to the issuance of any building permits for the property, the PUD site plan must be submitted and approved by the Planning and Zoning Commission.
2. Provide a phasing plan per Section 17-8-6(1j) of the PMC prior to approval of the PUD Site Plan.
3. Amend the definition of Medical Laboratory to follow the same formatting as the rest of the definitions.
4. Amend the definition of '24' Hour Service' Areas to list the specific areas or uses that will be utilized on a 24 hour basis.
5. Amend the reference to IES for additional definitions. These must be included in the PUD Development Guide if not clearly defined in the Pueblo Municipal Code.

**Motion passed 5-0.**

3. **S-13-06 – Subdivision:** Timberwolf Subdivision. A one lot, 1.01 acre subdivision, located at 2840 Granada Avenue.

## **BACKGROUND**

Staff report by Wade Broadhead.

The applicant is proposing to subdivide a 1.01 acre parcel of land into one lot to facilitate the construction of an addition to the front of their industrial building. The unsubdivided parcel was annexed into the City in the early 1970s. The owner needs to subdivide the parcel to obtain a valid building permit for the commercial addition. The addition will be constructed to the front of the building to add office space, allowing room for future manufacturing related additions to be erected in the rear of the building. The applicant has submitted a draft exhibit showing a new drainage and sanitary sewer easement in the existing public utility easement that leaves the lot to the south and intersects with Thornberry Lane.

## **RECOMMENDED ACTION**

The Subdivision Review Committee, at their June 26, 2013 meeting, recommended that the requested Subdivision be **APPROVED** with the following noted:

Request for Waiver from Requirements: The applicant has requested a waiver from the requirement to underground the existing electric power lines that serve neighboring residences.

*SRC recommended approval of the waiver to keep overhead power lines at the June 26, 2013 SRC meeting.*

Requests for Modification to Requirements: None requested.

Plat Deficiencies: None.

Condition of Approval: Before going to City Council the applicant is required to provide a cross lot drainage easement with the south so water can drain to Thornberry Lane and provide a private sanitary sewer easement.

## **HEARING**

**Joe Gagliano, Gagliano Engineering, 1740 Eagleridge Drive, Suite 150, Pueblo, CO** appeared and testified in favor of the application.

No one spoke in opposition to the application.

Chairperson Latka closed the hearing and requested a motion.

## **COMMISSION ACTION**

A motion was made by Council Person Kaufman, seconded by Commissioner Webb, to approve the proposed application with the following waiver and condition of approval:

Request for Waiver from Requirements: The applicant has requested a waiver from the requirement to underground the existing electric power lines that serve neighboring residences.

Condition of Approval: Before going to City Council the applicant is required to provide a cross lot drainage easement with the south so water can drain to Thornberry Lane and provide a private sanitary sewer easement.

**Motion passed 5-0.**

4. **HARP-13-02 – HARP Plan Review:** Police Building Plan Review, 130 Central Main Street.

### **BACKGROUND**

Staff report given by Beritt Odom.

SDL Properties, Gary Anzuini, is requesting Planning and Zoning Commission's approval for redevelopment of the Old Police Building, located at 130 Central Main Street. Per Section 17-4-51, 12.3, d., 1 of the Pueblo Municipal Code, "no building permit shall be issued nor shall any work be undertaken or commenced to construct, reconstruct, remodel, repair, paint, rehabilitate, or in any way alter or modify the exterior of any building in a Historic Arkansas Riverwalk of Pueblo Zone District until the Planning and Zoning Commission, after proper notice has been given and a public hearing has been held in the manner required for a zoning map amendment, has reviewed, approved, and issued a written certificate of compliance for such work."

Mr. Anzuini is proposing to convert the vacant municipal building into a mixed-use structure offering four residential rental units, 9,985 square-feet of professional office space, 1,180 square-feet of retail space, and an 80-seat restaurant/craft brewery. Redevelopment will include significant alterations to the exterior of the building to include new architectural detailing, a 6,120 square-foot addition adjacent to the Historic Arkansas Riverwalk Channel and a 4,350 square-foot fourth floor addition. Mr. Anzuini is proposing that the new architectural detailing include "locally made custom tile and wrought iron detailing, an interpretation of the 'Pueblo Deco' style. A local example of this style is the renovated Kress Building on the corner of 3<sup>rd</sup> and Main Streets. Existing window openings will be enlarged vertically to bring more natural light into the interior spaces." The architectural renderings of the proposed additions indicate that the same type and color of brick and detailing will be included in the fourth floor and Riverwalk addition.

Most parking for the proposed development will be provided off-site through a long-term, 20 year, lease with the Pueblo Urban Renewal Authority to utilize surface parking spaces in the Pueblo Convention Center Overflow Parking lot. The parking lot is located southwest of Vectra Bank and approximately 380-ft (walking distance) northeast of the proposed redevelopment.

Landscaping is not required by the Pueblo Municipal Code for HARP Zone Districts; however, landscaping is required per the City Center Streetscape Standards. Mr. Anzuini has prepared a landscaping plan that includes landscaping in the right-of-way and on-site. Bill Zwick, City of Pueblo Landscape Architect has approved the proposed landscape plan with two conditions.

### **RECOMMENDED ACTION**

Staff recommends Planning and Zoning Commission **APPROVE** HARP-13-02 with the following conditions, which must be met prior to building permit approval or as otherwise noted:

1. **Waste Water:**
  - a. Correct the Utility Plan to show the kitchen discharge separated from the brewery. Brewery discharge cannot go through the grease trap.
  - b. Correct the Utility Plan to show the sewer line, adjacent to the Riverwalk channel, as a "Private Sanitary Sewer Main" instead of an "Abandon San."
2. **Parking:**
  - a. Correct plans to reflect one handicap van accessible parking space by creating an eight-foot wide aisle and an eight-foot hatch for one of the handicap spaces.
  - b. Correct plans to show a six-foot walk, leading from the Central Main sidewalk, along the northeast side of the building, towards the Riverwalk channel.
  - c. Modify plans to reflect 16-foot parking spaces, with no bumper block, along the northeast side of the building.
  - d. Obtain a 20-year lease, with the Pueblo Urban Renewal Authority, in the Pueblo Convention Center Overflow Parking lot to provide 50 parking spaces for the proposed development.
3. **Landscaping:**
  - a. Decorative concrete accents along the Central Main Street sidewalk must be colored to match the Memorial Hall Streetscape, please revise plans.
  - b. Correct plans to provide a landscaped "parking screen" in the parking space located directly south of the Central Main Street right-of-way sidewalk and west of the Central Main Street curb-cut.
  - c. A revocable permit must be approved for the planter and stairway along Central Main Street, prior to occupying the building.
4. **Lighting:**
  - a. Per Section 17-4-52, of the Pueblo Municipal Code, all up-lighting, intended to highlight architectural features, must be approved in writing by the Administrative Official.

### **HEARING**

**Gary Anzuini, 112 West D Street, Pueblo, CO** appeared and testified in favor of the application.

No one spoke in opposition to the application.

Chairperson Latka closed the hearing and requested a motion.

### **COMMISSION ACTION**

A motion was made by Council Person Kaufman to approve the proposed application, seconded by Commissioner Lucas, with the following conditions:

1. **Waste Water:**
  - a. Correct the Utility Plan to show the kitchen discharge separated from the brewery. Brewery discharge cannot go through the grease trap.
  - b. Correct the Utility Plan to show the sewer line, adjacent to the Riverwalk channel, as a "Private Sanitary Sewer Main" instead of an "Abandon San."
2. **Parking:**
  - a. Correct plans to reflect one handicap van accessible parking space by creating an eight-foot wide aisle and an eight-foot hatch for one of the handicap spaces.
  - b. Correct plans to show a six-foot walk, leading from the Central Main sidewalk, along the northeast side of the building, towards the riverwalk channel.
  - c. Modify plans to reflect 16-foot parking spaces, with no bumper block, along the northeast side of the building.
  - d. Obtain a 20-year lease, with the Pueblo Urban Renewal Authority, in the Pueblo Convention Center Overflow Parking lot to provide 50 parking spaces for the proposed development.
3. **Landscaping:**
  - a. Decorative concrete accents along the Central Main Street sidewalk must be colored to match the Memorial Hall Streetscape, please revise plans.
  - b. Correct plans to provide a landscaped "parking screen" in the parking space located directly south of the Central Main Street right-of-way sidewalk and west of the Central Main Street curb-cut.
  - c. A revocable permit must be approved for the planter and stairway along Central Main Street, prior to occupying the building.
4. **Lighting:**
  - a. Per Section 17-4-52, of the Pueblo Municipal Code, all up-lighting, intended to highlight architectural features, must be approved in writing by the Administrative Official.

**Motion passed 5-0.**

### **APPROVAL OF MINUTES**

Motion was made to approve the Minutes of the June 12, 2013 Public Hearing by Commissioner Lucas, seconded by Commissioner Burrer. **Motion passed 5-0.**

### **SCHEDULE PUBLIC HEARING**

The Public Hearing for June will convene on Wednesday, August 14, 2013 at 3:30 p.m. in the City Council Chambers.

**SCHEDULE WORK SESSION**


The Work Session for June will convene on Wednesday, July 24, 2013 at 3:30 p.m. in the Planning Conference Room, 211 East D Street.


**ADJOURN**

There being no further business the Regular Meeting was adjourned at 4:25 p.m.

Respectfully submitted,

Attest:

  
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Jean Latka  
Chairperson

  
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Jeff M. Bailey, P.E.  
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.