

Jean Latka
Chair

Brandice Eslinger
Vice Chair

Chris Kaufman
City Council Representative

PUEBLO

Planning & Zoning Commission

Weston Burrer

David Webb

Brian Lucas

Raymond Seybold

REGULAR MEETING
City of Pueblo, Colorado
Wednesday, November 20, 2013 – 3:30 p.m.
City Council Chambers – 1 City Hall Place

Minutes

MEETING CALLED TO ORDER

The meeting was called to order at 3:30 p.m. with Chairperson Jean Latka presiding.

Commissioners Present: Brandice Eslinger, Jean Latka, Chris Kaufman, Brian Lucas, Ray Seybold, and David Webb.

Commissioners Absent: Weston Burrer.

Staff Members Present: Jeff Bailey, P.E., Acting Director; Dan Kogovsek, City Attorney; Paul Willumstad, Attorney for the Planning and Zoning Commission; and Kelly Grisham, Planner.

APPROVAL OF AGENDA

Motion was made by Commissioner Lucas to approve the agenda, seconded by Commissioner Seybold. **Motion passed 6-0 (Burrer absent).**

PUBLIC HEARINGS AND ACTION

1. **V-13-08 - Vacation:** Street Vacation. Streets and Alleys Surrounding the Ilex Interchange Project.

BACKGROUND

Staff report given by Kelly Grisham.

The applicant, CDOT, is proposing to vacate the alleys and streets that are platted adjacent to the I-25 and Ilex Street Interchange. The applicant owns all of the adjacent parcels and will use the area for the construction of I-25 and associated interchange. The portion of Bennet Street adjacent to Santa Fe Avenue will remain to provide access to the rear of the Sam's Carpet Warehouse building. During construction, there will be several underlying platted lots which will not have access to a public street; however, CDOT owns these lots and will ensure access to all remaining parcels once the project is complete. In addition, once the project is complete and prior to selling any property, CDOT will review their ownership to

determine excess properties for possible disposal. Any property sold will be required to be subdivided by the new owner prior to issuance of a building permit.

RECOMMENDED ACTION

Staff recommends that the Vacation be **APPROVED** with the following condition:

The water main in the current Ilex Avenue must remain in place until such time that a replacement main is constructed. With that main in place, the Board of Water Works will need to have access for repair and maintenance.

HEARING

Amber Billings, Colorado Department of Transportation, 905 Erie Avenue, Pueblo, CO appeared and testified in favor of the proposed vacation.

Wayne Trujillo, Colorado Department of Transportation, 905 Erie Avenue, Pueblo, CO appeared and testified in favor of the proposed vacation.

Joe DeHeart, Colorado Department of Transportation, 905 Erie Avenue, Pueblo, CO appeared and testified in favor of the proposed vacation.

No one testified in opposition to the proposed vacation.

Chairperson Latka closed the hearing and requested a motion.

COMMISSION ACTION

Motion was made by Council Person Kaufman to approve the proposed vacation, seconded by Commissioner Eslinger with the following condition:

The water main in the current Ilex Avenue must remain in place until such time that a replacement main is constructed. With that main in place, the Board of Water Works will need to have access for repair and maintenance.

Motion passed 6-0 (Burrer absent)

2. **TA-13-10 – Text Amendment:** Adopt 1041 Regulations.

BACKGROUND

Staff report given by Dan Kogovsek.

In adopting H.B. 1974-1041 in 1974, the Colorado General Assembly gave state land use authority to cities and counties in the following areas: (1) water and sewage treatment systems, (2) solid waste disposal sites, (3) airports, (4) mass transit systems, (5) arterial

highways interchanges and collector highways, (6) major facilities for public utilities, (7) new communities, (8) municipal and industrial water projects, and (9) nuclear detonations. C.R.S. 24-65.1-101 *et seq.* The City's proposed 1041 regulations seek to regulate three (3) "areas and activities of state interest:"

1. Efficient Utilization of Municipal and Industrial Water Projects;
2. Site Selection and Construction of Major New Domestic Water and Sewage Treatment Systems and/or Major Extension of Existing Domestic Water and Sewage Treatment Systems;
3. Site Selection and Construction of Major Facilities of a Public Utility.

Those wishing to engage in development in the 3 regulated areas and activities must submit applications to the City. City staff (and hired experts, if necessary) will review the applications using 16 enumerated criteria. 1041 permits can be issued with appropriate conditions to address the City's land use concerns. The proposed 1041 regulations provide for administrative approval by the Director of the City Planning and Community Development Department (with or without conditions) if there are no significant impacts to the City. The City's Law Department thinks that the 1041 regulations are necessary for the City to properly review and address three (3) anticipated developments: (1) Arkansas Valley Conduit pipeline, (2) Pueblo West Metro District effluent pipeline along Wild Horse Creek, and (3) Pueblo Springs Ranch.

RECOMMENDED ACTION

The City Department of Law recommends that the Planning and Zoning Commission forward a recommendation of **APPROVAL** of the proposed text amendment to City Council.

HEARING

The City of Pueblo is the applicant. No one else spoke in favor of the proposed application.

No one spoke in opposition to the application.

Chairperson Latka closed the hearing and requested a motion.

COMMISSION ACTION

Motion was made by Council Person Kaufman to approve the proposed text amendment, seconded by Commissioner Seybold. **Motion passed 6-0 (Burrer absent).**

OLD/NEW BUSINESS:

Ilex/1st Street Aesthetics – Joe DeHeart of the Colorado Department of Transportation gave a brief update on the ongoing process of determining the aesthetics that will be incorporated into the projects along I-25. He handed out a PowerPoint Presentation to the Commission detailing

the progress to date. He encouraged the Commissioners to maintain contact with the Planning Department staff that are working collaboratively with CDOT on this project to offer their input or for more information.

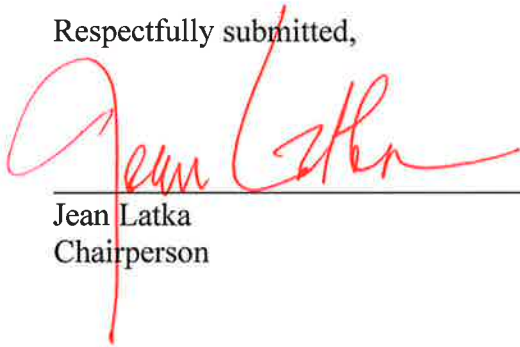
Work Session – the Work Session for December will convene on Wednesday, December 18, 2013 at 3:30 p.m. in the Planning Conference Room, 211 East D Street.

ADJOURN

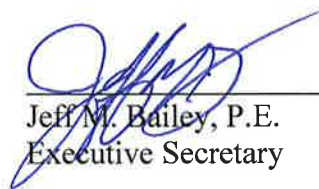
There being no further business the Regular Meeting was adjourned.

Respectfully submitted,

Attest:



Jean Latka
Chairperson



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.