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S-15-10

TO: City of Pueblo, Planning and Zoning Commission
FROM: Kelly Grisham, Planner
THROUGH: Steven Meier, Director of Planning and Community Development
DATE: June 8, 2016
SUBJECT: **Dill Subdivision**
APPLICANT: **D.W. Kercheval**
PROPERTY OWNER: E.R. Dill and Julia Dill
LOCATION: **North of Belmont Post Office, east of Big R**
EXISTING ZONE: B-4, Regional Business District
PROPOSED ZONE: No change
CONCURRENT REQUESTS: V-16-02, Mass Street Vacation

REQUEST:

The applicant is requesting to subdivide the 5.57 acre property into one (1) building lot.

ANALYSIS:

The proposed Subdivision conforms with the applicable Municipal Codes.

APPLICABLE REGULATIONS:

Sec. 17-4-1 through 6 of the Pueblo Municipal Code (PMC) concerning zone district regulations; Sec. 12-4-6(b)(1) through (3) concerning the necessary information and supporting documents to be submitted for review and required drawing to be recorded; and Sec. 12-4-7 concerning the minimum standards for all subdivisions.

RECOMMENDED MOTION: The Subdivision Review Committee recommends the Planning and Zoning Commission forward a recommendation the requested Subdivision be **APPROVED** with the following noted:

Request for waiver from requirements:

The applicant is requesting a waiver of the existing overhead electric lines along Hwy 50 By-pass and on the east of the property.

The Subdivision Review Committee meeting discussed the two waiver requests and makes the following recommendation:

- 1. SRC does not support the waiver request along the frontage road. This line stops at the post office, can be put underground, and would not affect any single family residential properties.*

	2. SRC supports the waiver request for the lines along the eastern edge of the property as those feed power to the homes along that property line. Requiring the applicant to bury that overhead electric line would result in all of the residences along that property line (9 single family homes) to be converted to underground electric service.
Requests for Modifications to Requirements:	None Requested
Plat Deficiencies:	None
Conditions of Approval: (Unless otherwise noted, all conditions of approval must be completed prior to the case being scheduled for City Council hearing.)	<ol style="list-style-type: none"> 1. Include the undergrounding of the overhead electric along frontage road in the Subdivision Improvement Agreement and place underground as required by the approved SIA. 2. Provide a surveyors statement on the plat. See Public Works engineering for a sample of the statement. 3. The subdivision shall not be approved or recorded unless Mass Street is vacated. 4. Comply with the attached memo from Stormwater Utility dated June 3, 2016. 5. Comply with the attached letter from CDOT dated April 26, 2016 6. Provide a supplemental map with all applicable checklist items addressed. 7. Provide an updated plat map with all requirement met.

STAFF REVIEW AND FINDINGS:

The subject property is located along the frontage road, east of Big R and north of the Belmont Post Office. The applicant is requesting to combine the two existing parcels into one lot for the purpose of construction of a mini-storage facility. With this request, the applicant is also requesting to vacate a portion of Mass Street that is west of Kennedy Street.

PLANNING AND COMMUNITY DEVELOPMENT COMMENTS

CHARACTER AND COMPATIBILITY:

□ **Site Character:**

The property is currently vacant, undeveloped land, with native grasses.

□ **Neighborhood Compatibility:**

North B-4, Regional Business District

East R-2, Single Family Residential

South S-1, Hwy 50 Bypass

West B-4, Regional Business District

□ **Comprehensive Plan Compliance:**

The project site has been designated by the Pueblo Comprehensive Plan as “Arterial Commercial Mixed Use.” The Pueblo Comprehensive Plan designation of *Arterial Commercial Mixed Use* primary focus is retail and personal services, with some office space intermixed. The existing zone district is consistent with the Comprehensive Plan.

ABILITY TO COMPLY WITH THE ZONE DISTRICT REGULATIONS:

□ **Minimum lot size and area:**

- The B-4 Zone District requires a minimum of 5,000 square foot lot area, with a minimum of 50’ wide street frontage.
- *The proposed lots provide lot area and width in excess of the minimum standards.*

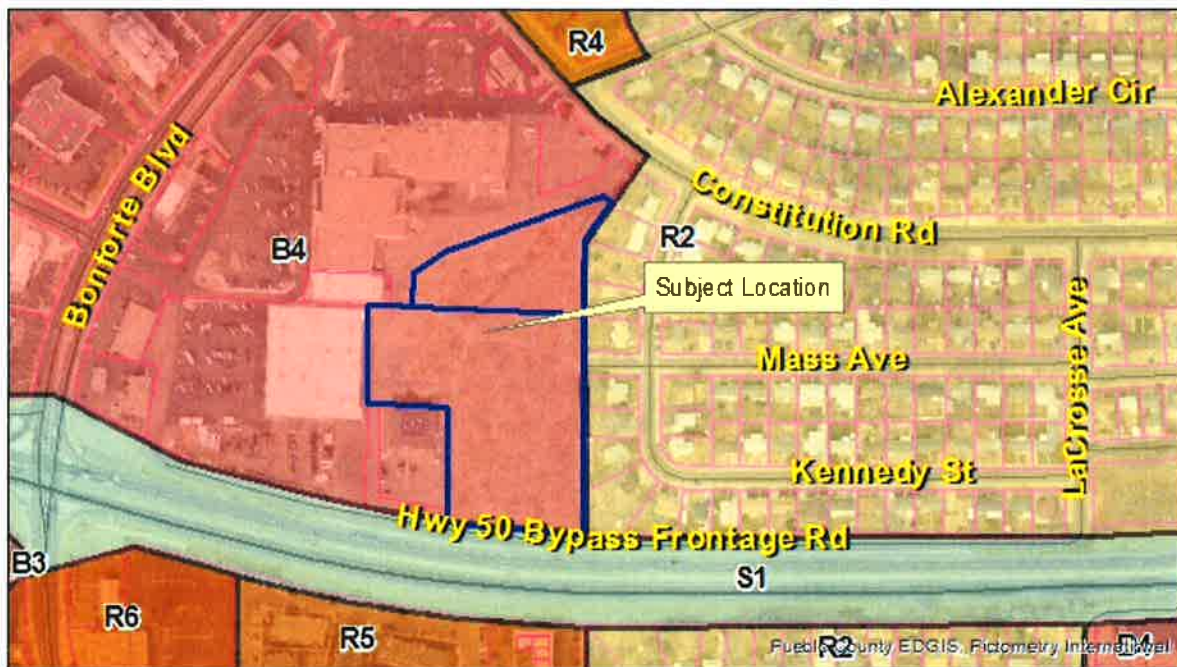
ATTACHMENTS:

- A. Location Map
- B. Aerial Photograph
- C. Zoning Map
- D. Comprehensive Plan Map
- E. Plat
- F. Supplemental Map
- G. Subdivision Application

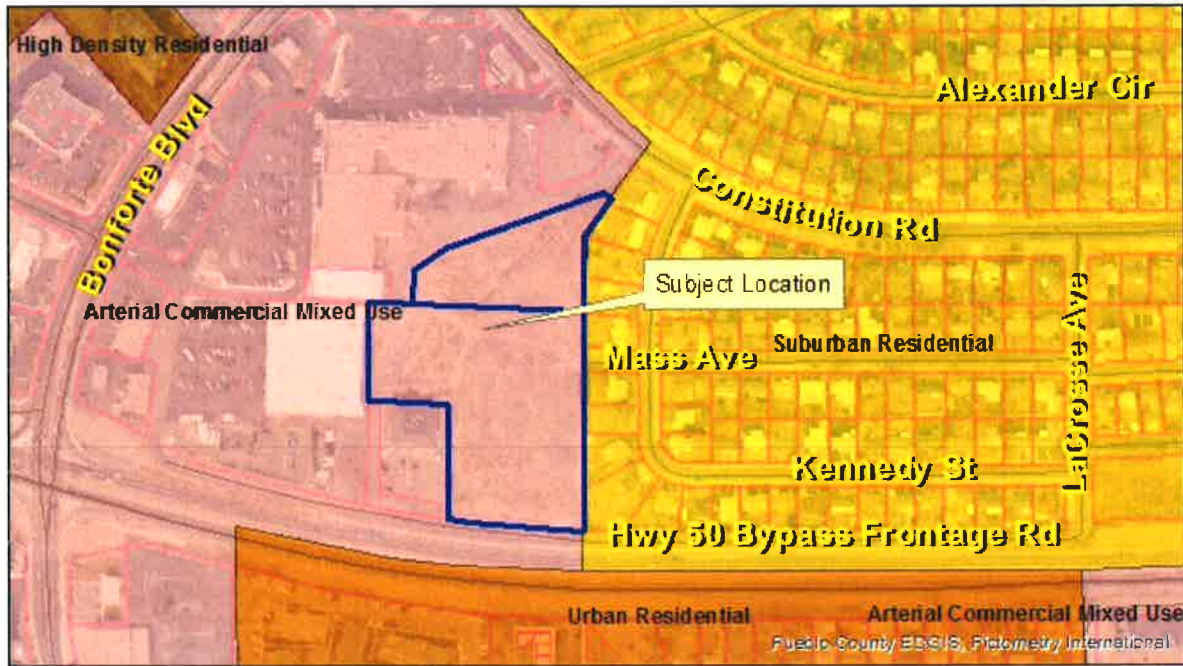
ATTACHMENTS:



A. Aerial Photograph



B. Zoning Map



C. Comprehensive Plan

Attachment E. Site Photos



Site



Site

Earl Wilkinson, P.E.
Director of Public Works



211 E. "D" Street
Pueblo, CO 81003

Jeff M. Bailey, P.E.
Assistant City Manager
for Stormwater

Phone (719) 553-2299
Fax (719) 553-2294

Stormwater Utility

MEMO

TO: Kelly Grisham, Planner
FROM: Melanie Turner
DATE: June 3, 2016
SUBJECT: S-15-10, Dill Subdivision, P&Z Conditions
Part 1 Subdivision Review

This memo is intended to serve as the Stormwater Utility's conditions to be added to the P&Z staff report. These conditions are to be completed **before being placed on the City Council agenda**. Please forward to the applicant's representative. Please note that the Stormwater Utility has not had a chance to review the changes that were submitted by the applicant late last night. Therefore, some of the following conditions may have already been met in those submitted changes.

Supplemental Map

1. Provide a supplemental map that shows all existing storm sewers, existing swales, existing easements, etc. that are pertinent to this project. Include size, type, width, etc. Be sure to include the easement that is located between Big R and Family Dollar and the private ingress/egress easement.
2. On the supplemental map, identify the culvert(s) that are located at the northeast corner of the Big R building. Verify and label the size and type.
3. If you show proposed features on the supplemental map, label them as "proposed." Make the proposed detention/easement boundary lines consistent with what is proposed on the plat.

Plat

4. On the plat, show all existing and proposed drainage and detention easements (and other easements) that are pertinent to this project. If they are existing, provide book and page number or reception number. Be sure to include the easement that is located between Big R and Family Dollar and the private ingress/egress easement.
5. Make the minimum width of all portions of the easement(s) 20' wide if they will contain underground facilities.

Drainage Report

6. Provide a discussion of the existing easement that the existing culvert is in.
7. Once the size of the existing culvert has been verified, prove with clear calculations, what the capacity of the receiving system is.
8. State that the ditch along the frontage road will be concrete-lined (and or piped) as per City of Pueblo.
9. Update the drainage report to reflect any changes made to the plat, supplemental map, and/or design.



COLORADO

Department of Transportation

Region 2

Access Permitting
PO Box 536
Pueblo CO 81002

Tuesday, April 26, 2016

SH 50FR
City of Pueblo

Kelly Grisham
City of Pueblo Planning Dept.
211 E D St.
Pueblo, CO 81003

RE: Dill Subdivision - 3rd Submittal
S-16-10 - Subdivision

Dear Kelly,

I am in receipt of a referral request for comment on a proposed subdivision plat for Dill Subdivision, proposed for development of a self-storage facility. The subject property is located on the north side of SH 50FR, adjacent to the Belmont Shopping Center, and east of the post office. We have the following comments:

- CDOT, in consultation with the City offered Access Permit 215095 to the property owners. The permit has not yet been returned with signature and fee. Therefore, the permit is not yet valid. In fact, their engineer stated that the property owners were not anticipating the drainage improvements as required by the permit terms and conditions.

Additionally,

- On-premise and off-premise signing shall comply with the current Colorado Outdoor Advertising Act, sections 43-1-401 to 421, C.R.S., and all rules and regulations pertaining to outdoor advertising. Please contact Mr. Carl Buford at (719) 562.5519 for any questions regarding advertising devices.
- Any utility work within the state highway right of way will require a utility permit from the CDOT. Information for obtaining a utility permit can also be obtained by contacting Mr. Buford.

Please contact me in Pueblo at 719.546.5407 with any questions.

Sincerely,

Valerie Sword
Access Manager

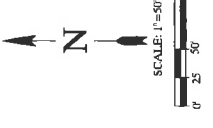
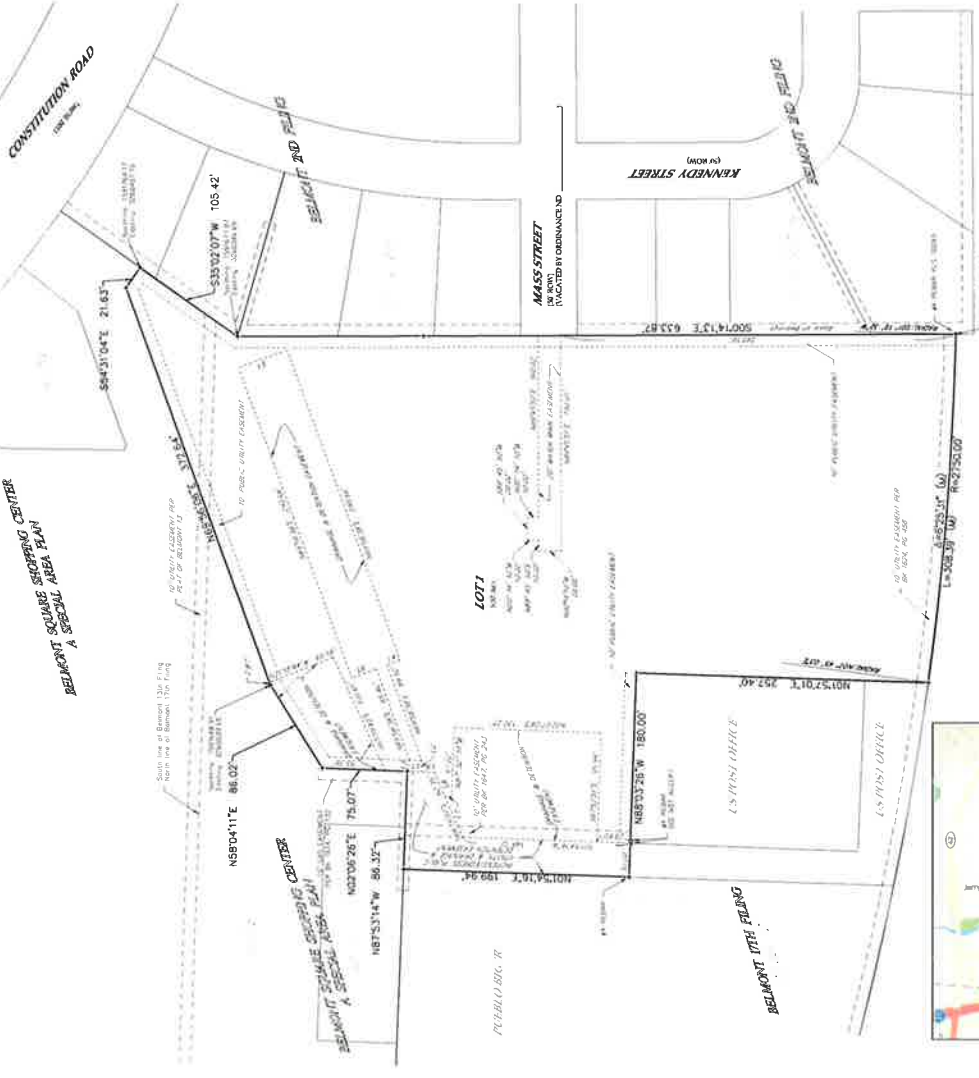


Xc: Pepper Whittlef, Pueblo DOT
Hu
Gocha
Jagow/Lewis/file



DILL SUBDIVISION

Located In a Portion of
 Sections 19 & 30, Township 20 South, Range 64 West of the 6th P.M. in
 Pueblo County, Colorado



Layer #	Description	Length
1	1" = 100'	10.00
2	2" = 100'	10.00
3	3" = 100'	10.00
4	4" = 100'	10.00
5	5" = 100'	10.00
6	6" = 100'	10.00
7	7" = 100'	10.00
8	8" = 100'	10.00
9	9" = 100'	10.00
10	10" = 100'	10.00

PLANNING AND DESIGN INFORMATION
 Name of Applicant: _____
 Name of Engineer: _____
 Date: _____

APPROVED FOR SUBMISSION
 Name of Public Official: _____
 Title: _____
 Date: _____

APPROVED FOR RECORDATION
 Name of Public Official: _____
 Title: _____
 Date: _____

NOTES:
 1. The owner warrants that the information contained herein is true and correct to the best of his knowledge and belief.
 2. The owner warrants that the information contained herein is true and correct to the best of his knowledge and belief.
 3. The owner warrants that the information contained herein is true and correct to the best of his knowledge and belief.
 4. The owner warrants that the information contained herein is true and correct to the best of his knowledge and belief.
 5. The owner warrants that the information contained herein is true and correct to the best of his knowledge and belief.
 6. The owner warrants that the information contained herein is true and correct to the best of his knowledge and belief.
 7. The owner warrants that the information contained herein is true and correct to the best of his knowledge and belief.
 8. The owner warrants that the information contained herein is true and correct to the best of his knowledge and belief.
 9. The owner warrants that the information contained herein is true and correct to the best of his knowledge and belief.
 10. The owner warrants that the information contained herein is true and correct to the best of his knowledge and belief.

KIDD ENGINEERING AND CONSTRUCTION MANAGEMENT SERVICES, INC.

REVA A. KIDD - PRESIDENT
 4811 EAST HIGHWAY 50
 PUEBLO, COLORADO 81001
 719-544-5228 (OFFICE)
 719-544-5228 (FAX)
 reva@kidd-engineering.com



Planning & Zoning Application

Please type or print clearly. Illegible applications will not be accepted. Case #:

Contact Info	Property Owner		Applicant	
	Name: ER Julia P. P. II		Name: David M. Kercheval	
	Company:		Company:	
	Address: 733 SE 14th Ave Stuart FL 34996		Address: 1361 Eastonville Rd Elbert CO	
	Zip: 34996		Zip: 80106	
	Phone: ()		Phone: (303) 549-9319	
	Email: ERD.11@AOL.COM		Email: KIK-KERCHEVAL@195N.COM	
Engineer	Engineer		Surveyor	
	Name: Ricky A Kidd		Name: Daniel Boyd	
	Company: Kidd Engineering		Company: Alta Survey	
	Address: 44811 E Hwy 50 Avondale, CO		Address: 813 Desert Flow Pueblo, CO	
	Zip: 81002		Zip: 81004	
	Phone: (719) 544-5239		Phone: (719) 542-9169	
	Email: Rick.Kidd@KiddEngineering.com		Email: ALTA.SURVEY@COMCAST.NET	
The applicant will be the primary contact unless otherwise noted.				
Property Info	Project Location: (address or general description) North of Belmont Post Office, East of Big R			
	Parcel No(s): 430111005 and 419427031			
	Existing Zone: B-4		Proposed Zone (if applicable):	
	PUD Name (if applicable):			
Project Scope	Project Name: D.11 Subdivision			
	Scope of work:			
	<input type="checkbox"/> Lot Line Rearrangement:			
	# of existing lots: _____ Total acres: _____			
	<input type="checkbox"/> Overall Development Plan			
	<input type="checkbox"/> Rezoning From: _____ To: _____			
	<input type="checkbox"/> Site Plan Review:			
	<input type="radio"/> HARP <input type="radio"/> Development Plan <input type="radio"/> PUD <input type="radio"/> Student Housing			
	<input type="checkbox"/> Special Area Plan			
	<input type="checkbox"/> Street Name Change:			
Existing Name: _____ Proposed Name: _____				
<input type="checkbox"/> Subdivision: # of lots: <u>1</u> Total acres: <u>5.58</u>				
<input type="checkbox"/> Text Amendment				
<input type="checkbox"/> Vacation:				
<input type="radio"/> Street <input type="radio"/> Alley <input type="radio"/> Easement <input type="radio"/> Other: _____				
<input type="checkbox"/> Other: _____				

(Continue Next Page)

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Project Information	Provide a brief description of the proposed request: (separate narrative as Attachment A also required)	
	Combine two parcels into one lot. Develop the property into a mini-storage facility	
	What is the total acreage included in the project? 5.58	
	What is the proposed use of the property: <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Multi-family <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Other _____	
	Are there any other pending or recently approved Land Use applications regarding this property? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If yes, please list:		
Attachments	Attachment Checklist	
	The following list of attachments are required to accompany all applications: <input type="checkbox"/> A. Detailed explanation of the request as listed above. Be specific <input type="checkbox"/> B. CD with DWF and DWG (Autocad) file of all plans and drawings & a PDF of all documents submitted. <input type="checkbox"/> C. Pueblo County Assessor's Property Information print out (www.co.pueblo.co.us) <input type="checkbox"/> D. Additional information as required by the P&Z Submittal Requirements Sheet.	
Terms	By signing below, the Property Owner and Applicant are representing that each understands and agrees to the following terms:	
	<ol style="list-style-type: none"> 1. Authorized personnel from the City of Pueblo, are hereby granted the right to enter the subject property for the purposes of reviewing and processing the application, including Certificate of Occupancy Inspections. 2. There are no known hazards or vicious animals present on the subject property. 3. All information contained in this application, is true and accurate to the best of my knowledge. 4. The City of Pueblo is under no obligation to approve the request contained in this application. No promises of approval are conveyed with the acceptance of this application. 5. It is highly recommended that a licensed surveyor complete a property survey before any construction takes place. The property owner is responsible for any construction that takes place within the boundaries of their property. The city may require any construction built outside of the property legal boundaries or within any setbacks (by intent or error), to be removed at the owners' expense. 	
Signatures	Property Owner	
	Print Name:	DAVID W KERCHEVAL
	Signature:	<i>David W. Kercheval</i> Date: 10/13/15
	Applicant, if different from Property Owner	
Signatures	Print Name:	
	Signature:	Date:

Office Use Only	Zoning Compliance (Completed by City Staff)		Receipt:
	Application received by:	Date:	
	Application checked for completeness by:	Date:	
	Case Manager:	Fee Paid:	
	Hearing date:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Approved w/conditions	
Case #:			

DILL SUBDIVISION APPLICATION
ATTACHMENT A

Ernie and Julia Dill own two parcels north and east of the Belmont Post Office and Big R. The purpose of the proposed subdivision action is to combine the two parcels into one. The combined size of the parcels is approximately 5.58 acres. The intent of the owners is to develop this area into a mini-storage and RV-storage compound. The primary access to the property will be from the street on the south.

This project has been through the Subdivision Review Committee.

**TO: Subdivision Committee, Planning and Zoning Department, City Council
City of Pueblo, Colorado**

REGARDING: Status of Existing Power Lines Adjacent to Dill Property on U.S. 50 By-Pass

Mr. and Mrs. E. R. Dill are owners of vacant property in the City of Pueblo, located on U.S. 50 By-Pass adjacent to and east of the Belmont Shopping Center. Said property is presently under consideration for subdivision and is proposed to be developed as a self-storage facility by the Dills.

The Planning and Zoning Department has requested that two power lines adjacent to the Dill property be relocated from their present status of overhead power lines to underground power lines. While relocation of the lines may enhance aesthetics, such operations are estimated to be prohibitively costly to any development of the property and would be extremely disruptive to both residential and commercial customers served by the two power lines. Further, there would be no improvement of electrical services to the residential and/or commercial properties serviced by the power lines. While the Dills understand and agree that any new electric power lines installed should be installed underground, there simply is no operational or economic logic to relocation of existing power lines serving so many customers. When contacted by the Dills' engineering firm regarding any necessary relocation of the power lines, Black Hills Energy Company, owners, operators, and maintainers of both power lines, stated that they strongly oppose and would not agree to underground relocation of the north-south line east of the Dill property. Mr. Dan Witt said that he would prefer leaving the east-west line along the south side of the Dill property overhead, but that it could be buried if required. They provided a cost estimate of \$27,682.04 to have this done.

In addition to the foregoing, and an important consideration, neither power line is located on Dill property.

Therefore, we are requesting waivers so that neither power line will have to be relocated to an underground installation. The reasons are as follows:

1. The power line along the east side of the property is situated outside of the east property line of the Dills' property, and inside of a utility easement situated on (inside of) nine residential properties along Kennedy Street. Relocation of that power line would not only be unduly disruptive to electrical services of the nine residences, but would require demolition of several residents' fences, and considerable destruction of lawns, driveways, and gardens belonging to the residents in order to reconfigure all electrical services to the residences underground