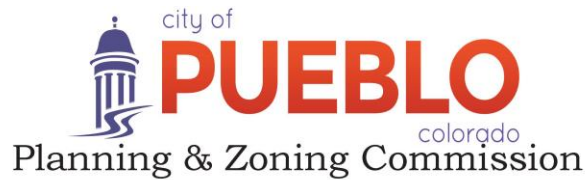


Mike Castellucci  
Chair

Patrick Avalos  
Vice Chair

Bob Schilling  
City Council Representative



Christopher Pasternak

Alexandra Aznar

Elizabeth Bailey

Cheryl Spinuzzi

## ***MINUTES OF REGULAR MEETING***

City of Pueblo, Colorado

Wednesday, October 13, 2021 – 3:30 p.m.

City Council Chambers, 1 City Hall Place

### **Join Zoom Meeting online:**

<https://pueblo.zoom.us/j/92717867722?pwd=WUdnaHVGbnlCdHRrUHNFZnpPWG1Ydz09>

### **Join Zoom Meeting by phone:**

+1 669 900 6833 US (San Jose)

+1 346 248 7799 US (Houston)

### **Online and phone Meeting ID and Password:**

Meeting ID: 927 1786 7722

Passcode: 195462

## **MEETING CALLED TO ORDER**

The meeting was called to order at 3:31 p.m. with Commissioner Castellucci presiding.

*The meeting was held at City Council Chambers, 1 City Hall Place, commissioners, applicants, and the public participated in person and via Zoom.*

**Commissioners Present:** Mike Castellucci, Patrick Avalos, Cheryl Spinuzzi, Bob Schilling, Alexandra Aznar, and Lisa Bailey.

**Commissioners Absent:** Christopher Pasternak

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

## **APPROVAL OF AGENDA**

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

**Motion passed 6-0.**

## **PUBLIC MEETING AND ACTION**

### **Regular Agenda**

1. **SAP-21-01: Village Green at Walking Stick (Fekete Homes, Inc) Minor amendment to the Village Green at Walking Stick Special Area Plan. Staff report by Danielle Baxter**

Staff report by Danielle Baxter, Planner

The applicant is requesting approval for a special area plan amendment to modify the building areas and setbacks to reflect the combination of three lots into two as proposed on the concurrent Rearrangement of Property Boundaries for Lots 1, 2, and 3, the Village Green at Walking Stick, A Special Area Plan.

**BACKGROUND:**

The original Special Area Plan was recorded in March 2004 with a total approximate area of 21.5 acres and 55 total dwelling units (creating a 2.56 dwelling unit per acre density). The minimum lot size for a Single Family (R-2 zone) district is 5,000 square feet. Based on the net density analysis the maximum allowed number of units is 126, although only 55 total dwellings are proposed. The original SAP indicates a twenty-foot (20') front yard setback, five-foot (5') side yard setback (unless otherwise specified), and fifteen-foot (15') rear yard setback.

In 2017 a minor amendment requesting a similar change was approved. SAP-17-01 proposed combining three lots into two to create larger lots. The setbacks were also modified to accommodate the new lot arrangement. These proposed setback modifications were consistent with the setbacks in the surrounding Special Area Plan.

**ANALYSIS:**

The applicant is requesting to amend the previously amended Special Area Plan for The Village Green at Walking Stick, Lots 1, 2, and 3. As proposed, the amendment is to adjust the lot lines shown on the Special Area Plan to coincide with the Rearrangement of Property Boundaries (RPB-21-10) requested for these three lots. The rearrangement combines three (3) lots into two (2) for the purpose of creating larger lots. The Special Area Plan minor amendment continues to require a twenty-foot (20') front yard setback, five-foot (5') side yard setback (unless otherwise specified), and fifteen-foot (15') rear yard setback.

The minor amendment to the Special Area Plan for The Village Green at Walking Stick, Lots 1, 2, & 3 will bring the new total of dwelling units to 52. All required setbacks are consistent with the original SAP and the lot to the north, which provides a uniform appearance.

**RECOMMENDED ACTION:**

Staff recommends the Special Area Plan Amendment be **Approved** with conditions. All conditions listed below must be met prior to the Special Area Plan Amendment and Rearrangement of Property boundaries are recorded

1. Reference the lot line rearrangement case number on the Special Area Plan amendment plan.
2. The Village Green at Walking Stick Rearrangement of Property Boundaries must be approved and recorded concurrent with the Special Area Plan amendment.

3. Due to previous amendments and easement dedications, Parcel A and Parcel B, as indicated on the Special Area Plan amendment and rearrangement of property boundaries, need to be renamed to Parcel I and Parcel J, respectively.
4. The title of the Special Area Plan Amendment will need to be updated to include mention of Parcels I and J and Lots 1, 2, and 3.
5. The original easements indicated on the Special Area Plan for The Village Green at Walking Stick need to be indicated on the amended plat.

**HEARING:** Tom Black, Fekete Homes, Inc., was present to represent application. No one spoke in support or opposition for the application.

**MOTION:** Motion to recommend approval of the Minor Amendment to The Village Green at Walking Stick Special Area Plan made by Schilling, second by Bailey.

**MOTION PASSED 6-0**

**PUBLIC HEARING AND ACTION:**

2. **Z-21-12 Rezone, Pueblo Springs Apartments: approximately 19.75 acres generally located south of West 31st Street and east of North Pueblo Blvd. from Pueblo County A-1 to City A-1, for not more than a 10-year period.**

Staff report by Beritt Odom, Principal Planner

Applicant is requesting to zone the 19.75-acre subject property from County A-1 to City A-1, Agricultural One for no more than 10-years as agreed upon the in the Annexation Agreement Case No. A-21-01 Pueblo Springs Apartments Annexation.

**BACKGROUND AND ANALYSIS:**

The proposed rezoning is for the entire Pueblo Springs Apartments Annexation site (19.75-acre parcel), which is scheduled for City Council review to determine if the proposed annexation meets Colorado Revised Statutes §21-12-104 and 31-12-105, on October 25, 2021, with final review and action occurring on November 8, 2021. The applicant, Mr. Chukly, is proposing to zone the property as A-1, Agricultural One, as an interim zoning classification until the time of development. The A-1, interim zoning following annexation, is allowed by Section 17-1-3, (e), of the Pueblo Municipal Code. According to the code, the annexation agreement may allow an A-1, Zone District for a specified period of time and no building permits may be issued while zoned A-1. The proposed annexation agreement allows for the A-1 zone district to continue for not more than 10 years and prohibits building permits from being issued until the property is rezoned to a zone district that is consistent with the Pueblo Comprehensive Plan. Following annexation, the applicant intends to subdivide the 19.75-acre parcel into two lots and rezone for multifamily development.

**STAFF REVIEW AND FINDINGS:**

The 19.75-acre parcel does not meet the area standard of 40-acres; however, the A-1 Zoning is permissible according to Section 17-1-3, (e), of the Pueblo Municipal Code.

**CHARACTER AND COMPATIBILITY:**

□ **Site Character:**

The property is currently undeveloped.

□ **Neighborhood Compatibility:**

North B-3, Highway Arterial Business District, undeveloped

East County A-1, Agricultural One, undeveloped

South County A-1, Agricultural One, undeveloped

West PUD, The Bluffs, Commercial and light industrial land use, undeveloped

*The surrounding neighborhood is largely undeveloped commercial land to the north, developed multifamily residential to the northeast and undeveloped land designated as urban residential to the east and south. Urban residential allows for higher density residential and community scale commercial uses. Adjacent lands to the west are undeveloped, future development designation includes urban residential and commercial/light industrial uses.*

□ **Comprehensive Plan Compliance:**

The project site has been designated by the Pueblo Comprehensive Plan as “Urban Residential.” Urban Residential areas are reserved for a mixture of higher density residential and community scale commercial. The proposed A-1 Zoning is an interim zone district, the subject site must be rezoned according to the Pueblo Comprehensive Plan prior to development occurring.

**RECOMMENDED ACTION:**

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

**HEARING:** Schilling requested additional information concerning the time frame of the rezoning and the responsibility of the Commission to enforce the time frame. Emery Chuckly was present to represent the application. Mr. Chuckly indicated that he intends to rezone and start construction by next year. No one spoke in support or opposition for the application.

**COMMISSION ACTION:**

Motion to recommend approval of the rezoning with staff condition recommended by staff made by Bailey, second by Avalos.

**MOTION PASSED 6-0**

**APPROVAL OF MINUTES**

Approval of the minutes for the Planning and Zoning Commission Public Hearing held on September 8, 2021, and September 22, 2021. Motion by Bailey to approve both minutes, second by Schilling.

**MOTION PASSED 6-0**

Spinuzzi shared that the airport was holding an open house that night from 6:00-7:30 pm at the airport.

**ADJOURN**

There being no further business the Regular Meeting was adjourned at 3:50 p.m.

Respectfully submitted,

Attest:

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Mike Castellucci  
Chairperson

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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.