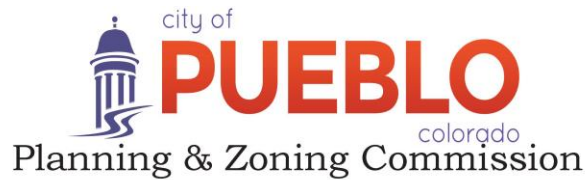


Mike Castellucci
Chair

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, November 10, 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 3:30 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, Alexandra Aznar, Christopher Pasternak, and Lisa Bailey.

Commissioners Absent: Bob Schilling

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

APPROVAL OF AGENDA

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

Motion passed 6-0.

PUBLIC MEETING AND ACTION

Regular Agenda

1. **S-21-06: Lakeshore Estates Filing #3 Subdivision:** Re-subdivision of lot 2, Lakeshore Estates No.1, into two lots. The subdivision is approximately three (3) acres and is generally located northeast of the intersection of W Pueblo Blvd and Acero Avenue

Staff report by Wade Broadhead, Planner

STAFF REVIEW AND FINDINGS:

In 1974 Lakeshores Estates Filing #1 was platted creating two lots north of Pueblo Boulevard and east of Mirror Avenue. The applicant is requesting to subdivide Lot 2, the westerly Lot, into two smaller parcels which will facilitate redevelopment along a busy arterial highway for commercial development. The applicant does not have redevelopment plans at present, but the arrival of a national restaurant chain, next door, has increased the demand for additional developable sites on a smaller scale than the existing 3 acre lots. The northerly 70 feet of Lot 2 will be dedicated for access and a utility easement. The easement continues west through adjacent lots and serves as the primary access from Acero Avenue.

HEARING: Mike Cuppy, NorthStar Engineering., 115 E. 5th Street, represented the application.

No one spoke in support or opposition for the application.

MOTION: Motion to recommend approval of the Lakeshore Estates No. 1, Subdivision was made by Bailey, second by Spinuzzi.

MOTION PASSED 6-0 (Schilling Absent)

2. **Z-21-15 Rezone, La Vittoria PUD:** Amendment to the La Vittoria PUD, Planned Unit Development, Pueblo Colorado, a 9.104-acre property located south of W. U.S. Highway 50 and east of Club Manor Drive.

Staff report by Beritt Odom, Principal Planner

The applicant is requesting approval of the La Vittoria, Planned Unit Development Guide, 1st Amendment, relating to the 9.10-acre property located south of W. U.S. Highway 50 and east of Club Manor Drive.

BACKGROUND:

September 12, 2007, the Planning and Zoning Commission recommended approval of the La Vittoria Planned Unit Development, (PUD) to City Council to facilitate mixed-use development on the site. City Council approved the La Vittoria, PUD in November 2007 and the PUD Development Guide was recorded in 2009. The site was previously developed with a motel, restaurant, and a retail/office building. All structures on site, were demolished prior to 2007 and all utility and access easements were vacated concurrent with the PUD rezoning to facilitate development. Following rezoning to PUD, the site was subdivided into one 7.55-acre Lot, La Vittoria Subdivision. Following, rezoning and subdivision, Dan DeRose, owner of La Vittoria, acquired Lot 2, Club Manor Subdivision, 3rd Filing, which sits adjacent to the western property line of the Lot 1, La Vittoria Subdivision. Both lots remain undeveloped; however, recent interest in development has spurred the PUD Amendment request to remove outdated provisions, increase

density and expand uses within the PUD. The amendment request modifies the boundary of the La Vittoria PUD Zone District to include Lot 2, Club Manor Subdivision, 3rd Filing, resulting in a larger development site, and providing a critical secondary access from Club Manor Drive.

ANALYSIS:

Since the original PUD Development Guide approval 14-years ago, architectural and development trends have evolved. Dan DeRose, property owner, is requesting to modify the La Vittoria Planned Unit Development Guide to provide opportunities for residential, commercial, and mixed-use development along the Highway 50 corridor. Below is a summary of the requested modifications to the La Vittoria Planned Unit Development Guide:

- Expand La Vittoria PUD Zone District to include Lot 2, Club Manor Subdivision, 3rd Filing, 1.548 acres.
- Removal of references to outdated subdivision actions and disconnection of the Pueblo Country Club property.
- Removal of outdated timeline for development.
- Removal of the requirement that all structures be developed with variations of a Mediterranean architectural style.
- Allow “bar, microbrewery, tavern” as a use by right, the use was previously allowed by review.
- Removal of the provision that allowed the keeping of domestic livestock as a use by review.
- Allowance for the keeping of domestic pets as a use by right.
- Allowance of maintenance sheds or structures by right.
- Update the standards related to minimum lot size and number of lots to accommodate the inclusion of Lot 2, Club Manor Subdivision, 3rd Filing.
- Increase the maximum lot coverage from 50-percent to 80-percent.
- Set the minimum parking ratio to 1.25 spaces per dwelling unit with provisions for staff and visitors.
- Increase maximum dwelling units from 100 to 250 units.

FINDINGS OF FACT REQUIRED PER §17-8-11 OF THE PUEBLO MUNICIPAL CODE

Municipal Code specifies five (5) criteria to be evaluated in conjunction with a PUD application. The Planning and Zoning Commission, before recommending that any property be zoned to a PUD Zone District, shall make the findings concerning the following:

- (1) The PUD Addendum #1 is compatible with the surrounding neighborhood and the proposed uses are not incompatible to the uses to which the surrounding area is restricted.**

Staff Analysis of Finding #1

The surrounding land uses consist of commercial retail, service, and outdoor recreation (Pueblo Country Club Golf Course). Development to the north and west, within the B-4 Zone Districts, allow for 100-percent lot coverage and no setbacks. The proposed high density residential mixed with commercial uses on the La Vittoria site are compatible with the surrounding commercial uses. The proposed five-foot setbacks and 80-percent lot coverage is consistent with the B-4 Zone District standards to the east and north, but less restrictive than the B-3 Zone

District Standards, which require a 25-foot front setback and minimum 50-percent lot coverage. The B-3 Zone District has a similar 5-foot side-yard setback and a 15-foot rear-yard setback, which is only applicable when adjacent to a residential zone district.

- (2) The PUD and Development Guide are in accord and in harmony with the Comprehensive Land Use Plan and are being done for the public good; that is, to serve one (1) or more goals of the Comprehensive Plan and enable legislation and thereby bear a relationship to the public health, safety, or general welfare.**

Staff Analysis of Finding #2

La Vittoria PUD is designated by the Comprehensive Plan as an Arterial Commercial Mixed-Use Area. The Pueblo Comprehensive Plan designation of Arterial Mixed Use, states that the primary focus of these areas is retail sales and personal services, some office space is intermixed. The land use category does not prohibit compatible land uses other than heavy industrial uses. The La Vittoria PUD Development Guide 1st Amendment is in harmony with the Arterial Mixed-Use category by promoting commercial development along the Highway 50 West Corridor and introducing high density residential uses to further activate the commercial corridor.

The proposed PUD addendum is consistent with the Comprehensive Plan Designations.

- (3) The PUD and Development Guide would encourage an appropriate use of land.**

Staff Analysis of Finding #3

The proposed amendment promotes the mixture of commercial and high-density residential uses, which is appropriate under the Arterial Commercial Mixed-Use designation.

- (4) The PUD and Development Guide would not be so injurious to surrounding properties to the extent of depriving neighboring property owners of any reasonable use of their property.**

Staff Analysis of Finding #4

The land uses proposed in the PUD amendment will not have an injurious impact to surrounding properties to the extent of depriving neighboring property owners of any reasonable use of their property. The site is surrounded by commercial uses and the introduction of high-density residential uses mixed with commercial uses will not deprive nor limit the surrounding commercial uses.

- (5) All land contained in the PUD District is within the City, proper notice was sent to surrounding property owners, and the required public hearing was held.**

Staff Analysis of Finding #5

All of the land area is within the City of Pueblo and proper notice has been sent by the Department of Land Use Administration to surrounding property owners and the public hearing was held during a regularly scheduled Planning and Zoning Commission meeting.

RECOMMENDED ACTION:

Staff recommends the Planning and Zoning Commission make a recommendation to City Council that the zoning map amendment for the La Vittoria Planned Unit Development 1st Amendment be approved.

HEARING: Steve Daniel, 25587 Conifer Road, Conifer, CO 80433, represented the application. Mr. Daniel spoke in favor of the application

COMMISSION ACTION:

Motion to recommend approval of the rezoning made by Bailey, second by Spinuzzi.

MOTION PASSED 6-0 (Schilling absent)

- 3. **S-21-08 North Vista Highlands Fil No. 4-** A resubdivision of two non-buildable parcels reserved for future development. The subdivision site is 177.090-acres, generally located west of Cedarweed Boulevard and north of University Hills Filing No. 1 and University Park, 18th Filing.

Staff Report by Beritt Odom, Principal Planner

STAFF REVIEW AND FINDINGS:

The subject property is located north of University Park Subdivision, 18th Filing and University Hills Subdivision, Filing No. 1, consisting of 177.090 acres. The proposed subdivision creates two non-buildable parcels, Parcel A (140.596 acres) and Parcel B (36.494 acres) by adjusting the boundaries of the previously subdivided Parcel L and Parcel B. The purpose of the resubdivision is to adjust the boundary lines of the previously platted non-buildable parcels for future sale to individual developers. Prior to development, each parcel will have to be resubdivided into individual lots for residential or mixed-use development. This subdivision does not include any utility or public infrastructure development as both parcels are non-buildable.

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.

ANALYSIS:

The proposed Subdivision conforms with the applicable Municipal Codes.

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

Requests for Modifications to Requirements:	Not Applicable
Request for Deferred Filings	Request for Deferred Filings: The Subdivision Review Committee has no objection to the Request for Deferred Filings, SRC Memo, October 27, 2021.
Plat Deficiencies:	Not Applicable

<p>Conditions of Approval: (Unless otherwise noted, all conditions of approval must be completed prior to the case being scheduled for City Council hearing.)</p>	<p>Not Applicable</p>
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HEARING: Mike Cuppy, NorthStar Engineering., 115 E. 5th Street, represented the application.

OPPOSITION:

John Millea, 5 Kalanchoe Ct., stated that he did not want to oppose the application but share concerns about the proposed residential development. Mr. Millea stated that he is concerned about the quality of the homes, continued maintenance, and upkeep of individual residential properties. Mr. Millea also expressed concern about the expansive soils in the area, which may cause problems with residential foundations and individual homeowners may not be able to afford to fix their foundations. Mr. Millea stated that he would like to see that the homes have garages, concerned about parking on front yards and he does not want to see alleys because they are an “eye sore.”

MOTION: Motion to recommend approval of the North Vista Highlands, Filing No. 4 Subdivision was made by Bailey, second by Aznar.

MOTION PASSED 6-0 (Schilling Absent)

APPROVAL OF MINUTES

Approval of the minutes for the Planning and Zoning Commission Public Hearing held on October 13, 202. Motion by Bailey second by Avalos.

MOTION PASSED 6-0 (Schilling absent).

NEW/OLD BUSINESS:

None

ADJOURN

There being no further business the Regular Meeting was adjourned at 4:05 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.