

Jean Latka
Chair

Brandice Eslinger
Vice Chair

Chris Kaufman
City Council Representative



Planning & Zoning Commission

Weston Burrer

David Webb

Brian Lucas

Raymond Seybold

S-14-01

TO: City of Pueblo, Planning and Zoning Commission

FROM: Kelly Grisham, Planner

THROUGH: Steven Meier, Director of Planning and Community Development

DATE: April 9, 2014

SUBJECT: **Bella Vista Subdivision, 3rd Filing**

APPLICANT: **Mike Cuppy, NorthStar Engineering and Surveying, inc**

PROPERTY OWNER: Roger Fonda, Bella Vista Properties, LLC

LOCATION: **Between Ridge Drive and Outlook Boulevard**

EXISTING ZONE: PUD, Bella Vista

CONCURRENT REQUESTS: Z-14-02, 3rd Amendment to the PUD
V-14-03, Easement Vacation

REQUEST:

The applicant is requesting to resubdivide a portion of the Bella Vista Subdivision, first and second filings.

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, at their April 2, 2014 meeting, recommended that the requested Subdivision be **APPROVED** with the following noted:

| | |
|--|--|
| Request for waiver from requirements: | None requested. |
| 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 | <ol style="list-style-type: none"> 1. The GPS Coordinates must include the ground to grid correction factor. This will need to be addressed prior to submitting mylars of the plat and being placed on City Council agenda. (J. Martellaro, 3/21/14) 2. Provide a new drainage easement, adjacent to Outlook Blvd, that extends from the proposed sidewalk culvert to the existing water |

| | |
|-------------------|------------------------------------|
| Council hearing.) | quality pond. (M. Turner, 3/21/14) |
|-------------------|------------------------------------|

STAFF REVIEW AND FINDINGS:

The subject property is located in the Bella Vista Subdivision, filings 1 and 2, which were approved in 2007 and 2009, respectively. The applicant is proposing to resubdivide 18 of the single family residential lots, and several easements to create a large lot for the expansion of the Primrose Assisted Living facility. In addition a portion of Parcel C, Sorrento Lane, is being vacated to create an additional single family residential lot.

PLANNING AND COMMUNITY DEVELOPMENT COMMENTS

CHARACTER AND COMPATIBILITY:

- **Site Character:**
The property is currently undeveloped, with native grasses.
- **Neighborhood Compatibility:**

| | |
|-------|---------------------------------|
| North | R-2U, Single family residential |
| East | R-4, Mixed residential district |
| South | S-1, Governmental use district |
| West | R-2, Single family residential |

This neighborhood is a mix of residential; therefore, the proposed rezoning and uses are consistent with the neighborhood.

- **Comprehensive Plan Compliance:**
The project site has been designated by the Pueblo Comprehensive Plan as “Urban Residential.”

The Pueblo Comprehensive Plan designation of *Urban Residential* allows a variety of housing densities. In addition, the Pueblo Comprehensive Plan emphasizes that neighborhoods be interconnected. As proposed with this amendment, the Bella Vista PUD will become more interconnected with the neighborhood by providing an additional through street, between Ridge Drive and Outlook Boulevard.

The proposed rezoning is consistent with the Comprehensive Plan.

ABILITY TO COMPLY WITH THE ZONE DISTRICT REGULATIONS:

- **Minimum lot size and area:**
 - The PUD Development Guide requires minimum lot size of 5,000 square feet in the Single Family Attached (SFA), and five (5) acres in the Assisted Living (AL) Planning Area.
 - As created with the proposed Bella Vista Subdivision, 3rd Filing, all lots will comply with the minimum lot area.

Comments:

1. All comments addressed (P. Whittlef, 3/26/14)
2. Access to Ridge Drive and Outlook Boulevard off of Amalfi Ct, and location of fire hydrants needs to be approved by the Fire Department. (G. Micheli, 2/18/14)

3. Wastewater comments have been addressed. (B. Maurello, 4/2/14)

Agencies with no issues:

(no comments/response received from other agencies not listed)

1. District 70 (P. Smith, 2/18/14)
2. Xcel Energy (P. Chappell, 2/25/14)
3. CDOT (V. Sword, 2/26/14)

ATTACHMENTS:

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

S-14-01

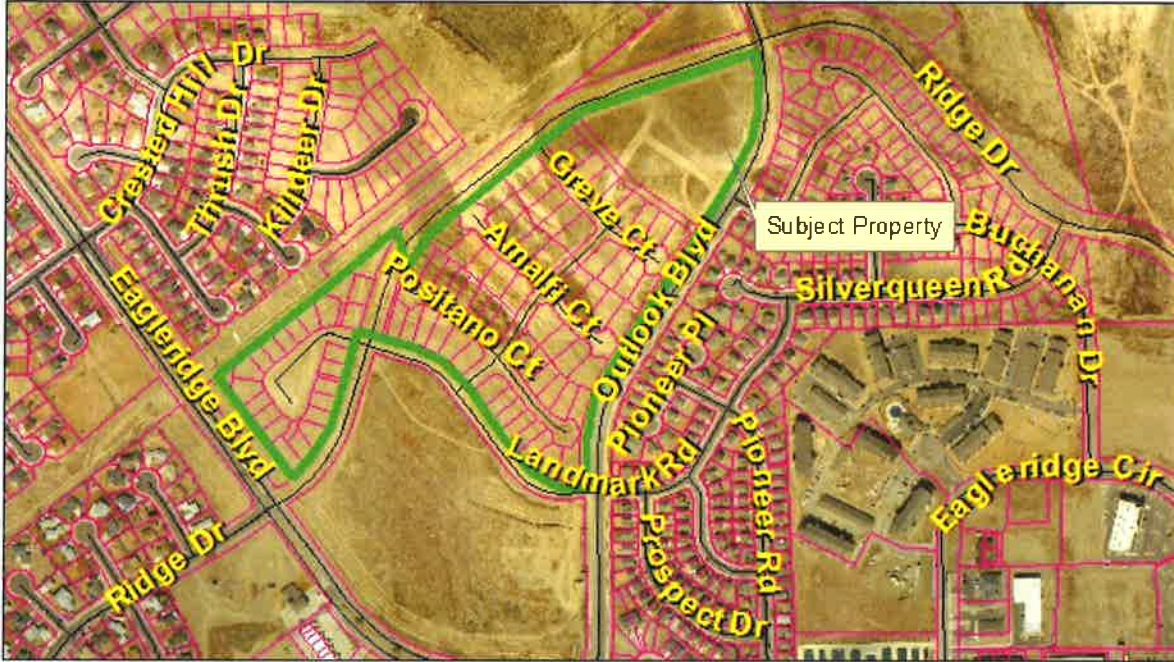


Exhibit A. Aerial Photo

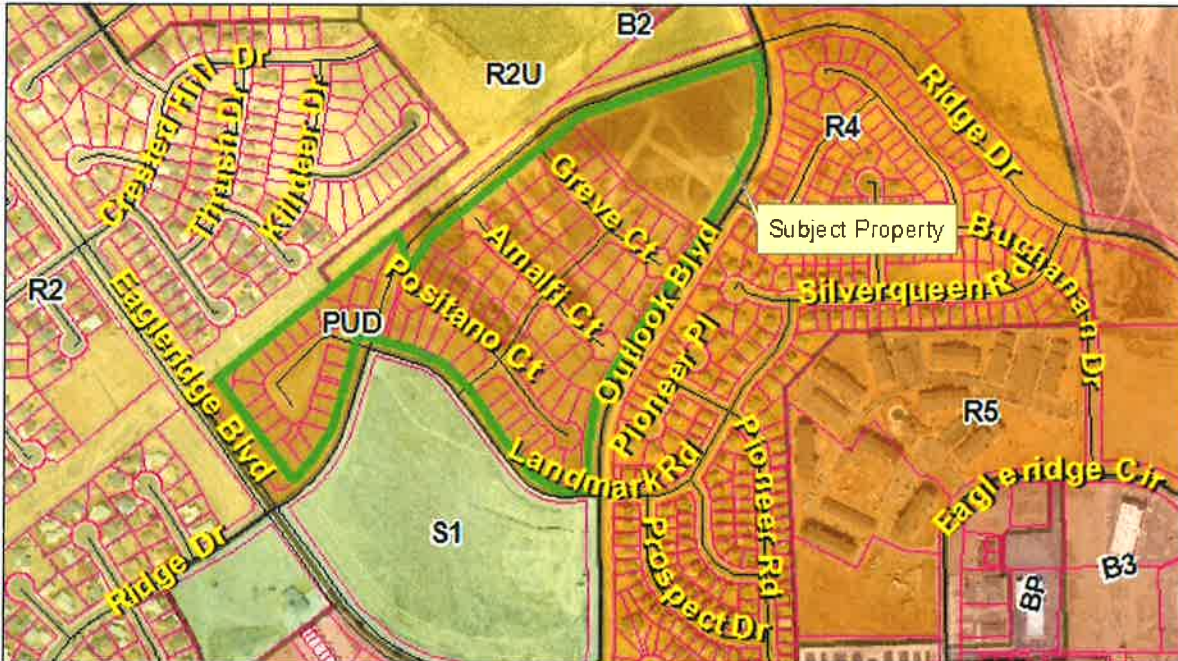


Exhibit B. Zoning Map

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S-14-01

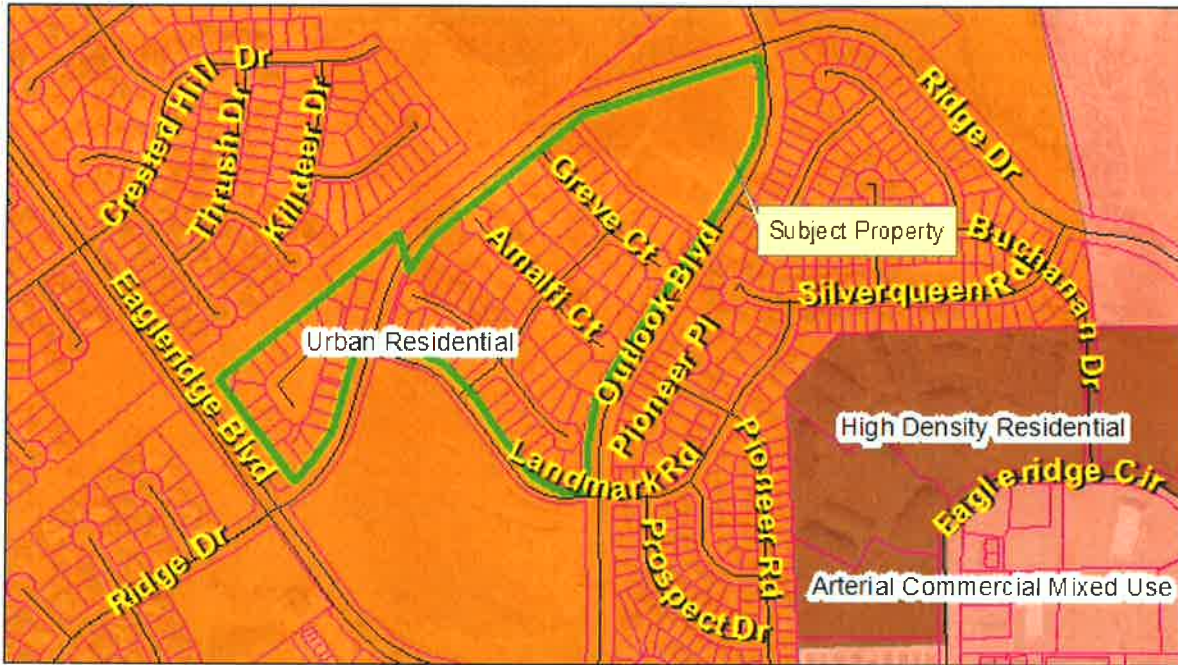


Exhibit C. Comprehensive Plan

Jean Latka
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PUEBLO

Planning & Zoning Commission

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Site looking southwest from Ridge Drive



Site looking northwest from Ridge Drive

BELLA VISTA SUBDIVISION, FILING NO. 3

A RESUBDIVISION OF A PORTION OF BELLA VISTA SUBDIVISION AND A PORTION OF BELLA VISTA SUBDIVISION, FILING NO. 2
COUNTY OF PUEBLO, STATE OF COLORADO

ENCLOSURE

KNOW ALL MEN BY THESE PRESENTS That Bella Vista Properties, L.L.C., a Colorado Limited Liability Company, being the sole owner of the following property:

A resubdivision of a portion of Bella Vista Subdivision and a portion of Bella Vista Subdivision, Filing No. 2 located in a portion of the W 1/2 of Section 12, Township 20 South, Range 83 West of the 6th P.M. in the County of Pueblo, State of Colorado and being more particularly described as follows:

Considering the Northwestly right-of-way line of Oxford Boulevard as presently located in Pueblo City, Filing No. 3 A. Special Area Plan according to the recorded plat thereof on file for record at Reception No. 1322730 in the Pueblo County records to date of 10/20/2011, and all drawings contained herein being relative thereto.

Lot 1, Block 5 and a portion of Parcel M both being in Bella Vista Subdivision according to the recorded plat thereof on file for record at Reception No. 1783623. All of Lots 1 through 4 both exclusive Block 5, Lots 1 through 3 both exclusive and Lot 10, Block 5, Lots 1 through 3 both exclusive Block 7 and Parcels B, C, and D of Block 5, Bella Vista Subdivision, Filing No. 2 according to the recorded plat thereof on file for record at Reception No. 1783327 in the Pueblo County records.

Containing 0.04 acres, more or less.

Has caused the foregoing described property to be surveyed, plotted and subdivided into lots, blocks, and a parcel and has shown thereon certain easements for ingress/egress, drainage, public utilities, private utilities, pedestrian, parking and landscaping and the same to be surveyed, plotted, subdivided, demonstrated and shown on shown on the attached plat, for the purpose of creating a subdivision to be known as BELLA VISTA SUBDIVISION, FILING NO. 3.

All of the ingress/egress and public utilities easements, shown hereon, are hereby dedicated to the public for perpetual use.

All of the easements for drainage, private utilities, pedestrian, parking and landscaping are hereby dedicated for the exclusive use of the lots shown hereon.

Drainage facilities located within drainage easements shown hereon shall be installed, repaired, and maintained in good working order and condition by the owner(s) of the lots or parcels upon which the easements are located. The City of Pueblo is hereby granted the right but not the obligation in its discretion to maintain, repair, or replace the drainage facilities within such easements and to recover the costs thereof, plus administrative expenses thereon from owner(s).

Parcel A is hereby dedicated for the exclusive use of the lots shown hereon for public utilities, pedestrian, drainage and landscaping purposes.

All improvements lying within Parcel A shall be the sole responsibility of the owner(s) of all lots within the subdivision to install, maintain and repair.

All of the property shown on this plat shall be subject to the terms and conditions defined and described in the Declaration of Covenants dated September 25, 2005, and recorded in the office of the Clerk and Recorder of Pueblo County, Colorado.

IN WITNESS WHEREOF, Roger M. Fonda, President of Plum Creek Associates, Inc. the managing member of Bella Vista Properties, L.L.C. a Colorado Limited Liability Company, sets his hand and seal this _____ day of _____, 20____ A.D.

Bella Vista Properties, L.L.C.,
a Colorado Limited Liability Company

Roger M. Fonda, President of Plum Creek Associates, Inc.,
its managing member

STATE OF _____) ss.
COUNTY OF _____)

I, _____, a Notary Public in and for the County of Pueblo, State of Colorado, do hereby certify that Roger M. Fonda is President of Plum Creek Associates, Inc., its managing member of Bella Vista Properties, L.L.C. a Colorado Limited Liability Company, who is personally known to me to be the individual who signed the foregoing subdivision, appeared before me this day in person and acknowledged the execution thereof to be his free and voluntary act in the presence and presence thereof will abide on the date of said Limited Liability Company.

WITNESS my hand and seal this _____ day of _____, 20____.
My Commission Expires _____
Address _____

Notary Public

SURVEYOR'S CERTIFICATION

This is to certify that we have prepared the attached plat and that it complies with the minimum standards for land survey. Plans as set forth in Section 18-1-101 (1) (b), C.R.S. 1991 (as amended). We have performed the accompanying survey and it was conducted by me or under my responsible charge. All lines and dimensions are correctly shown hereon to the best of my knowledge and belief.

Date _____
NORTHSTAR ENGINEERING AND SURVEYING, INC.
111 E. 5th Street
Pueblo, CO 81001

By _____
John Thomas Subramaniam
Colorado Registered Professional
Land Surveyor No. 10222

APPROVED CITY ORDINANCE

This is to certify that the Subdivider has complied with Sections No. 1 of Section 12-1-7 (1) and with Section 12-4-3 (B), of the 1971 Code of Ordinances, City of Pueblo, County of Pueblo, State of Colorado.

Director of PUBLIC WORKS

Date _____

PLANNING COMMISSION CERTIFICATION

This is to certify that this subdivision was approved by the Planning Commission of the City of Pueblo, County of Pueblo, State of Colorado.

Chairperson Planning Commission

Date: _____

NOTICE

NOTICE is hereby given that acceptance of this planned subdivision by the City of Pueblo does not constitute an acceptance of the dedicated public roads, parks, and other public improvements for maintenance by the City. The City will maintain public roads, parks and other public improvements under the requirements, standards, and specifications of the City. The Subdivider, contractor, and other applicants, as well as the Department of Public Works and other City departments, shall be responsible for maintenance, construction, and all other matters pertaining to or relating to the dedicated public roads, parks and other public improvements and shall remain the sole responsibility of the Subdivider or any subsequent owner(s) of the land within the subdivision. City does not accept any private roads, easements, or facilities that may be dedicated hereon, nor shall the City be obligated to maintain, construct, or repair such private roads, easements, and facilities.

APPROVAL FOR RECORDING

Approved by the City Council of Pueblo, Colorado, by Ordinance No. _____

This is to certify that the plat of BELLA VISTA SUBDIVISION, FILING NO. 3 has been approved for recording in the office of the Pueblo County Clerk and Recorder of Pueblo County, Colorado.

Date _____
City Clerk

11/1/2011 10:15 AM

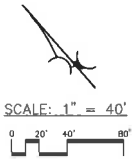


SUPPLEMENTAL MAP OF: BELLA VISTA SUBDIVISION, FILING NO. 3

A RESUBDIVISION OF A PORTION OF BELLA VISTA SUBDIVISION AND A PORTION OF BELLA VISTA SUBDIVISION, FILING NO. 2
COUNTY OF PUEBLO, STATE OF COLORADO



VICINITY MAP
NOT TO SCALE
NORTHSTAR ENGINEERING AND SURVEYING, INC.



SCALE: 1" = 40'

LEGEND

- ▲ FOUND NO. 5 REBAR w/ 1-1/4" ALUMINUM CAP
L.S. 12933
- FOUND NO. 4 REBAR w/ PLASTIC CAP
L.S. 12933
- SEE NO. 4 REBAR w/ PLASTIC CAP
L.S. 12933
- ▲ MONUMENT TO BE ESTABLISHED TO MEET
CITY OF PUEBLO REQUIREMENTS
- (P) PLAT
- (M) MEASURED
- U.C. UTILITY EASEMENT
- P.C. PEGIONIAN EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT
- PR.U.E. PRIVATE UTILITY EASEMENT
- W.E. WATER EASEMENT
- S.S.E. SANITARY SEWER EASEMENT
- SF SQUARE FEET
- (R) RADIAL
- EXISTING CONDUIT
- EXISTING ELECTRIC
- EXISTING CABLE TELEVISION
- EXISTING TELEPHONE
- EXISTING FIBER OPTIC
- EXISTING WATER MAIN
- EXISTING GAS MAIN
- EXISTING SANITARY SEWER
- EXISTING STORM SEWER
- EXISTING CABLE TELEVISION PREPARED
- EXISTING ELECTRIC ROW
- EXISTING TELEPHONE FEEDING
- CURRENT ZONING
- APPROXIMATE LOCATION OF SURFACE SAMPLE
POINTS FOR LABORATORY ANALYSIS.
(BY VALUE -)
- EXISTING CONDUIT
- EXISTING ELECTRIC
- EXISTING CABLE TELEVISION
- EXISTING TELEPHONE
- EXISTING FIBER OPTIC
- EXISTING WATER MAIN
- EXISTING GAS MAIN
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- EXISTING TELEPHONE FEEDING
- CURRENT ZONING
- APPROXIMATE LOCATION OF SURFACE SAMPLE
POINTS FOR LABORATORY ANALYSIS.
(BY VALUE -)

BENCHMARK:
"B" CURVED ON THE TOP OF CURB HEAD ON
THE SOUTHWEST CORNER OF THE SOUTHWEST
CORNER OF THE INTERSECTION OF EAGLERIDGE
BOULEVARD AND RIDGE DRIVE
ELEVATION: 4832.84 (EAST OF PUEBLO CENTER)

BASE OF BEARINGS:
NORTHWEST CORNER OF 1/2" WAY LINE OF OUTLOOK BOULEVARD
IN RIDGE GATE, FILING NO. 3. A SPECIAL AREA PLAN
DECREES W. 3430214'E

NOTES:
1) UTILITY LOCATIONS SHOWN HEREON PER ABOVE
GROUND EVIDENCE, ON-SITE UTILITY LOCATES
AND UTILITY COMPANY RECORDS.
2) FOR CORRECT LOT INFORMATION SEE RECORDED
PLAT

SUBDIVIDED BY: BELLA VISTA PROPERTIES, LLC

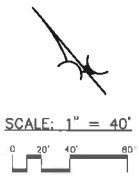
ENGINEERS AND SURVEYORS: NORTHSTAR ENGINEERING AND SURVEYING, INC.
1111 E. 5TH STREET
PUEBLO, COLORADO

FEBRUARY 7, 2014

PREPARED UNDER THE DIRECT SUPERVISION OF
JOHN STEPHEN SARAGHAK, PROFESSIONAL LAND SURVEYOR
COLORADO REGISTRATION NO. 38269

BELLA VISTA SUBDIVISION, FILING NO. 3

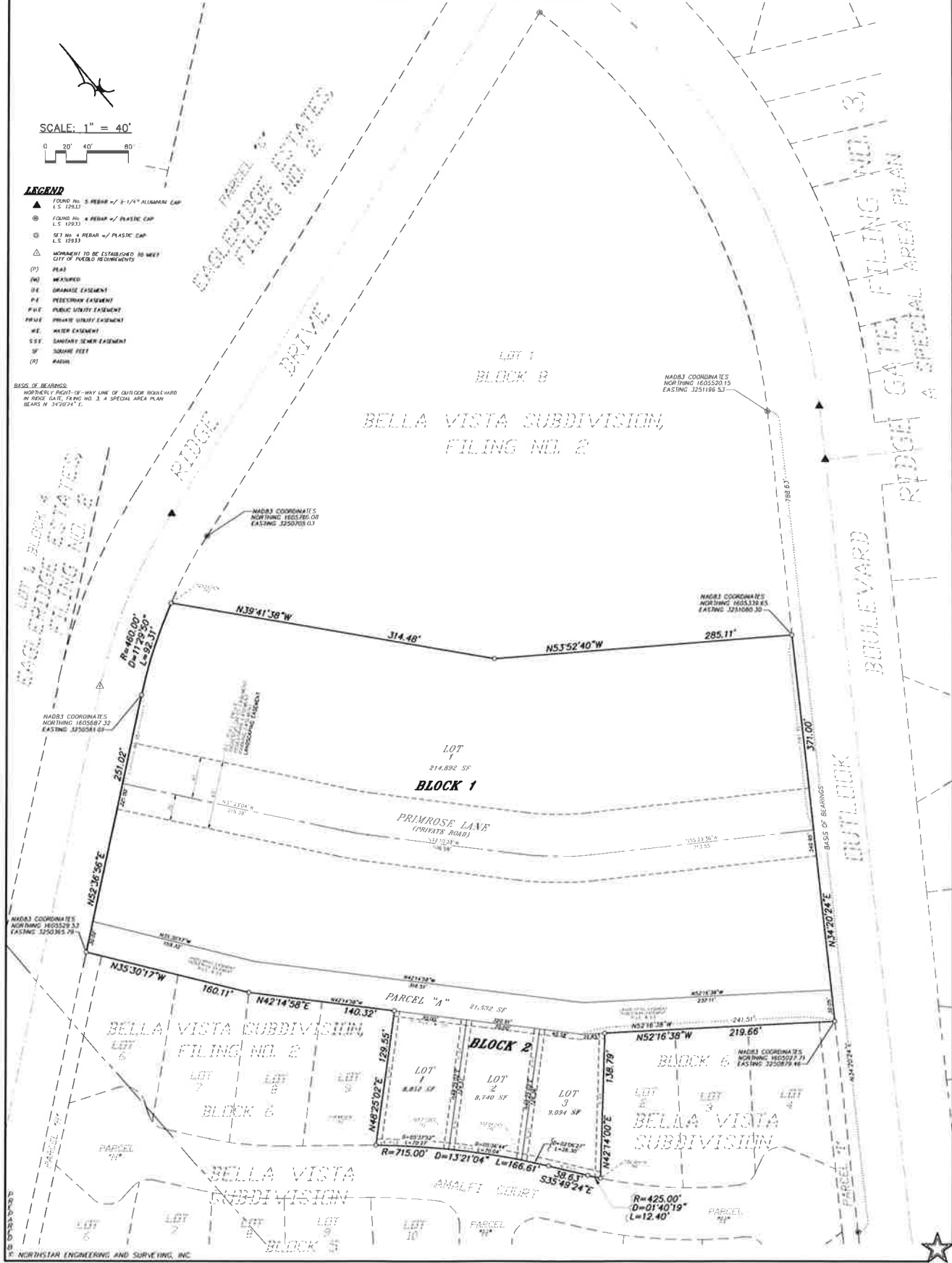
A RESUBDIVISION OF A PORTION OF BELLA VISTA SUBDIVISION AND A PORTION OF BELLA VISTA SUBDIVISION, FILING NO. 2
COUNTY OF PUEBLO, STATE OF COLORADO



LEGEND

- ▲ FOUND NO. 5 REBAR w/ 3-1/4" ALUMINUM CAP
I.S. 12513
- FOUND NO. 4 REBAR w/ PLASTIC CAP
I.S. 12513
- SET NO. 4 REBAR w/ PLASTIC CAP
I.S. 12513
- △ MONUMENT TO BE ESTABLISHED TO MEET
CITY OF PUEBLO REQUIREMENTS
- (P) PILE
- (M) MEASURED
- D.E. DRAINAGE EASEMENT
- P.E. PEDESTRIAN EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT
- P.S.E. PRIVATE SEWER EASEMENT
- M.E. METER EASEMENT
- S.S.E. SANITARY SEWER EASEMENT
- SF SQUARE FEET
- (R) RADII

BASES OF BEARINGS:
NORTHERLY RIGHT-OF-WAY LINE OF OUTLOOK BOULEVARD
IN REG. GATE, P.A.C. NO. 3, A SPECIAL AREA PLAN
BEARS N 34°20'24" E.





211 East D Street | Pueblo, Colorado 81003 | Tel 719-553-2259 | Fax 719-553-2359 | TTY 719-553-2611 | www.pueblo.us

Planning & Zoning Application

Please type or print clearly. Illegible applications will not be accepted. Case #: S-14-01

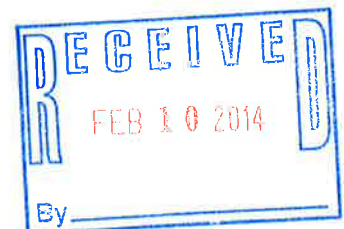
| | | | | |
|---|--|--|--|-------------------|
| Contact Info | Property Owner | | Applicant | |
| | Name: <u>Roger H. Fonda</u> | | Name: <u>Same as owner</u> | |
| | Company: <u>Bella Vista Properties, LLC</u> | | Company: | |
| | Address: <u>1700 Fortino Blvd</u> | Zip: <u>81008</u> | Address: | Zip: |
| | Phone: <u>(719) 253-1055</u> | | Phone: () | |
| | Email: <u>roger@rrdpueblo.net</u> | | Email: | |
| | Engineer | | Surveyor | |
| | Name: <u>Michael L. Cuppy</u> | | Name: <u>John S. Sakariason</u> | |
| | Company: <u>NorthStar Engineering and Surveyin</u> | | Company: <u>NorthStar Engineering and Surveyin</u> | |
| | Address: <u>111 E. 5th Street</u> | Zip: <u>81003</u> | Address: <u>111 E. 5th Street</u> | Zip: <u>81003</u> |
| Phone: <u>(719) 544-6823</u> | | Phone: <u>(719) 544-6823</u> | | |
| Email: <u>mcuppy@northstar-co.com</u> | | Email: <u>jsakariason@northstar-co.com</u> | | |
| <i>The applicant will be the primary contact unless otherwise noted.</i> | | | | |
| Property Info | Project Location: <u>between Ridge Drive and Outlook Blvd. south of the Primrose</u> <small>(address or general description)</small> | | | |
| | Parcel No(s): <u>512214136, 512214015, 512214123-31, 512214137-45</u> <u>Bella Vista</u> | | | |
| | Existing Zone: <u>PUD</u> | | Proposed Zone (if applicable): <u>PUD</u> <u>#3</u> | |
| | PUD Name (if applicable): <u>Bella Vista</u> | | | |
| Project Scope | Project Name: <u>Bella Vista, Filing No. 3</u> | | | |
| | Scope of work: <input type="checkbox"/> Lot Line Rearrangement: | | | |
| | # of existing lots: _____ Total acres: _____ | | | |
| | <input type="checkbox"/> Overall Development Plan | | | |
| | <input checked="" type="checkbox"/> Rezoning From: <u>PUD</u> To: <u>PUD</u> | | | |
| | <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 checked="" type="checkbox"/> Subdivision | | | | |
| <input type="checkbox"/> Text Amendment | | | | |
| <input checked="" type="checkbox"/> Vacation: | | | | |
| <input type="radio"/> Street <input type="radio"/> Alley <input checked="" type="radio"/> Easement <input type="radio"/> Other: _____ | | | | |
| <input type="checkbox"/> Other: _____ | | | | |



(Continue Next Page)

| | | |
|----------------------------|--|---|
| Project Information | Provide a brief description of the proposed request: (separate narrative as Attachment A also required) Resubdivide portions of Bella Vista, Filing No. 2 to create one large lot for the construction of duplex units to be utilized by Primrose as part of the the retirement village. | |
| | What is the total acreage included in the project? <u>6.04</u> | |
| | 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 checked="" type="checkbox"/> A. Detailed explanation of the request as listed above. Be specific <input checked="" type="checkbox"/> B. CD with DWF and DWG (Autocad) file of all plans and drawings & a PDF of all documents submitted. <input checked="" type="checkbox"/> C. Pueblo County Assessor's Property Information print out (www.co.pueblo.co.us) <input checked="" 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: | Roger H. Fonda, President of Plum Creek Associates, Inc. managing member |
| | Signature: | <i>Roger H. Fonda</i> Date: 2-7-14 |
| | Applicant, if different from Property Owner | |
| | Print Name: | |
| | Signature: | Date: |

| | | | |
|------------------------|--|--|-----------------|
| Office Use Only | Zoning Compliance (Completed by City Staff) | | Receipt: |
| | Application received by: | Date: 2/10/14 | |
| | Application checked for completeness by: | Date: 2/10/14 | |
| | Case Manager: | Fee Paid: \$730.⁰⁰ | |
| | Hearing date: | <input type="checkbox"/> Approved <input type="checkbox"/> Denied | |
| | Case #: | <input type="checkbox"/> Approved w/conditions | |



**Project Narrative
Bella Vista, Filing No. 3**

Bella Vista, Filing No. 3 is resubdivision of a portion of Bella Vista Subdivision and a portion of Bella Vista Subdivision, Filing No. 2 being Lot 1, Block 6 and a portion of Parcel N both being in Bella Vista Subdivision, all of Lots 1 through 4 both inclusive Block 5, Lots 1 through 5 both inclusive and Lot 10, Block 6, Lots 1 through 9 both inclusive Block 7 and Parcels B, C and D all being in Bella Vista Subdivision, Filing No. 2.

This subdivision will create 1 lot for development of duplex units to be incorporated into the Primrose assisted living facility to the north. This will allow Primrose to provide client with an intermediate transition step from home ownership to apartment living.

This project will also include an easement vacation and PUD amendment. The PUD site plans will be submitted at a later date for review and approval.

