

RESOLUTION NO. PCPC 19- 005

THE PUEBLO COUNTY PLANNING COMMISSION (PCPC)

A RESOLUTION APPROVING SPECIAL USE PERMIT NO. 2019-001, ALLOWING A CHILD CARE CENTER IN THE S-1, PUBLIC USE ZONE DISTRICT, LOCATED ON LOT 13, BLOCK 7, TRACT 346, PUEBLO WEST, PUEBLO COUNTY, COLORADO

WHEREAS, the Pueblo County Planning and Development Department received an application for Special Use Permit No. 2019-001 on April 26, 2019, submitted by Mr. Randy Schade; and

WHEREAS, the Special Use requested is to allow an expansion to its existing *Child Care Center* within the existing building and facilities of the Ecumenical Church of Pueblo West located at 434 South Conquistador Drive in Pueblo West, which is in a S-1, Public Use Zone District; and

WHEREAS, pursuant to the Pueblo County Code, Title 17, Land Use, Chapter 17.84, PUBLIC USE DISTRICT (S-1), specifically Section 030 (Uses By Review) of the Pueblo County Code identifies “any use of land or buildings by a public agency or others on public land” as a permitted use in the S-1 Zone District only upon issuance of a special use permit; and

WHEREAS, the property is legally described as Lot 13, Block 7, Tract 346, Pueblo West, Pueblo County, Colorado; and

WHEREAS, a public hearing, preceded by proper public notice, was held by the Pueblo County Planning Commission on June 19, 2019, at which time, all those present at the hearing who desired to be heard were heard and their testimony recorded; and

WHEREAS, the Pueblo County Planning Commission has reviewed and taken administrative notice of the application documents, evidence presented at the hearing, and the contents of the Planning Director’s file; and

WHEREAS, at the conclusion of the public hearing for Special Use Permit No. 2019-001, a motion to APPROVE Special Use Permit No. 2019-001 with staff’s recommendation was made; and

WHEREAS, at the conclusion of the public hearing for Special Use Permit No. 2019-001, the Planning Commission made the following findings, as outlined in the Staff Review, under Staff Comments, dated June 5, 2019:

1. Chapter 17.84, PUBLIC USE DISTRICT (S-1), specifically Section 030 (Uses By Review) of the Pueblo County Code identifies “any use of land or buildings by a public agency or others on public land” as a permitted use in the S-1 Zone District only upon issuance of a special use permit. The A-3 Zone District standards are being utilized as this was the zone district the property was prior to Map Amendment No. 2006-015.

The proposed use of the property as a “Child Care Center” is a listed use under Pueblo County Code, Title 17, Land Use, Chapter 17.16, AGRICULTURAL (A-3), Section 17.16.030, *Uses-by-Review*.

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2. The uses will not substantially modify the Land Use Plan or the intent, purpose, or spirit of Title 17, Land Use, Division I. Zoning of the Pueblo County Code.
3. The operation of a child care/preschool has been conducted from the existing building and facilities sporadically since 1979. The proposed use will not negatively impact surrounding properties.
4. The Special Use Permit will not adversely affect the public health, safety, or welfare. Comments requested from various agencies did not find any outstanding issues that would need to be addressed.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of Pueblo County, Colorado, by a vote of 9 to 0 does hereby APPROVE Special Use Permit No. 2019-001 for an expansion to its existing *Child Care Center* within the existing building and facilities of the Ecumenical Church of Pueblo West in a S-1, Public Use Zone District, subject to the following conditions and Directive to Staff:

1. The child care center, allowing for an after-school program and a day-camp program, shall be limited to those terms identified in the application as submitted on April 26, 2019 and incorporated within the staff memorandum dated June 5, 2019 as Exhibit 1.

Any expansion which causes the maximum number of allowable children to increase shall require the submission of a new special use permit application for review and consideration.

2. Should the State of Colorado, Department of Human Services, Division of Child Care issue a new PERMANENT CHILD CARE LICENSE to the applicant then:
 - A. The applicant shall provide a copy of the newly issued license to the Department of Planning and Development within thirty (30) days of issuance, and
 - B. The applicant shall maintain the Permanent Child Care License issued by the State of Colorado, Department of Human Services, Division of Child Care for the Facility.
3. Should the request be denied by the State of Colorado, Department of Human Services, Division of Child Care, then the applicant shall submit a letter to the Department of Planning and Development requesting rescission of this Special Use Permit within thirty (30) days of receipt of denial.

DIRECTIVE TO STAFF: The Department of Planning and Development is directed to conduct an administrative review of the property during the month of June 2020 and to present a report to the Pueblo County Planning Commission at its June 2020 meeting. If the use is not established and/or the property is not in full compliance with the Pueblo County Code and/or all of the conditions of

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approval, the Commission may, at its discretion, direct staff to schedule the permit for a public hearing at the July 2020 meeting. The Commission, at its discretion, may also direct staff to conduct an administrative review and/or schedule the permit for public hearing at an earlier date, if deemed necessary.

PASSED AND ADOPTED this 19th day of June 2019, in Pueblo County, Colorado.

**THE PLANNING COMMISSION
OF PUEBLO COUNTY, COLORADO:**

By: 
Roger Lowe, Chairperson

ATTEST:
By: 
Recording Secretary