



BOARD OF COUNTY COMMISSIONERS

Terry A. Hart, District 1
Garrison M. Ortiz, District 2
Chris Wiseman, District 3

THURSDAY, NOVEMBER 14, 2019

9:00 A.M.

COMMISSIONERS' CHAMBERS AT PUEBLO COUNTY COURTHOUSE
215 WEST 10TH STREET

LAND USE AGENDA

(Notice to Readers: This agenda is for informational purposes only and is subject to change. Please be advised that this meeting is streaming live over social media. Accommodations for individuals with sight or hearing impairment may be made by contacting Patsy Cresswell at 583-0500 or TDD at 583-6550 at least two days in advance of the meeting.)

9:00 A.M. CALL TO ORDER

- Pledge of Allegiance
- Attendance/Excused
- Approve the Land Use Minutes from September 12, 2019 and October 10, 2019
- Approve Agenda of November 14, 2019

9:05 A.M. PUBLIC COMMENTS

1. Citizen Comments (**Comments limited to 5 minutes per speaker**)
2. Commissioners' Comments

(The Record: The Planning Department staff report, and the application submitted by the applicant for each agenda item and any supplemental information distributed by staff at the meeting are automatically incorporated as part of the Record unless specific objections are raised and sustained at the public hearing. Any additional materials used by the applicant or others in support of or in opposition to a particular agenda item may, at the discretion of the person or entity using the materials, be submitted for inclusion in the Record. Such materials for which a request for inclusion in the Record is made shall, at the discretion of the administrative body, be made a part of the Record. Note: Any materials including documents and/or instruments submitted for inclusion in the Record and admitted by the administrative body must be left with the Clerk.)

9:15 A.M. BOARD OF COUNTY COMMISSIONERS' CONSENT ITEMS

The Consent Agenda contains items for which staff is recommending approval and as of the publication of the agenda, there was no known opposition and the applicant(s) are in agreement with staff's recommended conditions of approval. Staff will present the Consent Agenda in a summary format. If any member of the Board of County Commissioners or a member of the audience wants to remove an item from the Consent Agenda to facilitate an individual, full public hearing regarding that item, they must request the item be removed from the Consent Agenda following the summary presentation of the Consent items. The item will be removed from the Consent Agenda and placed on the Regular Agenda at a position being at the sole discretion of the Board. Upon completion of the summary of the Consent Agenda items and the removal of any items requested for individual, full public hearing, the Board will take action regarding the remaining items on the Consent Agenda in the form of a single vote.

1. [TEXT AMENDMENT NO. 2019-002](#) - Cannomics, LLC (Applicant)
(IF REMOVED, **PUBLIC HEARING**) c/o Matt Wheatley, PhD and Kathy Jensen Pfeiff, MS, RDN
(Representatives)



The applicant requests a text amendment to Title 17, LAND USE, Division I. ZONING, Chapter 17.16, *Agricultural Three (A-3) and Four (A-4) Districts*, specifically Section 020 (*Uses by right*) and to Chapter 17.120, *Supplementary Regulations*, specifically Section 280 (*Hemp Establishments*), Paragraphs G. and J. all as cited within the Pueblo County Code. **(1 minute)**

****(Withdrawn by the applicant.)***

2. [ROAD/ALLEY VACATION NO. 2019-004](#) - Frank Palcic (Applicant)
(IF REMOVED, **PUBLIC HEARING**) Alondra Drive within Colorado City, Unit No. 34



The applicant, with the concurrence of the majority of the twelve (12) adjacent landowners, is proposing to vacate a portion of the eighty (80) foot wide roadway (Alondra Drive), lying between Lots 18-24 and Lots 212-218, as platted on the recorded plat map of Colorado City, Unit No. 34 AND reserve a 24-foot wide ingress-egress and utility easement within the same area of the platted roadway. The roadway is located between Base Street (if extended north) and Red Cloud Road in the westerly portion of Colorado City. **(1 minute)**

****(Continued by the Board at its August 15, 2019 and October 10, 2019 public hearings. In order to allow the Planning Commission to make a recommendation at its November 20, 2019 meeting to the Board, staff requests the Board continue the road/alley vacation to its December 12, 2019 public hearing.)***

3. [THOMPSON SUBDIVISION, SECOND FILING](#) - Troy N. and Mary Jo Thompson
[PRELIMINARY PLAN NO. 2019-006](#) (Owners/Applicants)
(IF REMOVED, **PUBLIC HEARING**) Mangini & Associates, Inc, c/o Rocky Mangini
(Representative)
1899 County Farm Road



The owners/applicants are requesting preliminary plan approval to subdivide 15.98± acres into two (2) lots consisting of 13.46± acres (Lot 1) and 2.52± acres (Lot 2). The property is within an A-4, Agricultural (minimum ½ acre) Zone District. The property is located between Iris Road and County Farm Road, west of 20th Lane in the St. Charles Mesa area. The applicants' letter of request and preliminary plan indicate proposed Lot 1 is currently vacant while proposed Lot 2 is improved with an existing single-family residence, a detached garage, and three (3) sheds. **(1 minute)**

****(In order to allow the Planning Commission to make a recommendation at its November 20, 2019 meeting to the Board, staff requests the Board continue the preliminary plan to its December 12, 2019 public hearing.)***

4. [SUN HAVEN AT PUEBLO WEST](#) - Jacques Machol, Sun Haven Construction, LLC (Applicant)
[PRELIMINARY PLAN NO. 2019-001](#) Sun Haven Construction, LLC (Owner)
(IF REMOVED, **PUBLIC HEARING**) Henry Design Group, c/o Karen Henry (Representative)
201 South McCulloch Boulevard



Applicant requests approval of Sun Haven at Pueblo West Preliminary Plan No. 2019-001 to subdivide Parcel A of Subdivision Exemption No. 86-3 containing 15.61± acres into five (5) Blocks and one (1) Tract as follows: Block 1 - 5.05± acres, Block 2 - 3.48± acres, Block 3 - 0.96± acre, Block 4 - 2.67± acres, Block 5 - 2.86± acres, and Tract A Existing Access – 0.59 acre. The applicant intends to develop the blocks in two (2) phases: Phase 1 - Blocks 1 and 2; Phase 2 - Blocks 3, 4, and 5. The property is developed with a restaurant on Block 1, and a hotel that has been renovated into apartment homes on Block 2. Blocks 3, 4, and 5 are vacant and are proposed to be sold or self-developed. The property is within the B-4, Community Business Zone District, is physically addressed as 201 South McCulloch Boulevard, and is located west of the intersection of McCulloch Boulevard and Abarr Drive in the Pueblo West Metropolitan District. **(1 minute)**

****(Continued by the Board at its March 14, 2019, May 9, 2019, July 11, 2019, and September 12, 2019 public hearings. In order to allow the Planning Commission to make a recommendation at its December 18, 2019 meeting to the Board, staff requests the Board continue the preliminary plan to its January 9, 2020 public hearing.)***

5. [MRAOVICH PLANNED UNIT](#) - George Mraovich (Owner)
[DEVELOPMENT NO. 2019-001](#) George Mraovich, Jr. (Applicant)
(IF REMOVED, **PUBLIC HEARING**) c/o Cardinal Points Surveying, Inc., Randy Reeves
(Representative)
304 Lane 25



Applicant requests approval to rezone a 6.0± acre parcel from an A-2, Agricultural (minimum 5 acre) Zone District to Mraovich Planned Unit Development to accommodate a variety of uses by-right and uses-by-review very similar to those listed in the existing A-2 Zone District designation as well as the inclusion of uses associated with automobile/motor vehicle including sales, repair, body work, etc. The property is located at the NE corner of the intersection of Lane 25 and Colorado State Highway No. 96 East. **(1 minute)**

****(In order to allow the Planning Commission to make a recommendation at its December 18, 2019 meeting to the Board, staff requests the Board continue the planned unit development to its January 9, 2020 public hearing.)***

6. [MAP AMENDMENT NO. 2019-004](#) - Henry N. Pounds II (Owner)
(IF REMOVED, **PUBLIC HEARING**) Henry N. Pounds III (Owner/Applicant)
Lots 96 and 97, Forest Hill Subdivision



The owners/applicant are requesting a map amendment to rezone two (2) parcels of land consisting of approximately 0.58± acre (Lot 96) and 0.48± acre (Lot 97) from a S-1, Public Use Zone District to an A-4, Agricultural (minimum ½ acre) Zone District designation in order to recognize its private

ownership, use, and size. Lot 96 is currently vacant, and Lot 97 is improved with a single-family residence which has been referred to as 8315 Zorn Road; however, no formal address has been assigned. The properties are located on the north side of Zorn Road approximately 200 feet west of its intersection with Blue Bell Drive in the Rye area. **(1 minute)**

7. [MAP AMENDMENT NO. 2019-005](#) - Traci Long (Owner/Applicant)
(IF REMOVED, **PUBLIC HEARING**) 9048 South Interstate 25



The owner/applicant is requesting a map amendment to rezone a 1.00± acre parcel of land from an R-6, Multiple-Residential and Commercial Zone District to a B-4, Community Business Zone District. The property is located on the east side of I-25 South Frontage Road, south of the Colorado City interchange. **(1 minute)**

8. [DLM SUBDIVISION](#) - Donald Montano (Owner/Applicant)
[FINAL PLAT NO. 2019-005](#) c/o DK Horn Engineering & Design, Inc., Darlene Horn
(IF REMOVED, **PUBLIC HEARING**) (Representative)
2202 Everett Road



The owner/applicant requests final plat approval to subdivide 5.0± acres into four (4) lots, containing 1.22± acres each, within an A-4, Agricultural (minimum ½ acre) Zone District. A ten (10) foot road right-of-way dedication and ten (10) foot roadway, drainage and public utility easement are also proposed along the northerly portion of the property along Everett Road. The lots are proposed to be accessed via a thirty-five (35) foot private ingress-egress and public utility easement (tentatively named Dora Lane). The property is located on the south side of Everett Road between Lane 22 and Turquoise Drive in the St. Charles Mesa area. **(1 minute)**

RECESS AS BOARD OF COUNTY COMMISSIONERS AND CONVENE AS ZONING BOARD OF APPEALS

9:23 A.M. ZONING BOARD OF APPEALS' CONSENT ITEMS

1. [ZONING VARIANCE NO. 2019-006](#) - Eagle Opportunities, LLC (Owner)
(IF REMOVED, **PUBLIC HEARING**) Scepter Group, LLC, c/o Anna Hatch
(Applicant/Representative)
2565 North Interstate 25



The applicant requests a zoning variance from the Land Uses and Design Standards, specifically subsection *Signs*, of Cultiv8 Cannabis Planned Unit Development No. 2014-008 to allow five (5) sign faces in lieu of the maximum permitted three (3) sign faces. The property is located at the northwest corner of the intersection of Interstate 25 frontage road and Quartz Road. **(1 minute)**

***(Continued by the Zoning Board of Appeals at its October 10, 2019 public hearing.)**

2. [ZONING VARIANCE NO. 2019-009](#) - Kayla McKinley (Applicant/Representative)
(IF REMOVED, **PUBLIC HEARING**) P's in a Pod Storage, LLC
James A. Klipfel (Owner)
4564 West Graneros Road



The applicant requests a zoning variance from Title 17, LAND USE, Division I. ZONING, Chapter 17.120, *Supplementary Regulations*, specifically Section 160 (*Fences, walls and hedges*), Paragraph 2. (Open Fences) of the Pueblo County Code to allow an "open fence" to be located within the front yard setback area at a height of six (6) feet in lieu of the maximum allowable height of four (4) feet. The 0.51-acre property is zoned I-2, Light Industrial and is located on the south side of West Graneros Road, approximately 230 feet west of its intersection with Copeland Circle in the Colorado City area. **(1 minute)**

RECESS AS ZONING BOARD OF APPEALS AND CONVENE AS BOARD OF COUNTY COMMISSIONERS

9:25 A.M. BOARD OF COUNTY COMMISSIONERS' REGULAR ITEMS

1. PUBLIC HEARING

- [MAP AMENDMENT NO. 2018-009](#) - Justin and Sarah Hunter (Owners/Applicants)
Altman, Keilbach, Lytle, Parlapiano, & Ware, P.C.
c/o David Lytle, Attorney-at-Law (Representative)
7094 State Highway 165



The owners/applicants request a map amendment to rezone a 1.325± acre parcel of land (proposed Lot 1, JS Hunter Subdivision) from an A-3, Agricultural (minimum 1 acre) Zone District to a B-4, Community Business Zone District. The property is located at the southeast corner of the intersection of Colorado State Highway No. 165 and Cibola Drive in the Colorado City area. **(5 minutes)**

****(Continued by the Board at its May 9, 2019, July 11, 2019, and September 12, 2019 public hearings.)***

2. PUBLIC HEARING

- [JS HUNTER SUBDIVISION](#)
[PRELIMINARY PLAN NO. 2018-003](#) - Justin and Sarah Hunter (Owners/Applicants)
Altman, Keilbach, Lytle, Parlapiano, & Ware, P.C.
c/o David Lytle, Attorney-at-Law (Representative)
7094 State Highway 165



The owners/applicants request preliminary plan approval to subdivide a 25.51± acre parcel into two (2) lots as follows: Lot 1 will contain 1.325± acres and Lot 2 is proposed at 24.138± acres in size. The property is currently within an A-3, Agricultural (minimum 1 acre) Zone District and is located at

the southeast corner of the intersection of Colorado State Highway No. 165 and Cibola Drive in the Colorado City area. **(5 minutes)**

****(Continued by the Board at its May 9, 2019, July 11, 2019, and September 12, 2019 public hearings.)***

3. PUBLIC HEARING

SHREE HARI

[PRELIMINARY PLAN NO. 2019-005](#)



- Shree Hari, LLC (Owner)
- Bhaveshkumaf M. Patel (Applicant)
- Wachob and Wachob, Inc, c/o Daniel Wachob
(Representative)
- 6670 State Highway 165

The applicant requests preliminary plan approval to subdivide 6.26± acres into two (2) lots consisting of 3.06± acres (Lot 1) and 3.20± acres (Lot 2). The property is within an R-6, Multiple-Residential and Commercial District and carries a physical address of 6670 State Highway 165. The property is located southeast of State Highway 165 and west of Interstate 25 in Colorado City. The applicant's letter of request and preliminary plan indicates proposed Lot 1 is currently improved with a motel, restaurant, and swimming pool while proposed Lot 2 is currently vacant and there are currently no plans to develop proposed Lot 2. **(10 minutes)**

****(Continued by the Board at its September 12, 2019 public hearing.)***

4. PUBLIC HEARING

[TEXT AMENDMENT NO. 2019-001](#)



- Brad Lisac (Applicant)
- Pueblo County Department Planning and
Development (Applicant)

Text Amendment revisions to the Pueblo County Code Title 17 Land Use, Division I. Zoning. Applicant Brad Lisac requests a text amendment to the Pueblo County Code Section 17.120.190 Marijuana Establishments D. Distance measurement, Sections 17.120.220 and 17.120.230, D. Location.

Please Note: Applicant Pueblo County Department of Planning and Development, requesting a text amendment to the Pueblo County Code Section 17.120.190 Marijuana Establishments F. Performance Standards 4. Fencing, was WITHDRAWN at the June 19, 2019 Pueblo County Planning Commission meeting. **(20 minutes)**

****(Continued by the Board at its July 11, 2019 and September 12, 2019 public hearings.)***

10:05 A.M. ADJOURN

The next BOCC Land Use Meeting will be held on **December 12, 2019 at 9:00 A.M.**

*Any items that cannot be addressed within the allotted time will be heard at the next BOCC Land Use meeting on **December 12, 2019.**