


AGENDA
PUEBLO COUNTY PLANNING COMMISSION
Commissioners' Chambers, Pueblo County Courthouse
215 West 10th Street
October 17, 2018
5:30 P.M.

(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.)

1. Roll Call and Declaration of Quorum.
2. Approval of September 13, 2018 Special Meeting and September 19, 2018 Regular Meeting Minutes.
3. Approve Agenda of October 17, 2018.
4. Chairperson's Report.
5. Director's Report:
 - (a) Acceptance of Map Amendments and Planned Unit Developments:
 - [Map Amendment No. 2018-004](#), Josh Peterson, LAVERNCLAUS, LLC (Applicant), LAVERNCLAUS, LLC (Owner), DK Horn Engineering & Design, Inc., c/o Darlene Horn (Representative), 1215 Santa Fe Drive. Applicant requests a map amendment to rezone Parcel B of Lot Line Rearrangement No. 98-03 containing 3.49 acres from an A-3, Agricultural (minimum 1 acre) Zone District to an I-2, Light Industrial Zone District to accommodate marijuana operations allowed as uses by right in the I-2 Zone District. The property is located on the east side of Colorado State Highway 227, north of Santa Fe Drive/Highway U.S. 50.

 - [Map Amendment No. 2018-005](#), Josh Peterson, LAVERNCLAUS, LLC (Applicant), LAVERNCLAUS, LLC (Owner), DK Horn Engineering & Design, Inc., c/o Darlene Horn (Representative). Applicant requests a map amendment to rezone Parcel A of Lot Line Rearrangement No. 98-03 containing 23.19 acres from an I-2, Light Industrial Zone District to an A-2, Agricultural (minimum 5 acres) Zone District to accommodate a marijuana cultivation

operation allowed as a use by right in the A-2 Zone District. The property is located on the east side of Colorado State Highway 227, north of Santa Fe Drive/Highway U.S. 50.



- [Map Amendment No. 2018-006](#), Terry Kaye Edmonds Niznik (Owner/Applicant/Representative), Dennis Eugene Edmonds (Owner), Marilyn Allene Edmonds House (Owner), 8210 Kinnikinic Avenue. The owners are requesting a map amendment to rezone a 1.14± acre parcel of land from an S-1, Public Use Zone District to an A-3, Agricultural (minimum 1 acre) Zone District designation in order to recognize its private ownership, use, and size. The parcel is located on the south side of Kinnikinic Avenue, approximately 350 feet west of its intersection with Singer Lane in the Rye area.



(b) Correspondence.

(c) Continuances--None.

(d) Withdrawals--None.

(e) Board of County Commissioners' Action.

(f) Administrative Reviews:

- [Special Use Permit No. 1999-002](#) Amended, State Land Board and GCC Rio Grande, Inc. (Owners), GCC Rio Grande, Inc. (Operator/Applicant), 3372 Lime Road. This is an administrative review of an amended special use permit, which allows for "natural deposits, extraction, and processing" (mineral extraction and cement manufacturing) in an A-1, Agricultural (minimum 35 acre) Zone District. The property contains 6,000± acres, and is located approximately 8.7± miles south of Pueblo, east of Interstate 25.



- [Special Use Permit No. 2016-009](#), Nicholas and Josie Rudd (Current Owners/Applicants), Marc S. Lusardi (Previous Applicant), Stuart Brandon Trust (Previous Owner), 750 East Rugby Drive. This is an administrative review of a special use permit, which allows the establishment and operation of a "Home, Elderly" in an A-3, Agricultural Zone District. The "Home, Elderly" use-by-review is defined below in Title 17 LAND USE; Division I. Zoning, Chapter 17.040.040, Definitions of the Pueblo County Code:

"Home, Elderly" means a place of residence which provides lodging, board and personal services other than medical or nursing care, for the health, safety and comfort of more than four (4) persons being either fifty-five (55) years of age or older or the cohabitation spouses of persons fifty-five (55) or older, and only such other persons who are employed in an official capacity for the operation and maintenance of the home. The term "personal services" for

purposes of this definition means those services provided for each resident, including: housekeeping and laundry services; services to maintain an environment which is sanitary and safe from physical harm; individualized social supervision; assistance with transportation; and assistance with activities of daily living, including but not limited to bathing, dressing and eating. (See "Home, Elderly Foster" for one to four elderly.) This definition does not apply to members (related by blood, marriage or adoption) of the owner-occupant's or lessee-occupant's family."

The proposal is to allow a "Home, Elderly" with up to 25 residents. The property location is approximately 300 feet east of the intersection of Purcell Boulevard and Rugby Drive in Pueblo West.



6. Statement of Hearing Procedures by Chairperson.
7. Hearing of Cases.
 - a) **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 applicants 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 Commission 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 at the end of the Regular Agenda. Upon completion of the summary of the Consent Agenda items and the removal of any items requested for individual, full public hearing, the Commission will take action regarding the remaining items on the Consent Agenda in the form of a single vote.

1. [MAP AMENDMENT NO. 2018-004](#) - Josh Peterson, LAVERNCLAUS, LLC (Applicant)



LAVERNCLAUS, LLC (Owner)
DK Horn Engineering & Design, Inc., c/o Darlene Horn
(Representative)
1215 Santa Fe Drive

Applicant requests a map amendment to rezone Parcel B of Lot Line Rearrangement No. 98-03 containing 3.49 acres from an A-3, Agricultural (minimum 1 acre) Zone District to an I-2, Light Industrial Zone District to accommodate marijuana operations allowed as uses by right in the I-2 Zone District. The property is located on the east side of Colorado State Highway 227, north of Santa Fe Drive/Highway U.S. 50.

2. [MAP AMENDMENT NO. 2018-005](#) - Josh Peterson, LAVERNCLAUS, LLC (Applicant)
LAVERNCLAUS, LLC (Owner)
DK Horn Engineering & Design, Inc., c/o Darlene Horn
(Representative)



Applicant requests a map amendment to rezone Parcel A of Lot Line Rearrangement No. 98-03 containing 23.19 acres from an I-2, Light Industrial Zone District to an A-2, Agricultural (minimum 5 acres) Zone District to accommodate a marijuana cultivation operation allowed as a use by right in the A-2 Zone District. The property is located on the east side of Colorado State Highway 227, north of Santa Fe Drive/Highway U.S. 50.

3. [MAP AMENDMENT NO. 2018-006](#) - Terry Kaye Edmonds Niznik
(Owner/Applicant/Representative)
Dennis Eugene Edmonds (Owner)
Marilyn Allene Edmonds House (Owner)
8210 Kinnikinic Avenue



The owners are requesting a map amendment to rezone a 1.14± acre parcel of land from an S-1, Public Use Zone District to an A-3, Agricultural (minimum 1 acre) Zone District designation in order to recognize its private ownership, use, and size. The parcel is located on the south side of Kinnikinic Avenue, approximately 350 feet west of its intersection with Singer Lane in the Rye area.

b) **REGULAR ITEMS:**

1. [TEXT AMENDMENT NO. 2018-007](#) - Pueblo County Department of Planning and
Development/PuebloPlex (Applicants)
Matrix Design Group, Inc., c/o Celeste Werner, AICP
(Representative)



Applicants propose a Text Amendment to adopt regulations in the Pueblo County Code, Title 17 Land Use, Division I. Zoning, Chapter 17.04 General Provisions and Definitions, Section 17.04.040 Definitions to add the definition of “Nuclear Power Plant” and to add a new Chapter 17.90 PUEBLOPLEX DISTRICT (P-1), Section 17.90.020 Uses by Right, Section 17.90.030 Uses by Review, and Section 17.90.031 Appeals. The P-1 Zone District will accommodate the PuebloPlex Redevelopment Plan for the 15,847 acres of PuebloPlex property.

*This text amendment was continued from the September 13, 2018 Special Planning Commission meeting.

2. [MAP AMENDMENT NO. 2018-003](#) - Pueblo County Department of Planning and Development/PuebloPlex (Applicants)
Matrix Design Group, Inc., c/o Celeste Werner, AICP
(Representative)



Applicants request a map amendment to rezone PuebloPlex property consisting of 15,847 acres from the S-1, Public Use Zone District to the P-1, PuebloPlex Zone District to accommodate the PuebloPlex Redevelopment Plan. PuebloPlex is in negotiations with the Pueblo Chemical Depot to begin the transfer of the 15,847 acres to PuebloPlex.

*This map amendment was continued from the September 13, 2018 Special Planning Commission meeting.

3. [SPECIAL USE PERMIT NO. 2018-011](#) - Stephen R. and Katrina M. Lee (Owners/Applicants)
5920 William Finlay Drive



The owners/applicants are requesting approval of a special use permit to allow an airport, more specifically a 20' x 1,256' private airstrip, in an A-1, Agricultural (minimum 35 acre) Zone District. The 40.01± acre property is located approximately ¾ of a mile west of its intersection with Wolfenberger Road on the south side of William Finlay Drive in East Hatchet Ranch/Sikes Ranch development in Southern Pueblo County.

- 8. Unfinished Business.
- 9. New Business.
- 10. Reports of Committees.
- 11. Adjournment.

SJB