

**REVISED AGENDA**  
**PUEBLO COUNTY PLANNING COMMISSION**

Pueblo County Conference Room  
1001 North Santa Fe Avenue

February 22, 2011

5:00 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 January 25, 2011 Minutes.
3. Director's Report:
  - (a) Acceptance of Map Amendments
  - (b) Correspondence
  - (c) Continuances
  - (d) Withdrawals

- [Special Use Permit No. 2010-014](#), Emily Brenner (Applicant/Owner), NorthStar Engineering, Inc., c/o Mick Kahnke (Representative), 4100 Burnt Mill Road. Applicant requests a special use permit to allow Farm products, processing in an A-1, Agricultural (minimum 35 acre) Zone District. The Farm products, processing is specifically for a kosher slaughter facility. The Special Use Permit site contains 5.5 acres out of a 165-acre parcel of land. The property is located on the south side of Burnt Mill Road west of Interstate 25.

The applicant has requested Special Use Permit No. 2010-014 be withdrawn.

- (e) Board of County Commissioners' Action
- (f) Administrative Reviews
  - [Special Use Permit No. 577](#), Amended (also known as Special Use Permit No. 1985-043 Amended), Broadacre Landfill, Inc. (Applicant), Waste Connections, Inc. (Owner). This is an administrative review of an amended special use permit, which allows a solid waste disposal facility in an A-1, Agricultural (minimum 35 acre) Zone District. The landfill consists of 283± acres with the special use permit area

containing approximately 405 acres. The property is located at 4025 Doyle Road, which is north and westerly of the intersection of Doyle Road and Bush Road.

- [Special Use Permit No. 1998-028](#), C&C Disposal, c/o Becky Cortese (Applicant), Eden Leasing, Inc. (Owner), 1401 Quartz Road. This is an administrative review for a special use permit, which allows a solid waste transfer facility in an I-2, Light Industrial Zone District. The property contains 15± acres, and is located at 1401 Quartz Road north and west of the Eden Interchange on I-25.
- [Special Use Permit No. 2005-020](#), RBK Construction, Inc. (Applicant), John H. Thatcher, Jr. Trust and Beth E. Thatcher Trust (Owners), RBK Construction, Inc., Ronda Neumeister, President (Representative). This is an administrative review of a special use permit, which allows natural resources extraction and processing of sand, gravel, and borrow materials; a portable crusher and screening plant; hot mix (road) asphalt plant; scale house; and concrete batch plant on 30± acres of a leased parcel containing 281± acres within an A-1, Agricultural (minimum 35 acre) Zone District. The requested use was to accommodate a contract for the construction of approximately six (6) miles of roadway from D.O.T. Road to the Pueblo Chemical Depot. The project has been completed; however, reclamation is not complete.
- [Special Use Permit No. 2009-021](#), Rye Fire Protection District (Applicant), Donna R. Hambric (Owner), Wachob and Wachob, Inc. (Representative), Table Mountain Road, Rye. This is an administrative review of a special use permit, which allows the establishment of a lattice-type radio tower with an overall height of 45 feet and related accessory building and support facilities on an 8,130 square foot leased parcel of land. The leased parcel is encompassed within a 39.27± acre parcel which is located on the north side of Table Mountain Road approximately  $\frac{3}{4}$  of a mile northeast of its intersection with Old San Isabel Road just north of the Town of Rye in Southwestern Pueblo County.
- [Special Use Permit No. 2009-022](#), 129 Enterprise, LLC (Applicant/Owner), Laurie Clark, P.E., Clark Engineering, LLC (Representative), 129 East Enterprise Drive. This is an administrative review of a special use permit, which allows an Automobile Storage Yard in the existing building on Parcel C of Lot Line Rearrangement No. 2009-004 in the I-2, Light Industrial Zone District. The property contains 5.00 acres, and is located at the northeast corner of the intersection of Enterprise Drive and Aspen Ski Way in Pueblo West, Colorado.
- [Special Use Permit No. 2010-001](#), Clyde L. and Sharon Berrier (Owners), Clyde Berrier (Applicant/Representative), 172 East Industrial Boulevard. This is an administrative review of a special use permit, which allows an Office, as a principal use in an I-2, Light Industrial Zone District, in Suites 101 through 111 at 172 East Industrial Boulevard. The property contains 1.83 acres, and is located at the southwesterly corner of East Industrial Boulevard and North Research Drive in Pueblo West.

4. Statement of Hearing Procedures by Chairperson.

5. Public Hearing.

## **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) **SPECIAL USE PERMIT NO. 2011-001** - Summit Pressed Brick and Tile Company,  
c/o Joe Welte (Applicant)  
Rocky Mountain Ranch and Land (Owner)  
LJ Development, Inc., c/o Joe P. Gagliano (Representative)  
Portion of the S½ of Section 27 and the N½ of Section 34,  
Township 24 South, Range 66 West of the 6<sup>th</sup> P.M.

Applicant requests a special use permit to allow natural deposits extraction and processing; blasting; stockpiling, crusher and screening plant; scale house; and an office on a 93.25± acre mining area in the A-1, Agricultural (minimum 35 acre) Zone District. The application includes a proposal to reclaim the mined area to its post mining use of rangeland/agricultural. The mining area is within an 116.41± acre leased area located within a portion of the S½ of Section 27 and the N½ of Section 34, Township 24 South, Range 66 West of the Sixth Principal Meridian. The mine area is located on the south side of Pickney Road (CR 343) approximately 3,200± feet southwest of the intersection of Pickney Road and Pardee Drive. The proposed gravel pit is to be named Cedarwood Clay Mine.

- 2) **SPECIAL USE PERMIT NO. 2011-002** - Dr. Dana R. Bennett (Applicant)  
BLP Investment, Ltd. (Owner)  
Douglas D. Piersel, Esq., Mullans, Piersel & Reed, P.C.  
(Representative)  
121 South Crescent Drive

Applicant requests a special use permit to allow a health clinic in an R-5, Multiple-Residential and Office Zone District. The property contains 0.63 acre and is located between Crescent Drive and South McCulloch Boulevard, south of East Spaulding Avenue in Pueblo West.

- 3) **SPECIAL USE PERMIT NO. 2011-003** - Rhonda Feasel (Applicant)  
Richard D. Feasel II (Owner)  
555 South Watermelon Drive

Applicant requests a special use permit to allow a "Child Care Home (Large)" in an R-1, Single-Family Residential Zone District. It is the applicant's intent to change the existing *Day Care Home* license to a *Large Child Care Home* license. The change in licensing, if permitted, will allow the applicant to have a maximum capacity of twelve (12) children at any given time. The property is located on the north side of South Watermelon Drive, southwest of its intersection with West Baldwyn Drive, west of McCulloch Boulevard in the Pueblo West area.

## **REGULAR ITEMS:**

- a) COMPREHENSIVE PLAN AMENDMENT - Pueblos For Energizing Our Community, LLC  
NO. 2011-001 (PFEOC) (Applicant)  
Donald J. Banner (Representative)

Applicant requests approval of an amendment to the *Pueblo Regional Development Plan* (Comprehensive Plan) to change the Future Land Use category of an area in Eastern Pueblo County from the existing “Rural Ranch” to “Energy Park”. The property is approximately 24,000 acres in size, located generally south of Grape Road and east of Huerfano Road, and is the location of the applicant’s proposed Colorado Clean Energy Park. Designation of the area as “Energy Park” would allow consistency with the *Pueblo Regional Development Plan* with the applicant’s plans for the site, which include establishing various types of electrical generating facilities including, but not limited to, nuclear, solar, wind, gas, and geothermal electrical generating facilities, as well as associated energy storage, support facilities, infrastructure, buffers, and open space. Coal-fired generation facilities would be excluded from the designation.

- b) COLORADO CLEAN ENERGY PARK - Pueblos For Energizing Our Community, LLC  
PLANNED UNIT DEVELOPMENT NO. 2011-001 (PFEOC) (Applicant)  
Donald J. Banner (Representative)

Applicant requests approval of a planned unit development (PUD) on approximately 24,000 acres of property that is currently within an A-1, Agricultural Zone District. The Colorado Clean Energy Park PUD would allow various types of energy/power production facilities, excluding coal-fired power plants. This includes, but is not limited to, nuclear, solar, wind, gas, and geothermal electrical generating facilities, as well as associated energy storage, support facilities, and infrastructure. The PUD also provides for land to be used for a buffer/open space. With Phase I of the PUD, the applicant requests the following:

- Approval of the application of a Planned Unit Development for the land involved including phasing in accordance with the Submitted Development Plan.
- Approve the submitted Development Plan which includes certain deferrals, variances, and waivers as set forth therein.
- Determine that there is a vested real property right to develop the land included in the Colorado Clean Energy Park in accordance with the Development Plan, contingent only on compliance with the Development Plan.