

AGENDA
PUEBLO COUNTY PLANNING COMMISSION

Pueblo County Conference Room
1001 North Santa Fe Avenue

May 24, 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 April 26, 2011 Minutes.
3. Director's Report:
 - (a) Acceptance of Map Amendments
 - (b) Correspondence
 - (c) Continuances
 - [Special Use Permit No. 2011-006](#), Daniel and Josie Jahnke (Owners/Applicants). The applicants are requesting approval of a special use permit to allow horses in an R-1, Single-Family Residential Zone District. The property contains 3.73± acres and is located at the southeast corner of the intersection of Cibola Drive and Colorado Boulevard in Colorado City.

The applicants requested a continuance to the June 28, 2011 Planning Commission meeting.
 - (d) Withdrawals
 - (e) Board of County Commissioners' Action
 - (f) Administrative Reviews
 - [Special Use Permit No. 2008-008](#), Dionisio Metal & Iron, Inc., c/o Albert Dionisio (Applicant/Owner), Gagliano Engineering, Inc., c/o Joe Gagliano (Representative), Parcel A of Subdivision Plat Vacation No. 2007-002 and a portion of the NE¼ of the SE¼ of Section 32, Township 20 South, Range 64

West of the Sixth Principal Meridian. This is an administrative review for a special use permit, which established a salvage yard on an 18.5± acre parcel located in the I-3, Heavy Industrial Zone District. The salvage yard is an expansion of the existing salvage yard located south of the subject property at 700 South Portland Avenue. The property is located east of Portland Avenue at the northeast corner of the intersection of Portland Avenue and Queens Avenue and located with a portion of the NW¼ of the SE¼ and the NE¼ of the SE¼ of Section 32, Township 20 South, Range 64 West of the 6th P.M.

- [Special Use Permit No. 2009-008](#), Ocean Dreams, LLC (Applicant), Joyce L. Dumeyer (Owner), JLD Designs (Representative), 735 North Maplelawn Drive. This is an administrative review for a special use permit, which allowed retail and personal service uses (small neighborhood café, bar, liquor store, food store, and office spaces) in a B-1, Neighborhood Business Zone District. The property contains 0.66 acre, and is located at the southwesterly corner of Platteville Boulevard and Maplelawn Drive in Pueblo West.
- [Special Use Permit No. 2010-006](#), Pat Steele (Applicant), Mark Ohlsen (Representative). This is an administrative review for a special use permit, which allowed storage and land application of domestic septage. “Septage” refers to human and household waste flushed into a septic tank, latrine, or portable toilet. The property is within an A-1, Agricultural Zone District (minimum 35 acre lot area). It is approximately 15 acres in size, and is located northeast of the intersection of Woodyard Road and Wolfenberger Road.

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) [ROAD/ALLEY VACATION NO. 2011-002](#) - John A. and Judy Ann Mikulas (Applicants/Owners)
Frank and Malinda K. McKnight (Additional Owners)
c/o Mangini & Associates, Inc. (Representative)
A portion of Preston Road, east of Lane 28

The applicants are proposing to vacate all of Preston Road, lying east of Lane 28, as platted between Lot 3, Block 59 and Lot 2, Block 60 in St. Charles Mesa Subdivision (1891). The area of vacation which was originally platted as a 40-foot road right-of-way but was never constructed is located east of Lane 28, adjacent to those properties which carry physical addresses of 1486-1514 Lane 28 in the St. Charles Mesa area. The road right-of-way is

intended to be included in the subdivision of the land to the south as proposed through Mikulas Subdivision.

Road/Alley Vacation No. 2011-002 will be heard in conjunction with Mikulas Subdivision Preliminary Plan No. 2011-002 and Mikulas Subdivision Final Plat No. 2011-002.

- 2) MIKULAS SUBDIVISION - PRELIMINARY PLAN NO. 2011-002 - John A. and Judy Ann Mikulas (Applicants/Owners)
Ralph L. and Beverly J. Trani (Additional Owners)
c/o Mangini & Associates, Inc. (Representative)
1514, 1530, and 1542 Lane 28

The owners/applicants are proposing to subdivide 19.71± acres into six (6) lots varying in size from 1.0± acres to 13.85± acres in an A-3, Agricultural (minimum 1 acre) Zone District. A ten (10) foot road right-of-way dedication along Lane 28 is also proposed. Proposed Lots 1, 5, and 6 are currently improved; therefore, only three (3) additional 1.0± acre building sites are being created. The property is located at the southeast corner of the intersection of Lane 28 and Preston Road (unimproved) in the St. Charles Mesa area.

Mikulas Subdivision Preliminary Plan No. 2011-002 will be heard in conjunction with Mikulas Subdivision Final Plat No. 2011-002 and Road/Alley Vacation No. 2011-002.

- 3) MIKULAS SUBDIVISION - FINAL PLAT NO. 2011-002 - John A. and Judy Ann Mikulas (Applicants/Owners)
Ralph L. and Beverly J. Trani (Additional Owners)
c/o Mangini & Associates, Inc. (Representative)
1514, 1530, and 1542 Lane 28

The owners/applicants are proposing to subdivide 19.71± acres into six (6) lots varying in size from 1.0± acres to 13.85± acres in an A-3, Agricultural (minimum 1 acre) Zone District. A ten (10) foot road right-of-way dedication along Lane 28 is also proposed. Proposed Lots 1, 5, and 6 are currently improved; therefore, only three (3) additional 1.0± acre building sites are being created. The property is located at the southeast corner of the intersection of Lane 28 and Preston Road (unimproved) in the St. Charles Mesa area.

Mikulas Subdivision Final Plat No. 2011-002 will be heard in conjunction with Mikulas Subdivision Preliminary Plan No. 2011-002 and Road/Alley Vacation No. 2011-002.

- 4) ROAD/ALLEY VACATION NO. 2011-001 - Robert C. and Roxanne R. Sigman (Applicants)
Robert C. and Roxanne R. Sigman; Barrie D. Watson;
Rodney and Tauniwa R. Kern; and Bradbarrie
Companies, LLC (Landowners Abutting the Roadway)
Alta Surveys of Colorado, Inc. (Representative)
Terrace Lane as platted in Donley's Mountain View
Terrace

Applicants request a road/alley vacation to vacate Terrace Lane, lying south of North Grand Avenue (also known as State Highway No. 78) as platted in Donley's Mountain View Terrace (1959). Terrace Lane was originally platted as a 30-foot road right-of-way with a 20-foot radius cul-de-sac at the south end but was never constructed. The area of the vacation is adjacent to those properties which carry physical addresses of 8760 Grand Avenue, 8742 Schoolhouse Lane, and 5916 Terrace Lane in the Beulah area.

- 5) [ROAD/ALLEY VACATION NO. 2011-003](#) - Olmedo B. Mascarenas (Applicant)
Triple G Construction (Applicant/Owner)
Amella Surveying, Inc., Gary Amella
(Representative)
A portion of Salem Road (formerly platted as Lucille Avenue) north of East 1st Street, south of the platted alley located north of East 1st Street

The applicants are proposing to vacate all of Salem Avenue (formerly platted as Lucille Avenue), lying north of East 1st Street, south of the platted alley located north of East 1st Street, as platted between Lot 32, Block 4, and Lot 17, Block 3 in Goldsmith's Subdivision (1889). The area of vacation was originally platted as a 60-foot road right-of-way but was never constructed. The road/alley vacation is being sought for further development of adjacent properties.

- 6) [TEXT AMENDMENT NO. 2011-001](#) - Pueblo County Department of Planning and Development (Applicant)

An amendment is proposed to the Pueblo County Code, Title 16, Subdivisions. Several Subsections within the County Subdivision Regulations require a certain number of copies of materials be submitted with various application submittals. This Text Amendment proposes eliminating the requirement to provide numerous paper/hard copies, and add a requirement to provide submittal documents in an electronic format. The Sections that would be amended include:

- 16.20.030 Resubdivision Procedures
- 16.20.090 Application for Multi-Family Development Site Plan Review
- 16.24.020 Contents of Sketch Plan Applications
- 16.28.020 Contents of Preliminary Plan
- 16.32.020 Conformance with Preliminary Plan
- 16.32.060 Supporting Documents

This Text Amendment would also eliminate Subsection 16.20.060, Notification to the Land Use Commission, as the Colorado Land Use Commission no longer exists.

- 7) [TEXT AMENDMENT NO. 2011-002](#) - Pueblo County Planning and Development (Applicant/Representative)

The Department of Planning and Development is requesting a Text Amendment to revise the Pueblo County Code, Title 16, Subdivisions, Chapter 16.20, Related Procedures, Section 16.20.030, Resubdivision procedures, C.1.g.ix, to require cross deeds, as follows with *underlined italics* text language being deleted:

ix. Cross deeds, *if applicable*, with recording fees;

And C.2.e., to require deeds to combine ownership, as follows with **underlined bold** text language being added:

x. Deed, to combine ownership to applicable Parcel (e.g., A, B) of Lot Line Vacation No. _____, with recording fees;

REGULAR ITEMS:

- a) [SPECIAL USE PERMIT NO. 2011-005](#) - Martin J. J. Trujillo (Applicant/Owner)
Mona Vialpando (Representative)
1009 West Valparaiso Drive

The applicant requests a special use permit to allow a dog kennel facility on a 1.57± acre parcel in an A-3, Agricultural (minimum 1 acre) Zone District. Title 17, Land Use, Section 17.04.040, Definitions of the Pueblo County Code defines kennel as "...any lot, parcel, tract or structure in which five or more dogs, six months old or older, are kept, raised, housed, boarded or bred." The property carries a physical address of 1009 West Valparaiso Drive, Pueblo West, and is located east of South Avenida del Oro, south of West Valparaiso Drive, and north of West Osceola Drive.

- b) [TEXT AMENDMENT NO. 2011-003](#) - Pueblo County Department of Planning and Development (Applicant)

The Pueblo County Department of Planning and Development is proposing a Text Amendment to adopt regulations into the Pueblo County Code, Title 17, Land Use, Division I, Zoning pertaining to Medical Marijuana Center, Medical Marijuana-Infused Products Manufacturer, and Medical Marijuana Optional Premises Cultivation Operation.

- Medical Marijuana Center: use-by-right in the B-4, Community Business Zone District.
- Medical Marijuana-Infused Products Manufacturer: use-by-right in the B-4, Community Business Zone District and in the I-1, Special Industrial Zone District.
- Medical Marijuana Contiguous Optional Premises Cultivation Operation: allowed as a contiguous location of the licensed premises of the person's medical marijuana center or the person's medical marijuana-infused products manufacturer location as use-by-right in the B-4; allowed as contiguous location of the licensed premises of the person's medical marijuana-infused products manufacturer location as use-by-right in the I-1, Special Industrial Zone District.
- Medical Marijuana Non-Contiguous Optional Premises Cultivation Operation: allowed as non-contiguous location of the licensed premises of the person's medical marijuana center or person's medical marijuana-infused products manufacturer location as use-by-right in the A-1/A-2, Agricultural Zone Districts and in the I-1, Special Industrial Zone District.
- Designated protected uses will require 1,000-foot separation distance.