

AGENDA REVISED*
PUEBLO COUNTY PLANNING COMMISSION
Pueblo County Commissioners' Chambers
Pueblo County Courthouse
215 West 10th Street

March 26, 2013

5:00 P.M.

**Removed Sherwood Subdivision Planned Unit Development No. 2013-002 and Preliminary Plan No. 2013-001 from the Consent Agenda to the Regular Agenda.*

(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 February 26, 2013 Minutes.
3. Chairperson's Report.
4. Director's Report:
 - (a) New Member Status.
 - (b) Acceptance of Map Amendments.
 - (c) Correspondence.
 - (d) Continuances.
 - (e) Withdrawal:
 - [Special Use Permit No. 2012-011](#), Carol Cosby, Director, Pueblo West Metropolitan District, Department of Parks and Recreation (Applicant), Pueblo West Metropolitan District (Owner), NE Corner of McCulloch Boulevard and Assembly Drive. Applicant requests a special use permit to establish the initial development of a proposed public park and outdoor sports/recreation facility (Soaring Eagle Park) including all structures and facilities necessary and appurtenant to their operation and associated uses directly related to site facilities and activities in an S-1, Public Use Zone District. Phase I will consist of two or three ball fields on a 32.99± acre portion of the overall 67.71± acre parcel of land intended for the development. The entire property is located at the northeast corner of McCulloch Boulevard and Assembly Drive with the proposed Phase I being located immediately north of the intersection of Research Drive and Assembly Drive in the Pueblo West area.

The applicant is requesting Special Use Permit No. 2012-011 be withdrawn.

(f) Board of County Commissioners' Action.

(g) Administrative Reviews:

- [Special Use Permit No. 2004-008](#), Jose A. Mercado, Armando Mercado, and Miguel Mercado (Current Applicants/Owners), John C. Musso, (Previous Applicant/Owner), 2641 North I-25. This is an administrative review for a special use permit, which allows manufactured home sales in an I-2, Light Industrial Zone District. The manufactured home sales area is located on 3± acres within a 30± acre tract, and is located on the west side of I-25 approximately ¼ mile north of the Eden Interchange.
- [Special Use Permit No. 2007-015](#), Robert C. Norris (Original Applicant/Owner), BJ Ranches, LLC (Current Owner), Timothy C. Cutforth (Representative), 7180 Overton Road. This is an administrative review for a special use permit, which allows the establishment of six (6) 200-foot lattice type guyed towers and related accessory buildings and operation equipment on a 60± acre leased parcel of land in northern Pueblo County in an A-1, Agricultural (minimum 35 acre) Zone District. The specific proposed use of the towers is for the operation of two (2) radio broadcast facilities (KCEG 780 kHz-Pueblo and KJME 890 kHz-Fountain). The leased tower site is located immediately south of the Pueblo County/El Paso County line on the east side of Overton Road and south of North County Line Road. The special use permit was originally approved on January 22, 2008 with six (6) conditions of approval and a directive to staff.
- [Special Use Permit No. 2008-003](#), Harmesh Lal (Current Owner), Grant Koury, Koury Real Property, LLC (Previous Applicant/Owner). This is an administrative review for a special use permit, which allows natural deposits, extraction, and processing of construction material on 33.3 acres of a 62.85-acre parcel of land described as Parcel D of Subdivision Variance No. 320. No crushing or material washing will occur on site. The extraction will be conducted in four (4) phases and take approximately 10 years to complete. The property is in the A-1, Agricultural (minimum 35 acre) Zone District. The property is located on the west side of Interstate 25 at the Pinon Exit (Exit No. 110).

5. Statement of Hearing Procedures by Chairperson.

6. Hearing of Cases.

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. 2003-033](#) - Jane F. Johnson, Verizon Wireless (Original Applicant)
RESCISSION Maureen Lopez, Verizon Wireless (Current Applicant)
Naich A. and Renee C. Cordo (Owners)
Q³ Consulting, Inc., c/o Mark Paiz
(Original Representative)
Black & Veatch Corp., c/o Brad Johnson
(Current Representative)
25960 Highway 50 East (aka 25841 Hillside Road)

The owners and applicant request **rescission** of a special use permit that was originally approved on March 23, 2004. The special use permit allowed the establishment of a 67'6" monopole type telecommunications tower and related accessory building on a 1,500 square foot leased parcel of land in an A-4, Agricultural (minimum ½ acre) Zone District. The request is being submitted in order to comply with Condition No. 3c as imposed upon the approval of Special Use Permit No. 2009-012 which was approved by the Pueblo County Planning Commission on July 28, 2009 to permit a "replacement" windmill replica type telecommunications tower with an overall height of 94 feet and related accessory buildings and support facilities on a 2,500 square foot leased parcel of land. The leased parcel is encompassed within a 9.89± acre parcel that is located between Pleasantview Drive and Lane 26¼, south of Highway 50 East (Santa Fe Drive) in the St. Charles Mesa area.

- 2) [SPECIAL USE PERMIT NO. 2007-021](#) - Tammy K. and Joel Hunt, Sr. (Applicants)
RESCISSION Joel Hunt, Sr. (Owner)
627 South Del Rio Drive

The applicants request **rescission** of a special use permit that was originally approved on January 22, 2008. The special use permit allowed a "Child Care Home (Large)" in an R-1, Single-Family Residential Zone District. The applicants no longer provide daycare at 627 South Del Rio Drive nor have a permanent child care license for a large daycare home. The property is located between Del Rio Drive and Inca Drive in the Pueblo West area.

- 3) [SPECIAL USE PERMIT NO. 2013-002](#) - Nick's Bikes, LLC (Applicant)
c/o Bradney J. Jensen (Representative)
Durant Shopping Center, LLC (Owner)
Newton Shopping Center, LLC (Owner)
Zachary Shopping Center, LLC (Owner)
74 North Component Drive, Suite No. 140

Applicant requests a special use permit to allow repair and maintenance of merchandise (non-motorized bicycles) in conjunction with retail sales in a B-4, Community Business Zone District. The property is physically addressed as 74 North Component Drive, Suite No. 140 and is located south of Industrial Boulevard between North Component Drive and North Aspen Ski Way in the Pueblo West area.

- 4) [SPECIAL USE PERMIT NO. 2013-004](#) - Colorado City Metropolitan District (Owner/Applicant)
Wachob & Wachob, Inc., c/o Dan Wachob (Representative)
A portion of Parcel 5, Colorado City (Amended)

Applicant requests a special use permit to establish a public library in an S-1, Public Use Zone District. Title 17, *Land Use*, Chapter 17.84, *Public Use District (S-1)*, Section 17.84.030, *Uses-by-Review* of the Pueblo County Code lists any proposed use of land or buildings by a public agency or others on public land as a use which is permitted upon the issuance of a special use permit by the Planning Commission. The property containing 4.10± acres is located at the southwest corner of the intersection of State Highway 165 and Cibola Drive in the Colorado City area.

- 5) [ST. CHARLES MESA LIBRARY - SUBDIVISION FINAL PLAT NO. 2013-001](#) - Pueblo City-County Library District (Applicant)
Joann Cummings, Jean Erickson, and Janet Pullin (Owners)
Edward-James Surveying, Inc. (Representative)
James Oliver, Esq. (Representative)

Applicant requests approval of a final plat for the St. Charles Mesa Library Subdivision to subdivide an 11.5± acre parcel into two lots. Proposed Lot 1 is 2.9± acres, and Lot 2 is 8.4± acres in size. There will be 0.390 acre of right-of-way dedicated for extension of 24½ Lane. The property is within an S-1, Public Use Zone District (Lot 1) and an A-4, Agricultural Zone District (Lot 2). The property is located approximately 400 feet west of the northwest corner of the intersection of Highway 50 and 25th Lane on the St. Charles Mesa.

REGULAR ITEMS:

- a) [SPECIAL USE PERMIT NO. 2013-003](#) - Phil Martinez and Mandi Gallegos (Applicants)
Phillip J. Martinez and Madeline Y. Resendez (Owners)
247 South Circle Drive, Pueblo West

The applicants are requesting a special use permit to allow a "Child Care Home (Large)" in an R-1, Single-Family Residential Zone District. The applicants are not currently licensed by State of Colorado, Division of Child Care, but have submitted an application to obtain the proper license. The license, if permitted, will allow the applicants to have a maximum capacity of twelve (12) children at any given time. The property is located on the north side of South Circle Drive, between South Golfwood Drive and South Spaulding Drive in Pueblo West.

- b) [THE GREENER SIDE PLANNED UNIT DEVELOPMENT NO. 2013-001](#) - Henry Borunda (Applicant/Owner)
Clark Engineering, LLC, c/o Laurie Clark, P.E.
(Representative)
3321 South Interstate 25

Applicant requests approval of The Greener Side Planned Unit Development (PUD) rezoning the property from the B-4, Community Business Zone District to the PUD Zone District. The Greener Side PUD is to accommodate a medical marijuana center, medical marijuana-infused products manufacturer, a medical marijuana contiguous optional premises cultivation operation (in buildings), commercial greenhouses for the cultivation operation, retail, and personal service uses. The B-4 Zone District allows the center, infused products manufacturer and cultivation operation (in buildings but not greenhouses), retail and personal service uses. Therefore, the applicant is requesting a PUD Zone District with specific land use standards to allow all the listed uses for medical marijuana in addition to retail and personal service uses on the same property.

- c) [MAP AMENDMENT NO. 2012-006](#) - Erin Johnson (formerly Erin J. Homm)
(Owner/Applicant)
32989 Daniel Road

Applicant requests a map amendment to rezone 1.46± acres of Parcel B, Subdivision Variance No. 41 that is in the A-2, Agricultural (minimum 5 acre) Zone District to the A-4, Agricultural (minimum ½ acre) Zone District; therefore, all of Parcel B will be in the A-4 Zone District. The property is physically addressed as 32989 Daniel Road and located at the east end of Daniel Road off of Baxter Road in the St. Charles Mesa area.

The map amendment has been continued since the January 22, 2013 Planning Commission meeting.

- d) [SHERWOOD SUBDIVISION PLANNED UNIT DEVELOPMENT NO. 2013-002](#) - Patrick B. Sherwood and Cheryl A. Sherwood
(Owners/Applicants)
Chrisman Engineering, Inc. (Representative)

Applicant requests a change of zoning for a 38.76± acre parcel from A-1, Agricultural (minimum 35 acre lot area) Zone District to a Planned Unit Development (PUD). The PUD would allow the property to be divided into two lots: 1.56 and 37.20 acres in size. Development Standards are also proposed with the PUD. The property is located at the southwest corner of the intersection of 33rd Lane and South Road.

Sherwood Subdivision Planned Unit Development No. 2013-002 will be heard in conjunction with Sherwood Subdivision Preliminary Plan No. 2013-001.

- e) [SHERWOOD SUBDIVISION PRELIMINARY PLAN NO. 2013-001](#) - Patrick B. Sherwood and Cheryl A. Sherwood
(Owners/Applicants)
Chrisman Engineering, Inc. (Representative)

Applicant requests approval of a preliminary plan for the Sherwood Subdivision to subdivide a 38.76± acre parcel into two lots: 1.56± and 37.20± acres in size. Dedication of right-of-way totaling 1.13 acres is also proposed. The property is currently within an A-1, Agricultural Zone District, and is proposed to be rezoned to a Planned Unit Development. The property is located at the southwest corner of the intersection of 33rd Lane and South Road.

Sherwood Subdivision Preliminary Plan No. 2013-001 will be heard in conjunction with Planned Unit Development No. 2013-002.

7. Presentation by State Land Board.
8. Unfinished Business:
 - Comprehensive Plan Update.
9. New Business.
10. Reports of Committees.
11. Adjournment.