

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

**Pueblo County Commissioners' Chambers**  
**Pueblo County Courthouse**  
**215 West 10<sup>th</sup> Street**

**April 23, 2013**

**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 March 26, 2013 Minutes.
3. Chairperson's Report.
4. Director's Report:
  - (a) Introduction of New Member.
  - (b) Acceptance of Map Amendment:
    - [Map Amendment No. 2013-001](#), Luis R. Venzor Chavarria (Applicant/Owner). The applicant is requesting a map amendment to rezone a 0.60± acre parcel of land from an A-2, Agricultural (minimum 5 acre) Zone District to an A-4, Agricultural (minimum 0.50 acre) Zone District in order to recognize the existing lot dimensions and area. The parcel is located between McCormick Avenue and Langdon Road, east of Neilson Avenue.
  - (c) Correspondence.
  - (d) Continuance:
    - [Special Use Permit No. 2013-006](#), Ken and Cheryl Garcia (Applicants/Owners). Applicants request a special use permit to allow Boat and Recreational Vehicle Storage on two parcels with a total acreage of 8.91 acres in an I-2, Light Industrial Zone District. The parcels are located between northbound Interstate Highway 25 and the Santa Fe Railroad tracks and between Interstate Highway 25 Mile Markers 106 and 107.

The applicants are requesting continuance of the special use permit to the May 28, 2013 Planning Commission meeting.
  - (e) Withdrawals.
  - (f) Board of County Commissioners' Action.

(g) Administrative Reviews:

- [Special Use Permit No. 2001-001](#), LaFarge North America, AC&A U.S. West Region - aka LaFarge West, Inc. (Previous Applicant), c/o Eric Reckentine and Sean Frisch, Land Manager (Representatives), Martin Marietta Materials, c/o Julie Mikulas (Land Manager) (Current Operator), Mineral Reserves, Inc. (Owner). This is an administrative review of a special use permit, which allows a sand and gravel extraction and processing operation on 45.72± acres in an A-1, Agricultural (minimum 35 acre) Zone District. The property is located south of the Bessemer Ditch, approximately 2.0 miles south of State Highway 50 East, and 0.6 mile east of Cortner Road.
- [Special Use Permit No. 2007-003](#), David Valdez, District Manager, Colorado City Metropolitan District (Applicant/Representative), Colorado City Metropolitan District (Owner). This is an administrative review of a special use permit, which established at Greenhorn Meadow Park, a public park, recreational facility, and campground including all structures and facilities necessary and appurtenant to their operation and associated uses directly related to site facilities and activities. Greenhorn Meadow Park contains 84.74± acres in an S-1, Public Use Zone District and is located between Colorado State Highway No. 165 and Cibola Drive in the Colorado City area.
- [Special Use Permit No. 2007-006](#), Stonewall Springs Quarry, LLC (Owner/Applicant), LJ Development, Inc., c/o Joe P. Gagliano (Representative), 42500 East State Highway 96. This is an administrative review of a special use permit, which allows natural deposits extraction and processing, a hot mix asphalt plant, stockpiling, crusher and screening plant, concrete batch plant, scale houses, and an office on a 1,030± acre parcel. The application includes a proposal to reclaim 783± surface acres to water storage reservoirs. The site is within an A-1, Agricultural (minimum 35 acre) Zone District and is east and west of Nyberg Road, south of Highway 96 East at the intersection of Highway 96 East and Nyberg Road. The gravel pit was named Stonewall Springs Quarry Gravel Pit.
- [Special Use Permit No. 2010-003](#), Pueblo Christian Academy (Applicant), Sunset Park Christian Church - dba Wild West Cowboy Church (Owner), Joy Cress (Representative), 1401 South McCulloch Boulevard. This is an administrative review of a special use permit, which allows a private school in an A-2, Agricultural (minimum 5 acre) Zone District. The property for the school contains 6.17 acres, which is a part of Parcel A, Subdivision Variance No. 111. The property is located on the south side of U.S. Highway No. 50 West, on the north side of McCulloch Boulevard, west of South Lone Cowboy Drive in Pueblo West.
- [Special Use Permit No. 2012-005](#), Ellyn Koury, Project Manager, Sangre de Cristo Hospice (Applicant), David Gene and Billie Jean Cortese (Owners), 148 East Assembly Drive. This is an administrative review of a special use permit, which allows the establishment of a flea market in an I-2, Light Industrial Zone District. The property contains 0.83± acre, is located south of East Assembly Drive, west of North Research Drive, north of East Industrial Boulevard, and east of North Aspen Ski Way in the Pueblo West area.
- [Special Use Permit No. 2012-006](#), Atlas Towers USA, LLC (Applicant), c/o Corey Springfield and/or Nathan Foster (Representatives), SSE Enterprises, LLC (Owner), 1051 Aspen Place. This is an administrative review of a special use permit, which allows the establishment of a monopole-type telecommunications tower (with an overall height of 95 feet) and related accessory buildings and support facilities on a 3,600-square foot leased parcel of land in an I-3, Heavy Industrial Zone District. The leased parcel is encompassed within an 11.98± acre parcel of land, which is located on the west side of Aspen Place

(Street) approximately 700 feet north of its intersection with Santa Fe Drive (Highway 50 East) in the Blende area.

- [Special Use Permit No. 2012-007](#), Steven and Theresa Waker (Owners/Applicants), Theresa Waker (Representative), 570 North Abeyta Drive. This is an administrative review of a special use permit, which allows a “Child Care Home (Large)” in an A-3, Agricultural (minimum 1 acre) Zone District. The Large Child Care Home allows the applicant to have a maximum capacity of twelve (12) children at any given time. The property is addressed as 570 North Abeyta Drive, is legally described as Lot 18, Block 19, Tract 236, Pueblo West, and is located between Milt and Matt Drives in Pueblo West.

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. 2004-008](#) - P.J.’s Incorporated (Previous Owner)  
**DECLARATION OF ABANDONMENT** John Musso (Previous Applicant)  
Jose A. Mercado, Armando Mercado, Miguel Mercado (Current Owners/Applicants)  
2641 I-25 North

The Department of Planning and Development requests the Planning Commission issue a Declaration of Abandonment due to the applicant’s failure to continue the approved use, sale of manufactured homes, which had been established but thereafter discontinued for a period of five (5) or more years. This special use permit is intended to allow the use of three (3) acres within a thirty (30) acre parcel for the sales of manufactured homes in an I-2, Light Industrial Zone District. The property is located at 2641 I-25 North, on the west side of I-25 approximately one-quarter of a mile north of the Eden interchange and is legally described as Parcel “B” of Subdivision Variance No. 290.

2. [SPECIAL USE PERMIT NO. 2007-003](#) - Colorado City Metropolitan District (Owner/Applicant)  
**AMENDED** Wachob & Wachob, Inc., c/o Dan Wachob (Representative)  
A portion of Parcel 5, Colorado City (Amended)

Special Use Permit No. 2007-003 was approved on April 24, 2007, to establish at Greenhorn Meadow Park, a public park, recreational facility, and campground including all structures and facilities necessary and appurtenant to their operation and associated uses directly related to site facilities and activities on a parcel containing 84.74± acres (found to contain 84.94± acres based upon a survey of the parcel) in an S-1, Public Use Zone District. On March 13, 2013, Subdivision Exemption No. 2013-001 was approved by the Board of County Commissioners which created Parcel A containing 4.10± acres as a future building site for a public library and Parcel B containing 80.84± acres to encompass Greenhorn Meadow Park. Based upon said approval, the total

acreage of Special Use Permit No. 2007-003 for Greenhorn Meadow Park needs to be amended to remove the 4.10± acres known as Parcel A of Subdivision Exemption No. 2013-001 and to also reflect the current legal description of the park now being Parcel B of Subdivision Exemption No. 2013-001.

3. [SPECIAL USE PERMIT NO. 2010-005](#) - Alta Fuels, LLC (Applicant/Owner)  
[2<sup>nd</sup> AMENDMENT](#) Spencer Hart, Alta Fuels, LLC (Representative)  
1739 East Platteville Boulevard

Applicant requests a 2nd Amendment to Special Use Permit No. 2010-005 that allows “bulk storage of gasoline and diesel” in an I-2, Light Industrial Zone District. The 2<sup>nd</sup> Amendment request is to change the current 55' x 36' containment area to 52' x 52' containment area in order to accommodate 3 additional tanks. Additional tank sizes will be 30,000 gallons each. The property contains 30.27 acres, and is located at the northeast corner of the intersection of Platteville Boulevard and States Avenue in the north part of Pueblo West.

4. [SPECIAL USE PERMIT NO. 2012-007](#) - Steven and Theresa Waker (Owners/Applicants)  
[RESCISSION](#) Theresa Waker (Representative)  
570 North Abeyta Drive

The applicants request **rescission** of a special use permit that was originally approved on April 24, 2012. The special use permit allowed a “*Child Care Home (Large)*” in an A-3, Agricultural (minimum 1 acre) Zone District. The applicants never established the “*Child Care Home (Large)*” and have moved out of the State. The property is addressed as 570 North Abeyta Drive, is legally described as Lot 18, Block 19, Tract 236, Pueblo West, and is located between Milt and Matt Drives in Pueblo West.

5. [MAP AMENDMENT NO. 2013-001](#) - Luis R. Venzor Chavarria (Applicant/Owner)

The applicant is requesting a map amendment to rezone a 0.60± acre parcel of land from an A-2, Agricultural (minimum 5 acre) Zone District to an A-4, Agricultural (minimum 0.50 acre) Zone District in order to recognize the existing lot dimensions and area. The parcel is located between McCormick Avenue and Langdon Road, east of Neilson Avenue.

6. [ALANA SUBDIVISION -](#) St. Charles Mesa Water District (Owner/Applicant)  
[PRELIMINARY PLAN NO. 2013-002](#) c/o David Simpson, Manager  
Cardinal Points Surveying (Representative)  
SE corner of Alana Lane and Preston Road

The owner/applicant is proposing to subdivide 9.1± acres into three (3) lots consisting of 3.0± acres each as well as dedicate a ten (10) foot strip of land along Alana Lane for road right-of-way purposes. The property is currently vacant and is located at the southeast corner of the intersection of Alana Lane and Preston Road (unimproved) in the St. Charles Mesa area.

#### **REGULAR ITEMS:**

- a) [SPECIAL USE PERMIT NO. 2009-007](#) - Pamela J. Houston (Owner/Applicant)  
[SHOW CAUSE HEARING](#) 1446 Martin Lane

This is a Show Cause Hearing initiated by Pueblo County to consider **rescission** of a special use permit that allowed a dog boarding kennel facility on a 2.0± acre parcel in an A-1, Agricultural (minimum 35 acre) Zone District. The applicant requested the special use permit to allow the boarding of a maximum of forty (40) dogs. The applicant will own no more than ten (10) dogs and commercially board no more than thirty (30) dogs. The special use permit was originally approved April 28, 2009 with ten (10) conditions of approval, staff directive, and other requirements. Section 17.140.010, Special Use Permits, Paragraph E of the Pueblo County Code states: *The County*

*Planning Commission is authorized to attach such requirements, conditions, and/or reviews to actions on applications for Special Use Permits presented to it as it, in its discretion, feels necessary to carry out the intent and purpose of this Title.*

Section 17.140.070, Establishment of Special Uses: Administrative Reviews, Paragraph C of the Pueblo County Code states: *A Special Use Permit may, after a public hearing conducted pursuant to notice, be revoked if:*

1. *In the judgment of the Planning Commission the applicant has failed to establish the use or has failed to proceed with due diligence in establishing the use, in accordance with the conditions placed on the approval.*

Special Use Permit No. 2009-007 shall be considered for rescission at the applicant's request. It was continued from the October 23, 2012 Planning Commission meeting.

- b) [SPECIAL USE PERMIT NO. 2013-005](#) - Green Acres Assisted Living, LLC (Owner/Applicant)  
c/o Becky Idler (Representative)  
972 South Purcell Boulevard

The applicant is requesting a special use permit to allow the operation of a *Home, Elderly* for ten (10) clients in an A-3, Agricultural (minimum 1 acre) Zone District. Title 17, LAND USE; Division 1. Zoning; Chapter 17.040.040, *Definitions* of the Pueblo County Code reads as follows:

**"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 property is located on the south side of Purcell Boulevard, southwest of its intersection with South Glenbrook Drive in the Pueblo West area.

7. Unfinished Business.
8. New Business:
  - (A) PCPC Members' Bios.
9. Reports of Committees.
10. Adjournment.