

**2<sup>nd</sup> REVISED AGENDA**  
**PUEBLO COUNTY PLANNING COMMISSION**  
**Commissioners' Chambers, Pueblo County Courthouse**  
**215 West 10<sup>th</sup> Street**  
**January 21, 2015**  
**5:30 P.M.**

*2<sup>nd</sup> Revision: Added the acceptance of Sunstrain, LLC Planned Unit Development No. 2014-010 to Item No. 4(a).*

*Revision: Original Regular Item (a) Special Use Permit No. 2014-011 was moved to Consent Item (3). Original Regular Item (b) Text Amendment No. 2014-003 is now Regular Item (a) and Original Regular Item (c) Sunstrain, LLC Planned Unit Development No. 2014-010 is now Regular Item (b).*

***(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 December 16, 2014 Minutes.
3. Chairperson's Report:
  - (a) Introduction of New Members and/or Reappointed Members
  - (b) A Resolution Designating a Place for the Posting of Notice of Public Meetings in 2015
4. Director's Report:
  - (a) Acceptance of Map Amendments/Planned Unit Developments
    - [Sunstrain, LLC Planned Unit Development No. 2014-010](#), on behalf of William (Billy) Peetz. Applicant requests approval for rezoning 11.02 acres of property being part of the Peetz Ranch from an A-1, Agricultural Zone District, to the Sunstrain, LLC Planned Unit Development. [Regular Agenda Item (b).]
  - (b) Correspondence.
  - (c) Continuances.
  - (d) Withdrawals.
  - (e) Board of County Commissioners' Action.

(f) Administrative Reviews:

- [Special Use Permit No. 1998-028](#), Amended, C&C Disposal (Applicant), Eden Leasing, Inc. (Owner), Gagliano Engineering, Inc. (Representative). This is an administrative review of Special Use Permit No. 1998-028 Amended allowing the approved Solid Waste Transfer station to be open to the general public and as a drop-off location for “single stream” recyclable materials. The purpose of this administrative review is to determine the applicant’s compliance with Condition Nos. 4 and 11, as well as other requirements. The property is within an I-2, Light Industrial Zone District, addressed as 1401 Quartz Road, and located west of the intersection of Quartz Road and the Interstate 25 Frontage Road, north of the City of Pueblo.



- [Special Use Permit No. 2013-018](#), Pastor James W. Naron, River of Life Assembly of God (Applicant/Representative), Rocky Mountain District Council of the Assemblies of God, A Colorado Non-Profit Corporation (Owner), 8186 Highway 165, Rye. This is an administrative review for a special use permit, which allows for two (2) modular buildings to be used as educational facilities for the church in the A-3 Zone District. The property contains 3.17± acres and is developed with an existing church and paved parking.



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. 2014-010](#) - Cameron D. and Julie K. Stevens (Owners)  
Julie K. Stevens (Applicant)  
249 East Falcon 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 an *Experienced Child Care Provider* license as defined and issued through the State of Colorado, Department of Human Services, Division of Child Care. The

change in licensing, if permitted, will allow the applicant to have a maximum capacity of nine (9) children at any given time. The property is located on the north side of East Falcon Drive between South Maher Drive and South Bailey Drive in the Pueblo West area.

2) [SPECIAL USE PERMIT NO. 508 AMENDED - RESCISSION \(REFERENCED AS SPECIAL USE PERMIT NO. 1984-002 AMENDED FOR FILING PURPOSES ONLY\)](#)



Lucy M. Teague Trust (Owner)  
Mike Stetler (Original Applicant)  
Pueblo County Department of Planning and Development (Current Applicant)  
Cardinal Points Surveying, Inc. (Representative)

The Department of Planning and Development is requesting the Pueblo County Planning Commission **RESCIND** Special Use Permit No. 508 Amended (referenced as Special Use Permit No. 1984-002 Amended for filing purposes only) that was originally approved February 28, 1984. The special use permit allowed a mobile home as a second residence on a 0.94<sup>±</sup> acre parcel in an A-4, Agricultural (minimum 1/2 acre) Zone District. Subdivision Exemption No. 2013-006 was approved by the Board of County Commissioners on December 8, 2014, creating two (2) 0.47<sup>±</sup> acre parcels. Upon approval of Subdivision Exemption No. 2013-006, Special Use Permit No. 508 Amended is no longer applicable.

The hearing was continued from the August 27, 2013 hearing to the April 22, 2014 Planning Commission meeting per the applicant's request to allow the owner and applicant to file applications for a Subdivision Exemption and a Zoning Variance.

The hearing for Rescission of Special Use Permit No. 508 Amended has been continued as outlined below to allow the owner to resolve legal issues regarding the property and complete the Subdivision Exemption and Zoning Variance applications and associated documents:

- Heard by the Planning Commission on April 22, 2014 and continued to July 22, 2014;
- Heard by the Planning Commission on July 22, 2014 and continued to September 23, 2014;
- Heard by the Planning Commission on September 23, 2014 and continued to November 18, 2014; and
- Heard by the Planning Commission on November 18, 2014 and continued to January 21, 2015.

3) [SPECIAL USE PERMIT NO. 2014-011](#) -



Colorado Propane Marketing, c/o Steve Merveldt (Applicant)  
Alta Fuels, LLC (Owner)  
Clark Engineering, LLC, c/o Laurie Clark, P.E. (Representative)  
1739 East Platteville Boulevard

Applicant requests a Special Use Permit to allow a Propane Storage and Distribution Depot to be located on a 1.96 acre (Phase I) leased parcel and optional lease of 0.79 acre (Phase II) located within a 30.28 acre parcel in an I-2, Light Industrial Zone District. The property carries a physical address of 1739 East Platteville Boulevard, and is located north of Platteville Boulevard, west of States Avenue, and east of the Burlington/Northern/Santa Fe Railroad right-of-way in the Pueblo West area.

## REGULAR ITEMS:

- a) [TEXT AMENDMENT NO. 2014-003](#) - Pueblo County Department of Planning and Development (Applicant/Representative)



The Pueblo County Department of Planning and Development is proposing a Text Amendment to the Pueblo County Code, Title 17 Land Use, Division I. Zoning to add a chapter containing regulations for Extraction of Mineral and Natural Resources. The Text Amendment would add Chapter 17.105 MINERAL RESOURCE EXTRACTION REGULATIONS to the Pueblo County Code, Title 17 Land Use. This would also include changes, deletions, and additions to the Pueblo County Code, Title 17 Land Use, Chapter 17.04 GENERAL PROVISIONS AND DEFINITIONS, Section 17.04.040, Definitions and uses as listed under Uses by right and/or Uses by review in Chapters 17.12, 17.16, 17.20, 17.24, 17.28, 17.32, 17.36, 17.40, 17.44, 17.68, and 17.72.

*\*\*\*This text amendment previously included a chapter for Oil and Gas Regulations. The Oil and Gas Regulations will be through a new text amendment and will be heard at a later date by the Pueblo County Planning Commission and Board of County Commissioners. This chapter has been separated from the Mineral Resource Extraction Regulations in order to allow staff more time to research and obtain comments from various property owners and agencies.*

This text amendment was continued from the September 23, 2014, and October 28, 2014, Planning Commission meetings.

- b) [SUNSTRAIN, LLC PLANNED UNIT DEVELOPMENT NO. 2014-010](#) - William (Billy) Peetz, Sunstrain, LLC (Applicant) Ranch Land, LLC (Owner) Linden Law Group, c/o Vincent L. Linden III, Esq. (Representative)



Applicant requests approval for rezoning 11.02 acres of property being part of the Peetz Ranch from an A-1, Agricultural Zone District, to the Sunstrain, LLC Planned Unit Development to accommodate retail and medical marijuana cultivation (greenhouse and indoor cultivation), and retail and medical marijuana-infused product manufacturing. Other marijuana uses being requested: medical marijuana storage warehouse and/or vault, medical marijuana testing facility; and retail marijuana storage warehouse and/or vault and retail marijuana testing facility. The A-1 Zone District allows the cultivation but not the marijuana-infused product manufacturing, storage warehouse and/or vault, and testing facility; therefore, the request for the rezoning to the Sunstrain, LLC PUD. No sales of any product will be conducted from the PUD site. The property is located on the north side of West State Highway 96 in the 8000 block address area along West State Highway 96 approximately 5 miles west of the Pueblo County-Custer County line.

7. Unfinished Business.
8. New Business:
  - Election of Officers.
9. Reports of Committees.
10. Adjournment.