

**REVISED AGENDA**  
**PUEBLO COUNTY PLANNING COMMISSION**  
**Commissioners' Chambers, Pueblo County Courthouse**  
**215 West 10<sup>th</sup> Street**  
**February 18, 2015**  
**5:30 P.M.**

*Revision: Original Regular Item (a) Text Amendment No. 2014-003 was moved to Continuance Item (2).*

***(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 21, 2015 Minutes.
3. Chairperson's Report:
  - (a) Introduction of New Members and/or Reappointed Members.
4. Director's Report:
  - (a) Acceptance of Map Amendments/Planned Unit Developments:
    - [Ark River Investors Planned Unit Development No. 2014-009](#), Ark Rivers Investors, LLC, c/o Scott W. Smith, Manager (Owner/Applicant), Three Rivers Development, c/o Scott W. Smith (Representative), 83 North Magneto Drive. Applicant requests approval to rezone a 1.0± acre parcel from an I-2, Light Industrial Zone District to Ark River Investors Planned Unit Development to accommodate: Medical Marijuana Center, Medical Marijuana Contiguous AND Non-Contiguous Optional Premise Cultivation Operation and Medical Marijuana Infused Products Manufacturer-as well as: Retail Marijuana Store, Retail Marijuana Contiguous AND Non-Contiguous Cultivation Facility, Retail Marijuana Infused Products Manufacturer and Retail Marijuana Testing Facility. The planned unit development also proposes to allow for other light industrial type uses. The property is located on the west side of North Magneto Drive between East Industrial Boulevard and East Enterprise Drive in the Pueblo West area.



- [Yeti Farms Planned Unit Development No. 2014-011](#), SPH Investments, LLC, c/o Shawn Honaker, Registered Agent (Owner/Applicant), Gagliano Engineering, Inc., c/o Joseph V. Gagliano, P.E. (Representative), 1650 Siloam Road. Applicant requests approval for rezoning 55± acres from an A-1, Agricultural (minimum 35 acre) Zone District to the Yeti Farms Planned Unit Development to accommodate retail marijuana contiguous cultivation and medical marijuana contiguous optional premises cultivation both being in a building, greenhouse or outside cultivation and retail and medical marijuana infused products manufacturer. The A-1 Zone District allows the cultivation but not the marijuana-infused product manufacturing; therefore, the request for the rezoning to the Yeti Farms Planned Unit Development. No sales of any product will be conducted from the subject site. The planned unit development also allows for other agricultural and residential related uses. The property is located on the south side of Siloam Road, approximately 9,200 feet south of West State Highway 96 and adjacent to Pope Valley Ranch.



(b) Correspondence.

(c) Continuances:

- [Road/Alley Vacation No. 2014-003](#), Big R Properties, LLC (Owner), Corsentino Construction, Inc. (Applicant). Applicant proposes vacating a portion of Reyes Street, an 80-foot right-of-way, located within the Pueblo Memorial Airport Industrial Park. The portion of Reyes Street to be vacated is located between Walt Bassett Avenue and Excellence Avenue.

This road/alley vacation was continued from the September 23, 2014, October 28, 2014, November 18, 2014, and December 16, 2014 Planning Commission meetings. The applicant is requesting continuance to the March 18, 2015 Planning Commission meeting.



- [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 two chapters containing regulations for Extraction of Mineral and Natural Resources. The Text Amendment would add Chapter 17.105 MINERAL EXTRACTION REGULATIONS and Chapter 17.106 OIL AND GAS 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 was continued from the September 23, 2014, October 28, 2014, and January 21, 2015 Planning Commission meetings. The applicant is requesting a continuance to the April 15, 2015 Planning Commission meeting.



(d) Withdrawals.

(e) Board of County Commissioners' Action.

(f) Administrative Reviews:

- [Special Use Permit No. 2012-003](#), Armando Mercado, Jose Mercado, and Miguel Mercado (Owners/Applicants), Scott A. Midgley & Associates, P.C. (Representative), 2641 North Interstate 25. This is an administrative review of a special use permit, which allowed "Motor Vehicle, Retail" use on a property within an I-2, Light Industrial Zone District. The property is 30± acres in size, and is located approximately 0.4 mile north of the intersection of Quartz Road and the Interstate 25 Frontage Road.



- [Special Use Permit No. 2013-015](#), AT&T Mobility (Applicant), c/o John Marriott, Project Manager-Site Acquisition Pyramid Consulting, Contractor to AT&T Mobility C&E (Current Representative), Vertical Real Estate Consulting, Inc., c/o Tim Carr, (Original Representative), Gregory J. and Laurie E. Clark (Owners), Rock Creek Road and State Highway 78 West. This is an administrative review of a special use permit, which allowed the establishment of a 149-foot monopole type telecommunications tower and related accessory buildings and support facilities on a 2,500 square foot leased parcel of land in an A-1, Agricultural (minimum 35 acre) Zone District. The leased parcel is encompassed within the southwest corner of a 155.62± acre parcel of land which is located on the north side of Colorado State Highway 78 West northwest of its intersection with Rock Creek Road.



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. [ARK RIVER INVESTORS PLANNED UNIT DEVELOPMENT NO. 2014-009](#) - Ark Rivers Investors, LLC, c/o Scott W. Smith, Manager (Owner/Applicant)  
Three Rivers Development, c/o Scott W. Smith (Representative)  
83 North Magneto Drive



Applicant requests approval to rezone a 1.0± acre parcel from an I-2, Light Industrial Zone District to Ark River Investors Planned Unit Development to accommodate: Medical Marijuana Center, Medical Marijuana Contiguous AND Non-Contiguous Optional Premise Cultivation Operation and Medical Marijuana Infused Products Manufacturer-as well as: Retail Marijuana Store, Retail Marijuana Contiguous AND Non-Contiguous Cultivation Facility, Retail Marijuana Infused Products Manufacturer and Retail Marijuana Testing Facility. The planned unit development also proposes to allow for other light industrial type uses. The property is located on the west side of North Magneto Drive between East Industrial Boulevard and East Enterprise Drive in the Pueblo West area.

2. [YETI FARMS PLANNED UNIT DEVELOPMENT NO. 2014-011](#) - SPH Investments, LLC, c/o Shawn Honaker, Registered Agent (Owner/Applicant)  
Gagliano Engineering, Inc., c/o Joseph V. Gagliano, P.E. (Representative)  
1650 Siloam Road



Applicant requests approval for rezoning 55± acres from an A-1, Agricultural (minimum 35 acre) Zone District to the Yeti Farms Planned Unit Development to accommodate retail marijuana contiguous cultivation and medical marijuana contiguous optional premises cultivation both being in a building, greenhouse or outside cultivation and retail and medical marijuana infused products manufacturer. The A-1 Zone District allows the cultivation but not the marijuana-infused product manufacturing; therefore, the request for the rezoning to the Yeti Farms Planned Unit Development. No sales of any product will be conducted from the subject site. The planned unit development also allows for other agricultural and residential related uses. The property is located on the south side of Siloam Road, approximately 9,200 feet south of West State Highway 96 and adjacent to Pope Valley Ranch.

## **REGULAR ITEMS:**

- a) [TEXT AMENDMENT NO. 2015-002](#) - Pueblo County Department of Planning & Development (Applicant)



The Pueblo County Department of Planning and Development is proposing a Text Amendment to adopt regulations in the Pueblo County Code, Title 17, Land Use, Division I. Zoning to Chapter 17.04 General Provisions and Definitions to add the definitions pertaining to the cultivation of Hemp, to add Hemp related establishments to Chapter 17.12 Agricultural One (A-1) and Two (A-2) Districts, Chapter 17.68 Special Industrial District (I-1), and Chapter 17.72 Light Industrial District (I-2) regulations, and to add a new Section 17.120.280 for Hemp Regulations to Chapter 17.120 Supplementary Regulations. Also, to amend Section 17.132.030 Zoning, Subdivision, and Other Land Use Development Applications – Fee Schedule to add Zoning Compliance Review Hemp Establishment application fee with a specific amount.

- b) [TEXT AMENDMENT NO. 2015-003](#) - Pueblo County Department of Planning & Development (Applicant)



The Pueblo County Department of Planning and Development is proposing a Text Amendment to amend regulations in the Pueblo County Code, Title 17, Land Use, Division I. Zoning specifically Section 17.04.030 Definitions, Section 17.72.020 Uses-by-Right I-2 Zone District Standards, Sections 17.120.200 through 17.120.230 pertaining to Medical Marijuana Center and Retail Marijuana Store, Medical Marijuana-Infused Products Manufacturer and Retail Marijuana-Infused Products Manufacturer, and Medical Marijuana Optional Premises Cultivation Operation and Retail Marijuana Optional Premises Cultivation Operation (contiguous and non-contiguous), and Section 17.132.030 Zoning, Subdivision, and Other Land Use Development Applications - Fee Schedule to increase the Marijuana Establishment Zoning Compliance Review fee.

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