

AGENDA
PUEBLO COUNTY PLANNING COMMISSION
Commissioners' Chambers, Pueblo County Courthouse
215 West 10th Street
October 21, 2015
5:30 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 September 16, 2015 Minutes.
3. Chairperson's Report:
 - The east door for handicapped accessibility and north door of the Pueblo County Courthouse will be left unlocked/open for Pueblo County Planning Commission meetings.
4. Director's Report:
 - (a) Acceptance of Map Amendments and Planned Unit Developments:
 - [Map Amendment No. 2015-005](#), Wisdom LLLP (Owner), Beulah Fire Protection and Ambulance District (Applicant). The applicant and owner request approval of a map amendment to rezone a 6.2± acre parcel (Proposed Parcel B of Subdivision Exemption No. 2015-004) from an A-3, Agricultural (minimum 1 acre) Zone District to an S-1, Public Use Zone District. The S-1 zoning will provide the appropriate zoning for the applicant's planned fire station on this site in the future. The property is located approximately 600 feet west of the northwest corner of the intersection of Central Avenue (State Highway 78) and North Creek Road in Beulah. The applicant has also requested approval of a waiver of the \$848.00 application fee for the rezoning.



- [Map Amendment No. 2015-006](#), Chemetron Railway Products, Inc., c/o Progress Rail Services Corporation (Owner/Applicant), Baker & Hostetler, LLP, c/o Eben P. Clark (Representative), 2621 Lime Road. The owner/applicant requests a map amendment to rezone two (2) parcels of vacant land being 4.50± acres and 11.02± acres from the A-1, Agricultural (minimum 35 acre) Zone District to the I-3, Heavy Industrial Zone District in order to bring the entire property into one (1) uniform zone district. The two parcels containing a total of 15.52± acres are a part of a larger parcel containing 111.31± acres located within a portion of Sections 29 and 30, Township 21 South, Range 64 West and Section 25, Township 21 South, Range 65 West of the 6th Principal Meridian. The overall parcel is addressed as 2621 Lime Road and located between Interstate 25 and Lime Road, west of Lot 1, Comanche Subdivision 1st Amendment.



(b) Correspondence.

(c) Continuances.

(d) Withdrawals.

(e) Board of County Commissioners' Action.

(f) Administrative Reviews:

- [Special Use Permit No. 591](#) Fourth Amendment (also known as SUP 1986-015 Fourth Amendment for filing purposes only). Pueblo West Sportsman's Association (Applicant/Owner), David Lytle, Esq. (Representative). This is an administrative review for a special use permit, which allows a Sportsman Arena for Gun and Archery Ranges within an A-1, Agricultural (minimum 35 acre) Zone District. The property is located at the northern end of Loma Drive in Pueblo West and contains 160 acres.



This was continued from the September 16, 2015 PCPC hearing.

- [Special Use Permit No. 1999-002](#) Amended, State Land Board and GCC Rio Grande, Inc. (Owners), GCC Rio Grande, Inc. (Operator/Applicant), 3372 Lime Road. This is an administrative review of an amended special use permit, which allows for "natural deposits, extraction, and processing" (mineral extraction and cement manufacturing) in an A-1, Agricultural (minimum 35 acre) Zone District. The property contains 6,000± acres, and is located approximately 8.7± miles south of Pueblo, east of Interstate 25.



- [Special Use Permit No. 2013-012](#), New Farms Agricultural Services (Applicant), Pueblo County School District 70 (Owner), Wayne Snider (Representative). This is an administrative review of a special use permit, which allows two uses in an A-1, Agricultural Zone District. One use is “Farm Products, Processing, Manufacture, Storage and Wholesale”, and the other is “Private School.” The proposal involves establishing a “Food Hub” with a commercial kitchen and cold/frozen storage facility, along with processing, storage, marketing, and distribution of agricultural products. The facility is used for agricultural-related workshops, meetings, and events. The facility is located in the Excelsior Middle School building, located at the southeast corner of the intersection of Highway 50 and Asbury Lane.



5. Statement of Hearing Procedures by Chairperson.
6. Hearing of Cases.

a) **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) [MAP AMENDMENT NO. 2015-005](#) - Wisdom LLLP (Owner)
Beulah Fire Protection and Ambulance District (Applicant)



The applicant and owner request approval of a map amendment to rezone a 6.2± acre parcel (Proposed Parcel B of Subdivision Exemption No. 2015-004) from an A-3, Agricultural (minimum 1 acre) Zone District to an S-1, Public Use Zone District. The S-1 zoning will provide the appropriate zoning for the applicant’s planned fire station on this site in the future. The property is located approximately 600 feet west of the northwest corner of the intersection of Central Avenue (State Highway 78) and North Creek Road in Beulah. The applicant has also requested approval of a waiver of the \$848.00 application fee for the rezoning.

- 2) [MAP AMENDMENT NO. 2015-006](#) - Chemetron Railway Products, Inc., c/o Progress Rail Services Corporation (Owner/Applicant)
Baker & Hostetler, LLP, c/o Eben P. Clark (Representative)
2621 Lime Road



The owner/applicant requests a map amendment to rezone two (2) parcels of vacant land being 4.50± acres and 11.02± acres from the A-1, Agricultural (minimum 35 acre) Zone District to the I-3, Heavy Industrial Zone District in order to bring the entire property into one (1) uniform zone district. The two parcels containing a total of 15.52± acres are a part of a larger parcel containing 111.31± acres located within a portion of Sections 29 and 30, Township 21 South, Range 64 West and Section 25, Township 21 South, Range 65 West of the 6th Principal Meridian. The overall parcel is addressed as 2621 Lime Road and located between Interstate 25 and Lime Road, west of Lot 1, Comanche Subdivision 1st Amendment.

- 3) [SPECIAL USE PERMIT NO. 2015-009](#) - Best Buy Tires & Wheels (Applicant)
Jose Carmen Espana and Gloria R. Perez (Owners)
2103 Santa Fe Drive



Applicant requests a special use permit to allow repair and maintenance of merchandise, specifically tire repair and maintenance, in an existing building in a B-4, Community Business Zone District. The property contains 0.73± acre and is located north of Santa Fe Drive, east of Frontier Street, and west of Gunnison Street, and carries a physical address of 2103 Santa Fe Drive, Pueblo, Colorado.

b) REGULAR ITEMS:

- a) [SPECIAL USE PERMIT NO. 2015-010](#) - Matt Bernal, HBGS Creations, LLC (Applicant)
Edmund Borunda (Owner)
HBGS Creations, LLC, c/o Matt Bernal
(Representative)



Applicant requests a special use permit to allow a Private Social Club, Marijuana Permitted to include retail sales of marijuana accessories (no marijuana products), and a museum (The Canna Museum) in an existing building in a B-4, Community Business Zone District. The property contains 4.457 acres and is located on the west side of I-25 South at the Stem Beach exit. The property has an address of 1331 I-25 South.

b) [SPECIAL USE PERMIT NO. 2015-003](#) -
RESCISSION



Denver Dachshunds Rescue & Transport
(Current Owner)
Jane Haggard (Previous Owner)
Jamie Roberson, Executive Director (Applicant)
52711 East U.S. Highway 50

The Department of Planning and Development requests **rescission** of a special use permit that was originally approved June 17, 2015. The special use permit allowed a dog kennel facility on a 5.00 acre parcel in an A-2, Agricultural (minimum 5 acre) Zone District. The kennel facility was found to be operating in violation of the conditions of approval of Special Use Permit No. 2015-003 and was also being operated in violation of the Pet Animal Care Facilities Act, Section 35-80-101 through 35-80-117 of the Colorado Revised Statutes by performing the acts of a pet animal facility without a valid license to do so. The Commissioner of Agriculture, State of Colorado, issued a Cease and Desist Order for operating the pet animal facility for which licensure is required without possessing a valid license to do so. The Cease and Desist Order was issued September 3, 2015. Title 17, Chapter 17.136 Administration and Enforcement, Section 17.136.040 Stop Orders of the Pueblo County Code states: *“Whenever any building work is being done contrary to the provisions of this Title, or land or structures are being used contrary to this resolution, the County Zoning Administrator shall order the work or use stopped by notice in writing served on any person engaged in doing or causing such work to be done or such use to be continued, and any such person and all others engaged in doing or causing such work to be done or such use to be continued shall forthwith stop such work or use until authorized by the County Zoning Administrator to proceed with the work or continue the use.”* The Department of Planning and Development issued a Stop Order on September 1, 2015.

The property carries a physical address of 52711 East U.S. Highway 50, Boone, Colorado, and is located west of Basgal Road, north of U.S. Highway 50, and east of 52nd Lane.

7. Unfinished Business.
8. New Business.
9. Reports of Committees.
10. Adjournment.

SMS