

AGENDA
PUEBLO COUNTY PLANNING COMMISSION
Commissioners' Chambers, Pueblo County Courthouse
215 West 10th Street
January 20, 2016
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 December 16, 2015 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 2016
4. Director's Report:
 - (a) Acceptance of Map Amendments and/or Planned Unit Developments:
 - [Wildhorse Storage Planned Unit Development No. 2015-004](#), Wildhorse Properties, LLC, c/o Kym Smith, Manager (Owner/Applicant), Gagliano Engineering, Inc. c/o Joseph V. Gagliano, P.E. (Representative), 1720 Wildhorse Road. Applicant requests approval for rezoning 8.34± acres from an A-2, Agricultural (minimum 5 acre) Zone District to the Wildhorse Storage Planned Unit Development to accommodate mini-warehouses. The A-2 Zone District does not allow for mini-warehouses; therefore, the request for the rezoning to the Wildhorse Storage Planned Unit Development. The planned unit development also allows for other uses. The property is located 700± feet south of Fourth Road between Wildhorse Road and Dunn Avenue.
 - [P.F.J. LLC Planned Unit Development No. 2015-007](#), P.F.J. LLC, c/o Fred Pisciotta (Applicant/Owner), Cardinal Point Surveying, Inc. (Representative), 37190 Daniel Road. Applicant requests approval to rezone a 41.47± acre parcel from an A-1, Agricultural (minimum 35 acre) Zone District to P.F.J. LLC Planned Unit Development to accommodate: Agricultural, Ranching and Residential Uses, noting proposed Lot 1 is the only parcel that will accommodate residential development.

The property is located on the south side of Daniel Road, approximately 1,340 feet west of its intersection with Lane 38 in the Vineland. The PUD is being heard in conjunction with Subdivision Exemption No. 2015-00, which proposes the creation of three (3) sites and is scheduled before the Board of County Commissioners on February 10, 2016.

- [Welborn Planned Unit Development No. 2015-008](#), Sherman and Shirley Welborn (Applicants/Owners), Cardinal Points Surveying, Inc, (Representative), 1560 33rd Lane. Applicants request approval to rezone a 36.50± acre parcel from an A-1, Agricultural (minimum 35 acre lot area) Zone District to the Welborn PUD. Uses on the two proposed properties (Lot 1 and Parcel “A”) include Agricultural and Ranching type uses, with proposed Lot 1 also allowing Residential uses. The property is located at the northeast corner of the intersection of 33rd Lane and South Road in the St. Charles Mesa area.

The PUD is being heard in conjunction with Subdivision Exemption No. 2015-007 (which is being heard by the Board of County Commissioners), which proposes the creation of Lot 1 (2.52 acres in size) and Parcel “A” (33.98 acres in size).

(b) Correspondence.

(c) Continuances.

(d) Withdrawals.

(e) Board of County Commissioners’ Action.

(f) Administrative Reviews:

- [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.



- [Special Use Permit No. 2014-010](#), Cameron D. and Julie K. Stevens (Owners), Julie K. Stevens (Applicant), 249 East Falcon Drive. This is an administrative review for a special use permit, which allows a “Child Care Home (Large)” in an R-1, Single-Family Residential Zone District. The applicant changed 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, which permits 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.



- [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. This is an administrative review of a Special Use Permit, which allows 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.

The applicant will not be constructing the propane plant and will be requesting a rescission of Special Use Permit No. 2014-011, which is scheduled to be heard by the Planning Commission at its February 17, 2016 hearing.



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) [EASEMENT VACATION NO. 2015-003](#) - Larry and Phylis Fogle (Owners/Applicants)
Wachob and Wachob, Inc. (Representative)



The applicants are requesting to vacate a variable width public utility and drainage easement that is platted on Lot 13, Block 4, Hollydot Park Re-Subdivision, and to then dedicate a new, 10-foot public utility and drainage easement along the south and east side of the lot. This is to configure the easement to better facilitate residential development of the lot. The lot is within an A-4, Agricultural Zone District, and is located approximately 1,000 feet east of the intersection of South Parkway and Gulfstream Drive in the Colorado City area.

- 2) [WELBORN PLANNED UNIT DEVELOPMENT NO. 2015-008](#) - Sherman and Shirley Welborn (Applicants/Owners)
Cardinal Points Surveying, Inc. (Representative)
1560 33rd Lane



Applicants request approval to rezone a 36.50± acre parcel from an A-1, Agricultural (minimum 35 acre lot area) Zone District to the Welborn PUD. Uses on the two proposed properties (Lot 1 and Parcel “A”) include Agricultural and Ranching type uses, with proposed Lot 1 also allowing Residential uses. The property is located at the northeast corner of the intersection of 33rd Lane and South Road in the St. Charles Mesa area.

The PUD is being heard in conjunction with Subdivision Exemption No. 2015-007 (which is being heard by the Board of County Commissioners), which proposes the creation of Lot 1 (2.52 acres in size) and Parcel “A” (33.98 acres in size).

- 3) [P.F.J. LLC PLANNED UNIT DEVELOPMENT NO. 2015-007](#) - P.F.J. LLC, c/o Fred Pisciotta (Applicant/Owner)
Cardinal Points Surveying, Inc. (Representative)
37190 Daniel Road



Applicant requests approval to rezone a 41.47± acre parcel from an A-1, Agricultural (minimum 35 acre) Zone District to P.F.J. LLC Planned Unit Development to accommodate: Agricultural, Ranching and Residential Uses, noting proposed Lot 1 is the only parcel that will accommodate residential development.

The property is located on the south side of Daniel Road, approximately 1,340 feet west of its intersection with Lane 38 in the Vineland. The PUD is being heard in conjunction with Subdivision Exemption No. 2015-006 which proposes the creation of three (3) sites and is scheduled before the Board of County Commissioners on February 10, 2016.

- 4) [WILDHORSE STORAGE PLANNED UNIT DEVELOPMENT NO. 2015-004](#) - Wildhorse Properties, LLC,
c/o Kym Smith, Manager (Owner/Applicant)
Gagliano Engineering, Inc.,
c/o Joseph V. Gagliano, P.E. (Representative)
1720 Wildhorse Road



Applicant requests approval for rezoning 8.34± acres from an A-2, Agricultural (minimum 5 acre) Zone District to the Wildhorse Storage Planned Unit Development to accommodate mini-warehouses. The A-2 Zone District does not allow for mini-warehouses; therefore, the request for the rezoning to the Wildhorse Storage Planned Unit Development. The planned unit development also allows for other uses. The property is located 700± feet south of Fourth Road between Wildhorse Road and Dunn Avenue.

b) **REGULAR ITEMS:**

- 1) [SIMILAR USE DETERMINATION - Bruce and Janice Barbour \(Applicants\)](#)
[NO. 2015-002](#)



The applicants are requesting approval of a Similar Use Determination, where the Planning Commission will determine whether Aquaponics, a system that combines hydroponics (cultivating plants in water) with aquaculture (the raising of fish and other aquatic animals) in a symbiotic relationship, is similar to uses allowed in the Agricultural One (A-1) and Two (A-2) Districts. Aquaponics may be determined to be similar to “Farming or Ranching”, “Fruit and Vegetable Processing, Wholesale and Retail”, “Greenhouse and Nursery”, etc. This determination would apply to any property located within an A-1 or A-2 Zone District.

Similar Use Determination No. 2015-002 will be heard by the Planning Commission in conjunction with Special Use Permit No. 2015-014 for the specific site of the proposed use.

- 2) [SPECIAL USE PERMIT NO. 2015-014 - Bruce and Janice Barbour \(Applicants/Owners\)](#)
7036 Wildflower Road



Applicants request a special use permit to allow an aquaponics facility/operation in an A-1, Agricultural (minimum 35 acre) Zone District. Aquaponics is a system that combines hydroponics (cultivating plants in water) with aquaculture (the raising of fish and other aquatic animals) in a symbiotic relationship. The property contains 134.5 acres, is located north of Wildflower Road, east of Mesa View Road, and west of the Denver and Rio Grande Railroad, and carries a physical address of 7036 Wildflower Road, Pueblo, Colorado.

Special Use Permit No. 2015-014 will be heard by the Planning Commission in conjunction with Similar Use Determination No. 2015-002 for the use of the Aquaponics facility/operation.

- 3) [TEXT AMENDMENT NO. 2015-005 - Pueblo County Department of Planning and 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 as follows:

- 1) amend Chapter 17.76 Heavy Industrial District (I-3), Section 17.76.020 Uses-by-Right to add Hemp Establishment as defined in Section 17.04.040, Definitions and subject to Section 17.120.280, Hemp Establishment in this Title;

- 2) amend Chapter 17.120 Supplementary Regulations, Section 17.120.280 Hemp Regulations, J. Permitted Zone District to add Hemp Establishment permitted in the I-3, Heavy Industrial Zone District in a greenhouse or building as a use-by-right; and
- 3) amend Chapter 17.132, Pueblo County Code, Fee Schedule, Section 17.132.030 Zoning, Subdivision, and Other Land Use Development Applications - Fee Schedule, Zoning Compliance Review Hemp Establishment Fee to change fee from \$350 to \$100.

7. Unfinished Business.

8. New Business:

- Election of Officers.

9. Reports of Committees.

10. Adjournment.