

**AGENDA**  
**PUEBLO COUNTY PLANNING COMMISSION**  
**Commissioners' Chambers, Pueblo County Courthouse**  
**215 West 10<sup>th</sup> Street**  
**June 15, 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 May 18, 2016 Minutes.
3. Chairperson's Report.
4. Director's Report:
  - (a) Acceptance of Map Amendments and/or Planned Unit Developments:
    - [Map Amendment No. 2016-004](#), Chun Cha Teegardin (Owner/Applicant), Stephen M. Teegardin (Representative), south side of State Highway 96, 2 miles west of Red Creek Springs Road West. Applicant requests a map amendment to rezone a 4.32± acre parcel from the A-1, Agricultural (minimum 35 acre) Zone District to the A-2, Agricultural (minimum 5 acre) Zone District. The owner/applicant requests the map amendment to rezone the property, "...to the more appropriate and conforming A-2 zoning and property use regulations of Pueblo County." The vacant parcel of land is located on the south side of State Highway 96, approximately 2 miles west of Red Creek Springs Road West. The owner/applicant has also submitted Zoning Variance No. 2016-005 for lot area and lot depth in conjunction with Map Amendment No. 2016-004.
    - [First Hand Planned Unit Development No. 2016-005](#), First Hand LLC (Owner/Applicant), 2310 Pope Valley Ranch Road, Unit A. Applicant requests a change in zoning for a 35.1± acre parcel of land from A-1, Agricultural to a Planned Unit Development (PUD). The "First Hand Planned Unit Development" would allow the following uses:

Medical Marijuana Uses: Medical Marijuana Contiguous Optional Premises Cultivation Operation in a Building, Greenhouse, or Outside Cultivation and Medical Marijuana Infused Products Manufacturer, all as defined in Section 17.04.040, Definitions and subject to Chapter 17.120 Supplementary Regulations in the Pueblo County Code.

Retail Marijuana Uses: Retail Marijuana Contiguous Cultivation Facility in a Building, Greenhouse, or Outside Cultivation and Retail Marijuana Infused Products Manufacturer, all as defined in Section 17.04.040, Definitions and subject to Chapter 17.120 Supplementary Regulations in the Pueblo County Code.

Greenhouse and Nursery, Wholesale (Non-Marijuana). Office for On-Site Listed Uses. Equestrian Arena, Personal. Farming or Ranching. Fruit and Vegetable Processing, Wholesale. Guest House. Hay, Grain, Feed, Seed, and Fertilizer-Storage and/or Wholesale. Housing, Tenant. Accessory Structures. Mobile Home. Residence, 1-Family. Residence, 2-Family. (Only One Mobile Home or One Residence, 1-Family, or One Residence, 2-Family Allowed on the Property.)

(b) Correspondence.

(c) Continuances.

(d) Withdrawals.

(e) Board of County Commissioners' Action.

(f) Administrative Reviews:

- [Special Use Permit No. 2014-004](#), High Country Fence, LLC (Applicant), c/o Jarrod Power, PowerCo, LLC (Owner), 6840 Colorado State Highway No. 165 West. This is an administrative review for a special use permit, which allows “bulk storage, selling, and fabricating of fencing materials” in the B-4, Community Business Zone District on Lot 2, MWP Mansfield Plaza Subdivision. The property is located on the south side of State Highway 165, east of Colorado Boulevard in the Colorado City area.



- [Special Use Permit No. 2014-006](#), Bridger Wireless, c/o Julie Nelson/Steven A. Portney, Esq. (Applicant), Centerline Solutions, LLC, c/o Darren Hunter (Representative), Robert M. and Gina M. Johnson (Owners), 61905 Huckleberry Road. This is an administrative review for a special use permit, which allows the establishment of a 195-foot lattice type guyed telecommunications tower and related accessory buildings and support facilities on a 6,400 square foot leased parcel of land in an A-1, Agricultural (minimum 35 acre) Zone District. The leased parcel is encompassed within a 40± acre parcel of land which is located at the northwest corner of the intersection of Lane 62 and Huckleberry Road in Eastern Pueblo County.



- [Special Use Permit No. 2015-002](#), Flat Rock Alliance, LLC, (Owner/Applicant), c/o Robert Craig Hunter, Gagliano Engineering, Inc., c/o Joseph V. Gagliano, P.E. (Representative), 561 East Spaulding Avenue. This is an administrative review for a special use permit, which allows the establishment of a mini-warehouse facility in a B-4, Community Business Zone District. The property is located on the north side of East Spaulding Avenue between South Shooting Star Drive and South Bayfield Avenue (if extended northerly).



- [Special Use Permit No. 2015-004](#), Armor Storage, LLC, c/o Pamela Snow (Owner/Applicant), MJC Consulting, LLC, c/o Maurita J. Casper (Representative), 517 East Industrial Boulevard, Pueblo West. This is an administrative review for a special use permit, which allows an “Office, as principal use” in the I-2, Light Industrial Zone District for Suites A-F in the building proposed at the southwest corner of the property at 517 East Industrial Boulevard. The uses-by-right in the I-2 Zone District would still be allowed. The property is located on the north side of Industrial Boulevard between Magneto Drive and Dynamics Drive in Pueblo West.



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. [SCHOOL SITE REVIEW NO. 2016-001](#) - Swallows Charter Academy (Applicant/Owner)  
Clark Engineering, LLC, Laurie Clark, P.E.  
(Representative)  
278 South McCulloch Boulevard, Pueblo West



The applicant/owner, Swallows Charter Academy, has submitted a “site development plan” for review and comment by the Planning Commission pursuant to the provisions of 22-32-124, Colorado Revised Statutes. The applicant anticipates locating one (1) modular unit on the site to provide two (2) additional classrooms for two (2) sixth grade classes. The statute sets forth the Planning Commission’s role in the review of school sites as follows:

*“22-32-124. Building codes-zoning-planning. (1) Prior to the acquisition of land or any contracting for the purchase thereof, the board of education shall consult with and advise in writing the planning commission, or governing body if no planning commission exists, which has jurisdiction over the territory in which the site is proposed to be located in order that the proposed site shall conform to the adopted plan of the community insofar as feasible. In addition, the board of education shall submit a site development plan for review and comment thereon to such planning commission or governing body prior to construction of any structure or building. The planning commission or governing body may request a public hearing before the board of education relating to the proposed site location or site development plan. The board of education shall thereafter promptly schedule the hearing, publish at least one notice in advance of the hearing, and provide written notice of such hearing to the requested planning commission or governing body. Prior to the acquisition of land for school building sites or construction of any buildings thereon, the board of education also shall consult with the Colorado geological survey regarding potential swelling soil, mine subsidence, and other geologic hazards and to determine the geologic suitability of the site for its proposed use. All buildings and structures shall be erected in conformity with the standards of the division of labor. Nothing in this subsection (1) shall be construed to limit the authority of a board of education to finally determine the location of public schools within the district and erect necessary buildings and structures.”*

The property is located at the northeast corner of McCulloch Boulevard and Civic Center Drive in Pueblo West, contains 5.00 acres, and carries a physical address of 278 South McCulloch Boulevard, Pueblo West.

2. [MAP AMENDMENT NO. 2016-004](#) - Chun Cha Teegardin (Owner/Applicant)  
Stephen M. Teegardin (Representative)  
South side of State Highway 96, 2 miles west of Red  
Creek Springs Road West



Applicant requests a map amendment to rezone a 4.32± acre parcel from the A-1, Agricultural (minimum 35 acre) Zone District to the A-2, Agricultural (minimum 5 acre) Zone District. The owner/applicant requests the map amendment to rezone the property, “...to the more appropriate and conforming A-2 zoning and property use regulations of Pueblo County.” The vacant parcel of land is located on the south side of State Highway 96, approximately 2 miles west of Red Creek Springs Road West. The owner/applicant has also submitted Zoning Variance No. 2016-005 for lot area and lot depth in conjunction with Map Amendment No. 2016-004.

3. [C AND N SUBDIVISION - PRELIMINARY PLAN NO. 2016-002](#)

Charles Clementi (Owner/Applicant)  
Anthony and Mary Clara Nunez (Owners/Applicants)  
c/o Edward-James Surveying, Inc. (Representative)  
West side of Lane 27 between Gale Road and Everett Road



The owners/applicants are proposing to subdivide 2.9± acres into two (2) non-contiguous parcels as follows: Lot 1 is proposed to contain 1.68± acres and Lot 2 will contain 0.86± acre. A twenty (20) foot road right-of-way dedication and ten (10) foot roadway, drainage and public utility easement are proposed along the easterly side of each parcel adjacent to Lane 27. The properties are within an A-4, Agricultural (minimum ½ acre) Zone District and are located on the west side of Lane 27 between Gale Road and Everett Road.

C and N Subdivision Preliminary Plan No. 2016-002 will be heard concurrently with C and N Subdivision Final Plat No. 2016-002.

4. [C AND N SUBDIVISION - FINAL PLAT NO. 2016-002](#)

Charles Clementi (Owner/Applicant)  
Anthony and Mary Clara Nunez (Owners/Applicants)  
c/o Edward-James Surveying, Inc. (Representative)  
West side of Lane 27 between Gale Road and Everett Road



The owners/applicants are proposing to subdivide 2.9± acres into two (2) non-contiguous parcels as follows: Lot 1 is proposed to contain 1.68± acres and Lot 2 will contain 0.86± acre. A twenty (20) foot road right-of-way dedication and ten (10) foot roadway, drainage and public utility easement are proposed along the easterly side of each parcel adjacent to Lane 27. The properties are within an A-4, Agricultural (minimum ½ acre) Zone District and are located on the west side of Lane 27 between Gale Road and Everett Road.

C and N Subdivision Final Plat No. 2016-002 will be heard concurrently with C and N Subdivision Preliminary Plan No. 2016-002.

5. [FIRST HAND PLANNED UNIT - DEVELOPMENT NO. 2016-005](#)

First Hand LLC (Owner/Applicant)  
2310 Pope Valley Ranch Road, Unit A



Applicant requests a change in zoning for a 35.1± acre parcel of land from A-1, Agricultural to a Planned Unit Development (PUD). The “First Hand Planned Unit Development” would allow the following uses:

Medical Marijuana Uses: Medical Marijuana Contiguous Optional Premises Cultivation Operation in a Building, Greenhouse, or Outside Cultivation and Medical Marijuana Infused Products Manufacturer, all as defined in Section 17.04.040, Definitions and subject to Chapter 17.120 Supplementary Regulations in the Pueblo County Code.

Retail Marijuana Uses: Retail Marijuana Contiguous Cultivation Facility in a Building, Greenhouse, or Outside Cultivation and Retail Marijuana Infused Products Manufacturer, all as defined in Section 17.04.040, Definitions and subject to Chapter 17.120 Supplementary Regulations in the Pueblo County Code.

Greenhouse and Nursery, Wholesale (Non-Marijuana). Office for On-Site Listed Uses. Equestrian Arena, Personal. Farming or Ranching. Fruit and Vegetable Processing, Wholesale. Guest House. Hay, Grain, Feed, Seed, and Fertilizer-Storage and/or Wholesale. Housing, Tenant. Accessory Structures. Mobile Home. Residence, 1-Family. Residence, 2-Family. (Only One Mobile Home or One Residence, 1-Family, or One Residence, 2-Family Allowed on the Property.)

b) **REGULAR ITEMS:**

1. [SPECIAL USE PERMIT NO. 797](#) - Kenneth W. Johnson (Owner/Applicant)  
[AKA SPECIAL USE PERMIT NO. 1993-024](#) Pueblo County Department of Planning and  
[DECLARATION OF ABANDONMENT](#) Development (Representative)



Pursuant to the *Pueblo County Code*, Title 17, Land Use, Division I. Zoning, Chapter 17.140, Appeals, Article 1., Pueblo County Planning Commission, Section 17.140.070, Establishment of Special Uses: Administrative Reviews, D., the Pueblo County Department of Planning and Development is requesting the Pueblo County Planning Commission issue a Declaration of Abandonment of Special Use Permit No. 797, due to the approved use appearing to have been discontinued for at least five years. The Permit was approved by the Planning Commission on December 28, 1993 for a "Private Airstrip" in an A-1, Agricultural Zone District, on an 80± acre property. The property is located approximately two miles to the north of the intersection of Highway 50 and McCulloch Boulevard. The parcel borders, but is not within the Pueblo West Metropolitan District.

2. [SPECIAL USE PERMIT NO. 2016-005](#) - Nancy Manquero Baca (Applicant/Owner)  
1702 East Beech Street



Applicant requests a special use permit to allow "*Farming or Ranching*", more specifically to allow the keeping of horses on property located in an R-2, Single-Family Residential Zone District. The property contains 0.22± acre and is located east of South Portland Avenue, south of East Beech Street, north of the Burlington Northern Santa Fe Railroad, adjacent to the City limit line for the City of Pueblo, and carries a physical address of 1702 East Beech Street.

3. [TEXT AMENDMENT NO. 2015-001](#) - Pueblo County Department of Planning and Development (Applicant/Representative)  
Oil and Gas Regulations



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 Oil and Gas. The Text Amendment would add Chapter 17.106 OIL AND GAS REGULATIONS to the Pueblo County Code, Title 17, LAND USE. This would also include 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, 17.72, 17.76, and 17.92.

This text amendment was continued from the November 18, 2015 Planning Commission meeting.

7. Unfinished Business.

8. New Business:

Brian Potts, AICP Planner II, Joint Land Use Study Program, Pikes Peak Area Council of Governments – JLUS Project and Status Update

9. Reports of Committees.

10. Adjournment.

SJB