

AGENDA
PUEBLO COUNTY PLANNING COMMISSION
Commissioners' Chambers, Pueblo County Courthouse
215 West 10th Street
October 19, 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 September 21, 2016 Minutes.
3. Chairperson's Report.
4. Director's Report:
 - (a) Acceptance of Map Amendments and/or Planned Unit Developments.
 - (b) Correspondence.
 - (c) Continuances.
 - (d) Withdrawal:
 - [Special Use Permit No. 2016-008](#), Powder River Development Services, LLC (Applicant), c/o Brandon St. Michael, Agent (Representative), Eco-Site, Inc. (Tower Owner), Alton J. "Dutch" Myers (Land Owner), 801 Lane 28½. The applicant is requesting a special use permit to allow the establishment of a windmill stealth type lattice telecommunications tower (with an overall height of 100 feet) and related accessory buildings and support facilities on a 2,500 square foot leased parcel of land in an A-2, Agricultural (minimum 5 acre) Zone District. The leased parcel is encompassed within a 2.79± acre parcel of land, which is located on the west side of Lane 28½, approximately 1,100 feet north of its intersection with Everett Road in the St. Charles Mesa area.
- (e) Board of County Commissioners' Action.



(f) Administrative Reviews:

- [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.



- [Special Use Permit No. 2015-009](#), Best Buy Tires & Wheels (Applicant), Jose Carmen España and Gloria R. Perez (Owners), 2103 Santa Fe Drive. This is an administrative review of a special use permit, which allows 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.



- [Special Use Permit No. 2015-010](#), Matt Bernal, HBGS Creations, LLC (Applicant), Edmund Borunda (Owner), HBGS Creations, LLC, c/o Matt Bernal (Representative). This is an administrative review of a special use permit, which allows 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.



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. [RESCISSION OF SPECIAL USE PERMIT NO. 647 \(AKA SPECIAL USE PERMIT NO. 1987 034 FOR FILING PURPOSES ONLY\)](#) - Mary Lou Urenda (Previous Owner)
Pete Urenda (Current Owner/Applicant)
Portion of Section 1, Township 19 South,
Range 65 West of the 6th P.M.



The current owner/applicant requests rescission of Special Use Permit No. 647 (also known as Special Use Permit No. 1987-034 for filing purposes only) that was originally approved on October 30, 1987. The permit allows extraction and processing of natural deposits (sand and gravel) in the A-1, Agricultural (minimum 40 acres at the time) Zone District. The special use permit is no longer required because the Reclamation Permit (M-1988-008 Pinon Sand and Gravel) from the State for mining was revoked on April 22, 1996. The special use permit boundary is located west of North I-25 and 1.5± miles north of East Purcell Boulevard.

2. [RESCISSION OF SPECIAL USE - PERMIT NO. 96-39 \(AKA SPECIAL USE PERMIT NO. 1996-039 FOR FILING PURPOSES ONLY\)](#) - CF&I Steel, L.P. dba EVRAZ Rocky Mountain Steel
(Original and Current Owner/Applicant)
Portion of the NW¹/₄ and N¹/₂ of the NE¹/₄ of Section 17,
Township 21 South, Range 64 West of the 6th P.M.



The current owner/applicant requests rescission of Special Use Permit No. 96-39 (also known as Special Use Permit No. 1996-039 for filing purposes only) that was originally approved on November 26, 1996. The permit allows extraction and processing of natural deposits in an A-1, Agricultural (minimum 40 acres at the time) Zone District. The special use permit is no longer required because Reclamation Permit (M-1996-088 Vista Mine) from the State for mining was released on August 27, 2009. The special use permit boundary is located south of La Salle Road and west of Lime Road.

3. [RESCISSION OF SPECIAL USE PERMIT NO. 1999-022](#) - Stealey and Associates, Inc. (Original Owner)
Stealey's Wild Rose Ranch, Inc.
(Current Owner/Applicant)
1250, 1334, and 1190 43rd Lane



The current owner/applicant requests rescission of Special Use Permit No. 1999-022 that was originally approved on September 28, 1999. The permit allows natural deposits, extraction, and processing of sand and gravel, crushing, screening, washing, stockpiling, and sales of the finished product on 70.34± acres in the A-1, Agricultural (minimum 40 acres at the time) Zone District. The special use permit is no longer required because Reclamation Permit No. M-1999-100 (Stealey Mine #1) and Permit No. M-2000-070 (Stealey Mine #2) from the State for mining were both released on August 27, 2009. The special use permit boundary is located between 43rd Lane and East U.S. Highway 50 being within those properties physically addressed as 1250, 1334, and 1190 43rd Lane.

4. [SPECIAL USE PERMIT NO. 2016-009](#) - Marc S. Lusardi (Applicant)
Stuart Brandon Trust (Owner)
750 East Rugby Drive (Location)



The applicant is requesting approval of a special use permit to allow establishment and operation of a "Home, Elderly" in an A-3, Agricultural Zone District. The "Home, Elderly" use-by-review is defined below in Title 17 LAND USE; Division I. Zoning; Chapter 17.040.040, Definitions of the Pueblo County Code:

"Home, Elderly" means a place of residence which provides lodging, board and personal services other than medical or nursing care, for the health, safety and comfort of more than four (4) persons being either fifty-five (55) years of age or older or the cohabitation spouses of persons fifty-five (55) or older, and only such other persons who are employed in an official capacity for the operation and maintenance of the home. The term "personal services" for purposes of this definition means those services provided for each resident, including: housekeeping and laundry services; services to maintain an environment which is sanitary and safe from physical harm; individualized social supervision; assistance with transportation; and assistance with activities of daily living, including but not limited to bathing, dressing and eating. (See "Home, Elderly Foster" for one to four elderly.) This definition does not apply to members (related by blood, marriage or adoption) of the owner-occupant's or lessee-occupant's family.

The proposal is to allow a "Home, Elderly" with up to 25 residents. The property location is approximately 300 feet east of the intersection of Purcell Boulevard and Rugby Drive in Pueblo West.

b) **REGULAR ITEMS:**

1. [DECLARATION OF ABANDONMENT OF SPECIAL USE PERMIT NO. 869 \(AKA SPECIAL USE PERMIT NO. 1995-021 FOR FILING PURPOSES ONLY\)](#) - HMCD Investments, LLC
c/o Pueblo County Department of
Planning and Development
Intersection of West 11th Street and
State Highway 45



The Department of Planning and Development is requesting the Pueblo County Planning Commission, pursuant to Title 17, LAND USE, Division I. Zoning, Chapter 17.140.070 D. of the Pueblo County Code, issue a Declaration of Abandonment of Special Use Permit No. 869 (aka Special Use Permit No. 1995-021) due to the extraction of minerals on a 4.0± acre parcel in an R-6, Multiple-Residential and Commercial Zone District being established but thereafter discontinued for a period of five (5) years or more. The gravel pit was known as McDowell Borrow (M-1995-067).

2. [TEXT AMENDMENT NO. 2016-002](#) - Pueblo County Department of Planning and Development (Applicant)



Amend the Pueblo County Code in Title 17 Land Use, Division I. Zoning, Chapter 17.04 General Provisions and Definitions, Chapter 17.68 Special Industrial District (I-1), Chapter 17.72 Light Industrial District (I-2), Chapter 17.76 Heavy Industrial District (I-3), Section 17.120.190 Marijuana Establishments, and Section 17.120.200 Medical Marijuana Center and Retail Marijuana Store

The Department of Planning and Development is proposing to amend the Pueblo County Code in Title 17 Land Use, Division I. Zoning as follows:
Chapter 17.04 General Provisions and Definitions, Section 17.04.040 Definitions - add the definitions of Medical Marijuana Storage Warehouse (Off-Premise) and Retail Marijuana Storage Warehouse (Off-Premise);
Chapter 17.68 Special Industrial District (I-1), Section 17.68.020 Uses by Right - add Medical Marijuana Storage Warehouse (Off-Premise) and Retail Marijuana Storage Warehouse (Off-Premise);
Chapter 17.72 Light Industrial District (I-2), Section 17.72.020 Uses by Right - add Medical Marijuana Storage Warehouse (Off-Premise) and Retail Marijuana Storage Warehouse (Off-Premise);
Chapter 17.76 Heavy Industrial District (I-3), Section 17.76.030 Uses by Review - add Medical Marijuana Storage Warehouse (Off-Premise) and Retail Marijuana Storage Warehouse (Off-Premise);
Section 17.120.190 Marijuana Establishments - add F. Performance Standards for Odor, Noise, Lighting, and Screening; and
Section 17.120.200 Medical Marijuana Center and Retail Marijuana Store E. - revise the language for distance separation between Medical Marijuana Centers and Retail Marijuana Stores.

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

SJB