

**REVISED AGENDA**  
**PUEBLO COUNTY PLANNING COMMISSION**  
**Commissioners' Chambers, Pueblo County Courthouse**  
**215 West 10<sup>th</sup> Street**  
**November 16, 2016**  
**5:30 P.M.**

*Revised November 14, 2016. Regular Item No. 3, Here We Go Planned Unit Development No. 2016-008, was moved to Continuances.*

***(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 October 19, 2016 Minutes.
3. Chairperson's Report.
4. Director's Report:
  - (a) Acceptance of Map Amendments and Planned Unit Developments.
    - **Map Amendment No. 2016-008**, Shawn M. Herman (Owner/Applicant), Cardinal Points Surveying, Inc., c/o Randy Reeves, Cardinal Points Surveying, Inc. (Representative), 53 East Industrial Boulevard. Applicant requests a map amendment to rezone Parcel "F" Walkway of Block 1, Tract 240, Pueblo West, containing 3,000 square feet from an S-1, Public Use Zone District to a B-4, Community Business Zone District in order to recognize its private ownership and use. Plat Amendment No. 2016-002 has been filed in conjunction with Map Amendment No. 2016-008 requesting to remove the designated Walkway on Parcel "F". The parcel is located between Lots 19 and 20 of Block 1, Tract 240, Pueblo West and is located south of East Assembly Drive, north of East Industrial Boulevard, and west of North Aspen Ski Way. The applicant is also requesting a waiver of the \$172.00 application fee associated with Map Amendment No. 2016-008.  
[Consent Agenda Item No. 4]



- [Here We Go Planned Unit Development No. 2016-008](#), Tracy Hokett (Applicant), 4 Thumbs Up, LLC (Owner), 1035 Newton Road. Applicant requests approval for rezoning a 45.8-acre parcel from an A-1, Agricultural Zone District to the Here We Go PUD to accommodate medical and retail marijuana contiguous and non-contiguous cultivation in a building, greenhouse, or outside cultivation; medical and retail marijuana-infused products manufacturer. The A-1 Zone District allows the cultivation but not the marijuana-infused products manufacturing; therefore, the request for the rezoning to the PUD. No sales of any product will be conducted from the site. The PUD also allows for other agricultural and residential related uses as identified on the PUD Plan. The property is located on the north side of Newton Road south of Highway 96 West. [Continuance Item No. 1]



- [Chetty Ranch Planned Unit Development No. 2016-009](#), Joseph and Priscilla Chetty (Applicants/Owners), 435 East County Line Road. Applicants request approval to rezone a 40-acre parcel from an A-1, Agricultural Zone District to the Chetty Ranch PUD to accommodate medical and retail marijuana contiguous and non-contiguous cultivation in a building, greenhouse, or outside cultivation; medical and retail marijuana-infused products manufacturer. The A-1 Zone District allows the cultivation but not the marijuana-infused products manufacturing; therefore, the request for the rezoning to the PUD. No sales of any product will be conducted from the site. The PUD also allows for other agricultural and residential related uses as identified on the PUD Plan. The property is located on the west side of East County Line Road. The property is adjacent to Crowley County with East County Line Road on the northern portion maintained by Pueblo County and the southern portion maintained by Crowley County. [Regular Agenda Item No. 3]



(b) Correspondence.

(c) Continuances.

- [Here We Go Planned Unit Development No. 2016-008](#), Tracy Hokett (Applicant), 4 Thumbs Up, LLC (Owner). Applicant requests approval for rezoning a 45.8-acre parcel from an A-1, Agricultural Zone District to the Here We Go PUD to accommodate medical and retail marijuana contiguous and non-contiguous cultivation in a building, greenhouse, or outside cultivation; medical and retail marijuana-infused products manufacturer. The A-1 Zone District allows the cultivation but not the marijuana-infused products manufacturing; therefore, the request for the rezoning to the PUD. No sales of any product will be conducted from the site. The PUD also allows for other agricultural and residential related uses as identified on the PUD Plan. The property is located on the north side of Newton Road south of Highway 96 West and is addressed as 1035 Newton Road.

*The applicant is requesting continuance to the December 21, 2016 Planning Commission meeting.*



(d) Withdrawals.

(e) Board of County Commissioners' Action.

(f) Administrative Reviews.

- [Special Use Permit No. 2013-006](#), Ken and Cheryl Garcia (Applicants/Owners). This is an administrative review for a special use permit allowing Boat and Recreational Vehicle Storage on two parcels with a total acreage of 8.91 acres in an I-2, Light Industrial Zone District. The parcels are located between northbound Interstate Highway 25 and the Santa Fe Railroad tracks and between Interstate Highway 25 Mile Markers 106 and 107.

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. 461 \(AKA SPECIAL USE PERMIT NO. 1982-004 FOR FILING PURPOSES ONLY\)](#) - Frank R. Allen (Original Owner)  
Allen Family Limited Partnership (Current Owner)  
Nancy Bregar, Managing Member, Allen Family Limited Partnership (Applicant/Representative)  
Permit boundary located within a portion of the N½ of Section 3 and the W½ of Section 2, Township 21 South, Range 63 West of the 6<sup>th</sup> P.M.



The applicant requests RESCISSION of Special Use Permit No. 461 (also known as Special Use Permit No. 1982-004 for filing purposes only) that was originally approved on April 27, 1982. The permit allows natural deposits, extraction, and processing, as well as a hot mix (road) plant 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 (Allen Pit M-1982-173) from the State for mining was terminated, and the operator released from reclamation liability in 1997. The special use permit boundary is located north of 39½ Lane and east of 39<sup>th</sup> Lane.

2) [RESCISSION OF SPECIAL USE PERMIT 2013-016](#)



Tony J. Beltramo & Sons, Inc.,  
c/o Robert D. Beltramo (Applicant)  
Anthony J. and Dorothy Cesar (Owners)  
Carmel Management Company, c/o Mark Carmel  
(Representative)  
23000 St. Charles Road

The applicant requests RESCISSION of Special Use Permit No. 2013-016 originally approved by the Pueblo County Planning Commission on December 17, 2013, for natural deposits extraction and processing of construction aggregates (sand, gravel, and structural fill); stockpiling, crusher, and screening plant within a 9.9± acre permit boundary area in an A-1, Agricultural (minimum 35 acre) Zone District. This special use permit is no longer necessary due to it being incorporated into AMENDED Special Use Permit No. 1998-041. The boundary for Special Use Permit No. 2013-016 is located southeast of St. Charles Road at approximately 23000 St. Charles Road between Lime Road and Doyle Road. The name of the project was the Cesar 111 Borrow Pit.

3) [SPECIAL USE PERMIT NO. 1998-041 - AMENDED](#)



Anthony J. and Dorothy J. Cesar (Owners)  
Tony J. Beltramo & Sons, Inc. (Applicant)  
Carmel Management Company, c/o Mark Carmel  
(Representative)  
23000 St. Charles Road

Applicants request to AMEND Special Use Permit 1998-041 (Cesar Pit) which was originally approved by the Pueblo County Planning Commission on January 26, 1999 allowing natural deposits, extraction, and processing for a sand and gravel operation in an A-1, Agricultural (minimum 40 acres, at the time) Zone District on 160± acres. The applicants request to increase the original permitted area and affected areas to include those areas outside of the original permit boundary and incorporate Special Use Permit No. 2013-016 (Cesar 111 Borrow Pit) originally approved by the Pueblo County Planning Commission on December 17, 2013 allowing natural deposits, extraction, and processing of construction aggregates (sand, gravel, and structural fill); stockpiling, crushing, and screening plant within a 9.9± acre permit boundary area in an A-1, Agricultural (minimum 35 acre) Zone District. The applicants are changing the special use permit boundary to increase it from 160± acres to 180± acres. The special use permit boundary is located between St. Charles Road and Doyle Road in the area of 23000 St. Charles Road.

4) [MAP AMENDMENT NO. 2016-008](#) -



Shawn M. Herman (Owner/Applicant)  
Cardinal Points Surveying, Inc., c/o Randy Reeves  
(Representative)  
53 East Industrial Boulevard

Applicant requests a map amendment to rezone Parcel "F" Walkway of Block 1, Tract 240, Pueblo West containing 3,000 square feet from an S-1, Public Use Zone District to a B-4, Community Business Zone District in order to recognize its private ownership and use. Plat Amendment No. 2016-002 has been filed in conjunction with Map Amendment No. 2016-008 requesting to remove the designated Walkway on Parcel "F". The parcel is located between Lots 19 and 20 of Block 1, Tract 240, Pueblo West and is located south of East Assembly Drive, north of East Industrial Boulevard, and west of North Aspen Ski Way. The applicant is also requesting a waiver of the \$172.00 application fee associated with Map Amendment No. 2016-008.

b) **REGULAR ITEMS:**

- 1) [DECLARATION OF ABANDONMENT - OF SPECIAL USE PERMIT NO. 127 \(AKA SPECIAL USE PERMIT NO. 1970-003 FOR FILING PURPOSES ONLY\)](#) - Various Owners  
c/o Pueblo County Department of Planning and Development  
Southwest Intersection of Dameron Road and 36<sup>th</sup> Lane



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. 127 (also known as Special Use Permit No. 1970-003, for filing purposes only) due to the extraction and processing of rock, sand, gravel, and timber from a 20± acre parcel in the A-2, Agricultural (minimum 5 acre) Zone District (at the time) being established but thereafter discontinued for a period of five (5) years or more.

- 2) [SPECIAL USE PERMIT NO. 2016-010](#) - Powder River Development Services, LLC (Applicant)  
c/o Russell Powell, 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-3, Agricultural (minimum 1 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.

**NOTE: This is a re-submittal of Special Use Permit No. 2016-008 which was withdrawn due to the discovery of the wrong zone district designation identified for the parcel.**

- 3) [CHETTY RANCH PLANNED UNIT - DEVELOPMENT NO. 2016-009](#) - Joseph and Priscilla Chetty (Applicants/Owners)  
435 East County Line Road



Applicants request approval to rezone a 40-acre parcel from an A-1, Agricultural Zone District to the Chetty Ranch PUD to accommodate medical and retail marijuana contiguous and non-contiguous cultivation in a building, greenhouse, or outside cultivation; medical and retail marijuana-infused products manufacturer. The A-1 Zone District allows the cultivation but not the marijuana-infused products manufacturing; therefore, the request for the rezoning to the PUD. No sales of any product will be conducted from the site. The PUD also allows for other agricultural and residential related uses as identified on the PUD Plan. The property is located on the west side of East County Line Road. The property is adjacent to Crowley County with East County Line Road on the northern portion maintained by Pueblo County and the southern portion maintained by Crowley County.

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

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