

AGENDA
PUEBLO COUNTY PLANNING COMMISSION
Commissioners' Chambers, Pueblo County Courthouse
215 West 10th Street
May 16, 2018
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 April 18, 2018 Minutes.
3. Approve Agenda of May 16, 2018.
4. Chairperson's Report.
5. Director's Report:
 - (a) Acceptance of Map Amendments and Planned Unit Developments.
 - [Map Amendment No. 2018-001](#), Brian B. and Shari R. Elson (Applicants/Owners). Applicants request a map amendment to rezone Tract 4, St. Charles Creek Estates and the West 25 feet of vacated Zoeller Road adjoining said parcel located within a portion of the NE¼ of Sections 17 and 18, Township 24 South, Range 68 West of the 6th P.M., from an S-1, Public Use Zone District to an A-3, Agricultural (minimum 1 acre) Zone District in order to recognize its private ownership, use, and size. The property is located north and east of State Highway 165, west of vacated Zoeller Road, and carries a physical address of 9695 State Highway 165 in the Rye area. Due to the housekeeping nature of the application, the owners/applicants have authorized the Department of Planning and Development to represent the map amendment request.
[Consent Item No. 2]



- [Organic Solutions Planned Unit Development No. 2018-002](#), Ralph D. Robinson, Manager, RDR Realty, LLC (Applicant), RDR Realty, LLC (Owner), Jason Schierling (Representative), 152 East Industrial Boulevard. Applicant requests approval to rezone Lot 2, Cyr Subdivision containing 2.791 acres from an I-2, Light Industrial Zone District to Organic Solutions Planned Unit Development for Medical and Retail Marijuana Establishments - MIPs, Indoor Grow, Greenhouse grow, Outdoor grow (all grows include contiguous and non-contiguous), Storage Warehouse (off-premise), Testing Facility, and Transporter. [Regular Item No. 1]



(b) Correspondence.

(c) Continuances.

- [Easement Vacation No. 2017-002](#), Frank M. and Melanie J. Palcic (Owners/Applicants), Wachob and Wachob, Inc., c/o Daniel Wachob (Representative). The applicants are requesting to vacate the platted ten (10) foot wide Public Utility Easement located within Parcel A of Lot Line Vacation No. 2016-015. Vacating the easement will make available a buildable area for construction of a pavilion. The property is physically addressed as 6230 Waco Mish Road and is located between Waco Mish Road and Alondra Drive west of Red Cloud Road in the Colorado City area.

The easement vacation was continued from the March 31, 2018 PCPC meeting to the May 16, 2018 PCPC meeting. The Department of Planning and Development is requesting a continuance to the June 20, 2018 PCPC meeting.



(d) Withdrawals--None.

(e) Board of County Commissioners' Action.

(f) Administrative Reviews.

- [Special Use Permit No. 2016-003](#), Volunteers for Community (Applicant), Colorado City Metropolitan District (Owner), Wachob and Wachob, Inc. (Representative). This is an administrative review of a special use permit to establish a community center, proposed within an existing facility located on a 1.7± acre parcel. The parcel is in an S-1, Public Use Zone District. The property is located south of Santa Fe Drive, approximately 1,000 feet southwest of the intersection of Santa Fe Drive and Cuerno Verde Boulevard in Colorado City.



- [Special Use Permit No. 2016-012](#), Marvin Hamann, Hudson Ranch, LLC (Owner/Applicant). This is an administrative review of a special use permit allowing several uses-by-review in an A-1, Agricultural Zone District. The uses proposed under this special use permit are: (1) Equestrian Arena, Commercial/Club; (2) Recreational Vehicle Park; (3) Shooting Range, Outdoor; (4) Educational Facility; (5) Rocketry; and (6) Shooting Range, Indoor. The property is on the north side of State Highway 78, approximately 2 miles west of the intersection of Highway 78 and Galbreth Road.



6. Statement of Hearing Procedures by Chairperson.

7. 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) [SPECIAL USE PERMIT NO. 2018-004](#) -

Vaquero Ventures, LLC (Applicant)
Alfred G. and Patricia G. Kreps (Owner)
Griffin Bryant (Representative)
29th Lane and Highway 50 East, St. Charles Mesa



Applicant requests a special use permit to allow a retail sales store on property located in a B-1, Neighborhood Business Zone District. The property contains 2.04 acres, and is located at the northwest corner of the intersection of 29th Lane and Highway 50 East in the St. Charles Mesa area.

2) [MAP AMENDMENT NO. 2018-001](#) - Brian B. and Shari R. Elson (Applicants/Owners)

Department of Planning and Development
(Representative)
9695 State Highway 165, Rye, Colorado



Applicants request a map amendment to rezone Tract 4, St. Charles Creek Estates and the West 25 feet of vacated Zoeller Road adjoining said parcel located within a portion of the NE¹/₄ of Sections 17 and 18, Township 24 South, Range 68 West of the 6th P.M., from an S-1, Public Use Zone District to an A-3, Agricultural (minimum 1 acre) Zone District in order to recognize its private ownership, use, and size. The property is located north and east of State Highway 165, west of vacated Zoeller Road, and carries a physical address of 9695 State Highway 165 in the Rye area. Due to the housekeeping nature of the application, the owners/applicants have authorized the Department of Planning and Development to represent the map amendment request.

b) **REGULAR ITEMS:**

- 1). [ORGANIC SOLUTIONS PLANNED UNIT DEVELOPMENT NO. 2018-002](#) - Ralph D. Robinson, Manager, RDR Realty, LLC (Applicant)
RDR Realty, LLC (Owner)
Jason Schierling (Representative)
152 East Industrial Boulevard



Applicant requests approval to rezone Lot 2, Cyr Subdivision containing 2.791 acres from an I-2, Light Industrial Zone District to Organic Solutions Planned Unit Development for Medical and Retail Marijuana Establishments - MIPs, Indoor Grow, Greenhouse grow, Outdoor grow (all grows include contiguous and non-contiguous), Storage Warehouse (off-premise), Testing Facility, and Transporter.

- 2) [SPECIAL USE PERMIT NO. 2018-005](#) - TCA Microgrid Energy, LLC (Applicant/Representative)
Rita Trani (Owner)



Applicant requests a special use permit to allow a ground mounted 500kW photovoltaic solar system, Project Name: BH CSG 1 in an A-3, Agricultural (minimum 1 acre) Zone District. The property contains 3.7 acres, and is located on the east side of Overton Road.

- 3) [TEXT AMENDMENT NO. 2018-001](#) - Pueblo County Department of Planning and Development (Applicant/Representative)
Changes to definition of Recreational Vehicle and Residence



The public notice for Text Amendment No. 2018-001 has been **AMENDED** to reflect the current language being proposed. The Pueblo County Planning Commission, at its public meeting held on April 18, 2018, voted to continue Text Amendment No. 2018-001 to its May 16, 2018 meeting. The language for Text Amendment No. 2018-001 previously proposed to add a chapter containing regulations for Tiny Houses, as well as additions and changes to the definitions and uses-by-right in various zone districts. The language for Text Amendment No. 2018-001 has been revised to make additions and changes to the Pueblo County Code, Title 17, Chapter 17.04 GENERAL PROVISIONS AND DEFINITIONS, 17.04.040 Definitions, more specifically "Recreation vehicle" and "Residence".

Continued from the April 18, 2018 PCPC meeting to make amendments. New public notices were mailed April 26, 2018. Advertising was placed in the Pueblo Chieftain on April 28, 2018 and the Greenhorn Valley View and the Pueblo West View on May 3, 2018.

- 4) [SPECIAL USE PERMIT NO. 2018-006](#) - NE Colorado Cellular, Inc.
(dba) Viaero Wireless (Applicant)
c/o Henry Jacobsen, PE (Representative)
Linda L. Phelps (Owner)



The applicant requests a special use permit to allow the establishment of a lattice type telecommunications tower with an overall height of 195 feet and related accessory buildings and support facilities on a five (5) acre leased parcel of land in an A-1, Agricultural (minimum 35 acre) Zone District. The leased parcel is encompassed within a 60.89± acre parcel of land. The supporting ingress/egress easement crosses the adjacent 23.26± acre parcel also owned by the same individual. The entire 89.15± acre parcel is located on the west side of Interstate 25 South approximately 1.5 miles south/southwest of Exit 83 (Verde Road) in the proximity of that property addressed as 6291 South Interstate 25.

8. Unfinished Business.

9. New Business:

Action Required: Pueblo County Planning Commission Recommendation to the Board of County Commissioners

- Amending the Pueblo County Code, Title 15, Chapter 15.20, by Adopting by Reference into the Pueblo County Code Ordinance No. 9250, an Ordinance Amending Chapter 3 of Title IV of the Pueblo Municipal Code Relating to Electrical Regulations and Adopting by Reference the National Electrical Code 2017 Edition, Published by the National Fire Protection Association, One Batterymarch Park, Quincy, Massachusetts 02169-7471, and Providing Penalties and Remedies for the Violation Thereof.
- Amending the Pueblo County Code, Title 15, Chapter 15.32, by Adopting by Reference into the Pueblo County Code Ordinance No. 9247, an Ordinance Amending Chapter 1 of Title IV of the Pueblo Municipal Code Relating to Building Department Administration and Contractor Licenses and Providing Penalties and Remedies for the Violation Thereof.

10. Reports of Committees.

11. Adjournment.

SMS