



BOARD OF COUNTY COMMISSIONERS

Terry A. Hart, District 1
Garrison M. Ortiz, District 2
Chris Wiseman, District 3

THURSDAY, SEPTEMBER 12, 2019
9:00 A.M.
COMMISSIONERS' CHAMBERS AT PUEBLO COUNTY COURTHOUSE
215 WEST 10TH STREET

LAND USE AGENDA

(Notice to Readers: This agenda is for informational purposes only and is subject to change. Please be advised that this meeting is streaming live over social media. Accommodations for individuals with sight or hearing impairment may be made by contacting Patsy Cresswell at 583-0500 or TDD at 583-6550 at least two days in advance of the meeting.)

9:00 A.M. CALL TO ORDER

- Pledge of Allegiance
- Attendance/Excused
- Approve the Land Use Minutes from June 13, 2019 and July 11, 2019
- Approve Agenda of September 12, 2019

9:05 A.M. PUBLIC COMMENTS

1. Citizen Comments (**Comments limited to 5 minutes per speaker**)
2. Commissioners' Comments

(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.)

9:15 A.M. BOARD OF COUNTY COMMISSIONERS' 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 applicant(s) 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 Board of County Commissioners 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 on the Regular Agenda at a position being at the sole discretion of the Board. Upon completion of the summary of the Consent Agenda items

and the removal of any items requested for individual, full public hearing, the Board will take action regarding the remaining items on the Consent Agenda in the form of a single vote.

1. [MAP AMENDMENT NO. 2018-009](#) - Justin and Sarah Hunter (Owners/Applicants)
(IF REMOVED, **PUBLIC HEARING**) Altman, Keilbach, Lytle, Parlapiano, & Ware, P.C.
c/o David Lytle, Attorney-at-Law (Representative)
7094 State Highway 165



The owners/applicants request a map amendment to rezone a 1.325± acre parcel of land (proposed Lot 1, JS Hunter Subdivision) from an A-3, Agricultural (minimum 1 acre) Zone District to a B-4, Community Business Zone District. The property is located at the southeast corner of the intersection of Colorado State Highway No. 165 and Cibola Drive in the Colorado City area. **(1 minute)**

****(Continued by the Board at its May 9, 2019 and July 11, 2019 public hearings. In order to allow the Planning Commission to make a recommendation at its October 16, 2019 meeting to the Board, staff requests the Board continue the map amendment to its November 14, 2019 public hearing.)***

2. [JS HUNTER SUBDIVISION PRELIMINARY PLAN NO. 2018-003](#) - Justin and Sarah Hunter (Owners/Applicants)
(IF REMOVED, **PUBLIC HEARING**) Altman, Keilbach, Lytle, Parlapiano, & Ware, P.C.
c/o David Lytle, Attorney-at-Law (Representative)
7094 State Highway 165



The owners/applicants request preliminary plan approval to subdivide a 25.51± acre parcel into two (2) lots as follows: Lot 1 will contain 1.325± acres and Lot 2 is proposed at 24.138± acres in size. The property is currently within an A-3, Agricultural (minimum 1 acre) Zone District and is located at the southeast corner of the intersection of Colorado State Highway No. 165 and Cibola Drive in the Colorado City area. **(1 minute)**

****(Continued by the Board at its May 9, 2019 and July 11, 2019 public hearings. In order to allow the Planning Commission to make a recommendation at its October 16, 2019 meeting to the Board, staff requests the Board continue the preliminary plan to its November 14, 2019 public hearing.)***

3. [SUN HAVEN AT PUEBLO WEST PRELIMINARY PLAN NO. 2019-001](#) - Jacques Machol, Sun Haven Construction, LLC (Applicant)
(IF REMOVED, **PUBLIC HEARING**) Sun Haven Construction, LLC (Owner)
Henry Design Group, c/o Karen Henry (Representative)
201 South McCulloch Boulevard



Applicant requests approval of Sun Haven at Pueblo West Preliminary Plan No. 2019-001 to subdivide Parcel A of Subdivision Exemption No. 86-3 containing 15.61± acres into five (5) Blocks and one (1) Tract as follows: Block 1 - 5.05± acres, Block 2 - 3.48± acres, Block 3 - 0.96± acre, Block 4 - 2.67± acres, Block 5 - 2.86± acres, and Tract A Existing Access – 0.59 acre. The applicant intends to develop the blocks in two (2) phases: Phase 1 - Blocks 1 and 2; Phase 2 - Blocks 3, 4, and 5. The property is developed with a restaurant on Block 1, and a hotel that has

been renovated into apartment homes on Block 2. Blocks 3, 4, and 5 are vacant and are proposed to be sold or self-developed. The property is within the B-4, Community Business Zone District, is physically addressed as 201 South McCulloch Boulevard, and is located west of the intersection of McCulloch Boulevard and Abarr Drive in the Pueblo West Metropolitan District. **(1 minute)**

****(Continued by the Board at its March 14, 2019, May 9, 2019, and July 11, 2019 public hearings. In order to allow the Planning Commission to make a recommendation at its October 16, 2019 meeting to the Board, staff requests the Board continue the preliminary plan to its November 14, 2019 public hearing.)***

4. [TEXT AMENDMENT NO. 2019-001](#) - Brad Lisac (Applicant)
(IF REMOVED, **PUBLIC HEARING**) Pueblo County Department Planning and
Development (Applicant)



Text Amendment revisions to the Pueblo County Code Title 17 Land Use, Division I. Zoning. Applicant Brad Lisac requests a text amendment to the Pueblo County Code Section 17.120.190 Marijuana Establishments D. Distance measurement, Sections 17.120.220 and 17.120.230, D. Location.

Please Note: Applicant Pueblo County Department of Planning and Development, requesting a text amendment to the Pueblo County Code Section 17.120.190 Marijuana Establishments F. Performance Standards 4. Fencing, was WITHDRAWN at the June 19, 2019 PCPC Meeting. **(1 minute)**

****(Continued by the Board at its July 11, 2019 public hearing. In order to allow the Planning Commission to make a recommendation at its October 16, 2019 meeting to the Board, staff requests the Board continue the text amendment to its November 14, 2019 public hearing.)***

5. [SHREE HARI](#) - Shree Hari, LLC (Owner)
[PRELIMINARY PLAN NO. 2019-005](#) Bhaveshkumaf M. Patel (Applicant)
(IF REMOVED, **PUBLIC HEARING**) Wachob and Wachob, Inc, c/o Daniel Wachob
(Representative)
6670 State Highway 165



The applicant requests preliminary plan approval to subdivide 6.26± acres into two (2) lots consisting of 3.06± acres (Lot 1) and 3.20± acres (Lot 2). The property is within an R-6, Multiple-Residential and Commercial District and carries a physical address of 6670 State Highway 165. The property is located southeast of State Highway 165 and west of Interstate 25 in Colorado City. The applicant's letter of request and preliminary plan indicates proposed Lot 1 is currently improved with a motel, restaurant, and swimming pool while proposed Lot 2 is currently vacant and there are currently no plans to develop proposed Lot 2. **(1 minute)**

****(In order to allow the Planning Commission to make a recommendation at its October 16, 2019 meeting to the Board, staff requests the Board continue the preliminary plan to its November 14, 2019 public hearing.)***

6. [TEXT AMENDMENT NO. 2019-002](#) - Cannomics, LLC (Applicant)
(IF REMOVED, **PUBLIC HEARING**) c/o Matt Wheatley, PhD and Kathy Jensen Pfeiff, MS, RDN
(Representatives)



The applicant requests a text amendment to Title 17, LAND USE, Division I. ZONING, Chapter 17.16, *Agricultural Three (A-3) and Four (A-4) Districts*, specifically Section 020 (*Uses by right*) and to Chapter 17.120, *Supplementary Regulations*, specifically Section 280 (*Hemp Establishments*), Paragraphs G. and J. all as cited within the Pueblo County Code. **(1 minute)**

****(In order to allow the Planning Commission to make a recommendation at its October 16, 2019 meeting to the Board, staff requests the Board continue the text amendment to its November 14, 2019 public hearing.)***

7. [MIMI'S SUBDIVISION](#) - Mimi Morgan (Owner/Applicant)
[FINAL PLAT NO. 2019-003](#) c/o NorthStar Engineering & Surveying, Inc.
(IF REMOVED, **PUBLIC HEARING**) James B. Priorschi, Project Manager (Representative)
30368 Everett Road



The owner/applicant requests final plat approval to subdivide 3.0± acres into two (2) lots consisting of 1.0± acres (Lot 1) and 1.96± acres (Lot 2) in an A-3, Agricultural (minimum 1 acre) Zone District. A ten (10) foot road right-of-way dedication (consisting of 0.04± acre) and a ten (10) foot roadway easement are also proposed along the north property line for and adjacent to Everett Road. The property is located on the south side of Everett Road between Lane 30 and Lane 30½ in the St. Charles Mesa. **(1 minute)**

8. [ZUPAN FARM SUBDIVISION](#) - David and Elizabeth Zupan (Owners/Applicants)
[FINAL PLAT NO. 2019-004](#) c/o Mangini & Associates, Inc. (Representative)
(IF REMOVED, **PUBLIC HEARING**) 33177 Jersey Road



The owners/applicants request final plat approval to subdivide 19.92± acres into three (3) lots consisting of 5.10± acres (Lots 1 and 3) and 8.38± acres (Lot 2) in an A-2, Agricultural (minimum 5 acre) Zone District. A thirty (30) foot road right-of-way dedication is also proposed along the west and south property lines for Lane 33 and Jersey Road. The property is located at the NE corner of the intersection of Lane 33 and Jersey Road in the Vineland area. **(1 minute)**

RECESS AS BOARD OF COUNTY COMMISSIONERS AND CONVENE AS ZONING BOARD OF APPEALS

9:23 A.M. ZONING BOARD OF APPEALS' CONSENT ITEMS

1. [ZONING VARIANCE NO. 2019-005](#) - Tracey Young (Owner/Applicant)
(IF REMOVED, **PUBLIC HEARING**) Hanson Construction & Excavation, LLC
c/o Brian Hanson (Representative)
5460 Cottontail Lane



The owner/applicant is requesting a zoning variance from Title 17, LAND USE, Division I. ZONING, Chapter 17.24, *Single-Family Residential (R-1) Zone District*, specifically Section 090 (*Front yard setback*) of the Pueblo County Code to recognize the deficient setback for the following: An existing principal structure (single-family residence) with a front yard setback (south side) of 14.83 feet in lieu of the minimum required 25 feet. The property contains 0.17 acre and is located on the north side of Cottontail Lane, approximately 420 feet northwest of its intersection with Kaneache Boulevard. **(1 minute)**

9:24 A.M. ADJOURN

The next BOCC Land Use Meeting will be held on **October 10, 2019 at 9:00 A.M.**

*Any items that cannot be addressed within the allotted time will be heard at the next BOCC Land Use meeting on **October 10, 2019.**