NOTICE REGARDING COVID-19 (Novel Coronavirus): The Board of County Commissioners implemented temporary operational directives on June 16, 2020 to partially reopen public access to County-owned facilities. There are limited seats available for the public to attend this Board of County Commissioners’ meeting in person. Anyone interested in attending this meeting in person may do so by submitting a Meeting Request Form on Pueblo County’s web page, subject to availability of seating. The meeting will still be streamed live on the County’s Facebook Page https://www.facebook.com/PuebloCounty/ and the public may make any public comments by email to Adam Uhernik, Public Information Officer, at uhernik@pueblocounty.us. (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.)

9:30 A.M. CALL TO ORDER

- Pledge of Allegiance
- Attendance/Excused
- Approve Minutes of July 9, 2020 and August 13, 2020
- Approve Agenda of September 10, 2020

(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. PUBLIC HEARING  

**HOUSE BILL 1041 PERMIT NO. 1041 2019-003** - Seth Boutilier, Project Manager, Black Hills Energy (Applicant)  
Black Hills Energy, Gary R. and Georgia A. Walker and Pueblo West Metropolitan District (Owners)  
HDR Engineering, Inc., c/o Pamela McWharter (Representative)

The applicant is requesting approval of a permit by the Pueblo Board of County Commissioners, as the designated Permit Authority, for construction of a 115-kilovolt electric transmission line in unincorporated Pueblo County. The transmission line would start in Pueblo West and traverse toward Cañon City. The proposed Cañon West Reliability Project will occupy a 125-foot wide right-of-way, crossing about 16.9 miles of land in Pueblo County on lands in the A-1 Agricultural, S-1 Public Use, and I-2 Industrial Zone Districts. In Pueblo County, all of the proposed line is to be built: (1) in existing utility easement corridors that are intended to be used for projects exactly like this one and which BHE has an existing “use by right”, (2) on Walker Ranch where there is approval from the landowner; and (3) in an easement that is located on property owned by the Pueblo West Metropolitan District located near the Pueblo West Industrial Park. No other private property is necessary for the Project in Pueblo County.

The overhead transmission line will be constructed within the existing Wild Horse Creek and West Station utility corridors; structures will be between 70-90 feet high and spaced about every 500 feet. Structures in the industrial park area will be steel tangent monopoles that are between 90-105 feet high. The wood H-frame structures will be 60-80 feet high and spaced about every 600 feet.

*(Continued by the Board of County Commissioners at its November 26, 2019, January 9, 2020, February 13, 2020, July 9, 2020, and August 13, 2020 public hearings.)*

**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. **ROAD/ALLEY VACATION NO. 2020-001** - Jacob Hawken (Applicant)
   **REVISED SUBMITTAL**
   Hawk Eye Enterprises, LLC (Owner)
   (IF REMOVED, PUBLIC HEARING)  
   Cardinal Points Surveying, Inc. - Randy Reeves 
   (Representative)

   The applicant is requesting a road/alley vacation to vacate a portion of Mellon Court as depicted on the recorded plat map of Fountain Sand and Gravel Subdivision, First Filing. The platted road is currently undeveloped and not maintained by Pueblo County. This vacation, if approved, will incorporate the vacated portion of the platted roadway into Lots 2-5 of Fountain Sand and Gravel Subdivision First Filing, which are owned by the applicant who intends to utilize the area of vacation to accommodate future commercial development. The road is located south of Santa Fe Drive (State Highway 50) between Roselawn Road and San Mateo Street in the Blende area of Pueblo County. *(1 minute)*

*(In order to allow the Planning Commission to make a recommendation at its September 16, 2020 meeting to the Board, staff requests the Board continue the road/alley vacation to its October 8, 2020 public hearing.)*

2. **EASEMENT VACATION NO. 2020-001** - Jacob Hawken (Applicant)
   **(IF REMOVED, PUBLIC HEARING)**
   Hawk Eye Enterprises, LLC (Owner)
   Cardinal Points Surveying, Inc. - Randy Reeves 
   (Representative)

   The applicant is requesting the vacation of the 10-foot platted public utility easement located between Lots 1 and 2 of Fountain Sand and Gravel Subdivision, First Filing. The purpose of the request is to incorporate the area of the easement into the two lots and to eventually vacate the common lot line to accommodate future development and combine the two properties. Both lots are designated B-4, Community Business Zone District and are located 510 feet southwest of the intersection of San Mateo Street and Santa Fe Drive/State Highway 50 in the Blende area of Pueblo County. *(1 minute)*

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

**ZONING BOARD OF APPEALS’ CONSENT ITEMS**

1. **ZONING VARIANCE NO. 2020-009** - Becky Cavender (Owner/Applicant)
   **(IF REMOVED, PUBLIC HEARING)**
   Clayton Homes - Eugene Perkins (Representative)
   4429 West Jefferson Boulevard

   The owner/applicant is requesting a zoning variance from Title 17, LAND USE, Division I. Zoning, Chapter 17.24, *Single-Family Residential District (R-1)*, specifically Section 17.24.110 (Rear yard setback) of the Pueblo County Code to allow a rear yard setback distance of ten (10) feet in lieu of the minimum required fifteen (15) feet for a new proposed residence. The property is currently
vacant and is located on the west side of West Jefferson Boulevard, 191 feet southwest of its northern intersection with Chaffee Drive in the Colorado City area. *(1 minute)*

**ZONING BOARD OF APPEALS’ REGULAR ITEMS**

1. **PUBLIC HEARING**
   **ZONING VARIANCE NO. 2020-001** - Conmor, LLC (Owner)
   Daryl Voss (Applicant/Representative)
   30634 East U.S. Highway 50

   The applicant is requesting a zoning variance from Title 17, LAND USE, Division I, ZONING, Chapter 17.120 Supplementary Regulations, Section 160 *Fences, walls and hedges*, specifically Paragraphs B.1. and 3. of the Pueblo County Code to recognize the following:

   - a proposed six (6) foot solid wall in lieu of the maximum permitted height of two and one-half (2½) feet to be located on the north property line with a zero (0) foot setback in lieu of the 25-foot minimum required setback along East U.S. Highway 50; and

   - an existing six (6) foot privacy fence in lieu of the maximum permitted height of two and one-half (2½) feet located on the west property line with a setback ranging from zero (0) feet to two and one-half (2½) feet in lieu of the 15-foot minimum required setback along 30½ Lane.

   The property falls with an A-4, Agricultural (minimum ½ acre) Zone District and is located at the southeast corner of the intersection of East U.S. Highway 50 and 30½ Lane in the St. Charles Mesa area. *(15 minutes)*

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

**BOARD OF COUNTY COMMISSIONERS’ REGULAR ITEMS**

1. **PUBLIC HEARING**
   **TEXT AMENDMENT NO. 2020-001** - Pueblo County Department of Planning and Development/PuebloPlex (Applicants)
   Matrix Design Group, Inc., c/o Celeste Werner, AICP (Representative)

   Applicants propose a Text Amendment to adopt zoning regulations for inclusion in Title 17 Land Use, Division I, Zoning, Chapter 17.90 PuebloPlex Zone District (P-1) of the Pueblo County Code, to accommodate uses and development of the property consistent with the PuebloPlex Redevelopment Plan for the 15,847 acres of PuebloPlex property. *(15 minutes)*
2. PUBLIC HEARING
PLANNED UNIT DEVELOPMENT - NO. 2019-002 - REVISED SUBMITTAL

Best Apartments, LLC, c/o Andres Osuna, Managing Member (Owner/Applicant)
Henry Design Group, Inc., Attn.: Karen Henry (Representative)
Fairfield and Woods, PC, Attn.: Todd G. Messenger, Esq. (Representative)
201 South McCulloch Boulevard

Applicant requests approval to rezone a 15.61± acre parcel from a B-4, Community Business Zone District to Sun Haven at Pueblo West Planned Unit Development to accommodate a variety of residential and commercial uses very similar to those listed in the existing B-4 Zone District designation and/or adjacent R-1, Single-Family Residential and R-5, Multiple-Residential and Commercial Zone District designations. The PUD application is being submitted in an attempt to remedy the existing violation of the establishment of residential apartments in the former hotel structure as well as provide future development standards for additional commercial and/or residential development. The associated two (2) lot subdivision of the property under Preliminary Plan No. 2019-001 has been WITHDRAWN. The property is located west of the intersection of McCulloch Boulevard and Abarr Drive in the community of Pueblo West. (20 minutes)

ADJOURN

The next BOCC Land Use Meeting will be held on October 8, 2020 at 9:30 A.M.

*Any items that cannot be addressed within the allotted time will be heard at the next BOCC Land Use meeting on October 8, 2020.

LRS
9-1-2020