

REVISED

BOARD OF COUNTY COMMISSIONERS



Epimenio M. Griego, District 1
Daneya L. Esgar, District 2
Zachary Swearingen, District 3

THURSDAY, DECEMBER 14, 2023

10:00 A.M.

**PUEBLO COUNTY COURTHOUSE
COMMISSIONERS' CHAMBERS
215 WEST 10TH STREET**

LAND USE AGENDA

NOTICE: The public may provide comments by 5:00 p.m., on Tuesday, December 12, 2023, to the Department of Planning and Development or via email to planning@pueblocounty.us. The hearing will be streamed live on the County's Facebook Page <https://www.facebook.com/PuebloCounty/>; however, public comments will not be accepted if provided on Facebook.

(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 Brandon Mathews at 583-6548 or TDD at 583-6550.)

10:00 A.M. CALL TO ORDER

- Pledge of Allegiance
- Attendance/Excused
- Approve Land Use Minutes of November 9, 2023.
- Approve Agenda of December 14, 2023.

10:05 A.M. BOARD OF COUNTY COMMISSIONERS' CONSENT ITEMS

- 1) HOUSE BILL 1041 PERMIT
CASE NO. SLI-23-4
(IF REMOVED, **PUBLIC HEARING**)
Rob Cooper, Representative for RMS 335, LLC (Applicant)
J-S Farms, Inc John Sutphin Jr (Owner)
David Rodenberg, Leasing Manager, Colorado State Land Board (Owner)
Larry Sly, Project Manager, Stantec Consulting Services Inc. (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 Utility Scale Solar Facility consisting of a 500 MW photovoltaic solar energy generation facility with additional battery storage. The project will interconnect to the existing Comanche yard via a 5 mile gen-tie line, the exact location to be determined. The project is also known as RMS 500, a component of a proposed

utility scale solar complex to be located off Doyle Road, southeast of the Comanche powerplant. **(1 minute)**

Staff is recommending continuance to the January 11, 2024, Board of County Commissioners' hearing to allow the applicant to submit requested changes.

- 2) HOUSE BILL 1041 PERMIT
[CASE NO. SLI-23-6](#)
(IF REMOVED, **PUBLIC HEARING**)
- Mick Baird, Representative for Salsa Solar, LLC
(Invenergy) (Applicant)
Various Owners (see application for list)
John Heule, Project Manager, SWCA
Environmental Consultants (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 Utility Scale Solar Facility consisting of a 200 MW photovoltaic solar energy generation facility with additional battery storage. The project will interconnect to the existing Xcel Energy Mirasol Switchyard via a 1 mile gen-tie line. The project is also known as Southern Star Solar Project to be located south of the Town of Avondale. **(1 minute)**

Staff is recommending continuance to the January 4, 2024, Board of County Commissioners' hearing to allow the applicant to submit requested changes.

- 3) ANDENUCIO FARM SUBDIVISION
[CASE NO. FINL-22-2](#)
(IF REMOVED, **PUBLIC HEARING**)
- Anthony and Virginia A. Andenucio
(Owners/Applicants)
Mangini & Associates, Inc., c/o Rocky Mangini
(Representative)
25950 Gale Road

The owners/applicants request final plat approval to subdivide a 5.49± acre parcel into two (2) lots within an A-4, Agricultural (minimum ½ acre) Zone District. The lots are proposed to be accessed via a private ingress- egress and public utility easement. The property is located on the south side of Gale Road between Lanes 25 and 27 in the St. Charles Mesa area. **(1 minute)**

- 4) MAP AMENDMENT
[CASE NO. MA-23-12](#)
(IF REMOVED, **PUBLIC HEARING**)
- Pueblo West Metropolitan District (Owner/Applicant)
75, 93, 105, 117, 129, 141, 153 West Baldwin Drive

The Owner/Applicant is requesting a map amendment to rezone seven (7) parcels, for a total of 7.04± acres, from an R-5, Multiple-Residential and Office District Zone District to an S-1, Public Use Zone District. The application is for the purpose of incorporating these parcels into the existing water treatment facility property, which is located to the north and east of the subject properties, through a future lot line vacation. **(1 minute.)**

10:09 A.M. BOARD OF COUNTY COMMISSIONERS' REGULAR ITEMS

- 1) **PUBLIC MEETING** John s. Hernandez, Sr
RESOLUTION 2276 King Ridge Road
[CASE NO. VZ 2022-074](#) (OpenGov [VZ-23-8](#))

A Resolution Directing the County Attorney to Institute Legal Action to Enforce the Pueblo County Code Against the Property Legally Described as NE1/4 SW1/4 SW1/4 SE1/4, Section 4, Township 20 South, Range 65 West of the 6th P.M., Pueblo County, Colorado.
(5 minutes)

10:13 A.M. CITIZEN COMMENTS *(limited to 3 minutes per speaker, total of 7 speakers)*

10:34 A.M. COMMISSIONERS' COMMENTS *(5 minutes)*

10:39 A.M. ADJOURN

The next regular BOCC Land Use Meeting will be held on **January 11, 2024, 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 **January 11, 2024**. The meeting will be held at 9:00 a.m., in the Commissioners' Chambers at the Pueblo County Courthouse, 215 West 10th Street, Pueblo, Colorado.

(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.)

SMS

12-14-2023 BOCC Meeting/Hearing

Revised 12-13-2023: Start Time from 9:00am to 10:00am and moved Regular Item SLI-23-6 to Consent Item for continuance to the January 4, 2024, BOCC hearing.