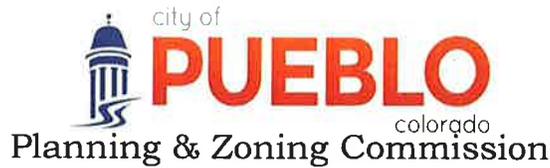


Mike Castellucci  
Chair

Patrick Avalos  
Vice Chair

Bob Schilling  
City Council Representative



Christopher Pasternak

Alexandra Aznar

Elizabeth Bailey

Cheryl Spinuzzi

### ***MINUTES OF REGULAR MEETING***

City of Pueblo, Colorado

Wednesday, December 8, 2021 – 3:30 p.m.

City Council Chambers, 1 City Hall Place

#### **Join Zoom Meeting online:**

<https://pueblo.zoom.us/j/92717867722?pwd=WUdnaHVGbnlCdHRrUHNFZnpPWGIYdz09>

#### **Join Zoom Meeting by phone:**

+1 669 900 6833 US (San Jose)

+1 346 248 7799 US (Houston)

#### **Online and phone Meeting ID and Password:**

Meeting ID: 927 1786 7722

Passcode: 195462

### **MEETING CALLED TO ORDER**

The meeting was called to order at 3:30 p.m. with Commissioner Castellucci presiding.

*The meeting was held at City Council Chambers, 1 City Hall Place, commissioners, applicants, and the public participated in person and via Zoom.*

**Commissioners Present:** Mike Castellucci, Patrick Avalos, Cheryl Spinuzzi, Alexandra Aznar, Christopher Pasternak, Bob Schilling, and Lisa Bailey.

**Commissioners Absent:** none

**Staff Members Present:** Dan Kogovsek, City Attorney; Scott Hobson, Acting Director for Department of Planning and Community Development; Beritt Odom, Principal Planner; Wade Broadhead, Planner; Bart Mikitowicz, Planner; Danielle Baxter, Planner; and Joe Martellaro, Associate Engineer II.

### **APPROVAL OF AGENDA**

A Motion was made by Bailey to amend the agenda to move SNC-21-04 to the last item on the agenda, Seconded by Schilling.

**Motion passed 7-0.**

## **PUBLIC MEETING AND ACTION**

1. **A-20-04 Wildhorse Annexation-** Two phase annexation totaling 179.38 acres, generally located north and west of the U.S. West Highway 50 and North Pueblo Blvd. intersection.

Staff report by Scott Hobson, Acting Director for Department of Planning and Community Development.

### **STAFF REVIEW AND FINDINGS:**

Two annexation petitions were filed on July 1, 2020, by Wildhorse Land and Holdings, a Limited Liability Company, for a series annexation of 80.40 acres and 98.80 acres located north of the U.S. Highway 50 West/Pueblo Blvd Interchange. The purpose of the annexation is to provide a location for a mixture of retail uses, high density residential, and business park uses. The applicant is proposing to zone the property as A-1, Agricultural One, as an interim zoning classification until the time of development. An overall development plan application has also been submitted and is scheduled to be reviewed by the Planning Commission on January 13, 2021. The A-1, interim zoning following annexation, is allowed by section 17-1-3, (e), of the Pueblo Municipal Code. According to the code, the annexation agreement may allow an A-1, Zone District for a specified period of time and no building permits may be issued while zoned A-1. The proposed annexation agreement allows for the A-1 zone district to continue for not more than 10 years and prohibits building permits from being issued until the property is rezoned to a zone district that is consistent with the Pueblo Comprehensive Plan.

Approximately 55 acres within the west and northwest areas of the proposed annexation are located within the boundaries of the Pueblo West Metropolitan District. If the annexation of the property is approved, the City shall, upon acceptance of public infrastructure improvements in compliance with all city construction standards and requirements, provide for the sanitary sewer, stormwater, parks and recreation, fire, and police services to the areas within city limits that are also within the boundaries of the Pueblo West Metropolitan District boundaries.

Current Land Use According to Comprehensive Plan: The amended "2001 Pueblo Regional Development Plan" designates the proposed annexation property as a "Special Development Area."

The Pueblo Comprehensive Plan designation of Special Development Area identifies areas where there appear to be multiple possibilities for development. These areas are undeveloped lands with significant development and/or open space potential in strategic locations that suggest the need for careful, location-specific plans for infrastructure and private development.

The Wildhorse Annexation Overall Development Plan will serve as the master plan for the area.

Field Observations of Site: The area proposed to be annexed is vacant undeveloped land located north of the U.S. Highway 50 West/SH45 Pueblo Boulevard Interchange and extending northwest along the south side of Wildhorse Road. The site consists of native prairie grasses with a generally flat topography, except for gradual hills that extend northeasterly to Wildhorse Creek and border the southwesterly boundary of the property adjacent to Williams Creek. An 825-foot segment of Wildhorse Creek is located within the property, and Williams Creek is located off the boundary of the property. City wastewater service is currently provided to the CDOT Maintenance Facility located at the intersection of Wildhorse Road at the terminus of SH45/Pueblo Boulevard. Pueblo Water potable water service is located within North Pueblo

Boulevard extended and along Wildhorse Road through an extraterritorial water service agreement. Limited stormwater improvements are located along North Pueblo Boulevard extended.

Neighborhood Compatibility: The proposed annexation site is located north of the U.S. Highway 50 West/SH45 Pueblo Boulevard Interchange and extending northwest along the south side of Wildhorse Road. The CDOT Maintenance Facility borders the property at the intersection of Wildhorse Road and the terminus of SH45/Pueblo Boulevard. A self-storage facility is located north of the property along the north side of Wildhorse Road. The Holiday Hills Subdivision, in unincorporated Pueblo County, is located to the southeast of the property. This subdivision contains one residential developed property approximately 550 feet for the proposed annexation property. The proposed annexation and mixture of retail uses, high density residential, and business park uses introduces new uses to a generally undeveloped area that will be compatible with the surrounding business park uses. The platted residential lots within the Holiday Hills Subdivision in unincorporated Pueblo County will likely not fully develop without annexing into the City of Pueblo for access to water and wastewater services to the remaining residential lots.

**HEARING:** Mike Cuppy, NorthStar Engineering., 111 E. 5<sup>th</sup> Street, represented the application.

No one spoke in support or opposition for the application.

**MOTION:** Motion to recommend approval of the Wildhorse Annexation, series of two annexations was made by Bailey, second by Avalos.

**MOTION PASSED 7-0**

## **REGULAR AGENDA: PUBLIC HEARING**

- 1. Z-21-17 2101 W. 20th St. Rezoning:** A rezoning of Lots 21 and 22, Block 61, Rosedell Subdivision from, R-2, Single Family Residential, and S-3, Flood Plain District, to Commercial Charter Neighborhood District (CCN).

Staff report by Wade Broadhead, Planner.

Applicant is requesting to rezone the 6,000 sq ft subject property from R-2 and S-3 to CCN, Commercial Charter Neighborhood District to operate a static Mobile Food Unit, which is a conditional use in a CCN.

### **BACKGROUND:**

The property located at 2101 W. 20th St. was constructed in 1951 and has operated as a single-family residence since that time inside the applicant's family. The site consists of two parcels, each parcel consists of two subdivided lots. The western parcel is zoned R-2. The eastern parcel is zoned R-2 and S-3 floodplain. The S-3 Zone District is attributed to historic flood plain mapping attributed to Wildhorse Creek. Contemporary flood mitigation efforts and updated

flood plain mapping indicates that the property is located outside of the 100- and 500-year flood plain.

The applicant Jocelyn Martinez is proposing to rezone the property CCN to allow a Mobile Food Unit that will initially operate as a small catering business. Mrs. Martinez prepares certified organic meals for various mental health agencies and clients seeking healthy lifestyles across Pueblo. Recently, she purchased a mobile food trailer to cook the meals at her property. To prepare organic meals she needs a certain type of kitchen that is always clean and free of allergens. The food trailer will be parked in the rear of the adjacent lot to the west. The applicant will cook and deliver meals to clients offsite. The applicant may branch out to on site food service in the future and understands that may require additional commercial and zoning review and conditions. The higher use, "Restaurant, carry-out", requires a Special Use Permit in the CCN and the applicant may be applying for that use in 2022.

### **ANALYSIS:**

The purpose of the CCN Zone District is to retain and conserve suitable areas for commercial, office and mixed-use development that primarily serve the residents of the surrounding charter neighborhood. The proposed residence and Mobile Food Unit meet the intent of the CCN by providing a mixture of uses on one development site in a neighborhood that has historically been underserved by traditional food establishments. While there are no corner commercial locations immediately nearby there are commercial uses 2-4 blocks away, and other commercially zoned property that have remained undeveloped for decades. While the business will primarily do off site delivery, the applicant hopes to expand to on-site walk-up service in the future. The applicant's family has 70 years of roots in the neighborhood and has talked to her neighbors in the area about the new use and one letter of support was received from a neighbor.

A tentative site plan for development indicates that a residential structure sits on the eastern lot and the business will be located on the western lot. The applicant has an unimproved lot with enough room for 4-5 spaces of parking and the required landscaping buffer. At the time of commercial site plan review, staff will review the development plans to ensure that the CCN Performance Standards are met. There is a possibility that the applicant may need to request a variance for on-site parking and landscaping setbacks in the future, but preliminary site plans indicate they will meet standards currently. Furthermore, the property is located in the Established Development Area where that relief has been anticipated by City policy. The applicant understands the conditions required for a Mobile Food Unit Conditional Use Permit and will meet all conditions to obtain her Conditional Use Permit. Staff recommends the applicant finish adding road base to the entire site (currently only the trailer section of the parcel has road base) before City Council approval. The applicant understands that any intensification of use will require a new commercial site plan review. Finally, the rezoning will clean up the split zoning created by the S-3 portion and begin to provide food services to the neighborhood. Staff is recommending approval of the proposed zone district with conditions.

### **RECOMMENDED ACTION:**

Staff recommends the Planning and Zoning Commission make a recommendation to City Council that the zoning map amendment be APPROVED with conditions:

1. Applicant adds road base to the entirety of lots 23 and 24 before City Council review and approval.

**HEARING: Jocelyn Martinez, 2101 W 20<sup>th</sup> St, represented the application.**

No one spoke in support or opposition for the application.

**COMMISSION ACTION:**

Motion to recommend approval of the rezoning made by Schilling, second by Bailey.

**MOTION PASSED 7-0**

2. **Z-21-14 815 Crane Ridge Drive Rezoning:** Rezoning of 2.24 acres, Lots 4-8, College Road Subdivision, 4th Filing, generally located north and west of Crane Ridge Drive. Rezoning is contingent upon approval of College Road Subdivision, 4th Filing Rearrangement of Property Boundaries.

Staff Report by Dani Baxter, Planner.

The applicant is requesting to rezone Lots 4-8, Block 1, College Road Subdivision, 4th Filing, (Parcels A, B, and C, College Road Subdivision 4th Filing, RPB-21-12), totaling 2.24-acres from B-4, Central Business District to B-P, Business Park District to accommodate future development of a tow yard.

**BACKGROUND:**

The subject property is generally located south of Fortino Boulevard, east of Club Manor Drive and north of Patty Lane in the College Road Subdivision, 4<sup>th</sup> Filing. The 2.24-acre site was originally comprised of five lots (Lots 4-8) and is currently undeveloped. In order to meet the lot size requirements for the Business Park (B-P) Zone District the applicant had to apply for a Rearrangement of Property Boundaries to create three parcels (Parcels A, B, and C) that meet the minimum lot size requirements. The Rearrangement of Property Boundaries is currently still under review.

A preliminary site plan has been submitted for redevelopment and proposes a tow yard office on Parcel A and tow yard vehicle storage on Parcels B and C. A tow yard in a B-P zone district is a use by review and the Zoning Board of Appeals approved the Special Use Permit for this location on September 28, 2021, contingent upon the property being rezoned to a BP Zone District. The approved Special Use Permit requires an additional landscape buffer and opaque, decorative barrier for noise mitigation, and no storage of towed vehicles or industrial uses are allowed on Parcel A, as a means to decrease noise trespass to the residential zone district to the north of the property.

Wayne's Towing has been a Pueblo business since 1970. They are being displaced from their current address at 2500 N Freeway Road due to the proposed CDOT changes to the Hwy 50 E and I-25 interchange. The Colorado Department of Transportation plans to acquire the current Wayne's Towing site as additional right-of-way to complete the I-25 reconstruction project. The applicant has been searching for a new property since June 2020 when they learned of CDOT's intentions to purchase their land. Wayne's is required to stay within city limits to continue fulfilling their contract with the Pueblo Police Department, as they are responsible for the city's

fleet vehicle pickup and removal. Also, if they are relocated outside city limits, they would no longer be allowed on the city's rotating tow list. The applicant states that it is imperative they continue to operate within city limits and have quick access to I-25 and Hwy 50 to continue serving their customers.

Sit Means Sit, Dog Training and Kennel, is also being displaced because of CDOT's plans to update the Hwy 50 and I-25 interchange. Sit Means Sit purchased the property located on the south and east sides of Crane Ridge Dr., Lots 5 through 11, Block 2, College Road Subdivision. Sit Means Sit was granted a Special Use Permit in May 2021 for their operation of a kennel/cattery in a Central Business (B-4) Zone District. The proposed tow yard and dog training/kennel facility are considered industrial uses; however, each have received Special Use Permits that condition specific improvements and limitations to mitigate negative externalities that may stem from the uses. Once developed, the tow yard and dog kennel uses will sit opposite to one another and are not considered incompatible with each other.

### **ANALYSIS:**

#### **Comprehensive Plan Compliance:**

The comprehensive plan depicts Arterial Commercial Mixed Use for these parcels. Arterial Commercial Mixed Use includes the large commercial areas and corridors found along key sections of I-25, portions of Highway 50, Pueblo Boulevard, Highway 47, Santa Fe Drive, Prairie Avenue and Northern Avenue. While the primary focus of these areas is retail sales and personal services, some office space is intermixed. This land use category does not prohibit compatible land uses other than heavy industrial uses. Uses located along major routes such as I-25 and Highway 50, are designed for the regional retail market segment. Uses along other arteries are geared to community-level shopping and services. Uncontrolled "strip" expansion of commercial development along arterial roadways instead of activity nodes should be discouraged. Development should create mixed uses that do not place emphasis on the parking areas but on the commercial uses themselves. Within the Business Park (BP) Zone District other uses by right include automobile dealership/rental, automobile repair shops, auto parts retail sales, parking lot/structure, outdoor storage facility, truck stop, and tow service.

However, since a tow yard is listed in the City of Pueblo Municipal Code as a heavy industrial use, it is not compatible with the outlined comprehensive plan, which explicitly states heavy industrial is not a compatible land use. Also, the comprehensive plan states land use should not emphasize parking areas, but instead emphasize commercial uses.

#### **RECOMMENDED ACTION:**

Staff recommends the Planning and Zoning Commission make a recommendation to City Council that the zoning map amendment be **APPROVED with the following additional staff condition:**

1. This rezone application is contingent upon the approval and recording of the Rearrangement of Property Boundaries before being heard at City Council.

**HEARING: Michael Fetty, Wayne's Towing, 2500 N Freeway, represented the application.**

No one spoke in support for the application.

Patrick McConnel, 5793 I-25, Walsenburg CO, spoke in opposition to the application. Mr. McConnel owns the office building to the northeast of the proposed location, and he fears the proposed business will deter future leases and decrease his property value. Mr. McConnel also commented that this use may increase homelessness in the area.

Mr. Fetty then spoke again to state his business will deter homelessness already in that location. Mr. Fetty states there will maybe be 5-10 customers a day on site, outside of his 11 employees, with around 50 cars on their lot at a time.

**COMMISSION ACTION:**

Motion to recommend approval of the rezoning made by Bailey, second by Schilling.

**MOTION PASSED 7-0**

3. **Z-21-18 Pueblo Springs Apartments:** Rezoning approximately eighteen (18.55) acres generally located southeast of the intersection of W. Pueblo Blvd and 31st Avenue currently zoned A-1 being rezoned to R-5 (Multiple Residential and Office District).

Staff Report by Wade Broadhead, Planner

The applicant is requesting to rezone Lot One (15.01 acres) of the Pueblo Springs Apartments Subdivision from A-1, Agricultural One to R-5, Multiple-Residential and Office District to facilitate the development of a new apartment complex.

**BACKGROUND:**

The subject property was annexed into the city in November of 2021 and rezoned A-1 as an interim zoning classification until the time of development, as allowed by the approved Annexation Agreement (rezoning case Z-21-12), The current request is to rezone the western 15 acres of the property, proposed Lot 1, Pueblo Springs Apartments Subdivision, to R-5 Multiple Residential and Office district for the purposes of erecting a twelve building, 199 unit apartment complex for Phase 1. "Residence, multifamily" is a Use by Right in the proposed R-5 Zone District. The area is designated as Urban Residential Future Land Use Category, which allows for garden apartments (low-rise apartment structures) along collector and arterial roads. The proposed Pueblo Springs Apartments are situated at the southeast corner of W. Pueblo Boulevard (expressway) and W. 31st Street (collector) and are three stories with ample outdoor recreation amenities. The immediate area is now home to two large multifamily developments, a senior living facility and market rate apartment complex. The adjacent properties to the south, east, and west are all vacant prairie and as such there is no negative impact to surrounding residential neighborhoods. The R-5 Zoning and apartment complex are well situated for direct access to Pueblo Boulevard and Highway 50 and easy access to the south, east, and west and keeping high density uses directly along major arterials that can reduce neighborhood congestion.

The applicant has provided a commercial site plan detailing the 199-unit apartment complex. The site plan shows twelve structures located on Lot One to be constructed in Phase 1. The western portion of the rezoning site will be reserved for open space to protect the low bluffs and utilize the landscape as a noise barrier from Pueblo Boulevard and the applicant has enough space to meet the 20% Open Space requirement. The apartment complex will have a clubhouse,

pool, and walking trails. The applicant hopes to secure funding for Phase Two on Lot two shortly. City departments are reviewing the commercial plans and have made all modifications to guarantee utility and vehicular access to the two-lot subdivision. The proposed rezoning is in conformance with the Pueblo Regional Comprehensive Plan and is in conformance with the existing pattern of development in the immediate area.

### **ANALYSIS:**

#### **Comprehensive Plan Compliance:**

The project site has been designated by the Pueblo Comprehensive Plan as “Urban Residential.” The Pueblo Comprehensive Plan designation of *Urban Residential* area states neighborhoods are found predominantly within the city limits of Pueblo and the urbanizing areas in the City’s immediate periphery. These neighborhoods have a mixture of housing types and neighborhood commercial services. The Comprehensive Plan states further that “zoning for duplexes, garden apartments and small office buildings may be allowed along collector and arterial roads.” The proposed rezoning site is located east of N. Pueblo Boulevard, which is an expressway and south of W. 31<sup>st</sup> Street, which is a Collector Road, meeting the criteria for multifamily residential development within the Urban Residential land use designation. The proposed R-5, Mixed-Residential and Office District is in conformance with the actual development of the immediate area and in conformance with the Comprehensive plan.

#### **RECOMMENDED ACTION:**

Staff recommends the Planning and Zoning Commission make a recommendation to City Council that the zoning map amendment be **APPROVED**.

**HEARING: Emery Chuckly, 5671 N Oracle Rd, Suite 1102, Tucson, AZ, represented the application.**

No one spoke in support or opposition for the application.

#### **COMMISSION ACTION:**

Motion to recommend approval of the rezoning made by Bailey, second by Pasternak.

#### **MOTION PASSED 7-0**

4. **S-21-09 Pueblo Springs Apartments Subdivision:** The subdivision of approximately eighteen (18.55) acres into two lots generally located southeast of the intersection of W. Pueblo Blvd and 31st Avenue.

Staff Report by Wade Broadhead, Planner.

Applicant is requesting to create an 18.55 acre, two lot subdivision for the purposes of constructing an apartment complex

#### **STAFF REVIEW AND FINDINGS:**

Pueblo Springs Apartments development is located at the intersection of Pueblo Blvd and 31st street. Pueblo City Council recently approved the Pueblo Springs Apartments Annexation at their

November 8th, 2021, meeting. The subject property was annexed and zoned to A-1 as a holding zone until development plans were finalized (via rezoning case Z-21-12). The applicant is proposing creating a two-lot subdivision for an apartment complex to be constructed in two phases (one per lot). The initial phase will be constructed on Lot 1. The property slopes from Pueblo Boulevard to the east. A substantial small hill/bluff buffers the property from Pueblo Boulevard and will be retained as open/natural area. The proposed development has no internal streets so a 20' public utility and sanitary sewer easement has been added to the plat to ensure utility access to all proposed apartment buildings. Lot Two will have a relatively narrow frontage along 31st street and the plat shows this area obstructed by a stormwater retention pond so the applicant has added a 20' access easement to Lot 2 through the easterly portion of Lot 1. The stormwater retention pond on the northeast corner of the site is awaiting approval from stormwater and the city legal department their approval is required before City Council approval. The Annexation Agreement requires the applicant to also provide the wastewater flows prior to City Council Approval as well. The owner is requesting deferred filings for construction plans and profiles, offsite easements, and the Subdivision Improvement Agreement. The applicant is requesting a waiver for fees in lieu of park dedication based on the onsite amenities (which include a clubhouse, pool, and grassed open space) and preservation of open space on the western side of the parcel. The fee waiver resolution will be presented to City Council on December 13, 2021.

**Comprehensive Plan Compliance:**

The project site has been designated by the Pueblo Comprehensive Plan as "Urban Residential." The Pueblo Comprehensive Plan designation of *Urban Residential* area states neighborhoods are found predominantly within the city limits of Pueblo and the urbanizing areas in the City's immediate periphery. These neighborhoods have a mixture of housing types and neighborhood commercial services. Urban Residential allows for zoning of garden apartments (low rise apartments) along collectors and arterial. Pueblo Boulevard is classified as an expressway and 31st street is a collector. The subdivision and use conform with the Comprehensive plan.

**RECOMMENDED MOTION:** The Subdivision Review Committee recommends the Planning and Zoning Commission forward a recommendation the requested Subdivision be **APPROVED** with the following noted:

**Request for waiver from requirements:**

Waiver of fees in lieu of park dedication. City Council to vote on a resolution to waive fees, December 13, 2021.

**Requests for Modifications to Requirements:**

Request for Deferred Filings for One Year: Defer construction plans, profiles and details of streets, sanitary sewers, storm sewers, drainage facilities, offsite easements and the Subdivision Improvement Agreement.

**Conditions of Approval:**

(Unless otherwise noted, all conditions of approval must be completed prior to the case being scheduled for City Council hearing.)

1. Obtain approval of City/Stormwater Department retention pond easement location before the plat is approved by City Council.
2. Per the annexation agreement the applicant will provide wastewater expected

flows for the project before City Council approval.

3. Modify the ingress/egress access easement from Lot 1 to Lot 2 to be 24' in width instead of 20'.

**HEARING: Emery Chuckly, 5671 N Oracle Rd, Suite 1102, Tucson, AZ, represented the application.**

No one spoke in support or opposition for the application.

**MOTION:** Motion to recommend approval of the Pueblo Springs Apartments Subdivision was made by Bailey, second by Pasternak.

**MOTION PASSED 7-0**

5. **Z-21-19 2729 Farabaugh** Rezoning of a point seven (.7) acre parcel located at 2729 Farabaugh Lane from B-3, Highway and Arterial Business District to BP-Business Park to facilitate a change of use to a Retail Marijuana Product Manufacturing Facility.

Staff Report by Bart Mikitowicz.

The applicant is requesting to rezone the .7-acre parcel located at 2729 Farabaugh Lane from B-3, Highway and Arterial Business District to BP-Business Park to facilitate a change of use to a Retail Marijuana Cultivation Facility.

**BACKGROUND:**

The property located at 2729 Farabaugh Lane has historically operated as Triple S Supply, Heating Equipment and Systems (1999-2005), Five Star Sanitary, Janitors Equipment and Supplies (2010), Waxie Sanitary Supply, Janitors Equipment and Supplier (2012), and Seven-One-Nine Medical Marijuana Dispensary (2016-Present). The applicant currently operates a Medical Marijuana Center with an accessory use of Medical Marijuana Optional Cultivation with a Limited Use Permit at this location. Mr. Duran would like to convert the use of the premise to a Retail Marijuana Cultivation Facility, which is not permitted in a B-3 Zone District. Because of this, Mr. Duran and the property owner, Don Pagano, are requesting this parcel be rezoned to a BP Zone District which allows for a Retail Marijuana Cultivation Facility with a Conditional Use Permit.

**ANALYSIS:**

The site, proposed to be rezoned, and surrounding area were re-subdivided in 1976 to facilitate development for the Coca-Cola Company. The intent of the subdivision was to encourage development of warehousing, light industrial and commercial uses, creating a light industrial and business park. The proposed BP, Business Park Zone District, is designed to provide for a limited number of retail, office, warehouse, light industrial and manufacturing uses.

The subject property is surrounded by business and industrial uses including Pumps & More Plumbing Supply to the south, Muscle Monkey Functional Fitness to the southwest. North of the property is zoned B-3 and there is a BP district directly to the east. The BP rezoning request to allow a Retail Marijuana Cultivation facility is not anticipated to have a negative effect on the adjacent properties because a medical marijuana grow currently operates at this location and all surrounding businesses are light industrial in nature.

**Comprehensive Plan Compliance:**

The proposed rezoning request conforms with the Pueblo Comprehensive Plan designation of Employment Center – Light Industrial Mixed Use. Light Industry Mixed Use, such as manufacturing, assembling, research and development, provide tax revenues and jobs for the Region. These uses will be continued and expanded upon in a planned manner so as to minimize the impact on the public infrastructure. The proposed marijuana cultivation facility use will not include industrial processes that emit significant smoke, noise, or odors, or handle hazardous materials. Wherever possible, this use will be located away from residential uses. When potential conflicts between land uses occur, buffering and landscaping will be provided to minimize the impacts. Like residential growth, new industrial growth should be located in areas to best preserve surrounding agricultural uses and the natural environment. The BP Zone rezoning request meets the spirit of the light industrial mixed use land use designation.

**RECOMMENDED ACTION:**

Staff recommends the Planning and Zoning Commission make a recommendation to City Council that the zoning map amendment be **APPROVED** with the following condition:

1. Remove all signs, on the structure and premises, that advertise a Marijuana Dispensary prior to the rezoning request being reviewed by City Council.

**HEARING: Steven Duran, 2729 Farabaugh Lane, represented the application.**

No one spoke in support or opposition for the application.

**COMMISSION ACTION:**

Motion to recommend approval of the rezoning made by Bailey, second by Schilling.

**MOTION PASSED 7-0**

6. **SNC-21-04 Street Name Change Lakeshore Drive:** Change of street name for a portion of Palmer Avenue from Lakeshore Drive south to the Palmer Avenue terminus.

Staff Report by Bart Mikitowicz, Planner

To change the street name of from Palmer Avenue to Lakeshore Drive between the intersection of the existing Lakeshore Drive and Palmer Avenue intersection heading south to the terminus of Palmer Avenue.

**STAFF REVIEW AND FINDINGS:**

Palmer Avenue is a historic street within the City of Pueblo, beginning in the Mesa Junction Neighborhood extending south to Lake Minnequa where it terminates just north of Corwin International Magnet School and Lake Minnequa. Palmer Avenue begins once again south of Lake Minnequa extending approximately 2,500 feet where it terminates. Palmer Avenue was initially subdivided in the late 1880's, the street was consistently included within subdivisions throughout the early 1900's as development extended south.

The City is proposing to change the name of a portion of Palmer Avenue, located south of Lake Minnequa, to clean up the alignment with the recently subdivided Lakeshore Drive (Minnequa Lake Subdivision, Filing No. 1) and reduce addressing confusion for drivers and emergency services responding to calls on Palmer Avenue. The portion of Palmer Avenue proposed for a name change has one property addressed on the street, the Pueblo Calf Roping Club. The Calf Roping Club was notified of the street name change by certified Mail.

Minnequa Lake Subdivision, Filing No. 1, was approved in 2020 and was created to facilitate development of a concession/restroom structure, parking lot, and park shelter. The subdivision created an extension of Lakeshore Drive to the south, which intersects with Palmer Avenue just north of Reno Avenue. The proposed street name change will continue Lakeshore Drive south past W. Pueblo Boulevard and will require future extensions of the street, identified in the Pueblo Council of Governments Long Range Transportation Plan, to be named Lakeshore Drive. A 760-foot section of unimproved Palmer Avenue will remain north of Reno Avenue, allowing one single family residence to keep their current Palmer Avenue address (2740 Palmer Avenue).

Renaming the southern portion of improved Palmer Avenue, will provide consistency with the City's Street naming standards, which does not allow for substantial gaps in the street and limit confusion for first responders. Currently, Minnequa Lake/Park and Corwin International Magnet School create a .8-mile gap in the street, which has the potential of slowing emergency response times if police, fire or other emergency services access Palmer Avenue from Pueblo Boulevard and have to take a significant detour around the Lake using local roads to access the northern portion of Palmer Avenue. Additionally, changing the name will reduce driver confusion for similar reasons.

**MOTION:** Motion to recommend approval of the Street Name Change was made by Schilling, second by Bailey.

**MOTION PASSED 7-0**

**APPROVAL OF MINUTES**

Approval of the minutes for the Planning and Zoning Commission Public Hearing held on November 10, 2021. Motion by Bailey, second by Schilling.

**MOTION PASSED 7-0**

**NEW/OLD BUSINESS:**

None

**ADJOURN**

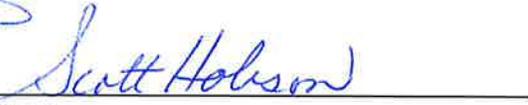
There being no further business the Regular Meeting was adjourned at 4:45 p.m.

Respectfully submitted,

Attest:

  
\_\_\_\_\_

Mike Castellucci  
Chairperson

  
\_\_\_\_\_

Scott Hobson  
Executive Secretary

Digital recordings of all the meetings of the Planning and Zoning Commission are maintained and available for inspection and review during normal business hours (M – F, 8 a.m. – 5 p.m.) at the Department of Planning & Community Development, 211 East D Street, Pueblo, CO.

