


Jean Latka  
*Chair*

Brandice Eslinger  
*Vice Chair*

Bob Schilling  
*City Council Representative*

city of  
 **PUEBLO**  
colorado

**Planning & Zoning Commission**

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Chris Kaufman

David Webb

Brian Lucas

Raymond Seybold

***REGULAR MEETING***  
City of Pueblo, Colorado  
Wednesday, March 11, 2015 – 3:30 p.m.  
City Council Chambers – 1 City Hall Place

**Minutes**

**MEETING CALLED TO ORDER**

The meeting was called to order at 3:30 p.m. with Chairperson Jean Latka presiding.

***Commissioners Present:*** Brandice Eslinger, Jean Latka, Brian Lucas, Bob Schilling, Raymond Seybold, and David Webb.

***Commissioners Absent:*** Chris Kaufman.

***Staff Members Present:*** Steven Meier, Director of Planning; Carla Sikes, Assistant City Attorney; Jerry Pacheco, Sr. Planner; and Kelly Grisham, Planner.

**APPROVAL OF AGENDA**

Motion was made by Commissioner Webb to approve the agenda, seconded by Commissioner Lucas. **Motion passed 6-0 (Kaufman absent).**

**PUBLIC HEARINGS AND ACTION**

**TA-15-01 – Text Amendment:** An Ordinance Amending Title XI and Title XVII of the Pueblo Municipal Code Relating to Retail Marijuana Stores and Providing Penalties for Violation thereof.

**BACKGROUND**

Staff report given by Jerry Pacheco.

The current draft of the text amendment incorporates changes discussed during Work Sessions and changes received from the City Attorney's office. The structure of the document is based on the process used by the City of Aurora. The text amendment allows for a total of eight stores within the City limits; two stores per City Council District. The licenses would be given utilizing a competitive process overseen by the Marijuana Licensing Board. This City Council appointed Board will review all of the licensing for marijuana related activities such as cultivation, product manufacturing operations, medical marijuana centers, and retail stores. The emphasis on the process is to critically review and evaluate sound business and operating plans.

The text amendment does not change any other local licensing provisions with respect to retail cultivation centers, infused product manufacturing, or medical marijuana centers and it does not relate in any way to home growing operations or caregiver rules.

Stores may be placed in B-4, BP, I-2, and I-3 zone districts with the B-4 being the most intensive commercial district. BP is a business park which is a hybrid between commercial and light industrial. I-2 and I-3 zone districts are more intensive industrial districts that are scattered throughout the Community. The licensed premises cannot be located within 1000 feet of a school, 500 feet of a drug and alcohol rehabilitation center, or 300 feet of a residential land use.

The competitive process utilizes a point based system – with two of the largest categories emphasizing the operating plan and business plan. The applications are competitively evaluated considering consumer education, employee training programs, operational best practices, staffing, experience, hours of operation, and all things associated with actual day-to-day operation of the proposed business. The second major category is the point system that speaks specifically to the applicants' improvements to the property, the business plan in terms of projected revenue and whether it is a viable business. The Marijuana Licensing Board will evaluate the proposals and there will likely be supplemental guidelines approved by the Board as they work through the process. In addition, there is discussion about points being given to a marijuana business having experience operating within the State of Colorado, those businesses operating within Colorado that have no penalties pending, applicants that are current with all local taxes, principal applicants that have no criminal charges or felony convictions including pending legal cases, businesses that utilize an air filtration systems that ensures odor control, and security plans that exceed the minimum State standards.

Mr. Pacheco concluded his staff report and the hearing was opened for public input.

### **HEARING**

The following persons appeared and offered input regarding the proposed text amendment:

W.R. Stealey, 8 Cuesta Place, Pueblo, CO  
Mark Carmel, 1088 S. Lynx Drive, Pueblo West, CO  
David Lemon, 2408 W. 16<sup>th</sup> Street, Pueblo, CO  
Bill Schwabe, 232 S. Union Avenue, Pueblo, CO  
Josh Egle, 3217 Lake Avenue, Pueblo, CO  
Tom Giadone, No Address Given  
Frank Montoya, No Address Given  
Bill Conkling, No Address Given  
Randy Russell, 8326 Railroad Springs Drive, Pueblo, CO  
Xavier Rivera, 486 S. Scorecard Place, Pueblo, CO  
Steve Jacobson, 301 W. 9<sup>th</sup> Street, Pueblo, CO  
Scott Smith, 1154 W. Abriendo Avenue, Pueblo, CO

Chairperson Latka closed the hearing and requested a motion.

### **COMMISSION ACTION**

A Motion was made by Commissioner Webb to continue this matter for a Work Session on March 17, 2015 at 9:00 a.m. and a Public Hearing on March 25, 2015 at 3:30 p.m., seconded by Commissioner Eslinger. **Motion passed 6-0 (Kaufman absent).**