

Mike Castellucci
Chair

Steve Anselmo
Vice Chair



Lisa Bailey
Secretary

Yvonne Lujan-Slak

Georgia Way

ZBA-20-43 Request for Extension

To: City of Pueblo Zoning Board of Appeals

From: Chelsea Stromberg, Planner

Through: Scott Hobson, Land Use Administrative Official

Date: August 24, 2021

Subject: **An extension request for a Special Use Permit to allow a Minor Food Processing Facility in a Central Business (B-4 Zone) District.**

Location: 2705 Lake Ave. Pueblo, CO 81004
(LOTS 21 + 22 BLK 35 EAST LAKE, Parcel ID: 1514111042).

Applicant: Patti Olenick
1808 Logan Ave. Pueblo, CO 81004

Property Owner: Same as applicant

Zone District: Central Business (B-4 Zone) District

CLARIFICATION OF PURPOSE

The Pueblo Urban Renewal Authority requested, on behalf of the applicant, the extension of the conditions pertaining to the Special Use Permit to allow Minor Food Processing Facility in a Central Business (B-4 Zone) District. The Special Use Permit was granted October 27, 2020.

The applicant processes hot sauce using local chili peppers and intends to produce the hot sauce and sell it on site as well as other local goods. The applicant also intends to rent the commercial kitchen to others.

The site is located in an Urban Renewal Area. One of the conditions of the Special Use Permit was "The applicant will work with Pueblo Urban Renewal Authority to secure funding and complete streetscape and landscape improvements adjacent to Lake Avenue and Illinois Avenue in accordance with standards and designs that have been installed along Lake Ave. beginning at Indiana Ave. and extending south to Iowa Ave. Improvements may include: detached sidewalk with tree lawn that includes irrigation, turf grass and street trees adjacent to Lake Ave, ADA compliant bump out at the southwest corner of Lake Ave. and Illinois Ave. The bump out will have a similar design and contain similar plantings as those found north of the subject property." Pueblo Urban Renewal Authority submitted an extension request on behalf of the applicant,

stating that these improvements are a long-term goal, and requesting an extension in accordance with PURA's timeline.

The applicant obtained a building permit for an interior tenant finish on May 25, 2021. The remaining conditions have not been met yet. Condition #6 "A site plan depicting the proposed improvements must be approved by the Department of Planning and Community Development prior to approval of a business license" is not intended to be tied to the landscaping requirements that PURA is engaged with. The intent of this condition is to receive a site plan that clarifies the location of the required fence, parking spaces and circulation, outdoor storage, and a general location for landscaping. Once conditions 3-6 are met the applicant may apply for a business license and operate at this location prior to the installation of landscaping and public improvements.

Staff recommends an extension for the streetscape and public improvements of approximately 5 years to coincide with the sunset of the Pueblo Urban Renewal Authority Lake Avenue Tax Increment Financing (TIF) District. The exact date will be as determined by PURA.

Staff also recommends an extension of one year for conditions 3-6.

FINDINGS OF FACT FOR USE BY REVIEW REQUIREMENTS

The request for an extension does not change the previous findings of fact.

FACTORS CONSIDERED IN GRANTING AN EXTENSION FOR A SPECIAL USE PERMIT

The request for an extension does not change the factors considered.

PLANNING AND COMMUNITY DEVELOPMENT STAFF RECOMMENDATION

Staff recommends approval of the extension with the same conditions per the original staff report:

- 1 The applicant will work with Pueblo Urban Renewal Authority to secure funding and complete streetscape and landscape improvements adjacent to Lake Avenue and Illinois Avenue in accordance with standards and designs that have been installed along Lake Ave. beginning at Indiana Ave. and extending south to Iowa Ave. Improvements may include: detached sidewalk with tree lawn that includes irrigation, turf grass and street trees adjacent to Lake Ave, ADA compliant bump out at the southwest corner of Lake Ave. and Illinois Ave. The bump out will have a similar design and contain similar plantings as those found north of the subject property.
- 2 If funding from PURA is not secured, the applicant must provide minimum improvements to include: sidewalk adjacent to Illinois Avenue, ADA compliant curb ramps, landscaping or planters to be approved by the Administrative Official of the Department of Planning and Community Development.
- 3 The applicant must install a six foot (6') opaque fence along western property boundary, paving and striping of the parking lot per Sec. 17-4-43
- 4 The applicant must either remove the existing dilapidated pole sign or refurbish it to meet Sec. 17-10-01
- 5 The applicant must install a grease interceptor in accordance with sanitary sewer standards.

- 6 A site plan depicting the proposed improvements must be approved by the Department of Planning and Community Development prior to approval of a business license.

Yvonne Lujan-Slak
Chair

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Vice Chair



Lisa Bailey
Secretary

Mike Castellucci

Sarah French

To: City of Pueblo Zoning Board of Appeals
From: Chelsea Stromberg, Planner
Through: Scott Hobson, Land Use Administrative Official
Date: Tuesday, October 27, 2020
Request: **A Special Use Permit to allow a Minor Food Processing Facility in a Central Business (B-4 Zone) District.**

Site Location 2705 Lake Ave. Pueblo, CO 81004
Legal Description LOTS 21 + 22 BLK 35 EAST LAKE

Applicant **Patti Olenick**
 1808 Logan Ave. Pueblo, CO 81004
Owner Patti Olenick
 1808 Logan Ave. Pueblo, CO 81004
Zone District Central Business (B-4 Zone) District

BACKGROUND:

The applicant is requesting a Special Use Permit to convert a bar into a minor food processing facility. The Pueblo Municipal Code defines a minor food processing facility as "establishments producing or processing foods for human consumption and certain related products with relatively minor impacts to the surrounding neighborhood. Includes: (1) bakery products, sugar and confectionery products (except facilities that produce goods only for on-site sales with no wider distribution); (2) fruit and vegetable canning, preserving, and related processing; (3) non-potentially hazardous foods and foods that do not require refrigeration, such as spices, teas, dehydrated produce, nuts, seeds, jams, jellies, preserves, fruit butter, and baked goods, including candies; and (4) other similar food preparation from raw products where the impacts are minor, as determined by the Administrative Official. Use allows retail sale of food produced on site." The applicant processes hot sauce using local chili peppers and intends to produce the hot sauce and sell it on site as well as other local goods. The applicant also intends to rent the commercial kitchen to others. The Pueblo Municipal Code does not define a commercial kitchen separately, however, banquet hall, catering service, and restaurants are all uses by right in this zone district, and each includes a commercial kitchen, which makes a commercial kitchen an appropriate accessory use. The site is located in an Urban Renewal Area.

ZONING DISTRICT AND LAND USE:

	Zone:	Developed with:
North	B-4 Central Business District	commercial, vacant
East	R-6 Multiple-Residential and Commercial	apartment complex
South	B-4 Central Business District	commercial, RV sales/storage
West	B-4 Central Business District	Single Family Residential

COMPREHENSIVE PLAN

The Comprehensive Plan depicts Urban Mixed Use for the subject property and adjacent parcels. Within the Urban Mixed Use, retail uses are emphasized on the first floor of all buildings to maintain a high activity level. The applicants' proposed use or retail and production is consistent with the Comprehensive Plan.

PUBLIC NOTICE

The property was publicly noticed in accordance with the Pueblo Municipal Code. Specifically, the hearing was published in the Pueblo Chieftain, surrounding property owners within 100 feet of the property were noticed by mailed, and a sign was placed on the site (Attachment E). These notices occurred at least 10 days prior to the hearing.

OTHER AGENCIES

Code Compliance	No comment
Law Enforcement	No comment
City Engineering	No comment
Fire Protection	No comment
Energy	No comment
Telecommunication	No comment
Parks and Recreation	No comment
Stormwater	No comment
Wastewater	2705 Lake Ave would need to have an grease interceptor installed. Plans would need to be submitted with sizing calculations for the grease interceptor
Waterworks	No comment

FINDINGS OF FACT FOR VARIANCE REQUIREMENTS

- 1 Ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

comments:

Neutral finding. The property is accessible via Lake Avenue and Illinois Avenue. The property does not have a sidewalk along Illinois Ave. and is not easily accessible in regards to ADA accessibility.

2 Off-street parking and loading areas where required, with particular attention to the economic noise, glare or odor effects of the use by review on adjoining properties and properties generally in the district.

comments:

Affirmative Finding. The property does not have designated parking lot striping, and the majority of parking area is located in the rear of the property. Parking is only available in the rear of the property, as the front of the building is approximately 25 feet from the back of sidewalk, which does not provide adequate space for backing out of designated parking spaces.

3 Refuse and service areas, with particular reference to the items above.

comments:

Affirmative finding. Refuse and service will take place in the rear of the property and will be screened with architecturally compatible materials or fencing

4 Utilities, with reference to the location's availability and compatibility.

comments:

Affirmative Finding. Utilities are established.

5 Screening and buffering with reference to type, dimensions and character.

comments:

Neutral finding. Screening and Buffering is required along the western property boundary, adjacent to the alley that separates the commercial use from the adjacent residential use.

6 Signs, if any, and proposed exterior lighting with reference to glare, traffic, safety, economic effect and compatibility and harmony with properties in the district.

comments:

Affirmative finding. The existing sign will be removed and the applicant intends to paint the building with a mural for signage. Signage will comply with Sec. 17-10-05 of the Pueblo Municipal Code.

7 Required yards and other open space.

comments:

Affirmative Finding. All yard requirements are met.

8 General compatibility with adjacent properties and other property in the district.

comments:

Affirmative Finding. The mixed production and retail uses will create a vibrant use in the Lake Avenue commercial area.

PLANNING AND COMMUNITY DEVELOPMENT STAFF RECOMMENDATION

Staff recommends APPROVAL with the following staff conditions and standard permit conditions 1-13

STAFF CONDITIONS

- 1 The applicant will work with Pueblo Urban Renewal Authority to secure funding and complete streetscape and landscape improvements adjacent to Lake Avenue and Illinois Avenue in accordance with standards and designs that have been installed along Lake Ave. beginning at Indiana Ave. and extending south to Iowa Ave. Improvements may include: detached sidewalk with tree lawn that includes irrigation, turf grass and street trees adjacent to Lake Ave, ADA compliant bump out at the southwest corner of Lake Ave. and Illinois Ave. The bump out will have a similar design and contain similar plantings as those found north of the subject property.
- 2 If funding from PURA is not secured, the applicant must provide minimum improvements to include: sidewalk adjacent to Illinois Avenue, ADA compliant curb ramps, landscaping or planters to be approved by the Administrative Official of the Department of Planning and Community Development.
- 3 The applicant must install a six foot (6') opaque fence along western property boundary, paving and striping of the parking lot per Sec. 17-4-43
- 4 The applicant must either remove the existing dilapidated pole sign or refurbish it to meet Sec. 17-10-01
- 5 The applicant must install a grease interceptor in accordance with sanitary sewer standards.
- 6 A site plan depicting the proposed improvements must be approved by the Department of Planning and Community Development prior to approval of a business license.

STANDARD PERMIT CONDITIONS

Date of issuance of permit: 10/27/2020

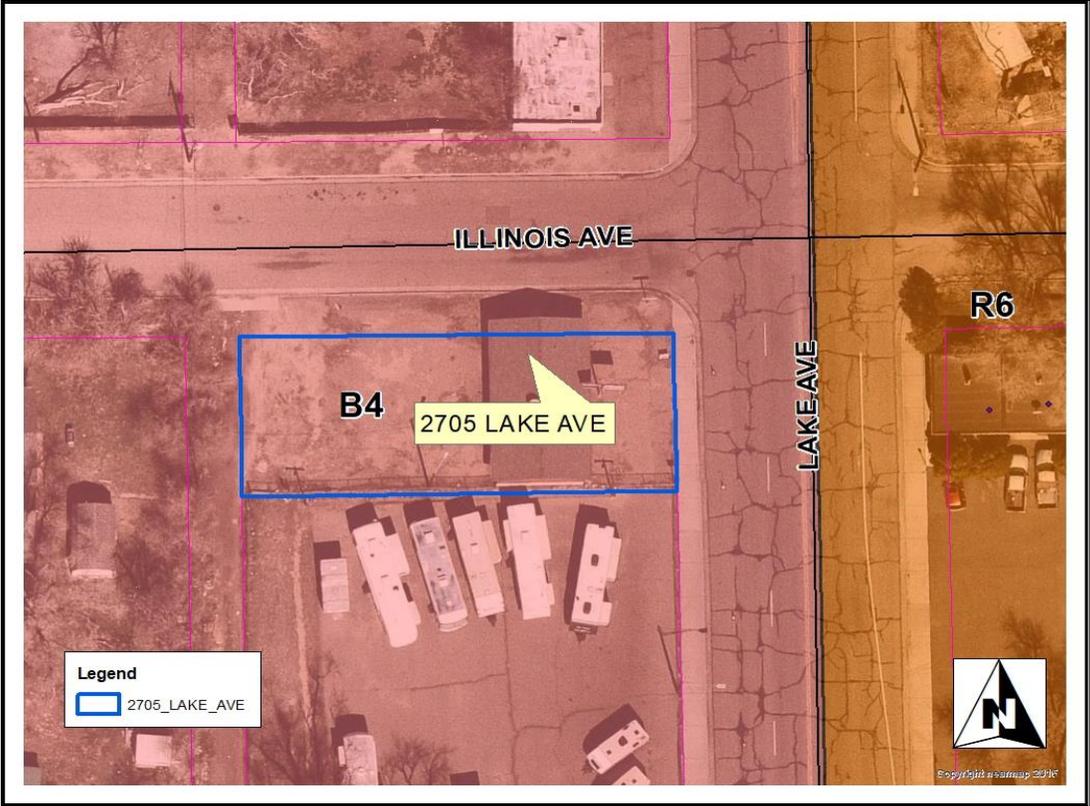
- 1 **Time Limits:** Zoning permit shall become invalid unless work or action authorized by permit is fully executed by:
10/27/2021
- 2 **Required Revisions:** Any revisions or additions to plans required as a result of approval must be submitted and stamped "approved" prior to the sign-off of the building permit routing slip or business license.
- 3 **Changes:** The project shall be completed as shown on the plans, which have been stamped "approved" and dated by the Department of Planning and Community Development. The project shall not deviate from the approved plans without prior written approval from the Department of Planning and Community Development.
- 4 **Property Inspection:** By acceptance of this permit, Permit holder authorizes City Officials and/or their authorized representatives, access to the subject property for purpose of observing work in progress, inspecting and/or measuring the property or improvements as long as the use authorized by this permit remains in effect.
- 5 **Certificate of Occupancy:** A certificate of occupancy must be issued by Regional Building PRIOR to use and/or occupancy of the subject premises. Prior to issuance, the Department of Planning and Community Development must certify that work has been completed in accordance with approved plans and that applicable conditions have been met. The Permit holder may be required to provide a Letter of Credit to obtain a Certificate of Occupancy prior to completion of all required improvements.

- 6 Completion and Maintenance of Improvements and Landscaping:** Permit holder or successor in interest is responsible for completing all improvements shown on approved plans. By acceptance of this permit, Permit holder agrees to maintain all improvements in a satisfactory condition. Any landscaping installed according to the approved plan which becomes diseased or dies shall be replaced by similar species and size no later than the first available planting season.
- 7 Building Permit; Other Permits:** Permit holder is solely responsible for obtaining BUILDING PERMIT and all other applicable local, state and federal permits.
- 8 Off-Site Drainage:** Issuance of this permit does not authorize the discharge of stormwater runoff or other surface drainage from the subject premises onto adjoining property or properties.
- 9 Appeals** of a decision of the Land Use Administrator can occur up to thirty (30) days following such decision. Appeals of Zoning Board of Appeals decisions can occur up to thirty (30) days following final decision. Any work done in connection with this permit prior to the expiration of all applicable appeal periods is done SOLELY at the risk of the Permit holder.
- 10 Errors:** Permit holder is solely responsible for the accuracy of all information contained in the Zoning Permit form and in accompanying documentation. Any errors contained therein may invalidate the Zoning Permit and may result in issuance of a code violation citation and prosecution.
- 11 Transfer of Ownership:** In the event of a transfer of ownership, partial or whole, of the subject premises, the transferee shall become Permit holder and subject to compliance with the terms and conditions of this permit.
- 12 Violations/Penalties:** A violation of any of the conditions of this permit or of any provision of the Pueblo Municipal Code may result in a penalty of up to three hundred dollars (\$300) per day.
- 13 Incorporation and Reference of All Plans Presented to the Zoning Board of Appeals:** This approval incorporates by reference all plans and drawings presented and all verbal representations by the applicant at Zoning Board of Appeals meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions or regulations

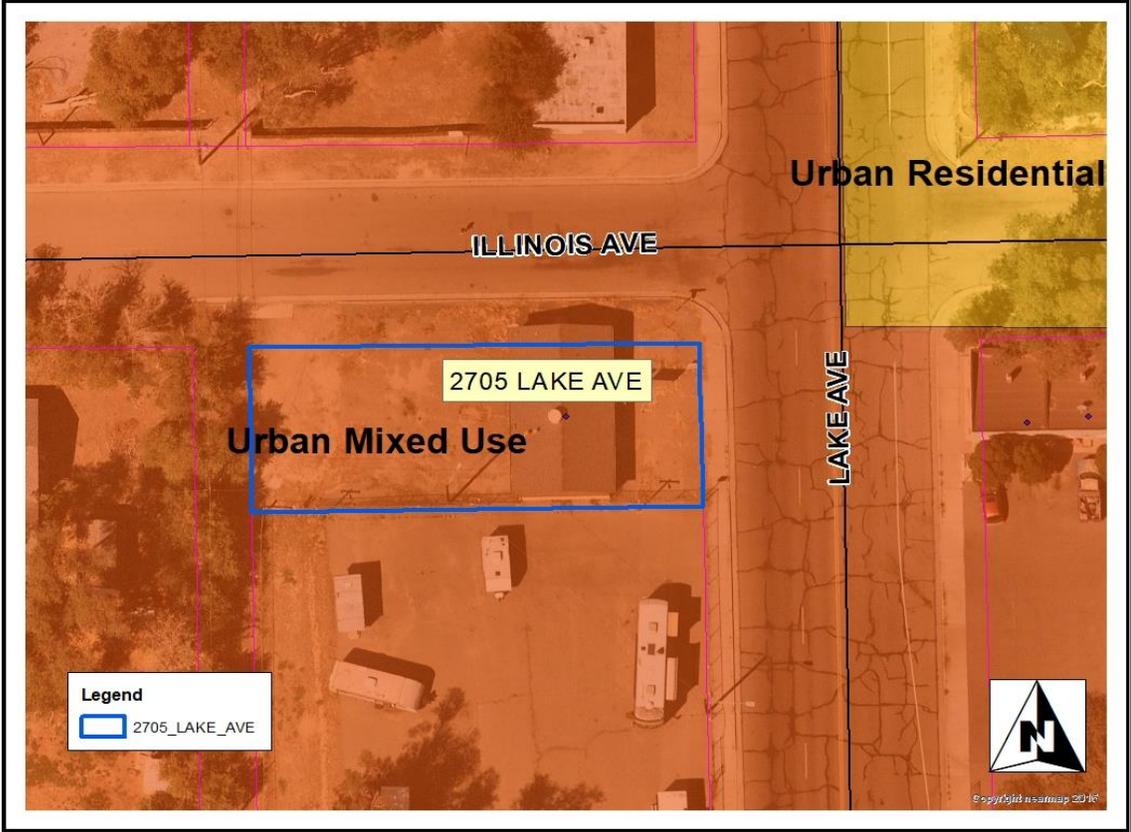
B. SITE MAP



C. ZONING MAP



D. COMPREHENSIVE PLAN MAP



E. PUBLIC NOTICE PHOTO



F. SITE PHOTOGRAPHS





211 East D Street | Pueblo, Colorado 81003 | Tel 719-553-2259 | Fax 719-553-2359 | TTY 719-553-2611 | www.pueblo.us

Zoning Board of Appeals Application

Please type or print clearly. Illegible applications will not be accepted. Case #:

Contact Info	Property Owner:		Applicant (If different from property owner):	
	Name: <i>Patti Olenick</i>		Name:	
	Address: <i>1808 Logan Ave</i>		Company:	
	City, State & Zip: <i>Pueblo CO 81004</i>		Address:	
	Phone: <i>(717) 439-2946</i>		City, State & Zip:	
Email: <i>HAYNOW28@yahoo.com</i>		Phone: ()	Cell: ()	
		Email:		
<i>The applicant will be the primary contact unless otherwise noted.</i>				
Property Info	Project Location: <i>2705 Lake Ave Pueblo CO 81004</i>			
	Legal Description: <i>Lots 21 + 22 Blk 35 East Lake</i>			
	Parcel No: <i>1514111042</i>		Existing Zone: <i>B4</i>	
	Property Size: <i>to be confirmed</i>			
Project Information	General Information			
	Provide a short description of the proposed request: (separate narrative as Attachment A also required)			
	<i>allow for the development of a commercial kitchen in an existing bar building</i>			
	What is the general use of the property: <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Multi-Family <input type="checkbox"/> Other			
	Scope of work: <input checked="" type="checkbox"/> Special Use Permit (Limited Use Permit):			
<input checked="" type="checkbox"/> Use by Review <input type="checkbox"/> Home Daycare <input type="checkbox"/> Home Occupation (Total # of children: _____) <input type="checkbox"/> Other: _____				
<input type="checkbox"/> Variance: <input type="checkbox"/> Setback <input type="checkbox"/> Parking <input type="checkbox"/> Landscape <input type="checkbox"/> Lighting <input type="checkbox"/> Height <input type="checkbox"/> Signs <input type="checkbox"/> Other: _____				
<input type="checkbox"/> Appeal: <input type="checkbox"/> ZBA Decision (Case Number: ZBA-____-____) <input type="checkbox"/> Administrative Official Determination <input type="checkbox"/> Other: _____				
<input type="checkbox"/> Other: _____				

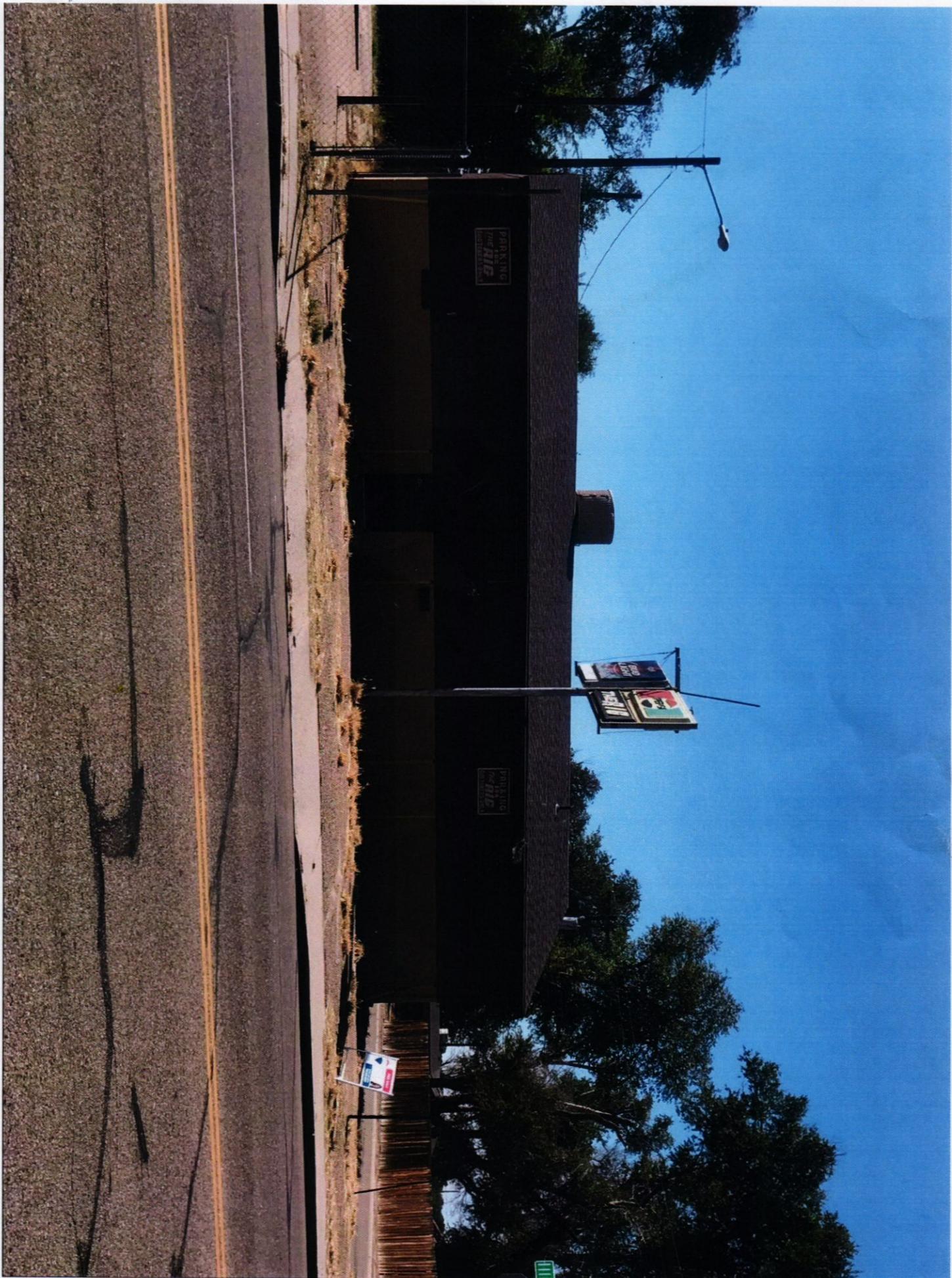
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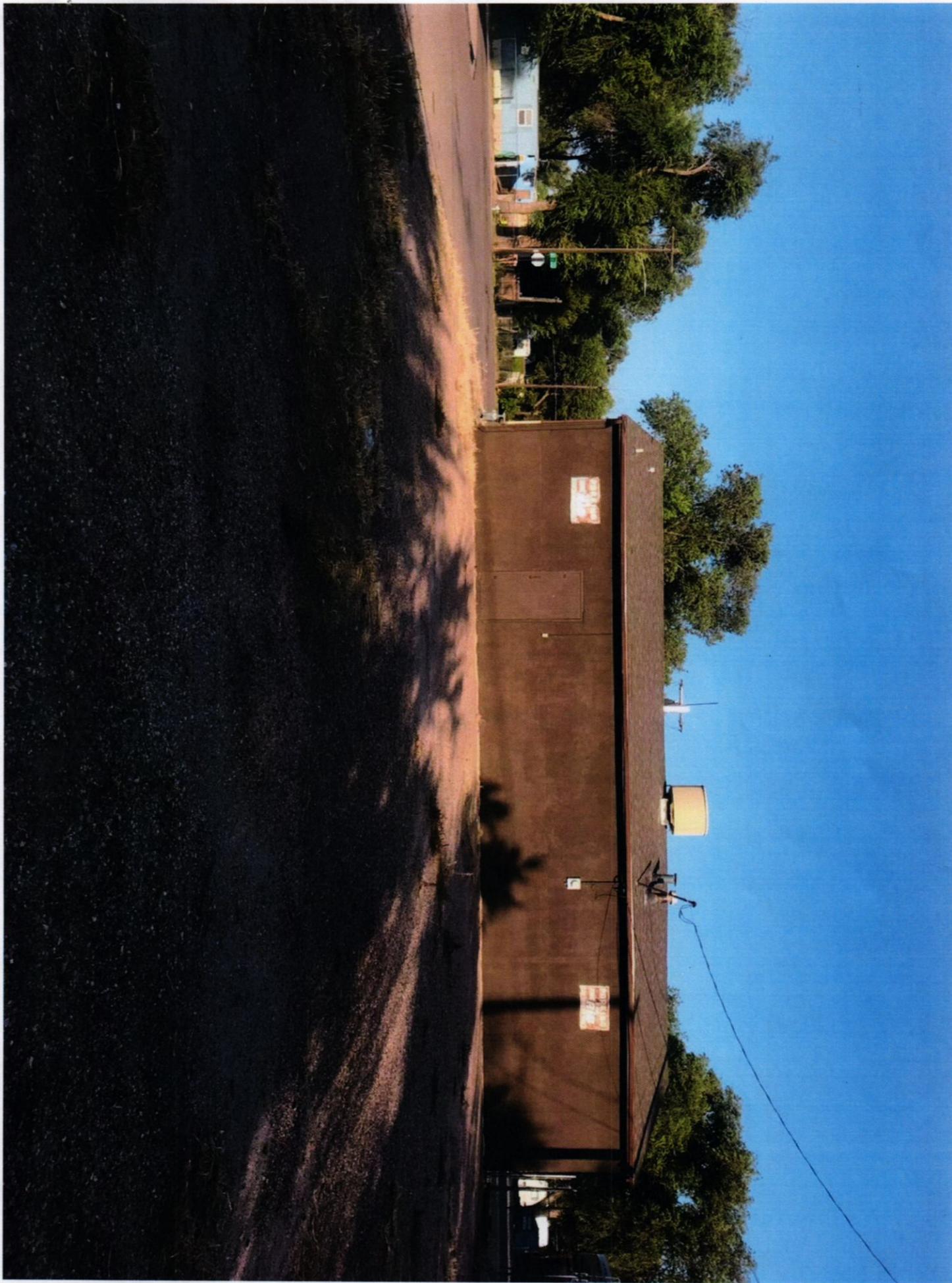
Attachment Checklist:	
Attachments	The following list of attachments are required to accompany all applications:
	<input checked="" type="checkbox"/> A. Detailed explanation of the request as listed above. Be specific.
	<input checked="" type="checkbox"/> B. Justification of facts required for the request. Be specific <i>per 4 criteria. will follow up</i>
	<input checked="" type="checkbox"/> C. Site plan, if variance. Must depict requested variance on plan.
	<input type="checkbox"/> D. Applicable application (i.e. business license, Home Occupation Questionnaire). <i>later after approval</i>
	<input checked="" type="checkbox"/> E. Photographs.
	<input checked="" type="checkbox"/> F. Additional information that you believe justifies the request.
	<input checked="" type="checkbox"/> G. Copy of determination letter, if appealing Administrative Official Determination.
<input checked="" type="checkbox"/> H. Pueblo County Assessor's Property Information print out (www.co.pueblo.co.us)	
Terms	By signing below, the Property Owner and Applicant are representing that each understands and agrees to the following terms:
	1. Authorized personnel from the City of Pueblo, are hereby granted the right to enter the subject property for the purposes of reviewing and processing the application.
	2. There are no known hazards or vicious animals present on the subject property.
	3. All requisite fees have been paid to the City of Pueblo.
	4. All information in this application, and all attachments, are true and accurate to the best of my knowledge.
	5. The City of Pueblo is under no obligation to approve the request contained in this application. No promises of approval are conveyed with the acceptance of this application.
	6. It is highly recommended that a licensed surveyor complete a property survey before any construction takes place. The property owner is responsible for any construction that takes place within the boundaries of their property. The city may require any construction built outside of the property legal boundaries or within any setbacks (by intent or error), to be removed at the owners' expense.
Signatures	Property Owner
	Print Name: <u>PATTI OLENICK</u>
	Signature: <u>Patti Olenick</u> Date: <u>9/18/2020</u>
	Applicant, if different from Property Owner
	Print Name:
	Signature: Date:

Zoning Compliance (Completed by City Staff)		Receipt:
Office Use Only	Application received by:	Date:
	Application checked for completeness by: <u>Ahn</u>	Date: <u>9/18/20</u>
	Case Manager:	Fee Paid:
	Hearing date:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied
	Case #:	<input type="checkbox"/> Approved w/conditions

Attachment #b – Justification of Facts

- a. Access
 - a. The property faces Lake Ave with Illinois Ave to the side. There is access on both streets to the property and building.
- b. Off-street parking
 - a. There are 10 parking spaces directly in front of the building facing Lake Ave and an additional 20 parking spaces located behind the building with access from Illinois Ave
- c. Refuse and service areas
 - a. Refuse, trash and service areas will be behind the building with access from Illinois Ave using a local trash contracted service.
- d. Utilities
 - a. The building has existing utilities :
 - i. Xcel gas service
 - ii. Black Hills electric service
 - iii. city water and sewer
- e. Screening and buffering
 - a. The rear of the property facing is adjacent to an alleyway. There is a residential home across the alley that is currently screened with a row of mature trees. There is a camper sales lot adjacent to the property with an existing security fence. We will add a screen security fence along the perimeter of the back of the building along the property line.
- f. Signs
 - a. There is an existing sign located at the front of the building. This will be removed due to age of the pole and it is unsightly. No new sign or pole will be installed. The building will be painted with an art mural for signage.
- g. Required yards
 - a. We will be using the front parking lot for promotional events such as chili roasting, food trucks and food vendors. This will be very limited in scope due to the size of the front parking lot.
- h. General compatibility
 - a. The property is in a B-4 zone. The current surrounding properties consist of a camper sale, several bars, a new restaurant, trailer court, and low in come housing. The addition of a new retail shop will bring business to this area and increase the value of area.







MLS #: B174606A (Active) List Price: \$125,000

2705 Lake Ave Pueblo, CO 81004



Business Type: See Remarks
Building Description: Single Story
Building SqFt: 1300
Apx Year Built: 1969
Stories: 1
Sale Includes: Building & Land,
 Fixed Equipment Included
Price Per SQFT: \$96.15

Sub Area: Southgate
Area: South
County: Pueblo
Basement: No
Green Built: No
Energy Rated: No
Total Acres: 0.143
Lot Dimensions: 0
Lot SqFt: 6250

Legal Description: Lots 21 and 22 Block 35 East Lake **Parcel Number:** 1514111042

Water Rights: No **Irregular Lot Size:** No **Zoning:** B-4

Frontage: **Depth:**

Property Assoc: No **Property Assoc Dues:** 0.00

Location: Corner, Neighborhood Business District **Access:** Interstate 1 mile or Less, City Street

Special Taxes: 0.00 **R/E Taxes:** 1502.26 **Prior Tax Year:** 0

For Sale/Lease: Sale **Rental:** **Monthly Lease Rate:** \$0

Lease Type/Terms: Other **Lease Includes:** None

Documents Available: Seller's Disclosure

Variable Commission: No **Comm BA % or \$:** 3 **Comm TB % or \$:** 3 **Possession:**

Earnest Money Required: 1500 **Earnest Money To:** Stewart Title

Occupancy: Vacant

Showing Instructions:

Terms: Cash, Conventional

Ownership: Seller

Exclusions: pool table, juke box, and other miscellaneous personal property that aren't trade fixtures.

Roof: Flat **Ceiling Heights:**

Electric Company: BlackHills **Overhead Door Heights:**

Heating Type: Forced Air **Equipment Included:** Fixtures/Furniture

Cooling Type: Evaporated **Miscellaneous:** None

Gas Company: Xcel

Fuel: Electric

Water Company: Pblo Water

Water Type: Public

Sewer Type: Public Sewer

Driveway/Parking Area: Crushed Rock, Dirt, Gravel, Concrete,

Dirt Parking Area

On Street Parking: No

Off Street Parking Spaces: 20

Public Remarks: DEFER CAPITAL GAINS TAX!! Located in an OPPORTUNITY ZONE in the Lake Avenue District, This property boasts a Great corner location for small bar/eatery or whatever small business you want to make it. Walking distance from Minnequa Lake Park it was once a local watering hole called The Rig from 1983 until it closed in 2011. Both on and off street parking. Dust it off and make it yours. Sorry folks, liquor license not included. You need to get your own. Literally 3 minutes from I-25 and Pueblo Blvd. Buyer to verify square footage.

Directions: I-25 to South Pueblo Blvd. Exit. Head north on Pueblo Blvd. to first traffic signal which is Lake Avenue, turn right on Lake and The Rig will be on your left.

MLS/Agent Only Remarks: The owner is my former father-in-law.

List Date: 7/13/2018 **Days On Market:** 786 **Contract Date:**

Orig LP: \$125,000 **Internet:** Yes **DsplyAddr:** Yes **AllowAVM:** No **AllowCmnts:** No **Photo:** Provided

Listing Office: RE/MAX Associates (#:934) **Listing Agent:** Shawn Yoxey (#:2250)

Main: (719) 583-8383 **Agent Email:** shawn.yoxey@remax.net

Fax: (719) 583-1999 **Contact #:** (719) 320-6923

Showing #: (719) 583-8383

Information Herein Deemed Reliable but Not Guaranteed
 MLS #: B174606A

Pueblo Zoning Board of Appeals Application

Garrett Peck/ Pex Peppers Hot Sauce Company

Proposed property location for Special Use Permit – Use by Review :

2705 Lake Ave

Pueblo CO 81004

A. Detailed explanation

We are in the process of purchasing the building and land at 2705 Lake Ave Pueblo CO 81004. Currently the business location named the “Rig” is zoned Central Business (B-4) and was a bar for many years. We will no longer use the building as a bar and are requesting a Special Use Permit to consider a “food and drink processing facility, minor,” which written as:

“an establishment producing or processing foods for human consumption and certain related products with relatively minor impacts to the surrounding neighborhood. Includes: (1) bakery products, sugar and confectionery products (except facilities that produce goods only for on-site sales with no wider distribution); (2) fruit and vegetable canning, preserving, and related processing; (3) non-potentially hazardous foods and foods that do not require refrigeration, such as spices, teas, dehydrated produce, nuts, seeds, jams, jellies, preserves, fruit butter, and baked goods, including candies; and (4) other similar food preparation from raw products where the impacts are minor, as determined by the Administrative Official. Use allows retail sale of food produced on site.” [Zoning Use Definitions, PMC Section 17-2-2 (58)(b)]

The zoning table of permitted uses [Section 17-4-51] lists it as a “use by review” in a B-4.

Pex Peppers Hot Sauce company has been in business since 2010. We are expanding our company and intend to develop a commercial kitchen to be able to expand our business. We will also add retail space to sell our products and to promote Pueblo agriculture. We won a national award for our hot sauce, “I’m So Chili” made from the Pueblo Chilis.

We have customers across the US and our retail shop will be a destination for tourists and fellow hot sauce friends. We will also feature additional local agricultural products for resale in the retail shop. The kitchen will be a commercial kitchen that will be rented out to clients needing this service. There are no commercial kitchens for rent in the greater Pueblo area and there is a need for this opportunity to help expand local food products manufacturing and support local agriculture.

B. Justification

Currently the Rig bar has been closed for over two years and the property has been for sale for over 790 days. We intend to purchase the building and land and reestablish a different type of business at the location. We will not operate the building as a bar but install an upgraded commercial kitchen and produce local food products such as hot sauce, pickles, jams, salsa’s and seasoning mixes. Most of our products will feature the Pueblo Chili and help to support local markets. Currently there is no

commercial kitchen available for the community to use within a 25-mile radius of Pueblo. The addition of this type of space will enable small food producers to work in a certified and inspected kitchen. This can spur new food processing opportunities for the community. The change in zoning will allow us to operate at this location and to reinvest in Pueblo and add a new retail location of local products in Opportunity Zone.

