

Planning & Zoning Application

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

Case #: **2-14-07**

Contact Info	Property Owner		Applicant	
	Name: DON PAGANO		Name:	
	Company: SECOND FARABAUGH RENTAL LLC		Company:	
	Address: 89 PURDUE ST.	Zip: 81005	Address:	Zip:
	Phone: (719) 248-4067		Phone: ()	
	Email: don.pagano@comcast.net		Email:	
	Engineer		Surveyor	
	Name:		Name: DAN HANTEN	
	Company:		Company: HANTEN SURVEYING, INC.	
	Address:	Zip:	Address: 3225 VAIL AVE.	Zip: 81005
Phone: ()		Phone: (719) 250-3150		
Email:		Email: DRH8@hotmail.com		
<i>The applicant will be the primary contact unless otherwise noted.</i>				
Property Info	Project Location: (address or general description) 2705-2719 FARABAUGH LN, PUEBLO CO 81004			
	Parcel No(s): LOT 3 B1K4 SOUTH PRAIRIE SUB 2nd			
	Existing Zone: B-3		Proposed Zone (if applicable): BP	
	PUD Name (if applicable):			
Project Scope	Project Name: _____			
	Scope of work:			
	<input type="checkbox"/> Lot Line Rearrangement: # of existing lots: _____ Total acres: _____			
	<input type="checkbox"/> Overall Development Plan			
	<input checked="" type="checkbox"/> Rezoning From: B-3 To: BP			
	<input type="checkbox"/> Site Plan Review: <input type="radio"/> HARP <input type="radio"/> Development Plan <input type="radio"/> PUD <input type="radio"/> Student Housing			
	<input type="checkbox"/> Special Area Plan			
	<input type="checkbox"/> Street Name Change: Existing Name: _____ Proposed Name: _____			
	<input type="checkbox"/> Subdivision: # of lots: _____ Total acres: _____			
	<input type="checkbox"/> Text Amendment			
<input type="checkbox"/> Vacation: <input type="radio"/> Street <input type="radio"/> Alley <input type="radio"/> Easement <input type="radio"/> Other: _____				
<input type="checkbox"/> Other: _____				

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Project Information	Provide a brief description of the proposed request: (separate narrative as Attachment A also required) <u>CHANGE ZONE FROM B-3 to BP to ACCOMADATE NEW TENANT USE AS MARIJUANA GROW FACILITY.</u>	
	What is the total acreage included in the project? <u>.30,404.88 sq. ft.</u>	
	What is the proposed use of the property: <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Multi-family <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Other _____	
	Are there any other pending or recently approved Land Use applications regarding this property? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
	If yes, please list: _____	
Attachments	Attachment Checklist	
	The following list of attachments are required to accompany all applications: <input type="checkbox"/> A. Detailed explanation of the request as listed above. Be specific <input type="checkbox"/> B. CD with DWF and DWG (Autocad) file of all plans and drawings & a PDF of all documents submitted. <input type="checkbox"/> C. Pueblo County Assessor's Property Information print out (www.co.pueblo.co.us) <input type="checkbox"/> D. Additional information as required by the P&Z Submittal Requirements Sheet.	
Terms	By signing below, the Property Owner and Applicant are representing that each understands and agrees to the following terms:	
	<ol style="list-style-type: none"> 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, including Certificate of Occupancy Inspections. 2. There are no known hazards or vicious animals present on the subject property. 3. All information contained in this application, is true and accurate to the best of my knowledge. 4. 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. 5. 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>SECOND FARABAUGH RENTAL LLC</u>
	Signature:	<u>Don Farano, Manager</u> Date: <u>7-8-14</u>
	Applicant, if different from Property Owner	
Signatures	Print Name:	
	Signature:	

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

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Chair

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Chris Kaufman
City Council Representative



Planning & Zoning Commission

David Webb

Brian Lucas

Raymond Seybold

Z-14-07

TO: City of Pueblo, Planning and Zoning Commission
FROM: Kelly Grisham, Planner
THROUGH: Steven Meier, Director of Planning and Community Development
DATE: August 13, 2014
SUBJECT: **Farabaugh Rezoning**
APPLICANT: **Don Pagano, Second Farabaugh Rental, LLC**
PROPERTY OWNER: Same
LOCATION: **2705-2719 Farabaugh Lane**
EXISTING ZONE: B-3, Highway and Arterial Zone District
PROPOSED ZONE: B-P, Business Park District
CONCURRENT REQUESTS: None

REQUEST:

The applicant is requesting to rezone the property at 2705-2719 Farabaugh Lane from B-3 to B-P Zone District.

ANALYSIS:

The proposed rezoning request conforms with the Pueblo Comprehensive Plan designation and meets the minimum zone district requirements.

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 conditions:

1. Prior to the application being forwarded to City Council, provide a legal description in a word document. The legal description must include ½ of the rights-of-way of Farabaugh Lane and Broadmoor Road. (K. Grisham, Planning, 7/30/14)
2. Prior to the application being forwarded to City Council, provide a rezoning exhibit and site plan in dwf format. (K. Grisham, Planning, 7/30/14)
3. Prior to the application being forwarded to city Council, provide a landscape plan, bringing the landscape setback areas into compliance with Section 17-4-7 of the Pueblo Municipal Code. Landscaping must be installed within one (1) year of the rezoning approval. (K. Grisham, 7/30/14)

STAFF REVIEW AND FINDINGS:

The subject property is located at 2705-2719 Farabaugh Lane. The applicant is proposing to rezone the existing developed 30,000 square foot property to allow uses that are not currently allowed in the B-3 Zone District. Specifically, the applicant would like to lease a portion of the existing building for marijuana cultivation facility. The surrounding area and existing uses on the property are consistent with the proposed Zone District.

PLANNING AND COMMUNITY DEVELOPMENT COMMENTS

CHARACTER AND COMPATIBILITY:

□ **Site Character:**

The property is currently developed, with an existing warehouse building, and parking. The landscaping includes trees only in the setback. As a condition of approval, the applicant will be required to add 70% living landscape to the setback areas.

□ **Neighborhood Compatibility:**

- North B-3, Highway and Arterial Zone District
- East B-3, Highway and Arterial Zone District
- South B-3, Highway and Arterial Zone District
- West B-3, Highway and Arterial Zone District

The property is surrounded by existing warehouse and light industrial uses, and the areas just beyond the B-3 Zoned properties are zoned B-P and I-2; therefore, the proposed Zone District would be compatible with the surrounding neighborhood.

□ **Comprehensive Plan Compliance:**

The project site has been designated by the Pueblo Comprehensive Plan as “Employment Center – Light Industry.”

The Pueblo Comprehensive Plan designation of Employment Center – Light Industry includes manufacturing, assembling, research and development that provide tax revenue and jobs. The uses should not include industrial processes that emit significant smoke, noise or odors, or handle hazardous materials.

The proposed rezoning would be more consistent with the Comprehensive Plan than the current B-3 zoning.

ABILITY TO COMPLY WITH THE PROPOSED ZONE DISTRICT:

□ **Minimum lot size and area:**

- The B-P Zone District requires a minimum of 20,000 square foot of lot area, with a minimum of 100 foot wide street frontage.
- *The existing lot has a lot size of 30,405 square feet and a lot frontage of 177 feet.*

□ **Lot coverage:**

- The B-P allows a maximum lot coverage of 50%.
- The existing structure is 9,000 square feet, for a total lot coverage of 29%.

□ **Zone District performance standards:**

The proposed B-P Zone District requires compliance with the Pueblo Municipal Code, as conditioned and described in detail below:

1. Parking Standards.

- The building was constructed with a parking standard for retail in the B-3 Zone District. The proposed use for a portion of the building will result in a parking requirement of less than what is currently required.

2. Landscape Standards.

- The property was landscaped in compliance with the landscape code at the time of building permit and Certificate of Occupancy in 2009; however, the ground cover originally required has been removed. The applicant must install the required ground cover in the landscape setback areas within one (1) year of the rezoning approval.

□ **Conclusion:**

The property has the ability to comply with the proposed zone district.

□ **Comments:**

1. The proposed use will be a change in occupancy for that portion of the building. This will require two full sets of stamped plans. New routing for both the construction and issuance of a new certificate of occupancy will be required. (M. Colucci, Pueblo Regional Building Department, 7/22/14)
2. Applicant should check with Black Hills Energy to be sure sufficient power is available, if not already in the building. (M. Colucci, Pueblo Regional Building Department, 7/22/14)

ATTACHMENTS:

- A. Location Map
- B. Vicinity Map
- C. Zoning Map
- D. Comprehensive Plan Map
- E. Site Photographs
- F. Rezoning Exhibit
- G. Application

Z-14-07



Exhibit A. Aerial Photograph

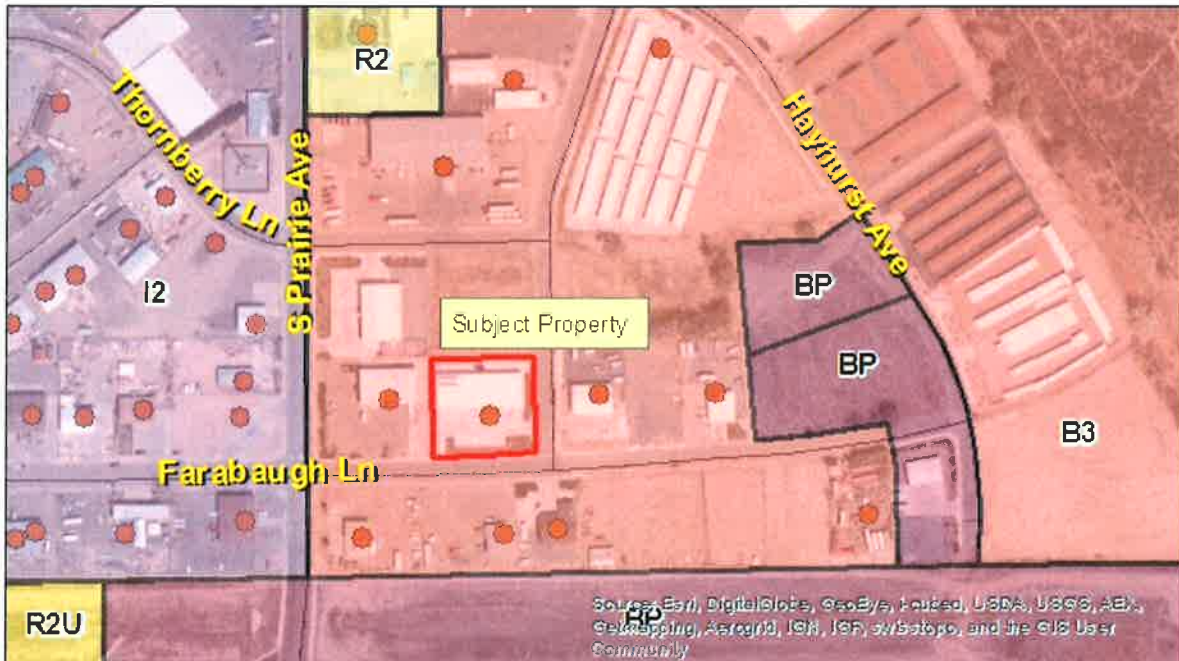


Exhibit B. Zoning Map

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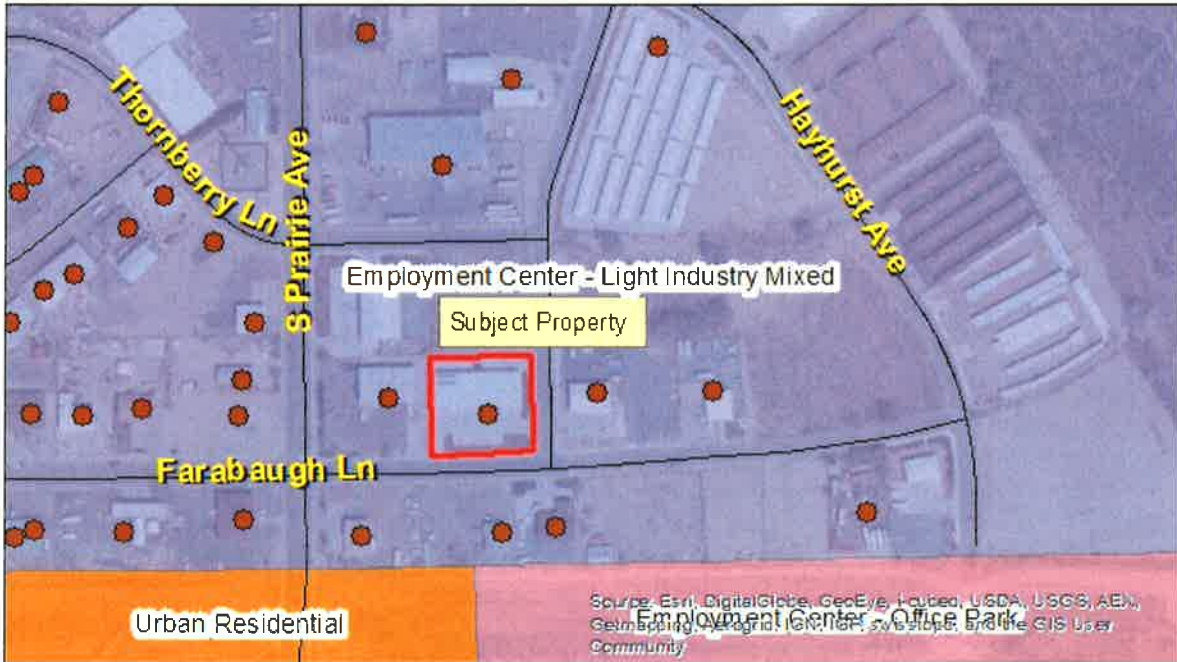


Exhibit C. Comprehensive Plan Map

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Public Notice Poster



Site from Farabaugh

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Existing landscape along Broadmoor Rd



Existing landscape along Farabaugh Lane