



**REGULAR CITY COUNCIL MEETING  
CITY COUNCIL CHAMBERS – CITY HALL  
#1 CITY HALL PLACE  
MONDAY, APRIL 27, 2026 - 5:30 PM**

**MINUTES**

**A. CALL TO ORDER**

President Aliff called the meeting to order at 5:30 p.m.

**B. INVOCATION**

**C. PLEDGE OF ALLEGIANCE**

**D. ROLL CALL**

**Council Members Present:** Brett Boston, Roger Gomez, Joe Latino, Ted Hernandez, Dianne Danti, Selena Ruiz-Gomez.

**Council Members Present via Zoom:** None.

**Council Members Absent:** Mark Aliff.

**Administrative Staff Members Present:** Mayor Heather Graham, Chief of Staff Brian McCain, City Attorney Carla Sikes, City Clerk Clyde Bishop.

**E. SPECIAL RECOGNITIONS**

**E1 PROCLAMATION PRESENTATION: "ARBOR DAY — APRIL 30, 2026" — STEVEN MEIER, DIRECTOR OF PARKS AND RECREATION, MIKE SEXTON, ASSISTANT DIRECTOR OF PARKS AND RECREATION, AND CHARLIE KUNTZ, FORESTRY COORDINATOR**

**E2 PROCLAMATION PRESENTATION: "FINANCIAL LITERACY MONTH — APRIL 2026" — LUANNE MAEZ, ECONOMIC MOBILITY AND OPPORTUNITY MANAGER, ADRIAN GOMEZ, FINANCIAL WELLNESS COORDINATOR, KEVIN HARRIS, FEC COACH, & BRANDON MAES, FEC COACH**

**F. PUBLIC FORUM**

- Aubree Adams - Marijuana
- Margaret D Graham - Introduction to City Council
- Noah Comaford - Nonprofits

- Elvis Martinez - Roads / Misinformation.

## **G. COUNCIL MEMBER AND MAYOR COMMENTARY**

Council members expressed comments regarding community-related issues and events/functions they attended.

## **H. REVIEW OF AGENDA**

The agenda was reviewed page by page.

## **I. APPROVAL OF AGENDA**

Councilor Boston, seconded by Councilor Latino, moved to amend the agenda by tabling S1, S22, S23 indefinitely and moving S3 to the end of the regular meeting, and approving the agenda as amended.

Roll Call - **Ayes:** Councilor Boston, Councilor Gomez, Councilor Latino, Councilor Hernandez, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** None. Motion Passed 6-0.

## **J. READING AND APPROVAL OF MINUTES**

### **J1 CITY COUNCIL MINUTES 041326**

Councilor Boston, seconded by Councilor Danti, moved to dispense with the reading and approve the Minutes of the Regular Meeting dated **April 13, 2026**, as distributed.

Roll Call - **Ayes:** Councilor Boston, Councilor Gomez, Councilor Latino, Councilor Hernandez, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** None. Motion Passed 6-0.

## **K. CONSENT AGENDA**

City Clerk Clyde Bishop read the Consent Agenda into the record.

## **L. COMMUNICATIONS**

## **M. RESOLUTIONS**

### **M1 A RESOLUTION AUTHORIZING THE ISSUANCE OF A REVOCABLE PERMIT (REV-26-3) TO THE PUEBLO CHAMBER OF COMMERCE FOR THE USE OF GRAND AVENUE FROM CITY CENTER DRIVE TO UNION AVENUE, D STREET FROM VICTORIA AVENUE TO MAIN STREET, C STREET FROM VICTORIA AVENUE TO MAIN STREET, UNION AVENUE FROM CITY CENTER DRIVE TO B STREET, AND ALAN HAMEL AVENUE TO MAIN STREET TO HOST THE 32ND ANNUAL CHILE AND FRIJOLES FESTIVAL**

This Resolution was assigned as 16307.

### **M2 A RESOLUTION AUTHORIZING THE ISSUANCE OF A REVOCABLE PERMIT (REV-26-4) TO THE OUTLAWS ROD AND CUSTOM CAR CLUB FOR THE USE OF THE PUBLIC RIGHT-OF-WAY ALONG VICTORIA AVENUE BETWEEN ELIZABETH STREET AND ALLEY NORTH OF "B" STREET, "C" STREET BETWEEN LAMKIN STREET AND UNION AVENUE AND "D" STREET BETWEEN LAMKIN STREET AND UNION AVENUE TO HOST THEIR ANNUAL CAR SHOW EVENT**

This Resolution was assigned as 16308.

- M3 A RESOLUTION AUTHORIZING THE ISSUANCE OF A REVOCABLE PERMIT (REV-26-6) TO COLORADO STATE UNIVERSITY - PUEBLO (CSU-PUEBLO) FOR THE CLOSURE OF EASTBOUND DESERT FLOWER FROM WALKING STICK TO BONFORTE; CLOSURE OF EASTBOUND BARTLEY BETWEEN BONFORTE AND ALAMOSA; AND CERTAIN LANE CLOSURES ON ALAMOSA, TROY AND WALKING STICK TO DIRECT TRAFFIC ALONG DESIGNATED ROUTE TO HOST THEIR SPRING 2026 CSU-PUEBLO GRADUATION CEREMONY**

This Resolution was assigned as 16309.

- M4 A RESOLUTION AUTHORIZING THE ISSUANCE OF A REVOCABLE PERMIT (REV-26-10) TO 2033 JMR PROPERTY, LLC., FOR THE EXISTING FENCE ENCROACHING ON ROW ROUGHLY 17.5' OF THE ENTIRE 2025 JERRY MURPHY ROAD**

This Resolution was assigned as 16310.

- M5 A RESOLUTION APPROVING CONTRACT AMENDMENT NO. 1 IN THE AMOUNT OF \$47,701.32 TO BAHA CONSTRUCTION, INC., FOR PROJECT NO. 25-103, SOLAR LIGHTING INSTALLATION - ARKANSAS RIVER TRAIL, AND AUTHORIZING THE PURCHASING AGENT TO EXECUTE SAME**

This Resolution was assigned as 16311.

- M6 A RESOLUTION TO AMEND RESOLUTION NO. 16277 TO CORRECT THE ASSIGNED FINANCE PROJECT NUMBER FROM WHICH FUNDS WILL BE PAID FOR PROJECT NO. 24-053, ABATE AND DEMOLISH - 519 W. 11TH ST.**

This Resolution was assigned as 16312.

**N. ORDINANCES – FIRST PRESENTATION**

- N1 AN ORDINANCE ACCEPTING A QUITCLAIM DEED FROM PADULA FAMILY PARTNERSHIP, LLLP, FOR RIGHT OF WAY AND DRAINAGE CROSSING AND APPROVING A QUITCLAIM DEED CONVEYING RESIDUAL AND SURPLUS LAND TO PADULA FAMILY PARTNERSHIP, LLLP**

- N2 AN ORDINANCE BUDGETING AND APPROPRIATING FUNDS IN THE AMOUNT OF \$520,000 FROM THE UNAPPROPRIATED FUND BALANCE OF THE HEALTH SELF-INSURANCE FUND FOR THE IMPLEMENTATION AND ADMINISTRATION OF THE EMPLOYEE HEALTH CLINIC FOR FY 2026**

- N3 AN ORDINANCE APPROVING AN OFFENDER LABOR COOPERATIVE AGREEMENT WITH THE STATE OF COLORADO AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME**

**O. APPROVAL OF CONSENT AGENDA**

Councilor Boston, seconded by Councilor Danti, moved to approve all Resolutions Set Forth in the Consent Agenda, Pass the Ordinances of the Consent Agenda, Setting the Public Hearings for May 11, 2026, and Order the Ordinances to be published BY TITLE.

Roll Call – **Ayes:** Councilor Boston, Councilor Gomez, Councilor Latino, Councilor Hernandez, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** None. Motion Passed 6-0.

## **P. REGULAR AGENDA**

## **Q. RESOLUTIONS**

### **Q1 A RESOLUTION AUTHORIZING PAYMENT FROM THE COUNCIL CONTINGENCIES ACCOUNT IN THE 2026 GENERAL FUND BUDGET TO PUEBLO CONSERVANCY DISTRICT IN THE AMOUNT OF \$1,000 TO SPONSOR LEVEE ARTISTS- A MEET & GREET AT 4:30 PM AT PILLARS PARK- CHARLES LEE BRIDGE, ON MAY 13, 2026**

A staff report and detailed review of the Resolution was given by Katie Hester, City Council Administrative Assistant.

Dave Decezo appeared in person and spoke against this Resolution.

Councilor Boston, seconded by Councilor Latino, moved to approve the Resolution.

Roll Call - **Ayes:** Councilor Boston, Councilor Gomez, Councilor Latino, Councilor Hernandez, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** None. Motion Passed 6-0.

This Resolution was assigned as 16313.

### **Q2 A RESOLUTION AUTHORIZING PAYMENT FROM THE COUNCIL CONTINGENCIES ACCOUNT IN THE 2026 GENERAL FUND BUDGET TO HARP FOUNDATION IN THE AMOUNT OF \$3,500 TO SPONSOR THE 2026 ROLLIN' ON THE RIVERWALK AT 4:00 PM AT ALAN HAMEL AVENUE & MAIN STREET ON JULY 4TH, 2026**

A staff report and detailed review of the Resolution was given by Katie Hester, City Council Administrative Assistant.

- Dave Decezo appeared in person and spoke against this Resolution.
- Elvis Martinez appeared in person and spoke against this Resolution.

Councilor Boston, seconded by Councilor Latino, moved to approve the Resolution.

Roll Call - **Ayes:** Councilor Boston, Councilor Gomez, Councilor Latino, Councilor Hernandez, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** None. Motion Passed 6-0.

This Resolution was assigned as 16314.

### **Q3 A RESOLUTION AUTHORIZING PAYMENT FROM THE COUNCIL CONTINGENCIES ACCOUNT IN THE 2026 GENERAL FUND BUDGET TO COLORADO STATE FAIR FIESTA COMMITTEE IN THE AMOUNT OF \$2,500 TO SPONSOR THE 59TH COLORADO STATE FAIR FIESTA COMMITTEE SCHOLARSHIP PAGEANT AT 1:00 PM ON JUNE 20TH, 2026, AT CSU PUEBLO'S HOAG HALL**

A staff report and detailed review of the Resolution was given by Katie Hester, City Council Administrative Assistant.

- Dave Decenzo appeared in person and spoke against this Resolution.

Councilor Boston, seconded by Councilor Latino, moved to approve the Resolution.

Roll Call - **Ayes:** Councilor Boston, Councilor Gomez, Councilor Latino, Councilor Hernandez, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** None. Motion Passed 6-0.

This Resolution was assigned as 16315.

**Q4 A RESOLUTION AUTHORIZING PAYMENT FROM THE COUNCIL CONTINGENCIES ACCOUNT IN THE 2026 GENERAL FUND BUDGET TO EL MOVIMIENTO SIGUE IN THE AMOUNT OF \$2,000 TO SPONSOR THEIR 2026 CINCO DE MAYO EVENT AT 12:00 PM AT PLAZA VERDE PARK ON TUESDAY, MAY 5, 2026**

A staff report and detailed review of the Resolution was given by Katie Hester, City Council Administrative Assistant.

- Dave Decenzo appeared in person and spoke against this Resolution.

Councilor Boston, seconded by Councilor Latino, moved to approve the Resolution.

Roll Call - **Ayes:** Councilor Boston, Councilor Gomez, Councilor Latino, Councilor Hernandez, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** None. Motion Passed 6-0.

This Resolution was assigned as 16316.

**R. QUASI-JUDICIAL PROCEEDINGS**

**R1 AN ORDINANCE AMENDING ZONING RESTRICTIONS TO REZONE 502 AND 504 CHERRY LANE FROM B-3, HIGHWAY AND ARTERIAL ZONE DISTRICT TO R-3, ONE- AND TWO-FAMILY RESIDENTIAL ZONE DISTRICT**

A staff report and detailed review of the Ordinance was given by Beritt Odom, Director of Planning & Community Development. Ms. Odom requested that the Planning & Zoning documents for this item, Case # Z-25-27 dated March 11, 2026, be made part of the record for this hearing. So ordered by Councilor Gomez.

**PUBLIC HEARING:**

Seeing no one wished to speak, Councilor Gomez declared the hearing closed.

Councilor Boston, seconded by Councilor Latino, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Boston, Councilor Gomez, Councilor Latino, Councilor Hernandez, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** None. Motion Passed 6-0.

This Ordinance was assigned as 11147.

## **S. ORDINANCES – FINAL PRESENTATION**

### **S1 AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A PROGRAMMATIC AGREEMENT BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND THE COLORADO STATE HISTORIC PRESERVATION OFFICE REGARDING THE ADMINISTRATION OF FEDERAL GRANT PROGRAMS**

This item was tabled indefinitely.

### **S2 AN ORDINANCE ADOPTING THE ATTACHED RECOMMENDATIONS FROM THE COMMUNITY SERVICES ADVISORY COMMISSION (CSAC), APPROVING THE ATTACHED COMMUNITY SERVICES FUNDING AGREEMENT, AND AUTHORIZING THE MAYOR TO EXECUTE SAME**

A staff report and detailed review of the Ordinance was given by Melissa Cook, Director of Housing and Citizen Services.

#### **PUBLIC HEARING:**

- Shana Farmer appeared in person and spoke in favor of this Ordinance.
- Dave DeCenzo appeared in person and spoke in favor of this Ordinance.
- Debra Axeworthy appeared in person and spoke in favor of this Ordinance.
- Tara Mauro appeared in person and spoke in favor of this Ordinance.
- Karmen Lounger appeared in person and spoke in favor of this Ordinance.
- Elvis Martinez appeared in person and spoke against this Ordinance.
- Christina Trujillo appeared in person and spoke against this Ordinance.

Seeing no one else wishing to speak, Councilor Gomez declared the hearing closed.

Councilor Latino, seconded by Councilor Hernandez, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Boston, Councilor Gomez, Councilor Hernandez, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** Councilor Latino. Motion Passed 5-1.

This Ordinance was assigned as 11148.

### **S3 AN ORDINANCE ADOPTING THE ATTACHED RECOMMENDATION FROM THE COMMUNITY SERVICES ADVISORY COMMISSION (CSAC) FOR COLORADO BLUESKY ENTERPRISES, INC., APPROVING THE ATTACHED COMMUNITY SERVICES FUNDING AGREEMENT, AND AUTHORIZING THE MAYOR TO EXECUTE SAME**

This item was moved to the end of the meeting because of a conflict of interest with Ted Hernandez.

Councilor Hernandez was excused from the meeting and left the Dias.

A staff report and detailed review of the Ordinance was given by Melissa Cook, Director of Housing and Citizen Services.

#### **PUBLIC HEARING:**

- Sandra Monte appeared in person and spoke in favor of this Ordinance.
- Mariah Schofield appeared in person and spoke in favor of this Ordinance.

Seeing no one else wishing to speak, Councilor Gomez declared the hearing closed.

Councilor Latino, seconded by Councilor Boston, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Boston, Councilor Gomez, Councilor Latino, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** None. Motion Passed 5-0.

This Ordinance was assigned as 11169.

**S4 AN ORDINANCE ADOPTING THE ATTACHED RECOMMENDATION FROM THE COMMUNITY SERVICES ADVISORY COMMISSION (CSAC) FOR CASA OF PUEBLO, APPROVING THE ATTACHED COMMUNITY SERVICES FUNDING AGREEMENT, AND AUTHORIZING THE MAYOR TO EXECUTE SAME**

A staff report and detailed review of the Ordinance was given by Melissa Cook, Director of Housing and Citizen Services.

**PUBLIC HEARING:**

- Elvis Martinez appeared in person and spoke against this Ordinance.

Seeing no one else wishing to speak, Councilor Gomez declared the hearing closed.

Councilor Boston, seconded by Councilor Danti, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Boston, Councilor Gomez, Councilor Latino, Councilor Hernandez, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** None. Motion Passed 6-0.

This Ordinance was assigned as 11149.

**S5 AN ORDINANCE ADOPTING THE ATTACHED RECOMMENDATION FROM THE COMMUNITY SERVICES ADVISORY COMMISSION (CSAC) FOR PUEBLO CRISIS PREGNANCY CENTER INC., DBA A CARING PREGNANCY CENTER, APPROVING THE ATTACHED COMMUNITY SERVICES FUNDING AGREEMENT, AND AUTHORIZING THE MAYOR TO EXECUTE SAME**

A staff report and detailed review of the Ordinance was given by Melissa Cook, Director of Housing and Citizen Services.

**PUBLIC HEARING:**

- Tamera Axworthy appeared in person and spoke in favor of this Ordinance.
- Dave Decenzo appeared in person and spoke in favor of this Ordinance.
- Elvis Martinez appeared in person and spoke against this Ordinance.

Seeing no one else wishing to speak, Councilor Gomez declared the hearing closed.

Councilor Boston, seconded by Councilor Latino, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Boston, Councilor Gomez, Councilor Latino, Councilor Hernandez, Councilor Ruiz-Gomez. **Nays:** Councilor Danti. Motion Passed 5-1.

This Ordinance was assigned as 11150.

**S6 AN ORDINANCE APPROVING AND ACCEPTING A GRANT FROM THE COLORADO DEPARTMENT OF LOCAL AFFAIRS IN THE AMOUNT OF \$49,950.00 FOR PREDEVELOPMENT FUNDING; AUTHORIZING THE MAYOR TO SIGN THE GRANT AGREEMENT, ESTABLISHING PROJECT HS2601, AND BUDGETING AND APPROPRIATING \$49,950.00 TO PROJECT NO.HS2601**

A staff report and detailed review of the Ordinance was given by Melissa Cook, Director of Housing and Citizen Services.

**PUBLIC HEARING:**

Seeing no one wished to speak, Councilor Gomez declared the hearing closed.

Councilor Latino, seconded by Councilor Danti, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Boston, Councilor Gomez, Councilor Latino, Councilor Hernandez, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** None. Motion Passed 6-0.

This Ordinance was assigned as 11151.

**S7 AN ORDINANCE APPROVING AN AGREEMENT TO BUY AND SELL REAL ESTATE BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND HABITAT FOR HUMANITY OF PUEBLO, INC., A COLORADO NONPROFIT ORGANIZATION, RELATING TO THE SALE OF PROPERTY DESCRIBED AS LOT 42 BLK 3 OAKSHIRE HILLS FILING NO. 2 FORMERLY #04-282-32-042, PARCEL # 04-282-42-042, FOR ONE DOLLAR (\$1.00), AND AUTHORIZING THE MAYOR TO DO THE SAME**

A staff report and detailed review of the Ordinance was given by Melissa Cook, Director of Housing and Citizen Services.

**PUBLIC HEARING:**

- Elvis Martinez appeared in person and spoke against this Ordinance.

Seeing no one else wishing to speak, Councilor Gomez declared the hearing closed.

Councilor Ruiz-Gomez, seconded by Councilor Boston, moved to postpone this Ordinance to the May 11th, 2026 meeting.

Roll Call - **Ayes:** Councilor Boston, Councilor Gomez, Councilor Latino, Councilor Hernandez, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** None. Motion Passed 6-0.

**S8 AN ORDINANCE APPROVING AN AGREEMENT TO BUY AND SELL REAL**

**ESTATE BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND HABITAT FOR HUMANITY OF PUEBLO, INC., A COLORADO NONPROFIT ORGANIZATION, RELATING TO THE SALE OF PROPERTY DESCRIBED AS LOT 51 BLK 3 OAKSHIRE HILLS FILING NO. 2 FORMERLY #04-282-32-051, PARCEL #04-282-42-051, FOR ONE DOLLAR (\$1.00), AND AUTHORIZING THE MAYOR TO DO THE SAME**

A staff report and detailed review of the Ordinance was given by Melissa Cook, Director of Housing and Citizen Services.

**PUBLIC HEARING:**

Seeing no one wished to speak, Councilor Gomez declared the hearing closed.

Councilor Ruiz-Gomez, seconded by Councilor Hernandez, moved to postpone this Ordinance to the May 11th, 2026 meeting.

Roll Call - **Ayes:** Councilor Boston, Councilor Gomez, Councilor Latino, Councilor Hernandez, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** None. Motion Passed 6-0.

**S9 AN ORDINANCE TRANSFERRING FUNDS IN THE AMOUNT OF \$145,000 FROM PROJECT ACCOUNT CI2113, ARPA INTEREST, AND BUDGETING AND APPROPRIATING \$100,000 FROM THE UNAPPROVED FUND BALANCE OF THE GENERAL FUND, TO ACCOUNT 10180200-58156, SHELTER OPERATIONS**

A staff report and detailed review of the Ordinance was given by Melissa Cook, Director of Housing and Citizen Services.

**PUBLIC HEARING:**

- Rob Miller appeared in person and spoke in favor of this Ordinance.
- Elvis Martinez appeared in person and spoke against this Ordinance.
- Dave DeCenzo appeared in person and spoke against this Ordinance.

Seeing no one else wishing to speak, Councilor Gomez declared the hearing closed.

Councilor Boston, seconded by Councilor Ruiz-Gomez, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Boston, Councilor Gomez, Councilor Latino, Councilor Hernandez, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** None. Motion Passed 6-0.

This Ordinance was assigned as 11152.

**S10 AN ORDINANCE AMENDING SECTION 10-1-13 OF THE PUEBLO MUNICIPAL CODE RELATING TO FIRES AND GRILLS IN PARKS, TRAILS, AND OPEN SPACE AREAS**

A staff report and detailed review of the Ordinance was given by Steven Meier, Director of Parks and Recreation.

**PUBLIC HEARING:**

Seeing no one wished to speak, Councilor Gomez declared the hearing closed.

Councilor Boston, seconded by Councilor Danti, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Boston, Councilor Gomez, Councilor Latino, Councilor Hernandez, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** None. Motion Passed 6-0.

This Ordinance was assigned as 11153.

**S11 AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO SIGN A LEASE BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION AND THE PRESBYTERY OF PUEBLO FOR SUNSET PARK**

A staff report and detailed review of the Ordinance was given by Steven Meier, Director of Parks and Recreation.

**PUBLIC HEARING:**

Seeing no one wished to speak, Councilor Gomez declared the hearing closed.

Councilor Boston, seconded by Councilor Latino, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Boston, Councilor Gomez, Councilor Latino, Councilor Hernandez, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** None. Motion Passed 6-0.

This Ordinance was assigned as 11154.

**S12 AN ORDINANCE APPROVING A SUB-AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES BETWEEN DIBBLE AND ASSOCIATES CONSULTING ENGINEERS, INC., AN ARIZONA CORPORATION, AND THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, FOR ENGINEERING DESIGN AND RELATED CONSTRUCTION ADMINISTRATION SERVICES IN CONNECTION WITH THE TAXIWAY A SEALCOAT (PHASE 1) PROJECT AND AUTHORIZING THE MAYOR TO EXECUTE SAME**

A staff report and detailed review of the Ordinance was given by Greg Pedroza, Director of Aviation.

**PUBLIC HEARING:**

Seeing no one wished to speak, Councilor Gomez declared the hearing closed.

Councilor Boston, seconded by Councilor Ruiz-Gomez, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Boston, Councilor Gomez, Councilor Latino, Councilor Hernandez, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** None. Motion Passed 6-0.

This Ordinance was assigned as 11155.

**S13 AN ORDINANCE APPROVING AMENDMENT NO. 1 TO THE PURCHASE ORDER FROM THE STATE OF COLORADO BY AND THROUGH THE COLORADO ENERGY OFFICE, WHICH PROVIDES FUNDING IN THE AMOUNT OF \$72,000 AND REDUCING THE ESTABLISHED APPROPRIATION FROM \$126,779 IN PROJECT ACCOUNT C12509 - PUBLIC WORKS ENERGY**

## **COORDINATOR TO \$78,779.**

A staff report and detailed review of the Ordinance was given by Andrew Hayes, Director of Public Works.

### **PUBLIC HEARING:**

Seeing no one wished to speak, Councilor Gomez declared the hearing closed.

Councilor Latino, seconded by Councilor Danti, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Boston, Councilor Gomez, Councilor Latino, Councilor Hernandez, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** None. Motion Passed 6-0.

This Ordinance was assigned as 11156.

## **S14 AN ORDINANCE APPROVING AN AGREEMENT TO DONATE PROPERTY AND RELEASE OF CLAIMS BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND VILLA BELLA EXPEDITIONARY SCHOOL, A COLORADO NONPROFIT CORPORATION, AND AUTHORIZING THE MAYOR TO EXECUTE SAME**

A staff report and detailed review of the Ordinance was given by Andrew Hayes, Director of Public Works.

### **PUBLIC HEARING:**

Seeing no one wished to speak, Councilor Gomez declared the hearing closed.

Councilor Latino, seconded by Councilor Ruiz-Gomez, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Boston, Councilor Gomez, Councilor Latino, Councilor Hernandez, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** None. Motion Passed 6-0.

This Ordinance was assigned as 11157.

## **S15 AN ORDINANCE APPROVING A LEASE AGREEMENT BETWEEN BIG R HOLDINGS, INC., A COLORADO CORPORATION, AND THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND AUTHORIZING THE MAYOR TO EXECUTE SAME**

A staff report and detailed review of the Ordinance was given by Andrew Hayes, Director of Public Works.

### **PUBLIC HEARING:**

- Adam Carol appeared in person and spoke in favor of this Ordinance.

Seeing no one else wishing to speak, Councilor Gomez declared the hearing closed.

Councilor Latino, seconded by Councilor Danti, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Boston, Councilor Gomez, Councilor Latino, Councilor

Hernandez, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** None. Motion Passed 6-0.

This Ordinance was assigned as 11158.

**S16 AN ORDINANCE APPROVING A DONATION AGREEMENT BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND BAXTER KIRKLAND AND BRIANNA KIRKLAND, AND AUTHORIZING THE MAYOR TO EXECUTE SAME**

A staff report and detailed review of the Ordinance was given by Andrew Hayes, Director of Public Works.

**PUBLIC HEARING:**

Seeing no one wished to speak, Councilor Gomez declared the hearing closed.

Councilor Latino, seconded by Councilor Ruiz-Gomez, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Boston, Councilor Gomez, Councilor Latino, Councilor Hernandez, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** None. Motion Passed 6-0.

This Ordinance was assigned as 11159.

**S17 AN ORDINANCE APPROVING AND ACCEPTING A DONATION OF A 2026 POLARIS RANGER CREW XP 1000, MODEL NUMBER R26RSU99AH, FROM THE PUEBLO POLICE FOUNDATION, A COLORADO NON-PROFIT CORPORATION, TO THE CITY OF PUEBLO FOR USE BY THE PUEBLO POLICE DEPARTMENT**

A staff report and detailed review of the Ordinance was given by Chris Noeller, Chief of Police, and Captain Rebecca Jagger.

**PUBLIC HEARING:**

- Jim Benfatti appeared in person and spoke in favor of this Ordinance.

Seeing no one else wishing to speak, Councilor Gomez declared the hearing closed.

Councilor Boston, seconded by Councilor Ruiz-Gomez, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Boston, Councilor Gomez, Councilor Latino, Councilor Hernandez, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** None. Motion Passed 6-0.

This Ordinance was assigned as 11160.

**S18 AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO SIGN A COMBINED SUBDIVISION PARTICIPATION AND RELEASE FORM WITH RESPECT TO THE NATIONAL OPIOIDS SETTLEMENT REACHED WITH ASSOCIATED PHARMACIES, INC.; J M SMITH CORPORATION; LOUISIANA WHOLESALE DRUG COMPANY, INC.; MORRIS AND DICKSON CO.; NORTH CAROLINA MUTUAL WHOLESALE DRUG COMPANY, INC.; AND UNITED NATURAL FOODS, INC. ("SIX REMNANT DEFENDANTS")**

A staff report and detailed review of the Ordinance was given by Chris Noeller, Chief of Police, and Captain Rebecca Jagger.

**PUBLIC HEARING:**

Seeing no one wished to speak, Councilor Gomez declared the hearing closed.

Councilor Boston, seconded by Councilor Danti, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Boston, Councilor Gomez, Councilor Latino, Councilor Hernandez, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** None. Motion Passed 6-0.

This Ordinance was assigned as 11161.

**S19 AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO SIGN A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION, AND PUEBLO SCHOOL DISTRICT NO. 60, A PUBLIC SCHOOL DISTRICT AND POLITICAL SUBDIVISION OF THE STATE OF COLORADO, AND AUTHORIZING THE PAYMENT OF AMOUNTS FROM FUND NO. 226 - OPIOID ABATEMENT SETTLEMENT, FOR THE PURPOSES THEREOF**

A staff report and detailed review of the Ordinance was given by Chris Noeller, Chief of Police, and Captain Rebecca Jagger.

**PUBLIC HEARING:**

- Marcus Pacheco appeared in person and spoke in favor of this Ordinance.
- Chad Oreskovich appeared in person and spoke in favor of this Ordinance.

Seeing no one else wishing to speak, Councilor Gomez declared the hearing closed.

Councilor Latino, seconded by Councilor Danti, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Boston, Councilor Gomez, Councilor Latino, Councilor Hernandez, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** None. Motion Passed 6-0.

This Ordinance was assigned as 11162.

**S20 AN ORDINANCE AMENDING SECTIONS 7-4-1 AND 7-4-2 OF CHAPTER 4 OF TITLE VII OF THE PUEBLO MUNICIPAL CODE RELATING TO WEEDS, CORRECTING BOTANICAL NOMENCLATURE, AND CREATING AN EXEMPTION FOR INTENTIONAL NATIVE PLANT LANDSCAPING**

A staff report and detailed review of the Ordinance was given by Harley Gifford, Deputy City Attorney.

**PUBLIC HEARING:**

- Louise Gunderson appeared in person and spoke in favor of this Ordinance.
- Justin Maher appeared in person and spoke in favor of this Ordinance.
- Dike Raskin appeared in person and spoke in favor of this Ordinance.

- Dave DeCenzo appeared in person and spoke in favor of this Ordinance.

Seeing no one else wishing to speak, Councilor Gomez declared the hearing closed.

Councilor Latino, seconded by Councilor Ruiz-Gomez, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Boston, Councilor Gomez, Councilor Latino, Councilor Hernandez, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** None. Motion Passed 6-0.

This Ordinance was assigned as 11163.

**S21 AN ORDINANCE AMENDING TITLE IV OF THE PUEBLO MUNICIPAL CODE BY ADDING CHAPTER 11; ADOPTING BY REFERENCE THE 2025 COLORADO WILDFIRE RESILIENCY CODE; ESTABLISHING PENALTIES; AND SETTING FORTH AMENDMENTS THERETO**

A staff report and detailed review of the Ordinance was given by Harley Gifford, Deputy City Attorney.

**PUBLIC HEARING:**

Seeing no one wished to speak, Councilor Gomez declared the hearing closed.

Councilor Latino, seconded by Councilor Ruiz-Gomez, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Boston, Councilor Gomez, Councilor Latino, Councilor Hernandez, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** None. Motion Passed 6-0.

This Ordinance was assigned as 11164.

**S22 AN ORDINANCE AMENDING SECTION 15-1-10 OF THE PUEBLO MUNICIPAL CODE RELATING TO MOTORIZED VEHICLES UPON BIKEPATHS**

This item was tabled indefinitely.

**S23 AN ORDINANCE AMENDING THE 2026 FISCAL YEAR STAFFING ORDINANCE BY CONVERTING THREE (3) VACANT FULL-TIME EMERGENCY MEDICAL OFFICER (EMO) POSITIONS TO THREE (3) FIRE ENGINEER POSITIONS WITHIN THE AUTHORIZED STAFFING OF THE FIRE DEPARTMENT**

This item was tabled indefinitely.

**S24 AN ORDINANCE APPROVING AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION ("CITY"), AND THE FEDERAL HIGHWAY ADMINISTRATION, AWARD NUMBER: 693JJ32340380 FOR THE SAFE STREETS FOR ALL PROJECT, DECREASING THE FEDERAL FUNDING FROM \$681,600 TO \$428,615.01 AND AUTHORIZING THE MAYOR TO EXECUTE SAME**

A staff report and detailed review of the Ordinance was given by Andrew Hayes, Director of Pueblo Works.

**PUBLIC HEARING:**

Seeing no one wished to speak, Councilor Gomez declared the hearing closed.

Councilor Ruiz-Gomez, seconded by Councilor Latino, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Boston, Councilor Gomez, Councilor Latino, Councilor Hernandez, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** None. Motion Passed 6-0.

This Ordinance was assigned as 11165.

**S25 AN ORDINANCE APPROVING A RESTAURANT LEASE AGREEMENT BETWEEN THE CITY OF PUEBLO, COLORADO, A COLORADO MUNICIPAL CORPORATION, AND SOCO FRONTIER ENTERPRISES LLC FOR RESTAURANT OPERATIONS AT PUEBLO MEMORIAL AIRPORT, AND AUTHORIZING THE MAYOR TO EXECUTE SAME**

A staff report and detailed review of the Ordinance was given by Greg Pedroza, Director of Aviation.

**PUBLIC HEARING:**

- Elvis Martinez appeared in person and spoke in favor of this Ordinance.

Seeing no one else wishing to speak, Councilor Gomez declared the hearing closed.

Councilor Latino, seconded by Councilor Danti, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Boston, Councilor Gomez, Councilor Latino, Councilor Hernandez, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** None. Motion Passed 6-0.

This Ordinance was assigned as 11166.

**S26 AN ORDINANCE AMENDING AND EXTENDING THE TERM OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF PUEBLO AND THE INTERNATIONAL BROTHERHOOD OF POLICE OFFICERS LOCAL 537 FOR A ONE-YEAR PERIOD COMMENCING JANUARY 1, 2027 THROUGH DECEMBER 31, 2027**

A staff report and detailed review of the Ordinance was given by Robert Jagger, Deputy City Attorney.

**PUBLIC HEARING:**

Seeing no one wished to speak, Councilor Gomez declared the hearing closed.

Councilor Boston, seconded by Councilor Hernandez, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Boston, Councilor Gomez, Councilor Latino, Councilor Hernandez, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** None. Motion Passed 6-0.

This Ordinance was assigned as 11167.

**S27 AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE AN OPTION TO PURCHASE AGREEMENT BETWEEN THE CITY OF PUEBLO, A COLORADO MUNICIPAL CORPORATION AND PROJECT FALCON, AN ECONOMIC DEVELOPMENT PROSPECT, AND RELATING TO A FUTURE JOB CREATING CAPITAL IMPROVEMENT PROJECT**

A staff report and detailed review of the Ordinance was given by Carla Sikes, City Attorney.

**PUBLIC HEARING:**

- Dave DeCenzo appeared in person and spoke in favor of this Ordinance.

Seeing no one else wishing to speak, Councilor Gomez declared the hearing closed.

Councilor Boston, seconded by Councilor Latino, moved to approve the Ordinance on final presentation.

Roll Call - **Ayes:** Councilor Boston, Councilor Gomez, Councilor Latino, Councilor Hernandez, Councilor Danti, Councilor Ruiz-Gomez. **Nays:** None. Motion Passed 6-0.

This Ordinance was assigned as 11168.

**T. ADJOURN**

Councilor Gomez adjourned the meeting at 10:25 p.m.

Respectfully submitted,  
*Clyde Bishop*  
Clyde Bishop  
City Clerk

Parcel #1504106035

Current Zoning: B-3

Proposed Zoning: R-3

THATCHER AVE

CHERRY LN

CACTUS ST

R1

B3

Legal Description: LOT 1 BLK 1  
MARKVIEW SUB LESS NLY 19 FT  
SOLD COUNTY

R3

Mike Castellucci  
Chair

Patrick Avalos  
Vice Chair

Brett Boston  
City Council Representative



Planning & Zoning Commission

Alexandra Aznar

Samuel Hernandez Jr.

Cheryl Spinuzzi

James Salazar

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

City of Pueblo, Colorado

Wednesday, March 11, 2026, 3:30 p.m.

City Council Chambers, 1 City Hall Place

The meeting was called to order at 3:35 pm. with Vice Chairman Patrick Avalos presiding. Mike Castellucci arrived at 3:38 and led the meeting.

**Commissioners Present:** Brett Boston, Mike Castellucci, Patrick Avalos, Alexandra Aznar, Elizabeth Bailey, James Salazar. Cheryl Spinuzzi was present via Zoom.

**Commissioners Absent:** N/A

**Staff Members Present:** Laura Portis, Assistant City Attorney; Beritt Odom, Director of Planning and Community Development; Riane Ledford, Planner; and Cindy Capritta, Land Use Technician.

**Staff Members Absent:** N/A

**Approval of the Agenda:** Bailey moved to approve the agenda, seconded by Salazar.

**Motion Passed:** 7-0.

**Public Meeting:** N/A

**Public Hearing:**

**Z-25-27 Rezone:** A rezoning of 0.22 acres at the southeast corner of Thatcher Ave and Cherry Ln from Highway and Arterial Business (B-3) to a One-and Two-Family Residential (R-3) Zone District. Staff Report by Hannah Prinzi, Planner.

**Hearing:** Applicant Francis Blackford was sworn in and spoke in support of the application. No one appeared in opposition.

**Commission Action:** Bailey moved to recommend the rezone application be forward to City Council, seconded by Salazar.

**Motion Passed:** 7-0

Mike Castellucci  
Chair

Patrick Avalos  
Vice Chair

Brett Boston  
City Council Representative



Alexandra Aznar

Elizabeth Bailey

Cheryl Spinuzzi

James Salazar

## **Z-25-27**

March 11, 2026

**TO:** City of Pueblo Planning and Zoning Commission  
**FROM:** Hannah Prinzi, Planner  
**THROUGH:** Beritt Odom, Director of Planning and Community Development  
**SUBJECT:** Rezone from Highway and Arterial Business (B-3) to One- and Two-Family Residential (R-3) Zone District  
**APPLICANT:** Francis Blackford  
**PROPERTY OWNER:** Douglas Veltri  
**LOCATION:** Parcel #1504106035  
**CONCURRENT REQUESTS:** N/A

**REQUEST:** Rezone Parcel #1504106035 from a Highway and Arterial Business (B-3) Zone District to One- and Two-Family Residential (R-3) Zone District to facilitate development of a duplex.

### **BACKGROUND AND ANALYSIS:**

The application is requesting to rezone the subject property from a Highway and Arterial Business (B-3) Zone District to One- and Two-Family Residential (R-3) Zone District to facilitate development of a duplex. The subject property is located on the southeast corner of Thatcher Ave and Cherry Ln near the Goodnight Elementary School and Park. It is a 0.22-acre lot and sits undeveloped.

The subject property is currently within a Highway and Arterial Business (B-3) Zone District. The B-3 District is intended for areas along highways and arterial streets for location of business and services. 78 land uses are allowed by-right in B-3, including an ambulance service, bar, car wash, gas station, library, office, religious institution, restaurant, school, theater, and truck stop. An additional 33 land uses are allowed by-review through the Zoning Board of Appeals, and 33 uses are allowed conditionally through an administrative review. Most uses are commercial in character, and there are limited opportunities to allow residential uses. A duplex is not permitted in the B-3 District.

Should the subject property be rezoned to a One- and Two-Family Residential (R-3) Zone District, the applicant could build a duplex on the site. The R-3 Zone District is intended to provide areas specifically for low- and medium-density housing. Only 8 land uses are allowed by-right and include the following: an accessory community garden, established accessory dwelling unit, disabled home, one-family manufactured residence, one-family residence, two-family residence (duplex), accessory dwelling unit, and townhomes. There are 19 land uses allowed by-review and consist of neighborhood-scale commercial activity, places of assembly, supportive housing, parks, and multi-family residences. The subject property meets the minimum lot width and size set by the R-3 Zone District.

The 2022 Regional Comprehensive Plan designates the subject property and surrounding area as a Suburban Neighborhood. The Suburban Neighborhood is characterized by single-family detached and attached homes, accessory dwelling units, townhomes, and duplexes supported by complimentary uses such as neighborhood-scale goods and services, parks, schools, and community gardens. The R-3 Zone District allows for the low- and medium-density residential development called for by the Regional Plan in the Suburban Neighborhood.

The applicant has provided a tentative site plan showing the proposed duplex at the subject property. As proposed, the duplex takes access from Cherry Ln and includes two attached garages – one for each dwelling unit. The site plan provides the required yard area in the front, side, and rear portions of the lot. Should the rezoning be approved, the applicant will need to obtain a building permit from the Building Department. At that time, staff will review the site for parking, driveway width, setbacks, architectural design, and building height to ensure it complies with City standards.

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**SITE CHARACTER AND COMPATIBILITY**

<b>Site Character:</b>	The subject property is a corner lot located at intersection of Cherry Ln and Thatcher Ave. It sits undeveloped.
<b>Neighborhood Compatibility:</b>	<p>North: County Zoning: storage, car detailing, restaurant, and single-family residences</p> <p>East: Highway and Arterial Business (B-3) Zone District: boat and RV storage, auto repair shop,</p> <p>South: Highway and Arterial Business (B-3) Zone District: single-family residences</p> <p style="padding-left: 40px;">Single-Family Residential (R-1) Zone District: single-family residences</p> <p>West: Single-Family Residential (R-1) Zone District: single-family residences</p>
<b>Comprehensive Plan Compliance:</b>	The subject site is designated by the Pueblo Regional Comprehensive Plan, 2022, as Suburban Neighborhood. The Suburban Neighborhood classification calls for primary land uses of single-family detached homes and secondary land uses of single-family attached homes; accessory dwelling units; duplexes; townhomes; neighborhood-scale commercial, retail, and services; parks; schools; community gardens; public facilities; and other complementary uses.

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**ZONING AMENDMENT TEST**

The standard for accepting an amendment to the zoning map is that the proposed zoning action must either:

1) Further the goals and objectives of the comprehensive land use plan, or

Comments     **Affirmative**

2) Show that the area has changed significantly since the adoption of the comprehensive land use plan

Comments **Not Applicable**

3) Show that there was a mistake or error made in the original zoning of the property.

Comments **Not Applicable**

---

**APPLICATION REQUIREMENT PER §17-6-1 OF THE PUEBLO MUNICIPAL CODE**

The applicant's name and address and the name and address of any person, firm or corporation represented by such applicant in the application

Comments **The application contains the required information.**

The interest of the applicant and the interest of the person, firm or corporation represented by the applicant, be it legal, sales development, operation, or other interest.

Comments **The application contains the required information.**

The nature of the amendment and a legal description of the property that would be affected by the amendment.

Comments **The application contains the required information.**

A statement of the facts which the applicant believes justify the amendment; provided; however, that when any amendment changing the zoning map is requested, the following additional information shall be furnished:

Comments **The application contains the required information.**

A general description of the proposed development to the distance which will be affected; such description including subjects of environmental effect, economic effect, and traffic effect, if any; and such description carried out in scope and detail to the extent needed to support the requested amendment and as may be required by the Planning and Zoning Commission.

Comments **The application contains the required information.**

A tentative site plan showing proposed structures, uses, open spaces, facilities for parking and loading and arrangements for pedestrian and vehicular circulation.

Comments **The application contains the required information.**

A statement of the proposed time schedule for beginning and completion of development.

Comments **The application contains the required information.**

A statement reasonably indicating the applicant's economic responsibility and capability of accomplishing the development for which a zoning amendment is requested.

Comments **The application contains the required information.**

---

**CONTEXT OF ZONE DISTRICT REQUIREMENTS PER §17-4-51(a)(XX) OF THE PMC:**

**One- and Two-Family Zone District Standards:**

The standards of this district (R-3) are designed to retain and provide areas of higher density development characterized by single-family and two-family dwelling unit structures.

**Minimum Lot Width:** 50'

**Subject Property Lot Width:** 70'

**Minimum Lot Size:** 4,000 square feet

**Subject Property Lot Size:** 9,500 square feet

**RECOMMENDED ACTION:**

If the Planning and Zoning Commission makes the necessary findings of fact, a recommendation to City Council for approval of the rezone request is appropriate.

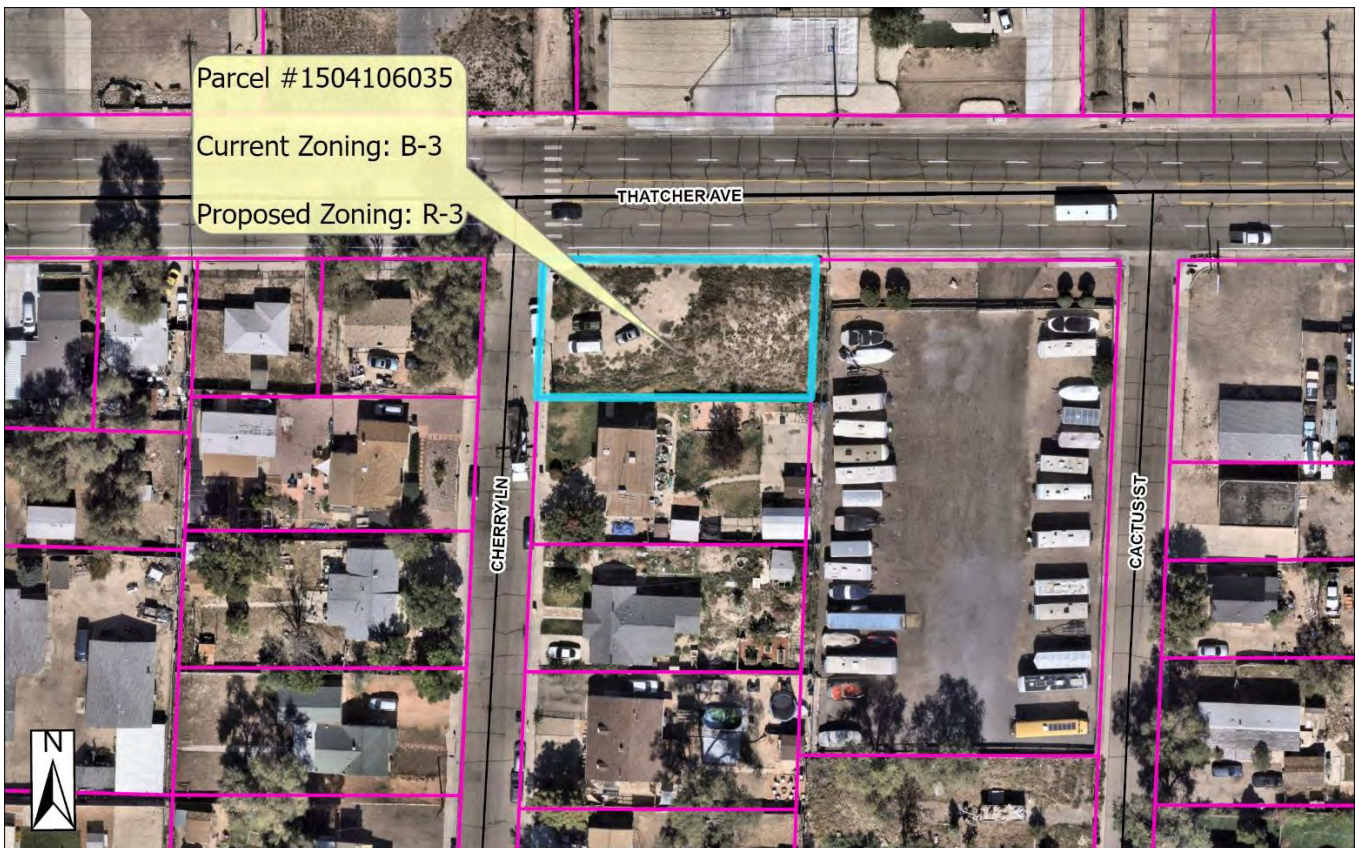
**REFERRAL AGENCIES AND COMMENTS:**

- City Public Works No comment
- City Transportation No comment
- City Law Department No comment
- Pueblo Regional Building Department No comment
- City Fire Department No comment
- City Wastewater No comment
- City Stormwater No comment
- City Parks and Recreation Department No comment
- Xcel Energy No comment
- Black Hills Energy No comment
- CDOT See attached Memo

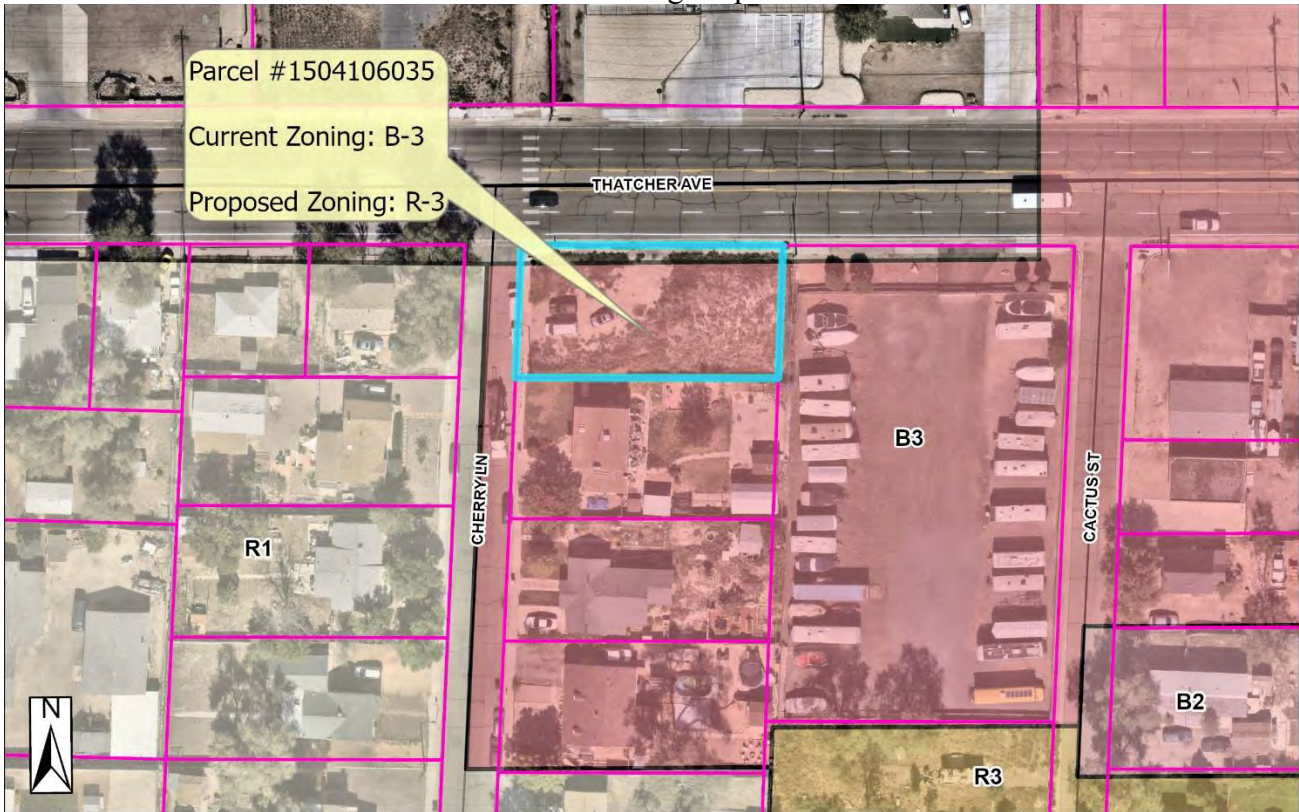
**ATTACHMENTS:**

- A. Aerial Map
- B. Zoning Map
- C. Comprehensive Plan Map
- D. Public Notice Photo
- E. Site Photos
- F. Supporting Documents: Application, B-3 Info Sheet, CDOT Memo, Property Owner Affidavit, R-3 Info Sheet, Rezoning Exhibit, and Site Plan.

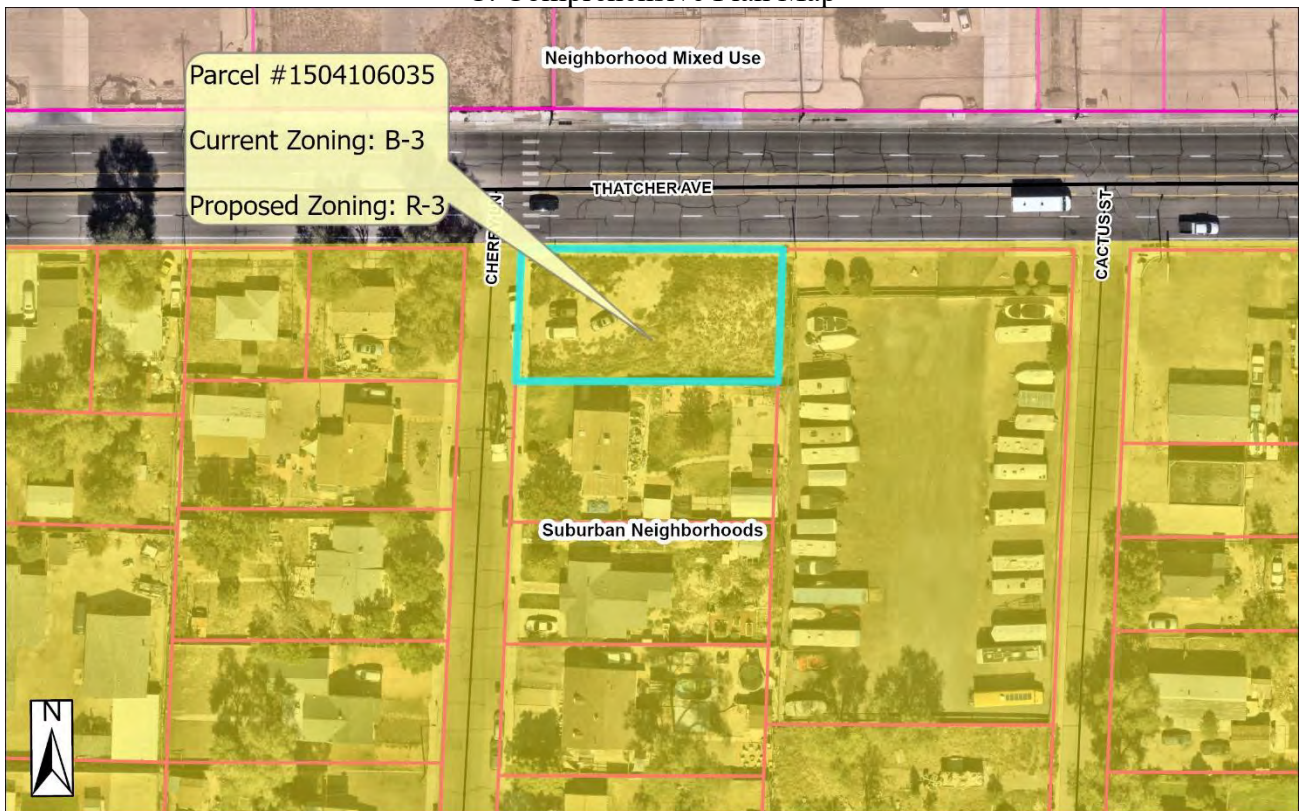
A. Aerial Map



### B. Zoning Map



### C. Comprehensive Plan Map



D. Public Notice Photo



E. Site Photos







F. Supporting Documents: Application, Rezoning Exhibit, and Site Plan  
To view the supporting documents, please see the following pages.

## Planning & Zoning Application

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

		<b>Property Owner</b>		<b>Applicant</b>	
<b>Contact Info</b>	Name:	Douglas Veltri		Francis Blackford	
	Company:				
	Address:	4535 Goodnight Ave	Zip: 81005	Address: 5543 Maggiano PL.	Zip: 81005
	Phone:	(719) 250-0503		(719) 369-7070	
	Email:	douglas@veltricontractingllc.com		francisblackford@gmail.com	
		<b>Engineer</b>		<b>Surveyor</b>	
<b>Property Info</b>	Name:				
	Company:				
	Address:		Zip:	Address:	Zip:
	Phone: ( )			Phone: ( )	
	Email:			Email:	
	<i>The applicant will be the primary contact unless otherwise noted.</i>				
<b>Project Scope</b>	<b>Project Location:</b> (address or general description) Cherry Ln. + Thatcher Ave 81005				
	Parcel No(s): 1504106035				
	Existing Zone: B-3		Proposed Zone (if applicable): R-3		
	PUD Name (if applicable):				
<b>Project Scope</b>	<b>Project Name:</b> Blackford Duplex				
	<input type="checkbox"/> Rearrangement of Property Boundaries: # of existing lots: _____ Total acres: _____				
	<input type="checkbox"/> Overall Development Plan				
	<input type="checkbox"/> Site Plan Review: Building area: _____ sf ○ HARP ○ Development Plan ○ PUD ○ 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 checked="" type="checkbox"/> Text Amendment				
	<input type="checkbox"/> Vacation: ○ Street ○ Alley ○ Easement ○ Other: _____				
	<input type="checkbox"/> Other: _____				

(Continue Next Page)

(Continued from previous page)

<b>Project Information</b>	Provide a brief description of the proposed request: B-3 to R-3 to allow development of a two-unit duplex. The proposed use is compatible with the surrounding area, complies with R-3 development standards and provides appropriate residential infill with adequate on-site parking & utilities.	
	What is the total acreage included in the project? 0.22	
	What is the proposed use of the property? <input type="checkbox"/> Commercial <input checked="" 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:	

<b>Attachments</b>	<b>Attachment Checklist</b>
	The following list of attachments are required to accompany all applications: <input type="checkbox"/> A. CD with DWF and DWG (Autocad) file of all plans and drawings & a PDF of all documents submitted. <input type="checkbox"/> B. Pueblo County Assessor's Property Information print out ( <a href="http://www.co.pueblo.co.us">www.co.pueblo.co.us</a> ) <input type="checkbox"/> C. Additional information as required by the <b>P&amp;Z Submittal Requirements Sheet</b> .

<b>Terms</b>	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"> <li>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.</li> <li>2. There are no known hazards or vicious animals present on the subject property.</li> <li>3. All information contained in this application, is true and accurate to the best of my knowledge.</li> <li>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.</li> <li>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.</li> </ol>

<b>Signatures</b>	Property Owner	
	Print Name:	Douglas S. Veltri
	Signature:	<i>Douglas S. Veltri</i>
	Date:	12/17/25
<b>Applicant, if different from Property Owner</b>	Print Name:	Francis Blackford
	Signature:	<i>Francis Blackford</i>
	Date:	12/17/25

<b>Office Use Only</b>	<b>Zoning Compliance (Completed by City Staff)</b>		
	Application checked for completeness by:	Date:	Fee Paid:

## Zone District: **B-3 (Highway and Arterial Business District)**

Purpose. The standards of this district (B-3) are intended to provide areas along highways and arterial streets for location of business and services.

Setbacks:                      Front:                      25'                      Side:                      15'\*                      Rear:                      15'\*

\* Does not apply on the portion of the parcel adjacent to another parcel also in a business or Industrial zone. It does apply when the portion of the parcel is adjacent to a residential or special zone (streets and alleys not considered.).

Coverage:                      50%  
 Floor Area Ratio:                      1.5  
 Max. Height:                      50'                      (See Section 17-4-6 for additional setbacks required for structures over 35' in height)

Minimum Lot Width:                      50'  
 Minimum Lot Size:                      5,000 Square Feet

### **Performance standards:** § 17-4-5(1).

**Outdoor Lighting**                      § 17-4-52 Outdoor Lighting Performance Standards.

**Off Street Parking**                      § 17-4-43 Off-street parking non-residential.

**Landscape:**                      Required. § 17-4-7

**Public Sidewalks:**                      § 17-4-44

### **Permitted Uses** § 17-4-51(c)

#### **Uses by right.**

- |  |                                 |                                      |
|--|---------------------------------|--------------------------------------|
| 1. Accessory commissary                  | 17. Blood bank or donor station | 35. General service                  |
| 2. Accessory community garden            | 18. Body art studio             | 36. Health club                      |
| 3. Accessory dwelling unit, established  | 19. Bowling alley               | 37. Hospital                         |
| 4. Accessory heliport, emergency medical | 20. Broadcasting studio         | 38. Hotel (Motel)                    |
| 5. Adult day service center              | 21. Butcher shop                | 39. Instructional studio             |
| 6. Ambulance service                     | 22. Car wash                    | 40. Laundromat                       |
| 7. Art gallery                           | 23. Catering service            | 41. Laundry service                  |
| 8. Auditorium                            | 24. Charitable institution      | 42. Library                          |
| 9. Automobile dealership                 | 25. Child care center           | 43. Massage establishment            |
| 10. Automobile rental                    | 26. Civic club                  | 44. Mortuary                         |
| 11. Bakery, retail                       | 27. Community center            | 45. Museum                           |
| 12. Banquet hall                         | 28. Contractor's shop           | 46. Natural medicine, healing center |
| 13. Bar, tavern                          | 29. Dog care facility           | 47. Office, general                  |
| 14. Beauty salon or barbershop           | 30. Farmers market              | 48. Office, medical                  |
| 15. Bed and breakfast home               | 31. Financial drive-up facility | 49. Office, professional             |
| 16. Bed and breakfast inn                | 32. Financial institution       | 50. Parking lot                      |
|  | 33. Funeral home                | 51. Parking structure                |
|  | 34. Gas station                 |                                      |

**Uses by right.**

- |                                   |                                   |                              |
|-----------------------------------|-----------------------------------|------------------------------|
| 52. Pawnshop                      | 62. Restaurant                    | 71. School, general          |
| 53. Pet shop                      | 63. Restaurant, carry-out         | 72. School, preschool        |
| 54. Pharmacy                      | 64. Retail sales, auto parts      | 73. Temporary farmers market |
| 55. Photography studio            | 65. Retail sales, big box         | 74. Theater, general         |
| 56. Precious metal purchaser      | 66. Retail sales, garden center   | 75. Theater, multiplex       |
| 57. Print shop                    | 67. Retail sales, general         | 76. Truck stop               |
| 58. Public utilities              | 68. Retail sales, liquor store    | 77. Urgent care facility     |
| 59. Recreation facilities, indoor | 69. Retail sales, tires           | 78. Wedding facility         |
| 60. Religious institution         | 70. School, college or university |                              |
| 61. Residence, established        |                                   |                              |

**Uses by review.**

- |   |                                      |  |
|---|--------------------------------------|--|
| 1. Automobile repair, body shop               | 11. Hospice care facility            | 23. Shooting range                       |
| 2. Commercial, established                    | 12. Kennel (cattery)                 | 24. Storage facility, outdoor            |
| 3. Commissary                                 | 13. Laboratory                       | 25. Storage facility, self-storage       |
| 4. Community correctional facility or program | 14. Microbrewery                     | 26. Student Housing                      |
| 5. Crematory                                  | 15. Mobile home sales                | 27. Temporary retail sales, intermittent |
| 6. Flea market                                | 16. Parks, trails and open space     | 28. Tow service                          |
| 7. Food and drink processing facility, minor  | 17. Pawnshop, automobile             | 29. Transit station                      |
| 8. Food warehousing                           | 18. Payday loan agency               | 30. Truck sales and service              |
| 9. Heliport, emergency medical                | 19. Recreation facilities, general   | 31. Warehousing uses                     |
| 10. Homeless shelter                          | 20. Residence, condominium           | 32. Wholesaling uses                     |
|   | 21. Residence, multifamily           | 33. Wind Turbine                         |
|   | 22. Residence, watchman or caretaker |  |

**Conditional uses:**

- |   |   |                                       |
|---|---|---------------------------------------|
| 1. Accessory antenna                                | 13. Community garden                        | 25. Retail sales, building materials  |
| 2. Accessory commercial patio                       | 14. Development in floodplain               | 26. Retail sales, retail marijuana    |
| 3. Accessory drive-thru                             | 15. Home based business                     | 27. School, trade                     |
| 4. Accessory emergency generator                    | 16. Medical marijuana center (dispensary)   | 28. Temporary construction yard       |
| 5. Accessory medical marijuana home cultivation     | 17. Medical marijuana testing facility      | 29. Temporary mobile auto repair      |
| 6. Accessory medical marijuana optional cultivation | 18. Mobile food unit                        | 30. Temporary outdoor sales, seasonal |
| 7. Accessory solar array                            | 19. Recreational vehicle, sales and service | 31. Tower (Antenna)                   |
| 8. Artist studio                                    | 20. Rental shop, equipment                  | 32. Veterinary clinic                 |
| 9. Automobile repair, lube shop                     | 21. Rental shop, general                    | 33. Woodworking                       |
| 10. Automobile repair, paintless dent repair        | 22. Repair shop, consumer items             |                                       |
| 11. Automobile repair, repair shop                  | 23. Repair shop, durable goods              |                                       |
| 12. Brewpub   | 24. Retail marijuana testing facility       |                                       |



**COLORADO**

**Department of Transportation**

Region 2

Traffic & Safety - Access Permits

SH-096A /Z-25-27 Rezone Thatcher & Cherry Ln.  
City of Pueblo

January 20, 2026

Hannah Prinzi,  
Planning and Community Development  
211 E D St  
Pueblo, CO 81003

RE: Z-25-27 Rezone Thatcher & Cherry Ln.

Hannah,

I am in receipt of a referral request for comments for Z-25-27 Rezone Thatcher & Cherry Ln. Lot 1 Block 1 Parkview Sub, (Parcel # 1504106035). The submittals have been reviewed by CDOT. After review of all submitted documents, we have the following comments:

- A State Highway Access Permit will be required to document a change in use in terms of access operation. CDOT is requesting that with the rezone, access on State Highway 096A be closed.
- Access to the property will be gained from local roadway system via Cherry Ln.
- CDOT would like to review any drainage reports.

Please contact me at 719-924-2930 or [kimberly.blanchard@state.co.us](mailto:kimberly.blanchard@state.co.us) with any questions.

Sincerely,

*Kimberly Blanchard*

Kimberly Blanchard  
CDOT R2 Access Management Trainee

xc: Andrew E Hayes, Director of Public Work, [ahayes@pueblo.us](mailto:ahayes@pueblo.us)  
Douglas Veltri - [douglas@veltricontractingllc.com](mailto:douglas@veltricontractingllc.com)  
Francis Blackford - [francisblackford@gmail.com](mailto:francisblackford@gmail.com)  
Lancaster / file



### Property Owner Affidavit

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

<b>Property Owner:</b>		
Name: Douglas Velti	Company:	
Address: 4535 Goodnight Ave		
City: Pueblo	State: CO	Zip: 81005
Phone: (719) 250-0503	Email: douglas@velticontractingllc.com	
<b>Applicant:</b>		
Name: Francis Blackford	Company:	
Phone: (719) 369-7070	Email: francisblackford@gmail.com	
Property Address: Parcel No: 1504106035		

I, Douglas S. Velti, hereby state that I am the owner of record of the property located at 1504106035, Lot 1 BLK 1 Parkview Sub Less NLY Pueblo, Colorado, and further acknowledge that by signing this affidavit I authorize the submission of an application for a Rezoning at said location.  
(application type)

Douglas S. Velti  
Signature of Property Owner

12/17/25  
Date

## Zone District: **R-3** (One and Two-Family Residential District)

Purpose. The standards of this district (R-3) are designed to retain and provide areas of higher density development characterized by single-family and two-family dwelling unit structures.

Setbacks:	Front 25'	Side 5'	Rear 15'
Coverage:	50%		
Max. Height	35'		
Minimum Lot Width:	50'		
Minimum Lot Size:	4,000 Square Feet (*1)		

(\*1) Three (3) to five (5) family dwelling unit structures shall have one thousand five hundred (1,500) square feet of lot area per dwelling unit.

(\*1) Six (6) or more family dwelling unit structures shall have a minimum of eight thousand (8,000) square feet of lot area or one thousand (1,000) square feet per dwelling unit, whichever is greater, and shall provide at least twenty percent (20%) of the parcel in landscaped open space.

**Single Family Homes:** § 17-4-11 Single family home placement standards

**Off Street Parking** § 17-4-42 Off-street parking residential.

**Landscape:** Not required

**Outdoor Lighting** § 17-4-52 Outdoor Lighting Performance Standards.

**Public Sidewalks:** § 17-4-44

### Permitted Uses § 17-4-51(c)

#### Uses by right.

- |   |   |                                   |
|---|---|-----------------------------------|
| 1. Accessory community garden           | 4. Manufactured home, one-family            | 7. Residence, townhouse           |
| 2. Accessory dwelling unit, established | 5. Residence, accessory dwelling unit (ADU) | 8. Residence, two-family (duplex) |
| 3. Home, Disabled                       | 6. Residence, one-family                    |                                   |

#### Uses by review.

- |                                      |                                   |                                   |
|--------------------------------------|-----------------------------------|-----------------------------------|
| 1. Accessory pigeon and dove keeping | 8. Funeral home                   | 15. Public utilities              |
| 2. Bed and breakfast home            | 9. Home, Children                 | 16. Recreation facilities, indoor |
| 3. Bed and breakfast inn             | 10. Home, elderly                 | 17. Religious institution         |
| 4. Charitable institution            | 11. Home, elderly foster          | 18. Residence, multifamily        |
| 5. Child care center                 | 12. Home, Foster                  | 19. Wedding facility              |
| 6. Commercial, established           | 13. Parking lot                   |                                   |
| 7. Community center                  | 14. Parks, trails, and open space |                                   |

#### Conditional uses:

- |   |                              |  |
|---|------------------------------|--|
| 1. Accessory medical marijuana home cultivation | 4. Community garden          | 8. Temporary construction yard         |
| 2. Accessory solar array                        | 5. Development in floodplain | 9. Temporary model home (sales office) |
| 3. Child care home                              | 6. Home based business       |  |
|   | 7. Legal non-conforming uses |  |

Parcel #1504106035

Current Zoning: B-3

Proposed Zoning: R-3

THATCHER AVE

CHERRY LN

CACTUS ST

R1

B3

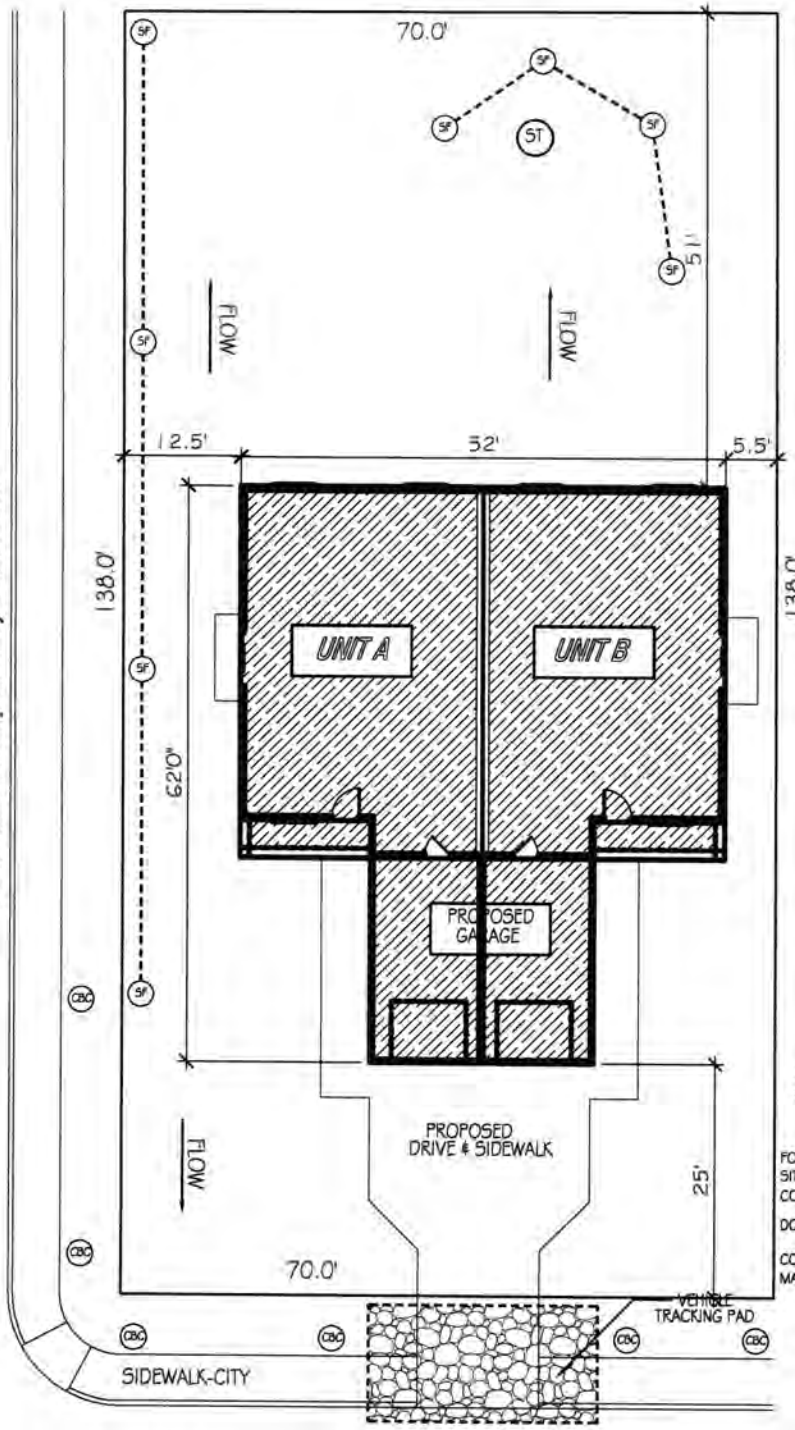
B2

R3



Legal Description: LOT 1 BLK 1  
PARKVIEW SUB LESS NLY 19 FT  
SOLD COUNTY

THATCHER BLVD (PUEBLO) COLORADO



CHERRY LANE (PUEBLO) COLORADO

**IMPERVIOUS AREA CALCULATIONS**

BUILDING (INCLUDING ROOFTOP O.H.)	2560.0
PATIO	0.0
DELIVERY AREA/ DRIVEWAY	500.0
PARKING LOT	n/a
SIDEWALKS	0.0
TOTAL IMPERVIOUS AREA	3060.0

SINGLE FAMILY RESIDENCE

TIER #1	\$2.65	0.0-2000 FT.
TIER #2	\$4.63	2001.0-4000 FT.
TIER #3	\$8.27	4001.0+ FT.

ALL OTHERS:  
 MULTIPLY THE SQ. FEET OF TOTAL IMPERVIOUS AREA BY \$.00162  
 SQ. FTG. 3060.0 x \$.00162 = \$4.95 (charge per month)

NO CROSS LOT DRAINAGE PERMITTED. STORMWATER SHALL BE DIRECTED TO THE NEAREST PUBLIC RIGHT OF WAY (STREETS AND ALLEYS), DEDICATED DRAINAGE EASEMENTS, AND/OR CITY OF PUEBLO STORMWATER CONVEYANCE SYSTEM.

- (ST) STOCK PILE
- (WM) WASTE MANAGEMENT
- (SF) SILT FENCE
- (CBC) CUT BACK CURB

FLOW LOT SLOPE- DRAINAGE DIRECTION



VEHICLE TRACKING PAD AT ENTRANCE

STREET, CURB AND GUTTER WILL BE CLEANED AND MAINTAINED DAILY, WITH SEDIMENT TRAP AT FRONT OF PROPERTY CURBHEAD.  
 CBC (CUT BACK CURB)-SEDIMENT CONTROL AT BACK OF CURB.  
 CONCRETE AREA WASHOUT AT \_\_\_\_\_

FOR TEMPORARY STOCKPILES ON THE INTERIOR PORTION OF A CONSTRUCTION SITE WHERE OTHER DOWN GRADIENT CONTROLS, INCLUDING PERIMETER CONTROL, ARE IN PLACE, STOCKPILE PERIMETER CONTROLS MAY BE REQUIRED. DOWNSTREAM PROTECTION, AND OFF SITE PERIMETER CONTROL ARE PROVIDED BY DEVELOPER. CONCRETE SUPPLIERS AND INSTALLER WILL BE REMOVING ALL CONCRETE DEBRIS AND EXTRANEALUS MATERIAL DURING CONSTRUCTION, SO NO CONCRETE WASHOUT IS BEING PROVIDED.



1  
ONE

**PLOT PLAN** SCALE: 1" = 20'-0"

BUILDER/OWNER:	THE BLACKFORD DUPLEX MODEL
DATE:	12-2025
ADDRESS:	CHERRY LANE & THATCHER BLVD. (PUEBLO) COLORADO
LEGAL DESCRIPTION:	LOT 1 BLOCK 1 PARKVIEW SUB LESS NLY 19 FT SOLD COUNTY PARCEL SCHEDULE # 15-041-06-035

ATT. DAVE WEIRICH  
 702 POLK STREET  
 PUEBLO, COLORADO 81004  
 (719) 299-4784 fax  
 (719) 240-9468 cell  
 (719) 744-0544 office  
 EMAIL-dave@advanceddb.com  
 EMAIL-david.weirich@yahoo.com







February 20, 2026

The City Planning and Zoning Commission will hold a public hearing on a request from Francis Blackford for the approval of the following application:

**Z-25-27 Rezone:** A rezoning of 0.22 acres at the southeast corner of Thatcher Ave and Cherry Ln from Highway and Arterial Business (B-3) to a One- and Two-Family Residential (R-3) Zone District.

The Planning and Zoning Commission meeting will be held on **March 11th, 2026, at 3:30 p.m.** in City Council Chambers at 1 City Hall Place. The meeting will be recorded and can be viewed via Zoom, but **no testimony will be heard virtually** (Zoom info available at [www.pueblo.us/PandZ](http://www.pueblo.us/PandZ)).

You are welcome to attend this public hearing and express your viewpoint concerning this proposal. If you cannot attend in-person, written testimony can be accepted up to 48 hours before the hearing date. To review the plans and staff report for the proposed application, please visit [www.pueblo.us/PandZ](http://www.pueblo.us/PandZ) and click on “Most Recent Agenda” no sooner than the Friday prior to the hearing. **Please contact the planner listed below if you have questions.**

Beritt Odom, Director of Planning & Community Development  
By Hannah Prinzi, Planner  
(719) 553-2259

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Beritt Odom, Director of Planning & Community Development  
By Hannah Prinzi, Planner  
(719) 553-2259

CASE NUMBER Z-25-27

CERTIFICATION

I hereby certify that I did this day cause written notice of the public hearing on the proposed Zoning Map Amendment of the property located at Parcel 1504106035 CHERRY AND THATCHER SE CORNER to be sent to the attached list of owners of the real property lying within three hundred (300) feet of the said property on which the Zoning Map Amendment is proposed by depositing the same properly addressed and postage paid in the post office, as set forth in the Code of Ordinances, Section 17-6-2.

February 20, 2026

(Date)

PUEBLO PLANNING & ZONING COMMISSION

By Cindy Caputo

I hereby certify that I did this day verify and photograph the posted notice of the public hearing on the Zoning Map Amendment of the property located at Parcel 1504106035 CHERRY AND THATCHER SE CORNER, upon which action is pending as set forth in the Code of Ordinances, Section 17-6-2.

February 2026

(Date)

PUEBLO PLANNING & ZONING COMMISSION

By Cindy Caputo

<b>Owner</b>	<b>OwnerStree</b>	<b>OwnerCity</b>	<b>Own</b>	<b>OwnerZip</b>
REALMAD HOLDINGS AND INVESTMENTS	13866 VANCE LN	MANTOWISH W WI		54545-6360
DE MARCO MICHAEL	189 COLUMBINE RD	WOODLAND PAI CO		80863-8121
DELAO JOSEPH/DELAO TRUDY	2 DESTINO PL	PUEBLO	CO	81005-2908
KING SHAWN F/KING DIANA L	244 S BAILEY DR	PUEBLO WEST	CO	81007-1624
VELTRI DOUGLAS	4535 GOODNIGHT AVE	PUEBLO	CO	81005
VINCENT ELAINE M	4605 THATCHER AVE	PUEBLO	CO	81005-1040
LUCERO MARYANN L	4612 THATCHER AVE	PUEBLO	CO	81005-1041
THATCHER AVENUE STORAGE LLC	4625 THATCHER AVE	PUEBLO	CO	81005-1040
LUSERO JACK C	4700 THATCHER AVE	PUEBLO	CO	81005-1022
SANTARELLI JUDY J/CULLEN PHILLIP E	4801 THATCHER AVE	PUEBLO	CO	81005-1023
QUINTANA BERNARDO	501 CHERRY LN	PUEBLO	CO	81005-1429
ZOOROB RONZA	5039 PRAIRIE GRASS LN	COLORADO SPRI CO		80922-2217
SHIELDS RODNEY/SHIELDS MARLENE I	506 CHERRY LN	PUEBLO	CO	81005-1430
SMITH WILLIAM G	506 CACTUS ST	PUEBLO	CO	81005-1426
SALSBURY ORMAGENE	508 WINDY WAY	PUEBLO	CO	81005-1422
BEASCHOCHEA ARGELIA	513 CHERRY LN	PUEBLO	CO	81005-1429
4417 THATCHER AVE LLC	516 ARDATH LN	PUEBLO	CO	81005-1402
SWARTZ ROY	518 CHERRY LN	PUEBLO	CO	81005-1430
SOLEM KEVIN	519 CHERRY LN	PUEBLO	CO	81005-1429
MEDINA RAYMOND A/MEDINA JEAN K	520 MELBOURNE ST	PUEBLO	CO	81005-1448
CAFFEY SANDRA A	522 MELBOURNE ST	PUEBLO	CO	81005-1448
HOLDERMAN FRANKIE T/HOLDERMAN EL	524 CACTUS ST	PUEBLO	CO	81005-1426
SPEIER TIMOTHY WESLEY	530 CHERRY LN	PUEBLO	CO	81005-1430
LIEBNOW RANDAL A	531 CHERRY LN	PUEBLO	CO	81005-1429
VICTOR JOSE / ROJAS ROSARIO	531 S PRAIRIE AVE	PUEBLO	CO	81005-1723
GRADISAR NICHOLAS/GRADISAR ANTHON	5606 BELLAGIO WAY	PUEBLO	CO	81005-5568
HALL JOHN/HALL JANELLE LIVING TRUST	64 LOYOLA LN	PUEBLO	CO	81005-1655
LEWIS GARY A	810 SAN ANGELO AVE	PUEBLO	CO	81005-1548
MARKOFF ALENE/HUBER CLIFFORD L P	816 S SWEETWATER DR	PUEBLO WEST	CO	81007-7020
RIVERA LIVING TRUST	999 W CAMINO PABLO DR	PUEBLO WEST	CO	81007-3153
WEATHERS JOSEPH	PO BOX 54	BUENA VISTA	NM	87712

ORDINANCE NO. 9614

AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A PROGRAMMATIC AGREEMENT BETWEEN THE CITY OF PUEBLO, A MUNICIPAL CORPORATION, AND THE COLORADO STATE HISTORIC PRESERVATION OFFICE REGARDING THE ADMINISTRATION OF U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT PROGRAMS

BE IT ORDAINED BY THE CITY COUNCIL OF PUEBLO, that:

SECTION 1.

A Programmatic Agreement between the City of Pueblo, a Municipal Corporation, and the State Historic Preservation Office, relating to the City of Pueblo's federal environmental review responsibilities in accordance with Section 104(g) of the Housing and Community Development Act of 1974 [42 U.S.C. 5304(g)], where the Entitlement Community assumes federal agency responsibility for compliance with Section 106 of the National Historic Preservation Act of 1966, as amended [54 U.S.C. 300101 et seq.], a copy of which is attached hereto, having been approved as to form by the City Attorney, is hereby approved.

SECTION 2.

The Mayor of the City of Pueblo is hereby authorized and directed to execute said Programmatic Agreement in the name of the City and the City Clerk is hereby authorized and directed to affix the official seal of the City of Pueblo and attest same.

SECTION 3.

The officers and staff of the City are directed and authorized to perform any and all acts consistent with the intent of this Ordinance and the attached programmatic agreement to effectuate the transactions described therein.

SECTION 4.

This Ordinance shall become effective on the date of final action by the Mayor and City Council.

**Action by City Council:**

Introduced and initial adoption of Ordinance by City Council on November 25, 2019 .

Final adoption of Ordinance by City Council on December 9, 2019 .

  
\_\_\_\_\_  
President of City Council

**Action by the Mayor:**

Approved on December 10, 2019 .

Disapproved on \_\_\_\_\_ based on the following objections:

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*Nilda Leal*  
Mayor

**Action by City Council After Disapproval by the Mayor:**

Council did not act to override the Mayor's veto.

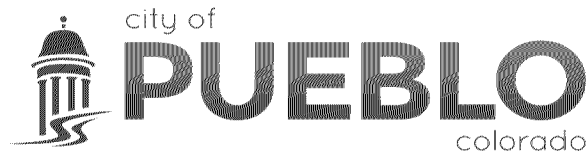
Ordinance re-adopted on a vote of \_\_\_\_\_, on \_\_\_\_\_

Council action on \_\_\_\_\_ failed to override the Mayor's veto.

\_\_\_\_\_  
President of City Council

ATTEST

*Brenda Armijo*  
City Clerk



**Background Paper for Proposed  
ORDINANCE**

**COUNCIL MEETING DATE:** November 25, 2019

**TO:** President Dennis E. Flores and Members of City Council  
**CC:** Nicholas A. Gradisar, Mayor  
**VIA:** Brenda Armijo, City Clerk  
**FROM:** Bryan Gallagher, Director of Housing and Citizen Services  
**SUBJECT:** AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A PROGRAMMATIC AGREEMENT BETWEEN THE CITY OF PUEBLO, A MUNICIPAL CORPORATION, AND THE COLORADO STATE HISTORIC PRESERVATION OFFICE REGARDING THE ADMINISTRATION OF U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT PROGRAMS

**SUMMARY:**

The Ordinance authorizes the City of Pueblo to enter into a Programmatic Agreement with the State Historic Preservation Office (SHPO). The intent of this agreement is to streamline the environmental review consultation process with the SHPO on U.S. Department of Housing and Urban Development (HUD) funded projects. The agreement identifies specific actions the City may undertake that would not have an adverse effect on historic properties and therefore not require consultation between the two entities.

**PREVIOUS COUNCIL ACTION:**

The City Council on October 15, 2013 approved Ordinance No. 8641, which authorized a 5-year programmatic agreement between the City of Pueblo and the Colorado State Historic Preservation Office.

**BACKGROUND:**

Under the Community Development Block Grant (CDBG), the HOME Investment Partnership Act (HOME), and other HUD Programs, the grantee is required to complete an environmental review for each activity to be undertaken with these funds. This process can be lengthy and time consuming for both agencies. In 2013, the City entered into a 5-year programmatic agreement with the SHPO for the various housing programs that the City and its subrecipients operate.

The Agreement allows the City to undertake certain predetermined actions on a property without the need to consult directly with the SHPO on each individual property or action. This will expedite the provision of services by a minimum of 30-days, allowing the City and its subrecipients to undertake a project in a more timely manner.

**FINANCIAL IMPLICATIONS:**

There is no financial impact to this Agreement, as there are no costs associated with entering into said Agreement. At present, both agencies are required to comply with the federal requirements, and this would serve to expedite the regulatory requirements.

**BOARD/COMMISSION RECOMMENDATION:**

Not applicable for this Ordinance.

**STAKEHOLDER PROCESS:**

Not applicable for this Ordinance.

**ALTERNATIVES:**

If the Ordinance is not approved, the City will continue to work with the SHPO and consult individually on a project by project basis.

**RECOMMENDATION:**

Approval of the Ordinance.

**ATTACHMENTS:**

Attachment 1: Programmatic Agreement between the City of Pueblo and State Historic Preservation Office

**PROGRAMMATIC AGREEMENT  
BY AND AMONG THE CITY OF PUEBLO, COLORADO  
AND  
THE COLORADO STATE HISTORIC PRESERVATION OFFICE  
REGARDING THE ADMINISTRATION OF  
U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT PROGRAMS**

This Programmatic Agreement (hereinafter referred to as "Agreement") is made this 9<sup>th</sup> day of December, 2019, by and between the City of Pueblo (hereinafter referred to as "the Entitlement Community") and the Colorado State Historic Preservation Officer (hereinafter referred to as "SHPO").

WHEREAS, the U.S. Department of Housing and Urban Development (hereinafter referred to as "HUD") provides formula grant funding to cities and counties in Colorado and to the State of Colorado; and

WHEREAS, due to their acceptance of federal environmental review responsibility, in accordance with Section 104(g) of the Housing and Community Development Act of 1974 [ 42 U.S.C. 5304(g)], the Entitlement Community has assumed federal agency responsibility for compliance with Section 106 of the National Historic Preservation Act of 1966, as amended [16 U.S.C. 470 et seq.] (Section 106); and

WHEREAS, the Entitlement Community now, or in the future, administers HUD grant programs which include, but are not limited to the following programs (HUD programs):

- Community Development Block Grant Program
- Community Development Block Grant Recovery Act (CDBG-R) under the American Recovery and Reinvestment Act (ARRA)
- Neighborhood Stabilization Programs
- HOME Investment Partnerships Program
- Emergency Shelter Grant Program
- Housing Opportunities for People with AIDS Program
- Lead-Based Paint Hazard Control Grant Program
- Lead hazard Reduction Demonstration Grant Program
- Section 8 Project Based Assistance Program including Single Room Occupancy
- Shelter Plus Care Program
- Special Projects Appropriated Under an Appropriations Act for HUD
- Supportive Housing Program

WHEREAS, the Entitlement Community has determined that implementation of the HUD Programs may include activities, such as rehabilitation (multiple undertakings), demolition and new construction, which may have an effect on properties included in or eligible for inclusion in the National Register of Historic Places (Historic Properties); and

WHEREAS, the Entitlement Community has determined that certain activities funded by the HUD Programs have limited potential to affect Historic Properties and has consulted with the Colorado State Historic Preservation Office (SHPO) pursuant to 36 C.F.R. 800.14 of the regulation implementing Section 106; and

WHEREAS, the Entitlement Community acknowledges the importance of compliance with 36 C.F.R. Part 800, et al regarding mandatory consulting and has implemented policies and procedures regarding such consultation with the SHPO; and

WHEREAS, pursuant to 36 C.F.R. 800.14(b) the Entitlement Community will notify the Advisory Council on Historic Preservation (ACHP) of its intention to prepare a programmatic agreement and submit this Agreement for review and consultation; and

WHEREAS, pursuant to 36 C.F.R 800.14(b) the Entitlement Community will notify the Indian Tribes of its intention to prepare a programmatic agreement and submit this Agreement for review and consultation. The Entitlement Community shall consult with Indian Tribes that attach traditional religious and cultural significance to historic properties that may be affected by the Entitlement Community undertakings. The Entitlement Community recognizes the unique legal and political relationship the United States Government has with federally-recognized Indian Tribes, including government-to-government relationships, and consultation responsibilities as set forth in 36 C.F.R., Part 800, et al.

NOW THEREFORE, the Entitlement Community, and the SHPO agree that HUD Programs shall be administered in accordance with the following stipulation to satisfy the Section 106 responsibilities of the Entitlement Communities and HUD.

## **Stipulations**

### **I. EXEMPTED AND NON-EXEMPTED ACTIVITES**

#### **A. Activities Not Requiring Review**

The following proposed undertakings have limited potential to affect historic properties and may be approved by the Entitlement Communities and/or HUD without further consultation with the SHPO, Indian Tribes, or Advisory Council on Historic Preservation. For purposes of this agreement, the term "in-kind materials" is defined as installation of a new element that duplicates the material, dimensions, configuration and detailing of the original element. This duplication may take into account technical advances in materials and design while maintaining or exceeding the durability, appearance and function of the original element, while also meeting required energy conservation standards and/or in accordance with mandated health and safety requirements (i.e. hazardous material mitigation or building code egress requirements).

#### **1) General:**

- a. Projects on buildings less than fifty years old;
- b. Projects on buildings fifty or more years old but have been determined by SHPO as **not** eligible for National Register of Historic Places;
- c. Refinancing; or
- d. Leasing without rehabilitation or construction.

#### **2) Site Work:**

- a. Installation, repairs or replacement of retaining walls, driveways, curbs & gutters, and parking areas, excluding the repair of existing rock retaining walls;
- b. Installation or in-kind repair or replacement of brick or stone sidewalks or alleys;
- c. Installation or in-kind repair or replacement of site improvements including, but not limited to fences, landscaping, and steps which are not attached to any building;

- d. Installation, repair or replacement of utilities including but not limited to gas lines, sanitary and storm water lines, electrical, cable or other underground utilities within a previously developed land and public right-of-way(s);
- e. Installation, repair or replacement of park and play ground equipment, excluding buildings; or
- f. The installation, repair or replacement of public sidewalks, and ADA curb ramps, providing no significant features are removed or destroyed.

In the event that historic or prehistoric archaeological resources are discovered during ground-disturbing activities, work shall be immediately stopped and notification provided to SHPO.

### **3) Exterior Rehabilitation**

- a. Installation of storm windows and doors, providing they conform to the shape and dimensions of existing windows;
- b. Removal of exterior paint by non-destructive methods, providing that such removal is consistent with Lead Based Paint regulations;
- c. Application of exterior paint, other bonded finishes and caulking, with the exception of previously unpainted masonry;
- d. Lead Based Paint mitigation that does not involve removal or alteration of special features;
- e. Repair, partial in-kind replacement or addition of matching in-kind elements for the purpose of safety/code requirements of existing porch elements such as columns, decking/flooring, floor joists, ceilings, railings, balusters, balustrades, lattice and steps;
- f. Maintenance, repair, and in-kind replacement to code requirements of roofing shingles, roof cladding and sheathing, gutters, downspouts, soffits, and fascia, providing no change to the roof pitch or configuration occurs;
- g. Weatherization of historic components such as door and windows, by means of caulking, insulation, weather stripping, and installation of clear glass in existing sashes-including retrofitting for energy efficient, sealed, double low-e glazing;
- h. Placement and installation of exterior HVAC mechanical units, vents, including associated electrical and plumbing modifications, providing they are not located on the front elevation;
- i. Installation, repair, or replacement of basement bulk head doors;
- j. Installation of additional decorative or security lights providing such installation does not damage historic materials;
- k. Securing or mothballing a property by means of boarding over window and door openings, making temporary roof repairs, and/or ventilating the structure;
- l. The installation, repair, or replacement of exterior outlets, and sill cocks providing any required patching is completed with in-kind materials; or
- m. The installation of accessibility ramps, providing they are installed on the rear portion of the house, or when installed on front elevation that they meet the requirements set forth in 36 CFR 68.3 (standards).

### **4) Interior Rehabilitation**

- a. Installation, replacement, upgrade, or repair of plumbing, including non historic bath & kitchen fixtures, cabinetry and appliances, HVAC units & systems, electrical and fire protection systems providing no structural alterations are involved;

- b. Installment of bathroom fans providing no historic elements will be removed, altered, or damaged;
- c. Installment of insulation in ceiling and attic spaces, basements and crawlspaces;
- d. Architectural Barrier Improvements for bathroom including doorways, providing the work is contained with the existing area;
- e. Structural repairs to sustain the existing structure that do not alter the foot print of the structure;
- f. Hazardous materials abatement, remediation or mitigation that does not involve removal or alteration of historic features;
- g. Repair or partial in-kind replacement or finishing of interior surface features such as floors, walls, ceilings, plaster and wood work;
- h. Installation or replacement of floor coverings such as carpet, vinyl sheet flooring, tile, and hardwood floors, providing that when covering historical features such as hardwood floors, a layer of protection such as an underlayment is provided to protect them from damage;
- i. Installation or repair of concrete basement or crawlspace floors, that do not alter the foot print of the structure;
- j. Installation of storm windows, when feasible and exterior conditions or features shall not allow such installation; or
- k. The installation, repair, or replacement of tubs and showers including skirting or surrounds.

#### **B. Non-Exempted Activities Requiring Review**

All activities not identified in "STIPULATIONS", Section I(A) of this Agreement must be reviewed in accordance with 36 CFR Part 800.

#### **C. Resolution of Adverse Effects**

Unless an undertaking is exempted as set forth in Section I(A) of this Agreement, the Entitlement Community shall consult with the SHPO to evaluate alternatives or modifications to the undertaking that could avoid, minimize, or mitigate adverse effects on historic properties pursuant to 36 C.F.R. 800.6 (a). The Entitlement Community shall also consult Indian Tribes that attach traditional religious and cultural significance to historic properties that may be affected by such undertakings.

#### **D. Annual Report**

By March 31<sup>st</sup> of every year under this Agreement, the Entitlement Community will file a report on projects completed in the previous year to the SHPO which will include Project Address, Year Constructed, Nature of work, and references the appropriate exempted activity as detailed in "STIPULATIONS", Section I(A) of this Agreement.

## **II. DISCOVERIES AND UNFORSEEN EFFECTS**

If during the implementation of these programs, a previously unidentified property that may be eligible for inclusion in the National Register is encountered, or a known National Register historic property may be affected in an unanticipated manner, the Entitlement Community will assume its responsibilities pursuant to 36 CFR part 800.13(b).

### **III. AMENDMENT**

Any party may request that this Agreement be amended, whereupon the SHPO will consult with the other parties in accordance with 36 CFR Part 800.14(b) to consider an amendment. Amendments will only be considered if made in writing and must be approved in writing by all parties to this Agreement to go into effect.

### **IV. DISPUTE RESOLUTION**

Should any party to this Agreement object at any time to actions proposed or the manner in which the terms of this Agreement are implemented, City shall consult with the objecting party to resolve the objection. If City determines within 30 days that such objection cannot be resolved, City will:

- A. Forward all documentation relevant to the dispute to the Advisory Council on historic Preservation (hereinafter referred to as "Council") in accordance with 36CFR800.2(b)(2) for the Council review and advise City on the resolution of the objection within 30 days. Any comment provided by the Council, and all comments from the parties to the Agreement, will be taken into account by City in reaching a final decision regarding the dispute.
- B. If the Council does not provide comments regarding the dispute within 30 days after City provides documentation of the dispute to the Council, City may render a decision regarding the dispute. In reaching its decision, City will take into account all comments regarding the dispute from the parties to the Agreement.
- C. City's responsibilities to carry out all other actions subject to the terms of the Agreement that are not subject of the dispute remain unchanged. City will notify all parties of its decision in writing before implementing that portion of the undertaking subject to dispute. City's decision on all disputes will be final.

### **V. TERMINATION**

Any party to this agreement may terminate its participation by providing thirty (30) days written notice to all other parties. In the event of termination, the terminating party will comply with 36 CFR Part 800.3 through 800.7 with respect to individual undertakings covered by this Agreement. Termination by the SHPO will nullify this Agreement upon all parties.

### **VI. TERM OF THE AGREEMENT**

Following signature by the Entitlement Community and the SHPO, this Agreement will be binding on a party upon the date of its signature and shall be in force for a term of ten (10) years thereafter, unless the parties agree to extend it.

### **VII. NOTIFICATION**

Notification or other communication between parties to this agreement should be made in care of the addressed provided in Exhibit A.

**EXECUTION AND IMPLEMENTATION** of this Agreement evidences that the Entitlement Community and the SHPO have satisfied their responsibilities under Section 106 for undertakings funded by the HUD Programs. This agreement may be executed in counterpart.

Signed:

COLORADO STATE HISTORIC PRESERVATION OFFICER

By: Holly K. Nanto Date: 1/28/19  
for Steven Turner  
Colorado State Historic Preservation Officer

CITY OF PUEBLO

By: Nicholas A. Gradisar Date: 12-10-2019  
Nicholas A. Gradisar, Mayor  
City of Pueblo

## EXHIBIT A

### MAILING ADDRESSES OF SIGNATORIES

CITY OF PUEBLO  
1 City Hall Place  
Pueblo, CO 81003

COLORADO STATE HISTORICAL PRESERVATION OFFICE  
1200 Broadway  
Denver, CO 80203

### CONTACT INFORMATION IF ARCHAEOLOGICAL RESOURCES ARE ENCOUNTERED:

Tom Carr, Staff Archaeologist  
Colorado Historical Society  
Office of Archaeology and Historic Preservation  
303 866 3498  
[Thomas.carr@chs.state.co.us](mailto:Thomas.carr@chs.state.co.us)

**AMENDMENT NO. 1 TO**  
**PROGRAMMATIC AGREEMENT BETWEEN THE CITY OF PUEBLO, COLORADO AND THE**  
**COLORADO STATE HISTORIC PRESERVATION OFFICE REGARDING THE**  
**ADMINISTRATION OF U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**  
**PROGRAMS**

THIS AMENDMENT NO. 1 (“Amendment No. 1”) to “The Programmatic Agreement Between the City of Pueblo, Colorado and The Colorado State Historic Preservation Office Regarding the Administration of U.S. Department of Housing and Urban Development Programs” is made and entered into this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by and between the City of Pueblo, a Municipal Corporation (hereinafter referred to as "City") and The Colorado State Historic Preservation Office, hereinafter referred to as the "SHPO".

WHEREAS the SHPO and City have heretofore entered into an Agreement dated December 9, 2019 (hereinafter "the Agreement") wherein the SHPO and City agreed that for all applicable HUD programs, as defined in the Agreement, shall be administered in accordance with the stipulations outlined in the Agreement to satisfy Section 106 responsibilities of the City and HUD.

NOW, THEREFORE, in consideration of the foregoing and the mutual terms and conditions set forth herein, the parties agree as follows:

1. The Agreement is amended by revising Page 2, Section I “Exempted Activities and Non-Exempted Activities”, (A) “Activities Not Requiring Review”, (1) “General”, to add “e. Demolition of properties that are determined to be health and safety hazards and no longer have historical integrity due to irreversible damage as designated through condemnation and/or demolition notice issued and posted by the City of Pueblo.
2. Except as expressly modified by this Amendment No. 1, the Agreement (including any duly executed prior written amendments) shall remain in full force and effect. Except as expressly modified, any obligations remaining to be performed under the original Agreement by either party are not waived or excused in any manner but shall be fully performed in accordance with the terms and conditions of the Agreement as it existed prior to this Amendment No. 1.

IN WITNESS WHEREOF, the SHPO and City have executed this Amendment No. 1 to the Agreement, “The Programmatic Agreement Between the City of Pueblo, Colorado and The Colorado State Historic Preservation Office Regarding the Administration of U.S. Department of Housing and Urban Development Programs” as of the date first above written.

Signed:

COLORADO STATE HISTORIC PRESERVATION OFFICE

By: \_\_\_\_\_

Date: \_\_\_\_\_

Dawn DiPrince, Colorado State Historic Preservation Officer

CITY OF PUEBLO

By: \_\_\_\_\_

Date: \_\_\_\_\_

Heather Graham, City of Pueblo Mayor