



city of
PUEBLO
colorado

**BACKGROUND PAPER FOR PROPOSED
ORDINANCE**

COUNCIL MEETING DATE: December 27, 2021

TO: President Lawrence W. Atencio and Members of City Council
CC: Nicholas A. Gradisar, Mayor
VIA: Marisa Stoller, City Clerk
FROM: Scott Hobson, Acting Director of Planning and Community Development
SUBJECT: AN ORDINANCE AMENDING ZONING RESTRICTIONS OF 2101 WEST 20TH STREET FROM R-2, SINGLE FAMILY RESIDENTIAL AND S-3, FLOOD PLAIN DISTRICT TO CCN, COMMERCIAL CHARTER NEIGHBORHOOD DISTRICT

SUMMARY:

The applicant is requesting to rezone the 6,000 square foot subject property from R-2 Single Family Residential and S-3, Flood Plain District to CCN, Commercial Charter Neighborhood District to operate a static Mobile Food Unit, which is a conditional use in a CCN zone district.

PREVIOUS COUNCIL ACTION:

None.

BACKGROUND:

The property located at 2101 West 20th Street was constructed in 1951 and has operated as a single-family residence since that time inside the applicant's family. The site consists of two parcels, each parcel consists of two subdivided lots. The western parcel is zoned R-2. The eastern parcel is zoned R-2 and S-3 floodplain. The S-3 Zone District is attributed to historic flood plain mapping attributed to Wildhorse Creek. Contemporary flood mitigation efforts and updated flood plain mapping indicates that the property is located outside of the 100- and 500-year flood plain. The applicant, Jocelyn Martinez, is proposing to rezone the property to CCN to allow a Mobile Food Unit that will initially operate as a small catering business. Mrs. Martinez prepares certified organic meals for various mental health agencies and clients seeking healthy lifestyles across Pueblo. Recently, she purchased a mobile food trailer to cook the meals at her property. To prepare organic meals she needs a certain type of kitchen that is always clean and free of allergens. The food trailer will be parked in the rear of the adjacent lot to the west. The applicant will cook and deliver meals to clients offsite. The applicant may branch out to on site food service in the future and understands that

may require additional commercial and zoning review and conditions. The higher use, “Restaurant, carry-out”, requires a Special Use Permit in the CCN and the applicant may be applying for that use in 2022.

FINANCIAL IMPLICATIONS:

There are no financial implications for the City.

BOARD/COMMISSION RECOMMENDATION:

The Planning and Zoning Commission, at their December 8, 2021, Regular Meeting, voted 7-0 to recommend approval.

STAKEHOLDER PROCESS:

The Planning Department sent a Notice of the Planning and Zoning Commission Public Hearing to all property owners located within 300 feet of the subject property.

A Public Notice poster was placed on the subject property 15 days prior to the Public Hearing.

ALTERNATIVES:

If City Council does not approve this Ordinance the property would not be zoned in accordance with the Pueblo Municipal Code.

Upon request of City Council, the Ordinance could be returned to the Planning and Zoning Commission for consideration of proposed modifications.

RECOMMENDATION:

Approval of the Ordinance.

Attachments:

Proposed Ordinance

Minutes of the Planning and Zoning Commission December 8, 2021 Public Hearing

Planning and Zoning Commission Staff Report with Attachments and Exhibits

ORDINANCE NO. 10095

AN ORDINANCE AMENDING ZONING RESTRICTIONS OF 2101 WEST 20TH STREET FROM R-2, SINGLE FAMILY RESIDENTIAL AND S-3, FLOOD PLAIN DISTRICT TO CCN, COMMERCIAL CHARTER NEIGHBORHOOD DISTRICT

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

SECTION 1.

The zoning restrictions covering the following described property, and in addition half of all adjacent dedicated roadway and alley rights-of-way, together generally identified in the attached Rezone Exhibit, is hereby changed from R-2, Single Family Residential and S-3, Flood Plain District to CCN, Commercial Charter Neighborhood District:

Lot 21-24, Block 61, Rosedell Subdivision

SECTION 2.

The officers and staff of the City are authorized to perform any and all acts consistent with the intent of the Ordinance to implement the policies and procedures described herein.

SECTION 3.

This Ordinance shall become effective immediately upon final action by the Mayor and City Council.

Action by City Council:

Introduced and initial adoption of Ordinance by City Council on December 27, 2021.

Final adoption of Ordinance by City Council on January 10, 2022 .



President of City Council

Action by the Mayor:

- Approved on January 12, 2022.
- Disapproved on _____ based on the following objections:

Hilda Leavins
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

Lyssa
City Clerk