



**BACKGROUND PAPER FOR PROPOSED
ORDINANCE**

COUNCIL MEETING DATE: February 14, 2022

TO: President Heather Graham 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 TO REZONE
3004 SOUTH PRAIRIE AVENUE FROM B-3, HIGHWAY AND ARTERIAL
BUSINESS DISTRICT TO BP, BUSINESS PARK DISTRICT

SUMMARY:

The applicant is requesting to rezone Lot 1, Block 1, South Prairie Subdivision 2nd, from B-3, Highway and Arterial Business District to B-P, Business Park District.

PREVIOUS COUNCIL ACTION:

None.

BACKGROUND:

The applicant is requesting to rezone the property to a BP, Business Park Zone District to allow assembly and light manufacturing uses within the existing metal warehouse structure on the site. The proposed BP, Business Park Zone District, is designed to provide for a limited number of retail, office, warehouse, light industrial and manufacturing uses. The subject property was subdivided in 1976 to facilitate development of warehousing, light industrial and commercial uses, creating a light industrial and business park. In 1976 a Special Use Permit was granted to allow a warehousing use for the Coca-Cola Bottling Company at the site. A 16,000 square foot, metal warehouse was constructed on Lot 1 in 1977 and was used as the Coca-Cola Bottling Company warehouse until the mid-2000's. Adjacent properties to the south and east are zoned B-3, Highway Commercial Arterial, and contain light industrial uses. The property to the west is zoned I-2, Industrial District, and is developed with a wireless communications tower (cell tower). The subject property meets the BP Zone District minimum lot size, front and rear setbacks (the lot has multiple front setbacks and no rear setback because it sits adjacent to three public rights-of-way). However, the BP Zone District requires all structures within the district to be located a minimum of 100-feet away from an existing residential zone district and the metal warehouse on site sits approximately 10-feet from a R-2 Zone District located directly north of the site. The R-2

Zone District property is approximately 43,205 square feet and is developed with a single-family home, multiple accessory structures, and has numerous FedEx commercial vehicles on site. The R-2 zoning appears to be a remnant of the historic residential zoning that existed prior to the late 1960's. Because the rezoning site does not meet the structure separation distance from residential districts, the property owner has requested and has been granted a variance from the 100-foot building separation requirement by the Zoning Board of Appeals at the January 25, 2022 Regular Meeting. The proposed rezoning conforms to the comp plan designation of Employment Center Light Industry Mixed Use and the surrounding light industrial park development.

FINANCIAL IMPLICATIONS:

There are no financial implications for the City.

BOARD/COMMISSION RECOMMENDATION:

The Planning and Zoning Commission, at their January 12, 2022 Regular Meeting, voted 6-0 to recommend approval. (City Council appointment not filled at the time of the meeting)

STAKEHOLDER PROCESS:

The Planning Department sent out 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 January 12, 2022 Public Hearing

Planning and Zoning Commission Staff Report with Attachments and Exhibits

ORDINANCE NO. 10124

AN ORDINANCE AMENDING ZONING RESTRICTIONS TO REZONE 3004 SOUTH PRAIRIE AVENUE FROM B-3, HIGHWAY AND ARTERIAL BUSINESS DISTRICT TO BP, BUSINESS PARK 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 B-3, Highway and Arterial Business Zone District to BP, Business Park District:

3004 S. Prairie Rezone from B-3 to BP Legal Description
Lot 1, Block 1, South Prairie Subdivision Filing No. 2.

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 February 14, 2022.

Final adoption of Ordinance by City Council on February 28, 2022.



President of City Council

Action by the Mayor:

Approved on March 2, 2022.

Disapproved on _____ based on the following objections:

Hilda Lewis

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