



**BACKGROUND PAPER FOR PROPOSED
ORDINANCE**

COUNCIL MEETING DATE: April 11, 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 PORTIONS OF PARCEL 522300002 FROM B-3, HIGHWAY AND ARTERIAL BUSINESS, R-3, ONE AND TWO FAMILY RESIDENTIAL, AND R-4, MIXED RESIDENTIAL TO R-6, MULTIPLE RESIDENTIAL AND COMMERCIAL

SUMMARY:

The applicant is requesting to rezone the southern 26.86-acres of parcel 522300002 from B-3, R-3, and R-4 to R-6 to facilitate the development of a recreational vehicle park.

PREVIOUS COUNCIL ACTION:

None.

BACKGROUND:

Portions of parcel 5522300002 are being rezoned to an R-6 zone district to allow the development of a Recreational Vehicle Park containing approximately 26.86 acres, as well as other uses by right. A recreational vehicle park is a use by review in a R-6 zone district and will require the approval of a special use permit by the Zoning Board of Appeals prior to a recreational vehicle park beginning operations. The property has more than hundred feet of frontage on 24th Street and complies with the minimum lot area and width for the R-6 zone district. The property is designated in the Pueblo Comprehensive Plan as "Urban Residential." According to the Pueblo Municipal Code Section 15-4-51(a)(9), the R-6 zone district is designed to retain and provide areas of mixed residence and commercial uses. While much of the urban residential designation is aimed at small-scale single-family development the Comprehensive Plan does mention that "Community-scale commercial zoning will be appropriate at intersections of two collector roads or of a collector and an arterial road".

The property is a large parcel containing unplatted land as well as vacated rights-of-way and derelict lots from the Saunders Subdivision. The land is characterized mainly by open desert scrub situated east of Pueblo Boulevard and south of 24th Street. The property was annexed into the City in 1973 as part of the Arkansas River Annexation. Upon annexation of the property by the City, the currently undeveloped Saunders Subdivision platted in the County, was included within city limits. Rights-of-way including 22nd Street were vacated by Ordinance in 1957 but the lots remained.

The access, utilities, and development standards will be addressed during the recreational vehicle park special use permit review at the Zoning Board of Appeals. Recreational Vehicle Parks are strictly regulated by Pueblo Municipal Code, Sec 17-4-51(d)(9), (b) a detailed staff review will occur during the subdivision review process to accommodate all development considerations. The R-6 zone district allows a wide range of housing, restaurant, retail, and office uses by right which are compatible with a large parcel that fronts a very busy state highway and future major intersection to the north. There is ample space for various types of development with room for buffering the residential uses to the east and south. The rezoning accommodates the prior zone district uses while allowing flexibility to private owners going forward as the West Side neighborhood grows and expands.

FINANCIAL IMPLICATIONS:

There are no financial implications for the City.

BOARD/COMMISSION RECOMMENDATION:

The Planning and Zoning Commission, at their March 9, 2022 Regular Meeting, voted 7-0 to recommend approval.

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 will 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 March 9, 2022, Public Hearing

Planning and Zoning Commission Staff Report with Attachments and Exhibits

ORDINANCE NO. _____

AN ORDINANCE AMENDING ZONING RESTRICTIONS TO REZONE PORTIONS OF PARCEL 522300002 FROM B-3, HIGHWAY AND ARTERIAL BUSINESS, R-3, ONE AND TWO FAMILY RESIDENTIAL, AND R-4, MIXED RESIDENTIAL TO R-6, MULTIPLE RESIDENTIAL AND COMMERCIAL

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, R-3, One and Two Family Residential, and R-4, Mixed Residential to R-6, Multiple Residential and Commercial:

Beginning at the West $\frac{1}{4}$ of Section 22, Township 20 South, Range 65 West of the 6th P.M. thence the following courses:

1. N 00° 15' 48" E a distance of 1345.72 ft.;
2. S 50° 39' 42" E a distance of 803.30 ft.;
3. S 60° 40' 04" E a distance of 325.28 ft.;
4. S 77° 56' 23" E a distance of 368.00 ft.;
5. N 89° 33' 37" E a distance of 110.00 ft. to the West line of Lots 13-21, Block 6, First Filing, Sanders Subdivision;
6. S 00° 59' 18" E along the West line of Lots 13-21, Block 6, Sanders Subdivision, First Filing a distance of 572.24 ft.;
7. S 88° 47' 59" W along the South line of the SW $\frac{1}{4}$ of Section 22, Township 20 South, Range 65 West of the 6th P.M. a distance of 1362.64 ft. to the Point of Beginning.

Including the vacated portions of Sanders Subdivision, First Filing, Recorded at Book 1332 at Page 431 on July 22, 1957.

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 _____.

Final adoption of Ordinance by City Council on _____.

President of City Council

Action by the Mayor:

Approved on _____.

Disapproved on _____ based on the following objections:

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

City Clerk