

**BACKGROUND PAPER FOR PROPOSED
ORDINANCE**

COUNCIL MEETING DATE: May 9, 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 OF LOT 1 OF
THE PUEBLO SPRINGS APARTMENTS SUBDIVISION FROM A-1,
AGRICULTURAL ONE ZONE DISTRICT TO R-5, MULTIPLE-
RESIDENTIAL AND OFFICE ZONE DISTRICT

SUMMARY:

The applicant is requesting to rezone Lot One (15.01 acres) of the Pueblo Springs Apartments Subdivision from A-1, Agricultural One to R-5, Multiple-Residential and Office District to facilitate the development of a new apartment complex.

PREVIOUS COUNCIL ACTION:

City Council approved Ordinance No. 10055 on November 22, 2021.

BACKGROUND:

The subject property was annexed into the city in November of 2021 and rezoned A-1 as an interim zoning classification until the time of development, as allowed by the approved Annexation Agreement (rezoning case Z-21-12). The current request is to rezone the western 15 acres of the property, proposed Lot 1, Pueblo Springs Apartments Subdivision, to R-5 Multiple Residential and Office district for the purposes of constructing twelve multifamily residential structures containing a total of 199 dwelling units. "Residence, multifamily" is a Use By Right in the proposed R-5 Zone District. The area is designated as Urban Residential Future Land Use Category, which allows for garden apartments (low-rise apartment structures) along collector and arterial roads. The proposed Pueblo Springs Apartments are situated at the southeast corner of West Pueblo Boulevard (expressway) and West 31st Street (collector) and are three stories with ample outdoor recreation amenities. The surrounding area is home to two large multifamily developments, a senior living facility and market rate apartment complex. The adjacent properties to the south, east, and west are all vacant prairie and as such there is no negative impact to surrounding residential neighborhoods. The R-5 zoning, and proposed multifamily development are well situated for direct access to Pueblo

Boulevard and Highway 50. The applicant has provided a commercial site plan detailing the 199-unit apartment complex. The western most portion of the rezoning site will be reserved for open space and utilize the bluff as a noise barrier from Pueblo Boulevard. The apartment complex will also have a clubhouse, pool, and walking trails; combined with the bluff, the site provides the minimum 20-percent Landscape Open Space. The proposed rezoning is in conformance with the Pueblo Regional Comprehensive Plan and is compatible with the surrounding multifamily development.

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. 10181

AN ORDINANCE AMENDING ZONING RESTRICTIONS OF LOT
1 OF THE PUEBLO SPRINGS APARTMENTS SUBDIVISION
FROM A-1, AGRICULTURAL ONE ZONE DISTRICT TO R-5,
MULTIPLE-RESIDENTIAL AND OFFICE ZONE 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 A-1, Agricultural One Zone District to R-5, Multiple-Residential and Office Zone District:

REZONE A-1 TO R-5

A portion of the South one-half of the Northwest one-quarter of the Northwest one-quarter of Section 22, Township 20 South, Range 65 West of the 6th P.M. and a portion of the South one-half of 31st Street as platted in Park West Business Campus, Filing No. 5, according to the recorded plat thereof, as filed for record on May 8, 2008 at Reception No. 1768305 in the County of Pueblo, State of Colorado, being more particularly described as follows:

Basis of Bearings: The West Line of the NorthWest one-quarter of Section 22, Township. 20 South, Range 65 West, of the 6TH Principal Meridian monumented with a number 6 rebar with a 3 1/4 inch diameter Brass Cap, to bear N. 00°32'37" W. and all bearings being relative thereto.

Commencing at Northwest corner of said Section 22, said point being on the west line of Park West Business Campus, Filing No. 7, according to the recorded plat thereof, as filed for record on March 16, 2012 at Reception No. 1901886 in the Pueblo County records and being on the east line of Colorado State Highway No. 45 as presently located; thence S. 00°32'37" E. along said the west line of said Section 22, the west line of said Park West Business Campus, Filing No. 7 and the east line of said Colorado State Highway No. 45, a distance of 696.76 feet to the south right-of-way line of 31st Street and the Point of Beginning; thence N. 00°32'37" W. along the said west line of Park West Business Campus, Filing No. 7, a distance of 40.00 feet to the center of 31st Street right-of-way; thence N. 88°41'55" E. along the said centerline of the right-of-way of 31st Street, a distance of 1,256.40 feet; thence S. 01°18'05" E., a distance of 198.87 feet; thence S. 88°39'35" W., a distance of 164.26 feet; thence S. 01°20'25" E., a distance of 89.00 feet; thence S. 88°39'35" W., a distance of 196.65 feet; thence S. 01°20'25" E., a distance of 107.40 feet; thence S. 88°39'35" W., a distance of 101.69 feet; thence S. 01°20'00" E., a distance of 260.73 feet to the south line of the South one-half of the Northwest one-quarter of the Northwest one-quarter of said Section 22; thence S. 88°39'35" W. along the south line of said South one-half, a distance of 802.76 feet to the Southwest corner of said South one-half and the east line of Colorado State Highway No. 45 as presently located; thence N. 00°32'37" W. along the west line of said South one-half and said east line of Colorado State Highway No. 45, a distance of 616.90 feet to the south right-of-way line of 31st Street and the Point of Beginning.

Containing 15.01 acres, more or less.

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 May 9, 2022.

Final adoption of Ordinance by City Council on May 23, 2022.



President of City Council

Action by the Mayor:

☒ Approved on May 26, 2022.

☐ 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



Deputy City Clerk

