



COUNCIL MEETING DATE: August 22, 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
1221 EAST ABRIENDO AVENUE FROM B-4, CENTRAL BUSINESS
DISTRICT TO CCN, COMMERCIAL CHARTER NEIGHBORHOOD

SUMMARY:

The applicant is requesting to rezone 1221 East Abriendo Avenue from B-4, Central Business District to CCN, Commercial Charter Neighborhood.

PREVIOUS COUNCIL ACTION:

None.

BACKGROUND:

Currently, the subject property sits in a large area of B-4 zoned land in Bessemer centered around Northern Avenue and zoned as such since 1968. The B-4 served as a district for mixed commercial uses to serve the Bessemer neighborhood when the steel mill was at its height, but the area has undergone numerous changes in the intervening 54 years. While many commercial store fronts on Northern and adjoining streets were zoned appropriately, many single-family homes were rezoned B-4 with an aspiration that commercial uses would expand a block out from each side of Northern Avenue. The reduction in the demand for small commercial space has resulted in high vacancy in the adjoining area and the homes continuing as residential uses. Periodically residential owners have rezoned their properties R-4 in the area. The R-4 Zone District requires a 50-foot lot width, 1221 East Abriendo has a 37.5-foot lot width; therefore, the applicants are requesting a zone change to Commercial Charter Neighborhood which allows a minimum 25-foot lot width and a mixture of commercial and residential uses. The building at 1221 East Abriendo Avenue was listed as a single-family residence in 1968 according to the City Directories, but sometime after 2005 it was converted into a duplex. Duplexes, granny flats, house conversions to multifamily, have been common in the Bessemer Neighborhood and the expansion of housing options is appropriate in the area. While R-4 makes up most of the surrounding residential area; the CCN Zone District was created to maintain the character of the City's original neighborhoods, often

referred to as Charter Neighborhoods. The zone district is designed to retain and conserve suitable areas for commercial, office, and mixed-use development that primarily serve the residents of the surrounding neighborhood. The CCN allows the residential use to change to a low-level commercial use if conditions change in the future. A duplex is a use by right in a CCN and one other duplex is located on the 1200 block of Abriendo just north. The property complies with all performance standards except the rear parking is gravel and not paved. The applicant received a variance to “reduce off-street parking requirements (paving material) from the Zoning Board of Appeals on July 26, 2022.

FINANCIAL IMPLICATIONS:

There are no financial implications for the City.

BOARD/COMMISSION RECOMMENDATION:

The Planning and Zoning Commission, at their June 8, 2022 Regular Meeting, voted 7-0 to recommend approval with the condition to pave on parking space adjacent to the alley or apply for a variance to allow the space to remain gravel prior to City Council review.

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 June 8, 2022, Public Hearing

Planning and Zoning Commission Staff Report with Attachments and Exhibits

ORDINANCE NO. _____

AN ORDINANCE AMENDING ZONING RESTRICTIONS TO
REZONE 1221 EAST ABRIENDO AVENUE FROM B-4,
CENTRAL BUSINESS DISTRICT TO CCN, COMMERCIAL
CHARTER NEIGHBORHOOD

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-4 Central Business District to CCN, Commercial Charter Neighborhood Zone District:

1221 E. Abriendo Avenue
N ½ of Lot 42 and all of Lot 43, Block 49, City Hall Place

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