



Background Paper for Proposed Ordinance

COUNCIL MEETING DATE: September 12, 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 REZONING 14.1-ACRES GENERALLY LOCATED SOUTH OF OAKSHIRE LANE, NORTH OF 13TH STREET, AND WEST OF BEAUMONT AVENUE FROM R-2, SINGLE FAMILY RESIDENTIAL ZONE DISTRICT AND S-1, GOVERNMENTAL USE ZONE DISTRICT TO R-4, MIXED RESIDENTIAL ZONE DISTRICT

SUMMARY:

The applicant is requesting to rezone 14.1-acres from R-2, Single Family Residential Zone District and S-1, Governmental Use Zone District to R-4, Mixed-Residential Zone District to facilitate the development of a new apartment complex.

PREVIOUS COUNCIL ACTION:

None.

BACKGROUND:

The current request is to rezone the 14.1-acre property from S-1 and R-2 to R-4 Mixed Residential District to support the construction of a new apartment complex. The site is in the Eastwood Heights Neighborhood directly west of Eva Baca Elementary School on Oakshire Lane. The purpose of the R-4 Zone District is "designed to retain and provide areas with comingling or single-family dwelling units and limited multifamily dwelling unit structures." The applicant's intended use is categorized as "Residence, multifamily" and is a Use By Right in the proposed R-4 Zone District. The area is designated as Urban Neighborhood Future Land Use Category, which allows for small scale multifamily dwellings and densities of 6-16 units per acre. The proposed density will be 10 units per acre. The site is well situated for direct access to Oakshire Lane and connections to Troy Avenue and nearby highways while directing traffic west, away from the established Eastwood Heights neighborhood. The applicant has provided a conceptual site plan detailing a 132-unit apartment complex with 10 buildings, including a club house, pool, and playground. The applicant will be providing 269 parking spaces (30 in

a garage) or 2 spaces per unit, which is more than the required 1.5 parking spaces per unit. The site plan shows two types of housing structures located on the property with a mix of one- and two-story buildings. The development will require a subdivision and at that time, City departments will review the proposed plat and later the commercial site plan for conformance with all applicable regulations. The termination of 14th through 17th streets along the eastern boundary of the proposed rezoning site will be addressed in the subdivision process. The proposed rezoning is in conformance with the Pueblo Regional Comprehensive Plan and is in conformance with the existing pattern of development in the immediate area.

FINANCIAL IMPLICATIONS:

There are no financial implications for the City.

BOARD/COMMISSION RECOMMENDATION:

The Planning and Zoning Commission, at their August 10, 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 August 10, 2022, Public Hearing

Planning and Zoning Commission Staff Report with Attachments and Exhibits

ORDINANCE NO. _____

AN ORDINANCE REZONING 14.1-ACRES GENERALLY LOCATED SOUTH OF OAKSHIRE LANE, NORTH OF 13TH STREET, AND WEST OF BEAUMONT AVENUE FROM R-2, SINGLE FAMILY RESIDENTIAL ZONE DISTRICT AND S-1, GOVERNMENTAL USE ZONE DISTRICT TO R-4, MIXED RESIDENTIAL 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 R-2, Single Family Residential Zone District and S-1, Governmental Use Zone District to R-4, Mixed Residential Zone District:

All of the SW1/4 of the SE1/4 of the NW1/4; Except the South 60 feet conveyed to Pueblo, a Municipal corporation, in instrument recorded August 23, 1967 in Book 1620 Page 675, The E1/2 of the NW1/4 of the SE1/4 of the NW1/4; and the North 260 feet of the West 257.5 feet of the NE1/4 of the SE1/4 of the NW1/4, All in Section 28, Township 20 South, Range 64 West of the 6th P.M., County of Pueblo, State of Colorado, Except that portion now platted as Sagebrush Heights Subdivision, 2nd Filing, County of Pueblo, State of Colorado

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