



**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 215 EAST ORMAN AVENUE FROM S-1, GOVERNMENTAL USE ZONE DISTRICT TO CCN, COMMERCIAL CHARTER NEIGHBORHOOD AND RCN, RESIDENTIAL CHARTER NEIGHBORHOOD ZONE DISTRICTS

**SUMMARY:**

The applicant is requesting to rezone two parcels containing 145,000 square feet located at 215 East Orman Avenue from S-1, Governmental Use Zone District to CCN, Commercial Charter Neighborhood Zone District and RCN, Residential Charter Neighborhood Zone District.

**PREVIOUS COUNCIL ACTION:**

None.

**BACKGROUND:**

Keating School served as a Pueblo City Schools Junior/Middle School until 2009 and has sat vacant for the last thirteen years. The site is in the Mesa Junction neighborhood, across from Central High School surrounded by a variety of pre-World War II single family homes and two adjacent churches. Keating School opened in 1927, contains 115,000 square feet of building and has a historic art deco theatre. The proposed project will involve a rehabilitation of the existing building into 75 market rate residential apartment units, construction of three triplex buildings with an overall total of nine units, and two parking structures adjacent, as well as the rehabilitation of the theatre. The primary school building and parcel is requested to be zoned into a Commercial Charter Neighborhood ("CCN") zone district. The remaining portion in the southeastern side of the property is requested to be zoned into a Residential Charter Neighborhood ("RCN") zone district which will contain new residential units. The school building was listed on the National Register of Historic Places in 2021 and the applicant will be using Federal Historic Preservation tax credits to finance the project, thereby protecting the historic character of the exterior and primary interior spaces of the building. The benefit of the CCN Zone District will allow the theatre as a Use by Right. The apartment use is considered "residence multifamily" and is a Use by Review which will need a special use permit from the Zoning Board of Appeals. The CCN zone district will also allow some flexibility for limited future commercial uses and reduced setbacks. The preliminary plans for the theater development include a 450-500 capacity facility with a limited number of shows and events a year, it will not

be a weekly performance theatre. The preservation and restoration of the theatre is a critical portion of the sale with the local nonprofit Keating School group. Theatres are not allowed as a use by right in many zone districts, and the CCN allows a theatre as use by right. The CCN does accommodate larger multifamily developments and the standards are listed in Section 17-4-5(6) PMC. The minimum lot sized based on the number of units is 75,000 square feet, and the Keating School parcel is 125,000 square feet. According to the site plan, the development will provide 110 off street parking spaces (covered and uncovered) that does not account for the theater use. Depending on the final multi-family development plan review, the applicant may have to request one or more variances. The CCN Performance standards Section 17-4-(4) PMC allows a reduction or waiver in the number of required parking spaces from the City's Zoning Board of Appeals. The project will also involve a rearrangement of property boundaries for the RCN-zoned portion of the development. The historic school building portion of the project will also qualify as a "conversion" and be subject to the new Multifamily Development Standards, 17-2-2. The site plan also provides for a larger area of landscaped open space in the rear of the site, but final design will need to comply with Section 17-4-5 (e) by providing 100 square feet of open space per unit.

**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 215 EAST ORMAN AVENUE FROM S-1, GOVERNMENTAL USE ZONE DISTRICT TO CCN, COMMERCIAL CHARTER NEIGHBORHOOD AND RCN, RESIDENTIAL CHARTER NEIGHBORHOOD ZONE DISTRICTS

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 S-1, Governmental District to CCN, Commercial Charter Neighborhood and RCN, Residential Charter Neighborhood:

A parcel of land located in a portion of Block 131 located in Colorado Coal & Iron Company's Addition No. 1 in the NW 1/4 of Section 1 and NE 1/4 of Section 2, Township 21 South, Range 65 West of the 6th P.M. the County of Pueblo and State of Colorado, being more particularly described as follows:

Lots 1-13 and Lots 21-32 of Block 131 in Colorado Coal and Iron Company's Addition No. 1, and the adjacent northwesterly one-half of the right-of-way of Michigan Street, and the adjacent southwesterly one-half of the right-of-way of Orman Avenue, and the adjacent southeasterly one-half of the right-of-way of Broadway Avenue, and all of the Alley right-of-way adjacent to the aforementioned lots.

Containing 4.16 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 \_\_\_\_\_.

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

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City Clerk