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Z-15-09

TO: City of Pueblo, Planning and Zoning Commission
FROM: Jerry M. Pacheco, MURP, Senior Planner
THROUGH: Steven Meier, Director of Planning and Community Development
DATE: October 14, 2015
SUBJECT: **1201 E. Evans Avenue Rezoning**
APPLICANT: **City of Pueblo**
PROPERTY OWNER: **Cozzetta/Purcell Properties, LLC**
LOCATION: **Lots 48-53, Block 50, City Hall Place**
EXISTING ZONE: S-1, Governmental Use District
PROPOSED ZONE: R-4, Mixed Residential District

REQUEST:

The City is requesting to rezone 0.42 acres to from S-1 (Governmental Use District) to R-4 (Mixed Residential District)

ANALYSIS:

The proposed rezoning request conforms with the Pueblo Comprehensive Plan designation and meets the minimum zone district requirements.

RECOMMENDED ACTION:

Staff recommends the Planning and Zoning Commission make a recommendation to City Council that the zoning map amendment be **APPROVED**.

STAFF REVIEW AND FINDINGS:

On December 31, 2013, the City of Pueblo sold the subject property, formerly known as Fire Station No. 4, to Cozzetta/Purcell Properties, LLC for their private non-governmental use. The S-1 zoning classification of the property is not consistent with the general plans of the City or the intent of the S-1 zone. Staff has determined that the R-4 zoning classification is the most appropriate classification in this case.

PLANNING AND COMMUNITY DEVELOPMENT COMMENTS**CHARACTER AND COMPATIBILITY:****□ Site Character:**

Until 2012, the site had been the location of Fire Station No. 4. This Fire Station was built in 1940 on the site of the old Bessemer City Hall.

□ Neighborhood Compatibility:

Adjacent Zoning:

North B-2, Subregional Business District

East B-4, Regional Business District

South B-4, Regional Business District

West B-4, Regional Business District

In this portion of the Bessemer neighborhood there are other cases of R-4 zoning comingled in blocks zoned primarily B-4.

□ Comprehensive Plan Compliance:

The project site has been designated by the Pueblo Comprehensive Plan as "Urban Mixed Use". As proposed the rezoning request is consistent with recommended land uses in the "Urban Mixed Use" classification.

ABILITY TO COMPLY WITH THE PROPOSED ZONE DISTRICT:**□ Minimum lot size and area:**

The 18,300 square-foot property exceeds the minimum dimensional requirements for the subject zone district.

□ Lot coverage:

The existing building coverage is less than the maximum 50% lot coverage limitation in the R-4 zone district.

□ Conclusion:

The property has the ability to comply with the proposed zone district.

PUBLIC WORKS AND ENGINEERING COMMENTS

None

TRANSPORTATION COMMENTS

None

STORMWATER COMMENTS

None

SANITARY SEWER COMMENTS

None

PARKS AND RECREATION COMMENTS

None

REGIONAL BUILDING COMMENTS

None

BOARD OF WATER WORKS COMMENTS

None

COLORADO DEPARTMENT OF TRANSPORTATION COMMENTS

None

COMCAST COMMENTS

None

XCEL ENERGY COMMENTS

None

QWEST COMMENTS

None

FIRE DEPARTMENT COMMENTS

None

BLACK HILLS ENERGY COMMENTS

None

ATTACHMENTS:

- A. Location Map
- B. Vicinity Map
- C. Zoning Map
- D. Comprehensive Plan Map
- E. Site Photographs
- F. Application
- G. Rezoning Exhibit

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Exhibit A. Location Map



Exhibit B. Vicinity Map

Z-15-09

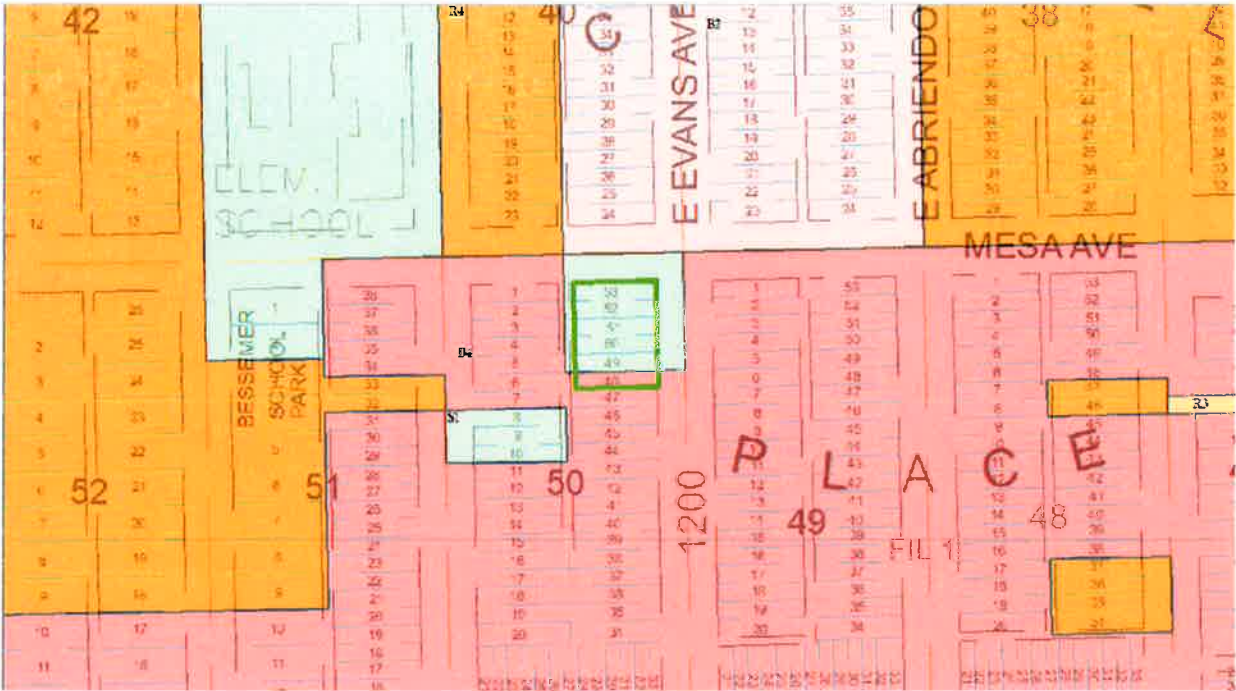


Exhibit C. Zoning Map

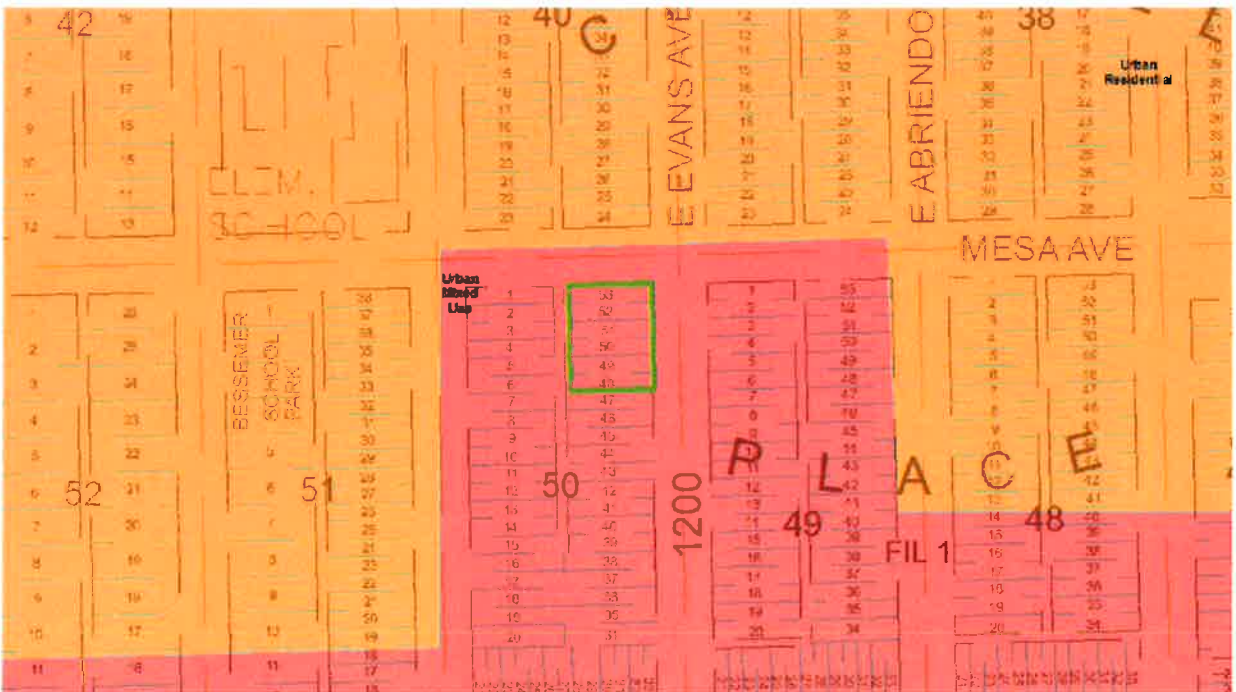


Exhibit D. Comprehensive Plan Map

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View of vacant property in center of picture

Mesa Ave.
(80' R.O.W.)



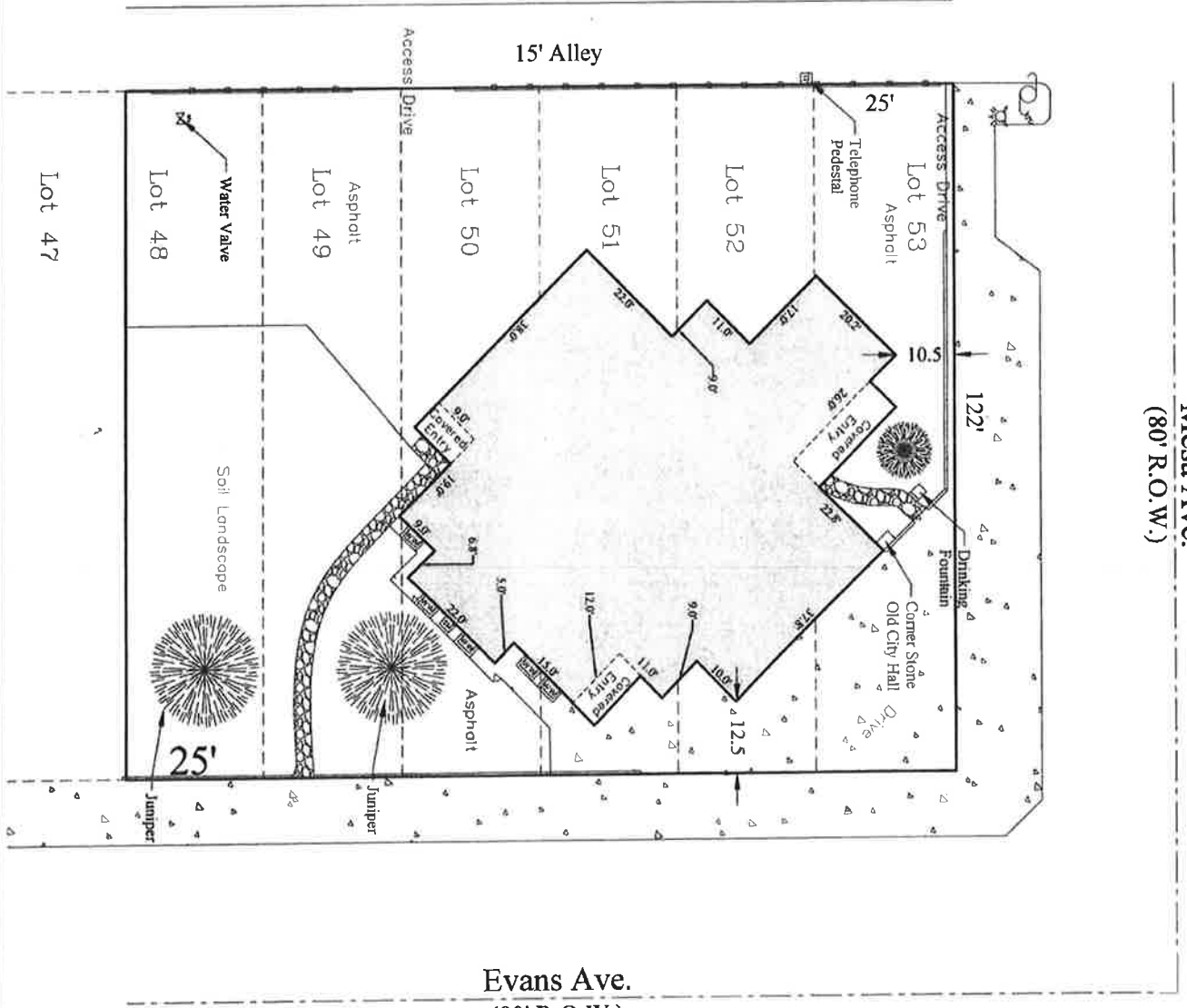
Legal Description

Lots 48, 49, 50, 51, 52 and 53, Block 50, City Hall Place, City of Pueblo, County of Pueblo, State of Colorado, according to the recorded plat thereof on file at the Pueblo County Clerk and Recorder's office in Pueblo, Colorado.

Improvement Location Certificate

I hereby Certify that this improvement location certificate was prepared for Michael J. Purcell and Michael R. Cozzetta, Land Title Guarantee Company and Old Republic Title Insurance Company and that it is not a land survey plat or improvement survey plat and that it is not to be relied upon for the establishment of fence, building, or other future improvement lines.

I further certify that the improvements on the above described parcel on this date November 18, 2013, except utility connections, are entirely within the boundaries of the parcel, except as shown, that there are no encroachments upon the described premises by improvements or any adjoining premises, except as indicated, and that there is no apparent evidence or sign of any easement crossing or burdening any part of said parcel, except as shown.



Evans Ave.
(80' R.O.W.)



Daniel Boyd
Professional Land Surveyor #11550

Planning & Zoning Application

Please type or print clearly. Illegible applications will not be accepted. Case #:

| | | | | |
|--|---|------------|------------------------------------|------------|
| Contact Info | Property Owner | | Applicant | |
| | Name: Cozzetta/Purcell Properties, LLC | | Name: City of Pueblo | |
| | Company | | Company: | |
| | Address: 1201 E. Evans Ave. | Zip: 81004 | Address: 211 E. "D" St | Zip: 81003 |
| | Phone: (719) 369-8484 | | Phone: () | |
| | Email: mike@mikedds.com | | Email: | |
| | Engineer | | Surveyor | |
| | Name: | | Name: | |
| | Company: | | Company: | |
| | Address: | Zip: | Address: | Zip: |
| Phone: () | | Phone: () | | |
| Email: | | Email: | | |
| <i>The applicant will be the primary contact unless otherwise noted.</i> | | | | |
| Property Info | Project Location: 1201 E. Evans Avenue <small>(address or general description)</small> | | | |
| | Parcel No(s): | | | |
| | Existing Zone: S-1 | | Proposed Zone (if applicable): R-4 | |
| | PUD Name (if applicable): | | | |
| Project Scope | Project Name: <u>Old Station No. 4 Rezoning</u> | | | |
| | Scope of work: <input type="checkbox"/> Lot Line Rearrangement: | | | |
| | # of existing lots: _____ Total acres: _____ | | | |
| | <input type="checkbox"/> Overall Development Plan | | | |
| | <input checked="" type="checkbox"/> Rezoning From: <u>Sr1</u> To: <u>R-4</u> | | | |
| | <input type="checkbox"/> Site Plan Review: | | | |
| | <input type="radio"/> HARP <input type="radio"/> Development Plan <input type="radio"/> PUD <input type="radio"/> Student Housing | | | |
| | <input type="checkbox"/> Special Area Plan | | | |
| | <input type="checkbox"/> Street Name Change: | | | |
| | Existing Name: _____ Proposed Name: _____ | | | |
| <input type="checkbox"/> Subdivision: # of lots: _____ Total acres: _____ | | | | |
| <input type="checkbox"/> Text Amendment | | | | |
| <input type="checkbox"/> Vacation: | | | | |
| <input type="radio"/> Street <input type="radio"/> Alley <input type="radio"/> Easement <input type="radio"/> Other: _____ | | | | |
| <input type="checkbox"/> Other: _____ | | | | |

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| | | |
|----------------------------|--|---|
| Project Information | Provide a brief description of the proposed request: (separate narrative as Attachment A also required) <i>City initiated request</i> | |
| | What is the total acreage included in the project? <u>0.42</u> | |
| | What is the proposed use of the property: <input type="checkbox"/> Commercial <input type="checkbox"/> Multi-family <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Other _____ | |
| | Are there any other pending or recently approved Land Use applications regarding this property? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| | If yes, please list: _____ | |
| Attachments | Attachment Checklist | |
| | The following list of attachments are required to accompany all applications: <input type="checkbox"/> A. Detailed explanation of the request as listed above. Be specific <input type="checkbox"/> B. CD with DWF and DWG (Autocad) file of all plans and drawings & a PDF of all documents submitted. <input type="checkbox"/> C. Pueblo County Assessor's Property Information print out (www.co.pueblo.co.us) <input type="checkbox"/> D. Additional information as required by the P&Z Submittal Requirements Sheet. | |
| Terms | By signing below, the Property Owner and Applicant are representing that each understands and agrees to the following terms: | |
| | 1. Authorized personnel from the City of Pueblo, are hereby granted the right to enter the subject property for the purposes of reviewing and processing the application, including Certificate of Occupancy Inspections. 2. There are no known hazards or vicious animals present on the subject property. 3. All information contained in this application, is true and accurate to the best of my knowledge. 4. The City of Pueblo is under no obligation to approve the request contained in this application. No promises of approval are conveyed with the acceptance of this application. 5. It is highly recommended that a licensed surveyor complete a property survey before any construction takes place. The property owner is responsible for any construction that takes place within the boundaries of their property. The city may require any construction built outside of the property legal boundaries or within any setbacks (by intent or error), to be removed at the owners' expense. | |
| Signatures | Property Owner | |
| | Print Name: | <i>Steven Meier, Director</i> |
| | Signature: | <i>[Signature]</i> Date: <i>10/4/15</i> |
| | Applicant, if different from Property Owner | |
| Signatures | Print Name: | |
| | Signature: | Date: |

| | | | |
|------------------------|---|--|----------|
| Office Use Only | Zoning Compliance (Completed by City Staff) | | Receipt: |
| | Application received by: <i>[Signature]</i> | Date: <i>10/9/15</i> | |
| | Application checked for completeness by: <i>[Signature]</i> | Date: <i>10/9/15</i> | |
| | Case Manager: | Fee Paid: <i>City Request</i> | |
| | Hearing date: <i>10/27/15</i> | <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Approved w/conditions | |
| Case #: <i>2-15-09</i> | | | |