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Chair

Brandice Eslinger  
Vice Chair

Chris Kaufman  
City Council Representative



## Planning & Zoning Commission

Weston Burrer

David Webb

Brian Lucas

Raymond Seybold

### Z-14-04

**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:** May 14, 2014  
**SUBJECT:** **1201 E. Evans Avenue Rezoning**  
**APPLICANT:** **Michael Purcell**  
**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 applicant 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** with the following conditions of approval:

1. Based on submittals for this application, it would appear that, from the building departments point of view, this would remain a commercial building due to the mixed use. Construction and permit application will need to conform to the 2009 International Building Code (IBC). (M. Colucci, 4/14/14)
2. Building will have to conform to the 2009 International Fire Code (IFC) requirements for fire sprinkler system to be reviewed during plan review at Pueblo Regional Building Department. (G. Micheli, 4/14/14)
3. Parking requirement will be based on the immediate, proposed use of residential with a home office, requiring one (1) off-street parking space. If the home office will accommodate customers, additional parking will be required.
4. The Transportation Department also will require the current driveway built to accommodate fire truck access to the front of the building to be removed and replaced with standard curb, gutter, sidewalk and curb ramps. City Traffic will relocate the pedestrian traffic signal indications at the intersection in conjunction with this reconstruction.

5. Contingent on Transportations requirements, the stormwater inlet on Evans will need to be compatible with the installation of new curb and gutter.
6. The property must be granted a home occupation permit to allow the business to be located at the residence, which may require review and approval by the Zoning Board of Appeals.

**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. In order to bring the property into compliance with the City Zoning Ordinance the applicant has been charged to rezone the property.

**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.

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**PUBLIC WORKS AND ENGINEERING COMMENTS**

None

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**TRANSPORTATION COMMENTS**

None

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**STORMWATER COMMENTS**

None

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**SANITARY SEWER COMMENTS**

None

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**PARKS AND RECREATION COMMENTS**

None

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**REGIONAL BUILDING COMMENTS**

None

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**BOARD OF WATER WORKS COMMENTS**

None

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**COLORADO DEPARTMENT OF TRANSPORTATION COMMENTS**

None

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**COMCAST COMMENTS**

None

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**XCEL ENERGY COMMENTS**

None

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**QWEST COMMENTS**

None

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**FIRE DEPARTMENT COMMENTS**

None

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**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

### Z-14-04



**Exhibit A. Location Map**



**Exhibit B. Vicinity Map**

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City Council Representative

# Planning & Zoning Commission

Raymond Seybold

## Z-14-04

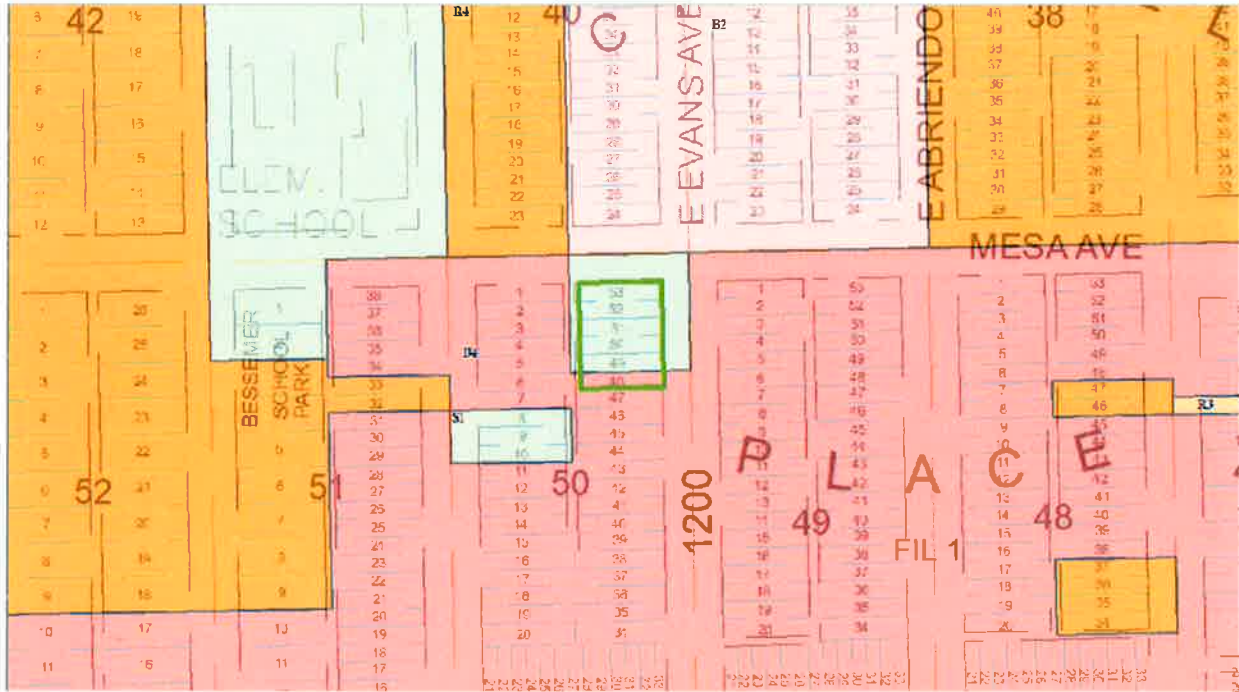


Exhibit C. Zoning Map

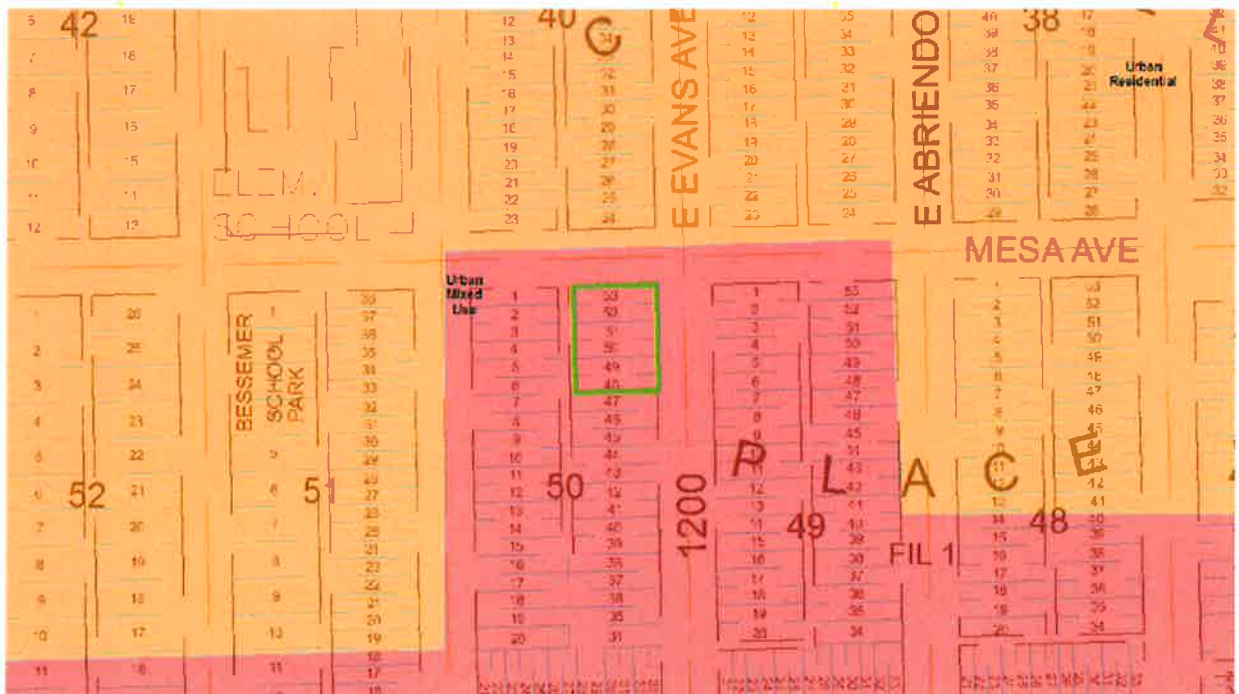


Exhibit D. Comprehensive Plan Map

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## Planning & Zoning Commission

### Z-14-04



**View of vacant property in center of picture**

## Planning & Zoning Application

Please type or print clearly. Illegible applications will not be accepted. Case #: **2-14-04**

Mike Cozzetta - Mike Purcell KE

<b>Contact Info</b>	<b>Property Owner</b> Mike Cozzetta Mike Purcell		<b>Applicant</b>	
	Name: Cozzetta/Purcell Properties		Name: Mike Purcell	
	Company: Cozzetta/Purcell Properties LLC		Company: Cozz/Purc Properties LLC	
	Address: 1201 E Evans Zip:		Address: 366 Dittmer Zip: 81054	
	Phone: (719) 369-8484		Phone: (719) 369-8484 *	
	Email: mike@mikedds.com		Email: mpurcell@msa.com	
	<b>Engineer</b>		<b>Surveyor</b> mike@mikedds.com	
	Name:		Name:	
	Company:		Company:	
	Address: Zip:		Address: Zip:	
Phone: ( )		Phone: ( )		
Email:		Email:		
<i>The applicant will be the primary contact unless otherwise noted.</i>				
<b>Property Info</b>	<b>Project Location:</b> 1201 E Evans 81002 <small>(address or general description)</small>			
	Parcel No(s): 1501416016 Lot 48-53 Blk 50 City Hall Pl			
	Existing Zone: S-1		Proposed Zone (if applicable): R-4	
	PUD Name (if applicable):			
<b>Project Scope</b>	<b>Project Name:</b> Firehouse #4			
	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: S-1 To: R-4			
	<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				
<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: _____				

(Continue Next Page)

Lot

From the proposed request:  
(separate narrative as Attachment A also required)

Planning to convert 2nd floor & porch into a one bedroom. Utilize the main floor for storage (garage)

What is the total acreage included in the project? \_\_\_\_\_

What is the proposed use of the property:  
 Commercial    Multi-family    Residential    Industrial    Other \_\_\_\_\_

Are there any other pending or recently approved Land Use applications regarding this property?    Yes    No

If yes, please list: \_\_\_\_\_

**Attachment Checklist**

The following list of attachments are required to accompany all applications:

- A. Detailed explanation of the request as listed above. Be specific
- B. CD with DWF and DWG (Autocad) file of all plans and drawings & a PDF of all documents submitted.
- C. Pueblo County Assessor's Property Information print out ([www.co.pueblo.co.us](http://www.co.pueblo.co.us))
- 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: Michael J. Russell

Signature: [Signature]      Date: 3/20/14

Applicant, if different from Property Owner

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_      Date: \_\_\_\_\_

**Office Use Only**

Zoning Compliance (Completed by City Staff)		Receipt:
Application received by:	Date:	
Application checked for completeness by:	Date:	
Case Manager:	Fee Paid:	
Hearing date:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> Approved w/conditions	
Case #:		

2-19-04



## Karen Elgin

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**From:** Kelly Grisham  
**Sent:** Wednesday, March 26, 2014 2:43 PM  
**To:** Karen Elgin  
**Subject:** FW: 1201 E. Evans

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**From:** Mike Purcell [mailto:mike@mikedds.com]  
**Sent:** Wednesday, March 26, 2014 11:50 AM  
**To:** Kelly Grisham  
**Subject:** 1201 E. Evans

Attention: Kelly Grisham  
Pueblo Planning and Development  
Re-Zoning

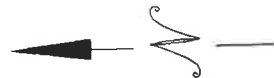
Dear- Planning and development, this is a letter to state the purpose and future plans for 1201 E. Evans Pueblo, Colorado 81002.

1. Applying to re-zone from a current S-1 (Governmental Purpose) to a R-4 Zoning.
2. The plan is to use the second floor which is approximately 1000 square feet as a apartment/home office for Cozzetta/Purcell Properties LLC. ( Rental Management Company) This will be a owner occupied apartment.
3. The main level will be used as storage for equipment and vehicles for Cozzetta/Purcell properties.
4. Future plans are a possible restaurant or banquet hall. Currently in the building sets in a zoning close to Bessemer School that prohibits selling any type of alcoholic beverages which limits certain types of comercial b
5. The current plan is to maintain the historical building and property to maintain esthetics's that will compliment and encourage for neighborhood development.

Thanks Mike  
**Michael J. Purcell**

work provided by  
 Title Guarantee Company  
 No. PBC35031825-2

E. Evans Ave.  
 No. CO 81004

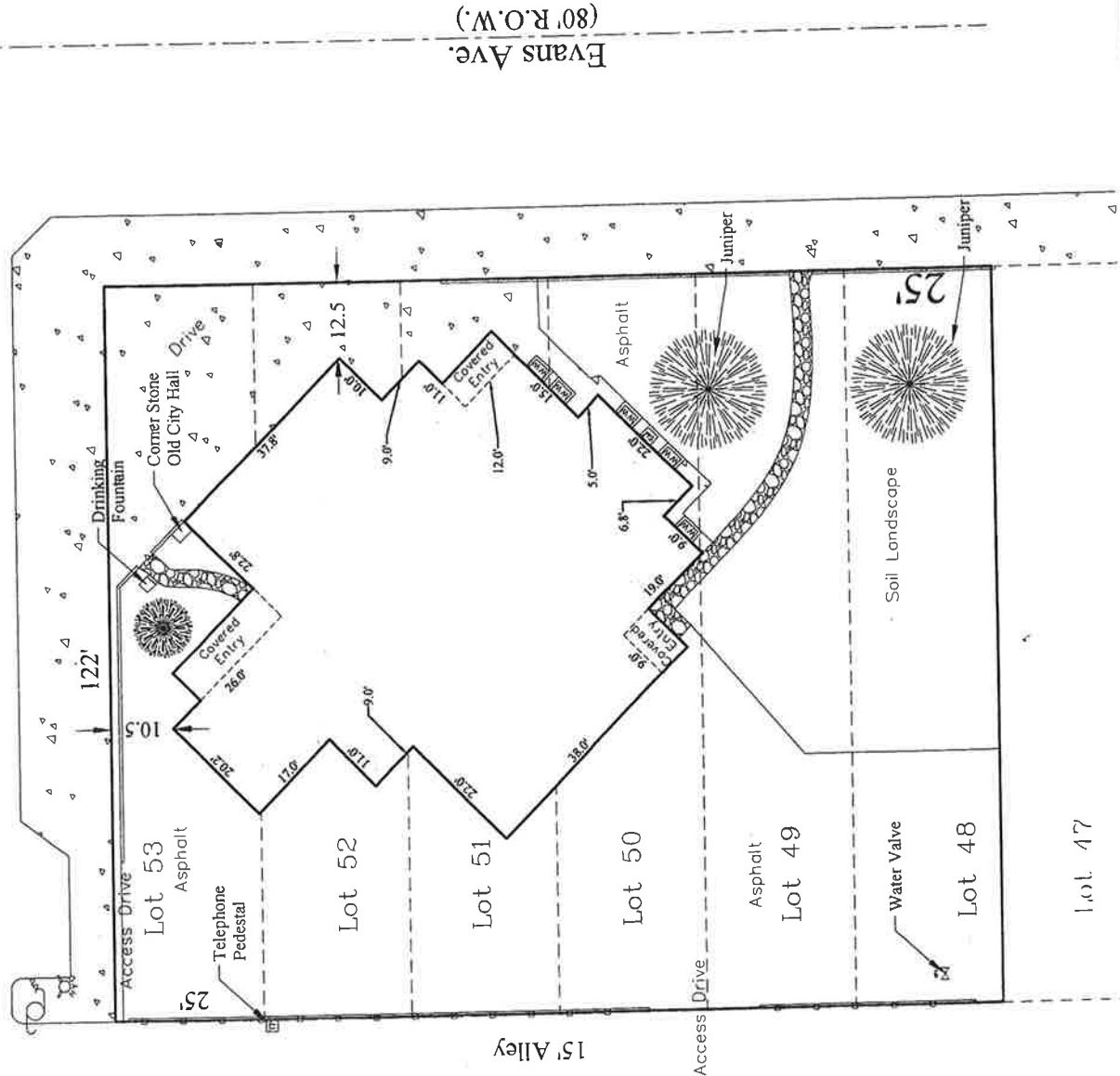


Scale: 1" = 30'

Ornamental Wrought  
 Iron Fence

2-14-04

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



Legal Description

Lots 48, 49, 50, 51, 52 and 53, Block  
 City of Pueblo, County of Pueblo, State  
 according to the recorded plat were  
 Pueblo County Clerk and Recorder,  
 Colorado.

Improvement Location Certificate

I hereby Certify that this improvement  
 was prepared for Michael J. Purcell  
 Cozzetta, Land Title Guarantee Co  
 Republic Title Insurance Company  
 land survey plat or improvement st  
 not to be relied upon for the establi  
 building, or other future improve

I further certify that the improve  
 described parcel on this date have  
 utility connections, are entirely wi  
 the parcel, except as shown, that t  
 encroachments upon the described  
 improvements or any adjoining pr  
 indicated, and that there is no app  
 of any easement crossing or burde  
 parcel, except as shown.



Daniel Boyd  
 Professional Land Surveyor No. 11550

