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ZBA-21-19

To: City of Pueblo Zoning Board of Appeals
From: Bart Mikitowicz, Planner
Through: Scott Hobson, Land Use Administrative Official
Date: 7/27/2021
Request: **A Special Use Permit to allow a Tow Yard in a Light Industrial (I-2) Zone District.**
Site Location: 3110 Granada Blvd, Pueblo, CO 81005
Legal Description: LOT 4 BLK 1 GRANEROS INDUSTRIAL PARK
Year Built: 2018
Applicant: Genavie Valdez
Property Owner: Kevin Hager
Zone District: Light Industrial (I-2) Zone District

BACKGROUND AND ANALYSIS

3110 Granada Blvd, Pueblo, CO 81005 is a 15,400-sf lot with an established 2,400-sf. commercial building built in 2018. This building is located in the Graneros Industrial Park Subdivision, south of Lake Minnequa. The current lot is paved with asphalt with landscape islands on the northwest and southeast corners. There are two small trees in the southeast corner. The northwest corner has ground covering vegetation. There is also a small landscape island near the entrance to the building off Granada Blvd. The site appears to have the capacity to store approximately 35 vehicles. The applicant is requesting a Special Use Permit to allow a Tow Yard in a Light Industrial (I-2) Zone District. In accordance with 17-4-51(c)(146) of the Pueblo Municipal Code (PMC), the applicant is required to obtain a Special Use Permit for this use at this site.

A to Z Towing has been in operation since 2019. At this time, they would like to expand the use of the property to include the storage of towed vehicles. The existing surrounding business include automobile storage, automotive repairs, recreational vehicle storage, other towing services, and undeveloped land to the north. Therefore, this use is similar in character to adjacent uses.

The City Transportation Dept. has indicated that the site will need to provide parking which requires all parking and drive aisles to have a hard surface (asphalt, concrete, or pavers). Any additional curb cuts will need to be approved by the Traffic Engineer and a dimensioned site plan will need to be reviewed and approved by the City Transportation Dept.

ZONING DISTRICT AND LAND USE

Zone:		Developed with:
North	Planned Unit Development (PUD)	PUD Undeveloped Lot (possible future use C3 which include, permitted houses, low and high density residential, and office/personal service), Granada Blvd
East	Industrial (I-2) Zone District	Damage Restoration Business
South	Industrial (I-2) Zone District	Thornberry Lane, Storage Warehouse
West	Industrial (I-2) Zone District	Auto Body Shop, Vehicle Towing

COMPREHENSIVE PLAN

Employment Center–Light Industry Mixed Use includes manufacturing, assembling, research and development that provide tax revenues and jobs. These areas include the Airport Industrial Park and its environs, Pueblo West Industrial Park, an area east of Runyon Park near the Arkansas River and in the south of Pueblo along I-25. The planned industrial will offer some commercial and office services. This use will not include industrial processes that emit significant smoke, noise, or odors, or handle hazardous materials. Uses will be located away from residential uses. When potential conflicts between land uses occur, buffering and landscaping will be provided to minimize the impacts. Within the Light Industrial (I-2) Zone District other uses by right include tow yard, truck parking, truck stop, automobile repair, retail sales for auto parts/tires, and outdoor storage facilities.

PUBLIC NOTICE

The property was publicly noticed in accordance with Title 17 Section 17-5-33(2) of the City of Pueblo Municipal Code. Specifically, the hearing was published in the Pueblo Chieftain, surrounding property owners within 100 feet of the property were notified by mail, and a sign was placed on the site (See Attachment E). These notices occurred at least 10 days prior to the hearing.

OTHER AGENCIES

Pueblo City/County Health	No comment
City Transportation	From Joy Morauski via email: <ul style="list-style-type: none"> •Will need to provide the required parking which includes all parking and drive aisles have a hard surface (asphalt, concrete, or pavers). •Any additional curb cuts will need to be approved by the Traffic Engineer •A dimensioned site plan will need to be reviewed and approved
Pueblo Regional Building Department	No comment
Fire Department	No comment
City Public Works Department	No comment
City Stormwater Department	No comment
City Code Enforcement	No comment
Pueblo Board of Water Works	No comment
City Wastewater Department	No comment
City Parks and Recreation Department	No comment

CONDITIONS REQUIRED FOR LIMITED USE PERMIT

1. Ingress and egress to property and proposed structures thereon with reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

Comments: Affirmative finding. The site plan indicates ingress/egress from Granada Blvd and Thornberry Lane.

2. Off-street parking and loading areas where required, with particular attention to the economic noise, glare or odor effects of the use by review on adjoining properties and properties generally in the district.

Comments: Affirmative finding. The site plan indicates a parking area to the northwest, northeast, and south of the building.

3. Refuse and service areas, with reference to the items above.

Comments: Affirmative finding. The plans indicated that there will be a dumpster placed within the parking lot area on the southeast corner.

4. Utilities, with reference to the location's availability and compatibility.

Comments: Affirmative finding. Sewer, electrical, and water service are already available to the property.

5. Screening and buffering with reference to type, dimensions, and character.

Comments: Affirmative finding. The site plan indicates that the property is already enclosed by chain link fencing for security.

6. Signs, if any, and proposed exterior lighting with reference to glare, traffic, safety, economic effect and compatibility and harmony with properties in the district.

Comments: Affirmative Finding. Any proposed signs must conform with Sec. 17-10-05 Sign Standards of the Pueblo Municipal Code, I-2 Zone District Sign Regulations

7. Required yards and other open space.

Comments: Affirmative finding. There is an existing structure on the property that meets I-2 setbacks. The I-2 Zone District does not require setbacks if the proposed business is adjacent to commercial or industrial zone, this property meets this requirement.

8. General compatibility with adjacent properties and other properties in the district.

Comments: Affirmative finding. The subject property is surrounded by I-2 zoned properties to the east, south, and west. These I-2 properties are developed with industrial uses. Northern lot is undeveloped PUD possible future use is a C3 which may include, permitted houses, low and high density residential, and office/personal service).

PLANNING AND COMMUNITY DEVELOPMENT STAFF RECOMMENDATION

If the Board chooses to approve this Special Use Permit staff recommends Standard Permit Conditions 1 through 13, and Staff Conditions A, B and C

Transportation Staff Conditions

- A. Will need to provide the required parking which includes all parking and drive aisles have a hard surface (asphalt, concrete, or pavers).
- B. Any additional curb cuts will need to be approved by the Traffic Engineer
- C. A dimensioned site plan will need to be reviewed and approved

ATTACHMENTS

- A. Standard Permit Conditions
- B. Site Map
- C. Aerial Map
- D. Zoning Map
- E. Comprehensive Plan Map
- F. Public Notice Photo
- G. Site Photographs
- H. Application
- I. Supporting documentation

Exhibit A. Standard Permit Conditions

Standard Permit Conditions Date of Issuance of Permit: 7/27/2021	
1.	Time Limits Zoning permit shall become invalid unless work or action authorized by permit is fully executed by ZBA-21-19
2.	Required Revisions Any revisions or additions to plans required as a result of approval must be submitted and stamped "approved" prior to the sign-off of the building permit routing slip or business license.
3.	Changes The project shall be completed as shown on the plans, which have been stamped "approved" and dated by the Department of Planning and Community Development. The project shall not deviate from the approved plans without prior written approval from the Department of Planning and Community Development.
4.	Property Inspection By acceptance of this permit, Permit holder authorizes City Officials and/or their authorized representatives, access to the subject property for purpose of observing work in progress, inspecting and/or measuring the property or improvements as long as the use authorized by this permit remains in effect.
5.	Certificate of Occupancy A certificate of occupancy must be issued by Regional Building <u>PRIOR</u> to use and/or occupancy of the subject premises. Prior to issuance, the Department of Planning and Community Development must certify that work has been completed in accordance with approved plans and that applicable conditions have been met. The Permit holder may be required to provide a Letter of Credit to obtain a Certificate of Occupancy prior to completion of all required improvements.
6.	Completion and Maintenance of Improvements and Landscaping Permit holder or successor in interest is responsible for completing all improvements shown on approved plans. By acceptance of this permit, Permit holder agrees to maintain all improvements in a satisfactory condition. Any landscaping installed according to the approved plan which becomes diseased or dies shall be replaced by similar species and size no later than the first available planting season.
7.	Building Permit; Other Permits Permit holder is solely responsible for obtaining <u>BUILDING PERMIT</u> and all other applicable local, state and federal permits.
8.	Off-Site Drainage Issuance of this permit does not authorize the discharge of stormwater runoff or other surface drainage from the subject premises onto adjoining property or properties.
9.	Appeals of a decision of the Land Use Administrator can occur up to thirty (30) days following such decision. Appeals of Zoning Board of Appeals decisions can occur up to thirty (30) days following final decision. Any work done in connection with this permit prior to the expiration of all applicable appeal periods is done <u>SOLELY</u> at the risk of the Permit holder.
10.	Errors Permit holder is solely responsible for the accuracy of all information contained in the Zoning Permit form and in accompanying documentation. Any errors contained therein may invalidate the Zoning Permit and may result in issuance of a code violation citation and prosecution.
11.	Transfer of Ownership In the event of a transfer of ownership, partial or whole, of the subject premises, the transferee shall become Permit holder and subject to compliance with the terms and conditions of this permit.
12.	Violations/Penalties A violation of any of the conditions of this permit or of any provision of the Pueblo Municipal Code may result in a penalty of up to three hundred dollars (\$300) per day.
13.	Incorporation and Reference of All Plans Presented to the Zoning Board of Appeals. This approval incorporates by reference all plans and drawings presented and all verbal representations by the applicant at Zoning Board of Appeals meetings and hearings on the subject application to the extent that they are not in conflict with other stated conditions or regulations.

Exhibit B. Site Map

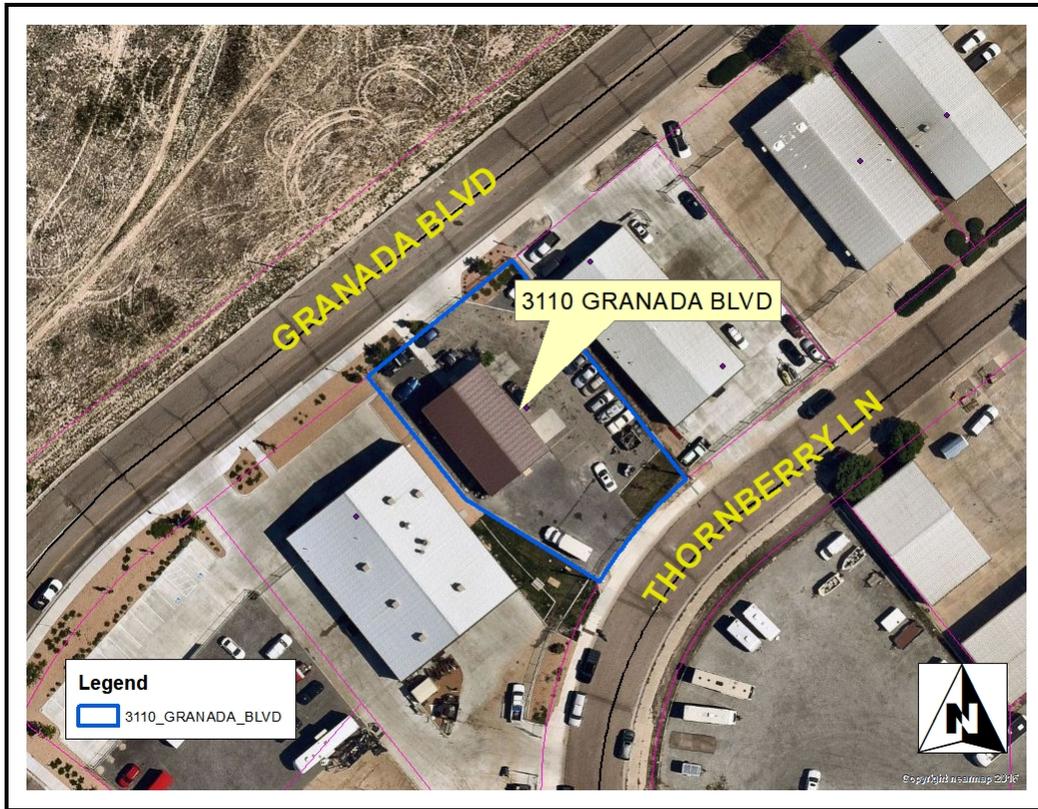


Exhibit C. Aerial Map



Exhibit D. Zoning Map (Zoning Map Amendments Recommended)

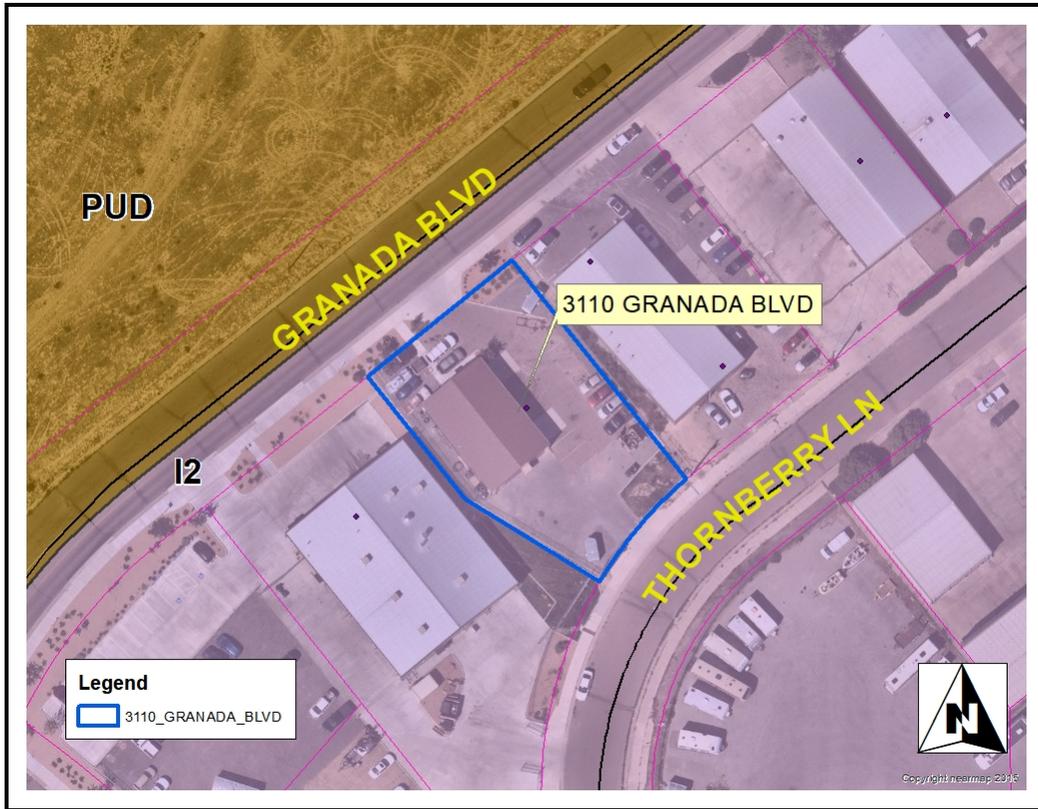


Exhibit E. Comprehensive Plan Map

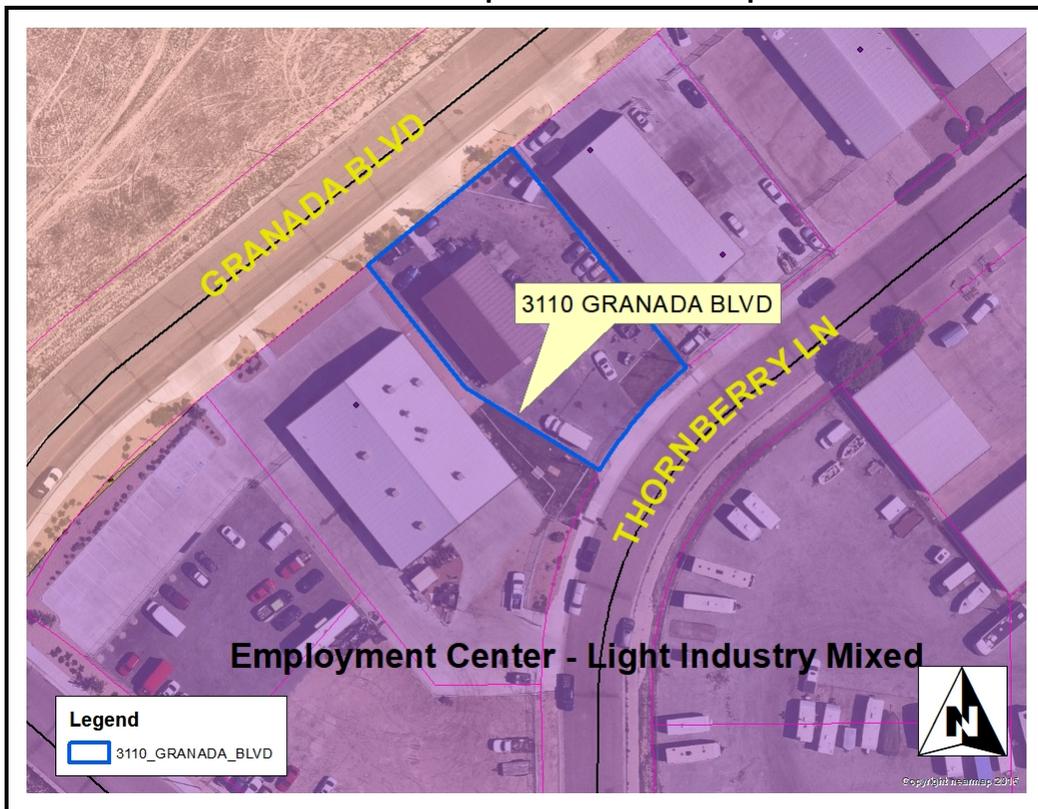


Exhibit F. Public Notice





H. Application



Planning & Community Development

211 East D Street | Pueblo, Colorado 81003 | Tel 719-553-2259 | Fax 719-553-2359 | TTY 719-553-2611 | www.pueblo.us

Zoning Board of Appeals Application

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

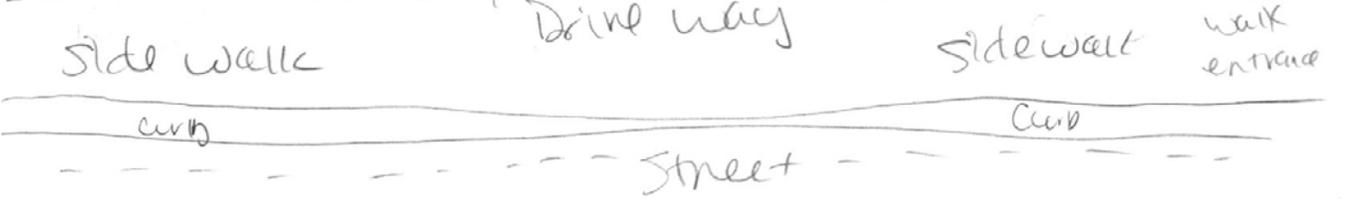
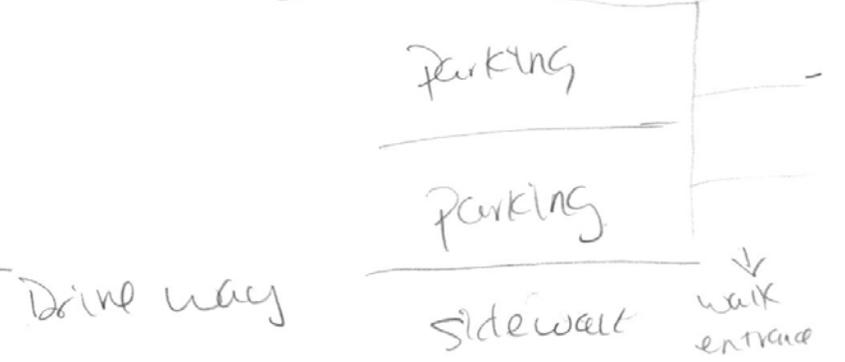
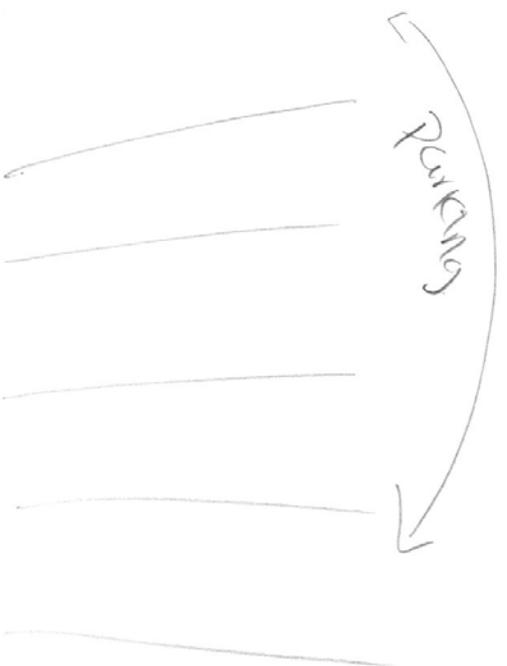
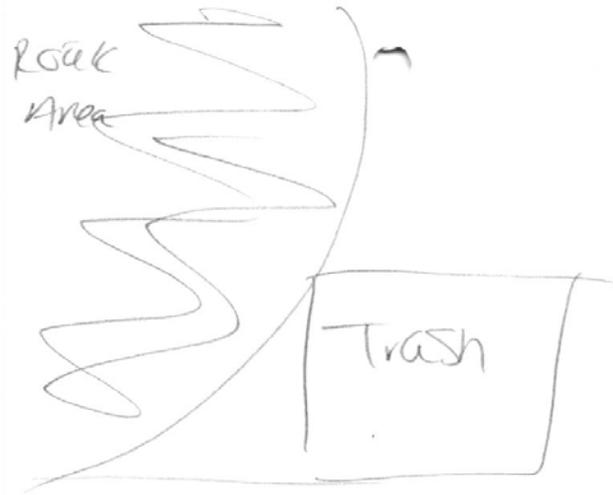
Contact Info	Property Owner:		Applicant (if different from property owner):	
	Name: Devin H / Genaw V.		Name: Genavie Valdez	
	Address: 3110 Granada Blvd.		Company: A to Z Towing	
	City, State & Zip: Pueblo, CO 81005		Address: 3110 Granada Blvd.	
	Phone: (719) 821-6371		City, State & Zip: Pueblo, CO 81005	
	Email: ato2towing LLC2019@gmail.com		Phone: (719) 821-6371 Cell: (719) 994-2033	
		Email: ato2towingbusiness@gmail.com		
<i>The applicant will be the primary contact unless otherwise noted.</i>				
Property Info	Project Location: 3110 Granada Blvd. Pueblo, CO 81005.			
	Legal Description: Towing Company.			
	Parcel No: 1515428604		Existing Zone: I-2	
	Property Size:			
Project Information	General Information			
	Provide a short description of the proposed request: to be a towing lot / storage lot.			
	What is the general use of the property: <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial			
	<input type="checkbox"/> Multi-Family <input type="checkbox"/> Other			
	Scope of work: <input type="checkbox"/> Special Use Permit (Limited Use Permit):			
	<input type="radio"/> Use by Review <input type="radio"/> Home Daycare <input type="radio"/> Home Occupation (Total # of children: _____) <input type="radio"/> Other: <u>Towing Storage Lot</u>			
<input type="checkbox"/> Variance:				
<input type="radio"/> Setback <input type="radio"/> Parking <input type="radio"/> Landscape <input type="radio"/> Lighting <input type="radio"/> Height <input type="radio"/> Signs <input type="radio"/> Other: _____				
<input type="checkbox"/> Appeal:				
<input type="radio"/> ZBA Decision (Case Number: ZBA-____-____) <input type="radio"/> Administrative Official Determination <input type="radio"/> Other: _____				
<input type="checkbox"/> Other: _____				

06/2020

(Continue Next Page)(Continued from Page 1)

Attachments	Attachment Checklist:	
	<p>The following list of attachments are required to accompany all applications:</p> <ul style="list-style-type: none"> <input type="checkbox"/> A. Detailed explanation of the request as listed above. Be specific. <input type="checkbox"/> B. Justification of facts required for the request. Be specific <input type="checkbox"/> C. Site plan, if variance. Must depict requested variance on plan. <input type="checkbox"/> D. Applicable application (i.e. business license, Home Occupation Questionnaire). <input type="checkbox"/> E. Photographs. <input type="checkbox"/> F. Additional information that you believe justifies the request. <input type="checkbox"/> G. Copy of determination letter, if appealing Administrative Official Determination. <input type="checkbox"/> H. Pueblo County Assessor's Property Information print out www.co.pueblo.co.us 	
Terms	By signing below, the Property Owner and Applicant are representing that each understands and agrees to the following terms:	
	<ol style="list-style-type: none"> 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. 2. There are no known hazards or vicious animals present on the subject property. 3. All requisite fees have been paid to the City of Pueblo. 4. All information in this application, and all attachments, are true and accurate to the best of my knowledge. 5. 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. 6. 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:	
	Signature:	Date:
	Applicant, if different from Property Owner	
Print Name:	<i>Gerardo Valdez</i>	
Signature:	<i>[Signature]</i>	Date: <i>10-9-21</i>

Office Use Only	Zoning Compliance (Completed by City Staff)	
	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 #:	



6/9/2021

To whom this may regard, A to Z Towing is looking for the city to approve the address of 3110 Granada Blvd to be used for a storage lot for towed in vehicles. A to Z Towing has been established since 2019 and is hoping to continue growing in business, getting approval will be a great aspect to the business. We have been leasing this address on a monthly payment since opening. The location of business will not be a nuisance to the surrounding buildings nor any residential areas. To the left of A to Z Towing is A to Z Automotive, to the right is Extreme paint and body, there are businesses located on the same block and behind the street (Thornberry) & located across the street is an empty lot. Located on Thornberry are two towing business' in which are also vehicle storage lots (Cordova's Towing, MSL Towing). There is an RV storage lot directly behind A to Z Towing with many RVS kept in storage, surrounding buildings contain torn down vehicles or vehicles needing maintenance. A to Z Towing has a fenced in area which is secured and monitored. It is fenced off from surrounding buildings and is maintained for cleanliness. A to Z Towing has met all requirements to become a towing business and are ready to complete all steps needed to become a vehicle storage lot.

Thank You,

A To Z Towing

Genavie Valdez

