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Lisa Bailey
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Georgia Way

ZBA-23-22

To: City of Pueblo Zoning Board of Appeals
From: Jay-Michael Baker, Planner
Through: Scott Hobson, Land Use Administrative Official
Date: 6/27/2023
Request: **A Special Use Permit to allow for an Recreational Vehicle Sales and Service in an I-2 Zone District (Industrial).**
Site Location: **2124 S Prairie Avenue Unit G (1511312029)**
Legal Description: **Lake Minnequa Neighborhood, N 150 FT OF E 477 FT OF S 1/2 OF LOT 4 + S 150 FT OF E 357 FT OF S 1/2 OF LOT 4 + N 30 FT OF S 180 FT OF S 1/2 OF LOT 4 Ormandale Formerly #15113-19-013**
Year Built: NA
Applicant: Lawrence Archuletta
Property Owner: Dean and Mary Hall
Zone District: I-2 Industrial District

SYNOPSIS OF REQUEST

The applicant, Mr. Lawrence Archuletta desires to establish a recreational vehicle sales and service business at this location. The I-2 District does not allow for the sales of recreational vehicles by right, but it does by review. The applicant is requesting a special use permit to allow for RV sales in an I-2 Zone District.

The location is one of nine units located on a single parcel. The parcel was annexed into the City of Pueblo on December 19, 1972. The structures were built in 1975. The unit in question, Unit G, has been vacant since 2016, and was previously occupied by Blazing Blue Automotive Repair and Service.

Recreational vehicle, sales and service means a retail establishment that sells, rents, leases, repairs, and services new and used recreational vehicles. A recreational vehicle sales establishment does not permit the sale or service of automobiles unless otherwise permitted in the zone district.

The site for the proposed Special Use Permit consists of a primary structure with a bay door facing south and one directly opposite on the north façade of the building. It has a fenced yard with ingress and egress gates on the west and east respectively. The yard is approximately 3,865 square feet. The applicant will store the majority of his RV inventory inside the yard, with no more than 2-4 RVs to the south of the property.

ANALYSIS OF REQUEST

Other tenants on the property include an auto repair shop and an interlock installation ship. RV sales and service fits the general theme of this property.

ZONING DISTRICT AND LAND USE

Zone:		Developed with:
North	Central Business District (B-4) Zone District	Business
East	Manufactured Home Residential (R-8) Zone District	Single-family residential

South	Single Family Residential (R-2) and Mixed Residential (R-4) Zone District	Single-family residential and multifamily residential
West	Highway and Arterial Business (B-3) Zone District	Business

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	No comment
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 A SPECIAL 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 that access into the principal structure can be made through a bay door on the south side of the building, or from within the fenced yard via a bay door on the north façade. Access to the yard, on the north side of the structure, can be made through gates on both the west and the east sides of the chain link fence.

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 property is part of a larger parcel that is removed from the arterial Prairie Avenue. The fenced yard is small, therefore depending on the applicant’s intended inventory, it will only provide limited parking for recreational vehicles. Applicant must keep parking areas south of the primary structure open for customers, and free from RVs.

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

Comments: Affirmative finding. According to the applicant, a dumpster will be located on the east side of the property.

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

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

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

Comments: Not applicable. The project site is one unit among nine-additional units, on the same parcel, that currently have a similar light industrial use. Staff does not anticipate a need for screening and buffering.

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.

Affirmative Finding. Any new signage would need to be permitted through the filing of a separate sign permit. No new exterior lighting is proposed.

7. Required yards and other open space.

Comments: Affirmative finding. All yards and open space comply with the I-2 Zone District, the applicant is not proposing development of any new structures.

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

Comments: Affirmative finding. An RV sales and service fits the general commercial and light industrial use of other units and properties within the district.

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 the following staff recommended condition:

1. Provide at a minimum, five striped customer and employee parking spaces adjacent to the southern building façade and outdoor storage area, according to Section 17-4-44, (c), of the Pueblo Municipal Code.
2. All refuse containers must be located within the leased area and not inhibit vehicular or pedestrian circulation within the parcel.

ATTACHMENTS

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

Exhibit A. Standard Permit Conditions

Standard Permit Conditions Date of Issuance of Permit: 7/27/2023	
1.	Time Limits Zoning permit shall become invalid unless work or action authorized by permit is fully executed by 7/27/2024
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

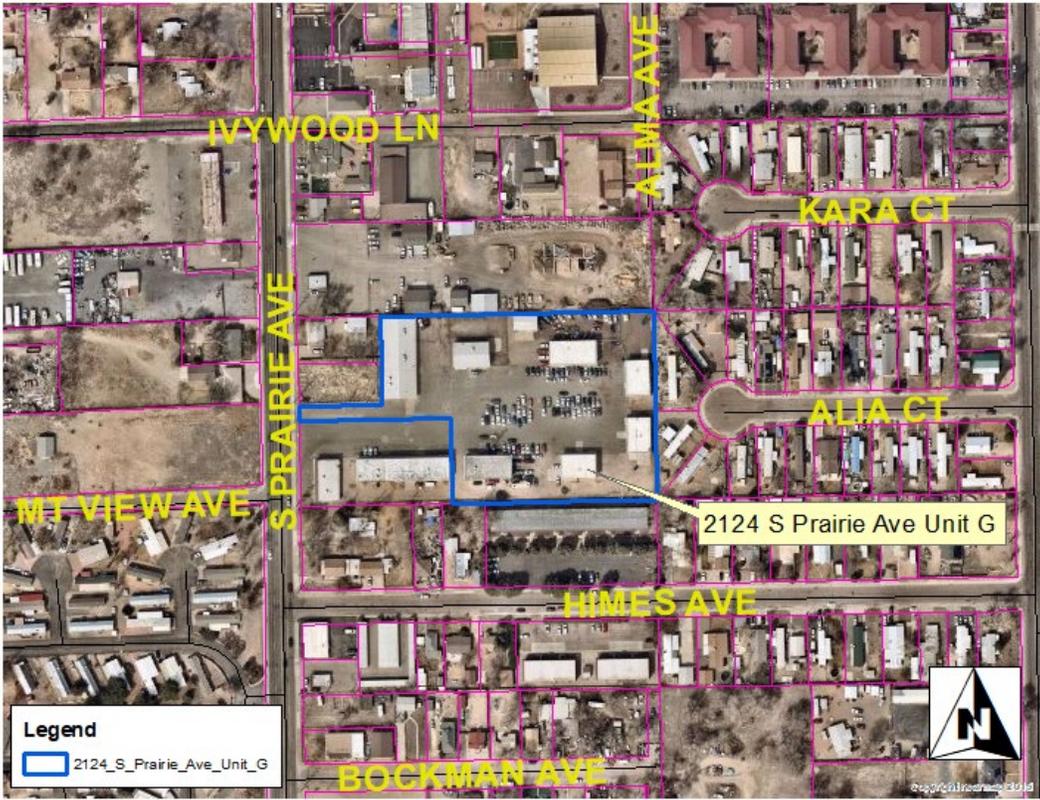


Exhibit C. Zoning Map

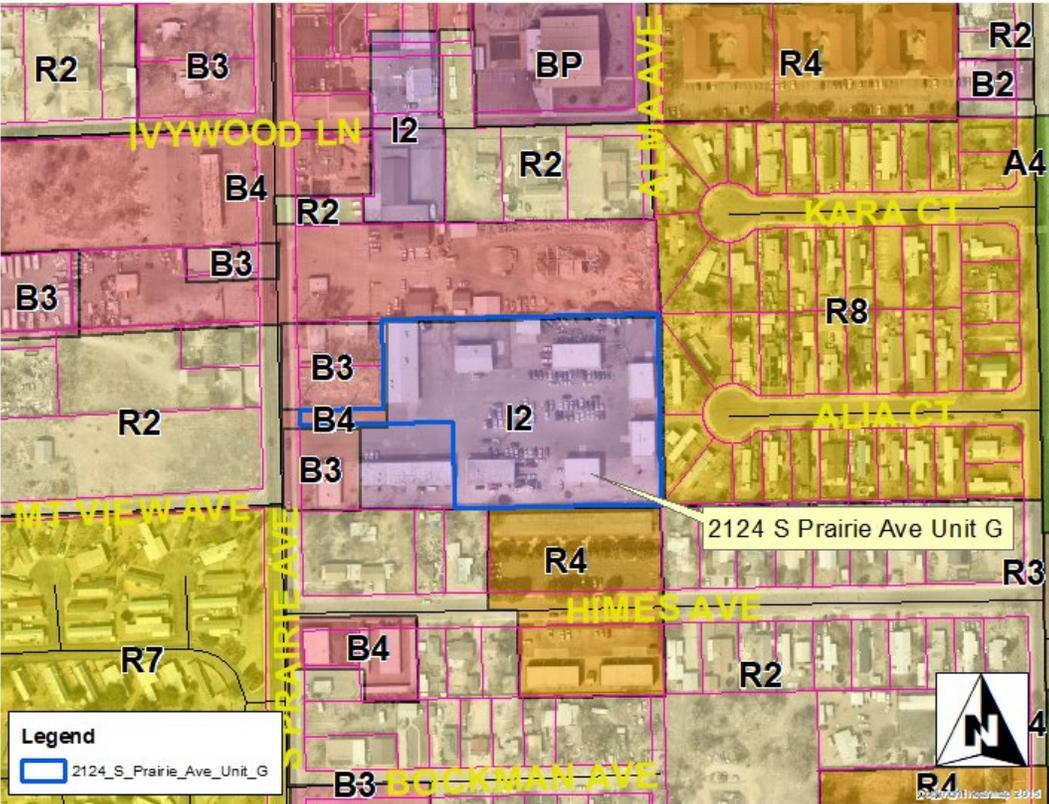


Exhibit F. Public Notice



Exhibit G. Site Photos





H. Application

23-102

Zoning Board of Appeals -
Special Use Permit &
Variances

Status: Active

Submitted On: 5/31/2023

Primary Location

2124 S PRAIRIE AVE
PUEBLO, CO 81004

Owner

HALL DEAN V/HALL MARY E
5437 STONEMOOR DR
PUEBLO , CO 81005-9712

Applicant

Lawrence Archuletta
719-250-0603

archuletta1@yahoo.com

2120 Emilia St

Pueblo, CO 81005

Internal

ZBA Case Number

ZBA-23-22

Planner Assigned

—

Address Validation by GIS?

ZBA

Hearing Date

06/27/2023

Hearing Results

—

Board Conditions

Appeal Term End Date

—

Permit Completion Date

—

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Specially Requested Hearing

Public Notice

Number of Posters

—

Number of Postcards Sent

–

Cost of Newspaper Notice

–

Public Notice Costs

Other Fees: Public Notice costs must be paid by:

–

Public notice zoning poster must be displayed BY:

–

Public Notice zoning poster must be displayed

UNTIL:

–

Is a 1-year inspection required?

–

Scope of Work

Type of Request*

Use by Review (Special/ Limited Use Permit)

Type of Use by Review*

Special Use Permit

0

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Provide a short description of the proposed request:*

What is the general use of the property*

Commercial

Detailed explanation of the request as listed above. *

Justification of facts required for the request. Be specific.*

Are there any concurrent zoning requests?*

No

Use by Review Justification of Facts

Describe the ingress and egress to property and proposed structures thereon with particular reference to

automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.*

Describe off-street parking and loading areas where required, with particular attention to the items in Subparagraph a above and the economic noise, glare or odor effects of the use by review on adjoining properties and properties generally in the district.*

Address is zoned as I-2. Want to use the location for recreational vehicle sales and service, requiring a special use permit.

Address is zoned as I-2. Want to use the location for recreational vehicle sales and service, requiring a special use permit.

Zoned I-2 requiring a review for RV sales and service.

Has direct access to S Prairie. Unit G has a fenced yard with ingress on the west side, and egress on the east side, as well as access on the south side through the building itself (two bay doors).

There are 5 contracted parking spaces on the southside of the building. Additional 5 spaces within the fenced yard.

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Describe refuse and service areas, with particular reference to the items in the two questions above.*

Describe utilities, with reference to the location's availability and compatibility.*

Describe screening and buffering with reference to type, dimensions and character.*

Describe signs, if any, and proposed exterior lighting with reference to glare, traffic, safety, economic effect

and compatibility and harmony with properties in the district.*

Describe how you will comply with the required yards and other open space.*

Describe the general compatibility with adjacent properties and other property in the district.*

Terms

Is the applicant and property owner the same?*

No

Applicant Signature*

Lawrence Michael Archuletta

May 31, 2023

No hazardous materials at site. Dumpster will likely be located on the east side of the property.

Water, gas, and electric are established at the location.

Chain link fenced yard. Industrial area established therefore further screening appears unnecessary.

4X8 sign on the building itself. Space on edge of Prairie with an approx. 2X4 sign.

Property shares an open space on the south side of the property. Business will not impede public movement in general vicinity of the property.

There is already auto repair shop, interlock installation, solar, and auto detail and window tint businesses within the I-2 zone.

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Attachments

dows.net/vpc3-

2023_06-55-37.pdf?sp=r&sv=2017-11-

A01Z&se=2023-05-

2j%2FPYmiloul0GHtfXJ3zENfe4GYdXc7J7s%3D)

Site plan

plot plan.pdf

Uploaded by Lawrence Archuletta on May 31, 2023 at 9:55 AM

REQUIRED

dows.net/vpc3-

_Wed_May_31_2023_06-55-30.pdf?

-31T16%3A16%3A01Z&se=2023-05-

flprfZWDswfY98%2FmEcTNRkvC5ekxErEhs%3D)

Property Owner Affidavit

property owner affidavit.pdf

Uploaded by Lawrence Archuletta on May 31, 2023 at 9:55 AM

REQUIRED

History

Date Activity

5/31/2023, 9:08:27 AM Lawrence Archuletta started a draft of Record 23-102
5/31/2023, 9:56:16 AM Lawrence Archuletta submitted Record 23-102
5/31/2023, 9:56:17 AM
approval step Fee Review was assigned to Planning Front Counter on
Record 23-102
5/31/2023, 9:56:17 AM
changed the deadline to Jun 02, 2023 on approval step Fee Review
on Record 23-102
5/31/2023, 9:59:49 AM
Carol Martinez assigned approval step Fee Review to Carol Martinez
on Record 23-102
5/31/2023, 9:59:57 AM Carol Martinez approved approval step Fee Review on Record 23-102
5/31/2023, 10:02:18
AM
completed payment step Application Fee on Record 23-102
5/31/2023, 10:02:20
AM
approval step Intake Review was assigned to Planning Front Counter
on Record 23-102
5/31/2023, 10:02:20
AM
approval step Land Use Tech Review was assigned to Cindy Capritta
on Record 23-102
5/31/2023, 10:02:20
AM
approval step Case Assignment was assigned to Beritt Odom on
Record 23-102
5/31/2023, 10:02:21
AM
changed the deadline to Jun 01, 2023 on approval step Land Use
Tech Review on Record 23-102
5/31/2023, 10:02:22
AM
changed the deadline to Jun 01, 2023 on approval step Case
Assignment on Record 23-102
5/31/23, 10:31 AM 23-102
<https://puebloco.viewpointcloud.io/#/explore/records/44237/react-form-details/44237> 6/7
Date Activity
5/31/2023, 10:03:17
AM
Karen Elgin assigned approval step Land Use Tech Review to Karen
Elgin on Record 23-102
5/31/2023, 10:30:57
AM
Karen Elgin changed ZBA Case Number from "" to "ZBA-23-22" on
Record 23-102
5/31/2023, 10:30:57

AM

Karen Elgin changed Hearing Date from "" to "06/27/2023" on Record 23-102

Timeline

Label Activated Completed Assignee Due Date

Fee Review

5/31/2023,

9:56:17 AM

5/31/2023,

9:59:57 AM

Carol

Martinez

6/1/2023

Application Fee

5/31/2023,

9:59:58 AM

5/31/2023,

10:02:18 AM

Lawrence

Archuletta

-

Intake Review

5/31/2023,

10:02:19 AM

-

Planning

Front Counter

-

Land Use Tech

Review

5/31/2023,

10:02:19 AM

- Karen Elgin 5/31/2023

Case Assignment

5/31/2023,

10:02:19 AM

- Beritt Odom 5/31/2023

Staff Report and

Agenda Distribution

- - -

-

Public Notice - - -

-

ZBA Hearing

Outcome

- - -

-

Planning (Zoning)
Initial Review of
Submittal

- - -
-

Permit Issuance - - -

-
Address
Validation

- - -
-

Public Notice Fee - -

Lawrence
Archuletta

-

Final Inspection - - -

-

5/31/23, 10:31 AM 23-102

<https://puebloco.viewpointcloud.io/#/explore/records/44237/react-form-details/44237> 7/7

Label Activated Completed Assignee Due Date

Public Notice
Memo

- - -

Exhibit I. Supporting Documents

