

Mike Castellucci
Chair

Andrew Ruybal



Lisa Bailey
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Yvonne Lujan-Slak

Georgia Way

Zoning Board of Appeals

ZBA-25-26

Hearing Date: 7/22/2025

TO: City of Pueblo Zoning Board of Appeals
FROM: Mikaylin Hackley
THROUGH: Scott Hobson, Land Use Administrative Official
LOCATION: 1503 W Arroyo Ave
APPLICANT: Ruby Martinez
PROPERTY OWNER: John Moran
YEAR BUILT: 1986
LEGAL DESCRIPTION: LOTS 24 + 25 BLK 8 LAKEWOOD SUB
ZONE DISTRICT: One- and Two-Family Residential (R-3) Zone District
PARCEL ID: 1502415011
LOT SIZE: 6,552 Square feet

REQUEST:	Special Use Permit to allow for a charitable institution in a One- and Two-Family Residential (R-3) Zone District
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BACKGROUND

The applicant, on behalf of the faith-based nonprofit organization D.Vine Connections, is seeking a Special Use Permit to continue operating a “community outreach and resource center” at 1503 Arroyo Ave, an approximately 2200 sq. ft. building constructed in 1986. Activities on-premises include administrative work, small group gatherings, community meetings, occasional workshops, and coordination of off-site programming. Specifically, the application states that the organization provides “one-on-one and group mentorship for youth with at risk behaviors, gang prevention and intervention, peer support services, recovery groups, life skills development, and community building events.” No organized church worship services are held that would bring large attendance numbers all at one time, and operating hours as advertised to the public are 10am to 5pm on Mondays, Wednesdays, and Fridays. D.Vine Connections has been operating at the subject property since late 2024. The applicant applied for a business license in May of 2025, at which time staff informed them that a Special Use Permit would be required in order to operate in compliance as a charitable institution.

STAFF ANALYSIS

As discussed in the findings of fact, staff finds that trash collection, utilities, screening, open space, and compatibility with the surrounding neighborhood is all suitable at this location for the proposed use. There is no on-site parking on the property, however, and off-street parking requirements must typically be met in order to allow a change of use. Code dictates that at least one improved, permanent parking space should be provided per four expected occupants of the facility. That said, the applicant attests that many individuals who receive services from D.Vine are local to the neighborhood and can walk or carpool to the facility, and the organization deliberately offers services in such a way to encourage staggered attendance so that the available on-street parking is not overwhelmed by the organization’s activities. Considering the scope of services described in the application and the mitigation efforts described by the applicant, staff foresees no adverse consequences with the granting of a Special Use Permit for a charitable institution and is generally approving of the re-development of an underutilized, infill property.

SURROUNDING ZONE DISTRICTS AND LAND USES

	Zone:	Developed with:
North	One and Two-Family Residential (R-3) Zone District	Single-family homes
East	One and Two-Family Residential (R-3) Zone District	Single-family homes
South	One and Two-Family Residential (R-3) Zone District	Single-family homes
West	One and Two-Family Residential (R-3) Zone District	Single-family homes

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.

REVIEWING AGENCIES

City Code Enforcement	No comment
City Parks and Recreation Department	No comment
City Public Works Department	No comment
City Stormwater Department	No comment
City Transportation	The applicant states that they rely primarily on on-street parking; however, they appear to be making an effort to minimize the effect of any possible parking or traffic congestion on the community. Any neighborhood push back related to parking at the ZBA hearing should be taken into consideration as their on-site parking is likely inadequate.
City Wastewater Department	No comment
Fire Department	No comment
Pueblo Board of Water Works	No comment
Pueblo City/County Health	No comment
Pueblo Regional Building Department	No comment

CONDITIONS REQUIRED FOR 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: Neutral finding. There is little vehicle ingress/egress on the property because there is no on-site parking, but the building can be accessed by gravel driveway for occasional loading needs. Pedestrian access is adequate for the proposed use.
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: Negative Finding. No off-street parking is provided on site. However, there has never been on-site parking at this property even when the building was actively being used as a church, and the applicant attests that their gatherings and programs are “modest” in scale and designed with staggered attendance and small group sessions intended minimize parking congestion for the neighborhood.

3. Refuse and service areas, with reference to the items above.
Comments: Affirmative finding. The property receives trash collection service from a small, residential-sized bin that is kept at the rear of the property when not being actively collected on pick-up days.
4. Utilities, with reference to the location's availability and compatibility.
Comments: Affirmative finding. The building has existing electricity, water, gas, and wastewater service and the proposed use will not necessitate any change in utilities.
5. Screening and buffering with reference to type, dimensions, and character.
Comments: Affirmative finding. No screening or buffering from the neighboring residences is required as the proposed activities conducted on-site would be no more disruptive than the previous use as a church. Additionally, the site has trees and landscaping along the property line that abuts the nearest residential lot, 1043 Claremont Ave.
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: Neutral Finding. There is an existing unused monument sign on the southeast corner of the property. D.Vine Connections only signage is a small window sign on the front door, which does not require a sign permit. Proposed outdoor lighting is reasonable for a neighborhood-scale commercial property.
7. Required yards and other open space.
Comments: Affirmative finding. No yards or open space are required for the proposed use and the space is conducive to the activities the organization looks to host.
8. General compatibility with adjacent properties and other properties in the district.
Comments: Affirmative finding. Staff finds that the proposed use is compatible with the neighborhood and would be similar in scale to residential properties occasionally hosting small gatherings or guests.

PLANNING AND COMMUNITY DEVELOPMENT STAFF RECOMMENDATION

If the Board makes the necessary findings of fact to approve this special use permit, staff recommends Standard Permit Conditions 1 through 13 and the following:

1. The monument sign in the southeast corner of the property must conform with Sec. 17-10-10 (a-d) of the sign code regarding maintenance of signs as well the visual upkeep of unused signs, namely that their sign area be replaced with a neutral-colored background panel.

ATTACHMENTS

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

Exhibit A. Standard Permit Conditions

Standard Permit Conditions Date of Issuance of Permit: 7/22/2025	
1.	Time Limits Zoning permit shall become invalid unless work or action authorized by permit is fully executed by 7/22/2026
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. Aerial Map



Exhibit C. Zoning Map



Exhibit D. Comprehensive Plan Map



Exhibit E. Public Notice



Exhibit F. Site Photos





Exhibits G-H. Application & Supporting Documents

To view all attachments, please contact the Planning and Community Development Department at planninglanduse@pueblo.us or visit our office at 211 E D St.

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