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## ZBA-21-04

**To:** City of Pueblo Zoning Board of Appeals  
**From:** Bart Mikitowicz, Planner  
**Through:** Scott Hobson, Land Use Administrative Official  
**Date:** 6/8/2021  
**Request:** **A Special Use Permit to allow for General Service in an Industrial (I-2) Zone District.**  
**Site Location:** 701 W 8th St, Pueblo, CO 81003  
**Legal Description:** LOTS 3 + 4 BLK 48 COUNTY ADD  
**Year Built:** 1981  
**Applicant:** Minnequa Works Credit Union  
**Property Owner:** Minnequa Works Credit Union  
**Zone District:** Industrial (I-2) Zone District

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### BACKGROUND

The subject property is a 2,005-sf. commercial structure built in 1981. It operated as credit union until it closed in 2020. It is located in the County Addition Subdivision, northwest of Downtown. In accordance with Section 17-4-51(c) (62) of the Pueblo Municipal Code, the applicant, Minnequa Works Credit Union, is required to obtain a Special Use Permit to allow for General Service in an Industrial (I-2) Zone District.

General service means a use that provides results of useful labor, which does not in itself produce a tangible commodity. While the proposed use, a Hair Salon, does have a specific definition that particular use is not permitted in an I-2 Zone District. After reviewing this case the Planning Department Staff made the determination that a rigid interpretation in this case would not be in the spirit of the code. Based on the context that this parcel is at the fringe of the industrial district abutting a residential district to the east, and that the intensity of proposed use would not be a detriment to the adjacent residential, but rather would create a neighborhood serving business, while adding a buffer between existing industrial and residential districts and utilize otherwise idle real-estate. Therefore, the Planning Department supports allowing the Hair Salon use, to be nested within the General Services definition for the purpose of this Special Use Permit.

**ZONING DISTRICT AND LAND USE**

Zone:		Developed with:
North	Government Use (S-1) Zone District	USA Forest Service Garage
East	Mixed Residential (R-4) Zone District	Single Family Homes
South	Industrial (I-2) Zone District	Commercial
West	Industrial (I-2) Zone District	Commercial

**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 LIMITED USE PERMIT**

- 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.  
**Comments:** Affirmative finding. The property is accessible via W 8th St. and West St.
- 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. There are eighteen (18) off-street parking spaces on the west and north of the property. Noise and glare will be insignificant.
- Refuse and service areas, with reference to the items above.  
**Comments:** Affirmative finding. Refuse will be located in the northwest corner of the property and must be enclosed per Staff Condition #1
- Utilities, with reference to the location's availability and compatibility.  
**Comments:** Affirmative finding. Utilities are established.
- Screening and buffering with reference to type, dimensions, and character.  
**Comments:** Affirmative finding. A residential buffer is not needed.

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.

7. Required yards and other open space.

**Comments:** Affirmative finding. Yards and open space are adequate.

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

**Comments:** Affirmative finding. The subject property historically operated as a commercial business.

#### **PLANNING AND COMMUNITY DEVELOPMENT STAFF RECOMMENDATION**

The use will conform to the zone district. Staff recommends APPROVAL with Staff Conditions and Standard Permit Conditions 1 through 13.

#### **STAFF CONDITIONS**

1. The dumpster must be screened or enclosed with a six (6') foot opaque fence, architecturally similar to the principle structure.

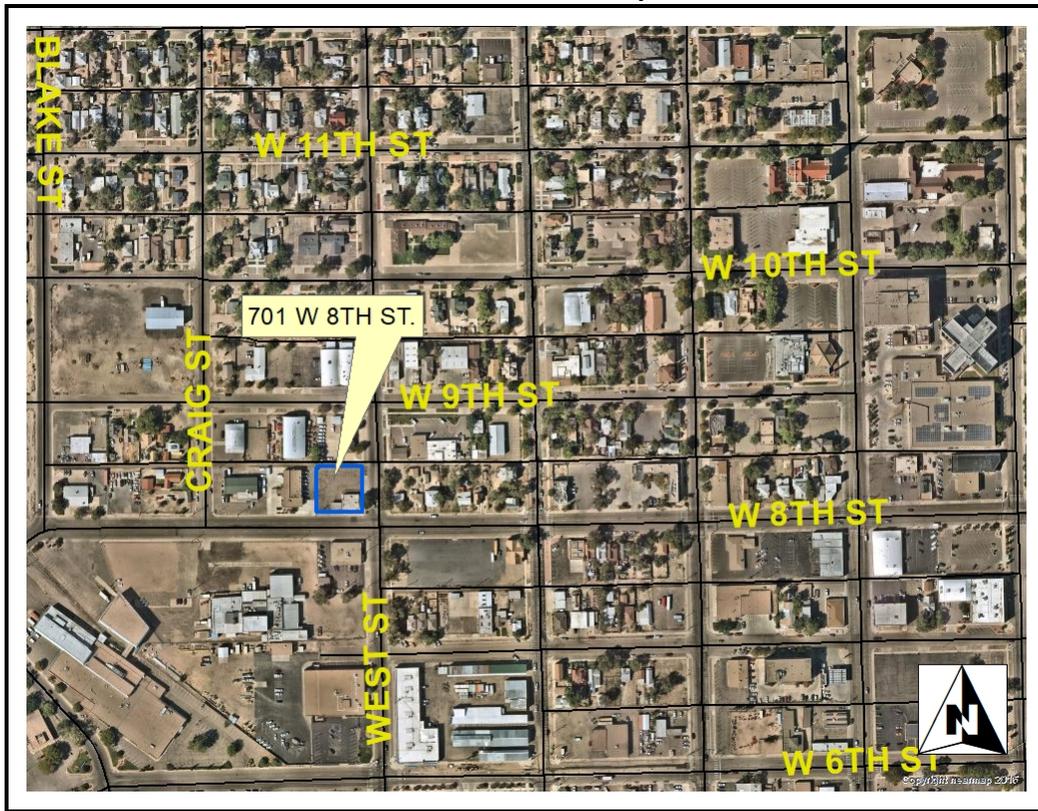
#### **ATTACHMENTS**

- 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

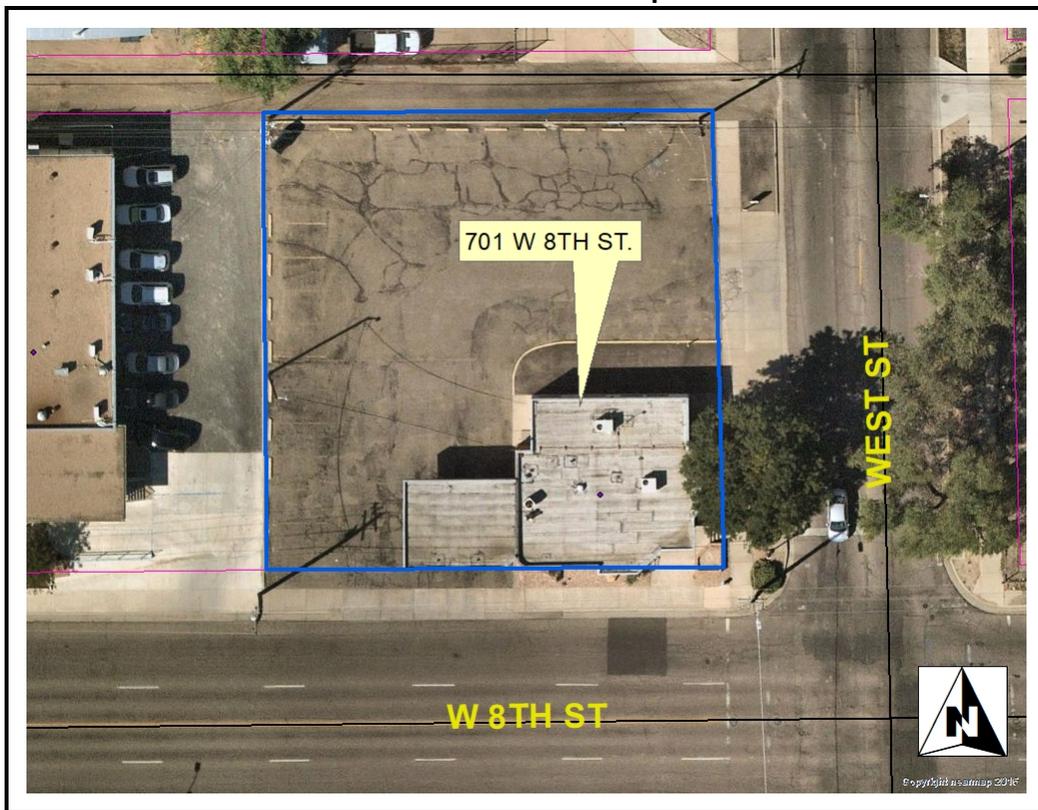
**Exhibit A. Standard Permit Conditions**

<b>Standard Permit Conditions</b> Date of Issuance of Permit: <b>6/8/2021</b>	
1.	<b>Time Limits</b> Zoning permit shall become invalid unless work or action authorized by permit is fully executed by <b>6/8/2022</b>
2.	<b>Required Revisions</b> 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.	<b>Changes</b> 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.	<b>Property Inspection</b> 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.	<b>Certificate of Occupancy</b> 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.	<b>Completion and Maintenance of Improvements and Landscaping</b> 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.	<b>Building Permit; Other Permits</b> Permit holder is solely responsible for obtaining <u>BUILDING PERMIT</u> and all other applicable local, state and federal permits.
8.	<b>Off-Site Drainage</b> 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.	<b>Appeals</b> 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.	<b>Errors</b> 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.	<b>Transfer of Ownership</b> 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.	<b>Violations/Penalties</b> 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.	<b>Incorporation and Reference of All Plans Presented to the Zoning Board of Appeals.</b> 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.

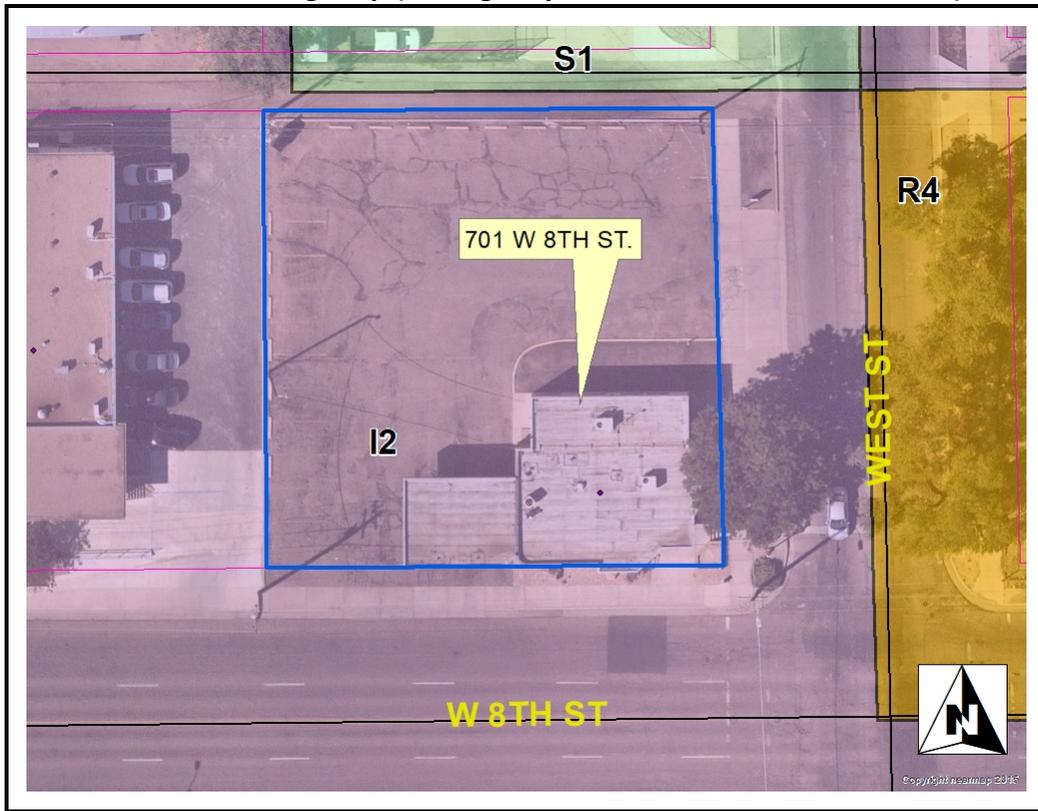
**Exhibit B. Site Map**



**Exhibit C. Aerial Map**



**Exhibit D. Zoning Map (Zoning Map Amendments Recommended)**



**Exhibit E. Comprehensive Plan Map**



**Exhibit F. Public Notice**



**Exhibit G. Site Photos**



Taken from 8<sup>th</sup> Street facing northwest.



Taken from parking lot facing southeast.

**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 #:

<b>Contact Info</b>	<b>Property Owner:</b>		<b>Applicant (If different from property owner):</b>	
	Name: Minnequa Works Credit Union		Name:	
	Address: 1549 E. Abriendo Ave.		Company:	
	City, State & Zip: Pueblo, CO, 81004		Address:	
	Phone: ( 719 ) 544-6928		City, State & Zip:	
	Email: jbarber@mymwcu.com		Phone: ( )	Cell: ( )
		Email:		
<i>The applicant will be the primary contact unless otherwise noted.</i>				
<b>Property Info</b>	<b>Project Location:</b> 701 W. 8th St.			
	Legal Description: Lots 3 + 4 Blk 48 County Add			
	Parcel No: 05-254-48-002		Existing Zone: I-2	
	Property Size:			
<b>Project Information</b>	<b>General Information</b>			
	Provide a short description of the proposed request:			
	To obtain a Special Use or Provisional Permit to allow Center of Exploration & Discovery to do business at this address			
	What is the general use of the property: <input type="checkbox"/> Residential <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Industrial 17. GENERAL SERVICE IN AN I-2 SUP <input type="checkbox"/> Multi-Family <input type="checkbox"/> Other			
Scope of work:		<input checked="" type="checkbox"/> Special Use Permit (Limited Use Permit):		
		<input checked="" type="radio"/> Use by Review <input type="radio"/> Home Daycare <input type="radio"/> Home Occupation                      (Total # of children: _____) <input type="radio"/> Other: _____		
		<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: _____		

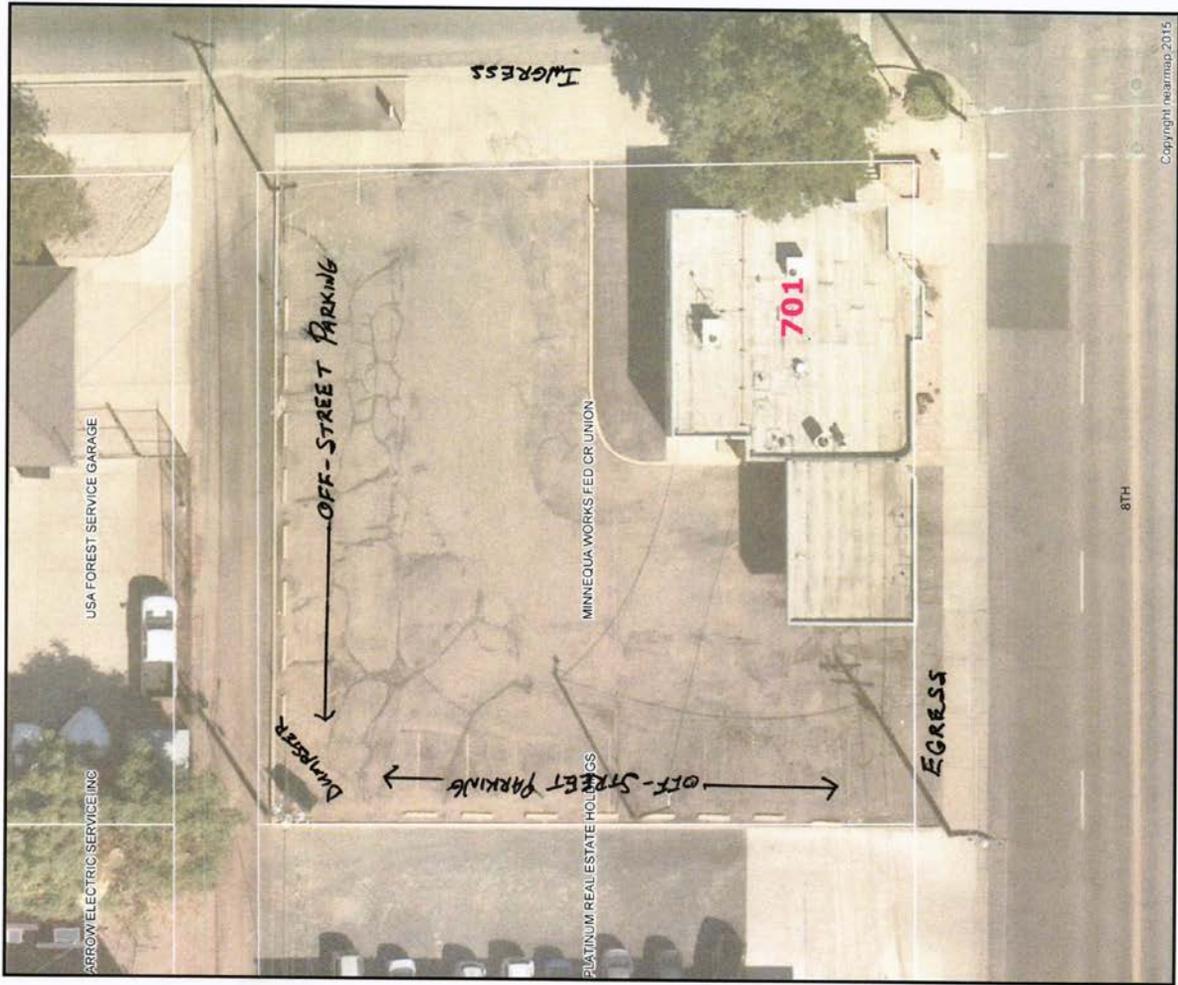
06/2020

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<b>Attachments</b>	<b>Attachment Checklist:</b>	
	The following list of attachments are required to accompany all applications: <input checked="" type="checkbox"/> A. Detailed explanation of the request as listed above. Be specific. <input checked="" 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 checked="" type="checkbox"/> H. Pueblo County Assessor's Property Information print out <a href="http://www.co.pueblo.co.us">www.co.pueblo.co.us</a>	
<b>Terms</b>	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. 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.	
	<b>Property Owner</b>	
<b>Signatures</b>	Print Name:	Minnequa Works Credit Union by Jim Barber, CEO
	Signature:	<i>Jim Barber</i> Date: 03/16/2021
	Applicant, if different from Property Owner	
	Print Name:	
	Signature:	Date:

<b>Office Use Only</b>	<b>Zoning Compliance (Completed by City Staff)</b>	
	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 #:	

Exhibit I. Supporting Documents



**(Adjusted) Year Built:**1981  
**Building Area:**2005  
**Building Perimeter:**180  
**Stories:**1  
**Wall Height:**12  
**Total Basement Area:**0  
**Finished Basement Area:**0  
**Dwelling Units:**

*NAMES ARE NOT NECESSARILY LISTED AS TITLE IS HELD, SOME MAY BE SHORTENED OR ABBREVIATED.  
 PLEASE CONTACT THE ASSESSOR'S OFFICE AT (719)583-6603 FOR CORRECT OWNERSHIP.*

Show 10 entries

Search:

Sale Date	Amt	Reception	Type	Transfer History		Book	Page	Joint Tenancy
				Grantor	Grantee			
06/09/87	0	836016	WARRANTY DEED	SOUTHERN COLORADO POWER CO	MINNEQUA WORKS FED CREDIT UNIO	0	0	no
06/20/80	44000	640041	WARRANTY DEED	SOUTHERN COLORADO POWER CO	SOUTHERN COLORADO POWER CO	0	0	no
N/A	0	836017	UNKNOW DEED TYPE	MINNEQUA WORKS FED CREDIT UNIO		0	0	no

Showing 1 to 3 of 3 entries  
 FirstPrevious|NextLast  
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