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## HPC-22-15-Shade Structures

November 16, 2022

**To:** Historic Preservation Commission  
**From:** Wade Broadhead, Senior Planner  
**Through:** Scott Hobson, Acting Director of Planning and Community Development  
**Location:** 318 S. Union Ave  
**Applicant:** Fred Gonzales  
**Owner:** Henry Borunda  
**Year Built:** Vacant Lot  
**Legal Description:** Lot 8-10, Block 58, South Pueblo  
**Zone District:** HB, Historic Business Zone District

### Synopsis

The applicant is requesting a Certificate of Appropriateness per the requirements contained in Section 12, Chapter 14 – Historic Preservation Code, Title IV – Historic Preservation Code Section 4-14-11 to allow four shade structures to remain on the property that were constructed and installed without building permits or prior to the approval of a Certificate of Appropriateness from the HPC. The applicant erected four 26’ long shade structures with canvas covers affixed to metal poles in August 2022. The fabric covers are colored blue, black, and gray. The purposes of the shade structures are to provide shaded areas for a proposed food court operation that would include mobile food units.

### Analysis

318 S. Union is a vacant lot where a historic building once stood. The lot has functioned as a parking lot for the adjacent restaurant for many years and faces a public parking lot to the northeast. The property is in the Union Avenue Historic District and Historic Business District Zone District (HB) which requires all exterior alterations to be approved by the HPC and is subject to the Pueblo Historic Business District Guidelines adopted by City Council in 2001. The applicant has constructed and installed all of these elements without a building permit or prior approval from the HPC or other City departments and has been cited by Code Enforcement. In addition, the operation of temporary mobile food vendors on the property in accordance with Sec. 17-4-51(c) of the Pueblo Municipal Code is only allowed with the approval of a special use permit by the City of Pueblo Zoning Board of Appeals. The applicant submitted an application with the Pueblo Regional Building Department, including building permit plans, for the issuance of a building permit to construct the shade shelters.

Applicable standards:

Standards of Appropriateness and Demolitions Standards

3.2 Construction of New Commercial Buildings

3.2.1 New Buildings should avoid exact replication of historic buildings, while still incorporating some design components of surroundings historic structures.

Finding: The proposed structures do not replicate historic structures and are a product of their own time. They do not incorporate details from surrounding buildings because they do not have architecture in the traditional sense of the term, but metal was used as accent in the historic district.

3.2.2. New Construction should not impair the essential form or integrity of the adjacent historical property

Finding: The new structures do not impair the essential form of the surrounding property.

3.2.6 Use materials that have a texture and color similar to those historically used on nearby buildings

Finding: The only materials are metal and canvas. Metal was used as an accent in the historic district and canvas was utilized for awnings along Union Avenue so in that manner the two materials are compatible in the district.

3.2.14 A flat roof with parapet is the most appropriate roof form for new buildings.

The nature of a shade structure requires some slope to the roof form for water wicking. The roof is mostly flat with a slight slant to the side to allow water to run off and in this manner it complies with the code.

The remainder of the guidelines in Section 3.2 refer to new traditional building construction and do not apply to an open shade structure.

Pueblo Municipal Code – Chapter 14 – Historic Preservation Code

Section 4-14-11. (a) – Certificate of Appropriateness – Standards:

**FINDINGS OF FACT FOR CERTIFICATE OF APPROPRIATENESS REQUIREMENTS:**

1. Conform to the intent and purpose of this code.

• **Comments:**

Neutral finding. The temporary nature of the mobile food vendor court with the shade structures meets some of the general intent and purpose of the code. The shade shelters do not overshadow existing buildings and are ultimately reversible.

**Section 4-14-2. – Statement of purpose – Applicable purposes:**

**(2) Preserve and enhance the environmental quality of neighborhoods.**

The shade structures do not negatively impact the air, water, land, built environment, or sociodemographic environment of the neighborhood

**(3) Strengthen the City's economic base through the stimulation of the tourist industry.**

The shade structures are proposed for a potential use that would likely increase the numbers of tourist and visitors to the Union Avenue Historic District.

**(4) Stabilize and improve property values.**

The temporary nature of the shade structures will not have a significant impact on the property values within the Union Avenue Historic District.

**(5) Foster economic development.**

The temporary nature of the mobile food vendor court which is proposed to include the shade structures will likely increase visitation but may not stimulate new economic development within the Union Avenue Historic District.

**(6) Promote the growth of the City in concert with its heritage.**

Due to the temporary nature of the mobile food vendor court which is proposed to include the shade structures it is not certain whether the authorization of the shade shelters will have any impact on the growth of the City and its consistency with its heritage.

**(7) Encourage new buildings and developments that will be harmonious with existing Landmarks and Historic Districts.**

Structures or new additions that are harmonious with the existing landmarking's and districts would be new elements that have similar colors, textures, and materials as those found in the district. The Historic District guidelines state in numerous places that colors should be those of brick. Metal like those in the poles is a common accent element in the district. The color black is a common accent color on storefronts. The shade shelter structures represent a more contemporary design and are not architecture in the general use of the term. While there is no historical precedent for these types of structures within the historic district, they do not overshadow existing buildings and are ultimately reversible.

Preserve the special character, interest, and value of the landmark or historic district and its environs.

- **Comments:**

Neutral finding, the addition of the shade structures does not necessarily add to the value of the historic district but does not degrade surrounding architecture.

Not be an adverse impact on the exterior features of the landmark.

- **Comments:**

Affirmative finding, there is no building or historic material on this lot.

The extent to which proposed improvements would be harmonious with the character of a Historic District, and the relationship between the results of such work and the exterior features of other neighboring elements in such Historic District.

- **Comments:**

Neutral finding. The shade shelter structures represent a more modern design and are not architecture in the general use of the term. There is no historical precedent, although they do not necessarily overshadow existing buildings and are ultimately reversible.

Scale, form, and composition of principal facades and relationship to the street.

**Comments:**

Affirmative finding: the shade structures are set back a little from the street and do not overshadow any architecture. The shade structures are a product of their own time and do not seek to replicate historical precedents. They provide a different function than architecture and in this function they are appropriate.

In addition, the Secretary of Interiors Standard for Rehabilitation is also used to evaluate the appropriateness of elements not semi-permanent that would include shade structures.

**Recommendation:**

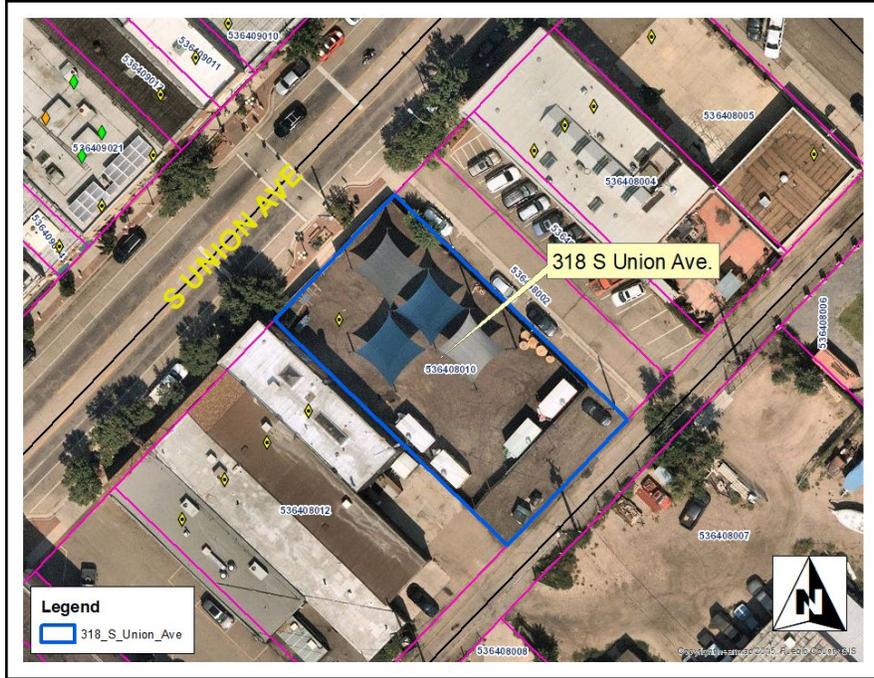
If the Historic Preservation Commission finds the shade structures meets the City of Pueblo Standards of Appropriateness and the criteria for a Certificate of Appropriateness, staff recommends the approval of the Certificate of Appropriateness with the following condition:

1. If the property is to be used for temporary mobile food vendors, the Certificate of Appropriateness shall not receive final approval and become effective until such time as a special use permit is approved by the City of Pueblo Zoning Board of Appeals.

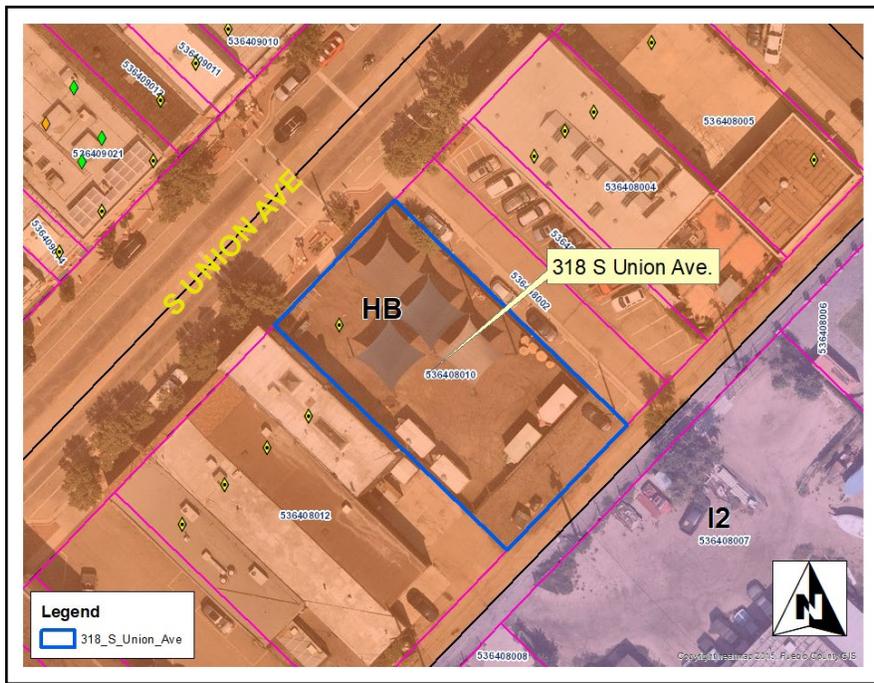
If the proposed work does not conform with the Standards of Appropriateness, HPC shall deny the Certificate of Appropriateness, or continue action thereon for up to sixty days (60) with recommendation for amendments which the owner may wish to submit in a revised application.

Exhibits

1. Maps
2. Photographs
3. Applications and attachments
4. Excerpt from the Union Avenue National Register Nomination



( A ) Maps



**(B) SITE PHOTOGRAPHS**





## C. Application and Information

 City of Pueblo PLACE

09/19/2022

**22-158**

Historic Preservation Commission

**Status:** Active

**Date Created:** Sep 16, 2022

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**Applicant**

Fred Gonzales  
bucksenterprises67@gmail.com  
PO Box 8534  
Pueblo, Colorado 81008  
719-252-5913

**Primary Location**

318 S UNION AVE  
PUEBLO, CO 81003

**Owner:**

BORUNDA HENRY  
1 ROCKBRIDGE LN PUEBLO , CO 81001-1306

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**Internal**

**Case Number**

HPC-22-15

**Planner Assigned**

Planner 2

**Continuances**

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**Newspaper Notice Cost**

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**Public Notice Costs must be paid by:**

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**Public Notice zoning poster must be displayed by:**

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**HPC Hearing Information**

**HPC Hearing Date**

10/19/2022

**HPC Hearing Results**

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**Check box if hearing is a Special Requested Hearing**

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**Planning & Zoning Commission Information**

**City Council Information**

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**Application Information**

**Application Type**

Certificate of Appropriateness

**Residential or Non-Residential?**

Non-Residential

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**Certificate of Appropriateness**

**Name of historic resource:**

Union avenue district

**Provide a short description of the proposed work**

Improvements of ground by crushed asphalt(rolled), screening (black) of fence, Blaack paint on rear mural on side and black paint in front

**Type of Historic Registry**

Local

**Scope of work:**

(Mark all that apply)

**New construction**

**Addition**

**Modification**

**Paint**

**Awning**

**Replace or add windows or doors**

**Sign installation**

**Reroof**

**Demolition**

**Repair of stone or brick**

**Certificate of economic hardship**

**Lighting**

**Infill in a Historic District**

**Other**

**Other (Please Specify):**

cover lot with crushed asphalt and roll, add poles to hand shade sales, wrap chain link fence with privacy screen, add tables for seating

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**Scope of Work Details**

**Paint Scope of Work:**

**New Colors**

**List the New Colors proposed**

black

**Are the colors selected from a Historic Paint palette:**

Yes

**Repaint same colors**

**Paint removal**

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**COA Building Information**

Existing Building Information:

**Area?**

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**Storefront width?**

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**Height?**

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**Materials?**

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**Year built?**

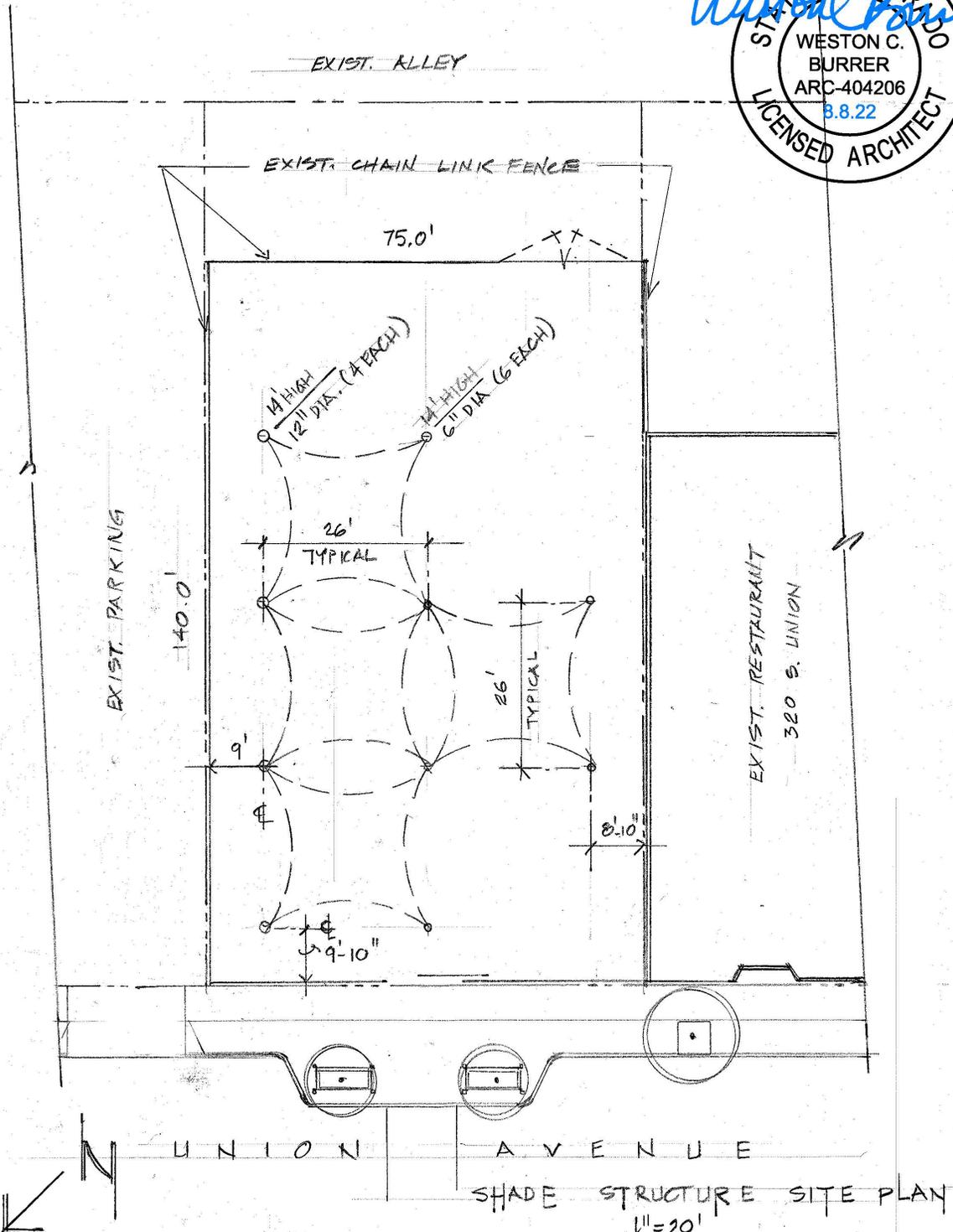
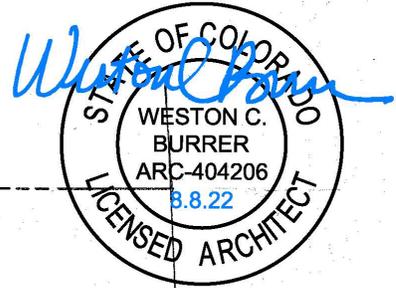
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Proposed Construction Information:

**Area?**

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The End Goal and overall vision for this property is to help the downtown area become more alive and interactive, while representing Pueblo's community, culture, and history. The Steel on the front façade (on all properties) clearly stating a reminder of "The Steel City". On one end (318) we have the Mayen mask mural, the Mayen Mask is an artistic interpretation of a traditional Mayan mask. The mask has three sections: the outside, middle, and center, representing; mind, body, and spirit. This concept intends to serve the Pueblo community and culture in several ways. The image aims to provoke thoughts and introspections about its experience and meaning. It enhances and fixes a previously neglected and visually unappealing space and brings a sense of beauty through the vibrancy of the colors. The purpose of the mural is to create a colorful and attractive image which promotes a sense of wonder and pride in our community. By placing this artwork in the public space, we create an interesting destination to be enjoyed for the entire community. This encourages public activity, provides a setting for photo opportunities, and creates a place of social interactions for everyone to freely experience. On the other end (326 union) we have a color splash in the landscape of a "core" being created and formed. This representing all the different subjects, cultures, and differences that we have in our community "our core". As in the mural, like you would read a history book from left to right, it starts all over the place, trying to figure out what it is to become, then at the end to be a solid, unified, strong core. A core that is filled with all different things coming together as one beautiful piece. A Strong "Pueblo Proud" core.



Site Plan

(D) Excerpt from the Union Avenue National Register  
Nomination

FHR-8-300 (11-78)

**United States Department of the Interior  
Heritage Conservation and Recreation Service  
National Register of Historic Places  
Inventory—Nomination Form**



Continuation sheet Union Avenue Historic District Item number 7 Page 7

- 57.. "C" Store (323 S. Union). c. 1900: two-story, red brick structure with brick piers; corbeling; and arched radiating voussoirs over windows. First story has been altered.
- ✓ 58. "C" Store & Apartment (325-325 1/2 S. Union), Tivoli Building--1896: two-story cut stone with piers; steel belt course and decorated concrete belt course.
- ✓ 59. "C" Stores (327-335 S. Union), William Strait Block, G. W. Roe Architect. c. 1893: two-story red brick structure with four store fronts; also pier and spandrel with plinth, two iron belt courses, stone belt course, corbeling, and 17 spaced windows across the front.
- ? 60. "C" Store (304-306 S. Union/Historic Address: 66-68 S. Union), Donnegan Block. c. 1883: two-story red brick structure. Brick piers with plinth, decorated. Three-center door openings with double transoms, decorated lintels.
- ? 61. "C" Vacant (303-308 1/2 S. Union), J.S. Glass Clothing Store--National Register Property. 1889: three-story, red-brick presently being restored. Two belt courses, boxed cornice with decorated frieze. Cast iron store front supports, etched and embossed glass, semi-circular and segmental window heads with connecting lintels
- ? 62. "C" Tavern (310 S. Union/Historic Address: 72 S. Union). c. 1883: two-story red brick stone lug sills and lintels, rosettes on iron coursing, and corbeling.
63. "V" Vacant Lot (312-316 S. Union).
64. "C" Johnson Electric (318 S. Union/Historic Address: 80 S. Union), Beauchamp Block. c. 1883: two-story red brick, iron belt course with rosettes, stone belt course, pier and spandrel wall construction, recessed segmental window head with arched voussoirs.
65. "NC" Johnson Electric (320-324 S. Union). c. 1945: one-story red brick building; stuccoed; new glazed yellow brick front. constructed from two smaller structures in 1945.
66. "V" Vacant Lot (328 S. Union).