

Mike Castellucci  
Chair

Steve Anselmo  
Vice Chair



Lisa Bailey  
Secretary

Yvonne Lujan-Slak

Georgia Way

# ZBA-24-43

Hearing Date: 7/23/2024

**TO:** City of Pueblo Zoning Board of Appeals  
**FROM:** Mikaylin Hackley  
**THROUGH:** Scott Hobson, Land Use Administrative Official  
**LOCATION:** 512 W. Northern Ave.  
**APPLICANT:** Casey Prutch  
**PROPERTY OWNER:** William G Smith  
**YEAR BUILT:** 1921  
**LEGAL DESCRIPTION:** ALL LOTS 1 TO 5 INC, BLK 61 IRONDALE EXC. W 53.29 FT OF LOTS 1 + 2. ALSO LOT 6, BLK 61 IRONDALE FORMER #15-122-31-002  
**ZONE DISTRICT:** Central Business (B-4) Zone District  
**PARCEL ID:** 1512231030  
**LOT SIZE:** 16451

<b>REQUEST:</b>	Special Use Permit to allow for a pawnshop in a Central Business (B-4) Zone District
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## BACKGROUND

The applicant is requesting a Special Use Permit to allow for a pawnshop at in a Central Business (B-4) District in a commercial building addressed 512-516 W Northern Ave. The most recent use of the property was Gornick Furniture Store, which closed between late 2023 and early 2024. The building abuts another commercial property to its west, an instrument store called Elledge Music, and across the alley on the east side of the building is Good Guys Tire Shop. The four lots directly south of the property are also zoned B-4, but they are currently developed with legal non-conforming single-family residences. The property also has a second entrance and a loading door facing Spruce St. This is also where the property’s parking lot is located, with eight parking spaces including one ADA accessible space.

## REQUEST AND ANALYSIS

While the proposed pawnshop use would include some retail sales, the nature of the use is distinct enough from traditional retail that staff feels it should not be classified as such when determining parking requirements. Thus, it would fall under a general “other” use and would need to provide 1 parking space for every 4 occupants of the facility. Assuming that no more than 32 individuals would be on site at any one time, the site’s 8 off-street parking spaces are adequate. There are also four diagonal, striped spaces on Spruce St. adjacent to the property’s side entrance, and the prevailing development patterns on Northern Ave. facilitate pedestrian access and limited on-site parking.

There are two other pawn shops in the immediate vicinity of the subject property, Neighborhood Pawn and Sales located at 623 W. Northern Ave. and Pueblo Traders at 1222 Evans Ave, so the proposed pawn shop use appears to be consistent with neighboring uses.

**ZONE DISTRICT AND LAND USE**

Zone:		Developed with:
North	Central Business (B-4) Zone District	Restaurant
East	Central Business (B-4) Zone District	Auto shop
South	Central Business (B-4) Zone District	Single-family homes
West	Central Business (B-4) Zone District	Retail

**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 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. Vehicular and pedestrian access are sufficient with the parking lot on the side of the building and the 8-foot detached sidewalk in front of the property.**

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 parking code does not define a pawnshop as a specific use, but the nature of the use is such that the general requirement of 1 parking space per 4 potential occupants appears to be met by the off-street parking already provided.**

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

**Comments: Affirmative finding. The proposed use will not significantly change trash output.**

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

**Comments: Affirmative finding. The proposed use will not constitute changes in utilities.**

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

**Comments: Affirmative finding. The proposed use is commercial and will not need to be screened from surrounding commercial district properties.**

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. The applicant does not intend to add any exterior lighting and any new signs must be reviewed at the time of sign permit.**

7. Required yards and other open space.

**Comments: Affirmative finding. There are no open space requirements unique to the proposed use.**

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

**Comments: Affirmative finding. The retail use is consistent with the surrounding commercial uses. The applicant's intended business hours are 10am to 6pm.**

#### **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 condition:

1. The large existing display windows must be preserved with regard to location, size, and transparency; however, to promote security, decorative window bars or shutters are allowed and encouraged.
2. The parking lot shall be striped and the accessible ADA space indicated with signage.

#### **ATTACHMENTS**

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

**Exhibit A. Standard Permit Conditions**

<b>Standard Permit Conditions</b> Date of Issuance of Permit: <b>7/23/2024</b>	
1.	<b>Time Limits</b> Zoning permit shall become invalid unless work or action authorized by permit is fully executed by <b>7/23/2025</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. Zoning Map

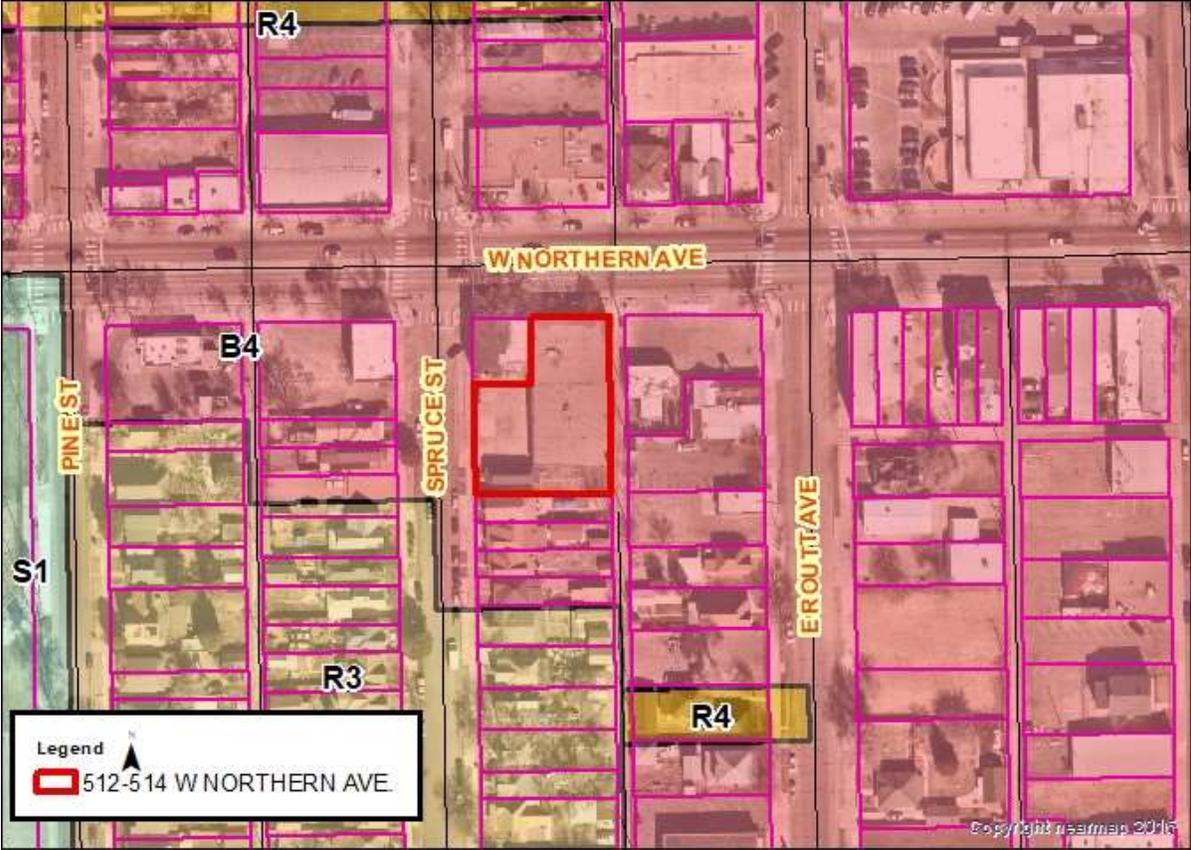


Exhibit D. Comprehensive Plan Map



Exhibit E. Public Notice



Exhibit F. Site Photos



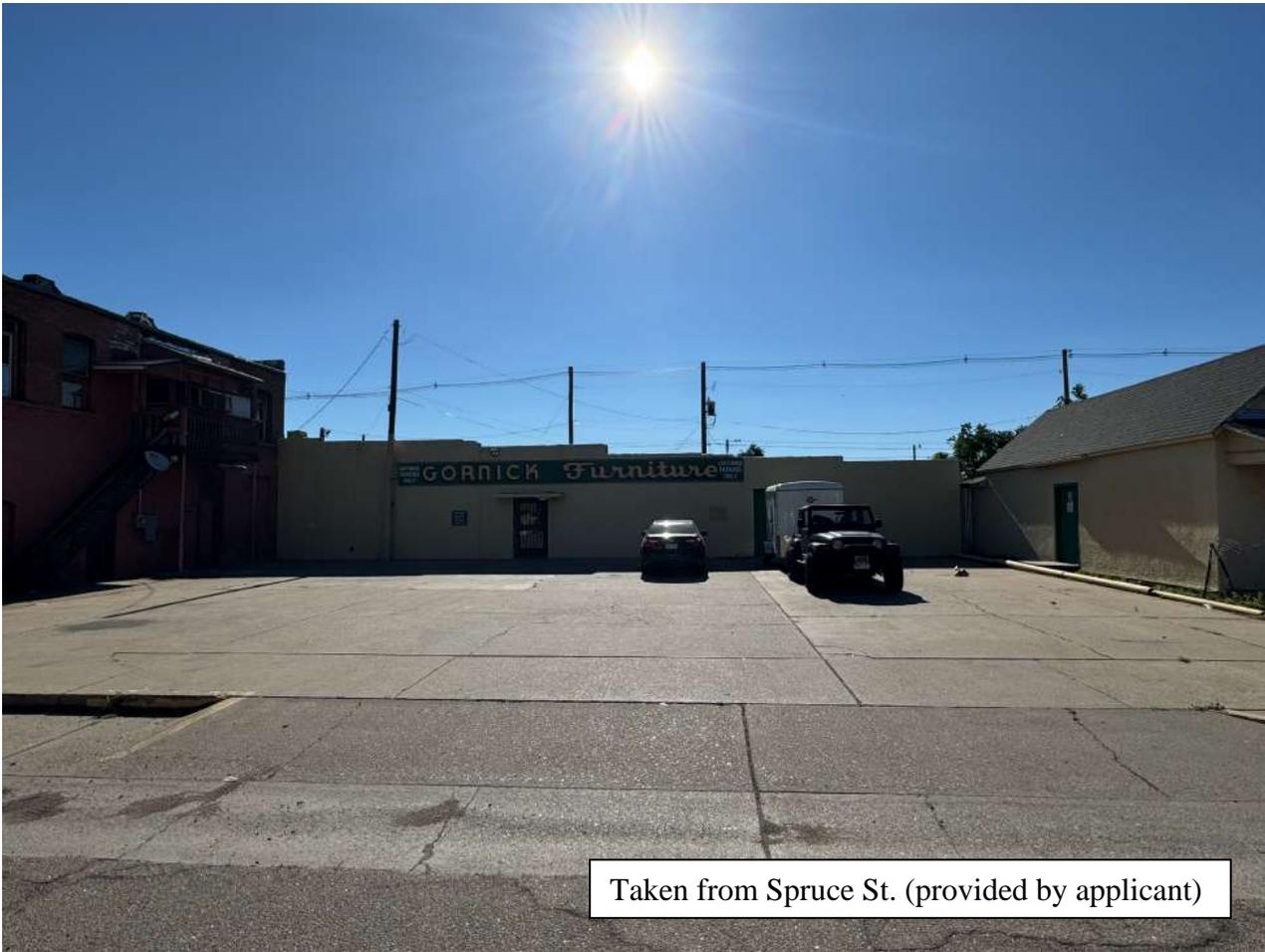


Exhibit G. Application



City of Pueblo PLACE

June 28, 2024

24-140

Zoning Board of Appeals - Special Use Permit & Variances  
Status: Active  
Submitted On: 6/28/2024

Primary Location

512 W NORTHERN AVE  
PUEBLO, CO 81004

Owner

LAWSON SHAWN ORION/  
SMITH WILLIAM  
1520 W CAMINO DE LOS  
RANCHOS PUEBLO WEST,  
CO 81007-2040

Applicant

Casey Prutch  
719-744-3161  
casey@cocannabisexchange.com  
634 Goodnight Ave  
Pueblo, CO 81005

Exhibit H. Supporting Documents

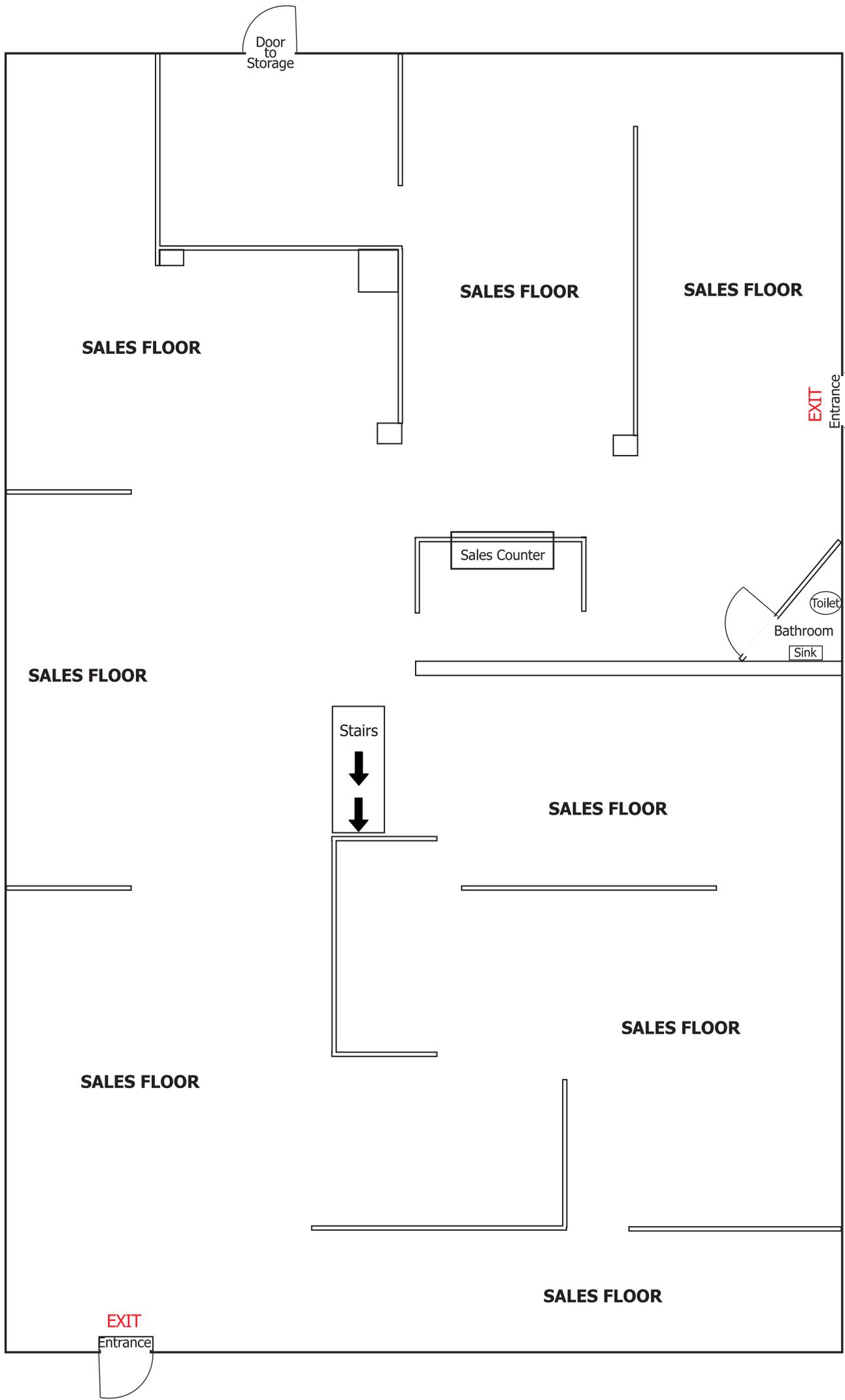
**PUEBLO** colorado  
 Planning & Community Development  
 211 East D Street | Pueblo, Colorado 81003 | Tel 719-553-2259 | Fax 719-553-2359 | TTY 719-553-2611 | www.pueblo.us

**Property Owner Affidavit**  
 Please type or print clearly. Illegible applications will not be accepted.

<b>Property Owner:</b>			
Name: William G Smith		Company:	
Address: 2325 Crestwood Ln			
City: Pueblo		State: CO	Zip: 81008
Phone: 720-201-4065		Email: USAgerardamerica@yahoo.com	
<b>Applicant:</b>			
Name: Casey Prutch		Company: Steel City Pawn LLC	
Phone: 719-744-3161		Email: casey@cocannabisexchange.com	
Property Address: 512 W. Northern Ave Pueblo, CO 81004			

I, William G Smith, hereby state that I am the owner of record of the property located at 512-514 W Northern Ave Pueblo, CO 81004, Pueblo, Colorado, and further acknowledge that by signing this affidavit I authorize the submission of an application for a Pawnshop at said location.  
(application type)

[Signature] 6/27/24  
 Signature of Property Owner Date



**Project Name**  
 SCP-SP-2024  
**Issue Date**  
 06.26.2024

**Steel City Pawn**  
**512 W. Northern Ave.**  
**Pueblo, CO 81004**



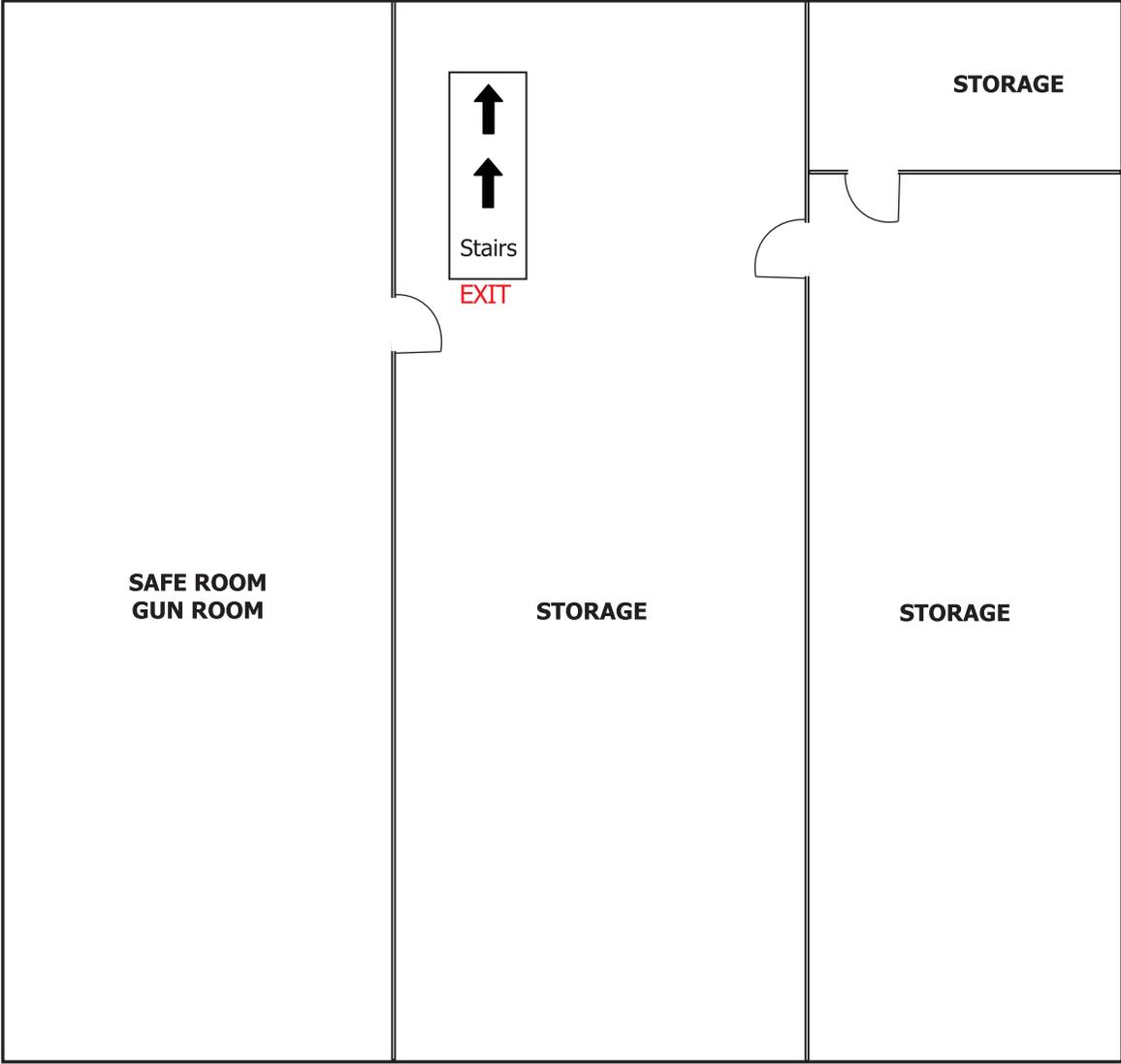
**Mark | Description | Date**

Mark	Description	Date

Site Plan  
**SP-MF1.0**

**Parcel: 1512231030**

**1 Steel City Pawn LLC Site Plans**  
 Main Floor Scale: 1" = 10'



**Project Name**  
SCP-SP-2024  
**Issue Date**  
06.26.2024

**Steel City Pawn**  
**512 W. Northern Ave.**  
**Pueblo, CO 81004**



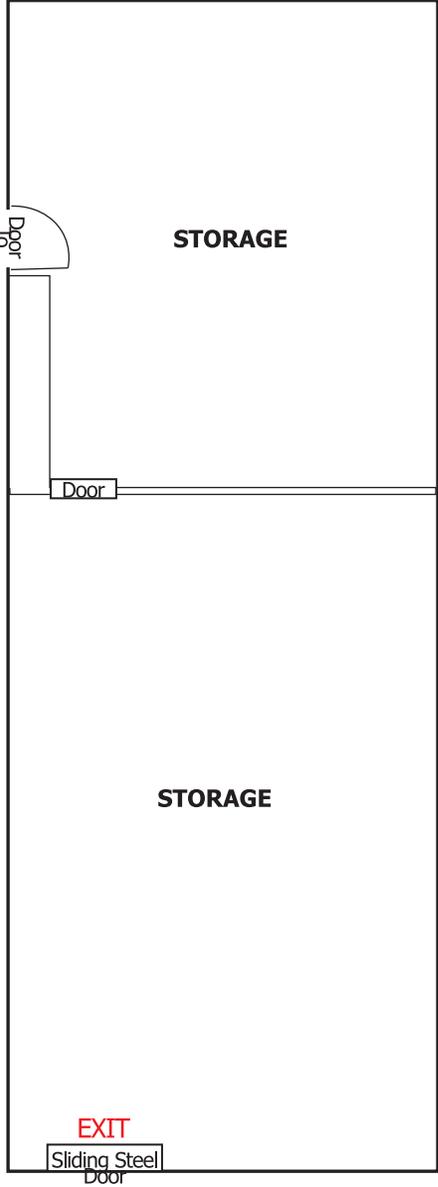
Mark | Description | Date

Mark	Description	Date

Site Plan  
**SP-BM1.0**

**Parcel: 1512231030**

1 Steel City Pawn LLC Site Plans  
SP-BM Basement Scale: 1" = 10'



**Project Name**  
SCP-SP-2024  
**Issue Date**  
06.26.2024

**Steel City Pawn**  
**512 W. Northern Ave.**  
**Pueblo, CO 81004**



**Mark | Description | Date**

Mark	Description	Date

**Site Plan**  
**SP-ST1.0**

**Parcel: 1512231030**



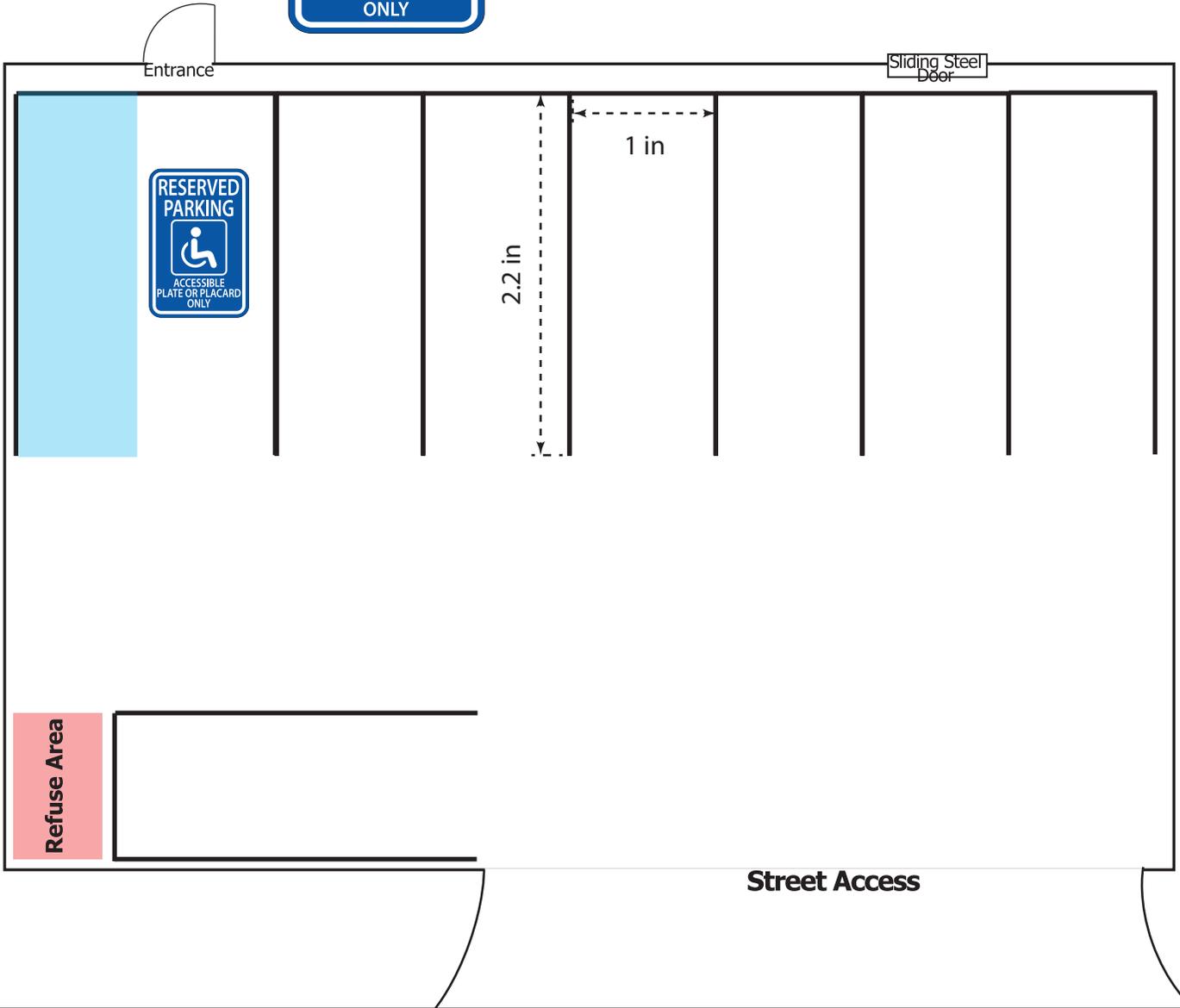
**Steel City Pawn LLC Site Plans**

**Storage**

**Scale: 1" = 10'**



Parking Schedule	
(7) - 9'x22' Standard Parking Spaces	
(1) - Van Accessible Handicap Space	



# Spruce Street

**Project Name**  
SCP-SP-2024  
**Issue Date**  
06.26.2024

**Steel City Pawn**  
**512 W. Northern Ave.**  
**Pueblo, CO 81004**



Mark	Description	Date

Site Plan  
**SP-PP1.0**

**Parcel: 1512231030**

**1 Steel City Pawn LLC Site Plans**  
SP-PP Parking Plan Scale: 1" = 10'