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## Zoning Board of Appeals

### ZBA-25-57

Hearing Date: 1/27/2026

**TO:** City of Pueblo Zoning Board of Appeals  
**FROM:** Hannah Prinzi, Planner  
**THROUGH:** Beritt Odom, Land Use Administrative Official  
**LOCATION:** 324 S Union Ave  
**APPLICANT:** Alyssa Reynolds  
**PROPERTY OWNER:** Henry Borunda, South Union LTD  
**YEAR BUILT:** 1898  
**LEGAL DESCRIPTION:** LOTS 4-5-6-7 BLK 58 SOUTH PUEBLO FORMERLY 05-364-08-001  
**ZONE DISTRICT:** Historic Business (HB) Zone District  
**PARCEL ID:** 536408012  
**LOT SIZE:** 14,000 sq. ft.

<b>REQUEST:</b>	Special Use Permit to allow a body art studio in a Historic Business (HB) Zone District
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#### BACKGROUND

The applicant is requesting a Special Use Permit to allow a body art studio in a Historic Business (HB) Zone District. They previously operated a body art studio at 113 Colorado Ave near the Rawlings Library within a Central Business (B-4) Zone District. In December of 2025, they applied for a new business license at the subject property, 324 S Union Ave, after signing a lease with the owner. Staff informed them a body art studio is a use by-review at the new location, and the applicant applied for this Special Use Permit shortly after.

#### STAFF ANALYSIS

The subject property was originally used as part of the Tsunami restaurant, now known as Mr. Sushi. The portion to be used by the body art studio is approximately 20 ft. wide by 113 ft. long (2,260 sq. ft.). The proposed site plan shows room for a lobby, front desk, and 6 sinks. There are two bathrooms in the rear of the building as well as space for storage.

A body art studio is defined as “an establishment which is primarily engaged in physical body adornment by artists using, but not limited to, the techniques of body piercing and tattooing” (Sec. 17-2-2., (23)). The applicant attests that the space will be used for both body piercing and tattooing, and it shares parking, water, electricity, and a trash receptacle with the sushi restaurant. The trash receptacle is located in the back-alley, out of view from pedestrians on S Union Ave. The main entrance into the building is located off S Union Ave, and on-street parking is also available on S Union Ave. Additional parking is located on the adjacent parking lot, just south of the main entrance, which is under the same ownership as the subject property.

The Planning Department does not foresee any negative externalities should this Special Use Permit be granted. A body art studio fits well with adjacent properties and uses. Other commercial uses along S Union Ave include another tattoo shop, a bakery, boutique, Pokémon trading card store, pottery studio, restaurants, and an art gallery. However, the Fire Department and Building Department raised concerns regarding a Change of

Occupancy that needs to be completed to officially convert the space from a restaurant into a body art studio. These concerns will be addressed prior to these Departments approving the business license. The applicant and property owner are aware of these concerns and are already working towards addressing them.

#### SURROUNDING ZONE DISTRICTS AND LAND USES

	Zone District:	Developed with:
North	Historic Business (HB)	Flooring Store, Restaurant, Pottery Studio
East	Industrial (I-2)	Progressive Rail Technologies Transportation Service
South	Historic Business (HB) Industrial (I-2) Central Business (B-4)	Restaurant, Art Gallery Single-Family Residence Parking Lot
West	Historic Business (HB)	Bakery, Boutique

#### 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	No comment
City Wastewater Department	No comment
Fire Department	<ol style="list-style-type: none"> <li>1. The previous tenant of this building area, Mr. Sushi, shall submit the required documentation to formalize their modification of premises for their permitted liquor license.</li> <li>2. The owner shall submit the required documentation to formalize the restaurant's reduction in area, the intended change in occupancy, and any modifications which may require a permit that have been made to the area including, but not limited to, the modification to existing or installation of any new electrical, plumbing, or mechanical systems.</li> </ol>
Pueblo Board of Water Works	No comment
Pueblo City/County Health	No comment
Southern Colorado Building Department	<ol style="list-style-type: none"> <li>1. This constitutes a change in occupancy for this space, and this project will be required to go through the commercial plan review process.</li> </ol>

## 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. The main entrance can be accessed from S Union Ave with on-street parking located in front of the building. There is also a parking lot adjacent to the subject property and under the same ownership.**
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. Loading in this area is commonly done through the center lane on S Union Ave. There is on-street parking also located on S Union Ave as well as a parking lot just south of the subject property.**
3. Refuse and service areas, with reference to the items above.  
**Comments: Affirmative finding. Refuse and service areas are located in the back-alley, out of view from pedestrians on S Union Ave.**
4. Utilities, with reference to the location's availability and compatibility.  
**Comments: Affirmative finding. Utilities are already being serviced to the property.**
5. Screening and buffering with reference to type, dimensions, and character.  
**Comments: Affirmative finding. The subject property is located within the Historic Business Zone District and surrounded by other businesses. No screening or buffering is required.**
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 attests they will not be adding any exterior lighting to the subject property. There is a small sign in the window and streetlights along S. Union Ave.**
7. Required yards and other open space.  
**Comments: Affirmative finding. The property is in the Historic Business Zone District, which does not require yards and open space. The public right of way has established landscaping that is well kept as part of the Union Ave streetscape.**
8. General compatibility with adjacent properties and other properties in the district.  
**Comments: Affirmative finding. A body art studio is generally compatible with adjacent properties and uses. S Union Ave is a commercial, pedestrian-oriented corridor that includes another tattoo shop, bakery, boutique, Pokémon trading card store, pottery studio, restaurants, and an art gallery.**

## 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 staff conditions:

1. Since this building is a non-contributing structure in the HB Zone District, all exterior modifications to the building shall comply with Pueblo Municipal Code Title 17, HB Zone District performance standards, and Historic Business District Guidelines.

2. The Historic Preservation Commission shall review requests for construction, reconstruction, remodeling, repair, paint, rehabilitation, and any other exterior modification and issue a certificate of compliance if the proposed work aligns with the Historic Business District Performance Standards.
3. The concerns raised by the Building Department and Fire Department shall be addressed, including (1) formalize their modification of premises for the permitted liquor license associated with the Mr. Sushi restaurant, (2) complete a change in occupancy, and (3) submit documentation for any modifications which may require a permit that have been made to the vacated area to be used by the body art studio.

**ATTACHMENTS**

- A. Standard Permit Conditions
- B. Aerial Map
- C. Zoning Map
- D. Comprehensive Plan Map
- E. Public Notice Photo
- F. Site Photos
- G. Supporting Documents: Application, Building Dept Review, Fire Dept Review, Fire Dept Supporting Documents, Property Owner Affidavit, Site Plan

**Exhibit A. Standard Permit Conditions**

<b>Standard Permit Conditions</b> Date of Issuance of Permit: <b>1/27/2026</b>	
1.	<b>Time Limits</b> Zoning permit shall become invalid unless work or action authorized by permit is fully executed by <b>1/27/2027</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. Aerial Map

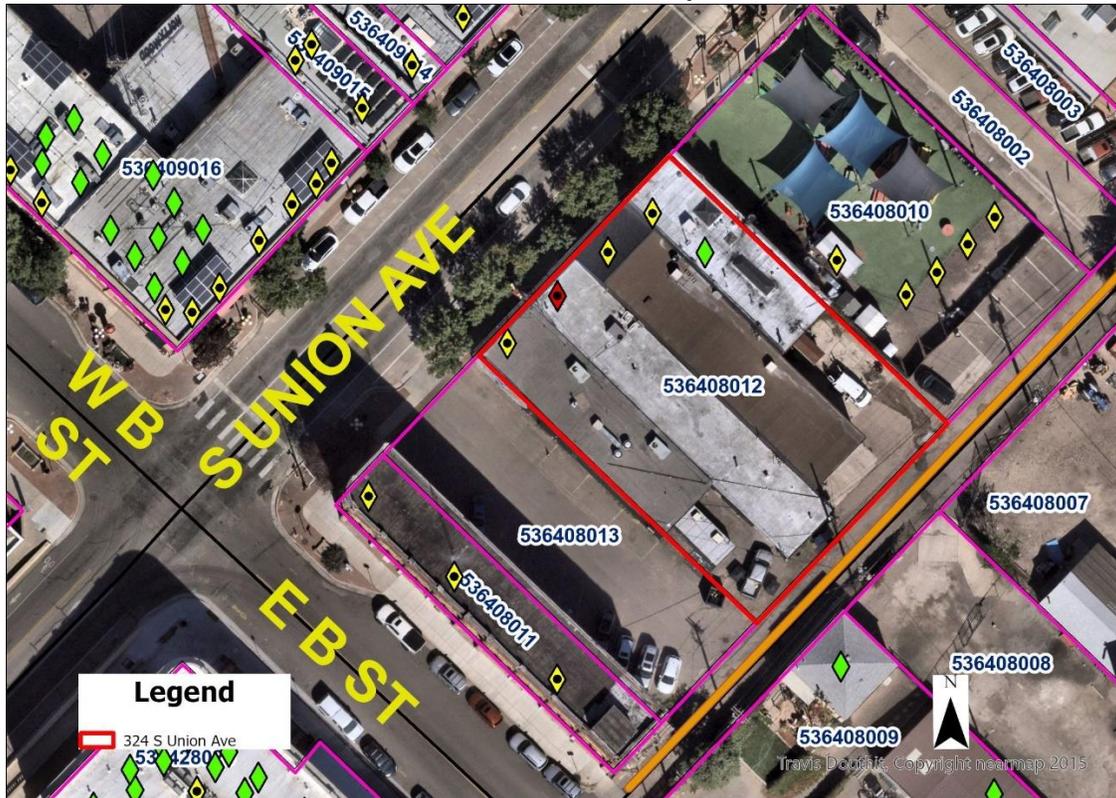


Exhibit C. Zoning Map

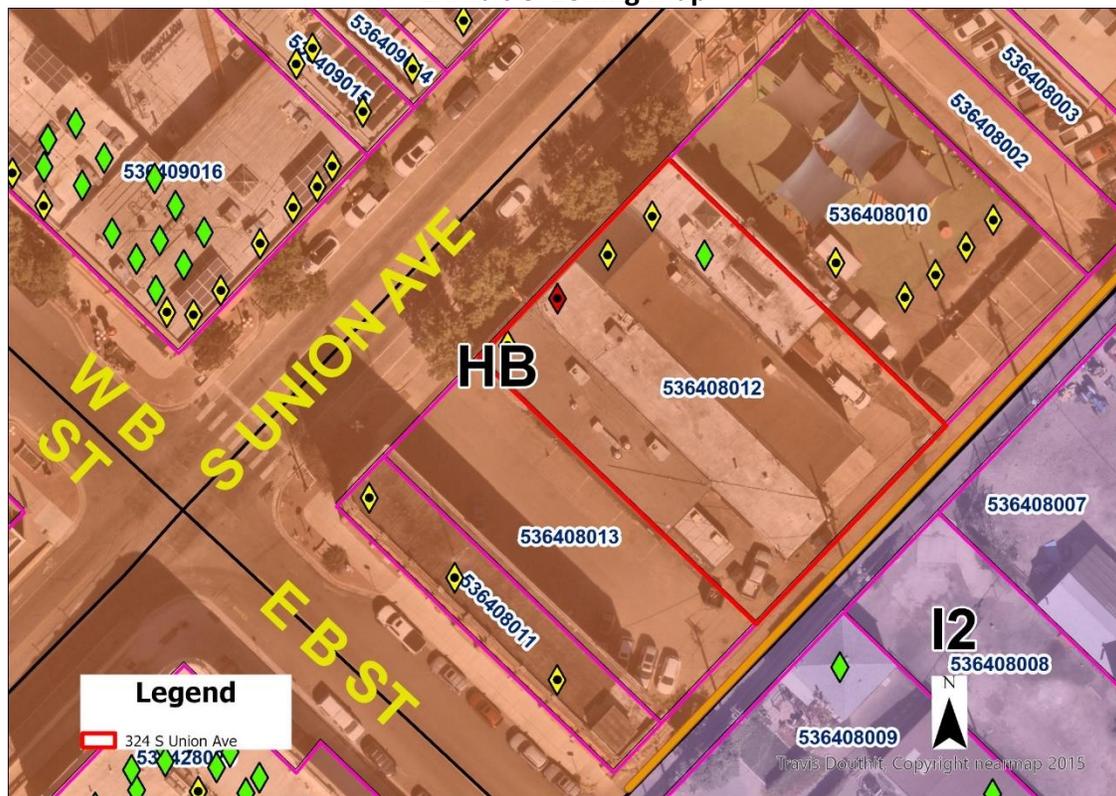


Exhibit D. Comprehensive Plan Map

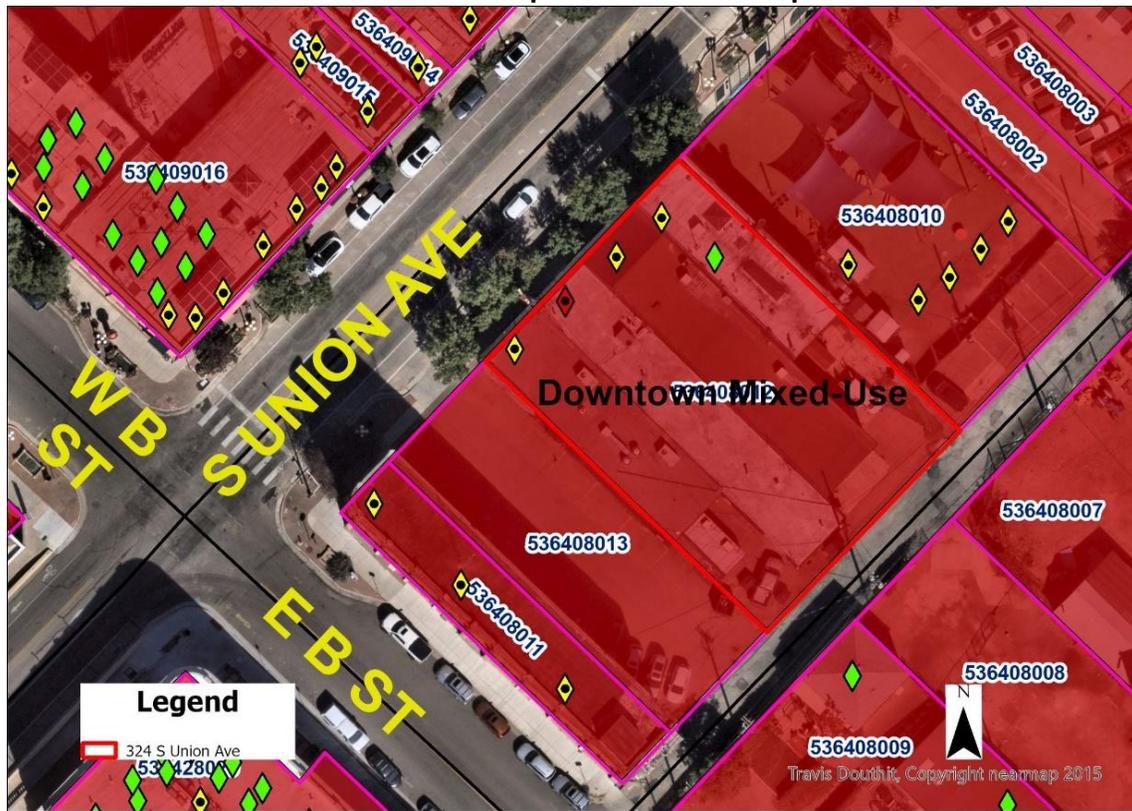


Exhibit E. Public Notice



**Exhibit F. Site Photos**



Storefront



Established Streetscape



Adjacent parking lot



On-street parking available on S Union Ave

**Exhibits G. Supporting Documents: Application, Property Owner Affidavit, and Site Plan**

To view the supporting documents, please reach out to the Planning and Community Development Department at 211 E D St., or at (719) 553-2259.