

Mike Castellucci
Chair

Steve Anselmo
Vice Chair



Yvonne Lujan-Slak
Secretary

Lisa Bailey

Rodger Ortiz

Minutes for February 26, 2019
City Council Chambers, 1 City Hall Place

The meeting was called to order at 7:02 p.m. with Chair Castellucci presiding.

Board Members Present: Mike Castellucci, Yvonne Lujan-Slak, Rodger Ortiz, and Elizabeth (Lisa) Bailey.

Board Members Absent: Steve Anselmo

Staff Members Present: Scott Hobson, Assistant City Manager for Community Investment; Daniel Kogovsek, Board Attorney; Chelsea Stromberg, Planner

~ Approval of Minutes

Motion to approve the minutes from the meeting of December 18, 2018, by Bailey, second by Ortiz.

Motion passed 4 - 0

~ Approval of Agenda

Motion to approve the agenda for February 26, 2019 by Ortiz, second by Lujan-Slak. **Motion passed 4 - 0**

REGULAR AGENDA

Each case that follows proceeded in a uniform process as directed by Chair Castellucci. Beginning with a staff report presented by Planner Chelsea Stromberg, then questions, if any, from the Board to staff members. Next, the applicant is sworn in by Board Attorney Daniel Kogovsek, then the applicant states his or her name and address. The Board questions the applicant and confirms understanding of staff report and conditions for approval. Applicant may add further information, followed by further questions, if any, from the Board. Then the Board asks if anyone present in the audience will state support for the applicant, followed by those who state opposition. Then the Board closes the public hearing and reviews findings of fact. Then the Board may motion to approve or deny the application for permit. In some cases, permits may be conditionally approved.

1. **ZBA-19-01 300 W Abriendo Ave. (Jeremy Bullock, Molecule, LLC)** A Special Use Permit to allow a general service business in a Multiple Residential and Office (R-5 zone) District.

Castellucci asked whether the applicant was in the audience to represent the request. Once the applicant confirmed, from the audience, that they were present, Castellucci asked for the staff presentation, which was given by Ms. Stromberg. Castellucci then asked for the applicant to

come forward and be sworn in. **Scott Reimann** was sworn in by Mr. Kogovsek, who also asked him to sign in. Following such actions, **Mr. Reimann** introduced himself and offered to answer any questions. **Mr. Reimann** summarized the proposed Special Use Permit. Castellucci asked the applicant if they read the staff report, understand the conditions, and can comply with the staff conditions. **Mr. Reimann** stated that the applicant read the staff report, and can comply with the conditions.

Castellucci asked the audience if there was anyone attending the meeting wishing to testify in **support** of this application. John Cooper, 316 W. Abriendo Ave. testified in support of the application.

Castellucci asked the audience if there was anyone attending the meeting wishing to testify in **opposition** to this application, and there were none. Hearing no public testimony in opposition, Castellucci requested that the secretary read the required findings statements associated with the application, and board members responded with their opinions.

Commission Action:

Motion to grant by Bailey, second by Lujan-Slak.

Motion passed 4 – 0 with standard permit conditions and staff conditions.

2. **ZBA-19-02 219/221 Jackson Ave (Donald and Kristen Blondin)** A **Special Use Permit** to allow a four-family residence in a One and Two-Family Residential (R-3 zone) District.

Castellucci asked whether the applicant was present to represent this request. Once the applicant confirmed, from the audience, that he was present, Castellucci asked for the staff presentation, which was given by Ms. Stromberg. Castellucci then asked for the applicant to come forward and be sworn in. **Donald Blondin**, was sworn in by Mr. Kogovsek, who asked him to sign in. Following such actions, **Mr. Blondin** introduced himself and offered to answer any questions. Castellucci asked the applicant if he has read the staff report, understands the conditions, and can comply with the staff conditions. **Mr. Blondin** stated that he read the staff report and can comply with the conditions.

Castellucci asked the audience if there was anyone attending the meeting wishing to testify in **support** of this application, and there were none.

Castellucci asked the audience if there was anyone attending the meeting wishing to testify in **opposition** to this application, and there were none. Hearing no public testimony in opposition, Castellucci requested that the secretary read the required findings statements associated with the application, and board members responded with their opinions.

Having heard the statements of findings, Castellucci requested a motion on the request.

Commission Action:

Motion to grant by Ortiz, second by Lujan-Slak

Motion passed 4 – 0 with standard permit conditions and staff conditions.

3. **ZBA-19-03 127 Baylor St. (Nick Pisciotta)**. A **Variance** to allow a three-foot side yard setback and a five-foot rear setback for a new detached accessory structure.

Castellucci asked whether the applicant was present to represent this request. Once the applicant confirmed, from the audience, that he was present, Castellucci asked for the staff presentation, which was given by Ms. Stromberg. Castellucci then asked for the applicant to come forward and be sworn in. **Nick Pisciotta**, was sworn in by Mr. Kogovsek, who asked him to sign in. Following such actions, **Mr. Pisciotta** introduced himself and offered to answer any questions. Castellucci asked the applicant if he has read the staff report, understands the conditions, and can comply with the staff conditions. **Mr. Pisciotta** stated that he read the staff report and can comply with the conditions.

Castellucci asked the audience if there was anyone attending the meeting wishing to testify in **support** of this application, and there were none.

Castellucci asked the audience if there was anyone attending the meeting wishing to testify in **opposition** to this application, and there were none. At this time, Rodger Ortiz indicated that he would recuse himself from the vote due to a perceived conflict of interest. Castellucci requested that the secretary read the required findings statements associated with the application, and board members responded with their opinions.

Having heard the statements of findings, Castellucci requested a motion on the request.

Commission Action:

Motion to grant by Bailey, second by Lujan-Slak. Ortiz abstained.

Motion passed 3 – 0 with standard permit conditions and staff conditions.

4. **ZBA-19-04 305 La Vista Rd. Variance (Todd and Lisa Pasquin)**) A **Variance** to allow an additional detached accessory structure.

Castellucci asked whether the applicant was present to represent this request. Once the applicant confirmed, from the audience, that she was present, Castellucci asked for the staff presentation, which was given by Ms. Stromberg. Castellucci then asked for the applicant to come forward and be sworn in. **Todd Pasquin**, was sworn in by Mr. Kogovsek, who asked him to sign in. Following such actions, **Mr. Pasquin** introduced himself and offered to answer any questions. Castellucci asked the applicant if he has read the staff report, understands the conditions, and can comply with the staff conditions. **Mr. Pasquin** stated that he read the staff report and can comply with the conditions.

Castellucci asked the audience if there was anyone attending the meeting wishing to testify in **support** of this application, and there were none.

Castellucci asked the audience if there was anyone attending the meeting wishing to testify in **opposition** to this application, and there were none. Hearing no public testimony in opposition, Castellucci requested that the secretary read the required findings statements associated with the application, and board members responded with their opinions.

Having heard the statements of findings, Castellucci requested a motion on the request.

Commission Action:

Motion to grant by Bailey, second by Ortiz

Motion passed 4 - 0 with standard permit conditions and staff conditions.

5. **ZBA-19-05 Parcel 430200003 (Black Hills Colorado Electric, LLC)** A Special Use Permit to allow construction of an electric substation.

Castellucci asked whether the applicant was present to represent this request. Once the applicant confirmed, from the audience, that she was present, Castellucci asked for the staff presentation, which was given by Ms. Stromberg. Castellucci then asked for the applicant to come forward and be sworn in. **Michael Cuppy**, was sworn in by Mr. Kogovsek, who asked him to sign in. Following such actions, **Mr. Cuppy** introduced himself and offered to answer any questions. Castellucci asked the applicant if he has read the staff report, understands the conditions, and can comply with the staff conditions. **Mr. Cuppy** stated that he read the staff report and can comply with the conditions.

Castellucci asked the audience if there was anyone attending the meeting wishing to testify in **support** of this application, and there were none.

Castellucci asked the audience if there was anyone attending the meeting wishing to testify in **opposition** to this application, and there were none. Hearing no public testimony in opposition, Castellucci requested that the secretary read the required findings statements associated with the application, and board members responded with their opinions.

Having heard the statements of findings, Castellucci requested a motion on the request.

Commission Action:

Motion to grant by Ortiz, second by Bailey

Motion passed 4 - 0 with standard permit conditions and staff conditions.

~ Adjourn: Meeting adjourned at 8:09 p.m.

Minutes respectfully submitted by Chelsea Stromberg.