

Mike Castellucci
Chair

Steve Anselmo
Vice Chair



Yvonne Lujan-Slak
Secretary

Lisa Bailey

Sarah French

Minutes for December 17, 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, and Elizabeth (Lisa) Bailey, Sarah French

Board Members Absent: Steve Anselmo

Staff Members Present: Scott Hobson, Acting Director of Planning and Community Development; Daniel Kogovsek, Board Attorney; Chelsea Stromberg, Planner

~ Approval of Minutes

Motion to approve the minutes from the meeting of October 22, 2019, by Bailey second by Lujan-Slak.
Motion passed 4 - 0

~ Approval of Agenda

Bailey moved to approve the agenda with the amendment that ZBA-19-26 be moved to the end of the agenda. The motion was seconded 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-19-27 2680 W US HWY 50 Variance (Laurie Clark, Clark Engineering, LLC) A Variance from the large-scale development performance standards and landscape standards to allow the construction of an approximately 43,000 square foot retractable hail net canopy.**

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. **Laurie Clark, Michelle Moreland and Mike Zavislan** were sworn in by Mr. Kogovsek, who also asked them to sign in. Following such actions, the applicants introduced themselves and offered to answer any questions. **Mr. Zavislan and Ms. Clark** summarized the proposed Variance. Castellucci asked the applicants if they read the staff report, understand the conditions, and can comply with the staff conditions. **Mr. Zavislan** stated that he read the staff report and can comply with the conditions. Ms. Clark had some further questions about the conditions, specifically if the condition disallowing the structure from being built over the drainage easement would be waived if the easement was vacated. If that was the case, Mr. Hobson indicated that the structure would still not be allowed to cross the parcel line. There would need to be two separate structures as long as there remained two separate parcels. Ms. Clark indicated that the parcels needed to remain separate in order to allow two signs for the property, and so they would comply with the conditions. Mr. Castellucci asked if there was anyone in the audience wishing to speak in favor of the application, there were none. Mr. Castellucci asked if there was anyone wishing to speak in opposition of the application, there were none. The public hearing was then closed.

Commission Action:

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

Motion passed 4-0.

2. **ZBA-19-28 2600 W US HWY 50 Variance (Laurie Clark, Clark Engineering, LLC) A Variance A Variance from architectural compatibility requirements and landscape performance standards, and to allow an accessory structure to exceed the maximum size allowance of 1,500 square feet to allow for the construction of an approximately 19,000 square foot retractable hail net canopy.**

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. Mr. Kogovsek indicated that the applicants did not need to testify a second time if they had nothing to add. Mr. Castellucci asked if there was anyone in the audience wishing to speak in favor of the application, there were none. Mr. Castellucci asked if there was anyone wishing to speak in opposition of the application, there were none. The public hearing was then closed.

Commission Action:

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

Motion passed 4-0.

3. ZBA-19-26 535 McClelland Ave Variance (Jeff Richards, Jeff Richards Construction) A Variance to allow more than one detached accessory structure larger than two hundred (200) square feet.

Prior to the introduction of the case Ms. French recused herself from the discussion due to possible perceived conflict of interest and departed from the hearing chambers. 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. **Jeff Richards** was sworn in by Mr. Kogovsek, who also asked him to sign in. Following such actions, the applicants introduced himself and offered to answer any questions. **Mr. Richards** summarized the proposed Variance. Castellucci asked the applicants if he read the staff report, understand the conditions, and can comply with the staff conditions. **Mr. Richards** stated that he read the staff report and can comply with the conditions. Mr. Castellucci asked if there was anyone in the audience wishing to speak in favor of the application, there were none. Mr. Castellucci asked if there was anyone wishing to speak in opposition of the application, there were none. The public hearing was then closed.

Commission Action:

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

Motion passed 3-0.

OLD/NEW BUSINESS

~ Adjourn: Meeting adjourned at 8:13 p.m.

Minutes respectfully submitted by Chelsea Stromberg.