

Yvonne Lujan-Slak  
Chair

Steve Anselmo  
Vice Chair



Lisa Bailey  
Secretary

Mike Castellucci

Sarah French

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**Minutes for December 15, 2020**  
City Council Chambers, 1 City Hall Place

The meeting was called to order at 7:00 p.m. with Chair Anselmo presiding.

**Board Members Present:** Elizabeth (Lisa) Bailey, Sarah French, Steve Anselmo, Mike Castellucci

**Board Members Absent:** Yvonne Lujan-Slak

**Staff Members Present:** Beritt Odom, Principal Planner; Scott Hobson, Director of Planning and Development; Daniel Kogovsek, Board Attorney; Alan Lamberg, Senior Planner; Bartholomew Mikitowicz, Planner

This meeting was held via conference call. All votes were roll call, to distinguish each speaker.

**~ Approval of Minutes**

Motion to approve the minutes from the meeting of November 17, 2020, by Bailey second by French.

**Motion passed 4- 0 (Lujan-Slak was absent)**

**~ Approval of Agenda with Amendment**

Bailey moved to amend the agenda and continue ZBA-20-35, ZBA-20-39 and ZBA-20-49 to the January 26, 2020 hearing of the Zoning Board of Appeals. The motion was seconded by French.

**Motion passed 4 - 0 (Lujan-Slak was absent)**

**REGULAR AGENDA**

Each case that follows proceeded in a uniform process as directed by Vice-Chair Anselmo. Beginning with a staff report presented by the Planner assigned, 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 Chair asks if anyone present in the audience will state support for the applicant, followed by those who state opposition. Then the Chair 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-20-35 VARIANCE 4025 Lucille St. (Randal Wills) A Variance to allow two shipping containers in a Central Business (B-4 Zone) District.**

The applicant requested continuation until all members of the zoning board are present.

Bailey moved to amend the agenda and continue ZBA-20-35 to the January 26, 2020 hearing of the Zoning Board of Appeals. The motion was seconded by French.

**Motion passed 4 - 0** (Lujan-Slak was absent)

**2. ZBA-20-39 Limited Use Permit 4025 Lucille St. (Randal Wills) A Limited Use Permit to allow an outdoor storage facility in a Central Business (B-4 Zone) District.**

The applicant requested continuation until all members of the zoning board are present.

Bailey moved to amend the agenda and continue ZBA-20-39 to the January 26, 2020 hearing of the Zoning Board of Appeals. The motion was seconded by French.

**Motion passed 4 - 0** (Lujan-Slak was absent)

**3. ZBA-20-41 VARIANCE (Charles Hernandez) A Variance to allow an additional accessory structure over 200' sq. and to reduce the side yard and rear yard setbacks in a Single Family Residential (R-2) Zone District.**

Anselmo asked whether the applicant was in the audience to represent the request. Once the applicant confirmed, from the audience, that they were present, Anselmo asked for the staff presentation, which was given by Mr. Mikitowicz.

The subject property has an existing four hundred eighty-four (484) square foot detached garage which sits on the western edge of the property with a zero (0) foot setback rendering it a non-conforming structure under Sec. 17-4-23 (a) 3. The original plans were to expand this existing garage however this would violate Sec. 17-3-4 (1) which states that a nonconforming structure may not be enlarged in a way that increases its nonconformity.

Working with the applicant the planning department determined that the code would allow the applicant to apply for a variance to construct a second detached structure (garage) directly behind the existing one with the existing garage being accessed from 18<sup>th</sup> street, and the second garage accessed from the rear alley. The applicant is requesting a variance from Sec. 17-4-23 (c) 2, which limits the number of detached accessory structures over two hundred (200) square feet to one (1) per principle structure, to permit construction of the second garage. The applicant is also requesting a variance from Sec. 17-4-23 (a) 3, which indicates that no accessory structure shall be built or placed within any required front, side, or rear yard setback to allow the garage to be constructed two feet from the western property line instead of the required five feet.

The applicant has indicated that topography and the preservation existing landscaping are major factors for pursuing this design. The alley slopes as you head east with retaining walls along the west, south, and east property lines, which would make a driveway access very challenging. The three mature trees would have to be removed to accommodate a new garage. The existing garage was built in 1951 and the two garage doors do not provide adequate height or width to accommodate modern pickup trucks or similar vehicles. Standard garage

doors today are generally half a foot taller and wider than those constructed in the 1940's and 1950's.

Anselmo then asked for the applicant to be sworn in. **Marty Bechina** (Sierra Homes) was sworn in by Mr. Kogovsek. Following such actions, the applicant introduced himself and offered to answer any questions. Anselmo asked the applicant if he has read the staff report, understand the conditions, and can comply with the staff conditions. **Mr. Bechina** stated that they have read the staff report and can comply with the conditions with that the new structure would have lamp siding on it and paint it to the same color as the brick on the older structure that is already there. Mr. Bechina says it will be very hard to find the same color of brick as the old structure. Ms. Odom says when they are matching brick you may have to do some kind of wainscoting or vertical column accent veneer brick adjacent or some brick accents to the public ways and if the applicant cannot accommodate then they might have to do another zoning variance for that. Castallucci suggests a location on the last picture where he would just need to wainscot a certain spot with brick or wainscoting which Ms. Odum concurred. Mr. Kogovsek asked if there was anyone in the audience wishing to speak in favor of the application. Ted Lopez, 207 W. Northern Ave, was sworn by Mr. Kogovsek. Mr. Lopez was just requesting if he could just ask a question. Mr. Lopez asked about any consideration about the impervious area on this lot? Mr. Hobson answered that the existing subdivision where new construction of residential structures is allowed that the water would not be allowed to go on any other property. Mr. Mikitowicz said the impervious area would not increase for this property because they are putting the structure on existing concrete. Mr. Kogovsek 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 Castellucci. The motion was seconded by Bailey.

**Motion passed 4-0 (Lujan-Slak was absent)**

**4. ZBA-20-48 VARIANCE 117 Hector Garcia Pl. (Anzuini Development) A Variance to modify landscape performance standards and to reduce off-street parking requirements for a mixed-use development in a proposed Central Business (B-4 Zone) District.**

Anselmo asked whether the applicant was in the audience to represent the request. Once the applicant confirmed, from the audience, that they were present, Anselmo asked for the staff presentation, which was given by Mr. Lamberg.

The subject property, 0.44 acres, historically operated as light manufacturing, processing, and storage warehouse since the 9,600 square feet building's construction in 1910 and a 1924 addition. The building appeared to be vacant or used as storage at least since January 2016. The owner purchased the property for adaptive reuse because it is a prime location in downtown Pueblo. A concurrent application for a zoning map amendment proposes a zone district change from Heavy Industrial (I-3) to Central Business (B-4). A mixed-use development plan will convert the first floor into a restaurant and bar and construct two floors above the existing floor for residential units ranging from studio to two-bedroom and two-bath units. A small addition on the

east side will provide egress stairs and an elevator. Amenities will include an underground parking garage and an exercise gym.

The applicant is requesting the following variances from the Pueblo Municipal Code, Title XVII – Zoning Code:

1. Modify landscape performance standards. Existing building setbacks, paved parking, and below grade parking garage access will not provide for typical landscape setback and parking lot islands. However, all areas of the site not utilized by the building and parking areas will be landscaped and irrigated, particularly the public right of way along Hector Garcia Place will provide a setback and lawn conducive to the established development area exceptions in the landscape performance standards. An administrative approval pursuant to §17-4-7(b)(2)(g) for the established development area will be granted in lieu of a variance.

2. Reduce off-street parking requirements, §§ 17-4-42, 43 & 44. The restaurant area is planned for 3,000 sf with a seating occupancy of 60 persons, requiring 20 parking spaces. Furthermore, the planned 22 residential units will require 22 additional spaces. The standard parking requirement will be 42 spaces. The redevelopment plan will provide for 22 spaces, including 16 underground garage spaces, 6 surface, and 2 van-accessible ADA. The request is to reduce parking requirements by 42%; a variance in the established development area is applicable up to 100%.

Anselmo then asked for the applicant to be sworn in. **Gary Anzuini** was sworn in by Mr. Kogovsek. Following such actions, the applicant introduced himself and offered to answer any questions. Anselmo asked the applicant if he read the staff report, understand the conditions, and can comply with the staff conditions. **Mr. Anzuini** stated that he read the staff report and can comply with the conditions. Ms. French asked if this building will it be condos or apartments for rent. Mr. Anzuini answered that they are right now a combination of condos and rentals they have not got the exact ratio yet. Anselmo asked if there was anyone in the audience wishing to speak in favor of the application, there were none. Anselmo asked if there was anyone wishing to testify in support or opposition of the application. Ted Lopez asked to comment. Mr. Kogovsek affirmed with Mr. Lopez that he was still under oath. Mr. Lopez is the treasurer of American GI Form of Pueblo they have events at their site and there is limited parking in the neighborhood. Mr. Lopez said he recently talked with Mr. Lamberg about this case and was assured that parking impact will not be very negative, especially since there is a new parking garage just two blocks from this site. Mr. Lopez also stated that the city of Pueblo needs a “culture change” that would rely on less off the street parking for the benefit of an active and economical viable downtown. Mr. Lopez appreciates the plan for this case. Mr. Lopez would also like to see more affordable housing come to this area. Anzuini added that residential uses tend to have a lower impact on parking demand compared to other, more intensive commercial uses. The public hearing was then closed.

**Commission Action:**

Motion to grant by Castellucci. The motion was seconded by Bailey.

**Motion passed 4-0 (Lujan-Slak was absent)**

- 5. ZBA-20-49 Limited Use Permit 59 Ironweed Drive (Whitney Keller) A Limited Use Permit to allow for a Child Care Home with more than eight (8) children in a Single-Family Residential (R-2 Zone) District.**

The applicant requested continuation until all members of the zoning board are present.

*Zoning Board of Appeals, Minutes for October 27, 2020*

Bailey moved to amend the agenda and continue ZBA-20-49 to the January 26, 2020 hearing of the Zoning Board of Appeals. The motion was seconded by French.

**Motion passed 4 - 0** (Lujan-Slak was absent)

**Old/New Business:**

Just a Reminder that the elections for the Board will be in the next meeting in January.  
Who on the Board would you like to see as Chair, Vice Chair, Treasurer and Secretary.

~ **Adjourn:** Meeting adjourned at 8:30 p.m.

Minutes respectfully submitted by Chelsea Stromberg.