

Mike Castellucci
Chair

Steve Anselmo
Vice Chair



Yvonne Lujan-Slak
Secretary

Lisa Bailey

Sarah French

Minutes for June 22, 2021

City Council Chambers, 1 City Hall Place

The meeting was called to order at 6:59 p.m. with Chair Castellucci presiding.

Board Members Present: Mike Castellucci, Elizabeth (Lisa) Bailey, Yvonne Lujan-Slak, Georgia Way and Steve Anselmo

Board Members Absent:

Staff Members Present: Scott Hobson, Acting Director for Department of Planning and Community Development; Daniel Kogovsek, Board Attorney; Chelsea Stromberg, Senior Planner; Bartholomew Mikitowicz, Planner and Danielle Persinger, Planner.

~ Approval of Minutes

Motion to approve the minutes from the meeting of June 8, 2021, by Bailey second by Lujan-Slak.

Motion passed 5- 0.

~ Approval of Agenda

Bailey moved to approve the agenda. The motion was seconded by Lujan-Slak.

Motion passed 5 - 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 Bartholomew Mikitowicz, 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-19-20 1347 E 4th Street Special Use Permit (Lauro Esquivel) A Special Use Permit to allow a transparent fence to serve as the required screening.**

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 asked about the parking plan will the cars headlights be flashing into the neighbor's house? Ms. Stromberg answered that the parking lot does face west so when the cars enter the parking lot the headlights would go across the house. Castellucci then asked for the applicant to come forward and be sworn in. **Lauro Esquivel** was sworn in by Mr. Kogovsek, who also asked him to sign in. Following such actions, the applicant introduced himself and offered to answer any questions. Castellucci asked the applicants if they read the staff report, understand the conditions, and can comply with the staff conditions. **Mr. Esquivel** 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 with staff conditions by Lujan-Slak, second by Anselmo.

Motion passed 3-2.

2. **ZBA-21-14 1803 Lark Bunting Variance (David Bergman) A Variance to allow for a two-foot (2") side yard setback in a R-1, Single-Family Residential 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 Mr. Mikitowicz. Castellucci then asked for the applicant to come forward and be sworn in. **David Bergman** was sworn in by Mr. Kogovsek, who also asked him to sign in. Following such actions, the applicant introduced himself and offered to answer any questions. Castellucci asked the applicants if they read the staff report, understand the conditions, and can comply with the staff conditions. **Mr. Bergman** 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 with staff conditions by Lujan-Slak, second by Bailey.

Motion passed 5-0.

3. **ZBA-21-16 138 Douglas Lane Variance (Cynthia Perez) A Variance to allow a seven-foot (7") rear yard setback in a R-4, Mixed Residential 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 Mr. Mikitowicz. Castellucci asked does her property go back another 8 feet, but there is an easement? Mr. Mikitowicz answers yes but the fence is on the easement line not her property line. Commissioner Bailey asked so the deck will go to the fence? Mr. Mikitowicz answers with yes, the deck will almost touch the fence. Castellucci then asked for the applicant to come forward and be sworn in. **Cynthia Perez** was sworn in by Mr. Kogovsek, who also asked her to sign in. Following such actions, the applicant introduced herself and offered to answer any questions. Castellucci asked the applicants if they read the staff report, understand the conditions, and can comply with the staff conditions. **Ms. Perez** stated that she 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 with staff conditions by Lujan-Slak, second by Bailey.

Motion passed 5-0.

4. ZBA-21-17 760-818 Crane Ridge Drive Special Use Permit (Jori Pollard) A Special Use Permit to allow for a kennel in a Central Business District (B-4) 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 Mrs. Persinger. Castellucci is asking about the fire lane? The fire lane would be around all the kennels and out through the parking lot like a big circle explained Mrs. Persinger. Castellucci then asked for the applicant to come forward and be sworn in. **Jori Pollard** was sworn in by Mr. Kogovsek, who also asked her to sign in. Following such actions, the applicant introduced herself and offered to answer any questions. Castellucci asked the applicants if they read the staff report, understand the conditions, and can comply with the staff conditions. **Ms. Pollard** stated that she has 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 with staff conditions by Anselmo, second by Bailey.

Motion passed 5-0.

5. ZBA-21-18 504 Avocado Special Use Permit (Grant Hall) A Special Use Permit for Single-Family Residence in a Subregional Business (B-2) 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 Mrs. Persinger. Commissioner Way asked would you be putting on any restrictions for the manufactured home they plan on putting on this property? Mrs. Persinger stated that the manufactured home must meet our standards for a

manufactured home which is a different application process. Castellucci then asked for the applicant to come forward and be sworn in. **Edwards Jansic** was sworn in by Mr. Kogovsek, who also asked him to sign in. Following such actions, the applicant introduced himself and offered to answer any questions. Castellucci asked the applicants if they read the staff report, understand the conditions, and can comply with the staff conditions. **Mr. Jansic** 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 with staff conditions by Bailey, second by Way.

Motion passed 5-0.

Commissioner Castellucci recused himself from the rest of the meeting.

6. ZBA-21-15 1725 W Pueblo Blvd Special Use Permit (Charles Davis) A Special Use Permit to allow for a Group Care Facility in a proposed (R-6) Multiple-Residential and Commercial 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. Anselmo then asked for the applicant to come forward and be sworn in. Everyone that planned on testifying to be sworn in all at once by Mr. Kogovsek, who also asked them to sign in. **Charles Davis**, the applicant introduced himself and offered to answer any questions. Anselmo asked the applicants if they read the staff report, understand the conditions, and can comply with the staff conditions. **Mr. Davis** stated that he read the staff report and can comply with the conditions. Mr. Davis would add that they just got confirmation from wastewater this morning that there is a sewer line across the street to the north of the property. They would be able to tap into the sewer line. City Council representative Dennis Flores stated that he knew that the state was going to give Crossroads nearly one million dollars to help fund getting an upgraded building. Also, this is an opportunity to keep or increase getting some high paying jobs stated Mr. Flores. The circle program was closed in 2017 which hurt Pueblo by the people losing their jobs and people that need help had nowhere to go. Mr. Flores thinks that Crossroads would be a great upgrade to this area on the southside of Pueblo. Mr. Gil Romero is a consultant for Crossroads. The Pueblo circle program is the gold standard. Neighborhoods in different cities have elected to establish the program because of the great success of the Pueblo Circle Program. The location that Crossroads is at now is not adequate for the program. Michelle Cruz stated that she is in opposition of Crossroads at Pueblo Blvd location. Mrs. Cruz states that Crossroads needs to be in Pueblo I think the Pueblo Blvd location is not the perfect location for this program. There is a liquor store and dispensaries located close to the Pueblo Blvd location that Crossroads is proposing. Mrs. Cruz then tells the Commissioners the phone calls to Pueblo PD from their location on Evans since January at the Crossroads location. The Pueblo Blvd location would only increase their beds from 16 to 20. That is only 4 more people than the location on Evans right now. Mrs. Cruz questions if they really looked at zone districts such as R5 or R6. Mark

Bacsick testified by saying that there is no question that Pueblo needs this program. This town does need this program I am only asking about the location of this program. The Parking for the Park and Fields is inadequate the Brass Saddle right now is the parking for that park when all the kids are playing sports. Kenneth Delgado is representation of the business owner for the Brass Saddle that lease out the building on Pueblo Blvd. We all know that Pueblo needs this program, but the problem is the location that Crossroads wants. Brass Saddle still has a lease till 2023. Mr. Delgado asked who would be paying for new septic system. He has been asking how he could get a new septic system for a while. Mr. Davis responded to the police call question brought up by Mrs. Cruz. Saying we are instructed to call the police as a safety protocol when those situations arise. The police were called for people inside of the building not making the community in danger. Mr. Davis has been looking for a new building for 2 years for Crossroads. When we found this property, it did meet our needs and we only had 14 days to find something. Ms. Yoxy states that there are many liquor stores and dispensary in Pueblo so, to find a location away from those stores is almost impossible. Ms. Yoxy also stated that the building that they are in right now you would not know it was there it just looks like an apartment building. We are a great presence in the neighborhood we plan on improving the area around Pueblo Blvd. Mr. Davis said that their staff and the patients deserve this new facility. Mr. Davis also added that the reason that we are only going to 20 beds is because the funding we are getting would get us 20 beds we would need an additional funding to do more beds.

The public hearing was then closed.

Commission Action:

Motion to grant with staff conditions by Lujan-Slak, second by Way.

Motion Denied 2-2.

OLD/NEW BUSINESS

~ **Adjourn:** Meeting adjourned at 9:21 p.m.

Minutes respectfully submitted by Bartholomew Mikitowicz.