

Mike Castellucci  
*Chair*

Steve Anselmo  
*Vice Chair*



Lisa Bailey  
*Secretary*

Yvonne Lujan-Slak

Georgia Way

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## **Minutes for December 28, 2021**

City Council Chambers, 1 City Hall Place

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

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

**Staff Members Present:** Scott Hobson, Acting Director for Department of Planning and Community Development; Beritt Odom, Principal Planner; Daniel Kogovsek, Board Attorney; Bartholomew Mikitowicz, Planner.

### **~ Approval of Minutes**

Motion to approve the minutes from the meeting of November 23, 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.**

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.

**REGULAR AGENDA**

**ZBA-21-34 Special Use Permit 115 E. Riverwalk Suite 110 (Elizabeth Gladney)** A Special Use Permit to allow a Professional Office in a Historic Arkansas Riverwalk of Pueblo (HARP-1) Zone District.

Mr. Castellucci asked whether the applicant was in the audience to represent. Castellucci then asked for the staff presentation, which was given by Mr. Mikitowicz. Castellucci then asked for the applicant to be sworn in. **Elizabeth Gladney** affirmed her testimony to Mr. Kogovsek. Following such actions, the applicant introduced herself and offered to answer any questions. Castellucci asked the applicant if she read the staff report, understand the conditions, and can comply with the staff conditions, Ms. Gladney agreed. Ms. Gladney noted that the neighbors were in support of the project. That the space was very small and would not interfere with commercial character of the HARP district.

No one spoke in opposition of the applicant.

**Commission Action:**

Motion to grant with staff conditions and standard permit conditions, motioned by Bailey, seconded by Way.

**Motion passed 5-0.**

**ZBA-21-35 Limited Use Permit 909 W. Pitkin Ave (Richard Reyes)** Limited Use Permit to allow a Home Based (Massage Therapy) Business with onsite clients and signage in a Single Family Residential (R-2) Zone District.

Mr. Castellucci asked whether the applicant was in the audience to represent. Castellucci then asked for the staff presentation, which was given by Mr. Mikitowicz. Castellucci then asked for the applicant to be sworn in. **Ricard Reyes** affirmed his testimony to Mr. Kogovsek. Following such actions, the applicant introduced himself and offered to answer any questions. Castellucci asked the applicant if she read the staff report, understand the conditions, and can comply with the staff conditions, Mr. Reyes agreed. Mr. Reyes then clarified some questions for the board regarding signage and hours of operation. He also added commentary on the inadequacies of facilities at his current location.

No one spoke in opposition of the applicant.

**Commission Action:**

Motion to grant with adjusted staff conditions and standard permit conditions, motioned by Bailey, seconded by Way.

**Motion passed 5-0.**

**OLD/NEW BUSINESS**

**ZBA-21-29 1906 N Hudson Ave. Appeal Decision**

Mr. Castellucci asked whether the board had read the summary findings of fact and conclusion of law and order, drafted by the city attorney at the request of the board; and if they had any further questions. There were no additional questions.

**Commission Action:**

Motion to ratify approve and adopt these finding of facts, conclusion of law and order was dewly made by Baily, Second by Lujan-Slak.

**Motion passed 4-1 (Way opposed).**

**~ Adjourn to Executive Session:** Meeting adjourned at 7:34 p.m.

Minutes respectfully submitted by Bart Mikitowicz.