

CITY OF LEADVILLE  
CITY COUNCIL SPECIAL MEETING  
Wednesday, March 25, 2015

<p>City Council Members <u>Present:</u> Luke Finken           Jaime Stuever Mike Canty           Greg Labbe Gwen Shepherd <u>Absent:</u> Max Duarte Jake Mohrmann (recused)</p>	<p><u>Planning &amp; Zoning Commissioners</u> <u>Present:</u> Sarah Mudge, Chair Julie Lundgren      Cindy DeMarco Jaime Stuever      Joseph Swyers <u>Absent:</u> Jason Nepp Caroline Koehler (alternate) Victor Christian (alternate) Cameron Millard (alternate)</p>	<p><u>Staff Present:</u> Joseph Swyers, City Clerk Sarah Dallas, Planning Official, Administrative Services Manager, and Deputy City Clerk</p>
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City Council met in a regular public session in the Council Chambers of City Hall. Mayor Stuever called the meeting to order at 7:07 PM. Roll Call was taken.

(7:08 PM) Public comments on items not on the agenda: None.

(7:08 PM) Agenda Revisions: None

(7:08 PM) Conditional Use Permit for harboring chickens at 145 Elm Street

Councilmember Canty moved to approve the Conditional Use Permit for Jake & Veronica Mohrmann to harbor chickens at 145 Elm Street that all representations made by the applicant and relied upon by the Planning and Zoning Commission and the City Council in evaluating the Conditional Use Permit shall be deemed a part of the application and binding upon the applicant and that item 19, which states in part that if they do not have chickens for one year be changed to two years then the conditional use permit would be null and void. Councilmember Finken seconded. Mayor Stuever and Councilmember Labbe remarked that the issues with feed and waste were answered, along with what the chicken coop will look like and staying in harmony with the existing structure next door. Roll call: unanimous yes.

(7:12 PM) Conditional Use Permit for a Brewery/Brew Pub at 101 Harrison Avenue.

Councilmember Shepherd asked about what the applicant may want in signage and referred to the sign for Earls. and further explained that the issue is with the free standing sign on the corner which was to have been removed after the end of the previous business thus making it now an unconforming sign. Planning Official Dallas explained that Planning & Zoning Commission will address sign code revisions in April. As it is now, the applicant will have to adhere to the commercial zone requirements for sign and if they want to do anything outside of those provisions they will have to come to the Board of Adjustment for a variance. She further explained the requirements for free standing signs and the provision for legal nonconforming signs. The present fixture has no sign in it. Mayor Stuever explained that the sign application is a separate process which has not occurred yet and is outside of what is being considered now. Planning Official Dallas explained that at this time only the land use criteria for a conditional use permit are to be considered and the sign code permits and liquor licensing will be subsequent to this hearing.

Councilmember Canty moved to approve the Conditional Use Permit for Sean Terrill to operate a brewery/brew-pub at 101 Harrison and that all representations made by the applicant and relied upon by the Planning and Zoning Commission and the City Council in evaluating the Conditional Use Permit shall be deemed a part of the application and binding upon the applicant and shall also include that the facility must have minimal light emitting from the facility during the nighttime hours; the police chief is to exercise discretion when determining when light or odor emitting from the facility is appropriate. Councilmember Labbe seconded.

Councilmember Finken remarked that the amendment regarding odor and light could be a good thing or bad thing depending on the police chief's abilities. Considerations included clear or dark sky. Mayor Stuever suggested that the criteria could go either way and would cause no harm. Councilmember Labbe opined that the amendment was to ensure they conformed with lighting in the rest of the city, especially more subdued and not glaring light. Mayor Stuever referred to criteria for bright lights on a state highway. Councilmember Finken spoke to downlit fixtures in the seating area. P&Z Commissioner Swyers, who had made the amendment during the P&Z hearing, clarified that this is to be consistent with regulations applied to other businesses. Councilmember Labbe thanked the applicants for an appealing design for a blighted property. History is not static in Leadville. Mayor Stuever described the improvement in the south end of Harrison Avenue. Roll call: unanimous yes.

(7:26 PM) Mayor Stuever adjourned the meeting.