

Weston Burrer
Chair

Brian Lucas
Vice Chair

Jeff Falletta

PUEBLO 
Planning & Zoning Commission

Rod Johnson

Jean Latka

Vera Ortegon

Chuck Pelto

REGULAR MEETING

City of Pueblo, Colorado

Wednesday, February 9, 2011 – 3:30 p.m.

City Council Chambers – 301 West B Street

Minutes

MEETING CALLED TO ORDER

The meeting was called to order at 3:33 p.m. with Acting Chairperson Brian Lucas presiding.

Commissioners Present: Jeff Falletta, Brian Lucas, Vera Ortegon, and Chuck Pelto.

Commissioners Absent: Weston Burrer, Rod Johnson, and Jean Latka

Staff Members Present: Jeff Bailey, P.E., Assistant City Manager for Development Services; Paul Willumstad, Attorney for the Planning and Zoning Commission; Pepper Whittlef, Traffic Engineer; Kelly Grisham, Planner; and Carrie Muchow, Planner.

APPROVAL OF AGENDA

Motion by Commissioner Pelto to approve the agenda, seconded by Council Person Ortegon.
Motion passed 4-0.

PUBLIC HEARINGS AND ACTION

1. **V-10-05 – Vacation:** Right of Way Vacation; Raymond Street Vacation, Meadow Lake Subdivision. (Abel Consulting)

BACKGROUND

Staff report given by Kelly Grisham.

The applicant is requesting to vacate a portion of the 40-foot right-of-way that runs north and south adjacent to Lots 5 and 6, Block 1 Meadow Lake Subdivision and Parcel A, Rearrangement of Property Boundaries. A 368-square foot portion of Raymond Street (a small triangle located in the southeast corner) will be reserved to provide access to the City owned property located adjacent to the eastern boundary of Raymond Street.

Meadow Lake Subdivision, recorded in 1954, created a 13 Lot, 2 Block Subdivision, which dedicated Cameron Street and Raymond Street as public rights-of-way. Cameron Street was dedicated to provide public access to Lots 1-5, Block 1 and Lots 1-6, Block 2. Raymond Street was dedicated to provide public access to Lot 6, Block 1, of the Meadow Lake Subdivision. Cameron Street is paved and is utilized by the adjacent residents to access their homes. Raymond Street was never improved and was subsequently occupied by the property owners to the west (the owners of Lots 5 and 6, Block 1, Meadow Lake Subdivision). Raymond Street has been fenced off and accessory structures have been built within the right-of-way.

There is no historical evidence of Raymond Street ever being utilized to access adjacent properties. The street dead ends at the Ormandale Subdivision and no extensions have been planned for this street. The owner of Lots 6 and 7, Block 1, Meadow Lake Subdivision, has rearranged the two lots into one parcel to ensure that all lots within the Meadow Lake Subdivision are adjacent to a right-of-way. With the rearrangement, Raymond Street will not serve as the principle access to any platted lots and is therefore no longer necessary.

RECOMMENDED ACTION

Staff recommends that the Alley Vacation be **APPROVED** with the following condition:

Prior to recording the vacation plat, the rearrangement of property boundaries must be recorded.

HEARING

Stewart Mapes, Abel Consulting, 102 S. Oneida Avenue, Pueblo, CO appeared on behalf of the applicant and spoke in favor of the application.

Norman Resendez, 2114 Acero Avenue, Pueblo, CO the applicant appeared and spoke in favor of the application.

Nicholas Gradisar, Attorney, 1836 Vinewood Lane, #200, Pueblo, CO appeared representing Ty and Christine Burgess and spoke in opposition to the application. Mr. Gradisar submitted Exhibits 1 through 5 for the Commission's consideration.

Acting Chairperson Lucas closed the hearing and requested a motion.

COMMISSION ACTION

Motion was made to approve the application by Commissioner Pelto, seconded by Council Person Ortegon, with the following condition:

Prior to recording the vacation plat, the rearrangement of property boundaries must be recorded.

Motion passed 4-0.

2. **TA-11-01 – Text Amendment:** An Ordinance amending Chapters 2 and 4 of Title XVII of the Pueblo Municipal Code relating to brewpubs and microbreweries.

BACKGROUND

Staff report given by Carrie Muchow.

This text amendment would add brewpub and microbrewery to the definitions and permitted uses section of the Pueblo Municipal Code. A brewpub would be defined as primarily a restaurant use with brewing as an accessory use. The area of the brewing could not exceed thirty percent (30%) of the total floor area and the establishment could only produce 4,000 barrels of beer or ale per year. A microbrewery would be defined as primarily a brewing establishment with the ability to have a retail or food service as an accessory use. This type of use could not produce more than 8,000 barrels per year. For both uses brewing has been defined as an operation that processes water, malt, hops and yeast into beer or ale by mashing, cooking and fermenting. No other alcoholic beverages may be produced on site. No brewing equipment or storage will be visible from the outside of the building unless it is architecturally significant and integrated into the style and design of the building. Brewpubs would be allowed as a use by right in R-6, B-3, B-4, H.B, HARP 1, HARP 2, HARP 3, and BP. Microbreweries would be allowed as a use by right in I-1 and I-2 and as a use by review in B-3, B-4, H.B. and BP.

RECOMMENDED ACTION

Staff recommends that the Planning and Zoning Commission forward a recommendation of **approval** of this text amendment to City Council.

HEARING

No one spoke in opposition to the proposed text amendment.

Acting Chairperson Lucas closed the hearing and asked for a motion.

COMMISSION ACTION

Motion by Commissioner Falletta to approve the proposed text amendment, seconded by Commissioner Pelto. **Motion passed 4-0.**

APPROVAL OF MINUTES

Motion by Commissioner Falletta to approve the Minutes of the January 12, 2011 Public Hearing, seconded by Commissioner Pelto. **Motion passed 4-0.**

SCHEDULE PUBLIC HEARING

The Public Hearing for March will convene on Wednesday, March 9, 2011 at 3:30 p.m. in the City Council Chambers. Motion by Commissioner Pelto, seconded by Commissioner Falletta. **Motion passed 4-0.**

SCHEDULE WORK SESSION

The Work Session for February will convene on Thursday, February 17, 2011 at 5:00 p.m. in the Planning Conference Room, 211 East D. Street. Motion by Commissioner Falletta, seconded by Commissioner Pelto. **Motion passed 4-0.**

ADJOURN

There being no further business the Regular Meeting was adjourned at 4:10 p.m.

Respectfully submitted,

Attest:

Weston Burrer
Chairperson

Jerry M. Pacheco
Executive Secretary

Audiotapes of all the meetings of the Planning and Zoning Commission are maintained and available for inspection and review during normal business hours (M – F, 8 a.m. – 5 p.m.) at the Department of Planning & Community Development, 211 East D Street, Pueblo, CO.