

Planning Commissioners Present: Donald Brewer, Sam Cannon, Rex Clark, Robert Dugan, Gordon Hinkle, Kim Hoskinson

Planning Commissioners Absent: Audrey Huisking

Staff Present: Paul Richardson, Director, Planning & Redevelopment  
Kevin Payne, Assistant Director Planning & Redevelopment  
Chris Burrows, Senior Planner  
Dave Allison, Police Captain  
Jeff Ingolia, Fire Inspector II  
Gene Paolini, Chief Building Inspector  
Chris Kraft, Engineering Manager  
Robert Schmitt, Assistant City Attorney  
Brandy LeBeau, Recording Secretary

**PLEDGE OF ALLEGIANCE** - Led by Commissioner Brewer

**ORAL COMMUNICATIONS** None.

Commissioner Hinkle arrived at 7:04pm.

**CONSENT CALENDAR**

Chair Clark asked if anyone wished to remove any of the items from the Consent Calendar for discussion.

Chair Clark asked for a motion to approve the CONSENT CALENDAR as listed below:

**IV-A. MINUTES OF MAY 8, 2008.**

**IV-B. TENTATIVE SUBDIVISION MAP – 7200 SIERRA COLLEGE BOULEVARD – SRSP PARCEL 49 STONERIDGE VILLAGE 10 – FILE # 2008PL-015; PROJECT # SUB-000114).** The applicant requests approval of a Tentative Subdivision Map to subdivide 25.9 acres into ninety-five (95) single-family residential lots, two landscape corridors, a utility corridor and an open space lot. Applicant/Owner: Tom Gamette, Elliott Homes. (Wiley)

**IV-C. VARIANCE – 122 SOUTH LINCOLN STREET – BOND PROPERTY VARIANCE – FILE# 2008PL-024 (PROJECT # V-000056).** The applicant requests approval of a Variance to reduce the required side yard setback for an existing garage from 5 feet to 1'6". Pursuant to Section 19.74.020(b) of the Roseville Zoning Ordinance, approval of a Variance is required to allow exceptions to setbacks exceeding 35 percent of the development standard. Applicant/Owner: Steve Bond. (Wiley)

MOTION

Commissioner Hoskinson made the motion, which was seconded by Commissioner Dugan, to approve the Consent Calendar as submitted.

The motion passed with the following vote:

Ayes: Hoskinson, Dugan, Brewer, Hinkle, Clark

Noes:

Abstain:

Commissioner Cannon arrived at 7:23pm.

## **NEW BUSINESS**

**V-A. APPEAL OF THE PLANNING DIRECTOR'S DETERMINATION – 1100 ORLANDO AVE – THE ROSEVILLE STATION & ULTRA LOUNGE – FILE # 2008PL-044; PROJECT #APP-000002.** The applicant is appealing the Planning Director's Determination that the use of the property at 1100 Orlando Avenue for a nightclub (The Roseville Station and Ultra Lounge) is no longer permitted as a legal non-conforming use. The Planning Director has determined that the on-site nightclub activities have been expanded without securing the appropriate entitlements or permits. By expanding the use without appropriate approvals, the property has lost its prior legal non-conforming status that allowed a nightclub which was ancillary to a restaurant, at this location. Appellant: Abbott & Kindermann, LLP. Owner: Station Partners, LP. (Payne)

Assistant Planning & Redevelopment Director, Kevin Payne, presented the staff report and responded to questions.

Chair Clark opened the public hearing and invited comments from the applicant and/or audience.

Attorney representing the applicant, Glen Hansen, Abbott & Kindermann, LLP addressed the Commission and responded to questions. He stated that he had received a copy of the staff report and was not in agreement with staff's recommendations. He believes the determination and recommendation for Denial of the appeal is unjustified based on the following:

- He disputes the facts relied upon to make the determination and he disputes the conclusion drawn from the language in the zoning ordinance.

Owner, Lynn Travis, The Station, addressed the Commission and responded to questions. He stated that he had received a copy of the staff report and was not in agreement with staff's recommendations. He believes the determination and recommendation for Denial of the appeal is unjustified based on the following:

- History of permitted dance floor area
- Before and after pictures of interior of building
- Operates as a restaurant
- Disputes the facts used to make the determination

Applicant, Cory Travis, The Station-Roseville, addressed the Commission and responded to questions. He stated that he had received a copy of the staff report and was not in agreement with staff's recommendations. He believes the determination and recommendation for Denial of the appeal is unjustified based on the following:

- Security measures
- Dance floor area
- Occupancy compliance
- Parking & Loitering concerns
- Fire/Building code violations being addressed

There was discussion on the following:

- Actual size of dance floor
- Can they request a CUP
- Current occupancy limit and how and when established
- Legal non-conforming use description from zoning ordinance
- Fire/Building code violations
- Police citation and calls for service counts
- Advertisement on internet
- Restaurant menu

The following people spoke in favor of The Station's appeal and addressed the Commission:

- Jose, The Station, Kitchen Manager
- Matt Countreas, The Station, Marketing
- Tim Tompson, Roseville Resident
- Tabatha Losey, Roseville Resident
- Eric Jones, The Station, head of security
- Dan Richardson, Roseville Resident

The following people spoke in opposition to The Station's appeal:

- Matthew Diradone, Placer county resident
- James Lane, Placer county resident

They cited noise as their main complaint.

Chair Clark closed the public hearing and asked for a motion.

#### MOTION

Commissioner Dugan made the motion, which was seconded by Commissioner Brewer, to continue the Appeal Hearing to the June 26, 2008 Planning Commission meeting, allowing the applicant to work with the City on an operating agreement.

The motion passed with the following vote:

Ayes: Dugan, Brewer, Cannon, Hinkle, Hoskinson, Clark

Noes:

Abstain:

#### **REPORTS/COMMENTS/COMMISSION/STAFF**

##### A. REPORTS FROM PLANNER

- Planning Commission Tour Update: Thursday, May 29<sup>th</sup>. Meet at the Civic Center at 5:00pm for a bus tour of projects previously heard by the Planning Commission. The tour will end at Bar Basic in Historic Old Town for dinner.

#### **ADJOURNMENT**

Chair Clark asked for a motion to adjourn the meeting.

#### MOTION

Commissioner Brewer made the motion, which was seconded by Commissioner Hoskinson, to adjourn to the special meeting of May 29, 2008. The motion passed unanimously at 9:55 PM.