



Planning Commissioners Present: Krista Bernasconi, Gordon Hinkle, Bruce Houdesheldt, Charles Krafka, David Larson, Joseph McCaslin

Planning Commissioners Absent: Julie Hirota

Staff Present: Kevin Payne, Development Services Director
Chris Burrows, Planning Manager
Tricia Stewart, Associate Planner
Ron Miller, Associate Planner
Marc Stout, City Engineer
Robert Schmitt, Assistant City Attorney
Brandy LeBeau, Recording Secretary

WELCOME

PLEDGE OF ALLEGIANCE - Led by Commissioner Bernasconi

ORAL COMMUNICATIONS None.

CONSENT CALENDAR

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

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

IV-A. MINUTES OF AUGUST 22, 2013.

IV-B.

MOTION

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

The motion passed with the following vote:

Ayes: McCaslin, Houdesheldt, Bernasconi, Krafka, Larson, Hinkle

Noes:

Abstain:

NEW BUSINESS

Commission Larson excused himself for this presentation and motion due to conflict of interest for V-A.

V-A. CONDITIONAL USE PERMIT MODIFICATION – FUSION EARLY LEARNING – 202 BONITA ST – FILE# 2013PL-032 (CUP- 000086). The applicant requests approval of a Conditional Use Permit Modification to allow a daycare to operate in an existing building in a Two-Family Residential (R2) zone. Applicant: Building Blocks Child Development Centers, LLC., Tom Hamilton. Property Owner: The Rock of Roseville, Kenneth Wahlberg.

Associate Planner, Tricia Stewart, presented the staff report and responded to questions.

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

Applicant, Tom Hamilton, addressed the Commission and responded to questions. He stated that he had received a copy of the staff report and was in agreement with staff's recommendations.

Public Comments:

- None at this time

Commission Discussion:

- None at this time

Chair Hinkle temporarily closed the public hearing and asked for a motion.

MOTION

Commissioner Houdesheldt made the motion, which was seconded by Commissioner McCaslin, to Adopt the two (2) findings of fact for the Conditional Use Permit Modification; and Approve the Conditional Use Permit Modification subject to six (6) conditions of approval as submitted in the staff report.

The motion passed with the following vote:

Ayes: Houdesheldt, McCaslin, Bernasconi, Krafka, Hinkle

Noes:

Abstain:

OLD BUSINESS

VI-A. APPEAL OF PLANNING DIRECTOR'S DECISION – 411 LINCOLN STREET - McRAE OPERA HOUSE - FILE # 2012PL-067 (APP-000003). The appellant is appealing a condition on an approved Minor Design Review Permit (MDRP) which states that occupancy of the proposed fence enclosure by patrons of the McCrae Opera House Saloon constitutes an expansion of an existing nightclub and is not permitted without approval of a Conditional Use Permit, per the City's Downtown Code.

Associate Planner, Ron Miller, presented the staff report and responded to questions.

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

Appellant, Richard Ryan, 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.

Public Comments:

- Ryan Petrillo, attested with the applicant that the upstairs nightclub had nothing to do with the bar and agreed that the patio should be allowed.

Commission Discussion:

- Historical use of building
- Fence in place prior to new construction of fence
- Definition of night club
- Conditions already in place by the City Police department entertainment ordinance and Alcohol Beverage Control
- Uses of upstairs nightclub versus the downstairs bar
- The Police Department regulations of no in and out privileges would not affect the use of the outside patio area
- Definition of Conditional Use Permit and process

Chair Hinkle temporarily closed the public hearing and asked for a motion.

MOTION

Commissioner Larson made the motion, which was seconded by Commissioner Bernasconi, to Adopt the three (3) findings of fact as submitted in the staff report, and Grant the Appeal.

The motion failed with the following vote:

Ayes: Larson, Bernasconi, Hinkle

Noes: McCaslin, Krafka, Houdesheldt

Abstain:

Due to Impasse, Chair Hinkle forwarded the appeal to the City Council with No Recommendation.

REPORTS/COMMENTS/COMMISSION/STAFF

- A. Chris Kraft, Engineering Manager will no longer be staffing the Planning Commission meetings and introduced Marc Stout, City Engineer who will now be staffing the Planning Commission.
- B. The Commission requested an update on the traffic concerns on the aquatic center when events are occurring. Engineering staff has been working with Recreation staff on when events due occur they adjust the signal timing to have traffic flow easier out of the complex.

ADJOURNMENT

Chair Hinkle asked for a motion to adjourn the meeting.

MOTION

Commissioner Larson made the motion, which was seconded by Commissioner McCaslin, to adjourn to the meeting of September 26, 2013. The motion passed unanimously at 8:49 PM.