



Planning Commissioners Present: Krista Bernasconi, Justin Caporusso, Julie Hirota, Bruce Houdesheldt, Charles Krafka, David Larson, Joseph McCaslin

Planning Commissioners Absent: None

Staff Present: Chris Burrows, Planning Manager  
Greg Bitter, Principal Planner  
Derek Ogden, Associate Planner  
Robert Schmitt, Assistant City Attorney  
Julie Pistone, Recording Secretary

## **WELCOME**

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

**ORAL COMMUNICATIONS** None.

## **CONSENT CALENDAR**

### **IV-A. MINUTES OF JULY 24, 2014.**

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

Chair Larson asked for a motion to approve the CONSENT CALENDAR as listed.

## MOTION

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

The motion passed with the following vote:

Ayes: McCaslin, Hirota, Krafka, Caporusso, Houdesheldt, Larson

Noes:

Abstain: Bernasconi

## **NEW BUSINESS**

### **V-A. ORDINANCE AMENDMENT – ZONING ORDINANCE AND DOWNTOWN CODE – FILE# PL14-0459.**

The Zoning Ordinance and Downtown Code Update consists of administrative updates to both documents including the Zoning Ordinance sections for Off-Street Parking, Accessory Structures and Temporary Events. The Downtown Code will be amended to update the entitlement required for Nightclub establishments within the Vernon Street and Historic Districts.

Associate Planner, Derek Ogden, presented the staff report and responded to questions.

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

#### **Accessory Uses & Structures:**

Public Comment:

- None

Commission Discussion:

- None

#### **Parking for Personal Services:**

Public Comment:

- None

Commission Discussion:

- Fitness facilities and small schools locating in commercial/retail centers.
- These facilities can impact parking between 9am - 5pm.
- Is additional parking required in this type of situation?
- How are these uses evaluated for parking?

Staff Response:

- Each situation is evaluated on a case by case basis.
- A parking reduction entitlement is used to evaluate and document each unique situation.
- Work with business owners to find alternative locations if a parking reduction cannot be supported.

Chair Larson recommended the Commission consider two options; 1) ask Staff to conduct additional research and bring back a threshold and parking requirement for Large Personal Service Uses including but not limited to salons, athletic facilities and schools, or 2) modify the proposed language to require Large Personal Service Uses greater than 5,000 square feet have a parking requirement of 1 space per 200 square feet.

Commissioner Krafka stated that parking ratios and counts are determined at the time a commercial center is constructed and requiring additional parking stalls in the future may be difficult.

Commissioner Bernasconi is not in favor of adopting a new threshold or mandate, but would be in favor of staff researching this issue further or is fine with the language as provided by staff.

#### **Temporary Uses:**

Public Comment:

- None

Commission Discussion:

- Questioned if the language is new on Page 174 Section 19.64.04
- Clarification of Residential Temporary Uses
- Clarification of the Administrative Permit process vs. the Conditional Use Permit process
- Cost for an Administrative Permit vs. a Conditional Use Permit
- The appeal process for residents if they disagree with staff and the Planning Manager
- Default time limit on an Administrative Permit

- Staff to provide examples that require an Administrative Permit
- Page 213 Chapter 19.82 has a typo – There's a "P" in Major that shouldn't be there.

Staff Response:

- The language on Page 174 Section 19.64.04 is not new, but has been reformatted.
- Explanation of the Administrative Permit and the Conditional Use Permit process.
- Application fee for an Administrative Permit is approximately \$1,000 and a Conditional Use Permit is approximately \$5,000.
- The Administrative Permit and Conditional Use Permit process provides an opportunity for surrounding residents, neighbors and property owners within a 300' radius to be notified and provides them an opportunity to request a Public Hearing.
- The code provides information for the appeal process.
- Situations that require an Administrative Permit include: Setback reductions for accessory structures, temporary events, telecommunication facilities, temporary generators for commercial medical/surgical centers, Design Review Modifications, home occupations/home based businesses (daycares, salons).
- The Vernon Street food truck night is a special event, on City right-of-way, that requires action by the City Council.
- Certain Temporary Uses require an Administrative Permit.

**Nightclub Uses:**

Public Comment:

- None

Commission Discussion:

- Are existing businesses operating under the current CUP process required to get another permit under the new process?
- Is there a limit on the number of nightclubs in downtown and old town?
- Concerned that the number of nightclubs on Vernon Street will become too large and will increase security & vandalism issues.
- Activities in the early morning hours could become costly to the downtown merchants and the PBID.
- What is proper notification with regards to owners, tenants and residents?
- Clarification of the 300' radius list notification process.
- Add the PBID (Property Business Improvement District), to the notification list.

Staff Response:

- The downtown code includes designated areas within downtown and old town commercial areas where zoning clearance is all that's required for a nightclub.
- Findings and evaluation criteria are the same for an Administrative Permit and Conditional Use Permit.
- One of the findings for a nightclub is that the use is compatible with the surrounding area.
- Police Dept. does background checks on nightclub owners/operators; and they enforce the conditions for security, lighting, etc.
- The 300' radius notification list includes property owners, tenants/residents/occupants, RCONA, and Neighborhood Associations.

Chair Larson acknowledged community outreach for this evening's agenda item. The Downtown Merchants Association, RCONA Board and Neighborhood Associations all received notification.

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

**MOTION**

Commissioner Houdesheldt made the motion, which was seconded by Commissioner McCaslin, to recommend the City Council adopt the Negative Declaration and proposed Amendments to the Zoning Ordinance and Downtown Code as submitted in the staff report and further direct staff to research parking ratios including but not limited to salons, athletic facilities and schools.

The motion passed with the following vote:

Ayes: Houdesheldt, McCaslin, Caporusso, Bernasconi, Hirota, Krafka, Larson

Noes:

Abstain:

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

Reports from Planner:

- Following up on parking - A parking discussion works better at a workshop rather than at a commission meeting. Once the research is complete, we would present it to the commission at a workshop prior to bringing it before you for action.

Commissioner Comments/Questions:

- Meeting schedule for the fall: Meeting on Sept. 25th, no meeting on Oct. 9th, and a few items on the agenda for the Oct.23rd meeting. We will have one meeting the second Thursday in November and December.
- Excavation work near Hyatt Place - Conference Center Drive is being extended.

### **ADJOURNMENT**

Chair Larson asked for a motion to adjourn the meeting.

MOTION

Commissioner Houdesheldt made the motion, which was seconded by Commissioner Bernasconi, to adjourn to the meeting of September 25, 2014. The motion passed unanimously at 7:56 P.M.