



Cover Memo

To:	City Council
From:	Planning & Development Services – Will Parrish, CNU-A
Date:	November 9, 2017
Re:	Wonder World Park Conditional Use Permit Appeal (1001 Prospect Street)

At their regular meeting on December 13, 2016 and January 10, 2017 the Planning and Zoning Commission considered this item during a Public Hearing.

Public Notification:

Personal notification was sent on September 28, 2017.

See attached map and list.

Correspondence:

Prior to the Planning and Zoning Commission meeting, Staff received two (2) emails in support of this request and one (1) against. They have been included in this packet.

Prior to this City Council meeting for the appeal, Staff has received one (1) email in support of the appeal. The email is included in this packet.

October 10, 2017 Citizen Comment & Public Hearing:

For:

1. Madeline North

Against:

1. Joel Barnard
2. Karre Remme
3. Diane Wassenich
4. Brenda Remme

October 10, 2017 Planning & Zoning Commission Action:

A motion was made by Commissioner Porterfield, seconded by Commissioner Kelsy, that CUP-17-21 (Wonder World Park) be approved with staff conditions.

A motion was made by Commissioner Ramirez, seconded by Commissioner Kelsy, that the main motion be amended to include: 1.) Business hours are limited to no later than 9 p.m., Monday – Sunday, 2.) Non-amplified live music is prohibited after 9 p.m.; and 3.) Amplified music is prohibited outdoors after 9 p.m. The motion carried by the following vote:

For: 7 – Commissioner Kelsey, Commissioner Dupont, Commissioner Porterfield, Commissioner Ramirez, Commissioner Gleason, Chair Garber and Commissioner McCarty

Against: 2 - Commissioner Rand and Commissioner Dillon

Recused: 0

Chair Garber called for a vote on the main motion to approve CUP-17-21 (Wonder World Park) with the conditions: 1.) The CUP shall be valid for one (1) year, provided standards are met, subject to the point system; 2.) The permit shall be effective upon the issuance of the Certificate of Occupancy for the proposed Building II bar and the acceptance of any required improvements included within the conditions herein; 3.) The applicant must construct a curb or barrier approved by the Department of Engineering at the end of each row of parking along Prospect Street in order to contain vehicles within the parking lot and prevent vehicles from blocking the street. 4.) The applicant constructs an overlapping board fence as described in the Staff Report; 5.) No amplified outdoor live music is permitted; 6.) Non-amplified live music is prohibited after 9:00 p.m.; 7.) Amplified music is prohibited outdoors after 9:00 p.m.; 8.) Outdoor Televisions are only permitted within Courtyard I; 9.) Any new outdoor speakers shall be limited to Courtyard I and shall be located in a manner which directs sound away from single family residences; 10.) Hours of operation are limited to no later than 9:00 p.m. Monday - Sunday. 11.) Consumption of alcohol is prohibited in any portion of the parking lot. 12.) The CUP shall be posted in the same area and manner as the Certificate of Occupancy.

For: 5 - Commissioner Kesley, Commissioner Dupont, Commissioner Porterfield Commissioner Ramirez and commissioner Gleason

Against: 4 - Commissioner Rand, Commissioner Dillion, Commissioner Garber and Commissioner McCarty

Recused: 0

Attachments:

1. Notification map
2. Property owner list