



**City of Newport  
Planning Commission Minutes  
September 10, 2015**

**1. CALL TO ORDER**

Chairperson Mahmood called the meeting to order at 6:00 P.M.

**2. ROLL CALL -**

Commissioners present – Anthony Mahmood, Kevin Haley, Matt Prestegaard ,Marvin Taylor, David Tweeten

Commissioners absent –

Also present –Deb Hill, City Administrator; Sherri Buss, TKDA Planner; Tom Ingemann, Council Liaison

**3. APPROVAL OF PLANNING COMMISSION MINUTES**

**A. Planning Commission Minutes of August 13, 2015**

**Motion by Prestegaard, seconded by Haley, to approve the August 13, 2015 minutes as presented. With 5 Ayes, 0 Nays, the motion carried.**

**4. APPOINTMENTS WITH COMMISSION**

**A. Public Hearing – To consider a Request from Richard Dougherty for an Amendment to a Conditional Use Permit for Property Located at 2193 3rd Avenue**

**The Public Hearing opened at 6:02 p.m.**

Sherri Buss, TKDA Planner, presented on this item as outlined in the September 10, 2015 Planning Commission packet. The Planning Commission requested to add language restricting the use of a paint booth to the conditions to ensure that no major auto body work is being done.

**Matt Prestegaard** - What is that white thing in the back?

**Vice-Chair Haley** - It's a trailer for the other business. He's been there for 17 years and uses it to transport cabinets.

**Matt Prestegaard** - What was the nature of the complaint?

**Ms. Buss** - It was regarding the painting. The person who made the complaint knew that we have a distinct ordinance between simple auto repair and major auto work and painting. It wasn't related to any noise. They saw the title of the business and that painting was going on.

**Matt Prestegaard** - Do we know if there's additional concerns?

**Ms. Buss** - No, that was the only concern and we can get back to them and let them know what we've done to resolve it.

**Marvin Taylor** - My only concern is the fumes. Are they working on one vehicle at a time?

**Richard Dougherty** - Yes.

**Vice-Chair Haley** - The PCA is also strict. If there's a complaint, they come down really hard.

**Ms. Buss** - You know a neighbor right?

**Chairperson Mahmood** - Yes and he has no issue with it. He thinks it's great.

**Vice-Chair Haley** - There's also a tow truck business in there and all of the back-up stuff we've talked about, that was happening there before during the middle of the night.

**Ms. Buss** - So this is better than that.

**Vice-Chair Haley** - I would take the welding out of there too for any future businesses.

**Marvin Taylor** - My only reservation is that the goal of this area is to be mixed-use transit oriented and it's not that. It's a hodgepodge of things. It has a CUP and is a nice, well-kept building but I don't know if we want to be lenient and allow welding. How does that fit in? That area is dominated by some auto body shops and houses. There is nothing in there that suggests that we have a nice transit area nearby.

**Ms. Buss** - Is welding a part of minor auto body repair?

**Vice-Chair Haley** - Yes.

**Ms. Buss** - To be straight with the definition of what he can do there, if that's part of minor auto body repair then we need to allow it.

**Vice-Chair Haley** - I just had to do welding on my wife's car and it required five minutes of work.

**Ms. Buss** - We're only adding in the part of the detailing. They already had a CUP for auto repair which allows minor work. When we talked about this use originally is that people using the transit station might want to drop their car off to get work done during the day for minor work. That's why this use is allowed in this area.

**Marvin Taylor** - Do we want to talk about the time?

**Vice-Chair Haley** - I'm fine with that.

**Matt Prestegaard** - That didn't bother me.

**Vice-Chair Haley** - I'll make a motion to add language regarding the paint booth and to take the welding out.

**The Public Hearing closed at 6:18**

**Motion by Haley, seconded by Prestegaard, to approve Resolution No. 2015-9 as amended. With 5 Ayes, 0 Nays, the motion carried.**

## **B. Discussion Regarding Proposed Amendments to Section 1380, Signs**

Sherri Buss, TKDA Planner, presented on this item as outlined in the September 10, 2015 Planning Commission packet. The Planning Commission is discussing an amendment to this Section due to a recent Supreme Court decision that impacts how local governments may regulate signs. The Supreme Court decision requires cities to

amend their sign ordinances to remove any references to specific sign content. The decision does give the City the right to regulate obscene signs and sizes.

The Planning Commission will continue to review the ordinance amendment at the October 8, 2015 meeting and will focus on Section 1380.01-1380.09, Item 1(Residential Districts). The Planning Commission will review the draft amendment that was included in the September 10, 2015 packet to ensure that all references to content were removed, specifically Sections 1380.03, 1380.06, 1380.08, and 1380.09. The Planning Commission requested that the language in Section 1380.01(C)(1) be amended to remove any references to content.

Once the Planning Commission begins discussing regulations in business districts, it will inform business owners and invite them to come to the meeting.

## **5. COMMISSION AND STAFF REPORTS**

## **6. NEW BUSINESS**

## **7. ANNOUNCEMENTS**

### **A. Upcoming Meetings and Events:**

- |                                |                    |           |
|--------------------------------|--------------------|-----------|
| 1. City Council Meeting        | September 17, 2015 | 5:30 p.m. |
| 2. Park Board Meeting          | September 24, 2015 | 6:30 p.m. |
| 3. City Council Meeting        | October 1, 2015    | 5:30 p.m. |
| 4. Planning Commission Meeting | October 8, 2015    | 6:00 p.m. |

## **8. ADJOURNMENT**

**Motion by Haley, seconded by Prestegaard, to adjourn the Planning Commission Meeting at 6:49 p.m. With 5 Ayes, 0 Nays, the motion carried.**

Signed: \_\_\_\_\_  
Anthony Mahmood, Chairperson

Respectfully submitted,

Renee Eisenbeisz  
Executive Analyst