



## Meeting Minutes - Final Downtown Review Board

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Tuesday, June 4, 2024

9:00 AM

Regional Development Center (Hearing Room)  
2880 International Circle

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### 1. Call to Order and Roll Call

**Present:** 8 - Board Member Nolette, Board Member Kuosman, Board Member Coats, Board Member Hensler, Board Member Lord, Board Member Friesema, Board Member Mikulas and Board Member Luciano

**Absent:** 1 - Board Member Kronstadt

### 2. Changes to Agenda/Postponements

### 3. Communications

#### **Ryan Tefertiller, Urban Planning Manager**

Mr. Tefertiller reminded the board members to please reply to emails confirming their meeting attendance to ensure there is a quorum prior to the meeting.

The 26th year of Art on the Streets is having a celebration on June 6th. Mr. Tefertiller recognized Johnny Malpica for his efforts on permitting and making sure those installations meet the needs of the City and don't conflict the public's use of the right of way.

Prior to the next DRB meeting there is likely to be discussion at a City Council work session about building height regulation city-wide. Mr. Tefertiller encouraged board members to listen in on those conversations.

The July DRB meeting was supposed to have the item postponed from the May meeting, but they have heard from the library district that they may not be ready. There will still need to be a meeting in order to officially postpone that item, since it was previously postponed to a date certain. In that case, it will be a virtual meeting.

Chair Lord asked a question about the form-based code and staff's recommendation on building height. Mr. Tefertiller said they are working internally to finalize a draft of the updates to the form-based code that have been presented over the last several months. It will still need to be reviewed by the City Attorney's office and there will have to be a public stakeholder process and notices to make sure affected property owners are aware of the proposed changes. Mr. Tefertiller said it likely won't be back in front of this board for a recommendation to City Council until the fall. There are some considerations with timing in relation to some other big code-related efforts going to City Council. Staff is not proposing any major changes related to building height; however, if it does end up becoming a ballot initiative in November, it would

make sense to delay the updates to the form-based code until after the outcome of that vote.

Chair Lord then asked the City Attorney if board members should be careful when speaking in public about building height, since the issue may come before them in the future. Mr. Tefertiller said this would be a legislative issue that is city-wide, so he felt it would not be inappropriate for board members to speak about it if they were asked. City Attorney Young Shin agreed with that statement. If anything does come up they feel is concerning, they can reach out to the City Attorney's office. Mr. Tefertiller added that if people are asking about a specific building that may come before the board, they should refrain from engaging in that conversation.

#### **4. Approval of the Minutes**

[DRB 2291](#) Minutes for the May 7, 2024, Downtown Review Board Meeting

Presenter:

David Lord, Downtown Review Board Chair

**Attachments:** [DRB 5.7.24 Minutes Draft](#)

**Motion by Board Member Kuosman, seconded by Board Member Mikulas, to approve the minutes for the May 7, 2024, Downtown Review Board Meeting. The motion passed by a vote of 8-0.**

**Aye:** 8 - Board Member Nolette, Board Member Kuosman, Board Member Coats, Board Member Hensler, Board Member Lord, Board Member Friesema, Board Member Mikulas and Board Member Luciano

**Absent:** 1 - Board Member Kronstadt

#### **5. Consent Calendar**

#### **6. Items Called Off Consent Calendar**

#### **7. Unfinished Business**

#### **8. New Business**

- 8.A. [FBZN-24-000](#) An FBZ conditional use development plan to allow the conversion of an existing restaurant tenant space within a neighborhood shopping center into a bar. The subject property is located at 1107 South Nevada Avenue.

Presenter:

Johnny Malpica, Planner II, Urban Planning Division, Planning + Neighborhood Services

**Attachments:** [Unity Bar and Grill FBZ CUDP - Staff Report - JPM](#)[Figure 1 - Site Plan](#)[Figure 2 - Public Comments](#)[Figure 3 - Project Statement](#)

Johnny Malpica, Planner II, gave an overview of this application. This project is a conversion of a space into a bar, which is a conditional use in the form based zone. The proposal includes interior modifications that do not require a building permit. Public notice was provided and two public comments were received. Those comments identified deteriorating conditions of the surrounding neighborhood, namely homelessness, drug use, theft and acts of violence. Both comments expressed opposition to another bar serving alcohol.

There were no comments received during agency review. Staff finds that the application meets the review criteria.

Board Member Coats asked what the existing use of the space is. Mr. Malpica said it has been used for various retail purposes. The conditional use is required also because of the need for a liquor license.

Board Member Hensler asked if the neighboring restaurants also have liquor licenses and if there is an issue with multiple in-line businesses having them. Mr. Malpica said that restaurants are classified as receiving less than 50% of their revenue from alcohol and do not require the conditional use approval.

Board Member Mikulas asked about the operating hours of the surrounding businesses. Mr. Malpica said he was not aware of what those hours are.

The applicant, Carlo Guerrier, was present for questions. Chair Lord asked him to share a little about the business and the plan to address concerns. Mr. Guerrier said they will have on-site security to keep bad behavior in check. His biggest goal is to provide a place for everybody to come and relax. He acknowledged that dealing with the homeless is a problem and they do their best to mitigate any issues.

Board Member Nolette asked what the operating hours would be. Mr. Guerrier said noon to 2 a.m.

Board Member Mikulas asked what their target audience will be. Mr. Guerrier said everybody is welcome.

**Motion by Board Member Hensler, seconded by Board Member Kuosman, to approve the proposed FBZ conditional use development plan based on the findings that conditional use criteria found in City Code section 7.5.704 are met. The motion passed by a vote of 8-0.**

**Aye:** 8 - Board Member Nolette, Board Member Kuosman, Board Member Coats, Board Member Hensler, Board Member Lord, Board Member Friesema, Board Member Mikulas and Board Member Luciano

**Absent:** 1 - Board Member Kronstadt

**9. Presentations**

**10. Adjourn**