



City of Davis
Planning Commission Meeting Minutes
Community Chambers, 23 Russell Boulevard, Davis, CA 95616
Wednesday, April 10, 2019
7:00 P.M.

Commissioners present: Herman Boschken, Cheryl Essex (Vice Chair), Stephen Mikesell, David Robertson, Stephen Streeter (Chair), Greg Rowe, Emily Shandy (Alternate)

Absent: Darryl Rutherford

1. **Call to Order.** Chair Streeter called the meeting to order at 7:01pm.
2. **Approval of Agenda.** D. Robertson moved to approve the agenda, seconded by C. Essex. Motion passed unanimously.
3. **Brief Announcements from Staff, Commissioners, and Liaisons.** None.
4. **Public Comment.** None.
5. **Regular Items**
 - A. **Public Hearing: 207 F Street, Armadillo Music-** Public Convenience or Necessity Determination: Planning Application #19-11; Public Convenience or Necessity #1-19

Building & Planning Technician Tom Callinan: Applicant is requesting the determination that the Public Convenience or Necessity would be served by the Department of Alcoholic Beverage Control issuing an alcohol license to Armadillo Music.

Chair Streeter opened the public hearing.

Joshua Chapman: Owner of Armadillo Music. Intend to provide 4-6 beers on tap, as well as live music.

Dorothy Iker: Retail establishments are having a hard time staying in business these days and its necessary to have the entertainment aspect.

Chair Streeter closed the public hearing.

D. Robertson moved, seconded by G. Rowe, as follows:

1. Determine that the proposed sale of beer is exempt from further environmental review pursuant to CEQA Guidelines section 15301 as a Class 1 exemption, which includes the licensing of an existing structure or facility involving no or negligible expansion of use; and

2. Determine that the public convenience or necessity will be served by authorizing the issuance of an alcohol license to Armadillo Music located at 207 F Street, based on the findings and subject to the conditions of approval.

Motion passed unanimously.

B. Public Hearing: 400 Mace Blvd, 7-Eleven Gas Station and Convenience Store: Planning Application #18-45; Negative Declaration #2-19; Rezone/Preliminary Planned Development #6-18; Final Planned Development #8-18; Conditional Use Permit #13-18; Design Review #19-18; Demolition #7-18

Principal Planner Sherri Metzker. Applicant proposes improvements to the existing auto service station. The project includes demolition of the existing mini mart and construction and use of a new 2,336 square feet 7-Eleven convenience store.

Chair Streeter opened the public hearing.

Terri DeGraff, represents developer: Once approved- inspection on gas tanks will take place. Will look at long-term bike parking and tree placement.

Lisa Garasco and Heather Bowman, Managers for 7-11: Family based business. 7 renew program - when gas is pumped they will plant 7-11 trees based on gallons of gas pumped. Partner with schools, funding, and programs.

Chair Streeter closed the public hearing.

S. Mikesell moved, seconded by H. Boschken, to recommend that the City Council take the following actions:

1. Determine that Negative Declaration #2-19 prepared for this project adequately addresses the environmental impacts associated with the proposed project.
2. Adopt the Rezone/Preliminary Planned Development Ordinance amending the zoning designation of the site from Commercial Mixed Use to PD #6-18.
3. Approve the following entitlement applications, based on the findings and subject to the conditions of approval:
 - a. New Conditional Use Permit to continue to allow auto service station and accessory convenience store uses on the site; and to prohibit mini market sales of "firearms, ammunition, and ancillary materials to firearms..
 - b. Final Planned Development to establish the development standards for site and new building.
 - c. Design Review of site plan and building design for new convenience store.
 - d. Demolition of existing convenience store.

Motion passed by the following vote:

AYES: Boschken, Essex, Mikesell, Robertson, Rowe, Shandy, Streeter
NOES: None
ABSENT: Rutherford

C. Public Hearing: Planning Application #19-19 Zoning Ordinance Amendment #02-19 for Design Review for New Construction of Larger Homes and Additions that Considerably Expand One and Two Family Dwellings

Principal Planner Sherri Metzker: Proposal to make permanent the recent urgency ordinance adopted by the City Council to amend Sections 40.04.070, and 40.31.040 of the Davis Municipal Code to require architectural and site plan review for:

- a. The new construction of single-family dwellings, duplexes or two-family dwellings that are two or more stories; and
- b. Additions to single-family dwellings, duplexes or two-family dwellings that are in excess of 40% of the gross square footage of the dwelling at the time of effective date of this ordinance

Commissioner comments included: Levels of review based on size; what constitutes a bedroom versus a room; size limitations used by other cities; Concerned not just with size or height but with general appearance and conformance with neighborhood.

Chair Streeter opened the public hearing.

Roselyn Hyde: Concerned with house on corner of Miller and Russell which went from 1700 sq. ft. to 3700. Concerned with amount of bedrooms.

Phyllis York: Concerned about neighbors and density. Who will be enforcing? How will addition affect parking?

Chair Streeter closed public comment

S. Mikesell moved, seconded by G. Rowe, to recommend that the City Council take the following actions:

1. Determine that the ordinance amendment will not result in any significant changes to the environment within the meaning of Section 15061(b)(3) of Title 14 of the California Code of Regulations, as it merely establishes a process for review of the site plan and architecture of single-family, duplex, and two-family dwellings in areas where they are already permitted by zoning, therefore, this Ordinance is not a Project and is exempt from environmental review under the California Environmental Quality Act (CEQA) as general policy and procedure making; and
2. Adopt the Ordinance amending Sections 40.04.070, and 40.31.040 of the Davis Municipal Code to require architectural and site plan (i.e., design review) for:
 - a. The construction of new single-family dwellings, duplexes or two-family dwellings that are two or more stories; and
 - b. Additions to existing single-family dwellings, duplexes or two-family dwellings of 40% or more in gross square footage of the dwelling at the time of effective date of this ordinance.

C. Essex proposed a friendly amendment to recommend ordinance be extended for one year rather than permanent. Not accepted by mover and second.

C. Essex moved substitute motion: Recommend that the City Council adopt the Ordinance as amended:

1. Sunset in 2 years
2. Staff to report to planning commission regarding the impact of ordinance on construction/expansion of homes.
3. Removal of mature trees- strengthening findings to include whereas mature trees provide privacy screening between residences and shading and cooling for surrounding neighbors; removal will change the character of the neighborhood, disrupt the rhythm of the streetscape and is detrimental to the neighborhood.
4. Add additional function of community development and sustainability director and design review process, section 40.31.040: Review of impact of mature tree removal on neighborhood privacy, shade, cooling, character and streetscape.

No second to motion.

Main motion approved by the following vote:

AYES: Boschken, Mikesell, Robertson, Rowe, Shandy, Streeter

NOES: Essex

ABSENT: Rutherford

6. Commission and Staff Updates

A. Davis Downtown Liaison Update –

Essex: Next meeting on May 2. No draft of specific plan yet.

B. Upcoming Meeting Dates/Long Range Calendar. The next Planning Commission meeting is tentatively scheduled to be held on Wednesday, April 24, 2019. Research Park Drive item will not be discussed.

April 24: G. Rowe absent.

April 24 and May 8: C. Essex absent.

May 22: E. Shandy absent.

7. Adjournment. Chair Streeter adjourned the meeting at 9:14pm.