



**Planning Commission Minutes  
Community Chambers  
Wednesday, September 12, 2012, 7:00 p.m.**

Commissioners Present: Herman Boschken, Mark Braly, Ananya Choudhuri, Marilee Hanson, Rob Hofmann (Chair), Terry Whittier

Commissioners Absent: Paul Philley (Vice Chair)

Staff Present: Community Development Administrator Katherine Hess; Principal Planner Bob Wolcott; Planner Cathy Camacho

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**1. Call to Order**

R. Hofmann called the meeting to order at 7:00 p.m.

**2. Approval of Agenda**

A. Choudhuri moved, seconded by H. Boschken, to approve the agenda. Motion passed unanimously.

**3. Staff and Commissioner Comments**

M. Braly: Will be absent for the October 10, 2012 meeting.

T. Whittier: Requested an updated list of amendments to General Plan.

B. Wolcott: Will provide an update to the Commission.

**4. Public Communications**

None

**5. Consent Items**

A. Minutes of July 27, 2011

M. Braly moved, seconded by A. Choudhuri, to approve the July 27, 2012 Minutes.

Motion passed by the following vote:

AYES: Braly, Choudhuri, Hanson, Whittier, Hofmann

NOES: None

ABSTAIN: Boschken

ABSENT: Philley

B. Minutes of May 23, 2012

A. Choudhuri moved, seconded by T. Whittier, to approve the May 23, 2012 Minutes.

Motion passed by the following vote:

AYES: Boschken, Braly, Choudhuri, Hanson, Whittier, Hofmann

NOES: None

ABSENT: Philley

C. Minutes of August 8, 2012,

R. Hofmann requested the August 8, 2012 Minutes be amended to correct typographical errors.

A. Choudhuri moved, seconded by M. Hanson, to approve the August 8, 2012 Minutes as amended. Motion passed by the following vote:

AYES: Boschken, Braly, Choudhuri, Hanson, Whittier, Hofmann

NOES: None

ABSENT: Philley

**6. Public Hearings**

A. Planning Application #12-36, Conditional Use Permit #9-12: 215 Madson Place, VIA CrossFit

Planner Cathy Camacho: 215 Madson Place is located in the Commercial-Service Zoning District which requires a conditional use permit for “commercial recreation” uses. Parcel contains an approximately 7,700 square foot commercial building consisting of multiple individual spaces ranging in size from 770 to 1,400 square feet. The fitness studio would contain 1,300 square feet and provide approximately 900 square feet open of space, 70 square feet of office space, lobby and one unisex bathroom. No interior or exterior building changes are proposed. Parking on site adequately serves needs; if business expand in future, will amend CUP.

R. Hofmann opened the public hearing.

James Bezek, applicant: Anticipate less vehicle traffic from fitness center; many will ride bikes or use mass transit; bike parking spaces already provided on site.

R. Hofmann closed public hearing.

M. Braly moved, seconded by T. Whittier, that the Planning Commission take the following actions:

1. Determine that the project is categorically exempt from further environmental review pursuant to CEQA Guidelines Section 15301 as leasing and minor alteration of existing structures and Section 15303(c) as a minor conversion of use in an urbanized area to a structure not exceeding 10,000 square feet in floor area; and
2. Approve PA #12-36, Conditional Use Permit #9-12 to permit the use of a personal training and fitness studio at 215 Madson Place, based on the findings and subject to the conditions contained in the staff report.

Motion passed by the following vote:

AYES: Boschken, Braly, Choudhuri, Hanson, Whittier, Hofmann

NOES: None

ABSENT: Philley

B. Planning Application #12-24; Rezone #01-12, Development Agreement #04-12, Design Review #09-19: Second Street Crossing, 4601-4651 Second Street

Community Development Administrator Katherine Hess: The Second Street Crossing project was approved in 2006; Target opened in 2009. Project approvals allow four pad buildings with a total of 46,000 square feet, in addition to the Target store. Currently, Target is the only use on site. The Environmental Impact Report (EIR) included an economic analysis for the Target store as well as the additional 46,000 retail space.

The current zoning for the pad buildings lists specific allowable retail and ancillary uses. The requested modifications would reduce the size of the minimum allowable store for several uses, such as reducing the size of an apparel store from 10,000 square feet to 4,000 square feet. It would increase the cap on allowable amount of neighborhood retail from 10 percent of the pad space (4,600 sq. ft.) to 25 percent (11,500 sq. ft.), and aggregate the allowable square footage for quick-serve and sit-down restaurants. The request requires a Planned Development Amendment affecting the size and types of uses; therefore, an amendment to the Development Agreement is also required. The Design Review application reflects minor adjustments to the pad buildings and site plan.

Staff received correspondence from Davis Downtown expressing concerns to proposed changes.

R. Hofmann opened the public hearing.

Troy Estacio, applicant: Not original developer, reserved first right of refusal to purchase pad sites; exercised right approximately one year ago. Proposal is to amend the Development Agreement to make two adjustments in pad sizes. Fortunate enough to land single tenant for Building C; the total number of tenants in pad centers will likely be equal to or less than number of individual tenants contemplated in 2006. Regional retail has become smaller over time; want to attract the right tenant mix to create good synergy for center.

Stewart Savage, Davis Downtown: Original Development Agreement carefully crafted, designed center as more of a regional shopping center to attract visitors to Davis and prevent sales tax leakage. Need to balance existing neighborhood shopping and downtown with development on periphery. Input process on proposed changes has been rushed. Target has had significant impact on downtown retail; would like additional opportunity to review agreement and provide input. Suggest possibly increasing size of retail to attract larger regional shopping.

Alzada Knickerbocker, Avid Reader: Serve on Downtown Davis Board; part of business and community group that opposed Target development. Virtually no community debate on proposed changes; retail is struggling downtown.

Sinisa Novakovic: Tough to own small business; average downtown owner does not make salary comparable to city staff, would like to know which staff members are making recommendations against interests of businesses.

Doby Fleeman: Own business and property downtown. Original intent was to maintain downtown retail primacy; large amount of retail outside of downtown even before Target development occurred. In order for downtown to be more attractive to national retail operators, need to tackle issues: inadequate parking; need more wayfinding off the freeway; proposal to narrow Fifth Street will further harm downtown retailers; demographic of community—need to attract more businesses that provide employment opportunities to professionals.

Jennifer Anderson, Davis Ace/Anderson Plaza: Target shopping center was narrowly approved at election, should not change after only 5 years, commitment to community to proceed with development as originally proposed. Downtown retail needs more parking and better access.

R. Hofmann closed the public hearing.

Commissioner comments included:

T. Whittier: Consider retail in Davis as a whole, not just downtown preservation. City is competing with other cities for sales tax; need to attract new businesses. Should allow developer to rearrange floor space as needed.

M. Braly: Suggest staff pursue connecting bicycle path to Alhambra Apartments if possible. Downtown is asset to community; very subjective as what will hurt downtown. Not support proposal.

R. Hofmann: Need more time to review EIR. Decision will have significant impacts on downtown.

A. Choudhuri: Economic climate has changed since project originally approved. EIR should be updated, address greenhouse gas emissions and air quality. Request additional analysis of economic impacts on downtown. Request more communication with downtown.

H. Boschken: Number of inconsistencies between intent and purpose of districts in General Plan; need to establish distinction between downtown and periphery areas. Don't have clear boundary between what Target is supposed to represent versus downtown. Target area is a nice complement to Davis if understood as service area to larger regional community. Downtown is more of an entertainment/art village district. Request guidelines/rules/suggestions to distinguish between service area and downtown (entertainment, art, village-type setting). Question of what is competition and what isn't.

M. Hansen: Need time to review EIR and receive report from staff as to appropriateness considering time gap from initial analysis. Want to see sales tax stay in Davis. Demographics in Davis won't support many stores. 25% of population leaves for 3-4 months a year; larger percent of population are employed by government and salaries have stagnated for years.

T. Whittier moved, seconded by R. Hofmann, to continue the public hearing to September 26, 2012. Motion passed by the following vote:

AYES: Boschken, Braly, Choudhuri, Hanson, Whittier, Hofmann

NOES: None

ABSENT: Philley

K. Hess: Will consult with City Attorney and return to commission with legally adequate EIR.

Planning Commission recessed at 8:50 p.m. and reconvened at 9:00 p.m.

## **7. Business Items**

A. Summary of Environmental Sustainability Policies.

B. Wolcott: Item continued from August 8 meeting; summary intended to use as tool.

Commissioner comments included:

M. Braly: Intended to draw attention to sustainability elements already in General Plan and supporting documents. Wealth of requirements and standards already available, but they get lost. Use as a way to evaluate projects as to their sustainability.

Marilee Hanson: Concern over expanded introduction. Reports should be written in plain English, easy to understand. Recommend deleting middle paragraph and shortening last paragraph. Resolution adopting summary not necessary.

H. Boschken: Will serve useful purpose going forward. Agree that middle paragraph could be deleted.

R. Hofmann: Suggest postponing item until full commission is available for discussion. Commission consensus.

M. Braly: Support eliminating second paragraph Sustainability Subcommittee will return with amendment.

A. Choudhuri: Request update on status of intern projects.

R. Hofmann: Request staff to return with report on expectation of intern work and schedule of activities.

## **8. Staff and Commissioner Comments (continued as needed)**

A. Choudhuri: Level of detail in minutes is better, more specific information versus summary.

## **9. Informational Items**

A. Schedule of Upcoming Meeting Dates.

B. Wolcott:

- Del Oro second unit was appealed by neighbor. Scheduled for City Council hearing on September 25.
- September 26: 2 CUPs, sustainability policy summary
- October 10 or 24: Target pads; Cannery project update; Transportation Element and Implementation Plan. Understand that commissioners will need documents well ahead of time for full review.

Z. Mirabile: Provided update on commission recruitment. Scheduled for City Council appointment on October 9.

A. Choudhuri: Request Cannery Park EIR over 2 weeks in advance if possible.

**10. Adjournment.** The meeting was adjourned at 9:26 p.m. The next regular Planning Commission meeting will be held on Wednesday, September 26, 2012.