



**Planning Commission Minutes  
Community Chambers  
Wednesday, December 19, 2012, 7:00 p.m.**

Commissioners Present: Mark Braly, Herman Boschken, Ananya Choudhuri, Cheryl Essex, George Hague, Marilee Hanson Rob Hofmann (Chair)

Commissioners Absent: David Inns (Alternate)

Staff Present: Principal Planner Bob Wolcott; Planner Cathy Camacho; Building & Planning Technician Tom Callinan

---

**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**

C. Essex and G. Hague attended a Planning Commissioner training session.

**4. Public Communications**

None

**5. Public Hearings**

A. Planning Application #12-58; Revised Affordable Housing Plan #1-12; Revised Final Planned Development #13-04C: Verona Subdivision, Located at Southwest Corner of Alhambra Drive and Fifth Street

Planner Cathy Camacho: Regis Homes of Sacramento is requesting revisions to the Verona Subdivision, an 83 unit single-family subdivision located on the 8.55 acre parcel at the southwest corner of Fifth Street and Alhambra Drive. The project zoning and development plan were approved in July 2008 and the subdivision is currently under construction. The request is to modify the Affordable Housing Plan and Final Planned Development conditions of approval to allow the construction of two-story attached homes in place of single-story attached homes on three lots.

Chair Hofmann opened the public hearing.

Bill Hartman, Regis Homes: Provided details of the proposed revisions; separate lender for affordable units with guidelines set by the State, prices set based on financing feasibility due to interest rates.

Chair Hofmann closed the public hearing.

Commissioner comments included:

- H. Boschken: Suggest marketing single story units as secondary dwelling units.
- G. Hague: Single car garage is too small a footprint to accommodate disabled access via van with a lift.
- Essex: Holding developer to design that is not marketable is not in the City's best interests.
- A. Choudhuri: Requested additional information on city affordability requirements, lender requirements, and reasons why applicants did not qualify or were uninterested in units.
- M. Hanson: Need more information; should know why units are not selling. For future projects, request matrix to understand current requirements vs. proposal.

M. Braly moved, seconded by C. Essex, as follows:

1. Determine that the project is categorically exempt from environmental review pursuant to CEQA Section 15303 as new construction or conversion of small structures; and
2. Modify the Affordable Housing Plan to substitute two-story units in place of single-story units on three lots; and
3. Approve Revised Final Planned Development to amend the development standards on three lots, based on the findings and subject to the conditions.

H. Boschken moved substitute motion, seconded by A. Choudhuri, to continue the public hearing to a future meeting date with direction to applicant to return to the Planning Commission with the following information:

1. Reasons why the units have not sold. Affordability requirements? Applicants make too much money, or not enough? Attached unit design? Garage too small? Lender requirements?
2. Alternative marketing strategies. Feasibility of marketing unit as a combination—regular unit with secondary dwelling (granny flat), multi-generation development community.
3. Affordable housing requirements

Applicant: Will be able to provide information on why clients haven't qualified. Delay of this phase of the project impacts residents of subdivision and neighborhood at large.

Substitute motion was withdrawn.

Main motion failed by the following vote:

AYES: Braly, Essex

NOES: Boschken, Choudhuri, Hague, Hanson, Hofmann

B. Planning Application #12-75; Zoning Ordinance Amendment #2-12: Update Home Occupations Ordinance to Allow Cottage Food Operations

Building & Planning Technician Tom Callinan: Assembly Bill No. 1616, the California Homemade Food Act, allows for Cottage Food Operations, an enterprise at a private home where low-risk foods are prepared or packaged for public consumption, in residential districts effective January 1, 2013. Home businesses are currently permitted in Davis as an accessory use to a residence, subject to the provisions in the Home Occupations Ordinance, which allows for home-based businesses that do not change the appearance or conditions of a residence or neighborhood. The proposed zoning updates are to provide greater consistency between State and local laws related to CFOs.

Chair Hofmann opened the public hearing, and after no comments, closed the public hearing.

Commissioner comments included:

- R. Hofmann: Clarify (a)(1)—“one part-time non-familial or household member employee be working”
- A. Choudhuri: Clarify (a)(1)—“and no more than one part-time (instead of in no event may more than one)” and Ordinance Whereas 3—“residential zones and other districts with residential components.” Should use CEQA exemption 15268(c) instead of 15061(b)(3) and 15301

B. Wolcott: Suggest modifying WHEREAS as follows: “in residential districts and other districts that permit residential uses.” Staff will confirm which CEQA section applies before forwarding to Council for adoption.

- H. Boschken: Need to address possible environmental hazards from certain food production such as wine
- C. Essex: Clarify if consumption of products is allowable, current Ordinance excludes restaurants

A. Choudhuri moved, seconded by H. Boschken, as follows:

1. Direct staff to determine the appropriate CEQA exemption for adoption of the proposed Zoning Ordinance before forwarding to Council
2. Recommend that the City Council approve the proposed Zoning Ordinance

**6. Staff and Commissioner Comments** (continued as needed)

A. Choudhuri: Innovation Task Force and Studio 30’s work has been nominated for APA award along with West Village. Will be presenting CEQA basics for Planning Commissioners at the League of California Cities Conference in Pasadena next year, welcome input from Commissioners.

**7. Informational Items**

**A. Schedule of Upcoming Meeting Dates.**

B. Wolcott: January 9—T-Mobile Conditional Use Permit. January 23—Transportation Element and Carlton Plaza expired entitlement applications. Bicycle parking has been postponed and Commission Workplan may be pushed to a later date.

A. Choudhuri: Carlton Plaza is a new project to some commissioners. Request staff report provide links to previous reports for background information.

**10. Adjournment.** The meeting was adjourned at 9:01 p.m. The next regular Planning Commission meeting will be held on Wednesday, January 9, 2013.