



City of Davis
Planning Commission Minutes
Community Chambers, 23 Russell Boulevard, Davis, CA 95616
Wednesday, November 12, 2014
7:00 P.M.

Commissioners: Herman Boschken, Cheryl Essex, George Hague, Marilee Hanson (Vice Chair), Rob Hofmann (Chair), Cristina Ramirez, Stephen Streeter, Marq Truscott (alternate)

Staff: Principal Planner Bob Wolcott; Assistant Planner Eric Lee

Please note: The numerical order of items on this agenda is for convenience of reference; items may be taken out of order. No new items shall begin after 10:30 p.m. unless unanimous consent exists to continue.

1. Call to Order

Meeting was called to order at 7:02 p.m.

2. Approval of Agenda

H. Boschken moved, seconded by C. Essex to approve the agenda as listed.

AYES: Boschken, Essex, Hague, Hanson, Ramirez, Streeter

NOES: None

3 Staff and Commissioner Comments

B. Wolcott: New member introductions.

M. Truscott: Landscape architect, lived in Davis '09. Teach within landscape architecture program at UC Davis. Look forward to working with commission.

C. Ramirez: Lab Manager UC Davis Wastewater Treatment Plant. Graduated Bachelors of Science in Environmental Policy Analysis and Planning. Well ingrained in the city of Davis, grateful for opportunity to give back to community.

S. Streeter: 13-year Davis resident. 30 years' experience in EIRs, current planning, ordinances, parking studies. Look forward contributing.

4. Public Communications

None.

5. Consent Calendar

A. Minutes of May 28, 2014

M. Hanson: Request staff revise minutes to include comments made by Commissioner Essex at meeting concerning bicycle safety, greenbelt, policies, etc. for the Paso Fino project.

6. Public Hearings

A. Olive Drive Market, 1046 Olive Drive – Conditional Use Permit for Alcohol Sales (Assistant Planner Eric Lee)

Assistant Planner Eric Lee: East side of Olive Drive Area. Proposed Conditional Use Permit (CUP) to allow alcohol sales at the new Olive Drive Market which is relocating to an existing commercial building at 1046 Olive Drive (currently located on the adjacent property at 1060 Olive Drive). The store size would increase from 1,500 to approximately 2,834 sq. ft. Would like to convert existing space to office use. Existing Store has previously approved CUP, limit amount of alcohol displayed. Proposed store will have room to accommodate similar and additional goods as existing store. Received general correspondence for this area, complaint regarding homeless persons in neighborhood, not associated specifically with uses of store. (summarize uses – proposed conditions). CUPs in place to prevent transformation to a liquor store; staff recommends conservatively, Commission may approve or make changes as they see fit.

R. Hofmann opened the public hearing at 7:28 p.m.

Suresh Kumar, Applicant: First applied for CUP; did not have zoning for area at the time; responsible tenant; undergo monthly checks; store sales declined significantly when Costco in Woodland opened; hard to maintain standard of operation; ask that Planning Commission approve application; 50% customers are students, 20% of sales are alcohol; would like business to have better aesthetics to display goods; came back to Commission to allow additional space to sell wine. Only store with restrictions compared to similar stores in area.

Closed public hearing at 7:34 p.m.

B. Wolcott: Existing limitations at 25%. Linear feet based on increase in sq. footage. Staff proposed 25%, commission judgment-based, how much of the store should be used specifically for alcohol. City can revoke CUP if applicant does not comply. Commission can propose conditions uses be more or less restrictive.

Commissioner comments included:

- H. Boschken: Commission role is to consider future ownership, concerns are directed at future uses; dynamic change in area. Applicant is asking for 38% shelving, 46% refrigerated area – total linear square footage of store, dedicated to alcohol sales. Look at market corner store versus liquor store, and customer base- local residents versus specialty consumers.
- C. Essex: Thank applicant for long responsible service in community. Wish to retain as a neighborhood market, should enable to expand store limit alcohol sales by maximum percentage rather than by lineal feet.
- G. Hague: Need to look at application before the commission, should not be over-speculative of future possibilities; stores of this category have additional restrictions in place (ie state regulations, business licenses in City, etc) in order to start a similar business in the future. City previously approved 25% lineal shelving space; see no reason not to grant to applicant. G. Hague: asked difference between 20 linear feet proposed, and 25% would allow 46 linear feet;

remove 20 linear feet restriction, and allow 46 linear feet as applicant chooses. Neighborhood market, only one in the area. Responsible retailer, established for years under current CUPS. Don't see why not allow condition for more alcohol sales. dropping relationship with any linear shelving space required for alcohol, retaining 25% for shelving for alcohol

- M. Hanson: CUPs run with the land; can have responsible owner, but need to take future ownership into consideration. Percentage of alcohol based on total refrigerated space, no max limit on overall refrigerated space in store. Do not wish to take away from other uses and goods of the market to allow for higher concentration of alcohol sales.
- R. Hofmann: Confirm applicant versus license owned by family corporate entity; would be more appropriate to issue under corporation name. Clarify percentage of refrigerated alcohol applies to display refrigerators only, not total storage space. 25% non-refrigerated alcohol allowed. Potential for change in use – from mix-use component into commercial zoning. R. Hofmann: small single-use bottles conditions were restricted previously concerning student customers

G. Hague moved, seconded by S. Streeter, to:

1. Determine that the project is categorically exempt from further environmental review pursuant to CEQA Guidelines Section 15301; and
2. Approve Conditional Use Permit #06-14 for alcohol sales at the Olive Drive Market based on the Findings and subject to the Conditions of Approval, amended to delete section 19C of proposed conditions reference to linear feet of shelving space for alcohol sales approve the CUP not to exceed 25% linear shelving space..

Motion passed by the following vote:

AYES: Boschken, Essex, Hague, Hanson, Ramirez, Streeter

NOES: None

7. Informational Item

Schedule of Upcoming Meeting Dates (*Principal Planner Bob Wolcott*)

B. Wolcott: December 10 – Housing Element public hearing to be continued

8. Staff and Commissioner Comments (continued as needed)

B. Wolcott: Half-day Planning conference at Sonoma State; 1-3 members may attend.

S. Streeter: Expressed interest.

M. Hanson: Caldwell Bankers renovations. Posed question why certain projects in downtown come before commission, and which do not.

B. Wolcott: Dependent upon existing CUPs.

R. Hofmann: Welcome new members.

9. Adjournment.

Meeting adjourned at 8:36 p.m.