City of Davis
Planning Commission Minutes DRAFT
Community Chambers, 23 Russell Boulevard, Davis, CA 95616
Wednesday, October 14, 2015
7:00 P.M.

Commission Members:	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; Planner Eric Lee; Planner Cathy Camacho; Community Development Administrator Katherine Hess

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1. Call to Order
Chair Hofmann called the meeting to order at 7:01 p.m.

2. Approval of Agenda
H. Boschken moved, seconded by G. Hague, to approve the agenda.
Motion passed unanimously.

3. Brief Announcements from Staff, Commissioners, and Liaisons
Bob Wolcott: Staff will continue to use City Hall dropbox for packet distribution until further notice.

4. Public Comment
None

5. Regular Items

A. <u>Public Hearing:</u> Life in 11 Dimensions / 2720 Del Rio Place. Planning Application #15-10; Preliminary Planned Development/Rezone #3-15; Final Planned Development #2-15; Design Review #4-15; Mitigated Negative Declaration #2-15

Planner Cathy Camacho: Provided project overview. Proposal to rezone the 1.79 acre parcel to expand an existing use and develop a project that would permit a mix of uses related to visual and performing arts; small scale recreational; health and wellness; and ancillary uses. The parcel contains an existing 5,000 sq. ft. dance studio/theater constructed in 2000. Under new zoning, a 22,300 sq. ft. two-story building would be constructed on site to accommodate the current and proposed uses. Determined project maintains low traffic impacts. 174 parking spaces proposed by staff, 164 spaces proposed by applicant, per calculated daily uses. Parking issues may be addressed by Community Development/Sustainability Director. Specialty shops available for sale of items needed for site, retail, supplies, equipment. Zoning conditional uses may be condensed further with commission suggestion.

Chair Hofmann opened the public hearing.

- Pamela Trokanski, applicant: Thank staff and commission. Life in 11 Dimensions. Business purpose to provide health, wellness, creativity, and education to maintain

healthy lifestyle. Design of building to reflect multi-uses. Provided overview of proposed uses. Assist community. Site currently supports 2 businesses, proposed project will allow for 10-15 businesses. Project offers programs for all ages in community. Programs accessible for all income groups. Provide services and programs accessible for all in community. Add to character of Davis, destination, compatible with other local businesses. Tree removal necessary for building on lot. Going to plant trees.

- Cindy Robinson: After school enrichment program coordinator for proposed project. Involve children, teach performance art classes. Project aesthetics, blends with current.
- Sadri Sudan, Linda Matthew, Amy Liue, Allegra Silverstein, Emily Henderson, Elizabeth Horner, Amy Havek, and Nicole Bell spoke in support of the project. Comments included: Attest to applicant's dedication to community vision. Opportunity for diverse wellness programs and unique amenities. Great for local businesses and community.

Chair Hofmann closed the public hearing.

Bob Lindley, project architect: Scheduled to go to City Council November 3rd. Construction plans and specifications re-submit to City, late Spring, early Summer 2016. Existing dance studio to remain open during planning stages. Have planned accessibility on current site. Extensive planning into proposed site layout. Stepped architecture to tone down mass of building. Mitigations include trees and murals. Fire resistant fabric, variety available. Life span 15 years.

Commissioner Comments:

- S. Streeter: Leverage overflow parking. Potential for reciprocal parking uses.
- C. Essex: Should provide an accessible route to Carlton senior residents next door.
- M. Truscott: Western Edge Mural Art– look at timeframe for mural commission prior to build.
- R. Hofmann: Concerned with several proposed uses, conditions may need to be applied in respect to amplified noise with retirement community next door, hours of operation. Concerned with potential parking issues.
- M. Hanson: Generic building characteristics, review site plans as building with potential for future uses. Reference to Administrative Use Permit (AUP)– was not aware that AUP process applies to zoning projects outside of Accessory Dwelling Units. Western Edge Mural Art– many proposals for Design/Review already have art incorporated into site plan. Commission should be consistent with process, site should already have art in mind.

R. Hofmann moved, seconded by G. Hague, recommend that the City Council take the following action:

1. Determine that Mitigated Negative Declaration #2-15 prepared for this project adequately addresses the environmental impacts associated with the proposed project.
2. Adopt the Rezone/Preliminary Planned Development Ordinance changing the zoning designation of the subject site from Planned Development #4-88, Light Industrial/Business Park Subarea, to Planned Development #3-15, to permit a mix of uses related to visual and performing arts; small scale recreational uses such as yoga studio;

personal services related to wellness such as massage therapy, acupuncture and counseling; and other related uses to serve the Planned Development. Strike inclusion of the Administrative Use Permit (AUP) process from the proposed ordinance.

3. Approve the following entitlement applications, based on the recommended findings and subject to the conditions of approval:
   (a) Final Planned Development to establish development standards, including building setbacks, building height, lot coverage, floor area ratio, parking, and open space.
   (b) Design Review of the site plan and architecture.
   (c) Provide flexibility in the requirement for the project to provide an arborist report

M. Hanson proposed Friendly Amendment: Add language requiring the mural space to be filled in step with construction. Applicant shall make every effort to no later than 12 months following occupancy to commission building murals.

Not accepted by mover and second.

Motion passed by the following vote:

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

NOES: Hanson

The meeting was recessed at 8:25 p.m. and reconvened at 8:29 p.m.

B. <u>Public Hearing:</u> Appeal of 132 A Street Addition. Planning Application #15-52 for Design Review #19-15, Minor Modification #5-15. Wolfman Appeal: Planning Application #15-62: Appeal #2-15; and Palmer Appeal: Planning Application #15-63: Appeal #3-15.

Planner Eric Lee: Provide project background. Project was administratively approved on August 19, 2015, pursuant to City procedures. The approval was subsequently appealed by two different neighboring parties, requiring a Planning Commission hearing. Comments included letters in support of the appeal from three other neighbors. The applicant has since modified the proposal to remove the bedroom addition. The 80 square-foot laundry room with the reduced 18-foot rear setback is still proposed. The revision satisfies the concerns of one of the appellants, but the second appellant party continues to appeal the project even with the reduced addition, oppose proposed setback changes to neighboring properties.

Chair Hofmann opened the public hearing.

- D. Wolfman, appellate: Reside next door. Property used as rental, mainly rented by students. No issues with current revised proposal after removal of bedroom addition. Support commission adding condition to reduce laundry space.
- D. Moore, architect: Proposal for laundry room use only. Application for rear-yard reduction, possible with current zoning. Removed third bedroom addition to satisfy neighbor concern. Project site property lines share with rear townhouse garage building, single-story home. Surrounding building two- to three- story structures. Minor modification with low impact to neighborhood.
- C. Bradley: Concerns raised in neighborhood regarding homes turning into student rentals. Little regulation for number of renters actually residing in homes.

Consider potential for misuse.

- M. Knepp, Project Contractor: Washer/Dryers currently sit outside house. Basement unusable as laundry room. Proposed wall is most feasible for addition.

Chair Hofmann closed the public hearing.

E. Lee: Commission vote on appeals. Approve revised project. Original proposed project was administratively approved: compatible with design guidelines, site specific and neighborhood specific standards. Staff did not receive much opposition. Existing noncomformed parking standards non-issue with project.

S. Streeter, H. Boschken and M. Hanson: Express concerns regarding potential additional uses of laundry space. Large enough space for improvised bedroom.
R. Hofmann: Under building standards, room not classified as bedroom unit. Address encroachment concerns with rear setback.
G. Hague: Laundry Room use consistent with zoning. Consistent with character of property. Not concerned with potential uses.

H. Boschken moved, seconded by G. Hague, to take the following action:

1. Deny Appeal #2-15 (Planning Application #15-62) appealing Planning Application #15-52 for the 132 A Street addition and approve the revised project based on the Findings and Conditions of Approval contained in the staff report; and
2. Deny Appeal #3-15 (Planning Application #15-63) appealing Planning Application #15-52 for the 132 A Street addition and approve the revised project based on the Findings and Conditions of Approval contained in the staff report; and
3. Determine that the proposed project (Planning Application #15-52) is categorically exempt pursuant to CEQA Guidelines Section 15301 which exempts alterations and additions to existing structures.

M. Hanson proposed friendly amendment: Modify approval language to Condition 1, specifically for proposed site plan that use is for laundry room. Accepted by mover and second.

Motion passed unanimously.

C. <u>Public Hearing:</u> 416 and 420 J Street Residences

1. 416 J Street Duplex: Planning Application #15-58 (Demolition #3-15, Design Review #23-15, Minor Modification #6-15); and
2. 420 J Street Single Family Dwelling and Accessory Dwelling Unit: Planning Application #15-59 (Demolition #4-15, Design Review #24-15, Minor Modification #7-15)

Planner Eric Lee: Provide proposal overview. Demolish two existing duplex structures with detached garages and to construct two replacement projects. One 1,965 sq. ft. duplex with detached garage; consisting of a three-bedroom, two-bathroom lower level unit; a two-bedroom, two-bathroom upper level unit; and a 2,234 sq. ft. single-family residence; consisting of four-bedrooms, three-bathrooms, with a covered front porch and

covered rear deck; and a 501 sq. ft. one bedroom, one bathroom accessory dwelling unit above a detached garage. City ordinance requires new single family housing and duplexes to provide solar panels. Hardship provision of process may include unfeasibility due to tree coverage or roof coverage, as determined by Community Development/Sustainability Director.

Chair Hofmann opened the public hearing.

- Michael Gardener, project architect: Lot conditions provided for difficulties in planning and compliance. Removing the Valley Oak would allow the project to be more in compliance with the regulations. Projects create variety in neighborhood, more reflective of character of historic neighborhood. Not cookie-cutter homes. Stairs in front of home, architectural feel. Porches collect unwanted furniture and clutter. Maintain density, not increasing density of neighborhood. Average setbacks pushed back, affects open space, lot size, etc. Blend streetscape view with neighborhood character.
- Larry Guenther, Old East Davis Neighborhood: Follows design guidelines. Applicant has been in communication with neighbors.
- Troy Braungardi: Positive process. Neighborhood outreach. No issues.

Chair Hofmann closed the public hearing.

Tom Cross, applicant: Resident 420 J Street. Plan to live at site. Looking at moving current Valley Oak. Solar panel requirements counteract tree functions. Design constraints with current guidelines. Difficult to plan functional accordingly

M. Gardener: Altering plans to preserve trees presents setback issue. Becomes building issue. Challenge to counter root system of tree, potentially cut root structures. Moving trees is more of a viable option in proposed project scenario. Would be able to move trees to area where coverage is more useful; i.e. front yard setback, still on site.

Commissioner comments:

- S. Streeter: Potential for shared driveway, rejected previously. Necessary lot line adjustments?
- C. Essex: Concern with unknown number of trees to remain on site. Urban forest benefits community. Understand desire to maximize square footage on lot. Trees have significant value to community over solar panels in this neighborhood. Front elevation of the lower level duplex unit may be modified to provide for a front entry oriented to the street.
- M. Truscott: Support retaining trees on lot. Valuable heritage to community. Look at options for shared driveway.
- M. Hanson: Support prioritizing retaining trees on lot. To recommend to CDS Director.

C. Essex moved, seconded by S. Streeter, to approve as follows:

1. Determine that the projects are categorically exempt pursuant to CEQA Guidelines Section 15301 which exempts the demolition of a single-family residence and Section 15303 which exempts new construction of a single-family residences, accessory units, or duplex residences;

2. Approve Planning Application #15-58 for the proposed demolition and replacement project located at 416 J Street based on the Findings and Conditions of Approval with removed Condition 17 regarding Front Entry Location.
3. Approve Planning Application #15-59 for the proposed demolition and replacement project located at 420 J Street based on the Findings and Conditions of Approval, with the following modifications:
   a. Add Condition to retain trees 73, 75 and 76 in current location, or transplant with 5 year monitoring plan with replacement value.
   b. Add Minor Modification reduction to the usable open space requirement on 420 J Street to provide flexibility for the tree preservation.

S. Streeter proposed friendly amendment: Clarification regarding the necessity of the lot line adjustment condition, if required by Public Works Director. Accepted by mover.

M. Hanson: Priority for retaining trees over solar panel requirements.

Motion passed unanimously.

Meeting recessed at 10:15 p.m. and reconvened at 10:21 p.m.

D. <u>Business Item:</u> Comments on the Nishi Gateway Project Draft Environmental Impact Report.

Chris Mundhenk, Ascent Environmental: Provided background and overview of proposed project. Presented Draft Environmental Impact Report (DEIR). Four alternatives addressed: "No Project", "R&D Only", "Alternative Land Use Mix" and "Off-Site Alternative". Outlined design themes, sustainability framework, project goals, and proposed features. Provided summary of key and low impacts identified in DEIR. Purpose of meeting item to receive comments and questions from any interested party regarding the adequacy of the subject DEIR as an informational tool for making decisions regarding the proposed project. Comments received at this meeting will be summarized and responded to later in writing as a part of the forthcoming Final EIR "Response to Comments" document. Comment period ends October 26.

Public Comment:

- Tom Cahill: Should eliminate residential housing. Concerns regarding air quality impacts. Location of Nishi property is highly affected area, cumulative effects on long-term residents— braking aerosols; diesel exhaust on uphill grade; exhaust from trains accelerating leaving Davis. Pressurizing air in multi-family complexes, can be done on smaller complexes. Research wind tunnel using trees to mitigate pollutants.. Industrial uses on site closer to highway, without residential. Difficult project, similar situation to Land Park in Sacramento.

Commissioner comments:

- M. Hanson: Request future hearing items not to take place after 10 p.m. Not open to the public, missed opportunity to hear expert comments.

- C. Essex: Train noise mitigation. Establishing a quiet zone is not workable. Deaths have occurred near station, train whistle provides warning.

Community Development Administrator Katherine Hess: Interchange improvements being designed, prompted by Hotel Conference Center. Long term plan for Richards Corridor, improvements likely to be part of development package. Potentially bring back in January.

6. Commission and Staff Communications

A. Upcoming Meeting Dates

Bob Wolcott: The next meeting scheduled to be held on Wednesday, October 28, 2015. November meeting to be held on November 18th due to holidays on November 11th and 25th. Request confirmation of commissioners' availability for alternate meeting date.

7. Adjournment.

Meeting adjourned at 11:04 p.m.