



City of Davis
Planning Commission Regular and Special Meeting Minutes
Community Chambers, 23 Russell Boulevard, Davis, CA 95616
Wednesday, May 24, 2017
7:00 P.M.

Commission Members: Herman Boschken, Cheryl Essex, Marilee Hanson (Vice Chair), Rob Hofmann (Chair), Stephen Mikesell, Stephen Streeter, David Robertson (Alternate)

Absent: Darryl Rutherford

Staff: Assistant City Manager Mike Webb; Assistant Community Development / Sustainability Director Ashley Feeney; Planner Eric Lee

1. Call to Order

The regular and special meetings were called to order at 7:00 p.m.

2. Approval of Agenda

C. Essex moved, seconded by M. Hanson, to approve the regular meeting agenda.

Motion passed by the following vote:

AYES: Boschken, Essex, Hanson, Hofmann, Mikesell, Streeter, Robertson

NOES: None

ABSENT: Rutherford

R. Hofmann moved, seconded by H. Boschken, to approve the special meeting agenda.

Motion passed by the following vote:

AYES: Boschken, Essex, Hanson, Hofmann, Mikesell, Streeter, Robertson

NOES: None

ABSENT: Rutherford

3. Brief Announcements from Staff, Commissioners, and Liaisons

None

4. Public Comment

- Bethany Strong: Consent item, Oxford Circle Right of Way Vacation— request not remove public parking spaces.

5. Consent Calendar

A. Item removed for discussion.

General Plan Consistency Determination for Vacation of Right-Of-Way (ROW) at 525 Oxford Circle; Planning Application #17-21 for ROW Vacation #01-17.

Planner Eric Lee: Requires City Council action to vacate, and planning recommendation general plan consistency determination. Previously vacated eastern portion of Ox-

ford Circle. Applicant has agreed to condition to retain public parking spaces.

Public Comment:

- Roy Benson, Manager Casa de Flores Apartments: Concerned that vacation will result in reduction of available parking. Already poor parking situation will be made worse.
- Josh Martinez: Concerned vacation will reduce parking. Utilize public spaces at Oxford Circle, cannot afford \$500 parking permit.

R. Hofmann moved, seconded by H. Boschken, to find that the proposed vacation of right-of-way is consistent with the Davis General Plan.

M. Hanson proposed Friendly Amendment: Recommend City Council retain 9 public parking spaces. Accepted by mover.

Motion passed by the following vote:

AYES: Boschken, Essex, Hanson, Hofmann, Mikesell, Streeter, Robertson

NOES: None

ABSENT: Rutherford

Planning Commission Special Meeting Item

4. Regular Items

- A. Public Hearing: Proposed Improvements to the Gas and Shop at 4480 Chiles Road;** Planning Application #14-79: Mitigated Negative Declaration #3-17, Rezone #8-14, Lot Line Adjustment #2-14, Conditional Use Permit #10-14, Design Review #27-14

Chair Hofmann opened and continued to the Planning Commission meeting of June 14, 2017.

Special meeting adjourned at 8:08 p.m.

6. Regular Items

- A. Public Hearing: Certification of Final Environmental Impact Report (EIR) for Mace Ranch Innovation Center (MRIC) Project**

Heidi Tschudin, Project Manager: Provide project background and timeline. Environmental Impact Report (EIR) covers original project, not later variations proposed. June 2016, applicant ceased processing of the project. Submitted a letter requesting certification of the EIR document. Provided overview EIR Certification requirements. Required to certify CEQA before taking action on a project. Process may be bifurcated if City chooses to do so. Subsequent consideration of the project would be guided by CEQA guidelines, related to project changes. If change to project description, would need to be analyzed at the time. Notice of Determination is filed at the time of action on project.

Nick Pappani, Environmental Consultant: Brief overview of project. The project pro-

posed a mix of industrial, commercial, and retail uses totaling 2.7 million sq. ft. on 212 acres, and Mace Triangle component, which included 71,000 sq. ft. on 16.6 acres. Research and development, manufacturing, hotel, conference center, general and ancillary commercial, office and retail uses. Overview contents of EIR document. Cumulative impacts; full build out of Davis General Plan, full build out of other proposed innovation center projects. Summary of significant and unavoidable impacts. Summary of responses and revisions to Draft EIR. Housing alternative proposed as alternative to mitigate impacts, 60% of units would need to be occupied by on-site employees. City requires mitigation offset for agricultural impacts. Detailed response in the FEIR regarding burrowing owls. Consultants surveyed during two seasons, did not find evidence of burrowing owl nests. Regional requirement that active burrowing owl habitat requires set aside 6.5 acres per nesting pairs; similar mitigation for Swainsons Hawk.

Assistant City Manager Mike Webb: Provide additional background and process overview. City Council direction to process the project applicant's request for the City to certify the EIR. Overview of next steps. Will hold two meetings before the Planning Commission. The item will return to the Commission for final recommendation to City Council. Decision-making action is intended to be solely related to certification of the EIR and not an approval or action on details of the project. Multiple City commissions reviewed and provided comments on Draft EIR. Final EIR charge falls under Planning and City Council purview.

Chair Hofmann opened the public hearing.

- Armando Guerrero and Christina Caro, Davis Residents for Responsible Development; Carlos Warrens; Jean Jackman and Roberta Millstein spoke in opposition of EIR certification: City should not certify an EIR when project is not proposed. EIR did not adequately describe original project and project components for mitigation of impacts; applicant acknowledges intent to modify project. EIR does not adequately address impacts. New project should come with a new EIR. Developer should make commitment to community core values, including education and local hiring. Open Space and Habitat Commission comments. City's General Plan does not contain designated scenic vistas, while other City documents do. Smaller project could have provided mitigation of impacts of original project. Mace Triangle purchased with open space funds. City's Open Space priority areas, very little still exists. City has been supporting conservation easements; only open space remaining is area to be sold. Will hinder City's chances to pass another parcel tax.
- Alan Pryor; Eileen Samitz; Colin Walsh and Connor Gorman expressed concerns regarding certification process: Unusual process, perpetuating distrust of City-wide planning practices in Davis. Certification without a project, if EIR is certified, City loses negotiating power over project. Opens door to disputes as to whether or not a new EIR will be needed. Question accuracy of burrowing owls study— no mitigation proposed, study was conducted at a time of year not recommended by CA Fish and Wildlife. Mixed-use equal weight alternative, unreasonable assumption that 80% housing units would contain at least one innovation center employee. Cumulative impacts, should analyze traffic analysis for recent hotels approved. No other commissions have reviewed the FEIR at this time. Concerned project will not be sustainable

if not approved as dense as possible.
Vice Chair Hanson closed the public hearing.

R. Hofmann left the dais at 8:30p.m.

Commissioner comments:

- D. Robertson: Concerned with process, question legal issues of discussing EIR at this time. Lack of standard for review, how City will evaluate project changes. Potential for opening up EIR for re-analysis; prejudicing City's rights by certifying a project that will not be built? Concerned with housing alternative proposed.
- H. Boschken: Economic considerations raised in EIR, impact comparisons with Nishi or Davis Innovation Centers— dead issues now, should not be considered as part of EIR. Uncertain how certification will formally end project efforts? Recognize future project approval process may require further environmental analysis. Would be more logical to suspend process at this time.
- M. Hanson: EIR document does not describe the project it would ultimately be prescribed for. Supplemental EIR would need to be produced if a modified project comes forward. Mixed-use alternative— legal mechanisms to ensure occupancy contains workers, not realistic. Mace Triangle, concerned how land purchased with Measure O funds ended up as part of project.
- S. Mikesell: Concerns of legality of process and document. Concerned with original intent of City purchase of Mace Triangle property with Open Space funds.
- C. Essex: Concerned EIR impacts, loss of open space. Burrowing owls— was not initially clear as to mitigation if site specific is active habitat.
- S. Streeter: Supplemental EIR in the future should address current projects in relation to project; Lincoln 40, Nishi, Sterling, etc. Needs to be some discussion as to impacts from current developments in City.

R. Millstein: Provided brief background of Mace Triangle property, purchased through Open Space funds. Open Space and Habitat Commission (OSHC) recommended utilizing property as community farm. DEIR contains comments; OSHC did not raise objections to property inclusion for innovation center.

D. Robertson: Request staff provide information regarding process following EIR certification. Request City Council be privy to prejudices facing the City if EIR is certified and project is modified.

M. Hanson: Request staff response to information provided in public correspondence received by Commission.

Vice Chair Hanson continued the item to the Planning Commission meeting of June 28, 2017.

7. Commission and Staff Communications

C. Essex: Davis Futures Forum meeting May 25, 7:00pm; opportunity to re-think vision for downtown Davis. Listen to Dan Zach, downtown coordinator for Redwood City.

A. Feeney: City Council adopted Commercial Cannabis Ordinance regulating Manufacturing/Research & Development/Testing/Distribution. Chiles Ranch Subdivision, City Council approved with modification to require 12 on-site affordable units and 8 in-lieu.

A. Upcoming Meeting Dates

A. Feeney: The next Planning Commission meeting is tentatively scheduled to be held on Wednesday, June 14, 2017.

8. Adjournment.

Meeting adjourned at 9:38 p.m.