



City of Davis
Planning Commission Meeting Minutes
Community Chambers, 23 Russell Boulevard, Davis, CA 95616
Wednesday, July 26, 2017
7:00 P.M.

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

Staff: Assistant City Manager Mike Webb; Community Development & Sustainability Assistant Director Ashley Feeney; Planner Ike Njoku; Planner Cathy Camacho

1. Call to Order

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

2. Approval of Agenda

H. Boschken moved, seconded by M. Hanson, to approve the agenda as listed. Motion passed unanimously.

3. Brief Announcements from Staff, Commissioners, and Liaisons

Assistant Director Community Development/Sustainability Ashley Feeney: Last commission meeting before summer recess.

4. Public Comment

- Timothy Owen: Lincoln40 massive in scale, cause impacts on downtown and central Davis. City should halt student housing efforts until University steps up.

5. Regular Items

A. Public Hearing: Blessed Extracts Cannabis Manufacturing / 2121 Second Street:
Planning Application #17-07, Negative Declaration #2-17, Conditional Use Permit #1-17

Planner Cathy Camacho: Application for medical cannabis extracting, manufacturing, and laboratory use in an approx. 10,300 sq. ft. vacant space. Applicant intends to conduct research and development on cannabis extraction methods. The quantity of chemicals that the laboratory is expected to handle exceeds the threshold quantity established in the Zoning Code for potentially hazardous materials. A Conditional Use Permit approval is required to allow the amount of materials proposed.

Chair Hofmann opened the public hearing.

Blake Paterson, Applicant: Overview of business, description/process of manufactured cannabis and proposed extraction equipment. Operational footprint—5-10 employees; production

output based on equipment. Business model focus on wholesale accounts.

Chair Hofmann closed the public hearing.

A. Feeney: History of similar uses for site. Staff feels that findings can be made that use is compatible.

B. Paterson: Anticipated less than 100lbs /week of biomass waste. Safety plan will be further reviewed by Police Department. Materials will be quarantined on arrival, and quality tested. Yield is 10%, cannabinoid biomass is treated and removed. Track waste chemicals and waste biomass. Contractor to burn/destroy product.

Renee Riggs, Applicant Environmental Health and Safety Consultant: Two extraction processes, one is solvent liquefied petroleum gas (LPG), the other uses CO2 gas. Closed-loop system to preserve gases for use and for safety. Flush ventilation, alarms, and detectors to detect flammable conductivity. to go above minimum Fire Code requirements.

Dave Carlson, property owner: History of occupancy.

B. Paterson: Contacted everyone within 500-ft. radius. No objections expressed. One request to provide cameras to record entrance/driveway, to be determined by Police Department.

Fire Marshal Tim Annis: Fire risk is expected as rapid burn not explosion, would require pressurization. LPGs of the proposed size can be found throughout the City.

H. Boschken moved, seconded by S. Streeter, as follows:

1. Determine that the Negative Declaration #2-17 prepared for this project adequately addresses the environmental impacts associated with the proposed project.
2. Approve Conditional Use Permit #1-17 based on the Findings and Subject to the Conditions of Approval.

AYES: Boschken, Essex, Mikesell, Rutherford, Streeter

NOES: Hofmann, Hanson

Meeting recessed at 8:18 p.m. and reconvened at 8:26 p.m.

B. Public Hearing: Lincoln40 Apartments Project Draft Environmental Impact Report: Planning Application #16-01 for General Plan, Specific Plan and Zoning Amendments; Lot Merger; Demolition; Affordable Housing Plan; Development Agreement; and Environmental Impact Report (EIR)

Planner Ike Njoku: Proposed residential in-fill project for demolition of an existing 14-unit apartment complex and ten single-family homes, and the construction of a 249,788-sq. ft., 130-unit multi-family residential building, as well as parking areas, accessory structures, various amenities and site improvements. The project would include a mix of two- to five-bedroom fully furnished units, primarily designed as student-oriented housing; 473 bedrooms, 235 pro-

posed as double occupancy.

Nick Pappani, Raney Planning and Management: Overview of CEQA process and timeline. Project qualifies for CEQA Streamlining— consistency with SACOG Metropolitan Transportation Plan/Sustainable Communities Strategy, Environmental Impact Report is not required to reference growth-inducing impacts or project-specific or cumulative impacts on global warming or regional transportation. Impacts/Mitigation Measures— all impacts could be reduced. No significant or unavoidable impacts found. DEIR comment period closes August 2, 2017. Provide opportunity for public and commission comments on the Draft EIR for the project, which will be summarized by staff for inclusion in the Final EIR.

Chair Hofmann opened the public hearing.

- Rain Watson: Residents will impact intersection and downtown grid. Should preserve trees.
- Susan Rainier: Concerned about tree preservation; arborist should be present during construction to ensure low impacts to landmark trees. Traffic and public safety access concerns. Should eliminate swimming pool. Project should be LEED Gold, solar-ready.
- Sara Williams and Amanda Bernal, ASUCD: Students value easy access to downtown area.
- Eric Gudz: Consider Richards Blvd interchange modifications. Importance of bike/ped overcrossing at Olive Drive. Most students do not contribute to auto traffic or parking issues in the downtown area.
- Connor Gorman: Overcrossing over Union Pacific tracks would do more to mitigate traffic impacts. Look at affordability both for low-income and for students.
- Josh Dalvie: Encouraged that mitigation measures address most impacts identified in EIR document. Pressure still lies on the University to alleviate student housing crisis.
- Eva Gerava, VEDI Kashal, and Kasia Hart: Support project.
- Alan Miller: Support overcrossing to train station.
- Carolyn Short: Traffic impacts at Richards/Olive Drive intersection
- Richard Casseis: EIR is deficient in hazards chapter.
- Eileen Samitz: Oversized project. Emergency vehicle access concerns. Stress water usage monitoring and conservation incentives. Need to address potential plume emanating from City side of railroad tracks. Concerned with EIR conclusions, and no project alternative.
- Alan Hirsch: Project will add to already impacted area at Richards/Olive intersection.
- Jim Gray: Suggest less parking, additional density.
- Jon Li: Transportation Element does not take into account all bike/pedestrian traffic moving across Richards/Olive intersection. Should construct overcrossing before project build-out.
- Paul Gratiff, project developer: Focus is on off-campus student housing and young adults. Project addresses City goals and housing issue. Eliminate auto trips to/from campus.

Chair Hofmann closed the public hearing.

Fred Choa, Fehr & Peers: Increment of 5-second delay, identified mitigation for automobiles and bike/pedestrian impacts on intersection. Level of Service F at current General Plan, able to mitigate back to equal or better than current levels. Closing Olive off-ramp off I-80 will miti-

gate traffic traveling to Olive/Richards.

N. Pappani: On-campus alternative— matched density of project, which disqualifies as viable superior alternative whereas other alternatives have reduced density potential. Plume issue— BAAQMD Supreme Court concern is effects of project on environment, not environment on project. Question is whether project will exacerbate an existing condition. Analysis of indoor spaces, non-detectable levels of vapor contaminants. Project site is south of previously sampled location. Not a potential to encounter groundwater or expose construction workers or residents to contaminants.

Commissioner comments included:

- Pedestrian and vehicular patterns will be impacted by other projects.
- More could be done to address affordability issues.
- Building traditional apartments would have better long-term uses than student housing.
- Request more information regarding overcrossing.

Meeting recessed at 9:54 p.m. and reconvened at 10:02 p.m.

C. Public Hearing: Retail Cannabis Dispensary Ordinance Recommendations

Assistant City Manager Mike Webb: Request Planning Commission discuss the proposed draft Zoning and Regulatory Ordinances pertaining to land use for retail cannabis businesses; application submittal requirements; CUP review criteria, and permitting process for both cannabis retailers physically located in the city and retailers performing delivery sales within the city originating from businesses located outside of the city. Cannabis Study Areas map— Council indicated desire for 600ft to be guidance range, potentially less if warranted on a case-by-case basis. Permitting trial period— City will begin with allowing 2-4 dispensaries.

C. Essex left the dais at 10:20 p.m.

Chair Hofmann opened the public hearing.

- Timothy Skimmel, California Cannabis Business Industry Association: Look forward to working with the City, bring in revenue, educate on benefits of cannabis products and address community concerns.
- Eric Gudz: Yolo Cannabis Coalition, Students for Sensible Drug Policy. Allow businesses to reach out to community and address concerns prior to occupancy.
- Anthony Vasquez: Dispensary owner in Sacramento, have submitted a pre-application to the City. Hope to submit CUP application in future.
- Connor Gorman: Support limiting number of dispensaries initially. Believe delivery services should be subject to same tax/business regulations as brick and mortar stores.
- Davis Carlson: Suggest add sensitive receptors and proximities; identify property that now has many CUP uses.
- Rob Reid: Looking for objective ways to weigh applications against each other. Concern is dispensaries opening who don't care about the community.

Chair Hofmann closed the public hearing.

Commissioner comments included:

- R. Hofmann: Medical dispensaries have different clientele, should treat as non-identical use. Would prefer restrict proximity schools, libraries, and churches. Allow concentration of adult use dispensaries downtown. Disperse medical dispensaries for patient access. Signage related to foreign visas should be addressed.
- D. Robertson: Not concerned with placement of medical dispensaries. Should treat medicinal dispensaries as medical services. Treat recreational similar to bar or liquor store. Use buffer restriction.
- S. Mikesell: Not support on site consumption. Cigarette smoking ban intended as public health measure; should also apply to marijuana. Prohibit residential areas. Number one concern is keeping teens from accessing products.
- H. Boschken: On-site consumption restricted to smoking or includes edibles or concentrates? Would need to be located in established retail center?
- M. Hanson: Suggest provide a buffer zone limiting proximity to residential zone, including greenbelts.
- D. Rutherford: Oppose allowable use in light industrial zoning districts or near schools. 1000ft radius problematic, should allow concentrating in downtown core area. Oppose drive thru recreational dispensaries. On-site consumption could be determined on a case-by-case basis. Support lobby requirement. Not support signage. Should prioritize local owner/distribution/cultivation.
- S. Streeter: Regulatory challenge for police department.
- D. Rutherford / D. Robertson: Limit drive thru dispensaries to medicinal only.

6. Commission and Staff Communications

A. Upcoming Meeting Dates

A. Feeny: Next Planning Commission meeting is tentatively scheduled to be held on Wednesday, August 23, 2017. Affordable housing workshop at City Council meeting, September 19.

D. Rutherford: Organization released informational material on affordable housing funding sources.

M. Webb: City Council workshop on in-lieu fees September 19. Mayor Davis expressed interest in meeting with staff and Chair Hofmann to work on preparation for additional PC/Council joint meeting in the fall.

7. Adjournment.

Meeting was adjourned at 11:31 p.m.