

**Planning Commission Minutes  
Community Chambers  
Wednesday, January 27, 2010, 7:00 p.m.**

Commissioners Present: Mark Braly (Chairperson), Ananya Choudhuri (Alternate), Greg Clumpner, Lucas Frerichs (7:05), Rob Hofmann, Kris Kordana (7:08), Terry Whittier

Commissioners Absent: Mike Levy (Vice-Chairperson)

Staff Present: Mike Webb, Principal Planner; Xzandrea Fowler, Planner; Lynanne Mehlhaff, Planning Technician

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**1. Call to Order**

Chairperson Braly called the meeting to order at 7:00 p.m.

**2. Approval of Agenda**

The agenda was approved by consensus.

**3. Staff and Commissioner Comments (No action).**

Mike Webb, Principal Planner, said the Carlton Plaza project, Senior Living complex, will be at the City Council meeting on February 2, 2010.

Chairperson Braly reminded everyone about the workshop tomorrow night in these Chambers beginning at 7:30 p.m. on “Plug-in Electric and Hybrid Vehicles” by the Climate Valley Action Project and the City of Davis.

**4. Public Communications**

There were no public communications.

**5. Consent Items**

**A. Planning Commission Minutes of November 18, 2009**

Action: Commissioner Whittier moved approval and Commissioner Choudhuri seconded the motion.

AYES: Choudhuri, Whittier, Braly

NOES: None

Abstain: Clumpner, Hofmann

The motion carried 3 -0-2.

## **6. Public Hearings**

### **A. PA #29-09, 1004 West Eighth Street, Conditional Use Permit #08-09 for an attached second unit; (Xzandrea Fowler, Planner)**

Public Hearing to consider approval of a Conditional Use Permit to allow the construction of an attached second unit with one bedroom, a full kitchen and bathroom in front of the existing residence at 1004 West Eighth Street. The proposed addition will be used as a care-giver unit. The addition is approximately 456 square feet. The subject property is zoned R-1-6 (Residential One-Family District) which allows single family residences and accessory structures like the proposal. The project requires a Conditional Use Permit for the proposed second unit since it exceeds 325 square feet of new space. The proposal complies with all applicable development standards.

Xzandrea Fowler, Planner, presented the staff report.

Chairperson Braly opened the public hearing.

Winfried Schleiner, owner, explained how he was changing two bedrooms into one bedroom and the total potential bedrooms will be five. He wanted the new addition to look like the house such that you couldn't tell he added on to the house.

Ken Kirsch, contractor and designer, explained how the pitch and roofline would work with the remodel/addition. He said they had submitted colors and materials that would match the existing house.

Chairperson Braly closed the public hearing.

Commissioners asked questions about the center room being made a part of the adjacent bedroom and zoning definitions of a bedroom.

Staff answered questions and said the Commission could condition the application with a deed restriction that the 6<sup>th</sup> room not be used as a bedroom and then it wouldn't have to be altered.

**Action:** Commissioner Kordana moved approval of the Conditional Use Permit with a waiver to allow the existing rooms to stand without modification provided findings that state in the future that the 6<sup>th</sup> room wouldn't be used as a bedroom and there be a deed restriction placed to state that the room without a window not be used as a bedroom. Commissioner Choudhuri seconded the motion.

Commissioner Clumpner added a friendly amendment that a design review is done at staff level so that the remodel looks good from the street. After some discussion, Commissioner Clumpner withdrew his request for a design review.

Winfried Schleiner, owner, said he was confused and wanted the room with no windows as a bedroom.

Commissioner Kordana substituted the motion to provide maximum flexibility for the applicant and moved approval of staff recommendation with the modification of the French doors to 50% open to the adjoining room. Commissioner Frerichs seconded the motion.

Chairperson Braly asked staff to investigate the possibility of whether it was necessary to make the alterations to the French doors opening since the present egress seemed adequate. Staff responded that it was up to the Chief Building Official to decide on whether the current opening was sufficient for egress.

**AYES:** Choudhuri, Whittier, Clumpner, Frerichs, Kordana, Hofmann, Braly  
The motion passed unanimously 7 to 0.

**B. PA #26-09, 4600 Fermi Place, Clearwire Wireless, Conditional Use Permit #07-09; (Lynanne Mehlhaff, Planning Technician)**

Public Hearing to consider approval of a Conditional Use Permit to allow the collocation and installation of a wireless broadband internet facility inside and on a new pole extension on an existing AT&T "stealthed" monopole at 4600 Fermi Place. The extension will increase the pole height from 52' to 68'. The proposed project would consist of three 48" panel antennas, three BTS units and three 26 inch microwave dishes hidden inside the radome extension of the monopole. A site support equipment cabinet would be located adjacent to the existing AT&T ground lease area. From the proposed location, Clearwire Wireless would be able to provide broadband internet service to a two to three mile radius for their residential and small business customers.

Lynanne Mehlhaff, Planning Technician, presented the staff report.

Chairperson Braly opened the public hearing.

Larry McDonough, applicant for Clearwire Wireless, answered questions from the Commission and said that if the monopole was a tree, it would be more noticeable.

Chairperson Braly closed the public hearing.

**Action:** Commissioner Kordana moved approval of the Conditional Use Permit based on the findings and conditions contained in the staff report. Commissioner Whittier seconded the motion.

**AYES:** Choudhuri, Whittier, Clumpner, Frerichs, Kordana, Hofmann, Braly  
The motion passed unanimously 7 to 0.

**C. PA #34-09, Zoning Ordinance Amendment #01-09, Zoning Ordinance Amendment for Fence Standards and Omnibus Zoning Amendments; (Eric Lee, Assistant Planner)**

Public Hearing to consider approval of minor amendments and technical corrections to various sections of the city Zoning Ordinance (Municipal Code Chapter 40) to include: adding a definition and clarification for residential fence standards; changing the expiration and extension dates for minor modifications to be consistent with other entitlements; adding language to conditional use permits to allow denials without prejudice; and other minor corrections such as elimination of redundant language, correction of typo mistakes, and deletion of outdated references.

Chairperson Braly opened the Public Hearing and continued it to February 10, 2010.

**7. Business Items**

There were no business items.

**8. Informational Items**

**A. Planning Commission Schedule**

**9. Staff and Commissioner Comments (continued).**

Commissioner Clumpner asked about staff research that was brought up a year ago concerning building in the downtown area due to the many restrictions in place in that area. Staff responded that they would look into this.

**10. Public Communications (continued).**

There were no public communications.

**11. Adjournment to the next regular Planning Commission meeting to be held on Wednesday, February 10, 2010 in the Community Chambers (23 Russell Boulevard).**

The meeting was adjourned at approximately 8:35 pm.