



**Planning Commission Minutes  
Community Chambers  
Wednesday, May 23, 2012, 7:00 p.m.**

Commissioners Present: Mark Braly, Lucas Frerichs (Chairperson) (7:30 p.m.); Ananya Choudhuri; Marilee Hanson; Rob Hofmann (Vice-Chair); Herman Boschken, (Alternate); Paul Philley, Terry Whittier

Commissioners Absent: None

Staff Present: Mike Webb, Principal Planner; Cathy Camacho, Planner; Debra Schrimmer, Planning Intern; Lynanne Mehlhaff, Planning Technician

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**1. Call to Order**

Vice-Chairperson Hofmann called the meeting to order at 7:01 p.m.

**2. Approval of Agenda**

Commissioner Whittier moved approval of the Agenda and Commissioner Choudhuri seconded the motion. The motion passed by consensus.

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

Commissioner Braly said he was leading the charge for “Cool Davis” to be the coolest city in the state. He asked if Commissioners or the public could go to the Cool California website and sign up as a Davis resident to show how you can reduce your carbon footprint.

Commissioner Choudhuri asked for an update on the Crown Castle cell tower project. Mike Webb, Principal Planner, gave an update from the last City Council meeting which denied 4 of the 25 sites. Council gave direction to the other 21 sites on changes or improvements. Final action will be on June 12<sup>th</sup> and June 26<sup>th</sup>. There will be a booklet of what the final approvals by the City Council will look like on all the sites which will be posted on-line for the public.

Commissioner Philley gave an update from a recent Finance & Budget Commission meeting.

**4. Public Communications**

There were no public communications.

**5. Consent Items**

- A. **Planning Commission Minutes of March 9, 2011**
- B. **Planning Commission Minutes of March 23, 2011**
- C. **Planning Commission Minutes of April 25, 2012**

**Action:** Vice-Chair Hofmann moved approval of the consent items. Commissioner Choudhuri asked that her comment of what she said in the April 25<sup>th</sup> minutes regarding 5100 & 5060 Chiles Road and what the applicant could or could not do with the property in the future, should be noted. Staff said they would go back to the tape and note that comment. Commissioner Whittier seconded the motion.

AYES: Braly, Hofmann, Whittier, Choudhuri, Philley  
Abstain: Hanson; Choudhuri on March 9<sup>th</sup>; Philley on March 23, 2011 minutes

**6. Public Hearings**

- A. **PA #12-21, 2545 Regatta Court, Conditional Use Permit #05-12  
(Debra Schrimmer, Planning Intern)**  
Public Hearing to consider approval of a Conditional Use Permit to allow construction of an 863 square-foot second unit at 2545 Regatta Court. The proposed accessory unit will be located on the west side of the existing home with a five foot side setback to the adjacent property and a 69 foot rear setback. The unit will include a kitchen, living room, bedroom, bathroom, study area, and dining alcove. The existing three-car garage and driveway provide the required parking spaces. The second unit will be designed to match the existing residence with the same exterior color and finishes.

Debra Schrimmer, Planning Intern, presented the staff report.

Vice-Chairperson Hofmann opened the public hearing.

David Amaral introduced himself and explained how he was moving his parents out here from Chicago and they wanted an independent home to live in. He mentioned that he had talked with his neighbors about the project.

Vice-Chairperson Hofmann closed the public hearing.

**Action:** Commissioner Whittier moved approval of Conditional Use Permit #05-12 for an 863 square foot second unit; Commissioner Braly seconded the motion.

**AYES:** Hofmann, Whittier, Philley, Braly, Choudhuri, Hanson, Boschken  
The motion passed unanimously 7 to 0.

**B. PA #12-16, 611 Second Street, Public Convenience or Necessity Determination #01-12; (Cathy Camacho, Planner)**

Public Hearing to consider that the Planning Commission make the determination that the Public Convenience or Necessity (PCN) would be served by the Department of Alcoholic Beverage Control issuing a Type 42 license for the sale of beer and wine for on- and off-premise consumption at Vini Wine Bar located at 611 Second Street. Vini would offer wine in two ounce pours from a state-of-the-art automatic dispensing system. Wine and beer would be sold by the glass from the bar; wine would be sold by the bottle for off-site consumption. Wine tasting classes would be offered in the evening and the space would be available for private functions by reservation.

Cathy Camacho, Planner, presented the staff report.

Chairperson Frerichs arrived to the meeting at 7:30 p.m.

Vice-Chair Hofmann opened the public hearing.

Jeff Day, owner of Vini Wine Bar, explained his type 42 license and his business plan. He said Chris Stone of Stone's Catering would be providing small plates of food. He plans to do a serious Jazz vibe as music and do wine tasting sessions and private classes. The ABC approved his hours from 12 noon to 11:00 p.m. on all weekdays.

Vice-Chair Hofmann closed the public hearing.

- Appreciated that this establishment was going to serve food despite it not being required. Glad to see the business opening.
- Conditions of approval should be re-written to clarify the hours of operation.
- An owner of a similar wine bar in Colorado had to move their equipment to the back and have a bouncer at the front to control under age drinkers.
- Uncomfortable going forward with stating hours of operation and not knowing what ABC will approve.

Webb suggested changing the wording of condition #3 to structure it differently and simplify the wording to make the hours of operation more clear.

Commissioner Philley suggested Condition #3 state the hours of operation as Monday through Thursday 3:00 p.m. to 11:00 p.m. and delete the last sentence.

Chairperson Frerichs suggested that the applicant find out from ABC what hours were approved for his license. Webb said the condition could state that the hours of operations could be commensurate with what ABC has approved for the hours of operation.

**Action:** Commissioner Philley moved making the determination that the public convenience or necessity will be served by authorizing the issuance of an alcohol license for VINI Wine Bar with amending Condition #3 to read “The Hours of operation shall be limited to the following: Monday-Thursday 12:00 noon to 11 p.m.; Friday 12 noon to midnight; Saturday noon to midnight; Sunday noon to 8:00 p.m.” and eliminate the last sentence. Chairperson Frerichs seconded the motion.

Vice-Chair Hofmann wanted to propose an amendment regarding the off-sale of wine/beer; he was concerned with the hours of operation with off-sale exceeding more than 50% of off sale beer and wine. After some discussion, there was no second or agreement to an amendment.

**AYES:** Braly, Hofmann, Whittier, Choudhuri, Philley, Hanson, Choudhuri  
The motion passed unanimously 7 to 0.

Planning Commission recessed at 8:29 p.m.

Planning Commission reconvened at 8:34 p.m.

Vice-Chair Hofmann left the meeting at 8:33 p.m.

**C. PA #11-41, 614 Cantrill Drive, Final Planned Development #01-11;  
Design Review #07-11; Waiver of Tentative Map #3-11;  
(Cathy Camacho, Planner)**

Public Hearing to consider construction of an approximate 15,040 square foot single story building located at 614 Cantrill Drive. The proposed uses would be automobile service, office and warehouse uses. Davis Import Auto Service, currently located at 638 Cantrill drive, would relocate to the new building and occupy approximately 5,500 square feet of space. Hours of operation for Davis Import Auto Service would be Monday through Friday, 7:00 a.m. to 6:00 p.m. and 9:00 a.m. to 3:00 p.m. on Saturdays. The applicant intends to convert the remaining square footage to commercial condominiums in the future to create ownership opportunities throughout the building for other small businesses.

Cathy Camacho, Planner, presented the staff report.

Chairperson Frerichs opened the public hearing.

Andy Kwong of CHD Architects said the easements are close to being recorded and finalized. He explained there was no need to use permeable paving because of the use of bio-swales; the

project meets the required best management practices per the State of California's guidelines. He described the exterior design of the building and the location of bicycle parking spaces.

Chairperson Frerichs closed the public hearing.

**Action:** Chairperson Frerichs moved approval of the Waiver of Tentative Map #3-11, Final Planned Development #01-11 and Design Review #07-11 for a new building of automobile service, office and warehouse uses at 614 Cantrill Drive based on the findings and subject to the Conditions of Approval contained in the staff report. Commissioner Whittier seconded the motion.

AYES: Boschken, Philley, Whittier, Braly, Choudhuri, Hanson, Frerichs  
The motion passed 7 to 0.

## **7. Business Items**

### **A. Residential Development Status Report for Calendar Year 2011; (Bob Wolcott, Principal Planner/Mike Webb, Principal Planner)**

Bob Wolcott, Principal Planner, summarized the staff report.

Commissioners asked questions regarding the 1% cap on growth, whether it would be a strain on infill. Other questions were regarding the percentage of owner-occupied versus rental units or homes.

### **B. Planning Commission Workplan Update/Discussion**

Commissioners and staff gave updates on the following subcommittees: *General Plan Policy Update, Specific Plan, Downtown Guidelines, Sustainability, Process Streamlining, Zoning Ordinance regarding entertainment venues, Task Force Participation Section, Transportation and Circulation Element – TAG update, TIP process, and Application Review.*

## **8. Informational Items**

### **A. Planning Commission Schedule**

Commissioners requested that the new intern Melody be invited to the next Planning Commission meeting. Staff noted that request.

Lynanne Mehlhaff, Planning Technician, announced how the Planning Commissioners Journal was switching to an on-line version only to replace their regular quarterly paper journal subscription. She requested Commissioner interest on receiving the on-line subscription which would be at a reduced rate. Commissioners said they would respond by email.

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

Bob Wolcott reminded Commissioners about the June 6<sup>th</sup> Open House on Transportation Needs at the Davis Senior Center starting at 6:00 p.m.

Commissioners thanked Mike Webb for all his hard work and service at the City of Davis and wished him good luck in the future.

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

There were no public communications.

**11. Adjournment to the next Planning Commission meeting to be held on Wednesday, June 6, 2012 in the Community Chambers (23 Russell Boulevard) and 7:00 p.m.**

The meeting was adjourned by consensus at approximately 9:51 p.m.