

**Planning Commission Minutes  
Community Chambers  
Wednesday, February 25, 2009, 7:00 p.m.**

Commissioners Present: Mark Braly, Greg Clumpner, Lucas Frerichs, Rob Hofmann, Kris Kordana, Mike Levy, Terry Whittier

Commissioners Absent: Ananya Choudhuri

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

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**1. Call to Order**

Chairperson Clumpner called the meeting to order at 7:01 p.m.

**2. Approval of Agenda**

Mike Webb, Principal Planner, announced that item #6D, the Aikens Tentative Map for 311 & 315 B Street needed to be continued to March 11<sup>th</sup>. The agenda was approved by consensus.

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

Vice-Chairperson Braly pointed out an article in the Planning Commissioners Journal on managing storm water issues. He stated there were a lot of good ideas about management practices.

**4. Public Communications**

There were no public communications.

**5. Consent Items**

- A. **Planning Commission Minutes of June 19, 2008**
- B. **Planning Commission Minutes of July 9, 2008**

**Action:** Commissioner Whittier moved approval of the minutes of June 19, 2008.  
Chairperson Clumpner seconded the motion.

**AYES:** Whittier, Clumpner, Kordana, Levy, Braly

**Noes:** none

**Abstained:** Lucas Frerichs, Rob Hofmann

The motion carried 5-0-2.

The minutes of July 9, 2008 were not ready for review.

## **6. Public Hearings**

### **A. PA #38-08, Design Review #17-08, 507 F Street; (Eric Lee, Assistant Planner)**

Public Hearing to consider a proposal to change a previously approved single-family residential project (PA #43-06) at 507 F Street. The changes include shifting the garage location to add a turnaround back-up area which results in setback changes for the garage. The relocation would reduce the rear garage setback from 10 feet to 5 feet and reduce the south side setback from 6 feet to 5 feet. The applicant is also proposing a floor plan change for a master bedroom of the residence that would result in rearrangement of two windows on the second-story north elevation.

Eric Lee, Assistant Planner, presented the staff report.

Chairperson Clumpner opened the public hearing.

Steve Pro, applicant and owner of the property, explained the safety factor for changing the garage and turn-around area. He also wanted a more family-friendly floor plan.

Daniel Szumski, of F Street, handed out a letter explaining concerns with the changes proposed to the design of the house. He objected to the new proposed changes.

Chairperson Clumpner closed the public hearing.

**Action:** Commissioner Whittier moved approval of the Design Review as proposed.  
Chairperson Clumpner seconded the motion with an amendment to add a condition that the screening and permanent curb as shown in the plans be a condition of approval. Commissioner Whittier accepted the amendment.

Commissioner Levy commented that from hearing what the builder stated earlier, the Build It Green ordinance may be too lenient if anyone can meet the requirements with minimal effort. He would like this considered when the ordinance is reviewed in the future.

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

**B. PA #34-08, 1970 Lake Boulevard, Suites 5 &6, Conditional Use Permit #04-08 for The Church in Davis;  
(Lynanne Mehlhaff, Planning Technician)**

Public Hearing to consider approval of a conditional use permit for a church use of existing 3,400 square feet of interior space that would be divided into a meeting hall for church services, an entry hall with a kitchen, three classrooms, one office, one nursery room and restroom facilities. The Church has an estimated current attendance of 125 people for Sunday services from 10:00 a.m. to 12:30 p.m. Other hours of operation are prayer meetings on Tuesdays from 7:30 p.m. to 9:30 p.m. and student service meetings from 7:00 p.m. to 10:00 p.m. on Fridays. The church would like to expand up to 194 seats in the meeting hall in the future. Required parking spaces for the site will be provided in front of the suites as well as by the adjacent offices through reciprocal parking agreements and use of the common parking area to the east of Suite #7.

Lynanne Mehlhaff, Planning Technician, presented the staff report.

Commissioner Clumpner opened the public hearing.

Jason Liou, applicant for The Church in Davis, described the church uses and needs for the site.

Chairperson Clumpner closed the public hearing.

Commissioner Levy suggested that Conditions of Approvals #1 be revised to clarify the number of occupants allowed during weekday times before 6:00 p.m. in addition to the hours of operation and number of occupants allowed during weekends and after 6:00 p.m. in the evenings. Staff said it should also be clarified in the condition that church attendance on the premises prior to 6:00 p.m. shall be limited to the designated parking spaces for suites 5 and 6.

Commissioner Levy also suggested that in the wording of Finding #5, after the words reciprocal parking agreements, to add the actual dates and names of the parking agreements as attached to the staff report. He also would like to add in Condition #5 to specify that if a change or rescission of the reciprocal parking agreements takes place, notice be given to the Community

Development Department and a possible modification to the Conditional Use Permit may be in order.

Commissioners asked questions regarding the requirements for additional bicycle parking. Staff suggested that a condition could be added for the applicant to work with staff on identifying and installing additional bicycle parking spaces prior to the Certificate of Occupancy.

**Action:** Commissioner Hofmann moved approval of the Conditional Use Permit with the additional conditions of bicycle parking, additional language to Finding #5 regarding the reciprocal parking agreements, additional language to Condition #1 regarding the hours of operation and number of occupants prior to 6:00 p.m. on weekdays for the required parking, and the additional sentence to Condition #5 if there is a change in any of the reciprocal parking agreements, notice be given to the Community Development Department of that change and if necessary a modification to the Conditional Use Permit. Commissioner Whittier seconded the motion.

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

Planning Commission recessed at 8:29 p.m.

Planning Commission reconvened at 8:42 p.m.

**C. PA #29-08, 3003 John Jones Road, Negative Declaration #02-08, Conditional Use Permit #08-08 for a Wireless telecommunications facility; (Xzandrea Fowler, Planner)**

Public Hearing to consider a project proposal to construct a wireless telecommunication facility on a 7,200 square foot leased portion of the existing City of Davis water tank property located at 3003 John Jones Road. The facility will consist of a monopole, multiple antennas, microwave dishes, ground equipment and an equipment shelter. The monopole will be 120 feet in height, with antennas and microwave dishes mounted on the monopole at various center-line heights. The facility will operate twenty-four hours a day, seven days a week and will be unmanned.

Xzandrea Fowler, Planner, presented the staff report.

Chairperson Clumpner opened the public hearing.

Rochelle Swanson, applicant from Comsites West, answered Commissioners questions and explained the needed height of the tower.

Vince McLaughlin, neighbor of west Davis, spoke in support of the project stating it was a win-win scenario for the neighbors, community and the City of Davis. He thanked everyone for coming together to solve the issue.

Chairperson Clumpner closed the public hearing.

**Action:** Commissioner Frerichs moved approval of the Conditional Use Permit. Commissioner Levy seconded the motion. Mike Webb, Principal Planner, suggested adding if acceptable under Finding #1, after the first sentence regarding the height of the tower, "The accumulative visual impacts are not significant and the proposed height is necessary to provide services not possible with a tower meeting the standard building height." Commissioners agreed.

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

**D. PA #21-08, 311 and 315 B Street, Tentative Map #04-08;  
(Xzandrea Fowler, Planner)**

Public Hearing to consider approval of a Tentative Map to subdivide the properties located at 311 and 315 B Street into seven single-family lots for a townhouse project. The applicant received approval on July 9, 2008 to demolish the existing one story cottages located at 311 and 315 B Street and replace them with seven attached and detached, for-sale, single-family units.

Chairperson Clumpner opened the public hearing and continued it to March 11, 2009.

**7. Business Items**

There were no business items.

**8. Informational Items**

**A. Planning Commission Schedule**

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

Mike Webb announced that the Final EIR for the New Harmony project will be reviewed at the City Council meeting on March 3, 2009.

Staff went over the upcoming Planning Commission schedule.

Commissioner Whittier asked if porous cement was considered for the driveway between the buildings at 311 and 315 B Street project. Staff said the comment could be passed on to the developer to consider.

Commissioner Levy was pleased that the City adopted the Green Building Ordinance but was concerned that if a developer could check off a Build It Green checklist component without having to change a project at all, then we should consider making a serious assessment of whether or not our ordinance is stringent enough to do what we want it to do. He would like to see a report back with a reassessment of where we are with results of applying the existing ordinance and also in comparison to other cities in the near future.

Staff explained that when the Council adopted the Green Building Ordinance, they requested that staff would monitor and test how the ordinance was working after a number of projects and report back on how things were going and measuring up with the ordinance.

Commissioner Levy said his concern was trying to figure out what a good point threshold truly would be to achieve sustainability without penalizing the good guys. Yet he wanted people to rise up to a good level of sustainability with the point system. He would like a future hearing to hear from local builders, hear what thresholds should be, and solicit input from the community or a broader area sooner than two years if possible. He also would like to see an item on the agenda that addresses a point of sale ordinance, building upgrades that are feasible to people when they purchase an existing house. There are significant cost effective ways to upgrade these homes.

Staff stated that the Chief and Assistant Chief Building Officials were looking into this and had met with some local realtors to start looking at new components for the resale process.

Vice-Chairperson Braly said he would like the information on results of the Green Building Ordinance sooner than two years. He said since things are slower, maybe we could look at having a workshop so as to hear from experts in the field or from other jurisdictions that could be a good source of information to us on how far we could go with our ordinance.

Commissioner Levy agreed that he would like to hear testimony from people with expertise and people such as developers so we hear all sides of the story.

Commissioner Frerichs said if we have a light load in the coming months, then we should look into this and maybe have a series of workshops.

Mike Webb said he would discuss with the Chief Building Official what was required on reporting back to the City Council both on the status of the current Green Building Ordinance and also on the resale retrofit ordinance. Staff could come back with a briefing and take a look at what kind of goals and objectives we might have for having a workshop format or panel discussion and look at various ways to do it as well as get public opinion.

Chairperson Clumpner said he would like to hear from a cross section of people so as to hear everyone's viewpoint and ideas.

Commissioners discussed having divergent groups to hear different opinions and then the Commission could summarize and give guidance or recommendations as a result.

Commissioner Frerichs suggested more than one meeting or workshop so as to cover all aspects of the Green Building Ordinance and energy efficiency with the ultimate goal of providing guidance to the City Council.

Mike Webb said staff would try to come back at the March 25<sup>th</sup> meeting with a list of thoughts and ideas on how to approach this.

Commissioner Whittier asked when the next Joint City Council and Planning Commission meeting would be. Staff will check with the City Clerk.

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

There were no public communications.

**11. Adjournment to the next regular Planning Commission meeting to be held on Wednesday, March 11, 2009 in the Community Chambers (23 Russell Boulevard).**

The meeting was adjourned at approximately 9:55 p.m.