

**Planning Commission Minutes
Community Chambers
Wednesday, July 28, 2010, 7:00 p.m.**

Commissioners Present: Mark Braly (Chairperson), Ananya Choudhuri, Lucas Frerichs, Rob Hofmann, Kris Kordana, Terry Whittier

Commissioners Absent: None

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

1. Call to Order

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

2. Approval of Agenda

The agenda was approved by consensus.

3. Staff and Commissioner Comments (No action).

Mike Webb, Principal Planner, announced that the agenda and the packet was posted on-line on the City's website in PDF format for better access. Also, there are two openings for Planning Commissioners and the final due date for applications is September first. The City Council will make appointments later in September.

4. Public Communications

There were no public communications.

5. Consent Items

A. Planning Commission Minutes of April 28, 2010

The minutes were not ready for review.

6. Public Hearings

A. PA #39-09, 1201 Duke Drive, Conditional Use Permit #10-09; (*Ike Njoku, Planner*)

Public Hearing to consider a proposal to demolish an existing 420 square foot converted garage and replace it with a 735 square foot detached second unit with an attached 400 square foot garage. The garage was converted into a second unit in the 1970's and is currently a rental. The proposed second unit will also be a rental. The unit will contain a bedroom with a full bathroom, a living room with a coat closet and half bathroom, a kitchen and a laundry with closet space. The proposed attached two-car garage will serve both the existing primary residence and the second unit. A one-car driveway space will be added to the existing two-car driveway in order to accommodate an additional on-site parking space.

Mike Webb, Principal Planner presented the staff report.

Chairperson Braly opened the public hearing.

John Barker, applicant, answered questions from the Commissioners regarding the lighting on the property and requirements to achieve the Green Building Ordinance.

Chairperson Braly closed the public hearing.

Action:

Commissioner Whittier moved approval of Conditional Use Permit #10-09. Commissioner Kordana seconded the motion.

AYES: Whittier, Choudhuri, Kordana, Hofmann, Frerichs, Braly
The motion passed 6 to 0.

B. PA #62-09, Proposed Water Efficiency Landscape Ordinance, Zoning Ordinance Amendment #2-09; (*Eric Lee, Assistant Planner*)

Public Hearing to consider a proposed ordinance to comply with the adopted state standards of the Water Conservation in Landscaping Act of 2006 adopted by the state of California as of January 1, 2010. The primary purpose of the act is to improve the design, construction and maintenance of landscapes for the conservation and efficient use of water. The California Department of Water Resources subsequently updated the

State's Model Water Efficient Landscape Ordinance to reflect the new requirements and provided the model ordinance to local jurisdictions for use. The local agency was given the option of either adopting a landscape water conservation ordinance based on the model ordinance or crafting its own equivalent ordinance.

Mike Webb, Principal Planner, presented the staff report.

Commissioner comments (but not necessarily with consensus):

- Why not make the residential projects the same as commercial projects such as the 2,500 square foot threshold than two different thresholds? We could make it simpler by having all landscapes have the same thresholds.
- Since Davis has a lot of smaller lots and recently approved developments with smaller lots, why not try to capture water conservation on smaller lots?

Staff responded that this ordinance ups the ante on documentation on new projects and requiring compliance with audits and through plan check. We have new standards for new projects that require some drought tolerant landscaping and other requirements.

- Suggested City staff could do the yearly backflow preventor checks and do the water audits and charge a fee rather than have private companies go out and do it. It could increase revenue for the City.
- On page 23, Section 40.42.190, *Public Education*, suggested public agencies such as a public library should be listed in this section as well as residential homes and model homes.

Chairperson Braly opened and closed the public hearing.

Action: Commissioner Whittier moved to recommend that the City Council adopt the proposed Water Efficient Landscape Ordinance. Commissioner Kordana seconded the motion.

Commissioner Frerichs made a friendly amendment to have the ordinance come back in a year and review what projects have gone through the ordinance and which projects haven't. Commissioner Whittier wouldn't accept the friendly amendment because he said it was up to the City Council and staff to review and make the decision to change the ordinance.

Commissioner Frerichs substituted the motion to accept staff recommendation with the addition of this ordinance coming back in one year to review what projects have gone through the process and which projects haven't. Commissioner Hofmann seconded the motion.

AYES: Kordana, Choudhuri, Frerichs, Hofmann, Braly
NOES : Whittier

The motion passed 5 to 1.

- C. PA #1-10, 211 G Street, The Beer Shoppe, Public Convenience and Necessity #1-01; (Lynanne Mehlhaff, Planning Technician)**
Public Hearing to consider the City making a determination of public convenience and necessity in compliance with requirements of the California Department of Alcoholic Beverage Control for off-sale and on-sale beer/wine licenses for the Davis Beer Shoppe located at 211 G Street. The Davis Beer Shoppe would be a beer specialty store which would sell packaged beer from around the world for consumption off premises as well as operate a beer-only bar within the same location. The hours of operation would be Mondays-Wednesdays 10 am- 10 pm; Thursdays 10 am-11 pm; Friday-Saturdays 9 am-12 midnight; and Sundays 11 am- 7 pm. This is a permitted use in the downtown area but requires a Public Convenience and Necessity public hearing from the ABC licensing.

Chairperson Braly opened the public hearing and continued it to August 25, 2010.

7. Business Items

There were no business items.

8. Informational Items

A. Planning Commission Schedule

9. Staff and Commissioner Comments (continued).

Staff reminded Commissioners to let the City Clerk know if you wish to continue as a Planning Commissioner.

Chairperson Braly asked when Greg Mahoney could come back for a presentation as a follow-up on the workshop regarding resale properties. Webb said he would find out when this could be arranged in the future.

10. Public Communications (continued).

There were no public communications.

11. Adjournment to the next regular Planning Commission meeting to be held on Wednesday, August 25, 2010 in the Community Chambers (23 Russell Boulevard).

The meeting was adjourned at approximately 8:00 p.m.