

**Planning Commission Minutes
Community Chambers
Wednesday, September 10, 2008, 7:00 p.m.**

Commissioners Present: Ananya Choudhuri, Greg Clumpner, David de la Pena, Rob Hofmann, Kris Kordana, Terry Whittier

Commissioners Absent: Mark Braly, Mike Levy

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

1. Call to Order

Chairperson Clumpner 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).

There were no staff or Commissioner comments.

4. Public Communications

There were no public communications.

5. Consent Items

- A. Planning Commission Minutes of May 14, 2008**
- B. Planning Commission Minutes August 6, 2008**

Action: Commissioner Whittier moved approval of the minutes of August 6th and Chairperson Clumpner seconded the motion. Commissioners Kordana and de la Pena abstained due to being absent from the meeting.

The motion passed 4-0-2 by consensus.

Chairperson Clumpner moved approval of the May 14th minutes with a second from Commissioner Kordana. Commissioners Hofmann and Whittier abstained due to being absent.

The motion passed 4 -0 -2.

6. Public Hearings

- A. PA #54-07, 1501 & 1515 Shasta Drive, University Retirement Center, Revised Final Planned Development #05-07, Design Review #23-07, Lot Line Adjustment #07-07; (Eric Lee, Assistant Planner)**
Public Hearing to consider an expansion that would add 17 new living units, a fitness center, and underground parking to University Retirement Community (URC) of Davis, a continuum care facility. The expansion consists of two additions totaling 36,281 square feet to the existing north wing of the main building and a new underground garage with 69 parking spaces. The additions include a 26,856 square-foot, four-story addition with 17 new living units for independent and assisted care and a 9,425 square-foot, two-story addition with a fitness center and pool.

Eric Lee, Assistant Planner, presented the staff report.

Chairperson Clumpner opened the public hearing.

Mike Morris, Executive Administrator of University Retirement Community, said the addition and the Health and Wellness facility will be a tremendous benefit to the residents as well as to the Shasta Point residents. It will help mitigate parking concerns as well. He spoke about the car-sharing program.

Chairperson Clumpner closed the public hearing.

Action: Commissioner Hofmann moved approval of the project. Commissioner Kordana seconded the motion.

AYES: Choudhuri, Whittier, Kordana, Hofmann, de la Pena, Clumpner
The motion passed unanimously 6 to 0.

- B. PA #61-07, New Harmony Affordable Apartment Community, Southwest corner of Cowell Boulevard and Drummond Avenue, General Plan Amendment #6-07, Specific Plan Amendment #1-08, Rezone #6-07, Final Planned Development #7-07, Design Review #27-**

07, Tentative Map #1-08, Minor Modification #2-08, Negative Declaration #7-07; (Eric Lee, Assistant Planner)

Public Hearing to consider the construction of a 69-unit affordable apartment community on a vacant parcel in south Davis. Development would consist of approximately 70,000 square feet made up of two three-story apartment buildings (41,256 square feet and 23,175 square feet) and a one-story community building (3,871 square feet). The project includes landscaping, parking, play areas, a community garden, bicycle path/greenbelt, site and frontage improvements. The project includes a General Plan Amendment to change the land use designation from “Business Park” to “Residential High Density,” a Rezone of the residential parcel from “Industrial Research” to “Multi-Family,” and a Specific Plan Amendment to reflect the changes. The office parcel would retain its Business Park designation and Industrial Research zoning.

Eric Lee, Assistant Planner, presented the staff report.

Commissioner Kordana passed out a research article from *Lancet* 2007 Feb 17; 369:571-7 published in “Journal Watch General Medicine” on March 6, 2007 which stated that children living within 500 meters of a freeway had significantly reduced lung development in an eight year follow-up study. He questioned the suitability of the site for housing in general in this location due to the air quality impacts in terms of lung development in children. He pointed out that the staff report concluded no significant impacts in terms of air quality citing local expert opinion. The study stated significant adverse effects of freeway proximity on the lung development of children independent of regional air quality.

Commissioners asked for staff clarification on how the Initial Study was done in regards to air quality. Staff said there wasn’t a threshold for mobile sources since the Air Quality Management District doesn’t have one and the City doesn’t either. The initial study was done by a qualitative decision.

Planning Commission recessed at 8:29 p.m.
Planning Commission reconvened at 8:37 pm

Chairperson Clumpner opened the public hearing.

Rachel Iskow, Executive Director of both Yolo Mutual Housing Association and Sacramento Mutual Housing Association, explained the affiliation between SMHA and YMHA. She explained how their organization deals with crime and has a protocol with dealing with it such as criminal background checks, credit checks, etc. She described what programs they have to offer the members of a community such as the New Harmony development.

Wendy Carter, Project Manager for New Harmony at the Sacramento Mutual Housing Association, stated how the methodology and mitigations were reviewed by the Air Quality Management District. She explained how they selected evergreen trees that would absorb particulates the best. She said they will use passive electrostatic filters in the HVAC systems as well as low water native plants, rain gardens, bioswales, community gardens and earn Build It Green certification. She mentioned they were on a very tight funding timeline and preferred a decision this evening.

Don Emlay, a homeowner on Mono Place, said this parcel was zoned business park/Industrial research. He wondered what the homeowners in the area were supposed to think if they bought a house next to something zoned business park/industrial and the City suddenly changed it. He felt the Planning Commission and City Council had a bigger responsibility to the existing neighborhood that was there first then to someone who would be coming from outside of Davis. He was concerned now with what the City was going to do with the remaining vacant parcels.

Mark Beckman, south Davis resident, was adamantly opposed to the project. He felt the map shown was deceiving because there was more higher density then shown. The Women's Shelter wasn't shown on the map either. He wanted to know what kind of revenue this project would generate for the City.

Christian Renaudin, homeowner and businessman in south Davis, said more commercial/business areas were needed for small offices and businesses. He said businesses could go here and they belong along the freeway, not residential.

Chris Stewart, homeowner on Koso Street, said he bought his house with the understanding that the proposed site would be business. He pointed out that Dixon has lots of businesses off the freeway and people find them. He said due to the traffic on I-80, the frontage road, Chiles Road, was getting very busy. He recommended sticking to the General Plan.

Fran Boman, long time Davis homeowner and a member of the Board of YMHA, supported the project. She said affordable housing was needed here in Davis for people to live and work.

Larry Ferlazzo, homeowner in Davis and high school teacher, spoke in support of the project. He has visited many of both Sacramento and Yolo Mutual Housing Association developments and they are very well designed and managed.

Torrey Bavard, resident on Christie Court, purchased her home 12 years ago and was happy about business going in this area. She was against the project due to it being high density on a very small parcel. She said the Owendale Project was in her backyard, a good project but there are issues from it. There has been an increase in crime in their area and big increase in traffic and vandalism. There are now more problems in the Village Park nearby and her daughter feels it unsafe. She didn't feel this project was keeping with the Davis she knows, the project looks

like it belongs in San Francisco. She felt it wasn't a good solution for families there because it was an odd parcel, too close to the freeway.

Robin Frank, homeowner of Davis, supported the project. She said affordable housing was needed in Davis and it benefits everybody.

Rita Seiber, owner of a property 1/3 of a mile away in the same zoning district as this proposal, said Hanlee's offered to buy her property two years ago and the City rejected it. Since then, she has proposed a project of 19 units with an office building but the City has it placed on the bottom of the "Housing Needs Assessment" list (ranked #33 of 37 sites).

Dan Rigor, owner in Rosecreek #2, was concerned by this project. He said with Owendale near the corner, there will be a lot more traffic and this is a big change. It isn't all about the people who will potentially live here in these spaces, it is also the neighboring community that has been thriving and growing next door.

Lelanie Heath, Yolo Mutual Housing Association Board member, said that the DJUSD wrote a letter saying that this project will help by providing more students and school impact fees to the School District. She said she lived in Tremont Green and felt that any project built here could increase the crime rate. She supported the project.

Mindy Romero, Board Member of YMHA and resident of Tremont Green, said this was a family project and it was important for the whole community. She said the quality of the affordable housing here was very good.

Chairperson Clumpner closed the public hearing.

Commissioner comments:

- Suggested that staff look at a peer review from the "Lancet" Journal Watch article and find out about it.
- Suggested postponing the meeting for two weeks so staff could get more information on this study and get other advice/credibility on it. This could affect other projects in the future and the City needs to know the information.
- Would like to see how the comparison is to Los Angeles where this study was done with Davis and the I-80 freeway and the pollution amounts.
- Should keep in mind how the projections for increase in traffic on I-80 in the next 10 years was predicted at a 30-50% increase in vehicles. Should consider the amount of emissions from that increase.
- Would like to see how many complaints to the Police Department from addresses of the low income housing complexes in the area.
- This comes down to environmental justice and social justice. More information is needed on the mitigation measures to determine if the site is safe for families.

- Was troubled by the sentiment in a letter that said low income children shouldn't attend school with their children.
- Besides the air quality issues, this seems like a good site – close to schools, etc.
- Couldn't vote and recommend adopting the Initial Study right now until more information and clarification is provided. Not comfortable with the noise and air quality studies. Our recommendations would be based on subjective thresholds and measures.
- Future residents deserve safe and pleasant housing; it isn't the project itself, it is the location. Can't support the project here.
- 69 families are on a waiting list looking for a place to live in Davis; only infill is left in Davis. Would vote approval of project to go forward to the City Council along with the recommendations to review the actual study on children living near a freeway. In support of the actual project but let the City Council decide.
- Unfortunately, this study of 3600 children living 500 meters near a freeway came out after the planning of this project. This has nothing to do with the organizations who are involved or the need for affordable housing. Can't approve this project, we have a responsibility to the health of children. There are other options in Davis.
- A well-designed project and supported the design of the project.

Action:

Commissioner Kordana moved to deny staff recommendations of adopting the Initial Study, the Resolutions and the rezoning of the project. Commissioner Choudhuri seconded the motion. Commissioner Whittier substituted the motion to move approval of the project per staff recommendation and include the report from Commissioner Kordana (research article from *Lancet* 2007 Feb 17; 369:571-7) to the City Council. Commissioner de la Pena seconded the motion and wanted the comments made tonight on the project passed on and other comments about the crime and other issues. Chairperson Clumpner agreed and added that overall the Commission liked the actual design and project and the City Council should hear that no matter what happens with the vote.

AYES: Whittier, de la Pena,
NOES: Choudhuri, Kordana, Hofmann, Clumpner
The substitute motion to approve the project failed 4 to 2.

AYES: Choudhuri, Kordana, Hofmann, Clumpner
NOES: Whittier, de la Pena
The motion to deny the project passed 4 to 2.

7. Business Items

A. Review of Standard Conditions of Approval

Mike Webb, Principal Planner, presented the staff report of review of standard conditions of approval that staff uses in project documents.

After some questions and discussion, Commissioners agreed to the proposed changes to the standard conditions of approval.

8. Informational Items

A. Planning Commission Schedule

Mike Webb explained how the 403 G Street Appeal may be withdrawn by the end of the week. If the appeal is withdrawn, we may or may not have a Planning Commission meeting with only one item on the agenda.

9. Staff and Commissioner Comments (continued).

There were no staff or Commissioner comments.

10. Public Communications (continued).

Sean Choudhuri, resident, thanked the Commission for helping to get the streetlights fixed in his neighborhood.

11. Adjournment to the next regular Planning Commission meeting to be held on Wednesday, September 24, 2008 in the Community Chambers (23 Russell Boulevard).

The meeting was adjourned at approximately 10:07 p.m.