



Minutes City of Sacramento Planning Commission

1

COMMISSION MEMBERS

*Anna Molander
Michael Mendez, MCP
Philip Harvey*

*(Vacant)
Joseph Contreras, Vice-Chair
Michael Notestine
Rommel Declines*

*Joseph Yee, AIA, Chair
Michelle Smira
Kiyomi Burchill
William Wong*

CITY STAFF

*Greg Bitter, Principal Planner
Sabina Gilbert, Senior Deputy City Attorney*

*New City Hall
915 I Street, 1st Floor – Council Chambers
October 13, 2011 – 5:30 P.M.*

The City Planning Commission was created by the City Council. Its powers and duties include: to develop and maintain the General Plan; to make recommendations to the City Council on amendments to the General Plan and the City's zoning code and on zoning changes; to act upon applications for tentative subdivision maps, special permits and variances; and to make environmental determinations associated with these actions.

NOTICE TO THE PUBLIC

You are welcomed and encouraged to participate in this meeting. Public comment is taken (3 minutes maximum) on items listed on the agenda when they are called. Public Comment on items not listed on the agenda will be heard at the end of the meeting as noted on the agenda. Comments on controversial items may be limited and large groups are encouraged to select 3-5 speakers to represent the opinion of the group.

Notice to Lobbyists: When addressing the Commission you must identify yourself as a lobbyist and announce the client/business/organization you are representing (City Code 2.15.160).

Speaker slips are located in the lobby of the hearing room and should be completed and submitted to the Commission Secretary.

Government Code 54950 (The Brown Act) requires that a brief description of each item to be transacted or discussed be posted at least 72 hours prior to a regular meeting. The City posts Agendas at City Hall as well as offsite meeting locations. The order of agenda items is for reference and may be taken in any order deemed appropriate by the legislative body. The agenda provides a general description and staff recommendations; however, the legislative body may take action other than what is recommended. Full staff reports are available for public review on the City's website and include all attachments and exhibits. Hard copies are available at the Community Development Department (10 cents per page). Live video streams and indexed archives of meetings are available via the internet. Visit http://sacramento.granicus.com/ViewPublisher.php?view_id=21.

Meeting facilities are accessible to persons with disabilities. If you require special assistance to participate in the meeting, notify the Office of the City Clerk at (916) 808-7200 at least 48 hours prior to the meeting.



我們講中文 · Hablamos Español · Мы говорим по-русски · ພວກເຮົາເວົ້າພາສາລາວໄດ້ · Ped hais lus Hmoob · Chúng tôi nói tiếng Việt

MINUTES

October 13, 2011

*New City Hall
915 I Street, 1st Floor - Council Chambers*

All items listed are heard and acted upon by the Planning Commission unless otherwise noted.

Call to Order – 5:30 p.m.

Roll Call – All present except Commissioner Yee.

Consent Calendar

All items listed under the Consent Calendar are considered and acted upon by one motion. Anyone may request that an item be removed for separate consideration.

1. **Approval of Minutes for September 22, 2011**

Location: Citywide

Recommendation: Approve Commission Minutes from September 22, 2011.

Contact: Greg Bitter, Principal Planner, 916-808-7816

Action: Moved, seconded, and carried (Notestine / Smira, 7:0:3, Recuse –Burchill, Wong; Absent – Yee) to approve September 22, 2011 minutes.

Director's Report

2. **Director's Report (Oral)**

Location: Citywide

Recommendation: Receive and File- Status report on pending development applications and appeals; proposed amendments to Zoning Code, design standards, and other development-related regulations; Community Development Department organizational and operational changes, work program, and training program; and similar matters.

Contact: Greg Bitter, Principal Planner, 916-808-7816

Principal Planner Greg Bitter said an appeal has been filed for the River City Church special permit approved by Planning Commission and will be heard by City Council on November 15, 2011.

Principal Planner Greg Bitter said that staff is recommending the Commission withdraw Items 5 through 10 (all projects pertaining to medical marijuana facilities from tonight's agenda). These items will be rescheduled and re-noticed at a later date. The recommendation is due to a recent court case and new

information related to medical marijuana facilities. This new information will necessitate revisions to the medical marijuana facility staff reports.

Action: Received and Filed.

Public Hearings

Public hearings may be reordered by the Chair at the discretion of the Commission. If you challenge the decision of this Commission you may be limited to raising only those issues that are raised in this hearing or in written correspondence received by the Commission prior to the hearing.

3. **P11-027 Thai Basil Smoking Deck Setback Variance** (Noticed on October 3, 2011)

Location: 2431 J Street, 007-0032-016-0000, District 4

Recommendation: Approve: Item A: Environmental Exemption (Per CEQA 15303-New Construction or Conversion). **Item B:** Variance-Setback Add second floor deck along street side (east property line). Reduce required side setback from 5 feet to 0 feet.

Contact: Kimberly Kaufmann-Brisby, Associate Planner, 916-808-5590; Stacia Cosgrove, Senior Planner, 916-808-7110

Public Comment made by John Krempel, Richard Jansen, Dr. Harry Dhesi, DDS, Brian Holloway, Sinian Dunlap, Tim Straling, Arcelia Mercado and Vincent Sterne.

Action: Moved, seconded, and carried (Smira / Mendez, Recuse – Harvey, Absent – Yee, 8:0:2) to approve staff recommendations with amended conditions.

4. **P11-041 Tooley Gas and Convenience Store Alcohol Sales** (Noticed on October 3, 2011)

Location: 730 29th Street, 003-0204-023-0000, District 4

Recommendation: Approve: Item A: Environmental Exemption (Per CEQA 15301-Existing Facilities); **Item B:** Special Permit - Alcohol to allow the sale of beer and wine for off - premises consumption in the C-2-SPD zone.

Contact: David Hung, Associate Planner, 916-808-5530; Stacia Cosgrove, Senior Planner, 916-808-7110

Action: Moved, seconded, and carried (Harvey / Wong, Absent – Yee, 9:0:1) to approve staff recommendations with amended conditions.

5. **P11-047 A Therapeutic Alternative** (Noticed on October 3, 2011)

Location: 3015 H Street, 003-0212-018-0000, District 3

Recommendation: Continue to October 27, 2011

Contact: Arwen Wacht, Associate Planner, 916-808-1964; Stacia Cosgrove, Senior Planner, 916-808-7110

Action: Moved, seconded, and carried (Notestine / Wong, 9:0:1, Absent – Yee) to

withdrawn item, reschedule and re-notice for a future Planning Commission meeting.

6. **P11-049 The Green Door** (Noticed on October 3, 2011)

Location: 908 21st Street, 007-0016-009-0000, District 4

Recommendation: Approve: Item A: Environmental Exemption (Per CEQA 15301-Existing Facilities); **Item B:** Special Permit-Medical Marijuana Dispensary to locate a medical marijuana dispensary in the General Commercial (C-2 NC) zone and located in the Neighborhood Corridor overlay zone.

Contact: Greg Sandlund, Associate Planner, 916-808-8931; Stacia Cosgrove, Senior Planner, 916-808-7110

Action: Moved, seconded, and carried (Notestine / Wong, 9:0:1, Absent – Yee) to withdrawn item, reschedule and re-notice for a future Planning Commission meeting.

7. **P11-052 Nor Cal Alternative Healing** (Noticed on October 3, 2011)

Location: 515 Broadway, 009-0235-006-0000, District 4

Recommendation: Approve: Item A: Environmental Exemption (Per CEQA 15301-Existing Facilities); **Item B:** Special Permit-Medical Marijuana Dispensary A request to operate a medical marijuana dispensary in the Heavy Commercial (C-4) zone.

Contact: Ellen Marshall, Associate Planner, 916-808-5851; Stacia Cosgrove, Senior Planner, 916-808-7110

Action: Moved, seconded, and carried (Notestine / Wong, 9:0:1, Absent – Yee) to withdrawn item, reschedule and re-notice for a future Planning Commission meeting.

8. **P11-054 HUGS Dispensary** (Noticed on October 3, 2011)

Location: 2035 Stockton Boulevard, 011-0102-028-0000, District 6

Recommendation: Approve: Item A: Environmental Exemption (Per CEQA 15301-Existing Facilities); **Item B:** Special Permit-Medical Marijuana Dispensary to operate a medical marijuana dispensary in the C-2 zone.

Contact: Ellen Marshall, Associate Planner, 916-808-5851; Sandra Yope, Senior Planner, 916-808-7158

Action: Moved, seconded, and carried (Notestine / Wong, 9:0:1, Absent – Yee) to withdrawn item, reschedule and re-notice for a future Planning Commission meeting.

9. **P11-059 Abatin Wellness Center** (Noticed on October 3, 2011)

Location: 2100 29th Street, 010-0124-030-0000, District 4

Recommendation: Approve: Item A: Environmental Exemption (Per CEQA 15301-Existing Facilities); **Item B:** Special Permit-Medical Marijuana Dispensary to operate a 3,900 square foot Medical Marijuana Dispensary.

Contact: Heather Forest, Associate Planner, 916-808-5008; Stacia Cosgrove, Senior Planner, 916-808-7110

Action: Moved, seconded, and carried (Notestine / Wong, 9:0:1, Absent – Yee) to withdrawn item, reschedule and re-notice for a future Planning Commission meeting.

10. P11-060 Capitol Wellness Inc. (Noticed on October 3, 2011)

Location: 2400 14th Street, 009-0253-006-0000, District 4

Recommendation: Approve: Item A: Environmental Exemption (Per CEQA 15301-Existing Facilities); **Item B:** Special Permit-Medical Marijuana Dispensary to operate a 1,250 square foot medical marijuana dispensary.

Contact: Heather Forest, Associate Planner, 916-808-5008; Stacia Cosgrove, Senior Planner, 916-808-7110

Action: Moved, seconded, and carried (Notestine / Wong, 9:0:1, Absent – Yee) to withdrawn item, reschedule and re-notice for a future Planning Commission meeting.

Staff Reports

Staff reports include oral presentations including those recommending Receive and File.

11. Report Back on Commission Consolidation Public Workshop

Location: Citywide

Recommendation: Receive and File

Contact: Greg Bitter, Principal Planner, 916-808-7816

Principal Planner Greg Bitter discussed the Planning and Design Commission Consolidation public workshop held on October 5, 2011. The major points of discussion at the workshop were: 1) Concern about a loss of design quality; 2) An increased workload when the economy improves; 3) Composition of a consolidated commission at-large positions requiring specialization in fields such as architecture, urban design, etc.; 4) Logistics amending the City ordinance pertaining to commissions.

Action: Received and Filed.

Public Comments- Matters Not on the Agenda

12. None

Questions, Ideas and Announcements of Commission Members

13. Vice-Chair Contreras spoke about the proposed commission consolidation with the Planning and Design Commissions.

Adjournment – 7:46 p.m.