From: Scott Miltenberger  
Sent: Friday, August 3, 2018 8:59 AM  
To: City Council Members ; Heidi Tschudin ; Katherine Hess ; Bob Wolcott ; Mike Webb ; Diane Parro ; Ike Njoku  
Cc: W. Allen Lowry ; Rand Herbert ; Richard Rifkin ; Karen Clementi ; Erin Montgomery ; David Hickman ; Mark Davis  
Subject: HRMC Concerns with the Downtown Plan Update

Davis City Council and Staff –

I am writing on behalf of the Historical Resources Management Commission (HRMC) to express our concern for the anticipated recommendations to be offered by Opticos Design, Inc., for the Downtown Davis Plan (DDP), relative to the City’s historical resources. As you aware, the HRMC was not accorded a dedicated role in the DDP as other commissions were. Commissioners have nevertheless done their utmost to participate in charrettes and design workshops, have met individually and as dedicated subcommittees with Opticos personnel and historic preservation consultant Mark Hulbert of Preservation Architecture, and have contributed written comments. From those meetings and materials produced as part of the process thus far, we understand these specific recommendations are being advanced by Opticos:

- Selectively convert existing Merit Resources to Landmarks.
- Eliminate the Conservation District (and contributing resources) but include Historic Preservation Guidelines in the Specific Plan/New Zoning.
- Promote the relocation of Downtown residential resources previously identified as Merit Resources or as Conservation District contributors to residential areas at the edge of, or outside Downtown.
- Consider designating the Old North a historic district as a replacement for the Conservation District in order to clarify intent.
- Consider designating Victorian period resources in the Old East a historic district.
- Remove Merit Resource classification: Existing Merit Resources may be converted to landmarks or, per above, historic districts.
- Conservation District status to be decided after deliberations with City staff.

While many of these appear reasonable on their face, we are troubled by the apparent lack of factual evidence for or analysis of some of these recommendations. Our discussions with those charged with developing the DDP suggest that little attention has been paid to “whys” and particulars. We cannot help but wonder if a much deep understanding of the full implications and longer range point of view might lead to some very different recommendations.

For instance, neither Opticos nor Hulbert have evidenced an understanding of how the Conservation District was created in the first place, that it was the result of several years of community involvement and development, and that it exists to provide guidance for growth that balances economic needs with preservation needs by according roles to both the HRMC and the Planning Commission. Inclusion of Historic Preservation Guidelines in new zoning and planning is certainly laudable, but what form or forms would these take? What about the democratic processes that birthed the Conservation District? What roles would the HRMC and Planning Commission have moving forward with the downtown area, alongside City staff?
Closely related to the recommended elimination of the Conservation District is the suggested removal of the “Merit Resource” classification, converting merit resources to landmarks or as elements of historic districts, and relocating merit resources to the edge or outside the downtown. Neither Opticos nor Hulbert have provided a sufficient justification for removing the classification or why an already-identified merit resource rightly ought to be elevated to landmark status. Merit resources exert a necessary conserving pressure against inappropriate redevelopment. They do not forestall new construction, but they often ask for that construction to be respectful for the past. Their qualities often do not rise to the level of a landmark, frequently because they themselves have been altered or modified at some point in the past. Elevating some then risks diminishing the importance of landmark status, and impeding reasonable redevelopment. Most importantly, whether a property is a merit resource or a landmark, place is fundamental. Selective removal does violence to historic integrity, undermining its value to the public.

In favoring the establishment of historic districts, Opticos and Hulbert mirror the Commission’s own sentiments. However, neither have yet provided a clear definition of the resources that would encompass an Old North Davis historic district, for example. Old North Davis may make an excellent historic district. However, some commissioners doubt whether sufficient analysis has been done with which to propose a district with clear boundaries. Moreover, the materials presented and available to us do not discuss the implications for establishing a district – for the city as whole and for the Old North Davis neighborhood, in particular. This concern applies equally to the proposed creation of an Old East historic district.

It is important to remember that the National Park Service recognizes the City of Davis as one of few Certified Local Governments (CLG) in the nation – an honor that would require significant resources and efforts to achieve today, and comes with tangible economic, cultural, and regulatory benefits. The above recommendations do not address any possible repercussions to the City’s CLG status should they be adopted, and we are understandably concerned about the possible loss of status. Loss of CLG status could very well result in greater regulatory burdens for development, not less, and foreclose federal and state funding and direct technical assistance. If sustainability – in its broadest possible meaning – is a central goal of the DDP, then the City would be worse off for losing its recognized commitment to historic preservation as reflected in being a CLG.

Absent an explanation of the implications of these recommendations by the Opticos and Hulbert, the Commission fears the City could end up with a DDP that creates many more problems for the future of Davis than it solves. Without justifications, these recommendations could wrongly influence the final plan to be submitted to the City for adoption by Opticos.

The Commission exists, in no small part, to advise the City. We want you to know what these recommendations could mean for a plan that must include historic resources, so we look forward to the opportunity to discuss this further with you – prior to Opticos’s check-in with the Planning Commission and City Council – either in a joint meeting or through a smaller subcommittee.

Thank you for your time and attention,

Scott Miltenberger
Chair, Historic Resources Management Commission