ENVIRONMENTAL IMPACT REPORT for the B and 3rd STREETS VISIONING PROCESS

RESPONSES TO COMMENTS

SCH #2006012026

City of Davis

Davis California

May 2007
ENVIRONMENTAL IMPACT REPORT for the
B and 3rd STREETS
VISIONING PROCESS

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SCH #2006012026

City of Davis

Prepared for:
City of Davis
Community Development Department
23 Russell Boulevard
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May 2007
NOTICE OF AVAILABILITY AND PUBLIC HEARING for the
RESPONSES TO COMMENTS
on the DRAFT ENVIRONMENTAL IMPACT REPORT for the
B AND 3rd STREETS VISIONING PROCESS

DATE: May 11, 2007
TO: Interested Agencies and Individuals
FROM: City of Davis Community Development Department

Copies of the Responses to Comments on the Draft Environmental Impact Report (DEIR) for the B and 3rd Streets Visioning Process are now available for review. More information on the public hearing process is provided below.

The project is known as the B and 3rd Streets Visioning Process. The project area is comprised of 22 properties totaling approximately 4.0 acres within the Core Area Specific Plan boundaries of the City of Davis in Yolo County, California. These properties front on the west side of B Street, between 2nd Street and 4th Street, and on the north and south sides of 3rd Street, between University Avenue and B Street. The project area includes the following Assessor Parcel Numbers (APNs): 70-065-01 through -03, -6, -9, -10 through -14; and 70-073-6 through -17.

The project involves modification of permitted uses and site development parameters within the project area to allow a larger scale of development encompassing increased densities, increased or decreased floor area ratio, reduced building setbacks, increased building heights (two-, three-, and possibly limited four-story), higher density residential, and mixed-use development.

The project includes the following discretionary actions: 1) General Plan map amendment; 2) text and map amendment of the Core Area Specific Plan; 3) amendment of the Davis Downtown and Traditional Residential Neighborhood Guidelines; 4) text amendment of Planned Development (PD) 2-86A; 5) rezoning of parcels within PD 2-86A; and 6) various other ordinances and resolutions as may be needed for implementation.

The proposed amendments will allow an increase in development potential. Redevelopment projected to occur under the proposed amendments could result in approximately 79 net additional dwelling units (attached units) with 150 net new bedrooms (assuming two bedrooms per unit on average) and 25,770 square feet of new non-residential development (17,800 square feet of office space and 7,970 net new square feet of commercial development). New residential townhouse and condominium projects are assumed along B Street. New mixed use projects are assumed along 3rd Street, at the corners of B Street and 3rd Street, and at the corners of B and 2nd Streets.

Up to 31 existing structures (including 17 principal and 14 accessory buildings) may be demolished including one structure that may be eligible for historic listing (311 B Street) and one listed historic resource assumed to be relocated (232 3rd Street) as a part of the project. Potential demolition of one other eligible structure (301 B Street) and one other listed historic resource (337 B Street) is also evaluated. An in-lieu parking fee program is proposed that could result in the payment of in-lieu fees for up to 76 spaces that would otherwise be triggered under the City’s parking requirements, based on the assumed development.

The City has prepared a Responses to Comments document that addresses comments received on the Draft Focused EIR during the formal comment period. The Responses to Comments document and the
Draft EIR together comprise the Final Environmental Impact Report (FEIR) for the project. The City must consider the information contained in the FEIR when deliberating the project. Following certification of the FEIR, the City may take final action on the project.

The Responses to Comments document is now available for public review at the public counter of the Community Development Department at 23 Russell Boulevard, Davis, California 95616. The document is also available online at the City’s website at www.cityofdavis.org.

A public meeting before the Historic Resources Management Commission will be held Monday, May 21, 2007 at 7:00 pm in the East Multi-Purpose Room of the Senior Center located at 646 A Street, in the City of Davis, CA 95616. At this hearing it is anticipated that the Commission will make their final recommendation to Council regarding the project.

A public hearing before the Planning Commission will be held Wednesday, May 30, 2007 at 7:00 pm in the Community Chambers located at 23 Russell Boulevard in the City of Davis, CA 95616. At this hearing it is anticipated that the Commission will make their final recommendation to Council regarding the project.

A public hearing before the City Council will be held Tuesday, June 12, 2007 at 7:30 pm in the Community Chambers. At this hearing it is anticipated that the Council will take a final action on the project.

There will be no transcription of public testimony at these meetings/hearings. Those who wish to have their verbatim comments incorporated into the record must submit their comments in writing. In compliance with the Americans with Disabilities Act, if you are a disabled person and you need a disability-related modification or accommodation to participate in these hearings, please contact the City Community Development Department at (530) 757-5610. Please make your request as early as possible and at least one-full business day before the start of the meeting.

For more specific questions about the project please contact Sarah Worley at (530) 757-5610.
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1.0 INTRODUCTION

1.1 OVERVIEW

This document contains all comments received during the public review period on the Draft Environmental Impact Report (DEIR) for the B and 3rd Street Visioning Process, and written responses to those comments.

1.2 PROJECT UNDER CONSIDERATION

The project is known as the B and 3rd Streets Visioning Process. The project area is comprised of 22 properties totaling approximately 4.0 acres within the Core Area Specific Plan boundaries of the City of Davis in Yolo County, California. These properties front on the west side of B Street, between 2nd Street and 4th Street, and on the north and south sides of 3rd Street, between University Avenue and B Street. The project area includes the following Assessor Parcel Numbers (APNs): 70-065-01 through -03, -6, -9, -10 through -14; and 70-073-6 through -17.

The project involves modification of permitted uses and site development parameters within the project area to allow a larger scale of development encompassing increased densities, increased floor area ratio, reduced building setbacks, increased building heights (two-, three-, and possibly limited four-story), higher density residential, and mixed-use development.

The project includes the following discretionary actions: 1) text amendment of the General Plan and new appendix; 2) text and map amendment of the Core Area Specific Plan; 3) text amendment of Planned Development (PD) 2-86A and rezoning of parcels within PD 2-86A; 4) amendment of the Davis Downtown and Traditional Residential Neighborhoods Design Guidelines.

The proposed amendments will allow an increase in development potential. Redevelopment projected to occur under the proposed amendments could result in approximately 79 net additional dwelling units (attached units) with 150 net new bedrooms (assuming two bedrooms per unit on average) and 25,770 square feet of new non-residential development (17,800 square feet of office space and 7,970 net new square feet of commercial development). New residential townhouse and condominium projects are assumed along B Street. New mixed use projects are assumed along 3rd Street, at the corners of B Street and 3rd Street, and at the corners of B and 2nd Streets.

Up to 31 existing structures (including 17 principal and 14 accessory buildings) may be demolished including one structure that may be eligible for historic listing (311 B Street) and one listed historic resource assumed to be relocated (232 3rd Street) as a part of the project. Potential demolition of one other eligible structure (301 B Street) and one other listed historic resource (337 B Street) is also evaluated. An in-lieu parking fee program is proposed that could result in the payment of in-lieu fees for up to 76 spaces that would
otherwise be triggered under the City’s parking requirements, based on the assumed development.

1.3 PUBLIC REVIEW

The City used several methods to solicit public input on the DEIR. These methods included distribution of a Notice of Preparation for the DEIR on January 6, 2006; a scoping meeting held January 19, 2006; distribution of the DEIR on August 22, 2006; an Historic Resources Management Commission meeting held September 18, 2006 to receive comments on the DEIR; an Open House held September 21, 2006 to answer questions about the project; and a Planning Commission meeting held October 11, 2006 to receive comments on the DEIR.

The DEIR was distributed to various public agencies, responsible agencies, and interested individuals. Copies of the document were made available at the public counter of the Community Development and at the local library. An electronic copy of the document was posted on the City’s website. The report was made available for public review and comment for a 45-day period that ran from August 28, 2006 through October 13, 2006.

1.4 ORGANIZATION OF THE DOCUMENT

This document is organized as follows:

Chapter 1.0 provides introductory information.

Chapter 2.0 presents text changes to the DEIR. These are clarifications, amplifications, and corrections that have been identified since publication of the DEIR.

Chapter 3.0 presents the list of commenters on the DEIR. There were 24 comment letters received (including the summary minutes from the Planning Commission meeting to receive comments on the DEIR which are identified as Letter 24).

Chapter 4.0 presents all the comment letters, and responses to each comment. This section presents a copy of each comment letter in the order received. The text of each letter has been bracketed and numbered to denote distinct issues raised by the writer or by the speaker. Each response is numbered to correspond with the comment.

Chapter 5.0 presents an index for some of the more detailed responses on particular topics. Readers are encouraged to review this index and read other responses relevant to issues in which they have an interest.

1.5 OVERVIEW OF MITIGATION MONITORING

CEQA requires public agencies to report on and monitor measures adopted as part of the environmental review process (Public Resources Code Section 21081.6; CEQA Guidelines Section 15097). A Mitigation Monitoring Plan (MMP) has been prepared and is attached as Appendix B.
2.0 EIR TEXT CHANGES

2.1 INTRODUCTION

Since the release of the Draft EIR (DEIR) on August 22, 2006, the following changes have been made to clarify, amplify, and/or provide minor technical corrections to the DEIR. In the case where information is deleted, it is shown in strikeout format. Where information is added, it is underlined.

The following changes are shown sequentially (by page number) in the order in which they appear in the DEIR. These changes are also referenced in Chapter 4.0 (Responses to Comments) where appropriate. A revised copy of Table 2-1, Summary of Project Impacts and Mitigations, is provided in Appendix A.

2.2 TEXT CHANGES

Notice of Availability for DEIR, 4th line, correct project boundaries from “between A Street and B Street” to “between University Avenue and B Street”.

Page 2-1, 5th line, correct project boundaries from “between A Street and B Street” to “between University Avenue and B Street”.

Page 3-20, last line, correct address reference from 247 B Street to 247 3rd Street.

Page 4.2-7, the first paragraph under Existing Parking Conditions is clarified as follows:

Both on-street and off-street parking is currently provided within the project vicinity. A majority of the on-street parking is reserved for those with a “W” permit, which is available to residents and businesses west of B Street. Within the “W” permit zone, parking is prohibited from 8:00 AM to 10:00 PM, Monday through Friday, for vehicles without a “W” Permit. One-hour parking is allowed in the on-street parking spaces that are not subject to the “W” permit restrictions. The majority of one-hour, on-street parking is located along 3rd Street. The permit parking areas and one-hour parking areas are shown on Figure 4.2-4. There is street frontage throughout the City on which parking is prohibited at all times.

The street sweeping times are 2:00 AM to 6:00 AM on Fridays, except on B Street, which is swept on Tuesdays. The Davis Municipal Code prohibits parking a vehicle on-street without moving the vehicle for more than 120 hours. This restriction is in addition to the signed parking restrictions for street sweeping.

Page 4.2-7, the third paragraph under Existing Parking Conditions is clarified as follows:

Parking supply and occupancy surveys were conducted during the mid-day (11:00 AM to 1:00 PM) and evening (7:00 PM to 9:00 PM) periods, to determine the number of parking spaces and occupancies of those spaces within the study area. Figure 4.2-5 and Figure 4.2-6 present the parking survey results for mid-day and evening conditions, respectively. The occupancy surveys give an overview of typical mid-week parking conditions in the area, and do not reflect the occasional higher parking demand that can result from special events at Central Park or at the University. Collection of garbage and green waste can also have an effect of parking availability dependent on individual placement of cans and piles.
There are 87 on-street spaces (excluding alley spaces) within the blocks bounded by 2nd Street, 4th Street, B Street, and University Avenue. There are 130 off-street parking spaces, including 56 commercial spaces in the lots at the northwest corner of B/3rd Streets, the northwest corner of B/2nd Streets, and the alley lot north of 2nd Street. Approximately 74 residential spaces are located along the alley. This is an estimate of the actual effective parking supply, as not all parking spaces are clearly striped.

Page 4.2-8, Figure 4.2-4 is revised to more accurately reflect parking restrictions along B Street. See revised Figure 4.2-4 in Appendix D.

Page 4.2-33 through 35, Mitigation Measure 4.2-2(a) and (b) is replaced with the following combined and modified language:

Mitigation Measure 4.2-2(a): Whether or not the proposed in-lieu parking fee program option is extended to the project area, the existing alley right-of-way (ROW) within the project area will be expanded to 20 feet along the east side of the alley, between 2nd Street and 4th Street, with the exception of 246 4th Street. The ROW will be obtained as properties within the project area are developed or by acquisition as necessary.

As individual properties within the project area redevelop, interim improvements to the alley may be required of the project proponent by the City, to address safety and/or design issues (e.g. primarily [but not limited to] improvements to create safe clear areas on either side of the existing pavement; and pavement repairs).

Counts of average daily travel (ADT) along the alley will be taken approximately six months after the completion of redevelopment that substantially increases the intensity of use for any individual parcel(s) within the project area. When an ADT threshold of 400 vehicles is exceeded on either “street-to-street” segment (e.g. 2nd Street to 3rd Street section or 3rd Street to 4th Street section) the City will implement the requirement to improve that entire alley segment to the ultimate cross-section described below. If all ROW necessary to install the full cross-section improvement has not been dedicated or otherwise acquired, available ROW sufficient to install the improvements will be acquired at that time.

The ultimate alley cross-section will consist of 20 feet comprised of a full 16-foot paved section with 2-feet of clear area on either side. As directed by the City Engineer, alley design will address (among other things) underground infrastructure improvements, above ground utility placement, drainage, pavement edge treatment, clear signage and/or striping, and access points for on-site parking. As directed by the City Engineer, alley design will avoid mature trees and other physical features (e.g. landscape islands, fences, stairwell at 217 B Street, etc.) where practicable.

Implementation of this mitigation measure would reduce this impact to a less-than-significant level.

Page 4.2-40, add the following additional items to Mitigation Measure 4.2-5(a):

7. Encourage provision of required parking on-site for all commercial and residential uses, including consideration of new parking arrangements such as mechanically supported stacked parking, tandem parking, and electric car vehicle spaces/hookups through the design review process.

8. Pursue a new shuttle system between the University and Downtown serving the 3rd Street Corridor area.
Page 4.3-2, bottom paragraph is corrected as follows including addition of a new footnote:

In 1906, the University of California chose a 780-acre farm belonging to Jerome Davis Martin Sparks to establish a …

__________


Page 4.3-3, Figure 4.3-1 is corrected to add a missing reference. See revised Figure 4.3-1 in Appendix D.

Page 4.3-26, Mitigation Measure 4.3-9(a) is clarified as follows:

All new development within the Conservation District will be subject to design review according to the adopted design guidelines for the Conservation District. All new development on eligible or designated historic resource sites or within 300 feet of such sites will also be reviewed by the Historic Resources Management Commission pursuant to Zoning Code Section 40.23.050 (i).

Page 4.3-26, Mitigation Measure 4.3-9(c) is clarified as follows:

Mitigation 4.3-9(c): Consider establishment of a Historic Impact Mitigation fee as compensation for demolition of designated historic resources or pre-1945 contributor structures with high integrity. Fees collected would be used for efforts or projects considered to strengthen the historic integrity of the Conservation District as a whole, such as: to facilitate relocation of historic structures to suitable sites; for purchase of historic properties and/or relocation sites; payment of full or partial relocation and rehabilitation costs; restoration or repair of historic resources; and payment for historic research and surveys. Such Historic Impact Fee would be based on a nexus between the fee amount and the relative historic value of the structure and its historic context. The use of historic mitigation fees to reimburse the Agency for the 3rd and J Street site or to contribute to purchase of another site shall be considered.

Page 4.4-10, paragraph 1, third bullet, clarify as follows:

- Changes in parking requirements to require 1 space per 500 square feet of non-residential space with payment of parking in-lieu fees allowed. Residential parking to be based on number of bedrooms: one space for studio/one-bedroom units; 1.5 spaces for two-bedroom units, 2 spaces for three-bedroom units, and one additional space per bedroom for each bedroom over three units with 3 bedrooms or more. A minimum of one on-site parking space required per residential unit with additional residential parking allowed to be provided through payment of parking in-lieu fees.

Page 4.4-13, Impact 4.4-5, consistent with text clarify as follows:

Implementation of the project would result in a change in the existing visual character and quality within and adjoining of the project area.

Page 4.4-14, correct typographical error in fifth line:

... of and existing and adjoining structures ...
Page 4.5-20, clarify as follows:

Mitigation Measure 4.5-3(a) – Owners and tenants of new residential units within the project area shall be informed. New parcels created within the project area and future rental agreements and leases for rental housing within the area shall contain language approved by the City Attorney that discloses that special events at Toomey Field and/or Central Park may generate noise levels which vary and may approach or exceed the City’s noise ordinance standards.

Page 5-1, 1st paragraph, 3rd line. Change “effect” to “effects”.

Page 5-33, the “greater than” and “less than” symbols are reversed in the notes at the bottom of the table.
3.0 LIST OF COMMENTERS

The Draft Focused Environmental Impact Report for the B and 3RD Streets Visioning Process was circulated for public and agency review for 45 days, commencing on August 28, 2006 and ending October 13, 2006. Twenty-four comment letters were received by the City as follows:

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<th>No.</th>
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<th>Name/Organization</th>
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<tbody>
<tr>
<td>1</td>
<td>9/8/06</td>
<td>Maureen Guerrieri</td>
</tr>
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<td>2</td>
<td>9/25/06</td>
<td>Public Utilities Commission</td>
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<td>3</td>
<td>10/2/06</td>
<td>California Historical Resources Information System</td>
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<tr>
<td>4</td>
<td>10/6/06</td>
<td>Gayle Sosnick, Commissioner Historical Resource Commission</td>
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<td>5</td>
<td>10/8/06</td>
<td>James Zanetto, Architect and Planner</td>
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<tr>
<td>6</td>
<td>10/11/06</td>
<td>Maria and David Ogrydziak</td>
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<td>7</td>
<td>10/11/06</td>
<td>Mark Braly, Member, Planning Commission</td>
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<td>8</td>
<td>10/12/06</td>
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4.0 COMMENTS AND RESPONSES

In this Chapter a copy of each comment letter (or meeting minutes) has been provided. Each letter has been numbered in the order it was received and the text of each letter has been bracketed and numbered to denote distinct issues or comments raised by the writer or speaker. Following each letter is a series of responses numbered to match with the appropriate comment.
September 5, 2006

Sarah Worley, Planner/Economic Development Specialist
Davis Community Development Department
23 Russell Boulevard
Davis, CA 95616

Regarding: B and 3rd Streets Visioning Process

Dear Sarah Worley,

My husband and I, along with Milt Blackman and Lorna Beldon own the building located at 231 C Street. My husband and Dr. Blackman have an optometry practice at this location. Parking is such a tremendous problem already for our patients, particularly our elderly ones. We are very concerned about the in-lieu parking fee program that is proposed for the B and 3rd Streets Visioning Process. Where will the cars for the 76 spaces that would otherwise be triggered under the City’s parking requirements be parked? We would be against this development if its necessary parking were not provided for on site, or a nearby parking structure.

Sincerely,

Maureen Guerrieri
LETTER 1, MAUREEN GUERRIERI

Response to Comment 1-1: Thank you for your comments. The project proposes use of an in-lieu parking program for existing and proposed parcels zoned Retail With Offices. This would affect properties located on 3rd Street between University Avenue and B Streets, and at the corners of B and 2nd Street and B and 3rd Street. Other modifications to parking requirements are described on page 3-18 of the Project Description, in the DEIR and analyzed in Section 4.2 (Circulation and Parking), starting on page 4.2-36.

The project could result in payment of in-lieu fees for approximately 76 otherwise required parking spaces (14 residential and 62 commercial). This reflects the maximum amount of in-lieu parking that could be reasonably approved under the proposed revisions to development policies and regulations. The actual amount of in-lieu parking approved may be lower than this number.

Parking in-lieu fees could be used to provide new parking supplies such as a new parking garage, or to reduce the demand for parking by increasing alternate forms of transit. These could include a possible shuttle service, and shared car and shared parking programs, as listed in Mitigation Measure 4.2-5(a) on page 4.2-4 of the DEIR (see also Chapter 2.0, EIR Text Revisions which contains proposed expanded language for this measure). It is acknowledged that the existing pattern of parcel zoning, ownership, size and configuration limit the feasibility of locating a new parking structure in the project area or near vicinity. The City is pursuing a public-private project to construct a new parking structure and mixed commercial project including approximately 620 parking spaces (480 net new) in the block located between 3rd, 4th, E and F Streets. The addition of new parking in this area will contribute to the overall parking supply in the Downtown area, and should relieve area parking demand.

Other actions such as having University-affiliated workers use the University parking garage rather than neighborhood street parking could also alleviate some of the parking demand.

In this EIR and in the EIR prepared for the Core Area Specific Plan, parking impacts of additional development in the Downtown Core Area and in the project area are considered to be significant and unavoidable cumulative impacts. Collection of in-lieu parking fees, construction of a new Downtown parking structure, and pursuit of other means of reducing parking demand, such as a Downtown UCD shuttle, increased transit use, and even restricting commercial uses in the interior 3rd Street blocks to low-vehicle traffic generating uses, will still be insufficient to fully mitigate parking demand. Permit parking restrictions on neighborhood streets will continue to reserve parking in these areas for the neighborhood and discourage use for other purposes. Access to limited parking will be a factor new businesses will have to consider when choosing to occupy space in this area. Project developers may also choose to provide onsite parking.

The City has an existing in-lieu fee parking program. Payment of in-lieu parking fees instead of providing on-site parking is now allowed in Commercial Core and Mixed Use zoning districts, located on the east side of B Street across from the project area. The in-
lieu fee is $4,000 per space (Resolution No. 04-51, Series 2004). These zones also do not require parking for ground floor retail uses in mixed use projects.

The commenter’s concern about the in-lieu parking component of the proposed project is noted for the record.
September 18, 2006

Sarah Worley
City of Davis
23 Russell Blvd.
Davis, CA  95616

Dear Ms. Worley:

Re: SCH #2006012026; Band 3rd St.'s Visioning Process

As the state agency responsible for rail safety within California, we recommend that any development projects planned adjacent to or near the rail corridor in the County be planned with the safety of the rail corridor in mind. New developments may increase traffic volumes not only on streets and at intersections, but also at at-grade highway-rail crossings. This includes considering pedestrian circulation patterns/destinations with respect to railroad right-of-way.

Safety factors to consider include, but are not limited to, the planning for grade separations for major thoroughfares, improvements to existing at-grade highway-rail crossings due to increase in traffic volumes and appropriate fencing to limit the access of trespassers onto the railroad right-of-way.

The above-mentioned safety improvements should be considered when approval is sought for the new development. Working with Commission staff early in the conceptual design phase will help improve the safety to motorists and pedestrians in the County.

If you have any questions in this matter, please call me at (415) 703-2795.

Very truly yours,

Kevin Boles
Utilities Engineer
Rail Crossings Engineering Section
Consumer Protection and Safety Division

cc: Pat Kerr, UP
LETTER 2, PUBLIC UTILITIES COMMISSION

Response to Comment 2-1: Thank you for your comments. The project is neither adjacent to nor near enough to a rail corridor to result in traffic volumes that would adversely affect rail. Rail crossing is not an issue for this project. The closest rail line is the Union Pacific Rail Road line (U.P.R.R.) located between an eighth to a quarter mile away (train station is approximately a quarter mile away). Development within the project area would not occur on land subject to PUC control.
29 September 2006

City of Davis
City Planning & Building

Sarah Worley, Planner/Economic Development Specialist
Davis Community Development Department
23 Russell Boulevard
Davis, CA 95616

Re: Draft EIR for the B and 3rd Streets Visioning Process / SCH #2006012026

Ms. Worley:

Thank you for the opportunity to comment on the above referenced Draft EIR. The historic-period built environment component has been thoroughly and thoughtfully handled. There is, however, no mention of consideration of the prehistoric- and historic-period archaeological component which is also the City’s obligation under the California Environmental Quality Act. Therefore, it is recommended

1) that a records search be conducted to determine if any additional archaeological work will need to be done prior to commencement of future projects; and,

2) that the City contact the Native American Heritage Commission to obtain the name(s) and contact information for any interested tribes.

Sincerely,

Leigh Jordan
Coordinator

NWIC File No. 06-EIR-1

OCT - 2 2006

City of Davis
May 2007

4-7

B and 3rd Streets Visioning Process
4.0 Comments and Responses
LETTER 3, CALIFORNIA HISTORICAL RESOURCES INFORMATION SYSTEM

Response to Comment 3-1:  Thank you for your comments. Consideration of the potential impacts of the project was addressed in the Initial Study prepared for the project DEIR which was included as Appendix 7.1 of the DEIR, and summarized in DEIR Section 2.5, Summary of Impacts Addressed in Initial Study and Prior Documents (page 2-5).

Response to Comment 3-2: A records search was conducted for this project by the Northwest Information Center of the California Historic Resources Information System and results and recommendations conveyed to the City in a letter dated March 9, 2006 (see DEIR Appendix 7.8, NWIC File No.: 05-742). An analysis of potential project impacts on project area historic resources is included in the DEIR in Section 4.3, Historic Resources. Mitigation Measure IS-1 on page 2-8 of the DEIR (Table 2-1) requires that a qualified archaeologist be present on site during all periods of subsurface disturbance as a condition for any development project. This requirement is imposed so that possible archaeological resources that may be uncovered or disturbed during construction are properly identified and necessary measures to reduce further impacts on any cultural resource are implemented before construction continues.

Response to Comment 3-3: City staff contacted the Native American Heritage Commission on August 28, 2006 to request the contact information for any interested tribes. At the request of the Commission, a copy of the Notice of Completion for the Draft EIR was provided. A copy of the NOC and DEIR was also provided to the State Office of Historic Preservation on that same date.
Comments on the
Davis B and 3rd Streets Visioning
IMPLEMENTATION SUMMARY REPORT
extracted from the EIR.

The charge is an Urban Vision. Granting that, I believe the following changes need to be made on Page 1, Vision and elsewhere for consistency.

Allowing use of in-lieu-of-parking fees . . . for residences are not acceptable. EIR 4.4-10 4.4-13 We are not to build sub-standard units that no-one would want to live in., particularly if we are trying to encourage home ownership. Parking--4/5 spaces per 50' lot--will be the driving factor for development unless there is underground parking. I would forgive a parking place for a studio apartment off the alley over a garage.

Underground parking will increase traffic in the alley. For that reason, and to facilitate garbage trucks, the alley will have to be improved. Eliminating curb cuts on B St. was a wise move. Aside from backing into traffic, driveways turn into parking lots.

Higher density . . As to attached housing, since the lots are individually owned, there would be 2 semi-detached houses on a 50' lot, (or 4 units on 2 lots). More than 4 attached units would produce a garbage can problem unless there was pickup on the alley.

Limited 4th story . . I believe that this is too out-of-sync with the University neighborhood, and the increased density will create parking problems. 3 stories on the alley will obscure too much light for the one-story homes on University Avenue.

Retention or relocation . . This should not be a requirement. Moving cottages anywhere, in or out of the city, would be desirable. (By limiting expansion of the city we have driven the price of lots so high as to make no economic sense for small houses.) Remember that we are not an historical city, such as Williamsburg. We are not legally bound to keep them.

Note that a cottage, with its 30' set-back, will be lost huddled behind a 3-story building, its porch 8' from the sidewalk. I do not think this will give the street the presence that you are looking for.
There is a time for keeping old housing stock: it is in good condition and it is in the right neighborhood; hence Old North Davis and Old East Davis.

There is a time to rebuild: when the needs of the neighborhood change and the building no longer accomplishes that need. How do you build a city if you keep everything old?

The lots are individually owned and will be, or not, developed individually. Unfortunately this precludes a planned development, which would give the street a presence that you are striving for. I believe a pattern needs to be established so that the street has some kind of cohesiveness.

It would nice if an Owner could be induced to live in part of the project and rent the rest. To this end, there should be some outdoor patio space as well as other amenities. Sacrificing quality of living for a few more bodies is not worth the price.

Yours respectfully,

Gale Sosnick
Commissioner
Historical Resource Commission
621 Elmwood Drive, Davis
758-5665
LETTER 4, GALE SOSNICK, COMMISSIONER, HISTORICAL RESOURCE COMMISSION

Response to Comment 4-1: Thank you for your comments. Please see Response to Comment 1-1. Proposed modifications to parking requirements are described on page 3-18 of the Project Description in the DEIR. Parking impacts are analyzed in Section 4.2 (Circulation and Parking) of the DEIR starting with page 4.2-36. Table 4.2-9 on page 4.2-38 provides a summary of parking at build-out under existing conditions and under the proposed project. Excluding possible in-lieu payments for up to 76 parking spaces that would otherwise be required, there will be 38 net new spaces under build-out of the proposed project as compared to build-out under existing conditions (137-76-23=38)

The commenter's concern about the in-lieu parking component of the proposed project is noted for the record.

Response to Comment 4.2: Alley impacts are addressed in Section 4.2 of the DEIR, under Impact 4.2-2 and 4.2-4. Mitigation Measure 4.2-2(a) and (b) (please see revisions to this measure provided in Chapter 2.0, EIR Text Changes) identify a minimum right-of-way of 20 feet for the alleys and a minimum of 16-feet of horizontal clearance or paved area.

Response to Comment 4-3: The expectation generally is that all garbage pickup will occur from B Street. If needed or desired, mixed use commercial projects and common interest residential projects (e.g. town and row housing) may be able to arrange for alley garbage pickup based on individual contracts with the provider (DWR). Per the Design Guidelines, project designs will need to provide pedestrian access to and from B Street for all units.

Response to Comment 4.4: The limited fourth story is an option and proposed as possible bonus within the Retail With Offices district along 3rd Street and at the corners of B and 3rd and B and 2nd Streets. This bonus would be limited to a project incorporating a public amenity considered sufficient to offset such allowance. This could support an architectural element such as a corner treatment clerestory for a three story building. Whether or not the limited fourth story is actually approved for individual projects would remain under the discretion of the Planning Commission and/or Council, decided on a project-by-project basis, after a public hearing for each proposal.

Please see also the third paragraph of Response to Comment 14-45 which addresses parking problems caused by increased density.

Appendix D.1 provides examples of typical alley cross-sections. The proposed revisions to alley heights and setbacks are structured to help avoid impacts to adjoining uses; however it is accurate that in some instances maximum build-out under the proposed project will result in additional impacts like increased shading. Impact 4.4-5 addresses this issue in detail. See also Response to Comment 14-61.

Special height limits and setbacks are proposed for project sites located adjoining designated low-density residential uses to reduce impacts on these properties (see
second bullet on page 4.4-10 of the DEIR). These are described in more detail in Appendix C (attached).

Response to Comment 4-5: The commenter’s concern and observations are noted. The retention and/or relocation of existing cottages is desirable; however it should be noted that it is not a requirement.

Response to Comment 4-6: Proposed amendments to development standards and design guideline examples are intended to establish a pattern for building size, massing and location, while allowing and encouraging individual property identity.

Response to Comment 4-7: The proposed amendments to the Design Guidelines reflect this intent.
From: "james zanetto, architect" <zanetto@dcn.org>
To: <mbraly@davis.com>, <golumpner@sbcglobal.net>, <wrhtiger@aol.com>,
<kristopher.kordana@kp.org>, <mikelevy@pacbell.net>, <ceo@ochoamoorelaw.com>,
<whittier@pacbell.net>, <pattersn@dcn.org>, <sworley@ci.davis.ca.us>
Date: 10/8/2006 9:51:26 AM
Subject: B Street Visioning Process

Members of the Planning Commission,

Attached please find information on Shared Car Programs and their potential to develop a new housing type especially suited to infill sites in Davis.

The B Street EIR should study this strategy as a mitigation measure, and as a basic development strategy.

Thank you for your consideration of this issue.

James Zanetto
Architect & Planner
758 8801
Members of the Davis Planning Commission

RE: B and Third Street Visioning Process
   EIR Comments

Planning Commission Members,

The following comments are a slightly up-dated form of a letter sent to the planning department last February. (The original letter is presented as an Appendix to the Draft EIR.)

Premise:
My basic premise is that the largest and most significant impact of higher density infill housing is the automobile. Primary impacts include traffic, on-site space requirements for parking autos, air quality, and overall quality of life issues for the pedestrian.

Goal:
My intent is to have the city incorporate "car sharing" and the resulting "shared car households" as basic strategies for housing in Davis. Car sharing is a program where households eliminate one, more than one, or all of their private cars and use "shared cars" when necessary. Car sharing is especially suited to infill housing. This program is gaining momentum in large and small urban areas in the US and Europe.

Quote from www.citycarshare.org explaining the program for the San Francisco and East Bay area:
   Having a car means being free to go where you want, when you want to. But owning a car costs money—around $500 a month when you add insurance, gas, maintenance, and parking to the monthly payment. (I personally think $500 is a low figure.)
   By comparison, the average City CarShare member pays about $35 a month for the same freedom. Membership dues are just $10/month; then it's only $4/hour and 44¢/mile for most cars in our fleet—gas and insurance included. And you get half-off the hourly rate from 10 pm-10 am. To join, there's an application fee of $30 and a security deposit of $300 that is fully refundable.

Therefore:

1) The Environmental Impact Report should consider:
   • Planning for a new housing type: Housing for Shared Car Households (SCH).
   • Shared Car Households:
     - Greatly reduce the impact of density increases at infill sites.
     - Typical Shared Car Households include seniors, students, local workers including university faculty moving from other urban areas where a car is unnecessary, and low income residents.
- Are a form of affordable housing due to the elimination of significant monthly expenses such as auto loan payments, fuel, maintenance and auto insurance. Also the cost of the housing itself is reduced due to the elimination of on site auto circulation, parking/storage and shading expenses.

2) In addition, the Planning Commission and City Council should consider:

- Methods to implement Housing for Shared Car Households:
  - Establish a city-wide shared car program that individual housing projects and businesses can subscribe to.
  - Work with UCD (who now has a similar "preferred rate" program for students and faculty with Enterprise Car Rental, 753.1300) to develop a city-university shared car program.
  - Work with SACOG to gain grants and implementation assistance.
  - Establish new zoning guidelines for reduced parking requirements for SCH housing.
  - Explore methods to restrict SCH from having or storing multiple cars on site or off site.
  - Reduce developer impact fees due to decreased environmental impacts including:
    - reduced noise, air pollution, and congestion on existing neighborhoods,
    - reduced road maintenance needs,
    - increased bike and pedestrian safety,
    - reduced pavement and increased open space potential, and
    - increased viability of businesses due to increased parking availability.
  - Develop "overlay zones" where SCH
    - are strongly encouraged (locations in the core area and adjacent to the university),
    - are encouraged (locations within walking distance of the core area and university),
    - are allowable (citywide).
  - Work with local businesses, especially grocery stores, to encourage delivery services (such as the current Safeway program), and to provide "shared" staff car availability so individual car use is not required.
  - Include availability of the most fuel efficient, low pollution vehicles available with professional maintenance programs to maximize their performance, as well as larger vehicles for moving heavier items or for vacations, etc.
- Direct Staff to explore locations where shared cars could be housed (the current Davis School District site at 5th and B Streets is an attractive option).
- Direct staff to report on nationwide SCH programs such as Flex Car (www.flexcar.com), and Zip Car (www.zipcar.com), or the feasibility of establishing a local shared car cooperative.
- Direct staff to report on community based SCH (Google shared car households) in other communities/regions such as:
  - Chapel Hill, North Carolina (joint city/university program, www.zipcar.com)
  - San Diego, Los Angeles, and San Francisco (www.citycarshare.org),
  - Portland, Oregon
  - Seattle
  - Chicago
  - Washington, D.C.
  - European models:
    - Delft
This is a tremendous opportunity to allow infill housing to be a good neighbor, reduce environmental impacts and provide a new type of affordable housing. This is truly Smart Growth.

Sincerely,

James Zanetto  
Architect and Planner  
758-8801  

c: Sarah Worley, Economic Development Specialist, City of Davis
"Shared Car" Housing Pilot Program

Summary:

One parcel - 50 x 150', 7500 sf
5 households - units 1080 to 1620 sf
parking - 5 spaces
landscaped area - 3,549 sf, 47%
"Shared Car" Housing
(2 cars per household, future option)

Summary:
One parcel - 50 x 150', 7500 sf
5 households - units 1080 to 1620 sf
parking - 10 tandem spaces
landscaped area - 2,796 sf, 37%
Summary:

Two parcels - 100 x 150', 15000 sf
9 households - units 1080 to 1620 sf
parking - 9 spaces
landscaped area - 6,960 sf, 46%

"Shared Car" Housing
(2 cars per household, future option)
LETTER 5, JAMES ZANETTO, ARCHITECT AND PLANNER

Response to Comment 5-1: Thank you for these comments and for the sketches you provided. Provision of a local car share car program is included in the list of parking mitigations cited in Mitigation Measure 4.2-5(a) on DEIR page 4.2-40 (see also Chapter 2.0, EIR Text Revisions which contains proposed expanded language for this measure). The information provided is very useful in this regard.
From: Maria and David Ogrydziak  
241 B Street  
Davis CA 95616

Re: EIR Response, B Street Visioning

Date: October 11, 2006

Our response will address three topics.

1. What are the true environmental impacts of Alternative 1 (No Project, Existing Conditions)?

2. Home ownership versus rentals. The argument against attached units.

3. Potential problems with the project proposed for 225 and 229 B Street.

Environmental impacts of Alternative 1. Alternative 1 (No Project, Existing Conditions) was determined to be "environmentally superior". We argue that that there will be numerous negative impacts of adopting Alternative 1. First, we argue that little positive will happen. The existing conditions have been in place for more than a decade and adaptive reuse and the building of accessory structures have basically not happened.

In the absence of financial incentives, the numerous units that are in "poor condition" will continue to decay. Because of their excellent location between the campus and downtown, units in "poor condition" can still demand high rents. Units in similar "poor condition" in other parts of the city will either not be rented at all or the rents would have to be substantially lower. In other words, owners in the 3rd and B Street area can let the units decay for many more years before they will need to do minimal maintenance to compete in the rental market. It is not clear where the adverse effects of a decaying housing stock can be taken into account in the EIR.

If Alternative 1 is adopted, the area will continue to become less livable. We believe there is a relationship between the quality of the housing and the behavior of the occupants. With Alternative 1, it is hard to imagine that the neighborhood will not become noisier and trashier in the coming years. Paradoxically, Alternative 1 could in reality cause the most noise problems and the mitigation (calls to the police) is only partially successful.

Finally, the same arguments can be made for Alternatives 2 and 4, as we believe they do not contain sufficient incentives to have property owners invest. So basically these
alternatives will have the same effects as Alternative 1, continuing decay of the housing stock and of the livability of the neighborhood.

**Home ownership.** We have from the start believed that home ownership (for-sale units) is critical for improving the neighborhood. Owner occupants have a greater long-term vested interest in the neighborhood than do renters. Replacement of "poor condition" student rentals with owner occupied townhouses would improve the housing stock and livability of the neighborhood and provide economic synergy with the downtown.

For liability and insurance reasons, it is not feasible to do for-sale units in small projects with attached units – a major reason why there are few for-sale units in the downtown. Yet the overall project description still contains the phrase “attached units”. Insisting on attached units would eliminate for-sale units in favor of rentals. The impact on the quality and livability of the neighborhood would be very different with rental units rather than similar numbers of for-sale units.

**Project at 225 and 229 B Street.** We had proposed 4 units for the lot at 233 B Street. Therefore, it should not be a surprise that we feel that 19 units on a combined lot less than twice the size of the 233 B Street lot is too dense. To make matters worse, we believe that the project will result in a large apartment complex and not for-sale owner-occupied condominiums for seniors as claimed.

For reasons described above, building of for-sale attached units is very difficult. Even if the legal hurdles of building for-sale condominiums were overcome, it is not clear how one would enforce that these are condos for seniors only. We do not doubt that the developer will sign almost any document requested, but how will the city enforce the deal? We suspect the city will not and/or that there will be lots of litigation.

Finally, this project proposes half-level parking. The one example of this in the downtown is generally thought to be not very successful. It adversely affects the pedestrian-building interface. Supposedly, half-level parking has been more successful in some other places. We are still waiting to see these examples.

**Conclusion.** In conclusion, the EIR is a massive document. We realize it has a defined structure. We believe that some version of Alternative 3 is the best way to go to rejuvenate the neighborhood. We have tried to point out that, although Alternative 3 has the greatest environmental impact, the other alternatives are not as benign as they appear in the EIR. We have also tried to point out that the nature of the housing (attached versus detached) has very real implications for the quality and livability of the neighborhood.
LETTER 6, MARIA AND DAVID OGRYDZIAK

Response to Comment 6-1: Thank you for your comments and this summary of your comments. Please see specific responses below.

Response to Comment 6-2: As indicated on page 5-34 of the DEIR, State law requires that the “environmentally superior” alternative be identified in a DEIR. As pointed out by the commenter, the environmentally superior alternative may not necessarily be superior in terms of other fiscal, social, or economic concerns. This will be further explored in the deliberations by the Planning Commission and City Council, but it is not appropriately a topic for the EIR. The focus of the EIR review is adverse physical impact rather than negative social behavior. The commenter suggests that Alternatives 1, 2, and 4 are inferior to Alternative 3 for reasons outside of the spectrum of the CEQA review. The DEIR does not speculate in this regard. Various restrictions embodied in the existing zoning have served as disincentives to reinvestment because the amount of development allowed does not support the cost. This was one original impetus behind this proposed project.

Response to Comment 6-3: The project would allow for higher density housing that could take different forms, including flats or condominiums in mixed use structures or town or row housing on individual lots sharing common walls and zero setbacks. The term “attached” does not preclude small air space divisions between units that assist with building code compliance and may address builder liability issues. Feasibility of building attached air space condominiums may increase in future.

Response to Comment 6-4: The commenter’s concern about the density assumed for 225 and 229 B Street is noted. Regarding restriction to seniors, the City is not able to impose age restrictions on housing. However, when a project is proposed to be age restricted and is subsequently approved as such by the City, the City can require the age restriction to be recorded as a deed restriction on the property. This would allow for subsequent enforcement by the City. Additionally it should be pointed out that Government Code Section 65915b1C identifies senior housing as one kind of allowed density bonus.

Response to Comment 6-5: The proposal for below-grade or partial below-grade parking is intended to reduce the perceived height of new structures and bring living areas closer to the ground level, to maintain activity on the street, yet provide sufficient parking for higher density housing forms. The exterior of the half level of parking above grade level will require sensitive design treatment of both the building and adjoining yard and landscaped areas. Some of the prototypes considered incorporate the half level parking into a raised porch design that can provide a visual element on the street and offer residents a semi-private outdoor space.
Comments on 3rd and B EIR

This EIR and others I have seen for Davis projects seem always to treat any increase in density or height as an environmental impact that must be avoided or mitigated. But low density can also have environmental impact. Unavoidably, Davis is entering an era of infill development and redevelopment. If we are to meet future housing needs without urban sprawl into surrounding agricultural land and open space, this infill will involve increased density. But neighbors to an infill project will almost always want minimal increases in density, preferably none. There seems to be an underlying presumption that low density and height always mean good design and less environmental impact.

Density has a bad name because of bad design. We can see examples of it all over older parts of town where we allowed apartment buildings on single family parcels. There are many examples in this project area, the worst being the apartment building near 2nd and B next to Bakers’ Square. Recognizing this, the city now has design guidelines in many areas, including this one.

In Section 5.1, the analysis of Cumulative Impacts simply referenced the EIR for the City’s General Plan and found cumulative impacts of the project not significant. I suspect the cumulative impact of low density will be urban sprawl and conversion of ag land and open space to housing.

If our present General Plan and its EIR are going to prevent us from looking at the cumulative impact of low density infill then we may need a new General Plan and EIR.

If we consider only low density in this area, then where in the city would be suitable for increased density. The location of this area between the University and downtown, the two primary centers of urban activity in Davis, make it an obvious candidate for high quality, but perhaps dense and mixed use redevelopment. Low density here could set the pattern of in-fill throughout the city.

In Appendix 7.1, NOP/Initial Study, I see that neither agricultural nor hydrological resources were considered impacted by the project. But they should have been analyzed under cumulative impact. In EIRs and other analysis of proposed projects we need to understand the cumulative impact of paving over so much of the city’s area for storing and moving cars. Here we are adding significant additional parking space. In the EIR we only look at whether it will meet the need. We did not look at storm water runoff from impermeable pavement or air emissions from asphalt pavement.

For me, a significant environmental impact is paving over limited urban land for parking. Therefore, in Section 4.4 “Land Use and Aesthetics,” I would have compared the alternatives in terms of whether density was sufficient to make underground parking, an effective mitigation, financially feasible.

Submitted by Mark Braly, Member, City Planning Commission
Oct 11 2006
LETTER 7, MARK BRALY, MEMBER, CITY PLANNING COMMISSION

Response to Comment 7-1: Thank you for your comments. The issues raised by the commenter regarding the approach taken in the EIR are best explained by referencing State law. As established in CEQA and the CEQA Guidelines, the benchmark or context for determination of project impact is the existing environmental condition. For projects that are policy or regulatory documents, as is the case here, the benchmark is also the planned future condition (CEQA Guidelines Section 15125(e)). Hence, in this case, and in many others as mentioned by the commenter, where the proposed change would result in greater densities, the City is obligated to examine the potential for adverse physical impact resulting from a change from the planned and/or existing less dense condition to the proposed more dense condition.

The commenter raises the point that low density can also have an environmental impact. This is true and if a project were proposed changing from planned and/or existing high density to proposed low density, this would be appropriate to disclose in the EIR, because the lower density development pattern could result in an expanding community perimeter and potential loss of undeveloped agricultural land. A beneficial effect of higher density infill within a community is that it may serve to reduce the pressure for such perimeter expansion and help to avoid growth at the community’s edges. Because EIRs are required to disclose adverse impacts rather than beneficial ones, these benefits do not always emerge from the EIR analysis.

The tension between a desire to make more efficient use of land and the individual concerns of adjacent neighbors where such change is proposed is a common one. The CEQA analysis is not generally the best tool to highlight and examine those issues, however, as an EIR is not intended nor designed to measure social, political, or beneficial change but rather very specific determinations of adverse physical change. Typically the staff report for a project will identify and frame these issues for consideration by the decision-makers during their deliberations throughout the hearing process, together with the environmental review.

Please also refer to the discussion provided under Impact 4.4-4 in Section 4.4 (Land Use and Aesthetics) of the DEIR starting on page 4.4-12. This analysis frames and describes the complicated dynamic discussed above.

Response to Comment 7-2: The commenter points out that “bad” design can exacerbate density concerns. The City concurs and agrees that design control and rigorous public and neighborhood review processes are perhaps the best tools to address this. This is the spirit behind the design recommendations embodied in the proposed project.

Response to Comment 7-3: This comment does not consider the context of the cumulative analysis nor recognize the requirements of State law for this section of the analysis. The analytical scenario is similar to that mentioned in Response to Comment 7-1 above. The cumulative analysis is required to examine cumulative impacts within the context of approved (planned) cumulative conditions. In this case, the DEIR presents the planned cumulative condition together with a better accounting of actual development
since the plans were put in place, and demonstrates that the proposed project when added to actual development that has occurred will be less than development levels projected in the Core Area.

The most recent General Plan update incorporated the CASP, which is the benchmark for cumulative build-out against which this project is compared. It is not that the subject EIR “prevents” a community discussion of the pros and cons of various densities of infill, but rather that the subject EIR is more specifically a disclosure document for the adverse physical effects of proposed project.

The larger community discussion of infill, and where it can and should be best located, are important policy issues to be addressed during the public review process for the project.

Response to Comment 7-4: Please see Response to Comment 7-3. The analysis of cumulative impacts adds the impacts of the project to the combined impacts of other development projected to occur. The information from the Environmental Impact Report prepared for the Core Area Specific Plan formed the basis of the assessment of cumulative impacts. The time horizon for this analysis was 2010, approximately a ten year time frame. However, the amount of development in the Core Area anticipated by 2010 has not occurred. The increased development projected from the project plus the amount of existing development in the Core in 2006/2007 is still well under the previously assumed cumulative development. The Core Area Specific Plan EIR did identify that cumulative development in the Core Area could result in significant traffic, noise and air quality impacts. The findings of this EIR and the subsequent Statements of Overriding Considerations made prior to adopting the Specific Plan have been incorporated into the environmental review for this project by reference.

As noted in the Appendix 7.1 of the DEIR (NOP/Initial Study) the project is located within a built urban environment within the City’s Core Area and as such will not have a direct impact on agricultural areas. The amount of increased runoff that could result from the increase in impervious surfaces (buildings, paved parking areas etc.) is not considered to have a significant impact. Current development provisions directed at protecting water quality require incorporation of storm water detention and measures to reduce site runoff and increase permeable surface treatments (State Storm Water Pollution Control Requirements, including a Storm Water Pollution Prevention Plan).

Response to Comment 7-5: The commenter’s point is well taken. From the CEQA perspective, however, the context is that the project area is already urbanized and storm water run-off is already directed into a municipal system. A financial analysis of various parking methods is outside of the scope of CEQA. Please also refer to Response to Comment 18-1.
DEIR Comments
Please forward to:
Sarah Worley
City of Davis Community Development Department
23 Russell Boulevard
Davis, CA 95616
(530) 757-5610
(530) 757-5660 (fax)

3 pages total including cover
Dear City of Davis,

I would like to discuss the loss of a precious resource not adequately addressed by
the draft EIR- that is the loss of our tree canopy. Several of the proposed illustrations,
while artfully rendered, show buildings that extend to lot setbacks that don’t leave room
for replacing the large trees that would be lost during construction. This disturbs me
deeply because it destroys the character of this neighborhood.

Last year I ruptured a disc in my back. I had to have surgery and went through
physical therapy. The initial steps of rehab were limited to walking, and I couldn’t go
far. So what sustained and nurtured me was being able to walk my neighborhood looking
at the gardens blooming and listening to the sounds of nature like the wind blowing
through the trees. I would hate to lose this precious resource and defining character
element so some people can supersize their remodels. At the proposed dimensions, there
are no foreseeable mitigations that will protect our trees.

The plantings shown on the conceptual drawings are whimsical but unrealistic. A
grand tree can’t grow in the shade, no matter what species is planted. And even if by
some miracle it did, there would be no place for its roots to go. The owners would be
forced to cut it down when it threatened the foundation of their new cash cow. The idea
we could recreate what would be lost is a fantasy.

And my final reason for supporting the preservation of our trees is that they
provide some privacy and separation. I support infill if it will prevent urban sprawl, but
let’s be sensitive to who is here already. Building at the density studied in the EIR places
neighbors in each others laps. There is no way to mitigate the noise or compensate for
loss of privacy. People make noise, and more people make more noise. But trees
provide a barrier and a filter. Having dealt with noisy renters next door for years, I worry
about the future when, again, I can see no mitigating solutions in the EIR. The mitigation
I would like to see suggested includes reducing the number of proposed new residents.

The comments I have regarding other topics will be limited and more focused:
Land use: This neighborhood was intended to be a conservation district. The core area
downtown already has zoning for this type of project. Those areas should be developed
first in my opinion.
Building height: It is inconsistent that a residential neighborhood should allow the highest building in the core area. Lower limits should be adopted to protect privacy and sunlight exposure.

Parking: By my calculations, this proposed plan could increase the number of cars needing to find a parking space by 250. This is based on the number of additional bedrooms (150) to be added and the typical rental costs in this neighborhood in which more than one student have to share a room to afford it, multiplied by the number of students on my street that have cars (100%). Rough math I admit, but that would almost double the number of cars trying to fit into the same number of spaces. In lieu fees don’t make it better for anyone. They only take us back to the frustrating days before the parking district. On site parking should be required. One comment suggested that residents would be parking in spots at night, which businesses could use during the day. This is a falsehood because students don’t have a typical 9am-5pm schedule. Many on my street won’t drive until the afternoon, if they move their cars that day at all.

Businesses need their own spots if they want to count on enough patronage to survive.

And some comments about items I didn’t see in the DEIR: What is the condition of our infrastructure and can it handle the increased density? Specifically, can our sewer system candle the load? Drainage on our block is already shoddy during heavy rains. What will happen when we pave over absorptive surfaces? Will our drains keep up? Further, do our wells produce enough water to sustain this level of infill? Or, where will all the trash and recycling bins go on trash day?

In summary, the benefits of this project seem to benefit only a few, while permanently and drastically altering the character of the neighborhood loved by those that live here and those that enjoy surrounding cultural and recreational resources such as Central Park. The findings of this DEIR are in process, but already highlight a number of significant and unavoidable issues without a clear benefit to the public. You really have your homework cut out for you if you are going to prove to me that this vision should go forward.

Thank you,

Michael Yackey

City of Davis
May 2007

4-30
B and 3rd Streets Visioning Process
4.0 Comments and Responses
LETTER 8, MICHAEL YACKEY

Response to Comment 8-1: Thank you for your comments. The concern about trees is an important one and the environmental impacts to trees that could result from the project are discussed primarily on page 4.4-14 of the DEIR. There are about 155 trees within the project area – 60 street trees and 95 yard trees on 22 parcels. The City has estimated that about 40 to 50 yard trees may be removed as a result of the proposed project. Consistent with the feelings of the commenter, this is characterized in the DEIR (page 4.4-17) as "significant and unavoidable".

Response to Comment 8-2: The entire Core Area including the University Avenue/Rice Lane, Old East, and Old North neighborhoods are part of a conservation district. A conservation district was adopted rather than an historic district in order to allow for greater flexibility.

The CASP was adopted in 1996. The core of the Core Area was envisioned to develop first in that Plan. Ten years later Davis has yet to see the amount of redevelopment that was envisioned in the Core Area in the 1996 Plan.

The project area was identified for intensification in the CASP. The 3rd Street properties are located on a planned retail corridor, and were identified as opportunity sites for redevelopment in the CASP and later adopted Design Guidelines. However, the timing of individual property owner's decisions to pursue redevelopment has and will vary. The increasing number of property owners expressing more recent interest in redevelopment in the project area was an impetus for the B and 3rd Visioning Process.

The commenter's opinion regarding the timing and phasing of redevelopment throughout the area is noted, and is expected to continue to be a topic of discussion as the City deliberates the merits of this project.

Response to Comment 8-3: The Commercial Core zoning district does not have a height limit, but instead requires a conditional use permit for heights over two stories. Recent projects with three and four stories have been approved.

The timing of the subject project presents one of the first reexaminations of the development standards in a Downtown subarea. In recognition of increased costs for land, financing, construction, and housing since the early 1990’s, the proposed project supports the higher density infill development policies in the City’s CASP and General Plan in the context of current conditions. The higher building heights proposed are considered necessary to support the new higher density attached mixed use and attached dwelling prototypes. It is acknowledged that increased building size and height will impact light and shade patterns in the area. Careful design can help to minimize the adverse impacts and maintain livable units, but these impacts are recognized as a tradeoff for supporting higher density development that supports transit and efficient use of land in proximity to the urban core. Please see the discussion of this issue in Impact 4.4-5 starting on page 4.4-13.
Response to Comment 8-4: The projected parking demand is based on standard City parking requirements for residential units, described on page 4.2-37 of the DEIR. The proposed project would add 61 net new off-street spaces, excluding in-lieu spaces/fees. The parking rates do not accommodate an assumption of two vehicles per bedroom.

Response to Comment 8-5: The Initial Study addresses infrastructure capacity including sewer, drainage, and water. Please refer to Appendix 7.1 of the DEIR. On page 27 of Appendix 7.1 is a discussion of fire, police, schools, parks and other general government services. On page 33 is a discussion of water, wastewater, and drainage. In both discussions the City’s standard requirements for service department approval are identified. While individual developments within the project area may be required to make modifications to these utility and service systems to accommodate proposed projects, overall the City’s infrastructure systems are sized to service the projected growth. Modifications to the systems due to the project development will primarily be the addition of service line connections for new development. Response to Comment 4-3 addresses trash pickup. Please also see Response to Comments 7-3 and 7-4.

Response to Comment 8-6: The commenter’s concern about the project is noted. A more complete discussion of project benefits will occur during upcoming meetings and hearing when the merits of the project are examined. This environmental analysis is only one component of many that must be assessed and considered in deliberating the project.
October 11, 2006

Sarah Worley  
Economic Development Specialist  
Community Development Department  
City of Davis  
23 Russell Blvd  
Davis, CA 95616  

Dar Ms. Worley,

I am commenting on the Draft Environmental Impact Report (DEIR) prepared for the B and 3rd Streets Visioning Project, which will allow higher density residential and mixed use development on parts of B and 3rd Streets, and affect adjacent streets, within the University Avenue / Rice Lane Neighborhood Conservation District and within the Davis Downtown and Traditional Residential Neighborhoods Overlay District.

I am primarily restricting my comments to Chapter 4.3, Historic Resources, although I will make some comments on other sections. Please note that my comments are made as an individual and not as an official comment of the Historic Resources Management Commission, of which I am a commissioner.

I am concerned that the project description provided in Chapter 3.0 Project Description does not clearly indicate the types of changes suggested by the project; rather, the DEIR provides an annotated aerial photograph (see section 2.1), color coded maps and plats (see, for example, Figures 2-5, 3-6, and 3-7), and verbal description only. This leaves it to the reader’s imagination to envision the level of change and potential impacts of the project. This project is far enough along that some basic renderings of elevations in photo-simulation can be provided to give the reader a sense of the proposed change in massing and scale to be made by the project. The proposed project, even if well-designed, will cause a substantial change to the streetscape and needs to be more clearly and visually described.

Regarding Chapter 4.3, my comments will be arranged in the order of the document’s organization and will reference impacts by section number. By the way, Figure 4.3-1 should be edited to explain why there is no “K” – and it should be noted that these letter designations appear in Table 4.3-1. They are apparently used nowhere else in the chapter.

First, I would like to make a general comment. The analysis of impacts in this section addresses most specifically those impacts to structures within the project area. Overall, the analysis of the project on adjacent areas within the University / Rice conservation district is skimpy. While the analysis addresses potential direct impacts on the landmark and merit resources, and contributors to the conservation district, there is no serious analysis of the indirect impact caused by construction of two and three story mixed use buildings on adjacent resources. Specifically, 312 through 340 University, 307 through...
339 University, 204 through 222 University, 201 through 239 University, 401 B, 222 through 240 2nd Street, and 220 through 226 3rd Street. These addresses may be subject to indirect impacts caused by the change in setting; obviously, a three story building erected behind 301 B Street will have a significant impact, whether or not it is put on what is now a parking lot.

In discussing the Downtown and Traditional Residential Neighborhood Overlay District (see pp. 4.3-14 and 15), the DEIR notes that the purposes of the district is to “conserve the neighborhood character, fabric and setting while guiding future development, reuse, and reinvestment.” to “discourage the demolition of structures consistent with the district’s historic character by providing incentives for reuse of non-designated contributing structures,” and later, to “plan for new commercial and residential infill construction that is compatible and complementary to the character of existing neighborhood areas within the district.” Finally, the DEIR correctly notes that “projects involving the alteration of designated historic resources or within 300 feet of a resource require review by the Historic Resources Management Commission and Planning Commission.” These goals and procedures go directly to the heart of the analysis that is lacking in terms of indirect effects.

Specifically, Impact 4.3-2 does not analyze the loss of open space around 301 B Street as an adverse impact, but asserts that development of adjacent large mass buildings would not result in its eligibility as a City Landmark. It states that it would be a significant impact that would be mitigated to less-than-significant through use of the Secretary of the Interior’s Standards for Rehabilitation; however, this mitigation measure does not address the impact to the setting of 301 B Street.

Impact 4.3-3 states that relocation of 337 B Street would not be possible, but relocation is retained as a mitigation measure (see Mitigation Measure 4.3-3(a)). This is inconsistent. Relocation is also listed as a mitigation measure for 311 B Street. In neither case is it made clear to where they might be relocated. Mitigation Measure 4.3-3(c) provides for relocation and reorientation of the 232 3rd Street within its parcel.

Impact 4.3-5 discusses gradual demolition of individual contributors over time, and states that this impact would be less-than-significant, apparently only because each would be subject to review. A reasonable menu of possible mitigation measures for loss of such contributors should be discussed in this DEIR.

Impact 4.3-6 states that changes in setting “due to larger scale development on parcels immediately adjacent to these resources would not generate adverse impacts to the degree that these resources would lose their designation status, and would therefore be considered a less-than-significant impact.” No mitigation measure, under this statement, is required. The problem here is that mentioned above – the “analysis” provided is
merely an assertion of less-than-significance. More analysis is required regarding change in setting around merit and landmark resources before this analysis can be evaluated.

Impact 4 3-9 suggests several mitigation measures. The first sentence of Mitigation Measure 4 3-9(a) should be amended to state

_All new development within the Conservation District will be subject to design review according to the adopted design guidelines for the Conservation District._

The design guidelines were adopted after a long and rigorous process involving the residents of the conservation district and other interested parties. There should be NO mitigation measures that fail to acknowledge their applicability.

Thanks for the opportunity to comment.

Sincerely,

[Signature]

Rand F. Herbert
841 L. Street
Davis, CA  95616
756-0793
LETTER 9, RAND F. HERBERT

Response to Comment 9-1: Thank you for your comments.

Response to Comment 9-2: The context for the comments is noted.

Response to Comment 9-3: The project is comprised of primarily text amendments to various policies and regulations. Documents completed during the B Street Visioning process contain schematic representations of what developments using proposed changes to building standards may look like. Illustrations have also been prepared for various proposed amendments to the Design Guidelines. Appendix D.2 (Photo Simulation) includes a photo simulation of possible development on B Street between 2nd and 3rd Streets prepared by Urban Advantage for the Sacramento Area Council of Governments (SACOG). This figure, which shows the northwest corner of the intersection of B and 2nd Streets, provides one example of what could result. However, use of such examples is illustrative only. Final designs are not known at this time and no specific developments are proposed as a part of this project.

The schematics and illustrations that have been prepared do not contain the level of detail that would allow for a determination of the quality of a particular development. This will be addressed later during the mandatory design review process at which time substantial investment in design work will be required for development submittals, and considerable development-level review and analysis will occur.

Response to Comment 9-4: The omission of letter K on Figure 4.3-1 was a typographical error. The property at 246 4th Street should have been identified with the letter K. Appendix D includes a revised Figure 4.3-1 (see Appendix D.4, Revised Figure 4.3-1).

Response to Comment 9-5: The analysis of project impacts on area historic resources takes a methodical approach, addressing a full range of possible future conditions. These include assessing different ranges of impacts on potential historic resources within the project area and on potential historic resources outside the project area. It includes assessment of site specific impacts on these structures as well as impacts on adjoining structures, which could be within or outside the project area boundaries. Designated Landmark, Merit, and Contributor resources are examined specifically in Impacts 4.3-1 through 4.3-8. Impacts 4.3-9 and 4.3-10 address more generic impacts such as those mentioned by the commenter.

The commenter expresses concern that the analysis undertaken is not adequate but gives no specifics. The City does not agree and finds the analysis to be very rigorous. Impacts 4.4-4 and 4.4-5 also address more generic or indirect impacts, including overall increases in density and intensity of development in the project area, and changes to existing visual character and quality.

Response to Comment 9-6: The commenter is looking for a more direct analysis of the proposed change in policy and interpretation that the project represents. This is only found in the DEIR to the extent that there are resulting adverse physical impacts. This is
the reasoning behind the “less than significant” conclusions for Impacts 4.4-1 through 4.4-3, versus the “significant and unavoidable” conclusions for Impacts 4.4-4 and 4.4-5. The second paragraph on page 4.4-8 perhaps best addresses the issue of concern to the commenter; however, in general, the policy implications of the proposed project will be further explored during the public review process. See also Response to Comments 14-56, 14-58, and 16-21.

CEQA Guidelines Section 15125(d) requires a discussion of policy inconsistencies, but does not characterize such inconsistencies as impacts in and of themselves. The focus of the environmental analysis is to identify potential adverse physical changes that may result from any aspect of a project, and that is the approach that has been taken in the subject EIR.

Response to Comment 9-7: The historic analysis concludes that the setting of 301 B Street is not critical to its eligibility for designation as a Landmark but rather the structure itself and its historic association as a residence of a past city civic leader are what form the basis of eligibility. The setting around 301 B Street is already partially compromised by the presence of a parking lot, exterior outdoor dining decks and nature of adjoining development. Redevelopment on areas around the structure would not adversely affect the integrity of the structure itself or its historic association to the degree that would eliminate its eligibility for designation as a local Landmark, and therefore would not by itself be considered a significant impact.

Response to Comment 9-8: The property at 337 B Street is not proposed to be removed or relocated as part of the project. However, existing or future property owners may seek such an option. Therefore it was considered important to assess the impact of such action. The DEIR states that normally removal of an individual Merit Resource would not be considered a significant impact under CEQA. However in the case of 337 B Street such removal would be considered significant as the part of the structure’s historic value is in its relation to the original farm site. The discussion notes that finding a suitable relocation site would be difficult without merging properties. Though unlikely, it is possible that the structure could be relocated to another location on a neighboring lot within the original property boundaries, allowing the structure to retain its Merit status. Implementation of the Mitigation Measure 4.3-3(a) and (b) would reduce the impacts to less-than-significant levels if they could be achieved. However, if suitable sites could not be found, removal would be considered significant and unavoidable. Specific sites have not been identified for these relocations. The analysis of prospective relocation sites would occur as part of review of any development applications. As noted, sites would be more limited for 337 B Street, but no relocation is proposed. Relocation options for 311 B Street would be greater, and could include consideration of relocation to a City-owned parcel located in the Old East neighborhood.

Response to Comment 9-9: The commenter suggests that a “menu” of mitigations should be identified for Impact 4.3-5, but provides no specific recommendations for consideration. Impact 4.3-5 is a less-than-significant impact which means that no mitigations measures are required. Throughout the EIR, the City has taken the approach of identifying all known relevant and feasible mitigations for impacts that do result in significant impact. See for example, Mitigation Measures 4.3-9(a) through (c).
Response to Comment 9-10: The “less than significant” determination is based on the criteria that such a change would have to result in a lowering or loss of a structure’s Merit Resource or Landmark status for it to be considered a significant impact under CEQA (see also page 4.3-18 in the DEIR). As the historic status of the Merit Resource and Landmark structures within the project area rely primarily on the site association (the direct link between an important historic event or person and the historic property) and/or integrity of the structure, redevelopment on adjoining sites is not considered to reach this threshold.

Response to Comment 9-11: The commenter requests a clarification to Mitigation Measure 4.3-9(a) to specify that the required design review will be based on the adopted Design Guidelines for the Conservation District. This is unnecessary as there is no other competing set of guidelines that would arguably apply. Nonetheless, the City is not opposed to the clarification and has documented the change in Section 2.0 (Text Changes) of this Response to Comment document.
Comments to the Draft EIR for the B and 3rd Streets Visioning Process

Submitted by Chuck Roe

1) The mitigation measures 4.3-3(a) – 4.3-3(c) are not clearly worded and could be confusing. If the intent is to allow the structure to be moved with a priority given to proximity to its current location, this should be clear. It seems appropriate for Planning Staff to monitor best efforts by the owners to find a location nearby for the structure. In similar local situations the home is offered free to the public for a set period of time and the owners contribute the cost they would have incurred to demolish the home. If there is no appropriate location found after best efforts for the mandated time, demolition should be an option. Please make this mitigation measure clear so that there is a clear and agreed to method for removal or demolition if required.

2) Although mitigation 4.3.9(c) proposes a new Historic Mitigation Fee, this is a broad and far-reaching policy decision. Projects covered by this EIR may be eligible for this mitigation once established, but they should not be delayed or carry mitigation requirements pending its establishment.

3) I question the historical evaluation and conclusions provided by the consultant for 311 B Street.

By local definition, a Merit Resource must be one that has value to “the citizens of Davis”. It must further be recommended by the HRMC and approved by the City Council.

It can only be recommended by the HRMC if it satisfies one of the four defined criteria paraphrased below:
1) Associated with a major event; or.
2) Associated with the lives of significant persons; or.
3) Embodies the distinctive characteristics of a type, period, architectural style or method of construction; or that represents a significant and distinguishable entity whose components may lack individual distinction; or (above criterion copied verbatim)
4) Has or may yield important archaeological or anthropological information.

The consultant has indicated that the house satisfies criterion 3 in the following ways:
a) “for distinctive architecture”
b) “and for its an important contributor to the area neighborhood” (verbatim)

I question both of these conclusions. Let’s consider b) above first. The quality in b) is not mentioned in criterion 3) above, unless that is the meaning of “represents a significant and distinguishable entity whose components may lack individual distinction”. If what the consultant means to say, or more correctly what the criterion means, is “it is part of an interesting street” then I don’t know why all homes on this street are not eligible. Since all the homes on the street have not been suggested as Merit Resources, I believe a) above, “distinctive architecture” is the quality most relevant for its consideration.
The consultant finds 311 B Street "is an excellent example of an uncommon Medieval revival style". I have looked through reference books and on the internet and am not finding solid reference to any "Medieval Revival" style. There are revival styles like "Colonial Revival" and "Gothic Revival" and "Greek Revival". I can find no references beyond medieval architectural influences on Tudor, Gothic Revival, etc.

I did find one very clear reference at http://architecture.about.com/library/tudor.htm. It says, "The Medieval Revival style of architecture is also commonly referred to as Tudor." 311 B Street is clearly not a "an excellent example" of Tudor. The identifying features of Tudor are as follows:
- "Steeply pitched roof, usually side-gabled (less commonly hipped or front-gabled)"
  This house has a more steeply pitched hip roof than its neighbors, but not the "12 and 12" or greater associated with Tudor.
- "façade dominated by one or more prominent cross gables, usually steeply pitched"
  This house has no cross gables prominent or otherwise. The prominent cross gable is a defining characteristic of Tudor.
- "decorative (i.e. not structural) half-timbering present on about half of examples" None present. Wouldn't the best examples and certainly the "excellent examples" have the distinctive half-timbering?
- "Tall, narrow windows, usually in multiple groups and with multi-pane glazing" Tall multi-pane windows are on the front of the house only. The asymmetrical window group at the front is not typical of Tudor, which has similar dimensioned window groups.
- "Massive chimneys, commonly crowned by decorative chimney pots" This house has a more massive chimney than typical with a pot at the top.
  The shed entry roof is clearly not Tudor. The roof should be a prominent cross gable.
  A more rounded arch at the entry is more typically Tudor. A good example would be in stone or caste concrete.
  The shed dormer at the front should be a steeply pitched gable to be Tudor.
  Tudor houses do not have shutters as are on the front of 311 B St.
  The front door does look medieval, but seems almost comical and out of context.

A home eligible for consideration for historical designation based on architecture should have the defining architectural elements of that architectural style. If it is a new style or groundbreaking in some way, this should be evident. In 1931 it was less common for architects to design small and modest homes and I see no evidence or record that there was architect involvement on 311 B Street. It was built inexpensively and after a 12-year stint by it’s original owner has been a rental for nearly all of its 75 years.

It should also be noted that the "historical architectural elements" used on contemporary tract houses are often applied only on the front façade. This saves money and suggests that the house is of a lesser quality and lacks architectural integrity. This is also the case with 311 B Street. The diagonally divided windows were only used on the front and there is no repetition of the front door detail or any other relevant detailing on the other three elevations. This was built as an inexpensive home with some random Tudor touches and since these touches are only on the front façade, it lacks architectural integrity. You can
see this same distinguishing technique applied by some of the builders in Mace Ranch, Wildhorse and Northstar. They add a few elements of an older style. It does distinguish the houses from one another, but they are far from architecturally significant.

If this house is "an excellent example of an uncommon Medieval revival style", please name this uncommon style. If it is Medieval Revival, this seems to be another name for Tudor. Also, site references that define the characteristics of that style and compare the characteristics of this house so we can be secure that this house is "an excellent example" and not just a facade with a couple period adornments.

CEQA mandates that if a consultant finds a structure eligible for historical status, even for local historical status, the EIR must consider it as holding that status. I believe it important to be clear that the question of Local Merit Resource status is far from assured or decided for 311 B Street.

4) From the comments of the Planning Commissioners it seems like there isn't a clear understanding of why the City is contemplating these changes to B and 3rd Streets. Please consider a paragraph in the Executive Summary that first of all refers to direction from the Council that adopted the Guidelines, that Staff should return within a year with different guidelines for 3rd St. and B St. It also would be productive to clearly note the overarching goals of homeownership in downtown cores. The "eyes on the park", the saving of car trips by living near work, entertainment and shopping. Densification of downtowns, especially with home ownership, is the accepted backbone for revitalization. A listing of anticipated benefits and their relationship to our planning goals may be another approach.
Response to Comment 10-1: Thank you for your comments. Mitigation Measures 4.3-3(a) through (c) identify that in order for the impacts on the historic resources to be mitigated through relocation, determinations must be made regarding the appropriateness of the relocation sites. Such determinations and the specific conditions for removal/relocation of a Merit Resource would be determined during the design review process for a specific development proposal. Typically, if relocation of an historic resource is proposed, a developer would be required to make a fully documented, substantial, good faith effort to identify an appropriate relocation site and cover relocation costs. Should the desired relocation be proven infeasible the findings made to approve the project would also incorporate the findings of overriding consideration made by the City Council in taking action on the subject B and 3rd Visioning Process. The following is a sample of a standard condition of approval relating to relocation of a historic structure:

**DAVIS REGISTER RESOURCES.** The site contains a designated [Merit Resource] [Landmark Resource] [Contributor within a designated Historic District]. The site shall be developed and maintained in accordance with the Certificate of Appropriateness # (insert #). Certificate of Appropriateness conditions, as approved by the [Historical Resource Management Commission][City Council on appeal], are attached hereto and incorporated herein. Conditions are derived from “The Secretary of Interior’s Standards for the Treatment of Historic Properties, with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings” (Weeks and Grimmer, 1995).

**MODIFICATIONS TO THE SITE.** Any further modifications to the site, including but not limited to, exterior alterations and/or interior alterations, which affect the exterior of the buildings/structures, or changes the site plan, shall require a modification to the Certificate of Appropriateness subject to review by the Historical Resources Management Commission.

**GOOD FAITH EFFORT.** The applicant/owner is required to (make a good faith effort to) find a new location for the existing (insert type) structure located at (insert location). The following performance criteria for the proposed relocation effort shall be satisfied. Evidence of this effort shall be required prior to issuance of building permits.

a) The applicant/owner _______ days from the date of approval of the project by the [Planning Commission][Community Development Director] to make a good faith effort satisfactory to the Community Development Department to identify an acceptable site and secure an agreement with the owners of the receiving property for the appropriate relocation of the structure prior to building permit issuance for the new structure.

b) The applicant shall advertise the availability of the structure on two different dates in a paper of local circulation.

c) The applicant shall obtain an estimate from a licensed demolition contractor to determine the anticipated cost to demolish the existing structure. This amount shall be included as an incentive to offset the cost of relocation of the structure.

d) To the extent possible, the new location shall be within the Davis city limits.

e) To the extent possible, the structure shall be located on the new site such that it is visible from a public right-of way and compatible in orientation, setting and general environment to the current site.

f) The new location shall be properly zoned and sized for the structure.

g) The exterior character defining features of the structure shall be maintained.

h) The property owner agreement shall require that the structure be well maintained.

i) Requirements for a permanent foundation and utility connection shall be included.
If at the end of the ____ day period, the applicant is unable to find a suitable site on which to relocate the structure, then the applicant may proceed with the demolition. If there is no good faith effort then demolition is prohibited. Compliance with conditions is required to demonstrate a good faith effort.

Response to Comment 10-2: Creation of an Historic Impact Mitigation fee would be the subject of a process that would determine the purpose, basis and applicability of such a fee, the manner it would be collected, and the manner it would be used. Such a fee would not be applied retroactively, and would likely apply to a geographic area broader than the project area.

Response to Comment 10-3: The process to designate a structure as a Merit Resource or Landmark on the Davis Register may be initiated by anyone who provides the required property information. The Historic Resources Commission must make a recommendation to the City Council on a proposal for designation and the City Council takes the final action. The Council may rescind a previous designation through a similar process.

Pursuant to the City Municipal Code, a structure’s eligibility for designation as a Merit Resource is based on its historical integrity. In the National Register Bulletin entitled “How to Apply the National Register Criteria for Evaluation” (prepared by the U.S. Department of Interior, National Park Service) historic integrity is defined as “the unimpaired ability of a property to convey its historical significance.” The National Park Service (NPS) evaluates integrity based on the following seven aspects:

- **Location** = “... is the place where the historic property was constructed or the place where the historic event occurred”
- **Design** = “…is the combination of elements that create the form, plan, space, structure, and style of a property.”
- **Setting** = “…is the physical environment of a historical property”
- **Materials** = “…are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property”
- **Workmanship** = “…is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory.”
- **Feeling** = “…is a property’s expression of the aesthetic or historic sense of a particular period of time.”
- **Association** = “…is the direct link between an important historic event or person and a historic property”

The City’s historic consultant found 311 B Street to meet both the National Register Criteria as well as all seven of the evaluation considerations used by the NPS.

The structure at 311 B Street has been in three surveys prior to the historic analysis completed for the DEIR, and was found to retain a high level of integrity in all three surveys: 1979 Davis Historical and Landmarks Commission, 1996 Architectural Resources Group, and 2003 Roland-Nawi Associates. In the 1979 survey, the structure was referred to as a Medieval Revival cottage. In the 1996 survey it was described as an example of Medieval Cottage Revival. In both 1979 and 1996 it was considered “a handsome example of Period Revival design,” but was not given a National Register of Historic Places (NRHP) status code. In the 2003 study it was described as a “period revival cottage” and given a NRHP status code of 5D3 meaning “not eligible for local listing -- contributor to District eligible for special consideration in local planning.” The previous surveys were preliminary in nature and therefore not considered conclusive regarding historic status. Additional historical evaluation was conducted for the purposes
of this DEIR in order to allow the Historic Resources Management Commission and City Council to consider the proposed removal and/or modification of “contributor” structures.

The historic evaluation prepared for the DEIR identified 311 B Street as follows:

“311 B Street: It is an excellent example of an uncommon Medieval revival style and retains a high level of integrity and contributes to the character of the 300 block of the B Street corridor. It is included in a 1944 photograph of the 300 block of B Street in the Eastman collection at UCD.

Evaluation: The property meets the City of Davis Criteria for a “Merit Resource” under criterion 3 for distinctive architecture, and for (being) an important contributor to the area. It is therefore a 5S2 under the California Status Code as an “Individual property that is eligible for listing or designation.”

Relating to the question of the structure being representative of Medieval revival or Tudor revival styles, sometimes the Tudor revival is referred to as Elizabethan or “half-timbered” houses. These styles are derived primarily from English Renaissance buildings of the 16th and early 17th centuries, including those of Elizabethan (Elizabeth I, 1558-1603) and Jacobean (James I, 1603-25) periods. Others mimic humble medieval cottages -- such as 311 B, that are twentieth century interpretations of an old English prototype. In the case of 311 B those character-defining features are the roofline (intersecting side gable, steep pitch), the broad exterior brick chimney, arched porch entry, wood plank door with iron hinges, diamond-paned window, dormer, and stucco cladding. While the wooden shutters are a later applied treatment, it is very minor and easily reversible, and does not diminish the property's historic significance. For the project area, it is an unusual and intact example of several of these styles that share similar character-defining elements (e.g. Tudor Revival, Medieval Revival, picturesque cottage, English cottage, storybook style).

The period 1910 through 1930 was a time of free borrowing of historic styles as more people could afford single-family houses and there was no real consensus about a modern architectural style (as was the case with Queen Anne, Shingle, and Georgian successively from 1875 to 1910). Houses in this period are sometimes lumped together as "period revival" because during the time of popularity the style (1920s-1940s) was referred to by many names and not compartmentalized as we do today. Indeed, various period publications refer to the style as “English” or, in the case of Gustav Stickley's Craftsman Homes as “cement cottage”, the proliferation of which was largely due to mass produced magazines and mail order catalogues (see excerpts from Sears catalogue and Craftsman Magazine provided in Appendix D.5). Domestic architecture of this scale and period was often not designed by architects but constructed by builders using a set of plans probably ordered from a magazine.

Tudor revival became especially popular with 1920s suburban homes, loosely based on late medieval prototypes. Many are identified with ornamental half-timbering, a medieval English building tradition, often with stucco or masonry veneered walls, steeply pitched roof, cross-gabled plans. A variant of this is sometimes referred to as the picturesque cottage or English cottage, which typically includes an asymmetrical floor plan without the half timbering and treatments such as various window sizes that were intended to invoke an old-world quaintness. The City of Los Angeles refers to this building type as “storybook”.

Response to Comment 10-4: Council direction is summarized on page 3-4 of the DEIR and the project objectives are provided on page 3-11 of the DEIR. The commenter is correct that encouragement of owner-occupied housing is an objective of the project. See also Response to Comments 14-57, 14-59, 14-62, 14-63, and 16-8.
October 13, 2006

Planning Commissioners
City of Davis
Davis, California 95616

Re: 3rd and B Streets Visioning EIR

To Members of the Planning Commission:

Thank you very much for your attention to the concerns of the general public who spoke at your meeting on October 11, concerning the environmental impacts of the proposal. Given the range of issues addressed, it is my view that the Commission and the City need to move beyond figuring out how to mitigate the impacts of the proposal as it presently stands. Instead, the most effective way to mitigate impacts is to reduce the scale of the proposal itself. I would hope that you, the Planning Department, and the City Council would take the appropriate steps so that you can give serious consideration to moving in this direction. As the City’s own executive summary concludes, all other alternatives evaluated are environmentally superior to alternative 3 [higher intensity]. If the City really is seriously going to balance environmental impacts in relation to other benefits, it needs to implement an alternative to the “higher intensity” approach.

Here, I will expand somewhat on my verbal remarks at the meeting two nights ago.

I live at 201 University Avenue with my wife and our 2 children. We all have a very strong interest in single-family housing, so that young Phoebe and Nicola can have friends living in their neighborhood. I am very concerned that the proposal as it stands will have impacts that negatively and irrevocably tip the balance of the neighborhood away from what the August 2006 project description calls “protecting the quality of life for existing homeowners.”

The basic problem with the proposal as it stands is that it provides an overly expansive general framework for development, without sufficient safeguards built in to insure that environmental impacts of individual projects will be minimized. Please note that the area of the city covered by PD2-86, though small, is extremely complex. Situations change not just from street to street, but often, from building to building.

It is important to note that PD2-86 already allows for innovative projects. The proposed ‘visioning’ places areas previously covered under PD2-86 under a different zoning basis, outside the jurisdiction of PD2-86. This change gives neighbors who are adjacent to the development sites but living within the boundaries of PD2-86 much less opportunity to raise concerns about a proposed project, and potentially gain changes. This approach goes against the grain of planning in the neighborhood over the past 20 years.
I share the concerns of my many neighbors about density, footprints, traffic, massing, and other negative impacts. If I had the time, I would spend the days and days necessary to develop a broader critique of this proposal's failure to deal adequately with environmental impacts. Basically, the report has a circular and tendentious quality: it assumes that the project has to be done in the form proposed, and then analyzes impacts and proposes mitigations to the project in that form, rather than doing the obvious, making a determination concerning whether modifications of the proposal itself would more dramatically mitigate environmental impacts.

Due to my lack of time to respond fully to the entire proposal, I choose to focus on height. On this front, I find the proposal overly expansive: it establishes excessive limits at the beginning, under some conditions, a maximum building height of 56 feet. This height is not even built or allowed in the central downtown area, where the city presently requires a conditional use permit (CUP) for buildings over two stories. Commissioners and the City should consider the following comparisons:

- The Chen Building (2nd and G) is 44.5 ft. tall.
- Crepeville, at the corner of 3rd and C, facing Central Park, as the part of the proposal on B Street between 3rd and 4th Streets, is 36 ft. tall.
- The Natsoulas Gallery, probably the tallest building in downtown Davis, is around 42 ft. at the top of the parapet. The elevator tower of the gallery is 50 ft. high.

In short, the 'vision' envisions some building heights in a mixed residential neighborhood taller than what are at present the very tallest buildings downtown! This should raise a very large red flag.

To me, it is particularly disturbing that the maximum height would be allowed as [and here I quote] a "bonus" for doing something like saving a tree, or retaining an historic structure. Aren't these things that ought to be required in any event, rather than offering an unmitigatable excessive height as a lottery prize? Put differently, it make absolutely no sense to offer a bonus that itself create environmental impacts as an exchange for reducing other environmental impacts. Any bonus should be environmentally neutral.

But I get ahead of myself. What, it is crucial to ask, are the environmental impacts of these excessive building heights? Simply put, they block neighbors’ access to sunlight, a problem especially pronounced in winter. As the report states, even with mitigation efforts based on zoning, design guidelines, and design review, “generally sunlight exposure is expected to change significantly.” More subtly, the sheer mass of buildings of such heights, even with upper story setbacks, visually overwhelms the neighborhood’s lower density residential housing.

The project description’s EIR executive summary of impacts says mitigation will consist of reviewing height on a project basis “with the goal of minimizing the appearance of bulk and mass and impacts to sunlight and privacy on neighboring lots to the extent feasible.” But I feel compelled to ask, just what does “feasible” mean here? Can this term be defined in an objective way.

In a complex neighborhood with subtle issues that emerge in relation to any structure in relation to neighboring structures, there is an alternative to providing expansive limits to development at the beginning. Instead, a more “precautionary principle” can easily be put in place.
The superior mitigation for issues of height and associated mass in relation to neighboring structures would be to follow the present core area approach: require a conditional use permit for buildings over two stories high.

Proponents of the higher-intensity approach will claim that the proposal is the only way to insure that development densities are “sufficient to support reinvestment.” But that claim is belied by recent construction of projects with lower heights in the downtown area itself. Moreover, it is not really the business of the city to calculate profit margins for owners and developers who seek changes in a given zoning law so that they can proceed unfettered with the projects they envision. If any of the property owners wishes to see their property to me at cost plus inflation since purchase date, I would be happy to consider purchasing their property from them. That is, I am confident that there is profit to be found even in projects with lower building heights.

My bottom line is simple: excessive height has significant and unnecessary environmental impacts that can be mitigated by a less expansive building height allowance, that has not been adequately considered in the present proposal.

If these environmental impacts are taken seriously, the plan will be altered. And it should be.

If you need to contact me, you may email jrhall@ucdavis.edu.

Yours,

John R. Hall
LETTER 11, JOHN R. HALL

Response to Comment 11-1: Thank you for your comments. The commenter’s support for an alternative to the project is noted.

Response to Comment 11-2: The commenter’s concern regarding impacts to existing homeowners is noted. It is acknowledged that the type of ownership housing that results from the project may be less likely to be attractive to families with children even though the objective of home-ownership is achieved. The residential units in the project area are now occupied by renters except for two homes.

Response to Comment 11-3: The City is aware of the complexity of the area and appreciates the commenter’s advice. The regulations and guidelines proposed to be implemented as a part of the project, as well as the mitigation measures identified in the DEIR, would all apply to individual projects.

Response to Comment 11-4: The process to reexamine the zoning and development policies in the project area was initiated at the direction of the City Council. This Council request was made at the time of adoption of the Design Guidelines in 2001 and again at the time of adoption of the zoning revisions made to PD 2-86 in 2002 creating PD 2-86A. The City Council in taking their action on PD 2-86A included a follow-up motion directing staff to return in three months, after examining higher density development on 3rd Street between A and B Streets. Later, in 2004 after taking action to deny a development application on B Street the City Council directed staff to initiate a study of the entire B and 3rd Street area.

The project will change the development standards against which projects will be evaluated, and for some parcels it will expand the list of principally permitted uses (uses allowed by right). No changes to the existing public participation requirements are proposed, but in some instances (e.g. within the B Street Transitional District) by moving certain uses from “conditional” to “permitted” (e.g. offices) it has the effect of limiting the public’s ability to protest the specific use. The changes proposed do not eliminate the required Design Review process that includes public notice and a Planning Commission public hearing for larger (Tier #3) projects.

Response to Comment 11-5: The CEQA analysis follows a format established by state law and local ordinance and is not intended to be circular. The alternatives analysis (Section 5.4) examines four alternatives to the project in an attempt to get at the nuances suggested by the commenter. Maintaining two story height limits, greater building setbacks and lower densities are elements contained in the project alternatives evaluated.

The project was developed through a public process that included two public workshops and public review of two “options” documents: “March 2005 Planning Options Summary” and “April 2005 Visions Summary Report" available on the City’s web site at www.cityofdavis.org. Specific recommendations are being given due consideration and are certainly within the purview of the City Council as part of the public process. In taking action on the project the Council may choose to accept the project as proposed or modify
the project by modifying proposed development standards including height limits, setbacks, densities, etc.

**Response to Comment 11-6:** The heights proposed for the project area are not substantially different than height limits allowed elsewhere in Core Area. The Commercial Core area requires a conditional use permit for structures over two stories but establishes no height limit. The Mixed Use Zone allows three stories but does not specify a specific height limit. The R-3 zone allows three stories and a height of 38 feet for principal structures and two stories and height of 25 feet for accessory structures.

The building heights given in the comment appear to be correct. In addition, the McCormick Building is 49.5 feet (three stories plus a mezzanine sloping roof) and the Lofts Building is 41.5 feet at the sidewalk and 49 feet at the mezzanine parapet. Use of sloping roof lines and locating upper levels within the roof area are proposed as a part of the project in the form of amendments to the Design Guidelines (see Appendix C).

The Residential High Density District and Residential Transition districts allow a height of one hundred feet. These two older zoning districts also allow 9 to 15 dwelling units on a 75 foot wide, 7,500 square foot lot.

The commenter's concern about the proposed allowed heights is noted. See also Response to Comments 14-9 and 24-4.

**Response to Comment 11-7:** The concerns expressed in this comment are examined in detail in Impact 4.4-5.

**Response to Comment 11-8:** The site development standards established in zoning contain permitted maximums and/or minimums. During design review the Design Guidelines are used to balance the intensity of development that would be allowed. The manner in which a building’s massing is arranged on a site can help to minimize the appearance of height and present a more aesthetic appearance. The size and location of building setbacks and windows can help to reduce privacy and lighting impacts on adjoining uses.

The term feasible refers to application of the regulations in a reasonable manner based on the site specific conditions. Pursuant to Impacts 4.4-4 and 4.4-5 the cumulative impacts of allowing taller, larger scale development in the project area on the existing lower scale neighborhood character would remain significant and unavoidable even after the identified measures are applied.

**Response to Comment 11-9:** The commenter recommends requiring a conditional use permit for development over two-stories. Requiring a Use Permit for three or more stories, would mean that it would be possible, but not allowed by right. This would be inconsistent with the intent of the project. However, it is important to point out that functionally this suggestion is similar in approach to the existing Design Review process that already requires a public hearing before the Planning Commission and allows for application of conditions of approval. Therefore no further change to the regulations in this regard is proposed as a part of the project.
Response to Comment 11-10: Alternative 4 embodies the height limits supported by the commenter. The conclusion that the EIR does not address a lower height option is not accurate.
>>> Christine Ottaway <christine_ottaway@dot.ca.gov> 10/13/2006 10:28:20 AM >>>

Below find a few summary comments about the Draft EIR for the B Street project.

I am concerned about the cumulative affect of moving multiple historic properties, and what the threshold is for a cumulative effect from multiple relocations. In part, I'm concerned about the difficulties this creates for the future Historic Resources Commission. If two buildings are moved, is it not significant, but if three are moved, it is significant? This means that the first projects that come through get approved, but later ones do not. Please clarify what constitutes a significant effect for these structures being relocated, and how to administer the decision-making about multiple relocations.

I also question the concept that relocating the historic houses within the original plot retains their integrity of location. If the new location is surrounded by taller and later buildings, the integrity of location, at least as far as the feeling of that original farmstead would be lost. That's not to say that moving them is a better solution than demolishing them, just that I would not say it maintains integrity of location.

I agree with Esther Polito that it appears that there are several places where the document is internally contradictory. As in Esther Polito’s comments Page 3-22 states that 337 B Street will be retained, then mitigation measure 4.3.3 (a) states that the structure will be retained or relocated. (My emphasis). Please clarify whether or not the relocation of 337 B Street will be permitted.

Also, I agree with Ms. Polito that adding to the design guidelines with a statement that is “In favor of taller, denser development” will create difficult inconsistencies. I don’t think increasing the density of this area is necessarily a negative thing, but editing the design guidelines does not seem like the best solution to achieving that goal.

Thank you for the opportunity to comment on the Draft EIR.

Christine Ottaway
1204 Colby Drive
Davis, CA 95616
LETTER 12, CHRISTINE OTTAWAY

Response to Comment 12-1: Thank you for your comments. The Historic Resources Section of the DEIR (Impact 4.3-7 pg. 4.3-23) discusses the issues raised by the commenter. The analysis concludes that removal of a group of contributing structures would be a significant impact. There is no specific numerical threshold. Based on the context of the existing street blocks, removal of the three contributing structures on B Street, between 2nd and 3rd Street would not be a significant impact. However removal of all or all but one of the contributing structures on B Street between 3rd and 4th Street or on 3rd Street between B Street and University Avenue would be considered significant.

The EIR addresses the impacts from potential removal of the structures and conditions for relocation mitigation. After certification by the City the Final EIR will function as the environmental analysis to be referenced for future projects proposing relocation. The Historic Resources Management Commission and Planning Commission will still have to make determinations as to the necessity of relocation for each structure and appropriateness of potential relocation sites.

Cumulative historic impacts are discussed within Section 4.3 of the DEIR, starting on page 4.3-22. There is also a separate more general discussion of cumulative impacts in Section 5.1 starting on page 5-1. Where cumulative impacts are identified such as in Impacts 4.3-7, 4.3-9, and 4.3-10, the impact is triggered by the first individual action. In other words each individual action contributes to the cumulative impact.

Response to Comment 12-2: Relocating an historic structure that has a strong association with a particular site to another location on that same original parcel would better retain site association than relocation to another traditional residential neighborhood site. Larger scale redevelopment on parcels around the relocated structure would have an impact on the integrity of the setting whether the structure stays in place or is relocated. However, such development is not considered to result in a loss or lowering of its existing status as a Merit Resource and therefore would not be a significant impact under CEQA. See also Response to Comment 13-3.

Response to Comment 12-3: Please see Response to Comment 9-8 and 14-48.

Response to Comment 12-4: The City needs to provide clear direction to prospective developers and property owners about the type and form of development desired in the community in its planning policy documents and development standards. Each community tool used to guide redevelopment should be consistent with other applicable tools. Amendment of the Design Guidelines will be necessary to support allowing taller, higher density development. At present certain portions of the Design Guidelines and underlying zoning, or planning policies are not fully consistent and reflect their evolution, with the Core Area Specific Plan being approved first (1986), Design Guidelines later (2001), and revisions to Planned Development PD2-86A later (2002).
E-MEMO, October 13, 2006

TO: Sarah Worley, Planner/Economic Dev. Specialist

FROM: Jim Becket

SUBJ: Comments on DEIR for the B and 3rd Streets Project

Sarah: In general, I believe the DEIR for the B and 3rd Streets Project to be quite complete and very well done. I further believe, although it is probably not an appropriate comment in this context, that if EIR's on other recent projects had been prepared as well as this one, we would not be having as many problems with the projects as we are having. I commend you.

However, there are two instances where I believe inaccurate assumptions have been made, which are therefore worthy of comment:

On Page 4.3-20, Mitigation Measures 4.3-3 (a) (b) and (c) indicate that both retaining and relocating 337 B, 311 B and 232 3rd would reduce the impact of the project to a less-than-significant level. It is my belief that relocating either 337 B and/or 232 3rd would still result in significant impact.

Further, on Page 4.3-21, I believe it would be extremely difficult, if not impossible to design a 3 story townhouse (maybe 2 story, but not 3) adjacent to 337 B Street which "would be compatible with the massing, size, scale and architectural features." (Maybe architectural features, but massing, size and scale?) I therefore believe that the statement that it "would not be infeasible" is out of line.

Thank you for this opportunity to comment. Jim Becket
LETTER 13, JIM BECKET

Response to Comment 13-1: Thank you for your comments.

Response to Comment 13-2: The responses to this introductory comment are provided below.

Response to Comment 13-3: The commenter is referred to the standards of significance on page 4-3-18 of the DEIR. Please see Response to Comment 9-8 for discussion of impacts due to relocation of 337 B Street. Regarding the property at 232 3rd Street, retention of the structure would result in no change to the historic integrity of the structure and the property would retain its Merit Resource status. Relocation of the structure to a location still within the original parcel, with an orientation towards existing homes on University Avenue, is considered to sufficiently maintain the structure’s association with its original location to the degree that the structure would still retain its Merit Resource status under this scenario. Therefore both retention and relocation would be considered less-than-significant impacts under CEQA.

Response to Comment 13-4: The proposed zoning for the B Street Transitional District would allow three stories and a maximum height of 38 feet to the roof peak, compared to a maximum height of 30 currently. Additional height restrictions are proposed for the portion of the property bordering 337 B Street on the south. A two-story height limit and height of 30 maximum is proposed for a distance of 30 feet which is approximately half of the adjoining lot. This additional height limit will require new development on this lot to step down to the structure at 337 B Street.
October 13, 2006

Sarah Worley, Planner
Community Development Department
City of Davis

Subject: B Street Visioning Draft Environmental Impact Report

Dear Sarah,

Below are my comments on the draft EIR for the B Street Visioning Project. I know there are redundancies in my letter, and I apologize in advance for not making it more concise. Time, as always, seemed to get away from me. Thank you for the opportunity to comment, and please let me know if you have any questions.

Project Description
I would like to have the project summary documents, provided under separate cover, included as an appendix to the final EIR. It would help link the relevant items that need review. As it is, it’s possible to overlook the importance of the summary.

Introduction

Page 3.1: Second paragraph, B and 3rd Street neighborhood description. This “planning area” is the single “residential neighborhood” in the Core Area Specific Plan. While it combines a mix of development intensities, it is still the only neighborhood with “residential” land uses in the CASP at the time the CASP was approved. (Aggie Village was added later.) U. Ave. Transitional land use is residential – see CASP pp. 26 &27. 3rd Street has several “low density” residential parcels. The fact that the land use is mostly “residential” should be included.

Section 3.4 Project Objectives

“Phase 1”: Saying that the council selected the vision gives the misimpression that the vision has been adopted. Clarification that the environmental review process must be completed and certified before final decisions are made should be added. Without clarification, the reader is left with the impression that decisions have already been made.

Figure 3.2 Existing Uses: 239, 235 and 240 Third Street and 232 University Ave. are shown as multi-family. All are single family homes, although 239 is currently being used by a religious organization. 325-327 B is a duplex. (Typically, Planning does not label a duplex as multi-family.) 330 University has an accessory second unit, but it is not multi-family, it’s a single family home. 312 University is a duplex. 340 University is an owner-occupied single family home with a unit above. 340 A Street is a single family home at
this time (it used to be a bed and breakfast, but no longer). 203 and 209 Fourth Street is a duplex, as is 406 A Street. There are other problems on A Street, but I haven’t had time to sort them all out.

Page 3-7: Bottom of page, description of existing land uses: U. Ave. Transitional is designated a “residential land use” in the CASP. It is not a mixed use district even though it includes a mix of uses. Names such as “transitional” are easily misunderstood. The true mixed area of the CASP is the Core Retail with Offices area to the east.

Section 3.5. Project Components and Objectives.

Page 3-13: Bullet points describe the modifications to be made, but do not give the actual language that will be used. This is an EIR for land use and zoning, rather than for a specific project. The actual wording is needed for an evaluator to determine whether the language will meet the intent of the project. For example, how does the staff propose to modify Land Use Policy 6 of the CASP (intensification shall be concentrated first in the area bounded by First and Fourth Street and D Street and the railroad tracks). Will the modification change the intensification rate as it applies to the lower intensity Core Retail with Offices area outside the CASP transitional boundary land use? Will modifications proposed for Land Use Policy 7 regarding parking extend beyond the B and 3rd Street area?

3-13 Design Guideline Changes: As written, the changes to these areas will apply to many a number of blocks within the mixed use zone that have not been studied, or even previously mentioned in planning documents. I have attached a chart of the proposed changes that will extend beyond the project area. I believe I’ve read a statement that the changes proposed by this project do not extend outside the project area. Therefore, how does the staff propose to limit the changes to the B Street and 3rd Street area? A better approach would be to create a new character area specific to the project area. The only modifications to the existing character areas would be to delete the project area. A new character area allows you to limit the impacts as promised, and craft a section that explains the new direction for the B Street Visioning project as a diversion from original intent of the conservation district guidelines. If you do not separate the area, you risk having guidelines that are internally inconsistent. On the other hand, if I am wrong about the city’s intent to limit the changes to the B Street area, then why haven’t the broader impacts been announced and studied?

Figure 3-6, Proposed building heights: This table has a “3 story” label for all lots in project area. However, parcels on B Street south of Third are proposed to be 45 ft. high, while parcels on 3rd Street can be as high as 56 ft. with bonuses. These heights are not 3 story limits. It is my understanding that the Chen building downtown is just under 45 ft. even though it has 4 stories. The Crepeville building is 36 to 38 ft. high at 3 stories.
Please explain why 45 ft. has been determined as a 3 story height on Third Street, and 56 ft. a 4-story height. The CC district requires a CUP for projects over two stories. The Design Guidelines propose a maximum height in the CC area of 45 ft. The heights proposed in this project for 3rd Street all taller than what is needed to accomplish the proposed number of stories. Are the heights planned as permitted uses, or conditional uses? If permitted, why?

Page 3-14 The use of “multi-family” to describe the types of projects that will be permitted should be changed to condominium, and attached and detaching single family townhouses. Multi-family is too broad, and includes rental units as well as ownership units. The project objectives are to encourage ownership. “Multi-family” should be replaced with more appropriate terms to describe ownership units. (Note: “multi-family” appears elsewhere in the document. Please replace “multi-family” with the correct terminology in all cases, not just on this page.) The map of existing land uses (figure 3-1) shows how labels attached town houses correctly: “Single family”, shown on the map for the townhouses on the corner of 2nd and A Streets.

Page 3-20: Development assumptions state that three story buildings were assumed for the 3rd Street parcels. As noted above, staff has proposed in the summary documents that a bonus height up to 56 ft be allowed, in certain circumstances and with careful treatment of the 4th story. It is my understanding, based on information available at workshops and from neighbors, that developers for the parcels on the south side of 3rd Street plan to move the historic home and utilize the height bonus. Therefore, why was 3 story assumed for this area, rather than 4?

Page 3-21 Amended Development Standards:

Third Street area
First paragraph: Bonus height to 56 ft. for “other public benefit” needs clarification. As written, this statement is too broad to evaluate the appropriateness of the bonus. I question the trade offs in general, but that is an issue for project discussion, not DEIR evaluation.

Second paragraph: This states that side and rear setbacks nest to single family residential “uses” in low-density zoning districts would be increased. Please explain what is meant by “uses” in this case. If a single family home is used for day care, will it no longer have a single family use? If a single family home in the middle of the block on B Street is being retained, will the side setbacks for an adjacent development be increased? This proposal needs more specificity.

Fourth paragraph: Parking standards: The city has found on other small projects (the Roe building at G and Fifth is a good example) that a standard of 1.5 parking spaces per 2 bedroom unit is difficult to enforce. While this standard works on large apartment complexes with a great number of parking spaces, a small complex with only 5 or 6 units
has no viable way to divide the spaces such that each unit has the parking required. Some have two spaces; some have one. If we want ownership units, we need adequate parking. Fractional spaces will not accomplish that goal. Please explain how having a fractional parking spaces will meet the required parking for residential units.

Fifth paragraph: This paragraph states in part that in-lieu parking payments can be used for residential parking requirements over one space per unit. Does this apply only to the Core Retail with Offices zoning? Or to all residential units in the project area? And how is this going to meet the residential parking needs? There is nowhere for the residents to park, other than on the street. Street parking is limited, and cars must be moved every five days, plus taken off the streets one evening a week for street sweeping. How will the in-lieu fees actually provide the substitute parking that is required by the proposed standards?

**B Street area:**

**Page 3-22: Development assumptions are for a senior project** It is just as likely that a condominium project will not be for seniors. In that case, it’s likely to have a wider mix of owners tenants. Assuming the senior project means that you’ve assumed a lesser intensity use in terms of parking and traffic. The city should study the greater intensity instead, without senior occupancy.

**Development standards:** The standards should establish that the project is for condominium, single family attached and detached, consistent with project objectives. Without a requirement in the standards, projects may be approved with rental rather than ownership units. Please correct the standards to include the requirement for units that can be purchased individually. (I also noted the use of the term “flats” in the design guidelines. “Flats” doesn’t indicate ownership. Please correct.)

I know the B Street parking standards are listed elsewhere in the document, but they should be summarized here as well so that the summary is complete.

**Infrastructure Improvements:**

**Page 3-23** Second paragraph: What happens if Redevelopment funds committed to the project and the funds collected from the developers are insufficient to pay for the required infrastructure improvements? It says tax increments plus partial reimbursements from developers AND/OR assessments from owners of properties within the “benefit area” will initially be used for needed improvements. Does this mean that the owners of 337 B, 246 4th Street as well as the owners of properties on the west side of the alley (outside of the project area) may be required to pay special assessments for improvements that are only needed because of the project? Also, the final sentence in this paragraph states that “improvements serving a broader benefit area, such as lighting or drainage improvements, may be funded through creation of a special assessment district.” However, drainage and lighting are adequate for current needs, as per this
DEIR. To my knowledge, no other existing neighborhood in Davis has been required to participate in the “special assessment district” because of improvements are needed in large part as the result of new development. Please clarify the reasoning and the consistency with city policy.

Instead of suggesting a new taxing source to provide broader neighborhood benefits, a mitigation to improve lighting, drainage etc. is needed. A mitigation should be written that directs the tax increment to neighborhood improvements for a specific list of projects rather than just used “initially.” The tax increment should not be diverted elsewhere in the redevelopment agency boundaries until the improvements are complete. This mitigation would in part lessen for the project’s significant but unavoidable impacts. The mitigation is needed because the CASP has strongly worded policy to “protect the residential neighborhood...” As written, the DEIR does not go far enough in proposing mitigations that fulfill this policy.

Alleys
Page 3.24: This is a difficult paragraph to follow. If an in-lieu fee is approved, am I correct that the alleys will only be widened only in areas adjacent as new developments as they are built? What if a 3rd Street developer wants to provide parking on site rather than pay the fee? Will that force alley widening? If there is no in-lieu fee program, will the redevelopment agency acquire property from owners who are not participating in the project? How does parking for Third Street properties, with or without the in-lieu fee, impact the alleys? Is staff assuming that cars driving to 3rd Street will use the alleys as for access? The potential alley widening is increasing rather than mitigating for impacts on the existing neighborhood. What other alternatives have been considered??

Why has the city chosen to respect the statement in CASP that there should be no new curb cuts on B Street, while so many more important policies will need to be modified? Has the city explored a configuration that allows selective new curb cuts to minimize alley traffic (thereby protecting the neighborhood better) rather than propose that land be taken from owners? A mitigation could allow selective curb cuts for multi-parcel projects in order to cut down the alley traffic. Selective curb cuts would also increase the depth of the parcels that are proposed for redevelopment, improving useable open space potential.

Does the parking residential in-lieu fee proposal also apply to buildings on the alleys?

Utilities
Page 3-24 This paragraph states that undergrounding may be needed, and that drainage improvements would benefit the broader neighborhood. Please refer to my note under infrastructure improvements. Further, are funds available to complete the lateral drainage connections from D Street to University and Third Streets in a timely fashion? Stating that they “would best be coordinated with other street and alley improvements” does not answer the question of how they will be funded. If tax increment funds are intended for
this purpose, please state. How will they be funded if the tax increment is not sufficient? Please be more specific.

**Environmental Analysis: Chapter 4.0**

**4.2 Circulation and Parking**

**Figure 4.2.11 and 4.2.12:** I noticed an error in these figures. Existing plus “no project” anticipates a total of 13 cars exiting the alley onto 4th Street in the morning. Existing plus project has 7 cars exiting in the morning. I haven’t checked the other diagrams in the figures. Please recheck.

**Page 4.2-3** Existing roadway network, paragraph on “unnamed alley.” This paragraph states that “parking is available adjacent to the alley but outside of the right-of-way, however, it is reserved for tenants and customers.” Outside of the right of way is private property. for residents and visitors to the residential properties, and tenants and customers to the commercial properties.

**Page 4.2-7:** Existing parking conditions: Please amend to include the “no parking” times for street sweeping. Inability to clean the streets due to parked cars is a significant problem in this neighborhood, given the large number of Sycamore trees and their high frequency to leaf loss. Long term on-street parking limitations (five days, I think) should also be included. It’s important to remember that the streets are not intended to serve long term parking needs.

**Parking supply counts:** This section needs to note clearly that the parking supply counts do not and cannot accurately reflect the intermittent demand in this neighborhood for parking for special events at UC Davis and in Central Park on the weekends.

**Pertinent Planning Processes Underway** Please explain the direct pertinence of these planning processes to the project. While it is a fact that there is a study being done for a new downtown parking structure between E and F Streets, there is no evidence that a parking structure in that location will meet the customer parking needs for to the new commercial uses proposed in the University Avenue neighborhood. One of the problems the city has in any parking lot is that parking times new to be strictly limited to discourage university staff, students and visitors from parking there. The further a lot is from the businesses, the less likely it will serve their needs. Alternatively, if the time limits are increased, the unintended consequences will result in a large number of spaces being used by university visitors. This is the Davis dilemma. Finally, it is highly unlikely that residents will keep their cars four blocks away. Residents will not want to walk the distance at night, or in the rain, or in the extreme valley heat.

**Core Area Parking Management:** The need to manage spaces is in large part the result of the adjacency to the university. Please see the note above. The adjacency problems of how to plan for parking for shoppers while discouraging University parking is a key
factor in core area parking management. Will the W parking permit need to be revised to increase customer parking?

**Impact 4.2-2:** The proposal is that in-lieu fees would fund alternatives for a parking lot or structure “serving the greater area.” As stated previously, where is the evidence that the structure being studied will provide anything other than very minor parking support for the University Avenue neighborhood.

**Office uses** How does the city expect to limit the office uses to “intellectual or creativity based products and services?” Please provide the anticipated zoning language for evaluation.

**Alley impact with in-lieu fee:** The mitigation states that the fee would be for “commercial” projects. Does that mean that the in-lieu fee is not a mitigation for the 3rd Street residential component in-lieu fee described on page 3-21?

What will happen if fees are insufficient to pay for the improvements that are needed? How will the city ensure that they are completed? What is the time frame? How will the mitigation be monitored? If this mitigation is going to reduce the impacts to less-than-significant, a clear plan of action and alternate funding sources must be identified.

**Live Work** Will parking spaces be required for the new “live-work” areas proposed for the B Street townhouses? City standards allow for non-resident employees, and for clients. Will different live-work rules be proposed to limit or eliminate either or both of these two categories? If not, where will the non-residents park? If live-work is not successful, the units will have a large space which can be used for an additional bedroom, without the required parking, and with the increased potential of becoming a lucrative rental property. Hence, the viability of live-work component must be analyzed and the live work standards provided. Is this evaluation included? If so, where? Have the parking needs been evaluated? What happens if the live-work concept fails? How will the city address the lack of adequate parking?

**W Permits** Is there a proposal to meet the residential parking need with on-street W permits? If so, how many new parking permits will be required? How many additional parking spaces will be needed? If not, how will residents and visitors be accommodated? As the parking spaces become scarcer, residential life becomes more difficult to sustain. While it is true that the number of trips by residents may be minimized due to proximity to the University, it is also true that there many people use cars. Where will they park? Will the rest of the neighborhood continue to be a viable residential neighborhood?

What is the justification behind assuming that fewer parking spaces will mean that fewer residents will have cars? Other projects in the city have not found this to be the case. Apartment buildings with limited parking regularly request permission to increase
parking by decreasing site amenities. Parking problems do not go away by limiting spaces. Proximity to the university means that certain residents will not move their cars as often as they might in other neighborhoods. but experience shows that they will still own cars. I realize parking is a major problem for all projects, and that we all have an interest in limiting car usage. We need a viable solution, but until we have one, we need to enforce standards. The project proposes an large increase in an existing neighborhood. This is an enormous change over current standards and policies. At a minimum, the city needs to have a plan for how the parking problems will be assessed over time and how they will be handled.

**Alley Impact with Full Parking Provision:** As I understand this mitigation, the city will need to “obtain by acquisition if necessary” a minimum 20 ft. right-of-way. Which properties will be directly affected? In particular, please identify those properties with structures, fences and/or large trees that are currently within the required right-of-way.

**Page 4.2-39** A “Draft Alternative Transportation and Parking Investment Study” from UC Davis is cited. Is this report available for community review? The key findings that are reprinted in the DEIR appear to apply to the West Village. Is there any relevance to our neighborhood?

**Mitigation Measure 4.2-5**

“Coordinating with UC Davis for any project developments that will house university functions” is very vague. The city has a history of assuming parking will be provided by the University for campus affiliated users. In certain approvals, the city has allowed developers to state that they would acquire campus permits for their visitors, without realizing that the campus does not authorize that sort of purchase. Currently, employees of campus departments can purchase campus parking permits. Others cannot, although they can purchase day parking permits. Are the DEIR writers proposing something beyond the current status quo? If so, is it viable? Please explain. Has the university agreed to this provision? If not, how it is inappropriate to propose it as a mitigation?

Businesses in the building at 3rd and A have failed regularly because, unlike the Core Retail with Offices area of the downtown, our neighborhood has little to no on-street parking. Will new businesses be viable without parking? If not, the project fails or the offices are leased to UC Davis, resulting in the loss of tax revenue for the improvements that are needed. This really needs to be sorted out.

Items 2.3, 4 and 5 in this mitigation suggest that certain actions are “considered.” None, however, are proposed. None, however, are proposed. While these are being “considered” the impacts to the residential neighborhood will be increasing greatly. The CASP has a strongly worded policy to “PROTECT existing residential neighborhoods and their residential character.” Absent viable mitigations, the existing neighborhood will not be protected. In fact, it’s like to be an untenable place to live, with increased traffic and no
space for visitors to our houses. How are you going to “PROTECT” the neighborhood against these significant, unavoidable impacts? We may not be able to reduce the significance to less-than-significant, but we still need better mitigation measures and a timeline for their implementation.

Section 4.3 Historic Resources

Mitigation Measure 4.3-2(a) Regarding 301 B Street: This successful rehabilitation of a Landmark eligible structure is currently the home of Ciocolat, a popular café/bakery/restaurant. It is able to succeed due to its uniqueness, and its parking lot. Has the restaurant owner been contacted to confirm how many of their visitors use the parking area? The number of parking spaces needed should be protected. A mitigation is needed requiring that adequate parking for the historic building be provided in any new development proposed for the existing parking area. The mitigation is needed because if the viability of a restaurant tenancy is threatened, the building itself will be threatened as well.

In regard to the use of the Secretary of Interior’s Standards: The city needs to ensure that the Standards will be correctly applied. The mitigation should provide that a qualified consultant be required to evaluate any significant alterations proposed for this building. Redevelopment Agency funds should be used to pay for the consultant, rather than placing the burden on the property owner. Finally, a mitigation measure requiring the city to hold public hearings to consider designation should be provided. The building’s qualifications as a landmark have been established. The general plan goal states that the city will “designate, preserve and protect” historic resources.

Impact 4.3.3 Mitigation measure 4.3-3(a) regarding 337 B Street is inconsistent with the project description. The building at is proposed to be retained; why is moving provided for?

Zoning for 337 B and 246 4th: In order to reduce the potential impacts to 337 B Street, the property should not be “upzoned” to the new zoning district standards. A more feasible, and more appropriate mitigation measure is retain the current University Avenue Transitional zoning for 337 B Street, and also for 246 4th Street. These two properties are directly adjacent to the low density residential neighborhood, both valuable assets, and further their owners have been outspoken about their desire to retain them. Why then is a higher level zoning being proposed? The consequence of this upzone, which is obviously unwanted by their owners, is to set up a conflict between the current use and the new “highest and best use.” The consequence of that conflict will be to heighten the potential that one or both of these buildings will be lost to the neighborhood. Keeping the current zoning will allow the properties to be retained as houses, enlarged and/or rehabilitated into offices.

In regard to 311 B: The impact statement for this mitigation measure states the moving 311 B is proposed, but may not be feasible. Does this mean that the building will be
retained if moving is not feasible? Or are the writers proposing a significant, unavoidable impact? It is confusing to have the impact statement question the feasibility of a proposed mitigation.

**Mitigation Measure 4.309 (a):** The intent of the guidelines to conserve the historic character of the neighborhoods will be retained. Unfortunately, design review is sometimes resolved by the Council, which is a political body. They do not have the training to ensure that the guidelines will indeed mitigate in part for project impacts. At a minimum, a mitigation should require a consultation with an architectural consult who is retained by the city on a regular basis to evaluate projects for consistency with the guidelines. As is, evaluation is uneven, and depends in part on the political will.

**Mitigation measure 4.3-9 (c)** It’s impossible to determine whether a historic impact mitigation fee will make up in part for the loss of the resources without knowing how much money a fee could generate and how it would be used.

**Third and J parcel** The Redevelopment Agency recently purchased a double parcel in Old East Davis. Has the city considered using the redevelopment agency’s parcel for as a relocation site? Very few open parcels are available in the old neighborhoods. If the agency is unwilling to put this site on the table for a project mitigation, then it is unlikely that property owners will find an alternate site in the conservation district. I recommend a mitigation that proposes that the redevelopment agency use the already purchased site for relocation, and the historic mitigation fee is sufficient to reimburse the agency for the Old East site purchase. The mitigation would help meet General Plan policies of preserving and protecting historical resources, and the redevelopment agency could recoup their expenditure. The agency could then use the reimbursement to buy an appropriate site in a newer part of town for a contemporary project that would be less suitable on the Old East Davis site.

**Section 4.4 Land Use and Aesthetics**
The basis from my comments on this section are the standards for determining significant impacts in regard to land use and aesthetics as stated on page 4.4-7, as follows:

- Conflict with applicable plans, policies or regulations (would be considered a significant impact)
- Conflict with existing or planned adjoining land uses
- Substantially degrade the existing visual character or quality of the site and/or surroundings.

**Page 4.4-3 Regulatory Environment General Plan:** “Downtown should include a mix of uses that extends activities throughout the day.” As per the project introduction on page 3-1 of the DEIR (as well as elsewhere in the document), this neighborhood is BETWEEN the downtown and UCD. It is NOT downtown.
Page 4.4-5 CASP Land Use Policies: On the bottom of page 4.4.5, the core principles of the CASP are restated. The paragraph reads: “Preservation of Davis’s historical heritage and traditional forms through adaptive reuse of existing historic structures and new infill development that is of compatible scale and site design, reflective of existing building forms and care, sensitive transitions to existing single family homes are core principles of the CASP.” I agree. A reasonable evaluation of this policy will have to conclude that the project proposed is in conflict with these key principles, and therefore its impacts will be significant.

I cannot overemphasize the importance of understanding existing Land Use policies when evaluating this project. The Core Area Specific Plan was developed with extensive public input and intensive public meetings.

Policy 6 (CASP page 31) is not included in the list of key policies, although you have proposed elsewhere in the project description to modify it. Policy 6 specifies that intensification shall be concentrated first in the area bounded by First and Fourth Streets, and D Streets and the tracks...areas to the west and north shall intensify more slowly...” The CASP offers an explanation following the policy, on page 33, that the reason for the intensification area is, in part “maintains the valued older housing stock within its edges.” A transitional boundary in the Core Retail of Offices areas (the mixed use districts east of B Street) was added to CASP soon after its adoption to further refine the intensification policy.

This is a neighborhood of careful balance, probably the only truly mixed use residential neighborhood in the city. We worked hard on the CASP to maintain that balance. The change in the densification policy enables the city to bring downtown density and mass into a residential neighborhood (40 units per acre, up to 56 ft high – 11 feet higher than the Chen building at 2nd and G). Lifting the intensification boundaries is a substantial, significant change from existing policy, and failure to protect the neighborhood from the impacts of the changes is inconsistent CASP policies. This is a significant impact.

Core Area Land Use Policy 1G: Protect the existing residential neighborhoods and their residential character. The policy is not proposed to be changed. This project, with its multiple significant and unavoidable impacts, is in direct conflict with a very strongly worded policy. There is no stronger language than “protect” anywhere in the CASP. Other policies say “shall be encouraged”, or “Where feasible” or (in regard to 3rd St.) “opportunities include...”. For our neighborhood, the only neighborhood in the CASP, the key policy is unequivocal: PROTECT. This project being studied in this DEIR has a number of significant and unavoidable impacts which are in direct conflict with LU Policy 1G. The evaluation as written is inadequate.

Much more can be proposed to protect the neighborhood to at least partially offset the significant impacts. Beyond the planned infrastructure improvements, street trees, (many of which are in questionable health) can be maintained on an accelerated basis (perhaps
using the tree mitigation fees to underwrite the expense), curb cuts for improved handicapped access can be installed, street crowns can be lowered, code compliance can be stepped up to make sure the neighborhood will support the type of higher-end residential investment that the project proposes, a pilot residential inspection program can be established. Regarding the last two, being near the university is both a blessing and a curse. Too many absentee landlords who are guaranteed a good rate of rental income do too little to improve their properties. The high quality buildings envisioned in this project might not be successful without attention to neighborhood problems. Craft mitigations to protect the neighborhood by making homeownership in the denser environment more sustainable. They will also help the project succeed. Mitigations of this type should receive broad support from developers, decisions makers and residents.

Staff should meet with the neighborhood to develop a set of mitigations aimed at protecting the neighborhood, prior to developing a final mitigation proposal.

Policy 7B in incomplete as cited. It should include the statement on parking: that on-site parking shall be incorporated into 3rd Street projects.

Page 4.4-6 Core Area Strategy Report: Citing the high priority actions gives an incomplete picture of the visions and key policies of the strategy report. Urban Design Section 2.3, Historic Preservation and Neighborhood Conservation (page 20 of the strategy report) clearly states the vision for this neighborhood:

Community Vision
The community wants to capitalize on and preserve the Core Area's individuality and heritage. The Core and surrounding neighborhoods add the complexity and richness that is so important in creating a sense of place and community. Policies and directions include:

Protecting the unique character of downtown neighborhoods, most specifically the neighborhood bordered by Russell Boulevard, A, B, and First streets. The adaptive reuse, renovation and/or rehabilitation of existing historic homes is encouraged.

Possibly designating the Core Area as a historic district.

Issues/Challenges
Commercial impacts on residential uses. As the downtown continues to grow, there needs to be careful mixing of uses to provide for the needs of the community without diminishing the residential character of existing residential neighborhoods in the Core Area.
Clearly, the project is in conflict with this vision. The DEIR does not correctly analyze the intent of the Strategy Report when it addressed the residential neighborhood. The DEIR is inadequate in this regard.

**Planned Development Zoning:** Conflicts with adjacent existing land uses have not been studied in the DEIR. In particular, impacts and conflicts that might result in the inability to maintain the Low Density Land Use on the block of University Avenue south of 3rd Street should be studied. I know of nowhere in the city where large, downtown density buildings have been constructed as infill immediately next to single family homes. What are the protections, other than some modest set back requirements, that will protect this neighborhood? A study of adjacent land uses and a comparison to city zoning standards and policies in general should be included in the DEIR, and additional protections, if feasible, should be considered.

**Design Guidelines:** The proposal is to modify the design guidelines. I do not see an evaluation of whether the guidelines can be modified and still be internally consistent. Basically, the guidelines describe neighborhood conservation, while the project sets aside the conservation value and prefers densification. Whether or not densification is good is not the issue for this study; the concern is whether the modifications proposed for the design guideline are in conflict with the basic intent of the guidelines.

The initial study for the guidelines stated the following:

**Aesthetic DETERMINATION for DG Environmental Checklist**

The proposed Design Guidelines will not result in significantly adverse effects on a scenic vista; substantially damage scenic resources, including, but not limited to trees and historic buildings; substantially degrade the existing visual character or quality of the site and its surroundings; or create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area. In fact, the intent of the proposed Guidelines is to enhance and protect the aesthetic and visual quality of the proposed Downtown and Traditional Residential Neighborhood Overlay District by setting parameters to ensure that development be visually consistent and complementary to the existing neighborhoods.

**Cultural Resources DETERMINATION for DG Environmental Checklist**

The stated purpose for the development of the Design Guidelines is to recognize that the area within the Overlay District boundaries has a unique historical and cultural heritage that should be identified and respected in future development. The City has an existing Historic Resources Ordinance that governs the designation and allowable impacts to identified historical resources. However, the guidelines seek to go further in identifying this area as a conservation district recognizing that
these commercial and residential areas have a unique character due in part to their age and type of development.

This is consistent with implementing policy 6.6E in the General Plan which encourages maintaining a sense of historic continuity by encouraging preservation of homes within the Overlay District boundaries.

Given the Design Guideline's environmental analysis cited above, it is clear that the current proposal is in serious conflict with the design guidelines. The conflicts need to be fully analyzed and disclosed in the DEIR, and mitigation if feasible considered. At a minimum, I recommend that a new character area be created for this project, rather than the modifications planned to the existing character area guidelines. At a minimum, you need to disclose the inconsistencies, and find a way to confine them so that the design guidelines continue to be a stable, usable document.

For all the reasons cited above, the Land Use section of the DEIR needs to be substantively revised. The DEIR states on page 4.4-8 is that the proposed amendments resolve the “tension” between competing policies encouraging adaptive reuse and encouraging mixed-use and a pedestrian environment in favor on taller, denser development. The conclusion on this page is that the plan amendments implement existing policies and are therefore a less-than-significant impact. It is clear that the City Council has the authority to revise the planning documents provided that they can make the over-riding public benefit findings. It is also clear that the community is owed a complete disclosure of conflicts with existing policies, and mitigations provided that will lessen the impacts. Any more abbreviated discussion is inappropriate, given the number of policies that will need to be set aside for this project to be approved. I ask the city to broaden the analysis and reconsider its conclusion.

B Street Transitional District: The proposed modifications need to stress that the modifications are to allow ownership units: detached and attached single-family townhouses and condominiums. Projects that do not allow for individual ownership units should not be permitted.

Impact 4.4-4 (Increased density and intensity): The statement says that the impact, which is significant and unavoidable, but could be avoided by implementing one of the project alternatives. It then closes with: “to do so [implement an alternative] would fail to satisfy the fundamental project objective.” The project objectives listed on pages 3-11 and 3-12. do not include a specific number of units or level of density. These are the objectives that will be weighed in determining whether overriding findings should be adopted, not specific numbers. If numbers were proposed, then all other alternatives would automatically fail. That is not the intent of environmental analysis. Alternatives that could meet the project objectives were selected. The DEIR acknowledges this in a different section. Why then does the DEIR state at this juncture that the other alternatives
fail to satisfy a project objective? This statement is out of place at this time. It might belong in a staff report, but I question its placement in the EIR.

I request that a mitigation reducing the density of the project be drafted for decision makers to consider. The mitigation would be different from the alternatives, in that the same sort of project would be considered, with small changes. Mitigate impacts by permitting six townhouses rather than 8 on two existing B Street parcels, and two rather than three on one parcel. The net result would be that more trees would possibly be saved, fewer cars would use the alley, some if not all buildings could be two story, and open space closer to neighborhood standards would be provided. On 3rd Street, lower the proposed permitted height limits to 40 ft. perhaps using a conditional use process for taller structures. These are feasible mitigations that will have only minor impacts on project densities while improving neighborhood consistency. A mitigation should be provided for decision makers to consider. Modifying a project through mitigations is done regularly. In this project, it’s been avoided. Why?

**Impact 4.4-5** (Change in visual character and quality of the project area): A note on the trees: The design guideline diagrams that are proposed show trees in areas where they cannot be sustained. They are shown in the alleys, too close to the new townhouses and without space for adequate root spread, and in the 4 to 5 foot setbacks alongside townhouses, again too close to the houses and in areas needed for pedestrian and bicycle access and to move garbage cans to the streets. Please correct the design guidelines or modify the zoning standards to ensure that at least some of the trees can be replanted.

As noted earlier in my letter, a feasible mitigation which would help, although not reduce the significant impact to less-than-significant, is to use the tree mitigation generated by the project to accelerate the street tree maintenance program throughout the entire neighborhood.

**End of page 4.4-15:** DEIR states that the increased alley activity will introduce mid-block activity and noise where minimal use currently exists along the alley. It continues with the following: “Surrounding property owners, particularly those outside of and west of the project area [single family residents on the other side of the alley] may perceive this as adverse due to concerns about security, privacy, and noise.” I submit that anyone would share that perception. The statement is not needed. A simple discussion of pros and cons would disclose all impacts and trade-offs, for evaluation as part of the Final EIR. Please reword.

**Section 4.5 Noise:** The DEIR states that the city cannot plan for nuisance problems. I disagreed. The city can plan for nuisance problems, with an accelerated nuisance/code compliance program aimed at alleviating problems before they take root. That type of program would partially mitigate for the many unavoidable impacts, of which noise is just one. Living in a dense, intense environment that is sandwiched between the University and Central Park, and adjacent to the downtown area, means that the
neighborhood needs special attention. This is the type of mitigation that can really help the neighborhood as well as the project, and that could be fleshed out with neighborhood assistance.

**Alternatives:** No one that I have shown this section to can understand these alternatives as presented, particularly the neighbors’ alternative. In fact, one Planning Commissioner stated at the hearing that neighbors always want low density or no project. Given that our alternative is either medium or high density (depending on how it’s calculated), it’s obvious the Commissioner didn’t understand it. How then can evaluators determine the potential of our alternative to meet the project objectives? I know that the DEIR cannot go into detail on each alternative, but more information is needed on the neighbors’ alternative, which never had the benefit of staff analysis and documentation at the time that Council made their initial choices.

**Economic Viability and Benefits** Where will the economic analysis be provided? Since it is not in the DEIR, I assume it’s being handled separately and will be brought forward as part of the final staff report and recommendations. Will the community have an opportunity to review and comment on the economic analysis in advance of the public hearings? Please advise.

**Design Guideline Photos** Some of the images, particularly those of the repetitive attached townhouses (the Richmond Transit Village?), are not suitable for the guideline document. Photos should show infill rather than planned unit developments to the greatest extent feasible. Even if infill photos aren’t available, the townhouse photo that is used is not the sort of project described by the project description. Please find a suitable replacement.

In closely, I want to emphasize that a compromise plan can be worked out in partnership with the neighborhood that will meet all project objectives and have decreased impacts. We are not opposed to infill, as our proposal shows. My interest is primarily neighborhood preservation, not historic preservation. Neighborhood partnership is an asset that should not be undervalued. It is a key ingredient to successful infill.

Sincerely,

Esther Polito
339 University Avenue

Attachment:
Design Guideline table with proposed changes that apply outside the project area.
Guideline Changes that apply to Mixed Use Districts outside the “B Street Visioning” project area

<table>
<thead>
<tr>
<th>Current Core Transition West</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Five photos: Three of old buildings (one 1-story and two 2-story), two of 2-story compatible infill buildings; all show context</td>
<td>Six: two of old buildings (2-story), one incompatible 3-story without context; one of the new 3-story building at 3rd and C, two of townhouses from large planned unit developments</td>
</tr>
<tr>
<td>“The traditional ‘bungalow feel’ of the area should be maintained while accommodating compatible new development.”</td>
<td>“The traditional ‘bungalow feel’ of the area should be reflected in the design of new development, even if it is at higher densities.”</td>
</tr>
<tr>
<td>“A building should be setback to align with the fronts of existing houses.”</td>
<td>“Buildings should be setback and have a front yard.”</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Current Central Park West Character Area</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Two photos: both old bungalows</td>
<td>Three: Two from core transition west selection (one of PUD townhouses and one of 3rd and C building); one of Central Park</td>
</tr>
<tr>
<td>“Residential uses with a mix of pedestrian-friendly commercial uses, such as cafes, should develop to frame the park and energize it.”</td>
<td>“Two and three story buildings with a mix of uses should develop to visually frame the park.”</td>
</tr>
<tr>
<td>“…buildings composed of modules in scale with traditional buildings should be used.”</td>
<td>“New buildings should be composed of modules reflective of traditional building”</td>
</tr>
<tr>
<td>“Traditional front yard setbacks should be maintained.”</td>
<td>“Shallow front yards should be included in new development.”</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Current Third Street Character Area</th>
<th>Proposed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Two photos: One shot of three adaptive reuse bungalows on Third Street between C and D; one photo of new 3-story building at C and 3rd. “Encourage adaptive reuse of traditional residential structures.”</td>
<td>Four: The 4-story building at 4th and F Streets (outside area); two of large buildings without context; one street with trees. No old buildings. Deleted; not replaced</td>
</tr>
<tr>
<td>“Varied setbacks are encouraged to enhance transition between building types and provide for courtyards and plazas.”</td>
<td>“Consistent setbacks of Third Street are encouraged to provide storefront continuity along the street edge.”</td>
</tr>
<tr>
<td>“Courtyards and plazas are encouraged. A clearly defined walkway should lead to the main building entrance. These should be landscaped to reflect the residential tradition of the area while accommodating new commercial and residential uses.”</td>
<td>Deleted.</td>
</tr>
</tbody>
</table>
4.0 Comments and Responses

LETTER 14, ESTHER POLITO

Response to Comment 14-1: Thank you for your comments.

Response to Comment 14-2: The commenter makes reference to the “Davis B and 3rd Streets Visioning Implementation Summary Report” released in August of 2006 in conjunction with the release of the DEIR. This document has already been separately circulated and no changes have been made or proposed. As a courtesy it is reprinted in Appendix E.

Response to Comment 14-3: This is noted on page 3-4 of the DEIR, in the second sentence of the first paragraph under Setting.

Response to Comment 14-4: The discussion on page 3-4 of the DEIR outlines the City’s process for selection of the proposed project as the “preferred” project for purposes of continuing the visioning process. The commenter is correct that until the environmental review is completed and a final decision made by Council, the B and 3rd Streets Visioning Process is not final.

Response to Comment 14-5: The source of the data for the map comes from the Land File on the City’s AS400 computerized land management data base. The existing uses are the property uses of the parcel. This code is maintained by the City Finance Department, taken directly from City records and was not modified for this exhibit. The multifamily designation as used in this case reflects sites that have more than one dwelling unit on them whether it is an apartment building or a duplex. The properties at 235 and 239 3rd Street, and 232 University/240 3rd Street have two single family structures on one parcel; the property at 217 B Street consists of 17 apartments. It is acknowledged that the term multi-family may be interpreted differently. However, other specific property descriptions and land use and zoning designation maps and data tables prepared for the project contained in this EIR are clear about the existing uses, and the physical characteristics of the project area.

Response to Comment 14-6: The point made by the commenter is one of interpretation. The CASP defines the University Avenue Transitional District as follows: “Includes professional offices, single-family residential and combined residential/office uses.” A portion of the project area is located within the “Core Transition West” Mixed Use Character Area in the Design Guidelines (pg. 70-71). Another portion is located in the “Central Park” “Special Character Area” including a design objective of “residential uses with a mix of pedestrian-friendly commercial uses should develop to frame the park and energize it” (pg 77).

Response to Comment 14-7: Proposed draft amendments to General Plan, Core Area Specific Plan, Design Guidelines, and Planned Development PD 2-86A and exhibits noting zoning and land use designation changes for specific parcels are provided in Appendix C (Proposed Regulatory Amendments). The proposed policy or regulatory changes would not generally extend beyond the project area. Where necessary, specific language will be added to restrict the change to only the B and 3rd Street area. As an
exception to this, however, there are some clarifications that do apply outside the project area but have no potential for adverse physical effects.

Response to Comment 14-8: Please see Response to Comment 14-7. The proposed policy and regulatory changes will not generally apply outside of the project area. The proposed modifications to the Design Guidelines are worded to allow greater flexibility while still retaining their intent. New language to clarify allowing intensification of development within the project area and a new mixed use urban village character is proposed as a part of the project.

Response to Comment 14-9: Construction standards for ground floor retail call for approximately 16 to 18 feet, plus approximately 12 to 13 feet per upper floor for commercial office use and 10 to 12 feet per floor for residential use, plus 4 to 5 feet for a parapet roof, or 6 to 10 feet for a sloped roof. These figures include area for subflooring and mechanical equipment. To allow for variations in individual building designs a height of 45 feet to peak of roof for three stories and 56 feet to peak of roof for a limited 4th story is proposed. For example a 16 foot retail first floor combined with two ten foot residential floors and 8 foot sloping roof equals 44 feet. Proposed zoning standards and Design Guideline amendments call for upper floors to be setback and built into the roofline. Building heights at the street setback are to be limited to two stories. See also Response to Comments 11-6 and 11-8.

Response to Comment 14-10: The clarifications being requested are reflected in the drafts of the zoning amendments proposed and contained in Appendix C (Proposed Regulatory Amendments) for the amended “Retail With Offices” zone and new “B Street Transitional District.”

Response to Comment 14-11: Assumptions of three story development were made for projects on 3rd Street based on preliminary concepts that included ground floor commercial with two levels of residential above (majority two bedroom units). This was in response to the information gained during the two public workshops where there was a consensus that if the new units were smaller they would be more conducive to owner occupancy. The concept of a limited 4th story was envisioned to provide an increased incentive to retain “Trees Worth Saving,” historic structures, and/or provide a public plaza area. The limited 4th story could function as a corner clerestory entrance feature or a loft area for one of the units.

No formal project applications have been submitted for any property in the project area. Development assumptions reflect reasonably foreseeable development based on proposed regulatory modification and on a preliminary assessment of site considerations. As each parcel develops, consistency with the CASP, Design Guidelines, applicable regulations, and the EIR analysis would need to be demonstrated.

Response to Comment 14-12: Please see Response to Comment 14-11 above.

Response to Comment 14-13: The reference to increased side and rear setbacks next to single family uses, means that increased setbacks and lower height limits will be required for portions of lots adjoining identified single family residential properties
4.0 Comments and Responses

(“protected” properties). These properties with special height and setback requirements to protect adjoining “protected” properties include: 333 B Street, 337 B Street, 232 University Avenue, 246 4th Street, 232 3rd Street, 236 3rd Street, and 240 3rd Street. Should the uses on the “protected” properties change, the setbacks would still apply to the properties listed above unless otherwise amended.

Response to Comment 14-14: The parking standard proposed for the PD-286A Subarea D Retail with offices is equivalent to that of the Commercial Core and Mixed Use zone Districts, with the requirement that a minimum of one parking space per unit be provided on site. Where the parking calculation results in a fraction of a space, the City will apply rounding. Allocation of spaces within a project is at the discretion of the property owner.

Response to Comment 14-15: Payment of in-lieu parking fees would only be allowed for the non-residential development or portions of parking over one space per unit for Retail With Offices zone areas now existing or proposed for 3rd Street between A and B Streets, and on the southeast corner of 2nd and B Street. The in-lieu standard proposed for these additional properties would be similar to that currently allowed elsewhere for the Retail With Offices designated land uses and Commercial Core uses in the Core area. The in-lieu fees would be used to provide increased parking in the Core Area via new structures, such as the new structure downtown. No new public structures are currently envisioned within the project area or larger University Avenue/Rice Lane neighborhood due to small parcel size. The greatest demand for parking in the area is caused by the presence of the University and efforts to pursue shuttle service and incentives for UC affiliated workers in the area to use the UC parking structure are proposed. Residents living in the new developments would also be entitled to purchase W parking permits as is the case for other area residents. Parking standards proposed for the B Street Transitional District are higher than current regulations. Parking impacts have been recognized as a significant and unavoidable impact in the Core Area with or without the proposed project. See also Response to Comment 1-1.

Response to Comment 14-16: Please see Response to Comment 6-4. Neither the trip generation rate nor the parking analysis made any differentiation for senior occupancy. See Table 4.2-4 on page 4.2-24.

Response to Comment 14-17: The city can control the density and design of the units through application of zoning standards and design requirements, but cannot legally mandate that they be sold as individual units or that they be occupied by resident owners. The City cannot mandate owner occupancy unless it has a financial interest in or has made a financial contribution to the project, and has, in conjunction with the financial contribution required a covenant for owner occupancy. Though ownership housing is encouraged, the City cannot legally restrict the construction of rental units. It should be noted that there was no differentiation in the EIR analysis between owner vs. rental occupancy.

However, the project does include an incentive program to encourage the creation of ownership opportunities between 2nd and 3rd Streets on the west side of B Street. The benefits of the program would be available to any project proponent within the specified
area who agrees to divide their property into smaller lots (airspace or parcels) up front as a part of their project application. The project proponent would be required to accept deed restrictions ensuring that the land (or airspace) division was not later reversed. The project proponent would also be required to enter into a development agreement or equivalent mechanism to enforce the voluntary agreement to divide the property. In exchange, the City would grant greater density, smaller setbacks, or other incentives to the project.

The term “flats” is used to convey that the individual units may be divided horizontally (single-level units) vs. vertically. Appendix C provides Proposed Regulatory Amendments and includes proposed language for permitted uses and amendments to the Design Guidelines that expresses the City’s preference for individually-owned townhouse and condominium units vs. apartments.

**Response to Comment 14-18:** Please see Response to Comment 4-1.

**Response to Comment 14-19:** An implementation action for approval of the Specific Plan amendments will be to initiate the process to define the specific design of the improvements, estimated construction costs, and mechanisms for cost allocation. Based on the estimated costs the City/Redevelopment Agency may modify the design or the allocation of costs to benefiting properties. Having the agency front the costs of improvements based on engineering estimates minimizes the likelihood of an inadequate assessment and ensures that the improvements will be made.

**Response to Comment 14-20:** Costs for infrastructure will be assessed for individual properties based on benefit received. The process for establishing an assessment district is an extensive public process.

**Response to Comment 14-21:** Other area improvements such as lighting or undergrounding of utilities (for lateral connections) or area wide drainage improvements that may be considered to benefit a broad area may be partially supported through a benefit district assessment. This would be undertaken through a public process that would have to substantiate a nexus between benefit and assessment and would be subject to majority approval requirements of State law. However, creation of such an assessment district is not proposed; rather, tax increment financing may be used if available. The referenced text is an acknowledgement that the City has considered some drainage improvements and bicycle and pedestrian improvements on 3rd Street in its redevelopment plans, and cost allocation approaches need to be tied to the benefiting parties. The project will not be result in drainage problems. Drainage improvements on 3rd Street will be serving a larger area than the project area. Please also refer to page 21 of the Initial Study in Appendix 7.1 of the DEIR.

**Response to Comment 14-22:** See Response to Comments 14-19 through 14-21, and paragraph three of Response to Comment 14-58. The page referenced is part of the Project Description section of the EIR and includes no mitigations. The components described there are included as a part of the proposed project.
Response to Comment 14-23: Please note, in an effort to clarify Mitigation Measure 4.2-2(a) and (b) for purposes of implementation, this mitigation has been reworded (refer to Chapter 2.0, EIR Text Changes).

Regarding the timing for making improvements to the alley, contrary to the comment each segment of the alley (e.g. from 2\textsuperscript{nd} to 3\textsuperscript{rd}, and from 3\textsuperscript{rd} to 4\textsuperscript{th}) will be completed at a time. It is true however, that there may be interim improvements that affect only certain properties installed by individual properties owners as requirements of their project approvals.

If a developer wants to provide parking on-site rather than pay an in-lieu fee that is desirable. The Design Guidelines encourage the provision of on-site parking. In such instance however, access would be required from the alley.

Each subsequent development that occurs within the project area would contribute incrementally to the need for alley improvements and may be required to make incremental improvements to the alley. Based on regular monitoring of alley volumes (see reworded mitigation language), at the point the amount of new development exceeds the identified threshold, full improvements to the alley would be triggered and would be implemented along the full “street-to-street” segment as described above.

Whether or not there is an in-lieu fee program, the Redevelopment Agency retains the ability/authority to acquire property. Whether there will be a future need to use this tool is speculative.

Access for parking for redevelopment of 3\textsuperscript{rd} Street properties is assumed to be from the alley. No new curb cuts would be allowed.

The commenter believes the alley mitigation increases impacts. The EIR addresses indirect impacts that could result from the alley improvements such as loss of trees and traffic circulation, however, it is important to note that this mitigation is included because overall it improves circulation and safety, and in turn encourages pedestrian and bicycle trips.

Alternatives to widening the alley were considered including the possibility of one-way travel and limiting through access. Changing alleys to one way travel was not supported because it would direct traffic for 3\textsuperscript{rd} Street projects to 2\textsuperscript{nd} and 4\textsuperscript{th} Streets. The goal is to have traffic that is accessing parking areas for 3\textsuperscript{rd} Street projects use 3\textsuperscript{rd} Street for alley ingress and egress to take advantage of the signal at this intersection and to redirect traffic away from more residential areas. Also the existing configuration of garages on portions of the alley between 3\textsuperscript{rd} and 4\textsuperscript{th} Streets present constraints to establishing single directional access.

Response to Comment 14-24: The policies to direct auto access to the rear alley and prohibit new curb cuts on B Street were maintained in order to strengthen the streetscape, minimize impacts on bicycle and pedestrian pathways, and direct cross traffic to the existing street intersections. The greatest amount of new development would be occurring in the mixed use projects along 3\textsuperscript{rd} Street, and at the corners of B and 2\textsuperscript{nd}
Streets and B and 3rd Streets. Allowing curb cuts for development could result in fewer trips along the alley but would result in increased indirect impacts. For example it would exacerbate traffic congestion along B and 3rd Streets by adding conflicting vehicle turn movements at multiple locations, and would also disrupt pedestrian and bicycle flows along those streets. Each curb cut would also result in additional loss of street parking. These new impacts would be in addition to the impacts already identified to occur.

The modified Design Guidelines discourage vehicular access from either B Street or 3rd Street. B Street is a highly traveled arterial street with considerable bicycle traffic. New driveway access and the potential for vehicles backing out onto B Street traffic is not desirable due to safety concerns. Third Street is a highly traveled pedestrian and bicycle route as well. New driveways would interrupt the flow of travel and create safety conflicts between vehicles and other modes of travel. New street curb cuts would not be allowed at these property locations (along either B Street or 3rd Street).

It should be noted as well that implementation of the proposed project is also expected to result in the elimination of existing curb cuts along both B and 3rd Streets as redevelopment occurs.

The commenter proposes new curb cuts along B Street as an alternative mitigation. However, for the reasons identified above this would not serve to mitigate the identified impact pursuant to CEQA Guidelines Section 15370 and is also inconsistent with the project. As such this suggestion is rejected as infeasible.

**Response to Comment 14-25:** Buildings on the alleys in the proposed B Street Transitional District would not be eligible for payment of in-lieu parking fees. All required parking would be required on site.

**Response to Comment 14-26:** Yes, this is correct.

**Response to Comment 14-27:** The drainage improvements on 3rd Street are not required to mitigate any project impacts, but have been under consideration by the City for some time. This EIR notes that installation of all infrastructure improvements proposed in the 3rd Street corridor should be coordinated to reduce construction costs and minimize street disruption. The specific design and construction costs of the 3rd Street improvements are not known. Part of the implementation actions for the project will be to determine what the improvements will include, how much they will cost, and what the funding mechanisms will be.

**Response to Comment 14-28:** The figures are correct. Figure 4.2-11 shows existing traffic plus the proposed project traffic. Figure 42.-12 shows existing traffic plus “no project” traffic, which would be generated if the current zoning were fully built. Refer to Tables 4.2-4 and 4.2-5 for a description of the trip generation for these two scenarios.

**Response to Comment 14-29:** The comment is correct. The intent of the referenced paragraph is to provide a general description of the alley’s physical condition and function.
Response to Comment 14-30: The street sweeping times are 2 AM to 6 AM on Fridays, except on B Street, which is swept on Tuesdays. The Davis Municipal Code prohibits parking a vehicle on-street without moving the vehicle for more than 120 hours. This restriction is in addition to the signed parking restrictions for street sweeping. This clarifying information is hereby added to DEIR on page 4.2-7 (see Chapter 2.0, EIR Text Changes).

Response to Comment 14-31: Text has been added to the DEIR on page 4.2-7 to clarify parking conditions. Please see Chapter 2.0, EIR Text Changes.

Response to Comment 14-32: The summary of other concurrent planning processes is provided to fully describe the context in which the project is being developed. The City’s exploration of the feasibility of a downtown parking structure three blocks from the project area is relevant as it would help meet parking demand in the greater downtown area, thus potentially reducing parking occupancies in the project area.

Response to Comment 14-33: Core Area parking management is discussed on page 4.2-22 of the DEIR. The W parking permit program is not proposed for revision as part of the project.

Response to Comment 14-34: The EIR concludes that the proposed mitigation measures may not be sufficient to reduce the potential parking impacts of the project to a less than significant level. There were no feasible locations for construction of a new parking structure identified within the immediate project area, due to existing lot configurations and patterns of land ownership. Parking in-lieu fees can be used to support transit access and transportation demand management (TDM) programs (trip reduction) as well as provision of new parking spaces. The close proximity of the project area to the Downtown, University, Sacramento City College classrooms, and transit access (Caltrain/bus) would likely reduce trip generation for access to these locations. This impact has already been identified for redevelopment occurring overtime in the entire Core Area in the EIR prepared for the Core Area Specific Plan.

Response to Comment 14-35: Proposed amendments for permitted uses in PD-2-86A Subarea D “Retail With Offices” district and new Subarea E “B Street Transitional District” are provided in Appendix C. Language is proposed that would limit uses on 3rd Street between the B Street alley and University Avenue (east side) of the mid-block to “low traffic generating” professional offices and personal business services.

Response to Comment 14-36: The option to meet parking requirements via payment of in-lieu parking fees is proposed for the commercial portion of new development in the Retail With Offices District whether in a sole commercial or mixed use development. In-lieu fees would also be allowed for a portion of residential parking. All residential units within the Retail With Offices District would be required to provide parking based on the number of bedrooms, and would have to provide a minimum of one space per unit on site. Payment of in-lieu fees for parking required above this number would be allowed as an option for the developer if the proposed project is approved. Payment of in-lieu parking fees would not be allowed in the B Street Transitional District.
The in-lieu fees are not intended to pay for alley improvements. Alley improvements are further discussed in Response to Comment 14-19. Assuming that the question about monitoring refers to payment of the in-lieu fees, the City would require payment or completed parking prior to occupancy of the new development. Impact 4.4-2 which addresses alley traffic volumes is mitigated by the identified increased right-of-way and improvements. Impact 4.2-5 which addresses parking is identified as significant and unavoidable.

**Response to Comment 14-37:** Please see Response to Comments 14-19.

**Response to Comment 14-38:** Parking will be required for new live-work units. Live-work use is permitted in the PD 2-86A zone currently. The project does not propose different parking regulations for live-work units. Non-residents could park wherever they are able to locate a parking space. The live-work portion of units would be treated like a bedroom for the purposes of calculating required parking. Should later “conversion” of the unit to a bedroom-only occur, the original parking calculation would still be applicable and a space would have already been provided.

**Response to Comment 14-39:** New residents would be able to apply for W permits under the same regulations as currently apply. The project does not propose meeting new parking demand through the use of W permits. However, 14 of the 125 net new residential spaces triggered by the project are potential in-lieu spaces (refer to DEIR, page 4.2-38, Table 4.2-9). The intent behind allowing for fee payment in-lieu of these spaces is to re-direct the funds that would otherwise be used to construct the parking, to other mechanisms and services that would reduce the need for vehicle ownership. An additional intent is that the housing for which in-lieu fee payments are allowed would appeal to those who do not own or need to park a second vehicle (see DEIR Mitigation Measure 4.2-5(a) revised herein). Note also that the proposed project only allows for fee payment in-lieu of parking after the first parking space is already physically provided. For the most part the proposed in-lieu parking program is proposed for the new commercial uses only.

**Response to Comment 14-40:** The DEIR acknowledges that the proposed project may have a significant and unavoidable impact on parking (refer to DEIR Impact 4.2-5). Mitigation Measure 4.2-5(a) contains several actions that will help minimize additional parking on adjacent streets surrounding the site. Revisions contained in Chapter 2.0 EIR Text Changes expand this mitigation. Please see also Response to Comment 14-39 and 14-45.

**Response to Comment 14-41:** Properties on the east side of the alley would eventually be subject to a requirement to dedicate an additional 7-feet of right-of-way upon further development of their parcels, or may be subject to acquisition by the City absent further development. Acquisition of right-of-way (ROW), in and of itself, does not necessitate the removal and/or relocation of existing improvements or features. However, existing improvements may need to be removed or relocated and existing features may need to be removed in order to construct anticipated future alley improvements. A figure that shows the proposed ROW for each property is provided in Appendix D.6 (Alley Right-of-Way Exhibit). The figure shows an extended 7-foot ROW affecting all parcels on the east side of the alley with the exception of 246 4th Street.
The figure shows a few trees, some fenced areas, some concreted informal parking areas, a stairway, and a portion of the structure at 247 3rd Street, as falling within the extended ROW. The DEIR addressed possible impacts of improvements within the expanded ROW.

Response to Comment 14-42: This document is in the project file and is available in hard copy from the City Planning Division (contact Sarah Worley at 530-757-5610).

Response to Comment 14-43: The mitigation measure is intended to go beyond the existing condition. The University has not taken any position on the measure. The measure supports achievement of such a joint program. The City does consider this to be a worthwhile effort towards addressing the impact. However, because we can not guarantee success, the impact remains significant and unavoidable.

Response to Comment 14-44: If a business at that location failed, and UCD became the tenants, it is true that there would be no tax increment from the UCD-leased portion. However, the Redevelopment Agency is not dependent solely on tax increment from the B and 3rd Streets project area to make the alley improvements. The Agency is able to collect and spend anywhere within the Redevelopment Agency project area.

Response to Comment 14-45: Elements are incorporated into the project itself to lower parking impacts. The parking standards for residential development proposed on B Street Transitional district require more parking for units with more than three bedrooms and are higher than current requirements for the Mixed Use district or Single Family district. The intensity of new commercial and mixed use development will be lowered by the proposed reduced floor area ratio for the Retail With Offices zone, which is proposed to drop from the existing 3:1 floor area ratio (FAR) to a 1:1 FAR for sole commercial and 1.5:1 FAR for mixed use, with bonuses of up to 2:1 for provision of project elements considered to be project benefits. High traffic generating commercial uses for the mid-block of 3rd Street are to be restricted between the B Street alley and west side of University, which also leads to a reduction in parking demand.

Mitigation Measure 4.2-5(a) (DEIR page 4.2-20) contains an extensive list of reasonably feasible mitigations. In addition to the six items identified, consideration of incorporation of new parking arrangements including mechanically supported stacked parking, tandem parking, and electric car vehicle spaces/hookups will also be encouraged through the design review process. Though not specified in the original mitigation measure, this item is hereby added to Mitigation Measure 4.2-5(a) as item 7 (see Chapter 2.0, EIR Text Changes). Additionally, successful implementation of a shuttle between the University and Downtown, could also reduce parking demand if the route were to serve the 3rd Street area. Though not specified in the original mitigation measure, this item is also hereby added to Mitigation Measure 4.2-5(a) as item 8 (see Chapter 2.0, EIR Text Changes).

The discussion on parking contained in the DEIR on pages 4.2-36 to 4.2-40 acknowledges that area parking is an existing cumulative problem (generated in part by the proximity to the University and Downtown) to which the project will contribute. It is acknowledged that the proposed parking mitigations will be insufficient to fully mitigate parking impacts. However, accepting some increase in parking impacts is considered
necessary in order to support execution of the objective of providing an enhanced retail connection between the University and Downtown Davis.

Regarding CASP Land Use Policy 1.G, there are several ways to interpret this policy. The commenter appears to be taking the perspective that “protection” means preservation of a way of life, and/or maintaining the status quo. However, another perspective is the idea of “protection” as reinvention of the area through the project as defined. The CASP and the regulations in place have not lead to a successful revitalization of the area; rather the area is arguably in decline. There are undoubtedly many forces at play; nonetheless, the City is proposing a new approach that would actually expand the existing residential neighborhood by adding new units and would protect neighborhood character through enhanced Design Guidelines and changes to other regulations.

Appendix B contained the Mitigation Monitoring Plan (MMP) which provides more information regarding implementation.

Response to Comment 14-46: The proposed mitigation is inconsistent with the project description. The commenter proposes the modified parking standard as an alternative mitigation. However, the proposal is better characterized as an alternative to the project, rather than mitigation. Alternative 4 (Neighbor’s Alternative) already encompasses this suggestion and therefore is already within the scope of decision making available to the City Council. No changes to the analysis are necessary.

The zoning proposed for this site, assuming the existing use, would not require the provision of any parking spaces if in-lieu fees were to be paid. The commenter speculates that if no parking is provided, the restaurant may fail which would potentially lead to demolition of the building. There is no evidence provided to suggest that this change of events is likely. There are many downtown restaurants operating successfully with no private parking. The owners of Cicolat were not asked how many of their patrons use the parking structure. The owners of this property also own the property on which Sam’s restaurant operates. Both businesses share the same parking lot.

Response to Comment 14-47: Correct application of standards is very important.

The building has not been designated as an historic resource. However, if it was, Section 40.23.100 authorizes the Historic Resource Management Commission to require such information as may be needed in order to discharge their specified duties as an appointed body. As such, should this structure be designated, the suggestion is already embodied in the City’s regulations and modification to the analysis is not necessary.

Redevelopment funding has already been used to cover initial costs of the historic analysis, which is to be partially reimbursed through a Specific Plan Amendment fee at the time of development applications. The question of allocation of additional redevelopment funds to cover additional consultant costs for private development on one particular site is a policy decision that the Redevelopment Agency would have to make, and could set a precedent for other projects.
The regulations do require hearings where a designation process has been initiated. Anyone can request the City Council to initiate the historic designation process. It should be noted that the property owner of 301 B Street is opposed to having the property designated as a Landmark structure.

Please refer also to the last paragraph of Response to Comment 14-45. The referenced General Plan goal does not necessarily require the preservation of all potentially eligible structures.

Response to Comment 14-48: The project does not propose relocation of 337 B Street. However, the environmental analysis was intended to address the impacts of potential future changes in the project area, should such removal/relocation be proposed at some future time. The property ownership and desired use of the property could change, thus the identification of the mitigation measure. See also Response to Comment 9-8.

Response to Comment 14-49: It is a goal of the project generally to facilitate redevelopment of the entire area. In recognition of the wishes of the current ownership of these two properties, the City has not assumed redevelopment of either 246 4th Street or 337 B Street. The commenter suggests that the properties receive greater "protection" from the existing zoning than from the proposed zoning. However, the proposed zoning maintains a two-story (30 foot) height limit, equivalent to the existing zoning, on all of 246 4th Street and 337 B Street, and on the northern 30-feet of 333 B Street.

The commenter proposes the existing zoning as an alternative mitigation. However, the proposal is better characterized as an alternative to the project, rather than mitigation. Alternative 1 (No Project) and Alternative 4 (Neighbors' Alternative) already encompass this suggestion and therefore are already within the scope of decision making available to the City Council. No changes to the analysis are necessary.

Response to Comment 14-50: Relocation of 311 B Street to a suitable site would mitigate the potential impacts of loss of this eligible Merit Resource and therefore is identified as a mitigation measure. The DEIR discloses that a specific relocation site has not yet been identified or evaluated. If this structure is designated as a Merit Resource and this mitigation measure could not be achieved the removal of the structure would remain a significant impact.

Response to Comment 14-51: Section 40.23.100 of the City Code authorizes the Historic Resources Management Commission to request additional technical documentation in conjunction with the process of considering designation of historic structures. The proposed alternative mitigation is not necessary in light of the existing regulations.

Response to Comment 14-52: The DEIR acknowledges that the impact remains significant and unavoidable.

Response to Comment 14-53: The City has considered the recently purchased 3rd and J Street site as a possible relocation site for some of the historic resources and contributing structures that may be removed as a result of redevelopment in the project.
area. The City’s goal for use of this site is to provide affordable ownership housing for lower income families. Relocation and refurbishment of some of the existing structures on B and 3rd Street in the project area could support dual City goals. The timing of redevelopment and the specific size, configuration and condition of structures proposed for removal will influence which might be most suitable for relocation to the 3rd and J Street site. The use of historic mitigation fees to reimburse the City for the 3rd and J Street site or to contribute to purchase of another site may be consistent with the concept for use of such a fee. Mitigation Measure 4.3-9(c) has been clarified to state that this option should be considered (see Chapter 2.0. EIR Text Changes).

Response to Comment 14-54: The comment restates the standards for significance for the Land Use and Aesthetics section of the DEIR. No response is necessary.

Response to Comment 14-55: The subject Land Use policy has been referenced as applicable to this project in both the March 2005 Planning Options Summary (page 3) and the April 2005 Visions Summary Report (page 3) available on the City’s website at www.cityofdavis.org. For that reason it was included in the setting discussion of the DEIR as well. The use of “downtown” in this policy reference is also more generic and meant to encompass the project area.

Response to Comment 14-56: The policy issue raised by the commenter is discussed under Impact 4.4-1 on page 4.4-8 of the DEIR, specifically the second paragraph. The analysis describes the relationship between the policy encouraging adaptive reuse and the policy encouraging mixed use. Because the project proposes amendments to the policies to resolve the potential conflict or “tension” between them, the impact was found to be less-than-significant. If the project had not included the appropriate policy changes, then the impact would have been identified as significant and a mitigation measure would have been added to require the appropriate policy changes. The adverse physical effects resulting from the policy and regulatory changes proposed by the project are more specifically addressed in Impacts 4.4-4 and 4.4-5 both of which were found to be significant and unavoidable.

Policy change in and of itself is not automatically a CEQA impact. Section 15125 (d) of the State CEQA Guidelines indicates that policy conflict need not be treated as an impact, but rather as information to be disclosed in the setting of an EIR. The City has taken the approach of including a policy discussion within each of the issue area sections.

The Planning Commission and City Council must ultimately make a finding of consistency with the General Plan in order to approve this project. If a finding of consistency can not be made then the project would be unable to move forward.

Response to Comment 14-57: Policy 6 of the CASP speaks to land intensification to be concentrated first in the area of 1st Street, 4th Street, D Street, and the railroad tracks, with the exception of the large projects located in Policy 7. Policy 7 identifies that intensification of development was planned for the area of 3rd Street, and thus was considered a key policy relevant to the project.
Policy 7 states that “Ultimately the Core Area should be anchored by large developments that are of an appropriate scale and character at 5th and G Streets and Aggie Village. In addition other long term opportunities included intensification at the F Street Parking lot north of 3rd Street and at 3rd Street near the Central Park expansion.” Discussion under Policy 7 includes the statement “the suggestion for a new retail cluster near the Central Park expansion is rooted in the desire to strengthen the 3rd Street link between the University and the Core Area and to encourage use of the new park facilities, including the Teen Center.” The transitional boundary on the land use map does not reflect this clearly stated intent. Provisions of the Core Area Specific Plan were developed and adopted over ten years ago. Projected redevelopment within the Core Area assumed in the Core Area Specific Plan EIR has not occurred. This should not preclude execution of other CASP and Design Guideline objectives. Sites on 3rd Street in the project area were identified as “opportunity sites” in the Design Guidelines adopted in 2001, with an objective of strengthening the retail and pedestrian connection between the University and the Downtown: “Enhance the gateway from campus with mixed-use buildings, sidewalk cafes and pedestrian/bike enhancements” (page 78). One intent of the project is to implement this objective.

The commenter indicates that increased intensification will have a significant impact on the neighborhood. The DEIR reaches a similar conclusion in Impact 4.4-4 on page 4.4-12. A key difference in approach however is that the commenter is suggesting the impact derives from a policy conflict. An impact under CEQA however must be related to a physical change (Section 15358(b) of the CEQA Guidelines). Hence the DEIR analysis makes a distinction between the relationship between competing policies and the physical effects of the project. See Response to Comment 14-56.

Response to Comment 14-58: The project, in effect, embodies a policy shift. The Planning Commission and City Council will ultimately decide if that shift is appropriate and in the best interests of the City. They will also ultimately decide whether the project as proposed would result in policy conflicts. See Response to Comment 14-56.

Regarding CASP Land Use Policy 1.G, there are several ways to interpret this policy. The commenter appears to be taking the perspective that “protection” means preservation of a way of life, and/or maintaining the status quo. However, another perspective is the idea of “protection” as reinvention of the area through the project as defined. The CASP and the regulations in place have not lead to a successful revitalization of the area; rather the area is arguably in decline. There are undoubtedly many forces at play; nonetheless, the City is proposing a new approach that would actually expand the existing residential neighborhood by adding new units and would protect neighborhood character through enhanced Design Guidelines and changes to other regulations.

The commenter identifies several ideas for addressing pre-existing problems in the neighborhood including accelerated maintenance of street trees, curb cuts for improved handicapped access, lowering of street crowns, improved code compliance, and establishment of a pilot residential inspection program. The City’s ability to assign mitigation within the bounds of CEQA is limited to mitigation that is roughly proportional to the impacts caused by the project (see CEQA Guidelines Section 15126.4a4). In this
case the City would not have the ability through the EIR to mitigate pre-existing conditions unless some sort of causal relationship can be shown. For policy reasons the City and/or Redevelopment Agency could choose to devote additional resources to this neighborhood. This discussion would occur outside the bounds of this EIR which must by law focus on impacts of the proposed project. The commenter also requests a neighborhood meeting to develop further ideas along this line. Additional meetings with the neighborhood are planned.

Please also see Response 15-5 regarding tree mitigation fees and tree maintenance.

Response to Comment 14-59: The CASP policies listed on page 4.4-5 of the DEIR are not verbatim from the CASP, but they are verbatim from page 16 of the Design Guidelines. They reflect the essence of some rather lengthy policies.

Response to Comment 14-60: The comment appears to relate to page 28 of the Core Area Strategy Report. The Strategy Report is not the overriding document with respect to determining policy consistency. Please see also the first paragraph of Response to Comment 14-58.

Response to Comment 14-61: The land use compatibility issues raised by the commenter are encompassed in Impacts 4.4-3, 4.4-4, and 4.4-5. These impacts address the potential adverse physical effects associated with proposed changes in land use (Impact 4.4-3), proposed increased density and intensity of development (Impact 4.4-4) and resulting changes in the visual character and quality (Impact 4.4-5).

The bottom paragraph on page 4.4-13 discloses that the existing visual character within the neighborhood will change as a result of the project. This refers to the neighborhood generally and is not limited to the area solely within the project boundaries.

The first full paragraph on page 4.4-14 discloses that new structures developed pursuant to redevelopment under the project may individually and collectively block natural sunlight into yard areas of properties within and adjoining the project area.

The second full paragraph on page 4.4-14 discloses that removal of trees and loss of tree canopy will impact the neighborhood which secondarily affects shade, aesthetics, recreational values, historic context, and refuge for urban wildlife. This reference to the neighborhood generally is not limited to the area solely within the project boundaries.

The second full paragraph on page 4.4-15 in particular discloses that new structures resulting from development pursuant to the project may ultimately affect privacy currently enjoyed by adjoining parcels. This refers to adjoining parcels for any individual parcel undergoing redevelopment pursuant to the project, whether those adjoining parcels fall within or outside of the project area boundaries.

The fourth full paragraph on page 4.4-15 discloses the general impact associated with loss of openness. This analysis is not specific only to areas within the project boundaries.
4.0 Comments and Responses

The last paragraph on page 4.4-15 specifically points out that as a result of increased alley activity and noise, property owners within and outside of the project area may perceive this as adverse due to concerns about security, privacy, and noise.

The first full paragraph on page 4.4-16 discloses construction impacts that will affect the entire area (both within and adjoining the project boundaries) as well.

A clarification to the wording of Impact 4.4-5 has been made to support the more general nature of the analysis text (see Chapter 2.0, EIR Text Changes).

The commenter raises a particular issue of secondary impacts in the form of inability to maintain low density land uses on the block of University Avenue south of 3rd Street, part of which is adjacent to but falls outside of the project area. The commenter does not define use of the term “block” but it is understood to mean the land uses on either side of the street face for that segment of University Avenue. The segment of University Avenue south of 3rd Street is already a mixed use area. This segment is fronted by 8 single-family properties, 5 multi-family properties, and one commercial property. Whether or not the proposed project would result in secondary future land use changes within this adjoining area is a legitimate consideration; however there is no evidence to suggest this will be the case nor is there evidence of a resulting adverse physical effect from the proposed project. From a CEQA perspective only effects with the potential for adverse physical change are considered impacts of the project. In this case, future changes in land use along this street segment are not proposed, and would require a discretionary action on the part of the City in the form of a rezoning. This is considered speculative for evaluation at this time and outside of the realm of the EIR. Should future rezonings be proposed on these properties outside of the project boundaries, a separate CEQA analysis would be required.

The commenter asks that a study of adjacent land uses and a comparison to City zoning standards and policies be included in the EIR. Figure 3-1 in the Project Description (DEIR page 3-5) provides existing land uses for all parcels within and adjoining the project areas boundaries. Figure 3-4 (DEIR, page 3-9) identifies existing zoning and planned development districts applicable to all parcels within and adjoining the project area boundaries. Figure 3-5 (DEIR, page 3-10) provides existing land use designations for all parcels within and adjoining the project area boundaries.

Regarding the requested regulatory comparison, the entire Project Description and much of the DEIR text is comprised of exactly this type of information. For example, Table 3-2 on page 3-15 of the DEIR identifies proposed changes to land use and zoning, Table 3-3 identifies increased development potential, page 3-18 contains a text description of proposed modifications to the parking requirements. Starting on page 3-18 the DEIR text walks through each project subarea and provides detailed descriptions of the proposed land use and zoning designations changes, development assumptions, and amended development standards. Though not provided in a table or other comparative summary format, the information requested by the commenter is provided in the DEIR.
Appendix C to this Response to Comment document provides the text for all the regulatory and policy amendments proposed as part of this project, in strikeout/underline format.

**Response to Comment 14-62:** The prior CEQA analysis for adoption of the Design Guidelines should not be viewed as a restriction on the City’s ability to plan for this area. The Planning Commission will deliberate the issue of policy consistency within and between various documents proposed for amendment as a part of this project. The ultimate determination will be made by the City Council. Please see Response to Comment 14-56. The subject EIR addresses the proposed regulatory and policy changes throughout the document.

The City has long had the goal of enhancing the connection between the University and the Downtown, supporting mixed use development and increasing housing in Downtown. Amendment of specific parts of the Design Guidelines is not in and of itself detrimental or adverse to achievement of this goal. The project is intended to clarify the City’s intention for redevelopment of the project area and resolve potential inconsistencies between zoning standards, Design Guidelines, and CASP policies. The desire is for mixed use development that will support a strengthened pedestrian and retail connection between the University and Downtown and activate the area bordering Central Park. Mandating retention of existing residential structures and maintaining a two-story height limit equivalent to that of low density single family development will not accomplish this goal. The community policy makers will need to balance the desire to allow a higher density of development in the project area with the desire to preserve older single family structures and “bungalow” character; and determine if the proposed changes to the CASP, Design Guidelines and zoning meet the City’s objectives.

The proposed modifications to the Design Guidelines would not generally apply to properties outside the project area (see Response to Comment 14-7). Regarding the suggestion to establish a new character area, the approach taken was to make as few changes as possible that would enable the desired development on B Street and 3rd Street to occur. The specific language changes proposed to the 3rd Street, Central Park, and Mixed Use special character areas identified in the Design Guidelines are identified in Appendix C. The recommendation affects how you apply the changes already proposed as a part of the project, not what the changes are. The City Council could choose to make changes to Appendix C to accomplish this. This would have no adverse physical impact beyond the project analyses already provided in the EIR.

**Response to Comment 14-63:** Please see Response to Comments 14-56, 14-58, and 16-21 which elaborate on why a substantive rewrite of the DEIR Land Use Section is not needed. Appendix C contains the specific text modifications to the Core Area Specific Plan, the Design Guidelines and to PD2-86A zoning. The project description and draft amendments identify the proposed changes. The purpose of an EIR is to document the potential changes to the physical environment that could occur as a result of the project. This EIR provides extensive analysis of these changes under five different development scenarios including one proposed by some resident homeowners living in the neighborhood. Unique to this portion of the Core Area and a stimulus for the project is
that five of the property owners in the area each owning multiple parcels wish to redevelop in the near term.

Also unique to this area is the direction from the Planning Commission and City Council at the time of action on the Design Guidelines and PD-2-86A zoning amendments, for staff to initiate a process to examine necessary modifications to allow a higher density of development on B Street, A Street, and 3rd Street, thus indicating that City policy for redevelopment in this area had not been fully resolved. The potential impact of the project, and assumption of redevelopment of the majority of parcels in the project area to their practical maximum build-out, and assuming trip generation rates typical of development not located in close proximity to a downtown or University, provides a conservative estimate of impacts that may not be realized for some time.

Response to Comment 14-64: The City cannot legally prohibit construction of rental units. However, it can strongly encourage prospective development projects to design for ownership units and process applications to divide land (and/or airspace) that would allow for individual sale of such units. See Response to Comment 14-17.

Response to Comment 14-65: The commenter questions the relevance of density in rejecting various project alternatives. Section 15126.6(a) of the State CEQA Guidelines indicates that an EIR must describe a reasonable range of reasonable alternatives to the project that (among other things) “feasibly attain most of the basic objectives of the project”. In the first paragraph of the discussion on page 3-11 of the DEIR, under the heading "Project Objectives", the text reads: “The goal is to create a higher density and intensity mixed-use, pedestrian oriented “creative district” …”. The discussion of project objectives goes onto to describe that “development densities should be sufficient to support reinvestment”. This confirms that density is a basic objective of the project and that it is therefore relevant in the consideration of the alternatives.

Response to Comment 14-66: The density “options” requested by the commenter are already available for consideration by the City Council as CEQA project alternatives; they do not need to be added into the document as requested. They are reflected in the project alternatives, specifically Alternative 4 (Neighbors’ Alternative). The Council could choose to adopt Alternative 4 rather than the proposed project, and/or the Council could also chose to incorporate components of any one alternative into another or into the project. So long as a determination is made that these modifications fall within the scope of the EIR analysis these changes would be unlikely to trigger a need for subsequent environmental review or recirculation. The thresholds for this determination are provided in Section 15088.5 of the State CEQA Guidelines.

Response to Comment 14-67: The diagrams in the Design Guidelines are intended to be conceptual diagrams illustrating building scale and relationships. Tree protection measures and placement of trees specific to individual properties and development projects will be addressed during the Design Review process for individual applications. It is acknowledged that narrow planting strips in the interior of townhouse projects will present constraints for growth of large tree species. Proposed setbacks from B Street and the alley will allow for placement of larger tree species. Please see Response to Comment 14-58 regarding the referenced alternative mitigation.
Response to Comment 14-68: The analysis provided for Impact 4.4-5 is extensive and complete, and provides the pro/con discussion of impacts and trade-offs requested by the commenter.

Response to Comment 14-69: Though not specified this comment appears to be in reference to text in the second paragraph on page 4.5-21 of the DEIR. The commenter has interpreted this text discussion as concluding that “the city cannot plan for nuisance problems.” With all due respect however, that is not what this text says or means. The text reads: “…nuisance noise issues cannot practically be eliminated at this planning phase…” and goes on to explain in the third paragraph:

At this time specific commercial and residential uses are not known and detailed site and grading plans have not yet been developed. As a result, it is not feasible to identify specific noise impacts associated with each of the proposed uses. However, a general discussion and assessment of impacts can be conducted based upon the types of commercial and office uses which would be allowed under this project. This is provided below.

Three mitigation measures are identified for this impact including “incorporation of reasonable and feasible noise control measures into project design” (Mitigation Measure 4.5-4(a)).

The commenter describes an accelerated nuisance/code compliance program which may indeed be useful in addressing pre-existing problems in the neighborhood. The City Council may chose to explore such a program outside of the context of this EIR. As explained in the third paragraph of Response to Comment 14-58; however, the obligation of the CEQA analysis is to disclose and mitigate for impacts that would result from the proposed project and there is no legal nexus for implementation of measures to address pre-existing neighborhood problems.

Response to Comment 14-70: It is unclear as to what additional information is requested to clarify the alternatives. As explained on page 1-3 of the DEIR, the alternatives analyzed in this EIR are not evaluated at the same level of detail as the project with the exception of impacts on Historic Resources and Alternative for Circulation and Parking. The alternatives are compared and contrasted to the proposed project. The major difference between the project and Alternative 4 proposed by some neighbor residents is that Alternative 4 maintains a two-story height limit, retains existing structures, and rejects an in-lieu parking fee program.

Tables provided in the Alternatives Analysis section of the DEIR (Section 5.4) and in the Data Tables provided in Appendix 7.4 document the number of dwelling units, amount of commercial space, number of parking spaces and traffic increases projected to occur under each alternative for each property in the project area. This information was used to assess the level of impact for each alternative as compared to the level of impact anticipated from the project, for each CEQA issue area addressed in the EIR (See pages 5-25 through 5-32 for the discussion of Alternative 4). This discussion is followed by tables comparing the impacts of the project and four alternatives.
Response to Comment 14-71: There is no plan to prepare a separate economic analysis for this project, nor is one required for the City to be able to act on the project. The projected commercial portion of the project is relatively small ( +/- 25,000 net new square feet distributed among five possible mixed use projects located on 10 parcels). This small amount of additional development is not anticipated to have a detrimental impact on the Downtown retail environment. Increasing residential occupancy and density in proximity to Downtowns is a recognized means of enhancing the vitality of the area and promoting mixed commercial/residential projects is an existing goal of the CASP and objective of the Design Guidelines.

Response to Comment 14-72: The suggestion regarding the need for different photographs of infill and new townhouse projects that would better reflect objectives of Design Guidelines is acknowledged, and efforts to obtain them will continue.

Response to Comment 14-73: The comment regarding a desire to work out compromise plan in partnership with neighborhood is appreciated. The B Street Visioning Process was intended to achieve this goal. Some participants in the process have informed the City that this compromise was not achieved. An area where resolution has not been reached is the appropriate scale of development considered to be economically viable for redevelopment. The City has goals and policies to pursue infill development that will necessitate allowing higher densities, particularly for residential uses in the Core Area. The City also has goals to protect neighborhoods and preserve historic resources. The action taken on this project requires a balancing of these goals.

Response to Comment 14-74: Please see Response to Comment 14-7. The proposed policy or regulatory changes will generally not apply outside of the project area. The Design Guideline amendments allow a new higher intensity/density form of development in this specific area. As other areas within the Mixed Use and Special Character Areas already allow a higher intensity and density of development, the other editorial changes made were intended to synthesize and not considered significant. However, changes have been made to clarify the intent of the project, and respond to comments on the Draft EIR. The text of proposed amendments to the design guidelines in the majority of instances have been revised to leave existing text as is and add new sections or bullets to distinguish the proposed changes, rather than to synthesize the two. These changes are shown in Appendix C.

Comments regarding the photos of new townhouse developments in the Core Transition West Mixed Use Character Area are acknowledged. The City continues to look for good photographic examples of new higher density housing prototypes. Most of the other photos used in the amended Mixed Use and Special Character sections are already used in these guideline sections or elsewhere in the document. See new photo examples proposed for this Mixed Character Area in Appendix C. The photos referred to by the commenter as “PUD townhouses” in the Central Park Special character area are included because they are considered to represent the variation and individualization desired in attached units and used in the Core Transition West/Mixed Use Character Area as an example of a more urban yet attractive residential streetscape. It is also noted that photographs are intended to provide a range of development or setting examples, not specific desired designs.
From: "libby hueter" <cat4frank@hotmail.com>
To: <sworley@cityofdavis.org>
Date: 10/13/2006 3:08 PM
Subject: DEIR for B and 3rd Streets

Sarah Worley, Planner/Economic Development Specialist
Davis Community Development Department

October 13, 2006

In the Summary of Project Impacts and Mitigations, measures 4.2-2(a) and 4.2-2(b) refer to the widening of the alleys as "improvements." I do not believe that the loss of mature trees, the loss of plants giving privacy to 246 4th Street, or the loss of the narrow sections, which have a traffic-calming effect, are "improvements." It saddens me that the City may require an entire block of an alley to be "improved" in conjunction with a particular development project.

As to parking on campus as a mitigation measure, to park in the Howard Way structure with a full-year "C" permit costs $456, and there is no guarantee of always finding a spot...will TAPS or the City foot the bill for the parking needs of project developments that will house University functions? Also, simply preparing a joint transportation and parking study with UCD does nothing to provide actual parking. Mitigation with off-site parking discourages the long-term home ownership the "visioning process" hopes to attract. The neighborhood will indeed be affected by in-lieu parking when new residents and business owners purchase parking permits.

The DEIR should analyze separately the significance of retaining or relocating the structures at 311 and 337 B Street, and 232 3rd Street. They cannot retain their historic setting if they are relocated. The preservation of historic resources is a priority for the community, and the DEIR should not treat the loss of these houses from their original sites as "less than significant."

The DEIR does not address the effects that drastically-reduced setbacks will have on many of the street trees' canopies. Some B Street tree branches extend at least 15 feet past the west edge of the sidewalk, and would need to be cut back. Has anyone investigated whether constructing underground parking will harm the root systems of nearby mature street trees?

I wish the DEIR could give some idea of how a mitigation plan for the removal of trees within the properties might work. Surely, if amendments to current plans and regulations are allowed, we could see the proposal of massive projects with street, alley, and side yard setbacks so much reduced they would eliminate any chance of retaining the sites' mature trees. Nor would there be sufficient open space to successfully grow any tree capable of providing a majestic canopy. I do not see how any mitigation plan could make up for such a major loss to the character of this neighborhood.

Sincerely,

Libby Hueter
220 Russell Blvd.
Davis, CA 95616

file://C:\Documents%20and%20Settings\Davis\Local%20Settings\Temp\GW\00001.HTM 10/13/2006
LETTER 15, LIBBY HUETER

Response to Comment 15-1: Thank you for your comments. The use of the term “improvements” is more of a reflection of common terminology in the industry than a policy statement. The commenter’s point is understood.

Response to Comment 15-2: The City will not pay for the parking permits of University employees. The University could offer incentives or preclude their employees from purchasing W parking permits. The EIR concludes that the project would contribute to significant cumulative impacts on area parking that will not be fully mitigated by identified mitigation measures.

It should be noted that the residential developments in the B Street Transitional District would be required to provide parking at a slightly higher ratio than currently is required, and would not be allowed to pay in-lieu parking fees. The EIR analysis includes a conservative (worst-case) assumption that payment of in-lieu fees would be made for all of the new commercial development at the corners of B and 2nd and B and 3rd Streets (conservative assumption of 25,700 square feet of net new space which would require 62 parking spaces) and that only one parking space would be provided on site for all projected residential units in mixed use projects resulting in in-lieu fees for an additional 14 residential spaces.

Developers may choose to provide some portion of on-site parking. In addition, it should be noted that if the City Council approves this project and the in-lieu parking program is extended into the project area as proposed, this would become an option available to property owners on a “by right” basis. In other words if a property owner qualifies to utilize the in-lieu parking fee option, he/she would be allowed to use it at their own discretion and the City would be required to grant their request.

Response to Comment 15-3: The DEIR does separately analyze these impacts on pages 4.3-19 to 4.3-21.

Response to Comment 15-4: Please see Response to Comment 14-67. The discussion on page 4.4-14 of the DEIR, under Impact 4.4-5, contains a description of trees in the project area. There are about 155 trees within the project area boundary and the DEIR assumes that as many as 50 or about one third of them are likely to be removed as proposed redevelopment occurs. The text describes existing in-place regulations that address loss of trees including existing mitigation requirements and formulas. In addition new mitigation measure 4.4-5(a)2, 3, and 4 establish additional requirements for loss of trees. Regarding the large trees in the alleys and street trees, the City Arborist has confirmed that all the trees will be assessed during the regulatory process with the intent of saving them, unless they fall within the building footprint or in close proximity to the buildings.

Response to Comment 15-5: Impact 4.4-5 related to changes in existing visual character and quality of the project area (including removal of trees and loss of tree canopy) is identified as a significant and unavoidable impact. As noted in the DEIR on pages 4.4-14 and 4.4-15, and in Mitigation Measure 4.4-5(a), a mitigation plan for
removal of trees and tree protection plan in compliance with the City’s tree planting, Preservation and Protection Ordinance will be required as a condition for all new development projects. Generally if a “Tree of Significance” is removed, planting of replacement trees with an equivalent tree diameter are required to the degree feasible, or other equivalent alternative determined by the City Arborist. Removal of mature trees can also require payment of mitigation fees that can be used to supplement City resources available for tree replacement and maintenance. City street tree maintenance is already budgeted and scheduled on a rotation basis. Tree mitigation funds that could not be expended on-site could be spent anywhere within the City.
Comments on B Street Visioning Process DEIR October 13, 2006

(Note: numbers refer to Impact numbers as given in Table 2-1, Summary of Impacts and Mitigations)

General

1. The document titled: “Implementation Summary Report” circulated with the DEIR and presented at public hearings should have been incorporated into the EIR at least as an appendix: it contains the proposed changes to the General Plan, CASP and Conservation District Design Guidelines, and appears to have been the basis for the EIR Project Alternative, on which the impacts assessment is based, including specific illustrations and graphics changes to the Design Guidelines showing the expected outcome of implementation of the project policy changes. Since the “Project” is the proposed changes to the General Plan, CASP, Design Guidelines and other policy documents, understanding both the project itself and the expected impacts (a sort of ghost “development project”) requires knowledge of the changes and amendments to the major planning documents involved.

2. The fact that the DEIR finds significant unavoidable impacts in parking, historic resources (multiple impacts), land use, aesthetics (visual, trees, quality), and noise indicates the magnitude of the change in policy proposed. The project contradicts the numerous statements in the city’s current planning documents and ordinances (see DEIR pgs. 4.3-6 to 9 for quotes) establishing goals and policies of preservation, adaptive reuse & conservation of historic resources and the distinguishing characteristics of the traditional neighborhoods and original downtown. It fragments the University-Rice neighborhood and guarantees demolition or removal of a significant portion of the neighborhood’s contributing historic resources and serious impairment of its other distinguishing characteristics.

The project proposed policy changes the main “conservation” document, Davis Downtown and Traditional Residential Neighborhood Guidelines from a “conservation” policy document, into an internally inconsistent hybrid, with new guidelines that, far from promoting preservation or even adaptive re-use, or “respecting the character” of the existing neighborhood, virtually mandate demolition of historic resources and promote development that in mass and height cannot possibly be considered to “respect” the existing neighborhood character.

The Design Guidelines were only recently developed with much public input and effort, and the covered traditional neighborhoods have come to rely on them to protect their neighborhoods from incompatible development, while allowing reasonable and desirable compatible infill and development. Under these Guidelines, considerable increase in density through genuine compatible infill has occurred in the Old North traditional neighborhood, for example, without impairing its character. The new development allowed by the project changes is neither infill nor reuse of resources in any sense. The graphics/illustrations of the altered guidelines, unable to draw on examples from Davis...
itself, are of row houses and multistory developments of different periods and styles from other areas; any "reflection" of the current neighborhood is unrecognizable.

Such a hybrid, inconsistent document produced by the project amendments is not good practice. It also leads to concerns in the other neighborhoods covered by the Guidelines that their area of the Conservation District is next in line for modification away from the existing guidelines that do promote conservation, adaptive re-use and compatible infill to a inconsistent hybrid document that allows and even promotes the contrary, including demolition.

The new so-called "special character area" created by the revisions would be essentially a "donut hole" in the Conservation District with no conservation characteristics whatever. While described as a "transition," it is difficult to see the predicted development - much of it taller than most of the present commercial area - as transitional from the adjacent one or two story commercial area and Central Park to the east, and the predominately one story remaining traditional residential area to the west. Rather the new development suggests a three or more story virtual wall between these two areas.

3. The EIR adjudges the removal of single contributing historic structures (not eligible for local listing except as a component of a Historic District) to be less than significant and requiring no mitigation; only cumulatively at some point will removal of the group become significant. Because the project area is in multiple separate ownerships, hence will be developed piecemeal, it will not only likely foster an uncoordinated disparate design aesthetic, it will also trigger a race among owners for individual demolition of the contributing structures, so as to get demolition approval before the individual property demolitions reach the tipping-point of cumulative significance. This will discourage any one owner of the group from the kind of compatible infill and reuse advocated by all the city’s planning policy documents heretofore. Essentially, what the changes will promote is "teardown", the regrettable current trend so far avoided by Davis since the 1960s-70s.

4. Considering the multiple unavoidable significant project impacts, and the striking revision of so many policy documents, the DEIR fails to describe either the compelling reasons for the choice of the location of the project, or the overriding offsetting benefits that would have to result to justify such a project.

5. The DEIR fails to consider alternate location(s) for this project, such as vacant lots and ugly, poorly designed low density 60s-70s development in the downtown commercial area.

IS-1 & 2 - Cultural Resources

1. The project area was originally developed as farms and subsequently occupied by residences before the city of Davis had water or sewage systems. It is quite likely therefore that subsurface excavations will encounter previously undiscovered or mapped urban archeological or historic remains other than Native American, e.g. privy sites (historically used to dispose of many small objects such as medicine bottles, broken tools,
etc.), abandoned cellars, wells, and the like providing historical urban development information and artifacts.

2. Central Park is a major Davis cultural resource, already historically “framed” by predominately single story residential face blocks, the Community Church landmark, and for over 50 years, the 5th and B apartment complex, the earliest example of “garden apartments” in Davis. The virtually intact (“high degree of integrity”) 300 block of B Street facing the park across typical front lawns and parkway strip with street trees, is a “signature” or iconic Davis residential block associated with the park, forming part of the Park’s classic small town setting. Together the Park and adjacent historic residential face blocks have characterized and distinguished Davis along the “gateway” B Street (historically the main highway route) of the city.

Central Park in recent years has been experiencing increased “coverage” with both buildings and paving, coupled with high usage that is taking a toll on the lawn and other remaining green areas in particular, through ad hoc “pedestrian & bike paths”.

The potential impacts on Central Park of the radical change in setting and aesthetics, particularly on the west side, increased vehicular traffic, parking, and air pollution, noise, and usage due to increased proximate population should have been analyzed.

(It is also difficult to imagine how being “framed” by a parking structure to the north would benefit the existing aesthetic or setting of this major cultural resource. 4.2-5, #4)

3. Billed as promoting an “urban village” in the project area, the DEIR fails to recognize that the targeted neighborhood is already a diverse, mixed use neighborhood: an urban village.

Circulation and Parking

4.2-1, 4.2-6 The traffic analysis is concentrated on the streets and intersections adjacent to the project in a virtually myopic manner. The adjacent traditional neighborhood to the north, Old North Davis, is already suffering problems with the 5th Street corridor for all forms of travel, both along the street and at cross streets. Congestion on B Street already results in diversion of auto traffic to adjacent streets with hazardous unmarked intersections, particularly E Street, which is used as an alternate peak time entrance, exit and route through downtown, and D Street, which is used as an alternate route to the northern part of town cutting through the Old North neighborhood. The additional traffic may well trigger need for signals at these streets crossing 5th, particularly for bike and pedestrian safety, as well calming measures on D and E north of 5th.

The Old North Neighborhood Association has been seeking a solution for these problems for over two years. The impacts on Old North and the other adjacent neighborhoods and side streets should have been analyzed with the models used to study the traffic calming, bike and pedestrian safety proposals for 5th Street between L and A Street.
Any increase in traffic in the project area and adjacent neighborhoods, particularly along B Street, which must be crossed by University-Rice residents for bike and pedestrian access to downtown, or 5th Street, crossed by Old North for downtown access, will simply increase the existing challenges and dangers for bikes and pedestrians, especially children.

4.2-2, 4.2-4 Alleys and services in project area:

The project essentially proposes to turn the alleys into narrow full service 2-way streets, used by bicycles, pedestrians and autos, with access to all proposed new construction parking facilities off the alleys. The proposed 2 and 3 story residential development on the east side of the alleys would for practical purposes have their front doors on the alley with a narrow setback.

The alleys were built as service and utility corridors with low levels of traffic consisting of occasional access to garages or parking areas for the adjacent residences. The project will particularly impact the remaining residences of the traditional neighborhood, placing a street in back of them where previously they had relative privacy and shelter from street noise and the view of their neighbors. Most existing rear yard fences and gates directly about the alley, where they will be increasingly subject to damage from autos. Visitors approaching or leaving the new alley residential development will due so along the alley-street, producing increased noise at all hours of the day. Multi-story development on the east side of the alleys will overlook the west side neighbors’ remaining private spaces.

Widening and paving the alleys, along with the increased traffic will make maintenance of what trees may remain along the alleys difficult.

No consideration has been given to the practicalities of delivering mail, locating a residence front door (a difficulty common in the traditional neighborhoods already where numerous second units and in-law cottages essentially use the alleys as their principal “street” access, and which is a consideration in an emergency as well); or collecting garbage and yard waste, currently a considerable challenge in the Core Area neighborhoods, where two large containers per household already compete with yard waste piles and parking for curb space, pose an aesthetic problem with container storage, and contribute to air and water pollution when the around the clock parking prevents proper street cleaning or yard waste pickup.

4.2-3 Impacts of the project on the Davis service area of the Yolo Bus Davis-Sacramento 43 and 44 Express routes was not even considered; only the “Reverse” routes (inbound from Sacramento in the morning) routes were even mentioned, along with the Uni-Trans routes immediately adjacent to the project area.

Both the 43 and 44 Yolo bus express routes, as well as the regular 42 route, travel along and have stops directly adjacent to or within one or two blocks of the project area, currently providing highly convenient transit for residents of the adjacent neighborhoods who work in Sacramento. The proposed development will certainly be attractive to Sacramento commuters.
In over 30 years of commuting to work using these two express routes from the Old North neighborhood, watching the development of the new residential areas served by these routes in East and South Davis, I have observed the consequences of even a small increase, such as half a dozen, regular riders, especially those boarding early in the route, as would be the case with project area commuters. These express routes tend to run "full" at all times with "regular" riders. When new regulars are added, the regular riders toward the end of the route end up standing, which is extremely unpleasant (to both the standees and the sitting passengers they are looming over) if not dangerous, especially on the freeway, as anyone who has done it can attest. After a few days of standing, the standees tend to do one of two things, both adverse impacts: they either drive and park to an earlier stop so as to get a seat (so other have to stand), or they give up on bus transit and go back to commuting by car. The result in this case would be either more parking impact in the project and adjacent areas, or more auto traffic from the areas toward the end of the routes.

4.2-5 Parking demand: The proposed mitigations are theoretical projects largely dependant on other agencies (University, School District) over which the City has no control, are untried and possibly unsuited to the expected population (car-share program), or unrealistic as mitigation: (speculative parking structures blocks from the project; in-lieu fees).

With the exception of in-lieu fees, none of the proposed mitigations could conceivably be implemented in time to actually mitigate the anticipated impacts.

In-lieu fees: as has been abundantly pointed out, in-lieu fees are not a realistic mitigation. They take not one car off the street in a reasonable period of time. They simply cause the parking problems to move elsewhere. The University-Rice neighborhood residents already have problems with parking on the alleys as well as the streets.

Due to parking restrictions in most of the rest of the "core area" and neighborhoods adjacent to the University, currently the Old North neighborhood is the "overflow" parking area for downtown employees and business people, university employees and especially students, visitors, park-and-ride (bus) and park-and-bike users, etc. Students particularly, who maintain cars for weekend trips or part time work, tend to "store" autos for days at a time on the neighborhood streets during the week.

Old North has recently implemented an innovative parking district – still in the test/evaluation stage – that attempts to accommodate these "overflow" users by sharing the available space, allotting one restricted space per residence, while allowing residents, particularly stay at home parents, seniors, in home care workers, and part or full time home workers to find a parking space near or in front of their home during the day when they return from shopping and other errands. Increased overflow generated by the proposed development will exacerbate these problems already experienced in the adjacent neighborhoods, including Old North.
On one page the project envisions development attractive for live-work residents with occupations that have low client visitation needs. On another, the documentation refers to sharing parking between commercial and residential needs. You can't have both; shared parking depends on the residents' autos being gone all day, giving place to commercial parkers and office clients. Old North, which has part-time, semi-retired, home office and telecommuters mixed with some businesses, has already demonstrated that "shared parking" simply won't work for mixed commercial and live-work residential neighborhoods. It simply results in two users competing for the same spaces.

The proposed development will also add to the parking demand on Saturdays during the Farmers Market at Central Park by offsetting some of it elsewhere. Market days already place extra demand on adjacent neighborhoods such as Old North, when residents' autos are even more likely to be at home.

The problems associated with garbage and yard waste competing for parking space are discussed under 4.2.2 & 4.2.4 above.

4. "Create a new Central Park parking district ... a series of smaller (parking) lots." Create where? There are already too many small surface parking lots in downtown, an inefficient waste of space. Combined with the number of vacant lots and ugly single story 1960-70s buildings (e.g. the downtown Post Office building) in the commercial core area, all of which offer multi-use, multi-story redevelopment possibilities, one wonders why densification and multi-story multi-use development is being proposed for the project area at the expense of significant unmitigatable impacts on two adjacent traditional neighborhoods and historic & cultural resources. Increased surface parking in the commercial core would also have an adverse aesthetic impact on the downtown.

Both proposed parking structures (E Street and the School District site) are too far from the proposed development to be realistically used by residents or their visitors and can only be expected to be attractive to downtown commercial core users displaced from the project area. Fee parking is not attractive to student park-and-ride or residents seeking multi-day "storage" for week-end use autos; these will continue to use the adjacent neighborhoods. Both proposed structures are far future possibilities. The latter proposes use of property not under the City's control, and instead of "mitigation" will have predictable significant traffic, pollution, and aesthetic impacts on the Old North neighborhood and its cultural and historical resources.

4.3 & 4.4 Historic Resources, Land Use & Aesthetics: impacts to these aspects are so intertwined in the project neighborhood that it is difficult to see how the cumulative impacts can be adequately mitigated by the minor focused mitigations proposed.

In the 60s & 70s Davis engaged in a "redevelopment" binge that bulldozed whole blocks of the original downtown and a substantial proportion of the early housing stock, including all of the earliest large Victorian residences (Bullard, Weber, etc.) except the Hunt-Boyer Mansion complex. Dozens of the mid & large size bungalows of the downtown residential area were demolished, leaving Davis with a paucity of historic resources in the downtown compared to most towns its size. Not since that regrettable
exercise in self-destruction has there been a proposed project that threatens as many historic resources as the present Project: Sixteen historic residences, including an eligible Landmark, 2 Merit Resources, 1 eligible Merit Resource, and 11 potential Contributors to a Historic neighborhood District, including one entire “signature” face block (300 Block B St.) are threatened with outright demolition or serious loss of historic significance through re-location, radical alteration of setting in the form of massive high out of character new construction, and other significant, “unavoidable” (i.e. that cannot be mitigated) impacts.

As noted under “General” above, the impact on historic resources is severe. The proposed changes in the Guidelines reverse multiple previous policy statements from the General Plan on down, promoting preservation and adaptive reuse and discouraging demolition or removal of historic resources.

The vague language of the proposed changes and EIR continues to talk of “respecting” or “reflecting” the character of the neighborhood and its historic structures, while encouraging development that cannot realistically “respect” it in practice. Aside from the “disrespect” of removal, there is, for example, no realistic way in which a 3-story townhouse, fitted onto a narrow bungalow lot, extending from setback to setback, reducing the front yard to a “suggestion”, paving over the rest of the lot for parking and a second multi-story development facing the alley, can be said to “respect” or “reflect” the character of the traditional single story bungalow neighborhood. No matter how many “bungalow” or “revival” details (brackets, eaves, porch, etc.) are applied to such a development, it will not convey or respect the character or setting of the historic structure it replaces. At best, you may get well-designed post-modern architecture incorporating eclectic traditional architectural elements, but with height, mass and density completely other than the original character.

One proposed mitigation for loss of the historic structures is relocation, especially for a group of the “contributors,” to another of the traditional neighborhoods, such as city owned parcels in Old East intended for affordable housing. Relocation, even to another traditional neighborhood and with similar orientation and setting, is a measure advisable under the Secretary’s Standards (SIS) only as a sort of last resort to prevent demolition. However, the main significance of these contributing structures, especially the contiguous intact face blocks, is as a group in their historic neighborhood setting.

Unlike saving a single structure by relocation into a vacancy in a compatible neighborhood, relocation of a group whose main significance is its original setting, as a group, is very likely to convey a false sense of history in the target neighborhood. And essentially all that is being saved is the material resources used to construct the structures in the first place. While that minimal resource reuse is a desirable effort, it is a questionable object for a conservation policy document such as the Conservation District Design Guidelines to be promoting, and a very poor mitigation for loss of the original high-integrity historic neighborhood resource.

Similarly, preservation in place of the few designated and eligible structures is proposed as mitigation for impacts on them, but even relocation of those is envisioned. While
perhaps relocation of a listed residence whose primary significance is the person who lived there ("association") or its architectural style, this is questionable in the case of the Eggleston and McDonald Merit Resources, since their significance is not only the association with the eponymous residents, but their location and setting on the two early farming properties that were the initial development of the neighborhood, making relocation that retained their "historic character defining features, setting and environment" difficult to imagine.

Noise & Air Quality

Mitigation for noise proposed essentially "sealed" residences, unable to take advantage of the natural Davis ventilation system of evening "sea breezes" off the Delta that allow residents to open up their houses and reduce use of artificial AC. In order to avoid unacceptable street and activity noises, residents would be unable to enjoy open windows or outdoor area to work and relax.

The proposal speaks of a desire to attract senior citizen residents. Seniors typically do not want residences with stairs, while construction under 3 stories high probably cannot justify the expense of elevators, and the density projected precludes less than 2 story development. Seniors also are not generally attracted to noisy, around the clock activity locations, or location where parking close to one's residence during the day is problematic.

Valerie Vann
Oct. 13, 2006
LETTER 16, VALERIE VANN

Response to Comment 16-1: Thank you for your comments. Please see Response to Comment 14-2.

Response to Comment 16-2: The project involves refinement of existing policies and specified amendments to various regulatory documents. Please see Response to Comments 14-56, 14-58, and 16-21. The commenter’s concern about the project is noted for the record.

Response to Comment 16-3: The opinions of the commenter in opposition of the project are noted for the record.

Response to Comment 16-4: The commenter’s concern about proposed changes in the Design Guidelines is noted for the record. See also Response to Comment 14-72.

Response to Comment 16-5: The concerns of the commenter are noted. However it is important to note that no other regulatory changes are proposed. The Project Description remains as articulated in the DEIR.

Response to Comment 16-6: The commenter’s concern about the project is noted for the record.

Response to Comment 16-7: The EIR has addressed this issue by identifying that removal of a group of structures overtime would be a significant impact. If the project is approved, it is assumed over time that removal of all of the contributing structures would be likely. The DEIR found this cumulative impact on the historic character of this portion of the Conservation District to be significant and unavoidable.

Response to Comment 16-8: Page 3-1 of the DEIR describes that this project was initiated by the City Council at the time of approval of the amendments made to the Planned Development (PD-2-86A) zoning that applies to the project area and the broader University Avenue/Rice Lane neighborhood. See also second paragraph of Response to Comment 14-62.

The choice for location of the project is tied to both the function and intended role of this geographic area of the City. The project area borders a major City entrance, a major arterial (B Street), Central Park, and the primary junction of the main pedestrian corridor between the University and Downtown (3rd Street). Among the public benefits associated with the project would be the implementation of many City goals for this area including a desire to promote mixed use development and higher density infill development in the Core Area in support of creating an enhanced connection between the Downtown and University and contributing to economic vitality of the Core Area. Increase of housing and 24 hour presence in Downtown areas is considered essential to stimulate pedestrian activity and critical mass supporting entertainment and restaurant uses and extended business hours. Creating an attractive Downtown connection for the over 30,000 University employees and students present daily on campus will help to support the needs of both entities. Other benefits of the project and policy trade-offs are described.
further in Section 4 (Policy Choices and Recommendations) of the “Davis B and 3rd Streets Visioning Implementation Summary Report” released in August of 2006 in conjunction with the DEIR (see Appendix E).

Please also see Response to Comment 24-36.

Response to Comment 16-9: The project consists of policy and regulatory changes for a specific area of the City within which the City wishes to encourage redevelopment and revitalization. As such, the project is a location-specific planning endeavor. In other words a purpose of the project is to redevelop this specific area. There are other areas in the city that may be examined for future planning efforts but that is outside of the scope of this effort.

One of the goals of the project is to implement the CASP and Design Guidelines to enhance the connection between the University and downtown, which can only occur within the project boundaries. Additionally, the Visioning Project focuses on the B and 3rd Streets area and not on a larger area because similar density and intensity of development is already allowed by zoning in the downtown. Much of the downtown already has more intense development and thus is less ripe for redevelopment.

Please see also Response to Comment 14-57 and the second paragraph of Response to Comment 16-8.

Parking, historic resources, increased density and intensity of development, change in visual character and quality, and noise are projected significant and unavoidable impacts of the proposed project. A key element of consideration for alternative project locations is whether the significant effects of the project would be avoided. These same impacts would be expected to occur in any downtown location.

The scope of the alternatives analysis was the subject of the Notice of Preparation issued January 6, 2006 for a 30-day review and comment period. It should be noted that this comment was not submitted during the scoping period when various alternatives were under consideration. Comments were received from 19 agencies and individuals during the scoping period, plus comments received during the scoping meeting held January 19, 2006 and during a meeting held by the Historic Resources Management Commission held January 23, 2006. From the comments received, the City did add a fourth alternative entitled the “Neighbor’s Alternative”.

Response to Comment 16-10: Mitigation Measures IS-1 and IS-2 (see page 2-8 of the DEIR) address this concern by requiring an on-site archeologist during construction and by establishing procedures for evaluating any subsurface finds.

Response to Comment 16-11: The commenter characterizes increased usage of Central Park as problematic. Generally, increased accessibility to a public recreational facility such as Central Park is viewed as a positive result. The project is expected to result ultimately in a net increase of 210 people (including 29 children). Central Park is not a protected or sensitive receptor in the CEQA sense and there is no evidence to suggest that increased public usage of the magnitude associated with build-out of the
project over time will result in adverse physical impact making it a CEQA issue. Traffic and parking impacts associated with the project are addressed in Section 4.2 of the DEIR. Noise impacts are addressed in Section 4.5 and this section takes the approach of treating the park as a noise generator rather than a noise receptor. Page 4.5-4 of the DEIR describes typical annual usage of the park and typical expected noise generation. As indicated on page 1 of the NOP/Initial Study (Appendix 7.1 of the DEIR) air quality impacts from the level of development resulting from the project fall within the range of development already addressed in the CASP, the CASP EIR, the General Plan, and the General Plan EIR.

The perspective of the City as related to this project is that increased density and intensity adjoining Central Park has the positive effect of provided greater accessibility for residents, it puts more “eyes” on the park which improves security, and it allows more homes within walking distance of the park.

Response to Comment 16-12: Section 3.3 of the DEIR starting on page 3-4 an extensive description of the unique qualities and land uses in the project area.

Response to Comment 16-13: The comments regarding Old North neighborhood’s concerns regarding traffic conditions in general, and the 5th Street traffic calming study in particular, are noted. The project study area for purposes of circulation impacts was defined to include intersections that could be significantly impacted by increases in traffic volume, and areas where project impacts could adversely affect pedestrian and bicycle safety. The potential distribution of traffic north of 5th Street was determined to be small enough that intersections north of 5th Street did not need to be included in the analysis (refer to DEIR Figure 4.2-10). The parking study area was defined to include the blocks bounding the project parcels, and the impact evaluation did not assume any on-street parking would be available to serve new parking demand beyond that boundary. The identification of Impact 4.2-5 as significant and unavoidable acknowledges that there may be impacts to on-street parking both within and beyond the project boundary.

Response to Comment 16-14: The commenter’s concern about the practical effects of the alley re-design are noted. The new traffic projected for the alley will be relatively low if the in-lieu parking fee program is utilized. If the maximum number of physical spaces are provided, the total daily traffic volume would be 250 to 450 vehicles, which is somewhat higher than the standard alley capacity and similar to a very low volume residential street (refer to DEIR page 4.2-34). For comparison purposes, the volume on University Avenue is estimated at 220 vehicles per day north of 3rd Street, and 490 vehicles per day south of 3rd Street (these estimates are derived using a daily-to-peak factor of 10, applied to the peak hour volumes as shown on DEIR Figure 4.2-7). Regarding impacts along the alley please see Response to Comment 4-4.

For mail delivery it is assumed that all mail would be delivered to a “front” location off a City street and not off the alley. No alley addressing is anticipated. For collection of garbage and yard waste, the same assumption applies. The Design Guidelines require a path from any “rear” units to the fronting street in order to accommodate this as well as for purposes of visitor access and general pedestrian circulation.
Response to Comment 16-15: The comment regarding usage of Yolobus Routes 43 and 44 to Sacramento in the morning is noted. The commenter is correct that a quantitative assessment of demand on these particular routes was not performed because the level of ridership impact was determined to be minor. Increased ridership on existing bus routes is viewed by the City as a positive impact.

Yolobus representatives have indicated (Erik Reitz, Assistant Transportation Planner, personal communication, March 21, 2007) that overcrowding on Route 43 is experienced primarily on Covell Boulevard in the northeast area of Davis. To alleviate this, the District will be implementing a new route 232 that will serve Sacramento and the north section of Davis. This is reflected in the District’s Draft Short Range Transit Plan (April 2006), Figure 7-13, page 7-37). The goal is to shift north Davis riders from Route 43 to Route 232 thereby creating more capacity on the Route 43 buses. The new Route 232 is expected to be in operation by late 2007/early 2008.

Response to Comment 16-16: Because the project is expected to develop driven by market forces over time, the elements of Mitigation Measure 4.2-5(a) (revised herein) are appropriate actions to respond to the potential for excessive parking demand. However, because their effectiveness at fully mitigating the potential impact cannot be guaranteed, Impact 4.2-5 is designated as significant and unavoidable. Regarding the two characterizations of potential parking uses in the project, “live-work with low client visitation” and “shared commercial/residential parking”, the description reflects the potential to have both of these kinds of efficient-parking land use combinations, which will operate differently, as the commenter notes, but which will both, individually, promote potentially lower total parking demand site by site.

The comments regarding parking challenges in the area are acknowledged by the City. Existing parking is discussed on pages 4.2-7 through 4.2-11 of the DEIR including the results of a parking supply and occupancy survey conducted for the purposes of the EIR analysis. Text modifications to page 4.2-7 that acknowledge these factors have been identified in Chapter 2.0, EIR Text Changes. That the project will further exacerbate parking in the area is also acknowledged in Impact 4.2-5.

Response to Comment 16-17: Please see Response to Comment 14-32. Regarding the question about where smaller parking lots would be created, specific locations are not known at this time. This would be explored as a part of implementation of the measure. The commenter's concern about added surface parking lots in the area is noted for the record.

Response to Comment 16-18: The conclusions of the DEIR are that the project will have significant and unavoidable impacts on area historic resources, density and intensity of development and visual aesthetics. It is acknowledged that these impacts can not be fully mitigated.

Response to Comment 16-19: The commenter's opinion and concern is acknowledged. Five property owners in the project area are interested in redeveloping their properties in the near term. Others expressed interest in redeveloping their property in the future. Preparation of this EIR allows for the impacts of these potential projects to be assessed.
as a group, and to address their cumulative impacts. The assumptions included in the project analysis are conservative, namely that all but one of the contributing structures would be removed (Landmark retained; Merits relocated, one on-site). Please see the new table provided in Appendix D.7 that summarizes the assumptions regarding the historic resources within the project area.

It is the examination of the impacts of the project area as a whole that result in significant impacts. Analysis of individual projects implemented overtime would not be considered to have a significant impact as the setting for each structure would change incrementally.

Preservation of contributing structures and adaptive reuse is to be encouraged, but is not mandated. The CASP recognized that development within the Core would intensify over time. The EIR analyzes the impacts of replacing contributing structures with higher density attached townhomes, condominiums and mixed use projects.

Regarding the comment about the entire 300 block of B Street, The 300 block face of B Street between 3rd and 4th Street contains a single family residence and duplex unit on adjoining sites, that are not contributing structures. Similarly, the integrity of the block face on B Street between 2nd and 3rd Streets is compromised by commercial and apartment development.

Response to Comment 16-20: Impact 4.3-9 which addresses the comment does appropriately identify the impact as significant and unavoidable. Please see also Response to Comments 14-56 and 14-58.

Response to Comment 16-21: The documents prepared for the B and 3rd Streets Visioning Process, the project description in the DEIR, and the analysis of environmental impacts, all acknowledge that the proposed development would constitute a new development pattern. The existing single story bungalow character within the project area, along B Street and on 3rd Street, would not be maintained. This change results from the built forms that support higher density attached housing, semi-depressed parking, and mixed use projects. The manner in which the new structures are placed on the site, how the mass and scale are molded, building window placement, entry elements, roof forms, and materials and quality of the streetscape can help newer larger scale development to better blend and complement existing lower scale development. City form passes through an evolution of development, guided by local policies and goals. In the project area the goal of promoting higher density, compact, transit oriented residential and mixed use development must be balanced with the goal of preserving the older contributing structures, and bungalow character. Enacting a change is the purpose of the B and 3rd Streets Visioning Process. These policies may be balanced differently in specific areas to achieve differing community goals. In balancing these goals the community must engage in the debate regarding how the form of the University Avenue/Rice Lane neighborhood has changed over time as a result of proximity to the University and changes in the character of the street.

Please see also Response to Comments 14-56 and 14-58.
Response to Comment 16-22: This impact is acknowledged in the DEIR (see Impact 4.3-9 on page 4.3-25 of the DEIR). However, such relocation could assist to strengthen the historic setting of another neighborhood if it was similar and if the relocated structures facing the street were close in age, form and site placement in relation to the other existing structures in the neighborhood and street. Other contributing structures have been successfully relocated in the City. The timing of potential removal and or relocation of contributing structures in the project area is not known. Nor is it known which structure or structures might be relocated to the same site. This is because the timing of development applications may vary and extend over a long period of time.

Regarding the reference to contiguous in-tact block faces, please refer to the last paragraph of Response to Comment 16-19.

Response to Comment 16-23: The structure at 337 B Street is not proposed to be relocated, and the farm setting has changed. Relocating the property at 232 3rd Street to the site at 232 University Avenue also part of the original farm and now occupied by a non-contributing structure will keep the structure on its original site. It is believed that this relocation, by orienting the structure to the single family homes on the opposite side of University Avenue, would provide a better setting than leaving the structure in place next to new three-story development. This relocation is not considered to result in the loss of the properties status as a Merit Resource.

Response to Comment 16-24: Though not specified, the comment is understood to be in reference to Mitigation Measures 4.5-2(a) on page 4.5-19 of the DEIR. These mitigations merely require extra insulation and strategic site layout, they do not impose sealed buildings. Homeowners would still be able to open windows and doors and allow incoming breezes to circulate through their homes.

Response to Comment 16-25: The commenter’s opinions regarding the market preferences of senior citizens are noted for the record.
Sabrina O'Hanleigh

From: Sabrina O’Hanleigh [sabrinao@dcn.org]
Sent: Thursday, October 12, 2006 10:43 PM
To: Sarah Worley
Subject: Comments on Draft EIR for B and 3rd street visioning

October 12, 2006

Sarah Worley, Planner
Community Development Department
City of Davis

Subject: B Street Visioning Draft Environmental Impact Report

Dear Sarah,
I am attaching my comments for the DEIR on B and Third street. I have had a difficult time putting them on paper in an organized fashion. If I get a chance I will send more tomorrow. Perhaps I could send you my marked up copy of the Implementation Summary report as well.

Thank you for taking the time to respond to them.

Regards,
Sabrina O’Hanleigh
227 University Avenue
Davis, Ca 95616
Some Comments for the Draft EIR for the B and 3rd Streets Visioning Process

I have many thoughts and questions. Many of them are not necessarily in order, but, I believe address the EIR and it’s contents.

1. The EIR does not seem well organized and is not easily read by the layperson. It appears incomplete and inaccurate in many places.

2. 3.1: It is difficult to ascertain exactly where and what the project is.

3. Much language used is unclear and soft. The EIR speaks throughout the document about amending the General Plan and CASP, but does not ever give the actual language which exists in those two documents or the actual language to which it will be modified. It also speaks about “modifying” text and uses soft language throughout such as “streamline,” “encourage”, “should” rather than give specific guidelines to adhere to.

4. The City Council directed the City Staff to explore and evaluate land use and zoning options for this area with neighbors and landowners. Meetings specifically with the neighborhood have not yet happened. Public meetings for the general public were held, but no specific meetings were held with the neighbors of this neighborhood. Neighbors have, on many occasion, requested neighborhood meetings with staff members. One meeting was held at a neighbors house where two city staff attended – at the last minute.

5. It appears the document that plan number 4 has already been selected. Is it not true that a decision cannot be made regarding a “plan” until the DEIR has gone to final stage and concerns addressed?

6. It is my understanding, from the CASP, that this neighborhood is considered to be a residential neighborhood with a mix of uses.

7. I am curious to know if the staff has studied the viability of the neighborhood once it has been changed so much that the residential component becomes the minority. I am curious to know if a study has been done to determine whether or not the remaining single-family homes will be able to survive in this new “neighborhood”. If they cannot, then why are they not being re-zoned to a higher zoning so that those residents may afford to move elsewhere?

8. In the EIR many of the new buildings are classified as “multi-family” homes without clear clarification or description of what a multi-family home is. Please provide clarification on this.

9. There is some discussion of senior housing being one of the buildings. Can the city require that these places be sold to seniors exclusively? If not, how do we know this neighborhood will not turn into a “student ghetto?”

10. Why are heights of up to 56feet being allowed in this neighborhood at all, much less next to single-family homes and in a predominantly residential neighborhood as designated by the CASP? And, also considering that these heights have not been allowed elsewhere in the city? And, considering that there is zoning for higher density buildings over near 4th street? And, the EIR states that it is not setting a precedent for further construction to occur? When, clearly, if these heights are allowed, with such great density, the current residential neighbors will be driven away from the neighborhood.
11. How can you allow for a height of 56 feet in exchange for saving a historic building or possibly a tree? The amount of space allotted in the document between buildings, setbacks, etc. does not allow for trees to grow.

12. Parking and circulation analysis: The EIR does not take into account that fact that 3rd street is currently heavily used by pedestrians and bicycles. Driving down that street in a car is very difficult. Adding more density with more cars and expecting the alleyways to become “streets” in effect, will just increase the traffic on Third street. Parking in the neighborhood is already at a premium. Most of the time, parking spaces can not be found by current residences. Residents wanting to have visitors have a challenge with finding spaces for them to park. Has a study been done to determine just how many cars a household has? The four houses around me have 16 cars. Many of them park on the sidewalk or their lawns because of no on-street parking available. Bringing more cars into the neighborhood with no provision for them is just not going to work. Therefore, every project built here must provide adequate parking for its residents and visitors. Commercial and retail places included. In-lieu parking fees just won’t work.

13. Third street and University Avenue: I don’t see where the plan has discussed or studied the fact that Third Street is the only access to University between 2nd and 3rd streets. Adding more traffic to Third will further congest and exacerbate the challenges getting to University Avenue.

14. Second and B streets: This is currently a dangerous intersection. Crossing it either by car, bicycle, or foot is just not safe. The EIR claims that no significant impact will occur. Not true. Adding more traffic to B street because of the added density will just create a great impact. I believe the initial study in the back and a response from CALTRANS agree with this. I believe CALTRANS also states that traffic on I-80 will be impacted significantly.

15. Parking (again): The study does not take into consideration the use of the streets in this neighborhood for parking on weekends for special events both on campus and in central park and downtown.

16. Resident parking permits: How many people will be allowed to purchase more permits for an already over-crowded parking situation? Has the study considered this?

17. Protecting the existing neighborhood: I do not see anywhere in this study where it is analyzing or suggesting how the existing neighborhood can be protected.

18. Trees: I see where a large number of trees will be removed. How can these trees be removed and then be expected to be replaced next to such large buildings with so little space? Removing trees will impact the quality of light, air, noise on the surrounding neighbors. The EIR does not bring this up. It sees no significant impact.
Parking and circulation:

First, I want to reiterate to you that this group of residents is welcoming of densification. Densification on a smaller scale, but one that is large by city standards. And, we said as much with our Alternative Plan.

Also, this is a group of neighbors that is very involved in the neighborhood. We have spent much time working on a good plan that would allow for diversity. While we would like to meet with the City to develop a plan suitable to the neighborhood the city has not provided the venue for that to happen.

So, this is a meeting to discuss the DEIR and it accuracy. I have read and re-read the DEIR many times. When it comes to Parking and circulation, I am blue in the face with trip generations, unsignalized intersection levels of service definitions and standards, existing traffic conditions, parking counts, and other terms utilized in this document related to parking and circulation. There is so much to comment on with specifics that it must be put in writing. My short period of time up here will not allow for referencing every point. Much of what the DEIR says about insignificant impacts is wrong. I live in this neighborhood with my family on University Avenue between 2nd and 3rd streets and drive down B, Third, University, A, and Russell streets a couple of times each day. I also walk and ride my bike. I have two young children and am a stay-at-home mom. I would like to give you an experiential description of what it is like to drive and park in this neighborhood.
For better, or for worse, I drive (rather than bike) my daughter to Cesar Chavez Elementary school 5 days a week and return home. Then, I make the return trip to pick her up and bring her home. On just about every trip I encounter at least 6 bicyclists on Third street. This is not a complaint, merely an observation. I actually like that fact that so many bicyclists use Third Street so freely. Often, I encounter 12 or more bicyclists, in addition to cars. Moving cars and parked cars. That turn from B onto Third can be a tricky one. It is a narrow street with cars parked on the north side always and the south side in the evening. Bicyclists take up most of the road. If a car is parked on the street and attempting to pull away, and bicyclists are waiting at a red light, pulling onto Third street can be quite dangerous. This is the only way I have to access my home because of the street blockages at University and Third streets. Thank goodness for this blockage or traffic would be worse. If Third street and the alleyways are to become the main access for these new intense densifications, this street and intersection will look like Russian Hill in San Francisco.

In regards to the corner of 2nd and B streets. I no longer drive, walk, or ride a bike down Second Street to cross B street and go into town or north on B street. It is too dangerous and requires too much waiting time to cross safely. Cars rarely stop for pedestrians. There is no light to assist motorists to pass through the oncoming traffic. If driving, I always go down to A street and go around the long way to go into town or the other side of town. If walking, I use Third street because of the light. I have had too many close encounters with drivers apparently oblivious to pedestrians.
At Russell, my daughters and I find it very dangerous to walk across Russell to go to and return from gymnastics class at City Hall – daytime and evening time. Russell is already impacted with a lot of traffic. Rarely does anyone stop to let us cross.

Parking is currently at a premium. Not only is it difficult for me to find parking daily, I can not invite friends to visit because there is no parking for them. The two houses directly across the street from me look like a parking lot on a regular basis. They have six cars parked between the two houses daily. The two houses on either side of me usually require 6 or 7 parking spaces as well. Last year the house next door had 6 cars living there. Often, Villa Verde apartments across and down the street has cars parked on the space between the sidewalk and the front doors of the apartments. Parking in the apartments behind me at 224 A street is tandem parking in the alleyway. And, there is a lot of it. At least twenty spaces. Often, the cars block the alleyway restricting traffic from passing. Over the years, our cars have had many hit and run occurrences while parked in legal parking spots behind our house. We have to assume it is from students pulling in and out of these parking spaces. Our garage even has a big hole in the side of it from a hit and run incident. If this project is allowed to go through at such high densities, more of this is bound to occur.

Please take into account these actual living experiences when you read this DEIR. They are the reality, not some study done by someone counting people during a specified time of day.
If traffic going onto B street increases due to this project and the greatly increased amount of residents, this will just increase the amount of cars traveling in the above mentioned paragraphs. If the zoning changes allowed in this EIR are allowed to occur, our alleyways which are already overcrowded and used unsafely, will become more congested thoroughfares and parking lots.

Here are some questions for you:

What about during Farmers’ Market days? All traffic is increased on these days.

What about the increase in students attending UCD this year? Does the DEIR take them into account? Those students who utilize B and Third streets to travel to and from work, home, and school will also increase.

In-lieu parking fees: Where are all those new residents going to park if in-lieu parking fees are allowed? The proposed parking structure is too far away and appears to only provide parking for a small amount of cars.

Allowed parking spaces: If only 1.5 spaces is provided for 2 or more cars per new unit, where will those cars go? The streets are full. Has anyone done a study to discover how many cars the average household has? What is the justification behind assuming that fewer parking spaces will mean that fewer residents will have cars? Other areas have had the opposite be true. Parking problems will not go away by limiting parking spaces.
LETTER 17, SABRINA O’HANLEIGH

Response to Comment 17-1: Thank you for your comments.

Response to Comment 17-2: The organization of the EIR follows the requirements of State law and is consistent with the City’s format for EIRs. It is acknowledged that this type of regulatory document is often difficult to use, especially for readers new to the CEQA process.

Response to Comment 17-3: The project is described in Section 3.0 of the DEIR. A very abbreviated summary of the project description is provided in the first five paragraphs of the Notice of Availability located after the title page of the DEIR.

Response to Comment 17-4: Please see Appendix C of this document.

Response to Comment 17-5: The B and 3rd Visioning process had two public workshops after which a summary report containing four alternate visions was released for public review before being presented to the Planning Commission and City Council. Staff met with each individual property owner owning property within the boundaries of the project area, with the exception of one out-of-town owner who was contacted by phone. Staff also met with the owner of a single family home directly abutting the project area. In addition, staff attended two meetings of neighbors at their request at the home of one neighbor. During preparation of the Draft EIR, staff again met with a group of neighbors to review the alternatives to be included in the EIR and agreed to add an additional alternative favored by a group of neighbors. Later after release of the DEIR and the August 2006 Implementation Summary Report the City held another open house on the project. In addition, in response to feedback about the difficulty for a lay person to understand and comment on an Environmental Impact Report, the City held a workshop on the subject. Staff has also continually been available to respond to questions regarding the process.

Response to Comment 17-6: The comment is not entirely clear. The DEIR analyzes the proposed project as described and four project alternatives as well. Alternative 4 is one of the four alternatives and no action has been taken to select that alternative over the proposed project. The proposed project is itself Vision 4 from the April 2005 Visions Summary Report. The City Council identified that option as the preferred project for purposes of CEQA review. No final decisions about the project or any of the alternatives have been made. Final public hearings before the Planning Commission and City Council must first be held and the EIR must be certified before a final decision can be made on the project.

Response to Comment 17-7: The comment is accurate. As depicted in Table 3-4 on page 3-2 of the DEIR, the majority (16) of the 22 parcels within the project area boundaries is residential of varying densities, the remaining six parcels are office, retail, and parking.

Response to Comment 17-8: The project will change the character of the properties that redevelop along on B Street and along the 3rd Street spine, and the portion of the
neighborhood bordering these areas. The zoning and development standards outside the project area will generally remain unchanged. The single family homes outside the project area will likely remain, but their occupants may change over time whether or not the project is approved. The question of viability of a location for single family use depends on individual circumstances and is often based on the immediate context of the situation and the type of neighborhood being sought. It is also affected by the actions of landlords owning homes in the neighborhood and the quality of the tenants occupying the rental properties. Some of the issues facing the neighborhood are: the close proximity to campus which attracts student tenants; a disincentive to reinvest by absentee landlords; landlords who fail to monitoring tenant behavior; landlords who fail to properly maintaining their properties; and disruptive behaviors of some tenant groups. One goal of the project is to provide an incentive to reinvest, and to increase the proportion of owner occupancy in the area by constructing housing units with amenities conducive to owners seeking an “urban village” environment close to Downtown and the University. Reinvestment and increased owner occupancy with residents who are vested in maintaining the neighborhood could help to stabilize it. It is acknowledged that the City cannot mandate owner occupancy. At the direction of City Council, the City can work with the neighborhood to address some of the property condition and maintenance issues.

Response to Comment 17-9: Multi-family is defined in Section 40.01.010 of the Zoning Code. See also Response to Comments 14-10 and 14-17.

Response to Comment 17-10: Please see Response to Comment 6-4.

Response to Comment 17-11: Please see Response to Comments 4-4.

Response to Comment 17-12: Please see Response to Comments 4-4.

Response to Comment 17-13: Regarding the comment on 3rd Street traffic: the project is estimated to add very few trips (no AM peak hour trips and 5 PM peak hour trips) to 3rd Street west of the alley, and a small number of trips (26 AM peak hour and 78 PM peak hour) to 3rd Street east of the alley. Since the intersection of B Street and 3rd Street is signalized, thus providing a protected crossing for pedestrians and bicyclists and regulating traffic flow, the additional trips are not expected to significantly affect pedestrian or bicyclist safety.

Regarding the comment on parking impacts: although Mitigation Measure 4.2-5(a) (revised herein) presents several actions designed to minimize impacts on parking availability, the parking impact is identified as significant and unavoidable because the measures can not guarantee that parking impacts will be avoided. Studies of individual household car ownership have not been performed specifically for this EIR. However, a review of 2000 Census data indicates an auto ownership rate in the City of approximately 1.75 autos per household.

Regarding the comment on in-lieu parking fees, only 14 of the 125 proposed net new residential spaces would potentially be allowed to pay in-lieu fees (refer to DEIR Table 4.2-9). The intent behind allowing these in-lieu fees to re-direct the funds that would be used to construct the parking to other mechanisms and services that would reduce the
need for vehicle ownership, and that the housing with in-lieu parking would appeal to those who do not need to own and park a vehicle (refer to DEIR Mitigation Measure 4.2-5(a) revised herein). Note also that the proposed project only allows for in-lieu parking fees after the first parking space is already physically provided; most of the proposed in-lieu parking is proposed for the new commercial uses.

**Response to Comment 17-14:** As noted in response to comment 17-13, the project is expected to add very little traffic to 3rd Street west of the alley, due to the barrier preventing traffic from crossing University. Thus, the additional project traffic on 3rd Street is virtually limited to the block between B Street and the alley. Since a traffic signal is provided at the intersection of 3rd Street and B Street, the additional traffic will be regulated and protected pedestrian and bicycle movements will be provided.

**Response to Comment 17-15:** Please see Response to Comment 24-8 addressing the analysis of the intersection of B Street and 2nd Street. The initial study included in Appendix 7.1 is a preliminary assessment that is superseded by the EIR impact evaluation, which found that the project does not significantly impact the intersection of B Street and 2nd Street or cause the signal warrant to be met there. Two Caltrans letters are included in Appendix 7.3, the first (February 8, 2006) indicating the request to assess project impacts on I-80, and the second (February 14, 2006) agreeing that the impacts do not need to be evaluated based on the preliminary project traffic projections.

**Response to Comment 17-16:** Please see Response to Comment 14-31.

**Response to Comment 17-17:** Any new residents and employees living/working in the project area would be allowed to buy W parking permits.

**Response to Comment 17-18:** See second paragraph to Response to Comment 14-58, and also Response to Comments 16-8 and 16-21.

**Response to Comment 17-19:** The DEIR concludes that the project will result in a significant and unavoidable impact on the existing visual character and quality of the project area despite mitigation (Impact 4.4-5 pgs. 4.4-13 to 4.4-17). Where the specific design for a project does not allow for placement of trees interior to the lot, it is anticipated that either the 15-foot front setback or the 10-foot rear (alley) setback would be able to accommodate additional tree planting.

See also Response to Comments 8-1, 14-67, 15-4, 15-5, 17-19, 18-3, 24-5, and 24-60.

**Response to Comment 17-20:** The commenter’s support of more moderate increases in density is noted for the record.

**Response to Comment 17-21:** Please see Response to Comment 17-5.

**Response to Comment 17-22:** The commenter states a general conclusion that the DEIR does not make appropriate determinations regarding levels of significance, but provides no indication as to which impacts are of concern and provides no evidence in support of the conclusion. It is not possible to respond in any greater detail to this
comment other that to state that the City does not share this opinion and the DEIR provides substantial evidence to support each impact conclusion.

Response to Comment 17-23: The commenter’s observations are noted. Please see Response to Comments 17-13 and 17-14.

Response to Comment 17-24: The travel patterns used by the commenter are noted, and are logical given that the routes chosen provide fewer potential conflicts and greater protection through traffic signal regulation. Please see also Response to Comment 24-8.

Response to Comment 17-25: The commenter’s observations are noted. The project is estimated to add a small number of vehicle trips to 5th Street at B Street; the highest volume is 35 trips east of B Street in the PM peak hour. This trip growth is not expected to significantly affect operations for vehicles, bicycles or pedestrians at the intersection.

Response to Comment 17-26: The commenter’s observations are noted. Impact 4.2-5 addresses parking impacts of the project and concludes that parking will remain a significant and unavoidable impact.

Response to Comment 17-27: The comments from this resident of the study area substantiate the analysis and conclusions of the DEIR.

Response to Comment 17-28: The comment is noted. The DEIR identifies the traffic growth due to the project in Figure 4.2-10 and the traffic impacts in Impact 4.2-1 (existing plus project intersection impact), 4.2-2 (alley impact) and 4.2-6 (future cumulative intersection impact). Parking impacts are discussed in Impact 4.2-5. The traffic impacts are concluded to be less-than-significant because they did not exceed the City’s threshold levels for significance. The parking impact is concluded to be significant and unavoidable, because the proposed mitigations, while they may be effective at minimizing parking demand, cannot guarantee that parking demand will not exceed the available supply.

Response to Comment 17-29: The traffic and parking analysis assesses impacts for typical weekday conditions, not conditions such as the Farmers Market which occurs only one day a week.

Response to Comment 17-30: The Cumulative traffic analysis assumes build-out conditions for both the City General Plan and UC Davis Long Range Development Plan.

Response to Comment 17-31: The parking survey (see pages 4.2-7 through 4.2-11 of the DEIR) discloses that depending on the time of day and location, there is some amount of parking available in the area for new or existing uses. For those individuals unsuccessful at securing parking at any given time and location, they will typically continue to seek parking over a large geographic area or in some cases may choose to give up the trip. Given the parking conditions, and the goals and standards of the proposed project, it is likely and desirable that new residents may not have cars and/or may walk, bicycle, share a car, or may use scooters or motorcycles which are easier to park.
Response to Comment 17-32: Please see Response to Comment 17-13 and 17-31.
From: Tim Allis <teallis@ucdavis.edu>
To: Sarah Worley <SWorley@ci.davis.ca.us>
Date: 10/13/2006 3:57:05 PM
Subject: B and 3rd Street proposal DEIR comments

Sarah -

Following are comments / concerns I have regarding the B and 3rd Street proposal Draft EIR.

Parking: I don't believe that in-lieu parking fees are an adequate mitigation for parking demands of the proposed densification. I don't believe that most Davis residents, whether families with children, seniors, students or otherwise would be willing to park far from their residence, considering all of the typical daily requirements of transporting purchased goods, sick or invalid family members or young children, effects of darkness or weather, and the dangers of crossing the already hazardous B or 5th Streets on foot. Therefore, I feel that on-site parking, including potential underground parking, should be stressed in the project analysis.

Land Use: I don't feel that the impacts of the proposed project on the rest of the original low-density University / Rice Lane residential neighborhood has been adequately evaluated. The proposed changes in land use create a sharp discontinuity at the boundary with the non-project neighborhood that would create a set of new conflicts with the existing neighborhood rather than the sort of 'transition' of land use from urban/downtown to low-density residential that has been the planning tradition in Davis to this point. A mitigation for this would be to explicitly recognize this discontinuity and the attendant fracturing or fragmenting of the remaining traditional neighborhood, and to emphasize height limitations, tree preservation, avoidance of visual walls and other measures which could lessen the impact of this relatively extreme land use discontinuity.

Aesthetics: I feel that the impact of the proposed 3 story project heights along B Street adjacent to Central Park would have a profound negative aesthetic impact on Central Park, which is arguably one of the most important Open Spaces in Davis, with its proximity to downtown and the University and as the site of intense community use with the Farmers Market and many other community events. I feel the loss of viewscape and sunset views to the west, a sense of being more closed in by a built environment and a loss of mature trees would greatly affect the aesthetic enjoyment of community members using the park, and I feel this is not adequately considered in the analysis. A potential mitigation would be to stress 2-story height limits rather than the proposed 3-story heights.

Thank you for your consideration of these concerns -

Tim Allis

Davis, CA
October 13, 2006
LETTER 18, TIM ALLIS

**Response to Comment 18-1:** Thank you for your comments.

The commenter’s concern about the in-lieu parking fee is noted. The Design Guidelines encourage the provision of onsite parking, as does Mitigation Measure 4.2-5(a)(7) added in Response to Comment 14-45 (see Chapter 2.0, EIR Text Changes). The proposed project would allow increased floor area ratios as an incentive for underground parking. The provision of underground parking may be constrained by patterns of ownership, small parcel sizes, existing lot configurations, space requirements, and cost considerations. Please see also Response to Comment 14-23.

**Response to Comment 18-2:** Please see Response to Comment 4-4 and 14-61. Impact 4.4-5 specifically addresses the impact raised by the commenter and the mitigation recommendations of the commenter are embodied in Mitigation Measure 4.4-5(a).

**Response to Comment 18-3:** Please see Response to Comment 16-11. There is no evidence to support the conclusion that increased height along the west side of B Street will have any discernable impacts on the viewscape towards the west from the park. The height limits would be increased from 30 currently to 38 feet under the proposed project. However, no street trees are identified as being impacted by this project. These trees are very large along B Street and currently partially block the westward view along B Street to a greater extent that current or possible future buildings. Additionally, B Street has an 80-foot width (back-of-walk to back-of-walk) that would remain in place under the proposed project.

The view westward from various locations within the park would be obscured at the horizon by a few degrees at most, more so from the sidewalk along the west side of the park and less as the viewer moves into the interior of the park. Whether park users are more inclined to look inward towards park activities or across B Street toward the residential viewscape is speculative. However during any sort of special activities at the park, most viewers are likely to be watching the park activities. The proposed mitigation to restrict redevelopment along B Street would be inconsistent with the project description. As such it is better characterized as an alternative to the project than as a mitigation measure. Though more comprehensive in total scope, Alternative 1 (No Project) and Alternative 4 (Neighbors’ Alternative) both embody the suggested changes.
From: "David Kane" <dkane@microeye.com>
To: "Sarah Worley" <SWorley@ci.davis.ca.us>
Date: 10/13/2006 4:00:07 PM
Subject: Comments on Draft EIR for B and 3rd Street

Sarah,

The draft EIR for the B and 3rd Streets Visioning Process has a wealth of data and much careful and reasoned analysis. But there are some points, however, where it is either inaccurate or incomplete.

Karen and I own the property at 246 4th Street which is within the study area along the alley where it connects to 4th Street. We've lived there since 1983 and since our kitchen window is only 6 feet from the alley pavement and our back gate exits directly onto it, we are intimately familiar with conditions there.

I believe the evaluation of Impact 4.2-2 includes some faulty assumptions and am particularly concerned with errors and omissions in the related Mitigation Measures 4.2-2(a) and 4.2-2(b).

The discussion of parking and trip generation in the alleys on pages 4.2-32 and 4.2-33 points out that the numbers are based on standard rates that don't take into account any special characteristics of the project or its location. It mentions that this area's proximity to the University and downtown will probably reduce the trip count for those who will live here and work or study at either location. What is not mentioned is that the same proximity to the University combined with the lack of any parking fee or enforcement makes the alley an attractive parking destination for people from outside the neighborhood. Before the W preferential parking district was implemented on street parking was heavily impacted in this area, with noticeable extra traffic by students cruising for open spots. Now that on-street parking is restricted and has a significant penalty, some of that demand has been transferred to the alley where traffic and congestion have increased. Since student parking is linked to class times the traffic surges doesn't coincide with standard rush hours.

We did spot checks of parking utilization in the alley between 3rd and 4th three times this week. Monday 10/9 at 9 PM, Wednesday 10/11 at 7 AM, and Friday 10/13 at 9 AM. The study counts for that section (see Figures 4.2-5 and 4.2-6) found 17 cars spaces on 2/8 and 23 on 3/11 in the 29 available spaces. Our counts were significantly higher: 26 cars on Monday evening and 27 on the other two days for the same section of the alley. None of the parking counts took place at peak load times, when we commonly see parking in every available space in the alley including the pavement itself. Since parking control rarely visits the alleys the chance of getting ticketed is apparently low enough to make it worth the risk to park on the roadway directly in front of the No Parking signs.

The EIR data predict, naturally, that intensifying development in this area will increase traffic and parking demand. Mitigation Measure 4.2-2(a) states that traffic impacts will be mitigated by allowing in-lieu fees to substitute for prescriptive requirements, thus reducing the amount of on-site parking that must use the alley. It makes sense that fewer cars parked on-site along the alley translates to less traffic coming from those properties. But in-lieu parking is only being proposed for commercial properties along 2nd and 3rd Streets. Other than the parking lot at 239 2nd Street none of those properties currently exit onto the alley.
anyway, I found no data in the EIR to support the contention that in-lieu parking would affect the alley one way or the other.

I was a builder in this town for many years and I understand how the in-lieu parking option works from that perspective. It allows you to pay a relatively small premium to get some design flexibility and more saleable square footage. For the City as a whole in-lieu parking fees offer some leverage in negotiating with a developer but only partially offset the cost of create new parking spaces somewhere else. But as a resident of the neighborhood I see no evidence that fees collected from properties in this study area will increase the number of parking spaces likely to be used by the new residents. Since the number of residents will increase but the available street parking will not and there will be a gap in the number of on-site spaces, the most likely result will be even more intense use of the alley spaces for parking.

Mitigation Measure 4.2-2(a) states that the alley should be “improved to a minimum of 16-feet clear horizontal distance to ensure that two vehicles can pass safely” but does not call for increasing the paved width beyond the current 13 feet. It also states that the city will obtain a minimum 20-foot wide right-of-way “as properties within the project area are developed, or by acquisition as necessary.” Since none of the other items described in this section affect travel width or available parking these two measures presumably justify the conclusion that “implementation of this mitigation measure would reduce this impact to a less-than-significant level.” But in reality there is currently 16 feet of clear horizontal distance along both sections of the alley except for the part that abuts our property and along the Ogrydziak’s west property line at 241 B Street. The width of pavement plus gravel is in excess of 20 feet for almost the entire length. I have been told by both you and Katherine Hess that, since we do not wish or intend to redevelop our property we will not be required to deed a 7-foot wide right-of-way to the City along the alley, nor are there any plans to acquire our property by condemnation. If that is the case then the actual effect of Mitigation Measure 4.2-2(a) will be to maintain the existing alley width and clearance. That’s a fine idea, but preserving the existing condition does not mitigate the impact of increased traffic and parking demand - the project impact will be added to the existing load, pure and simple.

Mitigation Measure 4.2-2(b) attempts to address increased traffic impacts if in-lieu parking is not allowed. As previously stated, I don’t think a convincing argument has been made that in-lieu parking affects alley traffic one way or the other, but assuming that the numbers are valid this measure involves widening the paved width of the alley to 16 feet, with 2 feet of clearance on either side. If the expected level of traffic actually demands an alley that wide it won’t be possible at the exit to 4th Street without demolishing structures. Our kitchen wall is, as I mentioned, 6 feet from the edge of the alley, and our laundry area is just 2 1/2 feet. On the other side of the alley Greg and Kari Fry’s garage, at 334 University Avenue, is 1 foot west of the existing pavement. So I believe that this section of the EIR provides an incomplete or inaccurate description of the true conditions - it should point out that the proposed mitigation will either leave a 50 foot long construction at the north end of the alley, or it will require the forced acquisition and demolition of an existing home and/or garage.

The impact analysis on 4.2-33 mentions the difficulty of making a left turn onto B Street from 2nd or 4th, and predicts that the bulk of the additional alley traffic will therefore exit onto 3rd Street. But both the General Plan (Action MOB 3.2c) and the Core Area Specific Plan (Bicycles Policy 2) promote 3rd Street as the primary route for bicycles between the University and the downtown. Added traffic entering from the alley (where there are no stop signs or crosswalks and where visibility is poor) negatively impacts bike travel and is in conflict with these goals. Impact 4.2-4 discusses the potential for increased conflicts between cars and bikes or pedestrians in the alley itself and the area nearby, but does not mention the 3rd Street bike/pedestrian corridor. As far as I can tell this topic is not covered anywhere in the EIR.
David Kane
LETTER 19, DAVID KANE

Response to Comment 19-1: Thank you for your comments. More specific responses are provided below.

Response to Comment 19-2: The commenter’s perspective is noted.

Response to Comment 19-3: The comment is noted. Please see more specific responses provided below.

Response to Comment 19-4: The comment regarding recent increased parking demand on the alley is noted. The text to which this comment refers addresses trip generation not parking demand. The point is made that standard trip generation rates were used which don’t necessarily reflect the project areas circumstances and as such may be overstated, not understated as implied by the commenter. Alley parking is described on page 4.2-7 of the DEIR. Alley traffic is discussed under Impact 4.2-2 on page 4.2-32 of the DEIR.

Alley improvements are expected to help more clearly delineate private parking areas from the public travel-way, which will also help minimize unintended illegal parking and allow for better enforcement.

Response to Comment 19-5: The comment and additional parking survey data is noted for the record. Parking occupancy rates, like traffic counts, vary day to day. It is accepted practice for parking demand analysis to rely on data collected at what are expected to be typical dates and times. Impact 4.2-5 recognizes the adverse parking situation in the area and that the project would contribute to the problem. Since the known feasible actions identified in Mitigation Measure 4.2-5(a) (revised herein) are not certain to result in a match between parking demand and available supply, the residual impact is identified as significant and unavoidable.

Response to Comment 19-6: The commenter is correct that an in-lieu parking program is proposed. It would be available for use by commercial development, which is located primarily at or near the ends of the alleys near 2nd and 3rd Streets, and to a much more limited extent residential development.

As a part of the project, parking that is currently accessed from driveways along B Street and 3rd Street will be required to be converted to alley access as those properties redevelop. For every required parking space satisfied instead through the payment of in-lieu fees, there will be fewer cars using the alley for access (see DEIR page 4.2-33).

In addition, note that not all traffic accessing the corner commercial developments would access the alley at the end near where the commercial development is located; some traffic would enter from the other end and travel the full length of the alley, based on where the trip originated.

Response to Comment 19-7: The commenter is correct that the in-lieu fees will not directly translate into off-site parking spaces. While they may contribute to the future provision of centralized parking which could be used by residents or employees/patrons.
of commercial developments within the project, they may also be used to fund practical alternatives to auto ownership. Mitigation Measure 4.2-5(a) outlines several actions that the City will undertake to minimize the parking impact of the project, using the in-lieu fees as a resource. Two additional components of this measure are identified in Chapter 2.0, EIR Text Changes (see also Response to Comments 14-45). Note that Impact 4.2-5 is designated significant and unavoidable, since these actions cannot guarantee that the parking demand will not exceed the available supply.

Response to Comment 19-8: Please see Response to Comments 4-4 and 16-14.

Response to Comment 19-9: Mitigation Measure 4.2-2(a) and (b) has been revised and reworded to more clearly address the property at 246 4th Street. Please refer to Chapter 2.0, EIR Text Changes.

Response to Comment 19-10: The CASP and General Plan policies promoting 3rd Street as a bicycle route between downtown and the University do not prohibit the use of the street by local vehicle trips. The design of 3rd Street facilitates bicycle use by limiting through auto traffic with the half-barrier at University Avenue. The project is estimated to add very few trips (no AM peak hour trips and 5 PM peak hour trips) to 3rd Street west of the alley, and a small number of trips (26 AM peak hour and 78 PM peak hour) to 3rd Street east of the alley. The volumes will be substantially lower if in-lieu parking is implemented. Since the intersection of B Street and 3rd Street is signalized, thus providing a protected crossing for pedestrians and bicyclists and regulating traffic flow, the additional trips are not expected to significantly affect pedestrian or bicyclist safety.
Comments About EIR report for PD2-86:

1. The study area was too small to determine the full effects of development on the existing neighborhood. It neglects to take into consideration already planned developments on A Street.

2. There needs to be areas for visitor parking. The EIR neglects to take into account that students have many more visitors than a normal residential household. These people need parking and they take parking. The house next door to mine have a total of five cars for the residents plus their friends.

3. The EIR doesn’t address how these plans will totally change the neighborhoods’ character.

4. The single family housing areas will be broken up piecemeal. They will lose their integrity. The EIR does not address the piecemeal result of demolition and rebuilding.

Yours Truly,
Theodora Oldknow
333 University Ave
Davis, CA 95616

RECEIVED
OCT 11, 2006
City of Davis
Planning & Building
LETTER 20, THEODORA OLDKNOW

Response to Comment 20-1: Thank you for your comments. The DEIR addresses both project-specific and cumulative impacts. The only known project on A Street is the proposed addition to Hillel House. This project will remove two existing single family structures occupied by a student organization and replace them with a large two story 6,300 square foot structure with full 3,100 square foot basement. This project was assumed as part of the cumulative analyses.

Impact 4.4-5 beginning on page 4.4-13 examines changes in visual character and quality within and adjoining the project area. The cumulative analysis for traffic begins on page 4.2-40 of the DEIR. A discussion of cumulative noise impacts begins on page 4.5-18. Cumulative noise impacts, as well as cumulative air quality impacts, were also addressed in both the CASP EIR and the General Plan EIR. The subject DEIR tiers from these prior cumulative analyses.

Response to Comment 20-2: The EIR analyzes the impacts of the project on parking compared to existing conditions which includes student occupancy of many of the homes on B and 3rd Street (see DEIR pages 4.2-36 to 4.2-40). It is acknowledged that area parking demand is generated by a combination of residents, guests, retail customers, and employees. It is also recognized that the proximity to the Downtown and the University make it an attractive location for student households. The City standards do not (an cannot) differentiate between student and non-student households. The suggestion to consider more visitor parking is already embodies in Mitigation Measure 4.2-5(a)3 and 4, however the impact remains significant and unavoidable.

Response to Comment 20-3: Please see the discussion of Impact 4.4-5 beginning on page 4.4-13 of the DEIR.

Response to Comment 20-4: The Section 4.3 (Historic Resources) and 4.3 (Land Use and Aesthetic) of the DEIR address the impacts on the historic integrity of the neighborhood and the visual character of the neighborhood due to the project. The project analyzes impact of the project at projected full build-out as a “worst-case” analysis in order to fully document the impacts. It is acknowledged that this change would occur over time.
TO: Sara Worley
FROM: Steve Tracy
SUBJECT: Comments on B Street EIR

The Old North Davis Neighborhood Association is closely following the process and the project this EIR is part of. This project's proximity to our neighborhood, the suggestion that the B Street project's parking needs could be met in our neighborhood, and the process that appears to have substantially suppressed or downplayed the concerns of the neighborhoods most affected by the project all could undermine previous efforts at good planning throughout central Davis.

Our specific concerns include:

1. Most importantly, this is a planning process run backwards. "Visioning" at its best is very broadly based rather than centered around an individual development, giving a view of citizens' desires for a district as part of the entire community. Such a broadly based process has already been conducted for the Core Area, including the blocks of B Street property that are the subject of this EIR. That process resulted in the Core Area Specific Plan, which has guided development and infrastructure improvements for over a decade in central Davis.

2. As it stands, this project has ignored and is incompatible with the Core Area Specific Plan with its very clear policy directives on densification: until the "core of the Core" is saturated, denser development should be concentrated within the area roughly bounded by the tracks, 1st Street, D Street, and 4th Street.

3. Instead, this EIR proposes to change the Core Area Specific Plan (or Design Guidelines??) to fit the "Vision."

One example of such a change involves the photographs that reflect the kind of development desired in the transition zones. Approval of this EIR in its current state will concurrently cause the removal from the Plan of the five photographs that feature appealing local properties currently found within the transition areas, replacing them with images of much taller structures found in other communities. Such structures are not consistent with the clear intent of the Guidelines?? nor are they compatible with existing structures in the transition area.

This intent to amend the Core Area Specific Plan was never made clear in the public sessions regarding the B Street development. Our view is that the disregard for and even opposition to long-established public policy to promote this single development is not consistent with open,
democratic planning.

4. Thus the process, at this late date, looks seriously compromised in this critical area of downtown Davis, undercutting the integrity of the Design Guidelines, and opening the primarily residential areas surrounding the Central Core to substantial increases in vehicular and foot traffic as well as aggravating a complex and difficult parking situation for residents. The usual impacts of traffic and parking caused by the sudden arrival of this huge project on surrounding neighborhoods are not adequately addressed. Focusing on traffic volumes alone does not cover the entire range of impacts such as spillover parking, speeding "cut-through" traffic, etc. This threat is not acknowledged or addressed in this EIR.

5. Finally, this document does not acknowledge the visual impact of the massive structures that are possible with this project. To get a sense of the sheer bulk of these structures, one should consider a pleasant summer Wednesday evening in Davis. Currently, several thousand residents enjoy the view across the park to the west of the sun setting over a tree-shaded row of pre-war homes and cottages, each unique in its character. This project will replace that view with a stark 50 foot wall of condominiums not screened by vegetation, since construction will require the removal of the mature street trees currently dressing the block.

No mitigation is possible for that impact, and no benefits to the community outweigh it.
LETTER 21, STEVE TRACY

Response to Comment 21-1: Thank you for your comments. The City acknowledges the complexities and interplay between neighborhoods. There has been considerable interaction with the project area neighborhood as this project as evolved. The City does not concur, nor does process support, the suggestion that public comment has been suppressed or downplayed.

Response to Comment 21-2: The project, in effect, embodies a policy shift. The Planning Commission and City Council will ultimately decide if that shift is appropriate and in the best interests of the City. As a part of the project proposal there would be amendments to the CASP. Please see Appendix C of this document.

Response to Comment 21-3: Please see Response to Comments 14-62 and 14-63. Impacts 4.4-1 and 4.4-2 discuss that the project will result in both plan amendments and regulatory amendments. The changes embodied in the project implement important concepts about community design and infill development that are advocated by groups such as the Local Government Commission and others.

Response to Comment 21-4: The project is identified as amendments to the Core Area Specific Plan, Design Guidelines and zoning to implement the “Vision” for the B and 3rd Street project area that was an outcome of a public process involving two public workshops, extensive outreach public review of Summary of alternative options, and public hearings. This phase of the Visioning process includes environmental analysis, and further public notice, public meetings, public review of proposed amendments and public hearings.

Response to Comment 21-5: “Approval” or certification of the EIR will not result in the changes identified. Those changes are a part of the proposed project, which the EIR is required to analyze. The City must take an action separate from certification of the EIR in order to approve this project. Though not recommended, the City could certify the EIR and choose not to take action on the project. The commenter’s concern about proposed changes to photographs in one or more of the documents is noted for the record.

Response to Comment 21-6: That the project includes proposed amendments to the CASP has been clearly disclosed since the early discussions of the project. For example the staff report prepared for the April 20, 2005 joint meeting of the City Council, Planning Commission, and Historic Resources Management Commission identified as direction to staff to “… proceed with amendments to … [the] Core Area Specific Plan …”. It is not clear to what “single development” the commenter makes reference. There are 22 parcels within the project area.

Response to Comment 21-7: The comment is incorrect. The DEIR analysis (Section 4.2) examines impacts related to traffic, transit, pedestrian, bicycle, and parking impacts. In addition, as part of the traffic analysis, the potential for “cut through” traffic on the alley was considered and was determined to be unlikely, due to the proposed design for the alley and the adequate levels of service on adjacent higher-function roadways.
Response to Comment 21-8: Please review Impact 4.4-5 beginning on page 4.4-13 of the DEIR. Please also refer to Response to Comment 18-3.
October 16, 2006

Sarah Worley  
City of Davis  
23 Russell Boulevard  
Davis, CA 95616

Subject: B & 3rd Streets Visioning Process  
SCH#: 2006012026

Dear Sarah Worley:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on October 11, 2006, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Terry Roberts  
Director, State Clearinghouse
### Document Details Report

#### State Clearinghouse Data Base

- **SCH#**: 2006012026
- **Project Title**: B & 3rd Streets Visioning Process
- **Lead Agency**: Davis, City of

#### Development Plan for a portion of downtown neighborhood.

### Lead Agency Contact

- **Name**: Sarah Worley
- **Agency**: City of Davis
- **Phone**: (530) 757-5610
- **Email**
- **Address**: 23 Russell Boulevard
- **City**: Davis
- **State**: CA
- **Zip**: 95616

### Project Location

- **County**: Yolo
- **City**: Davis
- **Region**
- **Cross Streets**: Portions of B Street and 3rd Street
- **Parcel No.**: Multiple
- **Township**

### Proximity to:

<table>
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<tr>
<th>Highways</th>
<th>Airports</th>
<th>Railways</th>
<th>Waterways</th>
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### Project Issues

- Aesthetic/Visual; Archaeologic-Historic; Landuse; Traffic/Circulation

### Reviewing Agencies

- Resources Agency; Regional Water Quality Control Bd., Region 5 (Sacramento); Department of Parks and Recreation; Native American Heritage Commission; Office of Historic Preservation; Department of Health Services; Department of Fish and Game, Region 2; Department of Water Resources; California Highway Patrol; Caltrans, District 3; Department of Toxic Substances Control

### Date Received

- **08/28/2006**

### Start of Review

- **08/28/2006**

### End of Review

- **10/11/2006**

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Note: Blanks in data fields result from insufficient information provided by lead agency.

City of Davis

May 2007

4-135

B and 3rd Streets Visioning Process

4.0 Comments and Responses
Response to Comment 22-1: This letter documents receipt of the DEIR by the State Clearinghouse. No response is necessary.
Historical Resources Management Commission Minutes
Teen Center Basement – 303 3rd Street, Davis, California
Corner of 3rd and B Streets in Central Park
Monday September 18, 2006

Commissioners Present: Richard Berteaux, Keren Costanzo, Chris Ottaway, Richard Rifkin and Gale Sosnick
Commissioners Absent: Rand Herbert (Chair)
Staff Present: Katherine Hess, Sarah Worley, Ike Njoku and Nancy Stephenson
Consultants Present: Sheila McElroy of Circa: Historic Property Development

Call to Order. Acting Chair Rifkin called the meeting to order at 7:35 p.m.

1. Approval of Agenda.

Action: Commissioner Sosnick moved, seconded by Commissioner Costanzo, to approve the agenda. The motion passed by the following vote:

AYES: Berteaux, Costanzo, Ottaway, Rifkin, Sosnick
NOES: None
ABSENT: Herbert

2. Approval of Minutes.

Action: Commissioner Costanzo moved, seconded by Commissioner Ottaway, to approve the August 21, 2006 minutes with the exception of Item 6B. The motion passed by the following vote:

AYES: Berteaux, Costanzo, Ottaway, Rifkin, Sosnick
NOES: None
ABSENT: Herbert

Valerie Vann commented on Item 7A of the minutes.

Action: Commissioner Costanzo moved, seconded by Commissioner Ottaway, to reconsider approval of the August 21, 2006 minutes. The motion passed by the following vote:

AYES: Berteaux, Costanzo, Ottaway, Rifkin, Sosnick
NOES: None
ABSENT: Herbert
Action: Acting Chair Rifkin moved, seconded by Commissioner Sosnick, to change the phrase on page 4 of the August 21, 2006 minutes from “Valerie Vann, along with staff...” to “Staff...” The motion passed by the following vote:

AYES: Berteaux, Costanzo, Ottaway, Rifkin, Sosnick
NOES: None
ABSENT: Herbert

3. Public Communications. Valerie Vann reported that the entry of the Anderson Bank Building has been finished and painted.

4. Written Communications. None.


6. City Council, Commissioner and Staff Communications

   A. Council Liaison Comments. None.

   B. Commissioner Comments. Commissioner Costanzo urged that e-mail messages sent to commissioners or staff be sent using the Blind Carbon Copy feature, thus preventing the display of other recipients’ e-mail addresses. This would help to minimize any off-the-record communication among commissioners.

   C. Staff Comments. None.


   221 First Street (Owner—Sierra Railroad) Certificate of Appropriateness # 01-05 Modification. Evaluation of unauthorized changes to the conditions of approval of Certificate of Appropriateness (COA) # 01-05.

Planner Ike Njoku introduced the item. He updated the Commission on the recent discovery that the handrail on the front stairway was required to comply with Americans with Disabilities Act (ADA) requirements.

Commissioner Costanzo stated that, as she was not there for the initial discussion, she needed background information regarding the Certificate of Approval.

Njoku, using the staff report, provided background and explained that the 1996 and 2003 inventories showed the building as it was before the renovation. He added that staff believed the use of slate tiles and metal railings constituted significant changes to character-defining features of the resource and was inconsistent with the Secretary of the Interior’s Standards for the Treatment of Historic Properties.

Commissioner Ottaway and Acting Chair Rifkin had questions for staff, which were answered. Acting Chair Rifkin expressed concerns and disappointment regarding the violation by the
applicants of the Historic Resources Management Commission's imposed conditions of approval, and suggested that the Commission consider requiring removal of the unapproved materials.

Sierra Railroad (SRR) attorney Torgny Nilsson responded that he did not believe that the applicants failed to comply with the conditions of approval. He repeated staff's presentation regarding the metal handrail being required to meet ADA requirements, and offered to paint it white to match the rest of the building. Nilsson added that the original stairs had been untreated and unfinished wood, which was very slippery in wet weather. This resulted in the installation of slate tiles, which were already on the front porch and the sides of the deck. He stated that the color of the slate stairs is the same as the original, and expressed frustration on the handling of the project.

Further deliberations between the Commission, staff, and the applicants took place, which include the following points:

- Acting Chair Rifkin asked the applicants to address the issue of the metal rail over the deck.
- Nilsson explained that the use of wood would have required drilling through the waterproofing of the deck, which would be problematic.
- Planner Njoku explained that there was no documentation in Planning Division files to support the applicants' position that the metal rail had been approved.
- Rifkin explained that the stairs are a prominent feature of the building consistent with other historic houses of that era in the neighborhood. He stated that the issue is not whether or not the slate tiles look good, but if it is appropriate for the Merit Resource building.
- SRR president Mike Hart claimed that the applicants had never agreed that the stairs were going to be wood, but that the sides of the stairs would be wood; he emphasized that the surface of the steps had never been discussed.
- Commissioner Berteaux stated that the Historical Building Code can be invoked in cases such as the metal handrail on the stairs and alternative means can be used as long the same result (i.e., providing safety) is achieved pursuant to ADA requirements. He added there were ways to make wood stairs less slippery in response to current treatment of stair treads. He suggested that, since the stairs are such a visible feature of the project, a better alternative to all-slate stairs would be stairs with wood risers and slate treads. He indicated that waterproofing would be a problem with the slate stairs. Berteaux noted that the layered stonework of the deck is different from what is depicted on the plans.
- Commissioner Ottaway echoed Berteaux's comments in noting that the plans show a vertical facing, not a layered, horizontal facing.
- Nilsson maintained that what was built had been approved by staff, adding that this particular item was not in the agenda.

There was a prolonged discussion between the Commission and the applicants, which included the following points:

- Commissioner Berteaux suggested that the deck railing be painted a light color to make it less contrasting; and that the planter not be built as the applicants could use other means to disguise what is there.
- Hart indicated that the planter box with plants in it would soften the look of the flashing and conceal the odd angle of the drainage slope, which makes the building look tipped.
- Valerie Vann explained that the closed railing on the stairs and the double-hung window in the upstairs were later items installed to restore the house to its original condition, noting...
that slate on the porch would have been an extremely unlikely original feature of a house of
that era. She suggested that the railing on the front stairs would be less conspicuous if it
were painted white. She expressed a belief that the original proposed wooden railing over
the deck was designed to make a transition between the historical fabric of the house and the
new stone addition below. She believed that the dark metal railing is more transparent and
less conspicuous although she expressed concern over the possibility that the railing may
cause splitting in the historic siding at the junction between the railing and the siding.

- Commissioner Sosnick expressed concern over the perceived lack of coordination between
city staff and the Commission. She stated that the staff and the Commission should meet to
discuss proper procedures. Regarding the front stairs, Sosnick reaffirmed her belief in
aesthetics and function over preservation, and stated that the slate treads and risers were not
only more elegant and more permanent than wood, but would require less maintenance and
provide a less slippery surface as well. She added that a non-chipping white paint would be
her preference for the finish of the handrail, and a dark finish on the metal rail over the deck.

- Commissioner Ottaway stated that the handrail and the planter box were not the concern of
the Commission because these features are reversible. She stated that the material used for
the stairs was not optimal, but the color was compatible. She added that, since the material
to be used for the stairs had not been discussed, it was not the applicants’ responsibility to
change it at this time. She would not argue to have any of the existing work undone.

Acting Chair Rifkin suggested that the Commission review the Draft Findings and Conditions of
Approval in order to determine whether a revision to the COA should be approved.

Commissioner Costanzo stated that she did not have enough information and would need to abstain
from voting on certain motions. She expressed the need for the Commission to address the meaning
of COAs because process is very important.

**Action:** Acting Chair Rifkin moved, seconded by Commissioner Berteaux, to approve the
Certificate of Approval for the tubular railing, with the railing to be painted to
match the color of the house. The motion passed by the following vote:

- **AYES:** Berteaux, Ottaway, Rifkin, Sosnick
- **NOES:** None
- **ABSTENTIONS:** Costanzo
- **ABSENT:** Herbert

Acting Chair Rifkin noted that the rail over the deck was not part of the historic structure and that
the applicants should not be denied the COA based on something that is not a part of the historic
structure.

Planner Njoku remarked that the planter box was recently proposed as mitigation for the proposed
iron rail, which staff found aesthetically inappropriate.
Action: Commissioner Bertaux moved, seconded by Acting Chair Rifkin, that it would be appropriate to add a planter box to cover the flashing area, if the applicants so desire, provided that it does not try to duplicate or mimic the finish of the house. The motion passed by the following vote:

AYES: Bertaux, Costanzo, Ottaway, Rifkin, Sosnick
NOES: None
ABSENT: Herbert

Acting Chair Rifkin asked if there was an agreement with the Commission that the front stairs would be wood.

Planner Njoku noted that in the original approved plans, the elevation containing the stairs is not shown. It was presumed that the stairs would remain wood because nothing new had been proposed, and that staff could find no evidence that former planner Xzandrea Fowler had approved any changes as claimed by the applicants.

Commissioner Costanzo assured the applicants that the issue was not that the stairs prior to the project were not the original stairs, but whether the new stairs complied with the Secretary of the Interior’s Standards. She noted that in order to be approved, the plans need to be as compatible as possible with the historic building. Whether the slate really stands out and diminishes the historic integrity of the building is the question to be answered, she added.

Nilsson noted that the fountain in front of the building obscured the view of the stairs from the street. He added that to redo the stairs would cost approximately $10,000.

Commissioners Rifkin and Ottaway stated that the presumption would have been the replacement of the stairs with the same material consistent with the Secretary of the Interior’s Standards. Rifkin stated that it could be agreed that the material for the stairs had not been specified, and that the question before the Commission was if the use of slate instead of wood constituted a substantial adverse change to the façade of the building. Rifkin stated that, although he felt that it did constitute a substantial adverse change, he was concerned about the cost to the applicants for removing the slate and reconstructing the stairs (completely or partially) in wood.

Action: Commissioner Sosnick moved, seconded by Commissioner Ottaway, to approve the Certificate of Approval for the stairway as it is with the treads and risers as built. The motion failed by the following vote:

AYES: Ottaway, Sosnick
NOES: Bertaux, Rifkin
ABSTENTIONS: Costanzo
ABSENT: Herbert

Commissioner Sosnick questioned whether it would be possible for the Commission to approve the COA for the stairway even though it does not meet the historic standards. She stated that the
approval should be made in view of the resultant costs of redoing the stairs and in the belief that the applicants had received prior approval.

In response to Commissioner Sosnick’s question, Community Development Director Katherine Hess stated that, if it is not consistent with the Secretary of the Interior’s standards, it cannot be found categorically exempt under the California Environmental Quality Act (CEQA), which makes an environmental impact report obligatory.

In an effort to resolve the stairway issue, Commissioner Berube proposed that the treads remain slate and the risers be changed to wood. There were comments regarding the issue of waterproofing the stairs. Commissioner Rifkin stated that the wood risers with the slate treads would not be aesthetically pleasing.

**Action:** After more discussion, Acting Chair Rifkin reopened the vote for the Certificate of Approval for the stairway as built. The motion passed by the following vote:

- **AYES:** Ottaway, Rifkin, Sosnick
- **NOES:** Berube
- **ABSTENTIONS:** Costanzo
- **ABSENT:** Herbert

Acting Chair Rifkin called for a break at 8:50 p.m. The meeting was reconvened at 8:55 p.m.

8. **Business Items.**

A. **3rd & B Streets Visioning Process Draft EIR Review.** The Commission is being asked to review and provide comments on the adequacy of the DEIR.

Acting Chair Rifkin emphasized that comments should focus on the Draft Environmental Impact Report (DEIR) and not on various alternative proposals.

Economic Development Specialist Sarah Worley introduced the item. Worley informed the Commission and members of the public that there will be a Planning Commission Public Hearing on the DEIR on October 11, 2006 and that the public review period for the EIR closes on October 13, 2006. She noted that all comments on the EIR from members of the public need to be submitted in writing. She outlined questions the Commission would want to consider, including:

- Is there additional information required?
- Are the mitigation measures feasible or sufficient?
- Are conclusions in the EIR supported by the evidence provided?

Sheila McElroy of Circa: Historic Property Development provided background information for the cultural resources portion of the DEIR.

At this point, discussion began. The discussions were interactive in nature as staff and the cultural resource consultant, Sheila McElroy, responded to some comments, providing clarifications.
Commissioners' Questions and Comments on the Draft EIR:

- In-lieu fees for parking for residences are a concern; homeowners require parking.

- Without architectural parameters, there is potential for lack of unity of design due to the fact that the lots in the project are not owned by one person. What is the overall look of what we are trying to accomplish?

- Does the City have a single fund for the in-lieu parking fees that are or have been paid? Is it segregated as to where they are paid from? Does the money fund projects that will benefit the area where the fees are paid from?

- Attention was drawn to a recommended action in the Policy Choices and Recommendations section of the “Davis B and 3rd Streets Visioning Implementation Summary Report” that states, in part, “The need to enhance and strengthen the functions of these specific sections of B and 3rd Streets is considered to take precedence over maintaining the existing bungalow character of these streets and requiring the retention and adaptive reuse of older contributing structures on these blocks.” Concern was expressed that the statement appears to allow most of the old structures on the properties to be torn down and new buildings to be constructed in their place.

- Approximately what percentage of pre-1945 structures in the City of Davis do the 17 surveyed properties represent? What percentage of Davis’s historic and cultural resources does this segment represent? Should this information be incorporated in the EIR?

- The DEIR allows the exclusion or removal of structures if they are in the way of a proposed project. The DEIR should provide for the protection of historic structures that contribute to the overall character of the district.

- The issue of project impacts on integrity of historic resources is well addressed.

- Regarding Mitigation Measure 4 on page 2-11: The City should identify a specific lot in the neighborhood for use as a parking lot.

- Regarding Mitigation Measure 4.3-1(a) on page 2-12: Not only should the structure at 301 B Street (Ciocolat) be retained, but the zoning for adjacent properties should remain the same as well to prevent the encroachment of taller buildings that would remove the building from its context.

- The Commission should be allowed to approve the new location of any structures that are to be moved. This language should be added to the mitigation measures.

- Regarding the Mitigation Measure on page 2-14, 4.3-9(b) establishing an historic impact fee: The fee should be based on the value of the new project. Commissioner Costanzo stated that the fee would probably have to be related to the impact, not the new structure.
• Where does the funding come from to finance the public infrastructure project that would be needed to make improvements to the alley and to construct the sidewalk on B Street?

• On page 3-20, (last paragraph): “247 B Street” should be “247 3rd Street”.

• On page 4.2-21: The proposed parking is too far away from the project area to be considered a parking mitigation.

• On page 4.3-2: The 780-acre farm belonged to Martin Sparks, not Jerome Davis as stated. Jerome Davis left in 1869. This information can be found in Radical Changes, Deep Constants by John Lofland. The University was actually built on three different farms, and the Sparks farm was the largest.

• On page 4.3-20: The text says that under the project, the structure at 337 B Street is proposed to be retained on site. However, below in Mitigation Measure 4.3-3(a), the text reads: “Retain the structure at 337 B Street on site, or relocate to another site . . .” These statements seem to conflict.

• Is it possible to exclude a property from the project, such as 246 4th Street? The alley cannot be widened to 16-20 feet next to this property.

• The demolition of 333 B Street and the construction of a larger house in its place would have a major impact on the structures at 246 4th Street and 337 B Street.

• On page 4.3-20: Is your argument that if a resource is moved within the same original farm parcel that we are to some extent maintaining integrity of setting? If the buildings are moved, it is not likely that integrity of setting will be maintained. If all three of the Merit Resources are moved, the impact could not be reduced to less-than-significant. This needs to be clarified in the EIR.

• On page 4.3-20: The term “setting” should be removed from the Mitigation Measures because a determination as to the appropriateness of each structure’s setting may become increasingly difficult to enforce in the future given that structures may be relocated incrementally over time.

• What is the threshold of significance for how many resources can be moved?

• The setback change would cause disharmony in the streetscape by allowing infill with 7-foot setbacks to be next to older bungalows with approximately 30-foot setbacks. A 15-foot setback is not acceptable. A 20-foot setback for any new development would work better.

• Have the property owners along B Street been surveyed to see if they are apt to rebuild if this change in zoning goes through? It does seem to be a problem if some want to rebuild and others do not. If this is the case, there is potential for a sawtooth pattern of development.
- How many of the property owners in the project area would like to live on the property they own? What is the goal of their redevelopment; resale, rental, investment?

- If it is decided that some properties are to be retained because they are historic, but others are allowed to be developed, this will result in an uneven streetscape.

- The concept of an urban village, which implies starting fresh, is contrary to this Commission, which wants to keep the original houses.

- In response to a question from Commissioner Rifkin, Valerie Vann estimated that there are approximately 250 or more pre-1945 era houses in Davis.

- Do we have to keep every area, or is this one close enough to the core area and the University that its function is going to change? We may need to move the houses.

- It is a very difficult proposition to move the houses. There are not many empty lots in traditional neighborhoods where these houses can be relocated.

At the suggestion of planner Njoku, the commissioners agreed to submit their comments, suggestions and thoughts as individual members of the Commission to Njoku by October 8, 2006.

David Kane, a property owner in the project area, expressed disappointment over the lack of substantive comments in the Commission's discussion of the adequacy of the EIR.


10. Adjournment. The next regular meeting will be Monday, October 16, 2006 at the Hattie Weber Museum (445 C Street) at 7:30 p.m.

Action: Commissioner Ottaway moved, seconded by Commissioner Costanzo, to adjourn the meeting. The motion passed by the following vote:

AYES: Berteaux, Costanzo, Ottaway, Rifkin, Sosnick

NOES: None

ABSENT: Herbert

The meeting was adjourned at 10:00 p.m.
4.0 Comments and Responses

LETTER 23, HISTORICAL RESOURCES MANAGEMENT COMMISSION MINUTES

Response to Comment 23-1: No response to this summary comment is required.

Response to Comment 23-2: Concern regarding the in-lieu parking program is noted. Parking impacts are identified as significant and unavoidable.

Response to Comment 23-3: The need for architectural parameters and unit of design are addressed in Mitigation measure 4.4-5(a)(5).

Response to Comment 23-4: The City does have a single fund to which the in-lieu parking fees are deposited. This fund is not "segregated" based on the source of the fees paid. The money is used to provide parking benefits throughout the Core Area.

Response to Comment 23-5: Please see Response to Comments 14-56, 14-58, and 16-21.

Response to Comment 23-6: “The Davis Register” current listing of designated historical resources within the City of Davis includes 22 Merit Resources and ten Landmarks located within the Conservation District, and six Landmarks located outside the Conservation District. Four of the Landmarks located within the Conservation District are also on the National Register. The Central Davis Conservation District Historical Resources Survey dated August 2003 identifies 35 structures in the Downtown Core Area considered to be contributors. In the Old East neighborhood there are three Landmarks, two Merit Resources and 28 contributors. In the Old North neighborhood there are five Merit Resources and 96 contributors. In the University Avenue neighborhood in 2003 there were six Merit Resources and 43 contributors identified. The historic evaluation prepared for the project, identified an additional four properties as eligible to be considered contributors, one previous contributor to be eligible as a Landmark, and one previous contributor to be eligible as a Merit Resource. This would make a total of seven Merit Resources, one Landmark, and 45 contributors. Overall, there are a total of 204 contributor structures in the Downtown Conservation District.

The 11 contributors assumed to be removed over time as a result of redevelopment in the project area will equal approximately 27 percent of the contributors remaining in the University Avenue/Rice Lane neighborhood. Removal of these 11 contributors and one Merit Resource would equal removal of 21 percent of the percent of the eligible Landmark, Merit or contributor structures in the University Avenue/Rice Lane neighborhood.

Response to Comment 23-7: The DEIR does not “allow” removal of structures, it analysis their removal because that is what could result from the changes in policy and regulations proposed as a part of the project. In order to address the issue raised in the comment however, the EIR also analyzes several alternatives to the project. Alternative 1, 2, and 4 assume varying degrees of greater protection of these structures.

Response to Comment 23-8: Thank you.
Response to Comment 23-9: Please see Response to Comment 20-2.

Response to Comment 23-10: Please refer to Response to Comment 14-49.

Response to Comment 23-11: The HRMC currently has this responsibility. The City’s Historic Resource Management Ordinance (Chapter 40.23 of Davis Municipal Code) require all major redevelopment projects involving a structure built in 1945 or prior to be reviewed by the HRMC, including any proposals for demolition or relocation of such structures. A provision of the code requires the HRMC to approve demolition permits including relocation is excerpted below, however it should be noted that this applies to designated Merit Resources or designated Historic District Contributors, and the City does not currently have any designated Historic Districts:

“40.23.120 (2) Relocation as alternative to demolition. Relocating a Merit Resource or Historic District Contributor can be an acceptable alternative to demolition if the Commission can find that the relocation is compatible with the original character and use of the Historical Resource. The resource should retain its historic character-defining features, the project should be in compliance with the Secretary of the Interior’s Standards, and that the new location is compatible in orientation, setting, and general environment, and that the receiving parcel is appropriately zoned and sized for the resource.”

Response to Comment 23-12: The comment is assumed to refer to Mitigation Measure 4.3-9(c) on page 4.3-26 of the DEIR. The amount of the fee would be determined through a separate public process. The last line of this mitigation measure has been deleted to make the measure more clear in this regard. Please see Chapter 2.0, EIR Text Changes.

Response to Comment 23-13: Currently there is no new sidewalk proposed on B Street. Any repairs or modifications deemed necessary as a result of any one specific project, such as putting in a new accessibility ramp or utility connections would be paid for by the developer for the project as a condition of project approval. The costs of improvements along the alleys and along 3rd Street would initially be funded through use of Redevelopment Agency funds, with property owners that redevelop paying a proportionate share of such costs, through the creation of a Specific Plan Amendment Cost Recovery Fee to be established as part of proposed actions on the project.

Response to Comment 23-14: Thank you for this correction. It has been noted in Chapter 2.0, EIR Text Changes.

Response to Comment 23-15: The parking structure identified on this page is not identified as mitigation in the DEIR. Construction of this structure could free up parking spaces closer to the project area and thus is relevant to the project discussion and EIR analysis.

Response to Comment 23-16: Thank you for this correction. It has been noted in Chapter 2.0, EIR Text Changes.
Response to Comment 23-17: The structure at 337 B Street is not proposed to be removed as part of the project, but a future property owner might desire to redevelop the property. The DEIR acknowledges this possibility and identifies potential impact and mitigation.

Response to Comment 23-18: The City has had a survey prepared to document the precise location of the existing alley right-of-way. The existence of several mature trees, power poles, and some structural elements within the existing 13 foot, and proposed 20 foot alley-right-of-way is acknowledged (see exhibits provided in Appendix D.6). It is the City’s intention to minimize widening the alley improvements to the degree possible, and require improvements necessary to provide safe adequate opportunities for two-way travel, primarily for purposes of parking access. The City does not intend to widen the alley right-of-way adjoining the property at 246 4th Street due to the presence of an occupied structure within or immediately adjoining the expanded right-of-way. Difficulty making left turns from 4th Street north on to B Street will encourage drivers to use 3rd Street to exit the project area when heading north, south, or east when heading Downtown. Please refer to Mitigation Measure 4.2-2(a) and (b) as modified in Chapter 2.0, EIR Text Changes.

Response to Comment 23-19: The structure at 333 B Street is not a “contributing” structure. The proposed zoning standards for this site call for a five foot side yard setback and height limit of two stories (30 maximum to the roof peak) for the portion of the site located within 25 feet of the northern property line adjoining the properties at 246 4th Street and 337 B Street. The same height limit would also apply to 246 4th Street and 337 B Street and is equivalent to existing height limits. This height limit is intended to provide a transition between these homes and adjoining future taller development. In addition, a two story height limit for development along the alley, combined with measuring the proposed 10 rear setback from the edge of the new 20 foot wide right-of-way instead of from the center of the existing 13 foot wide right-of-way as currently allowed, will provide a greater setback than existing zoning. The widening of the rear alley right-of-way to 20 feet, and measuring the rear setback of 10 feet from the edge of the alley right-of-way will provide a setback of 23.5 feet from the old alley centerline to the new building wall and 17.5 foot setback to new porch elements, vs. a 20 foot setback from the 13 foot wide alley centerline required currently. See Response to Comment 4-4 and Appendix D.6 (Alley Right-of-Way).


Response to Comment 23-21: “Setting” refers to the physical environment of the historic property (DEIR, page 4.3-5). The references mitigations measures use this term to indicate as a performance requirements that any relocation should be to a new site with a similar or matching physical environment. In this context there is no need to modify the mitigation wording as suggested.

Response to Comment 23-22: Pages 4.3-17 and 4.3-18 of the DEIR contain the significance criteria for evaluation of impacts on project area historic resources. A discussion of the cumulative impacts of the project is provided on pages 4.3-22 through 4.3-28. As stated on page 4.3-23 (4th paragraph) “there is no current numerical basis for
how many contributing structures can be removed before the cumulative effect of their removal would be considered a significant impact.” This section goes on to evaluate potential impacts of removal of contributing structures on each block face and in combinations of block faces, determining that ultimately redevelopment of the project area and removal of the majority of contributing structures would result in a significant cumulative impact on area historic resources. That means that the cumulative impact will be triggered when the first contributing structure is removed. Please refer also to Response to Comment 12-1.

Response to Comment 23-23: Proposed development standards will result in a new development pattern different from the existing “bungalow character.” The proposed reduced front yard setbacks have been developed to support townhouse developments on B Street that would allow for two rows of townhomes with an inner parking court, and provision of two parking spaces per unit. This prototype was examined during Phase I of the B and 3rd Visioning Process and described in two “options” reports that are available for review on the City’s website www.cityofdavis.org.

The City acknowledges that because redevelopment will occur over time, there will be periods of time during which setbacks and designs on newly redeveloped parcels may appear incongruent as compared with adjoining properties that remain undeveloped and thus contain older, smaller buildings with larger setbacks and lower heights. This is addressed in Impact 4.4-5.

Response to Comment 23-24: All property owners within the project area, with the exception of three (337 B Street, 246 4th Street, and 217 B Street) have indicated to the City that they are interested in redevelopment of their parcels.

Response to Comment 23-25: The City has not attempted to collect this type of information.

Response to Comment 23-26: This is true and would also be true for redevelopment occurring anywhere. All major development projects in the Conservation District are subject to the Design Review process which is intended, among other things, to address the issue of compatibility and streetscape design.

Response to Comment 23-27: This comment is noted for the record. No response is needed.

Response to Comment 23-28: Comment answered by another commissioner. No further response required.

Response to Comment 23-29: This comment is noted for the record. No response is needed.

Response to Comment 23-30: There may be a possibility of relocating a few of the structures to a City owned site located at 3rd and J Streets. However, this will depend on how the size and configuration and timing of relocation of such structures match the objectives for development of the site. The HRMC may also recommend that “a good
faith effort” to relocate such structures be required before granting demolition permits. See also Response to Comments 10-1, 14-53, and 24-61.
Planning Commission Minutes
Community Chambers
Wednesday, October 11, 2006, 7:00 p.m.

Commissioners Present: Mark Braly, Greg Clumpner, Rob Hofmann, Kris Kordana, Mike Levy, Christopher Ochoa, Sheryl Patterson, Terry Whittier

Commissioners Absent: None

Staff Present: Katherine Hess, Community Development Director; Margaret Roberts, City Clerk; Ken Hiatt, Economic Development Manager; Will Marshall, Assistant City Engineer; Sarah Worley, Economic Development Specialist; Lynanne Mehlhaff, Planning Technician

1. Call to Order

Vice-Chairperson Patterson called the meeting to order at 7:02 p.m.

2. Approval of Agenda

The agenda was approved by consensus.

3. Induction of new Planning Commissioners

Margaret Roberts, City Clerk, swore in Rob Hofmann, Kris Kordana and Mike Levy as Planning Commissioners.

4. Selection of Chairperson and Vice-Chairperson

Commissioner Ochoa nominated Vice-Chairperson Patterson for Chairperson. Commissioner Kordana seconded the motion.

AYES: Levy, Clumpner, Ochoa, Braly, Kordana, Hofmann, Patterson
The motion passed unanimously 7 to 0.
Commissioner Braly nominated Commissioner Ochoa. Commissioner Hofmann seconded the motion.

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

5. Staff and Commissioner Comments (No action).

Commissioner Braly asked if there was any update from staff on the negotiations between Trader Joe’s and University Mall and other related matters. Staff stated that the planning applications were scheduled for hearings before the City Council next Tuesday evening.

Commissioner Whittier welcomed the new Planning Commissioners and mentioned the book “The Job as the Planning Commissioner” by Albert Solnit.

Chairperson Patterson mentioned that appointment of the liaisons should be on the next agenda.

6. Public Communications

There were no public communications.

7. Consent Items

A. Planning Commission Minutes of September 13, 2006

Action: The minutes were approved by consensus.

8. Public Hearings

A. PA #33-06, 1731 Research Park Drive, Revised Final Planned Development #07-06; (Rhys Rowland, Assistant Planner)
Public Hearing to consider a proposal to revise the permitted uses restricted on the property from Condition No. 4 of Final Planned Development #13-03 and planning application #86-03. The uses on the property were restricted by this condition for office and restaurant only. This application is to modify this condition to allow those uses permitted within the Planned Development #03-93 District area. These uses are the normal uses permitted for this property. No other changes are proposed for the site or the original conditions of approval associated with Planning application #86-03.

Katherine Hess, Community Development Director, presented the staff report.
Chairperson Patterson opened the Public Hearing.

Medon Sah, one of the property owners, said they have a potential tenant who wants to lease the whole building and that was why they needed the zoning revision.

Chairperson Patterson closed the public hearing.

**Action:** Vice-Chairperson Ochoa moved approval of Revised Final Planned Development #07-06. Commissioner Clumpner seconded the motion.

**AYES:** Levy, Clumpner, Ochoa, Braly, Kordana, Hofmann, Patterson

The motion passed unanimously 7 to 0.

**B. Draft Environmental Impact Report (DEIR) for the B and 3rd Streets Visioning Process; (Sarah Worley, Economic Development Specialist)**

Public hearing to consider the adequacy of the Draft Environmental Impact Report prepared for the B and 3rd Streets Visioning Process. Review of the DEIR is one part of the project review process. This DEIR has a 45 day comment period beginning August 28, 2006. The intent of the comment period is to provide opportunity for public review and input on areas where the analysis needs to be expanded or clarified in order to adequately identify potential impacts and feasible mitigation measures.

Sarah Worley, Economic Development Specialist, presented the staff report.

Heidi Tscheidin, Environmental Consultant for this project, explained the purpose and process of the Draft Environmental Impact Report. In this case, the focus of the EIR was determined to be primarily on three issues: traffic and circulation, cultural resources and aesthetics. The city also added land use and noise as additional components.

Chairperson Patterson opened the public hearing.

Bill Cavins, of 227 University Avenue and represented the group that came up with an alternative plan, explained his background of being on the PD#2-86 task force and Core Area Specific Plan. He said they decided to increase density for the 3rd Street corridor and they studied the possibility of commercial development along the west side of B Street. This group decided that the impact of increased density on the neighborhood behind it would be too significant and decided not to recommend that. He said the significant impact of noise in that neighborhood is from parties at night. This noise wasn’t measured at all since this EIR did 24 hour noise studies on a Wednesday and Thursday in April 2006. The housing types that will generate more noise are going to be two and three bedroom units (student rentals). If housing could be developed that
didn’t cause this kind of noise, then destruction of the residential character of the neighborhood could be avoided. With 3 nights in a row of parties until 2 a.m., homeowners begin thinking about leaving the area. To preserve the residential character of the neighborhood noise levels must be kept down and one way to do that is by regulating sizes of living units.

John Hall, resident at 201 University Avenue, said they’ve reached the goal of an urban village already. The PD 2-86 zoning already allows for innovative projects. The proposed visioning places areas already covered by PD 2-86 into a different zoning basis which gives neighbors much less opportunity to raise concerns about a proposed project. The maximum height proposed at 56 feet is too tall; this is taller than any buildings downtown. The environmental impacts are sunlight exposure which is not mitigable. He suggested that the proper way to proceed would be with a Conditional Use Permit for excessive heights which would insure public review and comment.

David Kane, of 246 4th Street, stated if in lieu parking was permitted in the alley then the projected traffic should be mitigated by maintaining a 13 foot wide paved area and a 20 foot wide net total area of which 7 feet is right of way. His kitchen window is only 6 feet off the alley now so if the 7 foot right away was applied, his house would have to move. The DEIR points out the existing structures, trees and power poles but the language itself in the mitigation doesn’t address that so this isn’t acceptable. The Ogrydziak’s have a tree in their backyard which would be eliminated if the alley was widened. He wanted to be sure that this was covered. There is actual traffic in the alley and the traffic study looked at converting single family use to multi-family use which the model predicts a lower number of trips per day. This ignores the fact that the area is right next to the University. The parking problems in the alley are exacerbated from people parking in the alley because of the “W” permit parking on the street. If you triple the density, it will also triple the parking problem due to friends who need to visit and park. In lieu parking doesn’t work. Third Street is the only viable or preferred way onto B Street. Third Street should be a pedestrian and bike corridor and if cars pour out onto Third Street it will interfere with people on bikes and this isn’t addressed in the DEIR.

Sabrinna O’Hanley, of 227 University Avenue, wanted to appeal to the Commission’s hearts. She has two small children and agreed with densification but not at this level. She would like to work with the city as a neighborhood and come to an agreement with a better plan for the neighborhood but this hasn’t happened. Third Street is a predominately pedestrian and bike friendly street and she has had many near accidents with her car on this street. The intersection of Second Street and B Street is very unsafe to cross as a pedestrian. If all of this densification is allowed then traffic on B, Second, Third Streets and Russell Boulevard will increase and create more problems. Parking is at a premium. The two houses next door usually need 5-6 parking spaces for all the people that live there since there are no parking places on the street. They have had several hit and run accidents with their cars and garage in the alley. Increased traffic and densification will make the alleys even worse.
Maynard Skinner, 222 University Avenue, said there should be no parking forgiveness whatsoever: in lieu fees have never created parking spaces. There should be no apartments; there is already enough apartments in the area. There should be for sale units; townhouses should be upscale. The townhouses should be small and not four bedroom. The streets of Rice Lane and University Avenue should be protected. Two-story should be the preference of height similar to Navin’s. The neighborhood isn’t opposed to reasonable density. Densification should be done the right way and follow the downtown guidelines for the core area.

Mike Yadke, resident on Rice Lane, said loss of our tree canopy, which is a precious resource, is not adequately addressed in the DEIR. Several of the proposed illustrations show buildings that extend to lot setbacks without leaving room for replacing the large trees lost. Loss of the trees would destroy the character of the neighborhood. Trees are a defining character element for this neighborhood. There is no foreseeable mitigation to protect these trees with this proposal. Trees also add some separation and some sense of privacy. He supported density and infill but building at this density places neighbors in each others laps. There will be too much noise and loss of privacy. He suggested that staff work with the neighbors to come up with a progressive proposal for an urban village that protects and honors what is already here.

Esther Polito, 339 University Avenue, spoke about land use and policies. She found the land use policy discussion and evaluation inadequate. There is a major key policy which is proposed to be modified but is not excerpted in the key policy section, policy #6 from the Specific Plan which has to do with the rate and phasing of densification. The densification rate is specifically laid out in the plan to protect the valued housing stock on the edges of the core area. This proposal leap-frogs over it. This policy should be analyzed. The policy that is excerpted in the DEIR but it is not analyzed is “protect the existing residential neighborhood and its residential character.” If there is a conflict with this policy then it should be deemed by the DEIR as significant. There is obviously a conflict; look at the number of significant and unavoidable impacts that will occur. The policy analysis should be completed because it will lead to the conclusion that it is a significant impact. Once the impacts are disclosed we probably won’t be able to mitigate to less than significant. The city could find a number of additional mitigations that are not currently in this DEIR that will help support the policy of protecting the residential neighborhood and its residential character. There is for example tax increment money that is proposed to initially be spent in the neighborhood. She would like to develop a list of projects that it could pay for and go through that list of projects before it is diverted elsewhere. If there are tree mitigation fees that will be collected, she would like mitigation where the tree fees are spent on the remaining urban forest in the neighborhood, perhaps to accelerate the street tree maintenance. She stated that improving mitigations that really protect whatever neighborhood is left when this is all said and done would be to everybody’s benefit. She would like staff to meet with the neighbors to develop a quality set of mitigations.

Valerie Vann, resident in old north Davis neighborhood, said in lieu parking fees do not solve parking problems. The parking problems get shoved off someplace else. Right now old north is
the overflow parking zone for downtown employees, business people and University people. If you put more parking need in the downtown area then the parking will happen more in our area. The parking structures are too far away for residents to use. In lieu parking is not a mitigation. The traffic element is so tightly focused around the project area that it doesn’t consider what would be going on Fifth Street. Old North already has a problem with the current state of Fifth Street. If this project makes Fifth Street worse, it will then affect the Old North neighborhood. The purpose of a conservation district is to protect the traditional neighborhoods and historic structures and this project isn’t infill, but this is demolition and new construction. This isn’t good planning to promote demolition of historic structures and the destruction of a signature block across from Central Park. The block across from the park is an intact row of historic houses. It also fails to take into consideration the impact on Central Park which is an important cultural resource. This proposal would entirely change the historic setting of the park which is framed now by traditional neighborhood rows. Instead they are proposing framing it with up to three-story, close to the sidewalk, townhouse type development which is contrary to what is supposed to be there. All the talk of these new guideline revisions respecting the traditional character of the neighborhood, area and park is incredible – it actually encourages demolition and new construction.

Donald Coach, 432 University Avenue, said the question is whether this project as envisioned will contribute to the city and to the downtown in ways that are significant enough to mitigate potential negative impacts that will inflict most particularly on the adjacent neighborhoods to the project. Will the project positively impact the housing market and lower rental rates or at least contribute a significant number of new moderately priced housing units for new students and/or families. Does this plan as envisioned promise new and vital businesses for the people of Davis that will act to revitalize the core of the city? He believed the answer to these questions is no.

The construction planned will most likely yield units for a high per square foot dollar cost so the rates will be geared to the wealthy or shared bedrooms. There is already a traffic stressed flow pattern in the area. Why has the City made itself an active partner in this development and subsidizing the development cost when it should rightly be the responsibility of the owners and the developers of the properties with little appreciable benefit to the city? The region adjacent to this project is a vital neighborhood and people have paid a lot of money for living in this community through taxes and purchasing local merchandise. How will the trust and commitment of these citizens be rewarded by turning their neighborhood into a parking lot? The mitigations for parking are inadequate. The crosswalks at Fourth and B Streets are dangerous. This project creates a virtual wall between the city and the University, the loss of historic property, the additional pollution, noise, loss of trees and landscaping.

Jim Zanetto said his goal was for the city to incorporate car sharing and have shared-car households as a basic housing strategy. He said car sharing is suited for infill housing and actually is gaining in popularity in Europe and other urban areas in the U.S. There are services in San Francisco with some car sharing programs. This program helps with affordable housing
by eliminating cars needed by households. He submitted diagrams of possible car share site layouts to city staff.

David Ogrydziak, resident on 241 B Street, said they had never been invited by the neighbors to participate in the alternative presented by the neighbors. He said that the existing conditions of noise in the neighborhood will lead to a less and less livable situation and the only mitigation to noise presently is to call the police. Realistically, the alternative #3 will have a different kind of housing and different situation and even with more people, more noise won't necessarily happen. Alternatives #2 and #4 do not have enough incentives and will never happen so they are the same as alternative #1. Alternative #3 could really be the one with the least noise.

Tedda Oldknow, of 333 University Avenue, pointed out on the map that there was only parking on one side of the street on University Avenue. She requested that the Commission please consider what it will do to the neighborhood and asked that it be maintained as a residential area. Some infill is acceptable but not this high density.

David Morales, 206 2nd Street, commented on the use of alleyways as a traffic mitigation measure. He said the purpose of alleyways were not to move traffic. By proposing to make an alleyway a two-way street with bicyclists and pedestrians was a recipe for disaster. Under the executive summary of the project, it doesn't list any benefits to the neighborhood or the businesses or residents. He pointed out the Downtown Campus Connections Concepts Implementation Plan that was released in March of 2006 versus the B and Third Streets Visioning Draft EIR do not really connect and they overlap in the same areas. He would like to see the University be a partner in this project and they aren't and they impact this area significantly. He didn't support this project at this time.

Chairperson Patterson closed the public hearing.

Commissioner comments:

Concerned with a lack of analysis in the land use area. For instance on page 4.4-1, it expresses a concern with a policy change and then states it is going to iron out a few policy issues but in reality this is a major policy shift. To try to put this under the guise of ironing out some conflicting issues is a bit disingenuous. The analysis provided doesn't sufficiently explain what we are doing. The project will create a stark dividing line and not a transition. The transition is essentially going away. The language in the Core Area Specific Plan has to do with activating the shape of open space which is not what the language here is referencing to. The analysis provided does not support the ultimate conclusions being made in terms of less than significant impacts. It may be possible to reach those conclusions but the analysis provided doesn't do that. This should be looked at in more detail. If changes are made to every governing document, then it needs to be consistent and support the conclusion made.
It appears that just within the core area itself there are 13 single family homes and 3 multi-family units that would be affected. Would like to know at the current proposed height levels, how many realistic affordable single family housing units would be provided such as a new family to Davis and trying to enter the housing market. This would be a big part of the equation.

Would like to know the consistency or connection of this project with the University and the Downtown Association plan for better connections between the downtown and the University and the EIR. This wasn’t mentioned in the DEIR and wondered if consistent.

This DEIR treats any increase in density or height as an environmental impact that must be avoided or mitigated. Low density can also have an environmental impact. Unavoidably Davis is in an era of infill development and redevelopment. If we are to meet future housing needs without urban sprawl into surrounding agricultural land and open space, this infill will involve increased density. Neighbors almost always want minimal increases or none. There seems to be an underlying presumption that low density and height always means good design and less environmental impact. Density has a bad name because of bad design. There are examples of this in this project area, the worst is the apartment building next to Baker’s Square. The city now has Design Guidelines in this area which are fairly effective. In section 5.1, the analyses of cumulative impacts simply reference the EIR for the City’s General Plan and found cumulative impacts of the project not significant. The cumulative impact of low density will be urban sprawl and conversion of ag land and open space to housing. If our present general plan and its’ EIR prevents us from looking at this cumulative impact of low density infill, then we need a new general plan and an EIR. If we only consider low density in this area, then where in the city would it be suitable for increased density? The location of this area between the University and the downtown, the two primary centers of urban activity in Davis make it an obvious candidate for high quality but perhaps dense and mixed use development. Low density here could set the pattern of infill throughout the city.

In appendix 7.1, NOP Initial Study, neither agricultural nor hydrological resources were considered impacted by the project. These should have been analyzed under cumulative impacts. Need to understand the cumulative impacts of paving over so much of the city’s area for storing and moving cars. Adding significant additional parking space in the EIR but only looks at meeting the need. Not looking at storm water run-off from impermeable pavement or air emissions from asphalt pavement. It is a significant environmental impact to pave over limited urban land for parking. In section 4.4, land use aesthetics, alternatives should have been compared in terms of whether density was sufficient to make underground parking an effective mitigation financially feasible.

On the project objectives, “in an effort to foster the economic health of the community...” not finding the economic benefit or health of the community...
supporting the economic objectives for the downtown. Are we getting down to the retail scope of this or are we going to have an economic analysis for this?
- Height issues: maintain compatibility with scale and uses of the neighborhood and park. The tallest building nearby is Crepeville at 36 feet and don’t see why it can’t be limited to a height that is already existing and compatible such as Crepeville. 56 feet seems awfully high.
- With taking out so many houses here, there are a lot of potential lawsuits here due to time delays and homeowners could combat the city.
- It is a reasonable request for the homeowners to want to meet with the staff; this would be good idea.
- Not sure that in lieu fees will satisfy the parking and traffic issues.
- Would like to see how this would really be a true transition area; not sure if leaving pockets of areas at single story housing can connect to this area and with the downtown area and the University. More explanation on this vision would be nice.
- Would like to see some quantification and qualification of exactly what staff believes the benefits of this project are going to be and how they will happen.
- Would like to know specific information about saving any of the historical homes and are they going to be relocated or preserved in anyway.
- Parking is a significant issue; would like to focus more specifically on the existing residents in the neighborhood and how their parking areas can be protected, prevent over-parking, and conflicts with bicycles and pedestrians.
- Would like to see what the city plans are in developing a downtown parking structure and whether the school district is potentially going to move away from their site in the downtown.
- The Water/Hydrology impacts were listed as a less than significant impact and increased water usage and demands from the project on our water table should be considered and discussed. There are a lot of available mitigation measures that are readily available given the level of significance.
- It is not clear on what is the next step after this change is adopted; can someone just build or is there a design review.
- It wasn’t addressed in the DEIR on making the alleys one way as a mitigation measure; why do the alleys have to be wide enough to be two-way. We are trying to direct traffic away from Third Street, could load off of 2nd and 4th Streets one way.
- Instead of taking away from someone’s property to put parking on the alley, a property owner should put a parking garage/parking on their own property to meet the parking requirements.
- There is no explanation or analysis on why mixed use in this neighborhood justifies a reduction in the parking standard for the residential use.
- There needs to be a more defined alternative program if there are in lieu fees. It should be talked about whether city hall has a parking garage which could happen more readily than the 3rd/F Street proposal which is way off in the future and no feasibility at this point in time and won’t serve this neighborhood.
9. **Business Items**

There were no business items.

10. **Informational Items**

A. **Planning Commission Schedule**

Commissioner Levy brought up that he would like to agendize for the next meeting the moving of the Planning Commission meetings from the 2nd and 4th Wednesday back to the 1st and 3rd Wednesday nights of the month. Chairperson Patterson said this could be discussed at the next meeting.

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

Katherine Hess welcomed the new Planning Commissioners.

12. **Public Communications (continued).**

There were no public communications.

13. **Adjournment to the regular Planning Commission meeting to be held on October 25, 2006 at the Community Chambers (23 Russell Boulevard) at 7:00 p.m.**

The meeting was adjourned at approximately 8:55 p.m.
LETTER 24, PLANNING COMMISSION MINUTES

Response to Comment 24-1: The commenter provides background information for the consideration of the Commission. No response is necessary.

Response to Comment 24-2: The purpose of the noise section is to predict noise impacts where differing land uses abut and where noise generation is expected to occur as the result of permitted activities conducted on the abutting land use. The noise monitoring was conducted to capture a typical 24-hour cycle of community activity resulting from permitted activities, and was not intended to capture the loudest 24-hour cycle that might occur under violation of the City Noise Ordinance.

Noise violations from existing residential activities are subject to enforcement by the City Police Department. The EIR presumes legal activity and regulatory compliance in general as a part of existing conditions and examines impacts associated with the proposed project. Potential noise ordinance violations cannot be addressed through land planning without assuming that all future tenants are predisposed to breaking the law. To assume illegal behavior for all units would be speculative and would artificially skew the results.

Response to Comment 24-3: Please see Response to Comment 11-4.

Response to Comment 24-4: Please see Response to Comment 11-9.

Response to Comment 24-5: Please see response to Comment 19-4 and 19-19. As shown in Appendix D.6 (Alley Right-of-Way) the City is not proposing to take additional right-of-way at the commenter's property at this time. Removal of a certain number of trees is assumed as a part of the project. Should the referenced tree ultimately need to be removed, the requirements of the City Tree Ordinance would apply and no additional CEQA clearance would be necessary. As noted in Mitigation Measure 4.2-2(a) and (b) (please see revisions to this measure provided in Chapter 2.0, EIR Text Changes) the City Engineer would have the ability to make necessary modifications to the design and alignment of the alley in particular areas to avoid having to remove existing trees or structures. These decisions would be made as part of the design process for the alley improvements and review and approval of specific development proposals within the project area.

Response to Comment 24-6: The impact analysis uses standard trip rates from the Institute of Transportation Engineers’ Trip Generation, 7th Edition, which is based on survey data from similar uses nationwide. In this standard reference, apartments are indeed assigned a lower vehicle trip generation rate than single-family homes. Surveys of apartment sites in Davis, conducted by Fehr and Peers to support the development of the City of Davis Citywide Travel Demand Model, demonstrate that Davis apartments actually have lower trip generation rates than the nationwide averages for the same land use. These rates include the effect of bicycling and walking trips that are made by students and by residents living close to their school or work destination on campus. Please see also Response to Comment 24-11. The commenter’s concern about in-lieu parking fees is noted for the record.
Response to Comment 24-7: B Street within the project boundary can be accessed from 2nd, 3rd, and 4th Streets. Because the intersection of B Street and 3rd Street is the only signalized intersection, it is projected to serve a relatively large portion of the trips from the new development but not all of the trips. Based on the impact analysis, the additional trips on 3rd Street as a result of the project are not projected to substantially affect the environment for walking and bicycling environment. As shown on DEIR Figure 4.2-10, the project is projected to add 60 PM peak hour trips to 3rd Street east of B and 4 trips west of B Street during the PM peak hour.

Response to Comment 24-8: The comment about safety concerns at the intersection of 2nd Street and B Street is noted. The accident review conducted for the DEIR did not indicate a predominance of accidents that would be corrected by installation of a traffic signal at this location. Furthermore, the projected traffic volumes are not sufficient to warrant a traffic signal at this intersection. However, the DEIR recommends that the City continue to monitor traffic levels and accident incidence at the intersection to determine if a signal becomes warranted in the future. Please see also Response to Comment 17-15.

Response to Comment 24-9: See Response to Comments 14-45, 17-13, and 20-2. Impact 4.2-5 identifies that there is a potentially significant and unavoidable impact due to the potential for the new parking demand to exceed the provided supply.

Response to Comment 24-10: Please see Mitigation Measure 4.2-2 which would result in widening and safety improvements to the alley to address this concern.

Response to Comment 24-11: The commenter’s concern about use of in-lieu parking fees is noted for the record.

Response to Comment 24-12: The commenter’s concern about rental units is noted for the record. The proposed amended language in the Design Guidelines calls for encouragement of smaller two to three bedrooms for ownership (see Appendix C of this document). The City cannot prohibit construction of rental units but it can encourage ownership. Please see Response to Comment 14-17.

Response to Comment 24-13: As noted above, the Design Guidelines are proposed to be amended to encourage a smaller number of bedrooms. Parking standards for the B Street Transitional District require an additional parking space to be provided for each bedroom over three, to discourage larger units.

Response to Comment 24-14: The commenter’s support for two-story height limits in the project area is noted for the record. Please refer to Response to Comments 4-4, 13-4, and 14-58.

Response to Comment 24-15: The EIR does address trees and tree impacts. Please see Response to Comments 8-1, 14-67, and 18-3.

Response to Comment 24-16: The EIR examines the proposed project and four additional project alternatives (see Section 5.4, Alternatives Analysis). This provides the
City with decision-making flexibility. Should modifications to the proposed project be determined to be desirable, they could generally be made so long as they were determined to fall within the scope of the EIR analysis.

**Response to Comment 24-17:** The City does not agree that the discussion of land use policy is inadequate. CASP Land Use Policy 6 (CASP, page 31) was not referenced because it refers to Policy 7 which identifies the 3rd Street and Central Park area as another area of intensification. Please see Response to Comments 14-56, 14-57, 14-58, and 16-21.

**Response to Comment 24-18:** The commenter refers to other possible mitigations but provides no additional information which precludes a more meaningful response. Please refer to responses to Letter 14 from this same commenter, where specific suggestions from the commenter are responded to directly. Please see Response to Comment 14-62.

**Response to Comment 24-19:** Please see Response to Comments 8-1, 14-67, and 18-3.

**Response to Comment 24-20:** Please see Response to Comments 4-16. Additional meetings with the neighborhood are planned.

**Response to Comment 24-21:** The commenter’s concern about use of in-lieu parking fees is noted for the record. The in-lieu fee program is not proposed as a mitigation, but as a development policy to achieve the B and 3rd Streets vision for dense development with maximum walking, bicycling and transit use.

**Response to Comment 24-22:** Impact 4.2-5 acknowledges that the parking demand generated by the new uses may exceed the available supply, including on-street spaces, within the study area. Therefore, the impact is designated significant and unavoidable. The project contribution to traffic on 5th Street is less-than-significant (see Table 4.2-7 on page 4.2-32 of the DEIR). The commenter’s concern about demolition that may result from the project is noted for the record. Please see Response to Comments 14-56, 14-58, and 16-21.

**Response to Comment 24-23:** Existing development around the park varies in scale. The portion of the park directly across from the project area, was previously an elementary school and then a temporary parking lot before being developed as an extension of the park. The project will change the character of development on the west side of the park. It is also acknowledged in the Historic Resources Section of the EIR that the project will have a significant cumulative impact on the historic integrity of this portion of the Conservation District. The Design Guidelines and Core Area Specific Plans have identified intensification of development on 3rd Street and in the Central Park Special Character Area as a goal. See also Response to Comments 16-11 and 18-3.

**Response to Comment 24-24:** The commenter’s concern about demolition that may result from the project is noted for the record. Please see Response to Comments 14-56, 14-58, 16-11, and 16-21.
Response to Comment 24-25: The commenter discusses the types of beneficial effects from the project that might justify his support and concludes that the project will not result in these benefits. The commenter’s concern about the project is noted for the record.

Response to Comment 24-26: This may be true for any new construction in the Downtown and also elsewhere in the City due to lack of available land, relatively high land costs, and increasing costs of construction and financing. Proximity to attractive destinations in Downtown areas, and the University in this case also contribute to land value. The community has adopted policies to promote infill development and to provide affordable housing. Proposed residential development in the project area will be subject to both. The location of the project area, near the Downtown and University, bordering an important civic space (Central Park) is likely to be developed with housing attractive to homeowners seeking a more urban lifestyle.

Response to Comment 24-27: The existing traffic conditions are described in DEIR Table 4.2-3. The comment regarding perceived poor traffic conditions is noted; however, the existing service levels are C or better at all but one study intersection. The intersection of B Street and 5th Street operates at LOS D in the morning peak hour, which is considered acceptable per City of Davis standards.

Response to Comment 24-28: The proposed Amendments to the Core Area Specific Plan will include a Resolution to adopt a Specific Plan Amendment Cost Recovery Fee that will require all properties in the project area to pay a proportionate amount of the costs incurred by the City in undertaking this project including amendments to the Specific Plan, Design Guidelines, and zoning; and preparation of the EIR. See also Response to Comments 14-56 and 14-63 regarding why City has initiated the B and 3rd Street Visioning Process.

Response to Comment 24-29: Because the potential impact of parking demand exceeding available supply cannot be mitigated with certainty, Impact 4.2-5 is identified as significant and unavoidable. However, Mitigation Measure 4.2-5(a) (see proposed revisions in Chapter 2.0, EIR Text Changes) presents several actions that the City proposes to take to minimize parking demand associated with the new development.

Response to Comment 24-30: There are no marked crosswalks at the intersection of 4th and B Streets. Pedestrians that are not comfortable crossing at this location can utilize the signalized crossings at 3rd and B Streets and/or 5th and B Streets.

Response to Comment 24-31: The commenter’s opinion that this project will create a “virtual wall” between the City and the University is noted for the record. To the contrary, the City believes the project will strengthen the connection between the two. One purpose of the project is to strengthen and enhance the pedestrian connection between the University and Downtown. Two and three story development already exists between the Downtown and University, and is currently allowed on 3rd Street between University Avenue and A Street. Urban design principles for pedestrian retail areas call for framing the area, widening the sidewalk, providing a consistent two story “storefront” and outdoor amenities, lighting, seating, cafes, attractive architectural elements, displays and signage with eyelevel interest. Such elements are proposed to be incorporated into the Mixed
Use projects proposed for 3<sup>rd</sup> Street as noted in the proposed amendments to the Design Guidelines.

**Response to Comment 24-32:** Mitigation Measure 4.2-5(a) (revised herein) includes a recommendation to implement a local car share program. The commenter’s offer of car share site layouts is appreciated.

**Response to Comment 24-33:** The conclusions of the EIR differ from the opinions of the commenter regarding noise impacts of Alternative 3. As discussed on pages 5-24 and 5-25, Alternative 3 is expected to result in greater noise impacts than the project because it would result in more daily vehicle trips, more noise-sensitive uses, and more development.

**Response to Comment 24-34:** The commenter’s concern about the project is noted for the record.

**Response to Comment 24-35:** The alleys are not intended to mitigate traffic volumes, but rather to provide parking access. Mitigation Measure 4.2-2(a) (see proposed modifications in Chapter 2.0, EIR Text Changes) describes the alley design modifications that would be necessary to accommodate existing and potential future traffic volumes. The volume growth is expected to be small if the parking limitations proposed by the vision are implemented (refer to DEIR page 4.2-33 and 34). Nevertheless, the City desires to provide a certain minimum alley width as the project blocks develop, to facilitate safe traffic flow and to provide a minimum width to accommodate vehicles, bicycles and pedestrians.

**Response to Comment 24-36:** Please see Response to Comments 14-62 (second paragraph) and 16-8. The purpose of an EIR is not generally to identify project benefits. Should the City Council move forward to approve the project, findings of fact would be prepared for the Council’s final action and would identify project benefits. The project objectives identified on page 3-11 of the Project Description speak indirectly to the benefits of the project.

**Response to Comment 24-37:** The commenter is correct that these are two distinct efforts with some overlap. The focus of the Downtown/Campus Connections process was to generate ideas for providing better means for people to find their way around campus, and between the University and Downtown. The Connections study was conceptual and much broader in scope than the subject project. The focus of the B and 3<sup>rd</sup> Streets Visioning Process is to create a new vision for the project area that would allow a higher density of development, strengthen the 3<sup>rd</sup> Street connection to the University, and identify the policy and regulatory amendments to support the vision.

**Response to Comment 24-38:** The comment references page 4.4-1 which is the first page of the Setting section of the Land Use Section. Impact 4.4-1 which is discussed on page 4.4-8 addresses policy amendments proposed as a part of the project. The discussion on this page points out that because the policy amendments are proposed as a part of the project, there would be no resulting policy inconsistencies and no need for additional mitigation. A similar analysis and conclusion is made in Impact 4.4-2 regarding
proposed regulatory changes. Policy and regulatory changes are not in and of themselves adverse impacts. Please see Response to Comments 14-56. The physical impacts that could result from the proposed project are discussed separately in Impacts 4.4-4 and 4.4-5. The commenter’s concerns regarding loss of a transition are noted for the record.

The DEIR addresses the projects impacts and change in scale resulting from increased density and intensity of use on area visual and aesthetic character and integrity of the historic fabric of the neighborhood. These impacts are discussed and recognized as significant changes. Mitigation measures to address the transition between the new development and adjoining uses include reduced height and setback restrictions applicable to property adjoining specific single family residential uses and along the alleys.

Existing development along University Avenue, north and south of 3rd Street, and south of B Street, is not an intact single family neighborhood due to the presence of existing two- and/or three-story apartment buildings.

Relocation of an existing historic resource (232 3rd Street) to face University Avenue, combined with increased setbacks and height limits, and retention of trees along the property line, will help to shield the single family structure at 222 University Avenue from new larger scale development. The existing two-story apartment at 312 University Avenue will help to shield single family uses on University Avenue from new development. The orientation of University Avenue structures away from the alley, combined with increased width of the alley right-of-way, minimum setbacks and lower height limits along the alley, will help to reduce impacts on University Avenue rear yards.

See also Response to Comment 16-21.

**Response to Comment 24-39:** The subject project will result in up to 79 net new units into which a family could move. Depending on specific developments that occur as a result of this project, deed-restricted affordable housing units may result. The provisions of the City’s Affordable Housing Ordinance require a certain percentage of new dwelling units be affordable to people with specific income levels based on very low, low and moderate income levels as compared to an established median income level for a region. Projects with five or more units are subject to the affordable housing requirements of the City. Downtown projects with five to 15 units may pay in-lieu fees. Projects with more than 15 units must provide the affordable housing.

**Response to Comment 24-40:** The Downtown Davis Business Association is in support of the project and strengthening the connection with the University. Enhancement of the 3rd Street as a pedestrian corridor is one of the concepts addressed in the “Downtown/Campus Connections“ effort. Please see Response to Comment 24-37.

**Response to Comment 24-41:** Please refer to responses to Letter 7.

**Response to Comment 24-42:** Please refer to the second paragraph on Response to Comment 7-4.
Response to Comment 24-43: The vision acknowledges the consequences of adding surface parking, and therefore provides methods to minimize such parking, by reducing the parking requirements and allowing in-lieu parking for certain land uses in the project. See also Response to Comment 24-53.

Response to Comment 24-44: Please see Response to Comment 14-71.

Response to Comment 24-45: The commenter’s concern about height and compatibility is noted for the record. Please see Response to Comments 4-4, 8-3 11-4 and 14-9.

Response to Comment 24-46: The City is not proposing to remove any houses in the project area. However, the anticipated private development that may result if the project is approved may result in removals. The EIR examines the full number that could be removed in order to assess impact. The actual number that may be proposed to be removed at any one time and the order in which they might be removed will depend on private business decisions made by property owners and developers pursuing projects within the project area.

Response to Comment 24-47: City staff has met with neighborhood homeowners on several occasions, both with individual owners and multiple times with groups of owners, and will continue to be available to meet.

Response to Comment 24-48: The EIR acknowledges that as well. Impact 4.2-5 identifies this as a significant and unavoidable impact.

Response to Comment 24-49: Please refer to Response to Comments 17-8 and 24-38.

Response to Comment 24-50: Please refer to Response to Comment 24-36.

Response to Comment 24-51: Please refer to Response to Comments 16-19 and 24-61.

Response to Comment 24-52: Mitigation Measure 4.2-5 (see proposed modifications in Chapter 2.0, EIR Text Revisions) presents several actions that the City is considering to minimize parking demand associated with the new development, and thus minimize the impact on parking available for existing residents. The measure includes: 1) working with UC Davis to provide on-campus parking to serve any project developments that will house University functions; 2) providing a local car-share program; 3) considering development of additional parking by combining Redevelopment Agency participation with in-lieu fees; 4) considering creation of a Central Park parking district that could provide parking in a series of smaller lots or in a centralized parking structure or lot; 5) consideration of reducing parking time limits and installing parking meters on 3rd Street; 6) working with UC Davis to prepare a joint transportation and parking study for the neighborhood west of the Campus, and potentially including the entire Core Area; 7) encouragement to provide parking on-site using creative means; and 8) investigation of a UCD/City shuttle for the area.
Impact 4.2-4 addresses pedestrian and bicycle impacts, and notes that the project is consistent with City policies to improve and promote pedestrian and bicycle circulation. In addition, Impact 4.2-2 and revised Mitigation Measure 4.2-2(a) address the design needs of the alley to accommodate the additional traffic, pedestrian and bicycle volumes expected with the project.

Response to Comment 24-53: The City is pursuing a project to construct an approximately 620 space parking structure combined with ground floor retail and upper level offices or residential units on the City block located between 3rd, 4th and E and F Streets in the Downtown. This project is still in the feasibility study phase and involves a number of different business and property owners. It is not known at this time when or if the school district would consider relocating its administrative offices, allowing redevelopment of the property located north of the Central Park.

Response to Comment 24-54: Please see Response to Comments 7-4 and 7-5.

Response to Comment 24-55: All major (Tier #3) redevelopment occurring within the project area would require design review including a public hearing before the Planning Commission.

Response to Comment 24-56: One-way circulation for the alleys was considered early in the analysis and was rejected as infeasible due to the negative effects on property access and on traffic operations along all of the bordering streets. The undesired consequences of one-way alleys as proposed by the commenter (northbound between 3rd and 4th and southbound between 3rd and 2nd) include longer trip lengths, more left turns onto B Street at 4th and 2nd Streets instead of at 3rd Street (where there is a signal), and the potential safety and convenience impacts of wrong-way drivers.

It is possible to designate the alleys for one-way travel by ordinance, but the enforcement of such restrictions may be problematic. Maintaining the provision for two-way traffic is recommended. The additional width provides for convenient access for pedestrian and pedestrian travel in addition to motor vehicle travel.

Response to Comment 24-57: There is no proposal to put parking in the alley. Rather the alleys are being proposed to be used as access to on-site parking. Alley parking will be prohibited.

Response to Comment 24-58: Please refer to Response to Comment 14-45.

Response to Comment 24-59: There are no plans to construct a parking garage on the City Hall property. See Response to Comment 24-53. The City is exploring the feasibility of a downtown parking structure on property three blocks from the project area. This would help meet parking demand in the greater downtown area, thus potentially reducing parking occupancies in the project area.

Mitigation Measure 4.2-5(a) (revised herein) includes two actions that address the potential provision of a new parking supply:
(3) Consider Redevelopment Agency participation in combination with in-lieu fees to develop a consolidated parking facility;

(4) Consider creating a new Central Park parking district that could provide parking in a series of smaller lots or in a centralized parking structure or lot at a location such as the redeveloped School District site at the north end of Central Park.

Response to Comment 24-60: The City Arborist and project planner together made an initial evaluation of the potential impact to trees from redevelopment of the parcels in the project area. This evaluation was made on a lot-by-lot basis. Trees located outside proposed setback areas in the middle of likely potential building areas were assumed to be removed, unless they were “Trees Worth Saving.” The result of this initial analysis is described on page 4.4-14. A report from a qualified Arborist identifying the specie, size and health of all site trees and appropriate measures to ensure the heath of trees proposed to be retained will be required as part of any Design Review application. All development will be required to comply with the provisions of the City’s Tree Planting, Preservation and Protection Ordinance (Chapter 37 of Municipal Code).

Regarding the large trees in the alleys and street trees. All the trees will be looked at with the possibility of saving them unless they fall within the building footprint or in close proximity to the buildings. This could be addressed with project conditioning and proper tree protection plans for each project.

Response to Comment 24-61: The project assumptions include: removal of all but one of the 12 contributor structures within the project area, 246 4th Street; relocation of a Merit Resource at 232 3rd Street to 232 University Avenue; retention of a Merit Resource located at 337 B Street on site; retention of an structure considered eligible for designation as a Landmark on site, 301 B Street; and removal or relocation of a structure considered eligible for designation as a Merit Resource at 311 B Street. Please see Appendix D.7.

Removal of all of the Merit Resource, Landmarks, and contributing resources in the project area was addressed in the DEIR analysis in order to provide complete CEQA clearance as individual property owners may choose to request removal or relocation of the structures now proposed for retention/relocation as part of the “project.” If, with respect to a future project on a particular piece of property, assumed retention and/or relocation of a particular structure does not occur, this EIR will be relied upon to make subsequent overriding findings for that project. Please see also Response to Comment 10-1.

Property owner’s interested in redevelopment are waiting for adoption of revised zoning before proceeding with redevelopment plans. The determination of possible relocation sites for specific structures will need to be addressed as part of review of specific development applications and will be subject to review by the Historic Resources Management Commission and action by the Planning Commission. Costs and options available for relocation will depend on timing, the size and condition of specific structures, the interest property owners and the suitable configuration and setting of relocation sites. The City owned property at 3rd and J Street can be among relocation sites considered. The details of specific relocation options and costs and determination of adequacy of
relocation sites will need to be identified and evaluated during the application and review process for each development project.

The City does consider an historic impact fee [MM 4.3-9(c)] as feasible mitigation; however, it is acknowledged in the EIR on page 4.3-26 that implementation of such a fee would not be sufficient to reduce the impacts of the project as a whole to a less-than-significant level.

**Response to Comment 24-62:** The in-lieu fees referenced in relation to the alley mitigation are the in-lieu parking fees. Mitigation Measure 4.2-2(a) has been modified (see Chapter 2.0, EIR Text Changes).

**Response to Comment 24-63:** The property at 239 2nd Street was included in the project area because it is currently under the same ownership as the adjoining parcel at 255 2nd Street, and because the parking provided on the site was required as a condition of the Conditional Use Permit approved to expand the existing Baker’s Square Restaurant located at 255 2nd Street. It was included in the Study area because redevelopment of either 239 or 255 2nd Street would affect the other parcel.

**Response to Comment 24-64:** It is not clear what detail the commenter desires. Appendix 7.4 of the DEIR provides data by parcel as requested.
5.0 INDEX TO RESPONSES

The index below provides a general guide as to where more detailed discussions of specified topics can be found within the responses. This is provided as a convenience. Every response is not listed.

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Impact 4.2-1: The project will increase traffic volumes at the intersections in the study area, but will not cause an unacceptable LOS at any of the intersections studied.

LS = Less Than Significant  PS = Potentially Significant  PSU = Potentially Significant Unavoidable  S = Significant  SU = Significant Unavoidable
<p>| Impact 4.2-2: The project may increase traffic volumes along the alley to levels requiring modification of the existing alley improvements to adequately accommodate passing vehicles and vehicle maneuvers. | S | Mitigation Measure 4.2-2(a): Whether or not the proposed in-lieu parking fee program option is extended to the project area, the existing alley right-of-way (ROW) within the project area will be expanded to 20 feet along the east side of the alley, between 2nd Street and 4th Street, with the exception of 246 4th Street. The ROW will be obtained as properties within the project area are developed or by acquisition as necessary. As individual properties within the project area redevelop, interim improvements to the alley may be required of the project proponent by the City, to address safety and/or design issues (e.g. primarily [but not limited to] improvements to create safe clear areas on either side of the existing pavement; and pavement repairs). Counts of average daily travel (ADT) along the alley will be taken approximately six months after the completion of redevelopment that substantially increases the intensity of use for any individual parcel(s) within the project area. When an ADT threshold of 400 vehicles is exceeded on either “street-to-street” segment (e.g. 2nd Street to 3rd Street section or 3rd Street to 4th Street section) the City will implement the requirement to improve that entire alley segment to the ultimate cross-section described below. If all ROW necessary to install the full cross-section improvement has not been dedicated or otherwise acquired, available ROW sufficient to install the improvements will acquired at that time. The ultimate alley cross-section will consist of 20 feet comprised of a full 16-foot paved section with 2-feet of clear area on either side. As directed by the City Engineer, alley design will address (among other things) underground infrastructure improvements, above ground utility placement, drainage, pavement edge treatment, | LS |</p>
<table>
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<th>Impact 4.2-3: The proposed project will increase transit use in the project area, but will not cause current transit routes to exceed capacity.</th>
<th>LS</th>
<th>Mitigation Measure: None required.</th>
<th>LS</th>
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<td>Impact 4.2-4: The proposed project would increase pedestrian and bicycle usage of alleys, creating the potential for conflict with vehicles using the alleys.</td>
<td>LS</td>
<td>Mitigation Measure: None required.</td>
<td>LS</td>
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<td>Impact 4.2-5: The parking demand generated by the new development proposed by the project may exceed the parking spaces provided by those developments.</td>
<td>S</td>
<td>Mitigation Measure 4.2-5: Consistent with the CASP policies and the Traditional Davis Downtown and Residential Design Guidelines, the City shall use any in-lieu fees collected from new developments in the project area to fund some or all of the following efforts aimed at serving the travel demand in the project area while minimizing parking on-site or on adjacent neighborhood streets: 1. Coordinate with UC Davis staff to provide parking on campus for any project developments that will house University functions. 2. Provide a local car-share program, in conjunction with the University, the Yolo TMA, and other interested agencies, to reduce the need for individual car ownership by project residents and residents of the greater project vicinity. 3. Consider Redevelopment Agency participation in combination with in-lieu fees to develop a consolidated parking facility. 4. Consider creating a new Central Park parking district that could provide parking in a series of smaller lots or in a centralized parking structure or lot at a location such as the new School District</td>
<td>SU</td>
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**Legend:**
- LS = Less Than Significant
- PS = Potentially Significant
- PSU = Potentially Significant Unavoidable
- S = Significant
- SU = Significant Unavoidable
5. Consider reducing parking time limits and the installing parking meters on 3rd Street to maximize the use of on-street parking for commercial uses.
6. Work with the University to prepare a joint transportation and parking study for the neighborhood west of the campus, potentially including the entire Core Area.
7. Encourage provision of required parking on-site for all commercial and residential uses, including consideration of new parking arrangements such as mechanically supported stacked parking, tandem parking, and electric car vehicle spaces/hookups through the design review process.
8. Pursue a new shuttle system between the University and Downtown serving the 3rd Street Corridor area.

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<th>Impact 4.2-6: The project will add to the cumulative traffic growth at intersections in the area, but will not cause an unacceptable LOS or trigger signal warrant at any of the intersections studied.</th>
<th>LS</th>
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### 4.3 Historic Resources

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<td>Impact 4.3-2: The project may result in additions or alterations resulting in a substantial adverse change to the physical characteristics of an individual resource designated or eligible to be designated locally as a Landmark that</td>
<td>S</td>
<td>Mitigation Measure 4.3-2(a): Any modifications to a designated Landmark shall be developed and maintained in accordance “The Secretary of Interior’s Standards for the Treatment of Historic Properties, with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings.” This requirement would be applied at</td>
<td>LS</td>
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would result in loss of its Landmark status.

| Impact 4.3.3: The project may result in demolition or relocation of an individual resource designated or eligible to be designated locally as a Merit Resource that is considered to have high local historic value and integrity in both the structure and context of its immediate surroundings. | S | Mitigation Measure 4.3-3(a): Retain the structure at 337 B Street on site, or relocate to another site that allows the resource to retain its historic character defining features, setting and environment.  
Mitigation Measure 4.3-3(b): Retain the structure at 311 B Street on site or relocate to another site that allows the resource to retain its historic character defining features, setting and environment.  
Mitigation Measure 4.3-3(c): Retain the structure at 232 3rd Street on site or relocate to another site that allows the resource to retain its historic, character defining features, setting, and environment. | LS (SU if not retained) |
<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>Impact 4.3-4: The project may result in substantial alteration of an individual resource designated or eligible to be designated locally as a Merit Resource, considered to have high local historic value and integrity in both the structure and context of its immediate surroundings, that may result in loss of its Merit Resource status.</td>
<td>S</td>
<td>Mitigation Measure 4.3-4(a): Any modifications to a designated Merit Resource shall be developed and maintained in accordance “The Secretary of Interior’s Standards for the Treatment of Historic Properties, with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings.” This requirement would be applied at the time of request for development approval.</td>
<td>LS</td>
</tr>
<tr>
<td>Impact 4.3-5: The project may result in the demolition or relocation of an individual pre-1945 Contributor resource not eligible for designation as a local Merit Resource or Landmark.</td>
<td>LS</td>
<td>Mitigation Measure: None required.</td>
<td>LS</td>
</tr>
<tr>
<td>Impact 4.3-6: The project may result in the substantial alteration of an individual pre-1945 Contributor not eligible for designation as a local Merit Resource or Landmark that may adjoin and have a potential adverse impact on the historic setting of a local Merit Resource or Landmark site.</td>
<td>LS</td>
<td>Mitigation Measure: None required.</td>
<td>LS</td>
</tr>
<tr>
<td>Impact 4.3-7: The project may result in demolition or relocation of a group of pre-1945 Contributor structures that may adversely impact the integrity of the historic setting of a designated Merit Resource or Landmark.</td>
<td>S</td>
<td>Mitigation Measure 4.3-7(a): Pursue relocation of the five contributor structures identified as a high priority for relocation to other appropriate sites within a traditional residential neighborhood located with the Conservation District.</td>
<td>SU</td>
</tr>
<tr>
<td>Impact 4.3-8: The project may result in substantial alteration of a group of pre-1945 Contributor structures that may adversely impact the integrity of the historic setting of a designated Merit Resource or Landmark.</td>
<td>LS</td>
<td>Mitigation Measure: None required.</td>
<td>LS</td>
</tr>
</tbody>
</table>
| Impact 4.3-9: The project will result in a cumulative substantial change to the physical characteristics of a portion of the Davis Downtown and Traditional Residential Neighborhood Conservation District that will adversely affect the integrity of the historic setting of this portion of the district. | S | Mitigation Measure 4.3-9(a): All new development within the Conservation District will be subject to design review according to the adopted design guidelines for the Conservation District. All new development on eligible or designated historic resource sites or within 300 feet of such sites will also be reviewed by the Historic Resources Management Commission pursuant to Zoning Code Section 40.23.050 (i).

Mitigation Measure 4.3-9(b): Implement Mitigation Measure 4.4-5a.

Mitigation 4.3-9(c): Consider establishment of a Historic Impact Mitigation fee as compensation for demolition of designated historic resources or pre-1945 contributor structures with high integrity. Fees collected would be used for efforts or projects considered to strengthen the historic integrity of the Conservation District as a whole, such as: to facilitate relocation of historic structures to suitable sites; for purchase of historic properties and/or relocation sites; payment of full or partial relocation and rehabilitation costs; restoration or repair of historic resources; and payment for historic research and surveys. The use of historic mitigation fees to reimburse the Agency for the 3rd and J Street site or to contribute to purchase of another site shall be considered. | SU |

| Impact 4.3-10: Removal of a group of contributing structures will remove the potential for the project area to be designated or listed as a historic district, or as a portion of a historic district. | S | Mitigation Measure: None available. | SU |

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PS = Potentially Significant  
PSU = Potentially Significant Unavoidable  
S = Significant  
SU = Significant Unavoidable

City of Davis  
May 2007
### 4.4 Land Use and Aesthetics

<table>
<thead>
<tr>
<th>Impact 4.4-1: The project requires amendments to various adopted plans.</th>
<th>LS</th>
<th>Mitigation Measure: None required.</th>
<th>LS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Impact 4.4-2: The project requires amendments to various adopted regulations.</td>
<td>LS</td>
<td>Mitigation Measure: None required.</td>
<td>LS</td>
</tr>
<tr>
<td>Impact 4.4-3: Implementation of the project would result in changes in land use within the project area.</td>
<td>LS</td>
<td>Mitigation Measure: None required.</td>
<td>LS</td>
</tr>
<tr>
<td>Impact 4.4-4: Implementation of the project would result in increased density and intensity of development within the project area.</td>
<td>S</td>
<td>Mitigation Measure: None available.</td>
<td>SU</td>
</tr>
<tr>
<td>Impact 4.4-5: Implementation of the project would result in a change in the existing visual character and quality within and adjoining the project area.</td>
<td>S</td>
<td>Mitigation Measure 4.4-5(a): The following items shall be incorporated into the design review for individual projects that move forward consistent with the Visioning Process:</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>1) Proposed massing, modulation, and setbacks shall be reviewed on a project basis with the goal of minimizing the appearance of bulk and mass of the new structures and impacts to sunlight and privacy on neighboring lots to the extent feasible;</td>
<td></td>
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<tr>
<td></td>
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<td>2) An arborist report prepared by a qualified arborist documenting the location, species, size, and condition of trees on-site, accompanied with a mitigation plan for removal of any site trees, and plan to protect trees during construction activities, consistent with the provisions of the City’s Tree Planting, Preservation and Protection Ordinance.</td>
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<td></td>
<td></td>
<td>3) Replacement trees shall be approved species that have majestic canopies as maturity occurs and that can grow and mature successfully in the specific locations identified with minimized concerns regarding impacts to structures and foundations, and maintenance;</td>
<td>SU</td>
</tr>
</tbody>
</table>

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**S** = Significant  
**SU** = Significant Unavoidable
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</thead>
<tbody>
<tr>
<td>4) A pattern of evenly spaced street trees of the same or alternating canopy species shall be reinstated as trees are replaced, with the goal of replicating the sidewalk environment typical to the traditional shaded neighborhood streets;</td>
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<tr>
<td>5) Design shall reflect the “traditional neighborhood feel” of the area. Site design, architecture, and materials of new development shall be reviewed to assure sustainability, high quality, and timelessness of their design and construction to enhance the visual quality of the street. Proposed building designs and elevations shall be reviewed for compatibility with existing development. Character defining features of the project area should be identified and used to direct new design as far as material, form and scale.</td>
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<tr>
<td>6) Window placement and glazing shall be reviewed to minimize privacy impacts on adjoining properties, particularly those outside of but adjoining the project area. Proposed yard treatment shall be reviewed with the goal of minimizing impermeable yard coverage – e.g. permeable treatments of yard space shall be encouraged over non-permeable;</td>
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<tr>
<td>7) Improvements to the pedestrian and public environment including sidewalks, landscape strips/tree grates, lighting, curb/gutter reconstruction, and alley improvements can enhance the aesthetic quality and function of the pedestrian environment within the project area. These improvements shall be completed as soon as possible as one cohesive, singular public project that allows for the pedestrian framework to be in place early and avoids piecemeal completion of these improvements as would occur if each property owner was responsible</td>
<td></td>
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</tbody>
</table>
4.5 Noise

<table>
<thead>
<tr>
<th>Impact 4.5-1: The proposed project would result in an increase in traffic noise levels at existing noise-sensitive uses in the project vicinity.</th>
<th>LS</th>
<th>Mitigation Measure: None required.</th>
<th>LS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Impact 4.5-2: The proposed project could expose new residences to traffic noise levels that exceed the City of Davis exterior and interior noise level standards.</td>
<td>S</td>
<td>Mitigation Measure 4.5-2(a): The following noise attenuation measures are required for all new construction/development in the project area:</td>
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<tr>
<td></td>
<td></td>
<td>1) All windows and sliding glass doors should be weather stripped or mounted in low air-infiltration design frames meeting ANSI air infiltration standards. Standard energy-conserving building practices will satisfy this requirement.</td>
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<tr>
<td></td>
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<td>2) Noise insulation features shall be incorporated into building construction and site improvement as may be necessary to ensure interior noise levels no greater than 45 dBA for residential and 55 for non-residential space.</td>
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</tr>
<tr>
<td></td>
<td></td>
<td>Mitigation Measure 4.5-2(b): Reduce exposure to exterior noise levels through site design, building placement and interior building layout where feasible.</td>
<td></td>
</tr>
<tr>
<td>Impact 4.5-3: The proposed project could expose new noise-sensitive uses to noise levels from stationary noise sources that could exceed the Davis City Code exterior noise level standards.</td>
<td>PS</td>
<td>Mitigation Measure 4.5-3(a) – Owners and tenants of new residential units within the project area shall be informed that special events at Toomey Field and/or Central Park may generate noise levels which vary and may approach or exceed the City’s noise ordinance standards.</td>
<td>PSU</td>
</tr>
</tbody>
</table>
| Impact 4.5-4: The proposed project would create new commercial, office and residential uses which would contribute to ambient noise levels. | S | Mitigation Measure 4.5-4(a): Applicants for commercial projects within the project area shall be required to ensure that feasible and reasonable noise control measures are incorporated into the project design so as to mitigate noise impacts on adjoining residential uses. Such noise control measures may include, but not be limited to, use of noise barriers, site-redesign, silencers, partial or complete enclosures of noisy equipment, etc.  
Mitigation Measure 4.5-4(b): HVAC equipment for commercial uses within the project area shall be placed as far as feasible from residential uses and shall be located within mechanical rooms where possible or screened from view through the use of building parapets or other solid noise barriers/enclosures.  
Mitigation Measure 4.5-4(c): Commercial parking lots shall be shielded from the residential uses through the use of intervening structures or solid noise barriers. | LS |
| Impact 4.5-5: Activities associated with construction could result in elevated noise levels at existing noise-sensitive uses. | LS | Mitigation Measure: None required. | LS |

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## Initial Study

### Cultural Resources

**IS-1:** If subsurface paleontological, archaeological or historical resources or remains, including unusual amount of bones, stones, shells or pottery shards are discovered during excavation or construction of the site, work shall stop immediately and a qualified archaeologist and a representative of the Native American Heritage Commission shall be consulted to develop, if necessary, further measures to reduce any cultural resource impact before construction continues.

- **Condition:** During all periods of subsurface disturbance (including during grading, construction of infrastructure, and construction of each building)
- **Implementation:** Planning; Building Inspection; Public Works; Yolo County Coroner; NAHC
- **Timing/Responsibility for Oversight:** If human remains are found, all grading and activity in the immediate area shall cease, the find shall be left in place, and the applicant shall immediately notify the Yolo County Coroner at (530) 666-8282 and the Community Development Department at (530) 757-5610 to assess the find and determine how to proceed. If the remains are found to be of Native American descent, the Native American Heritage Commission shall also be notified at (916) 653-4082, pursuant to the terms of the measure.
- **Implementation of Mitigation Measure:** If other archeological or cultural resources are found, all grading and activity in the immediate area shall cease, the finds shall be left in place, and the project archeologist and the Community Development Department shall be contacted to assess the find and determine how to proceed.
- **Responsible for Implementation:** Property owners; developers; builders

**IS-2:** Property owners shall arrange for a qualified archeologist acceptable to the Community Development Department to be on the site during all periods of subsurface disturbance.

- **Condition:** During all periods of subsurface disturbance (including during grading, construction of infrastructure, and construction of each building)
- **Implementation:** Planning
- **Timing/Responsibility for Oversight:** During grading, construction of infrastructure, and construction of each building a qualified archeologist would need to be present. In order to implement this, City sign-off on qualifications and an executed contract with the professional will need to be in place prior to commencement of site disturbance aspects of any given project in the project area.
- **Implementation of Mitigation Measure:** During grading, construction of infrastructure, and construction of each building a qualified archeologist would need to be present. In order to implement this, City sign-off on qualifications and an executed contract with the professional will need to be in place prior to commencement of site disturbance aspects of any given project in the project area.
- **Responsible for Implementation:** Property owners; developers; builders

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**USFWS = US Fish and Wildlife Service**  
**SYMVCD = Sacramento-Yolo Mosquito Vector Control District**
### 4.2 Circulation and Parking

<table>
<thead>
<tr>
<th>Impact</th>
<th>Mitigation Measure</th>
<th>N/A</th>
<th>N/A</th>
<th>N/A</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Impact 4.2-1: The project will increase traffic volumes at the intersections in the study area, but will not cause an unacceptable LOS at any of the intersections studied.</td>
<td>Mitigation Measure: None required.</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Impact 4.2-2: The project may increase traffic volumes along the alley to levels requiring modification of the existing alley improvements to adequately accommodate passing vehicles and vehicle maneuvers.</td>
<td>Mitigation Measure 4.2-2(a): Whether or not the proposed in-lieu parking fee program option is extended to the project area, the existing alley right-of-way (ROW) within the project area will be expanded to 20 feet along the east side of the alley, between 2nd Street and 4th Street, with the exception of 246 4th Street. The ROW will be obtained as properties within the project area are developed or by acquisition as necessary. As individual properties within the project area redevelop, interim improvements to the alley may be required of the project proponent by the City, to address safety and/or design issues (e.g. primarily but not limited to) improvements to create safe clear areas on either side of the existing pavement; and pavement repairs). Counts of average daily travel (ADT) along the alley will be taken approximately six months after the completion of redevelopment that substantially increases the intensity of use for any individual parcel(s) within the project area. When an ADT threshold of 400 vehicles is exceeded on either “street-to-street” segment (e.g. 2nd Street to 3rd Street section or 3rd Street to 4th Street section) the City will implement the requirement to improve that entire alley segment to the ultimate cross-section described below. If all ROW necessary to install the full cross-section improvement has not been dedicated or otherwise acquired, available ROW sufficient to install the improvements will acquired at that time. The ultimate alley cross-section will consist of 20 feet comprised of a full 16-foot paved section with 2-feet of clear area on either side. As directed by the City Engineer, alley design will address (among other things) underground infrastructure improvements, above ground utility placement, drainage, pavement edge treatment, clear signage and/or striping, and access points for on-site parking. As directed by the City Engineer, alley design will avoid mature trees and other physical features (e.g. landscape islands, fences, stairwell at 217 B Street, etc.) where practicable.</td>
<td>As each property develops or earlier if needed. See terms of the mitigation.</td>
<td>Planning; Public Works</td>
<td>As a part of the application review for individual projects within the project area, the terms of the mitigation will be implemented.</td>
<td>Property owners; developers; builders (ROW and interim improvements); Public Works (ultimate improvements)</td>
</tr>
<tr>
<td>Impact 4.2-3: The proposed project will increase transit use in the project area, but will not cause current transit routes to exceed capacity.</td>
<td>Mitigation Measure: None required.</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Impact 4.2-4: The proposed project would increase pedestrian and bicycle usage of alleys, creating the potential for conflict with vehicles using the alleys.</td>
<td>Mitigation Measure: None required.</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Impact 4.2-5: The parking demand generated by the new development proposed by the project may exceed the parking spaces provided by those developments.</td>
<td>Mitigation Measure 4.2-5: Consistent with the CASP policies and the Traditional Davis Downtown and Residential Design Guidelines, the City shall use any in-lieu fees collected from new developments in the project area to fund some or all of the following efforts aimed at serving the travel demand in the project area while minimizing parking on-site or on adjacent neighborhood streets:</td>
<td>In-lieu fees must be paid prior to occupancy of new development</td>
<td>Planning; Building Inspection</td>
<td>Payment of in-lieu parking fees is required prior to occupancy of the new development. The City must use the fees to mitigate parking impacts either by addressing demand or supply. City staff shall coordinate with appropriate parties as indicated in each item of this measure, and shall undertake an assessment of the feasibility of each individual measure – including what can and should be done to implement the measure. City staff shall report back to Council regarding progress on each item.</td>
<td>Property owners; developers; builders (payment of fees); Public Works (expenditure on identified items)</td>
</tr>
</tbody>
</table>

1. Coordinate with UC Davis staff to provide parking on campus for any project developments that will house University functions.

2. Provide a local car-share program, in conjunction with the University, the Yolo TMA, and other interested agencies, to reduce the need for individual car ownership by project residents and residents of the greater project vicinity.

3. Consider Redevelopment Agency participation in combination with in-lieu fees to develop a consolidated parking facility.

4. Consider creating a new Central Park parking district that could provide parking in a series of smaller lots or in a centralized parking structure or lot at a location such as the new School District site at the north end of Central Park.

5. Consider reducing parking time limits and the installing parking meters on 3rd Street to maximize the use of on-street parking for commercial uses.

6. Work with the University to prepare a joint transportation and parking study for the neighborhood west of the campus, potentially including the entire Core Area.

7. Encourage provision of required parking on-site for all commercial and residential uses, including consideration of new parking arrangements such as mechanically.

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SYMVC = Sacramento-Yolo Mosquito Vector Control District
supported stacked parking, tandem parking, and electric car vehicle spaces/hookups through the design review process.

8. Pursue a new shuttle system between the University and Downtown serving the 3rd Street Corridor area.

**Impact 4.2-6:** The project will add to the cumulative traffic growth at intersections in the area, but will not cause an unacceptable LOS or trigger signal warrant at any of the intersections studied.  

Mitigation Measure: None required.

<table>
<thead>
<tr>
<th>Impact</th>
<th>Description</th>
<th>Mitigation Measure</th>
<th>Timeline</th>
<th>Planning</th>
<th>Property Owners</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.3 Historic Resources</td>
<td>Impact 4.3-1: Future redevelopment may result in demolition or relocation of an individual resource designated or eligible to be designated locally as a Landmark.</td>
<td>Mitigation Measure 4.3-1(a): Retain the existing structure at 301 B Street on-site.</td>
<td>Ongoing</td>
<td>Planning</td>
<td>Property owners; developers; builders</td>
</tr>
<tr>
<td></td>
<td>Impact 4.3-2: The project may result in additions or alterations resulting in a substantial adverse change to the physical characteristics of an individual resource designated or eligible to be designated locally as a Landmark that would result in loss of its Landmark status.</td>
<td>Mitigation Measure 4.3-2(a): Any modifications to a designated Landmark shall be developed and maintained in accordance “The Secretary of Interior’s Standards for the Treatment of Historic Properties, with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings.” This requirement would be applied at the time of request for development approval.</td>
<td>Ongoing</td>
<td>Planning</td>
<td>Property owners; developers; builders</td>
</tr>
<tr>
<td></td>
<td>Impact 4.3-3: The project may result in demolition or relocation of an individual resource designated or eligible to be designated locally as a Merit Resource that is considered to have high local historic value and integrity in both the structure and context of its immediate surroundings.</td>
<td>Mitigation Measure 4.3-3(a): Retain the structure at 337 B Street on site, or relocate to another site that allows the resource to retain its historic character defining features, setting and environment. Mitigation Measure 4.3-3(b): Retain the structure at 311 B Street on site or relocate to another site that allows the resource to retain its historic character defining features, setting and environment.</td>
<td>Ongoing</td>
<td>Planning</td>
<td>Property owners; developers; builders</td>
</tr>
<tr>
<td>Impact 4.3-3:</td>
<td>Mitigation Measure 4.3-3(c): Retain the structure at 232 3rd Street on site or relocate to another site that allows the resource to retain its historic, character defining features, setting, and environment.</td>
<td>Resource. The mitigation requires preservation (on-site or relocation) which reduces impact to a less-than-significant level. Should any one of these structures ultimately be demolished, this impact would remain significant and unavoidable for that structure and new CEQA findings would need to be made by the City Council.</td>
<td>City of Davis</td>
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<tr>
<td>Impact 4.3-4:</td>
<td>Mitigation Measure 4.3-4(a): Any modifications to a designated Merit Resource shall be developed and maintained in accordance &quot;The Secretary of Interior’s Standards for the Treatment of Historic Properties, with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings.&quot; This requirement would be applied at the time of request for development approval.</td>
<td>Ongoing Planning</td>
<td>Property owners; developers; builders</td>
<td></td>
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<tr>
<td>Impact 4.3-5:</td>
<td>Mitigation Measure: None required.</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
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</tr>
<tr>
<td>Impact 4.3-6:</td>
<td>Mitigation Measure: None required.</td>
<td>N/A</td>
<td>N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Impact 4.3-7:</td>
<td>Mitigation Measure 4.3-7(a): Pursue relocation of the five contributor structures identified as a high priority for relocation to other appropriate sites within a traditional residential neighborhood located with the Conservation District.</td>
<td>Ongoing Planning</td>
<td>Property owners; developers; builders</td>
<td></td>
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<tr>
<td>Impact 4.3-8:</td>
<td>Mitigation Measure: None required.</td>
<td>N/A</td>
<td>N/A</td>
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USFWS = US Fish and Wildlife Service  
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### Impact 4.3-9: The project will result in a cumulative substantial change to the physical characteristics of a portion of the Davis Downtown and Traditional Residential Neighborhood Conservation District that will adversely affect the integrity of the historic setting of this portion of the district.

Mitigation Measure 4.3-9(a): All new development within the Conservation District will be subject to design review according to the adopted design guidelines for the Conservation District. All new development on eligible or designated historic resource sites or within 300 feet of such sites will also be reviewed by the Historic Resources Management Commission pursuant to Zoning Code Section 40.23.050 (i).

Mitigation Measure 4.3-9(b): Implement Mitigation Measure 4.4-5a.

Mitigation 4.3-9(c): Consider establishment of a Historic Impact Mitigation fee as compensation for demolition of designated historic resources or pre-1945 contributor structures with high integrity. Fees collected would be used for efforts or projects considered to strengthen the historic integrity of the Conservation District as a whole, such as: to facilitate relocation of historic structures to suitable sites; for purchase of historic properties and/or relocation sites; payment of full or partial relocation and rehabilitation costs; restoration or repair of historic resources; and payment for historic research and surveys. The use of historic mitigation fees to reimburse the Agency for the 3rd and J Street site or to contribute to purchase of another site shall be considered.

Mitigation Measure: None available.

<table>
<thead>
<tr>
<th>Impact 4.3-10: Removal of a group of contributing structures will remove the potential for the project area to be designated or listed as a historic district, or as a portion of a historic district.</th>
<th>Ongoing</th>
<th>Planning; HRMO</th>
<th>Applies to all development within the project area that falls within the Conservation District and all new development on or within 300 feet of designated or eligible Landmark, Merit, or Contributing structures. Implementation per the terms of the measure.</th>
<th>Property owners; developers; builders</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mitigation Measure: None available.</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>
### 4.4 Land Use and Aesthetics

| Impact 4.4-1: The project requires amendments to various adopted plans. | Mitigation Measure: None required. | N/A | N/A | N/A | N/A | N/A |
| Impact 4.4-2: The project requires amendments to various adopted regulations. | Mitigation Measure: None required. | N/A | N/A | N/A | N/A | N/A |
| Impact 4.4-3: Implementation of the project would result in changes in land use within the project area. | Mitigation Measure: None required. | N/A | N/A | N/A | N/A | N/A |
| Impact 4.4-4: Implementation of the project would result in increased density and intensity of development within the project area. | Mitigation Measure: None available. | N/A | N/A | N/A | N/A | N/A |
| Impact 4.4-5: Implementation of the project would result in a change in the existing visual character and quality within and adjoining the project area. | Mitigation Measure 4.4-5(a): The following items shall be incorporated into the design review for individual projects that move forward consistent with the Visioning Process: 1) Proposed massing, modulation, and setbacks shall be reviewed on a project basis with the goal of minimizing the appearance of bulk and mass of the new structures and impacts to sunlight and privacy on neighboring lots to the extent feasible; 2) An arborist report prepared by a qualified arborist documenting the location, species, size, and condition of trees on-site, accompanied with a mitigation plan for removal of any site trees, and plan to protect trees during construction activities, consistent with the provisions of the City’s Tree Planting, Preservation and Protection Ordinance. 3) Replacement trees shall be approved species that have majestic canopies as maturity occurs and that can grow and mature successfully in the specific locations identified with minimized concerns regarding impacts to structures and foundations, and maintenance; 4) A pattern of evenly spaced street trees of the same or alternating canopy species shall be reinstated as trees are replaced, with the goal of replicating the sidewalk environment typical to the traditional shaded neighborhood streets; 5) Design shall reflect the “traditional neighborhood feel” of the area, site design, architecture, and materials of Ongoing as a part of any Design Review Planning The City shall incorporate the 7 identified items into design review undertaken within the project area. Property owners; developers; builders |

City of Davis
May 2007

B and 3rd Streets Visioning Process
Mitigation Monitoring Plan
new development shall be reviewed to assure sustainability, high quality, and timelessness of their design and construction to enhance the visual quality of the street. Proposed building designs and elevations shall be reviewed for compatibility with existing development. Character defining features of the project area should be identified and used to direct new design as far as material, form and scale.

6) Window placement and glazing shall be reviewed to minimize privacy impacts on adjoining properties, particularly those outside of but adjoining the project area. Proposed yard treatment shall be reviewed with the goal of minimizing impermeable yard coverage – e.g. permeable treatments of yard space shall be encouraged over non-permeable;

7) Improvements to the pedestrian and public environment including sidewalks, landscape strips/tree grates, lighting, curb/gutter reconstruction, and alley improvements can enhance the aesthetic quality and function of the pedestrian environment within the project area. These improvements shall be completed as soon as possible as one cohesive, singular public project that allows for the pedestrian framework to be in place early and avoids piecemeal completion of these improvements as would occur if each property owner was responsible based on their own investment timetable. If phasing of these improvements is necessary, the phasing shall be minimized to the greatest feasible extent.

<table>
<thead>
<tr>
<th>4.5 Noise</th>
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<tbody>
<tr>
<td>Impact 4.5-1: The proposed project would result in an increase in traffic noise levels at existing noise-sensitive uses in the project vicinity. Mitigation Measure: None required.</td>
</tr>
<tr>
<td>Impact 4.5-2: The proposed project could expose new residences to traffic noise levels that exceed the City of Davis exterior and interior noise level standards. Mitigation Measure 4.5-2(a): The following noise attenuation measures are required for all new construction/development in the project area: 1) All windows and sliding glass doors should be weather stripped or mounted in low air-infiltration design frames meeting ANSI air infiltration standards. Standard energy-conserving building practices will satisfy this requirement. 2) Noise insulation features shall be incorporated into All window and sliding glass doors should be weather stripped or mounted in low air-infiltration design frames meeting ANSI air infiltration standards. Standard energy-conserving building practices will satisfy this requirement.</td>
</tr>
</tbody>
</table>

BD = Building Department  
CDD = Community Development Department  
PWD = Public Works Department  
YCTD = Yolo County Transportation District  
USACOE = US Army Corps of Engineers  
DFG = California Department of Fish and Game  
USFWS = US Fish and Wildlife Service  
SYMVCD = Sacramento-Yolo Mosquito Vector Control District
| Impact 4.5-3: The proposed project could expose new noise-sensitive uses to noise levels from stationary noise sources that could exceed the Davis City Code exterior noise level standards. | Mitigation Measure 4.5-3(a) – Owners and tenants of new residential units within the project area shall be informed that special events at Toomey Field and/or Central Park may generate noise levels which vary and may approach or exceed the City’s noise ordinance standards. | Ongoing Planning; City Attorney | Through deed, escrow, or lease/rental disclosures subject to approval by the City Community Development Director or City Attorney. | Property owners; developers; builders |
| Mitigation Measure 4.5-3(b): Reduce exposure to exterior noise levels through site design, building placement and interior building layout where feasible. | | | |
| Mitigation Measure 4.5-2(b): Reduce exposure to exterior noise levels through site design, building placement and interior building layout where feasible. | Mitigation Measure 4.5-2(b): Reduce exposure to exterior noise levels through site design, building placement and interior building layout where feasible. | N/A | N/A | N/A |
| Impact 4.5-4: The proposed project would create new commercial, office and residential uses which would contribute to ambient noise levels. | Mitigation Measure 4.5-4(a): Applicants for commercial projects within the project area shall be required to ensure that feasible and reasonable noise control measures are incorporated into the project design so as to mitigate noise impacts on adjoining residential uses. Such noise control measures may include, but not be limited to, use of noise barriers, site-redesign, silencers, partial or complete enclosures of noisy equipment, etc. Mitigation Measure 4.5-4(b): HVAC equipment for commercial uses within the project area shall be placed as far as feasible from residential uses and shall be located within mechanical rooms where possible or screened from view through the use of building parapets or other solid noise barriers/enclosures. Mitigation Measure 4.5-4(c): Commercial parking lots shall be shielded from the residential uses through the use of intervening structures or solid noise barriers. | Ongoing Planning; City Attorney | Shall apply to all commercial projects as specified. Acoustical analysis may be required on a project-by-project basis. | Property owners; developers; builders |
| Impact 4.5-5: Activities associated with construction could result in elevated noise levels at existing noise-sensitive uses. | Mitigation Measure: None required. | N/A | N/A | N/A |
The California Environmental Quality Act requires public agencies to report on and monitor measures adopted as part of the environmental review process (Section 21081.6, Public Resources Code [PRC]; Section 15097 of the CEQA Guidelines). This Mitigation Monitoring Plan (MMP) is designed to ensure that the measures identified in the Environmental Impact Report, as adopted by the City Council, are fully implemented. The MMP describes the actions that must take place as a part of each measure, the timing of these actions, the entity responsible for implementation, and the agency responsible for enforcing each action.

The City has the ultimate responsibility to oversee implementation of this Plan. The Community Development Director serves as the Project Monitor responsible for assigning monitoring actions to responsible agencies. Unless otherwise stated herein, the Project Monitor is responsible for tracking the overall progress towards and implementation of each action.

As required by Section 21081.6 of the PRC, the Davis Community Development Department is the “custodian of documents and other material” which constitute the “record of proceedings” upon which a decision to approve the proposed project was based. Inquiries should be directed to:

   Community Development Director  
   City of Davis  
   530-757-5610

The location of this information is:

   Davis City Hall  
   Community Development Department  
   23 Russell Boulevard  
   Davis, California  95616

In order to assist implementation of the mitigation measures, the MMP includes the following information:

Mitigation Measure: The mitigation measures are taken verbatim from the FEIR or as ultimately adopted by the City Council.

Timing/Milestone: This section specifies the point by which the measure must be completed. Each action must take place during or prior to some part of the project development or approval.

Responsibility for Oversight: The City has responsibility for implementation of most mitigation measures. This section indicates which entity will oversee implementation of the measure, conduct the actual monitoring and reporting, and take corrective actions when a measure has not been properly implemented.

Implementation of Mitigation Measure: This section identifies how actions will be implemented and verified.

Responsibility for Implementation: This section identifies the entity that will undertake the required action.

Checkoff Date/Initials: This verifies that each mitigation measure has been implemented.
## Appendix C. 1
General Plan Map Amendment

<table>
<thead>
<tr>
<th>PAGE</th>
<th>PARAGRAPH/Figure</th>
<th>Type of Amendment</th>
<th>Proposed Revision</th>
</tr>
</thead>
<tbody>
<tr>
<td>A-1</td>
<td>Appendix A</td>
<td>Amended Core Area Specific Plan Land Use Map</td>
<td>Amended to reflect changes to land use designations for properties on the west side of B Street between 2\textsuperscript{nd} and 4\textsuperscript{th} Streets and on 3\textsuperscript{rd} Street between A and B Streets as shown on attached Exhibit A</td>
</tr>
</tbody>
</table>
Proposed Core Area Specific Plan
Land Use Designations

May 2007

Exhibit A

First Street Transitional District
University Avenue Residential Overlay District
B Street Transitional District
Parks and Plazas
Public/Semi-Public
Residential - Low Density
Retail with Offices
Retail Stores
Service Commercial

Transitional Boundary
Project Area
Core Area Specific Plan Boundary
### Appendix C.2
Core Area Specific Plan Text and Map Amendments

<table>
<thead>
<tr>
<th>PAGE</th>
<th>PARAGRAPH</th>
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</table>
| 10   | 2         | **Text Amendment**  
Add sentence at end of paragraph.  
The Core Area Specific Plan was amended in 2007 to reflect the intentions for development in portions of three special character areas as identified in the Downtown Davis and Traditional Residential Neighborhoods adopted in July of 2001 and amended in ______ of 2007. |
| 20   | 3         | **Text Amendment**  
Edit paragraph  
Add new paragraph  
The purposes of Planned Development District No. 2-86 B (the area bounded by A and B Streets and First and Fifth Streets) are to: stabilize and protect the residential character of the area while allowing limited commercial uses combined with higher residential densities along Third Street and portions of B Street; retain and renovate existing homes wherever possible outside of the B and 3rd Streets Visioning project boundary; and retain Landmark Trees, Trees Worth Saving, and all other significant trees whenever possible.  
Amendments to the zoning designations and development regulations for portions of PD 2-86 A located along 3rd Street and on the west side of B Street between 2nd and 4th Streets have been made to allow transition of these areas to more urban building forms and higher densities. |
| 26   | 2         | **Text Amendment**  
Edit document sentence 5  
Retail with offices is shown on several properties fronting the west side of B Street between Third Street and Fourth Street east of C Street, between First Street and Third Street east of B west of D Street and several the properties along both sides of Third Street between the Campus and B Street. |
| 26   | 8         | **Text Amendment**  
University Avenue-First Street Transitional District: Includes professional offices, single-family and combined residential/office uses. In this district, the residential scale and character of the University Avenue neighborhood shall be retained. It is a goal for this district that parking impacts be minimized. |
| 27   | 1         | **Text Amendment**  
Add new paragraph  
B Street Transitional District: intent to create mixed use urban village including higher density, compact/attached ownership residential units, live/work, and professional offices/services oriented to creative and other occupations generating low traffic generation and lower parking demand. Single family, two-family and duplexes may also be included. No new on-site parking will be allowed in front yards along B Street. Required parking shall be provided in the rear with access from the alley and shall be screened. |
| 27 | 3 | Text Amendment  
Add new paragraphs | Multifamily: Includes apartment, condominium, town house, *row house* and other development types with five or more units in a structure. Densities are limited to 10 to 15 units per gross acre except in that portion of the Core Area east of B Street where the maximum density is 30 units per net acre.

For multifamily uses (more than three units) in the area along 3rd Street between A Street and B Street, up to 30 units per net acre are allowed. On 3rd Street between the east side of University Avenue and west side of B Street and northwest corner of B and 2nd Streets, up to 40 units per net acre would be allowed for ownership units in mixed use projects.

For multifamily uses (more than three units) on the west side of B Street between 2nd and 4th Streets densities ranging from up to 24-26 units per net acre are allowed for town or row homes. On the west side of B Street between 2nd and 3rd Streets, residential ownership projects would be allowed up to 40 units per net acre and up to 50 units per net acre would be allowed for an ownership senior project.

| 27 | 7 | Text Amendment  
Add new paragraph | **Core Retail with Offices:** Mixed retail and office uses with retail uses dominant at ground floor level and offices encouraged as tenants for upper stories. Uses need not be mixed on individual parcels. Retail uses include stores, restaurants, cultural, entertainment, hotels and commercial recreation (such as recreation centers ad athletic clubs). Offices include business, professional, government and medical offices. Apartments may be included and are encouraged on upper stories. Single family, two-family and duplexes may also be included.

Total floor area in the Retail with Offices District located along 3rd Street between University Avenue and B streets and on the northwest corner of B and 2nd Streets are allowed a floor area ratio (FAR) of up to 2:1 maximum including bonus: commercial only 1:1; mixed use 1:1.5; 0.5 FAR bonus allowed for preservation of designated historic structure, underground parking or “Trees Worth Saving”; 0.2:1 FAR bonus for plaza or preservation of “Trees of Significance.” Parking structures are excluded from the calculations of floor area ratio.
<table>
<thead>
<tr>
<th>28</th>
<th>Fig. 9</th>
<th>Map Amendment</th>
</tr>
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</table>
| Amend Land Use Map (See Exhibit A)  
To reflect land use designation changes from Low Density Residential to Retail with Offices for properties at:  
235-239 3rd Street,  
232 University Ave.  
232-240 3rd Street,  
From University Avenue Transitional District to Retail with Offices for properties at:  
233 and 305 B Street  
To change name of “University Avenue Transitional District” to “First Street Transitional District”.  
To add new “B Street Transitional District”  
To change land use designation changes from University Avenue Transitional District to B Street Transitional District for properties along the west side of B Street Between 2nd to 4th Streets including  
239 2nd Street,  
217-229 B Street,  
311 to 337 B Street  
246 4th Street |

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<tr>
<th>35</th>
<th>1</th>
<th>Text Amendment</th>
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| **Implementation:**  
A. City Planning staff should encourage property owners to facilitate these new developments; Redevelopment Agency powers may be used in the case of the proposed Third Street development. By targeting the Third Street area for the development of a new retail cluster, assembly of parcels into major units by the Redevelopment Agency shall be avoided elsewhere in the Core.  
B. The area along Third Street shall be treated with sensitivity because of potential impacts on adjacent land uses. Development along this corridor shall be of an appropriate scale and character in relation to the surrounding and adjacent land uses. The design of projects in this area shall also be sensitive to the Core Area as a whole. Particular attention needs to be given to pedestrian, bicycle, and automobile circulation, and to parking. On-site parking facilities shall be incorporated into these projects consistent with the requirements and standards set forth in the Core Area Specific Plan (Figures 12 and 16), Design Guidelines and Zoning. |
| 48 | 5  | Text Amendment                                                                 | Policy: Improve pedestrian access between UC Davis and the Core Area.  
|    |    |                                                                                     | Explanation: Delivery trucks, parked cars, and circulating cars all impede pedestrian access along Third Street near University Avenue. Improving pedestrian access will provide an important link along Third Street between the University and the heart of the Core Area.  
|    |    |                                                                                     | Implementation: A. Existing bollards shall be maintained on Third Street to discourage through automobile circulation on Third Street and University Avenue while facilitating walking and biking between UC Davis and the Core Area.  
|    |    |                                                                                     | Implementation: B. Initiate a street improvement program for 3rd Street between A and B Streets including consideration of widening the sidewalk, installation of new street lighting, street furniture and tree grates, replacement of unhealthy trees, possible under grounding of utilities, enhanced pedestrian crosswalks and modification of street paving and design to formalize a multiple use street.  
| 79 | 5  | Text Amendment Insert new paragraph after “Existing Residential Neighborhoods” heading | Existing Residential Neighborhoods  
|    |    |                                                                                     | For development in designated Transitional and Mixed Use Districts refer to the Davis Downtown and Traditional Residential Design Guidelines, Mixed Use and Special Character District Sections.  
| 88 | 6  | Text Amendment Add New Implementation Tasks                                           | 18. Within _________ of adoption of the _______ Specific Plan Amendments, initiate a process to define elements of a Street Enhancement Program for 3rd Street and B Street rear alleys, including design elements, construction costs, funding mechanisms, cost sharing and implementation schedule.  
|    |    |                                                                                     | 19. Consider establishment of a Historic Impact Mitigation fee as compensation for demolition of designated historic resources or pre-1945 contributor structures with high integrity. Fees collected would be used for efforts or projects considered to strengthen the historic integrity of the Conservation District as a whole, such as: to facilitate relocation of historic structures to suitable sites; for purchase of historic properties and/or relocation sites; payment of full or partial relocation and rehabilitation costs; restoration or repair of historic resources; and payment for historic research and surveys. The use of historic mitigation
fees to reimburse the Redevelopment Agency for the 3rd and J Street, site or to contribute to purchase of another site shall be considered.

20. Consider establishment of a Cost Recovery Fee to recoup partial costs resulting from specific plan amendment process as part of development costs for development within the B and 3rd Streets Visioning Process Project Area.

21. Consistent with the CASP policies and the Davis Downtown and Traditional Residential Neighborhoods Design Guidelines, the City shall use any in-lieu parking fees collected from new developments in the project area to fund some or all of the following efforts aimed at serving the travel demand of new development sites while minimizing parking on-site or on adjacent neighborhood streets:

1. Coordinate with UC Davis staff to provide parking on campus for any project developments that will house University functions.
2. Provide a local car-share program, in conjunction with the University, the Yolo TMA, and other interested agencies, to reduce the need for individual car ownership by project residents and residents of the greater project vicinity.
3. Consider Redevelopment Agency participation in combination with in-lieu fees to develop a consolidated parking facility.
4. Consider creating a new Central Park parking district that could provide parking in a series of smaller lots or in a centralized parking structure or lot at a location such as a joint project at the School District site at the north end of the Park should redevelopment be proposed.
5. Consider reducing parking time limits and the installing parking meters on Third Street to maximize the use of on-street parking for commercial uses.

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<tbody>
<tr>
<td>110</td>
<td>Fig. 30</td>
<td>Map Amendment Pending</td>
<td>Figure 30 Designated Historical Resources – update map to add newly designated historical resources if any.</td>
</tr>
</tbody>
</table>
Exhibit A
Proposed Core Area Specific Plan
Land Use Designations
May 2007

- First Street Transitional District
- University Avenue Residential Overlay District
- B Street Transitional District
- Parks and Plazas
- Public/Semi-Public
- Residential - Low Density
- Retail with Offices
- Retail Stores
- Service Commercial

Transitional Boundary
Project Area
Core Area Specific Plan Boundary
Appendix C.3

ORDINANCE NO. ___

REZONING / PRELIMINARY AND FINAL
PLANNED DEVELOPMENT
UNIVERSITY AVENUE AND RICE LANE ZONING DISTRICT

AN ORDINANCE AMENDING CHAPTER 40 OF THE DAVIS MUNICIPAL CODE, 1971, AS AMENDED, REZONING PROPERTY LOCATED IN THE AREA GENERALLY BOUNDED BY RUSSELL BOULEVARD ON THE NORTH, FIRST STREET ON THE SOUTH, A STREET TO THE WEST AND B STREET TO THE EAST, FROM PLANNED DEVELOPMENT NO. PD #2-86A TO PLANNED DEVELOPMENT NO. PD #2-86AB.

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6. SUBAREA B, UNIVERSITY AVENUE RESIDENTIAL OVERLAY DISTRICT. 9
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12. FINDINGS AND EXCEPTIONS TO STANDARDS. 30
13. SPECIFIC PLAN REIMBURSEMENT FEE 31
14. OVERALL PROJECT FINDINGS. 31
15. EFFECTIVE DATE. 32

EXHIBITS:
A. Zoning Map and Preliminary Planned Development Subareas
B. Retail with Offices District Subarea D Special Height Restrictions
C. B Street Transitional District Subarea E Special Height Restrictions

THE CITY COUNCIL OF THE CITY OF DAVIS DOES HEREBY ORDAIN AS FOLLOWS:
SECTION 1: DESCRIPTION.

General Site Description: The neighborhood encompassed by the proposed planned development has unique characteristics resulting from its proximity to both downtown and the university. The internal areas are predominantly single-family residential in use and character, whereas the perimeter streets, while also residential in character and scale have a larger number of buildings adapted for institutional, fraternal and small-scale office or commercial uses.

While the neighborhood is identified as a unit, it is significantly affected by the streets that surround and bisect it. Boundary streets B and First Street are identified as major arterials in the General Plan. B Street forms the eastern boundary parallel to Central Park and carries significant traffic to and from the Downtown. Structures on B Street north of Third Street are smaller traditional residential structures, whereas, south of Third Street there is transition to mixed-use office, café commercial, postwar apartment buildings and two existing hotels. First Street is the southernmost roadway dividing the City and University and carries traffic in and out of the University, into downtown or south to Richards Boulevard. Structures in this area are residential with several converted to fraternal or office uses.

A Street, a designated collector, forms the western boundary and functions as the visible division between the university and the City to the west. One-way access on this street limits the automobile traffic volumes and there is extensive bike and pedestrian activity. Again structures are traditional residential with some adaptive reuse to bed and breakfast inns, mixed use office as well as townhouse construction. There is a greater blending of University related uses south of Third Street and pressure for University affiliated uses is greater here. Intensity of development is significantly greater south of Third Street.

The principal east-west connection between the City and University is Third Street, which runs through the center of the neighborhood and functions as the gateway to campus. The street’s character is more village commercial in nature with a mix of existing older residential structures east of University Avenue while retail intensity and development increases west of University Avenue. Vehicular access is limited with pedestrian and bike access emphasized.

Historical Context: Historically residents have taken an active role to preserve and enhance the historic elements and residential character of the area. Previous zoning efforts have effectively eliminated the continuation of commercial and high-density residential development in the interior and residential portions of the neighborhood. Adoption of the Core Area Specific Plan and the more recent Davis Downtown and Traditional Residential Guidelines have provided further refinement regarding allowable uses and expected design quality. However, specific community goals for reinvestment along portions of B Street and Third Street have not yet occurred. These include: 1) adaptive reuse of the traditional residential structures; 2) intensification of commercial uses along Third Street and enhancing the gateway from campus with mixed use buildings and pedestrian and bicycle improvements; and 3) increased residential development and mix of commercial uses along B Street to frame and energize the area bordering Central Park. The revised zoning contained in this document reflect and incorporates updated policies, standards and guidelines defined in the Core Area Specific Plan and Davis Downtown and Traditional Residential Design Guidelines.

SECTION 2. PURPOSE.
The purpose of the planned development district is to allow diversification in the relationship of various buildings, structures and open spaces in order to be relieved from the rigid standards of conventional zoning. A planned development district shall comply with the regulations and provisions of the general plan and any applicable specific plan and shall provide adequate standards to promote the public health, safety and general welfare without unduly inhibiting the advantages of modern building techniques and planning for residential, commercial or industrial purposes. The criteria upon which planned development districts shall be judged and approved will include the development of sound housing for persons of low, moderate and high income levels, residential developments which provide a mix of housing styles and costs, creative approaches in the development of land, more efficient and desirable use of open area, variety in the physical development pattern of the city and utilization of advances in technology which are innovative to land development. (Zoning Section 40.22.170).

The purpose for development and amendment of this Planned Development zoning document is to encourage the continued health and vitality of the neighborhood and the downtown. This zoning is intended to stabilize the existing mix of uses within the neighborhood by encouraging compatible reuse, maintenance and renovation. This Planned Development is also intended to encourage reinvestment; allowing redevelopment along portions of B Street and Third Street to achieve a stronger commercial/retail connection between the University and Downtown, and enhance activity around Central Park. This neighborhood is largely residential in nature and character. The intent of this zoning district is to retain neighborhood residential uses, allow an increase in residential units on portions of B Street and facilitate higher density mixed use development along Third Street. These goals are considered essential to balance the need for continued health and vitality of the neighborhood and the downtown. They represent a balance of the community goals to support historic preservation and higher density, mixed-use, pedestrian and transit oriented development in the downtown.

Specific subareas in this planned development area are intended to facilitate opportunities for establishment of flexible use spaces suitable for live/work.

As stated in the Core Area Specific Plan “The stabilization of existing residential neighborhoods and the development of new residential units in the Core Area—*is also seen as critical in maintaining a healthy and viable downtown. The retention of a residential base in the Core Area is seen as crucial to the success of the pedestrian environment downtown.” To respond to varied community needs, it is appropriate that such housing be provided in a range of housing forms and densities. Section 2.6, Land Use policies G. and H. in the CASP require: protecting residential neighborhoods and their neighborhood character; and where feasible, encouraging the adaptive reuse, renovation and/or rehabilitation of existing residential facilities. Section 2.6 Land Use Policy 1 states “A mix of uses – retail stores, restaurants, cultural centers, entertainment, services, upstairs offices and dwelling units is now and shall remain characteristic of the Core Area.” Implementation policies A, B, D and I are to encourage new businesses, mixed uses and dwelling units in the Core Area, and promote development that brings maximum economic life and stability to the Core Area and enhances the pedestrian and architectural character of the downtown.”
Additionally, the purpose of the planned development is to implement the general plan and Core Area Specific Plan use designations of “Low Density Residential,” “University Avenue Residential Overlay District,” “University Avenue First Street Transitional District,” “B Street Transitional District” and “Retail with Offices District”. It is also to implement the Downtown Davis Traditional Residential Neighborhood Design Guidelines, as amended, to facilitate achievement of a special character mixed use district along portions of Third and B Streets in a manner that enhances these important pedestrian and civic corridors and provides a transition to neighboring single family residential uses.

Section 40.01.90 (zoning map) of Chapter 40 of the Davis Municipal Code as amended, is hereby amended by adding the zoning designation of the parcels shown on the attached map, marked Exhibit A, attached hereto and incorporated herein by reference to Planned Development # 2-86A.B.

Preliminary and Final Planned Development Standards: It is intended that this document serve as both the Preliminary Plan and Final Planned Development Standards for this neighborhood. Minor revisions consistent with the approved final planned development may be approved by the Planning Commission, or City Council as part of revised Final Planned Development application (Davis Municipal Code Section 40.22.170).

SECTION 3. DEFINITIONS.

A. Compatible and Complementary. Consistent with the traditional character defining features in the conservation neighborhood, and the mixed use and special character areas identified in the Davis Downtown and Traditional Neighborhoods Design Guidelines, including design features such as site layout, rhythm, spacing, mass and scale, façade width, setbacks, landscaping, lot coverage and FAR; and use features such as use, traffic and noise. That the use and design objectives identified for the neighborhood and specific sub-areas in the Core Area Specific Plan and Davis Downtown and Traditional Residential Neighborhood Design Guidelines, as amended, will be continued.

B. High Traffic Generating Uses or Occupations. Uses where the economic viability of the business relies primarily on high volumes of customers dependent on auto access who would generate higher volumes of vehicle traffic, such a doctor’s office, as compared to lower traffic generating uses, such as a web designer.

C. Living Groups. Organized living groups are organizations, clubs or associations (such as fraternities, sororities or co-operatives) that include as a principal purpose the sharing of a residence by members. Shall be subject to compliance with Municipal Code sections 40.26.260, 261, and 262.

D. Live/work. A use in which it is presumed that the resident’s primary place of employment is within the same structure. The office portion may exceed that allowed under a home occupation permit. The use may be more office in character than residential. Work activities allowed shall be compatible with residential occupancies and involve limited walk-in trade or client visits.
E. Low Traffic Generating Uses or Occupations. Uses that do not generate a high volume of vehicle traffic and are not reliant on heavy client contact or high auto accessibility for their success.

F. Roof Plate. A horizontal reinforcing element laid on a wall, posts or corbels to directly support the lower end of the trusses or rafters of a roof.

G. Roof Peak. (Also Building Height) the vertical distance from the average contact ground level at the front wall of the building to the highest point of the structure, excluding vents and fireplaces.

SECTION 4. PRELIMINARY PLANNED DEVELOPMENT SUBAREAS AND REQUIRED REGULATIONS.
The land use designations are limited to the following:
A. Subarea A: Single-Family Residential District.
B. Subarea B: University Avenue Single-Family Residential District.
C. Subarea C: First Street University Avenue Transitional District.
D. Subarea D: Retail with Offices District.
E. Subarea E: B Street Transitional District.

The Subareas are shown in Exhibit A of this Ordinance.
The Core Area Specific plan is the underlying policy document that provides detailed guidance for the City’s downtown core neighborhoods thereby allowing the systematic implementation of the General Plan.

The development standards and conditions of development for these subareas shall be as contained in these regulations. For areas not covered by this ordinance, the provisions of Chapter 40 of the Davis Municipal Code as amended shall apply. If there is a conflict between the provisions of Chapter 40 and this ordinance, the provisions of this ordinance shall apply. Additionally, the design review process contained in the “Davis Downtown and Traditional Residential Neighborhoods Design Guidelines" shall apply.

Overall site and building design is a significant aspect in the makeup and character of the area. The Davis Downtown and Traditional Residential Neighborhoods Design Guidelines, prepared and amended with extensive community input, are to be used in tandem with the requirements contained within this Planned Development. Ordinance 2066, adopted August 1, 2001, establishes a Downtown and Traditional Residential Neighborhood Overlay District and requires that the Site plan and architectural review process included in those Design Guidelines shall apply. This includes a three tier review process in which Tier #1 projects require minor design review, Tier #2 projects require major design review and Tier #3 projects require review by the Planning Commission.

The purpose of planned development zoning is to allow flexibility within zoning standards provided that they achieve the overall intent of the district. Projects that do not meet the specific zoning standards established within this preliminary and final Planned Development may file for
a revised final Planned Development as part of their Design Review process. This would require projects to be reviewed as a Tier #3 Design Review with Public Hearing and review by the Planning Commission.

The 2007 amendments to Subarea D, “Retail with Offices District” and the new Subarea E “B Street Transitional District” were made in 2007 to allow for modified development standards within these areas, rather than as incremental final planned development applications. This ordinance functions as the Final Planned Development for these districts with the exception of properties on Third Street located west of University Avenue. The City may consider additional Final Planned Developments subject to section 40.22.170 of the Municipal Code.

It should be noted that application of standards and related design guidelines applied through the required design review process might result in a smaller footprint, or reduced building heights or greater setbacks than zoning allows to ensuring a sense of openness on the lot within the context of the specific project location and broader the neighborhood.

SECTION 5. SUBAREA A: SINGLE-FAMILY RESIDENTIAL DISTRICT – UNIVERSITY AVENUE SPINE TO RICE LANE.

A. Purpose. Protect and preserve the single-family character and lower intensity uses within the internal portions of the PD.

B. Permitted Uses.
   1. Single family dwellings designed for or used exclusively for residential purposes by one family or housekeeping unit.
   2. Family and group day care homes as defined in section 40.26.270.

C. Accessory Uses.
   1. Home occupations subject to the provisions of sections 40.26.150.
   2. Signs; (1) commercial frontages as set forth in section 40.26.020; (2) non-commercial frontages as set forth in section 40.26.020 (c). Signs shall also be subject to the Downtown Davis Sign Design Guidelines.
   3. Other accessory uses and accessory buildings customarily appurtenant to a permitted use subject to the requirements of section 40.26.010 and as set forth in Section 5(J) of this document.

D. Conditional Uses.
   1. Public and quasi-public buildings and uses of the recreational, educational, religious, cultural or public service type, including public utility, but not including corporation yards, storage or repair yards, warehouses and similar uses.
   2. Combined office/residential, including live/work, (To encourage adaptive reuse, this use may be considered for the properties located on the north and south side of Third Street only), in which the residential use is the primary element (greater than 50%).

E. Lot Area and Yard Requirements. The following minimum yard and area requirements shall apply:
1. **Lot Area.**
   Minimum lot size: 5,400 square feet.

2. **Front Yard.**
   a. The least restrictive criteria shall apply.
      i. Equal to the average setback of all residences on both sides of the street within 100 feet of the property lines of the new project
      ii. Equal to the average of the two immediately adjacent buildings
   b. Certain architectural features such as stoops, and other minor covered entrances attached to the main building front may project into the required front setback an additional 5’. Porches that are an integral element on the front of a house shall not receive exception from minimum front yard setback requirements.

3. **Side Yard.**
   a. Street Side Yard: 15 feet.
   b. Interior Side Yard: minimum of 6 feet, total of 12 feet between buildings.

4. **Rear Yard**
   20 feet, except for any portion over of a building over one story, 25 feet.

5. **Exceptions**
   Projections. Certain architectural features may project into required yards as provided in Code section 40.27.060 and as required in section E.2.b above. The more restrictive requirements of the PD shall prevail.

**F. Building Height.**
No structure shall exceed two stories or 30 feet in height as measured to the roof peak.

**G. Open Space and Lot Coverage Requirements.**
1. **Usable Open Space.**
   Minimum of 20 percent of the lot area.
2. **Lot Coverage.**
   Not in excess of 40 percent.
3. **Rear Yard Coverage.**
   No more than 30% of the square footage of the required rear yard area shall be covered with impervious surfacing for parking and/or structures, with the exception of lots with the rear yard abutting an alley, in which case a 100% rear yard coverage shall be allowed. Parking areas shall be adequately screened in accordance with Section 10.1.3.

**H. Parking.**
1. **Number of parking spaces required.**
   a. Single-family dwelling. One covered and one uncovered off-street parking space for dwellings containing four or fewer bedrooms, and one additional space for each bedroom in excess of four.
   b. Second dwelling unit. One additional parking space is required for a second unit in accordance with Code Section 40.25.070.
   e. Combined office/residential. Office portion to be one space for every 500 square feet and for residential, one parking space per efficiency, one or two bedroom. One and one half for each three or four bedroom. One space shall be covered.
All others uses that may apply refer to Municipal Code section 40.25 regarding parking requirements.

Potential deviations refer to Section 4.12 B.

2. Reductions for adaptive reuse.
   All requirements in this sub-section may be reduced in the case of conversion or preservation of an older residential structure. Parking requirements shall be reduced as follows: For each square foot at ground level of structure preserved, one square foot of parking may be eliminated.

3. Rounding.
   Whenever the computation of the number of parking required by this section result in a fractional parking space, one additional parking space shall be required for ½ or more fractional parking space and any fractional parking space less than ½ shall not be counted.

I. Landscaping.
   1. Minimize impact to existing remaining trees to the greatest extent though design and construction as provided in Chapter 37 of the City’s Municipal Code, Article 37.03.
   2. Impervious surfacing in the required front yard (parking areas, walkways, concrete patios, etc.) shall not exceed 40 percent or 18 feet in total width of the front yard, whichever is greater.
   3. A minimum of 40% of an alley frontage shall be landscaped.

J. Accessory Structures.
   1. Rear Setbacks.
      a. On an alley:
         i. A one-story structure may be located at an alley edge.
            Garages and carports shall be set back a minimum of 5 feet from the alley edge to provide adequate turning and backing out area.
      b. Lots not on an alley:
         i. Secondary structures shall be a minimum of 5 feet from the rear property line.
   2. Side Setbacks.
      a. A minimum 5 foot setback is required for an interior side setback except in the case where the side yard is located on an alley (contiguous and parallel), in that case the structure may be located at the alley edge, although a 5 foot setback is preferred for landscaping.
   3. Building Height and Size.
      a. Accessory structures shall not exceed 15 feet in height as measured to the peak.
      Structures shall be 480 square feet or less.

SECTION 6. SUBAREA B: UNIVERSITY AVENUE RESIDENTIAL OVERLAY DISTRICT – A STREET CORRIDOR AND RUSSELL BOULEVARD

A. Purpose. To allow flexibility for uses that may be more intense but are compatible with and respect the historic residential architecture and single-family character and use of the district. University related uses and condominium and townhouse development of moderate density compatible with the residential scale may be considered.
The intensity of development and mix of uses is greater south of Third Street, whereas, single-family predominates north of Third Street. Allowed intensity of development is reflective of this pattern.

B. Permitted Uses.
1. Single family dwellings designed for or used exclusively for residential purposes by one family or housekeeping unit.
2. Attached single family, duplexes, condominiums or townhouses with maximum net density of 9 units per net acre (12 du per gross acre).
3. Family and group day care homes as defined in section 40.26.270.

C. Accessory Uses.
1. Home occupations subject to the provisions of sections 40.26.150.
2. Signs; (1) commercial frontages as set forth in section 40.26.020; non-commercial frontages as set forth in section 40.26.020 (c). Signs shall also be subject to the Downtown Davis Sign Design Guidelines.
3. Other accessory uses and accessory buildings customarily appurtenant to a permitted use subject to the requirements of section 40.26.010 and provisions contained in Section 5(J) of this document.

D. Conditional Uses.
1. Public and quasi-public buildings and uses of the recreational, educational, religious, cultural or public service type, including public utility, but not including corporation yards, storage or repair yards, warehouses and similar uses.
2. Nursery schools and day care centers.
3. Living Groups.
5. Combined office/residential uses, including live/work uses, in which the residential use is the primary element, (greater than 50%).

E. Lot Area and Yard Requirements.
The following minimum yard and area requirements shall apply:
1. Lot Area.
   Minimum lot size: 5,400 square feet.
2. Front Yard.
   a. The least restrictive criteria shall apply:
      i. Equal to the average setback of all residences on both sides of the street within 100 feet of the property lines of the new project.
      ii. Equal to the average of the two immediately adjacent buildings.
   b. Certain architectural features such as stoops and other minor covered entrances attached to the main building front may project into the required front setback an additional 5’. Porches that are an integral element on the front of a house shall not receive exception from minimum front yard setback requirements.
   a. Street Side yard: 15 feet.
b. Interior Side yard: minimum of 6 feet, total of 12 feet between buildings.

4. Rear Yard.
   20 feet, except for any portion over of a building over one story, 25 feet.

5. Exceptions.
   Projections. Certain architectural features may project into required yards as provided in Code section 40.27.060 and as required in section E.2.b above. The more intensive provisions shall prevail.

F. Open Space and Lot Coverage Requirements.
1. Usable Open Space.
   Minimum of 20 percent of the lot area.

2. Lot Coverage.
   Not in excess of 40 percent.

3. Rear Yard Coverage.
   No more than 30% of the square footage of the required rear yard area shall be covered with impervious surfacing for parking and/or structures, with the exception of lots with the rear yard abutting an alley, in which case a 100% rear yard coverage shall be allowed. Parking areas shall be adequately screened in accordance with Section 10.1.3.

G. Building Height.
   No structure shall exceed two-stories or 30 feet as measured to the roof peak.

H. Parking.
1. Number of Parking Spaces Required.
   a. Single-family dwelling. One covered and one uncovered off-street parking space for dwellings containing four or fewer bedrooms, and one additional space for each bedroom in excess of four.
   b. Second dwelling unit. One additional parking space is required for a second unit in accordance with Code Section 40.25.070.
   c. Combined office/residential. Office portion to be one space for every 500 square feet and for residential, one parking space per efficiency, one or two bedroom. One and one half for each three or four bedroom. One space shall be covered.
   d. All other uses that may apply refer to Municipal Code section 40.25 regarding parking requirements.
   e. Potential deviations refer to Section 11.C. 12. B.

2. Reductions for adaptive reuse.
   All requirements in this sub-section may be reduced in the case of conversion or preservation of an older residential structure. Parking requirements shall be reduced as follows: For each square foot at ground level of structure preserved, one square foot of parking may be eliminated.

3. Rounding.
   Whenever the computation of the number of parking required by this section result in a fractional parking space, one additional parking space shall be required for ½ or more fractional parking space and any fractional parking space less than ½ shall not be counted.
I. Landscaping.
   1. Minimize impact to existing remaining trees to the greatest extent possible through design and construction as provided in Chapter 37 of the City’s Municipal Code, Article 37.03.
   2. Impervious surfacing in the required front yard (parking areas, walkways, concrete patios, etc) shall not exceed 40 percent or 18 feet in total width of the front yard, whichever is greater.
   3. A minimum of 40% of an alley frontage shall be landscaped.

SECTION 7. SUBAREA C: FIRST STREET UNIVERSITY AVENUE-TRANSITIONAL DISTRICT – B STREET AND FIRST STREET

A. Purpose. To allow for possible inclusion of new or intensified residential and office uses that provide a functional transition from the more intensive uses located south and east of the Planned Development boundaries to the single-family residential interior. The residential scale and character shall be maintained and pedestrian oriented, uses with lower parking demand are encouraged.

In almost every case, lots in this zoning district back up to or are adjacent to the single-family low-density residential district. Therefore, care in the selection of and site design for more intensive uses is important so that impacts to the lower intensity single-family uses are minimized or mitigated.

This is a large and varied district in which character patterns change. The mix of uses and development intensity is greater along First Street and on B Street south of Rice Lane. North of Rice Lane on B Street there is a more consistent pattern in use and intensity progressively northward.

B. Permitted Uses.
   1. Single-family dwellings
   2. Combined office/and residential uses including live/work.
   3. Professional offices if contained within an existing structure with no additional square footage added.
   4. Family and group day care homes as defined in section 40.26.270

C. Accessory Uses.
   1. Home occupations subject to the provisions of sections 40.26.150.
   2. Signs; (1) commercial frontages as set forth in section 40.26.020; non-commercial frontages as set forth in section 40.26.020 (c). Signs shall also be subject to the Downtown Davis Sign Design Guidelines
   3. Other accessory uses and accessory buildings customarily appurtenant to a permitted use subject to the requirements of section 40.26.010 and provisions contained in Section 5(J) of this document.
D. Conditional Uses.
1. Public and quasi-public buildings and uses of the recreational, educational, religious, cultural or public service type, including public utility, but not including corporation yards, storage or repair yards, warehouses and similar uses.
2. Nursery schools and day care centers.
3. Living Groups.
4. Medical, Dental Clinics.
5. Bed and Breakfast and Inns.
6. Hotel, Motel uses south of Second Street only.
7. Office, without a residential component.

E. Lot Area and Yard Requirements. The following minimum yard and area requirements shall apply:
1. Lot Area.
   Minimum lot size: 2,400 square feet.
2. Front Yard
   a. The least restrictive criteria shall apply:
      i. Equal to the average setback of all residences on both sides of the street within 100 feet of the property lines of the new project.
      ii. Equal to the average of the two immediately adjacent buildings.
   b. Certain architectural features such as stoops, and other minor covered entrances attached to the main building front may project into the required front setback an additional 5’. Porches, however, are an integral element on the front of a house shall not receive exception from minimum front yard setback requirements.
   a. Street Side yard: 15 feet.
   b. Interior Side yard: minimum of 6 feet, total of 12 feet between buildings.
4. Rear Yard.
   20 feet, except for any portion over of a building over one story, 25 feet.
5. Exceptions.
   Projections. Certain architectural features may project into required yards as provided in Municipal Code Section 40.27.060 and as specified in section E.2.b above.

F. Building Height.
No structure shall exceed two-stories or 30 feet as measured to the roof peak.

G. Open Space and Lot Coverage Requirements.
1. Usable Open Space.
   Minimum of 20 percent of the lot area.
2. Lot Coverage.
   Not in excess of 40 percent.
3. Rear Yard Coverage.
   No more than 30% of the square footage of the required rear yard area shall be covered with impervious surfacing for parking and/or structures, with the exception of lots with the rear yard abutting an alley, in which case a100% rear yard coverage shall be allowed. Parking areas shall be adequately screened in accordance with Section 10.1.3.
H. Parking.
1. Number of parking spaces required.
   a. Single-family dwelling. One covered and one uncovered off-street parking space for dwellings containing four or fewer bedrooms, and one additional space for each bedroom in excess of four.
   b. Medical and dental offices: One parking space for each 200 (500 in mixed use) square feet of gross floor area.
   c. Combined office/residential. Office portion to be one space for every 500 square feet and for residential, one parking space per efficiency, one or two bedroom. One and one half for each three or four bedroom. One space shall be covered.
   d. All other uses that may apply refer to Municipal Code section 40.25 regarding parking requirements.
   e. Potential deviations refer to Section 11.C.
2. Reductions for adaptive reuse.
   All requirements in this sub-section may be reduced in the case of conversion or preservation of an older residential structure. Parking requirements shall be reduced as follows: For each square foot at ground level of structure preserved, one square foot of parking may be eliminated.
3. Parking location.
   It is a goal for this district that parking impacts be minimized. In the area along B Street there shall be no on-site parking allowed on the B Street property frontage. On-site parking shall not take access from B Street nor will curb cuts be allowed on B Street. Required on-site parking shall be provided in the rear with access from the alley.
4. Rounding.
   Whenever the computation of the number of parking required by this section result in a fractional parking space, one additional parking space shall be required for ½ or more fractional parking space and any fractional parking space less than ½ shall not be counted.

I. Landscaping.
1. Minimize impact to existing remaining trees to the greatest extent possible through design and construction as provided in Chapter 37 of the City’s Municipal Code, Article 37.03.
2. Impervious surfacing in the required front yard (parking areas, walkways, concrete patios, etc.) shall not exceed 40 percent or 18 feet in total width of the front yard, whichever is greater.
3. A minimum of 40% of an alley frontage shall be landscaped.

SECTION 8. SUBAREA D: RETAIL WITH OFFICES/MIXED USE - RESIDENTIAL THIRD STREET.
A. Purpose. To enhance the pedestrian experience Third Street as a higher density, pedestrian oriented mixed use district and strengthen the link between the University and the Downtown. The district is to integrate residential and commercial uses by promoting ownership in flexible live/work settings with low traffic generating professional and commercial uses/occupations supporting development of a mixed-use urban village district. The form of new development is
to enhance the pedestrian experience, improve the visual continuity between new and old structures, increase commercial uses, and where considered feasible, encourage adaptive reuse of traditional residential structures and/or new commercial uses as appropriate.

While Third Street functions as the primary bike and pedestrian connection to the University its character varies significantly in two short blocks. Third Street between University Avenue and B Street has a number of residential low-density parcels and the existing intensity of development is lower, whereas the block between University Avenue and A Street is more intensely retail and office oriented with a higher intensity to the built environment as well.

The CASP encourages mixed retail and office or residential uses with the offices or multi-family as tenants for upper stories. Uses need not be mixed on individual parcels. Note, the CASP provides for a Floor Area Ratio (FAR) that is the same as for Retail Stores, which is equal to three times the site area and applies to development on parcels west of University Avenue. A lower FAR, varying by type of use, applies to development on parcels east of University Avenue and the northwest corner of Second and B Streets. This lowered FAR is to facilitate new mixed use development compatible with the adjoining neighborhood.

B. Permitted Uses.

1. Permitted uses on Third Street blocks located between University Avenue (west side) and A Street:
   a. Single family, two-family, duplex.
   b. Retail store, shops and offices supplying commodities or performing services such as those provided by department stores, specialty shops, neighborhood grocery or deli, personal and business service establishments, antique shops, and artists’ supply.
   c. Restaurants/Cafes, including outdoor eating areas and establishments.
   d. Professional Offices.
   e. Mixed use, including multi-family within a mixed use structure.

2. Permitted uses on Third Street blocks located between B Street and the alley immediately west of B Street fronting parcels (See Exhibit A):
   a. Single family, two-family, duplex, multifamily, townhouse, row houses and condominium dwellings.
   b. Mixed use, including residential units in a mixed use structure.
   c. Combined office/residential uses, including live/work offices.
   d. Retail stores, shops and offices supplying commodities or performing services such as those provided by department stores, specialty shops, neighborhood grocery or deli, personal and business service establishments, antique shops, and artists’ supply.
   e. Personal and business service establishments.
   f. Restaurants/Cafes, including outdoor eating areas and establishments.
   g. Professional Offices.
   h. Mixed use, including multi-family within a mixed use structure.

3. Permitted uses on middle Third Street blocks located between the edge of the B Street rear alley and the east side of University Avenue (see Exhibit A):
a. Single family, two-family, multi-family, townhouse, row houses and condominium dwellings.
b. Mixed use, including residential units in a mixed use structure.
c. Combined office/residential uses, including live/work offices.
d. Retail stores, shops and offices, neighborhood grocery or deli, antique shops, and artists’ supply.
e. Personal and business service establishments, if low traffic generating.
f. Professional Offices, if low traffic generating.

The block between University Avenue and A Street is a Primary shopping street as identified in the 2000 Downtown Strategy. At least 75% of a building’s frontage should be used for retail storefront. The block from the east side of University Avenue and west side of B Street is identified as a secondary shopping street and should have at least 50% of the building’s frontage used for retail or other commercial uses. (This does not include areas designated for single family). Office and residential uses encouraged as tenants for on upper stories.

C. Accessory Uses.
1. Home occupations subject to the provisions of sections 40.26.150.
2. Signs; (1) commercial frontages as set forth in section 40.26.020; (2) non-commercial frontages as set forth in section 40.26.020 (c). Signs shall also be subject to the Downtown Davis Sign Design Guidelines.
3. Other accessory uses and accessory buildings customarily appurtenant to a permitted use subject to the requirements of section 40.26.010 and provisions contained in Section 5(J) of this document.

D. Conditionally Permitted Uses.
1. Inn, Bed and Breakfast.
2. Public and quasi-public buildings and uses of the recreational, educational, religious, cultural or public service type, including public utility, but not including corporation yards, storage or repair yards, warehouses and similar uses.
3. Business and technical schools, and schools for photography, art, music and dance.
4. Restaurants where liquor is provided.

E. Prohibited Uses.
1. Bars/nightclubs.
2. Billiard or card rooms.
3. Body piercing or tattoo parlors.
4. Off-site liquor sales.
5. **Additional Prohibited Uses on Third Street:** The following uses are prohibited on the parcels on the middle Third Street Blocks located between the western edge of the B Street rear alley to the east side of University Avenue:
   a. High traffic generating Professional Offices.
   b. High traffic generating Personal Services.
   c. Restaurants/Cafés, including outdoor eating areas and establishments.
F. Lot Area and Yard Requirements.

1. Lot Area: no minimum.

2. Third Street West of University Avenue.
   a. Front Yard.
      i. Where a project fronts on to Third Street:
         A. May vary from 0 feet to 10 feet, with a minimum 5-foot average per parcel maintained.
      ii. Where a project does not front on to Third Street:
         A. 10 to 20 feet with a minimum 15-foot average maintained.
   b. Side Yard.
      i. Where a project fronts on to Third Street:
         A. Interior side setback a minimum of 5 feet.
         B. Street side setback may vary from 10 feet to 20 feet with a minimum 15-foot average maintained.
      ii. Where a project does not front to Third Street:
         A. Street side setback may vary 0 to 10 feet, with a minimum 5-foot average.
         B. Interior side setback, a minimum of 5 feet, with 10 feet required for any portion over two-stories where adjacent to single family residential use or district.
         C. Where abutting an alley, a minimum 5-foot landscape setback shall be maintained.
   c. Rear Yard.
      i. Where a project fronts on to Third Street:
         A. Minimum of 5 feet with 10 feet required for any portion over two-stories where adjacent to single family residential use or district.
      ii. Where a project does not front to Third Street:
         A. 0 feet.

3. Third Street East of University Avenue, and Northwest corner of B and Second Streets:
   a. Front Yard.
      i. First and second story: 5 feet minimum.
      ii. Third and fourth story: 10 feet minimum average setbacks.

Building wall modulation and variation required, see Design Guidelines.

b. Side Yard.
   i. 5 feet minimum from property line boundaries or alley.
   ii. 0 feet minimum within project interior for town or row house or condominium parcel.

Building wall modulation and variation required, see Design Guidelines.

c. Street Side Yard:
i. Third, A and B Streets: 5 feet minimum setback.

ii. University Avenue:
    A. First and second story, 10 foot minimum.
    B. Third or fourth story, 15 foot minimum average.

Building wall modulation and variation required, see Design Guidelines.

d. Rear Yard (including along an alley):
   i. First and second story, 5 feet minimum.
   ii. Third or fourth story, 10 feet minimum average.

e. Rear Yard adjoining single family residential use on designated low density residential site (see Exhibit E-1)
   i. First and second story, 15 feet minimum
   ii. Third story, 25 feet minimum

Building wall modulation and variation required, see Design Guidelines.

f. Alley Setback (other than rear yard)
   i. Single story garage or other non-residential accessory structure on alley, 5 feet minimum.

2. Third Street East of University Avenue:
   a. Front Yard:
      i. Front setbacks for new infill or add-ons
         A. Shall equal or exceed the average of the two immediately adjacent buildings.
   b. Side Yard:
      i. Where a project fronts on to Third Street
         A. Required interior side yards shall be a minimum of 10 feet per lot, except where adjacent to a single-family residential use or district, in which case the adjacent side yard shall be a minimum of 7 feet with a total of 12 feet per lot. Where a two-story portion abuts a residential structure or district, a minimum 10-foot setback shall be required for the two-story portion.
         B. Street side yard setback 15 feet.
         C. Where adjacent to another district, extensive screening shall be provided as stated in Section 10.D of this document.
      ii. Where lots front on to B Street
         A. Utilize setback front and side setback standards specified in Subarea C, the University Transitional Overlay District.
   e. Rear Yard:
      i. Shall be a minimum of 10 feet, except where that yard is adjacent to a single-family residential use or district, in which case the two-story portion shall be 20 feet.
      ii. Where adjacent to a single-family residential use or district, extensive screening shall be provided as stated in Section 10.D of this document.

3. Where lots front on to B Street
a. Utilize setback front and side setback standards specified in Subarea C, the University Transitional Overlay District.

4. Exception.
   a. Exceptions to setbacks may be considered as part of a Minor Modification (Davis Municipal Code Section 40.27.27) or through Revised Final Planned Development (Davis Municipal Code Section 40.22.170).

   b. Exceptions to setbacks west of University Avenue may be considered thru a Tier 3 design review in those instances where the proposed structure is adjacent to an existing structure that is set at a zero or near zero setback. Reduction in the yard area adjacent to the existing structure may be considered. The following findings will be required: that the intensity of development on the lot is not significantly greater than that of adjacent properties; and that the setback exceptions will not result in a nuisance situation for adjacent properties.

G. Building Height. Structures on Third Street between B Street and University Avenue shall be predominantly two stories at the street with a mix of one and two story while:
1. Two stories, or 32 feet, as measured to the peak.
   1. Buildings west of University Avenue: should be two and three stories if set back and providing appropriate scale transition. Over two stories to a maximum of three stories, may be considered in the block between University Avenue and A Street subject to Tier 3 review (Planning Commission Review), see the review requirements contained in the Davis Downtown and Traditional Residential Guidelines.
   2. Commercial, residential or mixed use east of University Avenue:
      a. Street and Alley: 2 stories and 30 feet maximum measured to roof plate.
      b. Third Story: 45 feet maximum measured to roof peak.
      c. Limited fourth story (requires bonus): 56 feet maximum measured to roof peak.
         Limited fourth story considered only through Tier 3 design review as a bonus for mixed use project incorporating other district goals such as retention of historic or character contributing structure, “Tree Worth Saving”; provision of underground parking; commercial parking on site; public open space, substantial public art etc.
   3. Special Height Limits for development adjoining single family residential use on designated low density residential sites:
      a. Building Height on portions of properties located at 232 University Avenue, and 232, 236 and 240 Third Street are limited to a two story, maximum height of 30 feet measured to roof peak, within an average of 25 feet from their southern property line. See Exhibit B.

H. Open Space, and Lot Coverage, and Floor Area Ratio Requirements.

1. Usable Private Open Space.
   a. For projects west of University Avenue that include a residential component, a minimum of 5% of the gross leaseable square footage of each residential unit shall be private open space.
b. For projects east of University Avenue and northwest corner of B and Second Street that include a residential component, 60 square feet minimum per dwelling unit, with 6 foot minimum dimension, including porches, balconies, patios and roof decks

2. Lot Coverage.
   a. For projects west of University Avenue: 75%
   b. For projects east of University Avenue: No standard.

3. Floor Area Ratio (FAR):
   a. For projects west of University Avenue: 3:1 FAR.
   b. For projects east of University Avenue varies by use:
      i. Maximum of 2:1 FAR including bonus, or combined bonuses.
      ii. Commercial 1:1 FAR.
      iii. Residential 1:1 FAR.
      iv. Mixed Use: 1.5:1 FAR.
      v. Bonus of 0.5:1 FAR for preservation of designated historic structure, underground parking, or “Trees Worth Saving”.
      vi. Bonus of 0.2:1 FAR for provision of public plaza or preservation of “Trees of Significance”.

I. Parking.
1. Number of Parking Spaces Required.
   a. For projects west of University Avenue: Refer to Municipal Code section 40.25 regarding parking requirements.
   b. For projects east of University Avenue and at northwest corner of Second and B Street: varies by use:
      i. Residential Uses.
         1 space for each studio or 1 bedroom dwelling unit.
         1.5 spaces for each two bedroom dwelling unit.
         2 spaces for each three bedroom dwelling unit. One additional parking space required for each additional bedroom above three.
         Accessory dwelling units and flexible live/work space treated as additional bedrooms.
         A minimum of one parking space per residential unit to be provided on site.
      ii. Non-Residential Uses. 1 space per each 500 square feet of gross floor area.
      iii. In-Lieu Parking Fees – Required parking for non-residential uses and for residential uses over the 1 space/unit minimum to be provided on site may be provided through in-lieu-of payments pursuant to 40.25.060 or by participation in a parking district as provided in section 40.25.060.

2. Parking Location. Parking is not permitted in the front of a building. Parking and driveway access on Third Street is inappropriate. Parking should be located to the rear and accessed from an alley or side street.

3. Off Street Loading.
   No off street loading shall be required for any commercial use.

4. Exceptions: for
a. **Adaptive Reuse.** All requirements in this sub-section may be reduced in the case of conversion or preservation of an older residential structure. Parking requirements shall be reduced as follows: For each square foot at ground level of structure preserved, one square foot of parking eliminated.

b. **Exceptions to required parking dimensions to allow smaller parking spaces to accommodate electrical vehicle parking, may be accepted through the City’s Minor Modification process (Municipal Code Section 40.27.27), not withstanding the minor modification dimension limitations.**

c. **See also Section 12.B. Exceptions from Parking Standards and Required Findings**

5. **Rounding.**
Whenever the computation of the number of parking required by this section result in a fractional parking space, one additional parking space shall be required for ½ or more fractional parking space and any fractional parking space less than ½ shall not be counted.

J. **Landscaping.**
A minimum of 50 percent of the area contained within the front setback shall be in ground cover or low planting, **except for parcels located between the west side of B Street and University Avenue.**

K. **Density.**
1. 30 du/net acre.
2. 40 du/net acre for condominium ownership units in mixed-use projects located east of University Avenue and corner of Second and B Streets.

**SECTION 9. SUBAREA C & E: B STREET UNIVERSITY AVENUE TRANSITIONAL DISTRICT —B STREET AND FIRST STREET:**

A. **Purpose.** To allow for possible inclusion of new or intensified residential, **live/work** and office uses that provide a functional transition from the more intensive uses located south and east of the Planned Development boundaries to the single-family residential interior. **New development shall complement** the residential scale and character **of adjoining properties shall be maintained** and pedestrian oriented uses with lower parking demand **are encouraged.**

**In almost every case, Many** lots in this zoning district back up to or are adjacent to the **low density single family low-density residential district.** Therefore care in the selection of and site design for more intensive uses is important so that impacts to the lower intensity single-family uses are minimized or mitigated.

**This is a large and varied district in which character patterns change. The mix of uses and development intensity is greater along First Street and on B Street south of Third Street. Rice Lane. North of Rice Lane on B Street there is a more consistent pattern in use and intensity progressively northward.**

B. **Permitted Uses.**
2. Two-family, attached multifamily dwellings, townhouses, row houses and condominium dwellings.

3. Combined office and residential uses including live/work.

4. Professional Offices for low traffic generating uses, if contained within an existing structure with no additional square footage added.

5. Family and group day care homes as defined in section 40.26.270.

C. Accessory Uses.
1. Home occupations subject to the provisions of sections 40.26.150.
2. Signs; (1) commercial frontages as set forth in section 40.26.020; non-commercial frontages as set forth in section 40.26.020 (c). Signs shall also be subject to the Downtown Davis Sign Design Guidelines.
3. Other accessory uses and accessory buildings customarily appurtenant to a permitted use subject to the requirements of section 40.26.010. and provisions contained in Section 5(J) of this document.

D. Conditional Uses.
1. Public and quasi-public buildings and uses of the recreational, educational, religious, cultural or public service type, including public utility, but not including corporation yards, storage or repair yards, warehouses and similar uses.
2. Nursery schools and day care centers.
3. Living Groups.
4. Medical, Dental Clinics.
5. Bed and Breakfast and Inns.
6. Hotel, Motel uses south of Second Street only.
7. Office, without a residential component.
8. Incidental sales or gallery space associated with live/work use.

E. Lot Area, Floor Area Ratio (FAR) and Yard Requirements. Varies, the following minimum yard and area requirements shall apply:
1. Lot Area.
   Minimum lot size: No minimum 2400 sq. ft.

2. Floor Area Ratio.
   a. B Street (west side) between Third and Fourth Streets:
      i. Base of 1:1 FAR up to a maximum of 1:1.5 FAR including bonus
      ii. Bonus of 0.5:1 FAR considered for preservation of designated historic residential structure, or preservation of “trees worth saving.”
   b. B Street (west side) between Second and Third Streets:
      i. Base of 1:1 FAR base up to a maximum 2.0 FAR including bonus
      ii. Bonus of 0.5:1 FAR considered for provision of underground parking, ownership condominium dwellings, preservation of designated historic structure or “trees worth saving”
      iii. Bonus of 0.2:1 FAR considered for preservation of “trees of significance”
2.3. Front Yard.
   a. First and second story, 15 Feet minimum, with up to 8 foot maximum encroachment allowed for porches, balconies or decks.
   b. Above second story, 20 feet minimum average.
   c. Exception – first and second story setback of 10 feet minimum with up to 5 foot maximum encroachment for porches, balconies or decks considered through Design Review process for legally guaranteed senior (62+ years) owner-occupied condominium project on B Street, west side between Second and Third Streets.

Building sidewall modulation and variation required, see Design Guidelines.

a. The least restrictive criteria shall apply:
   i. Equal to the average setback of all residences on both sides of the street within 100 feet of the property lines of the new project.
   ii. Equal to the average of the two immediately adjacent buildings.

b. Certain architectural features such as stoops, porches, and other minor covered entrances attached to the main building front may project into the required front setback an additional 5’. Porches, however, are an integral element on the front of a house shall not receive exception from minimum front yard setback requirements.

3.4 Side Yard.
   a. 0 feet minimum within project interior.
   b. 5 feet minimum from property boundaries or alley side yards.
   c. 4 feet minimum setback at project perimeter may be considered for town/row house projects.
   d. Properties shown on B Street Transitional District Special Height Restriction map (area bordering south property line of 246 Fourth Street, 337 B Street and north property line of 333 B Street) subject to greater setbacks. See modified height limits and Design Guidelines. (See Exhibit C).

Building sidewall modulation and variation required. See Design Guidelines.

   a. Street Side yard: 15 feet.
   b. Interior Side yard: minimum of 6 feet total of 12 feet between buildings.

4.5 Rear Yard.
   a. Single Family, two family, multifamily dwellings, duplex, town/row houses, and permitted or conditional non-residential uses.
      i. Alley - first and second story: 10 feet minimum to building wall with up to 5 foot encroachment allowed for porches.
      ii. Alley- third story: 20 feet minimum average.
      iii. Non-alley first and second story: 15 feet minimum.

b. Condominium ownership dwellings/flats (B Street west side, between Second to Third Streets).
i. Alley: first and second story - 10 feet minimum.
ii. Alley: third story - 20 feet minimum average.

Building sidewall modulation and variation required, see Design Guidelines.

Single family use 20 feet, except for any portion over of a building over one story, 25 feet.

5.6 Exceptions.
Projections. Certain architectural features may project into required yards as provided in Code section 40.27.060 and as specified in this section E.2.b above.

7. Minor Modifications- minor modifications may be allowed to required yard setbacks subject to Municipal Code Section 40.27.27, or through a revised Final Planned Development process, Municipal Code Section 40.22.170.

F. Building Height.
1. Single family, two family, multifamily dwellings, duplex, town/row homes, condominium ownership dwellings, flats and permitted or conditional non-residential uses.
   a. Overall height: three stories and 38 feet maximum measured to roof peak.
   b. At Street: two stories and 30 feet maximum measured to roof peak.
   c. At Alley: two stories and 24 feet maximum measured to roof peak.

2. Condominium ownership dwellings/flats (B Street west side between Second to Third Streets).
   a. Overall height: three stories and 45 feet maximum measured to roof peak.
   b. At Street: two stories and 30 feet maximum measured to roof plate.
   c. At Alley: two stories and 30 feet maximum measured to roof peak.

3. Special Height Limits – Additional special height limits apply to specific property areas identified on the B Street Transitional District Special Height Limit map (see Exhibits B and C ) as follows:
   a. Properties located at 246 Fourth Street and 337 B Street and the entire northern 30 foot width of the property located at 333 B Street bordering these two parcels, are limited to a height of two stories and 30 feet maximum measured to the roof peak.

   No structure shall exceed two stories or 30 feet as measured to the roof peak.

G. Open Space and Lot Coverage Requirements.
1. Usable Open Space.
   No minimum standard. Minimum of 20 percent of the lot area.

2. Lot Coverage.
   No maximum standard. Not in excess of 40 percent.

3. Rear Yard Coverage.
No more than 30% of the square footage of the required rear yard area shall be covered with impervious surfacing for parking and/or structures, with the exception of lots with the rear yard abutting an alley, in which case a 100% rear yard coverage shall be allowed. Parking areas shall be adequately screened in accordance with Section 11.D.1

H. Parking.
1. Number of parking spaces required
   a. Residential Uses.
      1 space for each studio or 1 bedroom dwelling unit.
      1.5 spaces for each two bedroom dwelling unit.
      2 spaces for each three bedroom dwelling unit. One additional parking space required for each additional bedroom above three.
      Accessory dwelling units and flexible live/work space treated as additional bedrooms.
   b. Non-Residential Uses. 1 space per 500 square feet of gross floor area.
      a.—Single-family dwelling. One covered and one uncovered off-street parking space for dwellings containing four or fewer bedrooms, and one additional space for each bedroom in excess of four.
      b.—Medical and dental offices: One parking space for each 200 (500 in mixed use) square feet of gross floor area.
      c.—Combined office/residential. Office portion to be one space for every 500 square feet for residential, one parking space to be provided per efficiency, one or two bedroom. One and one half for each three or four bedroom. One space shall be covered. All other uses that may apply refer to Municipal Code section 40.25 regarding parking requirements.
      d.—Potential deviations refer to Section 11.C.

2. Parking Location. It is a goal for this district that parking impacts be minimized. In the area along B Street there shall be no on-site parking allowed on the B Street property frontage. On-site parking shall not take access from B Street nor will curb cuts be allowed on B Street. Required on-site parking shall be provided in the rear with access from the alley. A minimum of one parking space per residential unit must be provided on site.

3. In-Lieu Parking Fees – Required parking for non-residential uses or residential spaces over the one per unit requirement may be provided through in-lieu-of payments pursuant to 40.25.060 or by participation in a parking district as provided in section 40.25.060.

4. Off Street Loading.
   No off street loading shall be required for any commercial use.

5. Exceptions. Reductions for
   a. Adaptive Reuse. All requirements in this sub-section may be reduced in the case of conversion or preservation of an older residential structure. Parking requirements
shall be reduced as follows: For each square foot at ground level of structure preserved, one square foot of parking eliminated.

b. Exceptions to required parking dimensions to allow smaller parking spaces to accommodate electrical vehicle parking, may be approved through the City’s Minor Modification process (Municipal Code Section 40.27.27), notwithstanding the minor modification dimension limitations.

c. See also Section 12.B. Exceptions from Parking Standards and Required Findings.

5-6. Rounding.
Whenever the computation of the number of parking required by this section result in a fractional parking space, one additional parking space shall be required for ½ or more fractional parking space and any fractional parking space less than ½ shall not be counted.

I. Landscaping.
1. Minimize impact to existing remaining trees to the greatest extent possible through design and construction as provided in Chapter 37 of the City’s Municipal Code, Article 37.03.
2. Impervious surfacing in the required front yard (parking areas, walkways, concrete patios, etc.) shall not exceed 40 percent or 18 feet in total width of the front yard, whichever is greater.
3. A minimum of 40% of an alley frontage shall be landscaped.

J. Density. Varies by lot size and building type:
1. Single family, two family, duplexes, multifamily dwellings, town house, condominium ownership dwellings or flats:
   Equal to or less than 7,500 minimum square foot lot -3 units maximum (22 du/net ac).

2. Multifamily, town/row house, condominium ownership dwellings or flats:
   Equal to or less than 15,000 minimum square foot lot - 7 units maximum (24 du/net ac.)

   Provision of accessory efficiency units may exceed these densities for single family home or town home projects.

3. Multifamily condominium ownership dwellings/flats on B Street, west side between Second to Third Streets:
   a. Equal to 13,000-15,000 minimum square foot lot , 30 du/net acre, 40 du net acre allowed for ownership condominium dwellings.
   b. Density Bonus of up to 50 units per net acre maximum considered for senior (62 + years) ownership condominium project.

SECTION 9. 10. GENERAL CONDITIONS.
A. Reference for Setbacks. Where the property line is at the curb, the line of reference for zoning setbacks shall be based on back of walk or bike path. Setbacks from alley property lines shall be as noted below:
1. Where a lot in any residential district abuts an alley the rear yard may be measured from the centerline of the alley rather than the rear lot line; provided, the Community Development Director finds that any structure to be located in accordance with such measurement will not adversely affect the sunlight, air, open space, or solar access of adjacent properties; but in no case shall a rear setback line of less than five feet from the rear lot line be allowed unless specifically permitted otherwise.

2. For development on lots fronting on University Avenue, rear yard measurements shall be made from the centerline of the 13 foot wide alley right-of-way bordering their eastern property line as shown on the official map of the City of Davis, 1933, recorded Book 3 of Maps page 71, Yolo County Records.

3. For development on lots fronting on the west side of B Street between Second and Fourth Streets, alley rear yard measurements shall be made from eastern edge of a newly established 20 foot wide right-of-way. The alley right-of-way shall be expanded to 20 feet through the dedication to the City, of an additional 7 foot width of right-of-way from the rear yard area of the parcels fronting on the west side of B Street located between Second Street and Fourth Street and side yard of property at 247 Third Street. Such dedication shall be required at the time of any approvals for redevelopment for these parcels.

B. Design Review. Site plan and architectural approval (design review) shall be required for all uses, as provided in Sections 40.31 of the Davis Municipal Code and as required in the Davis Downtown and Traditional Residential Neighborhood Guidelines.

C. Maintenance of undeveloped lots. Undeveloped lots in the planned development shall be maintained in a reasonably weed-free condition prior to development.

SECTION 10. PERFORMANCE STANDARDS AND DESIGN GUIDELINES.
The following list of performance standards and design guidelines apply generally to the various projects that may occur within the project area. However, it should be noted that not every standard applies in every case. Many are to be used in conjunction with a larger project subject to design review whereas, some apply for single-family improvements.

A. Adaptive Reuse of Single-Family Structures. Retention and renovation of existing homes for use as single-family dwellings is encouraged. However, when conversion or change in use would enhance the neighborhood or would result in an upgrade to a non-contributing structure such as a non-contributing residential structure in disrepair located on a major arterial that is converted to an office, adaptive re-use is encouraged.

B Site Landscaping/Irrigation.
1. Plant Materials.
   Plant materials shall be used in all landscaped areas. Gravel, bark, rock or mulch is not adequate by itself as a ground cover. Select plants for their year round interest, as well as their form, texture and shape value. Use a mix of evergreen and deciduous plant materials. Drought tolerant landscape materials are emphasized for all projects.

2. Surfacing Parking Lots.
   When applicable, projects shall comply with the City’s “Parking Lot Shading
Guidelines.

3. **Project Landscaping.**
   For projects with required landscaping, planting shall be provided between parking areas and buildings, between driveways and buildings, between buildings, adjacent to building elevations, at project entries, between parking areas and the street, and at property boundaries.

4. **Front Landscaping.**
   For residential projects the front yard shall be predominantly landscaped with plants. Hard surface paving for patios, terraces or drives shall be minimized.

5. **Irrigation.**
   All areas with required landscaping shall be irrigated with permanent timed automatic systems.

6. **Landscape Maintenance.**
   All areas shall be kept free from weeds and debris and maintained in a healthy condition. These areas shall receive regular pruning, fertilizing, mowing and trimming. Damaged, dead, decaying plant material shall be replaced in 30 days.

**C. Property Maintenance.** Property owners are responsible for maintaining all buildings, structures, yards, signs, parking areas and other improvements in a manner, which does not detract from the appearance of the surrounding area. Parking lots shall be maintained in an attractive and suitable fashion with any potholes, significantly cracked or uneven paving and any other significant damage repaired in a timely fashion throughout the life of the project.

**D. Garbage Service and Trash Enclosures.**
1. **Enclosure Design.** Enclosures and landscaping shall be provided around trash and recycling facilities. The design, size and capacity of trash and recycling facilities shall be determined as part of the design review application. Materials used in the enclosure shall be architecturally compatible with the building(s) they serve. The facilities shall relate appropriately to the building(s) and shall not be obtrusive in any way or detract from the building design theme.
2. **Residential Projects.** Trash storage areas shall be included as an integral part of the project design, particularly storage and screening where along an alley.
3. **Recycling of Construction Waste.** For retail, mixed use or multiple unit projects. A plan for recycling of construction waste shall be submitted and reviewed by the Planning and Building Departments prior to issuance of site permits.

**E. Screening.**
1. **Buffering/Screening.** Where a more intensive project is located adjacent to a less intensive use, such as a single-family residence, substantial screening and buffering shall be provided. The buffer should include a combination of fencing and landscaping to fully screen views and minimize noise, glare and other potential nuisance impacts. New buildings will be required to provide substantial screening even if this requires increased setbacks.
2. **Building Access.** Customer access should be taken from the front or street side of the structure rather than from the rear or side that abuts a single-family or lower intensity use. Commercial, office or multi-tenant residential uses should generally be pedestrian
oriented and the intensity in the number of trips required to and from the site minimized.

3. **Mechanical Equipment.** All mechanical equipment, such as, utility meters, backflow devices, air conditioning units and storage tanks shall not be readily visible to the general public and shall be located in the most unobtrusive manner possible. Equipment shall be fully screened from the front setback. Concealment within a building is preferred. If not possible then such utility elements shall be screened. Screening may include locating adjacent to the building, away from the public sidewalk and using decorative fencing and/or landscaping. Noise impacts of equipment must be mitigated. Noise shall be accommodated solely on the subject property rather than be placed in such a manner as to cause impact to adjacent properties.

**F. Fencing.**

1. **Chain Link Fencing.** In all districts, chain link fencing shall not be allowed. Fencing shall be architecturally compatible with adjacent buildings.

2. **Front Yard Fencing.** In all districts fencing in the front yard shall not exceed 42 inches in height and shall be an open (50% open), semi-transparent material.

3. **Alley Fencing.** Shall be a maximum height of 6 feet. At a minimum, the top two feet are encouraged to be an open (50% open), semi-transparent material

**G. Exterior Lighting and Illumination.**

1. **Lighting adjacent to residential uses.** Outdoor lighting shall be design to be non-obtrusive. To the extent possible exterior lighting shall be located below a fence or screen height.

2. **Ordinance 1966.** All lighting shall be shielded and directed downward consistent with provisions of the City’s Outdoor Lighting Control Ordinance 1966 Municipal Code Section 8.17.0.

**H. Signs.** Signs shall be subject to the City’s “Downtown Davis Sign Design Guidelines”.

**I. Energy Conservation.** Windows shall be shaded from the summer sun and trees shall shade south and west exposures. Landscaping shall be planted adjacent to a building face to the extent possible to help reduce heat and glare.

**J. Parking/Access.**

1. **Access.** Curb cuts shall be minimized. Where necessary for access the drive and access shall maintain a single-car width (10-ft.) until the driveway extends beyond the rear of the primary structure.

2. **Front setback Parking.** Where a property is located on an alley, required parking shall not be located in front setback. Parking should be located in the rear portion of the lot. For properties that do not have alley access required parking should not project beyond the front plane of the primary building. Consideration for one parking space to extend beyond the front building plane may be allowed in those situations where existing development on a residential site precludes locating parking behind the building.

3. **Garage Location.** The garage shall be setback so that parking will not extend beyond the front plane of the primary building, except for the portion of town or row house projects adjoining the alley immediately west of B Street.
4. **Screening.** For commercial, office, institutional or multi-tenant residential located adjacent to a single-family use or district, parking may be allowed to the side or rear with sufficient screening to minimize potential privacy, noise or glare impacts on adjacent single family uses. Access and parking spaces shall be located as far from the adjacent single family use as possible. At a minimum, screening shall include a combination of fencing and landscaping. An adequate planting buffer shall be provided, a minimum of 5’, to accommodate the mature growth of all shrubs or trees provided for screening purposes. Additional planting width, up to 10 feet may be necessary if a dense planting screen is required for privacy and noise buffering.

5. **Alley access for commercial, office or multi-tenant residential uses.**
   a. While an alley may help serve as a buffering element between uses, intensive use of the alley by the proposed commercial, office or multi-tenant residential use should be minimized, particularly if located mid-block and in order to access user must pass by multiple residential uses to reach the destination. While this does not preclude use of the alley, uses or conditions that generate fewer vehicle trips are preferred.
   b. Specific provisions for use and improvement of the alley located immediately west of B Street parcels located between Second Street and Fourth Street are noted in Sections 8, 9 and 10. c. and the Design Guidelines.

6. **Bicycle Parking.** Where required, the location and number of bicycle parking spaces shall be determined as part of project review.

K. **Alley Maintenance**
   At the time new development of a new office use is permitted in the University Avenue B Street Transition District, the proponents of the office space project shall be required to commit to contribute to the improvement and ongoing repair and maintenance of the alley.

**SECTION 14.12. FINDINGS AND EXCEPTIONS TO STANDARDS**

A. **Findings for Conditionally Permitted Structures.** In addition to the findings required for conditionally permitted uses, the following should be considered when the conditional use involves new construction.
   1. That the proposed building and/or use reinforces and enhances the unique nature and character of the neighborhood.
   2. That the project is consistent with applicable site and building development standards, guidelines and policies.
   3. That appropriate design elements are incorporated into the proposed use/structure so that it is compatible and complementary with neighboring properties and uses.
   4. That adequate conditions are included on the proposed conditional use and property to maintain ongoing compatibility with the surrounding neighborhood. Use parameters shall be sufficiently clear to determine the threshold of change that would require a new or modified conditional use permit.

B. **Exceptions from Parking Standards and Required Findings.**
   A one space exception to parking requirements may be requested for accessory structures and secondary dwelling units subject to a Tier #3 review. All other requests for parking
reductions shall be subject to Final Planned Development Review. Requests for exceptions shall be subject to the following findings:

1. For parking exception requests of one space:
   a. That there are unusual physical circumstances on a lot that may cause it to vary from other lots in the ability to provide the required number of spaces including unusual lot configuration or significant landscaping, such as a large mature tree, that would have to be removed or potentially damaged as the result of construction of a parking site.
   b. That there will not be a significant negative impact to surrounding properties and streets.
   c. The main structure has fewer than 5 bedrooms, or the property less than 6 bedrooms (including secondary structures).

2. For parking exception request greater than one space, but in no case shall the exception result in a reduction of parking of more than 50% of the required parking (or for parking exception requests above, Section 44.12. C.1, for projects with 5 or more bedrooms in the main structure, or 6 or more bedrooms on the total property):
   a. Sufficient evidence has been provided to establish that there are unique aspects of the use/location that justify a reduction in parking standards. This may include submittal of a parking analysis prepared by a qualified professional (such as a traffic engineer) when deemed necessary to evaluate the merits of the request.
   b. That there is adequate parking available within a reasonable distance from the project site or that there is opportunity for shared parking.
   c. That the majority of users will generally not need to use an automobile to access the site.
   d. That the sufficient on-site parking is provided to reasonably meet baseline needs of the use.
   e. That an analysis be provided of possible future impacts should the proposed use change.

C. Exceptions From Setbacks and Findings For Subareas A, B and C, D and E.

Exceptions to setback requirements may be considered through a Minor Modification Process or through a Final Planned Development (FPD) process for those instances where all or a portion of a single-family use abuts a more intensive use. In those cases, exceptions from setback standards may be considered if the following findings can be made:

1. That the project requesting the exception is required to incorporate additional buffering for the single-family use, i.e. allowance for a detached accessory structure to be located on a rear property line where the rear lot abuts a larger, more intensive use structure which is itself located at or near a rear property line. This would typically tend to occur on contiguous internal property lines rather than on a rear or side alley property line.
2. That it is determined that the intensity of development on the lot is not significantly greater than that of adjacent properties, except where greater intensity of development is allowed under Subareas D and E; and
3. That the setback exceptions will not result in a nuisance situation for adjacent properties.

D. Validity of Previous Approvals
Projects that have received development approvals (such as design review or use permit) or building permits prior to the effective date of this ordinance, that do not meet the requirements of this amended Planned Development, shall be deemed to be legal non-conforming uses or legal non-conforming structures if built and occupied in accordance with the development approval or building permit.

SECTION 13. SPECIFIC PLAN AMENDMENT REIMBURSEMENT FEE. Pursuant to Section 65456 of the California State Government Code new development occurring within Sub-Area D, Retail with Offices District, and Sub-Area E, B Street Transitional District that benefit from the amendments to the specific plan approved on _________ which resulted in development cost savings due to reducing the cost of documenting environmental consequences, changed land uses and development regulations, are subject to the specific plan amendment reimbursement fees as noted in Resolution ________ dated________.

SECTION 12-14. OVERALL PROJECT FINDINGS.
A. The City Council of the City of Davis hereby finds that the criteria for the approval of the preliminary planned development have been fulfilled.

B. The preliminary planned development is in conformity with the general plan in that it implements the general plan land use and Core Area Specific Plan land use designations as amended.

C. The preliminary planned development is in conformity with the intent of the planned development article of the zoning chapter in that it provides for a variety of uses and building types while providing standards that promote the public health, safety and general welfare.

D. The City Council further finds that it has reviewed and considered the environmental impact, negative declaration #7-01, and B and 3rd Streets Visioning Process Environmental Impact Report SCH#2006012026 and has determined that these documents adequately addresses identify the potential significant environmental effects of the amended subject rezoning/preliminary/final planned development and will not have a significant negative effect on the environment identified mitigation measures will be required as conditions of development approval, and a Statement of Overriding Considerations has been adopted for the potential environmental effects that cannot be mitigated to a less than significant level.

SECTION 13 15. EFFECTIVE DATE.
The ordinance shall become effective on and after the thirtieth (30) day following in adoption.

INTRODUCED ON__________, 2007 and PASSED AND ADOPTED on__________, 2007 by the following vote:

AYES:

NOES:
ABSENT:

___________________________
Ruth Uy Asmundson
Mayor Pro Tem

___________________________
Margaret Roberts CMC
City Clerk
Exhibit A
Proposed Zoning Designation Changes
Planned Development PD2-86B
May 2007

PD 2-86A Sub-Areas
- Subarea A - Low Density Residential
- Subarea B - University Ave. Residential Overlay District
- Subarea C - University Ave. Transitional District
- Subarea D - Core Retail with Offices
- Subarea E - B Street Transitional District

NAP - Not a Part
Project Area

Special Use Restrictions
Special Height Limits - See Exhibits B, C
Exhibit B

Retail with Offices
Subarea D Special Height Restrictions
Planned Development PD2-86B

May 2007

- 2-story 30' maximum height
- limit and minimum 15' rear yard setback
- or 5' minimum sideyard setback.
Exhibit C

B Street Transitional District
Subarea E Special Height Restrictions
Planned Development PD2-86B

May 2007

2-story
30' maximum height limit.
Exhibit D
Existing Zoning Designations
Planned Development PD2-86A
May 2007

PD 2-86A Sub-Areas
- Subarea A - Low Density Residential
- Subarea B - University Ave. Residential Overlay District
- Subarea C - University Ave. Transitional District
- Subarea D - Core Retail with Offices
- NAP - Not a Part
- Project Area

Legend:
- Subarea A - Low Density Residential
- Subarea B - University Ave. Residential Overlay District
- Subarea C - University Ave. Transitional District
- Subarea D - Core Retail with Offices
- NAP - Not a Part
- Project Area

Scale: 200 Feet
# Appendix C.4

## Amendments to Downtown Davis and Traditional Residential Neighborhoods Design Guidelines

<table>
<thead>
<tr>
<th>PAGE</th>
<th>PARAGRAPH</th>
<th>AMENDMENT TYPE</th>
<th>PROPOSED AMENDMENTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>New 3</td>
<td>Text</td>
<td>The Design Guidelines were amended in ______ of 2007 to modify the design objectives and standards within three “Special Character Areas: 3rd Street, Core Transition West and Central Park.” These amendments were the result of a public “Visioning Process” conducted to redefine the type, form and intensity of development necessary to achieve the Community’s desire to facilitate reinvestment and increase ownership housing in the B and 3rd Streets project area near the Downtown, to strengthen the pedestrian and mixed use connection between the University and the Downtown, and to establish a more active edge around Central Park.</td>
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</tbody>
</table>
| 6    | 1 new bullet 4 | Text       | • Plan for new commercial and residential infill construction that is compatible and complementary to the character of existing neighborhood areas within the district.  
• Support the unique function of special character areas in balance with community goals. |
| 7A   | Text/photos | B & 3 Visioning Process – A public visioning process including a number of public workshops and public hearings were conducted between the Fall of 2004 and Spring of 2006 in order to redefine the community’s objectives for development on portions of B and 3rd Streets within three special character areas. On October 26, 2004 and December 6, 2004 two community workshops were held to discuss planning and design issues facing B Street. Participants evaluated how alternative development patterns addressed the broader community context, the goals for preservation of residential character vs. establishment of a new design and pattern, the amount of ownership housing, and linkage between density and financial feasibility. The need to include Third Street in the process was also raised.  
In March 2005, a Planning Options Report was prepared for public review and comment. The report identified two alternative development patterns representing different policy options that would address community objectives: a traditional development pattern and a new development pattern.  
In April of 2005 a Visions Summary Report was issued summarizing the outcome of the Visioning Process, defined the alternative development patterns and policy options considered in the process and presented a fourth recommended option for establishment of a mixed use “creative district” for B and Third Streets with a larger scale and higher density development pattern. Public Hearings held in April and May concluded with City Council direction to pursue implementation of the recommended alternative four.  
Public meetings held in __________ reviewed the proposed amendments to the Design Guidelines. Public Hearings held in __________ concluded with City Council amendment of the Design Guidelines. (Photos of B&3rd Visioning Process) |
New photos for new page 7A:

3rd & B Street Workshops:
<table>
<thead>
<tr>
<th>8</th>
<th>3, line 1</th>
<th>Text</th>
<th>…such as PD#2-86A (or PD# 2-86B as amended), which are tailored to address….</th>
</tr>
</thead>
<tbody>
<tr>
<td>16</td>
<td>7</td>
<td>text</td>
<td>Quote of CASP Policy 7 (B) Revise as per proposed CASP amendment. The area along B and Third Street corridors shall be treated with sensitivity because of potential impacts on adjacent land uses. Development along this corridor shall be of an appropriate scale and character in relation to the surrounding and adjacent land uses.</td>
</tr>
</tbody>
</table>
| 20 | 2 | Text | **Retail-Street Hierarchy**  
Two categories of principal and secondary retail streets should be improved to link key retail places. Because principal retail streets should have the highest foot traffic and greatest continuity in storefront commercial uses, infill must be built to the front lot line and at least 75% of a buildings frontage should be used for retail storefront. Development on secondary retail streets must also be built to the front lot line and have at least 50% of the frontage as a retail storefront. |
| 33 | Graphic Pending | Add color tone over Central Park and 3rd Street corridor to show area as part of Mixed Use Transition area. |
| 33 | 2, new 3rd Bullet | Text | • Mixed-use Transition areas bordering the Downtown Commercial areas are intended to provide space for intensified mixed-use projects that maintain a residential character while also serving as a physical and use transition to the three surrounding residential neighborhoods.  
• Higher density/intensity residential and mixed use projects allowed on Third and B Streets should be compatible with the residential character of the area. |
| 55 | 1 | Text | 1. Maintain the alignment and spacing patterns of buildings as seen along the block.  
A. Maintain the traditional setbacks of buildings that retain residential development patterns.  
B. Building fronts shall be in line with traditional houses along the block except in specific areas where modified setbacks are allowed through special character area guidelines or zoning standards. |
| 58 | 2 | Text | Mixed Use Design Guidelines – Building Mass and Scale  
• **Increased building scale and height may be allowed in portions of mixed use special character areas such as along B and 3rd Streets where new development patterns are allowed.**  
add new 4th bullet under A |
| 70-71 | Text | **Mixed Use Character Areas: Core Transition West**  
**Key Features**  
• The B and C Street area west of the commercial Core is a traditional residential neighborhood that has experienced commercial and apartment development related to the University.  
• One primary entrance to each structure faces the street.  
• Low sloping rooflines with overhanging eaves are typical.  
• Wood and stucco with detailing are predominate building materials.  
• Consistent pattern of large scale trees within parkway. |
Existing uses consist of a mix of single-family and apartment rental units, offices, restaurants and hotels.

Design Objectives

A. The area should serve as a use and physical scale transition to the predominately single-family character of University Avenue/Rice Lane neighborhood to the west.
   - The traditional “bungalow feel” of the area should be maintained while accommodating compatible new development.
   - A sense of “front lawns” should be maintained, which may be reinterpreted as landscaped courts and yards.

B. The west side of B Street between 2nd to 3rd Streets should have a built form and variety of compact housing types promoting an urban village feel.
   - Conversion and expansion of existing residential structures to accommodate office uses is also appropriate in this area.
   - The design of new higher density development should reflect the residential character of the area.
   - New development to be of high quality design and construction to enhance visual quality of the street and support potential for owner occupied units.

Guidelines

A. A new building should have sloping roof forms with extended eaves and front porches/entries similar to those seen on residential buildings.

B. A building should be setback to align with the fronts of existing houses.
   - The setback shall be plus or minus 10 feet from the average setback for the block.
   - The front setback should be landscaped with low plants and decorative paving.

C. New larger buildings along B Street should be designed to be compatible with the architectural character of the adjacent residential neighborhood.
   - New taller buildings should step down towards smaller buildings.
   - The massing of new buildings should be broken into modules that reflect the scale of traditional buildings found in the adjacent neighborhood.
   - Traditional residential door and window patterns should be used with location of new windows carefully considered with regard to privacy of neighboring residences.
   - New buildings should be set back and provide landscaping to retain a sense of a “front yard”.
   - Front porches and landscaped courtyards should be incorporated into the front setback.

D. Residential uses are encouraged.
   - Additional residential units are encouraged with new construction or as part of an addition to an existing structure.
   - New units should be designed as smaller one to three bedroom units.
- Structures designed as two bedroom townhouses or condominium units for ownership are preferred.
- Large three and four bedroom apartment type units are inappropriate.
- Flexible live/work spaces are appropriate on ground floor units facing the street.

**D. E. Parking should be considered and incorporated as part of an overall parking plan for downtown.**

- A minimum of one parking space per residential unit should be provided on-site.
- On-site parking for commercial uses is highly encouraged.
- Parking requirements may be met through payment of in-lieu parking fees in specific areas where allowed by zoning.
- Shared use of parking between residential and commercial uses should be encouraged.
- Driveway curb cuts should be minimized.
- Properties with alleys should provide access to parking from the alley.

**F. Alley to rear of B Street should be enhanced with a “village lane” character.**

- Modify alley to support auto access for development on adjoining B Street sites.
- Minimize paving but provide for two-way travel where needed.
- Accommodate existing structures and preserve mature trees where feasible.
- Two and three story town homes or accessory units on alley are appropriate
- Use plantings and decorative paving along alley to provide visual interest.
- Screen parking courts, trash containers, mechanical equipment and service areas from view.
<table>
<thead>
<tr>
<th>70-71</th>
<th>Photos</th>
<th>Remove second and third photo from top of page 70</th>
</tr>
</thead>
<tbody>
<tr>
<td>71A</td>
<td>Graphic</td>
<td>New graphic showing sections of three development types on B Street: Townhouse with Single Family with Alley Unit Townhouse with Parking Court Condominiums over Parking</td>
</tr>
</tbody>
</table>
New photo second from top of page 70.

New photo bottom right of page 70.
New graphic on new page 71A.

B Street Section between 2nd and 4th Streets • Townhouse or Single Family with Alley Parking and Unit

B Street Section between 2nd and 4th Streets • Townhouse with Parking Court

B Street Section between 2nd and 3rd Streets • Condominiums over Parking
Special Character Areas: Central Park

Key Features
- Central Park is a special focal point and activity center in traditional Davis.
- Buildings that frame the park help to define the space and generate activities that animate the area.
- Central Park’s edges require special consideration to activate and shape the open space.
- Streets surrounding the park are delineated with large street trees planted in a parkway.

Design Objectives
- Residential uses with a mix of pedestrian-friendly commercial uses such as cafes should develop to visually frame the park and energize it.
- New two to three story buildings on B Street west of the park should develop to support this framework.
- Cafes on Third and C Streets are encouraged to help activate the edges of the park.
- Potential exists for redevelopment of the school district site as an anchor for the northern perimeter of the park.

Guidelines
A. New buildings should have residential forms.
- Sloping roofs, porch elements and buildings composed of modules in scale with traditional buildings should be used.
- Sloping roofs should predominate; porch elements defining primary entry should be features in new residential buildings.
- Doors and windows should reflect residential patterns and be located to respect privacy of neighboring properties.
- Townhouse units on B Street should be expressed as individual structures with front entries oriented towards the street or alley. Provide all units in a project with pedestrian access to B Street.

B. Yards and courtyards are encouraged in front of buildings.
- Traditional front yard setbacks should be maintained except where reduced setbacks are allowed by zoning.
- Front yards should be included in new attached residential, or townhouse developments on B Street and rear alley.
- Courtyards may be used, but the majority of the front setback should be plant materials.

C. Commercial Uses with outdoor activities that support the pedestrian ambiance are encouraged.
- Commercial uses should be limited to the ground floor.
- Additional residential uses should also be accommodated in each project to enhance the 24-hour presence around the park.
• Flexible live/work spaces in ground floor spaces facing B Street are encouraged to provide a more public edge to the park.

D. Alley to rear of B Street to reflect “village lane” character.
   • Parking access to be via a shared driveway on alley, not B Street.
   • Modify alley to support auto access for new development.
   • Minimize paving, but provide for two-way travel where needed.
   • Alley changes should accommodate existing structures and preserve mature trees where feasible.
   • Two and three story townhouses or accessory units on the alley are appropriate.
   • Use plantings and decorative paving along alley to provide visual interest.
   • Screen parking courts, trash containers, mechanical equipment and service areas from view.

| 77 | Photo | Remove second photo from top of page 77. |

New photo second from top of page 77.
New graphic on new page 77A.

- Preserve trees along alleyways
- Two and three-story townhouses along alley
- Parking court with alley access
- Roof massing features express individual units
- Maintain a front yard
- One-story porches facing sidewalk with walkways to each unit
- Provide all units pedestrian access to street
- Two-story adjacent to low density residential

**B Street**

Central Park

B Street Section at Central Park

- shallow front yards with raised porches
- two-story facade upper level setback
- visually hide parking from the street
- step down buildings along alley
- Parking

Parking
<table>
<thead>
<tr>
<th>78-78A</th>
<th>Text</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Special Character Areas: Third Street</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Key features</strong></td>
<td></td>
</tr>
<tr>
<td>• Third Street is the principal bike and pedestrian connection to the University.</td>
<td></td>
</tr>
<tr>
<td>• It provides a small scale “commercial village” character that defines a distinctive activity center.</td>
<td></td>
</tr>
<tr>
<td>• Buildings vary from one to three stories.</td>
<td></td>
</tr>
<tr>
<td><strong>Design Objectives</strong></td>
<td></td>
</tr>
<tr>
<td>• <strong>Cultivate the evolution of Third Street between A and B Streets as a unique higher density mixed use urban village supporting pedestrian oriented and low traffic generating commercial, retail and live/work opportunities.</strong></td>
<td></td>
</tr>
<tr>
<td>• New development to be of high quality design and construction to enhance the visual quality of the street.</td>
<td></td>
</tr>
<tr>
<td>• Enhance the gateway from campus with mixed-use buildings, sidewalk cafes and pedestrian/bike enhancements.</td>
<td></td>
</tr>
<tr>
<td>• Improve the sense of visual continuity between new and old buildings and intensify commercial uses.</td>
<td></td>
</tr>
<tr>
<td>• Encourage adaptive reuse of traditional residential structures.</td>
<td></td>
</tr>
<tr>
<td>• Maintain and enhance the pattern of large street trees along the entire corridor.</td>
<td></td>
</tr>
<tr>
<td><strong>Guidelines</strong></td>
<td></td>
</tr>
<tr>
<td><strong>A. A mix of traditional mixed-use storefront building types is appropriate for this area.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>B. Two and three-story buildings should predominate.</strong></td>
<td></td>
</tr>
<tr>
<td>• Careful transition to adjacent residential buildings should be incorporated.</td>
<td></td>
</tr>
<tr>
<td>• Buildings on the north side of Third Street between E Street and B Street University Avenue and on the south side of Third Street between B Street and University Avenue should be primarily one and two stories.</td>
<td></td>
</tr>
<tr>
<td>• <strong>New buildings should have two-story façade heights. Upper levels should be set back.</strong></td>
<td></td>
</tr>
<tr>
<td>• Residential roof forms with upper levels within the roof area should predominate on Third Street between A and B Streets.</td>
<td></td>
</tr>
<tr>
<td><strong>C. Varied setbacks are encouraged to enhance transition between building types and provide for courtyards and plazas.</strong></td>
<td></td>
</tr>
<tr>
<td>• Setbacks on side streets should provide for a sensitive transition to existing buildings.</td>
<td></td>
</tr>
<tr>
<td><strong>D. Consistent setbacks on portions of Third Street identified as primary and secondary retail streets are encouraged to provide storefront continuity along the street.</strong></td>
<td></td>
</tr>
<tr>
<td>• Third Street should have pedestrian-oriented uses and design, including transparent storefronts, awnings, pedestrian-scaled signage and other storefront district features.</td>
<td></td>
</tr>
<tr>
<td>• Use landscaping and special paving along setbacks on alley to rear of B Street to enhance the “village lane” character.</td>
<td></td>
</tr>
</tbody>
</table>
- Outdoor seating areas are encouraged along Third Street.
- Screen trash containers, mechanical equipment and service areas from public view.
- Maintain mature trees where feasible.

**DE. Parking is not permitted in front of a building.**
- Parking and driveway access from Third Street is inappropriate.
- Parking should be located to the rear and accessed from an alley or side street.
- Parking should be incorporated into the site and building to minimize its visibility.

**EF. Courtyards and plazas are encouraged.**
- A clearly defined walkway should lead to the main building entrance.
- These should be landscaped to reflect the residential tradition of the area while accommodating new commercial and residential uses.

<table>
<thead>
<tr>
<th>78-79</th>
<th>Photos</th>
<th>Remove photo on top right of page 78; remove photo from top left of new page 78A.</th>
</tr>
</thead>
</table>

New photo top right of page 78.

New photo top left of new page 78A.
New graphic bottom of new page 78A.
<table>
<thead>
<tr>
<th>83</th>
<th>Graphic Pending</th>
<th>Modify Map and legend of Traditional Neighborhood locations to add mixed use and special character areas in dashed lines.</th>
</tr>
</thead>
<tbody>
<tr>
<td>83</td>
<td>Text Pending</td>
<td>Note: refer to the Mixed Use Design Guidelines, Mixed Use Character Area guidelines and Special Character Area guidelines for design guidelines applicable to mixed use, commercial or attached residential infill developments within these areas.</td>
</tr>
<tr>
<td>92</td>
<td>Text</td>
<td>Site Design: Alleys and Service Areas: add note to refer to Mixed Use Special Character District: Core Transition West, and Central Park and 3rd Street Special Character Areas for guidelines related to alley located west of B Street parcels.</td>
</tr>
<tr>
<td>113</td>
<td>Text</td>
<td>Several Special Character Districts overlap within the University Avenue/Rice Lane neighborhood. The neighborhood contains the 3rd Street Special Character Area at its center and Core Transition West Mixed Use Character Area and Central Park Special Character Area along its eastern border. Mixed use, commercial or attached residential infill development within these special character areas shall defer to the design guidelines for these areas, and general Mixed Use Design Guidelines. (New primary residential structures &amp; additions and detached accessory structures subject to Traditional Residential Neighborhood Guidelines.)</td>
</tr>
</tbody>
</table>

*To distinguish between B Street and Third Street Special Character Districts and the University Avenue/Rice Lane Neighborhood add the following new paragraphs 3 and 4*
APPENDIX D.1a
PROPOSED ALLEY CROSS SECTION

* AS SHOWN ON OFFICIAL MAP
OF CITY OF DAVIS, 1933 (BOOK
3 OF MAPS, PAGE 71) YOLO
COUNTY RECORDER

MM 4.2-2(a)
APPENDIX D.1.b EXAMPLE ALLEY SETBACKS BETWEEN THIRD ST AND FOURTH ST - TOWN HOUSE

EXISTING 2 STORY 30' MAX. HEIGHT TO ROOF PEAK

PROPOSED 3 STORY 38' MAX. HEIGHT TO ROOF PEAK

SINGLE FAMILY

NOTE:
REAR SETBACK FOR UNIVERSITY AVENUE PARCELS IS MEASURED FROM CENTERLINE OR EXISTING ALLEY RIGHT-OF-WAY AS SHOWN ON OFFICIAL MAP OF CITY OF DAVIS, 1933 (BOOK 3 OF MAPS, PAGE 71) YOLO COUNTY RECORDER.

REAR SETBACK FOR B STREET PARCELS IS MEASURED FROM EDGE OF NEW ALLEY RIGHT-OF-WAY.

HEIGHTS MEASURED TO ROOF PEAK.
APPENDIX D.1.c  EXAMPLE ALLEY SETBACKS BETWEEN SECOND ST AND THIRD ST - MIXED USE

EXISTING 2 STORY 30' MAX. HEIGHT TO ROOF PEAK

EXISTING 1 STORY SINGLE FAMILY

PROPOSED 3 STORY 45' MAX. HEIGHT TO ROOF PEAK

MIXED USE

2 STORY 30' MAX. HEIGHT TO ROOF PLATE

NOTE:
SIDE SETBACK FOR SECOND AND THIRD STREET PARCELS IS MEASURED FROM EXISTING RIGHT-OF-WAY.
PROPOSED SIDE SETBACK FOR B STREET PARCELS IS MEASURED FROM EDGE OF NEW ALLEY RIGHT-OF-WAY.
EXISTING HEIGHTS MEASURED TO ROOF PEAK.
PROPOSED 1ST AND 2ND STORY HEIGHTS MEASURED TO ROOF PLATE.
POSSIBLE LIMITED 4TH STORY TO 56' MAX AS BONUS FOR PROVISION OF PUBLIC BENEFIT.

EXISTING 13' ROW
EXISTING CENTER LINE
EXISTING 10' 1ST STORY SETBACK
EXISTING 20' 1ST STORY SETBACK
EXISTING 6' SIDE YARD SETBACK
PROPOSED 20' ROW
PROPOSED 5' MIN. 1ST AND 2ND STORY SETBACK
PROPOSED 10' AVG. 3RD STORY SETBACK
PROPOSED ROW EXPANSION

LEGEND
Davis, CA
B Street and 2nd Street
Davis, CA
B Street and 2nd Street
LEGEND:

- "W" Permit -- No parking from 8 AM to 10 PM, Monday through Friday, except with "W" Permit
- 2 Hour Parking 8 AM to 5 PM, Monday through Friday, except with "W" Permit
- 1 Hour Parking

ON-STREET PARKING RESTRICTIONS

FIGURE 4.2-4
Figure 4.3-1. Location Map

B and 3rd Streets Vision Process

Project Area
The Barrington retains the dignity of an old English home and has the practical interior of modern American architecture. Whether you consider economy, beauty or convenience as of first importance, the Barrington assuredly meets these and every point of merit with satisfaction. Exterior features at once stamp the mark of quality. The well-balanced projection at the front forms the entrance; leading to it is a tapestry brick terrace, guarded by a decorative iron railing. Sided with wide shingles and exposed fireplace chimney.

Details and features: Six rooms and one bath. Glazed front door off open terrace with iron railing. Fireplace flanked by high casement windows in living room; breakfast nook off kitchen.

Years and catalog numbers: 1926 (P3241); 1928 (C3260); 1929 (P3260)

Price: $2,329 to $2,696

Similar to: The Cambridge

Differences: Brick exterior; half-timbered and stucco gables; batten door with wrought iron hinges; diamond-paned casement windows

Year and catalog number: 1931 (3289)

Price: No price given

The Dover is an Americanized English-type colonial story-and-a-half cottage with a convenient floor plan. The massive chimney helps to "tie in" the front gable, and the cowled roof lines help to give a compact appearance. The exterior walls are planned for clear beveled siding but will look equally attractive if shingles are used.

Details and features: Six rooms and one and a half baths. Freestanding chimney; vestibule with sloping gabled roof; arched front door. Fireplace in living room; arched opening between living and dining rooms.

Years and catalog numbers: 1928 (P3262); 1929 (P3262); 1932 (3262); 1933 (3262); 1934 (3262); 1935 (3262); 1937 (3262); 1939 (3262)

Price: $1,613 to $2,311

Similar to: The Mansfield

Difference: Brick exterior

Years and catalog numbers: 1932 (3286); 1933 (3286)

Price: $2,292

---

Much can be said about both the exterior and interior of this attractive home. The construction of common brick painted white and siding exterior walls is inviting and ties in with the English lines. The plan lends itself to the "house that grows" idea, as you have complete living on the first floor, consisting of living room, dining room, bedroom, kitchen and bath. Most families need a first-floor bedroom or find it will come in handy as a library or den. The second floor, which contains two large bedrooms (one with three exposures) and four closets, can be finished as a part of your original building program or at some future date.

Details and features: Six rooms and one bath. Front gable faced with brick; segmental-arched front door with strap hinges; batten shutters. Fireplace in living room.

Years and catalog numbers: 1933 (3387); 1934 (3387); 1935 (3387); 1937 (3387)

Price: $1,475 to $1,548

The Gateshead is an Americanized English type, particularly adaptable to narrow city lots. The exterior is of clear beveled siding with half-timbered and stucco on the front gable. The main roof sweeps gracefully over the front vestibule, and the front gabled roof is treated in the same way. If your requirements can be filled with a compact five-room plan, it will be hard to improve on the arrangement shown by the floor plans.

Details and features: Five rooms and one bath. Side porch; steeply pitched roof; half-timbered and stucco front gable; segmental-arched front door. Corner fireplace in living room.

Years and catalog numbers: 1933 (3386); 1934 (3386); 1935 (3386)

Price: $1,345 to $1,392
This new type of American design home is meeting with considerable popularity on account of the compact, efficient room arrangement but gives a very serviceable arrangement at a minimum cost. The exterior is planned to be covered with brick, which we suggest finishing with whitewash, leaving the quoins at the corners with a red colored brick exposed.

Details and features: Six rooms and one and a half baths. Brick exterior; one-story entrance; corner quoins; hipped dormer. Fireplace in living room.

Years and catalog numbers: 1937 (3358); 1932 (3357); 1933 (3358)

Price: No price given

This attractive French- or Normandy-type house is another good example of a flexible plan, giving the maximum livable area at the lowest cost consistent with good construction. Distinguished by a beautifully designed turret, capped with antique weather vane and supported by a half-timber and stucco pediment, forming an interesting circular-shaped vestibule. The exterior walls, as shown in the photograph, are planned for brick (not included in base price). We recommend using common brick painted white for best appearance. Stained shingles or wood siding can be used with equally pleasing results and at considerable saving in cost.

Details and features: Five, six or seven rooms and one bath. Conical turret above entrance; bay window on front. Split-level plan; French doors in dining room opening onto terrace.

Years and catalog numbers: 1933 (3390); 1934 (3390); 1935 (3390)

Price: $1,598 to $1,857
The lure of Old World charm and the luxury of New World comfort are incorporated in this beautiful six-room bungalow. Equal to the skill with which stucco, stone, brick and wide shingles are used in the English exterior are the elegance and completeness of the interior appointments. Colors which will emphasize the protecting sweep of the roof as it shelters the entrance and enhance the contrast which makes the exterior effective would be as follows: buff stucco, cream stone, dark red and brown brick and gray wood shingles.

Details and features: Six rooms and one and a half baths. Stucco and shingled front wall; front terrace; pointed arched front door with strap hinges. Fireplace flanked by built-in window seat and cove ceiling in living room; arched opening between living and dining rooms.

Years and catalog numbers: 1932 (3306); 1933 (3306); 1934 (3306); 1935 (3306); 1937 (3306)

Price: $1,627 to $1,757
CEMENT COTTAGE FOR A NARROW TOWN LOT

Published in The Craftsman, June, 1917.

THIS cement cottage is planned for a narrow lot and is only a story and a half high. It has a long roof line broken with flat dormers front and rear. The groups of windows are most interesting, all being casement except the large plate glass picture window of the front group, which is stationary. No front veranda has been provided; but the entry is recessed and the graceful arch emphasizes the cement construction. Hollyhocks would be especially charming against the plain walls.

On entering, you find the hall space has been included in the living room, with an open stair conveniently located near the entrance. A partition dividing dining and living room is only suggested—an arrangement which permits of a vista from living room through dining room and across the rear porch. Open bookshelves break up the long wall of the living room and a space has been left for the piano, which will give it an appearance of being built in.

The Craftsman fireplace-furnace is large and generous, and with the inviting seat nearby becomes at once the center of interest. The
APPENDIX D.6 EXISTING AND PROPOSED ALLEY RIGHT OF WAY - SECOND ST TO FOURTH ST
<table>
<thead>
<tr>
<th>Map Key</th>
<th>Property Address</th>
<th>Status Code</th>
<th>Year Built</th>
<th>Removed/ Retain/ Relocated</th>
<th>Relocation Priority</th>
</tr>
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<tbody>
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<td>A</td>
<td>225 B</td>
<td>C</td>
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<td>HP</td>
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<td>B</td>
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<td>Removed</td>
<td>HP</td>
</tr>
<tr>
<td>C</td>
<td>233 B</td>
<td>C</td>
<td>c. 1920</td>
<td>Removed</td>
<td>LP</td>
</tr>
<tr>
<td>D</td>
<td>241 B</td>
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<td>LP</td>
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<td>E</td>
<td>301 B</td>
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<td>RI</td>
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<td>G</td>
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<td>EMR</td>
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<td>Removed/ Relocated</td>
<td>RI / HP**</td>
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<td>RI / HP*</td>
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<td>C</td>
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<tr>
<td>K</td>
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<td>1932</td>
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Notes:
C = Contributor
NC = Noncontributor
MR = Merit Resource
EMR = Eligible Merit Resource
EL = Eligible Landmark
RI = Retain in-place, removal a significant impact unless relocated to site that allows resource to retain its integrity
RI/HP = Retain in-place or High Priority for relocation (including within project area)
HP = High Priority for relocation
MP = Medium Priority for relocation
LP = Low Priority for relocation
** The residence could be relocated to site in traditional residential neighborhood for a less-than-significant impact
* The residence retains higher integrity than 305 or 319 B St.
Executive Summary

Implementation Actions: This report summarizes the planning and zoning amendments necessary to implement the vision to create an "urban village" in the B and 3rd Streets project area. The project area has three distinct parts: B Street (west side) between 2nd and 3rd Streets (including 239 2nd Street); B Street (west side) between 3rd and 4th Streets (including 246 4th Street); and 3rd Street between A and B Streets (including 232 University Avenue). The specific implementation actions and the policy choices they represent are outlined. These include amendments to the General Plan, Core Area Specific Plan, the Davis Downtown and Traditional Residential Neighborhood Design Guidelines (Design Guidelines) and Planned Development zone PD-2-86A. A district approach for provision of parking and public right-of-way improvements will also be necessary.

Vision: The vision for the new special character area adopted by the City Council in April of 2005 calls for creation of a higher density, mixed-use “urban village.” This vision represents a new development pattern for the area that includes:

- Higher density, taller two/three-story attached residential housing on B Street.
- 2- 3 story mixed-use projects on 3rd Street and the corners of 3rd and B Streets and 2nd and B Streets.
- Allowing limited 4th story elements to be considered on selected sites for projects that incorporate other community objectives such as preservation of historic structures and mature trees, provision of underground parking or other public amenities.
- Retention or relocation of the four designated or eligible to be designated historic resources.
- Allowing removal of “contributing” older structures rather than requiring adaptive reuse.
- Allowing use of in-lieu parking fees for non-residential uses and a portion of residential parking in mixed use projects.

Design Principles: Vision 4 adheres to the underlying principles in the Core Area Specific Plan and Design Guidelines in many respects. Vision 4 retains or relocates the structures with existing or possible historic designations. It includes development standards and design guidelines that require architectural elements to step down to any adjoining single-family uses or along the alleys. It also maintains a streetscape front yard pattern with some reductions in setbacks and calls for new development to incorporate elements that reflect the existing architectural and residential character of the neighborhood.

Balance of Community Policies: The proposed amendments increase the number of units that can be built by allowing increased residential density and building heights and allow for removal of existing non-historic single-family structures rather than requiring adaptive reuse. The development standards proposed are consistent with those of the adjoining mixed use zones in the Downtown and are intended to better accommodate the form of development desired.
bordering the community's civic spine and two primary retail and pedestrian corridors. The existing Design Guidelines and Core Area Specific Plan policies to maintain the bungalow character of the area and apply single family residential development standards preclude achievement of an active higher density urban village. The departure from the policies to maintain traditional scale and adaptive reuse of older structures in the special character areas within the project area is based on the unique relationship the study area has to the downtown, Central Park and the University and the need to facilitate the vision for this area. This policy shift is not intended to create a precedent for change in policies or design guidelines for development in other areas of the Downtown. It is to refine and clarify the community intentions for the form of development considered necessary to achieve community goals for enhancing the pedestrian and commercial connection between the Downtown and University, increasing ownership housing in the Downtown and helping to frame and activate the area bordering Central park.

**Background Reference Documents:** Davis B Street and 3rd Street Planning Options Report, March 2005, Davis B Street and 3rd Street Visions Summary Report, April 2005.
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- Core Area Specific Plan
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- Changes to Street and Alley

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- Preservation
- Economic Sustainability
- Circulation
- Housing

Section 5: Attachments
Section 1: Background

Section 1 provides an overview of the purpose of the B Street and 3rd Street visioning process, and the selected outcome.

Purpose and Process

This report summarizes the outcome of the B and 3rd Streets Visioning Process and presents amendments necessary to allowing higher density infill development on the west side of B Street between 2nd and 4th Streets, and the portion of 3rd Street between University Ave. and B Street.

In July 2004, the City Council initiated the “B and 3rd Street Visioning Process” to consider new development criteria for this area that balances community goals and provides opportunities for attractive infill development with an emphasis on potential ownership housing.

Phase One - Policy Development: this phase involved soliciting community input on a range of redevelopment options. Two public workshops, numerous outreach meetings and informal conversations were held with property owners interested in redevelopment and neighboring residents concerned about impacts of additional development on the character of the neighborhood. A range of redevelopment alternatives were considered at these work shops and in two documents released for public review, “Davis B Street and 3rd Street Planning Options Report, March 2005” and the “Davis B Street and 3rd Street Visions Summary Report, April 2005.” Phase One culminated with the City Council’s selection of Vision 4 as outlined in the April 2005 Visions Summary Report. (Council action April 26, 2005)

Phase Two - Policy Implementation: this phase has involved preparation of the necessary amendments to the City’s plans, design guidelines, and zoning codes to implement the selected vision that are presented in this report. This phase also includes analysis of the potential environmental impacts of such amendments and preparation of an Environmental Impact Report.

Phase Three - Project Implementation: this phase will involve design review and construction of specific development projects, application of identified environmental mitigation measures, and the design, funding, construction and maintenance of necessary street, alley, utility, drainage and other infrastructure improvements within the project service area.
**Community Objective - Special Character for Unique Location**

The proposed amendments increase the number of units that can be built by allowing increased residential density and building heights, and allowing removal of existing non-historic single-family structures rather than encouraging adaptive reuse. The development standards proposed are consistent with those of the adjoining mixed use zones in the downtown and are intended to better accommodate the form of development desired bordering the community’s civic spine and two primary retail and pedestrian corridors. The existing Downtown Guidelines and Core Area Specific Plan policies to maintain the bungalow character of the area and apply single family residential development standards preclude achievement of an active higher density urban village. The departure from these policies in the special character areas within the project area is based on acknowledgement of the unique relationship the study area has to the downtown, Central Park and the University and the need to facilitate the vision for this area.

The project area is located at the juncture of two main pedestrian corridors, and overlap of three Special Character areas identified in the Downtown Davis Traditional Residential Neighborhoods Design Guidelines (Design Guidelines). B Street is a major arterial serving as a major City entrance and Civic corridor bordering Central Park and leading to City Hall. 3rd Street is the principal bicycle and pedestrian connection between the University and downtown and identified as a primary and secondary retail corridor in the Core Area Specific Plan and Design Guidelines. These functions are intended to be enhanced by the new development vision and are why allowing higher density redevelopment and a new development pattern is considered appropriate for this area.

The policy change to allow a greater scale of development is not intended to create a precedent for change in policies or Design Guidelines for development in other areas of the downtown. It is to refine and clarify the community intentions for this area. It is to support the form of development considered necessary to achieve existing community goals for enhancing the pedestrian and commercial connection between the downtown and University. The intention is also to increase ownership housing in the downtown and help to frame and activate the area bordering Central Park. A change in context can be acceptable if a high quality urban neighborhood emerges. The key will be adherence to the highest quality design standards. Targeted densification in this area does not have to lead to the character changing intensification of other neighborhoods. The location characteristics of this area are truly unique and suitable for intensification options. Other neighborhoods around the downtown are less suitable for intensification. Preservation of lower density residential neighborhoods is still a vital component to the healthy, distinctive downtown fabric.
Figure 1. Project Area Location
Section 2: Special Character District

Council adopted Vision Four based on a new development pattern with new two/three-story residential housing forms on B Street and mixed use on 3rd Street and the corners of 3rd and B Streets and 3rd and 2nd Streets.

After careful consideration of the physical and policy context, future development options, and public input received throughout the B Street and 3rd Street Visioning process the City Council adopted the “special character district” identified as Vision 4 in the April 2005 Visions Summary Report for implementation. This vision supports the previous recognition of the unique aspects of this area. It emphasizes 3rd Street as a unique mixed use urban village with a mix of higher density housing forms on B Street integrated in a manner compatible with the surrounding context. The following is an excerpt from the April 2005 Visions Summary Report. The design principles developed for this vision have been incorporated into the proposed amendments to the Design Guidelines discussed on pages 28-37.

Vision for 3rd Street (Between B and University)

Enhance 3rd Street between B and University as a distinctive “urban village” that goes beyond simply improving the connection between downtown and campus to create a unique character district. This mixed use concept emphasizes new development that blends the intellectual capacity at the university with entrepreneurial spirit of downtown in a high quality urban village environment that established a focal point for the neighborhood.

The basis of this vision is the creation of a distinct district that functions as a draw for high value added commercial uses and live-work ownership opportunities that are desired in this district. Providing a synergy to support these types of retail, office and café uses that serve the neighborhood and adjacent University population would minimize additional traffic and parking demands. A cluster of such uses will help establish a high quality, unique character district attractive to those seeking “urban village” working / living environments. Such a district could also serve as a defining focal point for the neighborhood.

Vision for B Street (Between 2nd and 4th Street)

Enhance B Street across from Central Park with a built form that establishes a stronger visual edge the Park while providing land uses that support the community’s desires for compact development in a manner compatible with the existing neighborhood. Enhance B Street between 2nd Street and 3rd Street with a built form that establishes a prominent visual presence to the street; provide a variety of housing types and land uses that support the community’s desires for compact development in a manner compatible with the existing neighborhood.
Figure 2. Project: Vision 4 Special Character District

3rd Street - Distinctive Mixed Use
"Urban Village"
- Predominantly 2 Stories, up to 4
- Relocate 1 Historic
- Retain 1 Eligible Historic

B Street - Townhouses/Condos on B & Alley
(2nd to 3rd) - 2 and 3 Stories
(3rd to 4th) - Row/Townhouses on B and Alley
- Predominantly 3 Stories
- Retain 1 Historic
- Retain 1 Eligible Historic
- Remove 1 Eligible Historic

Project Development Assumptions

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Proposed Land Use / Zoning Designations
- Low Density Residential
- Retail with Offices
- B Street Transitional
- Designated or Eligible Historic

Note: Corners of B & 3rd, 232 Univ. are included in 3rd St. numbers. Corner of B & 2nd, 239 2nd and 246 4th are included in B St. Thus totals of structures removed will differ from tables in Historic Impact Sections.
Section 3: Implementation Actions

Section 3 summarizes the Plan, Zoning and Design Guideline amendments necessary to implement Vision 4

This section identifies the specific actions and steps necessary to allow a new development pattern in the project area and facilitate achievement of the urban village vision. These actions include amendments to planning policy documents, development regulations and conditions, parking district modifications and city commitments to street and alley infrastructure improvements.

The project area involves three distinct parts: B Street (west side) between 2nd and 3rd Streets (including 239 2nd Street), B Street (west side) between 3rd and 4th Streets (including 246 4th Street) and 3rd Street between A and B Streets (including 232 University Avenue). The planning and zoning amendments proposed are summarized below first by those common to the entire project area and then later by street segment. These include amendments to the General Plan, Core Area Specific Plan, the Davis Downtown and Traditional Residential Neighborhood Design Guidelines (Design Guidelines) and Planned Development Zone PD-2-86A. A district approach for provision of parking and public right-of-way improvements will also be necessary.

Amendments Common to Entire Project Area

General Plan

Text Amendment: Change to Figure 25. (pg.155) to note change in desired scale of Core Area (more than only two story developments).

Plan Amendment: New Appendix A, Core Area Specific Plan Land Use map as amended.

Core Area Specific Plan: Following is a summary of the text amendments to the Core Area Specific Plan and implementation actions needed to support the new Vision for B and 3rd Street.
Text Amendments:
- Modify text related to rate of land use intensification (CASP Land Use Policy 6 pg. 31), acknowledging desire to implement B and 3rd Streets Vision.
- Modify text related to provision of on site parking (CASP Land Use Policy 7 pg. 33) to require projects to incorporate parking facilities consistent with Design Guidelines and Zoning Ordinance (including option for payment of in-lieu fees).
- Text amendment for redevelopment projects located in B and 3rd Streets Vision Area Retail with Offices and B Street Transitional Districts to be consistent with amended Special Character Areas in Design Guidelines rather than CASP pgs. 77 to 84.

Parking Management: A parking management strategy is proposed to support fewer on-site parking spaces per unit and off-site parking for ground floor commercial uses on 3rd Street. Instituting a parking in-lieu fee program to expand public parking facilities in the Central Park area of downtown and other parking management programs are proposed. Parking for area residents would still be protected by continuance of the “W” permit parking district. Allowing in-lieu parking for commercial uses in the area would reduce traffic impacts, particularly on the alleys which would allow the alley travel way to remain narrower. The proposed parking strategy includes:

- Prohibiting new restaurants and cafes and limiting new commercial office and personal service uses in the interior blocks of the project area (on 3rd Street, east of University Avenue to alley) to low traffic generating businesses that are not reliant on substantial physical customer/client access to succeed;
- Encouraging University employees working in the B and 3rd area and broader University/Rice Lane neighborhood to park on campus;
- Shared residential/commercial parking;
- Pursuit of a Downtown/UC Davis shuttle system.

Street and Alley Improvements: The proposed Core Area Specific Plan amendments will include Implementation Actions related to improving 3rd Street and the alley deemed necessary or desired as a result of project area redevelopment. These actions include: 1) adoption of a Specific Plan Reimbursement fee; and 2) initiation of a Redevelopment Agency Capital Improvement project to design and construct the improvements in a coordinated fashion as the new mixed use development occurs in the project area. The first step in this process will be to hire a design/engineering consulting firm to work with City staff and affected property owners to design the specific improvements and benefit areas, complete construction plans, define construction costs, establish a construction schedule and formalize the funding mechanisms for the improvements. More specific information about the improvements is provided on pages 38-39.
Zoning Amendments to Planned Development 2-86A:

Performance Standards: The amended design guidelines applicable to the new B Street Transitional District and modified Retail with Offices District would apply to these two districts instead of the performance standards listed in PD 2-86A. The performance standards would continue to apply to the University Avenue (New First Street) Transitional District, Low Density Residential District and University Avenue Residential Overlay District.

Davis Downtown and Traditional Residential Neighborhood Guidelines:

Text and/or graphic changes to the following sections to reflect the community objectives to allow a greater height and density of development for multi-family and mixed use projects in the B and 3rd Streets project area (see also Attachment 1):

- Introduction, Purpose Sections etc. text amendments to cite B Street Visioning process and clarify design objectives for the project area (various pages).
- Mixed Use Character Area: Case Study: modify graphic/notes to reflect allowance for some three story development (DG pgs. 74-75).
- Site Design: Alleys and Service Areas: to refer to Mixed Use Special Character District: Core Transition West, and Central Park and 3rd Street Special Character Areas for guidelines related to alley located to west of B Street parcels (DG pg. 92).
- University Avenue/Rice Lane Neighborhood – to clarify that Mixed-Use Design Guidelines apply to Mixed Use Character Areas: Core Transition West, Core Transition East and Central Park and 3rd Street Special Character Areas (DG pg. 113).

Core Area Specific Plan Amendments

Changes for B Street

This Subarea includes properties fronting along the west side of B Street between 2nd Street and 4th Street, including 239 2nd Street and 246 4th Street.

Text Amendment: Addition of new land use classification for the B Street Transitional District, including higher residential densities (CASP pg. 26).
**Amended Land Use Map** (CASP pg. 28)

- Land Use Map designation changes for two parcels on B Street (233 and 305 B Street) from University Avenue Transitional District to Retail with Offices (*becoming part of the 3rd Street Subarea*).

- Land Use Map designation changes for 9 parcels on B Street (217, 225, 229, 311, 315, 319, 325-327, 333, 337 B Street) and one parcel on 4th Street (246 4th Street) from University Avenue Transitional District to B Street Transitional District.

- Land Use Map designation changes for one parcel on 2nd Street (239 2nd Street) from Low Density Residential to new B Street Transitional District.

- Renaming of University Avenue Transitional District as “First Street Transitional District.”

**Changes for 3rd Street**

This Subarea includes properties on 3rd Street between University Avenue and B Street including properties at the northwest and southwest corners of B Street and 3rd Street and B and Second Street, including 232 University Avenue.

**Text Amendment:** Modify text to cite floor area ratios and densities permitted in the Retail with Offices land use designation including the floor area reductions and increased density proposed in the Retail with Offices district within the B and 3rd Streets Vision Area (pg. 27).

**Amended Land Use Map:** Land Use map designation changes for four parcels on 3rd Street (235-239, 232-240 3rd St. and 232 University Avenue) from Low Density Residential to Retail with Offices (pg. 28).

Figure 3 on the next page provides a map showing Existing Core Area Specific Plan Land Use Designations. Figure 4 on the page following provides a map showing Proposed Core Area Specific Plan Land Use Designations.
Figure 3. Existing Core Area Specific Plan Land Use Designations

Land Uses

- Residential - Low Density
- University Avenue Residential Overlay District
- University Avenue Transitional District
- Retail with Offices
- Parks and Plazas
- UC Davis
Figure 4. Proposed Core Area Specific Plan Land Use Designations

**Land Uses**
- Residential - Low Density
- University Avenue Residential Overlay District
- First Street (University Avenue) Transitional District
- New B Street Transitional District
- Retail with Offices
- Parks and Plazas
- UC Davis

UC Davis
Central Park

B and 3rd Streets Visioning 14
The zoning changes proposed include measures to reduce impacts of new development on designated low density single family residential properties. These include reduced building heights and increased building setbacks as noted below and shown on Figure 8 Proposed Building Height Limits on page 27. Further modifications to building heights and setbacks can also be required through the Design Review process.

**Zoning Changes for B Street**

**Text Amendments:**

- Land use and development standards for properties outside the project area within the existing University Avenue Transitional District Subarea C located to the south of the project area on B Street and First Street would not change, but would be renamed “First Street Transitional District.”

- **Create new Subarea E – B Street Transitional District:** Modify land use, lot area, residential densities, height, setbacks, lot coverage, floor area ratio (FAR), open space, and parking standards of a portion of existing Subarea C – University Avenue Transitional District to create new Subarea E – B Street Transitional District as described below by street segment and summarized on Exhibits and B.

**B Street 2nd to 4th Street**

- **Land Use:** Add townhomes, flats and condominiums as permitted uses.

- **Lot Area:** No minimum.

- **Density:** A density of 22 to 24 du/net acre is proposed with a maximum of three primary units per 7,500 square foot lot and 8 primary units per 15,000 square foot lot.

- **Height:** Development would be allowed to be built up to three stories, with standards varied to support different development types and site context. Attached townhouse or detached residential projects would be allowed a 38 foot maximum height, (24 foot maximum height along the alley). Allowed heights on portions of redevelopment sites next to designated low density single family residential properties would be lower and limited to two stories and maximum of 30 feet as shown on Figure 8 Proposed Building Height Limits.
Setbacks: Front yards of 15 feet with 8 foot maximum porch encroachments; minimum side yards of 4 feet (with building wall modulation and variation required); and rear alley setbacks of 10 feet, with 5 foot maximum porch encroachment allowed (setbacks measured from the proposed expanded 20 foot wide alley right-of-way).

Lot Coverage: No maximum standard is proposes for lot coverage. Application of other site development regulations is considered sufficient.

Floor Area Ratio (FAR): A base FAR of 1:1 is proposed for this district with bonuses allowed up to a maximum FAR of 2:1. A 0.5:1 bonus would be allowed for provision of underground parking, or for sale condominiums, preservation of designated historic structures or Trees Worth Saving. A 0.2:1 bonus would be allowed for provision of a plaza or preservation of trees of significance.

Open Space: A minimum of 60 sq. ft. of private open space per residential unit is proposed with a minimum dimension of 6 feet, including porches, balconies and decks.

Parking: 1 space per studio or one bedroom unit, 2 spaces for a 2 -3 bedroom unit, and one additional space for each bedroom over 3 would be required.

B Street Between 2nd to 3rd Street

Because of the differing context on B Street a condominium project of residential stacked flats is considered appropriate for this block segment and would be allowed subject to the following:

Height: maximum height of three stories and 45 feet, maximum of two stories and 30 feet within 20 feet of the alley.

Setbacks: minimum side yard setbacks of 5 foot (building wall modulation and variation required); minimum front setback of 15 feet and rear alley setback of 10 feet, (measured from the proposed expanded alley right-of-way) for the first and second stories would be required. A 20 foot minimum average front and rear alley setback would be allowed for the 3rd story.

Senior Condominiums: Incentives to provide a senior (55 year +) owner occupied condominium project for this block segment are proposed. With the appropriate legal commitment a reduced front setback of 10 feet from B Street and an increased residential density of up to 50 dwelling units per net acre would be allowed.
Rezoning of Specific B Street Parcels:

- Zoning designation changes for two parcels on B Street (233 and 305 B Street) from University Avenue Transitional District to Retail With Offices (*becoming part of the 3rd Street Subarea*).

- Zoning designation changes for 9 parcels on B Street (217, 225, 229, 311, 315, 319, 325-327, 333, 337 B St.) and one parcel on 4th street (246 4th St.) from University Avenue Transitional District to B Street Transitional District.

- Zoning designation changes for one parcel on 2nd street (239 2nd Street) from Low Density Residential to new B Street Transitional District.

- Rename University Avenue Transitional District as First Street Transitional District.

Exhibits A and B provide a summary of the zoning changes as they would be applied to specific development prototypes within the new B Street Transitional District. These include townhomes on B Street between 2nd and 4th Streets, and stacked flat condominiums on B Street between 2nd to 3rd Streets. Following these are two Figures that show zoning designation changes necessary to support higher density mixed use projects on 3rd Street and townhomes/condominiums along B Street. Figure 5 shows Existing PD2-86A Zoning Designations and Figure 6 shows Proposed PD 2-86A Zoning Designations.
B Street • Transitional District
Townhouse Residential with Parking Court

**B Street Residential Townhomes**

These standards apply to residential townhouse projects on B Street.

**Objectives:**
- Orient buildings toward B Street or alley
- Break up building mass to reduce visual scale
- Structures to read as individual units
- Modulate walls and vary building materials
- Integrate parking into building
- Use sloping roof forms step back upper floors

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**Side Yard Setbacks**

5’ min. first and second stories (4’ min. with greater wall variation)
10’ average for third story

(Increased setbacks required for lots adjoining designated single family residential properties)

**Height Limits**

38’ max. (24’ max. within 15’ of alley setback)

**Land Use**

Residential (22-24 du/Net acre)

Live / work permitted
B Street • Transitional District
Residential Stacked-Flats over Parking

B Street Section Between 2nd and 3rd Street
for Condominium Projects over Parking

B Street Residential Stacked Flats

These standards apply to residential stacked flats projects on B Street where parking is placed under buildings.

Objectives:
• Orient buildings toward B Street or alley
• Break up building mass to reduce visual scale
• Structures to read as individual units
• Modulate walls and vary building materials
• Integrate parking into building
• Use sloping roof forms, step back upper floors

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<td>Senior condos (up to 50 du/net acre)</td>
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Figure 5. Existing Zoning PD2-86A

Planned Development Zoning Subareas

PD 2-86A Sub-Areas
- Subarea A - Low Density Residential
- Subarea B - University Ave. Residential Overlay District
- Subarea C - University Ave. Transitional District
- Subarea D - Retail with Offices
- Not a Part placeholder
- Project Area

UC Davis

A STREET
B STREET
Central Park

4th ST.
3rd ST.
2nd ST.

0 250 Feet
Figure 6. Proposed Zoning Changes
PD2-86A

Planned Development
Zoning Subareas

PD 2-86A Sub-Areas
- Subarea A - Low Density Residential
- Subarea B - University Ave. Residential Overlay District
- Subarea C - First St. (University Ave.) Transitional District
- Subarea D - Retail with Offices
- Subarea E - New B Street Transitional District
- Not a Part
- placeholder
- Project Area

Central Park

UC Davis

North

0 200 Feet

4th ST.

3rd ST.

2nd ST.

B STREET

A STREET

1st ST.
Zoning Changes for 3rd Street

Text Amendments:

- Modify Subarea D, “Retail with Offices District” to change permitted land uses and site development standards. The new standards for the Retail with Offices District would also apply to the existing Retail with Offices designated properties located between University Avenue and A Street. The zoning changes proposed include:

- Modify land use, lot area, residential densities, height, setbacks, floor area ratio, lot coverage, open space and parking standards in Subarea D - Retail with Offices.

  o Land Use: Modify permitted uses for 3rd Street blocks east of University Avenue and west of the B Street alley to limit office and personal service uses to those that are low traffic generating, and prohibit restaurants and cafes.

  o Lot Area: No minimum lot size.

  o Density: Residential densities would have a base of 30 dwelling units per net acre with up to 40 dwelling units per net acre allowed for mixed use projects with ground floor commercial located east of University Avenue. Residential density for areas west of University Avenue would remain at 30 dwelling units per acre.

  o Height: Development would be allowed up to three plus stories, with maximum heights of 30 feet (to roof plate) along the street and alley, maximum height of 45 feet (roof peak) for third story and overall height of 56 feet (roof peak) for limited 4th story. The 4th story would only be allowed as a bonus in return for saving a designated historic structure, “Tree Worth Saving,” underground parking or other public benefit.

Heights on portions of sites next to designated low density single family residential properties would be greater and limited to two stories and 30 foot maximum as shown on Figure 8 on page 27 and Exhibit C on page 24.

  o Setbacks: Minimum front, side, alley, and rear setbacks of five feet would be required on the first and second floors, with 10 foot minimum average setback on the third (and possible limited fourth story).

Side and rear setbacks next to designated low density single family residential properties would be greater: rear yard setback – minimum of 15 feet would be required on the first and second floors, minimum 25 feet on third.
Side yard: minimum of 5 feet first and second floors with greater setbacks possible determined through design review.

- **Floor Area Ratio**: The maximum existing floor area ratio of 3:1 in the Retail with Offices district would be reduced with a 1:1 FAR for sole commercial use, 1.5:1 FAR for mixed residential/commercial use and 0.5:1 FAR bonus (up to a maximum of 2:1 FAR) as an incentive for retention of “Trees Worth Saving,” designated historic structures, or underground parking. A 0.2:1 FAR bonus would be allowed for provision of public plazas, preservation of “Trees of Significance” or other project elements considered to implement community goals.

- **Lot Coverage**: No maximum standard is proposed for lot coverage. Application of other site development regulations is considered sufficient.

- **Open Space**: A minimum of 60 sq. ft. of private open space per residential unit is proposed with a minimum dimension of 6 feet, including porches, balconies and decks.

- **Parking**: Parking standards would be modified to create a uniform rate of one space per 500 square feet of all non-residential space and allow for possible provision via an in-lieu parking fee. Residential parking standards would be modified to require more parking for larger units (one space/studio or one bedroom unit; 1.5 spaces per two bedroom unit; two spaces per three bedroom unit; plus one additional space for each bedroom over three). In-lieu fees for provision of some residential parking in mixed use projects would be considered, but a minimum of one parking space per unit would be required on site. The current provision allowing a parking credit (one square foot parking credit for one square foot building area) for retention of historic structures would be retained.

**Rezoning of Specific 3rd Street parcels:**

- Zoning map designation changes for parcels on 3rd Street (235-239, 232-240 3rd Street, 232 University Avenue) from Subarea A - Low Density Residential to Subarea D - Retail with Offices. **(As noted above 233 and 305 B Street are redesignated from Subarea C - University Avenue Transitional District to Subarea D- Retail with Offices).**

Exhibits C and D on the next two pages provide a summary of these changes as they would be applied to specific development prototypes within the new modified Retail with Offices district. These include horizontal or vertical mixed use projects on 3rd Street and the corners of B and 3rd Street and B and 2nd Street. Following these are two figures that show areas proposed for lower height limits to reduce impacts on adjoining designated low density single family residential properties. Figure 7 Existing Height Limits, and Figure 8 Proposed Height Limits.
3rd Street • Retail with Offices
Horizontal Mixed-use over Parking

These standards apply to horizontal mixed use buildings located on 3rd Street between A Street and B Street. This includes projects that separate commercial and residential uses on the same site.

Objectives:
- Enhance ground floor storefront continuity
- Orient buildings toward 3rd Street
- Create a two-story (30') facade height
- Break up massing of buildings to reduce their visual scale
- Provide modulation and vary materials in building walls
- Use sloping roof forms and step back upper floors to diminish their visibility
- Place doors and windows to respect privacy of neighbors

<table>
<thead>
<tr>
<th>3rd Street (A to B Streets)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Street Setbacks</strong></td>
</tr>
<tr>
<td>5' min. for first and second stories</td>
</tr>
<tr>
<td>10' average for third story</td>
</tr>
<tr>
<td><strong>University Ave.</strong></td>
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<tr>
<td>10' min. for first and second stories</td>
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<tr>
<td>15' average for third and fourth story</td>
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<tr>
<td><strong>Side Yard / Alley Setbacks</strong></td>
</tr>
<tr>
<td>5' min. first and second stories</td>
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<tr>
<td>10' average for third story</td>
</tr>
<tr>
<td><strong>Rear Yard Setbacks</strong></td>
</tr>
<tr>
<td>5' min. first and second stories</td>
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<tr>
<td>10' average for third story</td>
</tr>
<tr>
<td>(Increased setbacks required for lots adjoining designated single family residential properties)</td>
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<tr>
<td><strong>Height Limits</strong></td>
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<tr>
<td>45' max. (30' max. to roof plate of first and second stories)</td>
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<tr>
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<tr>
<td><strong>FAR</strong></td>
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<tr>
<td>Commercial 1:1</td>
</tr>
<tr>
<td>Mixed-use up to 2:1 w/bonus</td>
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<tr>
<td><strong>Land Use</strong></td>
</tr>
<tr>
<td>Ground floor commercial encouraged w/ upper levels office or residential</td>
</tr>
<tr>
<td>Residential (30 du/net acre)</td>
</tr>
<tr>
<td>Ownership condos in mixed use projects east of Univ. Ave. (up to 40 du/net acre)</td>
</tr>
</tbody>
</table>
3rd Street • Retail with Offices District
Vertical Mixed-use over or with Surface Parking

3rd Street Section

- 3rd Street Section
- 3rd Street - Vertical Mixed Use

Setback Requirements

3rd Street - Vertical Mixed Use

These standards apply to vertical mixed use buildings located on 3rd Street between A Street and B Street. This includes projects that stack commercial and residential uses in the same building.

Objectives:

- Enhance ground floor storefront continuity
- Orient buildings toward 3rd Street
- Create a two-story (30’) facade height
- Break up massing of buildings to reduce their visual scale
- Provide modulation and vary materials in building walls
- Use sloping roof forms and step back upper floors to diminish their visibility
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</table>

(Increased setbacks required for lots adjoining designated single family residential properties)

<table>
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<th>Height Limits (roof peak)</th>
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Figure 7. Existing Building Height Limits

PD 2-86A

- 2 Story (30')

- Subarea A: Low Density Residential

- Subarea B: University Ave. Residential Overlay District

- Subarea C: University Ave. Transitional District

- Subarea D - 2 to 3 Stories
  - Core Retail with Offices - West of Univ. Ave.

- Subarea D - 1 and 2 Stories (32')
  - Core Retail with Offices - East of Univ. Ave.
Figure 8. Proposed Building Height Limits

PD 2-86A

- No Change - 2 Story (30')
- Subarea A
  - Low Density Residential
- Subarea B
  - University Ave. Residential Overlay District
- Subarea C
  - University Ave. Transitional District

- Subarea D - Retail with Offices
  - Modified 3+ Stories
- 2 Story Limit
- New Subarea E - B Street Transitional District
  - 2 and 3 Stories
  - 2 Story Limit

UC Davis

B and 3rd Streets Visioning
Davis Downtown and Traditional Residential Neighborhoods Design Guideline Amendments:

Text and graphic changes to modify the “Third Street,” “Core Transition West” and “Central Park” Special Character area guideline sections are proposed. These changes are to reflect the community objectives to allow a greater height and density of development for multi-family and mixed use projects in the B and 3rd Streets project area as shown on Exhibit 5, revised: and other sections as noted in Attachment 1,

Changes to B Street:

- Special Character Areas: Central Park
- Mixed Use Character Area: Core Transition West

Changes to 3rd Street:

- Special Character Areas: 3rd Street
Draft Insert Updates

The following pages are draft inserts for the Davis Downtown and Traditional Residential Neighborhoods Design Guidelines. These changes and additions were prepared to reflect changes for the 3rd and B Street areas in the Core Area Specific Plan and zoning.

The sections updated include:

- Mixed-use Character Areas: Core Transition West
- Special Character Area: Central Park
- Special Character Area: Third Street

Other minor edits in the Guidelines are attached and referenced. These edits will be made to the Guidelines document once they have been reviewed and adopted by the City.

8-28-06 draft
Mixed-Use Character Areas: Core Transition West

Key Features
- The B and C Street area west of the commercial Core is a traditional residential neighborhood that has experienced commercial and apartment development related to the University.
- One primary entrance to each structure faces the street.
- Low sloping rooflines with overhanging eaves are typical.
- Wood and stucco with detailing are predominate building materials.
- Consistent pattern of large scale trees within parkway.
- Existing uses consist of a mix of single-family and apartment rental units, offices, restaurants and hotels.

Design Objectives
A. The area should serve as a use and physical scale transition to the predominately single-family character of University Avenue/Rice Lane neighborhood to the west.
- The traditional “bungalow feel” of the area should be reflected in the design of new development, even if it is at higher densities.
- A sense of “front lawns” should be maintained.
- New development to be of high quality design and construction to enhance visual quality of the street and support potential for owner occupied units.
- The west side of B Street between 2nd to 3rd Streets should have a built form and variety of compact housing types promoting an urban village feel.
- Conversion and expansion of existing residential structures to accommodate office uses is also appropriate south of Third Street.

Guidelines
A. New larger buildings along B Street should be designed to be compatible with the architectural character of the adjacent residential neighborhood.
- New buildings should have sloping roof forms with extended eaves and raised front porches/entries similar to those seen on residential buildings.
- New taller buildings should step down towards smaller buildings.
- The massing of new buildings should be broken into modules that reflect the scale of traditional buildings found in the adjacent neighborhood.
- Traditional residential door and window patterns should be used with location of new windows carefully considered with regard to privacy of neighboring residences.
B. Buildings should be setback and have a front yard.
- New buildings should be setback and landscaped to retain a sense of a “front yard”.
- Raised front porches and landscaped courtyards should be incorporated into the front setback.
- Front setback should be landscaped with low plants and decorative paving.

C. Residential uses are encouraged.
- Additional residential units are encouraged with new construction or as part of an addition to an existing structure.
- New units should be designed as smaller one to two bedroom units.
- Large three and four bedroom apartment type units are inappropriate.
- Townhouses or condominium units for ownership are preferred.
- Flexible live/work spaces are appropriate on ground floor units facing the street.

D. Parking should be considered and incorporated as part of an overall parking plan for downtown.
- A minimum of one parking space per residential unit should be provided on-site.
- On-site parking for commercial uses is encouraged.
- Shared use of parking between residential and commercial uses should be encouraged.
- Driveway curb cuts should be minimized.
- Properties with alleys should provide access to parking from the alley.

E. Alley to rear of B Street should be enhanced with a “village lane” character.
- Modify alley to support auto access for development on adjoining B Street sites.
- Minimize paving but provide for two-way travel where needed.
- Accommodate existing structures and preserve mature trees where feasible.
- Two and three story townhomes or accessory units on alley are appropriate
- Use plantings and decorative paving along alley to provide visual interest.
- Screen parking courts, trash containers, mechanical equipment and service areas from view.
Core Transition North
G Street North Transition
Core Transition West
Core Transition East
Case Study

B Street Section between 2nd and 4th Streets • Townhouse or Single Family with Alley Parking and Unit

B Street Section between 2nd and 4th Streets • Townhouse with Parking Court

B Street Section between 2nd and 3rd Streets • Condominiums over Parking
Special Character Areas: Central Park

Key Features
- Central Park is a special focal point and activity center in Davis.
- Buildings that frame the park help to define the space and generate activities that animate the area.
- Central Park’s edges require special consideration to activate and shape the open space.
- Streets surrounding the park are delineated with large street trees planted in a parkway.

Design Objectives
- Two to three story buildings with a mix of uses should develop to visually frame the park.
- Potential exists for redevelopment of the school district site as an anchor for the northern perimeter of the park.
- Cafes on Third and C Streets are encouraged to help activate the edges of the park.

Guidelines
A. New buildings should have residential forms.
- Sloping roofs should predominate; porch elements defining primary entry should be features in new residential buildings.
- New buildings should be composed of modules reflective of traditional building proportions.
- Townhouse units should be expressed as individual structures with front entries oriented towards B Street or alley with all units provided with pedestrian access to B Street.
- Doors and windows should reflect residential patterns and be located to respect privacy of neighboring properties.

B. Yards and court yards are encouraged in front of buildings.
- Shallow front yards should be included in new development.
- Courtyards may be used, but the majority of the front setback should be plant materials.
**B Street**

- Preserve trees along alleyways
- Two and three-story townhouses along alley
- Parking court with alley access
- Roof massing features express individual units
- Maintain a front yard
- One-story porches facing sidewalk with walkways to each unit
- Provide all units pedestrian access to street
- Two-story adjacent to low density residential

**B Street Section at Central Park**

- shallow front yards with raised porches
- visually hide parking from the street
- step down buildings along alley
- two-story facade upper level setback
- Central Park
- Parking
- Alley
C. Commercial Uses with outdoor activities that support the pedestrian ambiance are encouraged.
   • Commercial uses should be limited to the ground floor.
   • Additional residential uses should also be accommodated in each project to enhance the 24-hour presence around the park.
   • Flexible live/work spaces in ground floor spaces facing B Street are encouraged to provide a more public edge to the park.

D. Alley to rear of B Street to reflect “village lane” character.
   • Parking access to be via a shared driveway on alley, not B Street.
   • Modify alley to support auto access for new development.
   • Minimize paving, but provide for two-way travel where needed.
   • Alley changes should accommodate existing structures and preserve mature trees where feasible.
   • Two and three story townhouses or accessory units on the alley are appropriate.
   • Use plantings and decorative paving along alley to provide visual interest.
   • Screen parking courts, trash containers, mechanical equipment and service areas from view.
Special Character Areas: Third Street

Key Features
• Third Street is the principal bike and pedestrian connection to the University.
• It provides a “commercial village” character that defines a distinctive activity center.
• Buildings vary from one to three stories.

Design Objectives
• Cultivate the evolution of Third Street between A and B Streets as an unique higher density mixed use urban village supporting pedestrian oriented and low traffic generating commercial, retail and live/work opportunities.
• New development to be of high quality design and construction to enhance the visual quality of the street.
• Develop the gateway from campus with mixed-use buildings, sidewalk cafes and pedestrian/bike enhancements.
• Improve the sense of visual continuity between new and old buildings and intensify commercial uses.
• Maintain and enhance the pattern of large street trees along the entire corridor.

Guidelines
A. A mix of traditional mixed-use storefront building types is appropriate for this area.

B. Two and three-story buildings should predominate.
• Careful transition to adjacent residential buildings should be incorporated.
• New buildings should have two-story façade heights. Upper levels should be set back.
• Residential roof forms with upper levels within the roof area should predominate on Third Street between A and B Streets.

C. Consistent setbacks on Third Street are encouraged to provide storefront continuity along the street edge.
• Third Street should have pedestrian-oriented uses and design, including transparent storefronts, awnings, pedestrian-scaled signage and other storefront district features.
• Setbacks on side streets should provide for a sensitive transition to existing buildings.
• Use landscaping and special paving along setbacks on alley to rear of B Street to enhance the “village lane” character.
• Outdoor sitting areas are encouraged along Third Street.
• Screen trash containers, mechanical equipment and service areas from public view.
• Maintain mature trees where feasible.

D. Parking lots are not permitted in front of buildings.
• Parking and driveway access from Third Street is inappropriate.
• Parking should be located to the rear and accessed from an alley or side street.
• Parking should be incorporated into the site and building to minimize its visibility.

3rd Street Section between A and B Streets
* Vertical Mixed-use with Parking behind or under Buildings

Page 78A  Downtown and Traditional Residential Design Guidelines
Streets and Alley Improvements

3rd Street
3rd Street has long been planned as an enhanced pedestrian and bicycle corridor connecting the UC Campus to the downtown. The design and construction of improvements to mitigate traffic speeds, improve pedestrian/bicycle safety and aesthetics have previously been proposed for the 3rd Street and B Street Corridors prior to this project, in the Five Year Implementation Plan for the Davis Redevelopment Project. Improvements to 3rd Street Corridor are also recommended as part of the joint UC Davis/City Connections Project.

 Alley
Improvements within the alley right-of-way will be necessary to accommodate the physical needs resulting from additional population in the area as well as improve the appearance to complement the new development. The proposed amendments to the Design Guidelines call for improvements to the alley to maintain or enhance a “village lane” character. Existing alley widths are 13 feet. A preliminary survey shows that two power poles are located within the alley right-of-way. A 16-foot minimum clearance is necessary to accommodate fire vehicle access and necessary two way travel on the alley. Expanding the alley rights-of-way to 20 feet, with minimum clearance area of 16 feet and maintaining the existing paved width is proposed if in-lieu parking is approved. A minimum clearance area of 20 feet and paved width of 16 feet would be necessary upon full buildout in the project area if in-lieu parking is not approved. Design and construction of alley improvements will be undertaken by the City and will necessitate input and coordination with affected property owners on the blocks. Approval of redevelopment projects located on the east side of the alleys (and possibly on the west) will be required to dedicate additional alley right-of-way easement to the City to accommodate necessary alley width.

Utilities
Undergrounding of utility power poles may be needed along the alleys to provide sufficient area for vehicle clearance. Need for improvements to other utility systems such as water, waste water or gas lines are not foreseen other than need for new lateral connections to redevelopment projects. Need for improvements/upgrades to utilities may be identified during the construction process depending on the intensity of development/uses constructed and condition of existing facilities. Improvements to area storm drain systems are not required as a result of the project, but would benefit the broader neighborhood. Street and alley drainage system improvements will be considered with other street and alley modifications.

As identified by the City Public Works and Community Development Departments and Downtown-Campus Connections Concepts and Implementation Plan, the public right-of-way improvements in the B and 3rd Project Area may include but not be limited to the following:
- Widening of alley travel-ways
- Widening of sidewalks
- Enhanced paving
- Street Lighting
- Drainage connections
- Street trees
- Undergrounding of utilities

These improvements will be undertaken by the City, acting as the Redevelopment Agency, initially using redevelopment funds (RDA tax increments) to design and construct the improvements, with partial reimbursement from contributions from development projects and/or assessments from owners of properties within the improvement benefit area. As properties redevelop they will be required to make proportionate contributions toward any identified right-of-way improvements as conditions of development. Costs for Improvements serving a broader benefit area, such as lighting or drainage improvements may be funded through creation of a special assessment district.
Section 4: Policy Choices and Recommendations

Section 4 discusses the basis of the recommended plan and zoning amendments and how they represent a balance of community planning policies

Figure 9 provides a diagram representing five relevant community policy areas to that need to be balanced when determining the form of future development in the city. The diagram is used to represent the way all of these policy areas interrelate in application. The policy areas discussed below include:

- Community Form
- Preservation/Conservation
- Economic Sustainability
- Circulation
- Housing

Community Form: Land use and urban design elements of a specific area contribute to its role and contribution to the larger community form.

Urban Design: A new development pattern has been selected for B and 3rd Streets because of their location and multiple functions. These streets form a crossroad of a major transportation arterial that functions as a City entrance and Civic corridor that border the community hub of Central Park, with a primary retail and pedestrian link between the Downtown and University.

Land Use: Mixed Use, Live/Work, Existing planning documents that designate 3rd Street as a shopping and mixed-use area encourage ground floor retail and commercial uses with offices and residential above. Redevelopment with greater residential density along B Street providing opportunities for live/work and additional “flex” spaces is considered appropriate for this transition area. Allowing three story buildings on 3rd Street and this section of B Street will allow for higher density residential and mixed-use.

**Recommended Action:** Support new development pattern with mixed commercial residential uses and live-work opportunities, with emphasis on attracting and supporting low traffic generating (including creativity based) occupations.
**Basis for Recommendation:** The portions of B and 3rd Street in the project area are intended to function as more urban, higher density spines that activate these connector streets and also define the transition to adjoining lower density residential uses. The need to enhance and strengthen the functions of these specific sections of B and 3rd Streets is considered to take precedence over maintaining the existing bungalow character of these streets and requiring the retention and adaptive reuse of older contributing structures on these blocks.

**Scale:** The project will allow a new development pattern with larger scale than existing development. Allowing greater heights and reduced setbacks can support greater residential densities. Though consistent with the scale allowed in other Mixed Use Areas (three stories) the change from the low density “bungalow” character scale on many of the project parcels is considered a substantial change to the Design Guidelines. A larger scale structure can be made to be more compatible with a smaller scale structure by breaking it up into smaller modules or components and providing varying roof sections, wall setbacks and building materials to reducing the appearance of its bulk and mass.

**Density:** Existing densities allowed in the project area do not allow higher density residential uses or support community objectives. Amendments to allow residential densities of 22-24 du/net acre (3 du on a 7,500 sq. ft. site and 8 du on a 15,000 sq. ft. site) for attached townhome projects, and 30-40 du/net acre for a residential condominium project are proposed to support higher density infill projects. A lower density would reduce the number of potential new units and equivalent reduction in economic return.

**Heights/Setbacks:** Maintaining the single family residential height and setback standards for higher density development projects could affect the ability to provide the unit type and unit amenities that are considered most attractive to owner occupancy. For townhomes, or stacked condominiums these include individualized units with two bedroom/live/work spaces and direct unit access to covered parking. Even with below grade or semi-depressed parking, requiring shared access to parking higher densities and more compact housing forms on a site requires an increase in permissible building height.

**Recommended Action –** support higher residential densities (ranging from 22 -24 du/net acre for townhomes, up to 50 du/ac for owner occupied senior condominiums) and modified development standards including increased building heights (38’, 45’, 56’) and reduced setbacks. Uphold design objectives for appearance of scale and mass of structures to be reduced by stepping back upper floors and requiring modulation and variation in building forms, walls and materials.
Figure 9
Community Form Policies
B and 3rd Streets

Community Form
- Land Use
- Urban Design
- Civic Corridor
- City Entrance
- Pedestrian/Retail link Downtown to UCD

Housing
- Ownership
- Supply
- Affordability
- Quality
- Maintenance

Circulation
- Traffic Circulation
- Pedestrian Access
- Transit Access
- Parking

Preservation/Conservation
- Neighborhood
- Historic Resources
- Open Space / Trees
- Agricultural

Economic Sustainability
- Economic Vitality
- Economic Feasibility

B and 3rd Street Development Policies
Community Form (continued)

Basis for Recommendation - 3rd and B Streets are appropriate locations suitable for higher density infill development in the downtown area. They border the intersection of two main pedestrian corridors in the downtown. They face Central Park, a highly valued civic space. They border the main entrance and arterial into the community and provide the main link between the University and the downtown. The area is walking distance to the University and the downtown. They are also bordered by alleys which offer both access opportunities and a transition buffer allowing larger structures to be setback from properties designated lower density residential.

Preservation/Conservation: preserve or relocate designated historic resources; maintain existing two story scale and height standards or allow higher density residential and mixed use development to replace pre-1945 contributing structures for the street frontages (blocks) identified for redevelopment.

Existing planning policies call for the preservation of historic resources, adaptive reuse of existing older structures and for new development to reflect and be sensitive to neighborhood context. Another key issue of concern is the preservation of neighborhood character. The new development pattern proposed will change the historic setting and character of the redeveloped blocks by allowing removal of pre-1945 contributing structures. Existing street trees will be preserved but many site trees will be removed as a result of redevelopment. Reduced building setbacks will reduce existing open space and opportunities for landscaping. Alley and street improvements are intended to preserve an attractive tree lined pedestrian oriented streetscape and maintain a village lane character on the alley.

The city’s policy to preserve agricultural lands bordering the community contributes to growing scarcity of undeveloped parcels and increasing housing costs. This policy is offset by promoting infill development which in turn may have potential impacts on neighborhood preservation.

The preservation of historic resources is a priority for the community. The neighborhoods and community have exerted a substantial effort to preserve its traditional residential character. However, the community is also committed to growing through infill development. Policy 7 of the CASP (pg. 33) states the Core Area of the Downtown should be anchored by relatively large development of appropriate scale and character and identifies 3rd Street near the Central Park Expansion as an opportunity for intensification. Allowing higher density does not mandate that character contributing structures be removed, or that adaptive reuse of the existing structures would no longer be supported. However, the site location, size and configuration of many of the structures don’t readily lend themselves to two and three story additions.
Economic Sustainability: Economic vitality and economic feasibility are two factors relevant to the City’s goals for economic stability. Existing City policies call for intensification of development and more active use of the study area, but existing zoning limitations preclude much change and may function as a disincentive for any substantial reinvestment. Allowing a greater density and intensity of development in the project area will increase the economic feasibility and incentive for redevelopment. Pursuing more dense, compact designs, within walking distance of urban amenities and transit access can make more efficient use of land, and support transit use and reduce reliance on cars. Allowing higher density redevelopment that enhances Central Park, the Downtown and the adjacent neighborhood can be done in this area in a manner that cannot be achieved elsewhere.

Recommended Action: Allow higher density residential and mixed use development to replace pre-1945 contributing structures for the specifically targeted project area blocks. Preserve or relocate designated historic structures.

Basis for Recommendation: Allowing higher density residential and mixed use infill development is appropriate in an area identified for intensification and increased activity and area where such pattern of development will serve to achieve other community objectives and presents a context that will allow for an appropriate transition to neighboring single family use. Incorporation of pre-1945 contributing structures into redevelopment projects would still be desired but would not be required.

Circulation: The community has goals to reduce reliance on automobiles and encourage alternate forms of transportation, including walking and bicycle use, by enhancing pedestrian and bicycle facilities and locating higher density housing near transit access sites. The additional development allowed will generate more traffic and demand for parking, but also constitutes an example of transit oriented “Smart Development.” Locating homes in close proximity to the downtown, University, and Central Park should help reduce the need for vehicle travel and parking, as future occupants are able to walk to work, transit access points and downtown entertainment and shopping opportunities.

Parking/Traffic: Parking standards for residential units in the Retail with Offices district are based on number of bedrooms similar to the parking standards now required for the Mixed Use and Core Retail zones (e.g. 1.5 spaces/2 bedrooms). One difference is for commercial parking where a flat rate of one space per every 500 square feet is proposed. This is intended to allow for more flexibility in change of use. A restriction to prohibit any more restaurants or cafes on 3rd Street between University Avenue and the B Street alley supports this standard. This could be supplemented by the ability to purchase area parking permits, participating in the downtown parking district, or creation of a new parking district. Parking issues are an important concern for many area residents and prospective developers. One view is that the City should not let parking “drive” the design. Lower parking requirements are considered appropriate for this area and an integral part of higher density, pedestrian and transit oriented “urban villages.” Others
believe that in order for new units to be attractive for long term home ownership they need to provide a high level of site and unit amenities, including direct unit access to adequate covered parking.

Because the neighborhoods in the project area are within parking permit districts, allowing in-lieu parking fees for new commercial uses should not impact area residents. It can also provide a benefit by reducing trips as over time it will become known that parking isn’t available. By default it will also require new commercial operations to rely primarily on pedestrian access. It may also simply displace area parking demand exacerbating the overall parking shortage. However, the solution to a sufficient parking supply for the larger neighborhood, downtown and east portion of the University extend beyond the boundaries of the project area.

**Recommended Action:** Approve equivalent parking standards for residential units and flat rate for commercial uses in mixed use projects and increased parking standards for townhomes or condominium projects on B Street.

**Basis for Recommendation:** Support mixed use development by applying a uniform standard for residential units in mixed use projects in the downtown; expanding downtown parking district, allowing payment of in-lieu fees for commercial parking and increase flexibility of use by establishing new flat rate for commercial uses in Retail with Office district. Support owner occupancy of townhomes and condominiums and provide disincentive for larger units on B Street by requiring increased parking for increased number of bedrooms.

**Streets/Alleys** – The use of the alleys to the rear of B Street parcels will increase with redevelopment. As noted above, promoting low traffic generating uses and allowing in-lieu parking fees for commercial uses could reduce potential traffic increases. Expanded right-of-way and other Improvements to the alleys will still be required to support increased use and provide for necessary two-way travel. Third Street has long been identified for enhancement as a bicycle and pedestrian connection between the University and the downtown. New development should contribute a proportionate share towards the costs of desired improvements in the public right-of-way for the street and alley.

**Recommended Action:** Develop and Implement a new design program for 3rd Street and alley, obtain necessary alley right-of-way and commitment for proportionate contribution to street and alley improvements at time of development approvals.

**Basis for Recommendation:** Alley improvements and expanded right-of-way will be necessary to accommodated increased alley traffic. Enhancement of 3rd Street pedestrian and bicycle amenities will implement vision to enhance 3rd Street as a pedestrian connection in an efficient and coordinated manner at time of area redevelopment.
Housing: The City continues to seek provision of a variety of housing types to meet a broad spectrum of housing needs. The community has goals to increase the supply and affordability of quality housing in the community, especially ownership housing. As land becomes scarcer, and the cost of housing and transportation escalates, the City needs to become more creative in how it provides home ownership opportunities, and more compact, attractive living environments. Increasing residential density in infill projects is one way to increase the housing supply and make more efficient use of land. Use of smaller attached housing forms can increase affordability. The city also seeks to increase infill housing in the downtown to provide a wider range of housing choice, contribute to economic vitality of the downtown, and help to create a 24 hour presence around Central Park.

**Recommendation:** Approve increased residential densities and modified site development standards to support higher density residential and mixed use development.

**Basis of Recommendation:** 3rd and B Streets are appropriate locations suitable for higher density infill development in the Downtown area. They border the intersection of two main pedestrian corridors in the Downtown. They face Central Park, a highly valued civic space. They border the main entrance and community arterial and provide the main link between the University and the Downtown. The area is walking distance to the University and the Downtown. They are also bordered by alleys which offer both access opportunities and a transition buffer allowing larger structures to be setback from properties designated lower density residential.

Quality of Design: Higher quality housing can contribute to likelihood of ownership and increase compatibility with adjoining land use. Design quality cannot be achieved solely through development standards or design guidelines. The community establishes its expectations through these, but will need to enforce its expectations through the design and construction review processes. For units to be attractive as ownership housing they need to justify a long-term investment as reflected in the quality of site and building design and building materials. Livability of the new units and resolution of construction liability issues related to condominiums are relevant to achieving this goal. Constraints presented by having higher density infill development adhere to existing property boundaries can also affect the quality of design by reducing the efficiency of land use and ability to consolidate driveway/parking areas, open space and pedestrian access points into more efficient, functional and aesthetic layouts.

**Recommended Action - Amend Design Guidelines for Special Character Areas. Maintain reliance on Design Review process. Act to support expectations for high design quality.**

**Basis for Recommendation - Determination of adequate quality requires a review process. Communication of explicit expectations through application of Design Guidelines, and existing design review process Incorporating public notice and Planning Commission review for major projects, are the appropriate mechanisms to achieve quality design.**
### Amendments to Downtown Davis and Traditional Residential Neighborhoods Design Guidelines

<table>
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<tr>
<th>PAGE</th>
<th>PARAGRAPH</th>
<th>AMENDMENT TYPE</th>
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<tbody>
<tr>
<td>2</td>
<td>New 3</td>
<td>Text</td>
<td>The Design Guidelines were amended in _____ of 2006 to modify the design objectives and standards within three “Special Character Areas: 3rd Street, Core Transition West and Central Park.” These amendments were the result of a public “Visioning Process” conducted to redefine the type, form and intensity of development necessary to achieve the Community’s desire to facilitate reinvestment and increase ownership housing near the Downtown, to strengthen the pedestrian and mixed use connection between the University and the Downtown, and to establish a more active edge around Central Park.</td>
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<tr>
<td>6</td>
<td>1</td>
<td>Text</td>
<td>• Plan for new commercial and residential infill construction that is compatible and complementary to the character of existing neighborhood areas within the district and support the function of special character areas balanced with community goals.</td>
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| 7A   |           | Text           | **B & 3 Visioning Process** – A public visioning process including a number of public workshops and public hearings was conducted between the Fall of 2004 and Spring of 2006 in order to redefine the community’s objectives for the development within three special character areas on B and 3rd Streets.  

On October 26, 2004 and December 6, 2004 two community workshops were held to discuss planning and design issues facing B Street. Participants evaluated how alternative development patterns addressed the broader community context, the goals for preservation of residential character vs. establishment of a new design and pattern, the amount of ownership housing, and linkage between density and financial feasibility. The need to include 3rd Street in the process was also raised.

In March 2005, a Planning Options Report was prepared for public review and comment. The report identified two alternative development patterns representing different policy options that would address community objectives: a traditional development pattern and a new development pattern.

In April of 2005 a Visions Summary Report was issued summarizing the outcome of the Visioning Process, defined the alternative development patterns and policy options considered in the process and presented a fourth recommended option for establishment of a mixed use “creative district” for B and 3rd Streets with a larger scale and higher density development pattern. Public Hearings held in April and May concluded with City Council direction to pursue implementation of the recommended alternative four.

Public Workshops held in ___________reviewed the proposed amendments to the Design Guidelines. Public Hearings held in ___________ concluded with City Council amendment of the Design Guidelines. (Photos of B&3rd Visioning Process) |
<p>| 8    | 3, line 1 | text           | …such as PD#2-86A (or PD# 2-86B as amended), which are tailored to address…. |
| 16   | 7         | text           | Quote of CASP Policy 7 (B) Revise as per proposed CASP amendment. The area along B and Third Streets corridors shall be treated with sensitivity because of potential impacts on adjacent land uses. Development along this corridor shall be of an appropriate scale and character in relation to the surrounding and adjacent land uses. |</p>
<table>
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| 20   | 2       | text    | **Retail-Street Hierarchy**  
Two categories of principal and secondary retail streets should be improved to link key retail places. Because principal retail streets should have the highest foot traffic and greatest continuity in storefront commercial uses, infill must be built to the front lot line and at least 75% of a buildings frontage should be *used* designed for retail storefront. Development on secondary retail streets must also be built to the front lot line and have at least 50% of the frontage designed as a retail storefront. |
| 33   | Graphic | Add color tone over Central Park and Third Street corridor to show area as part of Mixed Use Transition area. |
| 33   | 2       | text    | • Mixed-use Transition areas bordering the Downtown Commercial areas are intended to provide space for intensified mixed-use projects that maintain are compatible with the residential character of the area while also serving as a physical and use transition to the three surrounding residential neighborhoods. |
| 54   | 2       | text    | Mixed-use areas are developing with commercial services within a residential building type setting. Residential uses are often combined with these new commercial functions, to create a mixed-use context. Many of the blocks within these areas have a single family design heritage, and this general character should be retained reflected in new buildings even as uses change. |
| 55   | 1       | text    | 1. Reflect Maintain the alignment and spacing patterns of buildings as seen along the block  
**A. Maintain the traditional** Setbacks of buildings to reflect traditional residential development patterns.  
**B. Building fronts shall be in line with traditional houses-development** along the block except where modified through special character area guidelines or zoning standards. |
| 58   | 2       | Text    | Mixed Use Design Guidelines – Building Mass and Scale – add new 4th bullet  
• Increased building scale and height may be allowed in special character or mixed use areas allowing sensitively designed new development patterns. |
| 70-71| Text/new photos | **Mixed Use Character Areas: Core Transition West**  
**Key Features**  
• The B and C Street area west of the commercial Core is a traditional residential neighborhood that has experienced commercial and apartment development related to the University.  
• One primary entrance to each structure faces the street.  
• Low sloping rooflines with overhanging eaves are typical.  
• Wood and stucco with detailing are predominate building materials.  
• Consistent pattern of large scale trees within parkway.  
• Existing uses consist of a mix of single-family and apartment rental units, offices, restaurants and hotels.  

**Design Objectives**  
**A. The area should serve as a use and physical scale transition to the predominately single-family character of University Avenue/Rice Lane neighborhood to the west.**

August 2006  Davis B and 3rd Streets Vision Implementation
The traditional “bungalow feel” of the area should be maintained while accommodating compatible new development reflected in the design of new development, even if it is at higher densities. A sense of “front lawns” should be maintained, which may be reinterpreted as landscaped courts and yards. New development to be of high quality design and construction to enhance visual quality of the street and support potential for owner occupied units. The west side of B Street between 2nd to 3rd Streets should have a built form and variety of compact housing types promoting an urban village feel. Conversion and expansion of existing residential structures to accommodate office uses is also appropriate south of Third Street.

Guidelines
A. New larger buildings along B Street should be designed to be compatible with the architectural character of the adjacent residential neighborhood.
   - New buildings should have sloping roof forms with extended eaves and raised front porches/entries similar to those seen on residential buildings.
   - New taller buildings should step down towards smaller buildings.
   - The massing of new buildings should be broken into modules that reflect the scale of traditional buildings found in the adjacent neighborhood.
   - Traditional residential door and window patterns should be used with location of new windows carefully considered with regard to privacy of neighboring residences.

B. Buildings should be setback to align with the fronts of existing houses and have a front yard.
   - The setback shall be plus or minus 10 feet from the average setback for the block.
   - New buildings should be setback and landscaped to retain a sense of a “front yard”.
   - Raised front porches and landscaped courtyards should be incorporated into the front setback.
   - Front setback should be landscaped with low plants and decorative paving.

C. Residential uses are encouraged.
   - Additional residential units are encouraged with new construction or as part of an addition to an existing structure.
   - New units should be designed as smaller one to two bedroom units.
   - Large three and four bedroom apartment type units are inappropriate.
   - Townhouses or condominium units for ownership are preferred.
   - Flexible live/work spaces are appropriate on ground floor units facing the street.

D. Parking should be considered and incorporated as part of an overall parking plan for downtown.
   - A minimum of one parking space per residential unit should be provided on-site.
   - On-site parking for commercial uses is encouraged.
   - Shared use of parking between residential and commercial uses should be encouraged.
   - Driveway curb cuts should be minimized.
• Properties with alleys should provide access to parking from the alley.

E. Alley to rear of B Street should be enhanced with a “village lane” character,
• Modify alley to support auto access for development on adjoining B Street sites.
• Minimize paving but provide for two-way travel where needed.
• Accommodate existing structures and preserve mature trees where feasible.
• Two and three story townhomes or accessory units on alley are appropriate
• Use plantings and decorative paving along alley to provide visual interest.
• Screen parking courts, trash containers, mechanical equipment and service areas from view.

| 71A | Graphic | New graphic showing sections of three development types on B Street:
|     |        | Townhouse with Single Family with Alley Unit
|     |        | Townhouse with Parking Court
|     |        | Condominiums over Parking

| 74   | Text/graphic notes | Amend notes to read
|      |                  | “Two to three story building, office below, two units above (zoning allows three stories)
|      |                  | Maintain a traditional front yard setbacks”

| 75   | Modify graphic to make third story window bigger | Amend notes to read
|      | “Traditional building heights, roofs and forms (with attics) (including third floors within roof lines)” | “Provide align front and street side yard setbacks that reflect with traditional residential setbacks structures on the block”

| 77, 77B | Special Character Areas: Central Park | Key Features
|         |                                | • Central Park is a special focal point and activity center in traditional Davis.
|         |                                | • Buildings that frame the park help to define the space and generate activities that animate the area.
|         |                                | • Central Park’s edges require special consideration to activate and shape the open space.
|         |                                | • Streets surrounding the park are delineated with large street trees planted in a parkway.

Design Objectives
• Residential uses Two to three story buildings with a mix of pedestrian-friendly commercial uses, such as cafes, should develop to visually frame the park.
• Potential exists for redevelopment of the school district site as an anchor for the northern perimeter of the park.
• Cafes on Third and C Streets are encouraged to help activate the edges of the park.
### Guidelines

#### A. New buildings should have residential forms.
- Sloping roofs, porch elements and buildings composed of modules in scale with traditional buildings should be used.
- Sloping roofs should predominate; porch elements defining primary entry should be features in new residential buildings.
- New buildings should be composed of modules reflective of traditional building proportions.
- Townhouse units should be expressed as individual structures with front entries oriented towards B Street or alley with all units provided with pedestrian access to B Street.
- Doors and windows should reflect residential patterns and be located to respect privacy of neighboring properties.

#### B. Yards and court yards are encouraged in front of buildings.
- Traditional front yard setbacks should be maintained. Shallow front yards should be included in new development.
- Courtyards may be used, but the majority of the front setback should be plant materials.

#### C. Commercial Uses with outdoor activities that support the pedestrian ambiance are encouraged.
- Commercial uses should be limited to the ground floor.
- Additional residential uses should also be accommodated in each project to enhance the 24-hour presence around the park.
- Flexible live/work spaces in ground floor spaces facing B Street are encouraged to provide a more public edge to the park.

#### D. Alley to rear of B Street to reflect “village lane” character.
- Parking access to be via a shared driveway on alley, not B Street.
- Modify alley to support auto access for new development.
- Minimize paving, but provide for two-way travel where needed.
- Alley changes should accommodate existing structures and preserve mature trees where feasible.
- Two and three story townhouses or accessory units on the alley are appropriate.
- Use plantings and decorative paving along alley to provide visual interest.
- Screen parking courts, trash containers, mechanical equipment and service areas from view.

<table>
<thead>
<tr>
<th>77A</th>
<th>Graphic</th>
<th>Section, plan and sketch of new three story townhome development.</th>
</tr>
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<tbody>
<tr>
<td>78-78A</td>
<td>Text/new photos</td>
<td>Special Character Areas: Third Street</td>
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</table>

Key features
- Third Street is the principal bike and pedestrian connection to the University.
- It provides a small scale “commercial village” character that defines a distinctive activity center.
- Buildings vary from one to three stories.
Design Objectives

- Cultivate the evolution of Third Street between A and B Streets as a unique higher density mixed use urban village supporting pedestrian oriented and low traffic generating commercial, retail and live/work opportunities.
- New development to be of high quality design and construction to enhance the visual quality of the street.
- Enhance Develop the gateway from campus with mixed-use buildings, sidewalk cafes and pedestrian/bike enhancements.
- Improve the sense of visual continuity between new and old buildings and intensify commercial uses.
- Encourage adaptive reuse of traditional residential structures.
- Maintain and enhance the pattern of large street trees along the entire corridor.

Guidelines

A mix of traditional mixed-use storefront building types is appropriate for this area.

Two and three-story buildings should predominate.

- Careful transition to adjacent residential buildings should be incorporated.
  - Buildings on the north side of Third Street between E Street and University Avenue and on the south side of Third Street between B Street and University Avenue should be primarily one and two stories.
- New buildings should have two-story façade heights. Upper levels should be set back.
- Residential roof forms with upper levels within the roof area should predominate on Third Street between A and B Streets.

C. Varied setbacks are encouraged to enhance transition between building types and provide for courtyards and plazas. Consistent setbacks on Third Street are encouraged to provide storefront continuity along the street edge.

- Third Street should have pedestrian-oriented uses and design, including transparent storefronts, awnings, pedestrian-scaled signage and other storefront district features.
- Setbacks on side streets should provide for a sensitive transition to existing buildings.
- Use landscaping and special paving along setbacks on alley to rear of B Street to enhance the "village lane" character.
- Outdoor sitting areas are encouraged along Third Street.
- Screen trash containers, mechanical equipment and service areas from public view.
- Maintain mature trees where feasible.

D. Parking is lots are not permitted in front of buildings.

- Parking and driveway access from Third Street is inappropriate.
- Parking should be located to the rear and accessed from an alley or side street.
- Parking should be incorporated into the site and building to minimize its visibility.

E. Courtyards and plazas are encouraged.
A clearly defined walkway should lead to the main building entrance. These should be landscaped to reflect the residential tradition of the area while accommodating new commercial and residential uses.

| 78A | Graphic | New Section showing Vertical Mixed Use Building |
| 83 | Graphic | Modify Map and legend of Traditional Neighborhood locations to add mixed use and special character areas in dashed lines. |
| 83 | Text | Add note at bottom of page to refer to the Mixed Use Guidelines and Special Character Area guidelines for design guidelines applicable to these areas as the Traditional Residential Neighborhood guidelines do not apply to properties within special character areas or properties otherwise covered within the Mixed Use Guidelines. |
| 92 | Text | Site Design: Alleys and Service Areas: add note to refer to Mixed Use Special Character District: Core Transition West, and Central Park and 3rd Street Special Character Areas for guidelines related to alley located west of B Street parcels. |
| 113 | Text | (Need to distinguish between B Street and Third Street Special Character Districts and the University Avenue/Rice Lane Neighborhood)  

New Paragraph 3 – Several Special Character Districts overlap within the University Avenue/Rice Lane neighborhood. The neighborhood contains the Core Transition West, 3rd Street and Central Park Special Character Areas at its center and eastern border. Development within these special character areas shall defer to the Design Guidelines for these areas, and general Mixed Use Development guidelines. |
CHAPTER 1.0 INTRODUCTION
CHAPTER 2.0 EIR TEXT CHANGES
CHAPTER 3.0 LIST OF COMMENTERS
CHAPTER 4.0 COMMENTS AND RESPONSES
CHAPTER 5.0 INDEX TO RESPONSES
APPENDIX B MITIGATION MONITORING PLAN
APPENDIX C.1
APPENDIX D SUPPLEMENTAL INFORMATION
APPENDIX D.5
APPENDIX E IMPLEMENTATION SUMMARY
REPORT (AUGUST 2006)