

## SUPPLEMENTAL STAFF REPORT

**DATE:** September 14, 2016

**TO:** Planning Commission

**FROM:** Ashley Feeney, Assistant Community Development & Sustainability Director  
Katherine Hess, Community Development Administrator

**SUBJECT:** **2750 Cowell Boulevard, Hyatt House Hotel:** PA #15-60: Mitigated Negative Declaration #4-15, General Plan Amendment #4-16, South Davis Specific Plan Amendment # 2-16, Rezoning and Planned Development Amendment #7-15, Conditional Use Permit #5-15, Minor Modification #4-16, and Design Review #25-15:

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### Recommendation

This report is an informational supplement to the staff report provided for the August 24, 2016 Planning Commission public hearing. As a reminder, the staff recommendation is as follows:

Recommend the City Council take the following actions:

1. Certify Mitigated Negative Declaration #4-15 as adequately assessing the potential impacts of the project;
2. Approve the resolution amending the General Plan to conditionally allow hotels within the Business Park land use designation, with a Floor Area Ratio up to 100 percent;
3. Approve the resolution amending the South Davis Specific Plan to allow a reduction in the required landscape area as established in a Planned Development;
4. Approve the ordinance amending Planned Development #2-12 to allow hotels as a conditional use within the district with a maximum height of four stories and fifty feet (unless adjusted by Minor Modification);
5. Approve Conditional Use Permit application #5-15, Final Planned Development #9-15, Minor Modification for a reduction in parking spaces and increase in tower height, and Design Review application 25-15 for the project, based on the findings and subject to the conditions. **Please note additional recommended conditions of approval relating to window screening and Cowell Boulevard restriping, as outlined in this report.**

### Structure of This Supplemental Report

This report contains updates of meetings since the Planning Commission hearing, as well as responses to questions raised by Commissioners on the 24<sup>th</sup>. Staff is also recommending an additional condition relating to Cowell Boulevard restriping.

As a reminder, the Public Hearing was closed during the meeting of the 24<sup>th</sup>. The Brown Act does require an opportunity for public comment on any agenda item, but comment time may be limited at the discretion of the Chairperson.

### **Planning Commission Site Visit**

On Wednesday September 7, the Planning Commission held a special meeting to view the site from the greenbelt adjacent to 2750 Cowell Boulevard. The main purpose was to allow Commissioners and the public to view the proposal in context of the site, the adjacent greenbelt, and nearby residential homes. The applicant arranged for balloon pillars to demonstrate the height of the building (top of blue balloon) and upper story windows (red balloons). The applicant also arranged for a drone to display views from the upper-story windows on a monitor. Although the wind increased during the meeting, staff believes the site visit was a useful exercise.



During the site visit, the applicant's architect also presented an option for on-building screening to protect privacy of residences to the south (See Attachment 1).

Staff recommends an additional condition of approval for the Design Review and Conditional Use Permit entitlements:

Building plans shall be revised to include screening to reduce privacy impacts on residences to the south as shown in new Exhibits A17 or A18, or equivalent, to the satisfaction of the Director of Community Development and Sustainability.

### **Finance and Budget Commission Meeting**

The Finance and Budget Commission is scheduled to discuss the potential fiscal impacts of the hotel proposals at their September 12th meeting. It is anticipated that the fiscal impact to the City would be positive. A discussion of fiscal impacts will be presented as part of the City Council staff report.

### **Responses to Commissioner Questions**

Commissioners asked a number of questions during the discussion on August 24<sup>th</sup>.

### **What other potential hotels are in the pipeline?**

The City is processing applications for a 120-room extended-stay hotel on Fermi Place (near the intersection of Mace Boulevard and 2<sup>nd</sup> Street). The General Plan Amendment, Zoning Amendment, and other entitlement requests are similar to that of the 2750 Cowell Boulevard

application. An Initial Study / Negative Declaration is anticipated. The applications are tentatively scheduled for Planning Commission hearing on September 28. The Fermi Place proposal and this Cowell Boulevard proposal are both scheduled for City Council hearing on October 18 and deliberation/action on November 1, 2016.

This spring, staff received an inquiry from the owner of an existing hotel considering expansion with additional extended-stay rooms and a second brand. No application was submitted, and staff does not believe the concept is being pursued at this time.

Last year, the City Council approved a hotel conference facility at 1111 Richards Boulevard, at Olive Drive. The approvals reflected 132 rooms (89 net new rooms) and 13,772 square feet of conference space. Litigation has been filed and is not resolved. Building permit applications have not been submitted.

**Are electric vehicle chargers and swimming pool available to neighborhood?**

Readily available technology for electric vehicle chargers would allow the potential for the property owner to make the chargers available to the general public, with a fee for the electricity. Although the applicant could certainly offer to do either, staff does not consider a requirement to provide public access to either the swimming pool or the vehicle chargers to be within the scope of authority for land-use entitlements.

**Could the Cowell-Albany connection serve as emergency vehicle access?**

Although the connection provides a ten-foot bicycle path, the Fire Department requires 20 feet in width for an emergency vehicle connection. Because of the existing trees on the bicycle path, the requested width is not available. Neither the Fire Department or the Police Department has expressed any concerns about emergency vehicle access to or from the Rosecreek neighborhood.

**Car management: Is one shuttle enough?**

The applicant reports that there is no exact science to the number of shuttle service vehicles. If there is more demand than one shuttle can accommodate, options would be to acquire another shuttle or provide alternate arrangements, such as commercial airport shuttles. Hoteliers might also choose to combine efforts for efficiency, especially for trips to the airport.

**How many jobs will be provided?**

The applicant reports that employment for the extended-stay hotel would be between 30 and 35 total full time equivalent employees. The number during the largest shift will be twelve to eighteen, depending upon occupancy.

**How will guests get to the hotel from the freeway?**

Few hotels in Davis have direct access to Interstate 80. The applicant reports that 55% to 75% of reservations are anticipated to come through the corporate booking system, and the remainder are driven through the hotel's own sales efforts. Guests who do not use the a shuttle from the airport are anticipated to use on-line mapping or smart phone GPS for directions to the hotel.

**How will trees be affected by the project?**

There are three areas of trees of relevance to this application: On-site trees, trees on the adjacent greenbelt, and trees on the bicycle connection from Cowell Boulevard to Albany Avenue. Three arborist reports were incorporated into the Initial Study and Negative Declaration.



### On-site Trees

There are two valley oak trees on the site: one with three trunks having diameters of six, six, and five inches at 4.5 feet height; and one with a seven-inch diameter at 4.5 feet height. The two trees on the site are proposed for removal and will be subject to the obligations of Section 37.03.070(d)(2) of the City's Tree Preservation Ordinance, which requires mitigation through planting of replacement trees or payment to the Tree Preservation Fund in Lieu of Replacement.

### Greenbelt Trees

Trees on the southern portion of the greenbelt were not evaluated because they would not be affected by the construction. The arborist report evaluated impacts of project construction on trees at the northern edge of the greenbelt. Mitigation measures, including constructing parking spaces under the trees with permeable paving rather than asphalt, have been included as conditions of approval. This will reduce the compaction of the soil in the parking lot as well as allow for future water infiltration and air and gas exchange for the soil. The arborist concluded that these mitigation measures should protect the health of all but one of the greenbelt trees.

Tree #8, a callery pear, 8" Diameter at Breast Height, with fair health and poor structure, would have 50 percent of its foliage removed to provide clearance over the fire lane and parking areas and to correct its poor structure. Recommended mitigation measures include compliance with tree protection measures, and provision of a bond or other security to provide compensation should the tree fail.

Commissioners also inquired about possibility of planting additional trees in the greenbelt, for additional screening of the project from the south. The City arborist recommends large shrubs, rather than trees, for this purpose. Examples are photinia and toyon, which are easier to maintain and to replace, if necessary. In addition, shrubs provide less competition for water and soil resources than trees, which allows for healthier plants in the area overall.

### Bicycle Connection Trees

The storm drain connection and bicycle path replacement requires construction of a 36-inch trench from Cowell Boulevard to Albany Avenue. Replacing the existing asphalt concrete path with a Portland cement path will bring the facility to City standard, and can be completed with

no additional soil compaction beyond the trench required for the storm drain pipe. The storm drain connection and bicycle path replacement have the potential to affect two Chinese tallow trees and four Canary Island Pines. The arborist report concluded that impacts to the Chinese tallow trees would likely experience a low level of impact, given construction assumptions and compliance with preservation recommendations.

The Canary pines are in a narrow portion of the bike path connection. The City Arborist provided a recommended construction process, including root pruning, to maximize the chances of tree survival. However, the mitigation measures also require monitoring and provision of a bond or other security to provide compensation should any of the tree fail.

### **Why the recommended text amendment to the General Plan?**

The recommendation includes amending the business park designation in the General Plan to conditionally allow hotels. This would potentially apply to other areas designated as business park, but any other new hotel would be subject to environmental review and zoning consistency. Other business park lands in the City include Interland, the Research Park Drive area, and the 15-acre parcel at Chiles and Cowell.

The current General Plan allows motels as a conditionally permissible use in the General Commercial area. General Commercial properties are primarily adjacent to the freeway, like the parcels on Cowell Boulevard west of the subject site. Permitted uses include auto sales, building supplies, nurseries, equipment rental, repair services, wholesale and storage, office, and similar service oriented commercial uses. Conditionally allowable uses include service stations, motels, restaurants, commercial recreation, moderate size community retail stores, warehouses, and similar uses.

As the Commission knows, the General Plan and the zoning are two different layers. The above discusses the General Plan Amendment. The zoning change for the project (to conditionally allow hotels, and make other changes) would apply to PD #2-12, which is this site and the Davis Diamonds parcel only. Other sites with the Business Park GP designation might also potentially require rezoning if a hotel were to be considered.

### **Additional Recommended Condition – Cowell Boulevard**

Based upon continued review of the proposal, staff is recommending an additional condition of approval for the Conditional Permit and Design Review applications:

The existing Cowell Blvd striping shall be modified to include a center left-turn lane to provide for safe ingress/egress for traffic into and out of the property.

Public Works staff have confirmed that there is sufficient right-of-way and 58 feet of pavement which can accommodate bike lanes, travel lanes, and the recommended two-way left turn lane.

### **Attachments**

1. Window Screening Exhibits