

COMMUNITY DEVELOPMENT DEPARTMENT

23 Russell Boulevard – Davis, California 95616
530/757-5610 – FAX: 530/757-5660 – TDD: 530/757-5666



Meeting Date: September 9, 2009
Item No. 5C

Staff Report

September 4, 2009

TO: Planning Commission

FROM: Katherine Hess, Community Development Director
Michael Webb, Principal Planner
Xzandrea Fowler, Planner

SUBJECT: Planning Application #42-08, General Plan Amendment, Specific Plan Amendment, Rezoning and Preliminary Planned Development, Development Agreement, Affordable Housing Plan, Tentative Map, Final Planned Development, Design Review, and Mitigated Negative Declaration for Residential Subdivision (Willowbank Park) at the vacant property located on Mace Boulevard, south of San Marino Drive and north of Redbud Drive

Note: This report is intended to be an update and supplement to the June 24, 2009 staff report. Please contact the Community Development Department if you require a copy.

Recommendation

Staff recommends that the Planning Commission continue the Public Hearing from June 24, 2009 and recommend that the City Council take the following actions:

1. Determine that Mitigated Negative Declaration#05-08 prepared for this project adequately addresses the environmental impacts associated with the proposed project;
2. Adopt the attached resolution amending the General Plan land use designation of the parcel, APN#69-490-35, from Public/Semi-public to Residential Medium Density, based on the findings in the resolution;
3. Adopt the attached resolution amending the South Davis Specific Plan land use designation of parcel, APN#69-490-35, from Public/Semi-public to Residential Cluster Homes;
4. Introduce the attached Planned Development(P-D) Ordinance that rezones the parcel from Planned Development #4-92 to Planned Development #2-08, permitting the proposed residential subdivision and uses, based on the findings and conditions in P-D;
5. Approve the following implementing entitlement applications, based on the findings and conditions attached to this report;
 - Tentative Map #07-08, subdividing the approximately 4.48 gross-acre parcel for single family residential lots, greenbelt lots, and roadway; and
 - Final Planned Development#04-08, establishing final zoning standards for the residential lots in the new P-D district.



- Design Review #27-08, establishing the site plan and architectural features for the six affordable housing units.
 - Affordable Housing Plan #02-08, establishing the affordable housing plan for the residential development.
6. Introduce an Ordinance adopting the Development Agreement that establishes the agreement between the City of Davis and Brix and Mortar Partners, LLC (the ordinance will be provided for the City Council hearing): and
 7. Direct staff to amend Exhibit C-7: Community Improvements of the Willow Bank 10 Development Agreement, thereby shifting responsibility of the completion of the bicycle and pedestrian connections from Willowbank 10 subdivision to Willowbank Park Subdivision.

Aerial photograph of the project site



Project Summary

The proposed project involves multiple entitlement applications. As proposed, it will result in the development of 27 single family homes on the vacant 4.48 gross acres parcel. The lots range in size from 1,800 square feet (affordable units) to 6,000 square feet (market rate). The affordable units range in size from 1,200 square feet to 1,400 square feet, and the market rate units range in size from 1,798 square feet to 2,504 square feet.

The site is located along the west side of Mace Boulevard just south of San Marino Drive; bordered by the Putah Creek channel on the north, residential development on the west and south

and Mace Boulevard on the east. The proposed project will involve the changing of the General Plan designation from Public/Semi-public to Residential Medium-density; changing the South Davis Specific Plan designation from Public/Semi-public to Residential Cluster homes; changing the Zoning Ordinance designation from Planned Development #4-92 to Planned Development #2-08, approval of a Development Agreement, and approval of implementing entitlement applications.

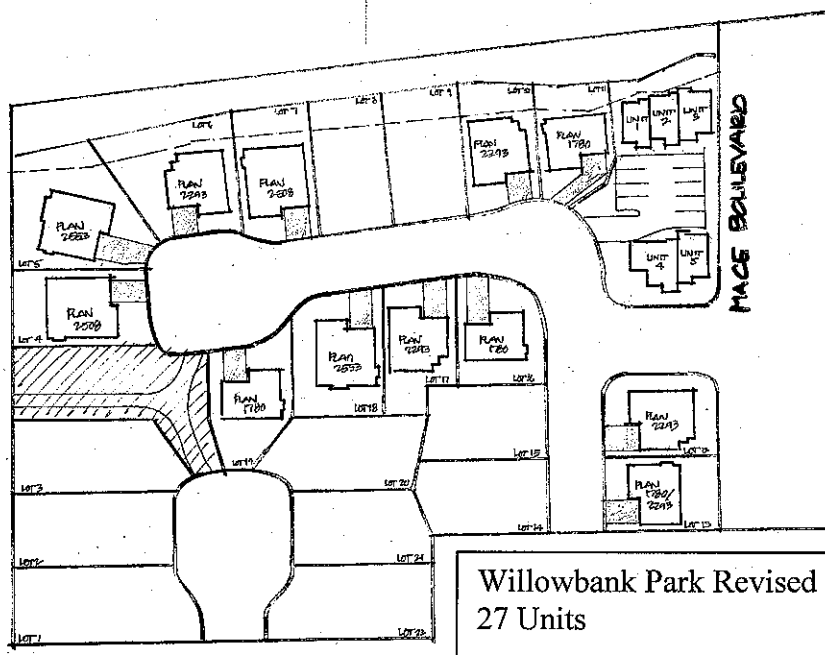
Previous Planning Commission Action

On June 24, 2009 the Planning Commission reviewed the project proposal, took public testimony, and requested that the developer work with the neighbors and staff to address the concerns raised by staff, neighbors and Commissioners during the public hearing. See Attachment 11 for the June 24, 2009 staff report. In General, the Planning Commission felt that the proposed land use change and density were appropriate for the site. However, they expressed concern with the site and street layout (specifically the cul-de-sacs and how they impacted lot frontage), and the potential impacts to parking.

Applicant's Revised Plans

Given Planning Commission direction the developer held a neighborhood meeting with the neighbors and exhibited seven revised site plans. After discussion the neighbors identified one of the plans as a good starting point for further discussion. The plan eliminated two units (one market rate and one affordable); eliminated the cul-de-sacs; eliminated the direct access from Mace Boulevard to Pistachio Court; and relocated the main street and located all of the affordable units to a common area. For the purpose of discussion the new plan will be referred to as the Willowbank Park Revised Plan, see the figure below.

Willowbank Park Revised Plan



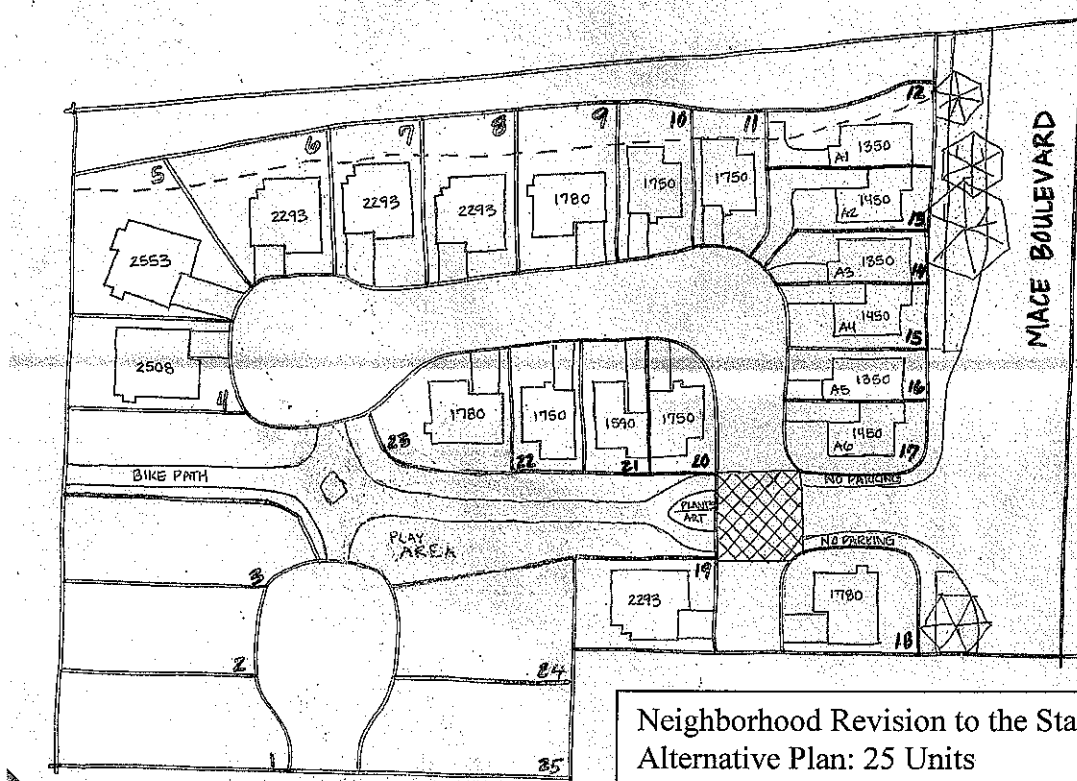
to the affordable units and the reconfiguration of the affordable site plan enhanced the overall continuity of the subdivision, and they felt that the additional greenbelt connection through the site to Mace Boulevard was the type of community amenity that they were looking for.

After further discussion with the Public Works Department and the Parks Department, staff determined that the proposed greenbelt was too narrow in places and could not be supported unless the greenbelt was widened. The Parks Department also expressed concern over the lack of City funds to maintain the additional greenbelt. The Parks Department informed staff and the applicant that a maintenance endowment for the greenbelt and all of the other recreational and public landscaped areas would be needed if the staff alternative plan was going to become the project plan.

Nearighborhood Revisions to Plan

Staff shared the comments from the other City departments with the neighbors and the neighbors modified the staff alternative plan to address the narrow greenbelt issue. The neighborhood alternative eliminates another market rate unit, bringing the total number of units in the subdivision to 25, which is still medium density and within the General Plan Housing Element Steering Committee recommendation for the site. For the purpose of discussion that plan will be referred to as the Neighborhood Revision to the Staff Alternative Plan. See Attachment 3 or the figure below.

Nearighborhood Revision to the Staff Alternative Plan



Discussion Items. In general, Staff supports the concept of re-designating the property for single-family residential development. The type of use and subdivision layout is appropriate for the neighborhood and generally consistent with the General Plan Housing Element Update Steering Committee development recommendation for the property. However, staff has the following concerns with the affordable housing units:

1. Accessibility

When the project was reviewed by the Social Services Commission in April 2009 (see the June 24, 2009 staff report in Attachment 11 for additional background), the Commission concluded that the proposal was generally consistent with city's affordable housing requirements, and they supported the applicants request for deviation from the goal of 100% first-floor accessibility for all low-moderate income housing. The Commission recommended the inclusion of at least two first-floor accessible low-moderate income units to ensure that potential homebuyers with physical disabilities or accessibility limitations could be accommodated.

The proposal that was reviewed by the Planning Commission on June 24, 2009 only provided one affordable unit with first-floor accessibility. The applicants' revised plan continues to only provide one first-floor accessible unit, however, due to the reduced unit count; the project now only needs to provide five, not six affordable units. Staff supports the Social Services Commission goal of providing as much accessibility as feasible recommendation. However, staff recognizes that the current site layout is not conducive to providing two affordable units with first-floor accessibility. In order to comply with the recommendation the site plan for the affordable units, and possibly Lot 22, would need to be re-designed to provide additional space for a first-floor bedroom and full bathroom.

2. Parking and Storage

Staff expressed concern with the lack of covered parking and storage provided for the affordable units when the project was initially reviewed by the Commission. Consistent with the original proposal, the revised plan provides two uncovered off-street parking space for each affordable unit. The original proposal provided those spaces directly in front of or adjacent to the units, but the revised plan provides them in a shared parking lot. Staff still believes that the units would be better served and more marketable if they each had at least one covered parking space and all parking for the unit was provided onsite. The applicant has revised the floor plans of the affordable units to provide additional interior and exterior storage space.

3. Private Usable Open Space

Staff expressed concern with the lack of private usable open space for the affordable units. The affordable units located at the entry of the project lack backyards, have front yards that front on the entry road and cannot have privacy fences, and side yards that are 7 feet wide or less.

Options to Address Concerns

Staff and the applicant have spent a great deal of time looking at ways to incorporate covered parking into the affordable housing project. As it is currently designed there is simply no room to accommodate carports and there is minimal room for landscaping. In order to do so the

affordable unit site plan would need to undergo a major re-design. The following options are available:

- A) Modify the existing layout by moving the accessible unit to the proposed triplex the parking lot a few feet to the west; incorporate parking lot pavement treatments (such as stamped or colored concrete); and enhance the proposed landscaping. The benefit from these modifications are direct parking access to the accessible unit; landscape areas in front of the parking spaces to accommodate shade trees; and an increase in the overall visual aesthetic of the affordable units area. See Attachment 1 with the listed modifications incorporated into the plan. These modifications also afford better opportunity to incorporate parking lot shade trees.
- B) Expand the area of the affordable lots by eliminating the adjacent market rate or redesigning the entire subdivision to reduce market rate lot sizes. The benefit would be more open space for the affordable units, covered parking and increased landscaping. However, at least one market rate unit would be lost.
- C) Redesign units to accommodate parking underneath by increasing the height of the units to three stories and putting tandem parking spaces below the units, with the exception of the accessible unit, that would need the living and parking to be on the ground floor level. This option may also require the elimination of one market rate unit.

Staff believes that Option "A" helps to address the majority of staffs concerns. In order to help mitigate the tight arrangement staff believes that efforts should be made to ensure that all sides of the units are attractive and nicely detailed and that extra care is taken to ensure sensible and high quality landscaping and fencing in the affordable housing site. Staff has incorporated conditions to this end, should this be the option that the Planning Commission recommends.

4. Other Items

When the project was reviewed on June 24, 2009, a memorandum containing supplemental information to the staff report was distributed. The memorandum addressed the Draft Development Agreement, the Red fox, and the Initial Study Analysis. A summary of these items is provided below.

Development Agreement

The City and the applicant continue to work on the details of the Development Agreement. The following key points of agreement have been conceptually agreed to for inclusion in the Development Agreement. The ordinance and specific Development Agreement language will be presented to the City Council for final review.

- Green House Gas Reduction Plan
- Timing of Fees
- Community Enhancement Contributions
- Plans and Maintenance for Community Enhancement features (Parcel A, Parcel B and the Mace Boulevard landscaping improvements)

Green House Gas Reduction Plan:

The project will comply with the City's Green House Gas Reduction Program. The project will reduce its Green House Gases by 60.5 Metric tons of Carbon consistent with the reduction required. The reduction will be in the form of construction that is 35% above the 2005 Title 24 standards, and 23.5 kW of photovoltaics installed (approximately 14 homes could have photovoltaics) throughout the project or other carbon reductions methods that have been reviewed and approved City Staff.

Timing of Fees:

All impact fees, water and sewer connection fees, and Park in-lieu (Quimby) fees are allowed to be paid no later than at the Issuance of Certificate of occupancy, based upon the fees in effect at the time of payment.

Community Enhancement Contributions:

The applicant has proposed a community enhancement contribution of \$1,000 for every building permit issued for a unit prior to December 31, 2010 and \$3,000 for each one issued after. Both the applicant and staff believe this provides an adequate incentive for the project to be built in a timely manner. The City and applicant are reviewing the concept of an endowment for ongoing maintenance of these areas. This will be further informed by the fiscal analysis being prepared for the City Council.

Plans and Maintenance for Community Enhancement Features:

The applicant will install and fund the maintenance of the Community Enhancement features (the bicycle path extension, the pedestrian path along the creek, and the landscaping enhancements along Mace Boulevard).

Project Phasing and Multiple Final Maps:

The applicant has requested to phase the Final Map, so that the six units along Pistachio; the modifications to the drainage pond; the connection to the existing bicycle path and the pedestrian path would be completed in phase 1. The remaining market rate units; site improvements; and affordable units would be completed in phase 2. The applicant intends to submit improvement plans for both phases simultaneously and record the second Final map shortly after the first. The primary interest in recording two Final maps is to allow flexibility in the obtainment of project financing. Flexibility has been included in the conditions to address the possibility of two Final maps.

Environmental Determination

An Initial Study was completed to examine potential areas of impact resulting from the proposed project. It revealed that there were no significant adverse impacts associated with the proposed project that would warrant an Environmental Impact Report given the recommended mitigation measures, which are acceptable to the applicant. However, shortly before the June 24, 2009 Planning Commission hearing several neighbors brought to the attention of staff that there is a active red fox den located on the southern bank of the Putah Creek channel, running immediately north of the proposed subdivision. It should be noted that the red fox is not a protected species, but in light of this information and the resulting species conservation concerns, the city has

revised the Initial Study/Mitigated Negative Declaration. The document concludes that the impact to the red fox is "Less Than Significant", therefore no mitigation is required. That being said, the City's Wildlife Resource Specialist has discussed the issue with researchers at UC Davis and identified a list of "minimization" measures that could be implemented (see Attachment 9 for the Minimization Measures). Any such measures would need to be agreed to by the applicant on a voluntary basis. The revised Initial Study/Mitigated Negative Declaration is Attachment 8.

The Open Space and Habitat Commission will be discussing the red fox issues at their September 14th meeting. Their recommendations will be considered by staff and included in the City Council discussion.

Public Notice and Neighborhood Outreach

A public hearing notice for this Planning Commission meeting was published in the Davis Enterprise. The public hearing notice was mailed to property owners within an expanded noticing area. The neighborhood comments received are in Attachment 10.

Conclusion

Staff recommends approval of the project applications for the following reasons: (a) the proposed subdivisions and neighborhood layout is compatible and complements the existing neighborhood; (b) the use adds to the city's housing stock variety and addresses housing needs; (c) conditions of approval and mitigations measures recommended for adoption will adequately address concerns raised due to the proposed project.

Attachments

1. Applicant's Revised Submittal packet
 - Site Plan and Vicinity Map
 - Exhibit Maps
 - Design Concepts
 - Landscape Concepts
 - Aerial Photographs
2. Staff Alternative Plan
3. Neighborhood Revision to the Staff Alternative Plan
4. General Plan Resolution
5. South Davis Specific Plan Resolution
6. Rezoning Ordinance
7. Revised Findings and Conditions of Approval
8. Revised Initial Study/Mitigated Negative Declaration
9. Minimization Measures
10. Written Public Comments
11. June 24, 2009 Planning Commission Staff Report (Excluding Attachments)