

Date: May 30, 2007

Item Number: _____

Staff Report

May 25, 2007

TO: Planning Commission

FROM: Katherine Hess, Community Development Director
Sarah Worley, Economic Development Coordinator

SUBJECT: B and 3rd Streets Visioning Process Final Environmental Impact Report and Project Amendments, PA #36-06: General Plan Amendment #1-06, Specific Plan Amendment #2-06, Rezone #1-06, Final Planned Development #8-06, Environmental Assessment (EIR) #5-06.

Recommendation

Staff recommends that the Planning Commission take the following actions:

- A. Hold a Public Hearing;
- B. Recommend that the City Council certify that the Final EIR (SCH #2006012026) adequately addresses the impacts of the proposed project; Environmental Assessment (EIR) #5-06 (Draft EIR and Response to Comments documents previously provided);
- C. Recommend adoption of the Findings for rejection of alternatives, Findings for rejection of mitigation measure 2.2-2(a) regarding alleys, and Findings for approval of project and overriding significant environmental impacts (Attached) : and
- D. Recommend City Council approval of the following amendments that constitute the project:
 1. General Plan Amendment #1-06 (Appendix C.1 of Response to Comments)
 2. Specific Plan Amendment #2-06 (Appendix C.2 of Response to Comments) as amended by Staff Recommendations
 3. Rezone #1-06; (Appendix C.3 of Response to Comments) as amended by Staff Recommendations
 4. Amendment to Davis Downtown and Traditional Residential Neighborhood Design Guidelines (Appendix C.4 of Response to Comments)

This report is lengthy and addresses many complex issues. Following is a simplified Table of Contents to assist Commissioners and the public in their review.

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I Executive Summary and Key Issues

Key questions to be addressed are:

1. Environmental Review - Is the Final EIR complete for the purposes of decision making?
2. Project - Should a new development pattern in the project area be allowed encompassing the following principal changes:
 - o Land Use Changes
 - o Allow Removal of Eligible Historic and Contributing Structures
 - o Increased Residential Densities
 - o Increased Building Heights
 - o Reduced Building Setbacks
 - o Changed Parking Standards
 - o Allowing In-lieu Parking
 - o Dedication of Expanded Alley Right of Way (ROW)
 - o Widening of Alley travel way
3. What changes to the project are recommended?

Project: The project is known as the B and 3rd Streets Visioning Process, a multi-year process initiated by the City Council in July of 2004. This report summarizes the plan and zoning amendments considered necessary to implement the vision to create an “urban village” in the B and 3rd Streets project area; and the potential environmental effects of redevelopment that could occur as a result of the changes. The proposed amendments constituting the project are contained in the Response to Comments document as Appendices C.1 through C.4. Staff is recommending some changes to the published versions of one mitigation measure, Appendix C.2 Core Area Specific Plan Text Amendments, and Appendix C.3 Planned Development PD 2-86B. These changes would drop requirements for widening the alley, drop density bonuses for projects with subdivisions, and reduce height provisions related to condominiums on B Street. These changes are proposed as a result of comments received from neighborhood residents and questions raised at a joint Study Session Historic Resources Management Commission and Planning Commission. These changes are discussed beginning on page 7 of this report.

Vision: After an extensive public process (Phase I) the City Council conceptually approved (April 2005) a vision for the project area to become a new special character area and 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.
- Two to three story mixed-use projects on 3rd Street and the corners of 3rd and B Streets and 2nd and B Streets.
 - 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 (relocation of one Merit Resource on site, removal or relocation of one eligible Merit Resource);
- 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.

Areas of Controversy: At present and at the time of Council action on Vision 4 there was not community consensus as to the desired form of development in the project area. The one area of consensus was a desire for more owner occupied housing. There was also a recognition that some changes were necessary to encourage reinvestment and achieve a stronger connection between the Downtown and the University. Property owners in the project area that are interested in redeveloping support the proposed changes, with the exception of two owners who object to the requirement for dedication of alley right-of-way. Two property owners within the project area who are not interested in redevelopment (one owning a Merit Resource, and one on a small parcel on 4th Street) wish to see a smaller scale of development. One of these strongly objects to the widening of the alley that borders their home. Other neighbors either directly adjacent to the project area or living nearby also are willing to accept some redevelopment but at a smaller scale, and would prefer to have more of the existing contributing structures (and eligible Merit Resource) retained. Other community members share this view. Several residents of the project area and some neighbors living near the project area are working on proposed revisions they wish to be made to the project elements to address their concerns. Particular areas of strong objection concern the proposals to:

- allow a fourth floor and maximum height of 56 feet to roof peak in the proposed amendments to the Retail with Offices District (3rd Street and the corner of B and 2nd Streets);
- allow three story development and height of 45 feet to roof peak in the Retail with Offices zone and for an ownership condominium project in the B Street Transitional District between 2nd and 3rd Streets;
- allow a density bonus for construction of ownership condominium units in the Retail with Offices District and in the B Street Transitional District between 2nd and 3rd Streets;
- expand the existing 13 foot alley right-of-way by 7 feet to a new 20 foot right-of-way;
- require the alley right-of-way dedication from only the east side of the alley;
- require the expansion of alley paved width to 16 feet, bordered by two feet of clearance on either side if the number of trips on the alley exceed an average of 400 trips per day;

- allow demolition of an Eligible Merit Resource and a group of structures that contribute to the historic setting of the area if suitable relocation sites are not available;
- Allow payment of in-lieu parking fees for non-residential uses and parking above one space per residential unit in mixed use projects.

Staff has revised its recommendations in response to some of these concerns, but we do not believe this has allayed all objections to the proposal. These issues and staff recommendations are discussed in following sections of this report.

Policy Balance: The B and 3rd Streets Visioning Project represents a substantial change for the project area but is also considered to represent a balance of community goals. 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 single-family structures rather than requiring adaptive reuse. The development standards proposed for the area 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 scale and character of the area preclude achievement of an active higher density urban village; and do not support the existing goals of enhancing 3rd Street as a primary and secondary retail corridor.

The departure from the policies to maintain traditional scale and adaptive reuse of older structures in specific portions of 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 change 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. At present you can be on B Street, 3rd Street or at Central Park and not know that there is a major University located two blocks away. Actions taken on the proposed project must balance the Community goals.

Environmental Analysis: The environmental analysis prepared for the project (Draft EIR and Response to Comments on Draft EIR) concludes that the project will result in significant unavoidable impacts on historic resources. This is due to allowing removal/relocation of a potential Merit Resource considered to have a high integrity in both its structure and location (311 B Street); and a cumulative impact on the physical characteristics of the area due to potential removal overtime of a group of pre-1945 structures considered to contribute to the Conservation District and a potential historic district. The project will also have significant unavoidable cumulative impacts on the aesthetics and visual character of the project area by allowing a larger scale of development with greater building heights and smaller setbacks. Widening of the right-of-way and maintaining an adequate width to allow two-way travel is identified as a mitigation measure for the alley located west of B Street to accommodate

potential increases in traffic along the alley due to eventual redevelopment of the area. Based on community concern about the impact of this change staff is recommending that the alley right-of-way be obtained, but that the mitigation to widen the alley paving be rejected and alley impacts be included in those identified in adoption of a Statement of Overriding Considerations.

Should the EIR be certified and the project approved, Design Review applications with public hearings before the Planning Commission would be required for any substantial redevelopment projects. Under existing city development regulations projects within 300 feet of designated historic resources (which effectively covers the entire project area) would also be reviewed by the Historic Resources Management Commission. Approval of Certificates of Appropriateness would be necessary for modifications to any designated historic resources.

The Historic Resources Management Commission reviewed the EIR at its meeting May 21, 2007. On a 3-2-2 vote, the Commission recommended the EIR not be certified as adequate. Commissioners and the public raised several specific concerns about the document and its analysis. Staff's response to these issues is included following page 7 of this report.

II City Council Goals

The following City Council Two Year Strategic goals are related to the project:

Enhance the vitality of downtown

Further enhance the downtown to allow for more arts and entertainment, adequate parking, housing and commercial activity, recognizing that our downtown is the heart and soul of the community and one of our greatest potential net revenue generators.

- Allow downtown to continue to blossom as a regional center and destination for arts/entertainment
- Provide residential uses in the downtown, with emphasis on owner-occupied condominiums
- Support the downtown as a vital commercial center and reduce potential for blight in the downtown
- Allow the downtown to serve as a vibrant social center for the community
- Advance the redevelopment of the downtown to provide mixed use residential, retail and service along with significant addition to parking.
- Protect and expand the downtown retail base.

Completing the B and 3rd Streets Visioning Process is a near term Council Objective under this goal.

Provide a mix of high quality housing to meet community needs

Advance an array of housing options targeting affordability, internal growth, University-related needs and housing needs of special populations.

- Provide slow, steady additions to housing stock, consistent with Council set goals and General Plan and ensure that any new housing benefits community
- Address SACOG fair share growth, natural growth and growth to provide internal support for the University
- Ensure special needs housing – for seniors, for those who have accessibility issues, and for people who work but don't currently live in Davis
- Work to establish permanent affordability of housing provided through city program and requirements for inclusion
- Provide an array of housing to meet needs of citizens

- Provide housing for people who live/work in Davis
- Develop multi-family housing near downtown
- Continuously update and assess opportunities for infill and mixed-use projects within city limits
- Ensure that any new and existing homes and neighborhoods are attractive and well-maintained.

Conserve natural resources and protect the environment

Enact policies that work to conserve natural resources and that are environmentally friendly.

- Develop policies that promote and support agriculture as an important industry and resource
- Develop policies and programs that promote reduction of resource consumption and waste generation, improvement of air and water quality, preservation of natural resources, and creation of a sustainable community.
- Encourage and support alternative forms of transportation
- Ensure that any new development reflects environmental sensitivities

Promote Economic Development

Provide economic development to satisfy the needs of the community, including retail development and diverse job opportunities, and to assist in the fiscal stability of the city.

- Increase retail shopping consistent with BEDC survey to meet community demand
- Pursue economic development that balances the pursuit of new net revenue with maintaining and enhancing the community's unique character
- Reduce need for new taxes through increased economic activity
- Pursue opportunities to promote Davis as a destination for visitors

III Project Description

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 University Avenue and B Street (including 232 University Avenue).

The project includes the following discretionary actions: 1) General Plan map amendment; 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; and 4) amendment of the Davis Downtown and Traditional Residential Neighborhood Guidelines.

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 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 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 retail/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). 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 in the EIR, but not proposed as part of the project. 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. A district approach for provision of parking and public right-of-way improvements will also be necessary.

IV Environmental Review

The Draft EIR on the project was released on August 22, 2006 for a 45-day public review period. The NOP/Initial Study for the DEIR identified the potential for significant effects as a result of the project in the following impact areas: aesthetics, cultural resources, circulation and parking. The City has subsequently added land use and noise impacts to this list. As a result the EIR analysis is focused on these issues. The DEIR concludes that notwithstanding implementation of known feasible mitigation measures, the project will result in unavoidable significant cumulative impacts on:

- **Air Quality** - due to cumulative air quality impacts in the City (as previously identified in the Core Area Specific Plan EIR).
- **Parking** – due to cumulative area parking demand (as previously identified in the Core Area Specific Plan EIR) and by allowing payment of in-lieu parking fees rather than provision of spaces for commercial and a portion of residential uses.
- **Historic Resources** – due to allowing removal/relocation of a potential Merit Resource considered to have a high integrity in both its structure and location (311 B Street); and a cumulative impact due to removal of a group of pre-1945 structures considered to contribute to the Conservation District and a potential historic district.
- **Intensity of Area Land Use** – a cumulative impact by allowing an increase in density and larger amount and scale of development,
- **Aesthetics/Visual Character** – a cumulative impact on the project area by allowing a larger scale of development with greater building heights and smaller setbacks.
- **Noise Exposure** – an intermittent impact from off site noise sources due to use of amplified sound at events held in Central Park or at Toomey Field; cumulative impacts due to exposure to noise from traffic along B Street (as identified in the Core Area Specific Plan EIR).

Potential significant impacts on air quality due to construction activities, archaeological resources from site excavation, removal of area trees, increased traffic volumes on the alley, interior noise levels and construction noise, and seismic risk will be mitigated to a less than significant level through the application of mitigations that have been incorporated into the City's standard conditions for development approvals.

Comments on the Draft EIR varied with many focused on the project impacts on historic resources, alley, parking, building heights and setbacks, neighborhood character, traffic, trees and infrastructure among others. The comments on the Draft EIR pertaining to impacts on Historic Resources primarily had to do with clarification as to which structures were to be removed or relocated; changes to policy to encouraging adaptive reuse of existing structures, intensity of use, the change in historic “setting,” and loss of contributing structures. The comments on the alley focused primarily on questions about the expansion in right-of-way, the impact of alley improvements and their timing and how they would be paid for. Comments about parking had to do primarily with the severity of the existing parking situation and lack of mitigation provided by an in-lieu fee, and objection to allowing payment of in-lieu parking fees. Comments on the impact on the neighborhood character had to do with the impact of the increased size and scale of development, loss of trees, privacy and open space and magnitude of impact these would have on the character of the area. Comments on traffic had to do with concern about increased traffic exacerbating existing traffic conditions, impact on the alleys and potential conflicts between cars, bicycles and pedestrians in the project area.

The City has prepared a "Responses to Comments" document that addresses comments received on the Draft Focused EIR during the formal comment period. An Index to Responses (Section 5) provided in the back of the Response to Comments document indicates the responses related to specific issues. A revised Summary Table of Impacts and Mitigation Measures is provided in Appendix A of the document.

The Responses to Comments document and the Draft EIR together comprise the **Final Environmental Impact Report (FEIR)** for the project (**SCH #2006012026**). 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.

As a reminder, CEQA does not prohibit an agency from taking an action that will have a negative impact on the environment. Before taking such an action, the City must determine that all feasible mitigation measures have been incorporated, and that there are specific economic, legal, social, technological, or other benefits of the project that override the significant and unavoidable environmental effects. The City of Davis has previously used overrides for General Plan Updates or adoption of the Core Area Specific Plan, including impacts on agriculture, air quality, noise, traffic and parking. ***Based on project assumptions and DEIR findings, action to approve the project would require adoption of Findings of Overriding Considerations for significant project impacts.***

At the May 21 Historical Resources Management Commission meeting, Commissioners and the public raised questions about the adequacy of the EIR document in evaluating the potential impacts of the project. On a 3-2-2 vote, the Commission voted to recommend to the City Council that the document not be certified as adequate. Questions and concerns were raised on the following specific topics:

1. Size of the project area
2. Impacts on the remainder of the conservation district
3. Traffic analysis

4. Adequacy of historic mitigation measures
5. Division of neighborhood
6. Mitigation for economic impacts
7. Document format

As a reminder, CEQA does not require an EIR to be a perfect document, or to answer every question that might be asked. The standard is whether the document provides enough information that the decision-makers can make an informed decision. Particularly when it comes to assessing future impacts, CEQA does not require speculation or definitive predictions of what might occur. In addition, CEQA deals with physical impacts so that EIRs do not address purely economic issues.

1. Size of the project area

Commissioners noted the relatively small size of the project area and stated that the EIR should have defined this area as the entire University Avenue conservation district. Several Commissioners and members of the public were not aware that the entire area had been recently evaluated with the changes to Planned Development #2-86 that were adopted in July, 2002. When those revisions were approved, the City Council singled out the B, 3rd, and A Street areas as having unresolved issues requiring further public discussion and analysis.

The City would have the ability to evaluate land uses and development standards throughout the University Avenue conservation district, the Core Area, or the City as a whole. This is a policy decision, not a CEQA issue. The EIR cannot be inadequate because the project scope is narrow provided all impacts are analyzed. As the project proponent, the City has the ability to define a “project” under CEQA as broadly or narrowly as it wishes, provided the impacts are analyzed wherever they occur, regardless of project area boundaries (see following issue).

2. Impacts on the remainder of the conservation district

Commissioners stated that the EIR did not adequately assess impacts on the remainder of the conservation district. Staff disagrees.

The EIR considered impacts, including cumulative historic impacts, throughout the conservation district. The response to comment 14-61 (page 4-86 of the *Responses to Comments* document) outlines where land use compatibility, visual character, sunlight, trees, privacy, loss of openness, construction impacts are addressed in the DEIR.

Impact 4.3-9 acknowledges that the project would result in a cumulative substantial change to the physical characteristics of a portion of the Davis Downtown and Traditional Residential Conservation District that will adversely affect the integrity of the historic setting of this portion of the district. Although mitigation measures are proposed (see issue 5), the impacts would remain significant and unavoidable. Impact 4.3-10 acknowledges the significant and unavoidable impact that 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. No revisions to the EIR are necessary.

Commissioners expressed concern that they would have limited ability to review new projects proposed for the conservation district. Attachment 2 shows a map of the project area and nearby blocks, identifying the identified historic resources and the 300' boundaries in which the HRMC has a design review advisory role.

3, Traffic analysis

One public commenter stated that the document was inadequate because it did not include a "traffic plan." This comment was echoed by Commissioners. Staff notes that the EIR did thoroughly analyze the impacts on traffic, circulation, and parking from the proposed project (pages 4.2-1 through 4.2-49 of the DEIR). The document does not propose any changes to circulation patterns on B or 3rd Streets, or other nearby streets, because impacts are less-than-significant and no mitigation is necessary.

The EIR does identify significant impacts to parking demand throughout the neighborhood (Impact 4.2-5). Although mitigation is proposed, it is insufficient to reduce impacts to a less-than-significant level.

4. Adequacy of historic mitigation measures

Commissioners expressed concern that relocating the merit resources or contributing structures was inadequate as mitigation because no relocation sites are identified. Staff concurs that relocation is not ensured. The Redevelopment Agency owns the parcel at 3rd and J Streets, and there are other vacant parcels in the area, but this is not sufficient to ensure that all properties are relocated to a suitable location. Such a location would require a site that allows the resource to retain its historic character defining features, setting, and environment. This may not be possible for any or all of the identified structures. For this reason, the impacts to the structures (Impacts 4.3-1 and 4.3-3) are identified as Significant and Unavoidable if the structures are not retained. No revisions to the EIR are necessary.

5. Division of neighborhood

One Commissioner raised concern that the proposed 3rd Street changes would divide the University/Rice Lane neighborhood. The proposed change to 3rd Street has been part of adopted City policy in the Core Area Specific Plan adopted in 1996, and the Design Guidelines since 2001. The Design Guidelines identify the portion of 3rd Street in the project area as a primary and secondary retail corridor (page 19). Parcels on 3rd Street are identified as opportunity sites for densification in the Design Guidelines (page 15). Land use Policy 7 in the CASP (page 33) calls for the intensification of development on 3rd Street near Central Park. These documents show that change on 3rd Street has been envisioned for some time. The new development proposed, though larger in scale, but with enhanced streetscape and attractive development could serve as an active spine for the neighborhood, and mixed-use anchor for the downtown.

6. Mitigation for economic impacts

One Commissioner stated that the EIR is inadequate because it does not include mitigation to nearby property owners for economic impacts that may be caused by the project. CEQA states that economic impacts are not environmental impacts and need not be analyzed in an EIR.

The City Council has previously objected strenuously to proposed legislation that would require payment to other property owners any time a proposed land use change has adverse affects on the economics of another property owner. At times, the City will take action that may cause impacts on a property owner or business because of its need to balance community interests overall. If the City were required to compensate property owners for either changes in land use regulations or the decision not to make changes in land use regulations, the economic impact to the City and its residents would be enormous.

Moreover, staff disagrees with the presumption that approving this project means economic harm to neighboring property owners. Goals of the project are to stabilize the residential neighborhood, trigger reinvestment, protect the quality of life for existing homeowners. Accomplishment of these goals could have positive impacts on values of nearby properties.

7. Document format

Commissioners expressed concern about the format of the EIR and the regulatory documents, preferring that changes be incorporated within the documents in a redline format.

Changes to the DEIR are identified in the four-page chapter 2.0 in the Final EIR. This is the format that has been used for all other EIRs produced by the City within the past several years. Although it would be possible to reprint the DEIR with those changes, staff does not believe the additional paper and expense is warranted.

The proposed revisions to Planned Development 2-86 are printed in redline format in the *Response to Comments* document. Staff chose this format because the proposed changes are throughout the document, and the document itself is relatively short (34 pages). Staff did not reproduce the entire Design Guidelines document (over 100 pages) or Core Area Specific Plan, but produced a document listing the redline changes proposed for specific pages and paragraphs. The goal was to allow the user to “tick through” each of the proposed changes and compare them with the original document. Although there may be legitimate objections to the choice of formatting for these documents, it does not affect the adequacy of the EIR.

V Background - Balance of Community Policies:

The project was undertaken to provide community input and guide redevelopment within the project area implementing community goals. In July 2004, the City Council initiated the “B and 3rd Street Visioning Process” to consider new development criteria for the project area that balances community goals and provides opportunities for attractive infill development with an emphasis on potential ownership housing.

The City Council directed staff to prepare the project amendments in April of 2005, at the culmination of Phase I on the Policy Development phase of the Visioning process. The meeting before the Historic Resources Management Commission and later Planning Commission and City Council Public hearings mark the end of the Policy Implementation phase of the process. These two phases have included substantial public outreach in workshops, meetings with

property owners, neighbors and public meetings and public hearings on the selection of a vision and Draft EIR. Documents and information about the project have been available at the City's Community Development Department, public libraries, local copy shops and on the City's website. Mailed and email notices about the project have been sent. Design Review and construction of any redevelopment projects and improvements to 3rd Street and alley right-of-way will represent Phase III of the project.

Special Character District- Council adopted Vision 4 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. 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.

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 uses that serve the neighborhood and adjacent University population would help to 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.

VI Key Issue Analysis/ Staff Recommendations

Changes made to Project as a Result of Comments on DEIR and August Implementation

Summary Report: The changes to development policies, standards and guidelines proposed as part of the project are intended to be limited to the project area. The amendment documents provided as Appendices C.1 to C.4 in the Responses on Comments document reflect this intent. As a result of the comments on the DEIR, modifications have been made to the proposed Design Guideline amendments to further clarify this.

"The B and 3rd Streets Visioning Process Implementation Summary Report" for the project issued in August 2006, and now provided as Appendix E of the Responses to Comments document remains accurate with the exception of the proposed amendments to the Design Guidelines that have been revised based on comments received during public review of the project Draft Environmental Impact Report. Copies of the revised text amendments and alternate photographs for the Design Guidelines are provided in the Response to Comments document as Appendix C.4, but have not been reformatted as sample pages.

Following is a discussion of the major policy issues involved in establishing a new development pattern of the project area and staff recommendations for each.

Changes in Land Use: 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. These uses are not currently allowed for portions of the area in Planned Development 2-86A. 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. 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. High traffic generating professional offices or personal service uses and restaurants and cafes would be prohibited in the middle 3rd Street block located between the east side of University Avenue and the west side of the alley west of B Street to reduce potential traffic impacts and parking demand generated from such uses in this area.

Recommended Action: Approve the following changes in land use within the project area:

- ***Change the property at 239 Second Street (Bakers Square parking lot) from Low-density Residential to B Street Transitional District***
- ***Change the properties at 217/225/229 B Street and 311/315/319/325/327/333/337 B Street and 246 4th Street from University Avenue Transitional District to B Street Transitional District***
- ***Change the properties at 235/239 3rd Street, 232/236/240 3rd Street and 232 University Avenue from Low-density Residential to Retail with Offices.***
- ***Change the properties at 233/305 B Street from University Avenue Transitional District to Retail with Offices.***
- ***Prohibit high traffic generating professional office, personal and business service uses, and restaurants/cafes on middle 3rd Street blocks between east side of University Avenue and west side of alley west of B Street.***

Allow Removal of Contributing Structures: Existing City policies call for intensification of development and more active use of the study area, but existing zoning limitations and requiring retention of pre-1945 contributing structures 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. 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. The impact such changes on the City's historic resources and on this portion of the Conservation District are considered significant. To achieve the project objectives requires balancing of economic viability of new retail on 3rd Street and more compact housing with historic preservation. The project area is one area in the Conservation District where staff believes that the City can determine that removal of contributing structures is considered necessary in order to achieve a community objective.

Allow Relocation of a Designated Merit Structure and Relocation or Removal of an Eligible Merit Structure: Redevelopment assumed for the project includes the relocation of a Merit Resource now located at 232 3rd Street to 232 University Avenue. This site would still place the building on its original parcel and orient the building to face other homes on University Avenue and will function as a buffer between new development and an existing single family home. Relocation to this site would not be considered a significant impact. Redevelopment assumed for the project also includes the relocation or demolition of an eligible Merit Resource located at 311 B Street. If a suitable relocation site was not found for this structure its removal would be considered a significant impact and require adoption of a Statement of Overriding Considerations. Staff recommends any action on the project include this finding.

Recommended Action: Allow one Merit Resource (232 3rd Street) to be relocated to adjacent property. Allow existing single-family homes, including contributors and one eligible Merit Resource, to be relocated or removed to accommodate redevelopment in the project area. Although relocation would be encouraged, it cannot be ensured.

Larger 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. The proposed zoning standards and amendments to Design Guidelines still maintain principles consistent with existing design guidelines to reflect this goal including:

- use of shed roofs;
- upper levels setback;
- 3rd and any allowed limited 4th story located within the roof;
- Massing of structures broken into modules that reflect scale of traditional buildings;
- Maintaining a front yard and encouraging porches on B Street.

Recommended Action: Support a larger scale of development. 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.

Increased Density: Existing densities allowed in the project area do not allow higher density residential uses or support community objectives. Current densities are limited to 3.1-5.6 units per net acre for the internal 3rd Street parcels, and up to 18 dwelling units/acre on B Street (based on minimum lot size). Amendments to allow residential densities of 22- 24 units/net acre (3 units on a 7, 500 sq. ft. site and 7 units on a 15,000 sq. ft. site) for attached townhouse projects, and 30- 40 units net acre for a residential condominium project are proposed to support higher density infill projects. 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 (See also discussion of density bonuses, following)

Recommended Action: Support higher residential densities (ranging from 22 -24 du/net acre for townhomes, up to 30 du/ac condominiums/flats in mixed use projects. 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.

Increased Building Heights: Maintaining the single family residential height and setback standards for higher density development projects would 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, allowing higher densities and more compact housing forms on a site requires an increase in permissible building height.

The proposed height limits were derived from construction standards typical for each of the proposed building types envisioned. They are based on the practical heights necessary to support these building forms and reflect typical interior dimensions for proposed uses combined with dimensions for subfloor construction and mechanical equipment. The greater heights assumed for the ground floor retail/commercial space reflect current dimensions considered necessary to create the appropriate ambiance, open space and lighting conducive for successful retail. Specific heights of each new building would differ based on the design and construction technology (wood frame, steel frame, semi-depressed parking etc.) and types of occupancy.

For the B Street Transitional District a maximum height of two stories and 30 feet to peak of roof are proposed at the street and maximum height of two stories and 24 feet to roof are proposed next to the alley. Three story portions are limited to a maximum of 38 feet to roof peak. For a condominium projects on B Street between 2nd Street and 3rd Street only, maximum heights are two stories and 30 feet to the roof plate (horizontal base of the roof) along the street, and an overall maximum height three stories and 45' to roof peak. With the recommended reduction in permitted density discussed below, the height for this district should also be reduced to 38 feet. For the Retail with Offices District mixed use buildings with maximum heights of two stories and 30 to roof peak are proposed at the front and rear, and alley setbacks, with an overall maximum height of three stories and 45 feet to roof peak.

Special Height Limits: proposed zoning amendments include provisions for maintaining a two story, maximum 30 foot height for portions of the project area directly adjacent to or on identified single family residential properties, to reduce impacts on these properties, as shown on Exhibits B and C of Appendix C.3 in the Response to Comments document.

Limited 4th Story: The option for a limited fourth story with maximum height of 56 feet to roof peak could be considered in the Retail with Offices District for a project incorporating a public benefit such as retaining a historic structure, or Tree Worth Saving, providing underground parking or a public plaza or public art etc.) This concept was primarily developed to function as an incentive particularly for a site with a historic structure and several "Trees Worth Saving". If such benefits are not considered sufficient to warrant such an option it could be denied. Such provision could also be deleted from the proposed zoning.

Basis for Proposed Height Limits				
Floor	Town house	Town house	Condo	Mixed Use
Roof		8'	6-8'	6-10'
Fourth (Limited)				(+11 to 56' w/roof)
Third	12' w/roof	10'	10'	10-12' residential
Second	10'	10'	10'	12-13' commercial
First	10'	10'	10'	16-18' retail
Semi-depressed parking	6'		6'	
Total Height	38'	38'	45'	45'

Recommended Action: Support modified development standards including increased building heights (38' maximum for B Street Transitional District, 45', 56' maximum for Retail with Offices District) and reduced setbacks. Support option for limited 4th floor with provision of acceptable public benefit. 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.

Reduced Setbacks: reduced front, side and rear setbacks are proposed for the project area to accommodate mixed use development and higher density attached residential units. Five foot setbacks are recommended for first and second stories for the Retail with Offices parcels along 3rd Street to create a consistent retail frontage, except along University Avenue where a 10 minimum street side yard is recommended. Fifteen foot front yard setbacks and allowing a maximum of 8 foot porch encroachments are recommended along B Street to maintain a front yard and allow for some outdoor semiprivate transition space between the street and entry doors. Ten foot minimum rear yards are proposed along the alley with a 5 foot encroachment to be allowed for porches of townhouses. Third floor portions of structures would be set back further, a minimum of five feet further at the front and rear yards of Retail with Office parcels and five feet at the front and 20 feet from the alley for B Street Transitional District parcels.

Recommended Action: Support modified development standards including 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.

Ownership Housing: Given the project goal of ownership housing City staff explored what legal options are available to accomplish this. State Housing law prevents a community from prohibiting rental housing. It is also acknowledged that occupancy of any required owner occupied units by non-owners would have to be enforced on a complaint basis. Following is a list of what the City can and cannot do to facilitate ownership housing:

Things the City can do:

- require a subdivision and owner occupancy of a project if the City has a financial interest in the project (as in an affordable housing project using housing mitigation funds), or if it is a Senior project (for 62 years of age or older);
- facilitate through development standards, and strongly encourage through design review, design/construction of units with amenities that are conducive to owner occupancy - this is a stated objective of the Design Guidelines;
- allow a higher density for a project that includes a subdivision (condominiums or small lots matching footprint of townhouses) as an incentive to provide opportunity for ownership units (***this was proposed as part of the project; see change in staff recommendation below***);
- consider a requirement for such subdivisions to have provisions in the Home Owners Association Covenants, Conditions and Restrictions (CC& R's) that after the sale of a certain number of units a minimum number of owner occupants must be on the Board of the Home Owners Association. This approach has been taken by other communities and would need further evaluation by the City Attorney.

Things the City cannot do:

- require redevelopment applications to include a subdivision application allowing future sale of residential units to individual owners;
- prohibit construction of rental units if multifamily is a permitted use i.e. the project meets zoning standards.

Given the strength of concerns about the City's inability to require higher density projects to be owner occupied staff has changed its recommendation to lower the proposed density increases by eliminating the proposed density bonuses for owner occupied projects. Staff now recommends maintaining the existing maximum density of 30 dwellings per net acre for the Retail with Offices District, and proposes applying a consistent maximum density for the B Street Transitional District of 22-24 units per net acre and eliminate the higher density proposed on the portion of B between 2nd and 3rd Streets as a bonus for condominium projects. These changes are estimated to reduce net units by approximately twenty. The recommendation below reflects this change

Recommended Action: Support revisions to proposed project amendments to eliminate the possibility of density bonus for ownership units in Retail with Offices and B Street Transitional Districts.

Changed Parking Standards: 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.

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.

Allowing In-lieu Parking: Allowing in-lieu parking is considered a critical element of supporting an economically viable mixed use development for the Retail with Offices District in the project area. The relatively small size of the parcels and minimum design parameters for underground parking, (slope, turning radii, etc.) make construction of functional underground parking difficult and extremely expensive on a cost per space basis. Requiring on site parking for commercial uses could effectively preclude development of mixed use structures with the residential and or office uses that would support the commercial uses and vision for a higher density urban village. By default it will also require new commercial operations to rely primarily on pedestrian access. It is acknowledged that businesses reliant on access to parking may choose to provide on site parking, or locate in a different area. The City is interested in creative parking solutions such as allowing for electric cars, shared cars, supporting increased transit access, and some of the stacked parking arrangements being developed to reduce land area devoted to parking. The City is also interested in working on better parking management and pursuing feasible means of reducing parking demand. As noted above the proposed zoning includes a restriction on any additional cafes or restaurants on the mid block area between the eastern side of University Avenue and west side of the alley west of B Street. Limiting parking will limit cars seeking parking to some degree. It can also provide a benefit by reducing potential trips over time as it becomes known that parking isn’t available. It is acknowledged that an increase in employees and residents in the area will increase demand for W permits.

Because the neighborhoods in the project area are within parking permit districts, allowing in-lieu parking fees for new commercial uses should not substantially impact area resident’s ability to park particularly in evening hours as the parking supply is already restricted. 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: Allow fees in lieu of providing required parking for all non-residential uses. Allow fees in lieu of providing required parking for residential uses in the Retail With Offices District in the project area, over a minimum of one space per unit.

Traffic and alleys – The project will result in increased traffic, but development generated by the project itself will not reduce levels of service at area intersections. 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. Proposed improvements to 3rd Street will need to safely accommodate pedestrians, bicycles and cars and are to enhance this section of 3rd Street as a pedestrian and bicycle corridor.

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 alley is identified as a mitigation measure [4.2-2(a)] in order to support increased use and provide for necessary two-way travel. This mitigation measure was revised to identify when improvements to widen the alley would be required. Substantial concern has been expressed and strong objections have been received on this mitigation. Widening the right-of-way to 20 feet (requesting a dedication of seven additional feet from parcels fronting on B Street at the time of development approvals) and eventually require a widening of the paved travel way to 16 feet with two feet of clearance on either side after measurements of average daily trips on the alley reach 400 trips is proposed. The objections include concerns that:

- widening the alley will encourage increased traffic and traffic speeds along the alley;
- it will greatly change the character of the alley; it should function as a private driveway not a street;
- it will result in loss of mature trees;
- right of way dedications should be shared more fairly by all adjoining property owners redeveloping, and not just taken from the east side.

Changes to alley improvements and rejection and amendment of Mitigation Measure 4.2-2(a). City staff has continued its internal evaluation of necessary alley improvements, and has determined that as emphasized by the property owners and neighbors in or near the project area, the impacts of widening the alley may be considered greater than their benefit. Right now with existing alley improvements there is ample room for two cars to pass one another as paving extends beyond the existing 13 foot alley right-of-way. Staff now proposes that the City obtain the additional right-of-way proposed and retain the proposed building setbacks from the alley but not require widening of the alley as a mitigation. Instead, staff recommends that developer contributions to necessary alley improvements, such as repaving and landscaping be determined at the time of redevelopment applications, at which time assuring necessary width to allow two cars to pass at some points along the alley,(even if at new driveway entrances) could be accomplished.

One way alleys - The City does not support changing the alleys to one way only as this is difficult to enforce and also because of the difficulty in turning left from 2nd Street and 4th Street on to B Street. Vehicles turning left would best use the light at 3rd Street, vehicles turning right could use 2nd and 4th Streets. University Avenue is already one-way (south) between 3rd and 2nd and bollards prevent left turns on to 3rd Street from University Avenue. A Street is one way (north). Establishing one way directions on the alleys could increase the need to loop around area streets to go in the desired direction. It is noted that this was proposed as an option in order to not require widening of the alley. It is a goal that mixed use/commercial traffic use 3rd Street rather than 2nd or 4th Streets, and allowing in-lieu parking will help to reduce potential traffic increases.

Recommended Action: Require dedication of additional right-of-way as properties on the east side of the alley are redeveloped. Amend the proposed mitigation measure to remove the requirement to widen the alley to 16+2+2 feet at any given time. Because the improvements are not guaranteed, impacts to the alley would become significant and unavoidable. Recommended revisions and required findings are included in Attachment 1.

3rd Street Improvements: 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.

VII Attachments

1. Findings for rejection of alternatives, Findings for rejection of mitigation measure 2.2-2(a) regarding alleys, and Findings for approval of project and overriding significant environmental impacts
2. Project Area requiring HRMC review

VIII References

Draft EIR issued August 28, 2006

Response to Comments on Draft EIR issued May 11, 2007 including

Appendix C.1 General Plan Map Amendment

Appendix C.2 Core Area Specific Plan Text and Map Amendments

Appendix C.3 Planned Development PD2-86A Amendments

Appendix C.4 Amendments to Downtown Davis and Traditional Residential Neighborhoods
Design Guidelines

Appendix E. B and 3rd Streets Visioning Implementation Summary Report, August 2006

Background Documents available on the City website or Community Development Department:

Davis B Street and 3rd Street Visions Summary Report, April 2005

Davis B Street and 3rd Street Planning Options Report, March 2005

Workshop # 2 Summary

Workshop # 2 Materials

Workshop # 1 Summary

Workshop # 1 Materials

Attachment 1
B and 3rd Streets Visioning Process
Findings for Recommended Actions

Findings for Rejection of Alternatives

Alternative 1 (No Project, Existing Conditions) is rejected for the following reasons

1. The single-family residences on B and on 3rd Streets have not been well maintained and do not foster the vitality and urban vigor that is appropriate on major streets in the downtown Core Area. This alternative would not allow for changes to these structures and their uses that would improve the condition of the properties and the neighborhood.
2. Intensification and redevelopment of the properties on B and on 3rd Streets will generate tax increment revenue to the Redevelopment Agency of the City of Davis which can be used for public improvements and affordable housing within the Redevelopment Project Area.
3. This alternative retains the existing single-family uses on B and 3rd Streets. This does not allow the proposed new townhouse development, particularly on B Street, which would increase the possibility of owner-occupied housing to support the existing residential neighborhood and the downtown businesses, consistent with project objectives.
4. This alternative is inconsistent with the project objective that “Development should improve 3rd Street’s pedestrian experience and land use connection between downtown and the university” in that the existing deteriorated single-family structures would be retained and not replaced with more urban uses.
5. This alternative is estimated to provide the potential for only five net new dwelling units, which would not provide the additional housing to meet community infill goals or support downtown businesses.
6. This alternative is inconsistent with the project objective that “Development densities should be sufficient to support reinvestment,” in that the requirement for retention of the existing structures on B and 3rd Streets would not foster reinvestment or maintenance of the properties.
7. This alternative is inconsistent with the project objective that “New investment should reflect a balanced approach to accomplishing General Plan infill and preservation policies” in that it provides the greater emphasis on preservation to the detriment of creating infill opportunities.

Alternative 2 (Lower Intensity) is rejected for the following reasons

1. Larger setbacks on B Street would push new development to greater intensity on the alleys in order to be economically feasible, which would increase impacts on properties on the east side of University Avenue.
2. Larger setbacks on B Street would not provide the pedestrian-oriented streetscape appropriate for this prominent corridor.
3. Retention of the historic and eligible structures would limit potential for redevelopment and investment on those sites. Protecting the setting of these structures would result in unacceptable limitations on development of properties elsewhere in the project area.
4. The assumption that there would be no retail uses on the property at the southwest corner of B and 3rd Streets is inconsistent with the vision for a retail corridor on 3rd Street.

5. This alternative would provide fewer housing opportunities than the proposed project, which would not provide the desired additional housing to meet community infill goals or support downtown businesses.

Alternative 3 (Higher Intensity) is rejected for the following reasons

1. This alternative is inconsistent with the project objective that “New investment should reflect a balanced approach to accomplishing General Plan infill and preservation policies” in that it provides the greater emphasis on creating infill opportunities to the detriment of preserving historic resources.
2. This alternative would have greater impacts on historic structures, in that all four historic or eligible structures are allowed to be removed,
3. This alternative would result in greater impacts on parking than the proposed project, because nearly fifty percent more parking spaces would be eligible for in-lieu fees.

Alternative 4 (Neighbor’s Alternative) is rejected for the following reasons

1. Construction of newer residential structures along B and 3rd Streets provides opportunities for use of modern construction methods and materials to screen residents from street noise and attract residents who will support a wholesome environment in the neighborhood.
2. Retention of the historic and eligible structures would limit potential for redevelopment and investment on those sites. Protecting the setting of these structures would result in unacceptable limitations on development of properties elsewhere in the project area. T
3. This alternative is inconsistent with the project objective that “Development densities should be sufficient to support reinvestment,” in that the requirement for retention of the existing structures on B and 3rd Streets would not foster reinvestment or maintenance of the properties.
4. This alternative is inconsistent with the project objective that “New investment should reflect a balanced approach to accomplishing General Plan infill and preservation policies” in that it provides the greater emphasis on preservation to the detriment of creating infill opportunities.
5. This alternative is estimated to provide the potential for only eleven net new dwelling units, which would not provide the additional housing to meet community infill goals or support downtown businesses.

Findings for Rejection and amendment of Mitigation Measure 2.2-2(a)

Mitigation Measure 2.2-2(a) is rejected as written and amended as follows

Whether or not the proposed in-lieu parking fee program option is extended to the project area, the City will retain the ability to expand 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~~ accommodate up to 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. Final determination of how and whether the alley improvements are constructed shall be made by the City Council, in consultation with the City Engineer and opportunities for public comment.

This amendment to the mitigation measure is necessary for the following reasons

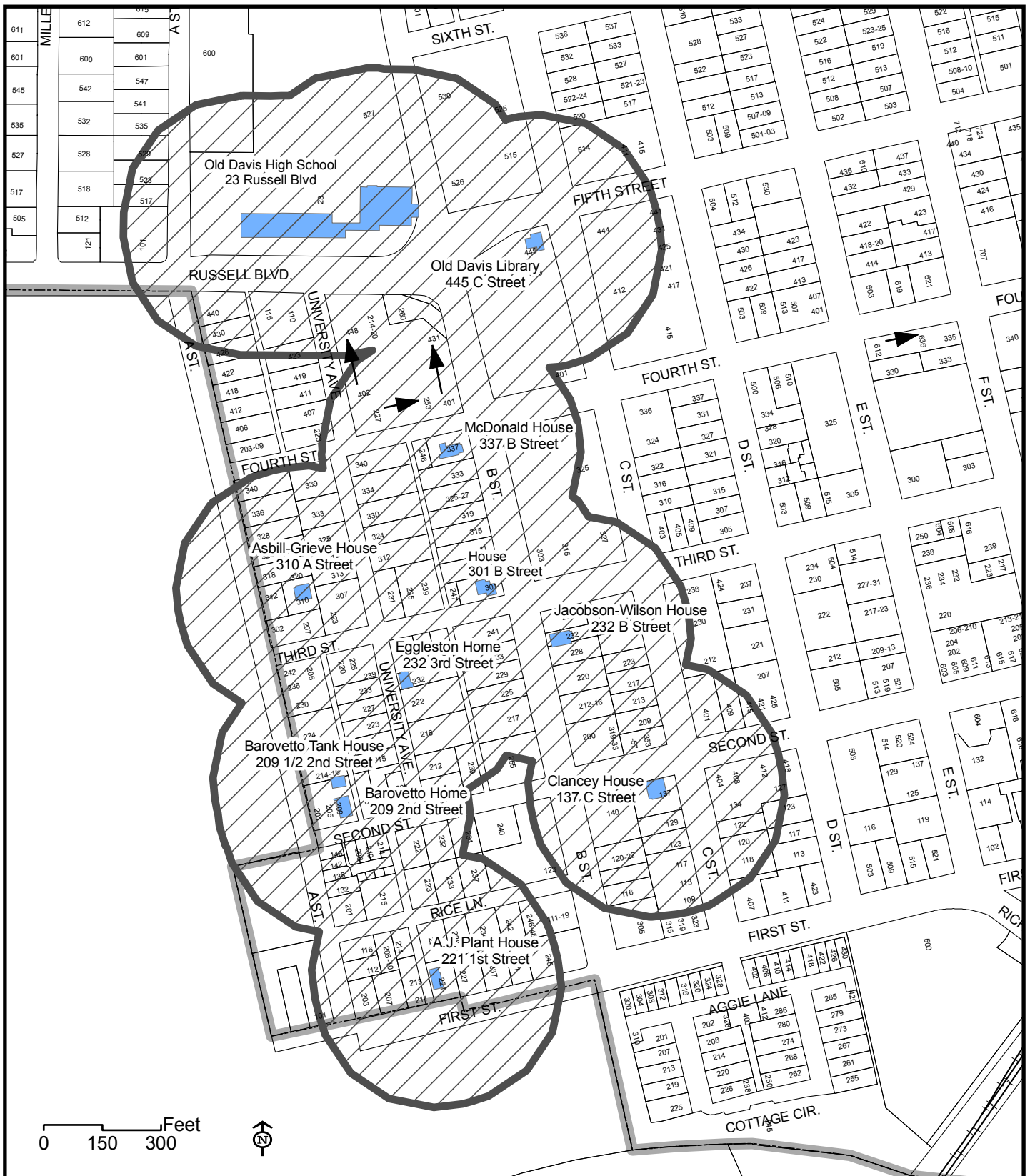
1. The City of Davis has consistently determined that other community priorities override the need to widen roads. These community priorities include aesthetics, pedestrian and bicycle safety, and preservation of trees. Previous examples include decisions to not widen Covell Boulevard, B Street, Russell Boulevard, and the Richards undercrossing.
2. The revision to the mitigation would not preclude the capture of additional right-of-way upon redevelopment of the B Street parcels, but would not require the physical improvements unless and until such a decision is made by the City Council.
3. The areas adjacent to the existing alley contain multiple trees, stairs and other building projections, and utility poles. Expanding the right-of-way would transfer control of some or all of this area, but would have no impact on the physical configuration of the alley unless and until such a decision is made by the City Council.

This amendment to the mitigation measure does not guarantee that the alleys will be widened. The impacts, therefore, remain significant and unavoidable.

Findings for Approval of Project and Overriding Significant Environmental Impacts

Significant and Unavoidable Impacts on parking demand, alleys, contributor structures, historic setting, potential historic district, visual character, and noise-sensitive uses are acceptable because the project provides the following benefits that would not otherwise be obtained:

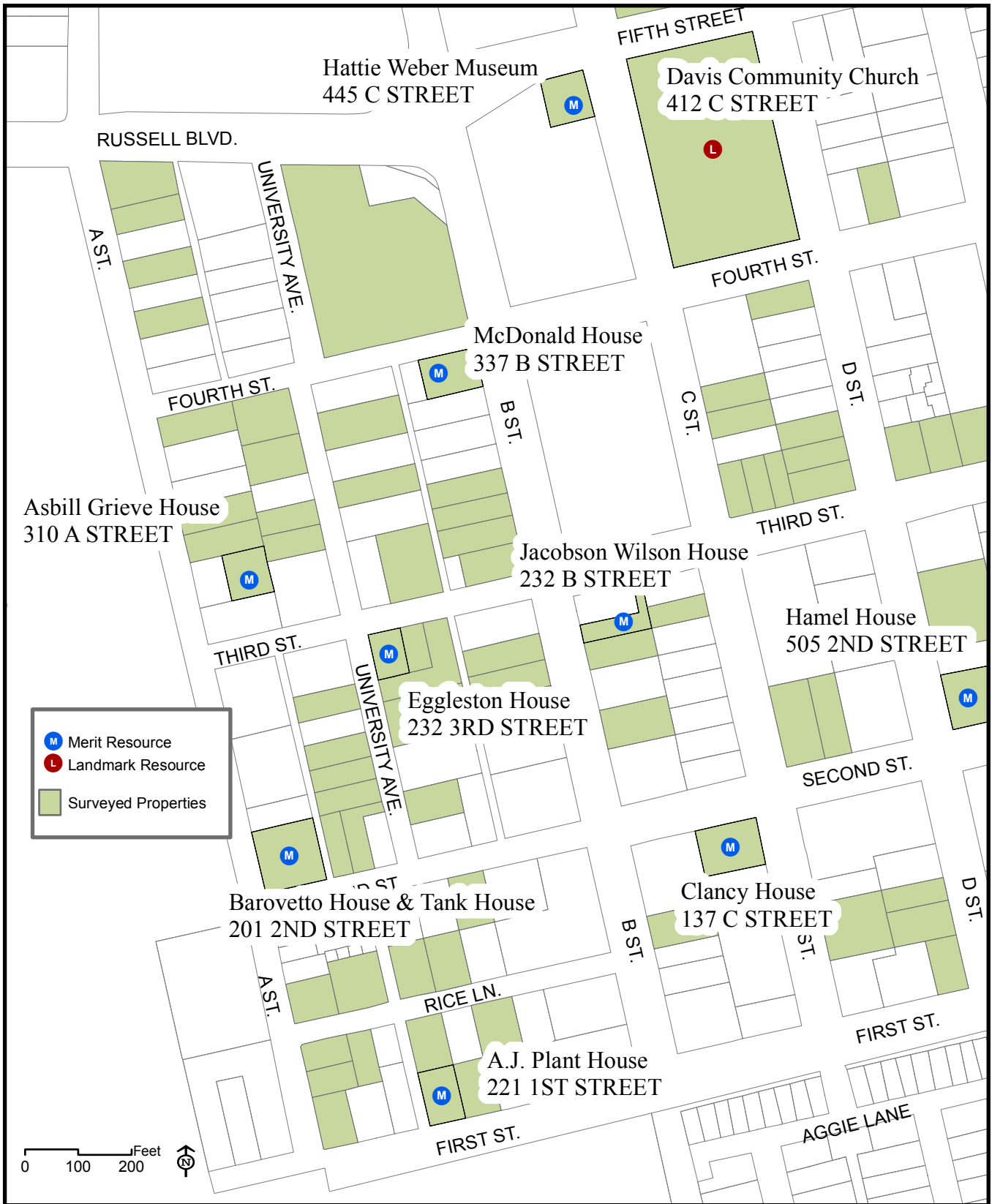
1. Improved pedestrian experience and vitality on the 3rd Street connection between downtown and the university.
2. Incentives for reinvestment and maintenance of properties on B and 3rd Streets..
3. New opportunities for ownership housing on streets that are predominantly rental.
4. Correction of inconsistencies between the Core Area Specific Plan and the Traditional Neighborhood and Downtown Design Guidelines.
5. Opportunities for development reflecting urban design and sustainability principles.
6. Opportunities for new retail and office space to provide employment opportunities for local residents and goods and services to local residents and businesses.



City of Davis Designated Historical Resources

Between A Street, C Street, Russell Blvd, and First Street
 300 Foot Buffer from Edge of the Structure





Historical Resources Survey 2003

"Buildings determined by the City to be Historical Landmarks and Resources of Merit"

Between A Street, C Street, Russell Blvd, and First Street

