

5.1 LAND USE AND AESTHETICS

INTRODUCTION

This chapter discusses the planning and visual setting of the Mishka's Café Project (Proposed Project), the regulatory background, and assesses the land use and aesthetic effects that may result from implementation of the Proposed Project and each of the alternatives at an equal level of analysis. Land use and aesthetic effects are assessed with regard to adopted plans and policies; impacts on the historic resources on the site are assessed in Chapter 5.2, Cultural and Historic Resources.

LAND USE

The land use discussion differs from other discussions in that plan inconsistencies are addressed as opposed to environmental impacts and mitigation measures. Section 15125(d) of the California Environmental Quality Act (CEQA) Guidelines states that "(t)he Environmental Impact Report (EIR) shall discuss any inconsistencies between the proposed project and applicable general plans and regional plans." Physical environmental impacts that could result from the Proposed Project or the alternatives or from inconsistencies with adopted policies designed to reduce physical effects were discussed in the initial study (Appendix A), or are discussed in Chapter 5.2, Cultural and Historic Resources.

This chapter describes existing and planned land uses in and adjacent to the project site, including current land uses, land use designations, and zoning. The following sections describe applicable elements of the City of Davis General Plan, the Core Area Specific Plan, the Core Area Strategy Report and Five-Year Action Plan, the Design Guidelines, the Davis Redevelopment Plan and 2003-2008 Five-Year Implementation Plan, and the Zoning Regulations. Potential inconsistencies between the Proposed Project or alternatives and these plans and policies are discussed in the impacts and mitigation section.

AESTHETICS

This chapter also discusses the aesthetic impacts of the Proposed Project and each of the alternatives. CEQA describes the concept of aesthetic resources in terms of scenic vistas, scenic resources (such as trees, rock outcroppings, and historic buildings within a state scenic highway), the existing visual character or quality of the project site, and light and glare impacts. The Secretary of the Interior's Standards for the Treatment of Historic Properties (*Secretary's Standards*) provide the historic preservation regulatory and policy requirements for the project, as further discussed in Chapter 5.2.

The aesthetics impact analysis of the Proposed Project and alternatives focuses on the specific parcel (located at 604 2nd Street) and the Downtown Commercial Core area. The parcel-specific aesthetics impact analysis focuses on urban design guidelines and policies; Chapter 5.2 discusses setting impacts to cultural and historic resources on and adjacent to the site, in the context of the *Secretary's Standards*.

COMMENTS ON THE NOTICE OF PREPARATION

The following section summarizes comments relating to land use or aesthetic issues raised in comment letters received (Appendix B) in response to the Notice of Preparation (Appendix A):

- To limit the imposing size of a three story building on Mansion Square, the second and third floor should be significantly stepped back from the first floor. In addition, if energy efficient, an open first-floor front wall may create a more open feel and would not crowd the sidewalk as much
- Redesign the slab-sided, south face of the proposed structure; add windows, doors, and building design to insure that Mansion Square does not become the “backyard” of the new building
- Adverse effects of a three-story building on the shorter historic structures of the Varsity Theater and Dresbach-Hunt-Boyer Mansion (Mansion), as well as on Mansion Square and the streetscape
- Permanent damage to the visual character of a historic site due to lack of a setback from the sidewalk of the proposed building, flush construction with west wall of the theater, which would dramatically block historical view, and creation of a row effect
- The project would adversely affect and cause a substantial adverse change to the Varsity Theater by blocking the view of one of the major decorative pylons, one of the most important character defining features of the Varsity. It would also block from view and make inaccessible for repair or restoration a large portion of the neon and decorative color striping at the top of the theater’s west wall.
- Loss of light due to a new structure would be unappealing, uninviting during winter, make landscape maintenance difficult, as well as create an unsafe area behind the new building, especially at night. This isolated dark courtyard may increase vandalism, public urination, and vagrants (well documented), which puts customers at risk.
- Locating the proposed business next to the Varsity Theater would bring “synergy” to the area; movie patrons will be able to purchase coffee; would act as a catalyst for a new downtown center.

ENVIRONMENTAL SETTING

REGIONAL SETTING

The City of Davis is located in Yolo County, 11 miles west of Sacramento and approximately 79 miles northeast of San Francisco. Yolo County is a part of California's Central Valley and the Sacramento River Delta agricultural region, west across the Sacramento River from the State Capital of Sacramento and east and southeast, respectively, of the Bay Area counties of Solano and Napa. The City’s planning area consists of approximately 160 square miles. It is characterized by agricultural/open space landscapes to the north, west, and south; developed urban landscapes within the City Limits; and open space lands, including the Yolo Bypass Wildlife Area, to the east.

LOCAL SETTING

The Proposed Project site is located in Downtown Davis, which is part of the Davis Downtown and Traditional Neighborhood Overlay District. The Davis Downtown Commercial Core area represents the oldest developed portion of the city; it contains the earliest commercial area of the city, initially laid out with a compact street grid pattern in 1923. As the center of commercial activity in Davis, its design reflects its central role. The majority of the buildings in this area are one to three-story buildings with retail uses on the ground floor. The Urban Design Framework of the Davis Downtown Design Guidelines designates Second Street and E Street as “Primary Shopping Streets” consistent with the predominate uses. Other than street trees and minor landscaping, the orange trees on the patio, and mature trees and landscaping surrounding the Mansion, there is little vegetation in the vicinity.

PROJECT SITE

The proposed project site is in the eastern portion of the parcel containing the historic Dresbach-Hunt-Boyer Mansion (Mansion) and the Tank House, and includes the remaining orange trees from a former mixed orchard and a cistern. The Tank House is located between the Mansion and the Varsity Theater; there are 10 orange trees surrounding the tank house on an old-brick patio (**Figure 5.1-1**). These orange trees are flowering and scented ornamental trees that provide a green canopy on the site year round. Mature street trees and the evergreen orange trees obscure much of the Tank House and site from view from Second Street.



Source: Gail Ervin Consulting, 2007

FIGURE 5.1-1
TANK HOUSE SITE VIEW FROM SECOND STREET

The Mansion is a stick-Italianate Victorian constructed in 1875; it is listed in the National Register of Historic Places (1976), the California Register of Historical Resources, and is a California Point of Historic Interest (**Figure 5.1-2**). The City currently occupies the building for offices. The Mansion sets back from Second and E streets approximately 25 feet, with large two-story bow windows facing Second Street and the Tank House (**Figure 5.1-3**). There is landscaping around the Mansion, including a large Myrtle bush that has grown into a tree on the west side (**Figure 5.1-4**).



Source: City of Davis, 2007

**FIGURE 5.1-2
DRESBACH-HUNT-BOYER MANSION**

The existing Tank House, built between 1871 and 1875, was moved to its present location in the late 1970s to accommodate the Mansion Square development project on the southern portion of the Mansion property. At that time, approximately 18 inches of the bottom portion of the structure was removed to eliminate dryrot. The Tank House has been boarded and vacant since 1998, condemned for structural concerns by the City's Building Official, and the site is fenced with low green decorative metal fencing. The Tank House is generally classified as a "taper tower" type tank house—a form with vertical walls that taper gradually inward from the base to the top (**Figure 5.1-5**, Page 5.1-6). These towers usually have a hip roof, but in this particular example, the roof is flat. The roof has overhanging and bracketed eaves and plain fascia. The roof treatment is similar to that used on the Mansion. There is a window opening, now boarded, on the west side of the tower and an entry door is located on the front elevation. The cladding is channel rustic or drop siding, again similar to that of the Mansion. A wooden trefoil is located in the center of the upper wall on the east, west, and north faces of the tower.



**FIGURE 5.1-3
DRESBACH-HUNT-BOYER BOW WINDOW**

Source: S2Architects, 2006



**FIGURE 5.1-4
MYRTLE TREE ON WEST SIDE OF THE MANSION**

Source: S2Architects, 2006

The brick patio that is located on the north side of the Tank House was laid from bricks associated with the Tank House and was discovered when it was moved. The bricks date from the 1880s and may have been part of a well or foundation structure. The ten orange trees surrounding the Tank House were planted by John Hunt, the ~~second~~ eighth owner of the house, and they are considered potentially contributing resources to the Mansion. Because they are more than 100 years old, they are eligible for designation as City Landmark Trees.

SURROUNDING LAND USES

All surrounding properties and structures are designated Central Commercial (C-C) District in the Zoning Land Use map of the city. The subject site and surrounding properties are designated in the Core Area Specific Plan and General Plan Land Use map as Retail Stores (Downtown Core). Retail Stores (Downtown Core) is the area bounded by First and Third streets and D Street and the railroad tracks, which is:

intended to provide a concentration of stores and uses that allow each to benefit from the presence of the others. Retail uses at ground floor level with professional and administrative offices and residential units encouraged for upper stories in this zone within the Core Area. Cultural and entertainment uses are also permitted at ground floor level



Source: S2Architects 2006/Gail Ervin Consulting, 2007

FIGURE 5.1-5
TAPER TOWER VIEWS OF TANK HOUSE

Most buildings in the project vicinity are small in scale and one or two-stories in height. These buildings are commercial retail and office structures, with primarily small shops, restaurants, and offices. The quarter block containing the project site also contains the three-story Mansion Square retail/office complex. Mansion Square was developed in 1979 on what was part of the original Dresbach-Hunt-Boyer property, just south of the Mansion. Access is from a diagonal walkway at E Street west of the Mansion, and from Second Street via a walkway between the Mansion and the Tank House, to a stairway that enters the lower level (**Figure 5.1-6**).

Most of the surrounding Core Area buildings were constructed in the 1960s, although there are several Landmark and Merit Resource buildings within two blocks of the project site. The City of Davis Zoning Code defines “Landmark” as “buildings, structures, objects, signs, features, sites, places, areas, cultural landscapes or other improvements of the highest scientific, aesthetic, educational, cultural, archaeological, architectural, or historical value to the citizens of the City of Davis and designated as such by the City Council pursuant to the provisions of ~~the Historical Resources Management chapter~~“ this article. A Landmark is deemed to be so important to the historical and architectural fabric of the community that its loss would be deemed a major loss to the community. Once designated, Landmarks are included in the Davis Register of Historical Resources. Landmarks were formerly designated as "Outstanding Historical Resources." (Ord. 1784, 1995). The Zoning Code defines “Merit Resource” as “buildings, structures, objects, signs, features, sites, places, areas, cultural landscapes, or other improvements with scientific, aesthetic, educational, cultural, archaeological, architectural, or historical value to the citizens of the City of Davis and designated as such by the City Council pursuant to the provisions of the article. Once designated, Merit Resources are included in the Davis Register. Merit Resources were formerly designated as "Historical Resources." (Ord. 1784, 1995).

The project parcel abuts the Varsity Theater, constructed in 1950, and designated as a City Landmark Building and eligible for the California Register (**Figure 5.1-7**, Page 5.1-9). The Varsity Theatre is a late Streamline Modern design that has had minor alterations to the exterior. Other nearby city Landmarks and Merit Resources include the Brinley Building at 716-726 Second Street, the Southern Pacific Railroad at 840 Second Street, the H.J. Hamel House at 505 Second Street, the Boy Scout Cabin at 616 First Street, and the Anderson Bank Building at 203 G Street.

REGULATORY CONTEXT

The City has adopted policies, codes, and design guidelines in the General Plan and Core Area Specific Plan (CASP), the Core Area Strategy Report and Five-Year Action Plan, Davis Downtown and Traditional Residential Neighborhoods Design Guidelines (Design Guidelines), Davis Redevelopment Plan and 2003-2008 Five-Year Implementation Plan, and the Zoning Regulations. These documents govern land use and design for the Proposed Project and alternatives.

The General Plan provides the overall blueprint for the City’s growth. The other documents establish policies and guidelines for development and redevelopment of the properties within the downtown area. The following is a summary of the key policies from these documents that are applicable to the Proposed Project:

- **Land Use**
Downtown should include a mix of uses that extends activities throughout the day.



Source: S2Architects 2006/Gail Ervin Consulting, 2007

FIGURE 5.1-6
MANSION SQUARE ACCESS



Source: City of Davis, 2007

**FIGURE 5.1-7
VARSITY THEATER AND SITE PANORAMIC**

- **Urban Design**
Streets and places should encourage pedestrian activity.
- **Conservation**
Buildings of historic value and other structures that contribute to the traditional character of Davis should be maintained in active service, whenever feasible.

CITY OF DAVIS GENERAL PLAN

The General Plan was adopted in May 2001 to guide Davis' growth through 2010. In December 2006, the Davis City Council initiated a General Plan update. The update is to focus on the City's next Regional Housing Needs Plan (RHNP) allocation from the Sacramento Area Council of Governments (SACOG). The updated General Plan elements will include Land Use, Housing, and perhaps other elements. The General Plan land use designation for the site and surrounding properties is located in the Core Area Specific Plan.

Within the current General Plan, the City of Davis has made a long-term commitment to supporting the vitality of the downtown and reducing reliance on cars by pursuing higher density, pedestrian, and transit-oriented infill development. Facilitating continued investment in the community with quality development is another high priority. The City's General Plan outlines goals and objectives that support these priorities.

Relevant General Plan policies and goals regarding urban design, historic preservation, and economic development include the following:

Policy UD 1.1(g): Designs that are urban in character are encouraged around the core area and at neighborhood activity nodes. Such designs include, but are not limited to, buildings that extend to the front and side property lines, buildings which provide feelings of permanence and durability, and buildings with outdoor cafés and plazas.

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Policy UD 1.1(j): New buildings should be integrated with open space to enhance living and working areas.

GOAL UD 2. *Maintain an aesthetically pleasing environment and manage a sustainable community forest to optimize environmental, aesthetic, social, and economic benefits.*

Policy UD 2.1: Preserve and protect scenic resources and elements in and around Davis, including natural habitat and scenery and resources reflective of place and history.

Policy UD 2.3: Require an architectural "fit" with Davis' existing scale for new development projects.

- b. Taller buildings should be stepped back at upper levels in areas with a relatively smaller-scale character.
- c. Buildings should be varied in size, density, and design.

GOAL HIS 1. *Designate, preserve, and protect the archaeological and historic resources within the Davis community.*

Policy HIS 1.2 Incorporate measures to protect and preserve historic and archaeological resources into all planning and development.

Standards:

- a. The City shall review proposed alteration to City-designated historic resources and improvements within historic districts utilizing the Secretary of the Interior Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings and the State Historic Building Code.

Policy HIS 1.3: Assist and encourage property owners and tenants to maintain the integrity and character of historic resources, and to restore and reuse historic resources in a manner compatible with their historic character.

Policy HIS 1.4: Preserve historic features of the Core area and historic districts.

GOAL HIS 2. *Promote public awareness of the prehistoric and historic past of the Davis area.*

Goal ED 1: *Maintain and enhance the Core Area as a vibrant, healthy downtown that serves as the city's social, cultural, and entertainment center and principal, but not exclusive, retail and business district.*

Policy ED 1.1: Increase attractions and amenities that bring people to the Core, including local shopping, services, modest tourism, specialty retail, restaurants, festivals/special events, farmer's market, and entertainment.

The General Plan also contains specific intent language regarding the Core Area Specific Plan:

Intent: To provide for mixed-use development of a variety of types in downtown Davis, in keeping with the downtown's role as the commercial and social center of Davis.

CORE AREA SPECIFIC PLAN (CASP)

The CASP, adopted as a means of implementing the General Plan for the Core Area, supports maintaining a small-town downtown and encourages pedestrian, social, and cultural activities and shopping in the Core Area. The plan promotes building up the Downtown Core (the area between First and Third streets and D Street and the railroad tracks east of G Street) before greatly increasing densities in the remainder of the core area, thereby protecting existing residential neighborhoods and their character.

The CASP (as amended July 12, 2005) establishes development policies for the Downtown Core area. The objectives of the plan are to “guide growth in the core area so that it remains the pedestrian-oriented economic and social center of the City”. The plan “strives to create a sense of place” and intends to “enhance the identity of the Downtown by increasing commercial and residential opportunities and creating a streetscape with unifying features.”

Figure 5.1-8 identifies CASP land use designations for the Core Area. The project site is centered in an area designated for Retail Stores, within the Central Commercial (C-C) District. The purpose of the C-C District is to:

implement the core plan; provide for an increased variety and density of commercial activities; to preserve older architectural styles where feasible; to encourage a harmonious intermingling of other structures; to permit residential uses where feasible; to promote pedestrian use and enjoyment of the core; and to provide an area of intense commercial activity.

This area is intended to provide a concentration of stores and uses that allows each to benefit from the presence of the others. Retail uses at ground floor level with professional and administrative offices and residential units are encouraged for upper stories in this zone.

Cultural and entertainment uses are also permitted at ground floor level. The CASP includes the following policies and guidelines applicable to the Proposed Project and alternatives:

CASP 2.6 Land Use Policies:

Policy 1: A mix of uses (retail stores, restaurants, cultural centers, entertainment, services, upstairs offices, and dwelling units) is now and shall remain characteristic of the Core Area.

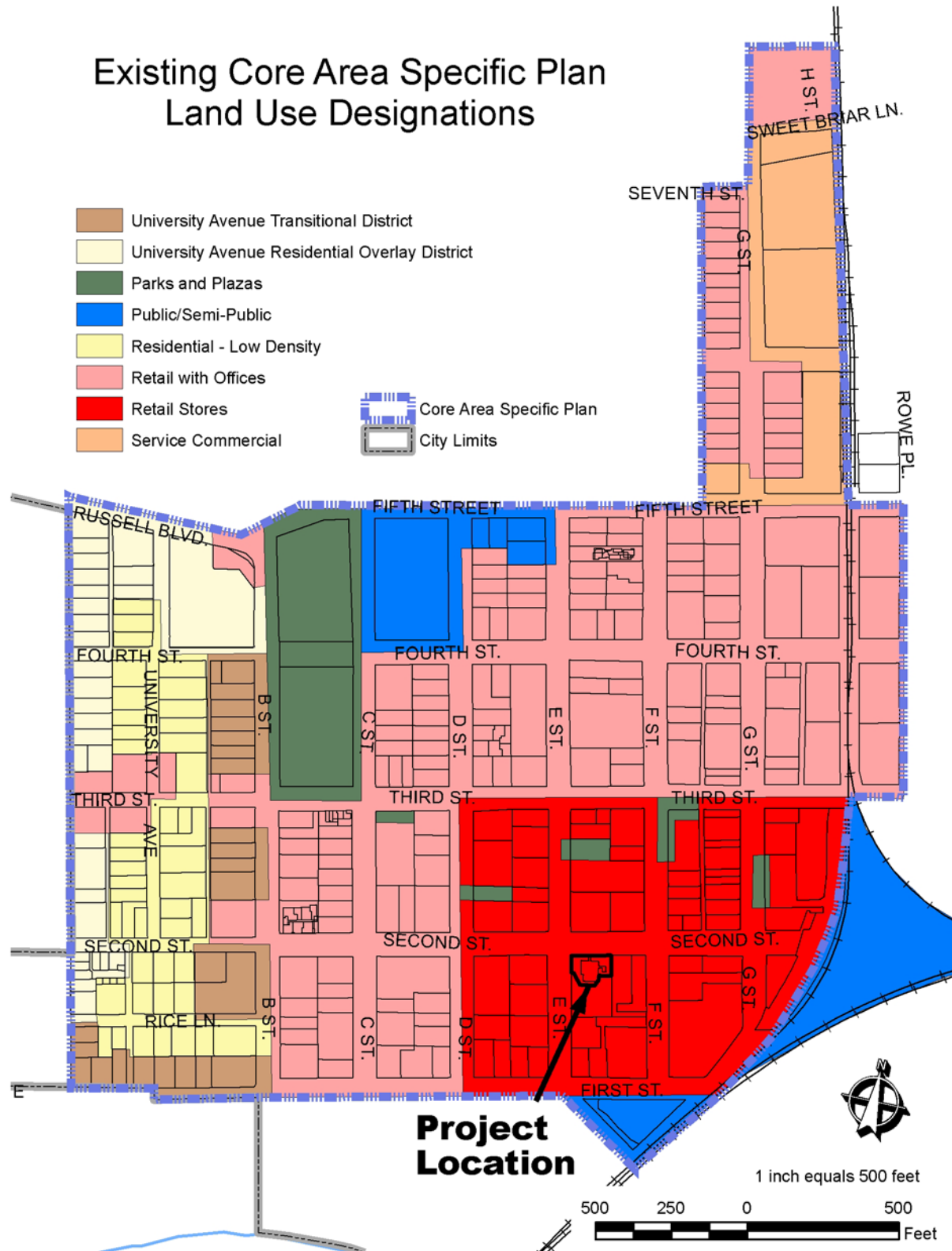
Policy 1 (A): Mixed uses in the Core Area shall be encouraged.

Policy 1 (B): The City shall take measures that encourage new businesses to be located in the Core Area.

Policy 1 (C): Pedestrian and customer intensive retail businesses shall be encouraged to locate on the ground floor level in the Downtown Core (Retail Stores) area.

Policy 1 (D): The City shall promote development that brings maximum economic life and stability to the Core Area, and which enhances the pedestrian and architectural character of the downtown. The City shall implement the specific economic development program, goals, and strategies for the Core Area.

Existing Core Area Specific Plan Land Use Designations



Source: City of Davis GIS, May 2007

**FIGURE 5.1-8
CORE AREA SPECIFIC PLAN LAND USE MAP**

Policy 3: While non-retail uses are not prohibited, pedestrian and customer intensive retail uses are preferred at ground floor level in the Downtown Core (Retail Stores) area. If it becomes necessary, incentives and disincentives shall be used to promote retail uses at ground floor level. The first floor of buildings in the Downtown Core need to be pedestrian oriented.

Policy 4: The first floor of Core Area buildings shall either be at the same elevation as the sidewalk or designed such that pedestrians are encouraged to enter the building. There also needs to be a concentration of uses with a clear identity and short walking distances between uses.

Policy 6: Land use intensification shall be concentrated first in the area bounded by First and Fourth streets and D Street and the railroad tracks...

CASP 4.2 Streetscape Policies-Aesthetic Elements

Section 4.2(c) Landscape and Plazas

Landscape and Plazas (excerpts)

- The City's Landmark Trees and Trees of Significance lists are incorporated by reference into the CASP, as well as the list of Designated Historical Resources. Landmark Trees shall be preserved to the greatest extent possible. Trees of Significance and significant other trees shall be retained whenever possible.
- Generous landscaping shall be used throughout the Core Area and shall be incorporated into all projects (*note: this measure is internally inconsistent with the Design Guidelines that promote zero front sidewalk setbacks*).

This section also identifies 'Greenstreets'; neither Second nor E Street are designated Greenstreets in the CASP.

Section 4.2(d) Architecture

Design Guidelines (excerpts)

- Saving older buildings of merit provides a sense of continuity and adds to the complexity and richness of the community. They provide an irreplaceable record of the changing visions and values of the community. They also provide a benchmark by which the community can measure the value of the proposed new buildings or additions to existing buildings.
- It is critical that projects in the Core Area be designed in context, that is, they shall provide enough visual linkages between existing buildings and the proposed project so as to create a cohesive overall effect. New buildings and/or other projects shall strengthen and enhance the characteristics of their setting, or at least maintain the key unifying patterns. Projects shall respect the positive qualities of the existing environment and the scale and character of nearby structures of merit.
- While buildings may be constructed to all property lines, a minimum of 10 percent of the floor area shall be provided as open space. This open space can be incorporated into ground floor plazas, above ground balconies or other architectural setbacks in the building's mass.

Storefront Design Guidelines (excerpts)

- Historic structures with architectural significance need to be preserved whenever possible.
- The color and texture of the storefront materials should be simple and unobtrusive. The materials used should help create a cohesive overall effect between the project, adjacent and surrounding buildings, and the streetscape. Inappropriate historical themes should be avoided. The Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings shall be used as a reference standard for all designated resources.
- When designing a new storefront... the emphasis should be on transparency. The basic storefront design should include large pedestrian oriented display windows with thin framing, a recessed entrance, a cornice or a horizontal sign panel at the top of the storefront to separate it from the upper façade and low bulkheads (between 18" to 30") at the base to protect the windows and define the entrance. This basic configuration can be constructed from traditional or contemporary materials, achieving the same result.

CORE AREA STRATEGY REPORT AND FIVE-YEAR ACTION PLAN

The Core Area Strategy Report adopted in February of 2000 established policies and strategies to strengthen the vitality of the Downtown Core Area. The "community's vision" outlined in the Strategy is "to maintain and enhance the Core Area as a vibrant, healthy downtown that serves as the city's social and cultural hub and primary, but not exclusive, shopping and business district." High priority actions applicable to the Proposed Project include:

- Attract more sit-down restaurants, family restaurants, and white tablecloth restaurants.
- Locate a visitor's center downtown.
- Encourage sensitive adaptive re-use and protect existing historic buildings from demolition or insensitive remodeling.

Section 2 specifically addresses urban design in the Core Area. The goal is to "maintain the eclectic and diverse nature of the Core Area, embodied by the diversity of architecture, which includes many buildings from the 1950s and '60s, but also 22 City designated historic resources in and around the Core." Design goals are consistent with the CASP policies: new development in the Core Area should be sensitively designed to fit cohesively into the current environment with appropriate scale, character, and visual links that ensure continuity among new and old throughout the core.

Section 2.2 specifically recognizes the key issue/challenge that "...good design can be subjective. People often have different opinions about what constitutes good design. This is especially true for infill construction in an existing commercial or residential area. Even design guidelines are subject to different interpretation by those using them to develop projects and those using them to review projects." The section identifies the proposal for redevelopment of the Dresbach-Hunt-Boyer patio and Tank House site as a current project.

DAVIS DOWNTOWN AND TRADITIONAL RESIDENTIAL NEIGHBORHOODS DESIGN GUIDELINES

Aesthetic impacts on surrounding land uses as a result of possible infill and intensification of the Core Area were analyzed in the CASP EIR. CASP EIR Impact 4.2-7 identified that increased intensity of development on particular blocks and sites substantially in excess of what then

existed could result from implementation of the CASP. This impact was categorized as “potentially significant”.

Adopted Mitigation Measure 4.2-7a required the development of Design Standards specific to the Core Area. Therefore, in August 2001 the City adopted the Downtown Davis and Traditional Residential Neighborhoods Overlay District and established design guidelines for the district. The guidelines aim to “enhance the Downtown’s traditional character by guiding innovative new development, reuse, and reinvestment that complements the original fabric.” The Downtown Core Commercial and Core Expansion areas close to the developed core were recognized as the blocks where the most concentrated development should occur consistent with a traditional “main street” character.

Part I, Urban Design Framework, identifies both Second Street and E Street as Primary Shopping Streets and Principle Pedestrian Connection Streets, and the adjacent Varsity Theater as an existing Anchor Attraction. Because primary retail streets should have the highest foot traffic and greatest continuity in storefront commercial uses, infill must be built to the front lot line and at least 75% of a buildings frontage should be used for retail storefront with transparent storefronts. The primary portion of any new building should not exceed 45 feet in height.

Part 2, the Downtown Core Commercial and Mixed Use Guidelines, builds upon the framework principles by establishing architectural guidelines based on a conservation ethic. The Downtown Core Commercial Guidelines identify the following objectives for the Downtown Core area:

- The Downtown Core should be the most intensive and concentrated area of retail, cultural and entertainment uses.
- Predominantly two and three-story buildings should be developed with consideration for four-story elements.
- Ground floor uses should be primarily retail, restaurants, cultural, and entertainment with office and residential uses on upper floors.
- Enhance retail storefront continuity by filling gaps with new storefront buildings and retail uses.
- Encourage innovative and environmentally conscious design that respects the patterns of traditional main street commercial buildings.

Projects involving the alteration of Designated Historic Resources are subject to both the Design Guidelines and the *Secretary’s Standards*, which the City approved as the design review standards by which all exterior alterations to designated resources are reviewed. While the *Secretary’s Standards* are the primary guiding document for exterior alterations, the Design Guidelines are used to address secondary issues. For the Proposed Project and alternatives, the *Secretary’s Standards* are used to assess the treatment of the Tank House and historic setting, while the Design Guidelines apply to any proposed new construction or uses.

The following sections outline the applicable guidelines of the Downtown Core Commercial Design Guidelines.

Site Design Guidelines

A. Align a building's front at the sidewalk edge

- A minimum of 75% of the front of a building shall have a zero front setback.
- Primary building facades should be parallel to the front property line except where significant vistas are desired to be maintained.
- Where portions of a building are set back from the sidewalk, the areas must be treated as a plaza or courtyard (see Outdoor Spaces, below, for more detail).
- Avoid outdoor spaces that are inappropriately scaled for their use or result in unusable space between buildings.

B. Develop the ground floor level of a building to encourage pedestrian activity

- The linear frontage of a commercial building shall incorporate pedestrian oriented elements such as:
 - A storefront with transparent display windows or display cases
 - Outdoor dining areas
 - Public art
 - Canopies/Awnings/ Trellises
 - Landscaping, shade trees, and benches
- A blank wall or vacant lot appearance is inappropriate

Building Mass and Scale

New buildings and additions should be delineated both vertically and horizontally to reflect traditional patterns and convey a human scale.

A. New buildings should respect the traditional height of buildings while establishing a pattern for more efficient land use

- New buildings should be predominantly two and three-stories in height.

B. A new building should be divided into "modules" that appear similar in scale to buildings seen traditionally

- Most buildings were constructed in 25-foot wide increments. New buildings should reflect this pattern.
- A clear visual division between street level and upper floors should be incorporated through the change of materials, colors, and/or canopies and awnings.

C. Floor-to-floor heights should appear to be similar to those seen traditionally

- First floor windows shall be a minimum of 10 feet in height.
- Upper floor windows shall be divided into individual units and not consist of a "ribbon" of glass.
- Primary upper floor windows should have a taller vertical dimension.

Building Form and Roofline

1. Simple rectangular building forms with horizontal roof planes should predominate.

A. Simple rectangular volumes are preferred

- New buildings and additions should be designed with simple rectangular volumes.
- Cylindrical, pyramidal, and other elaborate building forms are inappropriate.

B. Horizontal roof forms should predominate and be screened by extensions of the building wall planes

- Parapet walls should be used for screening flat roofs and be detailed with elements such as cornices to define the building roofline.

Building Entrances

Clearly identify the primary entrance to a building and orient it to the street. The primary entrance should convey a sense of human scale and be welcoming.

A. Orient the primary entrances to the sidewalk and primary pedestrian ways

- Primary entrances to ground floor spaces and upper stories should be oriented to the sidewalk and primary pedestrian ways.
- If a courtyard is incorporated in the design, an entrance may also open onto it.

B. Clearly identify the primary entrance

- Use an awning, change in roofline, or other architectural feature to define the entry.
- Special paving treatments may be used to enhance the entry.

C. Recessed entries should be retained and encouraged in new storefront construction

- Storefront entries should be recessed to emphasize the entrance, increase window display area, and provide a sheltered transition to the interior of the store.

Architectural Features

Architectural features should be used to provide weather protection and highlight building features and entries.

A. Buildings should be designed to incorporate awnings

B. A fixed canopy and trellis supported with posts may be used where enhanced weather protection is desired

Building Materials and Color

Building materials and color should help establish a human scale and provide visual interest. While some diversity in exterior building materials and color is a part of the tradition of downtown, the range should be limited in order to promote a sense of visual continuity for the area.

A. Use the highest quality materials on exposed exterior surfaces such as brick, metal, stone, terra cotta, wood, tile and stucco

- Innovative or "green" materials are encouraged provided they appear similar in quality, texture, finish and dimension to those used traditionally in the neighborhood.

B. Simple material finishes are encouraged

- Matte finishes are preferred.
- Polished stone or ceramic tile, for example should be avoided or limited to accent elements.
- Reflective or mirror glass is inappropriate

C. Building colors should evoke a sense of richness and liveliness to complement and support the overall character of the commercial district

Outdoor Spaces

Design outdoor spaces to enliven the sidewalk level and provide for private open space for employees and residents.

A. A variety of outdoor spaces may be considered

- A courtyard at sidewalk level, set in line with the building front.
- Upper-level decks, balconies, and rooftop gardens are encouraged as private open space.

B. Courtyards are encouraged as places for outdoor commercial activities

- No more than 25% of a new commercial storefront building should be set back for a courtyard.
- Consider environmental conditions such as sun, shade, and prevailing winds when positioning courtyards and outdoor seating areas.
- Trees, trellises, or similar shade elements to be designed into a courtyard are encouraged.

DAVIS REDEVELOPMENT PLAN AND 2003-2008 FIVE-YEAR IMPLEMENTATION PLAN

The Davis Redevelopment Plan (Redevelopment Plan) was adopted by the Redevelopment Agency of the City of Davis on November 25, 1987, and was last amended April 2, 2003 in accordance with the Community Redevelopment Law (CRL) of the State of California. The redevelopment area includes the South Davis Specific Plan area and the Core Area. The Amended Redevelopment Plan provides the Redevelopment Agency with powers, duties, and obligations to implement and continue its program for the redevelopment, rehabilitation, and revitalization of the redevelopment project area, with a key focus on existing blight.

The Five Year Implementation Plan (December 2003) determined that the Project Area continues to exhibit blighting conditions, including aged and obsolescent buildings and incompatible land uses. The Redevelopment Plan identifies the Old City Core as experiencing age and obsolescence, defective design and character of physical construction; deterioration and dilapidation; faulty or inadequate utilities or other unsafe conditions; factors that prevent or substantially hinder the economic viable use or capacity of buildings or lots; and incompatible uses.

Applicable specific goals of the Agency to address the blighting conditions in the Project Area include:

- Continuation of existing and creation of new incentive programs for existing property owners to reinvest in their properties
- Creative implementation of catalyst projects which spur reinvestment on surrounding blocks. Such projects include:
 - Acquisition of the Varsity Theater and intensification of the use of the facility as an entertainment venue (*completed*)
 - Reuse of the Hunt Boyer and Tank House properties for private restaurant and/or retail use
- Continued preservation of historically significant structures
- Replacement or reconstruction of faulty or inadequate utilities that pose a threat to the health and safety of users or occupants, such as; water and sewer lines, streets, bike lanes and paths, sidewalks, parkways, and lighting in the public right-of-way
- Acquisition and disposition of property to abate nuisance uses and provide for future development

The Redevelopment Plan identifies a list of Capital Projects for completion during the five-year period. Commercial reuse of City owned/leased buildings, including the Varsity Theater, the Mansion, and the Tank House were proposed for funding to leverage private reinvestment in the facilities with the objective of generating increased business license, sales, and transient occupancy taxes.

ZONING REGULATIONS

The zoning chapter of the Davis Municipal Code, Section 40.0.0, zones property within the incorporated city limits and specifies local jurisdictional land use controls that regulate the type and nature of development. The zoning chapter regulates specific development characteristics, such as building height, bulk, and use, lot coverage, and parking requirements.

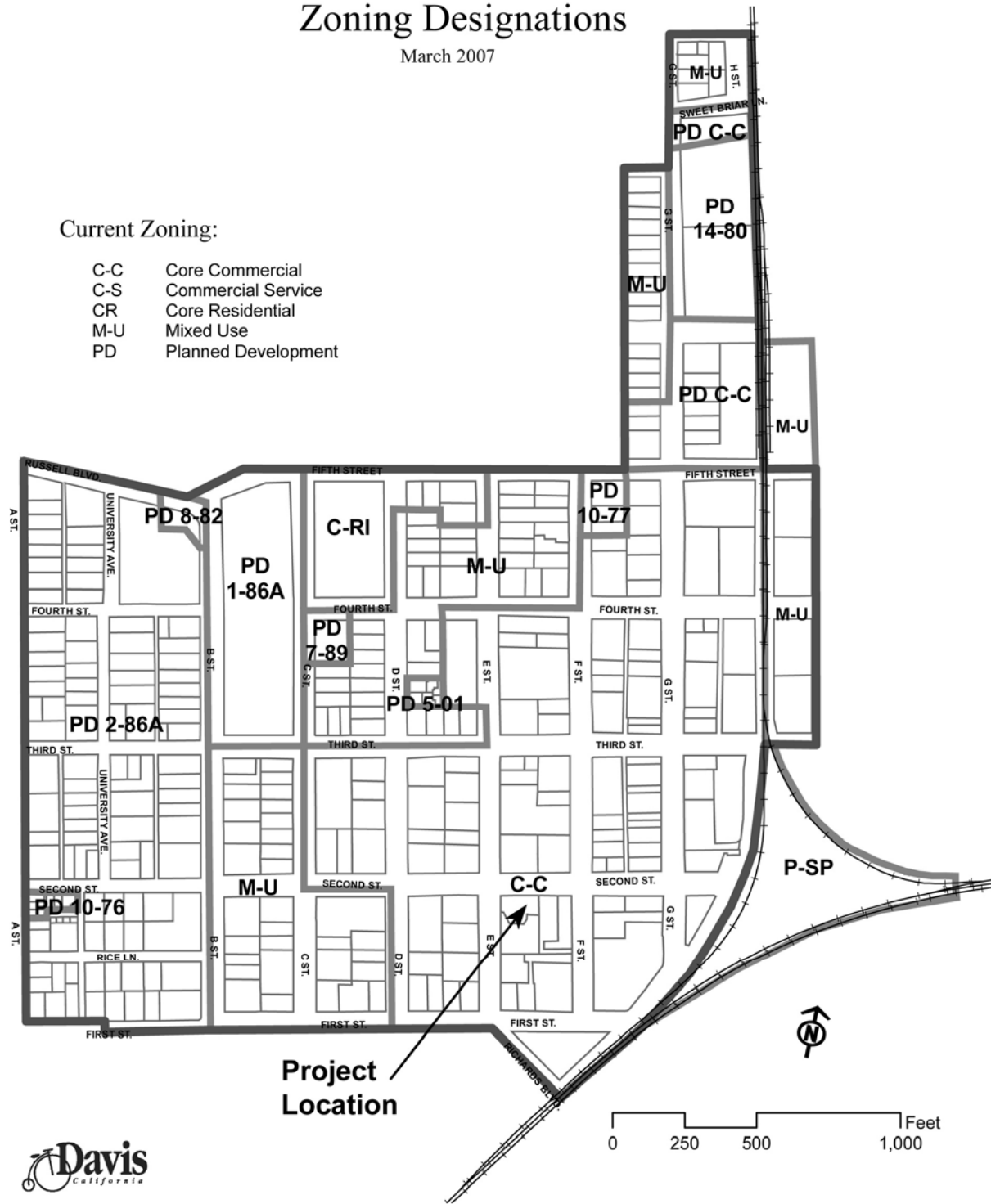
The purpose of zoning is to regulate the use of land, building, or other structures for residences, commerce, industry, and other uses required by the community. It regulates the location, height, size of buildings or structures, yards, courts, open spaces, amount of building coverage permitted in each zone, and population density. The zoning chapter also divides the City into zones of such shape, size, and number best suited to carry out these regulations, and to provide for their enforcement, and ensure the provision of adequate open space for aesthetic and environmental amenities. **Figure 5.1-9** identifies zoning in the CASP.

As identified in the CASP, the project site is located in the Central Commercial (C-C) District. The requirements of the Core Area Design Combining District and the Davis Downtown and Traditional Neighborhood Overlay District also apply to the C-C District. Article 40.14.0 Section 40.14.010 (purpose) describes the purpose of the C-C District, as follows:

To implement the core area plan; to provide for an increased variety and density of commercial activities; to preserve older architectural styles where feasible, and to encourage a harmonious intermingling of other structures; to permit residential uses where feasible; to promote pedestrian use and enjoyment of the core; to provide an area of intensive commercial activity.

Core Area Specific Plan Zoning Designations

March 2007



Source: Core Area Specific Plan, March 2007

**FIGURE 5.1-9
CORE AREA ZONING MAP**

Article 40.13 Section 40.13.010 (purpose) of the Zoning Ordinance contains the purpose of the Core Area Design Combining District, as follows:

To provide for the harmonious blending of residential and commercial uses among the core districts, and within each core district; to preserve the older architectural styles and encourage the intermingling of compatible structures; to enhance the pedestrian and bicycle-oriented character of the core; to preserve the tree-shaded ambience.

Article 40.13 Section 40.13A.010 (purpose) of the Zoning Ordinance contains the purpose of the Downtown and Traditional Residential Neighborhood Overlay District and Design Guidelines, as follows:

- Conserve the traditional neighborhood character, fabric, and setting while guiding future development, reuse, and reinvestment,
- Discourage the demolition of structures consistent with the district's historic character by providing incentives for reuse of non-designated contributing structures,
- Plan for new commercial and residential infill construction that is compatible and complementary to the character of existing neighborhood areas within the district,
- Foster reinvestment and economic development in the core that is consistent with historic conservation; and
- Provide guidelines to clarify the community's expectations for the type and quality of development within the district.

Allowable uses include ground floor retail and restaurants, and second floor professional and administrative offices, as well as any other retail business or service establishment that the planning commission finds to be consistent with the purposes of the District, and which will not impair the present or potential use of adjacent properties. Infill development and structures over two stories are permitted with a conditional use permit. There are no height regulations in the C-C District, although the total floor area of a building shall not exceed three times the lot area. No side yard or front yard is required; the rear yard for the project site must be 10 feet.

Construction of on-site parking will not be allowed for office or commercial uses unless below grade or above the ground floor or an integral part of the building structure. Participation in a parking district as per section 40.25.050, or in-lieu-of payments as per section 40.25.060, is required. The parking fee is based on one space for every 250 square feet of gross floor area (no parking is required for outdoor seating), and one space per 500 square feet of gross floor area.

COMMUNITY FOREST MANAGEMENT PLAN

The City of Davis has a Community Forest Management Plan (2002) for improving and protecting the "Community Forest." The plan establishes goals and standards for preservation of community trees. The City also has a Tree Planting, Preservation, and Protection Ordinance (Chapter 37 of Municipal Code) that defines trees of significance within the city. It establishes a review process and mitigations for removal of such trees, and sets standards for protection of trees during the construction. These standards and conditions are applied during the City's design and construction review processes, and require submittal of an arborist report and tree protection plan and are directed at preserving as many of the mature site trees as feasible.

IMPACTS AND MITIGATION MEASURES

The standards for significance, impact analysis, and recommended mitigation measures for land use and aesthetic impacts are provided below. Impacts related specifically to loss of historic resources are addressed in Chapter 5.2.

STANDARDS OF SIGNIFICANCE

The usual analyses of aesthetic impacts under CEQA do not apply to this Proposed Project. The Proposed Project is located within downtown Davis, which is not within a state scenic highway, part of a scenic vista, or contributing to light and glare.

For the purposes of this EIR, thresholds used for determining significant impacts to land use and aesthetics include the following:

- Substantially conflict with applicable plans, goals, and policies
- Substantially degrade the existing visual character or quality of the site and/or surroundings
- Substantially conflict with adopted urban design guidelines
- Destroy designated or eligible Landmark Trees or Trees of Significance

The first three thresholds are subjective. For purposes of this EIR, the Redevelopment Agency considered City Council intent and public comments in determining what constitutes “substantial.” Impacts relating to compliance with the *Secretary of the Interior’s Standards* are analyzed in Chapter 5.2, Cultural and Historic Resources.

METHODOLOGY

The City’s land use plans, policies, and regulations for the Downtown Core are internally consistent between the Davis General Plan, the Core Area Specific Plan, the Core Area Strategy Report and Five-Year Action Plan, the Design Guidelines, the Davis Redevelopment Plan and 2003-2008 Five-Year Implementation Plan, and the Zoning Regulations. Therefore, the Proposed Project and alternatives were assessed against consistency with adopted plans and policies as a whole. This section analyzes the effect of the Proposed Project and alternatives on the Downtown Core Commercial Area visual context, and the existing visual character or quality of the immediate streetscape, from a land use and aesthetics standpoint; Chapter 5.2 discusses visual impacts on the historic character of the project site and adjacent Landmark Buildings. The design details of the Proposed Project and each alternative are analyzed as to their consistency with the adopted Downtown Core Commercial and Mixed-Use Design Guidelines.

As noted above, Section 2.2 of the Core Area Strategy Report specifically recognizes the key issue/challenge that “...good design can be subjective. People often have different opinions about what constitutes good design. This is especially true for infill construction in an existing commercial or residential area. Even design guidelines are subject to different interpretation by those using them to develop projects and those using them to review projects.” Recognizing the subjective nature of aesthetics and urban design, and the inherent potential for inconsistency between historic preservation and economic development goals and policies, this

report has attempted to balance adopted policy intent language and public comment in determining the significance of potential aesthetic impacts.

IMPACTS AND MITIGATION MEASURES

Impact 5.1-1: Consistency with adopted plans and policies

Table 5.1-1 identifies each applicable goal, policy, or purpose and whether each alternative meets, does not meet, or partially meets the intent of that goal, policy, or purpose.

**TABLE 5.1-1
COMPARISON OF PROJECT AND ALTERNATIVES WITH LAND USE POLICIES***

<u>Applicable Standard</u>	<u>PP</u>	<u>A1</u>	<u>A2</u>	<u>A3</u>	<u>A4</u>	<u>A5</u>	<u>A6</u>
<u>City of Davis General Plan</u>							
<u>Policy UD 1.1(g): Designs that are urban in character are encouraged around the core area and at neighborhood activity nodes. Such designs include, but are not limited to, buildings that extend to the front and side property lines, buildings which provide feelings of permanence and durability, and buildings with outdoor cafés and plazas.</u>	<u>Y</u>	<u>N</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>P</u>	<u>P</u>
<u>Policy UD 1.1(j): New buildings should be integrated with open space to enhance living and working areas.</u>	<u>Y</u>	<u>n/a</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>n/a</u>
<u>GOAL UD 2. Maintain an aesthetically pleasing environment and manage a sustainable community forest to optimize environmental, aesthetic, social and economic benefits.</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>Y</u>	<u>Y</u>
<u>Policy UD 2.1: Preserve and protect scenic resources and elements in and around Davis, including natural habitat and scenery and resources reflective of place and history.</u>	<u>N</u>	<u>Y</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>P</u>	<u>Y</u>
<u>Policy UD 2.3: Require an architectural "fit" with Davis' existing scale for new development projects.</u>	<u>N</u>	<u>n/a</u>	<u>N</u>	<u>Y</u>	<u>Y</u>	<u>P</u>	<u>n/a</u>
<u>Policy UD 2.3b: Taller buildings should be stepped back at upper levels in areas with a relatively smaller-scale character.</u>	<u>Y</u>	<u>n/a</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>n/a</u>	<u>n/a</u>
<u>Policy UD 2.3c: Buildings should be varied in size, density, and design.</u>	<u>Y</u>	<u>n/a</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>n/a</u>
<u>GOAL HIS 1. Designate, preserve and protect the archaeological and historic resources within the Davis community.</u>							
<u>Policy HIS 1.2 Incorporate measures to protect and preserve historic and archaeological resources into all planning and development.</u>	<u>N</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>N</u>	<u>Y</u>	<u>Y</u>
<u>Policy HIS 1.2 Standards:</u>							
<u>a. The City shall review proposed alteration to City-designated historic resources and improvements within historic districts utilizing the Secretary of the Interior Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings and the State Historic Building Code.</u>	<u>N</u>	<u>n/a</u>	<u>Y</u>	<u>Y</u>	<u>N</u>	<u>N</u>	<u>Y</u>
<u>Policy HIS 1.3: Assist and encourage property owners and tenants to maintain the integrity and character of historic resources, and to restore and reuse historic resources in a manner compatible with</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>N</u>	<u>P</u>	<u>Y</u>

5.1 LAND USE AND AESTHETICS

Applicable Standard	PP	A1	A2	A3	A4	A5	A6
<u>their historic character.</u>							
<u>Policy HIS 1.4: Preserve historic features of the Core area and historic districts.</u>	N	Y	P	P	N	P	Y
<u>GOAL HIS 2. Promote public awareness of the prehistoric and historic past of the Davis area. (assumes mitigation adopted)</u>	Y	N	Y	Y	Y	Y	Y
<u>Goal ED 1: Maintain and enhance the Core Area as a vibrant, healthy downtown that serves as the city's social, cultural, and entertainment center and principal, but not exclusive, retail and business district.</u>	Y	N	Y	Y	Y	Y	Y
<u>Policy ED 1.1: Increase attractions and amenities that bring people to the Core, including local shopping, services, modest tourism, specialty retail, restaurants, festivals/special events, farmer's market, and entertainment.</u>	Y	N	Y	Y	Y	Y	Y
<u>The General Plan also contains specific intent language regarding the Core Area Specific Plan:</u> <u>Intent: To provide for mixed-use development of a variety of types in downtown Davis, in keeping with the downtown's role as the commercial and social center of Davis.</u>	Y	N	Y	Y	Y	P	P
Core Area Specific Plan (CASP)							
<u>CASP 2.6 Land Use Policy 1: A mix of uses (retail stores, restaurants, cultural centers, entertainment, services, upstairs offices, and dwelling units) is now and shall remain characteristic of the Core Area.</u>	Y	N	Y	Y	Y	P	P
<u>CASP 2.6 Land Use Policy 1 (A): Mixed uses in the Core Area shall be encouraged.</u>	Y	n/a	Y	Y	Y	N	N
<u>CASP 2.6 Land Use Policy 1 (B): The City shall take measures that encourage new businesses to be located in the Core Area.</u>	Y	N	Y	Y	Y	Y	P
<u>CASP 2.6 Land Use Policy 1 (C): Pedestrian and customer intensive retail businesses shall be encouraged to locate on the ground floor level in the Downtown Core (Retail Stores) area.</u>	Y	N	Y	Y	Y	Y	P
<u>Policy 1 (D): The City shall promote development that brings maximum economic life and stability to the Core Area, and which enhances the pedestrian and architectural character of the downtown. The City shall implement the specific economic development program, goals, and strategies for the Core Area.</u>	P	N	P	Y	P	P	P
<u>CASP 2.6 Land Use Policy 3: While non-retail uses are not prohibited, pedestrian and customer intensive retail uses are preferred at ground floor level in the Downtown Core (Retail Stores) area. If it becomes necessary, incentives and disincentives shall be used to promote retail uses at ground floor level. The first floor of buildings in the Downtown Core need to be pedestrian oriented.</u>	Y	N	Y	Y	Y	Y	P
<u>CASP 2.6 Land Use Policy 4: The first floor of Core Area buildings shall either be at the same elevation as the sidewalk or designed such that pedestrians are encouraged to enter the building. There also needs to be a concentration of uses with a clear identity and short walking distances between uses.</u>	Y	N	Y	Y	Y	Y	Y
<u>CASP 2.6 Land Use Policy 6: Land use intensification shall be concentrated first in the area bounded by First and Fourth streets</u>	Y	N	Y	Y	Y	Y	N

Applicable Standard	PP	A1	A2	A3	A4	A5	A6
and D Street and the railroad tracks...							
CASP 4.2 Streetscape Policies-Aesthetic Elements							
<u>Section 4.2(c) Landscape and Plazas, Landscape and Plazas (excerpts): The City's Landmark Trees and Trees of Significance lists are incorporated by reference into the CASP, as well as the list of Designated Historical Resources. Landmark Trees shall be preserved to the greatest extent possible. Trees of Significance and significant other trees shall be retained whenever possible.</u>	N	Y	N	N	N	P	Y
<u>Section 4.2(c) Landscape and Plazas, Landscapes and Plazas (excerpts): Generous landscaping shall be used throughout the Core Area and shall be incorporated into all projects (note: this measure is internally inconsistent with the Design Guidelines that promote zero front sidewalk setbacks).</u>	P	Y	P	P	P	Y	Y
<u>Section 4.2(d) Architecture, Design Guidelines (excerpts): Saving older buildings of merit provides a sense of continuity and adds to the complexity and richness of the community. They provide an irreplaceable record of the changing visions and values of the community. They also provide a benchmark by which the community can measure the value of the proposed new buildings or additions to existing buildings.</u>	N	Y	Y	Y	N	Y	Y
<u>Section 4.2(d) Architecture, Design Guidelines (excerpts): It is critical that projects in the Core Area be designed in context, that is, they shall provide enough visual linkages between existing buildings and the proposed project so as to create a cohesive overall effect. New buildings and/or other projects shall strengthen and enhance the characteristics of their setting, or at least maintain the key unifying patterns. Projects shall respect the positive qualities of the existing environment and the scale and character of nearby structures of merit.</u>	N	n/a	N	Y	Y	N	Y
<u>Section 4.2(d) Architecture, Design Guidelines (excerpts): While buildings may be constructed to all property lines, a minimum of 10 percent of the floor area shall be provided as open space. This open space can be incorporated into ground floor plazas, above ground balconies or other architectural setbacks in the building's mass.</u>	Y	n/a	Y	Y	Y	Y	Y
<u>Section 4.2(d) Architecture, Storefront Design Guidelines (excerpts): Historic structures with architectural significance need to be preserved whenever possible.</u>	N	P	Y	Y	N	Y	Y
<u>Section 4.2(d) Architecture, Storefront Design Guidelines (excerpts): The color and texture of the storefront materials should be simple and unobtrusive. The materials used should help create a cohesive overall effect between the project, adjacent and surrounding buildings, and the streetscape. Inappropriate historical themes should be avoided. The Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings shall be used as a reference standard for all designated resources.</u>	Y	n/a	Y	Y	Y	P	n/a
<u>Section 4.2(d) Architecture, Storefront Design Guidelines (excerpts): When designing a new storefront... the emphasis should be on transparency. The basic storefront design should include large pedestrian oriented display windows with thin framing, a recessed entrance, a cornice or a horizontal sign panel at the top of the</u>	Y	n/a	Y	Y	Y	P	n/a

5.1 LAND USE AND AESTHETICS

Applicable Standard	PP	A1	A2	A3	A4	A5	A6
<u>storefront to separate it from the upper façade and low bulkheads (between 18” to 30”) at the base to protect the windows and define the entrance. This basic configuration can be constructed from traditional or contemporary materials, achieving the same result.</u>							
<u>Core Area Strategy Report and Five-Year Action Plan</u>							
• <u>Attract more sit-down restaurants, family restaurants, and white tablecloth restaurants.</u>	N	N	N	N	N	N	N
• <u>Locate a visitor’s center downtown.</u>	N	N	Y	Y	N	N	Y
• <u>Encourage sensitive adaptive re-use and protect existing historic buildings from demolition or insensitive remodeling.</u>	N	Y	Y	Y	N	P	Y
<u>Section 2: maintain the eclectic and diverse nature of the Core Area, embodied by the diversity of architecture, which includes many buildings from the 1950s and ’60s, but also 22 City designated historic resources in and around the Core.</u>	N	Y	Y	Y	N	Y	Y
<u>Davis Redevelopment Plan</u>							
<u>Creative implementation of catalyst projects which spur reinvestment on surrounding blocks. Such projects include:</u>							
• <u>Acquisition of the Varsity Theater and intensification of the use of the facility as an entertainment venue (completed)</u>	Y	N	Y	Y	Y	Y	P
• <u>Reuse of the Hunt Boyer and Tank House properties for private restaurant and/or retail use</u>							
<u>Continued preservation of historically significant structures</u>	N	Y	Y	Y	N	Y	Y
• <u>Replacement or reconstruction of faulty or inadequate utilities that pose a threat to the health and safety of users or occupants, such as; water and sewer lines, streets, bike lanes and paths, sidewalks, parkways, and lighting in the public right-of-way</u>	Y	N	Y	Y	Y	Y	Y
<u>Acquisition and disposition of property to abate nuisance uses and provide for future development</u>	Y	N	Y	Y	Y	Y	P
<u>Zoning</u>							
<u>Article 40.14.0 Section 40.14.010 (purpose) describes the purpose of the C-C District, as follows:</u>	P	N	P	P	P	P	P
<u>To implement the core area plan;</u>							
<u>...to provide for an increased variety and density of commercial activities;</u>	Y	N	Y	Y	Y	Y	N
<u>...to preserve older architectural styles where feasible, and to encourage a harmonious intermingling of other structures;</u>	N	Y	N	Y	P	P	Y
<u>...to promote pedestrian use and enjoyment of the core;</u>	Y	N	Y	Y	Y	Y	Y
<u>...to provide an area of intensive commercial activity.</u>	Y	N	Y	Y	Y	Y	P
<u>Article 40.13 Section 40.13.010 (purpose) of the Zoning Ordinance contains the purpose of the Core Area Design Combining District, as follows:</u>	n/a	n/a	n/a	n/a	n/a	n/a	n/a
<u>To provide for the harmonious blending of residential and commercial uses among the core districts, and within each core district;</u>							

Applicable Standard	PP	A1	A2	A3	A4	A5	A6
<u>...to preserve the older architectural styles and encourage the intermingling of compatible structures;</u>	N	P	P	<u>Y</u>	P	P	<u>Y</u>
<u>...to enhance the pedestrian and bicycle-oriented character of the core;</u>	<u>Y</u>	N	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
<u>...to preserve the tree-shaded ambience.</u>	N	<u>Y</u>	N	N	N	<u>Y</u>	<u>Y</u>
<u>Article 40.13 Section 40.13A.010 (purpose) of the Zoning Ordinance contains the purpose of the Downtown and Traditional Residential Neighborhood Overlay District and Design Guidelines, as follows:</u> <u>Conserve the traditional neighborhood character, fabric, and setting while guiding future development, reuse, and reinvestment.</u>	N	P	P	N	P	P	P
<u>...Discourage the demolition of structures consistent with the district's historic character by providing incentives for reuse of non-designated contributing structures.</u>	N	n/a	<u>Y</u>	<u>Y</u>	N	<u>Y</u>	<u>Y</u>
<u>...Plan for new commercial and residential infill construction that is compatible and complementary to the character of existing neighborhood areas within the district.</u>	N	n/a	N	<u>Y</u>	P	P	n/a
<u>...Foster reinvestment and economic development in the core that is consistent with historic conservation...</u>	N	N	P	<u>Y</u>	N	P	<u>Y</u>

*Y=Meets standard; N=Does not meet standard; P=Partially meets standard; **bold** signifies inconsistency

PP The Proposed Project would be consistent with most goals and policies of the Davis General Plan, the Core Area Specific Plan, the Core Area Strategy Report and Five-Year Action Plan, the Design Guidelines, the Davis Redevelopment Plan and 2003-2008 Five-Year Implementation Plan, and the Zoning Regulations. The Proposed Project would provide a mix of uses with ground floor café and outdoor dining patio. This would meet goals and objectives encouraging pedestrian activity and day and evening use to support the Varsity Theater and adjacent retail. The Proposed Project includes adopted design elements such as two to three-story construction, a building that extends to the front and side property lines, outdoor café, stepped back design, intense commercial activity, and visual linkages between existing buildings, which is consistent with adopted plans and policies. The proposed reuse of the property would be consistent with redevelopment goals to leverage private reinvestment in the Tank House property with the objective of generating increased business license, sales, and transient occupancy taxes.

However, the Proposed Project would demolish the Tank House, and remove the orange trees and part of the open space surrounding the Mansion. This would be inconsistent with General Plan Urban Design Policy 2.1 to preserve and protect scenic resources and elements in and around Davis, including resources reflective of place and history. This would also be inconsistent with the General Plan standard to utilize the *Secretary's Standards* regarding historic setting and the treatment of historic buildings. In addition, the Proposed Project would partially obscure the Varsity Theater's neon marquee and rounded stucco fin wall, major character-defining features of the Theater. The Core Area Strategy Report and Five-Year Action Plan specifically identifies the need to encourage sensitive adaptive reuse and protect existing historic buildings from demolition or insensitive remodeling; demolition of the Tank House would be inconsistent with this objective. The height and mass of the Proposed Project also does

not meet General Plan Policy UD 2.3 to provide an architectural “fit” with surrounding properties. The Proposed Project would be **inconsistent** with key urban design and conservation goals and policies to protect historic resources in the Downtown Core.

- A1 The No Project Alternative would stabilize the Tank House in situ. However, the Tank House and site would remain sealed off and unused, and would fail to meet most adopted goals and policies for the Downtown Core. The No Project Alternative would be **inconsistent** with most adopted goals and policies.
- A2 Alternative 2 would construct a three-story building identical to the Proposed Project but would also relocate and rehabilitate the Tank House to the west of the Mansion. Similar to the Proposed Project, this alternative would provide a mix of uses with ground floor café and outdoor dining patio. This would meet goals and objectives encouraging pedestrian activity and day and evening use to support the Varsity Theater and adjacent retail. Alternative 2 includes adopted design elements such as two to three-story construction, a building that extends to the front and side property lines, an outdoor café, stepped back design, intense commercial activity, and visual linkages between existing buildings, which is consistent with adopted plans and policies. The proposed reuse of the property would be consistent with redevelopment goals to leverage private reinvestment in the Tank House property with the objective of generating increased business license, sales, and transient occupancy taxes.

The Core Area Strategy Report and Five-Year Action Plan specifically identifies the need to attract more sit-down restaurants, locate a visitor’s center downtown, and encourage sensitive adaptive reuse and protect existing historic buildings from demolition or insensitive remodeling. Alternative 2 would provide a sit-down restaurant use, consistent with these objectives. This alternative would also rehabilitate the Tank House consistent with the *Secretary’s Standards* for a potential public use such as a visitor/community information kiosk or as a small retail shop (i.e. flower or produce stand), or as a support use/function to the primary uses in the Mansion. However, this Alternative still constructs a large three-story building that blocks the Varsity’s fin wall and neon marquee, appears taller than the Mansion, removes historic trees, and has a close side yard construction to the Mansion. These elements would not be consistent with objectives to provide a harmonious intermingling with older architectural styles, or with the *Secretary’s Standards* regarding historic setting. Alternative 2 would be **inconsistent** with key urban design and conservation goals and policies to protect historic resources in the Downtown Core.

- A3 Alternative 3 would construct a two-story building with a ground floor café and reassemble and rehabilitate the Tank House to the west of the Mansion. Increased building setbacks would avoid blockage of the Varsity Theater’s fin wall or neon marquee, and this Alternative would provide a greater side yard setback from the Mansion’s east wall. Similar to the Proposed Project, this alternative would provide a mix of uses with a ground floor café and outdoor dining patio, thus encouraging pedestrian activity and day and evening use to support the Varsity Theater and adjacent retail. Alternative 3 includes adopted design elements such as two to three-story construction, a building (active dining patio) that extends to the front and side property lines, outdoor café, stepped back design, intense commercial activity, and visual linkages between existing buildings. The proposed reuse of the property would be consistent with redevelopment goals to leverage private reinvestment in the Tank House

property with the objective of generating increased business license, sales, and transient occupancy taxes.

The Core Area Strategy and Five Year Action Plan specifically identifies the need to attract more sit-down restaurants, locate a visitor's center downtown, and encourage sensitive adaptive reuse and protect existing historic buildings from demolition or insensitive remodeling. Alternative 3 would provide a sit-down restaurant use, consistent with these objectives. This alternative would also rehabilitate the Tank House consistent with the *Secretary's Standards* for a potential public use such as a visitor/community information kiosk or as a small retail shop (i.e. flower or produce stand), or as a support use/function to the primary uses in the Mansion. Set backs and step backs protect the character-defining features of the Landmark Varsity Theater and provide a harmonious intermingling with the Mansion. Although Alternative 3 would remove historic trees and reduce the open space to the east of the Mansion, this alternative would overall be **consistent** with most adopted goals and policies.

- A4 Alternative 4 would demolish the Tank House and construct a two-story building with a ground floor café. New construction would be identical to Alternative 3. This alternative would provide a mix of uses with a ground floor café and outdoor dining patio, thus encouraging pedestrian activity and day and evening use to support the Varsity Theater and adjacent retail. Alternative 4 includes adopted design elements such as two to three-story construction, a building (active dining patio) that extends to the front and side property lines, outdoor café, stepped back design, intense commercial activity, and visual linkages between existing buildings. The proposed reuse of the property would be consistent with redevelopment goals to leverage private reinvestment in the Tank House property with the objective of generating increased business license, sales, and transient occupancy taxes.

However, Alternative 4 would be inconsistent with General Plan Urban Design Policy 2.1 to preserve and protect scenic resources and elements in and around Davis, including resources reflective of place and history. Demolition of the Tank House would be inconsistent with the General Plan standard to utilize the *Secretary's Standards* for the treatment of historic properties. This alternative would also remove the orange trees and open space surrounding the Mansion, although it would protect the Varsity Theater's neon marquee and rounded stucco fin wall and provide a greater set back from the Mansion. The Core Area Strategy Report and Five-Year Action Plan specifically identifies the need to encourage sensitive adaptive reuse and protect existing historic buildings from demolition or insensitive remodeling. Alternative 4 would be **inconsistent** with key conservation goals and policies to protect historic resources in the Downtown Core.

- A5 Alternative 5 would disassemble, reassemble/rehabilitate the Tank House in a location just northwest of its current site, adding a greenhouse-type structure along the Varsity wall connected to the Tank House by an enclosed access. This alternative would add a substantial and visually prominent addition to what is a rather small historic structure, inconsistent with the *Secretary's Standards* that additions should be smaller than the historic building and largely confined to the rear – or at least not impinge on the primary façade (see Chapter 5.2). Alternative 5 would preserve five orange trees on the site and some of the open space. However, although increased building setbacks would avoid impacts to the Varsity Theater's fin wall or neon marquee, the Tank House would be relocated less than seven feet from the Mansion's bow window.

This alternative would provide a ground floor coffee house and outdoor dining patio, thus encouraging pedestrian activity and day and evening use to support the Varsity Theater and adjacent commercial uses. This alternative does not meet design goals to intensify downtown development with two to three-story construction and stepped back design, but would provide café seating up against the sidewalk. The proposed reuse of the property would be potentially consistent with redevelopment goals to leverage private reinvestment in the Tank House property with the objective of generating increased business license, sales, and transient occupancy taxes, if the alternative is determined to be financially feasible. Alternative 5 would be **generally inconsistent** with the *Secretary's Standards* and with most Downtown Core goals and polices.

- A6 The Core Area Strategy and Five Year Action Plan specifically identifies the need to locate a visitor's center downtown, and encourage sensitive adaptive reuse and protect existing historic buildings from demolition or insensitive remodeling. Alternative 6 would rehabilitate the Tank House consistent with the *Secretary's Standards* for potential public use as a visitor information kiosk or private commercial use, and would preserve the orange trees and open space, and historic context of the Mansion.

However, Alternative 6 does not meet design goals to intensify downtown development with two to three-story construction, buildings that extend to the front and side property lines, and stepped back design, or provide ground floor retail/café uses. The proposed reuse of the property would likely be a public use inconsistent with redevelopment goals to leverage private reinvestment in the Tank House property with the objective of generating increased business license, sales, and transient occupancy taxes. Alternative 6 would be **generally inconsistent** with most adopted goals and polices for the downtown commercial core regarding mixed uses and intensification of uses, although **consistent** with key preservation and open space goals and policies.

Mitigation Measures

Not applicable to findings of consistency

Impact 5.1-2: Impacts on the Downtown Core Commercial Area visual context

The desired general scale and character of the Core Area, and examples of streetscape elements, are identified in the Davis General Plan and CASP. Designs that are urban in character are encouraged in the Commercial Core. Such designs include, but are not limited to, buildings that extend to the front and side property lines, buildings that provide a feeling of permanence and durability, buildings with outdoor cafés and plazas, and designs that provide a harmonious intermingling with older architectural styles. Pedestrian-oriented design is encouraged in the allocation of space, building size, and placement; site enhancement; open space design; connection to pedestrian/bikeways; and site amenities. Buildings of historic value and other structures that contribute to the traditional character of Davis should be maintained in active service, whenever feasible.

Table 5.1-2 identifies how the Proposed Project and each alternative specifically meet each aspect of the Design Guidelines.

**TABLE 5.1-2
COMPARISON OF PROJECT AND ALTERNATIVES WITH THE DOWNTOWN CORE COMMERCIAL
DESIGN GUIDELINES**

<u>Applicable Standard</u>	<u>PP</u>	<u>A1</u>	<u>A2</u>	<u>A3</u>	<u>A4</u>	<u>A5¹</u>	<u>A6</u>
<u>Site Design Guidelines</u>							
<u>A. Align a building's front at the sidewalk edge</u>							
<ul style="list-style-type: none"> • <u>A minimum of 75% of the front of a building shall have a zero front setback.</u> 	Y	n/a	Y	Y	Y	N	n/a
<ul style="list-style-type: none"> • <u>Primary building facades should be parallel to the front property line except where significant vistas are desired to be maintained.</u> 	Y	Y	Y	Y	Y	Y	Y
<ul style="list-style-type: none"> • <u>Where portions of a building are set back from the sidewalk, the areas must be treated as a plaza or courtyard (see Outdoor Spaces, below, for more detail).</u> 	Y	Y	Y	Y	Y	Y	Y
<ul style="list-style-type: none"> • <u>Avoid outdoor spaces that are inappropriately scaled for their use or</u> 	Y	Y	Y	Y	Y	Y	Y
<ul style="list-style-type: none"> • <u>[Avoid outdoor spaces that]...result in unusable space between buildings.</u> 	Y	n/a	Y	Y	Y	P	Y
<u>B. Develop the ground floor level of a building to encourage pedestrian activity</u>							
<ul style="list-style-type: none"> • <u>The linear frontage of a commercial building shall incorporate pedestrian oriented elements such as:</u> <ul style="list-style-type: none"> • <u>A storefront with transparent display windows or display cases</u> • <u>Outdoor dining areas</u> • <u>Public art</u> • <u>Canopies/Awnings/ Trellises</u> • <u>Landscaping, shade trees, and benches</u> • <u>A blank wall or vacant lot appearance is inappropriate</u> 	Y	N	Y	Y	Y	Y	Y
<u>Building Mass and Scale</u>							
<u>A. New buildings should respect the traditional height of buildings while establishing a pattern for more efficient land use</u>							
<ul style="list-style-type: none"> • <u>New buildings should be predominantly two and three-stories in height.</u> 	P	n/a	P	Y	Y	N	n/a
<u>B. A new building should be divided into "modules" that appear similar in scale to buildings seen traditionally</u>							
<ul style="list-style-type: none"> • <u>Most buildings were constructed in 25-foot wide increments. New buildings should reflect this pattern.</u> • <u>A clear visual division between street level and upper floors should be incorporated through the change of materials, colors, and/or canopies and awnings.</u> 	Y	n/a	Y	Y	Y	N	n/a
<u>C. Floor-to-floor heights should appear to be similar to those seen traditionally</u>							
<ul style="list-style-type: none"> • <u>First floor windows shall be a minimum of 10 feet in height.</u> • <u>Upper floor windows shall be divided into individual units and not consist of a "ribbon" of glass.</u> 	Y	n/a	Y	Y	Y	N	n/a

5.1 LAND USE AND AESTHETICS

Applicable Standard	PP	A1	A2	A3	A4	A5¹	A6
<ul style="list-style-type: none"> Primary upper floor windows should have a taller vertical dimension. 							
Building Form and Roofline							
<p>1. Simple rectangular building forms with horizontal roof planes should predominate.</p> <p>A. Simple rectangular volumes are preferred</p> <ul style="list-style-type: none"> New buildings and additions should be designed with simple rectangular volumes. Cylindrical, pyramidal, and other elaborate building forms are inappropriate. 	Y	n/a	Y	Y	Y	N	n/a
<p>1. Simple rectangular building forms with horizontal roof planes should predominate.</p> <p>B. Horizontal roof forms should predominate and be screened by extensions of the building wall planes</p> <ul style="list-style-type: none"> Parapet walls should be used for screening flat roofs and be detailed with elements such as cornices to define the building roofline. 	Y	n/a	Y	Y	Y	N	n/a
Building Entrances							
<p>A. Orient the primary entrances to the sidewalk and primary pedestrian ways</p> <ul style="list-style-type: none"> Primary entrances to ground floor spaces and upper stories should be oriented to the sidewalk and primary pedestrian ways. If a courtyard is incorporated in the design, an entrance may also open onto it. 	Y	n/a	Y	Y	Y	Y	n/a
<p>B. Clearly identify the primary entrance</p> <ul style="list-style-type: none"> Use an awning, change in roofline, or other architectural feature to define the entry. Special paving treatments may be used to enhance the entry. 	Y	n/a	Y	Y	Y	N	n/a
<p>C. Recessed entries should be retained and encouraged in new storefront construction</p> <ul style="list-style-type: none"> Storefront entries should be recessed to emphasize the entrance, increase window display area, and provide a sheltered transition to the interior of the store. 	Y	n/a	Y	Y	Y	Y	n/a
Architectural Features							
A. Buildings should be designed to incorporate awnings	N	n/a	N	N	N	N	n/a
B. A fixed canopy and trellis supported with posts may be used where enhanced weather protection is desired	N	n/a	N	N	N	N	n/a
Building Materials and Color							
<p>A. Use the highest quality materials on exposed exterior surfaces such as brick, metal, stone, terra cotta, wood, tile and stucco</p> <ul style="list-style-type: none"> Innovative or "green" materials are encouraged provided they appear similar in quality, texture, finish and dimension to those used traditionally in the neighborhood. 	Y	n/a	Y	Y	Y	Y	n/a
B. Simple material finishes are encouraged	Y	n/a	Y	Y	Y	Y	n/a

<u>Applicable Standard</u>	<u>PP</u>	<u>A1</u>	<u>A2</u>	<u>A3</u>	<u>A4</u>	<u>A5¹</u>	<u>A6</u>
<ul style="list-style-type: none"> • <u>Matte finishes are preferred.</u> • <u>Polished stone or ceramic tile, for example should be avoided or limited to accent elements.</u> • <u>Reflective or mirror glass is inappropriate</u> 							
<u>C. Building colors should evoke a sense of richness and liveliness to complement and support the overall character of the commercial district</u>	<u>Y</u>	<u>n/a</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>n/a</u>
<u>Outdoor Spaces</u>							
<u>A. A variety of outdoor spaces may be considered</u>							
<ul style="list-style-type: none"> • <u>A courtyard at sidewalk level, set in line with the building front.</u> • <u>Upper-level decks, balconies, and rooftop gardens are encouraged as private open space.</u> 	<u>Y</u>	<u>n/a</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
<u>B. Courtyards are encouraged as places for outdoor commercial activities</u>							
<ul style="list-style-type: none"> • <u>No more than 25% of a new commercial storefront building should be set back for a courtyard.</u> 	<u>Y</u>	<u>n/a</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>P</u>	<u>n/a</u>
<ul style="list-style-type: none"> • <u>Consider environmental conditions such as sun, shade, and prevailing winds when positioning courtyards and outdoor seating areas.</u> 	<u>Y</u>	<u>n/a</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>
<ul style="list-style-type: none"> • <u>Trees, trellises, or similar shade elements to be designed into a courtyard are encouraged.</u> 	<u>Y</u>	<u>n/a</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>

¹ Alternative 5 would construct a structure of very different materials and character in the space between the Varsity Theater and the Mansion, and would physically and visually connect the Tank House to the Varsity Theater with which it has no historical relationship. Because it fails to meet the *Secretary's Standards*, this Alternative is assessed in this table as a new commercial development, rather than an adaptive reuse of the Tank House.

PP The Proposed Project would substantially alter and intensify development of the project site. Although infill use of the Tank House site would alter the historic open space between the Mansion and the Varsity Theater (see historic impact discussion in Chapter 5.2), this would not constitute a substantial change in the visual context of the Downtown Core Commercial area.

The Proposed Project would construct a rear wall that is 31 feet 6 inches in height on the back property line. This would result in the bay window for the second story restaurant facing a wall approximately 9.5 feet away. The restaurant that looks out onto the Tank House area has two windows that look out from the kitchen area as well as the four windows on the bay window that look out from a dining / bar area. Sufficient air and light space would be legally provided, but existing views would be of the three story brick building rather than orange trees and the Tank House. Customers leaving Mansion Square and walking towards 2nd Street would experience a relatively narrow walkway for approximately 20 feet, until the building steps back opening up to patio seating. Although not a significant impact per CEQA standards of significance, this would negatively affect current views from the Mansion Square restaurant.

The original context of the Mansion has changed over time with the construction of the Varsity Theater in 1950, construction of the downtown retail network in the 1960s, and construction of the Mansion Square complex in 1979. The City designates this area of

Davis for the most intense infill development in the City, promoting two to three-story buildings with ground floor retail or restaurant uses facing Primary Shopping and Principle Pedestrian Connection streets. Blocks surrounding the project site contain two to three-story commercial buildings that are generally abutting or closely aligned to each other. Visually, the streetscape would read as one of closely abutting buildings lined up side-by-side in a continuous commercial row, consistent with the Downtown Core Commercial area. The proposed building would be slightly shorter than the Theater, although taller than the Mansion, and would provide architectural linkages to the adjacent Landmark buildings. As a retail corridor, the Proposed Project would infill the commercial streetscape, providing ground floor café uses with storefront windows and patio uses along the sidewalk edge, consistent with adopted plans and policies. Although the Proposed Project would demolish the Tank House and orange trees, and impact character-defining features of the Landmark Varsity Theater, the increased restaurant activity would support the viability and active use of the adjacent Landmark buildings, and be consistent with the commercial context. Open space would be integrated as described in CASP Section 4.2(d), via patio dining and the third floor deck. This would result in a **less-than-significant impact** on the Downtown Core Commercial visual context.

- A1 The No Project Alternative would stabilize the Tank House in situ and result in no change in the current visual context of the site.
- A2 Alternative 2 would substantially alter and intensify development of the project site. This alternative would construct a three-story building identical to the Proposed Project but would reassemble and rehabilitate the Tank House to the west of the Mansion. This Alternative would result in effects similar to the Proposed Project, discussed above. Relocation and rehabilitation of the Tank House on the west side of the Mansion would further fill in the “row” streetscape context, consistent with the surrounding commercial area. This would result in a **less-than-significant impact** on the Downtown Core Commercial visual context.
- A3 Alternative 3 would construct a two-story commercial building with a ground floor café and second floor office, and would reassemble and rehabilitate the Tank House to the west of the Mansion. This Alternative would substantially alter and intensify development of the project site, and result in effects similar to the Proposed Project, discussed above. The rear wall would be 30 feet to the top of the parapet at the back property line, resulting in a similar view from the Mansion Square restaurant windows; however, the this alternative would reduce the length of wall by increasing the side yard set back by four feet, and providing a walkway width equal to the setback of Mansion Square. The proposed building would be stepped back, appearing slightly shorter than the Theater and the Mansion, with architectural linkages to the adjacent Landmark buildings. The dining patio setback would maintain commercial activity at the sidewalk’s edge, while maintaining visibility of the Varsity’s fin wall and neon marquee. Within the retail corridor, Alternative 3 would infill the commercial streetscape, providing ground floor café uses with storefront windows and a patio along the sidewalk edge, consistent with adopted plans and policies. Open space would be integrated as described in CASP Section 4.2(d), via patio dining and the second floor deck. Increased setback from the Mansion would provide adequate separation from the Mansion and Tank House, maintaining a sense of separation from the commercial buildings on the block, while further filling in the commercial storefront context consistent with the surrounding commercial area. Relocation and rehabilitation of the Tank House on the west side of

- the Mansion would further fill in the “row” streetscape context, consistent with the surrounding commercial area. This would result in a ***less-than-significant impact*** on the Downtown Core Commercial visual context.
- A4 Alternative 4 would alter and intensify development of the project site, and result in effects similar to A3, discussed above. This alternative would construct a two-story commercial building with a ground floor café and second floor office, and would demolish the Tank House. The proposed building would be stepped back, appearing slightly shorter than the Theater and the Mansion, with architectural linkages to the adjacent Landmark buildings. Within the retail corridor, Alternative 4 would provide ground floor café uses with storefront windows and a patio along the sidewalk edge, consistent with adopted plans and policies. Increased setback from the Mansion would provide adequate separation from the Mansion and Tank House, maintaining a sense of separation from the commercial buildings on the block, while further filling in the commercial storefront context consistent with the surrounding commercial area. This would result in a ***less-than-significant impact*** on the Downtown Core Commercial visual context.
- A5 Alternative 5 would alter and intensify development of the project site, by relocating and reusing the Tank House as a coffee house with interior access to a new greenhouse-type seating area along the Varsity wall. The greenhouse-type addition would be a single story, with glass walls and doors opening onto the patio. Four orange trees would be preserved on the front patio, and one at the back. Alternative 5 would construct the greenhouse structure to the rear property line, but would provide a 13 foot rear yard setback from Mansion Square at the Tank House and access way. The Tank House would be moved to the side property line, where the walkway to Mansion Square would narrow to 7.5 feet at the Mansion’s bay window. This would open up views from the Mansion Square windows, but would narrow the walkway for customers between 2nd Street and Mansion Square. The relocation of the Tank House would actually result in less visibility of the Mansion Square project from 2nd Street.
- The City designates this area of Davis for the most intense infill development in the City, promoting two to three-story buildings with ground floor retail or restaurant uses facing Primary Shopping and Principle Pedestrian Connection streets. Blocks surrounding the project site contain two to three-story commercial buildings that generally abut or closely align with each other. Visually, Alternative 5 would result in a streetscape with a less intense commercial feel. However, because Alternative 5 would maintain the Tank House in active service and provide some street level pedestrian activity, it would result in a ***less-than-significant impact*** on the Downtown Core Commercial visual context.
- A6 Alternative 6 would rehabilitate the Tank House in situ and provide for some public or commercial use. This would not change the site to meet adopted goals and objectives for the Downtown Core, but would also not result in a visual change on the site other than to remove existing blight and provide some daytime activity. Alternative 6 would have a ***less-than-significant impact*** on the Downtown Core Commercial visual context.

Mitigation Measure

None required

Impact 5.1-3: Inconsistency with design guidelines and incompatibility of materials and design with the immediate context

Both Second and E streets are Primary Shopping and Principle Pedestrian Connection streets, and the adjacent Varsity Theater is an existing Anchor Attraction. Because primary retail streets should have the highest foot traffic and greatest continuity in storefront commercial uses, infill must be built to the front lot line and at least 75% of a building's frontage should be used for retail storefront with transparent storefronts. The primary portion of any new building should not exceed 45 feet in height.

The Proposed Project and Alternatives 2, 3, and 4 would share similar architectural detailing. Doors would be all wood mahogany commercial doors with tempered glass, clear, double pane, with a height of 7 to 8 feet. The exterior walls would be faced with bricks in a Sierra Slate color with a running bond pattern. Dimensions of the visible portion of the brick face would be 2.5 inches x 8 inches; dimensions of the traditional brick would be 2.5 inches x 3.75 inches x 8 inches. Grout would be concave and tinted to a lighter brown color than the brick brown. Windows would be aluminum-clad wood, bronze color, with a Columbus cladding profile. The original brick already present at the site would be reused for any patio areas. Tiles decorated with orange tree motifs would be used on the walls of the building.

The design guidelines provide wide latitude in the design of infill buildings. However, the location of this project, between two downtown Landmark buildings, makes this project particularly sensitive. Set-back and materials should be given particular attention to avoid the new building detracting from or overshadowing the adjacent historic buildings. Massing and form should not out-scale the historic buildings.

PP The Proposed Project would provide a three-story commercial infill building, 33 feet in height and approximately 25 feet wide at the street, with café uses along 100% of the building frontage and office uses above; building setbacks are used for outdoor dining uses. A clear visual division between street level and upper floors is incorporated through a change of materials, colors, and a balcony. Floor-to-floor heights are similar to the Mansion and upper floor windows are divided into individual units with a taller vertical dimension. The building is a simple rectangular building form with horizontal roof planes and decorative parapet walls. The building entrance is oriented towards the outdoor dining courtyard and walkway between Second Street and Mansion Square; however, there are no visible architectural features to provide weather protection and highlight building features and entries. A 7-foot setback would be provided between the Mansion's side bow window and the new building, providing minimal visual access to Mansion Square behind the parcel. Building materials include red clay brick, considered a suitable building material for historically sensitive sites that combine structures from different time periods.

The new building respects the traditional height of adjacent buildings while establishing a pattern for more efficient land use, although from street level the new building appears taller than the Mansion. While the same height as the roof peak of the Mansion, the roof parapet exceeds the height of the Mansion's parapet. The overall design detail is compatible with the Varsity and the Mansion, but the two-story massing at the sidewalk edge with the recessed third-story balcony detracts from and overshadows the Theater's façade and the Mansion's graceful lines. The minimal side yard setback also intrudes into the open space surrounding the Mansion. In addition, the proposed building is insensitive to the character defining architectural features of the Varsity Theater,

blocking both the fin wall and neon marquee. While the Proposed Project meets the letter of the Downtown Core design guidelines, it does not “harmoniously intermingle” with the adjacent Landmark Structures to the east and west, constructs a building within 7 feet of the Mansion’s bow window, and demolishes the Tank House and orange trees that make up part of the historic residential setting. Therefore, the Proposed Project would result in an incompatible design, and have a **significant impact** on the immediate visual context.

- A1 The No Project Alternative would stabilize the Tank House in situ and preserve the orange trees on site. There would be no change in materials and design within the immediate context. This would be a **less-than-significant impact**.
- A2 Alternative 2 would be identical to the Proposed Project, except for the rehabilitation of the Tank House. The Tank House would be rehabilitated on the west side of the Mansion, consistent with the *Secretary’s Standards*. Although part of the historic fabric of the complex, the Tank House lacks the detail and significance of the Mansion. The Tank House would be reassembled and rehabilitated on a level with the Mansion’s porch/entry, behind the front bow window. It would be set back 16 inches from the front corner to feature the quoins on the Mansion corner, meanwhile keeping it as far as possible back from the window down the wall. The west façade of the Mansion has a large unfenestrated wall of approximately 18 feet; locating the Tank House adjacent to this blank wall would not block any salient architectural features, nor block views from the window. There is a substantial old Myrtle growing at the base of the west wall. It currently obscures visibility of a large portion of the west façade and would need to be removed to accommodate the Tank House; no configurations for the Tank House on the west side of the Mansion can preserve the Myrtle (see Appendix C). Although the Myrtle is an attractive feature of the site, it is not a designated Landmark Tree or Tree of Significance. Locating the Tank House any further back or any further west would obstruct the primary diagonal pedestrian access to Mansion Square and views from the Mansion window.

While Alternative 2 would meet the letter of the Downtown Core design guidelines and preserve the Tank House in context with the Mansion, the new construction does not “harmoniously intermingle” with the adjacent Landmark Structures. As noted for the Proposed Project, Alternative 2 would overshadow the Mansion, block character-defining features of the Varsity Theater, and remove the historic Landmark Trees and open space around the Mansion. Therefore, Alternative 2 would have a **significant impact** on the immediate visual context.

- A3 Alternative 3 would provide a two-story commercial infill building, 27.5 feet in height at the front parapet and approximately 32 feet wide at the street, with café uses along 100% of the building frontage and office uses above; building setbacks are used for outdoor dining uses. A clear visual division between street level and upper floors is incorporated through a change of materials, colors, and a balcony. Floor-to-floor heights are similar to the Mansion and upper floor windows are divided into individual units. The building is a simple rectangular building form with horizontal roof planes and decorative parapet walls. The building entrance is oriented towards the front, with architectural features to highlight building features and entries. An 11-foot setback would be provided between the Mansion’s side bow window and the new building, improving the visual and pedestrian access to the Mansion Square complex to the

south. Building materials include red clay brick, considered a suitable building material for historically sensitive sites that combine structures from different time periods.

Alternative 3 respects the traditional height of the adjacent Landmark buildings while establishing a pattern for more efficient land use, providing a two-story infill building without overshadowing either adjacent building. This alternative is sensitive to the character-defining architectural features of the Varsity Theater, providing patio seating along the sidewalk edge back from the fin wall, and stepping back the second floor balcony and roofline to ensure visibility of the neon marquee and providing private open space. Alternative 3 meets the letter of the Downtown Core design guidelines, and although there is a loss of the orange trees and existing open space around the Mansion, overall the new construction “harmoniously intermingles” with the adjacent Landmark buildings to the east and west. It also incorporates the Tank House in context with the Mansion on the west side of the property, as described for the Proposed Project, above. Therefore, Alternative 3 would have a **less-than-significant impact** on the immediate visual context.

A4 The effects of Alternative 4 would be identical to Alternative 3, except that this alternative would demolish the Tank House. Although the Tank House is a significant historic feature, it is visually obscured on the site by existing trees. Alternative 4 meets the letter of the Downtown Core design guidelines as noted above for Alternative 3. Although there is a loss of the orange trees and existing open space around the Mansion, overall the new construction “harmoniously intermingles” with the adjacent Landmark Structures to the east and west. Therefore, Alternative 4 would have a **less-than-significant impact** on the immediate visual context.

A5 Alternative 5 would maintain 5 of 10 remaining trees in the orange grove planted by the ~~second~~ eighth owner of the Mansion, and maintain some of the open space around the Mansion. This alternative would reassemble the Tank House 6 feet 9½ inches feet from the Mansion’s bow window, diminishing the visual connection to Mansion Square complex to the south. Alternative 5 would provide an adaptive reuse of the Tank House, with a one-story, sloped roof greenhouse-type structure attached via a short passage way with a flat roof. The building entrance would be oriented towards a courtyard and walkway between Second Street and Mansion Square. Except for the courtyard, there is no consistency with the Design Guidelines. Furthermore, the greenhouse-like addition would add a substantial and highly visible addition to what is a rather small but significant historic structure that is a contributor to a National Register property, which would be inconsistent with the *Secretary’s Standards*. Rooflines would be incompatible with adjacent buildings.

Alternative 5 would fail to meet the *Secretary’s Standards* in the treatment of the Tank House, and would construct an alternative that does not comply with many of the Downtown Core Commercial Design Guidelines. Although Alternative 5 would maintain more of the existing open space context around the Mansion, the materials and design would be incompatible with the Tank House and the adjacent Landmark buildings, and it would result in a **significant impact** on the immediate context.

A6 Alternative 6 would disassemble/reassemble and rehabilitate the Tank House in situ and preserve the orange trees on site, in the existing context. This would be a **less-than-significant impact** on the immediate context.

Mitigation Measures

PP, A2, A5: No mitigation other than an alternative building design would provide compliance with the design guidelines and mitigate impacts to the immediate historic context of the site.

A1, A3, A4, A6: Less than significant

Significance after Mitigation

The impact remains **significant and unavoidable** for the Proposed Project and Alternatives 2 and 5.

Impact 5.1-4: Impact on Landmark Trees and Trees of Significance

CASP 4.2 Streetscape Policies-Aesthetic Elements, Section 4.2(c) Landscape and Plazas, notes that City's Landmark Trees and Trees of Significance lists are incorporated by reference into the CASP, as well as the list of Designated Historical Resources. Landmark Trees must be preserved to the greatest extent possible. Trees of Significance and significant other trees must be retained whenever possible. Although the orange trees on the site have apparently never been official designated Landmark trees, they are eligible for list both for their age and their relationship to a National Register property.

- PP The Proposed Project would remove 10 orange trees remaining in the residual orange grove planted by the ~~second~~ eighth owner of the Mansion. These trees are eligible for listing as Landmark Trees. Removal of these trees is a **significant impact**.
- A1 The No Project Alternative would stabilize the Tank House in situ and preserve the orange trees on site. This would be a **less-than-significant impact**.
- A2 Alternative 2 would remove 10 orange trees remaining in the residual orange grove planted by the ~~second~~ eighth owner of the Mansion. These trees are eligible for listing as Landmark Trees. Removal of these trees is a **significant impact**.
- A3 Alternative 3 would remove 10 orange trees remaining in the residual orange grove planted by the ~~second~~ eighth owner of the Mansion. These trees are eligible for listing as Landmark Trees. Removal of these trees is a **significant impact**.
- A4 Alternative 4 would remove 10 orange trees remaining in the residual orange grove planted by the ~~second~~ eighth owner of the Mansion. These trees are eligible for listing as Landmark Trees. Removal of these trees is a **significant impact**.
- A5 Alternative 5 would remove 5 of 10 orange trees remaining in the residual orange grove planted by the ~~second~~ eighth owner of the Mansion. These trees are eligible for listing as Landmark Trees. Removal of these trees is a **significant impact**.
- A6 Alternative 6 would disassemble/reassemble and rehabilitate the Tank House in situ and preserve the orange trees on site. This would be a **less-than-significant impact**.

Mitigation Measures

A1 and A6: None required

5.1 LAND USE AND AESTHETICS

PP, A2, A3, A4~~3~~ and A5: There are no mitigation measures beyond redesigning any new construction around the orange trees.

Significance after Mitigation

The impact remains **significant and unavoidable** for the Proposed Project and Alternatives 2, 3, 4, and 5.