

RESOLUTION NO. 18-192, SERIES 2018

**RESOLUTION TO REVISE AND UPDATE THE FINAL PLANNED DEVELOPMENT,
NEIGHBORHOOD DESIGN GUIDELINES, AND AFFORDABLE HOUSING PLAN
FOR THE CANNERY PROJECT**

WHEREAS, the planning entitlements for development of The Cannery Project, including the Final Planned Development (FPD), Affordable Housing Plan, and Neighborhood Design Guidelines, were approved by the City Council of the City of Davis in December 2013 and approved the use of the property for a mix of residential and non-residential uses, with parks, greenbelts, and a community farm; and

WHEREAS, the planning entitlements for development of Cannery Village Marketplace in Subarea I (Neighborhood Mixed-Use Commercial District) and revisions to The Cannery Project entitlements and documents related to additional units and development of the stacked flat condominiums in Subarea G (The University Flats) and the Cannery Village Marketplace development were approved by the Planning Commission on May 18, 2016 and the City Council on June 21, 2016; and

WHEREAS, under the approved Final Planned Development (FPD) for The Cannery, up to 36 residential units are allowed within Subarea I, the Neighborhood Mixed Use site. Further, the Cannery Neighborhood Design Guidelines provide that no structure shall exceed two stories or 45 feet in height on the west side; and

WHEREAS, in order to respond to market conditions, the City received a proposal for adjustments to West Block of the approved Cannery Village Marketplace Project located in Subarea I (Neighborhood Mixed-Use Commercial District) of The Cannery Project that would increase the number of apartment units on the West Block from 36 to 84 units in three-story apartment buildings and other site adjustments. It would increase total building square footage on the West Block of the Cannery Village Marketplace site from 87,900 square feet to 111,200 square feet. It includes revisions and updates to the final planned development, neighborhood design guidelines and affordable housing plan for the Cannery Project to reflect the adjusted unit numbers, square footage and 48-foot height of the apartment buildings; and

WHEREAS, in order to respond to market conditions and provide a greater range of housing options, the City received a request to revise and update the final planned development, neighborhood design guidelines and affordable housing plan for the Cannery Project relative to Subarea I (Neighborhood Mixed-Use Commercial District). The revisions would reflect the increase in the number of apartment units on the site from 36 to 84 units, which represents a net increase of 48 units compared to The Cannery Village Marketplace Project as approved, an increase in allowable height from 45 feet to 48 feet for the three-story apartment buildings, and an increase in the total building square footage on the West Block of the Cannery Village Marketplace site from 87,900 square feet to 111,200 square feet, and other site adjustments; and

WHEREAS, the Cannery Project provides a total of 82 affordable units which exceeds their affordable housing requirement of 65 units by 17 affordable units, consistent with the Affordable Housing Plan and the proposal would update the unit counts and requirements in the Affordable Housing Plan Project Individualized Plan for the Cannery Project to account for the 48 additional units which are subject to affordable requirements and increase the affordable requirement by 17 units to a total of 82 units; and

WHEREAS, the project would provide the equivalent of two affordable units through in lieu affordable housing fees and result in a total 84 affordable units in the Cannery Project, which would exceed the requirements of the Cannery Project Affordable Housing Plan and would be reflected in the updated document; and

WHEREAS, the Environmental Impact Report (SCH 2012032022), as certified by Resolution No. 13-159, and the Mitigation Monitoring and Reporting Program were adopted by the City Council on November 19, 2013 for The Cannery Project and adequately evaluated the environmental impacts; and

WHEREAS, an Addendum to the previously certified EIR for the Cannery Project has been prepared pursuant to CEQA Guidelines Section 15164 for the proposed project and demonstrates that the circumstances, impacts, and mitigation requirements identified in the EIR remain substantively applicable to the revisions to The Cannery Project, and supports the finding that the proposed revisions do not raise any new issues or exceed the level of impacts identified in the EIR or significantly alter its analysis and that none of the conditions described in Section 15162 requiring preparation of a subsequent EIR apply, and thus an Addendum is appropriate; and

WHEREAS, the Planning Commission held a duly noticed public hearing on January 24, 2018 to receive comments and consider the revisions and voted 5-2 to recommend approval of the project; and

WHEREAS, the City Council held a duly noticed public hearing on November 13, 2018 on the proposed revisions, during which public hearing the City Council received comments from the Developer, City staff, and members of the general public.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Davis does hereby find and determine as follows:

1. The proposed revisions are consistent with the objectives of the General Plan, comply with applicable Zoning regulations, and are consistent with any adopted design guidelines for the district within which the project is located.
2. The Environmental Impact Report (SCH 2012032022), as certified by Resolution No. 13-159, and the Mitigation Monitoring and Reporting Program were adopted by the City Council on November 19, 2013 for The Cannery Project and adequately evaluated the environmental impacts; and an Addendum to the Cannery EIR has been prepared for the revisions to The Cannery Project in accordance with CEQA Guidelines Section 15164 which demonstrates that the circumstances, impacts, and mitigation requirements identified in The Cannery EIR remain substantively applicable to the revised project and

provides the appropriate evidence, analysis and conclusions to demonstrate that none of the conditions of Section 15162 calling for preparation of a subsequent EIR have occurred, and thus an Addendum to the EIR is appropriate

3. The developer can commence construction within can commence construction in a timely manner and intends to complete the construction within a reasonable timeframe.
4. The proposed revisions will have no adverse impact upon the owners of surrounding properties. The privacy of adjacent property owners and tenants is sufficiently protected; the height of the building and the setbacks are appropriate for the location and uses and would be in scale with nearby buildings and uses, and provide adequate setback from property lines, public streets, and adjoining uses.
5. With the proposed revisions, the development will still constitutes a residential environment of sustained desirability and stability in harmony with the character of the surrounding neighborhood with facilities and open space adequate to serve the anticipated population.
6. The auto, bicycle and pedestrian traffic system is adequately designed to meet anticipated traffic and is designed to provide the minimum amount of interference with each other. Existing road infrastructure, bicycle lanes, and sidewalks are adequate to serve the project and are designed to minimize conflicts. On-site circulation and pathways are clearly identified.
7. With the proposed revisions, the architecture, site design, and landscape will still be suitable for the purposes of the buildings and the sites and will enhance the character of the neighborhood and community.
8. The architectural design of the proposed project is compatible with the existing properties and anticipated future developments within the neighborhood in terms of such elements as height, mass, scale and proportion and will be subject to applicable design guidelines.
9. The proposed revisions will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation, in that the project does not create excessive traffic which will degrade existing levels of service upon the local streets, does not create additional hazards to bicyclists or pedestrians using the sidewalks, and provides adequate access, circulation, parking for vehicles, bicycles, and pedestrians.
10. The proposed revisions will not impact the appropriate use of construction materials or methods for the location, climate, and environmental conditions of the site.

BE IT FURTHER RESOLVED, that the applicable tables and figures for The Cannery Final Planned Development and Neighborhood Design Guidelines, and the Affordable Housing Plan, are hereby amended, to incorporate and reflect the updated number of units, the amount of building square footage, and increased building height related to revisions to the proposed

development in the Neighborhood Mixed Use District (Subarea I) as approved by the City Council and as provided in the Addendum to the Affordable Housing Plan attached hereto.

PASSED AND ADOPTED by the City Council of the City of Davis on this 13th day of November, 2018, by the following vote:

AYES: Arnold, Carson, Frerichs, Partida, Lee

NOES: None



Brett Lee
Mayor

ATTEST:



Zoe S. Mirabile, CMC
City Clerk

**Addendum to
The Cannery Affordable Housing Plan
Project Individualized Plan
(November 2018)**

The Cannery Affordable Housing Plan Project Individualized Plan was adopted by the City of Davis as part of the approval of the Cannery Development Agreement. Revisions to the Cannery Project in 2016 affecting the Cannery's Affordable Housing Plan resulted in an update to the Cannery Affordable Housing Plan. See the Cannery Affordable Housing Plan, revised June 13, 2016.

This Addendum to the Cannery Affordable Housing Plan Project Individualized Plan addresses additional revisions to the Cannery Project relative to the Project's affordable housing requirement. This Addendum reflects the change in affordable housing requirements and provisions resulting from the increase in multi-family units permitted in the Cannery Village Marketplace in the Mixed-Use Commercial District.

Consistent with the Cannery Affordable Housing Plan (revised June 13, 2016) and the City's Affordable Housing Ordinance (18.05 of the Municipal Code), the revised Cannery Project is required to provide a total of 82 affordable housing units, based on the updated table below from page 3 of the Cannery Affordable Housing Plan.

Affordable Housing Requirement

Housing Area	Unit Type	Lot Sizes	Total Units	Affordable Housing Requirement	
				Percentage	Units
The Park Homes	SF detached	>5,000'	45	25%	11.25
The Park Homes	SF detached	50-55'x90' (4,950 sf)	42	15%	6.3
Cannery Village	SF detached	>5,000'	5	25%	1.25
Cannery Village	SF detached	45'x 105' (4,725 sf)	11	15%	1.65
The Cottages	SF detached	48'x75' (3,600 sf)	76	15%	11.4
The Bungalow Alleys	SF detached	40'x80' (3,200 sf)	44	15%	6.6
The Courts	SF detached	-	72	15%	10.8
The Brownstones	SF attached	-	72	10%	7.2
The University Flats	SF attached – stacked flat condos	-	120	0%	0
The Cannery Lofts	Apartments – affordable apts.	-	62	0%	0
Cannery Village Marketplace – Apts.	Apartments	-	72	35%	25.2
Cannery Village Marketplace – Vertical	Apartments – mixed use vertical	-	12	0%	0
Total Affordable Housing Requirement ¹ (rounded)					81.65
					82

¹ The Cannery will be consistent with the City’s Affordable Housing Ordinance (18.05 of the Municipal Code). Should ultimate unit counts vary The Cannery project’s Affordable Housing Requirement shall be increased or decreased accordingly.

Under the existing Affordable Housing Plan, the Cannery Project is providing a total of 82 affordable units. However, the equivalent of additional affordable units will be provided in the Cannery Village Marketplace Mixed-Use Commercial District. They consist of in-lieu housing fees of \$150,000 equivalent to two units. It results in 84 total affordable units in the Cannery Project, as shown in the updated table below from page 4 of the Cannery Affordable Housing Plan, and would exceed the minimum of 82 affordable units required.

The \$150,000 in-lieu affordable housing fees, equivalent to the two units at \$75,000 per unit, shall be paid to the City prior to the first certificate of occupancy of the Cannery Village Marketplace Apartments.

Affordable Housing Units Provided

Housing Area	Affordable Housing Type	Unit Type	Affordable Units
The Cannery Lofts	Land Dedication – Multi Family Apartments (Bartlett Commons)	Rental	62 Units
Cannery Village	Second Units – Cottage Units	Rental	8 Units (16 ¹ ADUs)
The Bungalow Alleys	Second Units – Above Garage	Rental	12 Units (24 ^{1,2} ADUs)
Cannery Village Marketplace	Multi Family Apartments	Rental	2 Units (2 Units In-Lieu Fee)
Total Provided			84 Units

¹ A total of 40 second units are proposed to help meet the project’s affordable obligation, which would provide a credit of 20 units towards inclusionary requirements. This represents less than 50% of the project’s total requirement.

² For each unit the Land Dedication Multi-Family Apartment final site plan yields in excess of 42 units, the Bungalow Alleys requirement for Second Units may be reduced by two units, but will not result in a reduction below 12 second units (e.g. 42 Multi Family apartments + 16 Cannery Village ADUs/2 + 24 Bungalow Alley ADUs/2 = 62 Affordable Units). An example of a footnote 2 scenario includes 45 Multi Family Apartments + 16 Cannery Village ADUs/2 + 18 Bungalow Alley ADUs/2 = 62 Affordable Units.