

## Historical Resources Management Commission: December 14, 2015 Public Hearing

### Table of Contents

Reed 12/14/15	p.3
Grote 12/11/15	p.6
Guenther 12/14/15	p.9
Stranahan 11/16/15	p.19
Leonard 11/14/15	p.20
Baumann 11/03/15	p.20
Miller 12/14/15	p.21
Hill 12/14/15	p.23
M. Burdick 10/19/15	p.25
Pichotti 10/19/15	p.26
Pearl 10/19/15	p.27
Hill 10/15/15	p.29
Reed 10/19/15	p.31
Miller 10/19/15	p.38
Wallace 10/19/15	p.40
Beeman 10/19/15	p.41
A. Berg 10/19/15	p.45
Gebhart 10/19/15	p.47
Sarnat 10/19/15	p.50
Ruiz-Duran 10/19/15	p.52
Sikes 10/19/15	p.53
Krueger 10/19/15	p.55
Mercurio 10/18/15	p.56
S. Kaltenbach 10/18/15	p.58
M. Kaltenbach 10/18/15	p.59
Will 10/18/15	p.60
T. Berg 10/16/15	p.61

R. and M. Burdick 10/14/15	p.62
Guenther 10/13/15	p.64
S. Sherman 9/22/15	p.65
J Anderson and D. Fleeman 7/21/15	p.70
Beeman 12/12/15	p.71

December 14, 2015

To: Historic Resources Management Commission (cc: Eric Lee, Robert Smith)  
From: Rhonda Reed, President Old East Davis Neighborhood Association

RE: Public comment for the December 14 HRMC hearing on the Trackside Center proposal

Dear Commissioners:

I offer the following comments in addition to my original letter of October 19, 2015, for your consideration at the December 14, 2015 Commission meeting. First, I fully concur with the specific comments submitted by Mark Grote on December 11. These are important for you to consider the existing legal, planning, and community framework for the subject parcel and proposed development there. Second, I concur with the comments submitted by Ezra Beeman with respect to the incorrect analysis in the Historical Resources Analysis Addendum of the shadow study and the impacts of diminished light to the historical structures affected by the proposed 77 foot 11 inch tall building. Please consider these comments to be incorporated into this letter by reference.

The public notice for this meeting indicates that it is a continuation from the original October 19, 2015, scheduled agenda item. City staff recommendations A and B are straight-forward and have not changed from the original notice. City Staff recommendation C, however has seemed to have changed from the original notice in October, and the language in the notice is not consistent with the Staff Report<sup>1</sup>. Regrettably, the Staff Report does not lay out clearly the analysis, logic, and recommended findings for the Commission to justify supporting the staff recommendation C.

Action:

I urge you to not support the staff recommendation to recommend support of the proposed project for the following reasons:

- A. It does not conform to the DDTRN Guidelines which are intended to conserve the overarching conditions that will protect the historic resources of Old East Davis;
- B. The historical analysis report is flawed. It fails to consider significant and unavoidable impacts to the significance criteria of Setting and Feel that would result from the proposed project. The attached photos are a simple illustration of how shading on the proposed

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<sup>1</sup> 10/19 agenda

C. Pursuant to the Municipal Code, provide advisory input on the proposed replacement project relative to compatibility with the designated historical resources within 300 feet and the DDTRN Design Guidelines.

12/14 agenda [Changed text highlighted]

C. Pursuant to the Municipal Code, provide advisory input on the proposed replacement project relative to compatibility with the designated historical resources within 300 feet, DDTRN Design Guidelines to the Planning Commission and the City Council, subject to the findings and any conditions of approval to be made part of a project approval.

12/14 Staff Report [highlighted text that is not included in agenda recommendation]

C. Pursuant to the Municipal Code, provide advisory input on the proposed replacement project relative to compatibility with the designated historical resources within 300 feet, DDTRN Design Guidelines; and recommend support of the proposed project to the Planning Commission and approval by the City Council, subject to the findings and conditions of approval to be made part of the project approval.

building itself can change the feel of an area without directly shading other structures. The report also contains errors of fact<sup>2</sup>. The addendum also concludes that the Landmark and Merit structures are notable primarily for their architecture, completely discounting the significant narrative regarding the notable Davis persons associated with these structures. This exhibits further disregard for facts.

- C. The City has not yet received a completed application for this project. There are additional studies that may be requested that would be relevant to impacts to the Setting and Feel that could affect historical resources within 300 feet.

As a final point, the record should reflect the convolutions that the Applicant and the City have inflicted on the public in this process. The public notice for this meeting indicates that it is a continuation from the original October 19, 2015, scheduled agenda item. At the October 19<sup>th</sup> meeting the Trackside Center agenda item was called for discussion, at which time the Applicant requested a continuance, stating the concern that insufficient time had been allowed for the public and the Commission to review all the materials and comments provided to the Commission on the Trackside Center agenda item. The Chair of the Commission noted that this was irregular, but granted the continuance and also graciously entertained a motion, that was carried, to re-open the public comment period. During this time I specifically asked the Commission whether the applicant would be providing additional information or response to the many comments that had been received in response to the meeting notice, particularly with the concern that this would be a recurring cycle of information submitted with limited time for review resulting in further delays. At the meeting the Commission indicated to the people present that they did not intend to receive additional information from the applicant. On November 5, 2015, I received an e-mail notice that "it has[sic] been determined by the City that the Project's Shadow Study is[sic] relevant to the HRMC Analysis." This resulted in a further delay.

As indicated in point C. above, it is difficult to make a well informed decision without all the information. I understand that planning staff do provide applicants with a checklist of the information that the City needs for a completed application. I would request that the City invest appropriate resources to consider clearly what information is needed for their advisory bodies and obtain all of the needed materials before scheduling this project on their agendas.

Thank you for the opportunity to comment on this agenda item.

Sincerely,



Rhonda J. Reed, President  
Old East Davis Neighborhood Association

Attachment

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<sup>2</sup> See Reed letter of 10/19/2015





Attachment: Photographs taken of parking structure at 4<sup>th</sup> Street and railroad tracks showing the darkened aspect of the structure from self-shading. Photos taken from corner of 4<sup>th</sup> Street and I Street, facing west-northwest using iPhone 6. Photo on the left taken at 9 am and photo on the right taken at noon on December 12, 2015.

December 11, 2015

To: Historic Resources Management Commission (cc: Eric Lee, Robert Smith)  
From: Mark Grote, Old East Davis resident  
RE: Public comment for the December 14 HRMC hearing on the Trackside Center proposal

Dear Commissioners:

I submit the following comments for your consideration as part of the HRMC hearing on the Trackside Center proposal. City staff recommendations A and B concerning the structures currently in place at 901-919 Third Street are non-controversial, in my opinion. However I strenuously object to recommendation C, that the HRMC recommend support of the proposed project to the Planning Commission and approval by the City Council. The following comments contain a brief background section, an argument against recommendation C, and a lettered list of other issues relevant to the HRMC hearing.

## **1. Background.**

City of Davis Municipal Code Article 40.13A (Downtown and Traditional Neighborhood Overlay District) regulates development at the proposed project site:

40.13A.020 Applicability.

- (a) The (DTRN) overlay district shall be applied to the area defined on the downtown and traditional residential neighborhood district map.
- (b) Wherever the guidelines for the DTRN conflict with the existing zoning standards including planned development, the more restrictive standard shall prevail. (Ord. 2066 § 1, 2001)

The project site is in Old East Davis, because it lies within the neighborhood boundaries shown on the DTRN district map. City zoning law says that, even for planned developments, the DDTRN guidelines apply to those design elements for which the guidelines impose the more restrictive standards.

Setting and feeling are terms used by the National Park Service to describe historical resources like those in Old East Davis. Setting is the physical environment of a historic property, and feeling is a property's expression of the aesthetic or historic sense of a particular period of time. Setting and feeling are two elements of the integrity of a historic area. A stated purpose of the DTRN Overlay District is to "Conserve the traditional neighborhood character, fabric and setting while guiding future development, reuse, and reinvestment." (Davis Municipal Code 40.13A.010(a))

## **2. The HRMC should not recommend support of the project as proposed.**

The violations of the DDTRN design guidelines listed in the compliance checklist (Attachment 1 of the staff report) are numerous and egregious. The proposed project conflicts with the guidelines in key areas of mass, scale and compatibility with neighborhood character (see especially the checklist sections Overview, Building Mass and Scale, Core Transition East). As described above, the guidelines were adopted to allow for development while maintaining neighborhood character. Compliance with the guidelines provides some assurance that infill and redevelopment projects will not harm the integrity of Davis' traditional neighborhoods. The proposed project is fully subject to the DDTRN design guidelines under the Municipal Code.

The proposed project would substantially degrade the integrity of Old East Davis by negatively impacting the setting and feeling of historic landmark and merit resources within 300 feet. These resources are currently owner-occupied and kept in excellent condition by residents. Their attractiveness as family homes would be diminished by close proximity to the overwhelming mass and scale of the proposed project and its secondary effects on traffic, parking and other aspects of neighborhood life. Over time, negative impacts on the setting and feeling of the resources would likely result in their loss due to neglect. These cumulative impacts would be un-mitigatable and permanent.

The report prepared for the applicant by Historical Resource Associates claims that setting is not a principal impact for consideration, because there is no formal Old East Davis historic district, and because the setting has been compromised by the presence of modern, non-historic buildings such as apartment complexes. The HRA report takes a narrow view of neighborhood impacts, in finding that the proposed project would not materially harm nearby historic resources (Attachment 3, pp. 49-50). These claims are incorrectly argued. The two- and three-story apartment complexes were already in place when the Overlay District was established, yet the city understood that, even then, Old East Davis had a "...traditional neighborhood character, fabric and setting." Regrettably, city staff did not widen the scope of the staff report to include setting. Instead they requested that the HRMC confirm "...that the proposal would not adversely impact the adjacent designated historical resources...because the proposed building would not be harmful to the surrounding historic resources." (p. 5 of the staff report) The logic of this is not clear. Given the stated purpose of the Overlay District, the HRMCs scope should include impacts on setting and feeling.

City staff's claim that the project "...can be conditioned for historic building impacts to meet all zoning requirements and applicable design guidelines..." (p. 4 of the staff report) is incorrect. The term "conditioned" suggests relatively slight modifications to the current design that preserve its general form. In the present case, conditioning is a back door to approval of an inappropriate project. The project should not be approved as proposed; rather, the city should direct the applicant to return with a proposal that complies with city zoning ordinances, planning documents and design guidelines.

### **3. Other issues relevant to the HRMC, included for completeness and accuracy.**

a) The consultant's report is ambiguous about locating the project site in Old East Davis. On p. 14 of the HRA report, the consultant locates the property in "the core downtown area of Davis", and on p. 44 the consultant writes "The western boundary of the 'Old East Neighborhood' is generally described as 'the alley parallel to I Street, one-half block east of the railroad tracks.'" This would imply that the project site is just outside the Old East Davis boundary, but it is incorrect. The western boundary of Old East Davis, determined by the DTRN district map, is the railroad tracks, and the project site is therefore in Old East Davis. Clarity on this matter is very important to the Old East Davis neighbors, as inclusion of the project site within the Old East Davis boundaries implies that the DDTRN design guidelines for the Core Transition East are unambiguously in effect. In a presentation to the Old East Davis neighbors on Aug 2, 2015, the applicant claimed incorrectly, as the consultant did, that the neighborhood boundary is "the alley parallel to I Street." It would arguably benefit the applicant not to have to comply with the DDTRN Core Transition East guidelines.

b) The compliance checklist (Attachment 1) includes the design element "Residential uses are



encouraged" (Core Transition East, Design Element D), but neglects to include the following details: "Townhouse or condominium units for ownership should be encouraged. Large three and four bedroom apartment type units are inappropriate." (p. 75, DDTRN Design Guidelines) All of the residential units of the proposed project are apartment rentals; these include six three-bedroom apartments of 1400 square feet or greater, along with smaller one- and two-bedroom apartments. This is an aspect of non-compliance not noted in the staff report.

c) The shadow analysis presented in the written consultant's report (Attachment 5) has a narrow scope-- dismissing shadowing effects of the proposed project on neighboring areas before 8AM and after 5PM. The narrow scope arguably pre-determines the finding that "...only a handful of surrounding buildings will be affected by new shadow and, in most instances, for only a short period of time." Regrettably, the city staff report also concludes that "The periods for which shadow is cast relative to historic resources is limited to the extent that it would not adversely affect the historic properties." (p. 5) Of course, if the time-frame considered for shadowing effects is artificially shortened to 8AM to 5PM, it is not surprising that the duration of shadowing is found to be brief. The city should direct the applicant to produce a shadow study that calculates the proportion of all daylight hours over the course of a year that neighboring properties would be shadowed by the proposed project.

d) The staff report lists as one of the objectives of the DDTRN design guidelines to "Make things easy on the property owner." This objective is intended for small projects such as additions to single family homes; it is completely inappropriate as a stated objective for the proposed project, which would be massive, complex in its effects and precedent-setting. The proposed project needs to be scrutinized in all aspects.

e) It is my understanding that the staff report was to remain unchanged until the present hearing, by verbal agreement between city staff, the HRMC and Old East Davis neighbors in attendance on October 19, 2015 at the time the original hearing was postponed. This agreement was consistent with the action of "postponement" and retained a coherency between staff materials prepared for the HRMC and public comments received up until October 19. However, the staff report for the current hearing has changed in both tone and detail. Recommendation C in the staff report for October 19 requested that the HRMC "...provide advisory input on the proposed replacement project relative to compatibility with the designated historical resources within 300 feet and the DDTRN Design Guidelines." Recommendation C in the current staff report contains new language requesting that the HRMC "...recommend support of the proposed project to the Planning Commission and approval by the City Council, subject to the findings and conditions of approval to be made part of the project approval." City staff needs to explain how and why this language was introduced. City staff should endeavor to keep agreements with Old East Davis neighbors and involve them in a meaningful way, as part of an open and transparent planning process.

Thank you for your time, attention and diligence, and for your work on the HRMC.

Sincerely,

A handwritten signature in black ink that reads "Mark Grote". The signature is written in a cursive, slightly slanted style.

Mark Grote (Old East Davis resident at 408 J Street)



To:  
Eric Lee (planner, City of Davis)  
Robert Smith (MIG planning consultant)

Dear Mr. Lee and Mr. Smith,

This letter is written to voice some of the concerns I have with the Shadow Impact Analysis (the report) submitted for the Trackside Center proposal.

One concern is that the report seems to equate the shadow of a building with the shade of trees:

*Pg. 5 "While the proposed project will cast some additional shadow, particularly in the late afternoon, much of this impact will be mitigated by the shadow mass of the existing context, including many mature trees not included in the simulation."*

I do not equate the shadow of a building with the shade of a tree.

Also on pg. 5 the report states:

*"From 3:30 PM until sunset, due to the location of the site and the length of shadows at this time of year,[December] new shadow is extremely dispersed and limited in its impact."*

I agree that the shadow is extremely dispersed – it is dispersed over most of the block to the east – but I cannot agree that being in shadow from 3:30 to sunset is a 'limited impact.'

But while the report says that the impact of the building shadow will be reduced by the shade of the existing trees, it later states that,

*Pg. 5 "Deciduous trees lose and then regain the fullness of their canopy from mid-November to mid-March. At the December solstice, it is expected that the opacity of deciduous tree canopies will decrease by 70%-80%. Due to the project's location, this fact has little bearing on new shade cast during this time period."*

So, apparently, sometimes the trees matter and sometimes they don't.

In figure 5 the shadow directly north of the proposed building (area denoted by large question mark) is not complete and has large gaps in it as if trees exist there, when in fact they do not. It is difficult to understand how a shadow from a solid building is not solid.

Additionally, the report repeatedly labels 4<sup>th</sup> St. as 2<sup>nd</sup> St. and while this is a somewhat minor point, it does illustrate that the authors of the report are both unfamiliar with the setting and have a lack of attention to detail regarding easily verified facts.

But by far the biggest concern I have with this report is that the computations appear to be incorrect. These flaws, explained in more detail below, make the conclusions from this report incorrect and invalid. Note that in the report's figure for 2 p.m. on December 21<sup>st</sup> (figure 7 below) that the shadows are roughly parallel with the lettered streets. But, in fact, the shadows at 2 p.m. in December are at a

high angle to the lettered streets. This fact can be verified by anyone on any sunny day in December.

In the report the figure for 8 a.m. on December 21<sup>st</sup> (figure 1 below) shows the shadow for the proposed Trackside development to lie at a bearing of approximately 265° (95° west of true north). In fact the shadows at this time of year lie at a bearing of 306° (54° west of true north). This fact was verified by the author using a compass at 8 a.m. on December 14<sup>th</sup> (fig. 2). The angle of the shadow made by the report is therefore approximately 40° off the actual shadow for that date and time.

Having noted this discrepancy I then used the same method as the report (SketchUp and Google Earth) to map shadow impacts of the proposed Trackside Center, and found substantially different results. Due to time constraints and lack of complete data on the building dimensions, I made figures for shadows at only seven times of the year and I simplified the proposed building (figs. 3, 4, 6, 8, 10, 12, 14). For visual comparison, these are placed adjacent to figures from the report for the same dates and times (figs. 1, 5, 7, 9, 11, 13, 15). For the building I made a simple box using the numbers on the plans submitted for the Trackside Center Proposal (73' tall x 104' wide x 192' long) and placed it at the site using Google Earth (the same procedure as the report). I used the height of 73' as the height of the mass of the building that I took from the plans submitted to the City of Davis. The length and width were taken directly from the plans submitted to the City of Davis. I then calculated shadows using the program SketchUp and using the time zone UTC-7hrs for the June, and September figures (when daylight savings time is in effect) and UTC-8hrs for the December figures. The report does not indicate which time zone was used in the analysis.

In figure 3 I show the shadow I calculated from the proposed trackside development at 8 a.m. on December 14<sup>th</sup>. Figure 3 shows the shadow from the simplified building bearing 355°, in agreement with the actual measured result from that date and time.

Not having the time or all the information to create a detailed structure in SketchUp, there are certainly details of the shadow that would be different from that produced by the proposed structure, however one can easily see that the angle the shadow makes with the streets and the extent to which that shadow extends are very different from that shown in the report.

In summary, I believe that I show the calculations used in the report are wrong and the report is, therefore, invalid.

Sincerely,

Larry D. Guenther



Figure 1: figure from the report showing the shadow from the proposed building at 8 a.m. on December 21<sup>st</sup>. Note that the shadow has a bearing of approximately 265°.



Figure 2: photograph taken at 8 a.m. on December 14<sup>th</sup>, 2015 standing near southeast corner of Trackside Center. Note high angle of shadow with respect to alley and 3<sup>rd</sup> St. in foreground. The shadow in the picture was measured with a compass and bears 306°.

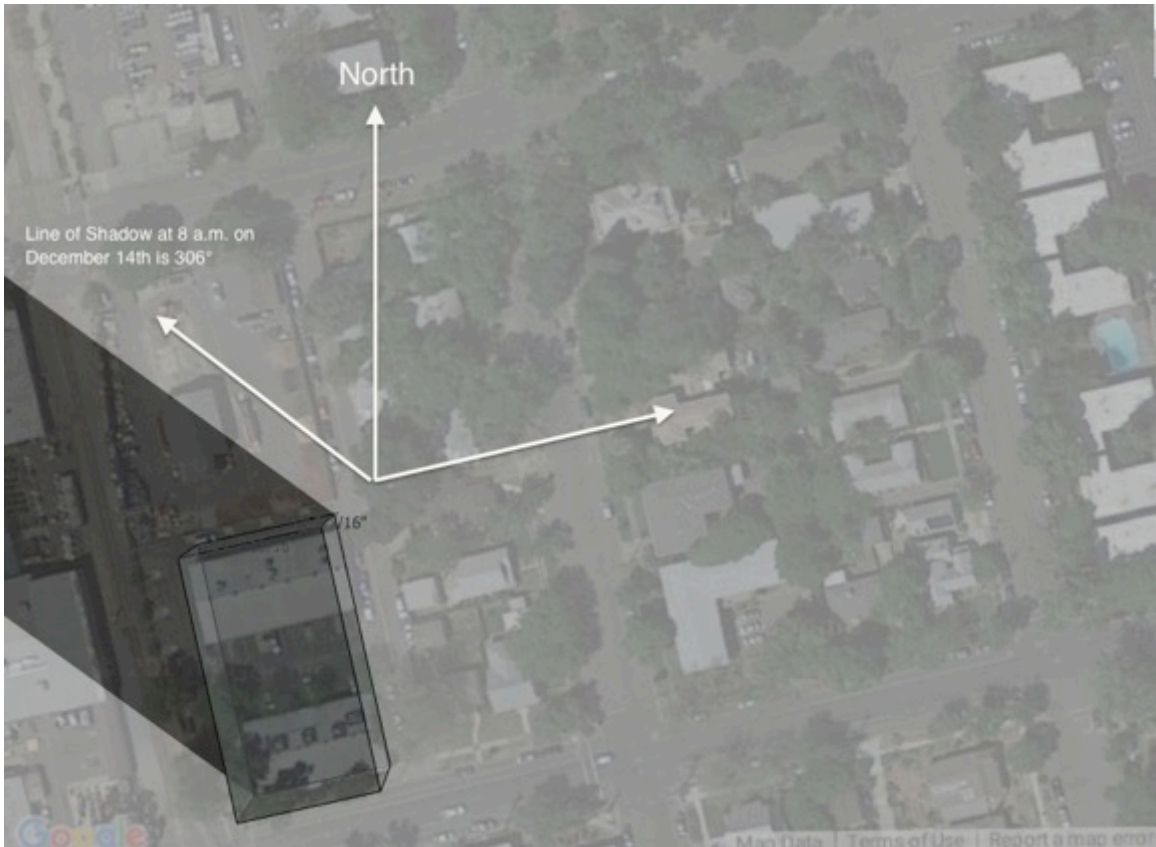


Figure 3: image from SketchUp and Google Earth for the proposed building at 8 a.m. on December 14<sup>th</sup>. Note shadow of building lies at 306° in very good agreement with measured value from figure 2.





Figure 4: figure generated by the author showing shadow from proposed building at 4 p.m. on December 21<sup>st</sup>.



Figure 5: figure from the report showing the shadow from the proposed structure at 4 p.m. on December 21<sup>st</sup>. The question mark denotes a strange gap in the computed shadow.



Figure 6: figure generated by the author showing shadow from proposed building at 2 p.m. on December 21<sup>st</sup>.



Figure 7: figure from the report showing the shadow from the proposed structure at 2 p.m. on December 21<sup>st</sup>.





Figure 8: figure generated by the author showing shadow from proposed building at 3 p.m. on September 21<sup>st</sup>.



Figure 9: figure from the report showing the shadow from the proposed structure at 3 p.m. on September 21<sup>st</sup>.



Figure 10: figure generated by the author showing shadow from proposed building at 5 p.m. on September 21<sup>st</sup>.



Figure 11: figure from the report showing the shadow from the proposed structure at 5 p.m. on September 21<sup>st</sup>.5 p.m.





Figure 12: figure generated by the author showing shadow from proposed building at 3 p.m. on June 21<sup>st</sup>.



Figure 13: figure from the report showing the shadow from the proposed structure at 3 p.m. on June 21<sup>st</sup>.



Figure 14: figure generated by the author showing shadow from proposed building at 5 p.m. on June 21<sup>st</sup>.



Figure 15: figure from the report showing the shadow from the proposed structure at 5 p.m. on June 21<sup>st</sup>.

## ATTACHMENT 2

From: Jim Stranahan Comcast Acct [REDACTED]  
Sent: Monday, November 16, 2015 12:37 PM  
To: Eric Lee  
Subject: Trackside Developement

Dear Mr. Lee,

I am writing to convey my feelings about the proposed Trackside development on Third Street.

This proposal is wrong for the neighborhood and wrong for Davis. Chief among the reasons is the height of the proposed building. It completely looms over the residential properties surrounding it. It destroys the residential feel of the adjoining street. This visual encroachment can't help but have an effect on property values. That alone should be enough to deny this project.

In addition, it appears that the parking allotted the building is in inadequate to meet the needs of both the resident apartments and the proposed business. This will impact the area which is experiencing new business openings soon.

This ill-concieved, insensitive project should be rejected out-of-hand. It is wrong for Davis.

Sincerely,

Jim Stranahan

**From:** Jim Leonard [REDACTED]  
**Sent:** Saturday, November 14, 2015 11:38 AM  
**To:** Eric Lee  
**Subject:** follow the planning guidelines on...

Trackside. Respect Davis citizens.

Jim Leonard  
530-220-4314

**From:** Linda Baumann [REDACTED]  
**Sent:** Tuesday, November 03, 2015 9:42 AM  
**To:** Eric Lee  
**Subject:** Trackside development

Dear Mr. Smith:

The Trackside development proposed for downtown Davis is a monstrosity clearly out of line with zoning and design guidelines for the area. It's a proposal attractive to no one but the developer and others eager for a precedent for future, oversized projects. Don't start Davis down this slippery slope.

Sincerely,  
Linda Baumann  
2323 Catalina Drive  
Davis. CA



Dear City Council,

Monday night October 19th the Trackside proposal was to be heard by this Davis Historical Resources Management Commission (HRMC or Commission). 23 residents of the Old East Davis neighborhood (Neighborhood) were in attendance and ready to speak, with standees. Approximately 20 letters were received by the HRMC regarding the project, including a powerful letter by Old East Davis Neighborhood Association (OEDNA) President Rhonda Reed outlining numerous deficiencies in the historical report submitted and commissioned by Trackside Partners LLC (applicant).

Residents received the final documents for the meeting on Friday. This allowed three days to digest the reports, one quite large, and respond by Monday at 10am. Despite this, approximately 20 persons, most from Old East Davis, submitted letters. Some of us significantly altered our weekend plans in order to respond.

At the HRMC meeting, not until the last agenda item came up were participants informed that the applicant requested to table the item until next month. The applicant then claimed that they informed the Commission of this immediately before the meeting started. However, that rebutted and participants were told that the Commission was only informed that the applicant *\*might\** want to pull the item. The Chair of the Commission was then asked "what now"? The Chair said this has never happened before; items are frequently pulled before meetings, not during; but however unprecedented, it was the applicant's right. Neighbors insisted they be heard as several, including the OEDNA President, could not make the next meeting. The Chair allowed, but warned that commenters speaking at two meetings could "muddy the record".

The applicant claimed they pulled the item because no one had enough chance to digest the materials -- that he was doing us a favor because he'd long had a problem with the turnaround times for receiving meeting information. **Old East Residents said they were ready and wanted to speak; why was the applicant 'suddenly' not ready, and doing everyone present a supposed favor that no one present wanted?** The applicant then said that over 20 letters had come in that day and he wasn't expecting those and hadn't had a chance to read all of them, and doubted the Commissioners had either. Old East Neighbors, on the other hand, got our letters in by Monday's deadline and were ready to speak.

There was a concern raised by a neighbor that the same thing would happen next HRMC meeting. How would participants know what was changed in the report? As well, the applicant now had all our comments, and could change the report based on what was read in our comments, a rather unprecedented advantage. The applicant said they would only make changes based on what the Commissioners' responded in writing, not the the Neighbor's comments. The chair then said that wasn't going to happen, the Commission was not going to give comments outside a public forum. Only then did the applicant relent and agree not to change the report at all before the next meeting.

Some public participants were visibly angry. Participants could have been emailed before the meeting, or could have been told as we entered that the item might be tabled. Two dozen members of the public came, consultants, and City staff as well, on City time. Commissioners and staff kept a professional demeanor, but most appeared visibly annoyed.

Mr. Pope then penned a piece in the Enterprise which ran on October 22nd, asking for public participation in the process. That is, at the *\*next\** HRMC meeting. In fact, at the last HRMC meeting, ***the entire room was packed with the public, ready to participate.*** Apparently, the public present

wasn't the particular public Mr. Pope wanted; apparently the numerous letters on record weren't the particular letters Mr. Pope wanted on the record. Apparently Mr. Pope failed to do his own diligence to rally his own ally's, despite the fact that is his job.

With this self-created strategic move, Trackside LLC now can hire consultants to refute the Neighbors already submitted statements at the next meeting. Mr. Pope now can spend a month rallying allies to appear at the November HRMC meeting, those he failed to gather in October. City staff is so confident on his ability to do so, apparently, that City staff noticed the November HRMC meeting moved to Council Chambers, with about four times the capacity, on the same day Mr. Pope's piece appeared in the Enterprise.

In his Enterprise piece, Mr. Pope propped himself up as Savior to the City. Calling for documents to be released earlier, he dramatically and metaphorically fell upon his own sword, in print, admitting "mea culpa" Trackside LLC had become part of the very problem he himself had worked so diligently, and over a decade, to solve. I doubt anyone at the HRMC meeting bought it, and this rebuttal is so that you, dear City Council members, won't buy it either. It is not Mr. Pope's job to fix City process, it is the City's job to fix City process.

Mr. Pope failed in that decade to reform the City process, and he didn't solve that failure by delaying his item before the HRMC by a month and wasting two hours of two dozen Davis citizens' time. In fact, we'd all like our Monday evening, October 19th, back, thank you.

More time to digest the documents would have been nice. But we were ready, and Mr. Pope was not.

In Digust,

Alan C. Miller  
Resident Long Time  
Old East Davis

To: Historic Resources Management Commission  
From: Ashley Hill, 402 I Street, Davis, CA  
Regarding: Impact of Trackside Development Proposal on nearby Historic Resources

I have carefully read the Historical Resource Analysis Study of the Trackside Center Project and have comments and concerns regarding some of the findings in the report.

Report, p. 45: "The palm tree and large deciduous tree along the alley provides some screening between 923 3rd Street and the proposed development and will lessen any visual impact."

The Trackside Proposal includes construction of an underground parking garage that will consume approximately 30% of the root system of the large deciduous tree. It is highly unlikely that the tree will survive that level of disruption, so the tree should not be considered a visual screen when considering the impact of the Trackside Redevelopment.

Report, p. 46: "Direct effects include actual or potential damage to the fabric or the character defining features of a historic property"; Report, p. 40: "Setting is the physical environment of a historic property. The physical features that constitute the setting of a historic property can be either natural or manmade, including such elements as: Topographic features (a gorge or the crest of a hill); Vegetation; Simple manmade features (paths or fences); and Relationships between buildings and other features or open space"; and Report p. 41: "Feeling is a property's expression of the aesthetic or historic sense of a particular period of time."

Report, p. 17: "[The] availability of land [in Davis] and the small population combined to create a distinctly semi-rural residential landscape that did not disappear until the 1950s. It was not uncommon for a single individual to purchase adjacent town lots, construct a single house on one of the lots and then utilize the adjacent lots for a garden, small crop agriculture, and livestock."

The spirit of this semi-rural residential landscape remains in Old East Davis (and elsewhere in Davis including the other Traditional Neighborhoods) where many residents maintain vegetable gardens, fruit trees, and/or chicken coops.

Report, p. 49: "Will the proposed Trackside Center project result in an adverse effect to the Merit Resource at 923 3<sup>rd</sup> Street ... ? No."

Direct effects:

The proposed project includes building an underground parking garage that extends 8 feet eastward from the property line into the alley. This is the same space occupied by the root system of the large deciduous tree that shades 923 3<sup>rd</sup> Street. This tree appears to be present in all aerial photographs of the neighborhood and thus to have been in existence since at least 1920 (see Figure 8 (Aerial photograph of Davis 1920), Figure 20 (Aerial view of the project site in 1939), Figure 25 (Aerial view of Davis 1957), Figure 26 (Aerial view of Davis 1965), Figure 27 (Aerial view of Davis 1993), Figure 28 (Aerial Photograph 2015)). This tree is part of the history

of 923 3<sup>rd</sup> Street, and thus part of the character-defining features of this historic property. The loss of this tree will change the character of 923 3<sup>rd</sup> Street and directly impact the setting of this Merit Resource.

Further, the height of the proposed building along the alleyway will leave most of these properties in shadow for much of the day. The degree of shadowing means that none of the properties across the alley from Trackside will have any areas with “full sun”, which means that these properties can no longer grow fruits or vegetables. This loss of sun directly impacts the setting of 923 3<sup>rd</sup> Street by destroying this property’s linkage to the “distinctly semi-rural” landscape that was part of the character of this lot and its surrounding neighborhood.

Indirect effects:

No mention is made in the report of indirect effects to the Merit Resources and Landmarks in the neighborhood, and I believe that the indirect effects would be substantial. Part of what makes the Montgomery, Williams-Drummond, and Schmeiser homes historic is their settings – not just the settings within the borders of each property, but also their settings in the context of the neighborhood, an eclectic mix of primarily one- and two-story homes and apartment buildings. The proposed 77-foot tall Trackside Development will loom over the neighborhood. It will visually diminish all adjacent buildings (including 923 3<sup>rd</sup> Street), and it will permanently change the character of the neighborhood as viewable from the front porches and windows of the Williams-Drummond and Schmeiser homes. The context for these homes will be forever changed, and they will no longer look out upon sunset over a sleepy residential neighborhood as they have since they were built.

Report, p. 41: “Feeling is a property’s expression of the aesthetic or historic sense of a particular period of time.”

The feeling of the neighborhood will be permanently and irrevocably altered by the construction of a 77-foot tall architecturally-incompatible building that looms over existing Merit and Landmark resources as well as all of the other residences in the neighborhood.

Report, p. 48: “buildings that exceed two stories in height do not appear to conform to the Guidelines”

I strongly agree with this conclusion.



**From:** Marijean Burdick <[REDACTED]>  
**Date:** October 19, 2015 at 10:10:08 AM PDT  
**To:** <[citycouncilmembers@cityofdavis.org](mailto:citycouncilmembers@cityofdavis.org)>  
**Subject:** PROPOSED TRACKSIDE staff reports

Dear City of Davis Council Members,

After reading the staff reports I am deeply concerned with the recommendation from our city officials and the historical commission.

The recommendations allow for bias and unfair promotion of the demise of at least three historic homes near the Trackside project.

There are three and I believe even a fourth historic home in the immediate neighborhood which will be critically damaged by the proposed Trackside project. Old East Davis has a high concentration of Historically significant homes in town.

Why allow the demise?  
Why required from the applicant the absolute minimum?

I am sure there will be significant and irreversible damage.

Without consideration these homes and others will then lose value as-well-as privacy, views, sunlight light during the day (dark and cold structures) There will be escalated traffic and parking, problems. Neighborhood will be subject to constant lights and noise pollution.

Furthermore if the project is allowed we will also be subjected to possible dirty and dust (potential contaminants) left encapsulated underneath the soil when that site was used as Schmeiser Industry and the railroad. Air quality is a worrisome matter.

Respectfully a full CEQA investigation is warranted.

Thank you for your time and consideration!

Sincerely,

Marijean and Ray Burdick  
315 I Street  
Davis, California 95616

**From:** Doreen Pichotti [REDACTED]  
**Sent:** Monday, October 19, 2015 10:05 AM  
**To:** Eric Lee; rsmith@MIGcom.com  
**Subject:** Please oppose Trackside project

Hello Eric and Robert,

My name is Doreen Pichotti and I am the owner at 407 J Street in Old East Davis. I am writing you to ask that you oppose the Trackside development project and do what you can to prevent it from moving forward. Although it might have some design merits, it's just way too big for the location. If you haven't already, you really should walk over to the neighborhood and look at the location. When you see the reality of it (not just on paper), it becomes obvious that the mass and scale are overwhelming and seriously out of place. The plan also does not follow the design guidelines for this transitional location which were specifically written to prevent such things from happening. This project should either be moved into the core of downtown Davis, such as by the banks or a new 2-story project should be submitted for the Trackside location.

Thanks you for your consideration.

Doreen Pichotti  
407 J Street  
Davis, CA 95616

**From:** Ben Pearl [REDACTED]  
**Sent:** Monday, October 19, 2015 9:59 AM  
**To:** Eric Lee; Ike Njoku  
**Cc:** Rand Herbert; Mark Beason  
**Subject:** Comments for HRMC Meeting (Please share)

Dear Commissioners -

I am sorry that I will not be able to attend the meeting on Monday, but hope that I can add to the discussion regarding the proposed 'Trackside' project. I do not currently live in Old East Davis, but have taken an interest in the project due to my personal and professional history with the neighborhood, and a concern for City process. I have read the "historical resource analysis study," commissioned by the developer, and would like to offer a few thoughts here with you.

What jumps out immediately, in reading the consultant's report, is the reiteration of several de facto claims which I have been made previously by the developer, and which do not seem fitting of an impartial, professional analysis. Specifically, I find the several pages of equivocation surrounding supposed zoning and design conflicts (see pg. 48) to be highly inappropriate. For instance, I do not agree with the implication that a sincerely interested developer, with the aid of a licensed architect, should be unable to design a mixed-use development at this location that can "improve the visual and use transition from the Commercial Core to the Old East residential neighborhood" and "respect the traditional residential character of the neighborhood"...or that this confusion would somehow cause 3-4 stories to be added to the building, in excess of neighborhood height guidelines.

Similarly, the consultant's treatment of building heights seems heavily biased toward justifying the project (which, to reiterate, is 3-4 stories taller than called for in the guidelines, and any other building in Old East). I expected the report to offer an analysis of the impact on the neighborhood. Instead, the consultant defines "nearby properties" to include Sproul Hall, which is outside the City on the UC Davis campus (in an entirely different architectural context), almost 3/4 of a mile away. For reference: Sproul is 9-stories tall, and was "the tallest building in Yolo County until it was surpassed in 1998 by the ex-Money Store ziggurat in West Sacramento (11 stories)," according to Daviswiki.

The Davis community's Neighborhood Design Guidelines and related planning documents capture clear community agreements, and represent thousands of hours of input from an engaged citizenry and tens of thousands of dollars of paid staff and consultant time. They are well-written, and should not be mysterious to a competent developer guided by City staff. The consultant's conclusion, therefore, that this project (which brazenly disregards the community guidelines) would "not significantly diminish" the quality or character of the neighborhood is a false one; the project diminishes the neighborhood not only in its design as a building, but in undermining the process by which the Davis community has worked hard to define its neighborhoods, historic resources and a forward-thinking vision for smart growth.

The City of Davis has invested wisely, over a period of many years, in the creation and maintenance of these smart growth planning documents, and they have served us well in preserving and shaping the character of our community. Created in 2001 and last updated in 2007, it may be time to revisit them, but I hope that their value - and the value of holding interested developers to an honest reading of

community agreements - will not be lost on the Commission as it considers the potential ramifications of this project.

In Community,

Ben Pearl



To: HMRC Staff  
Re: Trackside Center Proposal, 911-919 Third Street

October 15, 2015

I have multiple concerns with the proposed Trackside Center redevelopment proposal and its incompatibility with the City of Davis' Design Guidelines, as described below.

The proposal violates multiple aspects of the Davis Downtown and Traditional Residential Neighborhoods Design Guidelines ("Design Guidelines"), which were most recently reviewed and approved by Davis citizens in June 2007. Based on the maps on p. 4 and p. 29 of the Design Guidelines, the Trackside site is located in Old East Davis. The site is listed as a Mixed-Use Opportunity Site on p. 25, and on p. 33 it is described as being in a mixed-use transition area: "Mixed-use Transition areas bordering the Downtown Commercial Area are intended to provide space for intensified mixed-use projects that maintain a residential character while also serving as a physical and use transition to the three surrounding residential neighborhoods" (underlines mine). On the same page, the site is also listed as being part of the Third Street Corridor, a Special Character Area.

Relevant design guidelines for Trackside would thus be those governing the Downtown Core, the Mixed Use Guidelines, the Third Street Corridor, and the Residential Neighborhoods Guidelines, as the site is in a Mixed-Use Transition Area, and is both within Old East and transitional to Downtown Core, as well as being part of the Third Street Corridor.

The Building Mass & Scale Design Guidelines for Downtown Core are described on p. 39: "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". (underlines mine)

One of the main objectives for Mixed-Use Design Guidelines is "To maintain a sense of connection with a single-family house design tradition while accommodating development with a mix of commercial and residential uses". According to the Mass & Scale Mixed Use Design Guidelines, "A new multi-unit structure should not overwhelm existing single family structures in terms of height". The design objectives specifically for the Core Transition East (where the Trackside site is located) include "Building architecture should respect the traditional residential character of the neighborhood". Additional guidance comes from the guidelines for the Third Street Special Character Area, which says "Two and three story buildings should predominate" and "Careful transition to adjacent single story buildings should be incorporated".

The Mass & Scale guidelines for Traditional Residential Neighborhoods state that "The primary plane of the front should not appear taller than those of typical residential structures in the neighborhood.", "A new multi-unit structure (where allowed) should not overwhelm existing single family structures", "The front wall of a building should not exceed two stories in height, and "Wall heights of 1 to 1 ½ stories are preferred along a street". (underlines mine)

The proposed Trackside Center proposal, at 77 feet and 6 stories in height, egregiously violates the 1-3 story Mass & Scale guidelines that are consistent across the Downtown Core, Mixed-Use, Third Street Corridor, and Residential Neighborhoods. The mass & scale of the proposal is not appropriate for any of

the designations for that property site. Also, because of the mass & scale of the proposal, it does *not* “maintain a sense of connection with a single-family house design tradition”, which is a stated objective for the Mixed Use Transition Area, and it “overwhelm[s] existing single family structures in terms of height”, which directly violates the Mixed Use Mass & Scale Design Guidelines. There is no evidence that this proposal heeds the guidelines for the Third Street Special Character Area, which state that “Careful transition to adjacent single story buildings should be incorporated”.

Because of the development’s lack of adherence to the Design Guidelines, the proposed project would permanently alter the traditional residential character of the adjacent Old East Davis Neighborhood. It overwhelms and shadows existing single-family homes in the neighborhood (some of which are designated Historic Resources). It has no connection with a single-family house design tradition.

I bring these concerns to your attention in hopes that you do not approve the planning application for this proposal.

Many thanks,

A handwritten signature in black ink that reads "Ashley Gitt". The signature is written in a cursive, flowing style.

402 I Street

Davis, CA 95616

**From:** Rhonda Reed [REDACTED]  
**Sent:** Monday, October 19, 2015 9:57 AM  
**To:** Mike Webb  
**Cc:** Eric Lee; Robert Smith; € Old East Davis €  
**Subject:** TRackside Center comments for HRMC meeting tonight from OEDNA

Sent by e-mail

To: Mike Webb, Community Development and Sustainability Director  
CC: Eric Lee, Robert Smith, Davis City Council members, Davis Planning Commission members, Old East Davis Neighborhood Association  
Subject: HRMC review of Trackside Center Project (Planning Application #15-41)

Dear Director Webb:

I am writing this letter as President of the Old East Davis Neighborhood Association regarding the Historical Resources Management Commission's (HRMC) consideration of the Trackside Center proposal, 901-919 Third Street, scheduled for its October 19, 2015 public meeting.

First, I would like to express the complaint of the neighborhood that the staff report and supporting materials for this meeting were not available until October 15, 2015, a mere 4 days in advance of the public meeting. On October 13, I was provided a copy of the report submitted to the City by the project applicant (Historic Resources Analysis Report [HRAR]), and while this was helpful, the Old East Davis neighbors did not have the benefit of the staff analysis of this report for our evaluation for another 2 days. Given the limited time, our analysis is not as thorough as we would like, nor do we assume that the members of the HRMC were all able to consider the reports as thoroughly as necessary. Nonetheless, we offer the following overarching comments, with additional specific information attached.

1. The OEDNA agrees that the structures at 901-919 Third Street do not meet the criteria for a historical resource and that demolition of the structures, alone, would not warrant full Environmental CEQA review.
2. However, the OEDNA believes that full Environmental CEQA review is warranted for the Trackside Center project because of the significant impacts to designated and contributing historical resources based on visual impact, lack of sufficient fire response capability, hazardous material corrosion, degradation of the neighborhood from increased traffic, noise and loss of privacy, and the loss of private investment to maintain local historical resources. The proposed Trackside Center project will significantly adversely affect the setting and feeling of the designated historic properties at 923 3<sup>rd</sup> street, 320 I Street, 334 I Street, and 405 J Street, as well as the contributing structures in the neighborhood.
3. The Historic Resources Analysis Report is flawed and includes inaccuracies that undermine the credibility of the stated findings with respect to the impact of the Trackside Center project.
4. The staff report and recommendation does not include consideration of the purpose and intent of the Downtown Davis and Traditional Neighborhood Guidelines and ordinances in relation to historic resources and conservation district zoning.

5. The staff report fails to consider decisions made by the City, based on advice from the HRMC that conflict with the assessment of the HRAR.
6. Both the staff report and the HRAR use language that minimizes the facts of the overwhelming mass and scale of the project, the importance of the historic resources in Old East Davis, as well as the zoning and recent development patterns in Old East Davis that have intended to conserve the historical resources of Davis.

The Old East Davis Neighborhood Association appreciates the opportunity to comment on this project. We would have preferred to work with the applicant in advance to develop a project that is consistent with the existing planning documents that the City and community have spent so many hours to develop. We do not oppose redevelopment of the parcel in question, but please: follow the rules!

Sincerely,

Rhonda Reed, President  
Old East Davis Neighborhood Association

Old East Davis Neighborhood Association comments on HRMC 10/19/2015 Trackside Project, continued.  
Specific comments:

1. Significant and Cumulative impacts

The analysis is significantly deficient on the impact of the proposed structure on the future of existing historical resources in the vicinity. There may not be direct significant impacts, but the indirect and cumulative impacts are significant. Significant impacts will result from the following:

Visual impacts

Statements that no visual impacts would occur (page 45) are false. If photographs were taken from 320 I Street as alleged you would see the attached photo rendition from south property line of 316/320 I Street. This view would reflect the building in the morning, but in the evening the Trackside Center would be a black, sinister silhouette, casting a shadow for blocks. The visual impact will be significant from any location on the 200-300 block of I street. None of the neighbors will enjoy a sunset again if this project is approved. This is not an appropriately scaled building for transition from the Core Area to Old East Davis.

Fire response

The staff report does not consider that the height of the proposed structure will require fire protection equipment that is not available in city facilities. Agreements between the City and University to share equipment that could do fire abatement for a 77'7" building may be available, but with significantly increased response time. All of the historic structures are wood construction and very vulnerable to loss by fire.

Hazardous materials/ corrosion



Phase 1 Environmental Site Assessment report identified abandoned tanks and a variety historical uses that likely would introduce other hazardous chemicals to the soil on the site. The Phase 1 report makes no mention of the potential materials spilled from over 100 years of operation of the adjacent railroad. The Geotechnical Report, however does indicate that some of the material cored from the site had an odor like petroleum products. Excavation of these soils will mobilize these noxious and corrosive chemicals as dust that will settle on all the structures in the neighborhood, including the historic resources. These chemicals will degrade paint that protects the integrity of these historic wood buildings and significantly hasten their aging unless the structures are washed and repainted immediately. Fugitive dust from the site will also foul solar panel function. This is a significant impact

#### Degradation of the neighborhood

Old East Davis is a vibrant traditional neighborhood with a diverse mix of owner occupied and rental properties. Designated and contributing historic resources are maintained by private funds. Degradation of the neighborhood will result from encroachment in the alley, increased traffic, noise and loss of privacy, and the ultimate loss of private investment to maintain local historical resources. The proposed Trackside Center project will significantly adversely affect the setting and feeling of the designated historic properties at 923 3rd street, 320 I Street, 334 I Street, and 405 J Street, as well as the contributing structures in the neighborhood.

#### 2. Historical analysis is flawed:

The HRAR makes no mention of existence of the many other contributing structures that support the historical setting of the designated properties. We note, in particular the properties at 327 I Street, 402 I Street, 234, 451, 437, 425 J Street, 221 K Street, as well as the properties relocated to Old East Davis deliberately to conserve these architecturally and historically notable structures (437, 425, and 223 J Street; 921 3<sup>rd</sup> Street). These structures are critical support to the setting and feel of the designated historical resources.

Page 24 references a “present owner of the quaintly ornamented Elijah Brown home at 417 G Street”, however that address is the present location of the Valley Wine Company which does not match the home described.

Pg 46: Properties in Old East Davis date back to the 1870’s not the 1880’s.

Pg 46: The analysis does not accurately identify the location of buildings with respect to the impacts. This along with statements on Page 45 that 320 I street would be screened from the project by residences and trees shows no understanding of the setting of the project nor the neighborhood.

Building heights listed in report are not consistent with City of Davis information (attached) and tend to exaggerate heights of properties closest to proposed Trackside Center, while rounding down the Trackside Center height from 77’11” to 77’. The inclusion of Sproul Hall is no more relevant to the project site than the 90’ high Kings arena in downtown Sacramento. While, by their estimates, the Schmeiser manufacturing facility may have had a tower of 70’, the mass of the entire plant is considerably smaller than the building being proposed.

#### 4. Purpose of DDTRN guidelines

The report asserts that the guidelines are only that: guidelines (pg 47). Contrary to this assertion, the introduction of the DDTRN specifically connects the purpose of the guidelines is as a mechanism to achieve the purposes of the conservation district zoning of Old East Davis. The Introduction reads:

“Central Davis is the area bounded by the original city limits as they were established at the time of incorporation in 1917. This area contains a variety of mature neighborhoods and distinctive, traditional building stock that the community seeks to maintain. At the same time, it is under pressure to accommodate additional development. In response, the community engaged in an extensive public process to discuss how the traditional center of Davis can accommodate housing and economic development objectives in a way that is sensitive to the area's traditional scale and character. This document provides a policy and urban design framework that is shaped by design guidelines and a supporting design review process.

At the beginning of the review process it was determined that development of a conservation district, rather than a preservation district, would be the most appropriate mechanism to preserve the traditional character of the existing neighborhoods while allowing new construction that will be compatible in terms of mass, scale and rhythm. Historic conservation is an approach that is designed to preserve and maintain neighborhood character, fabric and setting while planning for reasonable growth. A historic conservation district can provide a sense of neighborhood stability to modest, well-maintained neighborhoods, such as those within Davis' 1917 boundaries. A historic conservation district is typically a zoning designation that supports planning policy to ensure that new development and renovation are compatible and complementary to the traditional character of the existing neighborhood areas by thorough identification of specific character defining features such as size, mass, scale, façade width, set backs, landscaping, lot coverage and rhythm. Conservation district guidelines assure that the values the community holds for these neighborhoods will be addressed in future community planning.” (emphasis added)

The Introduction concludes with: “These guidelines are most concerned with whether the design and site plan respect the project’s context, and responds to patterns and rhythms of the block-face with a design that is compatible and that will contribute to the quality of the neighborhood.” (DDTRN page 2).

It is important to note that these guidelines are deemed to be important to the quality of the neighborhood. It follows, therefore, that a project that deviates significantly from these guidelines will have the opposite impact and will degrade the quality of the neighborhood.

The HRAR also seems confused regarding the relationships of the City zoning and planning documents for the site. The Staff report does not provide clarification. Here are facts that may help the HRMC.

The Trackside Center Property is within Old East Davis, as depicted in the map on HRAR pg 38 (DDTRN page 4) per Davis Municipal Code (DMC) 40.13A.020 (a) The (DTRN) overlay district shall be applied to the area defined on the downtown and traditional residential neighborhood district map. The property was identified in the guidelines as having a unique position as a transition zone between the Core Area and Old East Davis (DTRN pg 74). In 2005, the Trackside Center property and the adjacent property to the north were rezoned from a Commercial/Service designation to a Multiple Use designation. This zoning change would allow additional uses on the property, but it did not change the DTRN overlay districts. The DTRN was revised in 2007 and no changes were made to the Core Transition East guidelines. DMC 40.13A.020 continues: (b) Wherever the guidelines for the DTRN conflict with the existing zoning standards including planned development, the more restrictive standard shall prevail. (Ord. 2066 § 1, 2001).

The Staff analysis of the setbacks of the proposed Trackside Center neglect to note that there are no setbacks on the east face of the structure, and in fact, upper stories protrude beyond the eastern property line into the alley immediately next to one story residential homes. This aspect of the design puts the full brunt and effect of the enormous mass and size of the structure on the Old East Davis neighborhood and will significantly degrade the setting and feel of the historical resources in the immediate vicinity as well as those blocks away.

#### 5. Past HRMC/City Council actions.

The HRAR states that the relocation of the house at 921 Third Street diminished the historical importance of the Montgomery House at 923 Third Street. However, the HRMC reviewed the lot split at 923 Third Street to allow salvage and relocation of a vintage structure from what is now 509 J Street. Their determination did not identify any adverse effect to the historic value of the Montgomery House as a result of the lot split and house relocation.

Staff recommendation on violation of guideline elements of Mass and Scale having no impact on the neighboring structures is contrary to the recommendation by the HRMC with respect to the proposed 3 story building redevelopment between the Hunt-Boyer Mansion and the Varsity Theater. The HRMC advised the City Council that the proposed 3-story structure at 610 2<sup>nd</sup> Street was inconsistent with the mass and scale of the neighboring Hunt-Boyer Mansion and Varsity Theater, and the City Council approved a 2-story structure at that site.







**APPROXIMATE BUILDING HEIGHTS  
 FOR A SAMPLE OF EXISTING BUILDINGS IN THE CORE AREA**

Project	Address	Parcel Sq Ft	Bldg Sq Ft	Number of Stories	Building Height
Chen Building	801, 803, 805, 2 <sup>nd</sup> St.	10,454	23,703	4 (3 + mezzanine)	48'8"
The Lofts	105, 109, 113, 117 E St.	12,040	33,370	3	47'7"
McCormick Bldg.	400-414 F St. / 707 4 <sup>th</sup> St.	18,043	28,945	4 (3+ mezzanine)	49'6"
USDA Office Bldg.	430 G Street	41,818	69,354	3	51'
Garage / Theatre / Office	400-424 G St. / 823, 825 4 <sup>th</sup> St.	58,370	134,044	5 ½ level garage	57' (67' tower)*
Yolo Federal	501 G Street	10,019	7,827	2	36' (44' feature)
Natsoulas	521 1 <sup>st</sup> Street	6,000	7,300	2	35' (48' tower)

\* All information shown in this table is approximate. In particular the parking garage building heights have a significant margin of error as they were ascertained via a recreated scale from a scanned drawing.

February 4, 2013

October 19, 2015

Eric Lee, City of Davis  
Robert Smith, MIG

Re: Historical Resources Meeting Comments – October 19th

Dear Mr. Lee, Mr. Smith, Commissioners, and Council:

The statement in the staff report that “the [proposed] mixed use building is larger than the two and three story building type suggested in the design element for third street.” is incredibly understated to the point of inaccuracy. The proposed building is literally two to three TIMES the mass allowed/suggested by the Design Guidelines. This is not “larger than”, it is *obscenely* larger than. Also, this is not “for third street”, it is the mass specifically stated in the Design Guidelines for that very block. There are specific guidelines for “Core Transition East”, the key word here being **Transition**. The entire purpose of a transition block seems to have been lost in this discussion.

The City, downtown stakeholders, and neighborhood stakeholders were brilliant when they created the transition district in the Design Guidelines. In most cities, the transition from city core to traditional neighborhood is a harsh line. This can result in the “Up” movie situation and create not a neighborhood, but a house museum, where historic houses are awkwardly adjacent to, and shadowed by, tall buildings. Davis has created transition blocks to avoid this effect. The Trackside Developers seek to destroy the transition block, for the purpose of building their overly tall building. That isn’t opinion, this is comparing the project to zoning, the Design Guidelines, and the Core Area plan.

Mrs. Ticklefeather may have lived in a “high, high, terribly high building”, but Davis residents in a currently one to two story block shouldn’t live across the alley from one. The Old East Davis Neighborhood is not a house museum. The reason the Core Transition East was created was to preserve the livability and historic integrity of the Old East Davis Neighborhood. To destroy the transition is to destroy the historic integrity of the neighborhood and the integrity of the western boundary of the neighborhood.

The Old East Davis Neighborhood association has, since its creation, defined the Old East Davis Neighborhood as being bounded on the south and west by the railroad tracks, on the east by L Street, and on the north by a line the would define 6<sup>th</sup> Street. A map of East Davis in the early 1900’s confirms this was the East Davis neighborhood, originally defined on the north by a small creek. There is a reference in the Design Guidelines to the west border being “generally” the alley. Other city sources and maps, however, show the west boundary as the railroad tracks.

The Old East Davis Neighborhood Association is acutely aware that granting the current Trackside proposal of six stories in height, or 77 - 79 feet, will set a precedent. Precedents are how development variances *creep* in Davis. Within a few years, should this overly-tall building be given the variance its developers seek, the adjacent properties north to 5<sup>th</sup> Street and south towards the train station will likely be considered for projects of a similar height. The neighborhood will be literally living in the

shadow of the western transition boundary that was supposed to protect the historic integrity and livability of our neighborhood.

When the inclusion of the block between the railroad tracks and the I Street Alley were considered for inclusion in the Core Area Specific Plan in the mid-2000's, the Old East Davis Neighborhood did not object. A large reason for the lack of objection was that the property owner of a majority of the property in the Old East Davis Core Transition East, the property to be placed in the Core Area Plan, met with the Old East Davis residents and asked for our input on development plans. Jennifer Anderson of ACE Hardware held meetings and worked out an agreeable-to-all plan of two story, mixed-use buildings, with a recessed, small third-story in the center area, away from single-family homes, and set-back from the neighborhood. The Neighborhood approved her plan and gave the green light to this redevelopment and gave the green light to the inclusion of the area in the Core Area Specific Plan.

This is how things should be done in Davis!

In her July 2015 letter to the Trackside developers, Jennifer Anderson also expressed concern of the height of the building in Item #4: "Height – Your location is in a transition zone allowing 3 stories. 5 and half stories seems really high for this location. Being in the shadow of your building is a concern." The Old East Davis Neighborhood concurs with ACE Hardware on this point. Property owners on the West, North and East, both commercial and residential, are very concerned about the extreme height of this building for the area. A tall building between one-story commercial and one-story residential buildings and ground-level yards cannot in any way be considered "transitional".

I urge the Historic Resources Management Commission to recommend to the City Council the denial of the Trackside Project as currently proposed, because of the destruction of the transition zone, which in turn would harm the historic integrity of the Old East Davis Neighborhood by creating a harsh height transition instead of a gradual transition, as intended by the zoning and Design Guidelines.

The Old East Davis Neighborhood would welcome a redevelopment project similar to that proposed by ACE Hardware in the mid-2000's, one that follows the Design Guidelines and zoning. As well, the Old East Davis Neighborhood welcomes a process where the adjacent Neighborhood and land owners are brought into the planning process from the beginning, NOT after project submission, and most especially NOT when the project submitted is so obscenely massive relative to current zoning.

Respectfully,

Alan C. Miller  
Old East Davis Neighborhood

From: Cayce Wallace [REDACTED]  
Sent: Monday, October 19, 2015 9:41 AM  
To: Eric Lee  
Subject: trackside

Hi there,

I just want to say that this project is massive and really awful for this site. I live in the last house in old east Davis. 1110 Yale and have lived here for 20+ years. We suffered greatly when the house on our south side was torn down and a 30 foot tall house with no setbacks just 7 feet off the property line was built. Every single thing we were told that would not happen has happened. It has stolen our solar exposure, prevented cross breezes in the summer, casts a shadow on us, windows peer directly down and into our bedrooms and yard. It is awful. I just cannot imagine Davis allowing something with an even more negative impact on the quality of life of the people who make their home and build their lives in this area. I think people look at this project and think about the comings and goings of the multi use area but do not understand that these investors not one of them live near what they want to build. I am ALL for infill just not OVERFULL and imposing.

Please help Davis make smart decisions when dealing with our downtown and our neighborhoods.... it is really hard to UNbuild something.

I cannot imagine having my sweet little house smothered by this project. That little house sat right across the street from us on J st and I think they did an amazing job bringing it to another location where it fit in perfectly! Please protect it!

Cayce Wallace  
1110 Yale Drive  
Davis Ca  
95616



**To:** Historical Resources Management Committee

**From:** Ezra Beeman  
The Schmeiser House  
334 I Street

**File No:** Trackside Centre proposal, 901-919 Third Street  
Preliminary Review of Third Street Apartments Project

**CC:** Robert Smith, Eric Lee, OEDNA, Dan Wolk, Robb Davis, Lucas Frerich, Brett Lee and Rochelle Swanson

19 October 2015

Dear Historical Resources Management Committee,

My wife and I recently purchased the Schmeiser House on 334 I Street, one of Davis's historical treasures, situated in the Old East Davis neighbourhood, arguably Davis' foremost historical district due to its rich history reaching back to Davis' earliest period of industrialisation.

I am a fifth generation resident of Yolo County and from a family of mostly farmers. Following two years living in Paris, France and over ten years in Sydney Australia, some of the most wonderful places in the world to live, my wife and I nevertheless decided to move back to the area to raise our own family, and specifically chose to live in Davis, due to its unique and charming character.

I have therefore been surprised and dismayed to learn of the proposed development at 901-919 3<sup>rd</sup> Street, which, if allowed to proceed outside of the relevant Davis planning and design guidelines will, in our view, materially detract from the Old East Davis neighbourhood as a historical district, and will in time, I believe lead to a degradation of the historical resources within 300 feet from the site.

The proposed development would not, in our view, enhance the area's unique history, for example by being in the shape of historical buildings from the time<sup>1</sup> and within the mass and scale (i.e. 2-3 floors) of the district's design guidelines. Instead, it is 6 story boxy, modern structure that might be better suited to the Arden Fair Mall's street scape.

By violating many of the most important design guidelines, and bringing a towering, modern, boxy building to the neighbourhood, it will materially impact the liveability and value of houses in the immediate vicinity, who live across and down the street from the historical Schmeiser residence. It will also forever change the corridor's historical significance as an industrial and light commercial centre since the earliest days of Davis, driving it in the direction of a high density urban area.

Remarkably, there appears to be virtually no analysis of the project's impact on the neighbouring historical residential or industrial districts, or on Mr Scheimiser's legacy, in the Analysis Study of the Trackside Centre Project (Analysis Study), despite being a regulatory requirement<sup>2</sup> due to the land

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<sup>1</sup> See, for example, Figure 12 on page 23 of the Historical Resources Analysis Study of the Trackside Centre Project 901-919 3<sup>rd</sup> Street, Davis, Yolo County, California 95616, September 2015.

<sup>2</sup> Ibid, page 6.



upon which the project is based, and surrounding historical light industrial and Old East Davis residential districts, being associated with the lives of an important person in Davis' past, i.e. Mr Schmeiser and the early development of Davis itself.<sup>3,4</sup>

The historical disregard for the value of Davis' historical resources in the area and its disruptive impact on its historical value is remarked upon by the historian quoted in the Analysis Study:

*As a result, later infill consisted of apartments and other forms of housing that were inconsistent with the earlier or older architectures of the neighbourhood.<sup>5</sup>*

*...These more recent buildings break strongly with the generally small scale of the older built environment, and the traditional pattern of setbacks and street landscape. Their insertion into the neighbourhood visually breaks up and segregates enclaves of traditional housing stock, disrupting the linkage and continuity between the older buildings.<sup>6</sup>*

In addition to the quoted historian's observation of the disruptiveness of this type of development to the historical legacy of the area, the proposed project could very well lead to a flight of families from the neighbourhood, an increase in commercial and/or apartments chasing custom from the new urban renters, and ultimately a reduction in the incentive for the owners like ourselves, to invest in the upkeep and enhancement of the historical resources in the area.

Since we have moved in to the historic Schmeiser home the variation in level of investment in the property over the years and its impact on the condition of the home has become apparent. While some, including the most recent owner, have been able to take great care of the building, restoring parts of it to its former historical glory, this has not always been the case, and some of the cheaper attempts have unfortunately degraded some of its historically significant aspects.

If the neighbourhood were to lose its attractiveness and associated value, the Schmeiser home and other historical resources in the area are likely to receive less investment in their upkeep, and could even become the target of commercial development themselves as the dominoes from the proposed project's collateral damage to the historic district and its resources fall over time.

I am already aghast at the blight to the otherwise historical view from our front porch and west facing windows on the second and third floors that is the Chen building, with its 5-6 story, 24 hour garage lighting. Adding a monolithic, modern, boxy 6 story building to the southwestern view of this charming historic neighbourhood, could be a heritage travesty of potentially greater proportions.

Given one of Davis' very few remaining historical districts and resources are under threat of losing their distinctive historical character, I respectfully ask the committee to:

1. Reject the conclusion of the Analysis Report that the properties do not meet the criteria for designation as a historical resource at local, state or federal levels, and that they have no historical significance to warrant a full Environmental CEQA.
2. Ask that a full Environmental CEQA be undertaken in order to ensure a complete and unselective review against all the required Landmark, Merit Resource and Historic District criteria, and particularly the criteria of whether the proposed project will impact on the historic district, and the long-term effects of the project on the area's historical resources.

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<sup>3</sup> Ibid. page 17.

<sup>4</sup> Ibid. page 19.

<sup>5</sup> Ibid. page 19.

<sup>6</sup> Ibid. page 19.

3. Provide advisory input that the proposed project, and any variation that does not conform with the design guidelines, and in particular its most important aspects of scale, mass and sympathy with its historical heritage, would also be deemed to be incompatible with the designated historical resources within 300 feet.

Yours sincerely,

Ezra Beeman



**From:** Alicia Berg [REDACTED]  
**Sent:** Monday, October 19, 2015 9:48 AM  
**To:** Eric Lee; rsmith@migcom.com  
**Cc:** PE Tom Berg  
**Subject:** Public Comment for Proposed Trackside Center

Good Morning Mr. Lee and Mr. Smith,

I am writing with regard to the proposed project at Trackside Center (901-919 3rd Street). I am the resident and co-owner of the house at 921 3rd Street. It may not surprise you that I am opposed to this project. I would like to briefly outline my true concern with the project (beyond the fact that there will be a 78 foot wall overshadowing my entire property).

As I learn more about this project, the city's process and the City of Davis in general, I am becoming more and more concerned. It appears that the Design Guidelines and General Plan that have been created by the people of Davis in order to plan for our future as a City are being amended and loopholed out of relevancy. I find this upsetting. It erodes away at the delicate layer of accountability and consistency between the people and our City Officials.

In order to give you some context of myself, I attended UC Davis from 2009-2013 and studied Hydrology. I am an active musician and I am very involved in the Davis music culture. My roommate for 5 years (in my house at 921 3rd Street) was an active part of the community as well. She studied Community and Regional Development at Davis and was a major part of the Davis Farmers' Market and Sustainability on the UC Davis campus.

I am telling you this because I want to make it very clear that I am not against development or smart densification. I want you to understand where I am coming from so that it is clear when I say that this proposed building is not consistent with the Davis that I love and the principles of sustainability and community development that I hold dear.

I would love to see smart development of this space. Unfortunately, the mass and scale of this project are wildly disproportionate to real smart development of this space. I do not think it is ok to approve projects like these based on politics, power, and money. I follow my zoning rules and I expect my neighbors to do the same. If the zoning laws need updating, I would encourage the city to take the proper procedures to update guidelines and involve the community in those decisions. It is absolutely not ok to allow developers amendments to established guidelines simply because of their political sway or economic advantage.

I think that this building will work against the preservation of the historical homes in the Old East Davis Neighborhood. The pressure that I feel from the mere mention of a six-story building next to me and my historical house neighbor at 923 3rd Street is immeasurable. It is such a drastic change to the aesthetic appeal and cultural history of our neighborhood. I can assuredly say that it would change everything and considerably affect the historical preservation of the beautiful homes in our neighborhood. Those homes are important.

Infill is also important. Therefore, I urge you to very carefully consider and uphold the guidelines that our community members have developed for the exact issue of infill and future development. Transition zones need to be honored and respected. If anyone says that putting the tallest building in town in a Transition Zone is transitional, I would urge them to seriously reconsider their logic.

I think that Davis has immense potential and can grow into one of the coolest cities in California. I do not think it is going to achieve that with allowance of piecemeal developments that disregard city documents, neighborhood preservation, and the neighbors themselves. I urge you and your associates to not approve this project as proposed.

Thank you for your time,

Alicia Murphy Berg

**From:** Kenneth Gebhart [REDACTED]  
**Sent:** Monday, October 19, 2015 9:46 AM  
**To:** Eric Lee  
**Cc:** rsmith@migcom.com; Rhonda Reed; OEDNA@omsoft.com  
**Subject:** Trackside Historical Resources Analysis

To Eric Lee

From Ken Gebhart  
320 i Street  
Davis, CA 95616

Dear Mr Lee:

I am writing to express my objection to the proposed Trackside Center Development. I own 320 I Street and I object to the suggestion in the Historical Resources Analysis Report that this 78 foot tall building will have no visual impact to my property or any other significant effect. The Historical Resources Analysis Report states that my home will be screened by mature trees which is incorrect particularly in the winter. I can look out my second story window today with trees still in full leaf and see the existing one story buildings on the site. The proposed six story Trackside development will completely overpower and dominate the skyline and will have significant adverse impact on my house which is one of the Merit Resources discussed in report. The attached rendition shows what I will see from my home in the morning. In the afternoon the Trackside building will be a black sinister silhouette. This is not an appropriately scaled building for transition from the Core Area to Old East Davis.

My home is the Williams-Drummond-Rorvick home and a designated landmark historical resource. My wife and I have spent significant personal funds to restore the historical integrity of this publicly valued structure. Personal homeowner funds have been used to maintain all of the designated historical resources in Old East Davis. Even though the City cited my home in the 2002 downtown blight report as a justification to the State for the need for redevelopment funds for Downtown Davis, there have never been any public funds available for the costs of maintaining or restoring these structures that are important to the community and our history.

Redevelopment of the Trackside parcel consistent with the existing city plans, zoning, and design guidelines would be compatible with maintaining the personal investments and commitments that I and my neighbors have made to the designated and contributing structures of Old East Davis. As proposed, the mammoth Trackside Center will destroy the incentives to maintain this community resource.

I reviewed the Geotechnical Report and was concerned that some of the core samples had odors of petroleum products. The Phase I Environmental Study did not acknowledge this condition. Given the history of the site one would expect potential for leaking tanks and petroleum product spills at the least. My concern it potential impact on surrounding properties and historical resources has not been adequately addressed in the Historical Resources Analysis Report or in the Phase I Environmental Study.

There are many other reasons I am concerned about this project, but for the purposes of the impacts to historical resources I urge the Historical Resources Management Committee to reject the staff recommendation that the project will not significantly affect historical resources in the vicinity of the proposed Trackside Center project.

Thank you for your consideration,  
Kenneth C. Gebhart





Gebhart Photosimulation Attachment



**From:** Eli Sarnat [REDACTED]  
**Sent:** Monday, October 19, 2015 9:09 AM  
**To:** Eric Lee; rsmith@migcom.com  
**Cc:** Julia Schreiber  
**Subject:** Trackside: in opposition

Dear Mr. Lee and Mr. Smith,

As long time homeowners of 327 J St, my wife and I are voicing our respectful objections over the planned Trackside development. While we appreciate the need for increased densification, we believe the project as planned is too massive for the scale of the neighborhood.

We actually spent last year living in a very similar building (higher-end, loft-style, 7-story apartment) in downtown Berkeley. The building was huge, but it was flanked by the tallest buildings in Berkeley (Chase Bank, Wells Fargo, City College, etc.).

While such a building can look natural and even elegant in the heart of a downtown urban area such as Berkeley, a project of this mass and scale would look very out of place in the transition zone of Old East Davis and dramatically change the feeling of the neighborhood (for the worse in our opinion). The artist renderings are very selective in the perspectives illustrated, and such an massive building at that location would negatively impact the views, privacy and cohesion that drew us to this neighborhood in the first place.

A 2-story building would be a much more natural fit for this location and preserve what we love about the neighborhood without causing the negative impacts discussed above, in addition to traffic and parking concerns.

Thank you for your consideration of these remarks,  
Eli

Eli Sarnat, PhD  
Antwork Consulting, LLC  
California, USA  
Tel. 530-601-1465

**Objections:**

- the Trackside Project is too big - the Mass and Scale is overwhelming to the adjacent neighborhood
- The visual impact of the building will be significant and immense. The artist renderings use trees to cover up how huge it is.
- It's not just how tall it is, it is really MASSIVE.
- The Davis Downtown and Traditional Neighborhood Guidelines were developed to avoid our objections.

- Significant impacts will result from the visual impact of the proposed 78 foot tall structure, lack of sufficient fire response capability, hazardous material corrosion, degradation of the neighborhood from increased traffic, noise and loss of privacy, and the loss of private investment to maintain local historical resources. The proposed Trackside Center project will significantly adversely affect the setting and feeling of the designated historic properties at 923 3rd street, 320 I Street, 334 I Street, and 405 J Street, as well as the contributing structures in the neighborhood.

What we want:

- is a project that conforms with the Davis Downtown and Traditional Neighborhood Guidelines.

- Two stories

- appropriate mass and scale

- consideration of traffic and parking issues

- respect as citizens of a community

**From:** E RD [<mailto:erd09@hotmail.com>]  
**Sent:** Monday, October 19, 2015 8:39 AM  
**To:** [loedna+owners@googlegroups.com](mailto:loedna+owners@googlegroups.com); [loedna@googlegroups.com](mailto:loedna@googlegroups.com); Ike Njoku  
**Subject:** RE Trackside Project Comments for Tonight's Historic Commission Mtg

Good Morning Ike,

Please accept this email as expressed opposition to the Trackside project as currently proposed for the following reasons:

1. Mass and Scale: the proposal dwarfs existing residences and does not meet the definition of "transitional" development which would call for a two-story building
2. Irreversible, permanent change to the neighborhood and community character, Creating a permanent shadow on existing homes that meet the CD definitions and some are designated historic
3. Disregard for the sustainability and health of existing residents already negatively impacted by street parking of employees of downtown business, further exacerbated by allowing for a project proposing a restaurant and two retail spaces without employee or patron parking
4. Establishing an irreversible precedent in expanding the G Street incidents of violence created by patrons that will continue to be drawn by the night club scene

I'm unable to attend tonight's meeting for being out of town but support the sentiments of the Old East Davis Neighborhood Association that will be expressed at tonight's Historic Commission Meeting.

Thank you for your time and consideration.

Best wishes,

Elsa  
Elsa Ruiz-Duran  
420 K Street



**From:** Aaron Sikes [REDACTED]  
**Sent:** Monday, October 19, 2015 8:00 AM  
**To:** Eric Lee; rsmith@MIGcom.com  
**Cc:** [REDACTED]  
**Subject:** Public Comment re: Trackside Center Project

Dear Commissioners Lee and Smith:

I write with regard to the proposed Trackside Center project, which I understand is under review at your meeting tonight, 19 October 2015. Please find my public comment below.

Having read the city's report on the project, I note a number of critical points that are cause for concern.

Under the section titled "Project Setting," city staff note:

the building's impact in terms of the Third Street Special Character Area and the impact on the Old East Davis Neighborhood should also be considered and addressed in any project evaluation.

This is encouraging, but city staff do not, for the remainder of the report, maintain awareness of or attention to the potential for *impact* as noted above.

Following Municipal Code Section 40.23.050, as noted in the report, I see that the HRMC, has as its first duty, the requirement to:

"(i) Perform advisory review of new construction, significant renovation projects, and demolitions within three hundred feet of designated individual landmarks and merit resources"

As the Trackside Center would be constructed within 300 feet of three existing historic resources (two landmark and one merit), I find this particular duty to be chief among those the HRMC must perform.

Considering the height allowed for construction of commercial buildings around the **Dresbach-Hunt-Boyer House** (also a landmark historic resource), I find it more than odd that city staff "cannot identify any significant issues with the applicant's review of the historic impact of the proposed project."

If, as seems to be the case, the future of the Third Street corridor through Old East Davis is to be an extension to the Davis Downtown Core Commercial District, it is hard to imagine a worse precedent to set than a 77ft structure located within 300 feet of landmark historic resources. Construction of the commercial spaces behind the Boyer House was limited to structures at or only slightly above the height of the home itself. The nearby (within 300 feet) parking garage tops the landmark historic resource, but not by four stories!

Of even greater concern is that staff

"requests that the Historic Resources Management Commission confirm that they agree with the applicant's historic resources report that the proposal would not adversely impact the adjacent designated historical resources at 334 I Street, Schmiser House, and 320 I Street, William Drummond Rorvick House and designated merit historic resource 923 Third Street, Montgomery House, because the proposed building would not be harmful to the surrounding historic resources"

In the city's report, the paragraph above the one I quote states:

"The question before the Commission is **whether the proposed project would adversely impact** the adjacent designated historical resource, **the neighborhood, and will be consistent with the DDTRN Design Guidelines.**" (emphasis added)

In making their request to the HRMC, staff left out mention of those two emphasized points, which I feel are of significant importance and relevance to any discussion about the impact of the proposed Trackside Center.

The mass and scale of the structure, as proposed, would most certainly have an adverse affect on the neighborhood, and are without question **inconsistent** with the DDTRN Design Guidelines.

I include here an image you may have seen, but may well not have seen, given that Trackside Partners, LLC, conveniently chose not to produce it as part of their artist renderings of the proposed structure:

<http://www.davisvanguard.org/2015/09/neighbors-believes-trackside-will-harm-quality-of-life/>

That's the view of the proposed building as seen from I Street, in front of a home that backs onto the alleyway adjacent to the Trackside site. Looming? Imposing? Adversely affecting the nature and character of the neighborhood? Yes to all three.

Take off the top two set back stories and you begin to approach a more appropriate transitional structure for this space. As proposed, the Trackside project doesn't *transition* so much as it *transforms*, and not in a good or desirable way for the neighborhood or the historic resources it contains.

I thank you for your time and fervently hope you will take my concerns into consideration as part of your discussion this evening.

Kind regards,  
Aaron J Sikes  
449 J Street

**From:** David Krueger [REDACTED]  
**Sent:** Monday, October 19, 2015 7:34 AM  
**To:** Eric Lee; rsmith@MIGcom.com  
**Subject:** Trackside Comments 10-18-2015

Dear Mr. Lee and Mr. Smith,

I write this due to our concern for the future character of the Old East Davis neighborhood. My wife and I own two properties, one on Third and one on I St. We bought each home for the same main two reasons; 1-Proximity to downtown and 2-Each home is in a real residential neighborhood with real houses and a few small apartment complexes sprinkled in. Both are easy walking distance to many fine downtown establishments yet separated by a clear demarcation between "downtown" and residential, brilliantly preserved by guidelines for transitioning from one to the other. Considering a large, out of scale building next to a single-story residential thriving neighborhood is terribly alarming to us all.

Compared to other transition zone structures, the proposed project is of epic proportions; 6-stories with an observation social deck on the top for great views of the surrounding low-level houses and yards. Homes with families seemingly regarded by developers as "roadblocks," at least when referring to us regular people when we resist a monstrous project like trackside. Especially a project that breaks all the existing rules/guidelines, ignoring the very concept of transition.

Did I mention I am not against responsible densification? Where are the projects that don't toweringly shadow the entire neighborhood east of the existing railroad tracks? We are all watching closely for who votes for or against this latest massive, huge, tall slab-sided project. The slab reference is based on likely views from the east side of the massive building, taking away all hopes for a sunny and healthy home life of the residents of the immediate area. I know it's inconvenient to consider how the people living there now will adapt. The city must look at more than the financial gain based on vertical growth and stick with the original guidelines.

We're not anti-anything and everything. We're extremely concerned that wrong planning decisions made now would accelerate a developer bonanza in Davis. Approving Trackside as proposed will start a feeding-frenzy of developers by allowing control of the mass, scale and appropriateness of projects by ignoring established guidelines and infill strategies. When you factor in the lack of available parking to support the proposed Trackside development, the negative reasons to prevent this huge project outnumber any positive to our neighborhood.

This letter is about the people living in each home and how important their quality of life is in the neighborhood. A decision about Trackside should not only be about financial benefits to investors or to city tax revenues. It's really a decision about forever changing the look and feel of a neighborhood that is thriving. Please don't take our sunshine away. Don't take our character, comfort and joy and trade it for revenue.

Sincerely,

David Krueger  
923 3rd St.  
224 I St.

**From:** Janet [REDACTED]  
**Sent:** Sunday, October 18, 2015 11:38 PM  
**To:** Eric Lee; rsmith@MIGcom.com  
**Cc:** [REDACTED]  
**Subject:** Trackside Center Historical Resources Report

Dear Mr. Lee and Mr. Smith,

Here are some comments I have regarding the report to be considered at the Historical Resources Committee meeting October 19, 2105 about Trackside. These comments specifically refer to the conclusions reached in the report as stated in "9.0 Finding of Effect" on page 54.

1. I disagree with the first finding in this section which contends that the proposed project will not have an adverse effect to any of the Merit Properties.

The image on page 49 showing the Trackside building right next to the 3rd Street historic house and its neighboring house, demonstrates clearly that the proposed structure would dwarf the little houses. The building even dwarfs the taller house at 331 I Street. I believe this image shows that the proposed Trackside building is far too big for this neighborhood. Those little houses would be situated directly next to the new big building, separated only by the small alley. Therefore I disagree with the finding the report reached as stated on page 54, that Trackside does not have an adverse effect on the Merit Properties.

The new building would, in my opinion, detract from the homey feel of the neighborhood which is now present when looking at those two vintage houses. The new huge building would be out of place right next to those two houses on 3rd Street as well as all the other houses in the Old East Davis Neighborhood.

Furthermore, in this same section, the report admits that in fall and winter, the visual impact to the neighborhood would be significant, while it wouldn't be as much so when the leaves were on the trees. This visual impact would affect the historical nature of the neighborhood as well as the downtown area. I believe this is another reason to reject the Trackside proposal in its current format.

2. I also disagree with the second finding in this section which contends that the proposed project would not diminish the qualities that make the Old East Davis neighborhood a potential historic district.

Both Downtown Davis and Old East Davis would definitely be negatively impacted from a historical perspective by the proposed building's immense size and modern design. It would be bigger than any other building in the entire City of Davis, to my knowledge.

The image in the report on page 49, Sproul Hall on the UCD campus, is included in this comparison of size in order to contrast with the Trackside Center's size. However, the UCD campus has nothing to do with the town itself regarding the size of its buildings. Since the Trackside Center proposed building would be the largest in the City of Davis, the report seems to be grasping at straws to show that it wouldn't be the largest in the area, including it in the comparison to other city structures. It is irrelevant what size the buildings are on campus when deciding what the size of buildings in the City should be - or not be.

3. In the same way, I disagree with the report's third finding which states that the proposed Trackside Center project would not diminish the qualities that make the core downtown or G Street corridor a potential historic district. It most certainly would do just that, from my perspective, for the same reasons I stated above.

4. The fourth finding in this section admits, on page 55, that the Trackside Center proposal does conflict with the Mixed-Use Character Area-Core Transition East defined by the Design Guidelines. Therefore, this project as submitted should be rejected.

NOTE - Point of clarification: I think the writers of the report got confused as to cardinal directions on pages 48 - 51. Some examples are:

a. Page 49 - in the discussion about how far away the building would be from a Merit Resource - the first sentence, " 923-3rd St. is south of the proposed building." However, it looks to me as if the Merit Resource building is east. But because the new building would be so HUGE, I suppose 923 3rd Street could be considered to be BOTH south AND east of it depending where in the big building one might be standing.

b. And, on page 51, second paragraph, "Immediately north of the residence is a second residence at 921-3rd Street." I believe they mean WEST of the residence, don't they?

Thank you very much for your consideration of my comments about this proposal.

Sincerely, Janet Mercurio, Member of the Old East Davis Neighborhood Association



October 18, 2015

Dear Eric,

We recognize and honor the intrinsic value of residing here in this neighborhood of beautiful historic architecture, wide streets and mature trees. We are a family oriented place where the traffic is slower than most of downtown. Between third and fourth, I street is the most affected by this proposed Track Side building. We have at least 16 children on this one block alone. This is an area where the residents know each other and get together to socialize.

This physical sense of neighborhood cohesion enhances community stability and reinforces desirable social patterns and networks that contribute to our sense of security.

Within our residential neighborhood small businesses have developed, providing needed services without destroying our rich legacy of historic architecture, because these more recent buildings are designed to be in scale with the houses. They follow the city's guidelines for mass, scale and unobtrusive design.

The Track Side project presents a towering 78' wall immediately confronting the backyards of our street. To say that it will have no impact on the historic value of our community is absurd. It will be an immense light and sky blocking object that not only clashes with the ambience of our neighborhood but by increasing traffic it will abruptly alter the dynamics of living here.

Sincerely,  
Stephen Kaltenbach

Mary Kaltenbach  
327 I Street  
Davis, Ca 95616

October 18, 2015

Dear Mr. Eric Lee,

I live and work in the historical neighborhood of Old East Davis at 327 I Street. My home is a Queen Anne Cottage built around 1900. My husband and I have lived at this residence since 1986 and we have lovingly cared for its upkeep and restoration.

I am writing to you to declare my opposition to the proposed Trackside development. This project does not comply with current zoning or the Core Area Specific Plan. Trackside fails to meet the zoning requirements of height: "Structures shall not exceed three stories in height...A building of more than two stories should be carefully designed to avoid the appearance of excessive bulk."

The proposed edifice is definitely excessively bulky at 6 stories, almost 80' in height, it is **too big** and **too tall** so close to our Old East Davis homes.

Despite having a General Plan and a Core Area Specific Plan, our city council has amended these guidelines on an ad hoc basis for development they believe to be somehow exceptional and therefore can bypass the City of Davis established guidelines, therefore making them meaningless.

This is not good government. This is underhanded and wrong. The time has come for transparency and community vision for long term physical form and development. The proposed Trackside development should not be exempted from following the established guidelines.

Let us return to the foundation first and build our future with mutual respect, dignity and quality of life at the core.

Please allow the City of Davis Core Area Specific Plan and the General Plan to serve as a basis for our present and future decision making.

Sincerely,  
Mary Kaltenbach

**From:** Terry Will [REDACTED]  
**Sent:** Sunday, October 18, 2015 9:57 PM  
**To:** Eric Lee  
**Subject:** Trackside

My name is Tia Will. I live at 217 J in Old East Davis. As a relative newcomer to the neighborhood having lived here only 5 years after downsizing from North Star, I did not fully appreciate the history of this part of Davis.

True, when I bought my house, I knew that there was a nearly completely refurbished Victorian next door at 233 J. I knew that there was a student housing cooperative which had been on the corner for many years, but I had no idea just how many homes with historic value were being refurbished in our neighborhood. At a recent meeting one of the neighbors recited a list of at least 7 homes not including mine or the ones I have mentioned off the top of her head. These range from small bungalows such as mine to large Victorians and represent a gradual evolution and restoration over time done one project at a time by the owners.

So when considering the historical impacts on our neighborhood of the Trackside proposal as presently being put forward, I would ask you to look beyond the fact that they are not actually tearing down historic buildings, but rather that this project as proposed is so beyond the size and scale of any structures in or near our neighborhood as to effectively destroy the feeling of the neighborhood in which many of us have invested a great deal of time, money and love to preserve and improve. I am asking you not to consider only this single tract of land, but also the entire ambience of one of Davids older neighborhoods.

Thanks for considering,  
Tia Will

**From:** Tom Berg [REDACTED]  
**Sent:** Friday, October 16, 2015 12:12 PM  
**To:** Eric Lee  
**Cc:** Alicia Berg; Deborah Berg; Sé Reed; Tommy Berg; rsmith@migcom.com  
**Subject:** Community Development and Sustainability Public Meeting Oct 19 2015

Dear Mr. Lee

Thank you for the notice of the public meeting to be held October 19<sup>th</sup> regarding the proposed Trackside Center at Third Street.

As an owner of the property directly across the alley, east of the proposed center, I regard the project the equivalent of inviting a 6-story gorilla to come live in the neighborhood. In addition to the offensive height of the proposed structure there'll be the disruptive need to continually provide supplies, remove trash and implement off hour services to keep the project operational, 24/7. All of that within an established residential neighborhood. Really? Is such a project be prudent and necessary adjacent this established neighborhood? How could "transitional development" ever allow construction of a 6-story structure adjacent an existing single story residential neighborhood?

By definition of *community* it is difficult to imagine the Community Development and Sustainability Department could ever approve such an ill-conceived project as the Trackside Center.

I strongly urge your department to disapprove and reject the developers application for the Trackside Center.

Sincerely,  
Thomas Berg, P.E.

315 I Street  
Davis, CA 95616

October 14, 2015

Rob Smith  
Eric Lee  
23 Russell Boulevard, Suite 2  
Davis, CA 95616

RECEIVED  
OCT 16 2015  
City of Davis  
Community Development

Dear Sirs,

We and many others are strongly opposed to the proposed Trackside project in its current form. It is unreasonably MASSIVE!

This proposed six- story high-rise is completely unacceptable and flies in the face of the established current zoning guidelines. It's mass and scale in no way fits in with the current character and charm of our neighborhood homes. By no means do we agree with the proposed Trackside exceeding maximum building height standards for this mixed use transition zone. Trackside does not compliment or fit in with the character of any other nearby commercial building designs weather they are, new, old or historical in the core downtown.

We implore the planners of our community development department to require Trackside to abide by the established and current guidelines. A project of this magnitude anywhere in Davis must be carefully considered! Respect the rules. The established guidelines matter. Citizens, neighborhoods, families, privacy, and peaceful enjoyment all matter! These well established transitional guidelines are still relevant and are currently in place for a number of reasons. Not only do they encourage smart, responsible growth; also they serve to protect our community. In particular, transition zones lay the groundwork for cooperative and reasonable collaboration between parties. It protects property rights as well as the health, well-being, and character of our town and its valued assets. Trackside's proximity to single level, privately owned homes proves the importance and obvious appropriateness of the established transition zoning guidelines.

**Presently, Old East Davis is a vibrantly healthy, cohesive neighborhood with a deeply rooted sense of preservation and community. Two stories would be welcome and proper for this mixed use transition location just west of the I Street alley.**

Moving forward IT IS CRITICALLY PRUDENT to carefully plan the future of Davis. To allow Spot Zoning or piece meal development in Davis is a huge mistake that would have long lasting and potentially irreversible negative ramifications. It is our point of view the three+ story structure fit most appropriately in the heart of the downtown core, transitioning to 2-story structures at the fringe of the core, while the style of transitional mixed use buildings should complement and fit well into our valued and historical neighborhoods.

It is in our opinion that local investors should have a better understanding of how important it is to invest and develop responsibility with neighborhoods and community in mind. No spectacular, special considerations should be allowed. Concessions and give-a-ways inevitably mean we as citizen will be force pay for the project's short falls!



Smart planning will avoid detrimental impacts to the town of Davis and the many burdens the citizens will have to tolerate. Piecemeal style planning will adversely affect and challenge the now healthy balance of our neighborhoods. Old East Davis currently has a diverse makeup of owner occupied homes, single family rentals / mixed use homes and apartments. Our healthy neighborhood welcomes a mixture of young families, retirees, *empty-nesters*, professionals and students; a demographic which will likely change if we are not able to live peacefully and privately in our own homes.

In this transitional area from third to fifth and to the boundary of the I Street alley, the established transition zone guidelines calls for two-three story development. Zoning laws such as this protects the fabric, character, charm, and value of our old historic neighborhoods! Following several meetings with the Trackside project manager, our neighborhood's heart felt opposition to the mass and scale seems not to have been heard.

The Trackside manager and their supporters go on about things like their brilliant marketing point for sustainability, infill, using the most popular claims to appeal to the masses and a host of other claim to try and sell their money making idea to the public. From the beginning, this project was poorly planned and irresponsibly presented as we finally found out about this project in the late May 2015.

Furthermore, as we understand it there may be a very realistic concern about soil and groundwater contamination at the Trackside site and other areas adjacent to Trackside (formally the old Schmeiser Industrial site). There are several test wells throughout the region which show contaminants. "No significant impact? We are very concerned! Others have equally valid concerns. Respectfully we request further EIR studies be required and sampling of any contaminates in the soil, groundwater be publicly revealed. Additionally, we ask the project applicant to discover and disclose the contents of the underground tanks mentioned in the phase one impact report.

"Progress". Let us proceed with caution. Massive structures such as the proposed Trackside project looming over and encroaching into historical neighborhoods we ask, "At what cost"?

Respectfully,

  
Ray and Marijean Burdick

CC: City of Davis City Council

**From:** Larry Guenther [REDACTED]  
**Sent:** Tuesday, October 13, 2015 8:48 AM  
**To:** Eric Lee  
**Cc:** oedna@omsoft.com; rsmith@migcom.com; Dan Wolk; Robb Davis; Lucas Frerichs; Brett Lee; Rochelle Swanson  
**Subject:** Trackside re-development

To: Eric Lee

From: Larry D. Guenther  
402 I St.  
Davis, CA 95616

Dear Mr. Lee,

I am writing to express my great concern regarding the proposed Trackside development. As I am sure you know, the Trackside property exists in the Old East Davis neighborhood and is listed as a site that transitions from Old East Davis to the Downtown Core.

The overwhelming mass and scale of this proposal dwarfs adjacent properties (all one-story), both on the Old East Davis side (east) and the downtown side (west). It is difficult to see how the proposed structure is transitional in any way.

The proposed 6-story structure includes a 78-foot-high wall on the eastern face and thus severely degrades the historic neighborhood and buildings which would be a mere 30 feet away from this wall. The proposed building would virtually eliminate the value of the homes immediately adjacent to it **as homes**.

There are many reasons this proposal is ill-conceived, but the primary issue for me is the egregious disregard of city planning documents, specifically the Davis Downtown and Traditional Residential Neighborhoods Design Guidelines.

I respectfully request that you deny the application of the Trackside re-development as planned.

Most Sincerely,

Larry D. Guenther

**From:** Steve Sherman [REDACTED]  
**Sent:** Tuesday, September 22, 2015 12:12 PM  
**To:** Eric Lee  
**Cc:** 'Steve Sherman'  
**Subject:** Trackside

Hi Eric - This email is to express my objection to the Trackside project.

I own the property at 319 I st. Our company recently completed a complete rehabilitation and addition to this home, turning it from an eyesore into a charming and comfortable 3 bedroom, **one** story cottage now rented by a family of 4 while the father attends graduate school (see attachment). In addition, we have just received a building permit to convert the garage which is on the alley to the rear (west) into a one bedroom affordable living space.

My objections to the Trackside project are as follows:

1. This project violates virtually every single infill, general plan, specific plan and transition guideline currently enacted for the downtown area and specifically the "Davis Downtown and Traditional Residential Neighborhood Design Guidelines".
2. The total height and mass of this project would totally overshadow the adjoining neighborhood which would literally be in their shadow many hours of the day. Properties on the east side of the affected area on I street would have very limited options if they wanted to install solar on their homes.
3. An approval of this project would completely dissuade people from rehabbing properties in the transition areas for fear that a project similar to Trackside might pop up.
4. Property values clearly would be impacted negatively.
5. On my particular property, the one bedroom unit lines up exactly opposite to the vehicle entry and exit for Trackside. In addition to the vehicle noise generated at all hours of the day, there would be beams of light emitted from headlights constantly directed at this unit and the cottage on I street. I haven't seen any kind of traffic study but logically this would occur hundreds of times each night. Furthermore, these beams of high intensity light would be shining from a distance of 15-20 feet.
6. I have been a builder/developer in Davis for almost 40 years and I have **NEVER** seen a project proposed or built in this town that so disregards the neighbors right to peace, privacy, and tranquility. I cannot recall of any project that did not require the developer to have a transition zone between existing residences and the new structures whether they be residential or commercial. And especially an existing neighborhood that was primarily single story homes such as the I street corridor.

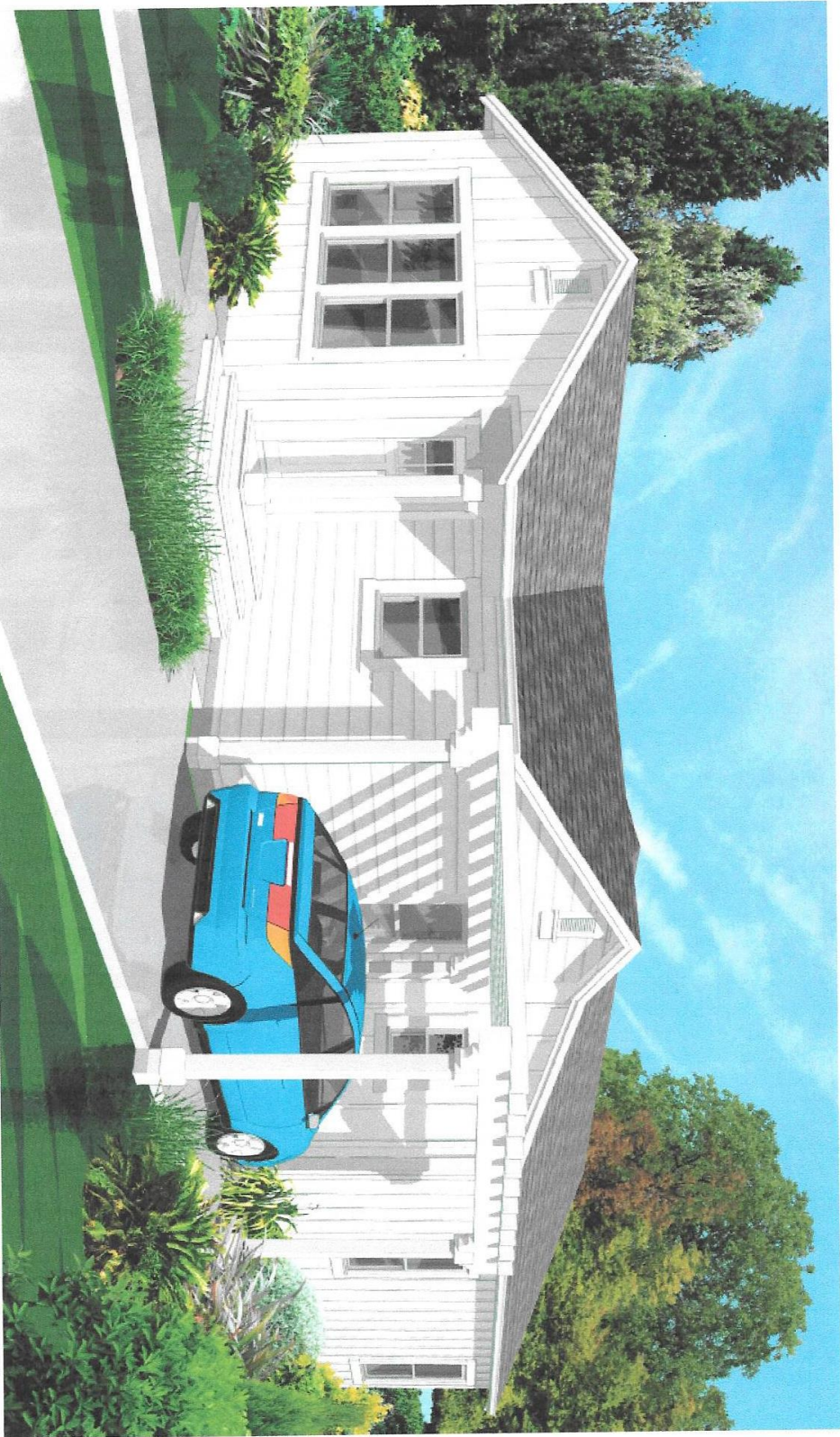
I have no opposition to redevelopment of this parcel and would support a 2 story project that is respectful to the longstanding adjoining neighborhood of Old East Davis.

Please see the attachment composed of:

- a. Rendition of completed 319 remodel and addition
- b. site plan of 319 I and the rear alley identifying the approved garage conversion, and proposed Trackside driveway.
- c. floor plan of the 1 bedroom, 1 bath approved garage conversion

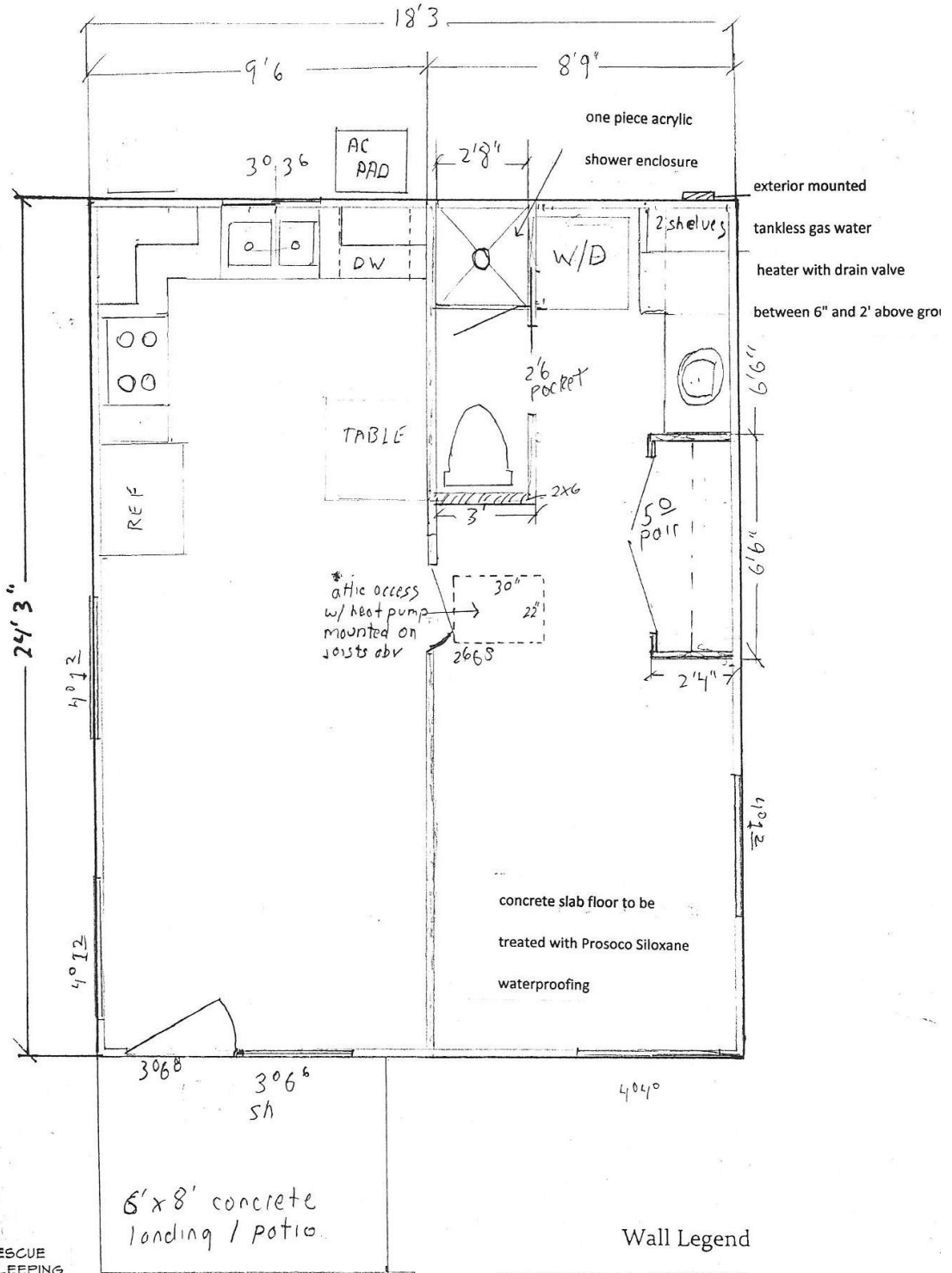
Steve Sherman

*HRMC October 20, 2014 Staff Report on PA#14-46 -- Dem #5-14 & DR#18-14 for 319 I Street Remodeling and Addition  
Page 8 of 20*



*VIEW FROM I STREET*





:- ESCAPE OR RESCUE  
 NS FOR EVERY SLEEPING  
 SHALL HAVE A MINIMUM  
 EAR OPENABLE AREA OF  
 UARE FEET. THE MINIMUM  
 .EAR OPENABLE HEIGHT  
 BE 24" AND THE MINIMUM  
 LEAR OPENABLE WIDTH  
 L BE 20". FINISHED SILL  
 SHALL BE NO MORE THAN  
 " ABOVE THE FLOOR."

total sq ft 432

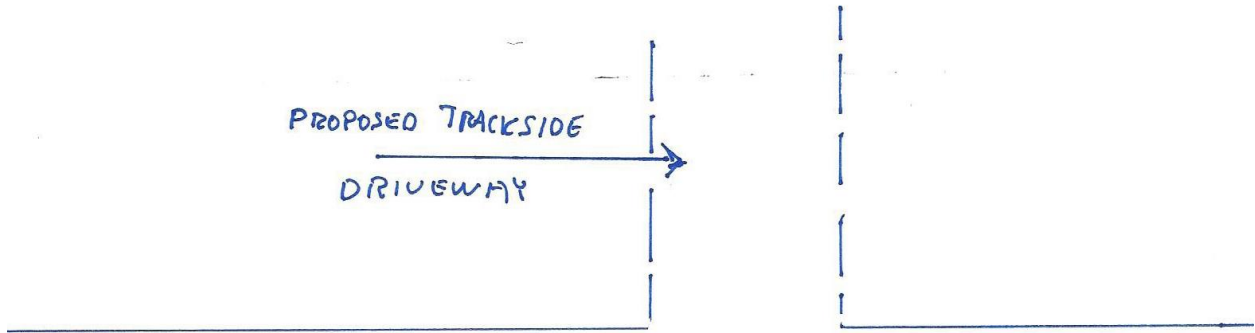
Wall Legend

- NEW WALLS
- EXISTING WALLS TO REMAIN

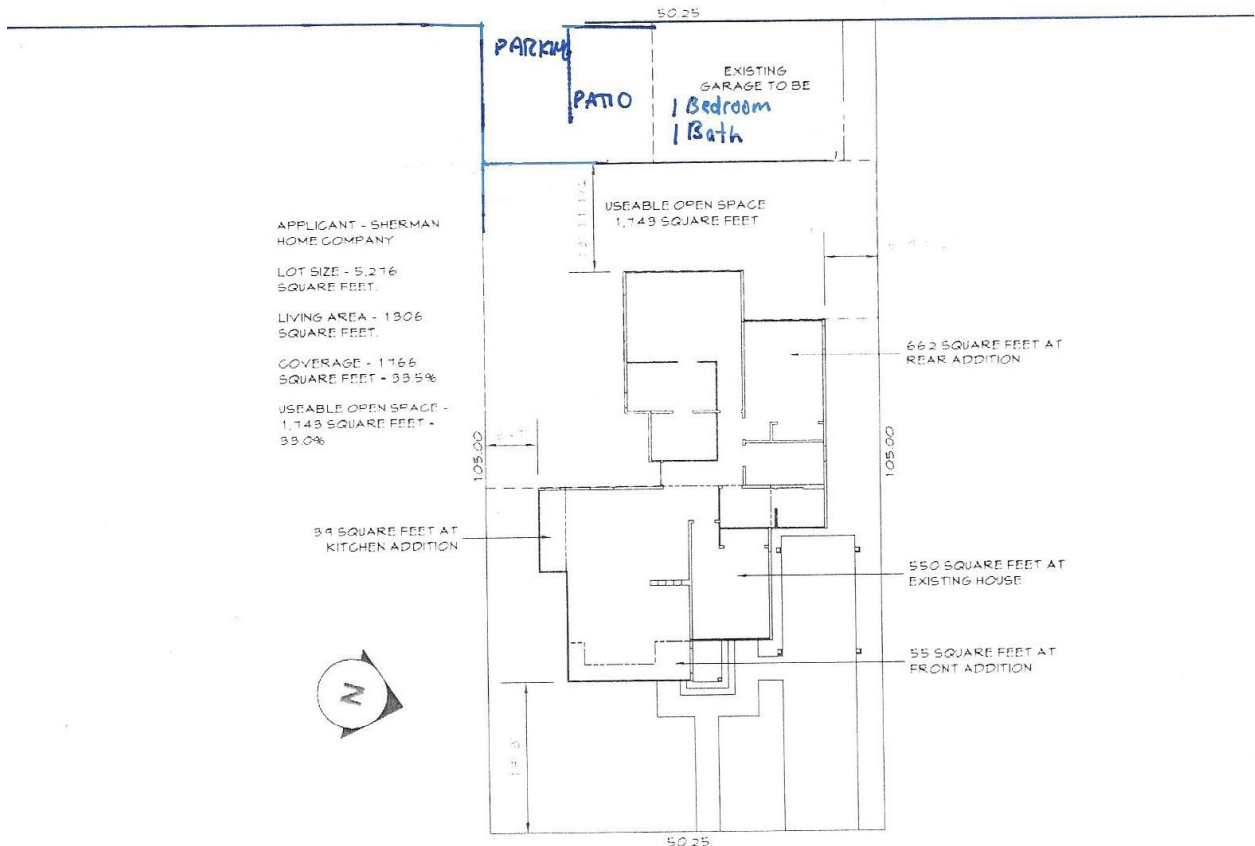
NOTE - EXISTING CONCRETE FLOOR TO  
 BE WATERPROOFED

1/4" = 1'

2.



ALLEY



1 SITE PLAN



July 21, 2015

Re: Trackside Development

Dear Steve & Kemble,

Thank you for meeting with us to review your current proposal for development on Third Street. We have given the project a lot of consideration, talked it over with our management team and with other consultants. Here is a summary of our initial concerns.

1. We object to the one way travel in the alley. We believe this will be a problem for our business in moving product from one location to another. We also move all of our waste materials to the Rock Yard so that Davis Waste has a central pick up location. This reduces both our costs and the truck traffic in the alleys and streets around our store.

Further, we are concerned that with one way traffic this will reduce more X parking and make it difficult for the homeowners to access their alley garages. Most of these homes do not have garages on I Street and this is their back access.

2. We are deeply concerned about parking. Your current development has adequate on site parking for your businesses and their customers. In addition there are X permit spaces along the alley. Where the signs went would be a question for the police department. Your plan does not replace these spaces and provides no on site parking or alternative for the employees and customers of your 10,000 sq feet of commercial space.

The Parking Task force has clearly requested additional parking supply and review of in lieu fees. There has been no work accomplished on these two items and your project will clearly make parking worse on the eastern portion of the downtown.

3. Service utilities. It was our understanding that the service utilities will be provided on the north portion of your space. I would advise you to look carefully at other retail and residential space and the amount of waste product that is created. The Chen building next to us has horrible garbage problem which is now outside of their building (originally planned to be inside) and it stinks, it a mess and offensive. I really do not want situation next to our Rock Yard.
4. Height – Your location is in a transition zone allowing 3 stories. 5 and half stories seems really high for this location. Being in the shadow of your building is a concern.

5. Union Pacific power lines relocation. If this actually moves forward we would want to be fully involved and to make sure the lines remain on Union Pacific property.

I hope that these comments are helpful and reflect our understanding of your projection in its initial stages. We urge you to resolve the parking and alley issues early on.

Thank you again for meeting with us.

Regards,

Jennifer Anderson  
Davis Ace

Doby Fleeman

Cc: Mike Webb

**To:** Historical Resources Management Committee

**From:** Ezra Beeman  
The Schmeiser House  
334 I Street

**File No:** Trakside Centre proposal, 901-919 Third Street  
Preliminary Review of Third Street Apartments Project

**CC:** Robert Smith, Eric Lee, OEDNA, Dan Wolk, Robb Davis, Lucas Frerich, Brett Lee and Rochelle Swanson

12 December 2015

Dear Historical Resources Management Committee,

This letter is an addendum to my previous letter sent to the Historical Resources Management Committee dated 20 October 2015. The meeting was ultimately deferred and a shadowing study was commissioned, providing additional information which this letter also comments upon.

In addition, I wish to raise two additional issues with the original report, namely that the proposed site may contain buried historical artefacts of significance to the history of Davis, and early agricultural innovations, which would be lost forever if the excavation were conducted without due care, and that the excavation itself would release the Geo Technical report identified odorous chemicals into the air, which could damage the three historical buildings within 300 feet, including our house at 334 I Street, which is a registered Landmark Resource.

#### Physical Damages

The historical report stated that the historical significance of the person who constructed the house was related to his setting up of the water utility, founding the largest manufacturing plant in Yolo County at the time, and inventing or improving widely used farm equipment. Historical artefacts would be buried at the site, and their discovery and safekeeping would enhance Davis' historical resources around this formative stage in its early development. If historical resources have value, and there is a reasonably likelihood of their discovery, care should be taken to secure them.

#### Chemical Damages

The Phase 1 Environmental Site Assessment report identified abandoned tanks and historical uses at the site that would be reasonably likely to leave hazardous chemicals on the site, especially given the differences in environmental protection standards at the time. Their reasonable likelihood of being concentrated and chemically reactive (as a solvent) was evidenced by the Geo Technical Report, which found soil samples taken from the site gave off petroleum product like odours. If these chemicals are corrosive or otherwise damaging to the historical resources within 300 feet of the site, they would directly damage these registered Landmark Resources.

Even though the potential damage would impact our house directly (as well as all the others within the area of the air born chemicals), I cannot commission proper testing of the site as it is on private

property. My understanding is that only the City of Davis, or a court order, would be able to require a proper environmental assessment of the potential for caustic, historical resource and community health degrading chemicals to be released from excavation of the site, before any damage is done. While not within the scope of the historical resources consideration, a proper environmental assessment of what lies buried in the former heavy industrial area would have the beneficial impact of identifying and preventing the release of any cancer causing solvents into the air. This is of great interest to Davis families in the area that would be breathing this air, particularly those like us with young children.

### Shadowing Damages

My review of the shadowing report has found a number of incorrect statements and assumptions, gaps in the description of the appropriate assessment framework and test criteria, and gaps in the substantiation of conclusions.

The report claims that although it is an impact assessment criteria, there are no deep recesses or voids, or elaborate carvings that will be impacted by the shadow of the proposed project:

*The historic properties in the project APE are private residences and the duration of sunlight on each house will have no adverse consequences to the general public. The duration of diminished sunlight by the proposed project is countered by the shade already in existence from mature trees. The functional use and enjoyment of all three historic properties will remain largely the same, since the use of each property is not determined by the amount of sunlight each property receives.*

Neither assertions is correct and both are contracted by shading 'facts' in the report itself and provided below, which prove the proposed building will have a significant impact on the availability of sunlight on to our front porch during the late afternoon and early evening hours. The study claims that these areas are already shaded by the veranda or trees, but this is not true in the 1-2 hours (depending on the year) before sundown, when the sun dips below the tree line and the sun comes lights up the front porch, which provides most of this house's distinguishing architectural features.

The picture below was taken in the front of our house on the 7<sup>th</sup> of November at 3:38pm(!) when I first realised the extent of the impact of the proposed building the light coming on to the property. While the expert report suggests that the impact will be minimal, it is pretty clear here that it will be impacting sunlight hitting one of Davis' best registered Landmark Resources quite early in the day. The building will essentially be hidden in shadow from this point onwards, significantly dulling the appearance of the resource compared to its appearance with relatively good, lateral sunlight.





The picture below shows the front of the house, in all its curved, Queen Anne Revival / Craftsman glory. It also shows the aspect of the house, including its elaborate carvings, etc. which currently enjoy direct sunlight in the late afternoon that would be subject to significant additional shadowing from the proposed building due to its violation of the neighbourhood's design guidelines.





The report goes on to assert that the historical resources do not require sunlight to be enjoyed:<sup>1</sup>

Because the three historic properties are significant largely for their architecture, and not their landscape or other non-architectural features, the fluctuation of sunlight created by shadowing as a result of the proposed project is fairly negligible. In essence, having direct sunlight for each property is not a major enhancement for each property in relationship to its architectural significance. Figures 2 and 3 below illustrate the greatest reduction in sunlight as a result of the proposed project.

To the degree that the enjoyment is visual in nature or at least there is a need to see the historical resource in person to benefit from it (or we can all just look at old pictures), and that the quality of vision is a function of lighting (which older people need more of than young people), then the removal of sunlight during later afternoon hours for much of the year would be a significant loss to the community who is currently able to walk by the house and see it well lit up by the sun.

The report does go on to say that our house will experience the greatest shadow impact.<sup>2</sup>

We also note that all the trees between us and the proposed project are deciduous and have for the most part already lost their leaves. We believe the original impact study should be updated to take the included pictures now, which is how the community will experience the impacts for around a third of the year, rather than how the project is presented at full foliage levels.

Given one of Davis' very few remaining historical districts and resources are under threat of losing their distinctive historical character; one of Davis' best, registered Landmark Resources will lose its stunning late afternoon perspective entirely and could become damaged by the release of corrosive solvents in the air, and that the community at large could lose significant historical artefacts from its formative years to the dump, I respectfully ask the committee to:

1. Reject the conclusion of the Analysis Report that the properties do not meet the criteria for designation as a historical resource at local, state or federal levels, and that they have no historical significance to warrant a full Environmental CEQA. They may contain historical artefacts that would be unearthed during excavation.
2. Ask that a full Environmental CEQA be undertaken in order to ensure a complete and unselective review against all the required Landmark, Merit Resource and Historic District criteria, and particularly the criteria of whether the proposed project will impact on the historic district, and the direct effects of the project on the area's historical resources, especially due to the release of corrosive chemicals into the air and shadowing.
3. Provide advisory input that the proposed project, and any variation that does not conform with the design guidelines, and in particular its most important aspects of scale, mass and sympathy with its historical heritage, would also be deemed to be incompatible with the designated historical resources within 300 feet.

Yours sincerely,

Ezra Beeman

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<sup>1</sup> Historic Resources Associated, *Historical Resource Shadow Effects Analysis Study for the Traskside Center Project, 901-919 3<sup>rd</sup> Street, Davis, Yolo County, California, Page 6.*

<sup>2</sup> Ibid. page 6.