

**Davis Enterprise articles on Trackside Center proposal: June 4, 2015 through October 11, 2017.**

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View From 3rd St.

## **Columns**

# Trackside 3.0: This is a building that fits

By **Special to The Enterprise** From page A9 | September 24, 2017

By **Rhonda Reed, Larry Guenther, Robert Canning, Mark Grote and Cathy Forkas**

The Old East Davis Neighborhood Association presents “Trackside 3.0,” a proposal that balances the need for housing with the basic Davis values of sensible growth and the preservation of neighborhood character.

The association’s proposal is a three-story, mixed-use building based on the current design by the Trackside Partners — but scaled to fit within neighborhood Design Guidelines and city zoning.

Trackside 3.0 achieves:

- \* Mass and scale consistent with the Design Guidelines;
- \* Floor area ratio of 1.5 consistent with mixed-use zoning;
- \* The same amount of commercial/retail space as the Trackside Partners proposal;
- \* Increased housing near downtown;
- \* Surpasses the Sacramento Area Council of Governments’ goals for density near the railroad station;
- \* Significantly reduces impacts to adjacent single-story homes; and
- \* Creates a careful transition from a traditional historic neighborhood to the downtown core.

The neighborhood association’s proposal is still a very large building: It has 45 percent more square footage than the four-story Chen building at Second and G streets, and it is larger than The Lofts on E Street, the largest mixed-use residential building in the downtown core.

The Chen Building and The Lofts are both economically viable, suggesting that the association’s proposed building also will “pencil out.”

Responsible land use involves balancing the city’s need to grow with

implicit contracts between the city and its citizens, which are embodied in zoning ordinances and land-use policies. The city's goals can be achieved with a zoning-compliant building.

As Planning Commissioner David Robertson asked at the Aug. 23 Trackside Center hearing, "If we're not going to enforce the Design Guidelines, then why do we have them?"

The policies of the General Plan, Core Area Specific Plan and Design Guidelines are statements of shared values and norms, produced with the input of planners, decision-makers and community stakeholders.

Some relevant policies:

\* The General Plan states a requirement for "an architectural 'fit' with Davis' existing scale for new development projects."

\* The General Plan states "There should be a scale transition between intensified land uses and adjoining lower intensity land uses."

\* The Core Area Specific Plan states: "Existing residential neighborhoods and their character shall be protected. They are an integral part of the uniqueness of the downtown."

\* The Design Guidelines, regarding mixed use mass and scale, state: "A building shall appear to be in scale with traditional single-family houses along the street front."

\* The city of Davis Municipal Code states: "Wherever the guidelines for the DTRN conflict with the existing zoning standards including planned development, the more restrictive standard shall prevail."

Approval of the Trackside Partners' proposal by the City Council would violate the agreements designed to protect traditional neighborhoods from direct, overwhelming encroachment and unmitigated impacts.

A community-based process for revision of the Core Area Specific Plan will begin in the coming months. A new approach to planning, known as a "form-based code," is expected to be a key component of the revised specific plan.

Transitional areas between single-story homes and downtown should incorporate the "missing middle" concept, according to Daniel Parolek of Opticos Design, lead author of the book "Form-Based Codes." The "missing middle" is a scaled transition from traditional neighborhood homes to a denser downtown.

A fundamental purpose of form-based planning is to avoid the "wall" effect where two land-use types interface



without a sensible transition. The Old East Davis Neighborhood Association's proposal makes this careful transition, while the Trackside Partners' proposal does not. The middle would still be missing if the Trackside Partners' proposal is approved.

James Corless, CEO of SACOG, was asked about his vision for future

growth in Davis at the Aug. 23 Planning Commission hearing. He replied that the city needs to provide new housing "... while maintaining your community character, your charm, your livability and a small-town feel ..."

Later that evening, the Trackside Partners' proposal failed design review by a 6-0 vote of the Planning Commission, due to questions about its compliance with the Design Guidelines.

A financially viable, compliant building has now been presented in the form of the neighborhood association's proposal, "Trackside 3.0." There is no need to depart from the zoning and Design Guidelines.

The neighborhood association shares the community vision of a thriving, walkable downtown. The neighborhood association offers Trackside 3.0 as a proposal that all can support: one that accommodates Davis' need to grow, preserves neighborhood character and respects commitments between the city and community stakeholders.

The community must be the guardians of our traditional historic neighborhoods. If we fail to protect them, the charm and uniqueness of Davis may be swept away by constant development pressure. Once lost, these can never be restored.

If this can happen at the Trackside site, it can happen anywhere in Davis.

*— Rhonda Reed, Larry Guenther, Robert Canning, Mark Grote and Cathy Forkas are members of the Old East Davis Neighborhood Association board of directors*

## Letters

# Is city in violation of ADA laws?

By **Letters to the Editor**

From page B6 | September 01, 2017

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The Trackside Center project proposes a non-ADA-compliant alley sidewalk that would lead to the parking structure used as an excuse to not meet required parking for the number of residents and commercial customers and employees.

When private developers have not complied with ADA standards, and these facilities are deeded over to the city of Davis, the city also receives the legal responsibility for ADA compliance. Sidewalks and roads become the responsibility of public entities after they are built by private developers and deeded over to the public entity following construction.

Approval of the Trackside Center's alley sidewalk as proposed conflicts with the city's stated commitment to and eligibility for Title VI federal Transit Administration funds.

Approval of illegal developments will result in negative fiscal impact and liabilities to the city and taxpayers.

How much will this liability add to the city's long-range budget shortfall? The Davis Enterprise shows a "\$350 million deficit for Davis, not including an estimated \$200 million to cover the city's parks and building infrastructure..."

<http://www.davisenterprise.com/local-news/project-toto-lifting-the-veil-on-city-finances/>

Is the city tracking all approved exceptions to zoning laws, which include the design guidelines, effectively rendering these laws useless? By precedent, future development projects should expect the same immunities.

It would only be fair for the city to provide financial support to small businesses expected to abide by laws that impose great costs to them: <http://www.davisenterprise.com/local-news/ada-lawsuits-take-their-toll-in-davis/>

**Elsa Ruiz-Duran**

Davis

## **Local News**

# Trackside Center gets key support from Planning Commission

By **Felicia Alvarez**

From page A1 | August 27, 2017

Last Wednesday, the Davis Planning Commission voted in support of the proposed Trackside Center, approving the infill project's planning application on a 4-2 vote.

An article published Friday mistakenly reported that the commission denied the planning application on a 6-0 vote. We regret the error.

The Trackside proposal includes plans to replace commercial buildings at 901-919 Third St. with a four-story mixed-use project with 8,950 square feet of retail on the ground floor and 27 apartments.

The commission voted 4-2 to recommend approval of Trackside's final planned development documents, demolition permit, core area specific plan amendment and a rezone on the parcel.

Four commissioners — Herman Boschken, Stephen Streeter, Darryl Rutherford and David Robertson — voiced support for Trackside's design.

Throughout Wednesday's commission meeting, commissioners wrestled with how to apply the design guidelines, leading them to vote 6-0 against the project's design review and how the city's design guidelines were applied. This vote solely affects the design review, not the project as a whole.

"What I'm trying to do is to force the issues so the City Council addresses it directly on how the design guidelines need to be used going forward," Robertson said.

The commission did vote in favor of a core area specific plan amendment, which will allow higher housing densities solely at Trackside's location, and a rezone to change the zoning from "mixed-use" to "planned development."

These approvals, if affirmed by the City Council, allow a project like Trackside to take shape on the parcels.

"This is the way for city staff to recognize that with the leased land, the project does comply with these standards," project manager Kemble Pope told The Enterprise.

The commission also voted 5-1 to recommend against adopting the environmental review prepared for the project. Commissioners declined to recommend approval of the document because city responses to at least 55 comment letters from local residents are not available, though these responses are not required by law. The responses are expected to be available before the council weighs in on Trackside.

The commission's recommendations will inform the council's

hearing on Trackside in mid-September. Pope came out of the commission meeting feeling positive, and said he is approaching the council meeting with similar optimism.

“I was pleased to hear such thoughtful and positive comments about the design of the project from four commissioners,” Pope said. “And a recognition that we have made significant changes in response to the community ... and a general agreement that this kind of development is welcome.”

Indeed, Wednesday’s lengthy public comment period saw strong support for the project, as well as opposition to it. Longtime residents — both investors and those not affiliated with the project — spoke in favor of Trackside, and a chorus of opposition voices rang out from Old East Davis residents and other longtime community members.

— *Reach Felicia Alvarez at [falvarez@davisenterprise.net](mailto:falvarez@davisenterprise.net) or 530-747-8052. Follow her on Twitter at [@ReporterAlvarez](https://twitter.com/ReporterAlvarez)*

# Planners decline to back Trackside project

BY FELICIA ALVAREZ  
Enterprise staff writer

The Davis Planning Commission unanimously rejected Trackside Center's planning application Wednesday night, as concerns about implementation of the city's design guidelines took precedence over support for the infill project.

The Trackside proposal would replace commercial buildings at 901-919 Third St. with a mixed-use project with 8,950 square feet of retail on the ground floor and 27 apartments. The apartments — which include studio, one- and two-bedroom units — would be marketed to young professionals and empty-nesters.

At four stories tall, Trackside is taller than the two- to three-story limit noted in the area's design guidelines. At the same time, city staffers contend that the project fits the guidelines, which they say allow for a level of flexibility.

"It doesn't say you can't approve a one-story or shouldn't approve a four-story (building). ... That's where it gets into the judgment and discretion of your commission," said Ash Feehey, assistant community development and sustainability director.

The six commissioners present Wednesday were reluctant to step over the design guidelines, however, and said they did not have enough information before them to vote in support of the project.

"I'm favorably impressed by the project in front of us, I just have problems with the procedure that's getting us here tonight," said Commissioner David Robertson. "... It's hard to recommend the project when I have concern about the process of environmental review."

Not available to the commission Wednesday were the city's responses to at least 55 comment letters sent by residents during the environmental review process, as well as unstudied potential impacts from toxic contamination of soils in downtown Davis.

The responses to the letters — which are not mandated by law, but preferred by the commission — are expected to detail the city's reasonings for taking a softer approach to the design guidelines.

SEE TRACKSIDE, PAGE A7

# TRACKSIDE: Pursuit of perfection lamented

From Page A1

The guidelines show preference for projects that fit the character of nearby homes and max out at two to three stories, as well as projects that feature mixed-use design and setbacks from the street.

"My thought (for) the City Council is that they give sound thought to the guidelines," said Commissioner Stephen Mikesell, looking ahead to when the project will go before the council. "If they're going to be treated as suggestions ... people need to know that."

Side by side with concerns about the review process, however, at least three commissioners expressed vocal support for Trackside's design.

"It's the type of project that's potentially the future of Davis," said Commissioner Darryl Rutherford. "I hear the neighbors' concerns. ... The size and scales could be quite daunting, ... but I'm not quite sure what else we're going to be doing in this town."

Controversy has surrounded the project since plans for a six-story version debuted 2015. Since then, residents of Old East Davis have protested that Trackside does not meet the design guidelines and would not be compatible with their neighborhood of bungalows and two-story apartments.

During that time, developers reduced Trackside's height to four stories, and decreased the number of units from 48 to 27.

Still, Wednesday's public comment period saw two hours of protest and support for Trackside, with numerous Old East Davis residents relaying concerns about historic impacts and neighborhood compatibility.

Several of Trackside's investors appeared before the commission as well. The site is owned by a collective of 40-plus Davis residents who are investing in the project.

"We talk about infill, and we talk about housing ... but when it gets on the table it gets bogged down," said Carson Wilcox, a longtime resident and investor. "We are in the dangerous area of becoming a city that throws out a good project in pursuit of a perfect project."

Wednesday night also saw the commission vote 5-1 against recommending approval of the project's environmental document (Rutherford was in support). The city is using a streamlined version of environmental review — called the Sustainable Communities Environmental Assessment — to study Trackside. The SCEA is intended to benefit infill projects and projects that meet transportation and sustainable community standards.

The commission also voted 4-2 to recommend approval of the demolition permit and an amendment to the Core Area Specific Plan that would allow denser housing limits solely on the Trackside parcels. Commissioner Mikesell and Vice Chair Marilee Hanson opposed the motion.

The recommendations will guide the Davis City Council's final vote on Trackside at a meeting in mid-September.

Commission Chair Rob Hofmann, who was not present Wednesday, had recused himself from the discussion due to one of his business clients' affiliation with one of the project area parcels.

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## Columns

# Planning Commission should reject irresponsible infill

By **Special to The Enterprise**

From page B4 | July 16, 2017

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By **David Krueger**

As part of the Davis community and owner of a home in Old East Davis, I take exception to Eric Lovell's letter published Wednesday in The Davis Enterprise.

I'm writing from a first-person perspective from actually dealing with the Trakside investors and developer from the very beginning of their pitch to forever negatively alter my neighborhood.

(A 50 1/2-foot-tall apartment and commercial building is proposed to replace the 3rd Street Jeweler store and Candy House of Davis, stretching all the way back to the Ace rock yard, on the east side of the tracks, an alley-width away from some of the oldest homes in Davis.)

I believe in responsible infill, adding much-needed dwelling units and alleviating our housing shortage. But Trakside is not a responsible project for a residential setting.

When first proposed, Trakside was a six-story monster. After failing to slip this into the neighborhood without as much as a courtesy conversation about their massive project, they then had to confront the Downtown and Traditional Residential Design Guidelines and realize that we small homeowners knew all about this promise already made by the city to us Davis residents in the guidelines.

The neighborhood was rightfully shocked that local investors would have such little regard for their fellow citizens by proposing a building twice as big as what the guidelines actually clearly spell out — “two to three stories.” Oops. Well, they had to scale back and maybe cajole the city into allowing a four-story building.

The investors/developer didn't really listen to the neighbors but instead realized that going big meant going home without a project. Of course, I and many other neighbors worked with them to express our opinions, but the latest four-story giant is still out of compliance and is totally unresponsive to our concerns.

Plus, this massive structure is not in the downtown core. It's in a transition area designated as such, less than 100 feet from the smallest house in the area and many other single-story residential homes.

Even the Core Area Specific Plan section “New Buildings in Residential Neighborhoods” (page 84) states, “The single most important issue of infill development is one of compatibility, especially when considering larger developments. When new projects are developed adjacent to older single-family residences, concerns exist that the height and bulk of these infill projects do not have a negative impact on smaller scale buildings.”

The Core Area Specific Plan section on (page 86) states, “Because infill projects are likely to be taller than one story, their height and bulk can impose on adjacent smaller scale buildings. The height of new buildings should consider setbacks at the second story.”

The fluff of Eric’s letter that implies that Trakside’s investors and developer listened carefully and incorporated changes in order to alleviate concerns is not accurate. Anything built that does not comply with the documented, collaboratively developed and adopted city guidelines is a smack at the neighborhood and sets a dangerous precedent.

Scale it to the surroundings by following the specific plan and guidelines. Trakside may be environmentally responsible, but it’s missing the good-neighbor social part.

I encourage anyone who can spare the time to come to the Davis Planning Commission meeting on Wednesday evening and watch and listen as the Trakside team attempts to coerce the well-meaning city officials into believing that four equals two, and size doesn’t matter.

Or spend a cool evening in any of the back yards along the west side of I Street, between Third and Fourth streets, and it will all be clear.

— *David Krueger is a Davis resident and owns property in Old East Davis.*

## Our View

# Our View: Planning process serves no one's needs

By **Our View**

From page B6 | April 16, 2017

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**The issue:** Conditions in the housing market can't continue as they are

With the long-running plans for the Sterling Apartments project headed for a hearing before the Davis City Council on Tuesday, we get our latest reminder of how dysfunctional urban planning in Davis has become.

**MEASURE R** makes building on the periphery of town effectively impossible, so developers jump on any parcel within city limits that becomes available. That's what happened at 2100 Fifth St., where the 6-acre EMQ FamiliesFirst group home for foster children closed amid scandal in 2013.

It will have to be rezoned for high-density housing, because city planners never envisioned putting a 198-unit, 611-bedroom complex there. But, while Davis voters say they favor densification ("build up, not out"), any proposal to do so immediately runs into local opposition.

Whether it's Sterling, new UC Davis dorms on Russell Fields or the 27-unit Trakside Center proposal at the edge of downtown, neighbors will band together to prevent the character of the neighborhood from being altered.

In Sterling's case, the most passionate opposition has come from residents of the Rancho Yolo mobile-home park for seniors. Over the past year, the proposal has slimmed considerably; the earliest plans for the project included 270 units, later reduced to 244 units.

After back-and-forth negotiations with the developers — Houston-based Dinerstein Companies — the park's board has dropped its opposition, even as individual residents continue to fight.

And while the negotiations were productive, they highlight the obstacles any development faces in an environment where projects go not where they make the most sense, but wherever a suitable parcel happens to become available. Sterling would have made more sense closer to campus, but where is there a likely 6-acre site?

**THIS IS**, ultimately, what Davis voters asked for. As a community, we approved Measure J and renewed it in Measure R, and then used them to kill every proposal that came along. While we all bemoan the 0.2-percent apartment vacancy rate that results, and the accompanying cramming of UCD students into residential neighborhoods, when push comes to shove we vote instead to protect our property values.

To be sure, Measure R also hamstring the city's planning efforts. It's certainly not conducive to any sort of overall vision when hundreds of staff hours of work go up in smoke on Election Day, but that doesn't mean the City Council can't show leadership on the issue.

Instead of dealing piecemeal with each project as it comes along — leapfrogging across the city map from parcel to parcel — the city could use a comprehensive housing plan that, with citizen input, will channel densification into the areas best able to absorb it.

And while it's all well and good to insist that UCD house more of its own students, the city has to deal with the demographic pressures as they are. More students are coming. More Davis residents are growing up and being shut out of the housing market.

If things continue as they are — without finding a way to accommodate the people who want to live, work and study here — Davis will lose the vibrant, small-town character that anti-growth folks say they are trying to protect.



The proposed Trackside Center is seen in this view of the southeast corner of the building, with Third Street on the left and the alley between the building and neighboring homes in the center. This side of the building features what is described as "farmhouse modern" architectural touches. Courtesy rendering

## **Local News**

# Commission slams Trackside on design guidelines, historic impacts

By **Felicia Alvarez**

From page A1 | December 14, 2016

After a long public hearing during which neighbors voiced staunch opposition to the proposed Trackside Center, the city's Historic Resources Management Commission decided unanimously Monday night that the project does not meet the city's design guidelines.

Over the course of 2 1/2 hours, the contentious proposal was called everything from "grotesque" and "irreversible" to "efficient" and "good-looking" by locals.

Commissioners also rejected a third-party analysis that found that the mixed-use project at 901-919 Third St. would not have adverse impacts on the history of the adjacent Old East Davis neighborhood, which prides itself on its small-town character and historic architecture.

Three historically designated homes that date back to the 19th century are within 300 feet of the project site, including the Montgomery House, Williams-Drummond-Rorvick House and Schmeiser House.

Councilwoman Rochelle Swanson, the City Council liaison for the commission, was present at the meeting. Commissioner Jonathan Howard was absent due to illness.

Over the past year, Trackside's design has changed considerably, as developers reduced the building's height from six stories (78 feet tall) to four stories (49 feet tall). It features 9,100 square feet of ground-floor retail and 27 apartment units on the floors above, designed primarily for young professionals and seniors looking to downsize.

Commission Chair Rand Herbert advised his colleagues to tread carefully as they look at this new type of infill development, as he analyzed the project through the lens of increasing densification — given the uphill battle the city has seen in passing Measure

R/Measure J initiatives.

“It just seems to me that this is one of the first projects that brings a really tall massive building ... right up against a residential neighborhood,” Herbert said. “And I do think when we talk about cumulative effects, we have to talk about what will happen next.”

The commission mirrored several concerns voiced by neighbors that approval of such a tall building could set a precedent by “creating a wall” within transition neighborhoods.

Commissioner Rich Rifkin talked about the “spirit of the design guidelines.”

Trackside sits within several layers of guidelines, spanning the conservation district from nearby Old East Davis to a mixed-use transition area from the downtown core. Guidelines that state that buildings should be no taller than two to three stories, or 50 feet, have been the focus of the most controversy.

“The spirit is the two- to three-stories (guideline); therefore, it fails,” Rifkin said.

The third-party historic analysis — prepared by Dana Supernowicz, principal of Historic Resource Associates — declared that the impacts didn’t reach a threshold that would negatively impact the historic homes. The commission, meanwhile, contended that the study lacked an analysis of the local “setting” and “feel” that surround the historic resources.

Supernowicz said the homes’ architecture, rather than the setting of Old East Davis, is what earns the historic resources designation.

“There isn’t substantive evidence that these resources became significant because of their surroundings,” Supernowicz said, adding that Trackside’s parcels have always been an industrial railroad zone, different from a typical residential neighborhood.

Public comments centered on this concept of feeling and setting, as at least 25 residents of the neighborhood attended the hearing, wearing gray shirts with a red “NO” over a silhouette of the original Trackside building.

“What I’m worried about is not the development, but that the guidelines and the transition building codes were essentially just a promise made in 2000,” said resident David Krueger. “The goal for me as a homeowner and my father as a resident of the Montgomery home, is to maintain the quality of life that our investment provides.”

Meanwhile, local architects and those with their eye on downtown vibrancy came out in support of Trackside. Eric Roe, a lifelong Davis resident and investor in the project, compared Trackside’s dilemma to the Del Rio live/work apartments he’s developing in Mace Ranch and the Crepeville building at Third and C streets, which also sits on the edge of downtown.

“Ideally, this project would be in the middle of downtown, but downtown is expensive, and land is hard to find,” Roe said. “... Yes it expands downtown a bit, but I think it’s eventually going to be something that’s going to be popular in the downtown.”

On behalf of the Davis Chamber of Commerce, board chairman Jason Taormino added: "I think (Trakside) makes people think Davis is going in the right direction, it creates a different energy in our downtown that I think our community will benefit from."

Following Monday's votes, city staff and the developers are considering what type of environmental document will be prepared for the project.

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## Columns

# Trackside Center is our solution to urban sprawl

By **Special to The Enterprise**

From page B7 | October 16, 2016

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By Steve Greenfield and Kemble Pope

Two years ago, more than 40 Davisites decided to invest in our community by purchasing and proposing privately funded redevelopment of the Trackside Center at 901-919 Third St.

We envisioned an aesthetically pleasing property with retail and residential uses mixed together and a focus on sustainability powered by close access to transit, bicycle and pedestrian infrastructure.

Our vision is founded on the idea that new residential opportunities for empty-nesters and urban professionals a mere 800 feet from the train station, within walking distance of every business in downtown Davis and UC Davis, is a win for our downtown and the entire community.

As we all struggle to help downtown Davis thrive, revitalizing a commercial center with new, sustainable retail opportunities and activating the adjacent unsafe, crumbling alleyway as a pedestrian- and bike-friendly corridor is also a win for the community.

Initially, in May 2015, we submitted an application to build a six-story mixed-use building with underground parking and a spacious public plaza. Some of our neighbors in the Old East Davis neighborhood expressed serious concerns about the proposal, mainly focused on the relative size of the building and compliance with zoning and design guidelines.

As local residents who intend to own and operate the redeveloped property for many years, we took these concerns to heart and made a clear and conscious decision to gather information and go back to the drafting table with a new architect. During the past seven months we've had dozens of conversations, including a citywide community workshop, a meeting with the neighborhood to explore the details of the Design Guidelines and zoning code, and multiple meetings with large and small groups representing the neighborhood, downtown and other interested community groups.

Last month, we submitted a new proposal informed by the conversations that we have had over the past year. We appreciate all of the time, energy and effort that our neighbors and other community members have spent giving their input on the proposals.

We want to be very clear that while we were unable to achieve consensus on the new design with some of our neighbors, we have made significant compromises on many features and components of the project based on what we heard in the past 16 months.

The new Trackside Center proposal is still a mixed-use building with a plaza. The residential units remain rental units designed for empty-nesters and professionals that want to live a more urban lifestyle. The major changes from the original proposal to the



current proposal include:

- \* Reduction from 78 feet maximum height to 49 feet maximum height. On the Old East Davis side of the building, 38 feet maximum height, which is shorter than several historic buildings and many trees in the neighborhood.

- \* Reduction from six stories to four stories, with the fourth floor massed toward the railroad tracks and Third Street. On the Old East Davis side of the building, the building is three stories with setbacks on the second and third floors. The new building is the same height as the Chen Building at Second and G streets and the McCormick Building at Fourth and F streets and shorter than the nearby parking garage at Fourth and G streets.

- \* Reduction from 48 residential units to 27 residential units.

- \* Elimination of three-bedroom units; the new proposal is mainly two-bedroom units with a few studios and one-bedroom units.

- \* The third and fourth floors are stepped back from the east (alley and Old East Davis) for a minimum distance of 46 feet and 62 feet, respectively between the proposed building and the adjacent neighbor's property.

- \* The third and fourth floors are stepped back from the north (Davis Ace rock yard) 26 feet and 53 feet, respectively, to ensure that view corridors from Old East Davis to the west are maintained.

- \* Elimination of underground parking (concerns about potential damage to structural integrity of nearby historic home were expressed; cost of underground parking is prohibitive without more residential units). The new proposal contains 30 at-grade parking spaces, most tucked under the building, plus public and private bike parking.

- \* The building has been narrowed to create an 8-foot-wide, tree-lined sidewalk on our private property along the alley.

- \* A public plaza, anchored by an existing cork oak tree, has been reduced from 6,000 square feet to 4,000 square feet to create surface parking.

- \* "Farmhouse modern" architecture (sloping roofs and traditional building materials) has been carefully crafted on the alley side of the building to be more responsive to the traditional architecture of Old East Davis.

- \* Solid walls and louvered balconies maintain privacy for the neighbors and for the new building tenants.

We believe that the redesigned Trackside Center is in close compliance to city zoning and meets most of the Design Guidelines while furthering the city's goals for higher density, sustainable infill and a vibrant downtown.

One of the most effective solutions to creating a sustainable downtown is to provide housing that promotes a walkable and transit-oriented lifestyle in the core. We have a lack of quality housing opportunities in the downtown. Sustainable cities are dense in the core. This, as a clear Davis planning goal, is the bedrock of our

answer to resisting urban sprawl.

We are committed to making this project a great addition to our community.

— *Steve Greenfield and Kemble Pope are Davis residents and the managing members of Trackside Center, LLC.*

## Columns

# We stand firm against planning-by-exception

By **Special to The Enterprise**

From page B7 | October 16, 2016

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By Rhonda Reed, Cathy Forkas, Alan C. Miller, Mark Grote and Steve Kaltenbach

Trackside Partners LLC has proposed a redesigned building at the site it purchased in Old East Davis. Though smaller than the previous design, the proposal far exceeds the mass and scale envisioned in the Davis Downtown and Traditional Residential Neighborhoods Design Guidelines.

The Old East Davis Neighborhood Association supports development on the Trackside site, as specified by the Design Guidelines. The Trackside Partners, however, appear to have bought the Trackside property speculating that the city would change the zoning for their project, superseding the Design Guidelines.

City of Davis planning can no longer operate on “zoning by exception.” The city must stop changing zoning at will, throwing out hard-won agreements made with the time and effort of residential and business stakeholders. The purpose of zoning laws is to establish clear expectations for allowed uses of real property, certainty of investment and to minimize conflicts among neighboring properties.

Zoning by exception defeats this purpose. This is a citywide issue, and the Old East Davis Neighborhood Association is taking a stand, saying that zoning by exception stops here, before Trackside itself is built as yet another exception.

Trackside is not downtown. The proposed development is directly across an alley from single-story homes and infill units. The site falls within a transition zone, for which the mass and type of development are clearly described in the Design Guidelines.

In the early 2000s, the property owner at Davis Ace Hardware sought Old East neighborhood input on a two- to three-3 story proposal for a combined commercial and residential project then under consideration in the transition zone east. The zoning at the time, however, did not allow for combined commercial and residential use.

In 2006, the city proposed to change the zoning at the site, extending from Third to Fifth streets, to “mixed-use.” This change would allow for a mixed commercial and residential project. The Old East Davis Neighborhood Association supported the Ace proposal, and also agreed to the city’s proposed zoning changes, which brought the Core Area Specific Plan over the railroad tracks to the alley, to blend with the transition zone of Old East Davis.

The association’s backing of the zoning change and expanded Core Area Specific Plan was in support of a mixed-use project that would honor the Design Guidelines. The association’s support was never intended to be a starting point for further erosion of land-use law, such as a special allowance for a non-complying, multi-story

building immediately adjacent to traditional one-story homes in Old East Davis.

City ordinance states that wherever the guidelines for the Downtown Davis and Traditional Residential Neighborhoods conflict with the existing zoning standards, including planned development, the more restrictive standard shall prevail. The Design Guidelines specified a transition zone for a reason: to create a gentle gradient between disparate land uses. Ignoring the value of a transition zone could result in undesirable juxtapositions and conflicting land uses.

Recently, the city invited consultants to discuss the relatively new concept of form-based code, under which the overall form of a city is designed from the future back to the present, with its ultimate form planned in advance.

Regulations are simplified and rationalized when form-based planning is used. Neighbors know what is allowed on adjacent properties, and developers know what they can build. Special exemptions under the guise of “planned development” are highly unusual in cities that use form-based planning.

At the workshop, the form-based planning consultants emphasized above all: “transition, transition, transition.” They cited poorly planned transitions as the biggest mistakes that cities make. Clearly, the transition zones envisioned in the Design Guidelines are an early move in the direction of form-based planning. In the case of Old East Davis, this takes the form of a half-block transition from the downtown core to the traditional neighborhood.

The newly proposed, four-story Traskside Center fails to make an appropriate transition in any direction. To the west will be a new two-story commercial building: the new AceHardware addition that the Old East Davis Neighborhood Association supported. To the north is a ground-level rock yard. To the east is a row of traditional one-story homes and infill units. To the south is a row of one-story commercial buildings.

The Design Guidelines clearly state that a two-story, mixed-use building — with a clearly set-back third story — is a desirable transition from downtown to the historic neighborhood. The new Traskside Center proposal is the same height as the Chen Building at Second and H streets. In addition, Traskside would have about twice the footprint and mass as the Chen Building.

The neighborhood association did not oppose the Chen Building, because the Design Guidelines allow for multi-story buildings in the downtown core. The “Double Chen” mass of the Traskside proposal would, however, sit directly across a narrow alley from a block of single-story homes and infill units. This is not rational city planning.

The association values the heritage neighborhoods of Davis and is standing firm to preserve — for future generations — Davis’ historic character. Furthermore, the association stands firm against planning-by-exception precedents that could lead to an unsightly wall of buildings immediately adjacent to traditional one-story homes.

The Old East Davis Neighborhood Association wishes to see rational, mixed-use development at the Traskside site, in full

compliance with the Design Guidelines. We ask community members for your support as we engage in the city planning process, advocating for our neighborhood, speaking out against zoning by exception and working to establish positive precedents for growth in Davis.

— *Rhonda Reed, Cathy Forkas, Alan C. Miller, Mark Grote and Steve Kaltenbach are members of the Old East Davis Neighborhood board of directors.*



The proposed Trackside Center is seen in this view of the southeast corner of the building, with Third Street on the left and the alley between the building and neighboring homes in the center. This side of the building features what is described as "farmhouse modern" architectural touches. The building also has setbacks on the upper floors and solid-front balconies to obscure views of neighboring yards. Courtesy rendering

## **Local News**

# New Trackside Center plans drop building from six stories to four

By **Felicia Alvarez**

From page A1 | October 09, 2016

Developers have trimmed down their plans for the proposed Trackside Center, a mixed-use infill project that would sit on Third Street at the edge of downtown.

The revised Trackside Center would see a 48-foot-tall, four-story building with 9,100 square feet of commercial on the bottom floor and 27 apartments on the remaining floors. A 3-foot-tall parapet would make the tallest spot on the building 51 feet from the ground.

By comparison, the original Trackside Center proposed a 78-foot tall, six-story building that would include 9,900 square feet for retail, 48 units and underground parking with 55 spaces.

The latest plans arrive almost one year after residents of the adjacent Old East Davis neighborhood turned out in force at city commission meetings to oppose the building.

The height of the original building fell under the most scrutiny last year, as neighbors said the building would overshadow the "small-town character" of the adjacent one- to two-story bungalows.

Signs protesting the height and potential shadow of the six-story building continue to dot lawns throughout Old East Davis one year later.

The past year also saw numerous outreach meetings seeking public input on Trackside after developers announced they were hiring a new architect and going back to the drawing board in March.

Since then, developers scrapped the underground parking and instead opted for a surface parking lot on the northern edge of the property that will be partially covered by the building. The units in the site now include a mix of studio, one- and two-bedroom units. Three-bedroom units are no longer an option.

The plaza to the west also was reduced in the revised plans to make room for 30 surface parking spots.

“We can’t not grow; there are people who want to live in the downtown like many others,” said investor Steve Greenfield, of Cunningham Engineering.

Trakside would be geared toward young professionals and seniors looking to downsize from their single-family homes. Developers — all of whom are Davis residents — continue to promote the project’s transit-friendly design that would place residents within walking distance of downtown and the Amtrak train station.

The latest design features a “farmhouse modern” architecture — with sloping roofs and a barn-like aesthetic — on the eastern edge of the project. Overall, the building is massed more toward the southwestern edge of the site (to Third Street and the railroad tracks), with a series of setbacks built in as the building nears the neighborhood.

“We narrowed the building by 8 feet on the east side and there’s an 8-foot sidewalk with trees to screen (the neighborhood),” Greenfield said.

While the latest version of the Trakside Center slashed the building height and density across the board, will it be enough for the building’s neighbors?

“Speaking on behalf of the neighborhood, we’re disappointed with the plan that’s come forward,” said Rhonda Reed, president of the Old East Davis Neighborhood Association.

Neighbors continue to say that even at four stories, Trakside still doesn’t fit the city’s design guidelines for the neighborhood.

The site is in the mixed-use zoning and transitional district between the downtown core and Old East Davis. While the guidelines don’t set a limit on height, they do suggest that buildings be between two and three stories tall.

“We’re very committed to the character of our neighborhood ... there can be a reasonable solution, but what they proposed is not,” Reed said. “We hope we can work through this in a neighborly manner and come up with something that’s good for the community and the neighborhood.”

Developers are sticking with their new plans, however, and believe that the project can fit into the site. The trimmed-down version of the project also includes a floor-to-area ratio that meets the city’s design guidelines.

“They did listen to some of the concerns and are massing toward the southwest and away from the alley, however, the project still is a massive change across one alley,” said Alan Miller, treasurer of the neighborhood association.

As an alternative to the site, Miller and Reed are calling for a building that’s built according to the design guidelines. Miller suggested a two- or three-story building that wouldn’t disturb the transition zone between downtown and the neighborhood.

Members of the local business community are already rallying behind the latest Traskside Center plans.

“We have a fragile downtown that needs to be positioned for the future,” said Anthony Ruebner, a local Realtor who recently transformed the southwest corner of Third and G streets with a new building that houses Temple Coffee, among other tenants. “We need forward-looking people doing the right kind of projects to preserve it.

“The more we can support these kind of projects, the more our city will thrive,” Ruebner said, adding that projects like Traskside that support the downtown core also improve the city’s tax revenue base.

Traskside developers will appear before the Bicycling, Transportation and Street Safety Commission and Senior Citizens Commission on Thursday, Oct. 13, and the Historical Resources Commission on Monday, Nov. 14. The project could go before the Davis City Council by the end of the year.

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## Columns

# Let's have smart growth with neighborhood preservation

By **Special to The Enterprise**

From page B5 | March 13, 2016

### Have your say

**What:** A public workshop for input on a new Traskside Center proposal

**When:** 6:30-8:30 p.m. Thursday, March 17

**Where:** Davis Odd Fellows Hall, 415 Second St.

By Mark Grote, et al.

The Old East Davis neighbors would welcome a Traskside Center project that increases housing density near downtown: a walkable, bikeable commercial and living space that supports a sustainable community; a truly green building that makes a properly scaled transition from the Old East neighborhood to the downtown core.

To achieve these goals, the Old East neighbors seek a collaborative process with the Traskside Partners and city of Davis planners.

The city of Davis will continue to grow in the coming years, and its mix of commercial space, traditional homes and higher-density housing will change. Development that diversifies and enhances the city's revenue stream, including mixed-use infill, will be needed for the city to grow sustainably.

The Old East neighbors understand that we will continue to share in this growth and change. We believe that the Downtown Davis and Traditional Neighborhood Design Guidelines provide a reasonable and flexible framework for building mixed-use projects in the neighborhoods bordering downtown.

It might be said that a compromise should be found between the various needs and goals of the Traskside Partners, the Old East neighbors and city planners. In fact, the Design Guidelines are the compromise, and they are city law (Davis Municipal Code, Article 40.13A).

The Design Guidelines lay out the middle ground between developer-driven infill on one hand, and the strict protections of a historical district on the other. They guide redevelopment and, at the same time, provide a legal and respectful framework for neighborhood preservation.

Since the Design Guidelines were adopted in 2001, at least five infill projects have been completed in Old East Davis, all of them consistent with the guidelines and designed with meaningful neighborhood input.

The Old East neighbors call on city of Davis planning staff and decision-makers to uphold the Design Guidelines and other applicable zoning rules when considering infill projects for Davis' traditional neighborhoods. Zoning rules help property owners plan for the future; they foster a stable and predictable economic climate by specifying what uses are allowable, helping keep peace in the

community and among neighbors.

The encroachment of “planned developments” — projects that are built with exceptions to zoning rules — is a citywide issue. Planned developments have become business-as-usual for redevelopment projects in Davis. They allow developers rather than city planners to drive development and set precedents for infill.

As infill near downtown becomes a priority, the city needs to involve neighbors to create holistic, future-oriented plans for appropriate and sustainable growth. The city should impose a moratorium on planned developments until a community vetting process, setting out an equitable and orderly path for growth, is complete. Planning by exception is not good planning.

The Old East neighborhood is socially and economically diverse, with a mix of historic homes, mid-century bungalows, newer apartment buildings and cooperatives providing student and low-income housing.

The neighbors accept that infill projects such as the Trackside Center will bring changes: alterations to the I Street skyline, relocation of commercial tenants, parking impacts and increased neighborhood traffic.

We are ready to accommodate our share of the city's growth. However, we aim — through open dialogue, advocacy and active participation in the planning process — to preserve our neighborhood's cohesiveness and unique setting.

The Trackside Partners have announced a public workshop for input on a new Trackside Center proposal on Thursday, March 17, from 6:30 to 8:30 p.m. at the Davis Odd Fellows Hall, 415 Second St. Old East neighbors will participate, and we encourage Davis residents who value neighborhood preservation to attend as well.

*— Mark Grote, Robert Canning, Cathy Forkas, Larry Guenther, Steve Kaltenbach, Kyriacos Kyriacou, Alan Miller and Rhonda Reed are members of the Old East Davis Neighborhood Association.*

## **Local News**

# Trackside Center's impact on historic resources eyed

By **Felicia Alvarez**

From page A1 | December 15, 2015

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Critics of the proposed Trackside Center infill project got a boost from the city of Davis Historic Resources Management Commission on Monday, as commissioners decided the project does not meet the city's design guidelines for the neighborhood.

It was standing room only in the Hattie Weber Museum, with about 40 people attending the hearing. Dozens of them wore gray shirts with a large red "NO" on top of a silhouette of the proposed Trackside Center. Councilwoman Rochelle Swanson, the council's liaison to the commission, also was present.

The 5 1/2-story-tall project at 901-919 Third St., just east of the railroad tracks that cut through downtown Davis, features 48 apartments aimed at young professionals and senior citizens looking to downsize, 9,900 square feet of retail space and restaurants on the ground floor, and 55 underground parking spaces.

At almost 78 feet tall, the building's height has become a point of contention for residents in the adjacent Old East Davis neighborhood.

The commission's vote on the guidelines was unanimous; it also voted 6-1 that the project adversely affects surrounding historical resources. Additional unanimous votes declared that the buildings currently on the property are not historic resources and thus do not require a demolition certificate.

The commissioners focused their attention on the project's historic resources analysis pertaining to three designated historic sites that are within 300 feet of the proposed project — the Schmeiser house, the Montgomery house and Williams-Drummond-Rorvick house, which date back to the 19th century.

The author of the analysis, Dana Supernowicz — who was selected by the developers from a list of city-approved consultants — found that the proposed project would not adversely affect any historic properties nearby nor prevent the area from being designated as a historic district.

While admitting that the project does not meet the city's design guidelines, Supernowicz said, "It's not an ordinance, it's guidelines."

"What's historic for these buildings is the front facade, and (this project) is not going take away from ... (their) value architecturally," Supernowicz concluded.

Going outside the guidelines would allow the project to meet city priorities like bringing more people downtown, adding commercial space and building housing with lower greenhouse gas emissions, said project manager Kemble Pope.

On the historic side, the building would pay homage to the industrial railroad setting, Pope said. The apartment balconies would have

columns modeled after the Williams-Drummond-Rorvick house, which is the home now of Rhonda Reed, president of the Old East Davis Neighborhood Association.

Many residents urged the commission to consider the effects on the sense of place that the proposed project would have.

"This building would change the dynamics of not only the downtown, but the feelings and setting of these historic homes," said Mary Kaltenbach, a longtime resident of the neighborhood.

The commission disagreed with Supernowicz's findings that the property would not have adverse effects on the nearby historic conservation district.

Explaining that the project would be of a similar height to Mrak Hall on campus, commission chair Rand Herbert said, "It's a substantial building; it's hard to imagine living in a little house right next to it."

Added Commissioner Rich Rifkin, "If the setting changes ... that does impact the architecture."

In compliance with their concerns for effects on setting, the commission rejected four sections of the 13-section historic resources analysis, which include the visual effects analysis and findings of effects on the neighborhood.

Pope said Trackside Center developers will continue moving their project through the city process.

"There are still more facts to be gathered," he said.

Reviews by transportation and planning commissions are next, before the project comes before the City Council.

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## Local News

# Old East Davis fights for the neighborhood

By **Felicia Alvarez**

From page A1 | November 20, 2015



Mary Kaltenbach, back right, still lives in her I Street home, and still fights for her neighborhood. With her on the porch after 20-some years are husband Stephen, daughter Kate and son Danny. Sue Cockrell/Enterprise photo

Twenty-eight years later, the residents of Old East Davis are up in arms once again.

The neighborhood solidified its identity when it banded together in 1987 to fight a proposal to tear down some of the funky old homes and replace them with dense apartments.

And now, the proposed Trackside Center, a large-scale infill project at 901-919 Third St., has brought back demons of the past for longtime residents of the Old East Davis neighborhood.

While Trackside's developers seek city approval for a six-story apartment building with retail spaces on the ground floor, neighbors aren't

worrying just about the impacts on views, parking or traffic. They're worrying about the community feel and pride of their neighborhood.

"There is something unspoken that people in Old East Davis are willing to defend," an Enterprise staff writer wrote in a November article 28 years ago.

The same holds true today as more than 100 neighbors are working to protect the colorful and historic nature of their neighborhood.

### History near the tracks

Old East Davis has always been on the "wrong side of the tracks."

At the turn of the century, it was marked as a less-desirable location in Davis. Downwind from manufacturing facilities and smoking railroad cars, the area was more barren than its commercial neighbors in the downtown core, explained Dennis Dingemans, director of the Hattie Weber Museum in Davis.

Parcels full of piggeries and chicken coops filled the space between stooped cottages and historic homes of notable Davis families that date back to the 1880s and 1890s.

The quiet neighborhood remained still for most of the 20th century until 1987, when a developer approached the City Council with a proposal to take out several blocks in the neighborhood, including

75 homes.

Believing the neighborhood was filled with absentee landlords and low-income residents, the developer wanted to densify the area with a strip mall and student apartments, explained Alan Miller, an Old East Davis resident who had just moved into his home that year.

As soon as the news hit, neighbors sprang into action, with resident Norman Riley forming a loose neighborhood association almost overnight.

"He basically saved the neighborhood," Miller said.

Since this happened before the Internet, it was a battle armed by doors knocked on and fliers posted. When the project came before the City Council, the chambers were so packed to the point that people had to stand, Miller said.

At the end of the meeting, the council voted unanimously to reject the proposal, with then-Mayor Dave Rosenberg concluding that "the council has no interest whatsoever in the densification of Old East Davis. ... You've got an existing neighborhood. It's got character."

This past June, when residents first learned of the scale of the Trackside Center proposal, it brought back ghosts from the past.

Miller printed a flier and walked the neighborhood, dozens of neighbors met, subcommittees formed, and the neighborhood association awoke from its hiatus.

### **Trackside Center**

A plan to bring more residents downtown in an environmentally sustainable way is the wind under Trackside Center's wings.

"We need more residential opportunities in the Core Area, more opportunity for seniors to downsize," said project manager Kemble Pope.

He is joined in the proposal by 22 local investors, all of whom are Davis residents with deep roots in the community and a history of dedicated service. Among them is City Councilman Lucas Frerichs, who must recuse himself on any votes concerning the project.

The project would include 55 underground parking spaces, solar panels and graywater systems, concierge service, and four stories of apartments totaling 48 units. The apartments would be aimed at young professionals and senior citizens looking to downsize.

With 9,900 square feet of retail space and a restaurant on the ground floor, Pope said the property also could create a gathering place for the neighborhood.

The height of the project, which has been the target of most of the opposition, was proposed to mitigate the cost of building underground parking. A shorter building would require the developers to cut back on the underground parking and retail space.

"If the City Council decides that the number of stories is more important than meeting housing and sustainability goals, then that's very clear," Pope said.

The results of several impact studies are still to come, including traffic, shadows, greenhouse gases and historic resources. Next, the project will undergo a series of public hearings with the Historical Resources, Transportation and Planning commissions before the proposal goes to the City Council for approval.

“This is the time for people to voice concern and for us to respond to them,” Pope said, adding that the developers will modify the project if need be.

### **Six stories against one**

Rod Krueger looks to the sky and thinks of a horizon that may not be there tomorrow.

In 2008, concerned about increasing crime rates in his previous home in Fresno, Krueger moved into a bright yellow bungalow on the corner of Third and I streets in Old East Davis, less than one block from the proposed Trakside Center.

Now in retirement, Krueger lives the simple life. With the company of Patience — his stubby and brown-haired canine companion — Krueger said he loves to gaze at stars and watch clouds pass by from his back yard.

“The view would be wiped out by that huge building,” Krueger said. “That asset to this house would be diminished vastly.”

After attending weekly neighborhood association meetings, he’s put a 5-foot-tall sign in his front yard that decries, “Please don’t take our sunshine away. Densify responsibly!”

“It’s a hell of a way to meet your neighbors,” Krueger said.

### **Home, sweet, home**

Ezra Beeman grew up in his great-great-grandmother’s home built in the fields off of County Road 99. After decades of roaming the world, falling in love in Paris and moving to Australia with his wife Ceri, Beeman found himself back in Davis living in a home entwined in history.

When the Beemans moved into the historic Schmeiser House in July, their new neighbors greeted them with hand-painted gifts and cherry pies, Ceri Beeman recalled.

“Sometimes you gotta go far away to realize what you’ve got,” Ezra Beeman said.

From the porch of the historic Schmeiser House, the white stucco of the 72-foot-tall, five-story parking garage at Fourth and G streets pokes out brightly between the neighborhood’s trees.

“I lived in Sydney and high-rises, but I came back here for a small-town feel,” Beeman said.

In a neighborhood where the three-story Schmeiser House is one of the tallest structures, the thought of seeing another five- or six- story building is unpleasant for the Beemans, especially when they look to zoning guidelines that set a maximum height at three stories.

“There’s a feeling that rules were broken,” Beeman said.

## Fostering family

“When I first came here, I was full of hopes and dreams for my family,” said Mary Kaltenbach, reminiscing on when she bought her Old East Davis home in 1987.

She was a young mother with a new job and two kids ages 2 and 3. For her and her husband Stephen, moving into the historic home at 327 I St. meant buying their “forever home.” It was a place to put down roots.

And just as she was quick to take a stand in 1987, Kaltenbach is back in action in 2015 to fight for Old East Davis.

“The Trackside Center, if built, would destroy the small-town character and family-oriented nature of this special place,” Kaltenbach said.

Her worries stem not only from the scale of the building, but also that the target residents that likely would be young professionals without families yet, she said.

For longtime residents, the family-oriented nature of Old East Davis is a cornerstone of the neighborhood. From the variety of cooperatives to the neighbors who browse downtown ArtAbouts and go to movies together, Kaltenbach and others described it as a place where neighbors look after one another.

“Why would you destroy something precious to gain something else for money and profit?” Kaltenbach asked. “All at the expense of family and community.”

The 300 block of I Street has witnessed a revival in recent years as the new generation fills the neighborhood. Kaltenbach smiled as she listed the new families who have brought more than a dozen children to the area.

“I just have this hope for these families that they can have what I have,” Kaltenbach said. “New energy has brought a time for them to have their dreams fulfilled like I have.”







The proposed Trackside Center mixed-use project on Third Street at the railroad tracks is envisioned in juxtaposition with adjacent bungalows in this artist's sketch provided by the development group. Courtesy image

## **Local News**

# Neighbors voice concerns about Trackside Center

By **Felicia Alvarez**

From [page A1](#) | October 29, 2015

Old East Davis residents served up a helping of discontent at a Davis Downtown brown-bag lunch meeting Wednesday as they met with representatives of the Trackside Center project, a proposed 5 1/2-story mixed-use development at 901-919 Third St.

Trackside would include a subterranean parking structure with 55 spaces, 9,900 square feet of retail spaces on the ground floor, a restaurant, solar panels and graywater systems, and four stories of apartments aimed at young professionals and retirees looking to downsize.

Members of the Old East Davis Neighborhood Association have fought against Trackside since last June when the project's size came to light.

Project manager Kemble Pope agreed that finding a way to talk about the proposal has been a struggle.

"There's a natural tension with how we think of our community's future," Pope said.

Pope, who lives in Old North Davis, said he has the best in mind for the community, but it might be at odds with others' ideas of how to build around the downtown area.

While the Trackside Center proposal could bring added residential and retail space to the downtown area, residents of the adjacent Old East Davis neighborhood are worried about the looming height their potential neighbor.

At 77 feet tall, Trackside would be one of the tallest buildings in Davis, second only to 110-foot-tall Sproul Hall on the UC Davis campus and reaching a similar height to the four-story parking structure at Fourth and G streets.

Nearby homes are one-third of that height, measuring about 26 feet.

“We recognize that we don’t comply with our exact zoning and land-use classification,” Pope conceded.

The project exceeds zoning standards that set a limit for buildings at three stories. Residents have voiced concerns about the large building sending shadows over their homes and future Trackside residents being able to see into their back yards.

Architectural renderings, they say, depict Trackside as appearing shorter than nearby tree cover given depth-perception tricks played by the human eye.

“If it’s the tallest building in Davis, you can probably get triple the density,” said Cathy Forkas, an Old East Davis resident. She added that she wants to see the project planners address the transition from downtown into the neighborhood as well.

Trackside’s plans include 26 one-bedroom units of 795 to 984 square feet, 16 two-bedrooms units of 1,074 to 1,378 square feet, and six three-bedroom units of 1,400 to 2000 square feet, for a total of 48 residences.

Developers also are proposing changes to an alley on the eastern edge of the property that borders the back yards of homes in the 300 block of I Street. The alley would become one-way, reducing traffic and increasing fire safety.

For the 48-unit building, an underground parking area would allot some 55 spaces, for residents, guests and the retail properties, which several residents worry may not be enough.

Pope explained that Trackside’s retailers may be able to broker deals with residents who commute to work for a parking-sharing deal so that residents could sell their spaces to the retailers while they’re at work during the day.

Concerned residents at the meeting called the plan overly optimistic in its hopes that residents would rely on biking or walking, enough to combat the parking issue.

The next steps include receiving the traffic and shadow studies that will be available next month. The Trackside team has a public hearing before the city’s Historical Resources Management Commission on Nov. 16.

More information on Trackside Center is available at [www.tracksidecenter.com](http://www.tracksidecenter.com).

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## Columns

# Trackside: where our process has gone off the rails

By **Rich Rifkin**

From page A4 | October 14, 2015

*A general plan articulates a community's vision of its long-term physical form and development. ... The general plan serves as a basis for decision-making.*

### — **General Plan for the city of Davis**

Since the Trackside Center project at 901-919 Third St. was announced in June, there have been seven letters in The Enterprise hoping to derail the development and two more critical of the paper's coverage of the story.



As its name implies, Trackside would be built just east of the rail line on Third Street. On a half-acre parcel, the plan is for a six-story building that includes 48 apartments, a subterranean garage and 9,900 square feet of ground-floor retail/commercial space.

The proposed structure would encompass more than 118,000 square feet. That includes 86,052 square feet of gross building area, 9,045 of balconies and approximately 23,000 for the garage.

The edifice will rise almost 80 feet, including a roof deck on the Third Street side of the sixth floor.

Not surprisingly, the opponents say the building is too big and too tall for that location near their Old East Davis homes. They also note that Trackside does not comply with current zoning or the Core Area Specific Plan.

The parcel is zoned for mixed-use, retail with offices. However, the General Plan does allow for some residential in a mixed-use development.

Where Trackside fails to meet the zoning most saliently is with its height: "Structures shall not exceed three stories in height. ... A building of more than two stories should be carefully designed to avoid appearance of excessive bulk."

The project is also well in excess of the allowed floor-to-area ratio.

Before Trackside goes to the City Council, it will be presented to the Historical Resources Management Commission (on Oct. 19) and the Planning Commission some time after that.

I am not writing this column to share my views on what the HRMC, where I am a commissioner, should decide. Nor am I ready to debate the specifics of Trackside. What motivates me is the process by which the city of Davis approves or rejects any real estate development that clearly conflicts with our zoning restrictions.

When a new building is proposed that meets the requirements of the city's adopted plans, it bypasses the political process. It gets reviewed by staff in short order. The trouble comes when the vision of a proposal is starkly different from that seen in advance by the city.

You might argue that what is built on private land should only be the concern of the owner. He should have the right to do whatever he wants on his own property.

That was generally what was done up to the 1920s. But it very often created a problem. Next-door and nearby landowners were often negatively impacted by new developments. And their only recourse was to sue for damages.

That not only tied up the courts, but it was a long and arduous process. Imagine if your neighbor built a fetid rendering plant near your home and it took several years before you could win a lawsuit. Where would you live in the meantime?

The incorporation of general plans and zoning restrictions eventually replaced unregulated building in cities across the United States. That made development more efficient, as what could or could not be done was agreed to in advance, and zoning was adopted that limited the damage to existing properties.

But in Davis, despite having a General Plan and a Core Area Specific Plan, our City Council has a habit of amending those on an ad hoc basis when a developer comes along with a building which, in the council's view, is "a cool project." They will green-light "cool" no matter what.

This is what happened in 2013 for a condominium development — yet to be built — at 225-229 B St. called Mission Residences. The proposal by developer Jim Kidd violated the General Plan, the Core Area Specific Plan and the recently approved vision for the Third and B streets neighborhood.

Yet, despite all that, the 2013 council threw out the city's plans on a one-time basis and approved the Mission Residences development. It was "a cool project" in their eyes, and it satisfied several goals of that council.

Neighbors were upset. They felt the ad hoc plan for Mission Residences harmed their homes and made the Core Area Specific Plan meaningless.

The process makes me think the neighbors were right.

A better approach than one-off zoning changes would be to have the City Council (with input from the Planning Commission) regularly update the city's plans and zoning requirements, particularly in the Core Area, taking into account impacts on existing neighbors.

If the owners of Trackside believe the zoning for their parcel is

outdated, the next time the City Council updates the Core area plans, it should request a revision of the Core Area Specific Plan that covers their land. The public can and should weigh in on any proposed changes. The council should then decide what, if any, zoning changes need to be made throughout the Core Area.

Whatever the owners of any property then decide to build, their project should (in the main) meet the legal requirements set forth in the city's plans. If they do, the City Council has no need to debate each project as it comes along. And neighbors will know in advance what is and is not allowed on proximate properties.

*— Rich Rifkin is a Davis resident; his column is published every other week. Reach him at [Lxartist@yahoo.com](mailto:Lxartist@yahoo.com)*



Trackside Center would provide well-appointed apartments that are "right-sized" for Millennials and Baby Boomers who are looking for a carefree lifestyle. Courtesy sketch

### **Columns**

# Trackside Center: Fulfilling the evolving needs of downtown Davis

By **Special to The Enterprise** From page B4 | September 13, 2015

By Joy Cohan

Downtown Davis is enviably blessed with attributes that both serve our community and attract visitors. There's no denying that the presence of UC Davis is enormously helpful. Furthermore, great dining, entertainment, retail and service businesses and a walkable/bikeable environment add to the appeal.

High-quality mixed use (residential and retail) buildings also are a part of downtown Davis' success. They are well-recognized by economic development professionals as key to the vibrancy of a small to medium-sized downtown.

On a local level, as the former director of Davis Downtown, I participated in numerous meetings with city staff, elected officials, downtown business owners and community members, where the goal of densification to add downtown residents was agreed upon as imperative to Davis' economic vitality.

Several recent projects in downtown Davis have added residents, complementing the existing dynamic of mixed-use properties and nearby residential neighborhoods. Continuing this history, the proposed Trackside Center development in the downtown commercial area's core transition east area promises to further these goals while expanding downtown's potential to serve Davis' evolving demographics.

The site is on Third Street east of the Union Pacific railroad tracks, and currently houses tenants such as The Candy House of Davis, 3rd Street Jeweler and Kwan's Framing.

Two distinct generations are experiencing a common need for attractive rental housing in settings that offer live/work/play elements. Millennials (born in the 1980s and 1990s) and baby boomers (now in their 50s, 60s and 70s) share a desire to live in

well-appointed apartments that are “right-sized” for their lifestyles, and relieve them of the responsibilities of repairs, maintenance and property taxes. Furthermore, they want to be close to dining, entertainment, recreation and employment opportunities, so that driving isn’t required.

As proposed, Trackside Center answers this need with four residential floors and a fifth level featuring both residences and rooftop amenities, all atop street-level commercial uses, interior bike storage and underground parking. Varied residence sizes and configurations will accommodate both downsizing empty nesters and young professionals, as well as visiting professors and corporate executives.

Who better to shop and dine in downtown Davis on a regular basis?

This sustainably designed, iconic building would bring revitalized energy and economic benefits by replacing the two aging, one-story commercial buildings that now exist on the under-utilized property. The site’s current commercial tenants are aware of the proposed development, and have been invited to return when the enhancements come to fruition.

Over the years, city of Davis staff members, council members, planning commissioners and residents have demonstrated enormous foresight regarding the need to balance the economic health of our community with a desire to maintain the integrity and charm of downtown-adjacent neighborhoods.

In the 2001 collaborative document titled Davis Downtown and Traditional Residential Neighborhoods Design Guidelines, community members express that “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.”

Because Trackside Center is proposed for a designated transition area, great attention has been paid to the project’s architectural design elements. Multiple setbacks and step-backs, as well as a more traditional residential look and feel on the eastern edge of the building facing the Old East Davis neighborhood, demonstrate aesthetic sensitivity to the transition to residential use.

Facing Third Street, the building will display a pedestrian-oriented storefront experience, with the upper floors set back from view. Along the railroad tracks, a more industrial façade will be featured, reminiscent of the site’s 100-plus-year history of large, multi-story manufacturing facilities (including a 70-foot-tall water tower) and light industrial uses.

In 2000, the city of Davis prepared a Core Area Strategy Report. In this document, the Planning Department identified more than 30 under-utilized downtown sites that could be redeveloped privately or through joint public-private partnerships. Among these was the very property upon which Trackside Center is proposed.

With an eye toward this type of exciting future for downtown Davis, the Davis Downtown and Traditional Residential Neighborhoods Design Guidelines also state that “Proactive partnerships and

incentives are required to achieve the policies identified by the 2000 Core Area Strategy Report. The projects assume that the city will use its land to actively pursue the implementation of housing and retail uses for downtown, and it should leverage its assets by engaging in partnerships with the private sector.”

With the demise of the city of Davis’ Redevelopment Agency, unfortunately, said partnership opportunities no longer exist. In spite of this, Trackside Center, LLC, formed with the collaborative investment of more than 35 Davis residents, all of whom share a dedication to community involvement. My husband, Steve, and I are proud to be a part of this ownership group and exciting development proposal.

Projects recently proposed and in progress in other, similarly sized college downtowns point to the trend toward mid-rise, mixed-use developments in settings similar to that of Trackside Center. A recent quote in the Corvallis (Oregon) Advocate seems particularly apropos: “Our little downtown ... is becoming a burgeoning hub, with new businesses and buildings arriving all the time. We can be delighted or dismayed by all this, but the truth of the matter is, change is inevitable. Sometimes what we think we want is vastly different from what our town needs to thrive.”

May we all keep a similarly open mind when considering what benefits Trackside Center can contribute to the economic future of Davis.

— *Joy Cohan served as the director of Davis Downtown from 2007 to 2011.*





A modern facade characterizes the proposed Trackside Center project in this view from Third Street, looking north. The first floor of the mixed-use project would have retail and commercial space and 48 apartment units would occupy the upper floors. Parking for residents would be underground. Courtesy sketch

### **Local News**

## Trackside applicants apologize to neighbors

By **Dave Ryan**

From page A1 | July 02, 2015

The Davis City Council is tentatively set to consider the 5 1/2-story Trackside Center mixed-use project in coming weeks following discussions between developers and neighbors in Old East Davis.

Mayor Dan Wolk requested the informational item after residents bitterly complained about the project for the second council meeting in a row.

Trackside Center's top four floors would feature luxury apartments with a concierge in a building on a half-acre lot between Third and Fourth streets, the railroad tracks and the I Street alley. The first floor of the center will have retail and commercial space. Parking for the residents will be in a subterranean garage.

Members of the Old East Davis Neighborhood Association have criticized the proposed project as too tall, and they scolded developers for not including them in the planning process, even though the project would loom over some neighbors' back yards.

Neighbors banded together to launch a stinging rebuke of the project in succession during public comments at the June 16 City Council meeting.

"Old East Davis doesn't need a new sunshade," resident Robert Canning said at the time.

On Tuesday, the neighbors returned to the City Council.

Alan Miller, a council watchdog and resident of Old East Davis, said the who's who list of investors for the Trackside proposal would pit "Davis versus Davis."

A list of the project's 39 investors reads features prominent names — such as City Councilman Lucas Frerichs and his wife, former Chamber of Commerce CEO Kemble Pope and builders Bill Roe and Chuck Roe. Frerichs will not be able to vote on the project.

On Tuesday evening, Pope, managing member and project manager for the Trackside Center proposal, apologized during public comment, saying mistakes were made.

In an email earlier Tuesday to the neighborhood association, Pope said he was sorry that “preliminary” efforts to talk to neighbors in the winter and spring “did not meet your standards for collaboration.”

“It has always been our intention to work together with the entire community to create a project that pursues environmental sustainability, builds and promotes a vibrant downtown, promotes community, improves neighborhood infrastructure, strengthens and diversifies our city’s tax base, drives innovation, and ensures a safe and healthy environment within the context of our property’s unique location,” Pope wrote.

“We acknowledge that we have strained the relationship with the neighborhood; we are committed to improving our communications and repairing the relationship with our neighbors ... As fellow residents of Davis, we have high hopes that we can put any communication missteps and misunderstandings behind us and turn a new page on this conversation.”

His comments came after neighbors sent an open letter to the developers to The Davis Enterprise.

“Your request (for communication) comes well after the proposal was submitted to the city of Davis and announced in the local media,” reads the letter printed on June 24. “By introducing the project in this way, rather than coming to the neighborhood association early in the process, you have strained the relationship with our neighborhood.”

Neighbors said past developers have opted for a more collaborative process. Pope was in charge of outreach to neighbors, Trackside investor Steve Greenfield earlier told local media.

“Your liaison spoke to select neighbors and gave each of them differing and partial information,” neighbors wrote. “The neighborhood’s trust in your selected liaison has been severely compromised by his lack of forthrightness about the project.”

— *Reach Dave Ryan at [dryan@davisenterprise.net](mailto:dryan@davisenterprise.net). Follow him on Twitter at [@davewritesnews](https://twitter.com/davewritesnews)*

## Columns

# Trackside Center neighbors want a voice

By **Special to The Enterprise**

From page B3 | June 24, 2015

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\* **Editor's note:** The following is an open letter to Trackside LLC Partners from the Old East Davis Neighborhood Association board of directors.

By Rhonda Reed, Mark Grote, Alan Miller, Cathy Forkas and Steve Kaltenbach

We received your email requesting to meet with the Old East Davis Neighborhood Association about the proposed Trackside Center project. Your request comes well after the proposal was submitted to the city of Davis and announced in the local media.

By introducing the project in this way, rather than coming to the neighborhood association early in the process, you have strained the relationship with our neighborhood.

The Old East Davis Neighborhood Association aims for a collaborative process. Our neighborhood has been approached by developers many times in a truly collaborative manner. Collaboration is the preferred standard of practice in the city of Davis. This means involving the neighborhood — as a whole — early in the process, long before project submittal to the city.

Your liaison spoke to select neighbors and gave each of them differing and partial information. The neighborhood's trust in your selected liaison has been severely compromised by his lack of forthrightness about the project.

The Trackside partners have significant work to do, to demonstrate a collaborative intent and restore goodwill. We suggest that your liaison to the neighborhood be someone who has the potential to gain our trust if indeed a collaborative process is your intention.

The existence of our neighborhood association is common knowledge; contact information for key representatives is on file with city of Davis staff. The city's design guidelines are common knowledge as well; they are current city documents.

The design guidelines were created by the hard work of representatives from the Old East, Old North and University neighborhoods, as well as stakeholders from the downtown core. Committee members spent many hours working on the guidelines, creating a document that specifies how infill will be handled as it comes to each defined sector. The intent is to help increase density while protecting the character of the neighborhoods.

We exhort the Trackside Center developers to respect the design guidelines in any proposal for this site. The guidelines specifically address appropriate development in the core transition east.

We are open to meeting with you to collaborate on a project at this site. The initial meeting between the Old East Davis Neighborhood

Association and project representatives will focus on mass and scale and the design guidelines. We do not intend to enter discussions about site use, mitigations, parking and exterior features until the height and mass of the building are discussed and dealt with. We will leave it up to you to decide whether the project architect should be present.

The neighborhood association appreciates the value of infill and increasing density in the downtown core and core transition districts, and at the same time we respect the design guidelines. The site in question has a core transitional mixed-use designation, and we would support appropriate development that is consistent with the design guidelines and carried out with meaningful input from, and respect for, Old East Davis neighbors.

*— The authors are members of the Old East Davis Neighborhood Association board of directors.*



A modern facade characterizes the proposed Trackside Center project in this view from Third Street, looking north. The first floor of the mixed-use project would have retail and commercial space and 48 apartment units would occupy the upper floors. Parking for residents would be underground. Courtesy sketch

### **Local News**

# Neighbors blast Trackside proposal

By **Dave Ryan**

From page A1 | June 17, 2015

Roughly 14 would-be neighbors to the proposed 5 1/2 story Trackside Center mixed use project lined up to blast the idea at Tuesday's City Council meeting.

Trackside Center's top four floors would feature luxury apartments with a concierge in a building located on the southwest corner of Third Street on a block bounded by the railroad tracks, Fourth Street and the I Street alley on a half-acre footprint. The first floor of the center will have retail and commercial space. Parking for the residents will be in a subterranean garage.

Members of the Old East Davis Neighborhood Association called the proposed project at various times a "monstrosity," and scolded developers for not contacting them about the plan, even though it would loom over some neighbors' backyards.

"Old East Davis doesn't need a new sunshade," Robert Canning said.

A list of the project's 39 investors reads like a who's who of prominent Davis names — such as City Councilman Lucas Frerichs and his wife, former Chamber of Commerce CEO Kemble Pope, Rev. Bill Habicht of Davis Community Church and builders Bill Roe and Chuck Roe. Frerichs will not be able to vote on the project if it becomes an issue for the City Council to decide after it goes before the Planning Commission, he said.

Old East Davis residents also criticized The Enterprise for not contacting them prior to printing that developers had contacted neighbors, as investor Steve Greenfield of Cunningham Engineering told the newspaper Pope had done.

Pope has been out of the country since before the Enterprise article was published. The Enterprise was not able to contact Pope directly Tuesday night before press time, although Greenfield cc'd him in an email the paper sent to Greenfield requesting comment.

“I only caught the last three or four speakers tonight so I didn’t hear all of their comments,” Greenfield wrote. “I can say that we put a lot of thought into various vantage points in the neighborhood, and made a concerted effort to step back the building from many angles as well as prepared photorealistic imagery from public viewpoints to show the building’s massing in the context of other structures and the urban forest.”

Greenfield also wrote the development team’s goal is to transform a “worn out, underutilized commercial site” located within the Core Area Specific Plan and transform it into a “vibrant, transit oriented, bicycle and pedestrian friendly site” with a building that fulfills various housing and retail needs in the downtown.

If Trakside Center is built, it will not be the first tall-for-Davis building in downtown. The four-story U.S. Department of Agriculture building at Fifth and G streets and the four-story Chen Building at Second and G streets precede it.

Alan Miller, a City Council watchdog and member of the Old East Davis Neighborhood Association, said although the downtown might be fitting for a tall building, his neighborhood was not. In an interview, Miller and other neighbors said the downtown begins west of the California Northern Railroad tracks.

During public comment, Miller stacked blocks to illustrate how out of place a tall building would be for his neighborhood.

“The way to talk to our neighborhood is respectfully, the time to talk to our neighborhood was before this was submitted,” he said.

Valerie Jones and Cathy Forkas brought a two-dimensional cardboard scale model of a typical one-story house scaled to the size of a Gumby doll, next to a huge cardboard cut out of what they envisioned the Trakside center to look like.

Forkas said she had been contacted by Pope a few weeks ago without design drawings. She said she told him she didn’t think the idea would be supported by residents in her neighborhood.

Several neighbors said a two-story building would work at the site, but what they called a six-story building will alienate the neighborhood. In an interview, others said it will loom directly over their backyards along the I Street alley.

Ray Burdick, one of those neighbors, said his privacy will be erased if Trakside Center is built.

— *Reach Dave Ryan at [dryan@davisenterprise.net](mailto:dryan@davisenterprise.net). Follow him on Twitter at [@davewritenews](https://twitter.com/davewritenews)*





A modern facade characterizes the proposed Trackside Center project in this view from Third Street, looking north. The first floor of the mixed-use project would have retail and commercial space and 48 apartment units would occupy the upper floors. Parking for residents would be underground. Courtesy sketch

## **Local News**

# Project seeks to provide urban chic downtown

**By Dave Ryan**

[From page A1](#) | June 04, 2015

The proposed Trackside Center is a bit of a contradiction.

It's tall — for Davis — at 5 1/2 stories, but it'll probably be hard to notice the full effect of that height from the street.

It's upscale living, but it'll be a set of 48 apartments, not a series of high-priced condos.

It's an unprecedented concept for this community, but it's backed by a bevy of recognizable local names as a Davis-born project.

Designs for the mixed-use center arrived at the Planning Department at City Hall this week, and if built, it will rise from the southwest corner of Third Street on a block bounded by the railroad tracks, Fourth Street and the I Street alley. It'll sit on a half-acre footprint. The first floor will have retail and commercial space and parking for the residents will be in a subterranean garage.

In the city's overarching goal to densify through infill, the proposal for Trackside Center could join with other taller buildings downtown, including the five-story parking structure next to the four-story U.S. Department of Agriculture building at Fifth and G streets. The Chen Building at Second and G streets is four stories tall.

Steve Greenfield of Cunningham Engineering put together a series of images imagining looking at the proposed building from various angles on the ground, instead of simply a bird's-eye view of the whole building.

"We're just showing how the building will look to people," he said.

Greenfield and his wife, Teri, are two of 39 local investors in the project, including former Chamber of Commerce CEO Kemble Pope, the Rev. Bill Habicht of Davis Community Church, City Councilman Lucas Frerichs and builders Bill Roe and Chuck Roe.

Frerichs will not be able to vote on the project if it should become an issue for the City Council to decide after it goes before the Planning Commission, he said.

One of the key features of the building is its use of architectural design to diminish the effect of its height, Greenfield said. Artist renderings show the building set back in stages as part of a moderate, modern-looking design.

“It’s articulated in multiple directions, so it’s not just a cube,” Greenfield said. “... The half-story is completely set back from the street.”

The I Street alley would be improved to add a pedestrian sidewalk, restrict traffic to one-way northbound, and add aesthetic features that would make it a more “European-style” alley.

The design submission on Tuesday is the result of meetings with City Council members, city staff, neighbors and community members, according to the proposal.

“The current tenant mix at Trakside Center is a dynamic and vibrant gathering of the arts, education and wellness,” the proposal reads. “All of our tenants, including several long-term tenants such as 3rd Street Jeweler, Kwan’s Framing and The Candy House of Davis, are well-loved by many and are important parts of our economy.

“... If this redevelopment project is approved, it is the hope of Trakside Center, LLC, that as many existing tenants as possible will return to the new building. Obviously, that will be a complicated process, but the company has invited all of the existing tenants to begin thinking about these potential changes and offered them assistance throughout the process.”

Greenfield said the center would have a concierge and a bicycle lobby so Davis-minded residents would not have to haul their bikes up to their residences. Target demographics include young professionals, visiting professors and empty-nesters looking to downsize.

— *Reach Dave Ryan at [dryan@davisenterprise.net](mailto:dryan@davisenterprise.net). Follow him on Twitter at [@davewritesnews](https://twitter.com/davewritesnews)*

