

City Council Staff Report

June 23, 2005

TO: City Council

FROM: Bill Emlen, Community Development Director
Katherine Hess, Planning and Redevelopment Administrator
Sarah Worley, Economic Development Specialist
Heather Johanson, Economic Development Assistant

SUBJECT: PA #63-04; Negative Declaration #11-04; General Plan Amendment #6-04; Specific Plan Amendment # 6-04; Rezone #8-04; 912 Fifth Street, 904, 907-911 Fourth Street and 901-919 Third Street; and Zoning Ordinance Amendment #03-04.

Recommendation:

Staff recommends that the City Council:

1. Hold a public hearing;
2. Adopt Negative Declaration #11-04; determining that the proposed project would have a less than significant impact on the environment;
3. Approve General Plan Amendment #6-04 and Specific Plan Amendment #6-04 based on the findings attached to this report;
4. Approve Rezone #8-04 based on the findings attached to this report; and
5. Approve Zoning Ordinance Amendment #03-04 to make minor amendments to the Mixed Use (M-U) District Chapter 40.15.

Fiscal Impact

In the short term the project will expand options for commercial uses on these sites, increasing the ability to sustain viable business tenants and increased sales taxes. The precise amount will depend on the type and success of each business. In the long term redevelopment of the project parcels will generate development impact fees and property tax increments to the Redevelopment Agency as well as increased business license taxes to the City's general fund.

City Council Goals

Staff's recommendation is consistent with the goals established by the City Council, particularly as it relates to the following:

Economic Development

- Pursue economic development that balances the pursuit of new NET revenue with maintaining and enhancing the community's unique character
- Reduce need for new taxes through increased economic activity
- Pursue opportunities to promote Davis as a destination for visitors.

Downtown

- Downtown should continue to blossom as a regional center and destination for arts/entertainment
- Downtown should continue to have residential uses
- Downtown is a vital commercial center. The actions of the city should continue to support this function and reduce potential for blight
- Downtown should serve as a vibrant social center



Housing and Growth

- Provide slow, steady additions to housing stock, consistent with Council set goals and General Plan.
- Ensure special needs housing – for seniors, for those who have accessibility issues, and for people who work but don't currently live in Davis
- Provide an array of housing to meet needs of citizens
- Provide housing for people who live/work in Davis
- Develop multi-family housing near downtown.
- Ensure any new housing benefits community

Background and Analysis

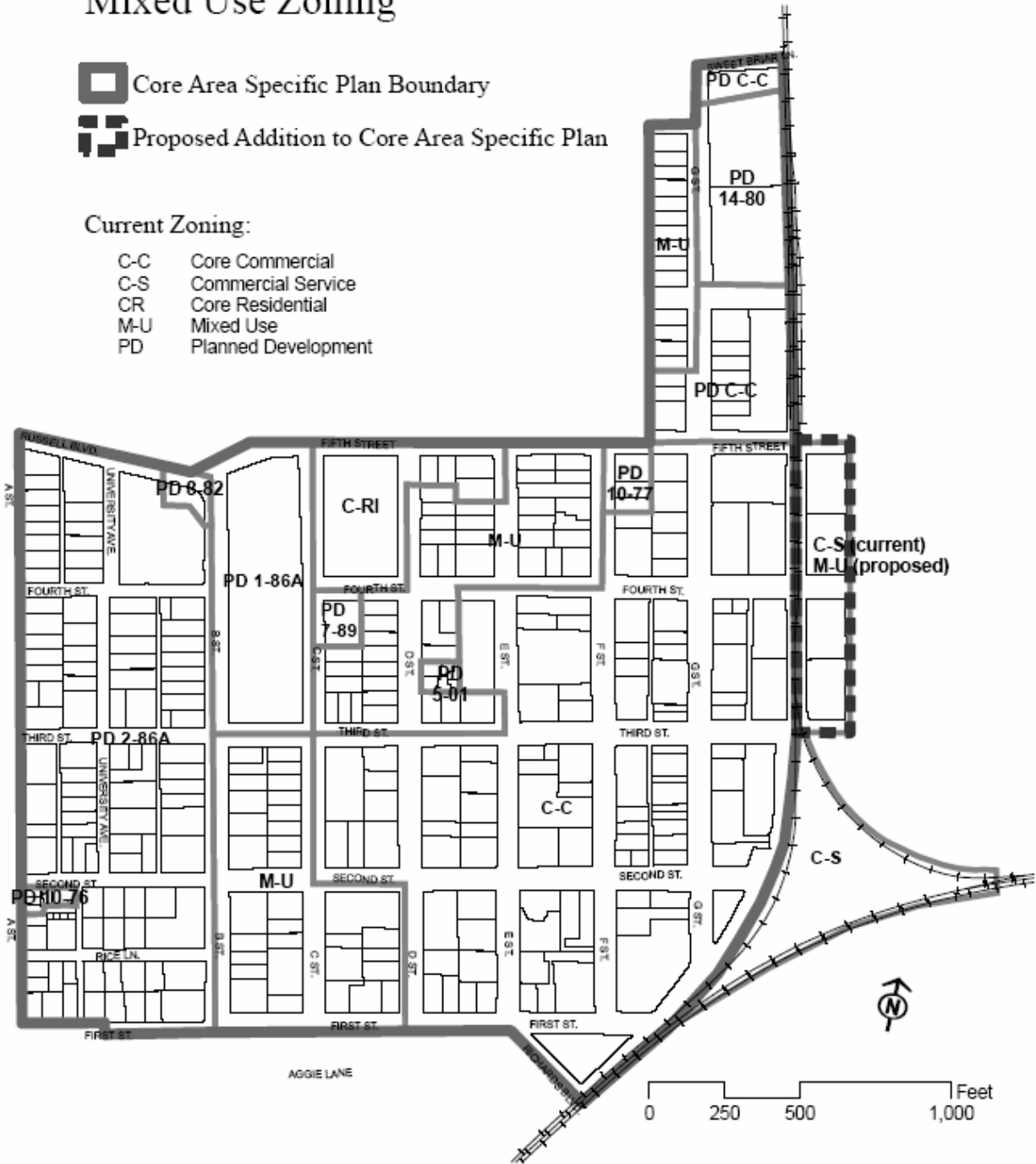
This project involves a General Plan amendment and Specific Plan amendment to expand the boundaries of the Core Area Specific Plan to include four properties located between Third and Fifth Streets and to change their land use designations from General Commercial under the General Plan to Retail with Offices under the Core Area Specific Plan. The project also involves a rezoning application to rezone the project parcels from Commercial Service to Mixed Use (see map on next page). A zoning ordinance amendment is being processed concurrently to modify the provisions of the Mixed Use District (40.15) allowing Main Street scale setbacks and lot coverage to be applied to future development on the subject properties, rather than standard residential setbacks. The changes to the CASP and zoning are being requested to accommodate future redevelopment of the parcels. No specific plans have been submitted at this time. Future projects would be subject to design review by the city and possibly a Planning Commission hearing for projects in that are taller than two stories (Tier #3).

Proposed Addition to the Core Area Specific Plan Mixed Use Zoning

-  Core Area Specific Plan Boundary
-  Proposed Addition to Core Area Specific Plan

Current Zoning:

- C-C Core Commercial
- C-S Commercial Service
- CR Core Residential
- M-U Mixed Use
- PD Planned Development



Planning Commission Action

At the June 8, 2005 public hearing, the Planning Commission voted 6 to 1 to recommend the City Council approve the project per the staff recommendation. The dissenting vote was primarily based on two concerns. The first was a concern about the noise from the railroad line and the appropriateness of placing housing so close to this noise source. The second concern was related to the Core Area Specific Plan (CASP) boundary expansion and if this action would encourage further expansion of the Downtown; raising the question would it be more appropriate to choose an alternate General Plan land use designation that would also accommodate a mix of uses. These issues are addressed in the attached Planning Commission Staff Report. Staff is interested in considering a General Plan designation that fosters mixed-use development in areas outside the downtown. This would require more policy and environmental analysis than the currently proposed approach and could be pursued when workloads permit.

Staff noted at the meeting that the project will facilitate reinvestment and implementation of the design objectives of the Davis Downtown and Traditional Residential Neighborhood Design Guidelines for this area to become a mixed commercial/residential transition area between the Downtown and the Old East Neighborhood. Given these goals, the application of the CASP land use designation "Retail with Offices" and Mixed Use zoning designation similar to other properties bordering the core commercial area is considered appropriate. Sufficient measures to assure compliance with interior noise levels established in the General Plan will be required as a standard condition for future development approvals.

Review Process

Presentations on the application were made to the Business and Economic Development Commission (BEDC, May 23, 2005), Downtown Davis Business Association Board of Directors (DDBA, May 18, 2005) and the Government Relations Committee (GRC) of the Davis Chamber of Commerce (June 7, 2005). The BEDC and the DDBA both voted in unanimous support of the proposed application. The GRC had no objections and determined they would take a more formal position at the time of a specific development application review. A neighborhood meeting was held on April 7, 2005. The five residents who attended were in support of the project.

Environmental Review

The Initial Study prepared for the project found that there would be no new significant environmental effects that were not addressed in the previously prepared General Plan EIR and CASP EIR; adoption of a Negative Declaration is recommended.

Conclusion

Staff recommends approval of the General Plan and Specific Plan amendments and zoning re-designation of the four project parcels to allow for their eventual transformation into a mixed commercial/residential area. These applications are considered to facilitate achievement of community goals to increase housing in the Downtown and provide a scale and use transition between the Downtown Core and adjacent residential area as identified in the Design Guidelines "Mixed Character Areas: Core Transition East."

Attachments:

1. Resolution Amending General Plan and Core Area Specific Plan
2. Ordinance Rezoning Project Properties
3. Ordinance Amending MU Zoning Standards
4. Excerpt from “Downtown Design Guidelines” (“Mixed Use Character Areas - Core Transition East” pgs. 72, 73)
5. Planning Commission Staff Report dated May 25, 2005.
6. Initial Study and Negative Declaration #11-04
7. Table of Permitted and Conditional Uses in Existing MU and CS zones
8. Minutes from June 8, 2005 Planning Commission Meeting

ATTACHMENT 1

RESOLUTION NO. _____, SERIES 2005

**RESOLUTION OF INTENT TO AMEND THE GENERAL PLAN AND CORE AREA
SPECIFIC PLAN OF THE CITY OF DAVIS**

RELATING TO THE CORE AREA SPECIFIC PLAN AREA BOUNDARY

WHEREAS, the City of Davis General Plan incorporates by reference the Core Area Specific Plan as the General Plan requirements, including the Land Use Map of the Core Area Specific Plan;

WHEREAS, the Core Area Specific Plan identifies the properties around the perimeter of the Downtown Core as Retail with Offices and establishes a Transitional Boundary which is to function as a transition between higher intensive commercial and office land uses and lower intensive uses where a mixture of commercial office and residential uses are encouraged and considered appropriate for mixed use zoning; and

WHEREAS, The Davis Downtown and Traditional Residential Neighborhoods Design Guidelines identify the project site as part of a “Mixed-Use Character Area: Core Transition East” intended to improve the visual and land use transition between the Downtown Core and Old East residential area; and

WHEREAS, new mixed use buildings built up to the sidewalk edge and residential uses, including flexible live work units and townhouse or condominium units for ownership are encouraged; and

WHEREAS, the proposed land uses of this Mixed-Use Character Area necessitate a modification to the General Plan land use designation from General Commercial and zoning designation of Commercial Service to designations that allow a mix of residential and commercial uses; and

WHEREAS, the zoning designation considered most appropriate for the intended use of the project site is Mixed Use, and though the General Plan currently does not have a land use designation for mixed use the Core Area Specific Plan has a Retail with Offices land use designation that is to encourage residential uses and is applied to other properties zoned Mixed Use within the Core Area Specific Plan; and

WHEREAS, the project site is directly contiguous with the eastern boundaries of the Core Area Specific Plan and expansion of the boundaries of the Specific Plan to included these properties is considered to be consistent with the intent of the goals and policies of the General Plan and Core Area Specific Plan, and

WHEREAS, the amendment to the General Plan to include the project parcels within the boundary of the Core Area Specific Plan, and remove their General Plan land use designation of General Commercial is provided as Attachment A; and

WHEREAS, the amendments to the Core Area Specific Plan boundary and Land Use Map to include the project properties within the Core Area Specific Plan Area and designate them as Retail with Offices consistent with the existing Retail with Office transition areas bordering the Downtown Core are provided as Attachment B; and

WHEREAS, text amendments to include the project parcels in the description of the boundaries of the Core Area Specific Plan are provided as Attachment C; and

WHEREAS, the Planning Commission held a duly noticed public hearing on June 8, 2005 to receive comments and consider amendments of the General Plan and Core Area Specific Plan to incorporate the project parcels in the Core Area Specific Plan; and

WHEREAS, the City Council held a duly noticed public hearing on _____, 2005 and based on oral testimony and documentary evidence reviewed during the public hearing, determined that Negative Declaration #11-04 adequately addresses the potential environmental impacts of the project and the appropriate findings were made;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Davis that the General Plan and Core Area Specific Plan of the City of Davis are amended to expand the boundaries of the Core Area Specific Plan as shown in Attachments 1A, 1B and 1C.

PASSED AND ADOPTED by the City Council of the City of Davis on this _____, 2005 by the following vote:

AYES:

NOES:

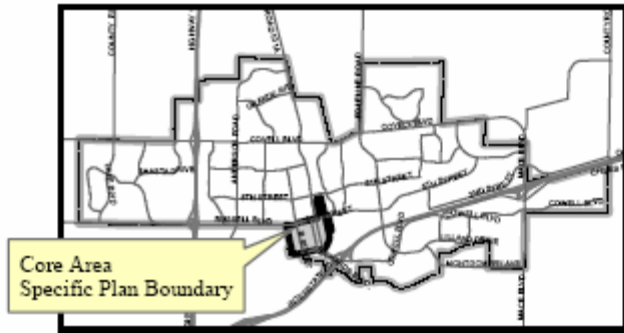
ABSENT:

ATTEST:

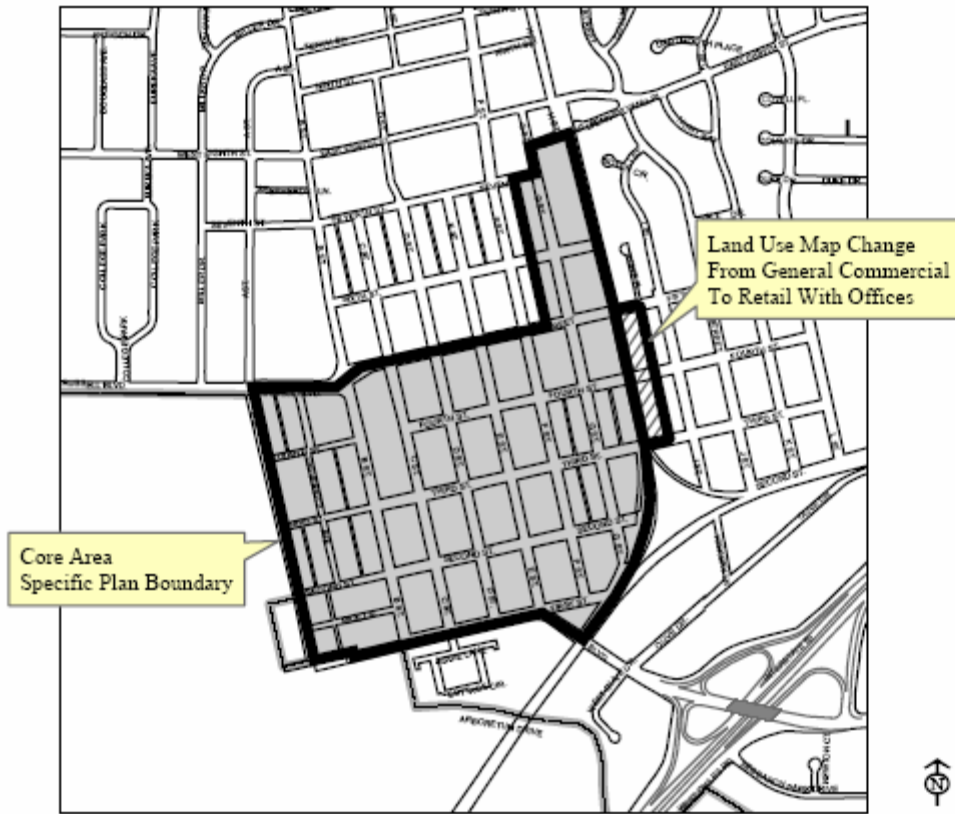
Ruth Uy Asmundson, Mayor

Bette E. Racki, City Clerk

Attachment 1A



City of Davis





Core Area

City of Davis General Plan Land Use Map Change

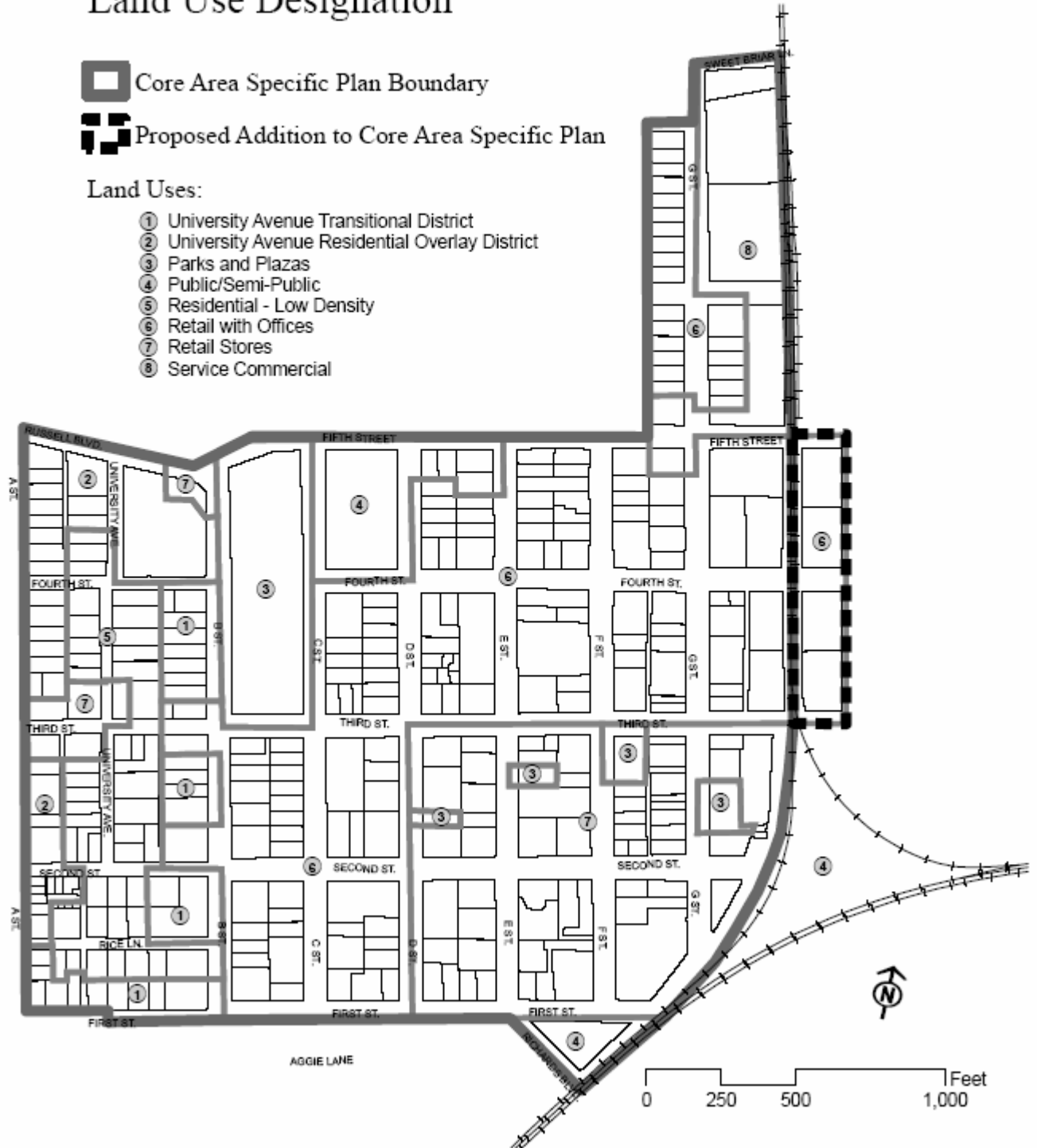
ATTACHMENT 1B

Proposed Addition to the Core Area Specific Plan Land Use Designation

-  Core Area Specific Plan Boundary
-  Proposed Addition to Core Area Specific Plan

Land Uses:

- ① University Avenue Transitional District
- ② University Avenue Residential Overlay District
- ③ Parks and Plazas
- ④ Public/Semi-Public
- ⑤ Residential - Low Density
- ⑥ Retail with Offices
- ⑦ Retail Stores
- ⑧ Service Commercial



ATTACHMENT 1C
Core Area Specific Plan Text Changes and Notations of other Map Changes

PAGE	PARA-GRAPH		AMENDMENT
10	4	Text Amendment	<u>1.3 Project Location</u> ... The Core Area Specific Plan study area is located in the City of Davis, Yolo County, California (Figures 2 and 3). The study area encompasses approximately 450 <u>152</u> acres which is bounded on the south by First Street, on the north by Fifth Street, on the west by A Street and on the east by the Southern Pacific Railroad tracks east of G Street- <u>except between Third and Fifth Streets where it is bounded by the alley west of I Street.</u>
11		Figure 3 Site Location Map	Amend shading to shade the parcels bounded on the west by the Southern Pacific Railroad tracks, on the north by Fifth Street, on the south by Third Street and on the east by the Alley West of I Street.
12		Figure 4 Specific Plan Study Area	Amend map to show parcels 70-321-10, 70-321-11, 70-324-01 and 70-324-02 located east of railroad.
18		Table 1 Existing Land Uses	Update figures to 2002 survey information and add 23,000 square feet of Commercial Service
19		Figure 6 Existing land Uses	Amend map to include parcels 70-321-10, 70-321-11, 70-324-01 and 70-324-02 as Commercial Service
20	9	Text Amendment	Circulation: ... The Southern Pacific Railroad tracks border the Core Area on the south and along <u>most of</u> the east sides, and the-University of California at Davis Campus restricts circulation to the west.
21		Figure 7 Existing Zoning	Amend map to include parcels 70-321-10, 70-321-11, 70-324-01 and 70-324-02 as Mixed Use
26	2	Text Amendment	<u>2.4 Specific Plan Land Use Map</u> ... Retail with Offices is shown on several properties fronting on the west side of B Street, between Third Street and Fourth Street east of C Street, between First Street and Third Street east of B Street west of D Street, and several properties along both sides of Third Street between the campus and B Street. <u>Retail with Offices is also shown between Third and Fifth Streets east of the Southern Pacific Railroad tracks and the alley west of I Street.</u>
27	7	Text Amendment	Core Retail with Offices: ... Apartments, <u>and owner occupied condominiums and town homes</u> may be included and are encouraged as tenants for upper stories. Single-family, two family and duplexes may also be included.
28		Figure 9 Land Use Map	Amend map to show the parcels 70-321-10, 70-321-11, 70-324-01 and 70-324-02 and shade to show Retail with Offices.

PAGE	PARA-GRAPH		AMENDMENT
31	11	Text Amendment	6. Policy: Land use intensification shall be concentrated first in the area bounded by First and Fourth Streets and D Street and the railroad tracks, (with an extension north to Fifth Street along F and G Streets and <u>including the parcels east of the railroad tracks and west of the Alley West of I Street</u>); areas to the west and north shall intensify more slowly, with the exception of the large projects discussed in Policy 7.
38		Figure 13 Circulation Plan	Amend map to show parcels 70-321-10, 70-321-11, 70-324-01 and 70-324-02 and related streets.
40		Figure 14 Signalized Intersection Plan	Amend map to show parcels 70-321-10, 70-321-11, 70-324-01 and 70-324-02 and related intersections.
42		Figure 15 Transit Plan	Amend map to show parcels 70-321-10, 70-321-11, 70-324-01 and 70-324-02 and related routes.
49		Figure 17 Urban Design Framework	Amend map to show parcels 70-321-10, 70-321-11, 70-324-01 and 70-324-02.
61		Figure 19 Street Light Plan	Amend map to show parcels 70-321-10, 70-321-11, 70-324-01 and 70-324-02.
66		Figure 20 Pedestrian Safety Plan	Amend map to show parcels 70-321-10, 70-321-11, 70-324-01 and 70-324-02 and related intersections.
93		Figure 22 Existing Arterial Streets	Amend map to show parcels 70-321-10, 70-321-11, 70-324-01 and 70-324-02 and related streets.
94		Figure 23 Existing Bike Lanes and Paths	Amend map to show parcels 70-321-10, 70-321-11, 70-324-01 and 70-324-02 and related streets.
95		Existing Bus Routes	Amend map to show parcels 70-321-10, 70-321-11, 70-324-01 and 70-324-02 and related routes.
96		Existing Water	Amend map to show parcels 70-321-10, 70-321-11, 70-324-01 and 70-324-02 and show water.
97		Figure 26 Existing Sewer	Amend map to show parcels 70-321-10, 70-321-11, 70-324-01
98		Figure 27 Existing Drainage	Amend map to show parcels 70-321-10, 70-321-11, 70-324-01 and 70-324-02 and show drainage.
99		Figure 28 Existing Gas Lines	Amend map to show parcels 70-321-10, 70-321-11, 70-324-01 and 70-324-02 and show gas lines.
100		Figure 29 Parking Districts	Amend map to show parcels 70-321-10, 70-321-11, 70-324-01 and 70-324-02.

ATTACHMENT 2

ORDINANCE NO. _____

AN ORDINANCE REZONING FOUR PARCELS LOCATED AT 901-919 THIRD STREET, 904, 907-911 FOURTH STREET AND 912 FIFTH STREET FROM COMMERCIAL SERVICE (CS) TO MIXED USE (M-U)

THE CITY COUNCIL OF THE CITY OF DAVIS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1 (Zoning Map Change).

Section 40.01.090 (Zoning Map) of Chapter 40 of the Code of the City of Davis is hereby amended by changing the zoning districts of the properties hereby attached as Exhibit A from Commercial Service (CS) to Mixed Use (MU).

SECTION 2 (Findings for Rezone).

The City Council hereby finds as follows:

1. That the proposed zoning is in conformance with the General Plan and Core Area Specific Plan as amended, which change the boundary of the Core Area Specific Plan to include these properties; and change the land use designation of this site from General Commercial to Retail with Offices; and
2. That the Planning Commission held a public hearing on June 8, 2005, to consider this proposed ordinance; and
3. That the public necessity, convenience and general welfare require the adoption of the proposed amendment to ensure consistency with the General Plan, Core Area Specific Plan and Downtown and Traditional Neighborhood Overlay District (40.13A.) which encourage the mixed retail, office and residential uses on the periphery of the Downtown Core Area to support the vitality of the commercial area and to provide a transition between the more intense commercial core and surrounding residential neighborhoods.
4. That the adoption of this ordinance will have a less than significant impact on the environment as shown in the Initial Study for Negative Declaration #11-04.

SECTION 3 (Effective Date).

This ordinance shall become effective on the thirtieth (30th) day following its adoption.

INTRODUCED ON _____ and PASSED AND ADOPTED on _____, 2005 by the following vote:

AYES:

NOES:

ABSENT:

ATTEST:



Ruth Uy Asmundson, Mayor

Bette E. Racki, City Clerk

ATTACHMENT 2

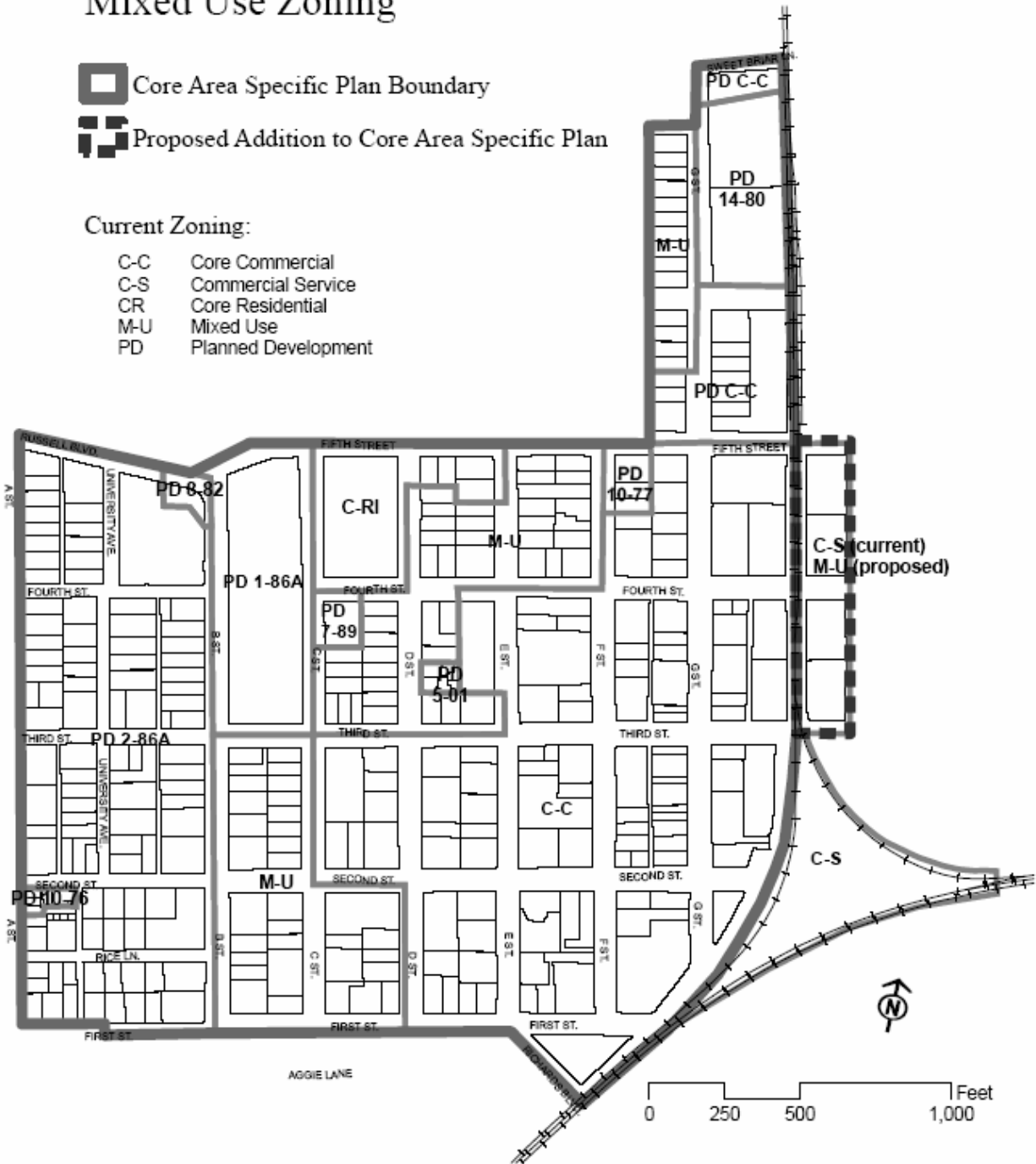
EXHIBIT A

Proposed Addition to the Core Area Specific Plan Mixed Use Zoning

-  Core Area Specific Plan Boundary
-  Proposed Addition to Core Area Specific Plan

Current Zoning:

- C-C Core Commercial
- C-S Commercial Service
- CR Core Residential
- M-U Mixed Use
- PD Planned Development



ATTACHMENT 3

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF DAVIS AMENDING ARTICLE 40.15 OF THE MUNICIPAL CODE TO PERTAINING TO THE MIXED USE (M-U) ZONING DISTRICT

THE CITY COUNCIL OF THE CITY OF DAVIS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1.

Section 40.15.070 of Chapter 40 of the Davis Municipal Code is hereby amended to read as follows:

Section 40.15.070 Open space, lot area, yard and residential density.

(f) **Setbacks (Main street scale).** ~~Setbacks and lot coverage shall be the same as those shown for central commercial a) Main Street scale (applies only to parcels with frontage onto Second and Third Streets between B and E Streets, and Fifth, Fourth and Third Streets between the railroad tracks and the alley).~~ (Ord. No. 924, § 4; Ord. No. 946, § 4.)

(1) Setbacks and lot coverage shall be the same as those shown for Central Commercial (C-C) district.

SECTION 2. Findings

The City Council of the City of Davis hereby finds that the public necessity, convenience and general welfare require the adoption of the amendment as set forth and that said amendment is consistent with the Davis General Plan and Core Area Specific Plan.

SECTION 3.

This ordinance shall become effective on the thirtieth (30th) day following its adoption.

INTRODUCED ON _____, and PASSED AND ADOPTED on _____, by the following vote:

- AYES:
- NOES:
- ABSENT:
- ATTEST:

Ruth Uy Asmundson, Mayor

BETTE E. RACKI, City Clerk



Mixed-Use Character Areas: **Core Transition East**

CORE TRANSITION
 NORTH

G STREET NORTH
 TRANSITION

CORE TRANSITION
 WEST

**CORE TRANSITION
 EAST**

CASE STUDY

Key Features

- The properties lining the east side of the railroad tracks in Old East Davis have been used predominantly for commercial and service related uses.
- Commercial warehouse style buildings predominate.
- Existing lots are relatively large (0.5 acres).
- Properties are served by an alley shared with the residential uses to the east.

Design Objectives

- This area should improve the visual and land use transition from the Commercial Core to the Old East residential neighborhood.
- New mixed-use buildings should be built to the sidewalk edge with landscape courtyards incorporated to vary the building setbacks along the street.
- Building architecture should respect the traditional residential character of the neighborhood.
- Parking should be incorporated off the alleys in private parking courts.





Guidelines

A The majority of a building should align at the sidewalk edge.

- A minimum of 50% of the building front shall have a zero foot setback.
- Other portions of the building front may be setback to provide a plaza or yard.

B Sloping roof forms shall predominate.

- The primary roof of a structure should be hip or gable.
- Larger developments may include a mix of roof forms including horizontal or flat.
- Consider the screening of roof mounted mechanical equipment when designing the roofline.

C Locate parking away from the street frontage.

- Parking should be located at the rear of the property.
- Parking access shall be provided from the existing alley.

D Residential uses are encouraged.

- Flexible live-work units that can be used as office, studio, and/or residential space are preferred.
- Townhouse or condominium units for ownership should be encouraged.
- Large three and four bedroom apartment type units are inappropriate.



CORE TRANSITION
NORTH

G STREET NORTH
TRANSITION

CORE TRANSITION
WEST

CORE TRANSITION
EAST

CASE STUDY

ATTACHMENT 5

Item No: 7B
Meeting Date:
6/8/05

Staff Report

May 25, 2005

TO: Planning Commission

FROM: Katherine Hess, Planning and Redevelopment Administrator
Sarah Worley, Economic Development Specialist
Heather Johanson, Economic Development Assistant

SUBJECT: PA #63-04; Negative Declaration # 11-04; General Plan Amendment GPA #6-04; Specific Plan Amendment SPA# 6-04; Rezone #8-04; 912 Fifth Street, 904, 907-911 Fourth Street and 901-919 Third Street; and Zoning Ordinance Amendment #03-04.

Recommendations

Staff recommends that the Planning Commission

1. Hold a public hearing;
2. Recommend that the City Council adopt Negative Declaration #11-04; determining that the proposed project would have a less than significant impact on the environment;
3. Recommend that the City Council approve General Plan Amendment #6-04 and Specific Plan Amendment # 6-04 based on the findings attached to this report; and
4. Recommend that the City Council approve Rezone #8-04 based on the findings attached to this report.
5. Recommend that the City Council approve Zoning Ordinance Amendment #03-04 to make minor amendments to the Mixed Use (M-U) District Chapter 40.15.

Project Description

This project involves a General Plan amendment and Specific Plan amendment to expand the boundaries of the Core Area Specific Plan to include four properties located between Third and Fifth Streets and to change their land use designations from General Commercial under the General Plan to Retail with Offices under the Core Area Specific Plan. The project also involves a rezoning application to rezone the project parcels from Commercial Service to Mixed Use. A zoning ordinance amendment is being processed concurrently to modify the provisions of the Mixed Use District (40.15) allowing Main street scale setbacks and lot coverage to be applied to future development on the subject properties, rather than standard residential setbacks. The changes to the CASP and zoning are being requested to accommodate future redevelopment of the parcels. No

specific plans have been submitted at this time. Future projects would be subject to design review by the city which includes a Planning Commission hearing for projects in the Mixed Use zone that are taller than two stories (Tier #3). (See pages 3 and 4 for maps of the project site and existing uses.)

Background and Analysis

Project Data

Applicant & Property Owner
(address)

Jennifer Anderson
240 G Street
P.O. Box 1527
Davis, CA 95616

Property Owner
(address)

Renee Malaki
6312 Fordham Way
Sacramento, CA 95831

Location / Property Size:

901-919 Third Street – 22,850 sq. ft. (.52 acres) (70-324-02)
904 Fourth Street - 23,115 sq. ft. (.53 acres) (70-324-01)
907-911 Fourth Street - 23,115 sq. ft. (.53 acres) (70-321-11)
912 Fifth Street - 23,115 sq. ft. (.53 acres) (70-321-10)

Building Size/Use

901-919 Third St. – two buildings, 5,500 sq. ft., 5, 930 sq. ft. (personal service, business service etc.)
904 Forth St. – two buildings 2,500 sq. ft. (rock yard)
907-911 Forth St. – two buildings, 2,000 sq. ft. (lock & key and storage)
912 Fifth St. – three attached buildings 13,000 sq. ft. (auto repair, mobile phone co. and storage)
(See also map on page 3.)

Existing General Plan Designation:

General Commercial

Proposed Specific Plan Designation:

Retail with Offices

Existing Zoning Designations:

Commercial Service (CS)



Proposed Zoning Designations:

Mixed Use (MU)

Redevelopment Area:

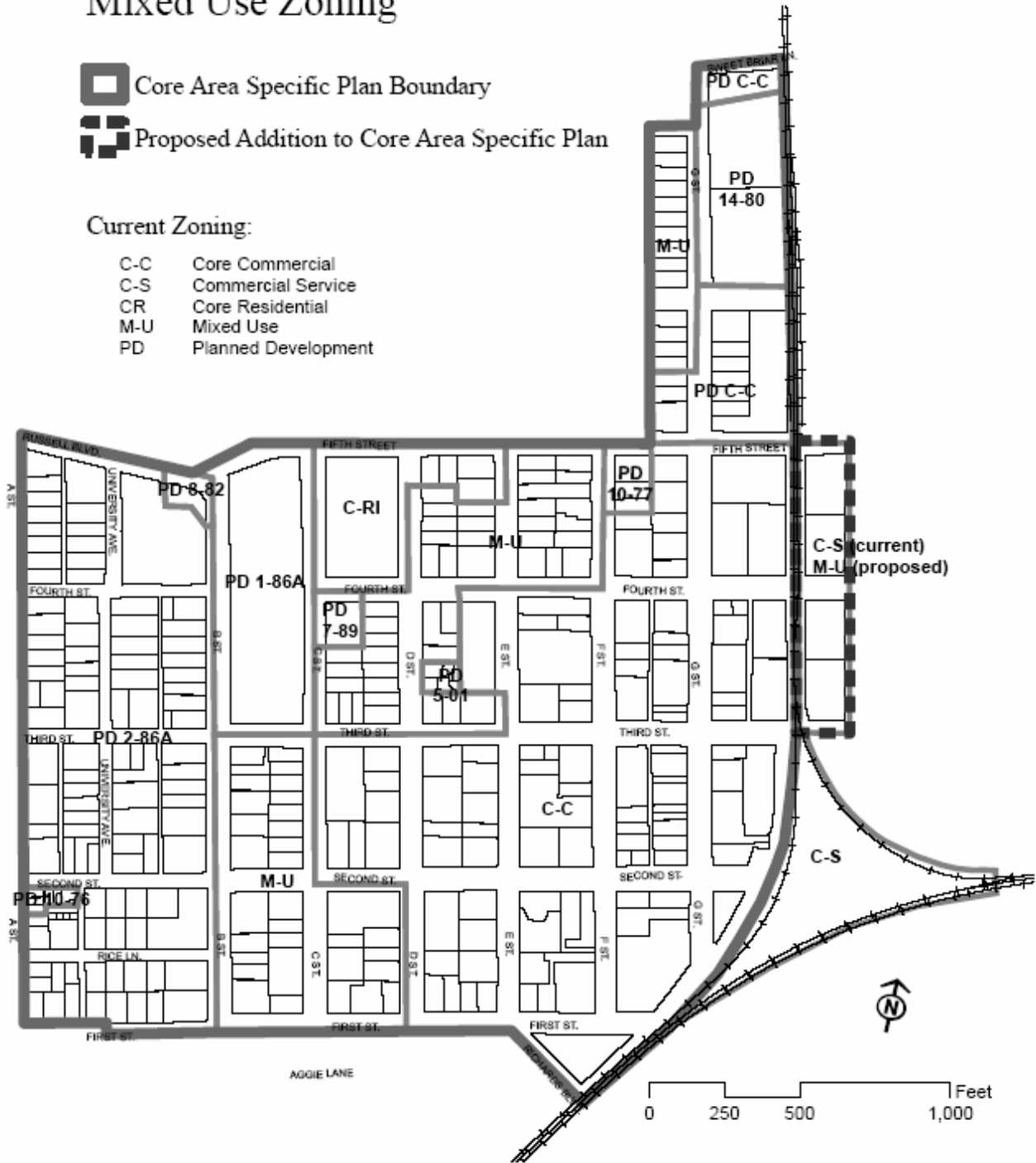
Yes

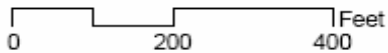
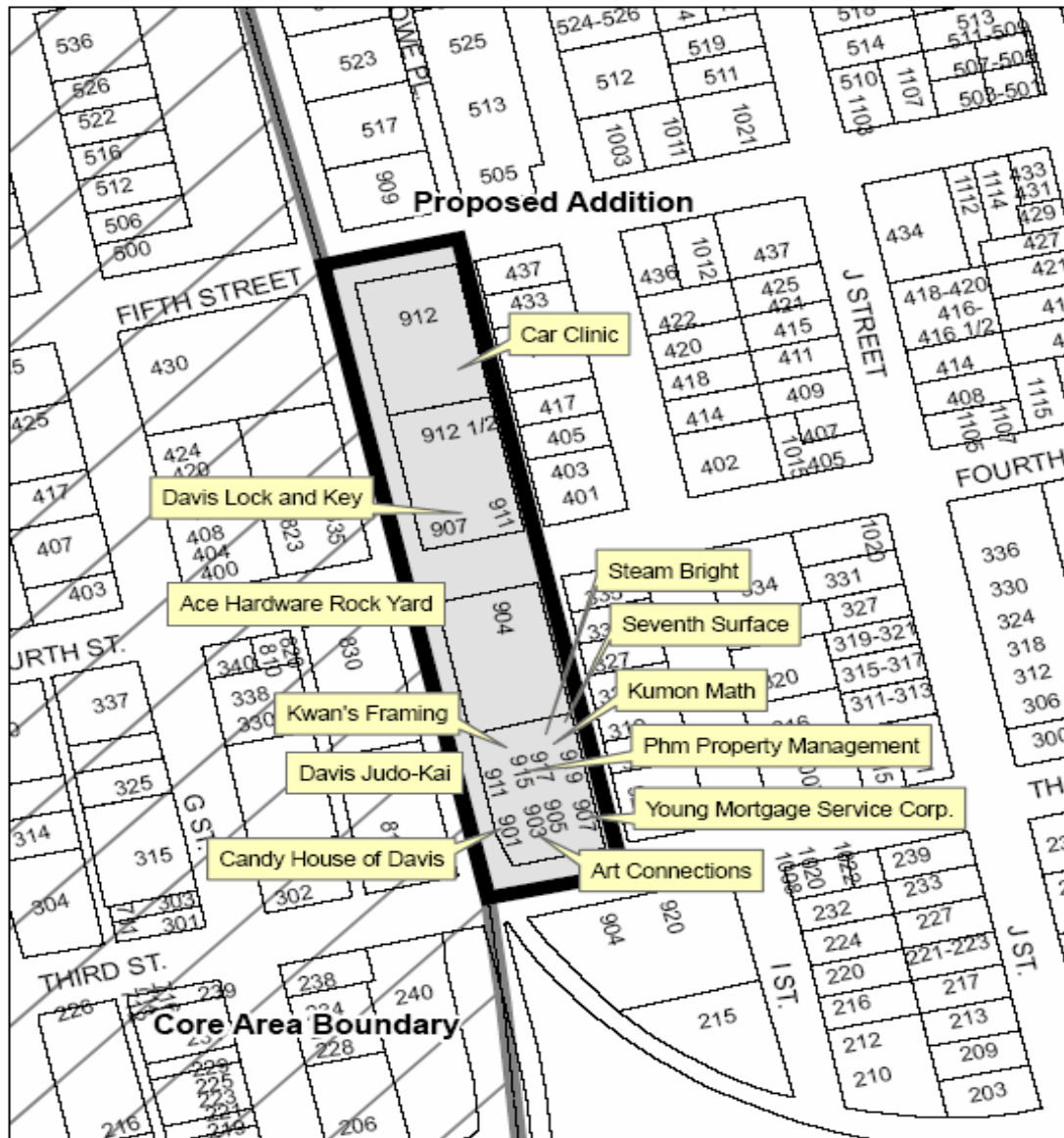
Proposed Addition to the Core Area Specific Plan Mixed Use Zoning

-  Core Area Specific Plan Boundary
-  Proposed Addition to Core Area Specific Plan

Current Zoning:

- C-C Core Commercial
- C-S Commercial Service
- CR Core Residential
- M-U Mixed Use
- PD Planned Development





Proposed Addition
Core Area Specific Plan

Current Businesses, March 2005

Adjacent Zoning/Land Use:

North: C-S, Restaurant
West: C-C, Nursery, Hardware Store, Parking Structure, Offices
East: R2-CD, Single Family and Apartments
South: CS, Car Wash, Retail

Environmental Determination:

This project is consistent with the range of development intensities addressed in the Environmental Impact Reports prepared and certified by the City Council for the General Plan (May 2001) and Core Area Specific Plan (November 1996). This project is also consistent with the development intensities addressed in the Negative Declaration prepared for the Davis Downtown and Traditional Neighborhoods Design Guidelines (#10-00, July 2001). A Negative Declaration (#11-04) has been prepared for this project that incorporates and references these prior environmental documents and addresses the potential impacts of future redevelopment of the project sites under the proposed land use and zoning designations (Attachment 6). The location of the project site is adjacent to the railroad line. Additional noise attenuation to achieve interior noise levels of 45 dBA (a weighted decibel scale) for residential uses and 55 dBA for office uses, (including provision of mechanical ventilation systems) in compliance with the provisions of the Uniform Building Code and General Plan Noise Element will be required as conditions of any future development. Potential traffic impacts that could be generated by future redevelopment of the project properties under Mixed Use zoning might be higher than existing, but would be lower than the amount of traffic that could be generated by buildout under existing Commercial Service zoning. Potential traffic impacts of any redevelopment will be further evaluated when a specific development plan is proposed.

Fiscal Impact: In the short term the project will expand options for commercial uses on these sites, increasing the ability to sustain viable business tenants and increased sales taxes. The precise amount will depend on the type and success of each business. In the long term redevelopment of the project parcels will generate development impact fees and property tax increments to the Redevelopment Agency as well as increased business license taxes to the City's general fund.

Business and Economic Development Commission (BEDC): Staff provided a description and analysis of the proposed project to the BEDC at their meeting of May 23, 2005. The BEDC unanimously supported the redesignation of the project parcels to a mixed use designation. In their discussion the BEDC raised questions about the following issues which were responded to by staff and are addressed in this report: 1) timing of redevelopment, 2) potential noise impacts along the rail road, 3) possibility of including the remaining adjacent CS parcels within the CASP at some future time and 4) was creation of a new General Plan Mixed Use designation considered?

Downtown Davis Business Association (DDBA): The DDBA board reviewed the proposal at their May 18th meeting and unanimously recommended approval.

Public Notice and Outreach:

March 23, 2005: Notice of Neighborhood Meeting mailed to all property owners and tenants within 500 feet of the project site, and emailed to the Old East and Old North Neighborhood Associations.

- April 7, 2005:* A neighborhood meeting was held for the proposed project attended by the two project property owners and five neighborhood residents who were in support of the project.
- May 17, 2005:* A Public Hearing Notice was published in the Davis Enterprise and mailed to all property owners and tenants within 500 feet of the project site and emailed to the Old East and Old North Neighborhood Associations.

General Plan Consistency

The General Plan establishes broad policies that apply throughout the community and incorporates the Core Area Specific Plan for goals and policies relating to the Downtown. Though the project requires a General Plan Amendment, staff believes the amendments are consistent with the overall intent of the Plan and the following policies:

Land Use and Growth Management

A. Core Area Specific Plan Area

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

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

Goal - Housing 1. Promote adequate housing opportunities for people of all ages, incomes, lifestyles and types of households.

Goal MOB 2. Balance the needs to provide adequate parking in residential and commercial developments with the desire to limit automobile travel.

Core Area Specific Plan Consistency

Staff believes that the proposed project, as conditioned, is consistent with the Core Area Specific Plan (CASP), based on compliance with relevant CASP policies. The CASP boundary expansion is to allow for the land use designations of the properties to be changed to designations that support future mixed use development. The land use designation proposed for the site is Core Retail with Offices, which is intended to create a mixed commercial and residential district. Staff believes that this proposed project is consistent with the following CASP policies:

- A mix of uses—retail stores, restaurants, cultural centers, entertainment, services, upstairs offices and dwelling units—is now and shall remain characteristic of the Core Area (2.6.1)
- The development of dwelling units, including senior housing, shall be encouraged in the Core Area. (2.6.1.1)

- Land use intensification shall be concentrated first in the area bounded by First and Fourth Streets and D Street and the railroad tracks...(2.6.6)

The Core Area Specific Plan strongly encourages development of dwelling units in the downtown. The CASP calls for implementation of “a variety of mechanisms to promote housing in the Core Area...” The project would allow for future mixed use projects incorporating residential units. Redevelopment is not proposed at this time, but is expected to occur in the future after other intensification projects within the Core Area take place. Intensification of the Core Area adjoining the project site on the other side of the railroad tracks has already begun with construction of the office/commercial project and parking structure on G Street between 4th and 5th Streets; a mixed residential/retail project approved for the southwest corner of 5th and G Streets, the new Chen building at 1st and G Streets. Other recent proposals for new development on G Street are also underway.

Design Guidelines Consistency

The project site is located within a mixed-use character area identified as the “Core Transition East” in the Design Guidelines (see Attachment 4). The impetus for this project is to facilitate redevelopment of the project parcels in a manner consistent with the design objectives and guidelines identified for this mixed use area. These include the desire “to improve the visual and land use transition between the Downtown Core and Old East residential area; to encourage new mixed use buildings built up to the sidewalk edge; ...and to encourage residential uses, including flexible live work units and townhouse or condominium units for ownership”.

Any substantial development or redevelopment on the project sites will require Design Review. The Design Review process allows for site plan and architectural review of a proposed project and its compliance with applicable development regulations and guidelines. Future development will also be evaluated in relation to the Interim Infill Guidelines. This process is intended to ensure that future development is of high quality, will achieve community goals and is compatible with surrounding uses. A public hearing before the Planning Commission would be required for any project requiring a conditional use permit, or for larger projects of over two stories in mixed use areas.

General Plan and Specific Plan Amendments

There are several factors that have contributed to the initiation of this process. Though the project parcels are not within the current boundaries of the Core Area Specific Plan, as noted above they are included in the Downtown Davis and Traditional Residential Neighborhoods Design Guidelines as a Mixed Use Character Area “Core Transition East,” within which residential units including condominiums and town homes are to be encouraged. The current General Commercial land use designation and Commercial Services zoning designations do not allow residential uses. The General Plan also does not currently have a land use designation for “Mixed Use” development. Mixed use development is generally accommodated through the Core Area Specific Plan. Re-designation to high density residential land use and zone change to Mixed Use zoning was another option considered, as the General Plan policy LU .6 allows up to 3 acres of commercial uses within a residential area provided it is compatible with surrounding uses. However, given the proximity of these parcels to the downtown and desire for mixed use development with ground floor retail, staff

determined that amendments to include these parcels into the Core Area Specific Plan was the most appropriate action. This last option was the only option favored by the property owners.

The majority of General Plan and Specific Plan amendments required are mapping changes to reflect the boundary changes on the maps within the Land Use Plan map, and on the Core Area Specific Plan maps. There are also some minor text changes to the Core Area Specific Plan just to include these parcels in pertinent CASP area references. Attachment 1A identifies the proposed General Plan amendments. Attachment 1B and 1C show the proposed Specific Plan amendments.

Rezoning

The applicants propose to rezone the subject parcels from Commercial Service (CS) to Mixed-Use (MU) to allow a broader range of commercial uses and to allow for future development of mixed use commercial/residential projects. The owner of the buildings (912 Fifth Street, 904, 907-911 Forth Street) wishes to gain authorization to seek a broader range of commercial tenants and specific commitment before investing in site and building improvements/modifications. The owners of the buildings at 901-919 Third Street recognize that their existing tenant mix is more consistent with the uses permitted in the MU zone and recognize the greater flexibility and benefits MU zoning would provide.

Uses

Changing the allowable uses on the project sites is considered appropriate for the changing evolution of the development within the Downtown. The auto oriented nature of the uses permitted in the General Commercial, and Commercial Service designations are still appropriate in their locations on the periphery of the Downtown. However, as the community continues to grow and properties downtown are redeveloped with mixed uses in transition areas, shifting of auto oriented uses to areas outside the Downtown is appropriate.

There are a number of benefits received from the proposed land use changes: implementation of community goals, the addition of housing, and an incentive for reinvestment. Facilitating transformation of the project area to a mixed commercial/residential area is a community goal. The Commercial Service zone does not allow residential use. The proposed Mixed Use zoning would allow up to a maximum of 30 units per acre for residential development. Under this zoning each of the four parcels could have up to 15-16 units, not counting any additional units allowed via the Housing Ordinance's density bonus (of up to 25 percent for provision of low-income units). With a given policy direction different than many of the existing uses, there is a disincentive for the current property owners to make any substantial investments to upgrade the properties. The change to Mixed Use zoning will allow residential, retail, shops, offices, eating establishments and other mixed uses. Conditional uses currently allowed in this zone include nightclubs, theaters, commercial or office uses, living groups and drive-throughs. Changes to the MU ordinance to eliminate the nightclub, theaters and drive-through uses are proposed in a separate application. The broader range of allowable uses and policy consistency will serve to encourage reinvestment in these properties in a manner supporting the community vision.

An opportunity cost associated with the change in land use is the loss of parcels zoned Commercial Service, which are largely intended for community serving businesses and auto oriented uses. An important issue to consider is whether there are a sufficient amount of Commercial Service zoned parcels remaining in appropriate locations within the City to accommodate the community's need for these kinds of uses. Staff believes that lack of sufficient, suitable, affordable space for particular commercial endeavors has been a constraint for many seeking to establish new businesses. However, the majority of calls are for office, retail or restaurant space in the Downtown. After the rezoning the City will still have General Commercial and Commercial Service parcels on 5th Street, Olive Drive, F Street, near freeway over-crossings, along Second Street at Cantrell and to the north and south of the project parcels. These locations may be more appropriate for auto oriented uses

Attachment 5 provides a table of uses permitted in the CS zone and the MU zone.

Nonconforming Uses

There are no immediate plans for redevelopment of these parcels. The existing rock yard and storage area provide critical functions for the neighboring hardware and nursery business and will remain, as existing legal nonconforming uses. Several of the warehouse buildings on the 912 Fifth Street site do not have street frontage or windows, will not easily be converted to alternate uses, and are likely to continue being used primarily as storage, at least in the near term. The auto use fronting on 5th Street could be converted more easily and may continue or may be replaced with a newer conforming use. The Key Lock and storage building on 4th Street may also be converted or replaced. Such uses can continue to operate as long as they sustain continued operation (i.e. are not discontinued for 6 or more continuous months at one time). If the uses are discontinued they will need to be replaced with a conforming use. The MU zoning and determination of consistency with community goals provides an incentive for reinvestment as well as allowing existing uses to continue as long as needed while this area transforms over time.

Table 2 lists lot area and existing uses on the project parcels

Table 2 Existing Conditions

Address	Lot Area (sq. ft.)	Building Area (sq. ft.)	Existing FAR	Existing Business	Type of Use	Permitted in CS	Permitted in MU
912 5 th St.	23,115	14,200	.61	Car Clinic	Automotive/Truck Repair	Permitted	Not Allowed
904 4 th St.	23,115			Ace Rock Yard	Nursery Supplies	Permitted	Not Allowed
907-911 4 th St	23,115			Davis Lock and Key	Personal Service	Permitted	Permitted
901 Third ST	22,850	5,500 (1,375)	.74	Candy House Of Davis	Custom/Light Manufacturing or Specialty Shop	Permitted	Permitted
903 Third ST		(2,214)		Art Connections	Retail Shop or Artist supply store	Accessory	Permitted
907 Third ST		(1,910)		Young Mortgage	Professional Office or Business Service	Permitted	Permitted
911 Third ST		11,430 (2,975)		Davis Judo-Kai	Personal Services	Conditional	Permitted
913 Third ST		(300)		Kwan's Framing	Service Establishment	Permitted	Permitted
915 Third ST		(1,100)		Property Management	Professional Office	Permitted	Permitted
917 Third ST		(400)		Kumon Math	Personal Services	Conditional	Permitted
919 Third Street		(380)		Seventh Surface	Professional Office or Business Service	Permitted	Permitted

Building Height/Scale

The MU zoning allows buildings up to three stories and a floor area ratio of 1.5:1 (or 2.0:1 w/bonuses). Mixed use and residential structures above two stories are to “be carefully designed to avoid appearances of excessive bulk”. Buildings within the Core Area Specific Plan are to incorporate design principles found in that plan. The CS zoning allows buildings up to 35 feet, and establishes a specific building size limit for different uses (10,000-15,000 sq. ft.). The CS zone does not establish a floor area ratio requirement but the General Commercial land use designation establishes a maximum floor area ratio of 50 percent. The existing structures closest to the project site across the alley to the east are generally one story, with some two story apartments. The existing development across the railroad tracks is a 5 story parking garage, and one story commercial structures. Provisions in the Design Guidelines and Core Area Specific Plan call for new infill development to respect the mass and scale of surrounding development. See also Attachment 7 the Initial Study page 19 for a comparison of the maximum build-out that could reasonably be expected for the project sites.

Under the MU development regulations applying the Main street setback requirements (see section on Zoning Ordinance amendment below) approximately 11, 560 sq. ft. of ground floor retail/commercial could be built on each of the four parcels.

Parking

Parking to be provided would depend on the specific uses proposed. New residential uses and live work uses will have to provide 1 space per 1-2 bedroom units and 1.5 spaces for 3 or more bedroom units on site. The standards for non-residential parking are 1 space/ 400 sq. ft. of retail space, 1 space / 500 sq. ft. of business or professional office space and 1 space per every six seats for restaurant space. The commercial parking may be provided via in lieu payments.

**Table 3
 Existing v. Proposed Standards**

Development Standards	Commercial Service	Mixed Use	DTRN Design Guidelines – Core Transition East
<u>Setbacks:</u> Front	None	Main street scale. None	Majority of the building should align at the sidewalk edge. A minimum of 50% of the buildings should have a 0' setback
Rear and Sides	0' feet, except when abutting a P-A or R district, then $\geq 10'$ or not less than the setbacks of the abutting district	Sides 0' Rear 10' unless second means of egress is provided.	Portions may be setback to provide for plazas or yards.
Maximum Building Height	35'	3 stories	
Floor Area Ratio (FAR)	50%	Mixed use and residential structures: base 1.5 times the lot area, with bonuses up to 2 times lot area. Commercial and office structures: base 1 times the lot area, with bonuses up to 2 times the lot area	
Lot Coverage		Mixed use and residential structures: 50% Commercial and office structures: 45% <i>(These lot coverage standards are proposed to be eliminated)</i>	
Lot Area		Lots in excess of 24,000 SF require a CUP.	
<u>Parking Spaces:</u>	Subject to 40.25	Off street required for all uses, no off street loading spaces required, spaces may be provided through in-lieu fees or participation in a parking district. Number of space pursuant to 40.15.090	Parking should be incorporated off alleys in private parking courts.
Other			FAR bonuses give for projects with a mix of residential and commercial uses

Zoning Ordinance Amendment (MU Zoning District)

Included in this application are text change amendments to the MU District allowing the project parcels to be subject to Main street setback standards instead of residential standards. The MU District has two standards for determining setback requirements - residential scale and Main street scale standards. Main street standards similar to those applied in the central commercial area are currently only applied in the Mixed Use areas on Second and Third Streets between B and E Streets. The residential setback standards are as follows: front setback to equal or exceed in average of the square footage of the front yards of the nearest buildings on the same street, or 1,000 sq. ft. which ever is greater. Side yards are to be a minimum total of 10 feet per lot, and rear yards are to be a minimum of 5 feet.

Main street (CC - Central Commercial) setbacks require: a 10 foot rear yard except when a separate means of egress can be provided (e.g. such as alley access), and have no requirement for front or side yards.

Staff believes the context of the project parcels supports application of the Main street standards. The large parcel size, relatively narrow frontage, location between the railroad tracks and alley with no adjoining properties make these parcels unique. In addition, design guidelines for this area state that in order to maintain a consistent retail frontage “the majority of a building should align at the sidewalk edge” and “parking should be located away from the street.” Staff believes the site context warrants the provision of as much flexibility as possible be provided in site design requirements for design of future mixed use projects in order to respond to the opportunities and constraints the context presents.

Therefore, staff is recommending that the provisions of the Mixed Use district be amended to add language allowing the project parcels fronting on 3rd, 4th and 5th Streets between the railroad tracks and the Alley West of I Street to be subject to the Main street scale setbacks as shown in Attachment 3.

Conclusion

Staff recommends approval of the General Plan and Specific Plan amendments and zoning re-designations of the four project parcels to allow for their eventual transformation into a mixed commercial/residential area. These applications are considered to facilitate achievement of community goals to increase housing in the Downtown and provide a scale and use transition between the Downtown Core and adjacent residential area as identified in the Design Guidelines “Mixed Character Areas: Core Transition East.”

Attachments: (RELOCATED TO CC STAFF REPORT)

1. Resolution Amending General Plan and Core Area Specific Plan
2. Ordinance Rezoning Project Properties
3. Ordinance Amending MU Zoning Standards
4. CASP Policies /Guidelines (excerpt of Core Transition East pg. 72, 73)
5. Table of Permitted and Conditional Uses in Existing MU and CS zones.
6. Initial Study and Negative Declaration #11-04

ATTACHMENT 7

MIXED USE V. COMMERCIAL SERVICE ZONING

	Mixed Use	Commercial Service
Permitted Uses	<ul style="list-style-type: none"> (a) Single family, duplex, multiple dwellings and residential infill. (b) Cooperative housing (c) Retail stores, shops and <u>business and professional offices.</u> (d) Restaurants, including outdoor eating areas and establishments. (e) Secondary dwelling units (f) Business and technical schools, and schools and studios for photography, art, music and dance. (g) Family and group day care homes (h) Mixed uses (i) Group care homes with six or fewer clients. 	<ul style="list-style-type: none"> (a) Auto, Motorcycle Sales conducted within an enclosed building. (b) Automotive/Truck Repair (c) Repair Services (d) Auto, Building and Light Equipment Supplies. (e) Building Contractors Offices. (f) Service Establishments. (g) Agricultural/Nursery Supplies and Services. (h) Office for Professional and Administrative Uses. (i) Custom/Light Manufacturing. (j) Light Wholesale, Storage, Distribution and Vending. (k) Research Services. (l) Any other business or service establishment determined by the Planning Commission to be of the same general character as the above permitted uses
Accessory Uses	<ul style="list-style-type: none"> (a) Residential infill (b) Home occupations and professional offices (c) Signs, (1) commercial frontages as set forth in section 40.26.020; (2) noncommercial frontages as set forth in section 40.26.020(c). (d) Other accessory uses and accessory buildings customarily appurtenant to a permitted use subject to the requirements of section 40.26.010. 	<ul style="list-style-type: none"> (a) Signs, subject to the regulations in section 40.26.020. (b) Accessory uses and buildings customarily appurtenant to a permitted use (c) Home occupations are allowed for existing nonconforming residential dwellings and uses, subject to provisions of section 40.01.010 and section 40.26.150.
Conditional Uses	<ul style="list-style-type: none"> (a) Nightclubs. <u>Commercial recreation facilities such as recreation centers and health clubs.</u> (b) Theaters. (b) Commercial or office uses. (c) Nursery schools and day care centers subject to the provisions of section 40.26.270. (d) Public and semipublic buildings and uses of a recreational, educational, religious or public service type, but not including corporation yards, storage or repair yards, warehouses and similar uses. (e) Any other retail business, service establishment, or mixed use involving retail, service or commercial uses not listed in section 40.15.030(c) through (f) which the planning commission finds to be consistent with the purposes of this article and which will not impair the present or potential use of adjacent properties. (f) Deleted. (g) Group care homes with more than six clients (h) Living groups (i) Drive through facilities (j) Hotels 	<ul style="list-style-type: none"> (a) Permitted uses or combinations thereof, that exceeds the stated use size limits. (b) Any use permitted in the district that has outdoor storage, display, work areas or parking of fleet vehicles. (c) Auto Service Stations (d) Restaurants (e) Public or Semipublic Uses (f) Day Care Facility. (g) Convenience Retail Sales. (h) Drive Through Facilities. (i) Personal Services. (j) Commercial Recreation. (k) Animal Care. (l) Communication Services. (m) Public Storage. (n) Social/Health Services. (o) Funeral Parlors.

Note: ~~strikeouts~~ refer to amendments currently proposed for the MU district to delete these uses. Underlines indicate amendments currently proposed to add these uses to the MU district. Refer to Chapter 40 of the City of Davis Municipal Code for definitions and other details.

Attachment 6 – Negative Declaration #11-04

Environmental Checklist and Initial Study

Project Title: 912 Fifth Street and 904, 907-911 Fourth Street, and 901-919 Third Street; General Plan Amendment, Specific Plan Amendment, Rezone, Zoning Ordinance Amendment and Negative Declaration.

Lead Agency Name and Address: City of Davis
Community Development Department
23 Russell Blvd.
Davis, California 95616

Contact Person and Phone Number: Sarah Worley Economic Development Specialist,
(530)757-5610

Project Location: 912 Fifth Street (70-321-10)
907-911 Fourth Street (70-321-11)
904 Fourth Street (70-324-01)
901-919 Third Street 70-324-02
Approximately 2 acres located in the City of Davis

Project Sponsor's Name and Address: Jennifer Anderson
240 G Street
Davis, CA 95616

General Plan Designation: The purpose of this project is modify land use and zoning designations of the identified parcels in order to strengthen their consistency with policies and guidelines for future use of the properties as well as with existing land uses.

The General Plan land use designation for these parcels is General Commercial. The zoning for these parcels is Commercial Service. These designations are intended to provide locations for automotive sales and repair, nurseries and building material yards and other auto oriented uses, including community retail and service oriented commercial uses. The proposed project will require amending the General Plan and the Core Area Specific Plan to incorporate the parcels within the boundary of the Core Area Specific Plan, change the land use designation to Core Retail with Offices and a rezone to Mixed Use from Commercial Service. In July of 2001, the City Council adopted the Downtown and Traditional Residential Neighborhoods Design Guidelines for the Downtown and adjacent traditional neighborhoods. These design guidelines are applicable to the project site and call out these parcels as a desirable location for mixed

commercial/residential development. The changes in land use and zoning designations proposed are considered to strengthen the consistency of applicable planning policies and requirements.

Zoning: Commercial Service (CS) (proposed for rezone to Mixed Use (MU))

Description of Project: The project under consideration includes a request for approval of four discretionary actions: 1) General Plan Amendment to remove the General Commercial land use designation and expand the boundaries of the Core Area Specific Plan, 2) Core Area Specific Plan Amendment to add a Retail with Offices land use designation and expand the boundaries of the Core Area Specific Plan to add these four parcels, 3) Zoning Amendment to rezone the parcels from Commercial Service to Mixed Use and 4) a Zoning Ordinance Amendment to the Mixed Use zone to allow these parcels to be subject to the Main street (commercial) setback requirements. The purpose of the project is to expand the range of allowable commercial uses and to allow residential uses.

No project is currently proposed. Under the provisions of the Mixed Use zone development on the parcels could build to a maximum of three stories, a floor area ratio of 1.5 with possible 0.2 bonus for providing open plaza area, and could build a residential density up to 30 units per acre. For the purposes of this analysis the following scenario is considered to represent realistic development projects.

Future Development Scenario

Parcel	Parcel Size Sq. Ft.	Retail/ Commercial Sq. Ft.	Residential Sq. Ft.	No. Dwelling Units / Sq. Ft./unit	No. of Parking Spaces/ Sq. Ft.
912 5 th St	23,115	14,300	16,500	15 / 1,100	16 / 8,000
907-911 4 th St.	23,115	14,300	16,500	15 / 1,100	16 / 8,000
904 4 th St.	23,115	14,300	16,500	15 / 1,100	16 / 8,000
901-919 5 th St.	22,850	14,300	16,500	15 / 1,100	16 / 8,000
Total	92,195 / 2.1 ac	57,200	66,000	60	64 / 32,000

Note: at a 1.7 Floor Area ratio the three larger sites could build approximately 39,300 square feet of building area. All residential units would be required to provide on site parking which is expected to be provided at grade and would reduce the amount of development that could be built. The net difference between this and the 30,800 sq. ft. of uses above are expected to be occupied by parking, access and storage areas for the residential units.

Surrounding Land Uses and Setting: The project site is located in a built urban environment. The project parcels occupy two complete blocks located in downtown Davis between Third and

Fifth Streets, between the east side of the Union Pacific rail line and an alley. Though commercially designated, these parcels were not included within the Core Area Specific Plan. The railroad line was the boundary line of the Core Area Specific Plan. The applicant is now proposing the Specific Plan boundaries be expanded to include these parcels to implement the goals of the Design Guidelines to create a better transition between the Core Area and the Old East neighborhood.

Currently, the majority of each parcel is covered with buildings, paving or gravel with minimal landscaping and street trees. The parcel at 904 Fourth Street has three redwood trees located near the sidewalk. The four parcels combined have approximately 23,000 sq. ft. of building area. The parcel fronting onto Fifth Street is occupied by an auto repair business, with warehouse and storage for a mobile phone company (13,000 sq. ft.). The parcel fronting on the north side of Fourth Street has a Lock and Key business and storage in two old buildings (2,500 sq. ft.), and a paved, fenced outdoor storage area for a hardware store and plant nursery located nearby. The parcel fronting on the south side of Fourth Street is occupied by a rock yard. It has two small buildings (2,000 sq. ft.) and a concrete block perimeter fence. The parcel fronting on Third Street is occupied by a number of small personal service and business service uses in two buildings totaling approximately 11,400 sq. ft. There are no plans for development at this time. The applicants wish to rezone the parcels to allow the future addition of residential uses and increase the range of permissible non-residential uses.

The area to the north of the project site across Fifth Street is designated and developed with Commercial Service uses (drive-in restaurant, Veterinarian, pet grooming, brake and tire service). The area to the south is also designated and developed with Commercial Service uses (Anderson Glass, car wash, copy shop). The area to the east is designated for one and two family residential uses and developed with single family homes and apartment buildings. The area to the west is designated for Core Commercial and occupied by a hardware store and nursery, and a six level parking structure and four story office building.

Previous Relevant Environmental Analysis: The development occurring on or adjacent to the project site has been previously addressed in the following environmental documents which are incorporated here by reference and which addressed the cumulative impacts of development throughout the community and in the downtown.

Program EIR prepared for General Plan Update

The potential environmental impacts of development of the project properties under a General Commercial Land Use designation was included in the Environmental Impact Report (EIR) prepared for the update of the City's General Plan Update and are incorporated here by reference. The action to approve the General Plan adopted a statement of overriding considerations for fire response time. The findings cited adoption of the reduced buildout alternative for the General Plan as sufficient mitigation as compared to the level of buildout allowed under the previous 1987 General Plan. (*Resolution No. 01-72 May 23, 2001 certifying the General Plan Update Final EIR and approved the General Plan, Exhibit B – Statement of Overriding Considerations*).

Initial Study prepared for Davis Downtown and Traditional Neighborhood Guidelines

On July 11, 2001 the City Council adopted Negative Declaration #10-00 for the Downtown and Traditional Residential Neighborhoods Design Guidelines, finding that the Negative Declaration adequately assessed the potential environmental effects of the guidelines, and there were no significant adverse environmental impacts.

Program EIR prepared for Core Area specific Plan

The General Plan incorporates and defers to the Core Area Specific Plan (CASP) for land use in the area of the subject site. The Core Area Specific plan EIR was certified on November 13, 1996 and included build out assumptions for the year 2010 in the vicinity of the project that have not yet been achieved. The action to approve the CASP incorporated adoption of overriding consideration for significant unavoidable impacts in the areas of parking , traffic, air quality and noise (Resolution No. 8022), and are incorporated here by reference.

The Core Area Specific Plan and General Plan EIR’s addressed potential build out within the community and within the downtown expected to occur through the year 2010. It was recognized that the City would not reach full build out and that actual development over time would not necessarily match the assumptions that were made. For some parcels development was somewhat higher, and in some cases estimated redevelopment has not occurred. What is important for the purposes of evaluating environmental effects of the project site is whether development falls within the overall amount and intensity of development projected for this area.

The City’s traffic model has assessed traffic impacts of buildout through the year 2015.

Other Agencies whose Approval is Required: None.

Environmental Factors Potentially Affected: The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION:

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Heather Johanson
Printed Name

Date

City of Davis – Community Development Department
Agency

Signature

Sarah Worley
Printed Name

Date

City of Davis – Community Development Department
Agency

EVALUATION OF ENVIRONMENTAL IMPACTS:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

b,c,d) The proposed buildings would alter the landscape, but will require design review approval. Lighting will be required to comply with the city’s Outdoor Lighting Control Ordinance. Subject to these standard development requirements, aesthetic impacts will be less-than-significant.

II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

non-agricultural use?

a,b,c) The project site are developed commercial properties in an urban setting and will have no impact on agricultural uses.

III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- a) Conflict with or obstruct implementation of the applicable air quality plan?
- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?
- c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
- d) Expose sensitive receptors to substantial pollutant concentrations?
- e) Create objectionable odors affecting a substantial number of people?

a,b,c,d) Approval of the proposed plan and zoning amendments would not directly impact the air quality. Future demolition and construction activities associated with redevelopment of the site may temporarily generate dust but this will not be significant and can be addressed through standard construction requirements. Additional vehicle traffic generated by future development will contribute to cumulative air quality impacts, but the contribution generated by this project falls within the range of development already projected for this area in the General Plan and Core Area Specific Plan. The EIR certified for the CASP adopted findings of overriding considerations for cumulative air quality and transportation and noise impacts which are incorporated here by reference. The addition of housing downtown adjacent to shopping, work locations and transit will likely reduce the number of auto trips generated and represents an identified air quality mitigation policy (General Plan Policy Air 1.1 (f) pg. 332). The following standard conditions applied as part of any design review will help to minimize temporary construction impacts.

Standard Conditions

The following actions shall be taken during construction to minimize temporary air quality impacts (dust):

1. An effective dust control program should be implemented whenever earthmoving activities occur on the project site. In addition, all dirt loads exiting a construction site within the project area should be well watered after loading.
2. Apply water or dust palliatives on exposed earth surfaces as necessary to control dust emissions. Construction contracts shall include dust control treatment in late morning and at the end of the day, of all earth surfaces during clearing, grading, earth moving, and other site preparation activities. Non-potable water shall be used, where feasible. Existing wells shall be used for all construction purposes where feasible. Excessive watering will be avoided to minimize tracking of mud from the project onto streets.
3. Grading operations on the site shall be suspended during periods of high winds (i.e. winds greater than 15 miles per hour).
4. Haul trucks shall be equipped with tarpaulins and other effective covers. Public streets shall be swept at the end of the day and cleared of any deposits caused by construction activities.
5. Outdoor storage of fine particulate matter on construction sites shall be prohibited.
6. Contractors shall cover any stockpiles of soil, sand and similar materials.
7. Construction-related trucks shall be covered and installed with liners and on the project site shall be swept at the end of the day.
8. Throughout the construction period, streets adjacent to the project shall be swept at the end of the day and cleared of any deposits caused by construction activities.
9. Re-vegetation or stabilization of exposed earth surfaces shall be required in all inactive areas in the project.
10. Soils shall not be exposed, nor grading occur during high wind conditions with wind speeds greater than 20 mph average over and hour.
11. Vehicle speeds shall not exceed 15 miles per hour on unpaved areas.

Additionally, in order to minimize the release of ozone precursors associated with construction, the following standard requirements developed by the Yolo/Solano APCD shall be implemented:

12. Construction equipment and engines shall be properly maintained.
13. During smog season (May through October), the construction period shall be lengthened so as to minimize the number of vehicles and equipment operating at the same time.
14. Construction activities shall utilize new technologies to control ozone precursor emissions, as they become available and feasible.
15. Vehicle idling shall be kept below three minutes.

IV. BIOLOGICAL RESOURCES -- Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a-f) The proposed project does not propose to remove any existing mature trees from the property. The project will not affect any other special status flora or fauna. The site has been previously graded and is surrounded by urban land uses. No impacts on biologic resources will be created by the project. The following standard condition addressing tree protection should be required as part of any development approval:

TREE PRESERVATION. Trees are required to be preserved. Prior to Building Permit issuance, a Tree Preservation Plan in accordance with Section 37.05010 of the City of Davis Municipal Code shall be submitted, subject to review and approval of the Parks and Community Services Director. (DR/FPD/CUP)

V. CULTURAL RESOURCES -- Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

c, d) No development projects are proposed at this time. The EIR prepared for the General Plan acknowledged that throughout the City the potential for subsurface impact from future demolition and construction activities is unknown, but reduced the impact to a less than significant level by requiring the following mitigation measure be required as a standard condition for development. Any future development on this site will be subject to the following requirement:

If subsurface archaeological or historic remains, including unusual amounts of bones, stones, shells or pottery shards, are discovered during excavation or construction of the site, work shall stop immediately and a qualified archaeologist and a representative of the Native American Heritage Commission shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less than significant level before construction continues.

Though no significant grading or excavation is currently proposed or foreseen for the project site, it is important to note that the Core Area Specific Plan EIR calls for the following mitigation measure.

In cases where significant grading or excavation below existing foundations or in yard areas of a downtown parcel will occur, an archeologist shall be onsite to observe for resources uncovered during excavation. If a buried resource is uncovered during excavation under any circumstance, work within 10 yards of the find shall be stopped until a qualified archeologist has examined and made recommendations to the City of Davis regarding the find.

VI. GEOLOGY AND SOILS -- Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

ii) Strong seismic ground shaking?

iii) Seismic-related ground failure, including liquefaction?

iv) Landslides?

b) Result in substantial soil erosion or the loss of topsoil?

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

aii) The proposed project would not increase the exposure to identified geologic hazards. No known earth quake fault lines are located within the City. The San Andreas fault system is to the west and the Eastern Sierra fault system is to the east. As identified in the General Plan EIR (pg. 51-2), the City is identified as being in Seismic Risk Zone III. This means the maximum intensity of an earthquake that would be experienced in the area would be a VII or VII on the modified Mercalli intensity scale. An earthquake of such magnitude could result in slight to moderate damage in specially designed or standard structures. New development on the site will be subject to compliance with the provisions of the California Building Code.

d) The project site is has Class I soils, that have predominantly moderate to high shrink swell potential, but do not represent a substantial risk to life or property. (Source: General Plan EIR pg. 5I-2)

VII. HAZARDS AND HAZARDOUS

MATERIALS: Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a,b) No health hazards are anticipated as a direct result from this project. The presence of the railroad could potentially expose future residents to hazardous materials should such be carried on one of the trains and there be an accidental release in the vicinity of the project. Currently California Northern does not have trains carrying such materials, but there is the possibility it could occur occasionally in the future. However, this risk of exposure would be no different for other residential uses now bordering the rail line and is not considered to be a significant impact. The uses allowed in the proposed zoning under mixed use zoning will not generate the use of new hazardous substances nor expose people to increased use of hazardous substances or sites. Continuation of the property with auto repair and outdoor storage for the nursery and hardware business will not result in significant environmental impacts.

VIII. HYDROLOGY AND WATER

QUALITY -- Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Otherwise substantially degrade water quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a,b,c,d,e,f,g,h,i,j) The project parcels are almost entirely covered with structures, compacted gravel, or impermeable asphalt paving. There are no known capacity issues that would be

exacerbated by the redevelopment of the site as compared to existing conditions. The site is not within a 100-year flood zone, and is not located near any levees, dams, or hillsides.

IX. LAND USE AND PLANNING - Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

b) The proposed “Retail with Offices” land use designation will be consistent with the General Plan and provide a transition between the Downtown and the residential neighborhood. The permitted uses in the proposed zoning will be compatible with the established land uses and consistent with the nature of the residential land uses in the vicinity. The site is within the urbanized area of Davis and will not affect agriculture or habitat areas.

X. MINERAL RESOURCES -- Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a, b) No significant impacts on mineral resources are anticipated.

XI. NOISE -- Would the project result in:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

local general plan or noise ordinance, or applicable standards of other agencies?

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a, b, c, d) The Program EIR's prepared for the General Plan and Core Area Specific Plan recognized that existing and projected noise levels within the community generated from the highways, rail road lines and City Streets presented significant and unavoidable impacts from these sources and adopted findings of overriding considerations which are incorporated in this Initial Study.

The project site is subject to noise exposure from rail road activities and street traffic. Redevelopment of the site will generate temporary construction noise. Compliance with standard conditions applied to development such as compliance with the provisions for interior noise levels specified in the General Plan and the City's Noise Ordinance will be sufficient to achieve acceptable noise exposure.

The project site is bordered by a Union Pacific rail line that has been leased to California Northern and is subject to noise exposure from rail road activities. The General Manager of California Northern states that they now run five trains per day between the hours of 7 AM to 7PM Monday through Friday and two trains on Saturdays. No trains are run on Sundays. They do not expect to run any substantial increase in trains, possibly adding two trains per day in 2006, but do not expect more than this level in the future. This rail line also functions as an emergency route for Union Pacific from Davis to Tehama.

Information in the Core Area Specific Plan EIR (pg. 4.7-3) as to the level of noise generated by trains is considered relevant for comparative purposes. In the vicinity of the project the railroad right of way is 50 feet and the tracks are located in the middle. In a 1996 EIR prepared for the Covell Center project noise from this train line was evaluated. At that time approximately four

trains ran per day. Without the whistle blasts the calculated Ldn was 56 dBA at 100 feet from the track and a value of 60 Ldn of 50 dBA 50 feet from the track. With the whistle blasts the calculated Ldn value was 61 dBA at 100 feet and 60 Ldn at 110 feet where it crosses the roadways. In addition future occupants at the project site will be subject to traffic noise from nearby streets. The General Plan EIR identified 5th Street between B and J Streets as having a noise level of 70 dB at a distance of 30 feet from the center line and 60 dB at a distance of 139 feet from the centerline.

The General Plan (Table 19 pg. 339) identifies standards for exterior noise exposure. Under 60 dB is normally acceptable for residential uses, and under 65 dB is normally acceptable for commercial uses. Standards for interior noise levels of residential uses are 45dB and 55 dB for commercial or office uses.

Redevelopment of the project parcels will be required to prepare an acoustic study and incorporate additional noise attenuation into building construction to demonstrate achievement of the identified General Plan interior noise standards. The future project should also be designed to shield private residential open area space such as balconies from rail road noise.

A short-term negative impact on surrounding land uses within approximately 50 feet of the site would result from construction activities. These levels may reach 80 dBA or higher on occasion which can pose as a nuisance to nearby residents. The City's Noise Ordinance contains limitation on the hours during which noise from construction operations could be generated and restrict most individual equipment to 83 dBA at 25 feet and noise emanating from the site to 86 dBA. Compliance with this regulation will reduce the potential for impact to a less-than significant level. Long-term impacts would be generated primarily by future traffic conditions as well as cumulative increases in ambient noise levels.

Standard Conditions related to Noise Attenuation:

1. All windows and sliding glass doors should be weather stripped or mounted in low air-infiltration design frames meeting ANSI air infiltration standards. Standard energy-conserving building practices will satisfy this requirement.
2. Noise insulation features shall be incorporated into building construction and site improvement as may be necessary to ensure interior noise levels no greater than 45 dBA for residential and 55 for non-residential space.

XII. POPULATION AND HOUSING -- Would the project:

a) Induce substantial population growth in an

area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

a) Under development regulations for mixed use zoning and a General Plan housing density of 30 dwelling units per acre, it is projected that each parcel in the project could provide an additional 15 units, (not counting any allowed via a density bonus for provision of units affordable to low and moderate households). Staff estimates that the project could result in a total of 60 additional attached town homes or condominiums. Based on an estimated 2.47 persons per household (General Plan EIR pg. 5B-4) 60 new residential units would generate approximately 148 new residents. This increase in population would have a less than significant impact on area population. In addition, it is expected that many of the new residents may already be part of the day time population that currently work in the community.

b) Though there are no immediate plans for redevelopment of the parcels, the change in land use designation and zoning will allow a broader range of commercial uses and housing to be developed, and be considered an incentive for redevelopment. The project will not remove any existing housing or displace residents. The future development of this housing would likely be more affordable than a standard single family home and would have a positive impact on the City's housing supply.

The uses in the proposed zoning will respond to the existing need for housing city-wide and will not substantially increase population pressure and help meet the goal of maintaining the viability of Downtown. Any proposed project would be required to comply with the City's Affordable Housing Ordinance. No housing, including affordable housing, will be displaced. Less than significant effects on growth, population and housing are expected.

XIII. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities,

need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a) The proposed residential use will not have a significant impact on police or fire protection services parks or other public facilities. Infrastructure is currently in place in the Downtown area and community to accommodate the proposed uses. The addition of 60 attached dwelling units and estimated population increase of approximately 148 may have a minor impact on schools, although it is less likely that the urban setting and smaller sized units will be as attractive to families with school aged children. Standard school impact fees will be imposed on any future residential development. The impact on schools is anticipated to be less-than-significant.

XIV. RECREATION --

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a, b) The project is not expected to significantly affect recreational demand or opportunities. The estimated residential population of 148 persons will result in less-than-significant impacts to existing recreation resources.

XV. TRANSPORTATION / TRAFFIC --

Would the project:

a) Cause an increase in traffic which is	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

- b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?
- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?
- d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?
- e) Result in inadequate emergency access?
- f) Result in inadequate parking capacity?
- g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

a,) The proposed amendments will not result in any direct traffic impacts. Redevelopment of the site with approximately 57, 200 sq. ft. of commercial uses and 60 dwelling units will generate additional traffic over existing conditions, but would be expected to generate less traffic than could be generated if the project was built out under the existing Commercial Service designation (assuming development to the maximum 50 percent site coverage allowed). This is because as identified by the Institute of Traffic Engineers, and the City’s Traffic Model the trip generation rate for neighborhood commercial uses is 167 trips/ 1000 sq. ft. and is only 60 trips / 1000 sq. ft. for commercial core, and 5.96 trips per day for townhouses or multiple family (condominium) units. The types of commercial/retail uses expected under the mixed use zoning are expected to be similar to those within the other mixed use zones. The chart below shows a comparison of estimated trip generation. If the commercial downtown rate is applied to the existing 11,500 square feet of business and personal service uses now existing at 901-919 Third Street the estimated trip generation of existing development would be lower.

	Existing sq. ft.	Existing If Using CS and MU rates	Buildout CS	Mixed Use/ Commercial Core/ Residential
Square feet	23,000	11,400 (MU) 11,600 (CS)	46,000	56,700

No of units	0		0	60
Trip Rate/1000sq.ft, or per du	167	60 (MU) 167 (CS)	167	60 5.96
Average Daily Trips	3,841	684 (MU) <u>1,937 (CS)</u> 2,621	7,682	3,402 com. trips <u>358 res. trips</u> 3,760

Cumulative traffic conditions in the area are affected by citywide development and development within the CASP as a whole. No formal traffic study was conducted for the project, however levels of service are not anticipated to be significantly degraded nor safety hazards created by this project in the short or long-term. The type and amount of development proposed and estimated traffic to be generated through redevelopment of the project site is considered to fall within the amount of development accounted for in the General Plan EIR and in the Core Area Specific Plan EIR. For the adopted alternative (Alternative 3, Reduced Buildout) the General Plan EIR estimated average daily trips on 5th Street between B and L Streets of 23,900 in 2010 (Table 5D-11 pg. 3 of 5) and a LOS (Level of Service) of B.

The following chart shows the most recent average daily traffic counts, and AM and PM peak hours of traffic available from Public Works records on Third, Fourth and Fifth Streets for the road segments closest to the project site. These counts show that traffic volumes are less than those projected in the CASP and General Plan EIR's. Only one of the project parcels fronts on 5th Street, two front on Forth Street and one on Third. They are also bordered by alleys, which provides for access to any on site parking via the alleys. The Davis Downtown and Traditional Neighborhood Guidelines call for development in this area to be built to the sidewalk edge with parking incorporated off the alleys in private parking courts. This configuration should help to better distribute traffic generated by the project uses among the street network.

Street Section	Location	Count Date	Average Daily Traffic	AM Peak Hour*	PM Peak Hour*
3 rd Street	E/o E Street	3/10/2003	3909	408 11:45 AM	404 12 PM
3 rd Street	W/o I Street	4/10/2000	5470	413 11:45 AM	516 4:30 PM
4 th Street	E/o F Street	10/11/2004	1131	252 11:45 AM	264 4:45 PM

4 th Street	W/o I Street	4/5/2000	2330	180 11:45 AM	227 5 PM
5 th Street	E/o G Street	1/12/2005	15,597	530 e/bd only 11:30 AM 701 w/bd only 8:15 AM	715 e/bd only 3:00 PM 722 w/bd only 3:00 PM
5 th Street	W/o F Street	1/19/2005	17,153		
5 th Street	W/o I Street	4/10/2004	15,166		

* Note: the time of the AM peak hour and PM peak hour varied and did not necessarily occur during traditional AM and PM commute periods. For example the peak AM and peak PM traffic on Third east of E Street was during lunch time.

Recent improvements to the 5th and F and 5th and G Streets to add split phasing and protected left turn signals have improved traffic flow at these intersections during peak periods. The project site is only a couple of blocks from the train station, and is located along city bus lines. The project to allow for provision of more compact, mixed residential and commercial use development near transit centers is considered to function as a means of reducing further traffic congestion as the community grows. As shown in the chart below estimated retail and residential buildout in the CASP is still below projected development levels. At the time that a specific development proposal is submitted additional analysis may be necessary to address the precise impact of the project.

Land Uses w/in CASP/ sq, ft,	CASP Existing 1996	CASP Buildout 2010	City Traffic Model Existing 2002	City Traffic Model Buildout 2015
Retail	475,996	662,000	487,800	790,000
Office	306,754	432,000	406,000	562,000
Multi Family (apartments)	393	512	310	380
Neighborhood Commercial			48,000	48,000

e) The project site is bordered by an alley along its entire eastern perimeter providing ample emergency access.

f) The project will have a less than significant impact on area parking. All of the parcels currently have paved areas that can accommodate on site parking. The parcel at 901-919 provides 46 parking spaces on site. A public parking garage is located at the corner of 5th and G Streets contains over 100 public parking spaces. There is some on street parking on Third Street and "X" permit parking along one side of the alley and on both sides of Fourth Street. Employees of non-residential uses would be able to purchase "X" permits. Any future project will need to comply with parking requirements established by the Mixed Use zoning. This requires that one parking space be provided on site for one to two bedroom dwelling units and 1.5 spaces be provided for dwelling units with three or more bedrooms. Planning policies encourage provision of units with smaller numbers of bedrooms in the downtown. Parking for

non-residential uses may be provided on site or via in-lieu parking fees at varying rates (e.g. 1 space/500 sq. ft of office, 1 space /400 sq. ft. other commercial uses and 1space/6 seats for restaurants. The project parcels are already located within the Periphery Area of the Davis Downtown Business Investment District which was established to provide services and improvements to assist businesses in the downtown, including the provision of parking.

XVI. UTILITIES AND SERVICE SYSTEMS -

- Would the project:

- a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
- b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?
- e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- f) Be served by a landfill with sufficient permitted capacity to accommodate the projects solid waste disposal needs?
- g) Comply with federal, state, and local statutes and regulations related to solid waste?

a-g) The proposed project would not have a significant impact on utilities or services in that new systems or substantial alterations will not be needed to provide service to the amount of future development permitted on the parcels under the proposed land use designations.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE --

- a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below

self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

a, b, c) Redesignation of the project site from Commercial Service to Mixed Use will not result in any direct environmental impacts. Redevelopment of the project site at some future date will not directly result in any significant environmental impacts. However, as part of the continued development planned in the community and Downtown area under the General Plan and Core Area Specific Plans it will contribute to cumulative traffic, air quality and parking impacts and will subject people to noise from area streets and railroad lines. These environmental impacts were addressed in the findings of overriding considerations made for the CASP EIR and environmental findings adopted for the 2001 General Plan EIR are incorporated here by reference. The reduced development alternative adopted for the 2001 General Plan was considered a environmental mitigation as compared to the development allowed in the 1987 General Plan. The proposed mixed use zoning located in the downtown area will help to promote the type of transit oriented more compact development being identified as means of reducing potential cumulative traffic and air quality impacts. Compliance with standard conditions of development incorporated into project approvals in the City of Davis related to construction activities and compliance with local and state regulations related to construction requirements will be sufficient to address exposure to noise, or potential impacts on cultural resources.



References and Sources:

- General Plan (May 2001)
- General Plan EIR (January 2000 DEIR, May 2000 FEIR)
- Core Area Specific Plan (November 1996)
- Core Area Specific Plan EIR (February 1996 DEIR, August 1996 FEIR)

Davis Downtown and Traditional Residential Neighborhoods Design Guidelines and Negative Declaration #10-00, July 2001

City of Davis Traffic Demand Model 2003

Proposed Addition to the Core Area Specific Plan Mixed Use Zoning

-  Core Area Specific Plan Boundary
-  Proposed Addition to Core Area Specific Plan

Current Zoning:

- C-C Core Commercial
- C-S Commercial Service
- CR Core Residential
- M-U Mixed Use
- PD Planned Development

