

January 14, 2020

To: Eric Lee, Staff Liaison for Downtown Davis Plan Team

Re: **HRMC Comments – Downtown Davis Specific Plan**

The City of Davis Historical Resources Management Commission (HRMC) has undertaken a comprehensive review of the October 2019 Downtown Davis Specific Plan (Public Review Draft), prepared by lead consultant Opticos Design, Inc., with historic resource input from Garavaglia Architecture. The commission also reviewed the Draft Downtown Form Based Code and the Draft Conservation Overlay District and Historic Resources Inventory Update. On the whole, the HRMC finds the documents to be thorough, well-considered, and reflective of public input. We commended all of those who played a role in shepherding the plan through to this stage.

Members of the HRMC studied the particular sections of the draft documents that related to historic resources and offer here comments that will hopefully aid the consulting team in developing a final plan. The review focused on the following areas:

- The use of a form-based code for managing historic resource planning
- Proposed revisions to the Conservation Overlay District
- The downtown survey update
- The city's historic bike lanes
- Measure for addressing archeological resources

Form-Based Code

One of the most striking features of the draft plan is Opticos' proposal to use the form-based code to protect historic resources. This proposal is articulated in Guiding Policy 1.5 ("Protect existing historic and cultural resources, and provide built form guidelines to shape new development adjacent to protected site" – Specific Plan, p. 53), and in section 40.14.080 of the draft Form Based Code. The draft code prescribes setbacks, ceiling heights, and massing restrictions for parcels that are adjacent to city-designated historic properties.

The HRMC is not in principal opposed to including historic resources within the form-based code, but has serious reservations about the proposal as currently offered. In particular, the commission wants to be certain that the existing protections afforded to historic properties through the HRMC's comprehensive, CEQA-orientated review of all significant project proposals within 300 feet of designated historic resources continues to be maintained.¹ The commission considers a wide range of direct and indirect potential impacts to historic resources that include such issues as shade impacts and alterations to a building's historic setting. These go considerably

¹ Implementation Action 2B of Table 8G (Specific Plan, p. 221) inaccurately states that the HRMC review requirement applies to properties "adjacent" to historic resource. That should be replaced with the actual 300-foot review zone.

beyond the limited design matters that are addressed in the code. We thus do not believe that a form-based code can stand alone in meeting CEQA requirements for historic preservation or the city's obligations as a Certified Local Government. We expect that the final plan will clearly state that the code is a supplement to the current HRMC process and not a replacement for it. Towards that end, we urge that the HRMC review process be added to the "Quick Code Guide" flowcharts in Section 40.13.030 of the draft code.

Additionally, the commission has specific concerns about the way the draft code is formulated. As presented, the code fails to address many resource types or development situations. The draft measure seems designed for a particular type of historic resource, that being a smaller, residential-type building that sits in the middle of a larger parcel. The Hunt-Boyer mansion fits this model, but many of the other historic resources in the downtown area do not. Commercial buildings, like those along G Street (Brinley Block, Anderson bank building, Masonic Lodge, and Bank of Yolo), occupy the full front of their parcel, and the proposed setbacks would make no sense in that context. Larger civic buildings like Old City Hall and Community Church are not dealt with in any way by the proposed code. The draft code also applies only to properties adjoined to historic resources, but it is unclear if that would include parcels to the rear of a historic resource or across a street or alley.

The HRMC believes that a significant amount of additional work is required to fully flesh out the proposed code before it could be practically implemented. We want to avoid a situation where the city commits to adopting a form-based supplemental approach for historic resources but lacks the adequate tools for doing so. Although Opticos has acknowledged shortcomings in the draft code, it has not yet committed to refining the finished product. We would ask that they make that commitment, rather than leaving it to the city or HRMC.

Conservation Overlay District

Overall, members of the HRMC agree that replacing the existing Conservation Overlay District with smaller districts will be beneficial in guiding future development and preserving the neighborhood-specific characteristics of downtown. The commission is also supportive of the proposal to eliminate the distinction between "contributing" and "non-contributing" buildings within a district, and instead review neighborhoods holistically. However, the HRMC feels that the plan needs to provide more clarity on how the proposed districts will be functionally different than the existing system and how the districts will relate to the broader plan and form-based code.

To address the issue of clarity, the consultant may consider making graphic and textual changes to this section of the plan. First, the lines and labels depicting the existing and proposed boundaries of the conservation overlay districts in Figure 5.34, "Conservation Overlay District, Existing and Proposed," of Chapter 5, "Historical Resources," are difficult to understand and should be revised. As a possible solution, the consultant could insert side-by-side maps of the existing and proposed districts instead of superimposing them on a single map. The consultant should also confirm the accuracy of the boundaries. Second, the consultant should include a brief discussion in Chapter 5 on how the proposed conservation overlay district boundaries relate to

the form-based code. Are the district boundaries and the form-based code zones completely separate from each other? Will there be multiple zones within a district?

Additionally, members of the HRMC feel that there is a disconnect between the neighborhoods described in the first part of Chapter 5 and the boundaries of the proposed conservation overlay districts. It is not clear why the consultant has defined six distinct neighborhoods (University Avenue-Rice Lane, South-West Downtown, North-West Downtown, Heart of Downtown, G Street, and North G Street), each with their own character-defining features, but is only proposing three conservation districts (University Avenue-Rice Lane, Old North, and Old East) and the G Street "special area of interest." The boundaries of the individual overlay districts should be consistent with the neighborhoods discussed earlier in the chapter, or some sort of linkage should be demonstrated, if the goal of preserving neighborhood characteristics is to be achieved.

Survey Update

As part of the downtown plan update, Garavaglia Architecture completed the historic survey of downtown, so that every property has been recorded and evaluated on a Department of Parks and Recreation (DPR) 523 form. In November 2019, the HRMC undertook an initial review of the new survey forms. Several technical issues were identified, and a request was made to correct the problems prior to the forms being finalized.

Members of the commission had more substantive concerns about the eight properties that had been identified as warranting designation as Merit Resources and thus to be added to the city's roster of historical resources. Garavaglia found five residences to be significant for their Minimal Traditional architectural style. However, the commission believes this to be a relatively common architectural type in the older residential neighborhoods of Davis and to be particularly well-represented in Old North Davis. The commission requested that greater attention be paid to determining whether the five properties are in fact strong examples of their type in comparison to other similar buildings in Davis. The commission also felt that the other three identified properties – Hibbert Lumber (550 G), the PDQ Building (216 F), and the Esau House (237 1st) – would require additional research and analysis before determining if they merited designation. As it was the intent of the survey update to bring certainty to property owners about the historic status of their buildings, the commission hopes that the additional research can be completed as part of the EIR process for the Downtown Davis Specific Plan so that final decisions may be reached on designating the proposed merit resource additions.

Historic Bike Lanes

The HRMC is unsatisfied with the brief treatment given to the historic Third Street Bike Lane in the draft plan. At the City Council's direction, the commission is pursuing National Register designation for this uniquely Davis historic resource that has made a singular contribution to bicycle traffic in the United States. The public review draft, however, addresses the bike lane in a mere two sentences in the "South-West Downtown Character and Historic Resources" subsection of Chapter 5 (section 5.2, "Neighborhood Character and Historic Resources," p. 126). The draft suggests that the historic character of the bike lane, should Third Street be

“reconfigured as a Shared Street,” could be sufficiently memorialized through “signage, paving, public art or other landscaping improvement” – yet it does not explore fully the implications of such efforts. There is no guarantee that any of these commemorative actions would not prove fatal to a National Register nomination or designation (should this occur prior to any changes in Third Street).

Additionally, in discussing changes to Third Street in Chapter 6, “Mobility and Parking,” the draft does not acknowledge the already-determined National Register-eligible status of the Third Street Bike Lane. At a minimum, the discussion in Chapter 6 should point back to the relevant subsection in Chapter 5, and ideally to the full discussion that the commission seeks. Informed decision-making demands that potential impacts to this historic resource be brought out completely, to apprise the City Council and the public of the possible loss of this resource should Third Street be reconfigured along the lines recommended.

Archaeological Resources

As the HRMC’s charge extends to archaeological resources, the commission further believes the Downtown Plan should acknowledge that human occupation of the Downtown area preceded construction of its built environment (there is only a brief mention of Patwin peoples in the “Major Milestones...” graphic on page 17). Explicit discussion of Patwin – or at least, pre-European – settlement could be made in Chapter 5, for example. In its preamble, this chapter frames considerations of Downtown’s “historic resources” only in terms of “built character.”

Additionally, while there are of course ARPA (Archaeological Resources Protection Act [1979]) concerns in broadcasting precise locations of archaeological sites, the City’s commitment to mitigating damage to its known cultural resources should be acknowledged by at least listing the existence of pre-Contact sites in the “University Avenue-Rice Lane” and “South-West Downtown” in discussion of those neighborhoods’ “Historic Resources” (pages 103, 107, 126, and 128). These are specifically CA-Yol-118 in the vicinity of 1st and A (within the Plan’s “University Avenue-Rice Lane” neighborhood), and undocumented prehistoric sites reported near the intersections of 2nd and A Streets and 2nd and C Streets (within “South-West Downtown”).

Finally, the Plan should engage with the likelihood of other, as-yet-unknown resources given the stated aim to “take into consideration existing conditions and relevant issues.” New development in the Downtown will likely encounter additional, as-yet-unknown archaeological resources. Explicit mention of the need to balance their protection along with adaptive use would be an important addition to the preamble to 5.2. It is especially important to emphasize that any necessary mitigation in these cases will take place in consultation with the appropriate tribal group(s).