

MINUTES OF THE MEETING OF THE DAVIS CITY COUNCIL  
 APRIL 26, 2005

The City Council of the City of Davis met in regular session at 6:30 p.m. in the Community Chambers, 23 Russell Blvd., Davis, California. The meeting was called to order by Acting Mayor Ted Puntillo.

Roll Call: Councilmembers Present: Ted Puntillo, Stephen Souza, Don Saylor.

Councilmembers Absent: Sue Greenwald, Ruth Asmundson.

Other Officers Present: City Manager James Antonen, City Attorney Harriet Steiner, City Clerk Bette E. Racki.

Approval of Agenda S. Souza moved, seconded by D. Saylor, approval of the agenda as submitted. The motion passed by the following vote:

AYES: Puntillo, Souza, Saylor.  
 NOES: None.  
 ABSENT: Greenwald, Asmundson.

City Council, City Manager and City Attorney Communications

A. S. Souza Report on Various Meetings. Councilmember Souza briefed the Council on:

1. SACOG Board of Directors meeting.
2. Conference and Visitors Bureau meeting wherein they discussed the upcoming Junior Olympics and volleyball tournament events.
3. Chamber of Commerce meeting outlined several upcoming events including the Celebrate Davis being held on May 26<sup>th</sup>.
4. Downtown Business Improvement Association did a downtown stroll viewing some of the projects that are currently taking place there.

B. T. Puntillo Report on Various Meetings. Councilmember Puntillo reported on:

1. City/Chamber 2X2 discussed the Interland Project which is a proposed retail shopping center in South Davis. Reported negotiations are continuing on the Covell Village project.
2. Business & Economic Development Commission laid out a workplan for the future and discussed the B Street Vision project.
3. Yolo County Transit District meeting planned bus routes throughout the County.
4. Recreation & Park Commission held discussions on the Grande site to solicit public comments. The outcome was that there be an expansion of the eastern and western bikepaths and there was discussion about funding sources.

Public Comment Mike Harrington spoke about legislative proposal for solar homes. He asked that Council direct staff to prepare a resolution in support. He commented on B street visioning process proposing ideas for development of the area.

Joe Sherman spoke about filing a complaint against the Police Department.

Steve Tracy asked for a public meeting with the Public Works Department to discuss the 5<sup>th</sup> Street traffic analysis.

Consent Calendar

Plans, Specifications and Estimate for 2005 Road Rehabilitation, Program No. 7252.  
Approved plans and specifications; authorized bid advertisement.

Protest of PG&E Application Before the California Public Utilities Commission.  
This item was removed by staff for further discussion and separate vote.

Plans and Specifications for Landscaping and Irrigation of the Dave Pelz Bicycle Overcrossing, CIP No. 8613.  
Approved plans and specifications; authorized bid advertisement.

Budget Adjustment #55 (\$15,000) – Allocation of Senior Citizens of Davis Funds.  
Approved.

Proposed Letter in Opposition of AB 343 – Utility Users Tax Exemption.  
This item was removed by S. Souza for further discussion and separate vote.

Ordinance No. 2201 -- Amending Section 40 of the Davis Municipal Code, Rezoning Property Located on Lots 166-180 of Davis Manor No. 5 Subdivision (Also Known as the "N" Street Cooperative Area) From Planned Development #1-98 to Planned Development #1-98B.  
Adopted (Introduced 4/12/05).

Commission Minutes:  
City of Davis/Chamber of Commerce 2x2 Regular Meeting of December 16, 2004.  
Informational.

City of Davis/Yolo County 2x2 Regular Meetings of November 9, 2004 and January 18, 2005.  
Informational.

Human Relations Commission Regular Meeting of February 17, 2005.  
Informational.

City Council/Planning Commission Joint Meeting of September 22, 2004; Planning Commission Regular Meetings of November 3 and December 15, 2004.  
Informational.

Finance and Budget Commission Regular Meetings of January 10, February 14 and March 14, 2005.  
Informational.

Business and Economic Development Commission Regular Meeting of February 28, 2005; 2004 Progress Summary; 2005 Workplan.  
Informational.

Proposed Letter in Support of City of Sacramento Proposal to Locate the Headquarters of the California Institute of Regenerative Medicine in Sacramento.  
Approved.

D. Saylor moved, seconded by S. Souza, approval of the Consent Calendar as submitted. The motion passed by the following vote:

AYES: Puntillo, Saylor, Souza.  
NOES: None.  
ABSENT: Greenwald, Asmundson.

Proposed Letter in  
Opposition of AB

Following discussion, S. Souza moved, seconded by D. Saylor, approval to send letter in opposition to AB 343 – Utility Users Tax Exemption. The motion passed by the

343 – Utility Users  
Tax Exemption.

following vote:

AYES: Puntillo, Saylor, Souza.  
NOES: None.  
ABSENT: Greenwald, Asmundson.

Councilmember Souza request that legislative bills before the Council have an executive summary and a copy of the bill attached.

Protest of PG&E  
Application Before  
the California Public  
Utilities Commission.

Public Works Director Bob Weir explained that the County and cities in Yolo County will file a protest of Pacific Gas & Electric Company application before the California Public Utilities Commission. If the application is approved by the commission the result would be installation of automated metering Infrastructure that would not be beneficial to Yolo County customers should the SMUD annexation move forward. The protest letter asked that the commission not take action on the application until the decision is made regarding SMUD annexation.

S. Souza moved, seconded by D. Saylor, approval to submit the protest letter to the California Public Utility Commission.

The motion passed by the following vote:

AYES: Puntillo, Saylor, Souza.  
NOES: None.  
ABSENT: Greenwald, Asmundson.

Joint Meeting: City  
Council/Historical  
Resources Man-  
agement Commis-  
sion/Planning Com-  
mission

City Manager Antonen gave a brief outline of the joint meeting format.

B Street Vision Pro-  
cess: Study Session  
to Define Options  
and Design Stand-  
ards for Develop-  
ment of the West  
Side of B Street Be-  
tween Second and  
Fourth Streets, and  
Development of  
Third Street Be-  
tween University and  
B Street

Community Development Director Bill Emlen explained that City Council directed staff to evaluate the land use and zoning options of B and Third Streets with property owners and residents. The visioning process has attempted to frame land use opportunities in the context of intensification. An extensive public outreach process has been conducted, including two visioning sessions, two neighborhood meetings over 20 formal interviews and meetings with stakeholders and a variety of informal contacts with miscellaneous interests.

Bruce Race, Consultant, was charged to work with staff on the B Street vision process. The process will be conducted in two phases – one phase is workshop and public input and the second phase will to take direction from Council & Commissions on moving forward with the process.

Economic Development Manager/Principal Planner Ken Hiatt, spoke about vision, policy, regulations and implementation for development of the area. The features will include a new Central Park character, distinctive Central Commercial Core, mixed-use transition area with residential characteristics, expansion of the downtown-mixed use and higher density. There will be continued commitment to historic preservation by balancing density and historic preservation objectives.

Planning Commission Chair David Robertson opened the Planning Commission meeting noting quorum present.

Natural Resources Commission Chair Rand Herbert opened the Natural Resources Commission noting quorum present.

Bill Cavin and Carli Fry, representing University Avenue Neighbors, stated the neighborhood met several times and have come to a consensus on many issues. The University Avenue residents support infill and feel there can be projects that would triple the density and still support the neighborhood character. They propose infill

policy for B Street that would support maintaining a residential focus on B Street facing the park with well designed denser residential development including live/work and office uses, but not retail and commercial services. Limit construction to two stories in height with no more than three bedrooms. Any new construction must maintain privacy, solar access, light and air for adjacent single family housing on and behind B Street and 4<sup>th</sup> Street. Upgrade for the alleys and limited access for residential only. Adequate parking should be provided for all units and maintain large trees and sense of open space on B Street facing Central Park. The residents support the D Street Terrace project as a model.

Third Street corridor connecting the University to the City has been a planning goal for many years. There was to be a mix of businesses and residence that would bring street charm between the two entities. That did not happen. The University neighbors believe that further commercial on this block is not viable. Their recommendation is to allow two-story townhouses, no retail and no apartments. This would be allowable under existing zoning and land use plans with some changes to set backs.

Maria Ogrydziak stated she wants to create opportunities for others to work and live in downtown. She outlined her current plan for the corner of Third and B Street. She supports staff recommendation vision #4 as it enforces the downtown as the commercial center of Davis and builds on some of the best community resources such as Central Park and connection between campus and downtown.

Bob Lindley, architect, stated he is working on a proposal for the southeast corner of Third Street and University Avenue. He participated in the workshops and is looking forward to the next step in creating a detailed design to share with neighborhood groups. He supports staff recommendation to formalize a long held city planning objective to enhance Third Street between A and B Streets. He encourages three- to four-story mixed use infill projects to satisfy the city goals of new retail, owner housing and office spaces.

Chuck Roe believes that B Street and Third Street are part of downtown and that this is not a neighborhood. There has been a vision for Central Park for the past 20 years. Retail mixed use is the wave of the future. He asked that Council be concise in their direction and that there be a better edge to Central Park and if that isn't the vision, to advise the citizens.

Nancy Akin, B Street property owner, visualizes townhouses replacing the current blight on B Street.

Tracy Harris, business owner, the vision presented by staff represents to him the opportunity to retain his current business in Davis.

Jim Zanoto, architect, this visioning process will encourage a new type of housing currently lacking in Davis. The need for moderate density housing, allow households to function comfortably without an automobile. This is the best place in Davis to locate this type housing due to its direct connection to downtown and the campus. He supports staff vision #4.

Mark Braly, Vice Chair of Business Economic & Development Commission, stated the commission asked that he express their concerns that Council decision take into account the economics that are needed for private investors to come into the area and make the investments that will meet all of the objectives that the city has discussed tonight. The commission supports staff recommendations.

Robert Obner stated he does not use a car and would buy a townhouse on B Street. He indicated this is a good design process and it is necessary to frame Central Park.

Randy Suter supports the visioning process. All the changes are good.

Jim Beckett said the Historical Society has not had time to review the plan. Need time to look at the complete plan and there is no hurry.

Dan Quicker stated vision #4 is not a compromise and parking is not just an incidental detail. If Third Street is really the primary corridor to the university that should be addressed. Central Park is a valuable resource but value should not end at Central Park.

Alzada Knickerbocker, owner of two businesses in downtown, supports staff recommendation for vision #4 which specially addresses B Street housing and retail compound.

Steve Tracy stated the University/Rice neighbors were the largest group attended the meetings when they discussed development around Rice Lane. The consensus from the meetings was to leave the neighborhood intact.

Bruce Winterhalter, President of Old North Davis Association, stated the Association supports the comments made by the University/Rice residents for their neighborhood.

Donald Koachs suggest that any development in the neighborhood includes a component for onsite parking that covers the majority of the clientele that is likely to stay there.

Allen Miller, East Davis Neighborhood Association, stated the sun would be blocked by the development that is being proposed. He said there is a vision and it is called the Design Guidelines.

David King presented a petition with 105 signatures supporting University/Rice neighborhood statement.

Barbara King stated the area around Central Park has been nibbled to death one parcel at a time. This proposed development will have a huge impact on the houses on University Avenue. Keep the original plan developed ten years ago.

Tim Ellis stated he has lived on Rice Lane and choose to live downtown. He said there have been some changes to the neighborhood but not giant changes. He supports the University/Rice Lane proposal. Infill can be accomplished within the Design Guidelines and current zoning with minor shifts while still retaining the wonderful character of the neighborhood.

Paul Akin owners of properties on B Street said he is excited about the possibility of adding creative attractive owner occupied housing to his properties. He appreciates the planning process that has taken place to this point and the potential for an infill project that people will desire to own. It will enhance the beauty of the city. Give clear direction so the proposals can move forward in a timely fashion.

Cindy Marshall expressed concern that this proposal is too big, infill is good and it is a nice project when viewing it but it seems to be getting bigger and bigger. It sounds like there are too many amendments to make this project fit. The Rice Lane/University residents have a plan that works within the design guidelines.

Vito Polito asked that Council review the proposal presented by the residents. It increases the density, doesn't require an environmental impact report and doesn't require wholesale revision of the planning documents that have been developed by the citizens. All it requires is amending a few setback requirements.

Peter Gunter said the houses on B Street are viable if they are fixed up. Nothing in this proposal fits the Design Guidelines.

Joe Sherman stated the property owners along B Street need to maximize the use of the property.

**Historical Resources Management Commission Questions:**

Commission: What is the middle income and affordable housing status and how will that be addressed.

Staff: Proposal is for construction of smaller units or reuse of some existing smaller structures and provide housing opportunities for a group interested in living downtown. It is not the intent at this point to specify any particular income level other than to state the Housing Mitigation Ordinance would apply.

Commission: How does vision #4 interfaces with the neighborhood/Central Park and two/three-story townhouses.

Staff: There is transition between the higher/medium density from single family residential. There would be gradation in density from the interior of University/Rice neighborhood to the B Street area and then to the core itself. It would treat the B Street corridor as the transition area in terms of mixed use.

Commission: Why can't a project be done under design guidelines which would do many things suggested by the visioning process.

Staff: In order for a project equivalent to D Street model to occur on B Street there would have to do the same type of changes for B Street with the exception of height. Staff pointed out the changes that were made to the D Street project as it was planned as a project on its own. The difference is the question of height.

Commission: The project focuses primarily on direct effects to historic resources and if there is a demolition to historic resource, doesn't that automatically trigger a focused environment impact report (EIR)?

Staff: Based on the understanding of the current CEQA guidelines, if there is significant impact on a historic resource, a focused EIR would be necessary to proceed with a project of that nature.

Commission: Historic buildings that are currently there, although not demolished by a project, would indirect impact be addressed in an EIR.

Staff: Yes.

**Commissioners comments:**

Projects should be marketed to people without children and studio space for home businesses. Support setbacks for parking and height preference should be 2 ½ stories. Third Street used for pedestrian walk, large buildings on University would change the neighborhood character, support redevelopment in the area but within design guidelines, do not recommend 4-stories, need affordable aspect, need for EIR, urban design for area, sensitive to transition, tall buildings be a free zone, keep University Avenue as open as possible, zero lot lines, make alley a pedestrian way, open path that connects walking between buildings, restrict hours for delivery trucks, solar access, and air ventilation between buildings, adapt design guidelines, concerns about height issues and indirect impact on other historic resources in the area.

**Action:**

Following discussion by the Historic Resources Management Commission, Diane Tibor moved, second by Gale Sosnick, Historic Resources Management Commission recommends against vision #4 and that staff return with a concrete presentation on the design guidelines process, and that there be a height limitation with general consensus that 3-stories are too high. The motion approved unanimously.

Historic Resources Management Commission meeting adjourned.

**Planning Commissioner Questions:**

Commission: How much in-lieu fees would projects like this contribute annually towards larger parking structures, long term parking solutions and affordable housing?

Staff: Have not mapped it at this time. In lieu fees are paid annually based on services such as office tenants by number of employees.

Commission: How would staff balance existing guidelines with some of the realities of providing onsite parking?

Staff: There are lots of good examples from other communities and there will be combination of lots depth.

Commission: Do other visions other than vision #1 meet the current design guidelines? Could any of the other visions implement the guidelines?

Staff: There is reference to guidelines in other visions allowing 2-and 3-store heights between A/University/Third Streets. Broader guidelines has to do with land use designations which are in the Core Area Specific Plan and zoning designations in PD-286A so amendments to allow 2 or 3-store construction would result in amendments to three different documents.

Commission: Why wasn't one of the visions shown what it would look like if it did not require any amendments to the design guidelines? None of the four visions are reflective of the design guidelines. If someone were to revise vision #1 to lower the height between B and University to 1-to-2 stories it would match current condition.

Staff: Vision #1 is just height on Third Street between University and B Street and yes it would.

Commission: What is reason for three other visions?

Staff: The other visions reflect comments during public workshops and public process.

Commission: What is driving the other visions for height on Third Street.

Staff: Community has planning goals, a number of different documents, which are to promote infill housing in the downtown area which is both to provide additional housing opportunities and to contribute to the economic vitality of the downtown.

**Planning Commission Comments:**

The identity of Davis is small, neat, alleys and attractiveness. Consistence between staff and neighbor recommendations are primarily residential character, mixed use areas. B Street being a thoroughfare but different character between alley and University. Neighbors don't want more than two-stories, not more than two bedrooms, flexibility in terms of design, two spaces for parking. Concerns about Third Street,

should be pedestrian corridor, one-way, choked down, street improvements, offices on first floor with residential above. Would like to see comparative to other areas in downtown where it has worked.

Similar to what neighbors on University/Rice Avenue would like to see in their neighborhood with these proposals, retail on Third Street, sensitive to close neighbors, open space, trees, different design styles. Need parking clarified. Do not like roll of attached housing, 4-store commercial is little too aggressive unless mitigate the parking. Clear direction to potential applicants. Suggest not a pedestrian walking mall as would limit commercial viability of live/work space but that it be a one-way street going in with clearly defined bike lines. The changes need to be in place before approval of projects or at least working towards that solution.

**Action:**

Following discussion, S Patterson moved, seconded by J. Baker, approval of staff recommendation to prepare report detailing costs associated with implementing vision #4 including consideration of comments by commission. The motion failed by the following vote:

AYES: Baker, Patterson, Whittier  
NOES: DuPree, Ocho, Robertson.

Planning Commission meeting adjourned.

**City Council:**

Council received public comment from the following:

Vito Polito urged Council to consider comments by the commissioners.

Cindy Marshall, Old North Davis Neighborhood Association, feel the design guidelines are important and since adoption have seen reinvestment in their neighborhood.

Peter Gunter does not support the process.

Dan Quickert stated reasonable reinvestment is possible under the design guidelines. He lives in a historical neighborhood and it works well.

Bill McCannish stating he is working on a project on Third Street and first thing he looked at was the guidelines. The project is similar to the case study but the current zoning does not support the case study and guidelines so that is why this process needs to happen.

Carli Fry opposed opening the alleys as pedestrian walkways. She can live with option 4 if sensitively done.

Esther Polito stated the neighborhood's proposal which is 2-stories on Third Street, is considerably denser than visions #1, 2 and is equally dense to vision #4. University Avenue Neighborhood proposal is fully consistent with the design guidelines.

Allan Miller, Old East Davis Neighborhood Association, the developers work better if they meet with the neighbors and gain consensus.

Senisa Novakovic owns business downtown, stated that businesses on Third Street are not doing well. They want to see new people come and make it a great neighborhood by working together sensibly.

Joseph Senical don't do anything that will make parking even worse.



Bruce Winterhalter, Old North Davis Neighborhood Association, there are number of variables in the staff report. His list would include parking as we don't know how many cars will be generated as it is not stated in this report. Some of the issues that are not covered completely are affordability, owner occupancy, assurance this is not a precedent, and it would be irresponsible to go forward with as much ambiguity in the process.

Joe Sherman downtown businesses need more business.

**Action:**

Following discussion, S. Souza moved to allow 2-and-3 store roll type housing or flats on B Street with step down towards the back of the alley, allow 2-or-3 store mixed-use on Third Street with primarily live/work mixed-use and on the corners of B and Third Streets. No second

D. Saylor moved, seconded by T. Puntillo, approval of staff recommendation as follows:

1. Staff proceed with draft amendments to Planned Development Zone 286A, the General Plan, Core Area Specific Plan (CASP), and the Davis Downtown and Traditional Residential Neighborhood Design Guidelines to implement staff recommended Vision Four; and
2. Staff to prepare report detailing costs associated with implementing the proposed amendments and return to City Council for authorization, consultant contracts, and cost sharing agreements as need.

The motion passed by the following vote:

AYES: Puntillo, Saylor.  
NOES: Souza.  
ABSENT: Greenwald, Asmundson

Adjournment

The meeting adjourned at 11:50 p.m. to the next regularly scheduled meeting.

Respectfully submitted,

BETTE E. RACKI  
City Clerk