

Leonardo Project Application

Project Description

1. Location

The Applicant, UC Gateway Da Vinci LP, is proposing a multifamily residential housing development project (“Leonardo” or “Project”) located at 1616 Da Vinci Court (APN 069-060-024) (“Project Site”). The property is located at the southern edge of the City of Davis, south of I-80 and southwest of Richards Boulevard and is approximately 2.05 acres in size.



2. Surrounding Uses

The Project Site is surrounded by a diverse array of uses, including commercial office buildings to the north and northwest, multifamily housing projects and a mobile home park to the east, a commercial office building and multifamily project to the south and

Putah Creek and the Sykes Slough further south. The Project Site is less than ¼ mile walk to transit (Unitrans routes M, T & W) as well as convenience food services. A shopping center with a grocery store is less than half mile to the east. Finally, UC Davis is an approximately ¾ mile walk to the west.

3. Existing Land Use and Zoning

The Project Site is designated “Mixed Use” under the City’s General Plan and is zoned Planned Development 05-22 (High Density Mixed) (“PD 05-22 (HD Mixed)”). It is developed with a single-story commercial office building and a surface parking lot.

General Plan Designation: The “Mixed Use” General Plan Designation is intended to “provide sustainable and transit oriented opportunities for medium and large-scale multi-story, mixed use development that integrates retail uses and/or office and research and development related uses with higher density multifamily residential uses.”¹ In addition, this designation is intended to “create housing opportunities; retain and encourage healthy, active retail centers for the community; promote innovative design by integrating residential and non-residential uses; facilitate neighborhood connections and convenient transportation alternatives in the vicinity of the project.”²

Multifamily residential uses, such as the Leonardo Project, are allowed by right within this General Plan land use designation. The Project carries out the intent of the Mixed Use designation by creating a high density residential use in a location proximate to various transportation options and existing retail and commercial centers, thereby encouraging active and sustainable lifestyles.

Zoning: The “PD 05-22 (HD Mixed)” zone is intended to “provide a mixed-use residential district in a suitable environment for high density residential development or mixed-use development; that combines residential uses with conveniently-located non-residential uses, services, and jobs; is compatible with existing adjacent neighborhoods and uses; supports reduced vehicle trips; and promotes energy and resource conservation.”³

A multi-family residential development, such as Leonardo, is an allowable use within this zone. Furthermore, the Project provides exactly what was desired in this zone – a

¹ See City of Davis General Plan Amendment GPA 2-18, Exhibit A, Resolution No. 20-199. <https://www.cityofdavis.org/home/showpublisheddocument/19467/638555392512330000>.

² *Id.*

³ See City of Davis Ordinance No. 2651 (December 5, 2023), Section 2. Purpose.

high-density residential development located proximate to existing uses, services, and jobs, as well as existing transit options that support reduced vehicle trips.

Prior Designation and Zoning

The Project Site received the “Mixed Use” designation and “PD 05-22 (HD Mixed)” zoning in December of 2023, as part of the City’s Housing Element update process. A short summary of the purpose of these recent actions is relevant to this Application.

The City’s Housing Element update process for the 2021-2029 Housing Element began in early 2021. Over the next few years, the City worked with the California Department of Housing and Community Development (“HCD”) to produce a Housing Element that complied with state law. Throughout this process, HCD directed the City to carry out various studies, analyses, and actions to ensure that state laws were met.⁴ Relevant here, the City was required to complete land use designation amendments and rezones in order to demonstrate that sufficient sites existed within the City’s boundaries to feasibly accommodate the City’s share of its Regional Housing Needs Allocation (“RHNA”).⁵ Furthermore, state law requires that the new zoning for the identified sites must allow residential uses by right when a project includes at least 20 percent of the units for lower income households.⁶

In carrying out these required rezones, the City identified four (4) sites that it deemed suitable for high density residential development, including the Leonardo Site.⁷ And, as is statutorily required, the City included a provision for the “Ministerial Approval of Qualifying Projects” within the “PD 05-22 (HD Mixed)” zone.⁸ As such, the Applicant designed the Leonardo Project to comply with the site’s new “PD 05-22 (HD Mixed)” zoning, and includes at least 20 percent of the units for lower income households in order to qualify for the ministerial review process mandated by state law.

4. Proposed Uses

The Leonardo Project includes 368 multifamily residential units (252 base units + 116 density bonus units) – which will consist of a mix of studios, one bedroom, and two-

⁴ HCD listed various actions that the City needed to undertake in order to comply with California Government Code §§ 65583, 65583.2 and 65583.3. (See HCD Letter to A. Feeney (July 1, 2021); See HCD Letter to M. Webb (December 8, 2021); See HCD Letter to M. Webb (January 3, 2023); See HCD Letter to M. Webb (April 3, 2023); See HCD Letter to M. Webb (August 31, 2023).)

⁵ See City of Davis Resolution No. 23-166 (December 5, 2023).

⁶ Cal. Gov. Code § 65583.2(c), (h).

⁷ See City of Davis Resolution No. 23-166 (December 5, 2023), Recitals.

⁸ See City of Davis Ordinance No. 2651 (December 5, 2023), Section 9. Ministerial Approval of Qualifying Projects.

bedroom units.⁹ Additionally, over 29% of the pre-density units (74 out of the base 252) and over 20% of the total units (81 out of post-bonus 368) will be deed restricted to rent to lower-income households. The Project's design, as shown in the accompanying Site Plans and Elevations, includes a single building that is connected via a walkway spanning the second, third, and fourth stories. Overall, the total gross square footage of the proposed Project is 242,670 square feet, with 191,986 square feet of residential space and 50,684 square feet of space dedicated to amenities, circulation, and utilities.

Utilization of the State Density Bonus Law ("SDBL")

The State Density Bonus Law provides various benefits to qualifying projects, including a density bonus, incentives and/or concessions, waivers and/or reductions of development standards, and reduced parking ratios.¹⁰ To qualify for these benefits, a project must include at least one of the ratios of affordable housing outlined in the statute.¹¹ Here, the Project proposes to include 74 of 252 base project units for lower income households (29%), satisfying one of the threshold requirements set forth in the SDBL, and, as a result, qualifies for the benefits set forth therein.

Density Bonus

Historically, density has been regulated through the "dwelling units per acre" standard. However, the trend in zoning has been to move away from density maximums and towards regulating structural form through the use of development standards, floor-area-ratio ("FAR"), height, and lot coverage requirements. In this instance, the City did not impose a maximum dwelling-unit-per-acre standard in the "PD 05-22 (HD Mixed)" zone, but rather, regulated physical development through the imposition of form-related standards as described above.

SDBL includes guidance for how to calculate density when a project is regulated by FAR. (Gov. Code Section 65915(o)(6).) Accordingly, the Applicant, through its architect – 19six Architects – conducted a "Base Density Study" to determine how many units could be

⁹ The Project's SB 330 Preliminary Application anticipated 366 total units. However, state law permits a project to revise project details, such as the number of residential units or the square footage of construction, so long as such revisions do not constitute a 20 percent or more change. (See Cal. Gov. Code § 65941.1(c). In this instance, the project has only been revised to increase by 2 units, reflecting a minimal 0.54% change, which is permissible under state law.

¹⁰ See Cal. Gov. Code § 65915.

¹¹ See *Id.* at subd. (b)(1)(A)-(G). The qualifying ratios are as follows: 10% of total units for rental or sale to lower income households; 5% of total units for rental or sale to very low-income households; 10% of total units for sale to moderate income households; or 100% of units for lower income households. The SDBL also provides qualifying requirements for senior citizen housing developments, student housing, and transitional housing projects. Such qualifying requirements are inapplicable to this proposal.

built on the Project Site while adhering to all applicable development standards and utilizing average unit sizes consistent with the Project.¹² The study yielded a “base density” of 252 units for the site, with an average unit size of about 522 square feet. Thus, any density bonus that the project is entitled to is calculated based on a “base density” of 252 units.

The density bonus awarded to a project is dependent on the ratio and level of affordable housing provided.¹³ Relevant here, projects that provide at least 24% of units for lower-income households are entitled to a 50% density bonus.¹⁴ This award permits the proposed base project of 252 units to expand to 378 units. As such, the proposed 368-unit project is within the permissible density range with the benefits of SDBL.

Incentives and/or Concessions

Projects eligible for the SDBL also receive incentives and/or concessions, with the amount dependent on the ratio and level of affordable housing provided.¹⁵ By providing 29% of units to lower-income households, the Project is entitled to three incentives and/or concessions.¹⁶ The Applicant reserves the right to assert these incentives and/or concessions once processing of the application has begun, and once it is better understood what may be necessary to ensure the Project’s feasibility.

Waivers and/or Reductions of Development Standards

Finally, local agencies may not apply any development standard that will have the effect of physically precluding the construction of the qualifying development project.¹⁷ The SDBL allows applicants to submit proposals for waivers and/or reductions of such development standards. The Applicant for the Leonardo Project submits the following waiver request, with the reservation that additional requests may follow once processing of the application has begun:

¹² A “base density study” is relevant to the SDBL, which defines “base density” to mean either a jurisdiction’s dwelling unit-per-acre standard, or if not provided in such a format, by “estimating the realistic development capacity of the site based on the objective development standards applicable to the project, including, but not limit to, floor area ratio, site coverage, maximum building height and number of stories, building setbacks and stepbacks, public and provide open space requirements, minimum percentage or square footage of any nonresidential component, and parking requirements, unless not required for the base project.” (Cal. Gov. Code § 65915(o)(6).) Furthermore, that same section provides that a developer “may provide a base density study and the local agency shall accept it, provided that it includes all applicable objective development standards.” (Cal. Gov. Code § 65915(o)(6)(A).)

¹³ See *Id.* at subd. (f).

¹⁴ See *Id.* at subd. (f)(1).

¹⁵ Cal. Gov. Code § 65915(d).

¹⁶ *Id.* at subd. (d)(2)(C).

¹⁷ Cal. Gov. Code § 65915(e)(1).

- Building Height – The “PD 05-22 (HD Mixed)” zoning designation imposes a 60-foot maximum building height. The Applicant seeks an additional 10-feet – which would permit a 70-foot building height and is necessary to accommodate the statutorily permitted bonus units.

Qualification for Ministerial Approval Under PD 05-22 Zoning

As discussed above, the “PD 05-22 (HD Mixed)” zone establishes a ministerial review process for qualifying affordable housing projects.¹⁸ Specifically, projects that meet the following statutorily prescribed criteria qualify for ministerial review:

Qualifying residential development projects consistent with Government Code Section 65583.2(c) and (h) in which at least 20 percent of the residential units are affordable to lower income households shall be processed ministerially. Projects shall comply with all applicable development standards and requirements of this Planned Development and Davis Municipal Code and the adopted “Design Standards for Ministerial Residential Developments.” Qualifying residential development projects shall comply with the inclusionary requirements in Davis Municipal Code Chapter 18.05 (Affordable Housing).

Simply stated, to qualify for ministerial review, a project must include at least 20 percent of residential units for lower income households, must comply with the “PD 05-22 (HD Mixed)’s” applicable development standards, design standards, and must comply with the City’s Affordable Housing (Municipal Code Chapter 18.05) requirement.

In this instance, the Project includes 74 units for lower income households, which represents over 29% of the pre-density units (74 out of the base 252) and over 20% of the total units (74 out of 368), satisfying the 20% threshold. As shown in the attached “Base Density Study,” the base project of 252 units (i.e., the project as it exists prior to the invocation of the SDBL) complies with all applicable development standards in the “PD 05-22 (HD Mixed)” zone. In addition, at the time of the Project’s SB 330 Preliminary Application submittal, the City did not have “Design Standards for Ministerial Residential Developments” that were enacted and in effect. As a result, compliance with any future-enacted standards is not required, although the Applicant remains open to working with the City to ensure that the Project’s design conforms to the nature and

¹⁸ See City of Davis, Ordinance No. 2651, Section 9.

character of the surrounding area.¹⁹ Finally, the Project will comply with the requirements set forth in the City's Affordable Housing ordinance (See Affordable Housing Plan, below).²⁰ Accordingly, the Leonardo Project, as submitted, qualifies for the ministerial review established under state law and incorporated into the City's PD 05-22 zoning.²¹

5. Entitlements Sought

The Applicant requests the following entitlements and approvals in connection with the Leonardo housing development project:

- Site Plan and Design Review – To confirm compliance with the eligibility requirements for Ministerial Review under California Government Code section 65583.2(c) and (h), and as imposed by the “PD 05-22 (HD Mixed)” zoning.
- Demolition Permit – To remove the existing office structure.

6. California Environmental Quality Act (“CEQA”) Compliance

Pursuant to the California Environmental Quality Act (“CEQA”), all development projects are subject to an environmental review process.²² A “project” is defined as an action subject to a discretionary approval by a public agency.²³ However, ministerial projects are exempt from CEQA.²⁴

In this instance, the Leonardo Project qualifies for the ministerial review process set forth in the City's PD 05-22 zoning standards as mandated by state law and thus, is exempt from CEQA review.

¹⁹ See Cal. Gov. Code §§ 65589.5(o); 65941.1.

²⁰ Applicant will comply with the streamlined pathway for ministerial projects established under the City's Affordable Housing ordinance. (Section 18.05.060(c).)

²¹ See Cal. Gov. Code § 65583.2(c) and (h).

²² See Pub. Res. Code § 21000 et seq.

²³ Pub. Res. Code § 21065.

²⁴ See Pub. Res. Code § 21080; See also C.C.R. § 15268(a).

Project Justification

I. The Project Contributes to Alleviating the Statewide Housing Crisis and to the City's Housing Obligations Under State Housing Element Law.

Over the last several years, the California State Legislature has continued to recognize the magnitude of the statewide housing crisis, declaring that “California has a housing supply and affordability crisis of historic proportions.”²⁵ More specifically, the Legislature declared that this crisis has led to a “lack of housing to support employment growth, imbalance in jobs and housing, reduced mobility, urban sprawl, excessive commuting, and air quality deterioration.”²⁶ At a local level, the City of Davis is in great need of housing for all income levels and household types. In particular, there has been a great deal of recent focus on the “missing middle” – which includes housing opportunities for schoolteachers, firefighters, industry workers and UC Davis employees. This lack of housing supply has inflated the cost of housing in Davis, making the jurisdiction even more unaffordable to those who work here. Additionally, a lack of readily available multi-family product often pushes students into traditional single-family detached homes, making those units unavailable to local families. This lack of supply was quantified by the City's Regional Housing Needs Allocation (“RHNA”) for the 2021-2029 planning cycle, which called on the City to plan for 2,075 new housing units, broken down in the following affordability categories: 580 units for very low-income households, 350 units for low-income households, 340 units for moderate-income households, and 805 units for above moderate-income households.²⁷

The Leonardo Project offers a unique housing opportunity for Davis' students and its workforce by not only providing for 368 new units, but ensuring that 74 of those units will be made available to lower-income households. Importantly, these 74 units represent nearly one-quarter (21%) of the City's RHNA obligation for 350 low-income units. In addition, the diverse array of unit sizes (studios, 1 bedrooms, and 2 bedrooms) provides greater flexibility for these lower-income households, depending on their household sizes and needs, ensuring that the Project will provide housing for a variety housing demands including both working families and UC Davis students. By increasing the supply of apartments units, the Project provides a considerable number of new housing opportunities and relieves demand for single-family detached housing elsewhere in the City.

²⁵ Cal. Gov. Code § 65589.5(a)(2)(A).

²⁶ Cal. Gov. Code § 65589.5(a)(1)(C).

²⁷ See City of Davis 2021-2029 Housing Element (Version 3) (Adopted December 14, 2023), Page 4.

Overall, the Leonardo Project not only helps the City of Davis make progress towards complying with state housing law requirements, but also provides units that are the type, size, and levels of affordable that are needed the most by the individuals who work in, and contribute to, the Davis community and economy.

II. The Project Site was Identified by the City as Suitable for a High Density, Multi-Family Residential Development Project.

As described in the Project Description, the Leonardo Project Site was one of four sites identified by the City of Davis as suitable for high-density residential development. Importantly, the City was statutorily obligated to identify and rezone these sites in order for HCD to find that the City's Housing Element complied with state Housing Element laws. Accordingly, then, this Project is proposing the very use that the City identified, and proposed to HCD, could be accommodated on this site.

III. The Project is Located on an Infill Site that Encourages Sustainable Lifestyles and Reduce's Climate Change Impacts.

The Project is located on an infill site adjacent to existing office and residential uses, and is proximate to existing commercial and retail uses. More specifically, the Project Site is located 0.6 miles (or a 12-minute walk) from the Oakshade Town Center, which includes a Safeway grocery store, restaurants, and an array of retail users. It is also located less than 0.75 miles from Downtown Davis (or a 16 minute walk), which includes a wide variety of retail, shopping, and restaurant opportunities. Furthermore, the Project is well-situated for residents to utilize alternative transportation methods, given its proximity to existing biking paths, walking trails, and bus stops.²⁸ For example, the existing shared-use undercrossing near the site would allow residents to commute via bike to UC Davis, Downtown Davis, or the Davis Amtrak station within 5 to 7 minutes. In addition, the nearest bus stop (Cowell Boulevard/Research Park Drive) is located 0.2 miles away and is served by existing bus lines.

Overall, the Leonardo Project is a dense infill project that is proximate to existing bike and pedestrian connections, existing bus transit lines, and a variety of retail, commercial, and restaurant uses. As a result, the Project's users are set up to engage in healthy, active, and sustainable lifestyles, while simultaneously aiding the City make progress in reducing VMT and related greenhouse gas impacts.

²⁸ See Davis Bike Map (7th Edition) (December 20, 2019), <https://www.cityofdavis.org/home/showpublisheddocument/14401/637124532922170000>; See also Unitrans Route Map, <https://unitrans.ucdavis.edu/sites/g/files/dgvnsk13431/files/media/documents/RouteMap.pdf>.

Affordable Housing Plan

The Leonardo Project is a multifamily residential project designed to add to the overall housing availability in Davis. The Project does so by developing 368 new housing units of varying sizes, including studios, 1-bedroom, and 2-bedroom units. These units assist in filling the “missing middle” housing gap by providing housing opportunities that are affordable to the City’s workforce – including UCD employees, teachers, and first responders. As discussed below, the Project includes 74 units that will be deed-restricted for low-income households, which exceeds the affordability requirements set forth by both (1) state Housing Element law (and implemented by the City’s “PD 05-22 (HD Mixed)” zoning) and (2) the City’s Affordable Housing Ordinance.

(1) Eligibility for Ministerial Review under “PD 05-22 (HD Mixed)” Zoning

To establish eligibility for the ministerial review created by state Housing Element law,²⁹ a project must include at least 20% of the project’s total units for affordable households. In this instance, the Leonardo Project will deed-restrict 74 out of the 368 total units (over 20%) for lower-income households. As such, the Project satisfies the 20% affordability threshold to qualify for the ministerial review process established under state law and implemented by the City’s “PD 05-22 (HD Mixed)” zoning.

(2) Satisfaction of City’s Affordable Housing Requirements

The City’s Affordable Housing Ordinance (“AHO”) requires a developer of a residential project to prepare an affordable housing plan, with the requirements of the plan dependent on whether the residential units are intended to be for-sale or as rental units.³⁰ Relevant here, rental housing projects containing seven or more units are required to provide for at least 15% of the total number of units as affordable housing units on-site.³¹ However, the AHO provides for an alternative means of compliance for non-discretionary projects. Specifically, the AHO permits:

An applicant for a project claiming protection under state housing laws that limit city discretion [...] may propose an alternative rental affordable housing plan that meets the objective requirements for non-discretionary projects as described in the Rental Housing Inclusionary Guidelines, which shall be adopted by resolution of city council.³²

²⁹ See Cal. Gov. Code § 65583.2(c) and (h).

³⁰ See City of Davis Municipal Code, Section 18.05.040.

³¹ See City of Davis Municipal Code, Section 18.05.060.

³² See City of Davis Municipal Code, Section 18.05.060(c).

As described above, the Leonardo Project qualifies for ministerial approval under state Housing Element law, thus, further qualifying the Project to utilize the AHO's alternative means of compliance provision. To do so, the Project proposes to include over 29% of the pre-density units (74 out of the base 252) and over 20% of the total units (74 out of total the 368) for lower-income households. Compliance with state requirements for ministerial review coupled with lack of any additional applicable Rental Housing Inclusionary Guidelines, renders the Project in in compliance with the only objective requirement of 20% affordable. The Applicant is proud that these ratios greatly exceed the typical 15% affordability requirement imposed on rental housing projects under the AHO and furthermore, represent the Applicant's desire to provide housing opportunities for working-class individuals and families hoping to live within the City of Davis.