

REUBEN, JUNIUS & ROSE, LLP

Justin Zucker
jzucker@reubenlaw.com

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Delivered Via Hand Delivery

Department of Community Development and Sustainability
c/o Sherri Metzker, Director
23 Russell Blvd., Suite 2
Davis, CA 95616

Re: 500-512 G Street – Senate Bill 330 Preliminary Application Submittal
APN: 070-193-005; 070-193-006; 070-193-007
Our File No.: 11618.02

Dear Ms. Metzker:

This office is working with Davis Lumberyard LLC (“Project Sponsor”), who owns and controls the property located at 500-512 G Street (APNs 070-193-005, 070-193-006, and 070-193-007) (the “Property”). Project Sponsor seeks to construct a vertical mixed-use multi-family project with 224 residential and live/work units, a lobby, leasing office, bicycle storage, retail, public fitness center, public co-work, outdoor public passageway at the first floor, and a landscaped roof deck and club house at the fifth floor (the “Project”). Please consider this letter and accompanying Senate Bill 330 (“SB330”) application a “preliminary application” pursuant to California Government Code Section 65941.1.

Effective January 1, 2020, and further amended in 2021, “The Housing Crisis Act of 2019,” (“HCA”) establishes a statewide “housing emergency” until January 1, 2030. During the housing emergency, local jurisdictions such as Davis are generally prohibited from rezoning or imposing new development standards that would reduce the capacity for housing or adopting new design standards that are not objective.

SB330 allows a housing developer to submit a “preliminary application” to a local agency for a housing development project. It is separate and distinct from a development application. Submittal of a preliminary application allows a developer to provide a specific subset of information on the proposed housing development ahead of providing the full amount of information required by the local government for a housing development application. Upon submittal of an application and a payment of the permit processing fee, the applicable fees and development standards that apply to their project “freeze” while the applicant assembles the rest of the material necessary for a complete application submittal. An applicant has 180 days from submittal of a preliminary application to submit a complete development application to freeze fees and development standards for the remainder of the entitlement and permitting process. Enclosed please find a check totaling \$12,661 for demolition review, design review, Planning Commission referral, affordable housing plan, and anticipated Categorical Exemption deposit payments.

San Francisco Office
One Bush Street, Suite 600, San Francisco, CA 94104
tel: 415-567-9000 | fax: 415-399-9480

Oakland Office
492 9th Street, Suite 200, Oakland, CA 94607
tel: 510-527-5589

www.reubenlaw.com

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Generally, cities must compile a checklist and application form that applicants may use to satisfy SB330's preliminary application submittal requirements. The Department of Housing and Community Development ("HCD") has published a standardized form applicants may use in instances where a local agency has not developed its own preliminary application form. Because Davis has not developed a checklist and preliminary application form, the accompanying SB330 form published and adopted by HCD satisfies the requirements for submittal of a preliminary application under California Government Code Section 65941.1(b)(2).

Per California Government Code Section 65589.5(h)(2), a "housing development project" refers to (1) a development project consisting of one or more residential units, (2) a mixed-use development project where at least two-thirds of the square footage comprises residential uses, or (3) transitional or supportive housing development projects. The Project is a housing development project because more than two-thirds of its square footage will be devoted to residential use.

The Project is a housing development project that has satisfied the preliminary application submittal requirements. Thus, the zoning, design, subdivision, and fee requirements in effect at the time of this letter must remain in effect for the Project through the remainder of the entitlement and permitting process so long as a complete development application for the Project outlined above is submitted within the next 180 days.

We are looking forward to working with the City to bring much needed housing, both market rate and affordable, while also adding new commercial uses to a prime downtown location through the Project. We appreciate your processing of the application in accordance with state law as outlined above.

If you have any questions, please do not hesitate to contact me at 415.567.9000 or jzucker@reubenlaw.com. Thank you.

Very truly yours,

REUBEN, JUNIUS & ROSE, LLP



Justin A. Zucker

Enclosures: Preliminary application and Check No. 70005 totaling \$12,661.00

Cc: Eric Lee, Senior Planner (via email elee@cityofdavis.org)
Michael Organization (via email scooper@tmo.com)
DB Real Estate (via email dbuzbee@dbreconsulting.com)