

OLD NORTH DAVIS NEIGHBORHOOD ASSOCIATION  
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DAVIS, CA 95616

DRAFT 3.0

January 13, 2020

Mr. Eric Lee, Planner  
Department of Community Development and Sustainability  
City of Davis  
23 Russell Boulevard  
Davis, CA 95616

Dear Eric,

On behalf of the board of the Old North Davis Neighborhood Association, I am pleased to submit our comments on the Draft Downtown Davis Specific Plan (Oct. 2019) and its companion draft revision to zoning code Article 40.13: Downtown Zones. We appreciate the effort and outreach that has gone into preparation of this document and the opportunity to have a member of our board on the advisory committee that assisted with this document. We embrace the overall goals to enhance our downtown to become even more vibrant and, importantly, to bring more housing opportunities to this area. Perhaps more than most, we understand the many benefits and attributes of living downtown with its ready access to services and transit. We would welcome more people to share in this very unique and special area.

As with any similar planning process, much initial conversation was about high-level goals which most can support. Now with the release of the draft plan and zoning code these goals are translated into what will serve as regulatory standards for new development. This draft was relatively recently released so we have worked to review what are very lengthy and detailed documents. While there are many issues worthy of comment, we have focused on those that most affect Old North: these are principally related to the proposed zoning for the east side of north G Street (above 5<sup>th</sup> to Sweet Briar) and issues that may affect our neighborhood as a result of more intensive development in the downtown generally.

We hope these comments are of value. We look forward to learning what changes will be made to the draft plan prior to City Council review. Understandably, our comments may be amended as we learn of proposed changes to the plan and the results of environmental review.

We have highlighted principle recommendations in bold. Please do not interpret these as our **screaming at you**, as they serve only to highlight important issues.

As mentioned, while we have a number of comments, the majority focus on the north G Street area, so we will begin there.

## North G Street

Opportunity. One of the significant challenges in realizing the aspirations of the draft plan is that downtown consists of many small lots with separate ownership. Without the powers of redevelopment, it is difficult to assemble parcels into sizes where projects can have enough scale to be economically viable. Two blocks which do have such potential are the 500 and 600 blocks north of Fifth Street and east of G Street. The area north of the Davis Food Coop (600 block) does seem to present an opportunity to repurpose an underutilized strip mall. In addition, the property just north of the strip mall and south of Sweet Briar has been vacant for several decades. With the closure of Hibbert Lumber, the 500 block also includes a very large parcel under single ownership, although the small dwellings on this block adjacent to G Street present special design challenges. **We are quite intrigued by the possibility of welcoming additional residents to our neighborhood and would appreciate an intergenerational approach that combines seniors with families, professionals and students.**

Underscore importance of transitions in scale. Throughout the planning process there has been recognition of the importance of thoughtful transitions in scale as parts of the downtown intensify with increased building heights and lot coverage. The west side of the north G Street area and north Sweet Briar are shown as “Neighborhood Small” within the draft plan. This is the only area with such a designation and is the least intensive land-use category. We support this designation. It allows structures up to two stories (and in some cases a third story if treated as a rooftop room). This proposed land-use addresses comments we received from those on the west G Street blocks on the F Street side of the alley who were concerned about the transition to a more urban scale across this alley.

The two eastern blocks of north G Street are proposed to be Main Street Medium. This designation allows up to 4 stories (with a step back on the 4<sup>th</sup> story when across from Neighborhood Small). It also allows the building structures to have so-called Block Form. That is, buildings may be located directly behind the sidewalk as you would find in an urban environment. While we recognize that these two blocks have great potential for redevelopment, **we have concern that this transition from Neighborhood Small directly to Main Street Medium across the street is too stark.** This could be especially deleterious to residences on Sweet Briar (which has a narrower right-of-way than G Street) as new development would be just south and therefore affect solar access. Similar concerns of scale arise from homes on the west side of G Street. While the two blocks of western G Street (as well as the 500 block of eastern G Street) are mixed use—they continue to have many owner-occupied homes of one and two stories. Therefore, the transition to a larger urban scale is important and **we believe increased setbacks from the property line should be considered in addition to upper story step backs.**

Railroad Tracks. The east side of the Hibbert and Coop blocks are adjacent to the railroad tracks. While across the tracks from the Hibbert block there are commercial uses, the Coop/strip mall block has single family residences across the tracks, so care should be given to how Main Street Medium structures may appear from that perspective. In addition, any development must consider the increasing noise that seems to be generated by the railroad. Perhaps any development could assist with mitigating this audible irritant. **We hope this issue can be addressed within the upcoming environmental review.**

Public Space. We applaud the recognition for public space/plaza within the 600 block of G Street and hope public space would also be considered within the 500 block.

Contents of Draft Plan vs. Draft Zoning Code. The Downtown Plan suggests at least a portion of the 600 Block of east G Street be placed in a “Designated Special Area” to recognize both its opportunities and challenges. The closure of Hibbert Lumber occurred after publication of the draft plan—**we recommend that the 500 block of east G Street also be included within the Designated Special Area.** That said, it is unclear what this designation actually portends. The draft plan contains illustrations which reflects some thoughtful transition in this area from Neighborhood Small to Main Street Medium, especially on the parcel just south of Sweet Briar. However, these illustrations have no regulatory authority and the draft zoning code does not require any transition other than a 4<sup>th</sup> story step back. **We recommend that specific standards for the transition in areas of the northeast G Street blocks that are across from single family homes on Sweet Briar and west G Street. Consideration should be given to a 3-story limit with a 3<sup>rd</sup> story stepback when directly across from single family dwellings in addition to increased set back from the property line while allowing other portions of the site to be Main Street Medium. We also request that consideration be given that buildings facing Sweet Briar be residential.**

Attached to this letter is an appendix regarding the draft zoning code which includes a list of questions and issues of a more technical nature that we submit for your consideration. We formatted these as an attachment due to their detailed nature.

500 Block of East G Street small structures/homes. Different from 600 block of G Street (Food Coop), the eastern 500 block (Hibbert block) contains single story dwellings facing G Street. All but one has been converted to office/business use. However, the remaining single-family home is owner-occupied and recommended for a historic designation (as is the Hibbert building). Should this new zoning designation be approved, what is the fate of this (potentially historic) single-family home? Does it become a non-conforming use? While additional setbacks are required when developing adjacent to historic structures, clearly **special care and creativity will be required if a development of scale is to be proposed adjacent to this and other small-scale structures on the east side of G Street.**

Yolo Federal Credit Union Parcel. Also shown as Main Street Medium is the credit union’s parking lot and open parcel just north of the current structure. The relatively new credit union building is two stories. This designation on the open parcel would allow for up to 4 stories (with a 4<sup>th</sup> story step back) between the new 2 story credit union and a single-story dwelling (now converted to a business use) that would be allowed to be redeveloped to 2 stories under its Neighborhood Small Designation. **This does not seem to reflect an appropriate transition and we request that allowed height be decreased and that the set back from the property line be increased.**

Required Street. The draft plan map (pg. 74) shows a “required street” in the middle of the eastern side of the 600 block of G Street. Admittedly, we may not fully understand what is meant by this, but it seems that **access to a redeveloped portion of this block should be within the private development and not a public street,** especially as it would not be aligned with either the 6<sup>th</sup> Street or 7<sup>th</sup> Street intersections.

Pedestrian Improvements. The draft specific plan proposes many pedestrian and intersection improvements within the downtown area. **We believe pedestrian improvements are warranted at 6<sup>th</sup> and G Street which serves as a principal pedestrian corridor from Old North to the Coop shopping center.** In addition, should the 600 block (strip mall) be developed, we would hope there will be connections to the H Street pedestrian corridor and the neighborhoods of north I and J Streets.

Bars and Night Clubs. The draft code allows bars and night clubs to be allowed with a conditional use permit. We believe **bars and nightclubs should be below Fifth Street and not be allowed in the North G Street area.**

Street reconfiguration and tree canopy. The draft specific plan suggests some reconfiguration of North G Street to improve bicycle and pedestrian circulation. We applaud this goal, but ask that it be approached while maintaining our street tree program which results in an extraordinary canopy throughout the neighborhood. Also, some of the sidewalks in this area have historic imprints (i.e., original lot number and dates, one being from 1913). We hope steps can be taken to preserve these markings in some manner.

### Other broader Issues

Conservation Overlay District. The draft plan recommends eliminating the current “master” district and replacing that with individual neighborhood districts. Of special note is the recommendation for special transition areas between the downtown commercial core and Old North and Old East neighborhoods. While such an approach is intriguing and its goals welcomed, as previously mentioned, the current draft zoning code does not reflect this approach. So, the timing of completing the work necessary to convert to a new system is important. It appears that until such work is complete the current Old North neighborhood design guidelines would remain in place, with the understanding that the North G Street area would be subject to what is ultimately approved in the new zoning code.

What becomes of Old North? Old North was born out of the current conservation district and this draft plan recommends new boundaries for individual districts. The new boundaries show North G Street becoming part of the proposed Depot District. Given that Old North is partially a city construct, we need to discuss expectations for and of the Association. While we believe our small neighborhood community should stay intact, a conversation about this is warranted.

Parking. The draft zoning code does not include any minimum requirements to provide parking. Certainly, much of the rationale for undertaking a new downtown plan is to create more housing opportunities adjacent to transit and major employers. Housing in such locations should reduce single occupant vehicle trips. The elimination of parking requirements may also assist in making projects more affordable or at least more feasible for developers. We believe that as we undergo a transition to a less car reliant culture, many who occupy new downtown housing will still own automobiles. There may be far less single occupancy vehicle trips to work, but in our suburban location, many individuals will still choose to own cars. And, to state the obvious, these cars will need to be stored (i.e., parked) somewhere.

Old North is proud to have one of the least exclusionary parking districts in the city. Certain spaces are designated with a marked “N” for residents with permits and the remainder of curbside parking is open anyone. Given the substantial number of the proposed housing units reflected within the draft downtown plan and the provision that there are no minimum standards for these projects, it should be expected that parking demands in adjacent neighborhoods will increase. **Old North has long offered to partner with the city to develop management practices for this increased demand. It is our hope that such an approach may also result in investment in needed traffic and pedestrian safety improvements.** It is our expectations that a parking strategy will be developed prior to major building projects being approved. We are also concerned that three of the five sites identified as “Reserved Sites for Additional Parking” are within Old North. We believe these sites should be conceived with a much more vibrant use than automobile parking.

Review of projects. A tenet of the draft plan is to create certainty for both developers and neighbors as to what is allowed and what can be expected from projects in different parts of the downtown planning area. In most cases this can allow for staff approval if projects meet the new zoning requirements. This certainty can then lower costs and make projects more feasible. **While there are many positive elements in the new form-based code approach, we still have a desire to comment on proposals—especially those with transition issues as mentioned above.** This is not raised in a spirit of opposition, but rather to enable conversations to work toward projects that do not have unintended negative consequences.

#### Conclusion

Again, thank you for this opportunity to comment on portions of the draft specific plan. We look forward to future engagement with this project and assisting with its successful adoption and implementation.

Sincerely,

John Meyer  
President, Old North Davis Neighborhood Association

Attachment: Zoning Code Appendix

## OLD NORTH DAVIS NEIGHBORHOOD ASSOCIATION

### Zoning Code Appendix

#### Questions & Comments

#### Section 40.13.060 – Table Explaining Relationship to Chapter 40, Zoning

The table states the current ZC 40.13A on Downtown and Traditional Neighborhood Overlay District would be replaced by new Downtown Code. The draft plan indicates a new conservation overlay district would be formed for Old North, possibly excluding some or all of the North G Street area, and new design standards would be developed.

1. Clarify whether the existing Design Guidelines remain in place for Old North until the new overlay district is established and design standards are officially adopted.

#### Section 40.13.090 -- Neighborhood Small

Applies to the west side of the 500 and 600 blocks of G Street, except the credit union parcel

1. What is the maximum allowed building height?  
**Section 40.13.090D** indicates a 2-story height limit w/ 24' to top plate with note explaining "refinements" to building height are specified in Section 40.14.070. **Section 40.14.070H** for Multiplex-small indicates a maximum 3 story height w/ 32' to top plate. **Section 40.13.020B** reads in part "If there is a conflict between any standards, the more restrictive shall apply."
2. Why is a 0' setback allowed for the front and street side setback on a corner lots in Neighborhood-small district? Pulling a corner building back from the corner creates a more open feel and is more consistent with the traditional residential scale.
3. Need clarification of standard for building placement in the "Façade Zone" (**40.13.090 E**). what do these mean: Front 70% minimum and side street 50% minimum?
4. What is the rear (from alley) and street side setback for allowed 3 story multiplex buildings and for allowed roof top rooms?
5. **Section 40.13.090 F** requires 5' min rear setback for parking. In an alley, is a parking pad required to have this setback?
6. Are garages/carports allowed accessory structures?
7. What standards should be included to provide for the appropriate storage of waste/recycling containers? The storage of such bins can become problematic with denser housing types as each unit may have its own bins.
8. Certain commercial uses are permitted or may be approved with an AUP. What performance and/or design standards will ensure compatibility with the adjoining residential uses? (For

example -- lights, noise, hours of operation, ventilation hoods, delivery vehicles for 5,000 SF of retail or restaurant with outdoor seating along W side of G Street)

9. To help ensure compatibility with residential uses, should commercial uses on a corner lot be required to have an orientation towards G Street, not towards the alley or towards 6<sup>th</sup> Street or 7<sup>th</sup> Street?

#### **Section 40.13.120 -- Main Street Medium**

**Applies to the east side of the 500 and 600 blocks of G Street; the parcel at G Street and Sweet Briar; the Hibbert Lumber yard; the credit union parcel at the NW corner 5<sup>th</sup> + G; and along G Street south of 5<sup>th</sup> Street**

1. The intent section indicates "small to none front setbacks." Given the smaller scale buildings across G Street, is a zero front setback appropriate?
2. Need clarification of standard for building placement in the "Façade Zone" (40.13.120 E). what do these mean: Front 80% minimum and side street 70% minimum?
3. Commercial uses that operate at night have greater potential for conflict with the primarily residential uses of the neighborhood small zone on the west side of G Street and north of Sweet Briar. What mechanisms are proposed to minimize the potential nuisances between Main Street uses/buildings and adjacent residential uses? Are there standards addressing details such as noise and hours of operation?
4. Are there lighting standards? Given proximity of residential uses across G Street, what standards are there to minimize the potential nuisance associated lighting more typically found with Main Street uses/buildings?
5. Are bars and nightclubs appropriate conditional uses across from the primarily residential uses of the Neighborhood-small zone? Should such uses be concentrated below 5<sup>th</sup> street in the central downtown area?
6. What is the definition of the permitted use "industrial artisan"?
7. An AUP would be required for retail uses greater than 10,000 sf. Is the 10,000-sf threshold for a single retail use or for total space in a new development?
8. The plan identifies the north end of the existing shopping center to Sweet Briar is "Designated Special Area F." How is this special plan designation addressed in the zoning code? What special treatment may be needed along Sweet Briar as transition to the Neighborhood-small designation north of Sweet Briar?
9. What standards should be included to provide for the appropriate storage of waste/recycling containers? The storage of such bins can become problematic with denser housing types as each unit may have its own bins.
10. There are some permitted uses that pose the potential for difficult integration next to a residential area. Should size limits be considered? For example, a restaurant or a cinema/theater.

### Section 40.14.070 -- Building Types In Neighborhood Small Zone

1. Carriage House
  - The code describes a carriage house as typically in the rear of a parcel. Can it be in the front or a street side yard?
  - While typically residential, commercial uses are allowed. Should access to a commercial use in a carriage house or similar separate structure be from G St and not from the alley?
2. Detached SF
  - A partial 3<sup>rd</sup> story is permitted. In **section 40.14.080D**, a “rooftop room” is permitted. A rooftop room may be 14’ in height w/ minimum of 75% glazing or opening on each side, side setbacks of 10’ minimum and rear setback of 15’. Is this appropriate where adjacent to Old North houses across alley?
3. Duplex Stacked and side-by-side
  - Same as above with regard to roof top room
4. Cottage Court
  - Does the “3 to 9 units” refer to buildings or residential units? This is unclear as the section indicate one duplex or triplex unit is allowed.
  - The section calls for entrances off the shared court and permits units on a corner to have entry from the side street. Should entry treatments be required along all street facing units?
5. Small Multiplex 3 to 6 units
  - Maximum # of stories is 3. As previously discussed, this conflicts with Section 40.13.090D. If 3 stories are permitted, should an increased setback for the 3<sup>rd</sup> story be required?
  - If a 6-unit multiplex is built, can an accessory carriage house also be built?
  - The code permits shared as well as individual entries. Is this appropriate given the traditional residential design found along G Street is for individual entry to each use?

### Section 40.14.070 -- Building Types In Main Street Medium

1. Detached SF and duplex buildings are not permitted in the Main Street Medium zone. Are the existing structures considered “non-conforming”? If yes, what does that mean for a property owner who wishes to do an addition and/or remodel? For example, **section 40.14.080A** indicates



all buildings must have use “tripartite” architecture in a renovation. If a front addition was proposed to an existing building, would this apply?

### Section 40.14.080 -- Massing, Facades, Architectural Elements

Two potential historic structures are proposed in the Main Street Medium zone along G Street – 500 G and 516 G. This section describes standards for adjacency to historic structures including:

1. Height of the 1<sup>st</sup> floor of a new building would be required to match height of 1<sup>st</sup> floor of adjacent historic structure.
2. A new building would not be required to have a side yard setback except for a 10' side setback for a minimum distance of 25' from the building front or to a point aligned with the front of the historic building. Is this adequate next to a smaller house-form structure?
3. A new building would be required to stepback a 3<sup>rd</sup> and 4<sup>th</sup> story.
  - For a “Block Form Building,” which is the type allowed in MSM zone, there is no required front stepback for the 3<sup>rd</sup> and 4<sup>th</sup> story. Would this be appropriate next to smaller house form single story structures?
  - There is a required side stepback for upper stories and provisions for building “wings.” But the graphic is a bit confusing. Is a two-story wing permitted to have a zero side setback? Is it possible for a 4-story building to have 0 side setback after a distance of 45' from the front property line? The diagram needs to be clearer.
4. How the Hibbert property along the railroad tracks would be dealt with is not clear. It is not clear how the Zoning Code’s standards for adjacency to historic structures might apply on this property which shares a rear property line with potential historic resources. Further attention is needed for this property.

### General Question about Development Review Process

The proposed plan and zoning code would substantially decrease opportunities for public review and comment on development proposals. It is not clear what notification would be provided to Old North of development proposals along G Street or across 5<sup>th</sup> Street. Certain uses require either an AUP or a CUP but the new plan and zoning code eliminate a review public process for project design. What notification and opportunities to comment will be available?