

Meeting Date: _____

Staff Report

December 5, 2005

TO: City Council

FROM: Bill Emlen, Assistant City Manager / Planning Director
Katherine Hess, Community Development Administrator
Ken Hiatt, Economic Development Manager

SUBJECT: Dollar Tree Applications, Davis Manor Shopping Center 1600-1800 East Eighth Street

Recommendation

Staff and the Planning Commission recommend the City Council hold a public hearing and:

1. Approve Negative Declaration #7-05 determining that these actions will not have a significant effect on the environment
2. Approve General Plan Amendment application #3-05 to re-designate the Davis Manor shopping center from Neighborhood Retail to Community Retail.
3. Approve Rezoning application #2-05 to create a new zoning district for community retail uses and rezone the Davis Manor shopping center.
4. Approve Design Review application #12-05, including tree removal permits, for exterior changes to the eastern portion of the shopping center.
5. Direct staff to return by a date certain with a timeline for adoption and implementation of a center revitalization strategy and East Eighth Street corridor action plan.

(The alternate recommendation from the Business and Economic Development Commission is to amend the General Plan text to exempt this shopping center from the food store requirement, and grant the exemption using the process in the existing zoning. Although this alternative has not been recommended by staff, it was included in the public hearing notice and the Council has the option taking this action.)

Summary Analysis

Davis Manor is an older shopping center on East Eighth and M Streets, south of Pole Line Road. The western portion of the center had significant cosmetic upgrades in 2003 and is fully leased with a mix of neighborhood- and community-serving uses. The eastern portion, with different property owners, has been vacant since the Ralphs grocery store closed in early 2002.

The City Council's 2004-06 Goals explicitly speak to this center:

- 2.2 Adopt a plan to redevelop Davis Manor Shopping Center. Consider rezoning. Explore inclusion in RDA. Develop specific reuse plans. Work with neighborhood groups.

The Council also has a goal of increasing retail shopping opportunities in Davis.

The center has a General Plan designation of Neighborhood Retail, which requires a food store. The center is zoned Planned Development #16-80, which is based upon the Commercial Neighborhood (C-N) Combining District. That zoning district, too, requires a food store.

Dollar Tree, a value-oriented general merchandise store, is proposing to occupy approximately 13,000 square feet of the former grocery space. At this time, no tenants have been identified for the remaining space.

Staff is recommending approval of the applications, and the changed designation to Community Retail, for the following reasons:

1. When the Nugget was approved for expansion at Oak Tree Plaza, the City had hoped that Davis Manor would continue to be viable as a food store location. This does not appear to be the case. The store has been empty since 2002, to the detriment of the neighborhood and the other merchants.
2. Staff has concluded that Dollar Tree, while not providing the full range of groceries that might be optimal to serve the neighborhood, is significantly better than having the space continue to remain vacant.
3. Dollar Tree, with its emphasis on value, will provide a range of products at prices that are not currently available in Davis.
4. The physical improvements that Dollar Tree and Ralphs are proposing (roof repairs, new utilities, updated façade, and interior walls) will increase the potential for desirable tenants to lease the remaining portion of the vacant space.
5. The change to Community Retail zoning and designation should improve the attractiveness of the center to other retail uses that meet neighborhood or community needs.

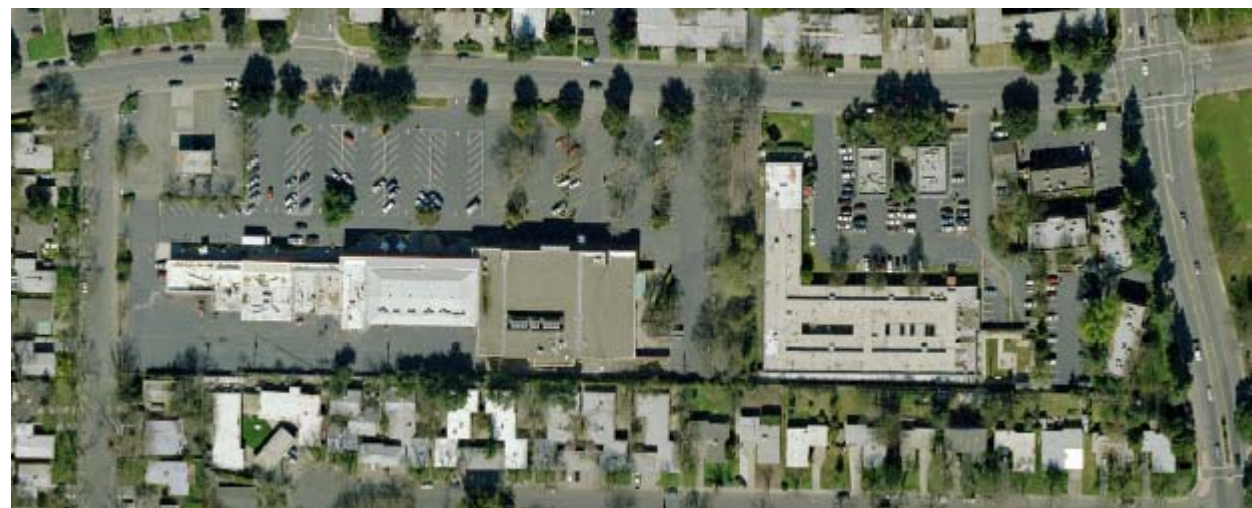
The recommended actions were unanimously recommended by the Planning Commission at its November 30 public hearing. The Commission particularly supported the proposed Community Retail zoning district and its design principles, and the desire to begin an improvement plan process for the East Eighth Street corridor.

Fiscal Impact

Dollar Tree would generate sales taxes for the majority of its products. In addition, there would be some increase in property taxes to reflect the value of the necessary structural improvements.

Project Description

The applications would allow the Dollar Tree discount variety store to occupy the western half of the former grocery space in the Davis Manor center. The applications include a General Plan Amendment and rezoning to allow a range of community-serving retail uses throughout the Davis Manor center. The General Plan designation would be "Community Retail" and the zoning would be a new "Community Retail" district. The current requirement for a food store would be removed. These applications, if approved, would affect the entire Davis Manor center. Dollar Tree and Ralphs are also proposing new signs and cosmetic improvements to the façade of the former grocery building.



Environmental Determination

Negative Declaration #7-05 has been prepared (Attachment 13) to assess the impact of the proposed General Plan Amendment, zone change, and Dollar Tree. No significant environmental issues have been identified and no mitigation is recommended. The number of vehicle trips from the proposed Dollar Tree would be lower than the number from a grocery store of the same size.

Project Background

The Davis Manor shopping center is located on East Eighth Street, west of the intersection with Pole Line Road. The center contains four parcels, each with a different owner. The western “shops” portion had extensive façade renovations in 2003 while the eastern portion does not appear significantly different from its 1960s design.

The anchor for the shopping center was Albertson’s groceries until the store was acquired by Ralphs groceries in 1999. Ralphs operated the food store for a few years but closed in 2002. The space has been vacant since then. The General Plan designation for the center is Neighborhood Retail, which requires a neighborhood grocery store or supermarket. The zoning is Planned Development #15-80, which is based upon the Commercial Neighborhood Combining District. That, too, requires a food store, which is defined as a minimum of 15,000 square feet with specified features including a full line of perishables.

Project Analysis (Consistency with Existing Policies and Requested Entitlements)

Staff has identified four key policy questions with the applications:

1. Is a community retail designation appropriate for the Davis Manor Shopping Center?
2. Does the draft Community Retail zoning district accomplish City goals for this center, and possibly others?
3. Are the proposed building improvements for Dollar Tree appropriate?
4. What other efforts should be undertaken for the Davis Manor Center and neighborhood?

1. Is a shift community retail designation appropriate for the Davis Manor Shopping Center?

At the time that Davis Manor was built, and through the 1990s in Davis, there was an expectation that each neighborhood would have its own grocery store. Grocery store prototypes and consumer preferences have shifted since that time. Several of the food stores in Davis are niche-type stores, drawing customers from throughout the city. Neighborhood stores, particularly the smaller stores on less-traveled streets, have suffered.

The applications to allow a 40,000 square foot grocery at Oak Tree Plaza were approved in 1999. At that time, the City had considered an economic analysis that concluded that a food store was still a viable use in Davis Manor. After extensive efforts by city staff and the property owners, we have concluded that this is not the case. The center is hampered by its lack of visibility from major streets, physical and zoning barriers to expanding the anchor tenant space, and its dated

appearance. The requirement for a food store has also precluded consideration of other uses and the anchor space has remained vacant for several years.

Staff recommends that the center be re-positioned to attract tenants that would serve both the community beyond the immediate neighborhood and the broader community. To some extent, this has already occurred. Existing tenants such as All Things Right and Relevant, International Market, Kelly's Sew and Vac, and Matthew's Mattress pull from throughout Davis. The Community Retail General Plan designation would provide opportunities for a greater range of additional community-serving uses. This is the designation that is currently in place at University Mall. Under the General Plan designation, neighborhood-serving uses, including food stores, would continue to be allowed. Residential uses would be permitted on upper stories.

In September, the Business and Economic Development Commission considered staff's proposal to consider a Community Retail designation for Davis Manor. Although the BEDC appeared comfortable with the Dollar Tree application, the Commission recommended the City retain the existing zoning and General Plan designation, and "grant an exemption" from the food store requirement (Attachment 8).

The mechanism for granting the exemption from the General Plan would be a text amendment specifying that the food store requirement does not apply to the Davis Manor shopping center. A similar amendment was approved for the Fifth Street Commerce Center. The mechanism for granting the exemption from the zoning is laid out in the Preliminary Planned Development, requiring a conditional use permit with the finding that a food market is no longer a viable use of the property. Staff believes that this finding could be met and has prepared the necessary findings (Attachment 9). However, staff does not recommend the exemption approach. Both the Planning Commission and the Davis Manor Neighborhood Association supported the re-orientation toward Community Retail as having a better likelihood of maintaining the strength of the center. In addition, a Community Retail orientation increases the likelihood that the remaining anchor space, and any future vacancies, will be filled with stores serving a variety of community needs.

A more detailed breakdown of the technical aspects, advantages, and disadvantages of the options is included in Attachment 12. Whether the Council chooses the Community Retail option or the exemption, staff recommends approval of the application for design review.

2. Does the draft Community Retail zoning district accomplish City goals for this center, and possibly others?

As noted in the previous section, staff is recommending a "straight" zoning district rather than a Planned Development. A Planned Development can provide greater flexibility in crafting site-specific use and development standards. It also adds uncertainty to the development review process and can be administratively difficult for both City and property owners. In this instance, staff believes it is preferable to – in essence – state what we want, and then get out of the way.

Under the draft zoning, a wide range of community-serving uses would be permitted, up to a maximum of 25,000 square feet. Those uses that are particularly likely to compete with the downtown, such as apparel and housewares, would also have a minimum size of 8,000 square feet. This would allow a larger store (Ross, for example) but not a boutique. The size of a use could be increased to 50,000 square feet upon issuance of a Conditional Use Permit, requiring specific determinations that there is an existing unmet need and that the use would not undermine the economic vitality of the downtown.

Under the proposed zoning, Dollar Tree would be permitted by right, as a variety store below 25,000 sf. Future tenants for the remaining 12,000 square feet would not be subject to public hearing or Conditional Use Permit requirements if they were consistent with the listed uses.

The draft zoning includes a section of design principles, sparked by the discussion at the recent Council/Commission joint meeting. The design principles would be incorporated as feasible into converted or altered developments. Although we are not proposing to move the existing buildings in Davis Manor, any new buildings would be reviewed in light of the design principles. Planning Commissioners were very supportive of the design principles as the first step in reflecting New Urbanist goals for retail developments in Davis.

Other significant changes from the existing C-N zoning include:

- Slightly greater sign limitations and the potential for more than one monument sign per frontage, for large parcels. These signs are permitted to identify multiple tenants in addition to the center identification. The height of the sign may be increased from eight to 25 feet through the CUP process. Staff hopes this may be an attractive concept for the owner of the west portion of the center. One neighborhood resident expressed concern over the allowed height of the monument sign, and requested heights over eight feet be allowed only on major arterial streets. Commissioners noted the need for a CUP requirement and did not change the language recommended by staff.
- Reduced parking standards, of one space per 350 sf of floor area plus one space per dwelling.
- A fifty-foot height limit, with no restriction on stories. This could potentially accommodate three stories of residential over one retail floor, with underground parking. Edges near R-1 or R-2 zones would be restricted to one story.

This draft Community Retail zoning was written with consideration for both Davis Manor and University Mall. University Mall is currently designated "Community Retail" and has its own Planned Development. Some aspects of the PD have proven problematic, particularly the number of parking spaces required. The University Mall PD also establishes an absolute maximum of 30,000 square feet per store, where up to 50,000 square feet is allowed under the General Plan designation. It is possible that the new owners of University Mall may support a rezoning to the new zoning district. This would improve consistency for potential uses and reduce the number of Planned Developments necessary. If submitted, such an application would be subject to neighborhood outreach and public hearings before the Planning Commission and City Council.

3. Are the proposed building improvements for Dollar Tree appropriate?

Dollar Tree and Ralphs are proposing to spruce up the façade of the building, but the proposed changes are much less extensive than the renovations completed by Mr. Byers for the west portion of the center. Much of the improvement budget is being used for roof repairs, new heating and air conditioning, demising the building area, utilities, accessible bathrooms, and asbestos abatement. These are necessary improvements, but they are not visible from the street.

The prime components of exterior change are:

- Removal of the existing shake on the mansard roof, to be replaced with standing seam metal roofing.
- A revised sign band, to provide separate identification for Dollar Tree and the “future tenant”
- Vibrant colors to complement the palette of the renovated portion
- Upgrades to the parking lot landscaping, with specific tree removal / replacement determinations to be made following complete arborist reviews and evaluation of project budget.
- A monument sign near the street, identifying the Davis Manor Center, Dollar Tree and the future tenant. Specific location and design will be reviewed by staff as part of the building permit package.



Staff, the Planning Commission, and the Davis Manor Neighborhood Association are supportive of the color scheme and Dollar Tree's efforts to complement the existing buildings in the center. Additional improvements to the site would be desirable but we recognize the financial limitations imposed by the current leases and ownership structure. Discussion of future strategies is in the following section.

4. What other efforts should be undertaken for the Davis Manor Center and neighborhood?

The City and the Davis Manor Neighborhood Association have been working diligently with the goal of improving the vitality and appearance of the center. We have participated in a design charette and a community forum to explore options for creating a vibrant community hub with a wider range of uses and 9am to 10pm activity. Desired physical improvements include parking lot and driveway reconfiguration, improved landscaping and lighting, an outdoor gathering space, and better pedestrian and bicycle circulation.

At the Planning Commission meeting, East Eighth Street was the topic of much comment by Commissioners and Neighborhood Council members. Comments focused on the need for safety improvements on East Eighth Street, particularly the driveways at Davis Manor and routes to Valley Oak Elementary School.

Staff from the City of Davis and Public Works Departments are exploring the possibility of City funding for some of the streetscape improvements, particularly closing one or two driveways. Final resolution has not been reached. The final recommendation in this report calls for direction to staff to return with strategies for corridor and center revitalization.

City Commissions and Neighborhood Outreach

Davis Manor has been the subject of much attention of the Business and Economic Development Commission. Recent discussion has focused on the Dollar Tree application. BEDC recommendations are included in Attachment 8 and in Issue #1 *Is a community retail designation appropriate for the Davis Manor Shopping Center?* (page 4).

The Davis Manor Neighborhood Association has been working diligently to advocate aesthetic, safety, and use improvements in the shopping center. They played a key role in encouraging the redesign and improvements to the facades of the western building. The neighborhood continues to advocate that the City work with residents and property owners to upgrade the buildings, parking lot, and street edges.

Staff have met with representatives of the Shopping Center Committee of the Davis Manor Neighborhood Association several times as these applications were being processed. In addition, a City-sponsored neighborhood meeting was held on November 17 to present the proposal to the wider neighborhood. In general, neighbors were supportive of the Dollar Tree applications and appreciated Dollar Tree's willingness to participate in façade and signage improvements to the center. Neighbors who commented on the technical aspects of the applications supported the re-designation to Community Retail and the goals of the new zoning district. Written comments received at the meeting are included as Attachment 14.

The correspondence includes a letter from the Davis Manor Neighborhood Shopping Center Committee supporting the proposed applications, including the rezoning and General Plan amendment. The support is based upon the inclusion of components relating to center design and an Eighth Street corridor plan. Staff believes that the recommended action is consistent with the requests of the Committee.

Notices of the applications, and the proposed GPA/rezoning text, were mailed to all owners of the commercial properties in Davis Manor. As of the date of this writing, no comments had been received from the other property owners.

Attachments

1. Recommended General Plan Amendment resolution
2. Recommended ordinance creating Community Retail zoning district and rezoning Davis Manor center to Community Retail
3. Recommended Design Review Findings and Conditions
4. Project Data Table
5. Site Plans and elevations, including sign proposal
6. Project description submitted by applicant
7. General Plan *Community Retail provisions*
8. Minutes from Business and Economic Development Commission meeting
9. Alternative GPA resolution and CUP findings/conditions (BEDC recommendation)
10. General Plan Consistency Analysis
11. Zoning Compliance Analysis
12. Analysis of options available to City
13. Initial Study for Negative Declaration
14. Correspondence, including written comments from neighborhood meeting

Attachment 1

RESOLUTION OF THE CITY OF DAVIS STATING ITS INTENT TO AMEND THE GENERAL PLAN TO CHANGE THE DESIGNATION FOR THE DAVIS MANOR CENTER FROM NEIGHBORHOOD RETAIL TO COMMUNITY RETAIL

WHEREAS, the City of Davis has a significant sales tax leakage in the areas of furniture, apparel, and other household goods; and

WHEREAS, residents of Davis frequently drive to other communities to purchase merchandise that is not readily available within the City of Davis; and

WHEREAS, the Davis Manor is located on a minor arterials and a convenient distance from Pole Line Road; and

WHEREAS, the anchor space in the Davis Manor Center has been vacant since early 2002 and food store operators have not shown interest in occupying the space; and

WHEREAS, the Oak Tree Plaza and Oakshade Town Center centers, each with a food store, provide residents with grocery shopping opportunities within a reasonable distance; and

WHEREAS, Negative Declaration 7-05 adequately assesses the impacts of this General Plan Amendment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAVIS THAT IT INTENDS TO TAKE THE FOLLOWING ACTION:

1. To amend the City of Davis Land Use Map with the change of the Davis Manor Center from "Neighborhood Retail" to "Community Retail" as shown in Attachment A to this Resolution.

PASSED AND ADOPTED THIS __th DAY _____, 2005, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Ruth Uy Asmundson, Mayor

City Clerk

ATTACHMENT A
RESOLUTION _____
GENERAL PLAN MAP CHANGE

ORDINANCE _____, SERIES 2005

AN ORDINANCE ADOPTING ARTICLE 40.18A OF THE MUNICIPAL CODE,
ESTABLISHING A COMMUNITY RETAIL ZONING DISTRICT

THE CITY COUNCIL OF THE CITY OF DAVIS DOES ORDAIN AS FOLLOWS:

Section 1. Article 40.18A of Chapter 40 is added to the Davis Municipal Code, to read as follows:

Article 40.18A
Community Retail (CR) District

40.18A.010 Purpose.

The purpose of the community retail (CR) district is to provide space within the community for moderate-sized retail stores and compatible accessory uses to provide shopping opportunities for Davis residents that cannot be accommodated in the downtown Core Area or the neighborhood shopping centers.

40.18A.010 Permitted uses.

The principal permitted uses of land in a community retail zone are as follows:

- (a) Food or grocery store, as defined in 40.01.010, up to a maximum of 25,000 square feet.
- (b) Apparel, shoes and accessory sales between 8,000 and 25,000 square feet per individual use.
- (c) Houseware, hobby, and gift stores between 8,000 and 25,000 square feet per individual use.
- (d) Other community retail stores, such as appliances, department stores, general merchandise, furniture, linens, electronics, hardware, building supplies, sporting goods, or specialty food stores, up to a maximum of 25,000 square feet per individual use.
- (e) Neighborhood retail and personal services, such as video rental, restaurants, dry cleaning, beauty supplies and services, up to an aggregate maximum of 20,000 square feet for any specific center.
- (f) Financial institutions, professional and administrative offices, up to an aggregate maximum of ten percent of the square footage for any specific subdivision or center.
- (g) Pharmacy, up to a maximum of 25,000 square feet.

- (h) Residential uses above the ground floor.

40.18A.020 Accessory uses.

The following accessory uses shall be permitted in a community retail district:

- (a) Signs, subject to the provisions of subsection 40.26.020(e.5).
- (b) Accessory uses and buildings customarily appurtenant to a permitted use, subject to the provisions of section 40.26.010.

40.18A.030 Conditional Uses.

The following conditional uses may be permitted in a community retail district:

- (a) Food stores over 25,000 square feet, up to a maximum of 40,000 square feet.
- (b) Uses listed in 40.18.010 (b) through (g) over 25,000 square feet, up to a maximum of 50,000 square feet.
- (c) Commercial recreation.
- (d) Automobile service stations, with or without car wash or convenience market, subject to the provisions of section 40.26.130.
- (e) Drive-through facilities, subject to the provisions of Section 40.26.420.
- (f) Public and semipublic uses of a recreational, educational, religious, cultural or public service type, but not including corporation yards, storage or repair yards, warehouses and similar uses.
- (g) Freestanding signs exceeding eight feet in height, subject to the provisions of 40.26.020(e.5)

40.18.040 Prohibited uses

The following uses are prohibited in a community retail district:

- (a) Entertainment uses.
- (b) Minimarts or convenience markets, other than those accessory to a service station.

40.18A.050 Height regulations.

No building in a CR district shall exceed thirty feet and one story within twenty-five feet of any R-1 or R-2 district, otherwise fifty feet in height.

40.18A.060 Area and yard requirements.

The following minimum area and yard requirements shall be observed for the CR zoning district, except where increased for conditional uses or as provided in 40.27.060 or 40.27.080.

- (a) **Front yard.** Zero feet.
- (b) **Side yards.** Zero feet, except when abutting an R-1 or R-2 district, then not less than twenty feet.
- (c) **Rear yard.** Zero feet, except when abutting an R-1 or R2 district, then not less than twenty feet.

40.18A.070 Special Conditions.

- (a) Site plan and architectural approval by the Community Development Director shall be required for all uses, in accordance with Sections 40.13A and 40.31 of this Chapter.
- (b) Off-street parking and loading facilities shall be required for all uses, as provided in sections 40.25.010. Bicycle parking shall be required for all uses in the amount of no less than ten percent of all required vehicle parking spaces.
- (c) Landscaping and screening shall be in accordance with the provisions of Section 40.26.250.

40.18A.080 Findings for Conditional Use Permits.

In addition to the requirements of Section 40.30.080, retail conditional uses shall require a determination by the Planning Commission that the size is desirable in order to meet community retail needs; that the store will generally offer categories of merchandise otherwise under represented in the City based on the best available economic data; and that the proposed use shall not undermine the economic viability of the downtown in that the use shall be complementary to existing or proposed uses in the downtown and shall continue the preservation of the downtown as the primary retail destination.

40.18A.090 Design Principles.

The following design principles shall be incorporated into all new community retail developments. These design principles shall be considered and incorporated as feasible into converted or altered community retail developments:

- (a) Buildings shall be oriented to the street and sidewalk.
- (b) Parking areas shall be located behind buildings.
- (c) Bicycle parking shall be provided near building entrances, with convenient and logical access to bikeways and streets.
- (d) Pedestrian connections shall be provided from adjacent properties.
- (e) Buildings shall incorporate energy-efficient and environmental concepts such as natural ventilation and lighting.
- (f) Centers shall include outdoor seating and gathering areas for customers and employees.

Section 2. Section 40.25.090(t.5) of Chapter 40 is added to the Davis Municipal Code, to read as follows:

(t.5) Shopping center, community, one for each 350 square feet of gross area of nonresidential use, plus one for each dwelling unit.

Section 3. Section 40.26.020(e.5) of Chapter 40 is added to the Davis Municipal Code, to read as follows:

(e.5) **Community retail district.** The following regulations shall apply in the community retail district:

(1) Maximum square footage for the C-R district is to be computed on the basis of Table 1.5, and section 40.26.020(a)(14).

(2) Signs shall only be illuminated at such times as premises are open for business.

(3) In addition to the sign area allowed in Table 1, community retail centers may also have freestanding signs. Freestanding signs shall include center identification, and may also include the names of tenants. Freestanding signs exceeding eight feet, up to a maximum of twenty-five feet in height, may be approved with a conditional use permit. Pole signs are not permitted.

Low profile signs are permitted in the C-R district for service stations in addition to the shopping center identification signs.

(4) Sign programs shall be prepared for all new and renovated centers.

(5) The following formula for maximum square footage of signs shall determine the total area allowed for signs for premises which front upon the ground level of a street, public way or public or customer parking area. If premises do not so front, the total area shall not be increased and it shall be divided according to paragraph (a) (14) of this section.

TABLE 1.5: Formula For Maximum Square Footage of Signs	
Premises Frontage (in Feet)	Maximum Permitted Sign Area (In Square Feet)
20	42
30	50
above 50	75

Section 4. The Zoning Map of the City of Davis is hereby amended by rezoning the Davis Manor Shopping Center from Planned Development 16-80 to Community Retail, as shown in Exhibit A.

Section 5. The City Council hereby finds that all the following are true and correct:

1. That the proposed amendment is in general conformance with the city general plan, which contains policies and a Land Use designation for Community Retail uses to be accommodated in the City of Davis.

2. That the Planning Commission held a public hearing on ____, to consider this proposed ordinance and recommended its approval by the City Council.

3. That the adoption of this ordinance creating the Community Retail zoning district will have no adverse impact on the environment, as shown in the Initial Study for Negative Declaration #.

4. That the public necessity, convenience and general welfare require the adoption of this amendment to implement the vision of the General Plan and provide for greater shopping opportunities within the City of Davis.

INTRODUCED on _____, 2005, and PASSED AND ADOPTED by the City Council of the City of Davis on this ____ th day of _____, 2005, by the following vote:

AYES:

NOES:

ABSENT:

Ruth Uy Asmundson
Mayor

ATTEST:

Zoe Mirable
Interim City Clerk

Attachment 3 Design Review; DR#12-05

Findings for Approval

1. The proposed project is consistent with the objectives of the general plan, complies with applicable zoning regulations, and is consistent with any adopted design guidelines for the district within which the project is located, in that this Design Review approval is contingent upon the General Plan and zoning amendments that would allow the proposed use in this location, and that the General Plan has visions to enhance neighborhoods and develop a broad range of services to serve the community.
2. The proposed architecture, site design, and landscape are suitable for the purposes of the building and the site and will enhance the character of the neighborhood and community, in that the proposed façade changes increase consistency with the new design of the remainder of the center.
3. The architectural design of the proposed project is compatible with the existing properties and anticipated future developments within the neighborhood in terms of such elements as height, mass, scale and proportion, in that the new colors will be a better complement to the renovated façade on the building to the east, and the proposed sign area better accommodates identification for Dollar Tree and future tenants on the site.
4. The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation, in that no changes to the parking lot are proposed, except possibly closing one extraneous driveway.
5. The location, climate, and environmental conditions of the site are adequately considered in determining the use of appropriate construction materials and methods. Sufficient conditions are included with the approval to ensure the long-term maintenance of the project.

Conditions of Approval

1. **SUBSTANTIAL CONFORMANCE.** The project shall be completed in substantial conformance to the plans presented to the City Council on December 13, 2005, except as modified herein. Design changes that require modifications to uses, elevations or site features shall be submitted for review and approval through the planning review process as a Design Review. Prior to issuance of Certificate of Occupancy, all conditions of approval and required improvements shall be completed to the satisfaction of the Community Development Department.

2. **RUN WITH THE LAND.** The terms and conditions of this approval shall run with the land and shall be binding upon and be to the benefit of the heirs, legal representatives, successors, and assignees of the property owner.
3. **PERMIT EXPIRATION.** The approval period for this Design Review shall become null and void after a period of 18 months if either the use permit has not been used or if substantial construction in good faith reliance on the approval has not commenced subsequent to such approval. The Community Development Department may extend the expiration date for one or more periods not exceeding a total of 18 months upon a showing that the circumstances and conditions upon which the approval was based have not changed. A written request for a time extension, application, required exhibits and plans, and applicable fees must be submitted at least thirty days prior to the expiration.
4. **CONTINGENCIES.** This project is contingent upon the approval of GPA #3-05 Portions of the sign approval are contingent upon the approval of Rezoning application #2-05. (See Conditions 11 and 12.)
5. **BICYCLE PARKING SPACES REQUIRED.** A total of eleven bike parking spaces shall be provided. Bicycle racks shall be Creative Pipe Series LR or Urban Accessories Model E or equal. Bike parking should be conveniently located on site or adjacent to the sidewalk or front courtyard for accessibility reasons. Placement of racks shall be carefully considered to minimize conflicts with pedestrian travel. If bike parking must be located on a pedestrian walkway, then the applicant shall provide 4' for pedestrian right of way and 6' for bike parking. Final location and type of bicycle rack shall be verified prior to issuance of building permits.
6. **EXTERIOR COLOR.** Prior to the issuance of permits, preliminary samples of exterior paint colors and materials shall be submitted for review and approval by the Community Development Department. The design, placement and color of the building materials shall be as provided on the color elevations submitted on November 2, 2005, except as modified by these conditions of approval. Minor changes in materials and color selection may be made through the Community Development Department's Minor Improvement process. Details shall be provided on the working plans to the satisfaction of the Community Development Department prior to the issuance of permits.
7. **EXTERIOR LIGHTING.** Any new or replacement exterior light fixtures shall be directed so as to not adversely impact traffic or adjacent sites. New light standards should generally not exceed 15 feet in total height and shall comply with the provisions of the City's Outdoor Lighting Control Ordinance as well as the City's Security Ordinance. Details of any new or replacement exterior light fixtures shall be submitted for review and approval by the Community Development Department prior to issuance of permits. All lighting fixtures shall

be complementary to the building architecture. Commercial looking “wall packs” are discouraged and will not be permitted.

8. **EXTERIOR STORAGE.** All outside storage areas shall be permanently screened from view. Design details shall be reviewed and approved by the Community Development Department prior to the issuance of permits.
9. **EXTERIOR SALES/DISPLAYS.** No outside sales, displays or storage shall be allowed. Temporary exterior sales promotions may be permitted upon the approval of a Temporary Use Permit.
10. **SIGNS.** This design review approval includes approval for three signs: one on the building for each of the two tenants (Dollar Tree and “future tenant”), and a freestanding sign at the northern edge of the property. Additional signs require subsequent design review approval.
11. **ON-BUILDING SIGN.** Each on-building sign is limited to a maximum of 75 square feet if rezoning application #2-05 is approved. Otherwise, the on-building sign is limited to a maximum of fifty square feet.
12. **FREESTANDING SIGN.** The freestanding sign shall be of colors and materials to complement the building and the remainder of the center. Applicant shall work with staff to establish the exact design and location of the freestanding sign. The applicant may choose to seek an encroachment permit to place the freestanding sign in the location of one of the extraneous driveways on East Eighth Street. Otherwise, the sign shall be located on the subject parcel. The sign is limited to a maximum of eight feet in height unless a Conditional Use Permit application is approved. If rezoning application #2-05 is approved, the sign may include names of multiple tenants. A combined sign program for all of the Davis Manor Center is encouraged.
13. **CART CORRALS.** Cart corrals, if provided, shall be provided for temporary storage only. No permanent outdoor storage of shopping carts shall be permitted unless otherwise approved by through a design review process. The shopping carts shall be collected and stored at the approved designated place at the end of each workday.
14. **TREE PRESERVATION.** No trees on the site may be removed or pruned substantially without the approval of the Community Development Department, which may consult with the City Arborist before making a determination. Replacement of existing parking lot landscaping is encouraged to further the goal of providing 50% parking lot shading while maintaining visibility of the building and retail signage.
15. **DRIVEWAYS.** Property owner will not object to City closure of up to two driveways on the site.

Attachment 4 Project Data

Project Location/Name:	Davis Manor Shopping Center – Dollar Tree applications	
Applicant:	Linda Duncan for Dollar Tree Stores 1624 Santa Clara Drive, Suite 200 Roseville CA 95661	
Property Owners (“Ralphs site”)	Craig D. Samson Win Properties, Inc. 66 Field Point Road Greenwich, CT 06830	Bea Love Ralphs Grocery Co. 1100 Artesia Blvd Compton CA 90220
Property Owners (Other parcels)	Jim Byers 30 Railroad Avenue Point Richmond CA 94801	George Jandera 1600 East Eight Street Davis CA 95616
Property Size:	2.54 acres (both parcels of “Ralphs site”)	
Building Size:	25,000 square feet (both parcels of “Ralphs site”)	
Existing General Plan Designation:	Neighborhood Retail	
Proposed General Plan Designation:	Community Retail	
Existing Zoning Designation	Planned Development #16-80 for Neighborhood Commercial uses	
Proposed Zoning Designation	Community Retail	
Redevelopment Area	Not within Redevelopment Project Area	
Adjacent Zoning and Land Use		
<u>North</u>	R-3-M and mixed residential	
<u>South</u>	R-3-L and R-1-6, and single-family and duplex residential	
<u>East</u>	R-3-M, mixed commercial (skilled nursing facility, office, minimart)	
<u>West</u>	R-1-6, single-family residential and Valley Oak Elementary School	



31 October 2005

Ms. Katherine Hess
City of Davis
Community Development Department
23 Russell Blvd.
Davis, CA 95616-1318

Facsimile: 530-757-5660 – 1 pg

RE:Davis Manor S/C

Dear Katherine:

Pursuant to our recent telephone conversation, the following is additional information on Dollar Tree Stores and the merchandise found in our typical stores:

DT was founded on the simple premise that every item would sell for \$1. It is not enough to sell merchandise for \$1. The merchandise must be a value. To Dollar Tree, value is a combination of a surprisingly low price and quality.

Dollar Tree stores offer a wide variety of merchandise, including pet supplies, brooms and other household supplies, candy and snacks, gift wrap, cards, party supplies, brand name consumables, framed art, books, DVDs, batteries, crystal stemware, and over-the-counter vitamins, aspirin, and other healthcare staples. Dollar Tree stores are a destination for school projects. Teachers and students enjoy the convenience and value they get on poster board, magic markers, composition notebooks, pens, pencils, and many more items.

Dollar Tree is open 7 days a week, 363 days a year. Dollar Tree stores are prepared to serve the community for its every day needs plus last-minute shopping on Christmas Eve, the morning of Thanksgiving, or on your way home from work. Our stores are the kind that kids just love. Our merchandise mix spans everything from toys, games, baby and toddler products, to party supplies, dolls, and stuffed animals.

In addition to candy and snacks, Dollar Tree stores also carry food and beverage products. In addition to low price and quality, DT wants customers to know they can depend on food and beverage products that they purchase in their stores to be fresh, 100% of the time. Food items include: fruit juices, breakfast cereal and bars, prepackaged pasta, rice and grains, condiments, bread, tortillas, canned fruits and vegetables, canned meat products, sauce mixes, spices, and many other household staples----and yes, some stores even sell varietal wines. Through the use of our new Point of Sale or POS systems, customers also can depend on merchandise to be in-stock. Some stores, after their initial year or two of operation, may have refrigerated and frozen food items added to their sales floor.

Dollar Tree offers quality goods at a great price; name brands that customers trust, and guaranteed freshness. At Dollar Tree, 'Everything's \$1', in every aisle, every day, all year long.

Kind regards,

Linda K. Duncan, Real Estate Manager
Pacific Northwest Region, Dollar Tree Stores, Inc.

Street Address: 1624 Santa Clara Drive, Suite 200, Roseville, CA 95661
Phone: 916-772-1193 Fax: 916-772-1719 email: lduncan@dollartree.com

- **Community Retail**

Intent: To provide opportunities for moderate-sized retail stores in existing retail clusters selling the kinds of retail goods for which there is substantial leakage within Davis, including appliances, electronics, furniture, clothing, and soft goods, and similar types of products.

Allowable Uses: Retail shopping centers and freestanding buildings selling the goods listed above, with ancillary retail uses and restaurants. May include some neighborhood-serving uses such as a food store. Residential uses would be conditionally allowable.

Maximum Floor Area Ratio: 50 percent, with an additional 10 percent allowed for development of shared parking facilities with neighboring uses. An additional 15 percent allowed for the housing component of a mixed-use project.

Special Considerations for Moderate Size Community Retail Stores:

- a. Must be designed and located to maximize accessibility and safety for pedestrians.
- b. Have a unified design that is consistent with and complementary to the City's small town ambience and neighborhood preservation goals.
- c. Incorporate state-of-the-art energy conservation in its planning and design.
- d. If located near a freeway, orient toward the community and away from the freeway.
- e. Favor retail types that are not likely to be able to located in the downtown area and that are not currently adequately available in Davis (such as apparel and soft goods, appliances, home furnishings and electronics).
- f. Shall be allowed only if:
 - 1 The downtown or neighborhood centers cannot accommodate the retail type, and
 - 2 The retail type in question is not adequately available in Davis. Under this provision, the size and type (for example, appliances, electronics) of the conditionally allowed retail use shall be strictly limited to the maximum size (up to 50,000 square feet) and to the specific type(s) of retail uses necessary to address the community's need(s).
- g. The use may not endanger the viability of similar uses in the City's primary and secondary retail zones (i.e. the downtown and existing neighborhood centers).
- h. Retain the overall City goal of maintaining the economic vitality of the downtown and neighborhood centers, and assure, using economic studies, that any community-serving retail use is consistent with this goal.

Business and Economic Development Commission
East Conference Room Davis Joint Unified School District
September 26, 2005

MINUTES

Attendance:

Commission Members: Jen Baker (Planning Commission Liaison), Dick Dorf (Chair), Cynthia Gerber (Alternate), Jon Li, Elinore Moloney, Thomas Powers, Mark Siegler (Finance Commission Liaison)

City Council Members: Ted Puntillo, Ruth Asmundson (City Council Alternate)

City Staff: Ken Hiatt, Heather Johanson

Absent: Chris Bunch, Dennis Lindsay

Chairman Dorf called the meeting to order at 7:02 PM. **Siegler** moved approval of the agenda. The motion was seconded by **Li**. Motion passed. **Gerber** was seated to make a quorum.

Public Comment

No public comment.

Approval of Minutes

August 1, 2005 Regular Meeting minutes were approved with the following amendment: **Siegler** asked that additional discussion be added to the Target discussion to better reflect what was said. Staff was asked to add the text and provide it as an attachment to the Target report for the October 17th meeting.

The minutes were approved by consensus as amended.

Commissioner and Staff Communications

Siegler suggested to the Commission that a joint meeting between the BEDC and the Finance and Budget Commission be considered to discuss overlapping concerns, such as, methodologies for Development Impact Fess.

Li distributed the title page and table of contents from The World is Flat by Thomas Friedman. He will be hosting a discussion on the book. **Moloney** added Donna Lott is teaching a six week course on the book as well.

Commission Liaison Reports

Planning Commission Liaison, Baker, shared that the Planning Commission had recently passed an application for Davis Mitsubishi to construct a new showroom with a unique design incorporating a glass tower within which cars will be displayed. Planning Commission also recently approved a 20' monument sign for the former Shell station site on Chiles Road.

Finance and Budget Commission Liaison, Siegler expanded on his previous comment that the Finance and Budget Commission has been working with the City Council on the structural deficit. The City's reserve is still above 15% (approx. \$5 million). A vacancy rate should be built in to help with spending surprises in the budget. **Asmundson** added that on at the October 4th Council meeting the reserve policy and a discussion of a tax initiative for the next ballot and future workshops on the budget will be items on the agenda.

Davis Manor/Dollar Tree

Hiatt began with the background of the relationship of the BEDC and Davis Manor then described the application submitted by Dollar Tree to locate in the Davis Manor Shopping Center, specifically the former Ralphs site. Dollar Tree would assume 12,500 square feet of the existing 25,000 square foot building. Entitlements requested are a general plan amendment, preliminary planned development, final planned development, design review and a negative declaration. Staff's preliminary recommendation is to change the land use designation for the center from Neighborhood Retail to Community Retail. This would eliminate the grocery store requirement for the center and allow for greater flexibility for both neighborhood and broader community serving retail uses.

John Fox of Dollar Tree Stores briefly presented their application to the BEDC. Dollar Tree is proposing to demise the interior space creating two 12,500 square foot spaces and upgrade the façade to compliment the center. Dollar Tree is a discount retailer with approximately 3000 stores in the United States providing cosmetics, candy, party supplies and pre-packaged foods. The retailer is able to provide low prices due to closeouts, package changes and relationships with national brands as a large buyer. The products at Dollar Tree fill a niche in the community by providing products for \$1 or less.

Linda Duncan representing Dollar Tree explained that their products are not seconds and 80% are not closeouts. The volume of sales produced by the Dollar Tree allows the company to buy and sell and a lower price. Duncan informed the Commission that Dollar Tree's lease is for 20 years with 5 year options.

Baker asked how the Dollar Tree is involved in the Community. **Fox** responded that it is up to the manager of each location to determine community involvement.

Puntillo asked how much revenue is produced by a Dollar Tree of this size annually. **Jim Carlson** responded that variety stores of this nature generally produce \$1.5 million in sales annually and the Davis location can estimate 400 customers per day. **Duncan** added that 14% of the products sold are nontaxable.

Fred Buder asked what stores are complimentary to the Dollar Tree. **Jim Carlson** responded saying that he is looking for a daycare center use, but appliances, hardware and just about anything else other than the 99 Cent Store.

Gerber asked for the timeline of the Halloween Headquarters lease which is currently occupying the space and was informed that they would vacate by November 15, 2005.

Baker agreed with an earlier comment made by **Li** that this application is somewhat hard to review as they are being asked to review policy and a proposal simultaneously. And asked how this is the only viable option on the table. **Hiatt** responded saying that due to Ralphs re-signing their lease this is the only viable option at this time.

Dorf reminded the Commission that there was a concept to redevelop the site to include housing and commercial. The Commission directed staff to work on this concept which eventually failed due to the divided ownership of the site and lack of willingness among the various owners to sell their property. **Hiatt** confirmed this saying that only Ralphs was willing to come to the table with the developers.

Baker said that circulation of the site must be looked at with this application.

Dorf suggested that we have to start somewhere and posed the question, would the Dollar Tree application be more attractive if issues such as circulation and policy were solved.

Siegler discussed two points: 1. a zoning change to the center is unfair to not have the grocery store requirement as the other neighborhood centers will still be held to this requirement. There should be a standard applied to all centers; and 2. If \$1.5 million is the estimated revenue for this location then the City will receive \$22,500 in sales tax revenue, as this number is so low this is not an issue that should be used to review this application.

Puntillo stated that the Dollar Tree will be community serving and they will not have competition as they will be the only store of this kind in town. Dollar Tree will warm up the site and be beneficial to the other stores within the center.

Li stated the proposal to change the designation of the center to community retail does not make sense as it is the same thing as neighborhood retail with the exception of a few standards regarding size. The BEDC recommended that the grocery store requirement be lifted from all neighborhood centers and that is not what staff is proposing.

Craig Blomberg expressed concern with the approach of processing policy and project together as he believed a use other than a grocery store was not allowed to locate in the vacant space at Davis Manor Shopping Center.

Hiatt described the benefits of having an application prior to changing policy. The application provides the language for change and it provides comfort as the proposed outcome is more clearly understood.

Steve Greenfield said that he is lukewarm with the idea of Dollar Tree and is concerned with new business going into the site without making changes to the circulation and the frontage. He suggested reviewing what amenities are and should be provided as well as complimenting Mr. Byers façade revitalization plan.

Moloney asked to hear the objections of the public in the room. **Greenfield**, not much community involvement and no plans for amenities or circulation improvements. **jesikah**

maria ross, concerned about safety issues, lukewarm on Dollar Tree, would like to see compatibility between site proposed site and remainder of center. **Member of Public**, have been to other Dollar Tree stores and found products to be items you don't really need. Concerned about limiting the remaining vacant space to a 12,500 square foot user. **Randy Schuster** said that he is a member of a group interested in the remaining 12,500 square foot space. Our use is a Judo Club, this use would be easier for children to get to as well as faster. **Fred Buderer** These priorities come from 6 years of community work. Site improvements always come up and if or when the City decides to do a zoning change we want to see something long term. **Jim Carlson** also explained that he does not look for fitness center uses due to their demand for parking. He looks for uses requiring 3-4 spaces per 1000 square feet. **Deb Marin** misses having a grocery store, however sees the value of the Dollar Tree – she said her kids will love it. In addition she expressed concern for the existing party store. **Jim Carlson** said the party store should benefit from the Dollar Tree due to increased traffic to the center and because they carry a different line of products. **Li** also believes the party store will be positively impacted and that the store is gaining a strong reputation. **Sally (neighborhood resident)** expressed opposition due to lack of research of the gas plume on site. **Janis Lott** spoke in favor of the project as she has not anticipated a grocery store returning to the site, however she agreed that the site should look unified with the remainder of the center.

Asmundson explained she would like to see results. Each Council has had to start fresh with the issue of blight at Davis Manor. Opposition to this proposal may cause this the next Council to start over once again. Asmundson acknowledged that the site is challenged due to location and lack of cooperation by the owners. She encouraged to Commission to be realistic and pragmatic.

Siegler express that the proposal is not perfect but it is retail, circulation can be solved. **Baker** believes the site is appropriate for the Dollar Tree as it is an established “discount” center and that Dollar Tree should be required to help solve the concerns of the neighborhood.

Li stated that Dollar Tree is a viable option and every store strives to be city wide.

Li moved that the BEDC recommend:

- 1. The Dollar Tree proceed with their application; and**
- 2. Architecture, signage and circulation of the site be reviewed; and**
- 3. Funding options for improvements to the site be studied; and**
- 4. The designation of Neighborhood Commercial be maintained and the grocery store requirement for this site be waived.**

Siegler seconded to motion. Motion passed unanimously.

Attachment 9A – BEDC Recommendation

RESOLUTION OF THE CITY OF DAVIS STATING ITS INTENT TO AMEND THE GENERAL PLAN TO CHANGE THE DESIGNATION FOR THE UNIVERSITY MALL AREA FROM NEIGHBORHOOD RETAIL TO COMMUNITY RETAIL

WHEREAS, the City of Davis has a significant sales tax leakage in the areas of furniture, apparel, and other household goods; and

WHEREAS, residents of Davis frequently drive to other communities to purchase merchandise that is not readily available within the City of Davis; and

WHEREAS, the Davis Manor is located on a minor arterials and a convenient distance from Pole Line Road; and

WHEREAS, the anchor space in the Davis Manor Center has been vacant since early 2002 and food store operators have not shown interest in occupying the space; and

WHEREAS, the Oak Tree Plaza and Oakshade Town Center centers, each with a food store, provide residents with grocery shopping opportunities within a reasonable distance; and

WHEREAS, Negative Declaration 7-05 adequately assesses the impacts of this General Plan Amendment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAVIS THAT IT INTENDS TO TAKE THE FOLLOWING ACTION:

1. To amend the City of Davis Land Use Text with to exempt Davis Manor from the food store requirement, as shown in Attachment A to this Resolution.

PASSED AND ADOPTED THIS __th DAY _____, 2005, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Ruth Uy Asmundson, Mayor

ATTEST:

City Clerk

ATTACHMENT A
RESOLUTION _____
GENERAL PLAN TEXT CHANGE

(Change to Land Use and Growth Management, Chapter 1)

Policy LU C.2 All Neighborhood shopping centers shall include neighborhood grocery stores / supermarkets except for the properties located at the southeast corner of Peña Drive and Fifth Street (commonly known as Fifth Street Commerce Center) and the Davis Manor Center, on East Eighth Street at M Street.

Use Permit Findings and Conditions

Planned Development #16-80 language

The replacement or elimination of a food market upon said property, may be permitted as a conditional use, provided that in addition to the findings required by Section 28-228 of Chapter 29 of the Code of the City of Davis, 1971, as amended, the Planning Commission, zoning administrator, or other person or agency empowered to issue such conditional use permit shall find that the continued operation of a food market on the subject property no longer constitutes a viable use of the property. In determining whether such use remains a viable use of all or a portion of the property, evidence to be considered shall include, but not be limited to, evidence of the ability of the property owner or representative to obtain a buyer or tenant to continue such use as a food market, and their good faith attempt to do so. However, evidence that such continued use is not as economically beneficial as previously was the case or that financial expectations of the owner or representative may not be fulfilled shall not necessarily establish that such continued use is not viable.

Findings for the Approval of Conditional Use Permit to eliminate the food market requirement for Planned Development #16-80 (Davis Manor Center)

1. That the proposed structure or use conforms to the requirements and intent of Chapter 40 and the General Plan, in that the General Plan is being amended to make the food store requirement otherwise applicable in the Neighborhood Retail designation inapplicable to the Davis Manor Center.
2. That the Conditional Use will not, under the circumstances of the particular case, constitute a nuisance or be detrimental to the public welfare of the community, in that exempting Davis Manor from the food store requirement will further re-tenancy of the anchor space and add vibrancy, customers, and employees to the center.
3. That any additional conditions or requirements stipulated by the Planning Commission or City Council have been or will be met, in that building permits will be reviewed for compliance with Design Review conditions and no other conditions are anticipated for this use permit.
4. The Planning Commission has determined that a food store is not a viable use of the store space at 1800 East Eighth Street is no longer viable as a food market for the following reasons:
 - a. The store space has been vacant since early 2002, despite continued efforts to secure a food store tenant.
 - b. The Davis Manor center is not on a major arterial. Vehicle trips are around 8,500 ADT, compared to over 10,000 ADT on Pole Line Road.
 - c. The zoning limits the size of a food store tenant to 25,000 square feet and the total size of the center to 50,000 square feet. These are below the sizes of viable food stores and neighborhood shopping centers in suburban areas.

Attachment 10
Project Consistency with General Plan Policies

Relevant General Plan Policies	Explanation and Discussion
Consistent	
<p>Visions: Enhance neighborhoods by supporting schools, retail centers, parks and community facilities that can be the foci and gathering places for each neighborhood. Develop a broad range of services and businesses to meet the daily needs of Davis citizens for employment, shopping, education, and recreation.</p>	<p>The addition of community-serving retailers, including Dollar Tree, will add vitality to Davis Manor while increasing shopping opportunities for Davis residents.</p>
<p>Policy LU 3.1 Create an efficient system of planning and zoning Action c. Periodically review Zoning Ordinance performance standards and revise them as needed to ensure high environmental quality, streamlined processing where appropriate, and compliance with State standards. Policy ED 3.2 Action I Clarify and simplify regulations and processing of development applications. Policy IMP 4.1 Streamline the permit-approval process to the extent feasible.</p>	<p>The proposed <i>Community Retail</i> zoning district would replace the existing Planned Development for the Davis Manor center. Additional building or changes in use, if consistent with the zoning, would require administrative design review but not a Planning Commission public hearing for a Final Planned Development. Other uses would be subject to PC review of a use permit, but not City Council hearing unless appealed.</p>
<p>Policy MOB 2.1 Use parking as a transportation system management technique. Action d. Review city parking standards for residential and non-residential uses, with priority on non-residential uses, to recognize the utilization of transit and other modes and reflect shared parking opportunities.</p>	<p>The parking standards for the proposed <i>Community Retail</i> zoning district are significantly lower than the <i>Neighborhood Commercial</i> standards.</p>
<p>Policy UD2.5 Action b Update and maintain sign regulations as part of the City’s zoning ordinance.</p>	<p>The proposed <i>Community Retail</i> zoning district includes sign standards that have the potential to increase visibility for businesses throughout the center.</p>
Potentially Consistent	
<p>Policy LU C.2 All neighborhood shopping centers shall include neighborhood grocery stores / supermarkets.</p>	<p>The proposed zoning and general plan designations would remove the food store requirement for Davis Manor. Food stores would continue to be a permit use under the proposed zoning.</p>

Relevant General Plan Policies	Explanation and Discussion
<p>Policy MOB 3.3 Action d Prepare and implement bicycle parking standards for new developments</p>	<p>The proposed <i>Community Retail</i> zoning district includes a bicycle parking standard of ten percent of vehicle parking spaces. The Dollar Tree design review includes a recommended condition for eleven bicycle parking spaces.</p>
<p>Text, p63 (Principles Used in Creating Land Use Map) It is the intent of this General Plan to prevent major concentrations of retail uses that would compete with the downtown and neighborhood centers. To implement this intent, prohibit new designations or rezonings for retail shopping centers outside of the downtown and neighborhood centers.</p>	<p>Although the proposed General Plan Amendment would re-designated Davis Manor from <i>Neighborhood Retail</i> to <i>Community Retail</i>, the center would remain the retail center for the Davis Manor area. A continued neighborhood-serving retail presence is anticipated, and the applications are intended to strengthen the ability of the center to meet neighborhood needs.</p>
<p>Potentially Inconsistent or Not Sufficient to Demonstrate Consistency</p>	
<p>Policy MOB 1.7 Action a Develop “corridor plans” for selected streets which warrant special treatment because of existing impact problems or problems related to future projected conditions.... The streets to consider for participation in this program are listed below in order of priority.</p> <p>...</p> <p>3. Eighth Street</p> <p>...</p>	<p>This application does not propose changes or a corridor plan for East Eight Street. The General Plan policy does not establish timelines or funding for the corridor plans, and it does not require the corridor plan to be approved or completed before considering land-use applications on the street.</p>
<p>Policy UD 1.1 Standard d Where possible, commercial buildings should abut the street or other public accessway, with parking located behind.</p>	<p>The existing buildings are separated from the street by the parking lot. No changes are proposed as part of this application The proposed <i>Community Retail</i> zoning district includes a design principle consistent with this General Plan standard, but there is no guarantee that there will be additional future development on the site.</p>

**Project Compliance with Zoning Standards
(Davis Manor Center overall)**

Standards	Required/ Permitted	Proposed/Provided	Compliance
Setbacks			
Front	Current: Proposed: 0'	150-175'	Yes
Rear (1 st)	Current: Proposed: 20'	20-66'	Yes
West side	Current:	60'	Yes
East Side	Proposed: 0'	150'	Yes
Off-Street Parking Spaces (Retail use)	Current: 250 spaces <i>1 per 200 sf. of retail</i> Proposed: 143 spaces <i>1 per 350 sf. of retail</i>	188 spaces	Yes, under proposed zoning
Bicycle Parking	Proposed: <i>10% of required off-street parking</i>	Eleven new spaces recommended for Dollar Tree	Yes, as recommended and conditioned
FAR	Current: 50%, plus 10% for shared parking and 15% for residential Proposed: 50%, plus 15% for residential	25% (50,000 sf on 4.67 acres)	Yes
Maximum Lot Coverage	Current: 50-70,000 sf Proposed: Based upon FAR	Approx 50,000 sf	Yes
Maximum Building Height	Current: 1 story to 30' Proposed: 30-50'	One story, est. 18 feet	Yes
Site Landscaping	10% required	undetermined	No changes proposed to buildings or site
Parking Lot Shading	10% shading required	Undetermined. There are numerous trees, but many are in poor health	No changes proposed to buildings or site

Options for Dollar Tree / Davis Manor Applications			
	Re-designate and rezone for Community Retail uses (staff and Planning Commission recommendation)	Text change and exemption for food store requirement (BEDC recommendation)	Deny applications
Resultant General Plan designation	Community Retail (same as University Mall)	Neighborhood Retail (same as Oak Tree Plaza, Oakshade Town Center...) but no food store requirement	Neighborhood Retail, including food store requirement
Resultant zoning	Community Retail (new zoning district)	PD# 15-80 and Commercial Neighborhood Combining District, with CUP exemption from food store requirement	PD# 15-80 and Commercial Neighborhood Combining District, including food store requirement
Accommodates Dollar Tree?	Yes	Yes	No
Permitted uses for other 12,000 square feet	Range of community or neighborhood retail or office uses	Office, neighborhood retail, neighborhood personal service	N/A – food store required, with a minimum of 15,000 square feet
Development standards	<ul style="list-style-type: none"> • Max 75 square feet per use, one or more freestanding signs per frontage, no more than 8’ high without CUP approval 	<ul style="list-style-type: none"> • Max 50 square feet per use, one freestanding sign per frontage, no more than 8’ high 	<ul style="list-style-type: none"> • Max 50 square feet per use, one freestanding sign per frontage, no more than 8’ high
<ul style="list-style-type: none"> • Parking 	<ul style="list-style-type: none"> • One space per 350 sf non-residential and one space per dwelling unit 	<ul style="list-style-type: none"> • One space per 200 sf of gross leasable floor area 	<ul style="list-style-type: none"> • One space per 200 sf of gross leasable floor area
<ul style="list-style-type: none"> • FAR • Total center size 	<ul style="list-style-type: none"> • 50%, with additional 15% allowed for residential and 10% for shared parking 	<ul style="list-style-type: none"> • 50- 70,000 square feet (CN limit) 	<ul style="list-style-type: none"> • 50- 70,000 square feet (CN limit)
<ul style="list-style-type: none"> • Height limit 	<ul style="list-style-type: none"> • 50 feet,; 30’ within 25’ of a R-1 district 	<ul style="list-style-type: none"> • 2 ½ stories or 30 feet; 1 story within 75’ of a R-1 district 	<ul style="list-style-type: none"> • 2 ½ stories or 30 feet; 1 story within 75’ of a R-1 district

Options for Dollar Tree / Davis Manor Applications

	Re-designate and rezone for Community Retail uses (staff and Planning Commission recommendation)	Text change and exemption for food store requirement (BEDC recommendation)	Deny applications
<ul style="list-style-type: none"> • Front setback 	<ul style="list-style-type: none"> • 0 feet 	<ul style="list-style-type: none"> • 20 feet 	<ul style="list-style-type: none"> • 20 feet
<p>Advantages</p>	<ul style="list-style-type: none"> • Dollar Tree tenancy would add new activity, customers, and employees to Davis Manor • Façade, roof, utility, and demising wall improvements increase leasibility of remaining store space • The food store requirement in the zoning will be an ongoing hindrance to leasing the property to a full range of future uses • Allows wider range of retail uses that meet neighborhood and community needs • Draft zoning district reflects New Urbanist vision and some of neighborhood desires. • New zoning district may provide incentive for further revitalization of Davis Manor. 	<ul style="list-style-type: none"> • Dollar Tree tenancy would add new activity, customers, and employees to Davis Manor • Façade, roof, utility, and demising wall improvements increase leasibility of remaining store space • Does not require rezoning the shopping center or shifting its focus from serving the immediate neighborhood 	<ul style="list-style-type: none"> • Re-affirms the City’s desire to have a food store in every neighborhood; shows City’s willingness to hold out for its desired services.

Options for Dollar Tree / Davis Manor Applications

	Re-designate and rezone for Community Retail uses (staff and Planning Commission recommendation)	Text change and exemption for food store requirement (BEDC recommendation)	Deny applications
Disadvantages	<ul style="list-style-type: none"> • Reduces availability of space for any potential food store tenant • Does not fully answer question of whether food store requirement should be removed for all neighborhood centers (BEDC original suggestion) 	<ul style="list-style-type: none"> • Reduces availability of space for any potential food store tenant • Retains existing C-N zoning with PD #15-80. The requirements are based upon suburban standards, are not well-written, and are not codified • Does not allow additional residential uses; total center size is limited to 50,000 square feet • Does not fully answer question of whether food store requirement should be removed for all neighborhood centers (BEDC original suggestion) 	<ul style="list-style-type: none"> • May result in continued vacancy of the anchor space • Continued vacancy seems likely to reduce viability of the center • Does not allow additional residential uses; total center size is limited to 50,000 square feet •

Environmental Checklist and Initial Study

Project Title: Davis Manor Shopping Center, General Plan Amendment

Lead Agency Name and Address: City of Davis
Community Development Department
23 Russell Blvd.
Davis, California 95616

Contact Person and Phone Number: Katherine Hess, Community Dev't Administrator
(530) 757-5652

Project Location: 1600-1800 East Eighth Street (south side), Davis

Project Sponsor's Name and Address: Linda Duncan for Dollar Tree Stores
1624 Santa Clara Drive Suite 200
Roseville CA 95661

General Plan Designation: Neighborhood Commercial

Zoning: Planned Development #15-80

Description of Project: General Plan Amendment and Rezoning to change the designation of the center from Neighborhood Commercial to Community Retail use, to allow a value-oriented variety store to occupy approximately 13,500 square feet of the center.

Surrounding Land Uses and Setting: South, single-family residential
North, mixed single- and multifamily
West, single-family and elementary school
East, office and skilled nursing facility

Previous Relevant Environmental Analysis:
General Plan Update EIR, 2001

Other Agencies whose Approval is Required:
None

Environmental Factors Potentially Affected: The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION:

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Date

Katherine Hess, AICP
Printed Name

City of Davis – Community Development Department
Agency

EVALUATION OF ENVIRONMENTAL IMPACTS:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Provide a Brief Explanation for all answers except “No Impact” answers.

The project includes interior and exterior improvements to the existing 25,000 square foot building. The exterior improvements are proposed to be new materials on the mansard roof, new on-building and freestanding signage, and a revised color palette to complement the colors of the western portion of the Davis Manor Center. The colors and elevation changes are subject to the City’s standard Site Plan and Architectural Review process and will be considered by the Planning Commission and City Council at public hearings. As design compatibility will be required, impacts are less than significant.

II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Provide a Brief Explanation for all answers except “No Impact” answers.

III. **AIR QUALITY** -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- | | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|---------------------------------------|--|-------------------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Provide a Brief Explanation for all answers except “No Impact” answers.

IV. **BIOLOGICAL RESOURCES** -- Would the

project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Provide a Brief Explanation for all answers except “No Impact” answers.

V. CULTURAL RESOURCES -- Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Provide a Brief Explanation for all answers except “No Impact” answers.

VI. GEOLOGY AND SOILS -- Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

Provide a Brief Explanation for all answers except “No Impact” answers.

VII. HAZARDS AND HAZARDOUS

MATERIALS: Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Provide a Brief Explanation for all answers except “No Impact” answers.

VIII. HYDROLOGY AND WATER QUALITY -- Would the project:

- | | Potentially Significant Impact | Less Than Significant with Mitigation Incorporation | Less Than Significant Impact | No Impact |
|---|---------------------------------------|--|-------------------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge requirements? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Provide a Brief Explanation for all answers except “No Impact” answers.

IX. LAND USE AND PLANNING - Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Provide a Brief Explanation for all answers except “No Impact” answers.

The zoning and General Plan designation for the Davis Manor center include requirements for a food store. Dollar Tree does not meet that definition. The proposed project includes amendment to the General Plan and the zoning to change the requirements from Neighborhood Retail to Community Retail. This would eliminate the food store requirement and allow occupancy by Dollar Tree. Impacts to the land use plan, after amendment, would be less than significant.

X. MINERAL RESOURCES -- Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Provide a Brief Explanation for all answers except “No Impact” answers.

XI. NOISE -- Would the project result in:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

levels existing without the project?

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

Provide a Brief Explanation for all answers except “No Impact” answers.

XII. POPULATION AND HOUSING -- Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Provide a Brief Explanation for all answers except “No Impact” answers.

The Dollar Tree store would have approximately 20 to 30 employees. Most employees would likely be existing residents of Davis or nearby communities and overall impacts on population are less than significant.

XIII. PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Provide a Brief Explanation for all answers except “No Impact” answers.

XIV. RECREATION --

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
--	---	--	---	----------------------

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Provide a Brief Explanation for all answers except “No Impact” answers.

XV. TRANSPORTATION / TRAFFIC --

Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Provide a Brief Explanation for all answers except “No Impact” answers.

The Dollar Tree Store would generate 57 trips/1,000 sf of building (ITE Code 815) which is less than what was previously zoned for (Supermarket, 102 trips/1,000 sf of building, ITE Code 820). Therefore no further analysis is necessary and impacts are less-than-significant.

Davis Manor currently has 188 marked parking spaces serving approximately 50,000 square feet of leasable floor area. Additional space that could be used for parking is available at the corner of East Eighth and M Streets, and at the southwest corner of the center.

The applications may include a revision to the parking standard for the center, from one space per 200 square feet of leasable area to one space per 350 feet of leasable non-residential area, plus additional spaces for any residential units. These standards are consistent with standards used for community-serving commercial uses in other jurisdictions and slightly higher than the

parking standards for downtown Davis. The Dollar Tree store is expected to generate fewer vehicle trips, and therefore less parking demand, than the previous grocery store. Overall parking impacts are less than significant.

The General Plan Amendment and rezoning would potentially allow increased development on the site. No specific proposals are envisioned at this time. Any additional commercial or residential construction would be subject to discretionary review by the City of Davis and environmental assessment, including analysis of parking adequacy.

XVI. UTILITIES AND SERVICE SYSTEMS -

- Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project=s projected demand in addition to the provider=s existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Provide a Brief Explanation for all answers except “No Impact” answers.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE --

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Provide a Brief Explanation for all answers except "No Impact" answers.

November 22, 2005

To: City of Davis, Planning Division

attn: Katherine Hess

From: Davis Manor Neighborhood Shopping Center Committee

We've discussed the pending General Plan Amendment, Zoning Change and Planned Development. We have prepared the following comments for your consideration and for you to forward to the Planning Commission. These comments are based on our desire to see continued movement toward the revitalization of the shopping center.

The Davis Manor neighborhood is a key stakeholder in keeping the shopping center a successful commercial place of business. The Davis Manor Neighborhood Council (DMNC), established in 1998, has a long and involved history with efforts to preserve and enhance the center. The DMNC is a residents' association that has identified the revitalization of the shopping center as a core priority. Most recently, the DMNC shopping center committee has been deeply engaged in helping Dollar Tree and the City find a way to make the proposed changes to City land use policy something that will be successful for everyone involved. We think we have found a way to express everyone's agreement that the shopping center and surrounding environs will continue to be an important part of the City.

- We understand that this proposed change will permit Dollar Tree and/or a wide variety of other types of retail uses, to locate in the Davis Manor Shopping Center without requiring a food store to be located at the center. This is a significant departure from one of the City's longest-standing planning policies for ensuring strong neighborhoods. We're also acutely aware of how well the Davis Manor Shopping Center fits in to the surrounding neighborhood, and coexists well within one of the more mixed use areas in town. In this area, shopping, single family homes, hundreds of apartment units, an elementary school, churches, day care centers, a City park, care facilities, and office uses all coexist within a few blocks of each other.

- Therefore, we believe that the proposed Community Retail (CR) designation and zoning may provide the best available framework for continued revitalization of the Davis Manor Shopping Center. We support this change provided the following components are included in the General Plan Amendment:

1) The General Plan amendment would include specific policies and implementation steps/strategies that designate the Plan Amendment as a "roadmap for a revitalization plan to provide regulatory guidelines for private commercial development and a capital improvement plan for public investment within the plan area and associated street corridors". [From our perspective, this will initiate a planning process as has been similarly done for the B Street Planning Area currently under study by the City];

2) The General Plan amendment would include the designation of E. 8th St. as an adopted "Corridor Plan" area, from L Street to Pole Line Road [This step would be

similar to the process that was used for development of the successful corridor plan for Pole Line Road when the City's transportation plans were amended to approve the Pole Line Road Over-crossing. At that time, future corridor plans were envisioned by the City in this part of town. This proposed major land use policy change for the neighborhood shopping center would be the appropriate trigger point for initiating the E. 8th Street Corridor Plan.]

3) The Corridor Plan's purpose would be to direct the preparation of a plan for pedestrian/bike/auto improvements to the corridor with the goal of improving safety, improving business accessibility for pedestrians, bicyclists and motorists, and revitalizing the appearance of the corridor. [This would build on and complement the steps that the school district has accomplished with recent dramatic improvements to Valley Oak Elementary School's street frontage appearance and traffic flow, where driveways were eliminated, better sidewalks and street crossings were provided and substantial improvements to the site aesthetics were installed].

4) The General Plan Amendment would validate, in policy form, the results/findings/visions from the well attended, City funded, Davis Manor Shopping Center Design Charette conducted several years ago, as the basis to proceed with more detailed plans for specific improvements that could be incorporated into future private and public projects in the area.

5) The action to adopt the plan amendment would include establishment of a project initiation step to formalize the development of a timeline for a corridor action plan and would establish a return date for staff to present the action plan to the City Council.

We believe that this type of comprehensive approach for an updated City land use and capital improvements policy for this part of Davis will best balance the needs and desires of all parties involved (City, neighbors, business, property owners).

Davis Manor residents, through our neighborhood association will continue to devote whatever time and efforts we can to ensuring success in the shopping center revitalization.



One Shields Avenue
Davis, California 95616-8579

November 23, 2005

Katherine Hess, Community Development Administrator
City of Davis, Community Development Department
23 Russell Blvd
Davis, CA 95616

Dear Ms. Hess:

On the November 30 Planning Commission agenda, one of the items related to the proposed Dollar Tree store is to, "Approve Design Review application #12-05, including tree removal permits, for exterior changes to the eastern portion of the shopping center." To the extent that there may be changes planned for the parking lot (such as improved lighting and pedestrian circulation), Unitrans would like to alert you to the possibility of a future bus stop located along the frontage of the shopping center. Currently, the bus on 8th Street (L Line) turns on Chestnut. Our forthcoming short-range transit plan includes a proposal to extend the line along 8th Street to travel north/south on Pole Line instead of Chestnut. This revised route would allow for a bus stop directly in front of the plaza east of Chestnut. The actual stop would not require any major infrastructure (such as a shelter) -- just some red curb and a pole for the bus stop sign. However, any changes in the parking lot should include consideration for a future bus stop.

Thank you for the opportunity to comment.

Sincerely,

Anthony Palmere
Assistant General Manager, Administration

c: Geoff Straw, Unitrans General Manager