

YOLO
LOCAL
AGENCY
FORMATION
COMMISSION

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PROPOSAL APPLICATION

Includes: Changes of Organization/Reorganization (Incorporation, Formation, Annexation, Detachment, Dissolution, or Consolidation), Out of Agency Service Reviews, Sphere of Influence Amendment, and Expansion of District Powers

This application is designed to be used for all proposals received by the Commission. If a question is not applicable to your proposal, please note accordingly.

A) An application is hereby made for changes involving the following cities and special districts:

Action: (ex. annexation, detachment)		Agency:
Annexation	to/from	City of Davis
	to/from	
	to/from	

B) Proposal Detail (submit separate attachment if necessary):

Davis Gateway Student Housing, LLC requests annexation of the property (APN 036-810-008) as well as the immediately abutting Union Pacific Railroad property to be annexed to the City of Davis. Enclosed is a landowner petition form as well as a boundary description and Annexation Map for the property.

C) This proposal includes:

- | | | |
|-------------------------------------|--------------------------|-------------------------------------|
| | <u>YES</u> | <u>NO</u> |
| 1) 12 or more registered voters: | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2) 100% consent of property owners: | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

D) Is this proposal consistent with the adopted Sphere of Influence of all affected agencies? If no, this application must include a Sphere of Influence Amendment. Yes

E) If the proposal includes a Change of Organization/Reorganization, the following items must be submitted with this application:

- 1) A **resolution of application** adopted by an affected city or special district; OR a petition of landowners or registered voters (the Notice of Intent to Circulate a Petition and the Petition forms are located separately under Application Materials on the LAFCo website).

- 2) One 8.5 x 11 hard copy (plus a high-resolution digital file) of a map and the metes-and-bounds description of the perimeter of the territory subject to a jurisdictional change for review and approval by LAFCo's Surveyor. Please see the Board of Equalization Requirements posted on the LAFCo website for map requirements. If there are questions regarding the "territory subject to a jurisdictional change" for the proposal, please contact LAFCo.
- 3) Environmental Documents:
 - a) If a Negative Declaration or Environmental Impact Report (EIR) has been prepared by another agency for a project associated with this proposal, submit one copy to LAFCo with this proposal.
 - b) If no environmental document has been prepared, please complete the *Environmental Questionnaire*.
- 4) City Proposals:
If the proposal includes annexation to a city, submit one copy of the city's resolution or ordinance pre-zoning the subject territory. LAFCo cannot consider the proposal until pre-zoning has been completed.
- 5) Existing Housing: For all city annexations that include areas that are inhabited (territory where 12 or more registered voters reside) or developed, include the number of existing housing units within the proposed city's annexation area as of the date in the resolution.

Annexing City:	
Detaching City/County:	
Total Housing Units:	

- 6) Property Tax Revenues:
If the proposal involves an annexation to a city and/or changes in district boundaries, negotiations for any exchange of property tax revenues *must be completed by the County and any affected city prior to LAFCo action*. For those proposals, LAFCo will notify the affected agencies after receiving your application and will provide preliminary information to begin the negotiations process.
- 7) Indemnification:
LAFCo requires that applicants indemnify LAFCo from litigation costs as a condition of submitting an application. The *Indemnification Agreement* is included in this application.
- 8) Deposit:
Fees will be charged for all Commission proceedings and actions at the Commission's actual costs (including overhead). *All Fee Schedules are located separately under Application Materials on the LAFCo website.*

All deposit fees listed are required to be paid by the applicant upon submittal of a proposal. A proposal with multiple actions requires a deposit for each action. If a proceeding is not listed, it will be subject to an initial fee as estimated by the Executive Officer. Any additional expenses incurred by the Commission, in excess of the deposited amount, will be billed to and paid by the applicant before completion of the LAFCo proceedings, including, but not limited to, consultant costs, feasibility studies, final recordation, and filings. Billing will be based on hourly rates. If a proposal is abandoned or terminated for any reason, the deposit amount not expended prior to that termination point will be refunded to the applicant.

Fees due to the State of California, including State Board of Equalization and the Department of Fish and Wildlife CEQA filing fees, will be paid by the applicant at the appropriate time and prior to final recordation of the Certificate of Completion.

JUSTIFICATION

- F) In as much detail as possible, please explain why this proposal is necessary and/or beneficial at this time. Attach additional detail if necessary. (For example, a proposed development or existing residences might require services not currently provided or available.)

The annexation of this property will allow for new residential development that will optimize an underutilized infill location. The development will contribute to the overall character and livability of the surrounding neighborhood and UC Davis by facilitating the reuse of property in a manner that enhances the visibility and aesthetic appeal of the city from Richards Boulevard, UPRR, and I-80 and will also enhance circulation within the City and UC Davis. This housing development will be able to take advantage of the existing mobility infrastructure to reduce vehicle trips and will increase housing density adjacent to the downtown area of the City. The development will also provide alternative access to UC Davis to minimize congestion along Richards Blvd. at the UPRR under-crossing and at the intersection of Richards Blvd. and Olive Drive. This development is a result of the collaboration and support among many stakeholders including UC Davis, the City of Davis, Strategic Growth Council, community groups and City of Davis voters.

- G) Is this application proposed to carry out a development project? If so, describe the project.

The Promenade project is designed to be a walking- and cycling-oriented, sustainable community with 2200 beds across 700 units and 52 buildings with a mix of floor plans. The residential interior of the site is completely car-free, supporting a green, walkable and bike-friendly environment which is connected from its east to west endpoints by a verdant, tree-lined winding path, aka "The Promenade". An overpass is proposed to connect to Old Davis Road on UCD campus while bus and emergency access will connect to Olive Dr.

- H) Indicate below all discretionary approvals or permits from a city, the County, or another agency that will be needed to complete the project. If already approved, please indicate the date of approval and attached the adopted conditions of approval.

	Project File Number	Date of Approval
City or County Plan Amendment	Ordinance No. 2524	Feb. 20, 2018
Pre-zoning (City)/rezoning	Ordinance No. 2524	Feb. 20, 2018
Tentative Subdivision Map	N/A	N/A
Minor Land Division	N/A	N/A
Other	Design Review/ Building Permit	TBD

SITE DESCRIPTION

- I) Describe the general location and physical features of the territory included in this proposal. Refer to major roads, watercourses, and topographical features.

The property consists of undeveloped land adjacent to the existing Putah Creek and Union Pacific Railroad. The site generally drains to the south and southwest to a Caltrans drainage ditch along I-80 which conveys runoff back to the east where it outfalls into Putah Creek. There is currently no direct vehicular access to the property, it can be accessed through a pedestrian ramp off of Olive Dr. and the Putah Creek bike tunnel / bike path.

J) How many acres (or square miles) of territory are included in the proposal? 56.11 acres

K) How many people live in the subject territory? none

L) How many registered voters live in the subject territory? none

LAND USE INFORMATION

M) General Plan and Zoning:

What is the current General Plan designation? Residential Medium High / Natural Habitat

What is the current zoning? Planned Development # 6-14

N) Proposed Land Use:

Will the territory be developed with proposed approvals? YES NO

If no development is planned at this time, is development of the area anticipated? If so, when?

PLAN FOR PROVIDING SERVICES

O) List the agencies providing existing and proposed services to the territory. If not applicable or no change, please indicate accordingly.

SERVICE TYPE	Existing	Proposed
Agricultural Water	Private	Private (for landscaping only)
Cemetery Service	City of Davis	City of Davis
Fire Protection/ Emergency Response	East Davis Fire	East Davis Fire
Flood Protection	County FCWCD	County FCWCD
Municipal Water Service	City of Davis	City of Davis
Parks and Recreation	City of Davis	City of Davis
Police Protection	City of Davis	City of Davis
Sewer Service	City of Davis	City of Davis
Solid Waste and Recycling	Recology Davis	Recology Davis

Storm Drainage	Yolo County	City of Davis
Street Lighting	n/a	City of Davis
Street Maintenance	n/a	City of Davis
Other		

P) Water/Wastewater Service:

If water/wastewater services will be provided to the territory, please answer the following:

- 1) What is the distance for connection to the agency's system? 75 feet
- 2) Does the agency have capacity for the anticipated service? YES NO
- 3) Will the agency be prepared to furnish service immediately? YES NO

Q) Service Plan: Describe any services to be extended to the affected territory, including the level and range of services and any improvements (on and off site) that will be necessary to connect and serve the anticipated development. Indicate an indication of when those services can feasibly be extended and the method of financing. (For example, assessment district, property owner, or developer fees etc.) Attach supplemental information if necessary. *Please provide will serve letter or other agency approvals.*

The existing off-site sanitary sewer and water pipelines will need to be upsized by the Applicant in order to serve the Project.

The upsizing improvements will be completed by the Applicant prior to issuance of first Certificate of Occupancy. The costs of the improvements directly benefiting the Project are the responsibility of the Applicant, any additional oversizing will be the responsibility of the City of Davis.

SPECIAL REVENUES

R) Does the city or special district have plans to establish any new assessment districts, service charges, or other means to pay for new or extended services to this area?

No.

S) Will the area assume liability for any existing bonded debt upon annexation? YES NO


If so, please indicate taxpayer cost:

T) Will the territory be subject to any new or additional taxes, benefit charges, or fees? YES NO

If so, please explain:

PROPONENT INFORMATION

LAFCo will consider the person signing this application as the proponent of the proposed action(s). Notices and other communications regarding this application will be directed to the proponent at:

Name:	Davis Gateway Student Housing, LLC; John Whitcombe		DocuSigned by: <i>Tim Ruff</i> 9E8F7F739BDE4A9...
Address:	3500 Anderson Road		
City:	Davis	Zip:	95616
Phones:	Work:	Fax:	
	Cell: 310-435-4204	Home:	
email:	swhitcombe@tandemproperties.net		tim.ruff@outlook.com
Signature:	DocuSigned by:  9E8F7F739BDE4A9... MEMBER OF LLC		

List any other person or agent who should be contacted concerning questions and any notifications for this proposal (attach additional if needed):

Name:	Cunningham Engineering Corp.; Steven J. Greenfield		
Address:	2940 Spafford Street, Suite 200		
City:	Davis	Zip:	95618
Phones:	Work: (530) 758-2026	Fax:	
	Cell: (530) 713-2047	Home:	
email:	Steve@cecwest.com		
Signature:			

DISCLOSURES FOR POLITICAL CONTRIBUTIONS

Pursuant to Government Code Sections 56100.1, 56700.1 and 57009, contributions and expenditures for political purposes related to a proposal or proceeding before LAFCo, including for a change of organization or reorganization or any proposal at the conducting authority stage of the LAFCO process (Reportable LAFCO Proceeding), are subject to the reporting and disclosure to the same extent as required for local initiative measures under the Political Reform Act (PRA), Government Code Section 81000 et seq., and the regulations of the Fair Political Practices Commission (FPPC) implementing that law.

Any applicant, opponent, or participant to a Reportable LAFCo Proceedings shall submit to the LAFCo Executive Officer all disclosures required by the PRA of contributions or expenditures for political purposes related to that LAFCo Proceeding. The disclosures may be submitted to LAFCo up to 7 calendar days after filing with the FPPC, but in no event later than 9:00 a.m. of the hearing of the Reportable LAFCo Proceeding.

All parties and participants on a matter to be heard by the Commission that have made campaign contributions totaling \$250 or more to any Commissioner in the past 12 months must disclose this fact, either orally or in writing, for the official record as required by Government Code Section 84308.

Contributions and expenditures for political purposes related to any proposal or proceedings before LAFCo are subject to the reporting requirements of the Political Reform Act and the Fair Political Practices Commission, and must be disclosed to the Commission prior to the hearing on the matter.

For further assistance, contact the Fair Political Practices Commission at 428 J Street, Suite 450, Sacramento, CA 95814, (866) 275-3772 or at <http://www.fppc.ca.gov>.

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INDEMNIFICATION AGREEMENT

As part of this application, applicant and real party in interest if different, agree to defend, indemnify, hold harmless, and release the Yolo Local Agency Formation Commission, its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document, which accompanies it. This indemnification obligation shall include but not be limited to: damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent passive negligence on the part of the Yolo Local Agency Formation Commission, its agents, officers, attorneys, or employees.

Executed at Davis, California on, 8/17/2023
City Date

APPLICANT: Davis Gateway Student Housing, LLC; John Whitcombe

DocuSigned by:
Signature: Tim Ruff
9E8F7F739BDE4A9...

Title: Owner / Partner MEMBER OF LLC

Mailing Address: 3500 Anderson Road
Davis, CA 95616

REAL PARTY INTEREST:
(If different from Applicant)

Signature: _____

Title:

Mailing Address: