

LINCOLN40 PROJECT

SCH# 2016082073

FINAL ENVIRONMENTAL IMPACT REPORT

PREPARED FOR



DECEMBER 2017

PREPARED BY



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Final Environmental Impact Report Lincoln40 Project

SCH # 2016082073

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- Appendix A Soil Vapor Assessment and Health Risk Screening Evaluation
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1. INTRODUCTION

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INTRODUCTION

1.1 INTRODUCTION

This Final Environmental Impact Report (EIR) contains comments received during the public review period of the Lincoln40 Project Draft EIR. This document has been prepared by the City of Davis, as Lead Agency, in accordance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines, Section 15132. The Introduction chapter of the Final EIR discusses the background of the Draft EIR and purpose of the Final EIR, and provides an overview of the Final EIR's organization.

1.2 BACKGROUND

The Draft EIR identified the proposed project's potential impacts and the mitigation measures that would be required to be implemented. The following environmental analysis chapters are contained in the Lincoln40 Project Draft EIR:

- Aesthetics and Visual Resources;
- Air Quality and Greenhouse Gas Emissions;
- Biological Resources;
- Cultural Resources;
- Hazards and Hazardous Materials;
- Hydrology and Water Quality;
- Land Use and Planning;
- Noise;
- Population and Housing;
- Public Services and Recreation;
- Transportation and Circulation;
- Utilities and Service Systems; and
- Cumulative Impacts.

In accordance with CEQA, the City of Davis used the following methods to solicit public input on the Draft EIR:

- Notice of Preparation (NOP) for the Draft EIR was released for a 30-day public review from August 26, 2016 to September 26, 2016.
- A public scoping meeting was held on September 15, 2016 to solicit public comments regarding the scope of the Draft EIR. The NOP comment letters are included as Appendix C to the Draft EIR.
- On June 19, 2017, a combined Notice of Availability (NOA) of the Draft EIR and notice of public meeting to provide comments on the Draft EIR was posted to the City's website, and

mailed to local agencies, interested members of the public, and property owners within 500 feet of the proposed project site.

- On June 19, 2017, the Draft EIR was delivered to the State Clearinghouse for distribution to state agencies, resulting in a 45-day public review period from June 19, 2017 to August 2, 2017.
- The City posted the Draft EIR on the City of Davis website.
- Printed and electronic copies of the document were made available for public review at the City of Davis Department of Community Development and Sustainability, located at 23 Russell Boulevard, Suite 2, Davis, at the Yolo County Library, Davis Branch, located at 315 E. 14th Street, Davis, and at the UC Davis Shields Library, located at 100 W. Quad Avenue, Davis, on the university campus.
- A public comment meeting was held on the Draft EIR before the City of Davis Planning Commission. The public comment meeting was held on July 26, 2017.
- The Draft EIR was also reviewed by the following advisory commissions on the following dates:
 - Bicycle, Transportation, and Street Safety Commission: July 13, 2017
 - Historical Resources Management Commission: July 17, 2017
 - Natural Resources Commission: June 26 and July 24, 2017
 - Planning Commission: July 26, 2017

All public comments received on the Draft EIR are listed this chapter, and written responses to comments are included in chapter 2, as discussed in more detail in Section 1.4 of this chapter.

1.3 PURPOSE OF THE FINAL EIR

Pursuant to CEQA Guidelines Section 15132, this Final EIR consists of the following:

1. The Draft EIR (Volumes I through II released June 19, 2017);
2. Comments received on the Draft EIR (Chapter 2 of this Final EIR volume);
3. Revisions to the Draft EIR (Chapter 3 of this Final EIR volume);
4. A list of persons, organizations, and public agencies commenting on the Draft EIR (included as Section 1.4 of this chapter); and
5. Any other information added by the Lead Agency.

Although CEQA requires responses for “significant environmental issues” only, the City has provided responses to all comments. This is not intended to expand the City’s legal obligations under CEQA but rather to maximize opportunities for sharing information and increasing public understanding regarding the project and related review process.

1.4 LIST OF COMMENTERS

The City of Davis received 34 comment letters during the public comment period on the Draft EIR for the proposed project. In addition, two letters were received after the end of the public comment period (August 2, 2017), but have been included in this Final EIR at the City’s discretion. The comment letters were authored by the following agencies, groups, residents, and local businesses.

| | |
|-----------------|---|
| Letter 1 | Rena Nayyar |
| Letter 2 | City of Davis, Natural Resources Commission |
| Letter 3 | City of Davis, Bicycle, Transportation and Street Safety Commission |
| Letter 4 | John Li |
| Letter 5 | City of Davis, Historical Resources Management Commission |
| Letter 6 | Lindsey Douros |
| Letter 7 | City of Davis, Natural Resources Commission |
| Letter 8 | Todd Edelman |
| Letter 9 | John Li |
| Letter 10 | Karen Mattis |
| Letter 11 | Susan Rainier |
| Letter 12 | City of Davis, Planning Commission |
| Letter 13 | Timothy Hoban |
| Letter 14 | Eileen Samitz |
| Letter 15 | Isabel Shaskan |
| Letter 16 | Martha Anna Vinson Feldman |
| Letter 17 | Josh Dalavai |
| Letter 18 | Edmund Dea |
| Letter 19 | Peter and Carol Parker |
| Letter 20 | Stanton Veronica |
| Letter 21 | Melissa Bain |
| Letter 22 | Linsey Douros |
| Letter 23 | Rubal Kaur Grewal |
| Letter 24 | Gupreet Kahlon |
| Letter 25 | John Li |
| Letter 26 | Greg Rowe |
| Letter 27 | Peter Stanzler |
| Letter 28 | Davis Chamber of Commerce |
| Letter 29 | Amanda Bernal |
| Letter 30 | Phyllis Graham |
| Letter 31 | Eileen Samitz |
| Letter 32 | Richard Casias |
| Letter 33 | California State Department of Transportation |
| Letter 34 | Sacramento Area Council of Governments |

Letters Received After Close of the Comment Period

| | |
|-----------------|---|
| Letter 35 | Yolo-Solano Air Quality Management District |
| Letter 36 | State Clearinghouse |

1.5 CERTIFICATION OF THE FINAL EIR

State law requires that the City make several types of CEQA “findings” at the time of final action on the project. Findings describe the conclusions reached regarding particular issues, including specific evidence in support of those conclusions. The Final EIR typically provides much of the

substantial evidence to support these findings. The required findings for the project are as follows:

- Certification of the Final EIR (CEQA Guidelines Section 15090) – These findings support the adequacy of the Final EIR for decision-making purposes. The Lead Agency must make the following three determinations in certifying a Final EIR:
 1. The Final EIR has been completed in compliance with CEQA.
 2. The Final EIR was presented to the decision-making body of the Lead Agency, and the decision-making body reviewed and considered the information in the Final EIR prior to approving the project.
 3. The Final EIR reflects the Lead Agency’s independent judgment and analysis.
- Findings Regarding Significant Impacts and Project Alternatives (CEQA Guidelines Section 15091) – These findings explain how the City chose to address each identified significant impact, including the mitigation measures adopted or an explanation of why such measures are infeasible. A discussion of the feasibility of project alternatives is also required by this section (see also CEQA Guidelines Section 15126.6f).
- Project Approval (CEQA Guidelines Section 15092) – These findings will be prepared to support approval of the project if that is the City Council’s action.

For Lincoln40, the proposed project would not result in any significant and unavoidable impacts to the environment; thus, a Statement of Overriding Considerations is not needed in order to approve the project.

1.6 ORGANIZATION OF THE FINAL EIR

The Final EIR is organized into the following four chapters.

1. Introduction

Chapter 1 provides an introduction and overview of the document, describes the background of the Draft EIR and the purposes of the Final EIR, provides a list of commenters, and describes the organization of the Final EIR.

2. Responses to Comments

A Master Responses is provided in Chapter 2 in response to similar comments made on the Draft EIR with respect to hazardous substances releases in the project vicinity. Chapter 2 presents the comment letters received, and responses to each comment. Each comment letter received has been numbered at the top and bracketed to indicate how the letter has been divided into individual comments. Each comment is given a number with the letter number appearing first, followed by the comment number. For example, the first comment in Letter 1 would have the following format: 1-1. The response to each comment will reference the comment number.

3. Revisions to the Draft EIR Text

Chapter 3 summarizes changes made to the Draft EIR text including clarifications, modifications, and amplifications of the analysis. Section 15088.5 of the State CEQA Guidelines states that a lead agency is required to recirculate a Draft EIR when “significant new information” is added to the document after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. Pursuant to this section, the term “information” can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not considered “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the City has declined to implement. “Significant new information” requiring recirculation includes any of the following:

1. A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
2. A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
3. A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it.
4. The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. The modifications to the Draft EIR identified in Chapter 3 have been examined with these requirements and obligations in mind. The City has determined that the provisions of Section 15088.5 of the CEQA Guidelines are not triggered and recirculation of this EIR is not required. A more detailed description of this determination will be included in the CEQA Findings of Fact described above.

4. Mitigation Monitoring and Reporting Program

CEQA Guidelines, Section 15097, requires lead agencies to adopt a program for monitoring the mitigation measures required to avoid the significant environmental impacts of a project. The intent of the Mitigation Monitoring and Reporting Program (MMRP) is to ensure implementation of the mitigation measures identified within the EIR for the Lincoln40 Project.

2. RESPONSES TO COMMENTS

2

RESPONSES TO COMMENTS

2.0 INTRODUCTION

This chapter contains master responses and responses to public comment letters submitted regarding the Lincoln40 Project (proposed project) Draft Environmental Impact Report (EIR).

2.1 MASTER RESPONSES

Master Response #1: Hazardous Substances Releases in the Project Vicinity

Introduction and Background

Environmental Research Consultants prepared a Phase I Environmental Site Assessment (ESA) for the Lincoln40 project site.¹ The results of this Phase I ESA are summarized in Chapter 4.5, Hazards and Hazardous Materials, of the Lincoln40 Draft EIR. The Phase I ESA identifies no recognized environmental conditions (RECs) associated with the project site. However, the Phase I ESA identifies multiple facilities located north of the project site, beyond the UPRR right-of-way, with documented releases of volatile organic compounds (VOCs). The nearest such facility is identified as the former J.F. Wilson facility, located at 203 J Street, approximately 80 feet north of the project site.

Several comments were submitted on the Draft EIR, expressing concern that VOCs that originate from nearby sites may be present in groundwater extending beneath the Lincoln40 project site and that vapor intrusion from potential VOCs in groundwater beneath the Lincoln40 site could be an issue.

Data obtained from the State Water Resources Control Board's GeoTracker online database shows that trichloroethene (TCE) concentrations in groundwater samples collected from groundwater monitoring wells at the former J.F. Wilson facility in 2003 were reported to have been as high as 79,000 micrograms per liter (µg/L).

Other sources of VOC's have been identified in the area of the J.F. Wilson facility, including the "I Street Development", approximately 300 feet northwest of the J.F. Wilson facility, where TCE was also identified in soil vapor and groundwater. A soil vapor extraction (SVE) pilot test was performed and an SVE system installed and operated there from 2009 to 2014. That system was closed in 2016. Ongoing groundwater monitoring for that project shows decreasing TCE concentrations in groundwater. Groundwater monitoring and investigation data for the J.F. Wilson facility has not been produced since 2007 and 2003, respectively.

¹ Environmental Research Consultants. *Phase I Environmental Site Assessment: Lincoln40, 1111, 1165, 1186, 1223, 1225 and 1231 Olive Drive and 113, 115 and 118 Hickory Lane, Davis California 95616*. August 11, 2016.

In response to public comments, a soil vapor assessment and health risk screening evaluation was conducted by Geocon Consultants, Inc. to evaluate further the potential for contaminated groundwater to underlie the Lincoln40 site and whether it could result in an unacceptable health risk associated with vapor intrusion of VOCs.

Before presenting the results of Geocon's analysis, it is important to recognize that, in *California Building Industry Association v. Bay Area Air Quality Management District* (2015) 62 Cal.4th 369 (CBIA), the California Supreme Court held that "agencies subject to CEQA generally are not required to analyze the impact of existing environmental conditions on a project's future users or residents. But when a proposed project risks exacerbating those environmental hazards or conditions that already exist, an agency must analyze the potential impact of such hazards on future residents or users. In those specific instances, it is the project's impact on the environment—and not the environment's impact on the project—that compels an evaluation of how future residents or users could be affected by exacerbated conditions." (*Id.* at pp. 377-378.) As a result, the existence of contaminated soil or groundwater within the vicinity of a proposed project, "without any accompanying disturbance or other physical change" to the contamination, is not considered "a significant impact requiring CEQA review and mitigation." (*Parker Shattuck Neighbors v. Berkeley City Council* (2013) 222 Cal.App.4th 768, 781 [holding development of a project on a site identified on the Cortese list and that included contaminated soil would only constitute a significant impact for the purposes of CEQA if the proposed project disturbed the contaminated soil].) For example, in *East Sacramento Partnerships for a Livable City v. City of Sacramento* (2016) 5 Cal.App.5th 281, the petitioner argued that the EIR failed to analyze health risks associated with "potential for off-site subsurface gas (methane) migration" from an adjacent former landfill site. (*Id.* at pp. 295-297.) Citing the CBIA decision, the Third District Court of Appeal rejected petitioner's argument because concerns that a project would be "an unhealthy place to live" exceeds CEQA's scope. (*Id.* at p. 296.) In reaching its holding, the court stated "nowhere in the [CEQA] statute is there any provision ... plainly delegating power for the agency to determine whether a project must be screened on the basis of how the environment affects its residents or users." (*Ibid.*, quoting CBIA, *supra*, 62 Cal.4th at p. 387.)

In light of the California Supreme Court's recent decision and related appellate decisions discussed above, the presence of TCE would only be considered to result in a significant CEQA impact if the Lincoln40 project would exacerbate the existing conditions. As demonstrated below, construction and operation of the Lincoln40 project would not exacerbate existing hazardous conditions. Moreover, the site-specific study undertaken by Geocon demonstrates that soil vapor concentrations at the project site do not exceed applicable risk thresholds.

Discussion

Soil Vapor Analysis

Geocon conducted soil vapor sampling at the Lincoln40 project site, in accordance with California Department of Toxic Substances Control (DTSC) guidance, and summarized the results in a report entitled *Soil Vapor Assessment and Health Risk Screening Evaluation* (See Appendix A to this

Final EIR).² The sampling locations, shown in Figure 2 of Geocon's Report, were selected based on the proposed residential building locations at the project site, and the location of the former J.F. Wilson facility beyond the UPRR right-of-way north of the project site. Borings SV-1, SV-2, SV-4, and SV-5 were advanced beneath the building footprint of the planned multi-unit student housing structure in order to evaluate the risk of vapor intrusion to indoor air in those buildings. Boring SV-3 was advanced near the northern site boundary at a location closest to, and potentially downgradient from, the former J.F. Wilson facility.

The depth of soil vapor sample collection was conservatively selected to be close to, but above, the groundwater table in an effort to collect soil vapor samples with maximum VOC concentrations. The most recent depth to groundwater data for the site vicinity, available on GeoTracker, shows that depth to groundwater in two wells 100 to 200 feet north of the project site was approximately 41 feet in March 2017. Depth to groundwater at the time of Geocon's soil vapor sample collection was expected to be slightly deeper than in March 2017. Therefore, a maximum depth of 40 feet was selected for soil vapor sampling.

On September 28, 2017, temporary soil vapor wells were advanced on-site. Soil vapor boring SV-1 was advanced to 40 feet. In boring SV-2, the sample depth of 40 feet encountered groundwater, thus, the soil vapor for SV-2 and subsequent samples SV-3 through SV-5 were pulled from a depth of approximately 36 feet.

TCE was detected in soil vapor samples SV-2 and SV-3 at concentrations of 700 and 530 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$), respectively. No other VOCs were detected at a concentration equal to or exceeding reporting limits.

Health Risk Screening Evaluation

Geocon performed a health risk screening evaluation, in accordance with DTSC guidance, by comparing the maximum detected TCE concentration from the soil assessment to the San Francisco Bay Regional Water Quality Control Board's Tier 1 Environmental Screening Levels (ESLs) for "subslab/soil gas", dated February 2016. The ESLs were developed as a conservative screening tool to evaluate potentially impacted sites and are not enforceable regulatory standards. Chemicals of potential concern (COPC) detected in soil vapor at concentrations that are less than respective ESLs are generally assumed not to pose a significant threat to human health or the environment, whereas, COPC concentrations that equal or exceed their respective ESLs may indicate that additional investigation or cleanup actions are appropriate.

The maximum TCE soil vapor concentration at the project site is from boring SV-2 and is 700 $\mu\text{g}/\text{m}^3$. This level exceeds the Tier 1 residential soil vapor ESL of 240 $\mu\text{g}/\text{m}^3$.

² Geocon Consultants, Inc. *Soil Vapor Assessment and Health Risk Screening Evaluation, Lincoln40 Student Housing, Davis, California*. October 2017.

Vapor Intrusion Modeling

Because the maximum TCE concentration exceeds the Tier 1 residential ESL for TCE, Geocon performed a Tier 2 (site-specific) screening evaluation using the DTSC-modified Johnson and Ettinger (J&E) Model to estimate human health (cancer and non-cancer) risk resulting from vapor intrusion to indoor air.

Using the maximum TCE concentration detected in the soil vapor samples and site-specific parameters (see Appendix A to the Final EIR), the model calculated a TCE concentration for indoor air on the project site of $0.19 \mu\text{g}/\text{m}^3$, which is less than the residential indoor air ESL of $0.480 \mu\text{g}/\text{m}^3$. This TCE concentration in indoor air equates to an incremental excess lifetime cancer risk (IELCR) and respective cumulative hazard index of 2.8×10^{-7} and 0.09, respectively. The calculated IELCR is less than the USEPA's target cancer risk level of 1.0×10^{-6} and the calculated hazard index is less than the USEPA's target non-cancer hazard index of 1.00. The calculated TCE concentration for indoor air and associated risk levels indicate that vapor intrusion of TCE to indoor air on the project site would not be a threat to the health of site users.

Conclusion

The results of the soil vapor assessment indicate that TCE is present in deep soil vapor beneath the project site. No other VOCs were detected in the soil vapor samples at concentrations exceeding laboratory reporting limits. Soil vapor samples were collected at depths of 36 and 40 feet, just above first-encountered groundwater in an effort to identify the highest VOC concentrations in soil vapor beneath the planned student housing project. Because of the generally low permeability (clayey) soil beneath the project site, Geocon expects TCE concentrations in soil vapor at depths of 10 feet or shallower to be less than those encountered at 36 and 40 feet beneath the project site.

Using the highest TCE concentration detected in on-site deep soil vapor samples, the calculated IELCR is less than the USEPA's target cancer risk and the calculated hazard index is less than the target non-cancer hazard index.

The results of the soil vapor assessment and site-specific health risk screening evaluation suggest that there should not be an unacceptable level of health risk to future site residents or workers and no further evaluation of VOCs in soil vapor beneath the project site is warranted.

Lastly, the proposed project would be constructed at-grade, and excavation for a pool and utilities is not planned to be greater than 12 feet. As a result, construction and operation of the proposed project will not exacerbate existing conditions beneath the project site with respect to spreading groundwater contamination or soil vapor. Moreover, while construction of the project will not mobilize soil vapor, Geocon's analysis demonstrates that the TCE concentration for indoor air, even if a vapor intrusion pathway was present, would not be in excess of the risk thresholds.

Master Response #2: Need for Bicycle/Pedestrian Crossing

Several comments were submitted regarding the need for a bicycle/pedestrian connection between the project site and the downtown, based upon the presupposition that the project would result in significant traffic impacts to the Richards Boulevard and Olive Drive areas. The following master response addresses these comments.

Chapter 4.11, Transportation and Circulation, of the Draft EIR, presents in-depth information on both bicycle and pedestrian infrastructure within the Olive Drive area and the project vicinity. Potential impacts of the proposed project on bicycle and pedestrian facilities were analyzed in Impacts 4.11-4 and 4.11-13. As discussed in Impact 4.11-4, an estimated 50 additional pedestrians and 70 additional bicyclists would cross the north side of the Richards Boulevard/Olive Drive intersection during the AM peak hour as a result of the proposed project. In the PM peak hour, an estimated 26 additional pedestrians and 61 additional bicyclists would cross the north side of the Richards Boulevard/Olive Drive intersection as a result of the proposed project. It is important note to note that, as discussed on page 4.11-36 of the Draft EIR, these bicycle and pedestrian trip estimates for the Lincoln40 project were derived by observing the actual travel mode split at two existing apartment complexes on Olive Drive. Bicycle and pedestrian counts were collected in October 2016 at the two student-oriented apartment complexes on the south side of Olive Drive = Lexington Apartments and the Arbors Apartments.

Compared to the current peak hour volumes of pedestrians and bicyclists, which exceed 350 and 190, respectively, the project's potential addition of a maximum of 50 additional pedestrians and 70 additional bicyclists during the AM peak hour, and 26 additional pedestrians and 61 additional bicyclists during the PM peak hour, is considered a fairly limited number of additional bicycle and pedestrian trips; and a less-than-significant impact pursuant to CEQA for the reasons set forth below.

During the AM peak hour, this corresponds to, on average, approximately one additional pedestrian and two additional bicyclists during each cycle at the signalized Richards Boulevard/Olive Drive intersection. A cycle is defined as a complete set of green indications serving all directions of traffic (automobiles, pedestrians, and bicyclists). During the PM peak hour, this corresponds to, on average, one additional pedestrian and one additional bicyclist during each cycle at the signalized Richards Boulevard/Olive Drive intersection.

With respect to the bike lane on the south side of East Olive Drive, approximately 32 residents of the project would be expected to bike on eastbound Olive Drive towards the project site during the PM peak hour. Over the course of the PM peak hour, this corresponds to 1 to 2 bicyclists during each cycle (green phase) for the Richards Boulevard/Olive Drive intersection.

As concluded in Impact 4.11-4, the addition of project-generated multi-modal person trips would not trigger the need for additional pedestrian or bicycle signal phases, and thus not result in additional interruptions of the Richards Boulevard/Olive Drive intersection.

The Lincoln40 traffic analysis also concluded that the vehicle traffic generated by the proposed project would not result in a significant impact to the Richards Boulevard/Olive Drive intersection,

nor any other study intersections (see Draft EIR, p. 4.11-44 and Table 4.11-18). However, as discussed in Impact 4.11-8, the proposed project, in combination with future anticipated development (i.e. cumulative conditions) would have the potential to result in a significant impact at the intersections of Richards Boulevard/Olive Drive, 1st Street/D Street, Richards Boulevard/I-80 Eastbound Ramps, and Richards Boulevard/Cowell Boulevard/Research Park Drive. As further discussed on pages 4.11-61 through 4.11-63, of the Draft EIR, Mitigation Measure 4.11-8 would improve operation of the Richards Boulevard/Olive Drive intersection, which in turn would improve the remainder of the aforementioned intersections. Mitigation Measure 4.11-8 requires re-striping of the south leg of the intersection of Richards Boulevard/Olive Drive, the extension of the existing bicycle lane along the north side of Olive Drive, and signal synchronization improvements from 1st Street/D Street to Richards Boulevard/Research Park Drive. More specifically, the striping improvements, including the extension of the bicycle lane along the north side of Olive Drive for an additional 145 feet, from its current terminus on East Olive Drive to the intersection of Richards Boulevard/Olive Drive, is designed to serve all travel modes efficiently by providing a separate travel lane for bicycles and automobiles on westbound Olive Drive. This would allow bicyclists to line up in the bicycle lane when the traffic signal is red, and when the traffic signal turns green, the bicyclists would be able to cross Richards Boulevard to the Downtown Davis Tunnel or Putah Creek Trail.

The aforementioned improvements required by Mitigation Measure 4.11-8 would be sufficient to reduce potential impacts to study intersections to less-than-significant levels without the need for constructing a grade-separated crossing between Olive Drive and downtown. Notwithstanding this, as discussed on page 3-13 of Chapter 3, Project Description, and further analyzed in Impact 4.11-4 of Chapter 4.11, Transportation and Circulation, the proposed project would include dedication of land along the western boundary of the project site for future construction of a grade-separated bicycle and pedestrian railroad crossing as identified in the Gateway/Olive Drive Specific Plan.

Lastly, while not required for CEQA mitigation purposes, the City would require, and the applicant has committed to, paying a fair-share fee towards the future construction of a grade-separated crossing from the project site to the SP Depot.

2.2 RESPONSES TO COMMENTS

Each bracketed comment letter is followed by numbered responses to each bracketed comment. The responses amplify or clarify information provided in the Draft EIR and/or refer the reader to the appropriate place in the document where the requested information can be found. Comments that are not directly related to environmental issues (e.g., opinions on the merits of the project that are unrelated to its environmental impacts) are either discussed or noted for the record. Where revisions to the Draft EIR text are required in response to the comments, such revisions are noted in the response to the comment, and are also listed in Chapter 3 of this Final EIR. All new text is shown as double underlined and deleted text is shown as ~~struck through~~.

Letter 1

From: Ike Njoku [mailto:INjoku@cityofdavis.org]
Sent: Monday, June 26, 2017 7:31 AM
To: 'Paul Gradeff' <pgradeff@highbridgeproperties.net>; Nick Pappani <npappani@raneymanagement.com>
Subject: FW: Lincoln40 -

FYI! The first comment on the DEIR!

From: Nancy Stephenson
Sent: Friday, June 23, 2017 4:18 PM
To: Ike Njoku <INjoku@cityofdavis.org>
Subject: FW: Lincoln40 -

From: Rena Nayyar [mailto:renanayyar@hotmail.com]
Sent: Friday, June 23, 2017 4:17 PM
To: Nancy Stephenson <NStephenson@cityofdavis.org>; Robb Davis <RDavis@cityofdavis.org>; Rochelle Swanson <RSwanson@cityofdavis.org>; Will Arnold <WArnold@cityofdavis.org>; Brett Lee <BLee@cityofdavis.org>; Lucas Frerichs <lucasf@cityofdavis.org>
Subject: Re: Lincoln40 -

Hi,

I have concerns about the Lincoln40 proposal but am not sure they belong with the Draft EIR so I hope you will consider them instead.

1-1

*I am concerned that the people currently living on the site may be displaced by the new development. We shouldn't be pushing out some people for others and I hope some mitigation can be provided for them to remain for similar rent even though it would be a very different living experience.

1-2

*I am concerned that this is mainly geared for students. It is the university's job to follow the memorandum of understanding and work with the city to provide adequate student housing. When they do this it will free up housing in Davis for all. There is demand for housing for a variety of people in town- shouldn't any new development in town help meet this need? Cannery Park was going to provide this but then after approval became so expensive we are back where we started. Also, I am concerned about the segregated community we are forming with separate housing for seniors, students, and low income people which may have its place sometimes but shouldn't we also have more neighborhoods for everyone where we live together in one community?

Please consider these moving forward. Thank you,

LETTER 1: RENA NAYYAR

Response to Comment 1-1

Thank you for submitting comments on the Lincoln40 Draft EIR. Your concerns about the project are noted for the record.

As discussed in Chapter 4.9, Population and Housing, of the Draft EIR, the project site currently contains 24 existing residential units, including 10 single-family homes, and a 14-unit apartment complex. At the time of issuance of the Notice of Preparation (NOP), the apartment complex was fully occupied and six of the 10 single-family homes on the property were occupied by renters. The proposed project would include demolition of the existing developments and replacement of the 24 existing residential units with a total of 130 rental units. Thus, the proposed project would result in a net increase of rental units on the project site of 106 units, which would help address the shortage of rental units within the City of Davis. Although the project would result in an increase in rental units on the project site, the demolition of existing units would displace the current residents from the project site.

Impact statement 4.9-2 of Chapter 4.9, of the Draft EIR, assessed potential impacts that could occur due to the displacement of current residents at the project site. The proposed project would involve the demolition of all of the existing rental units on the project site, including the 20 occupied units; thus, the Draft EIR included analysis determining whether sufficient vacancies exist within the City to accommodate the displaced residents from the 20 occupied rental units.

Although the vacancy rate within the City is low, as shown on page 4.9-11, of the Draft EIR, based on the City of Davis Housing Element's estimated vacancy rate of approximately two percent, an estimated 15 multi-family rental units and approximately 510 single-family residential units are expected to be available for rent within the City. Because the project would only displace 20 rental units from the project site, but approximately 525 rental units are anticipated to be available throughout the City, sufficient housing availability exists within the City to accommodate the renters displaced by the proposed project. Therefore, while the existing rental units on the project site would be demolished, current residents of the project site could acquire rental housing within the community of Davis.

Furthermore, impact statement 4.9-2 discusses issues regarding the affordability of housing in Davis, and the surrounding area. As discussed within Chapter 4.9, of the Draft EIR, Section 18.05 of the Davis Municipal Code requires that new developments include affordable housing components. The project applicant proposes a project individualized program (PIP), which involves the payment of in-lieu fees to the City's affordable housing fund, subject to the approval by the City of Davis. The City's affordable housing fund is intended to generate additional affordable housing within the City; thus, payment of the in-lieu fee as determined in the PIP, would contribute to an increase in affordable housing within the City. In addition to affordable housing that would be generated through the City's affordable housing fund, 40 properties in Davis currently include affordable rental units, and, within Yolo County as a whole, there are 61 affordable housing complexes, which contain 4,200 subsidized apartments. Income-qualified

tenants can initiate a process to get into the existing affordable housing units as such units become available.

Considering the above, mitigation is not considered necessary for the proposed project because existing vacancies within the City are sufficient to provide current residents of the project site with rental options within the City. While replacement housing is anticipated to be available within the City, the project would be required to adhere to the Davis Municipal Code requirements regarding affordable housing. Adherence to the affordable housing requirements of the Davis Municipal Code would ensure that affordable housing units within the City are made available to low income residents.

Response to Comment 1-2

As discussed in Chapter 3 of the Draft EIR, the proposed project would be designed to provide off-campus student housing for students of the nearby University of California (UC) Davis. Although the project would be designed for student use, the rental units would not be restricted to UC Davis students, and any qualifying applicant would be eligible to reside at the proposed residential structure.

The proposed residential structure would include 130 units with approximately 708 beds. Considering that 20 occupied rental units currently exist on the project site, the proposed project would result in a net increase of 106 rental units within the City. The addition of 106 rental units to the City's housing stock would serve to meet existing rental demand within the City, and may help to ease the currently low vacancy rate discussed in Chapter 4.9, Population and Housing, of the Draft EIR.

Letter 2

**City of Davis
Natural Resources Commission Comments
Monday, June 26th, 2017**

Commission Members in Attendance: Mark Braly, Patrick Henderson, Anya McCann, Alan Pryor, Evan Schmidt, Steven Westhoff

City Staff in Attendance: Mitch Sears, Ike Njoku

Comments Regarding the DEIR

- 2-1
 - The Draft Environmental Impact Report (DEIR) could have included analysis of LEED Gold.
- 2-2
 - The GHG analysis is deficient.
 - GHG analysis should have used net zero as project threshold.
 - Any development resulting in emission of CO₂ would have a significant impact.
- 2-3
 - Changes to sustainability plan would affect the DEIR.
 - As such, Sustainability Plan should have been finalized.
- 2-4
 - The DEIR provides in-depth analysis of the project.
 - Mitigation measures in the DEIR are straightforward and understandable.
 - Air quality/GHG may be the biggest issues for this Commission, mitigation for these topics was included in the Air Quality/GHG sections of the DEIR.
- 2-5
 - Concern over transportation-related impacts, specifically impacts to intersections along Richards Boulevard, such as Olive Drive intersection, as well as intersection of Richards, First Street and E Street.
- 2-6
 - Alternative analysis should include a preferred environmental alternative that results in no impacts.
- 2-7
 - Impact of trains and I-80 traffic are considered an impact of environment on the project, and, thus, are not subject to CEQA.
 - However, such impacts were discussed in Appendix D
- 2-8
 - Presentation of health risks as increased cancer risk is an appropriate approach for long-term health risks.
 - The Commission is also interested to know what sort of other acute or chronic risks there are, for example did the DEIR consider asthma risk?
- 2-9
 - Air Quality impacts relate to environmental justice issues concerning placement of transient student housing next to sources of pollution.

Comments Regarding Sustainability Plan

- 2-10
 - The project should be held to LEED Gold as a standard.
 - Completed LEED checklist for LEED Gold should have been provided to the Commission prior to or during the meeting.
 - List of options to achieve LEED Gold should have been provided to the Commission prior to or during the meeting.

Letter 2 Cont'd

- 2-11
 - Energy Efficiency baseline must be explicitly stated within the Sustainability Plan, stating the baseline for energy efficiency allows for a more meaningful analysis of project's claim to exceed such standards.
- 2-12
 - LEED Gold standard does well with handling issues related to building performance and energy use, but the LEED standards do not address transportation-related issues well

Comments Regarding the Project

- 2-13
 - Should be built all electric, net zero energy.
- 2-14
 - What on-going measures will be implemented to drive down water use and energy consumption?
- 2-15
 - How much solar will be incorporated into the project
 - If project will not include enough on-site solar energy production to meet 100% of project demand, then the project should be required to buy community solar for the amount of energy not produced on-site to ensure that the project is 100% solar-powered.
- 2-16
 - Dense housing is desirable from a sustainable development perspective
 - There are trade-offs between student-oriented housing on a denser per bed basis and less dense conventional apartment type housing, but in this case density can be positive from an overall sustainable housing perspective.
 - Providing housing at this site places transient student population at risk, if housing is affordable here than the project creates an incentive for students to save money short-term, but expose themselves to health risks long-term. This represents an environmental justice issue.
 - How can this project be made a win-win for the City, developer, and student health?
 - Would HEPA filters be included in project?
- 2-17
 - The proposed inclusion of bike repair, bike parking, and restricted vehicle parking measures would be effective to reduce transportation demand.
 - Limiting parking on a per bed basis is the right approach for this type of housing.
- 2-18
 - Limiting parking will encourage less driving, but will the limited parking cause spillover effects such as drivers cruising for spaces or street parking impacts?
- 2-19
 - Although many residents of this area use Olive Drive and the arboretum to access campus, a more direct link to downtown is desirable.
- 2-20
 - Will Unitrans serve the site, and this portion of Olive Drive specifically?

LETTER 2: NATURAL RESOURCES COMMISSION, CITY OF DAVIS

Response to Comment 2-1

As noted on page 3-5, of the Project Description Chapter of the Draft EIR, one objective of the proposed project is to “Incorporate sustainable design strategies consistent with LEED Gold certification standards.” The U.S. Green Building Council’s Leadership in Energy and Environmental Design (LEED) rating system is a point-based system where projects are awarded points based on the integration of environmentally friendly design features. Such design features range widely, but often include water efficiency measures, energy efficiency measures, and the responsible use of resources. In terms of environmental analysis under CEQA, the LEED certification achieved by a project would primarily affect the environmental issue areas of energy consumption, waste generation, and water consumption.

Generally, a project designed to meet LEED standards would be anticipated to consume less energy and water than a similar project not designed to such standards. Therefore, a project not meeting LEED standards would be anticipated to result in a more severe environmental impact than a project meeting such standards.

Despite the proposed project’s incorporation of LEED Gold as a project objective, at the time of environmental analysis, detailed plans for meeting LEED Gold had not yet been finalized. Therefore, the Draft EIR did not assume that the proposed project would achieve LEED Gold. Rather, the Draft EIR only included those measures that were known to be included in the project, such as water efficient landscaping and adherence to California’s 2016 Building Energy Efficiency Standards Code. By only considering the sustainable design features known to be included in the proposed project, the Draft EIR likely underestimates the amount of energy conserving and other sustainable design practices that would be included in the project.

Regarding the environmental analysis for the project, by underestimating what sustainable features were going to be incorporated into the project, the Draft EIR provides a worst-case analysis of the project, under the assumption that LEED standards would not be achieved. If the project is approved, and subsequently constructed in compliance with LEED Gold standards, the project’s compliance with LEED Gold standards would result in a reduction in the severity of impacts from what was analyzed in the Draft EIR. As discussed in Chapter 4.2, Air Quality and Greenhouse Gas Emissions, as well as Chapter 4.12, Utilities and Service Systems, of the Draft EIR, potential impacts related to GHG emissions and energy consumption would be less than significant, even when compliance with LEED Gold was not assumed. Thus, the Draft EIR represents a conservative scenario that may be used by decision makers to gauge the potential impacts of the project given the information currently available.

Response to Comment 2-2

Chapter 4.2, Air Quality and Greenhouse Gas Emissions, of the Draft EIR, presents an analysis of the potential impacts related to greenhouse gas (GHG) emissions that could result due to implementation of the proposed project. Analysis of GHG emissions within Davis is guided by the requirements of State, county, and local agencies. As discussed throughout Chapter 4.2, the State

of California has various programs in place to reduce statewide GHG emissions. Furthermore, the City of Davis is within the jurisdiction of the Yolo-Solano Air Quality Management District (YSAQMD), which provides guidance for project analysis within Yolo and Solano Counties, including within the City of Davis.³ Finally, the City of Davis adopted a Climate Action and Adaptation Plan (CAAP), which analyzes future GHG emissions within the City, and provides guidance for GHG emissions analysis.⁴

As discussed in pages 4.2-35 through 4.2-37 of the Draft EIR, in addition to the City's CAAP, the City has adopted citywide and project-level emissions thresholds, with the intent of achieving or exceeding State emissions reductions targets. While the City has identified the need for new development and existing development to eventually reach carbon neutrality by 2050, the City has acknowledged that carbon neutrality is not necessarily feasible for all new developments or for existing developments at this time.⁵ Therefore, the City has provided carbon allowances for new residential developments, as shown in Table 4.2-9 of the Draft EIR, which serve as project-specific thresholds for new development.⁶

As shown in Table 4.2-9, and discussed in a Staff Report prepared by the City regarding the adoption of GHG emissions thresholds and standards, the City's current GHG emissions thresholds do not require new developments to achieve carbon neutrality, nor do such standards or thresholds state that any GHG emissions resulting from project construction would result in significant impacts related to GHG emissions.⁷ Rather, the City's adopted thresholds of significance allocate carbon allowances for new residential development that are reduced each target year until 2050, when carbon neutrality would be required for all new developments. As discussed on page 4.2-37 of the Draft EIR, if a project results in GHG Emissions in excess of the City's adopted carbon allowances for the operational target year, the project would be deemed in conflict with the City's GHG reduction targets.⁸

Considering the above, and the analysis provided in Chapter 4.2, the Draft EIR relied on the City's adopted GHG Emissions thresholds. Although the City's adopted thresholds identify a need for new development in the year 2050 and beyond to achieve carbon neutrality, the currently proposed project would not be subject to this requirement, and, instead, the project is provided with a GHG emissions allowance.⁹ As discussed in impact 4.2-7 of the Draft EIR, the proposed project would result in GHG emissions well within the City's carbon allowance for the year 2020, and within the desired per person carbon allowance for developments until 2030. The City's desired per person carbon allowance for developments in 2030 exceeds the State requirement for GHG emissions

³ Yolo-Solano Air Quality Management District. *Handbook for Assessing and Mitigating Air Quality Impacts*. July 11, 2007. Available at: <http://www.ysaqmd.org/documents/CEQAHandbook2007.pdf>. Accessed September 2016.

⁴ City of Davis. *Climate Action and Adaptation Plan*. June 1, 2010.

⁵ Davis City Council. *Resolution No. 08-166, Series 2008: Resolution Adopting Greenhouse Gas Reduction Targets for the City of Davis (City Operations and Community)*. November 18, 2008.

⁶ Niemeier, Deb. *Carbon Development Allowances*. September 2008.

⁷ City of Davis. *Staff Report: GHG Emissions Thresholds and Standards for New Residential Development*. April 21, 2009.

⁸ *Ibid.*

⁹ City of Davis. *Staff Report: GHG Emissions Thresholds and Standards for New Residential Development*. April 21, 2009.

reductions by 2030, per SB 32. In addition, statewide GHG emissions reduction strategies are anticipated to result in a long-term downward trajectory of GHG emissions from the maximum operational project emissions presented in the Draft EIR. Such reduction strategies include the Low Carbon Fuel Standard, Renewable Portfolio Standard, and Advanced Clean Car standards, among others. The foregoing statewide reduction strategies would result in reductions to GHG emissions related to energy consumption and mobile sources; energy and mobile emissions account for approximately 93 percent of the anticipated GHG emissions related to operation of the proposed project (see Table 4.2-15 of the Draft EIR for estimated project emissions). Therefore, statewide GHG reduction measures resulting in the reduction of emissions from energy and mobile-related sources would act to reduce project-related GHG emissions from the maximum emissions presented in Table 4.2-15 of the Draft EIR. Such reductions would ensure that project-related GHG emissions would continue on a downward trajectory, in compliance with executive order S-3-05, which requires the statewide reduction of GHG emissions by 80 percent, relative to 1990 emissions levels, by 2050.

Therefore, the analysis presented within the Draft EIR was completed in accordance with the currently adopted City standards. Furthermore, the GHG analysis is considered a complete and good faith effort to inform the public of potential impacts related to GHG emissions that could result due to implementation of the proposed project.

Response to Comment 2-3

At the time of environmental analysis, a sustainability plan had not been prepared. Instead, the applicant provided a qualitative list of sustainability measures, which are included on page 3-19 of the Draft EIR. The analysis included in the Draft EIR did not rely on the qualitative sustainability measures for analytical purposes, and the conclusions of the Draft EIR are not based on the implementation of the aforementioned sustainability measures. Implementation of a future sustainability plan may reduce potential impacts from what was analyzed in the Draft EIR. Conversely, if a sustainability plan is not implemented, the analysis included in the Draft EIR would still remain valid.

Response to Comment 2-4

The comment summarizes the contents of the Draft EIR, but does not require a response.

Response to Comment 2-5

Chapter 4.11, Transportation and Circulation, of the Draft EIR provides analysis of potential transportation related impacts that could occur due to implementation of the proposed project. The analysis within Chapter 4.11 included various intersections, freeway segments, and roadway segments, as shown on pages 4.11-3 through page 4.11-5. Page 4.11-4 demonstrates that multiple intersections along Richards Boulevard were analyzed, including the intersection of Richards Boulevard/Olive Drive and 1st Street/E Street/Richards Boulevard. Additionally, roadway segments of Richards Boulevard, Olive Drive, and 1st Street were analyzed and presented in Chapter 4.11.

The Draft EIR includes consideration of transportation-related impacts including impacts to intersection operations, freeway operations, bicycle and pedestrian facilities, transit facilities, safety, and other transportation related considerations. Impacts were considered in the existing condition as well as future conditions, which include development of the City and various proposed changes to the local circulation network.

Specifically, potential impacts to study intersections under existing conditions were presented in Impact 4.11-1. As discussed on page 4.11-44, the proposed project would not be anticipated to result in significant traffic impacts to any nearby study intersections, including those intersections mentioned in the comment. However, as discussed in Impact 4.11-8, the proposed project, in combination with future anticipated development (i.e. cumulative conditions) would have the potential to result in significant impacts at the intersection of Richards Boulevard/Olive Drive, Richards Boulevard/I-80 Eastbound Ramps, and Richards Boulevard/Cowell Boulevard/Research Park Drive.

As further discussed on pages 4.11-61 through 4.11-63, Mitigation Measure 4.11-8 would improve operation of the Richards Boulevard/Olive Drive intersection, which in turn would improve the remainder of the aforementioned intersections. Thus, following implementation of Mitigation Measure 4.11-8, the proposed project would not result in significant impacts to any nearby intersections, including the intersections of Richards Boulevard/Olive Drive and 1st Street/E Street/Richards Boulevard. It should be noted that Mitigation Measure 4.11-8 includes re-striping of Olive Drive, and signal synchronization improvements. The foregoing improvements are sufficient to reduce potential impacts to study intersections without the need for physical changes to such intersections.

Response to Comment 2-6

The selection of alternatives in an EIR is governed by Section 15126.6 of the CEQA Guidelines. As discussed in Chapter 6, Alternatives Analysis, of the Draft EIR, alternatives analyzed in the Draft EIR were chosen to represent a reasonable range of options that would achieve most of the basic objectives of the project. All of the alternatives, like the project, would only have less-than-significant impacts; and some alternatives would result in fewer impacts than the proposed project.

As noted in Section 15126.6(a), there are innumerable alternatives to every project, but an “EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation.” Considering the breadth of alternatives analyzed in Chapter 6, the EIR provides a meaningful and broad analysis of potential alternatives that would allow decision makers to make an informed decision.

Response to Comment 2-7

As noted in the comment, the Union Pacific Railroad (UPRR) tracks are in close proximity to the project site. As such, Chapter 4.5, Hazards and Hazardous Materials, of the Draft EIR, presented information regarding the UPRR tracks and potential hazards from the project’s proximity to the tracks. Because the UPRR tracks currently exist, and the proposed project would not result in the

alteration of the existing tracks or changes to UPRR operations, potential hazards to future residents of the project site posed by UPRR tracks would be considered an impact of the existing environment on the proposed project. As part of the *California Building Industry Association v. Bay Area Air Quality Management District* case (CBIA case), the California Supreme Court granted limited review to the question: Under what circumstances, if any, does CEQA require an analysis of how existing environmental conditions will impact future residents or users (receptors) of a proposed project? In the opinion published on December 17, 2015, the Supreme Court looked closely at the language and legislative intent in CEQA, and found that CEQA does not provide “enough of a basis to suggest that the term ‘environmental effects’ [. . .] is meant, as a general matter, to encompass these broader considerations associated with the health and safety of a project’s future residents or users.” Based on the Supreme Court opinion, it would be considered appropriate to evaluate a project’s potentially significant *exacerbating* effects on existing environmental hazards – effects that arise because the project brings “development and people into the area affected.” The Supreme Court stated that even in those specific instances where evaluation of a project’s potentially significant exacerbating effects on existing environmental hazards is appropriate, the evaluation of how future residents or users could be affected by the exacerbated conditions is still compelled by the project’s impact on the environment, and not the environment’s impact on the project.¹⁰

Considering the recent court ruling, while the proposed project would be located near the UPRR tracks, any potential impacts relating to hazards posed by the existing tracks on future residents would be considered outside of the scope of CEQA. Nevertheless, in the interest of full public disclosure, a full health risk assessment of potential impacts related to emissions from operations on the UPRR tracks, as well as from nearby I-80 traffic, was prepared for the proposed project and is presented as Appendix D to the Draft EIR. As shown in Appendix D to the Draft EIR, emissions related to existing operations of the nearby UPRR tracks would not result in significant impacts to future residents of the project site.

Response to Comment 2-8

Chapter 4.2, Air Quality and Greenhouse Gas Emissions, of the Draft EIR, presents an analysis of potential health risks that could be posed to nearby residents during construction of the proposed project. In compliance with guidance from the YSAQMD, as well as the State Office of Environmental Health Hazard Assessment (OEHHA), risks related to construction activity were analyzed and presented in terms of the potential cancer risks per million persons as well as the non-cancer hazard index for nearby residents.

The non-cancer hazard index is a broad method of presenting the potential for pollutant exposure to result in negative health outcomes.¹¹ Pollutants act on one or more target systems, such as kidneys, respiratory systems, or immune systems, and, if concentrations are high enough, can lead to negative health outcomes within the effected systems.

¹⁰ Alameda County Superior Court. *California Building Industry Association v. Bay Area Air Quality Management District*. A135335 and A136212. Filed August 12, 2016.

¹¹ Environmental Protection Agency. *National Air Toxics Assessment: Glossary of Terms*. Available at <https://www.epa.gov/national-air-toxics-assessment/nata-glossary-terms>. Accessed. July 2017.

Regarding the proposed project, health risks from diesel particulate matter (DPM) during construction activity were analyzed in a project-specific Health-Risk Assessment. Exposure to DPM can cause health effects related to the respiratory system such as throat irritation, asthma, chronic bronchitis, and cancer. Therefore, the Hazard Index for the proposed project measures whether the future residents of the project site would experience any of the foregoing negative health outcomes.

The OEHHA has established a Reference Exposure Level for DPM, and other pollutants, which is the minimum exposure level below which DPM would not be anticipated to result in health impacts. If exposure exceeds the Reference Exposure Level, a negative health outcome may occur causing a Hazard Index of 1 or greater.¹² The Hazard Index calculated for demolition and construction activity related to the proposed project was presented in Table 4.2-12, and is 0.04, indicating a very small likelihood that negative health outcomes would occur.

As discussed in Response to Comment 2-7, the applicability of CEQA to potential issues concerning impacts related to the existing environment on a proposed project has recently been limited by California Supreme Court rulings. Nonetheless, in the interest of full public disclosure, Appendix D to the Draft EIR presented a full Health-Risk Assessment, which focused on the potential for future residents to be affected by existing sources of DPM in the project area. For more information on the full Health-Risk Assessment presented in Appendix D, please see Response to Comment 2-9, below. As shown in Appendix D of the Draft EIR, future residents would be exposed to a non-cancer Hazard Index of 0.003 from emissions related to existing UPRR operations, indicating a very small likelihood that negative health outcomes would occur.

Response to Comment 2-9

Environmental justice relates to the provision of equal levels of protection from environmental health hazards and equal access to decision making that provides healthy environments to all demographic, racial, and socioeconomic groups within a community.¹³ While environmental justice is not a specific environmental issue area discussed in Appendix G of the CEQA Guidelines, environmental justice relates to various issues considered by CEQA. For instance, concentrating a primarily student population or a primarily low-income population near a source of air pollution could be considered an environmental justice issue as well as an environmental issue subject to CEQA where the project exacerbates those existing conditions.

An analysis of potential impacts related to implementation of the proposed project is presented in Chapter 4.2 of the Draft EIR, Air Quality and Greenhouse Gas Emissions. As discussed in Response to Comment 2-7, recent California Supreme Court rulings have limited the applicability of CEQA in regard to potential impacts of the existing environment on the project. Therefore, the

¹² Environmental Protection Agency. *Risk Assessment for Toxic Air Pollutants: A Citizen's Guide*. Available at https://www3.epa.gov/airtoxics/3_90_024.html. Accessed July 2017.

¹³ United States Environmental Protection Agency. *Environmental Justice*. Accessible at <https://www.epa.gov/environmentaljustice>. Accessed August 2017.

analysis presented in Chapter 4.2 focuses primarily on potential impacts that the proposed project could have on the environment.

Nevertheless, as discussed in Chapter 4.2, the project site is located near two existing sources of pollution: vehicle emissions from Interstate 80 (I-80), to the south of the project site, and locomotives travelling and idling along the UPRR tracks, to the north of the project site. Residents currently living on the project site and in the project vicinity are presently exposed to emissions from I-80 and locomotive activities. However, the proposed project would increase the residential density at the project site, and, in doing so, increase the number of sensitive receptors residing at the site. Therefore, the proposed project would increase the number of receptors potentially exposed to existing pollution from I-80 and locomotives on the UPRR tracks. Although the project would increase the number of residents living at the project site, the proposed project would not have any effect on the nearby existing sources of pollution. Furthermore, because the sources of pollution currently exist, exposure of future residents to such pollution would be considered an impact of the environment on the project. However, as stated on page 4.2-34 of the Draft EIR, the City of Davis, as lead agency, chose to prepare a full health risk assessment to evaluate the health risks posed to future residents as a result of the project site's proximity to ongoing railroad and freeway operations. The full health risk assessment was included as Appendix D to the Draft EIR.

As discussed in Appendix D of the Draft EIR, the primary pollutant of concern for future residents is DPM from diesel vehicles on I-80 and locomotives engines on the UPRR tracks. The concentration of DPM at the project site was estimated and the potential health risks posed by such emissions were calculated in terms of increased cancer risk per million people as well as non-cancer hazard indexes. As shown in Table 1 of Appendix D of the Draft EIR, the proposed project would not expose future residents to health risks in excess of thresholds of significance used for the aggregated DPM emissions from I-80 and operations along the UPRR tracks. Consequently, while the project would increase the density of residences in proximity to existing sources of DPM, future residents would not be subject to health risks in excess of accepted standards.

Although the project-specific health risk assessment demonstrated that the proposed project would not expose future residents to excess health risks, Appendix D of the Draft EIR recommended that the City require the use of high-efficiency particulate air (HEPA) filters within the heating, ventilation, and air conditioning (HVAC) system for the proposed residential structure. Such a ventilation system would remove much of the indoor air pollution within the proposed structure, and ensure that health risks to future residents are lower than the risks presented in Appendix D.

Considering the above, future residents of the project would not be exposed to excess levels of pollution, and, thus, the project would not concentrate a certain demographic group in proximity to a known health risk.

Response to Comment 2-10

Please refer to Responses to Comments 2-1 and 2-3. The comment has been forwarded to decision makers for consideration.

Response to Comment 2-11

The baseline requirements for the energy efficiency of the proposed structures are discussed in Chapter 4.2, Air Quality and Greenhouse Gas Emissions, as well as elsewhere in the Draft EIR. Page 4.2-25 through 4.2-26 present the regulatory context of the project in regard to the California Building Standards Code. All buildings in California that would be permitted after January 1, 2017 are subject to the 2016 Building Standards Code, including the Building Energy Efficiency Standards. The proposed project has not yet been approved and permitted; assuming the project is approved, permitting is likely to occur prior to the triennial update of the Building Standards Code, and the 2016 Building Standards Code is likely to apply. As such, the Draft EIR used the California Building Energy Efficiency Standards as the energy efficiency baseline for the proposed project.

Response to Comment 2-12

The Draft EIR presented an analysis of transportation-related issues in Chapter 4.11 Transportation and Circulation. The analysis presented in Chapter 4.11 included investigation of the potential use of alternative modes of transportation by future residents, as well as the local and regional transportation-related impacts that may occur due to implementation of the proposed project. Therefore, while the LEED rating system does not provide an in-depth consideration of transportation-related issues, the Draft EIR provides a full analysis of such issues in Chapter 4.11.

Response to Comment 2-13

The comment suggests that the project should be built without the use natural gas as a power supply, thereby creating an all electrically-powered residential structure. City or State requirements to construct buildings to an all-electric standard do not exist. However, the recommendation has been forwarded to decision makers for consideration.

Response to Comment 2-14

Because Section 8.01.090 of the City's Municipal Code requires compliance with the Tier 1 standards of the California Green Building Standards Code (CalGreen), which includes water conservation measures, and landscaping plans for the proposed project were provided, the project's incorporation of water conservation strategies was known and incorporated into the analysis of the Draft EIR. As discussed on page 3-13 of the Project Description, Chapter 3 of the Draft EIR, the proposed project would include the use of drought tolerant, low water use landscaping, with water efficient irrigation systems. Additionally, current project plans include individual water metering of units. Individual water metering allows for occupants and managers to track water usage patterns of individual units.

The water use demand analysis presented in Chapter 4.12 of the Draft EIR, Utilities and Service Systems, relied on an average per capita demand rate calculated during a 2015 Water Supply Assessment for the City.¹⁴ Under the average per capita demand rate, adequate water supply exists to serve the proposed project and cumulative growth of the City, as discussed in Impact 4.12-1 and

¹⁴ Brown and Caldwell. *Water Supply Assessment for the City of Davis*. February 2015.

4.12-5. If other water conservation measures are included into the proposed project, the project's water demand would be reduced from what was presented in the Draft EIR. Therefore, the Draft EIR presents a conservative analysis of the maximum water demand from the proposed project, and any water conservation strategies included in the proposed project would further reduce water demand from the proposed project.

Response to Comment 2-15

The commenter's recommendations have been forwarded to decision makers. At the time of environmental analysis, the inclusion of on-site renewable energy was not yet determined or finalized. As such, the analysis presented in the Draft EIR assumed that renewable energy would not be included in the proposed project. Instead, the analysis within the Draft EIR assumed that all electricity for the proposed project would be provided from the grid. Electricity from the grid is produced by renewable and non-renewable sources, and, therefore, consumption of electricity from the grid results in GHG emissions. Assuming that all electricity for the proposed project would originate from the grid maximizes the potential energy related GHG emissions associated with implementation of the proposed project, thus providing a conservative analysis of energy-related GHG emissions. If the project is constructed with on-site renewable energy systems, the project would result in GHG emissions less than what was presented in Chapter 4.2, Air Quality and Greenhouse Gas Emissions, of the Draft EIR. Consequently, the analysis within the Draft EIR presents a conservative analysis for the purposes of decision making and public disclosure. It should be noted that even with the conservative assumptions discussed above, Impact 4.2-6 and Impact 4.2-7 within the Draft EIR demonstrate that the proposed project would result in less-than-significant impacts related to GHG emissions.

Response to Comment 2-16

The Sacramento Area Council of Government's (SACOG's) 2016 Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) identified increasing density within urban core areas as a key measure of increasing sustainability in the Sacramento region. In particular, the MTP/SCS encourages increased densities in proximity to existing or planned transit systems because such development encourages the use of transit. Increasing transit use is a key means of reducing single-passenger vehicle use and increasing the region's sustainability.¹⁵ As shown in the MTP/SCS consistency letter provided by SACOG for the proposed project, the project is considered consistent with the MTP/SCS.

However, the City recognizes that there are potential environmental trade-offs that could exist when comparing the per-bed rental housing included as part of the proposed project and traditional multi-family type apartment rental housing. As such, Chapter 6, Alternatives Analysis, of the Draft EIR, analyzed various alternative scenarios that included more traditional housing approaches, such as buildout of the existing Gateway/Olive Drive Specific Plan designation for the site, conventional apartments, and mixed-use housing. The results of the alternatives analysis are presented in Table 6-15, of the Draft EIR, and show that the various options provide for

¹⁵ Sacramento Area Council of Government. 2016 *Metropolitan Transportation Plan/Sustainable Communities Strategy*. February 18, 2016.

environmental trade-offs in many respects. Therefore, the Draft EIR provides decision makers with a reasonable scope of alternatives, which provide information on potential environmental trade-offs concerning the design of the proposed project.

Please refer to Response to Comment 2-9 for a discussion of potential issues related to environmental justice, potential health risks, and the use of HEPA filters in the project.

Response to Comment 2-17

The commenter's support for the inclusion of bicycle parking is noted.

Response to Comment 2-18

Analysis regarding potential impacts to the local circulation system are discussed within Chapter 4.11, Transportation and Circulation, of the Draft EIR. However, issues related to parking are not considered an environmental impact under CEQA, and, thus, the Draft EIR does not specifically consider the amount of parking included in the proposed project. Nevertheless, it should be noted that parking is currently prohibited along the north side of Olive Drive, and the continued prohibition of parking on the north side of Olive Drive would avoid the use of street parking by future residents. Furthermore, while the proposed number of parking spaces currently included in the project design does not meet the City's parking standards, the project is only 16 spaces short of the number of vehicle spaces ordinarily required by the City's Code. A shortfall of 16 spaces would not be anticipated to significantly alter the demand for parking or the potential for parking spillover beyond what would normally occur under standard City requirements. Nevertheless, the commenter's concerns have been forwarded to decision makers for consideration.

Response to Comment 2-19

As discussed on page 3-13 of Chapter 3, Project Description, and further analyzed in Impact 4.11-4 of Chapter 4.11, Transportation and Circulation, the proposed project would include dedication of land along the western boundary of the project site for future construction of a grade-separated bicycle and pedestrian railroad crossing as identified in the Gateway/Olive Drive Specific Plan. The potential, future grade-separated crossing is not part of the Lincoln40 Project, and would be considered separately as a future City-initiated action. The commenter's preference for such a connection is noted, and the comment has been forwarded to decision makers for consideration.

Response to Comment 2-20

On April 4, 2016, Unitrans provided the project applicant with a letter discussing the potential for expanded bus service to Olive Drive. The letter indicates that bus service previously serviced the area, and the possibility exists for future service to the area. Considering the dense nature of development and the added density that would result from implementation of the proposed project, provision of bus service to the Olive Drive area would be feasible; however, funding for such

service is currently speculative, and plans for bus service of the Olive Drive area have not been finalized.¹⁶

Additionally, potential impacts related to transit service in the project area were analyzed in Impact 4.11-5 within Chapter 4.11, Transportation and Circulation, of the Draft EIR. Impact 4.11-5 concluded that transit service in the project area would be sufficient to serve new residents at the project site, and the proposed project would not result in impacts to existing transit service.

¹⁶ Palmere, Anthony, Unitrans General Manager. Personal Communication [letter] with Paul Gradeff, HighBridge Properties. April 4, 2016.

Letter 3

**City of Davis
Bicycling, Transportation, and Street Safety Commission
Thursday, July 13th, 2017**

Commission Members in Attendance: Frances Andrews, Earl Bossard, Ryan Dodge, Daniel Fuchs (Vice Chair), Eric Gudz, George Hague, Mike Mitchell (Chair), Jon Watterson

City Staff in Attendance: Brett Lee

Staff: Brian Mickelson, Assistant City Engineer/Transportation Manager
Brian Abbanat, Senior Transportation Planner
Ike Njoku

Comments/Questions Regarding the DEIR from the Commission

3-1

- How has the DEIR addressed the potential future closure of the Westbound Interstate 80 (I-80) Olive Drive off-ramp?
 - There is only one fire apparatus within Davis (operated by UC Davis not Davis Fire Department) that can reach the fourth and fifth floors of the proposed structure. Will closure of the Olive Drive Off-ramp inhibit timely responses to fourth or fifth floor incidents at the site?
 - Would the sharp turns and railroad underpass act as impediments to the aforementioned UC Davis fire apparatus reaching the project site? Can the UC Davis apparatus pass through the Richards Boulevard underpass?

3-2

- Olive Drive has experienced a large amount of residential development, but the transportation infrastructure has not kept pace. Emergency vehicle access to the area may be an issue as a result.

3-3

- The 708 proposed beds would result in 1,500 to 1,600 daily bike trips from the site, which would occur concurrently with vehicle and pedestrian trips from the project site as well as other existing residences in the area. Additional transportation connections to the project site would reduce potential transportation impacts.
 - The proposed project should be required to include partial funding for a bicycle/pedestrian connection from Olive Drive across the train tracks.

3-4

- Has Unitrans been contacted to potentially provide a bus line to the project site and Olive Drive? Is there sufficient infrastructure to support such a line?

3-5

- The DEIR analysis should have included greater differentiation between bicycling and walking and the analysis should have been more in-depth.

3-6

- Did the DEIR include analysis of potential pedestrian and bicycle trip redistribution that would result from a pedestrian/bicycle connection across the railroad tracks?

3-7

- Concerns were expressed regarding the mitigation measure that requires a seven-foot unprotected bicycle lane on the north sides of Olive Drive. An unprotected bicycle lane of this nature may continue to pose hazards to the public related to bicycle and automobile conflicts. The DEIR should have further analyzed existing and future conflicts between pedestrians, bicyclists, and vehicles.

**Letter 3
Cont'd**

- 3-7 cont'd** ↑
- Possible solutions:
 - Increase size of proposed bike lane from seven feet to 12 feet;
 - Consider implementation of a separated two-way bike lane on north side of Olive Drive to avoid vehicle and bicycle conflicts;
 - Solution should emphasize safety as well as functionality.
 - 3-8** • Sidewalk improvements and protected bike lanes would encourage alternative transportation throughout the Olive Drive area and existing developments. Was such an increase in alternative transportation use considered in the DEIR?
 - 3-9** • Transportation mitigation should include sidewalk expansions up to a seven-foot sidewalk, and a two-way bike lane on one side of Olive Drive should be implemented.
 - Along with the density of this project, such improvements would increase alternative transportation along Olive Drive, improve operation of the Olive Drive/Richards Boulevard intersection, and increase safety.
 - 3-10** • If City requires 256 car parking spaces why should this project be allowed to only provide 240?
 - 3-11** • Why was 240 parking spaces chosen as the appropriate number of spaces?
 - 3-12** • Will 240 parking spaces lead to spillover effects? Has off-site parking been considered?
 - 3-13** • Parking space reduction seems appropriate considering the location of the project as well as the goal of increasing alternative transportation
 - 3-14** • Has a no parking alternative been considered? Conversely has an alternative that would only involve development of the site as a parking area for the City been considered?
 - 3-15** • How were the alternatives included in the EIR chosen?

Comments/Questions Regarding the Project from the Commission

- 3-16** • The high density and location of the project are positive attributes in regard to encouraging alternative means of transportation.
- 3-17** • If better pedestrian connectivity created between downtown and Olive Drive, including the project site, more residents would be likely to walk downtown, and to walk to the Amtrak station.
- With implementation of future pedestrian and bicycle connections this project could be a showcase of connectivity through density and planning.
- 3-18** • Project should include tandem style parking spaces to encourage long-term parking and discourage regular vehicle use.
- 3-19** • Project should charge for parking spaces.
- 3-20** • How does the project comply with the Americans with Disabilities Act (ADA)?

Comments/Questions from the Public

Public Commenter: Tod Edelman

- 3-21** • The Aggressive Parking Alternative included in the DEIR should be pursued as the preferred option for the project
 - 3-22** • Traffic issues from proposed project could be reduced if new pedestrian connection between Olive Drive and downtown constructed. The new connection would reroute existing pedestrian and bicycle traffic away from the intersection of Olive Drive and
- ↓

**Letter 3
Cont'd**

**3-22
cont'd**

Richards Boulevard by allowing for separated pedestrian and bicycle access to downtown destinations.

3-23

- Why are so many different types of bike parking proposed for inclusion into the project?

LETTER 3: BICYCLING, TRANSPORTATION, AND STREET SAFETY COMMISSION, CITY OF DAVIS

Response to Comment 3-1

Chapter 4.11, Transportation and Circulation, of the Draft EIR, analyzed potential transportation-related impacts that could result from implementation of the proposed project in existing conditions as well as in future, cumulative conditions. As discussed on pages 4.11-55 through 4.11-57 and pages 4.11-67 through 4.11-69, multiple cumulative scenarios were considered to address potential development within the City, as well as potential improvements to the City's existing circulation system. CEQA Cumulative Scenario 3 included the closure of the I-80 Olive Drive off-ramp. Consequently, the Draft EIR presented full analysis of the potential impacts that could occur following closure of the aforementioned off-ramp.

Emergency vehicles responding to incidents on Olive Drive may currently use one of two approaches, Richards Boulevard to Olive Drive, or the I-80 Olive Drive off-ramp. Any first alarm fire in Davis gets a response from all City of Davis and UC Davis fire units; this would include three engines and one rescue from the City of Davis and one engine and one ladder truck from UC Davis. If there was a fire at this location, the aforementioned emergency vehicles would respond.

All emergency response vehicles to the Lincoln40 project site would be expected not to use the Olive Drive I-80 off-ramp, with the possible exception of an engine responding from Station 33 at 425 Mace Boulevard, as explained below.

The initial response engine for all calls for the proposed apartment complex would be engine 31, coming from Station 31 on Fifth and E Streets. Engine 33 could respond to this area on a medical call if engine 31 was out of position or on another call. If they were responding to this complex from their station, engine 33 would most likely use the I-80 Olive off-ramp given that the project site is closer to the off-ramp than the Richards Boulevard interchange. Responses from engine 33 at Fire Station 33 typically do not use the I-80 Olive Drive off-ramp to respond to incidents in the area of Olive Drive and Richards Boulevard. Instead, Engine 33 regularly uses the Richards Boulevard/Downtown Route to access the Olive Drive and Richards Boulevard area. The I-80 Olive Drive off-ramp is narrow, and the nature of the existing traffic calming devices along Olive Drive represent hindrances to emergency access on Olive Drive, though it is feasible for fire engines to navigate this portion of Olive Drive.

The closure of the I-80 Olive Drive off-ramp could cause a minor response delay in some instances but they would be rare, as Engine 33 would only be the first responding Davis engine if engine 31 were to be tied up.

It should be noted that while the off-ramp is anticipated for closure to general traffic, provisions may be made to allow for continued use of the off-ramp by emergency vehicles, subject to Caltrans and Federal Highway Administration (FHWA) approval. As the City continues to consider the potential closure of the I-80 Olive Drive off-ramp, the City shall consider the feasibility of maintaining emergency vehicle access through the off-ramp.

The UC Davis Fire Department currently operates Truck 34, which has a 100-foot ladder capable of reaching the fifth floor of structures. Pursuant to the City's mutual aid agreement with UC Davis, Truck 34 would respond, as needed, to incidents at the project site. The I-80 Olive Drive off-ramp would not be on Truck 34's response route; thus, closure of the I-80 Olive Drive off-ramp would not affect Truck 34's response to an incident at the project site. Rather, Truck 34 would be more likely to use the Richards Boulevard Underpass to access the project site.

Truck 34 is 11 feet and two inches tall. The Richards Undercrossing is 13 feet and six inches tall; therefore, Truck 34 would be able to pass through the railroad underpass. Additionally, Truck 34 is a tractor-trailer style tiller truck. Such a design allows Truck 34 to make sharp turns through the use of an independent operator in the rear of the vehicle. Consequently, Truck 34 is able to negotiate through the Richards underpass and pass through any sharp turns on the way without significant delay or hindrance.

As discussed in Impact 4.10-1, of the Draft EIR, response times to Olive Drive vary due to local traffic congestion. Although response times vary given traffic congestion, physical improvements to the transportation network are not needed to improve response times. Rather, response times could be improved through the use of a global positioning system (GPS)-based signal preemption system. The City of Davis and the Davis Fire Department are currently considering such an improvement. Therefore, emergency access to the project site is adequate, and could be improved without physical changes to the local circulation network.

Response to Comment 3-2

Please refer to Response to Comment 3-1.

Response to Comment 3-3

Over the course of an entire day, the proposed Lincoln 40 project would generate an estimated 700 bicycle trips to and from UC Davis and downtown Davis, not the 1,500 to 1,600 daily bike trips per the commenter.

In addition, the proposed project will be required to pay the City of Davis Transportation Impact Fee that will be used to fund local transportation system projects.

The proposed bicycle/pedestrian connection from Olive Drive over the train tracks to the AmTrak Station and downtown Davis and the Davis Arch over Richards Boulevard are two key projects being considered by the City Council. In addition, as part of the I-80/Richards Boulevard interchange improvement project, a separated bicycle/pedestrian path will be constructed on the west side of Richards Boulevard.

Response to Comment 3-4

As discussed in Response to Comment 2-20, Unitrans has been contacted concerning a potential bus route on Olive Drive. Furthermore, a turnaround currently exists at the eastern end of Olive Drive, which could be used by any future transit lines servicing Olive Drive. Please refer to Response to Comment 2-20 for a discussion of potential Unitrans service to the Olive Drive area.

Response to Comment 3-5

Please see Master Response #2, which discusses the travel mode split for the proposed project and its estimated effect on the surrounding roadway system.

Response to Comment 3-6

Because both the proposed bicycle/pedestrian connection from Olive Drive over the tracks to the AmTrak Station and downtown Davis and the Davis Arch over Richards Boulevard are not near-term funded projects, the Draft EIR does not include either of these transportation system improvements in the pedestrian and bicycle trip distribution. Therefore, the Draft EIR impacts to the Richards Boulevard/Olive Drive intersection and required mitigation measure were identified based on the current multi-modal transportation system in the project study area.

Response to Comment 3-7

Mitigation Measure 4.11-8, the extension of the 7-foot wide bicycle lane from its current terminus to the signalized Olive Drive/Richards Boulevard intersection, was developed to improve bicycle circulation on westbound Olive Drive. Similar to the southbound approach to the 5th Street / B Street intersection, the pavement would be painted green for 50 feet with a Class I bicycle marking. A two-way bike lane was considered by the City's Public Works Department. Design challenges and potential conflicts at both the Richards Boulevard/Olive Drive intersection and along Olive Drive resulted in excluding this design alternative from further consideration. The City's Public Works Department listened to the concerns expressed at the Bicycling, Transportation, and Street Safety Commission meeting and is reviewing options for additional design improvements. As part of the I-80/Richards Boulevard Interchange Improvement Project, the City is actively working with Caltrans to permanently close the westbound I-80 to Olive Drive off-ramp. With this closure, the volume on westbound Olive Drive would decrease by more than 250 vehicles during the morning peak hour and by more than 125 vehicles during the evening peak hour. This would not alter the conclusions of the Draft EIR but would further reduce potential conflicts between pedestrians, bicyclists, and right-turning vehicles at the Olive Drive/Richards Boulevard intersection.

Response to Comment 3-8

Sidewalks currently exist along the south side of Olive Drive and along the north side of Olive Drive to the current site of the Kober apartments. Sidewalk improvements included in the proposed project would be limited to the extension of the existing sidewalk along the entire length of the site's Olive Drive frontage. The extended sidewalk would be anticipated to primarily serve future

residents at the project site. Residents of other parts of Olive Drive already have access to sidewalks; thus, the extension of sidewalks along the project site Olive Drive frontage is not likely to lead to a large increase in pedestrian activity from existing residents. Although the project is not anticipated to increase the amount of pedestrian activity from existing residential developments, the increase in residents at the project site would result in increased use of pedestrian facilities in the project area, which was analyzed in Impact 4.11-4 and Impact 4.11-13 of Chapter 4.11, Transportation and Circulation.

Regarding bicycle transportation, the proposed project was assumed to increase bicycle use along Olive Drive due to an increased number of residents at the project site. As discussed throughout Chapter 4.11, the increase in bicyclists on Olive Drive due to the proposed project is not anticipated to result in impacts to existing traffic conditions. However, under cumulative traffic conditions, the proposed project would have the potential to result in traffic related impacts. As such, the Draft EIR imposed Mitigation Measure 4.11-8 on the proposed project, which requires improvements to the existing bike lane along the north side of Olive Drive and restriping of the intersection of Richards Boulevard/Olive Drive. As shown in Chapter 4.11, the improvements to Olive Drive required by Mitigation Measure 4.11-8 would not only help to accommodate increased bicycle and pedestrian traffic at the intersection of Richards Boulevard and Olive Drive, but Mitigation Measure 4.11-8 would have the added benefit of improving intersection operation throughout the project area. As such, the Draft EIR did consider potential increases in alternative transportation that could occur due to implementation of the proposed project.

Response to Comment 3-9

Widening of the sidewalk on the north side of Olive Drive from three feet to five feet, would meet the City of Davis' sidewalk width standard and would be constructed as part of either the I-80/Richards Boulevard Interchange or the Richards Boulevard – Davis Arch Projects. Because widening of the sidewalk has previously been planned by the City, Mitigation Measure 4.11-8 did not include a requirement for the proposed project to complete such widening; however, the analysis of Chapter 4.11 of the Draft EIR assumed that such widening would occur.

A two-way bike lane (i.e. cycle track) was considered by the City's Public Works Department to replace the directional bicycle lanes on Olive Drive. Design challenges of where the cycle track would terminate and how eastbound bicyclists would get back to south side of Olive Drive were identified. It should be noted that the implementation of Mitigation Measure 4.11-8 would not preclude a separate City-led project to construct a cycle track along the entire length of Olive Drive after the westbound I-80 off-ramp is closed as part of the I-80/Richards Boulevard Interchange Project.

Response to Comment 3-10

As discussed in Chapter 3, Project Description, of the Draft EIR, the City's Municipal Code requires that the project include 256 parking spaces. The proposed project includes 240 parking spaces, which is 16 spaces fewer than required by the City's Municipal Code. Although the City's Municipal Code establishes parking requirements for developments, the City has the authority to allow deviation from the established parking requirements as necessary. For instance, current City

policies encourage the use of alternative modes of transportation, but the provision of excess parking spaces can incentivize driving, which is counter to the City's preference for alternative transportation. Reduced on-site parking, in this case, reducing allotted parking by 16 spaces from the number required by the City's Municipal Code, could act as an incentive for prospective residents to use alternative modes of transportation. The potential for alternative transportation is considered high for the project, given the location of the site near UC Davis and downtown and the provision of on-site bicycle parking. The proposed project would exceed the City's bike parking requirements (Section 40.25A of the City's Municipal Code) by providing 725 total bicycle parking spaces versus the 708 required spaces. The 725 spaces would be divided between 531 long-term and 177 short-term parking spaces.

Thus, allowing the minor parking deviation would have the potential to result in other social or environmental benefits related to the City's current goal of reducing single-passenger vehicle use. For the proposed project, the City could choose to allow a reduction in required parking spaces to encourage future residents to reduce vehicle usage, thus helping to achieve other City goals.

Response to Comment 3-11

As discussed in Response to Comment 2-18, parking is not considered to be a CEQA issue. Nonetheless, the comment has been forwarded to decision makers for consideration.

Response to Comment 3-12

Please refer to Response to Comment 2-18.

Response to Comment 3-13

The comment has been noted and forwarded to decision makers for consideration.

Response to Comment 3-14

As discussed in Response to Comment 2-6, Chapter 6 of the Draft EIR presents an analysis of nine different alternatives to the proposed project. One of the alternatives considered in Chapter 6 is an Aggressive Transportation and Parking Demand Management Alternative. The Aggressive Transportation and Parking Demand Management Alternative is identical to the proposed project, except that the Aggressive Transportation and Parking Demand Management Alternative only includes 50 parking spaces. As discussed on page 6-58 of the Draft EIR, the Aggressive Transportation and Parking Demand Management Alternative was determined to be the environmentally superior alternative to the proposed project. Aside from the Aggressive Transportation and Parking Demand Management Alternative, a project alternative that did not include any parking spaces was not considered. Response to Comment 2-6 notes that CEQA does not require the analysis of all conceivable alternatives to a proposed project. Rather, CEQA requires that a reasonable range of alternatives be analyzed to provide decision makers with adequate information. To that end, a total of nine different alternatives were fully analyzed within Chapter 6 of the Draft EIR, which is considered a reasonable range. Although a reasonable range

of alternatives was included in the Draft EIR a project alternative that did not include any on-site parking was not considered within the Draft EIR.

Section 15126.6 of the CEQA Guidelines provides further guidance regarding the selection of project alternatives to be analyzed by directing project alternatives to be chosen that focus on achieving most of the project objectives. Therefore, a project alternative of developing the site solely for vehicle parking was not considered, as such a project would not meet the majority of the project objectives, presented on pages 3-4 through 3-5 of the Project Description Chapter of the Draft EIR.

Response to Comment 3-15

The alternatives included for analysis in the Draft EIR were chosen based on relevant guidance from CEQA Section 15126.6 as well as direction from Davis City Council.¹⁷

Response to Comment 3-16

The comment does not address the adequacy of the Draft EIR. The comment has been forwarded to decision makers for their consideration.

Response to Comment 3-17

For information regarding pedestrian and bicycle connectivity between Olive Drive and downtown Davis please refer to Response to Comment 2-19. The comment has been forwarded to decision makers for their consideration.

Response to Comment 3-18

As discussed previously, issues related to parking are not within the scope of CEQA. However, it should be noted that Figure 3-7 within Chapter 3, Project Description, of the Draft EIR, demonstrates that tandem parking spaces would be used along the northern boundary of the project site.

Response to Comment 3-19

Please refer to Response to Comment 2-18. The comment has been forwarded to decision makers for their consideration.

Response to Comment 3-20

Compliance with the Americans with Disabilities Act (ADA) is not considered to represent an environmental issue. Therefore, the Draft EIR does not specifically address issues related to compliance with the requirements of the ADA. Nevertheless, the project would be required to comply with all of the ADA standards, which would be verified during Building Plan review.

¹⁷ City of Davis, City Council. *Minutes of the Davis City Council: Meeting of April 25, 2017*. April 25, 2017.

Response to Comment 3-21

The commenter's preference for the aforementioned project alternative is noted, and the comment has been forwarded to decision makers for their consideration.

Response to Comment 3-22

Please see Master Response #2.

Response to Comment 3-23

Similar to vehicle parking, bicycle parking is not considered an issue under CEQA. However, the comment has been forwarded to decision makers for their consideration.

Letter 4

From: Jon Li [<mailto:jli@dcn.org>]
Sent: Tuesday, August 15, 2017 8:58 AM
To: Ike Njoku <INjoku@cityofdavis.org>
Subject: 1st comment letter: Bike/Ped RR Overcrossing relief of Richards/Olive prerequisite for Lincoln40: Draft EIR comment to Planning Commission

Hi Ike
Here is my first comment letter.

On Jul 14, 2017, at 7:41 AM, Jon Li <jli@dcn.org> wrote:

Davis Planning Commission meeting of July 26, 2017, hearing on the Draft Environmental Impact Report (Draft EIR) for Lincoln40 project proposed on Olive Drive.

4-1

1. I moved into Slatter's Court August 1, 1987, thirty years ago next week. I sleep maybe six paces from the property line of the project. What has been an undisturbed peace and quiet will now have activity-generated dust and noise risking my quality of life every day for the life of the project.

1

**Letter 4
Cont'd**

- 4-2 2. I have always supported high density housing. I wrote a letter of support for the Lexington. I believe that Davis should have a 6 story height standard, so I have no problem with the 5 stories.
- 4-3 3. The existing Gateway/Olive Drive Specific Plan, and especially the "East Olive Multiple Use" zoning designation was Phil Gross' romantic attempt to prohibit this development from ever happening, to protect its "Cottage Character."
- 4-4 4. Each unit's water should be metered, or there will be no water conservation.
- 4-5 5. The 800 pound gorilla in the discussion is the UCD irresponsible absence of student housing on campus. In light of that, the developer is looking at a monopoly market, with inflated rates. The chance of only rich students being in the development is not a good idea. Some of the housing should be affordable. I do not support the development paying in lieu fees instead of providing affordable units.
- 4-6 6. The city relies of Fehr and Peers for its transportation analysis. I have every intention of blowing up the Davis General Plan over the transportation fraud in this Draft EIR. The Davis General Plan is a monument to the Suburban lifestyle of the 1970s, and while the city and the campus have grown, the General Plan has not evolved. So it only packs more traffic into Richards, with the current crisis at Olive Drive. Expanding the underpass (2 lane one way) and another exit 2 lane would only move the congestion problem to First Street.
- Engineers talk about Bernoulli, meaning the ratio between width and volume flow: if you half the width, it will mean a quarter the volume throughput. Richards is over-capacity, and Lincoln40 is only going to make it worse.
- 4-7 When I went to school, a C was a passing grade, a D was not a passing grade, and F was FAILURE.
- But Fehr and Peers have Grade Inflation: It used to be that a D, E, or F designation for Level of Service (LOS) was un-acceptable. Now D is high-density, but stable flow; E is operating conditions at or near the capacity level, and F is forced or breakdown flow.
- It is the claim of this Draft EIR that the F level of flow is acceptable.
- 4-8 It is the claim of this Draft EIR that it mitigates traffic flow to a less than significant impact.
- I question both of those claims, and demand that solutions not mitigations be found. So far, I have one: Either at grade, below grade or above grade access from Lincoln40 to the Amtrak station is the only thing that can relieve current traffic congestion.
- 4-9 The Fehr and Peers analysis is completely bogus. There are few times during the workday when it is A-C. The intersection has too many problems. When it is at D, it is Normal. When it is at E or F, which is half the workday, it is dangerous for bicycles and pedestrians. The people who wrote the transportation report are obviously not bicycle riders. At too many times during the day, a single pedestrian will hold up the flow of car traffic.

**Letter 4
Cont'd**

4-10

On Fehr and Peers scale, there should be a G for when cars are stopped occasionally, H when cars are stopped frequently. When you have grade inflation, you still have failure, and the problem is that the purpose of your scale is to identify the problems – not whitewash them.

4-11

The single biggest problem in Davis is the traffic hold up on Richards. It is only getting worse every year, and this project will only make it worse still. The Applicant must pay the cost of the pedestrian access to the Amtrak station as a more direct route to UCD for students living in Lincoln40.

Proposal: memorandum of understanding: 5 equal shares in the cost of Bike/Ped RR Overcrossing to mitigate congestion at Richards and Olive: City of Davis (lead agency), UPRR (whose fence funneled all traffic to the intersection to worsen the problem), UCD (whose registration increase without internal housing is causing the problem to accelerate), Lexington (which is half the problem), and Lincoln40. It is a problem TODAY.

4-12

“When the traffic on the roads finally goes mad, disobeying all the regulations that no longer contain it, I shall be risking my neck in there trying to measure things, trying to make a model of the new situation, devising a cybernetic control system that just might work if the authorities dare to listen.”

--- Stafford Beer, President of the Operations Research Society, *Platform for Change* page 78

Jon Li, 1075 Olive Drive #4, Davis CA 95616 (530) 753-0352 jonli@dcn.org

LETTER 4: JOHN LI

Response to Comment 4-1

The proximity of residences in Slatter's Court and in surrounding areas to the project site were discussed throughout the Draft EIR.

In particular, Chapter 4.2, Air Quality and Greenhouse Gas Emissions, of the Draft EIR, addresses the project's potential to result in increased levels of dust in the air during both construction and operation. Potential dust emissions are presented as a component of the particulate matter (PM₁₀) emissions in Table 4.2-10 and Table 4.2-11 of the Draft EIR. As Discussed in Impact 4.2-1 and 4.2-2, construction and operation of the proposed project would result in the emission of dust; however, such emissions would be under YSAQMD's thresholds of significance for the emission of PM₁₀. Furthermore, emissions during demolition and other construction-related activity would be further controlled through the implementation of YSAQMD's best management practices, which, as summarized on page 4.2-42 of the Draft EIR, include watering construction sites, covering haul trucks, stabilizing loose soil, and other measures that would reduce fugitive dust emissions during project construction. As shown in Table 4.2-11, emissions of PM₁₀ during operation would be relatively minor as few areas of the site would remain as gravel or loose dirt that would generate dust.

Potential sources of noise related to implementation of the proposed project were analyzed by j.c. brennan & associates and the analysis was presented in Chapter 4.8, Noise. An analysis of increased operational noise from the proposed project was presented in Impact 4.8-3. As discussed in Impact 4.8-3, although the project would lead to slight increases in traffic noise, such increases would be imperceptible, and, thus, the project would not result in an impact related to the creation of excess noise.

Response to Comment 4-2

The comment does not address the adequacy of the Draft EIR and has been forwarded to decision makers for consideration.

Response to Comment 4-3

As noted in Chapter 3, Project Description, and Chapter 4.7, Land Use and Planning, of the Draft EIR, portions of the project site are designated as East Olive Multiple Use (EOMU). The proposed project includes a request for a land use and zoning plan amendment to the Gateway/Olive Drive Specific Plan that would change the project site from EOMU and Residential Medium Density to Residential Medium High Density (RMHD).

However, the comment does not address the adequacy of the Draft EIR. The comment has been forwarded to decision makers for consideration.

Response to Comment 4-4

Current project plans show the proposed project would include individual water meters for each proposed apartment unit.

Response to Comment 4-5

Please refer to Response to Comment 1-1 for a discussion of housing availability and affordable housing.

Response to Comment 4-6

As discussed in Chapter 4.11, Transportation and Circulation, level of service (LOS) is a qualitative measure of traffic operating conditions, whereby a letter grade, from A to F is assigned, based on quantitative measurements of delay per vehicle. Page 4.11-30 of the Draft EIR notes that the City's General Plan identifies LOS F as the acceptable LOS for certain central areas of the City, including the intersection of Richards Boulevard and Olive Drive. Therefore, the use of LOS F as the acceptable LOS for the intersection of Richards Boulevard and Olive Drive is dictated by the City and applied in the Draft EIR.

Chapter 4.11 presents analysis regarding the potential for the proposed project to result in a degradation of intersection operations in existing and cumulative conditions. As discussed in Impact 4.11-1, while the intersection currently operates at a LOS of F, which indicates poor traffic flow, according to the City's General Plan, a significant degradation of intersection operations would only be considered to occur if the proposed project were to increase the intersection's average delay by five or more seconds. The proposed project would not increase the average delay by five or more seconds, and, thus, the proposed project would not result in significant further degradation of intersection operations. Although the project would not result in an impact to intersection operations under existing conditions, as discussed in Impact 4.11-8 within the Draft EIR, the project would have the potential to result in a significant impact to operations at the intersection of Richards Boulevard and Olive Drive under cumulative traffic conditions. Because the project would have the potential to impact the intersection of Richards Boulevard and Olive Drive under cumulative traffic conditions, Mitigation Measure 4.11-8 was imposed on the proposed project. Mitigation Measure 4.11-8 would increase the efficiency of operations at the intersection of Richards Boulevard and Olive Drive and result in an overall improvement in cumulative traffic conditions. Therefore, as discussed in impact 4.11-8, implementation of Mitigation Measure 4.11-8, would ensure that the proposed project does not significantly worsen operation of the intersection of Richards Boulevard and Olive Drive.

Response to Comment 4-7

Page 25 of the Transportation Element of the City of Davis' General Plan states that a LOS of F is acceptable "during peak traffic hours in the Core Area and Richards Boulevard/Olive Drive."¹⁸ Therefore, the analysis presented in Chapter 4.11 of the Draft EIR follows the standards expressly

¹⁸ City of Davis. *General Plan: Mobility Element* [pg. 25]. December 10, 2013.

established in the City's General Plan. As such, the thresholds of significance used in the Draft EIR are justified based on adopted City standards.

Response to Comment 4-8

As discussed in Chapter 4.11, using the thresholds of significance selected by the City, project traffic alone would not create significant traffic impacts. The Draft EIR further determined that project traffic in combination with traffic from cumulative buildout of the City would have a significant impact on the intersection of Richards Boulevard/Olive Drive. Mitigation Measure 4.11-8 would result in improved intersection operations within the project area through the restriping of portions of the intersection of Richards Boulevard and Olive Drive. By reducing potential impacts of the project on the environment to less-than-significant levels, Mitigation Measure 4.11-8 fulfills the requirements of CEQA without the need for further infrastructure improvements. Nevertheless, the comment has been forwarded to decision makers for consideration.

Response to Comment 4-9

As discussed in Chapter 4.11, Transportation and Circulation, of the Draft EIR, data for the proposed project was collected during the peak traffic periods of 7 AM to 9 AM and 4 PM to 6 PM while UC Davis was in session. It should be noted that the peak traffic periods were determined following an analysis of traffic volumes throughout the entire day, which showed the foregoing peak traffic periods represent the times of day when the area experiences the highest traffic volumes. Data collection included vehicle delay, vehicle volumes, pedestrian volumes, and bicycle volumes through the intersection during the peak traffic periods. Furthermore, Chapter 4.11 includes a discussion of bicycle level of traffic stress and StreetScores as metrics for the relative comfort and safety of bicyclists and pedestrians using the facilities in the project area. The analysis presented throughout Chapter 4.11 was based off the actual usage data collected at the intersections and the observations of the traffic consultants, Fehr and Peers. As such, the LOS, and operation data presented in Chapter 4.11 is based off actual usage data during high demand periods. Such data is considered accurate and reasonable for the purpose of CEQA review of the proposed project.

Response to Comment 4-10

Please refer to Response to Comment 4-7 for a discussion of the City of Davis' adopted LOS standards that were used in the analysis presented in Chapter 4.11.

Response to Comment 4-11

Please refer to Response to Comment 2-5. Additionally, the Lincoln40 Project will be required to pay the City of Davis Transportation Impact Fee that will be used to fund local transportation system projects.

Response to Comment 4-12

The comment does not directly relate to the adequacy of the Draft EIR.

Letter 5

**City of Davis
Historical Resources Management Commission Agenda
Monday, July 17th, 2017**


Commission Members in Attendance: Rand Hebert, David Hickman, William Allen Lowry,
Scott Miltenberger, Erin Autry Montgomery, Richard Rifkin

City Staff in Attendance: Ike Njoku, Staff Liaison,
HRMC Secretary, Nancy Stephenson

Comments/Questions Regarding the DEIR from the Commission

- 5-1 • Department of Parks and Recreation resource evaluation forms should have been included in the Historic Resource Assessment (HRA) Appendix to the EIR for review by the HRMC
- 5-2 • The Cultural Resources Chapter should include a cross-reference to the visual simulation presented in the Aesthetic and Visual Resources Chapter that presents pre- and post- project views from the SP Depot
 - The commission concurred with staff's determination that the visual simulations provided in Aesthetic Resources Chapter demonstrate that the project would not result in a substantial adverse change in the significance of the SP depot
- 5-3 • DEIR should include the distance between Slatter's Court and the five-story portion of the proposed structure, and the distance between the five-story portion of the proposed structures and the SP depot
- 5-4 • Considering that previous resource analyses have determined that Slatter's Court is eligible for listing as a historic resource, the analysis of the HRA should provide more clarity concerning the status of Slatter's Court as a potential resource. Once the status as a potential resource is clarified, the HRA should then discuss the distance of the proposed structure from Slatter's Court, and potential impacts that could occur due to implementation of the proposed project, given Slatter's Court potential eligibility for designation as an historic resource.
- 5-5 • The Kober apartments are linked to the 60s in California. Why is this time period not considered significant?
- 5-6 • Will on-site trees be preserved, especially in regard to the cork oaks, and the vegetation separating the project site from Slatter's Court and the SP Depot.
- 5-7 • Demolition of the on-site structures may not impact the potential historic Lincoln Highway corridor; however, construction of the proposed structure may inhibit the potential for the Lincoln Highway to be listed as a historical corridor.
- 5-8 • Would the project's increase in traffic result in pressure to increase the width of Olive Drive, potentially effecting the existing resources along Olive Drive?
- 5-9 • Would project involve any changes to Richards Boulevard underpass?

Comments/Questions Regarding the Project from the Commission

- 5-10 • For the record:
 - Design Guidelines do not currently exist for this project
- 

**Letter 5
Cont'd**

**5-10
cont'd**



- The project site is outside of the historic resource overlay zone
- Proposed structure may lessen railroad noise at other areas of Olive Drive

5-11



- A memorial to the Callori family should be considered in the form of a sign or other marker

LETTER 5: HISTORICAL RESOURCES MANAGEMENT COMMISSION, CITY OF DAVIS

Response to Comment 5-1

Department of Parks and Recreation (DPR) resource evaluation forms were completed during the preparation of the Historic Resource Assessment (HRA) for the proposed project. The DPR forms were not included in the HRA appendix attached to the Draft EIR to protect any potential historic resources from vandalism. However, because none of the resources assessed were determined to be historically significant, the HRA appendix to the Draft EIR has been updated and the DPR forms have been included in the HRA. The updated HRA is attached to this Final EIR as Appendix B. It should be noted that the addition of the DPR forms to the HRA appendix does not change the conclusions of the Draft EIR; rather, the forms are for clarification purposes only.

Response to Comment 5-2

Chapter 4.1, Aesthetics and Visual Resources, of the Draft EIR, included visual simulations of the proposed project from nearby vantage points including the Southern Pacific (SP) Depot and nearby Slatter's Court. Although the Draft EIR did provide an analysis of potential visual impacts to the surrounding area resulting from the proposed project, the Draft EIR did not direct readers of Chapter 4.4, Cultural Resources, to the visual simulation from the SP Depot included in Chapter 4.1. Review of the visual simulation may improve the reader's ability to assess the Historic Resources Management Commission's finding that the proposed project would not result in a substantial adverse change in the significance of the SP Depot. Consequently, page 4.4-25 of Chapter 4.4, Cultural Resources, of the Draft EIR has been revised as follows:

Nearby Historic Resources

Although the proposed project would involve demolition of structures in close proximity to Slatter's Court, which may be eligible for listing on the CRHR, the structures proposed for demolition are separated from Slatter's Court, and are not part of the same auto-oriented development. Additionally, the proposed project does not include any activities that would physically alter Slatter's Court. As such, Slatter's Court would remain an example of a tourist court motel related to the former Lincoln Highway, and the proposed project would not be anticipated to impact the nearby Slatter's Court potential historic resource.²⁰

The Southern Pacific (SP) Depot property, which is a historic resource listed on the National Register of Historic Places, is located approximately 290 feet northwest of the project site. Considering the distance between the project site and the SP Depot, the proposed project would not have the potential to physically alter the SP Depot. Figure 4.1-1 within Chapter 4.1 of this EIR provides a visual simulation of the proposed project from the SP Depot. As shown in Figure 4.1-1, a substantial amount of vegetation exists along the northern boundary of the project site, which would act as a visual screen between the proposed project and the SP Depot, and the proposed project is anticipated to minimally project into the skyline of the project site. Consequently, the proposed project would not result in a substantial adverse change in the historic significance of the SP Depot.

The foregoing revisions to the Draft EIR are for clarification purposes only, and provide added connectivity between the cultural resources analysis presented in Chapter 4.4 with the analysis of the visual simulations presented in Chapter 4.1 of the Draft EIR.

Response to Comment 5-3

Based on the latest aerial photography available of the project site and the surrounding environment, the closest existing structure at Slatter's Court is approximately 155 feet from the proposed five-story structure. The closest distance from the five-story structure to the westernmost property line is 143 feet. The maximum distance from the five-story building to the Slatter's Court is approximately 402 feet near the Olive Drive frontage. The Southern Pacific Depot is approximately 390 feet from the proposed five-story building. As discussed in Chapter 4.1, of the Draft EIR, visual effects of the proposed project would be limited due to distance between the two properties and the fact that mature trees provide significant screening.

Response to Comment 5-4

Slatter's Court represents one of the few intact auto courts that still remains within the City of Davis associated with the Lincoln Highway of the 1920s-1930s. Slatter's Court (pronounced slate'-ers) is located west of Hickory Lane. The court was developed by Joseph Slatter around the time when the new State Highway was built in the 1920s. In 1940, Joseph Slatter is listed as 53 years of age, having been born in Wisconsin. Based upon U.S. Federal Census data, the Court was occupied by Dust Bowl Migrants during the 1930s and 1940s, including families from Oklahoma, Texas, Missouri, and Arizona. These were hardworking families, many of whom stayed in Davis, while others moved on to jobs throughout the state.

The original complex of buildings included a service station, grocery store, and overnight accommodations in the form of cabins and space for trailers. The service station is now a barbershop. The auto court cabins are small clapboarded gabled cabins typical of the early automobile era, many of which appear to have been remodeled in the past few decades. Slatter's Court has been the subject of several investigations to determine its historical significance, the first entitled "City of Davis Cultural Resources Inventory and Context Statement," which was prepared by Architectural Resources Group for the Davis Parks and Community Services Department in 1996. Slatter's Court has been considered a significant resource during the course of several studies, including the above referenced cultural resource inventory. The 1996 Davis cultural resource survey described the court as follows:

*Slatter's Court is Davis' most intact example of an auto-oriented service facility. Such complexes are becoming increasingly rare in other locales as well. The mature landscaping, which includes very large protective trees, enhances the architectural imagery of the installation... The complex has a very strong sense of a past time and place. This complex of buildings contributes to the Lincoln Highway in Davis and is a significant group of buildings from the era of the Lincoln Highway in Davis.*¹⁹

¹⁹ Architectural Resources Group. *City of Davis Cultural Resources Inventory and Context Statement*. Prepared for the Davis Parks and Community Services Department. 1996.

Since 1996, two additional studies have been completed that have evaluated the potential significance of Slatter's Court. The first study, by JRP Historical Consulting Services, concluded that Slatter's Court does not meet City of Davis standards for significance.²⁰ A subsequent analysis in 2005 concluded that Slatter's Court was eligible for listing under Criterion 1/C in the California Register as a rare surviving example of the tourist court form, a motel type common in the 1920s and 1930s, which has virtually disappeared today (Roland-Nawi Associates 2005).

Based upon the aforementioned studies and inventories, as well as the research performed as part of the Lincoln40 project, the argument can be made that Slatter's Court has the potential of being considered a significant resource in the City of Davis, at least minimally for the Court's association with events of significance in the history of Davis associated with the Lincoln Highway and auto parks or facilities of the 1920s-1940s. The question of which buildings are contributing elements would need to be explored further if a cultural resource inventory and site-specific evaluation is performed on the court.

The closest existing structure at Slatter's Court is approximately 155 feet from the proposed five-story structure. Construction of the five-story building as part of the Lincoln40 project would not diminish the "associative" qualities of the auto court, because there are already significant alterations to the old highway corridor, such as the cluster of contemporary apartment units across the street. In essence, the broader setting of Slatter's Court has already been altered or compromised. The current alignment of Olive Drive would not be dramatically altered with implementation of the project, which is a key element regarding the property's association with automobile travel. Ultimately, consistent with the conclusion on page 4.4-26 of the Draft EIR, there would not be a direct effect to Slatter's Court from the proposed project.

Response to Comment 5-5

Every era of the 20th Century has its own particular significance. The 1950s through the 1960s, for example, are particularly significant for the creation of Eisenhower's "Interstate Freeway System." The freeways of the 1950s and 1960s supplanted older highways, such as the Lincoln Highway, either through rerouting or by overlaying freeways or highways over the earlier routes. In 1943, U.S. Highway 40 (former Lincoln Highway) was rerouted from Olive Drive to the current freeway alignment, later designated as Interstate 80. As discussed on page 4.4-10 of the Draft EIR, the Kober Motel (later apartments), which was reportedly built in 1957, was not related to the Lincoln Highway, but rather the new interstate highway and motorists passing through Davis during the late 1950s, or perhaps visitors to the University.

The significance of the Kober Apartments lies largely in its architectural design as a reflection of popular culture, associated with automobiles and roadside attractions, such as motels and restaurants. In this regard, the Kober Apartments are not an important example of the "modern" motel that was being constructed throughout California, including Sacramento and Yolo counties during the 1950s and 1960s. Despite the fact that there were never many of these motels built in Davis, there were hundreds of similar motels built in the region, many exhibiting architectural

²⁰ JRP Historical Consulting Services. Slatter's Court, Davis, California. Submitted to City of Davis, Parks and Community Services, Cultural Resources Department, Davis, California. July 2002.

design elements that better reflect or portray popular culture of that period or era. Additionally, in the past few decades the motel has been converted to apartments, thus changing the structure's historic function or use, an important asset when considering whether or not the Kober Apartments remain significant. The foregoing information and the information presented on pages 4.4-10 through 4.4-11 of the Draft EIR led to the determination that the Kober Apartments do not meet the criteria for listing as historic resources.

Response to Comment 5-6

Landscaping and vegetation preservation are discussed in the Project Description Chapter and the Biological Resources Chapter of the Draft EIR, Chapter 3 and 4.3, respectively. Of the existing on-site trees, the proposed project would preserve a total of 46 trees. The trees to be preserved would include the two on-site cork oaks identified as Landmark Trees by the Urban Forestry Division of the City of Davis. To ensure that the two landmark cork oaks, as well as the 46 other trees to be preserved, are successfully preserved, the Draft EIR included Mitigation Measures 4.3-7(a) and 4.3-7(b), which establish specific requirements for the protection of on-site trees to remain following demolition and construction activity.

Figure 3-8, within Chapter 3 of the Draft EIR, depicts the trees that would be removed during implementation of the proposed project. The majority of the vegetation to be removed would be removed due to poor health and arborist recommendations. Some of the vegetation to be removed is located in proximity to Slatter's Court and along the northern property line, in proximity to the UPRR lines and the SP Depot. Although the proposed project would include removal of existing trees, as shown in Figure 3-8 and 3-9, the proposed project would include replacement of the removed trees with new trees. The replacement trees would be placed along the western border of the property and would be used to visually screen the proposed structure from Slatter's Court and the SP Depot. The visual simulations of the proposed project, presented in Chapter 4.1 of the Draft EIR, depict the potential visual screening that would be achieved through growth of proposed landscaping. As shown in Figure 4.1-1 and 4.1-4, the new and retained vegetation would act to visually screen the proposed project from the SP Depot and Slatter's Court.

It should be noted that the Draft EIR stated that the project site contains 180 trees. In fact, the project site contains 178 trees. Therefore, all mentions of 180 trees existing on the project site are hereby revised to reference the actual amount of 178 trees. See Chapter 3, Revisions to the DEIR Text, of this Final EIR, for such revisions. The foregoing revisions do not affect the analysis of the Draft EIR, and are for clarification purposes only.

Response to Comment 5-7

Although the 1996 City of Davis Cultural Resources Inventory notes the potential significance of the former Lincoln Highway corridor, and proposes a Lincoln Highway District, the potential district has never been clarified or articulated in terms of how it could or would be considered a significant resource in the City of Davis. As the report states:

The Lincoln Highway had major effects in the city of Davis. The Richards Boulevard Underpass is one of the major elements of the district. Constructed in 1917, this structure

allowed motorists to easily and safely travel under the railroad tracks intersecting in Davis. State Route 6 was completed through the City of Davis in 1918...the highway passed along the southern edge of the city limits following the modern alignment of Olive Drive, entered the city under the Southern Pacific tracks at the Richard's Boulevard underpass, traveled west along First Street and then north along B Street to the intersection of Russell Boulevard. This route became a part of the Lincoln Highway, the first coast-to-coast travel route across the country (Architectural Resources Group 1996).

It is important to note that the original Lincoln Highway Association was disbanded in 1927, ending the formal designation of this route, but the name has persisted in popular use, despite the fact that the Lincoln Highway through Davis became part of U.S. 40, and, ultimately, with the creation of modern-day Interstate 80 in the 1960s, the old highway route was abandoned entirely. In essence, as discussed on page 4.4-5 of the Draft EIR, the historic importance of the route of the Lincoln Highway through Davis is more commemorative than having a physical presence, given the changes that have occurred in the past 75 years. Such changes include infill along Olive Drive and street changes or modifications in the core City of Davis. Therefore, as discussed in Impact 4.4-1 of the Draft EIR, the proposed project will not diminish any of the characteristics that would or could result in commemorating the “route” of the Lincoln Highway through Davis, or the potential future designation of the “route” as an historic resource.

Response to Comment 5-8

An analysis of potential transportation-related impacts that could result due to implementation of the proposed project is included in Chapter 4.11 Transportation and Circulation of the Draft EIR. As discussed throughout Chapter 4.11, the proposed project would increase the number of vehicle, pedestrian, and bicycle trips within the project area. However, as presented in Chapter 4.11, the proposed project’s potential cumulative traffic impacts could be reduced to a less-than-significant level through the extension of the existing bike lane on the north side of Olive Drive, and the restriping of the Richards Boulevard/Olive Drive intersection. Such transportation improvements would not require physical expansion of Olive Drive. Other than the restriping of the Richards Boulevard/Olive Drive intersection within the existing right-of-way, the proposed project includes changes to the on-site circulation network, including vacation of Hickory Lane as a public street, construction of a new vehicle access point east of the proposed structure, and extension of the existing sidewalk along the entire project frontage. Such improvements would not change the capacity of Olive Drive or necessitate the expansion of Olive Drive. It should be noted that as discussed in Response to Comment 3-9, the City plans to widen the sidewalk along the north side of Olive Drive from three feet to five feet. Widening of the sidewalk would be undertaken as a separate, City funded project, and would occur regardless of the proposed project. Nevertheless, widening of the sidewalk is anticipated to occur within the existing right-of-way for Olive Drive.

Considering the analysis presented in Chapter 4.11, the increase in vehicle, pedestrian, and bicycle traffic along Olive Drive could be accommodated within the existing width of the roadway, and expansions of Olive Drive would not be necessary, even in future cumulative conditions. Therefore, the proposed project is not anticipated to result in direct or indirect pressure to expand Olive Drive.

Response to Comment 5-9

The proposed project does not include any changes to the Richards Boulevard underpass.

Response to Comment 5-10

The comment does not address the adequacy of the Draft EIR and has been forwarded to decision makers for consideration.

Response to Comment 5-11

The comment does not address the adequacy of the Draft EIR and has been forwarded to decision makers for consideration.

From: Ashley Feeney
Sent: Monday, July 24, 2017 7:50 AM
To: Ike Njoku <INjoku@cityofdavis.org>
Subject: FW: Lincoln40 Project

Letter 6

FYI

From: Lindsey Douros [<mailto:lindsey.douros@gmail.com>]
Sent: Sunday, July 23, 2017 12:16 AM
To: Planning Commission
Subject: Lincoln40 Project

Dear Davis Planning Commission,

My name is Lindsey Douros and I live in Dixon with my husband and two young daughters. I am writing in support of the Lincoln40 project.

I commute to Davis several times a day to exercise in the parks and greenbelts with Davis Fit4Mom, see friends, initiate play dates for my daughters, shop, and run other errands. My husband and I attend Christ Church Davis, where I volunteer in the church preschool and my husband lends his musical expertise. I'm also a board member at University Covenant Nursery School, where our oldest daughter will attend preschool in the coming fall. We may live in Dixon, but our lives are clearly in Davis. Unfortunately, as a single-income young family, we've been unable to successfully purchase a home in the Davis community--a community we love and in which we are heavily invested.

When we initially moved to the area a little over three years ago, we were eager to find permanent housing; I was pregnant with my first daughter, and my husband had already started working in the region. We sold our first home in Monterey, planning to purchase in Davis, but were unable to do so. Housing inventory at reasonable price points was limited, and the few

6-1

LETTER 6: LINDSEY DOUROS

Response to Comment 6-1

Thank you for providing your thoughts and opinions about the merits of the project. Your experience with the existing Davis housing market is noted for the record. The comment has been forwarded to decision makers for their deliberations.

Letter 7

**City of Davis
Natural Resources Commission Comments
Monday, July 24th, 2017**

Commission Members in Attendance: Mark Braly, Anya McCann, Alan Pryor, John Johnston, Steven Westhoff

City Staff in Attendance: Mitch Sears, Ike Njoku

Commission Questions/Comments Regarding the DEIR

- | | |
|------------|--|
| 7-1 | <ul style="list-style-type: none">• Commission adopts meeting notes from June 26th meeting as first round of Commission comments. |
| 7-2 | <ul style="list-style-type: none">• Hazard Chapter should look into contaminant plume brought to our attention during public comment. |
| 7-3 | <ul style="list-style-type: none">• Project specific Environmental Site Assessment and Hazards chapter should be checked for factual accuracy. |
| 7-4 | <ul style="list-style-type: none">• There is an inconsistency in the thresholds of significance regarding air toxics. In Chapter 4, the DEIR adopts a threshold of 10 cancers per million population and a Hazard Index of 1 (p 4.2-33). Later, those numbers are used to assess emissions during construction (p 4.2-47). In Appendix D, threshold values of 100 cancers per million population and a Hazard Index of 10 are adopted (p 6). These numbers are used to assess the significance of railroad operations on project residents (p 10). There is no explanation why risks to project residents must be 10 times higher than risks to local non-project residents in order to be considered significant. As a practical matter, the railroad-related risk to residents was calculated to be 13 cancers per million, which was deemed less than significant because of the 100 threshold. If the 10 threshold had been applied, the answer would be different. The DEIR should provide a justification for why this is the correct approach, or adjust its conclusions. |
| 7-5 | <ul style="list-style-type: none">• Air pollution health risks to people residing or working adjacent to I-80 and the railroad have been a continuing concern. It was an explicit issue in the Nishi Project, for example. Considering risks on a case-by-case basis through the CEQA process is not efficient. The city should perform health risks all along the I80 corridor as part of the General Plan update, and use those results to inform zoning decisions. |
| 7-6 | <ul style="list-style-type: none">• The DEIR does not appear to address risks of train-related accidents on the residents of the project. It was not that long ago that the City Council was writing letters to stop oil trains from passing through Davis because of safety concerns. The oil trains may be stopped, but that does not mean that hazardous materials are not transported on the line adjacent to the building. An assessment of the risk to the residents from this source should be conducted before the city approves the project. |
| 7-7 | <ul style="list-style-type: none">• Appendix D contains a "recommendation" that High efficiency particulate air (HEPA) filters be required as a condition for project approval. This recommendation does not appear in the Project Description (chapter 3), so it is not clear whether this is a project feature. The project description does highlight "natural ventilation" as a LEED feature (p 3-19). The purpose of recommending HEPA filters in the ventilation system is to remove >80% of the DPM (p 10), which certainly would be a health benefit. It is not clear, however, how the DPM can be removed if residents bypass the HEPA filters by opening |



**Letter 7
Cont'd**

7-7
cont'd

their windows to achieve “natural” ventilation. To accurately depict the risks faced by future residents, a fuller explanation is needed as to whether the HEPA system will be incorporated and how it will operate.

7-8

- Regarding the significance of GHG emissions, the DEIR’s reference to the Niemeier report is a reasonable approach (Tables 4.9 and 4.2-15). As pointed out, the per resident emissions would be acceptable out to 2030 by this standard (p 4.2-53). Presumably, though, the building will stand past 2030, and to make any future reductions in GHG emissions will require additional measures. The GHG subcommittee recommends that the building utilities be all-electric (no natural gas) from the beginning, so that in the future all the building’s energy needs can be supplied from non-GHG-emitting sources.

Commission Questions/Comments Regarding Sustainability Plan and project

7-9

- Commission moves that the Sustainability Plan for the Lincoln40 project must include:
 - Minimum of LEED Gold, as planned for in the Sterling Apartments Project
 - Net Zero Energy:
 - Maximize installation of solar panels on roof space, as feasible.
 - Commit to produce 100% of building’s energy from renewable sources – on-site or off-site
 - Forego natural gas utilities, if feasible.
 - Individual utility (water, electricity) sub-meters for each unit; smart meters
- Incorporate sustainability features into development agreement.

Public Comments Regarding the Project/DEIR

Three Members of the Public offered comments regarding the DEIR and the project.

Richard Casias

7-10

- The Environmental Site Assessment (ESA) performed for the proposed project, and used as a basis of analysis for the DEIR, is flawed.
 - Although the ESA states that the updated 2013 American Society for Testing Materials Standards for ESAs was followed, in fact, the ESA did not follow the updated standards.
 - Compliance with the 2013 standards would have ensured that the ESA identified nearby contamination sites at 203 J Street (see Exhibit 1, 2, and 3) and near the corner of I Street and Third Street close to the SPCA thrift store.

7-11

- A 2015 study identified two separate TCE contamination plumes within the area shown in Exhibit 2.
 - The contamination plumes have not been well defined, and the Water Board has not continued work on the contamination sites.

7-12

- The TCE contamination was originally discovered in 2003 and the 2015 study mapped the plumes.
- The units in Exhibit 1 represent parts per million; thus, the concentration of TCEs at these sites are quite high.

Letter 7
Cont'd

Exhibit 1

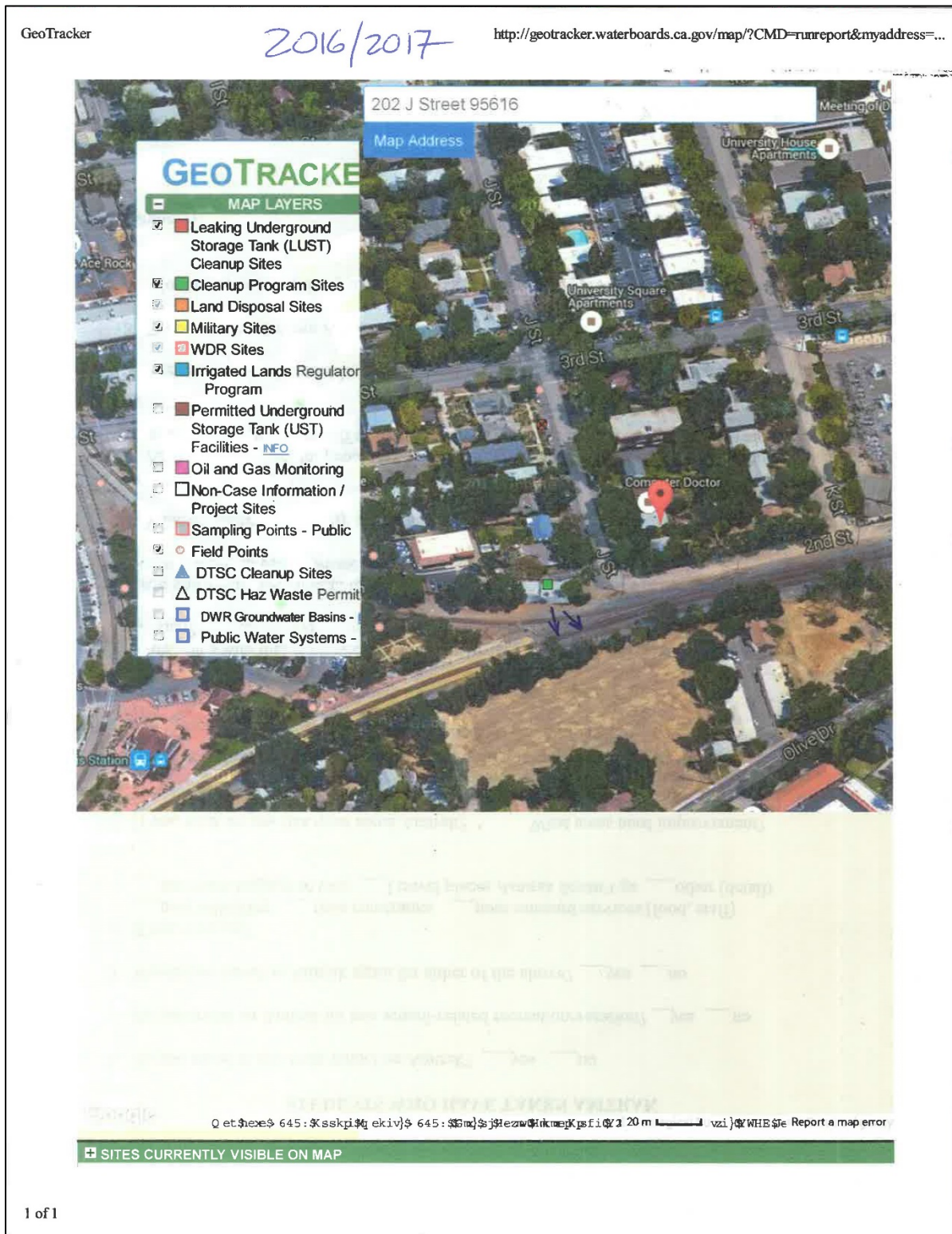


Exhibit 2

Letter 7
Cont'd

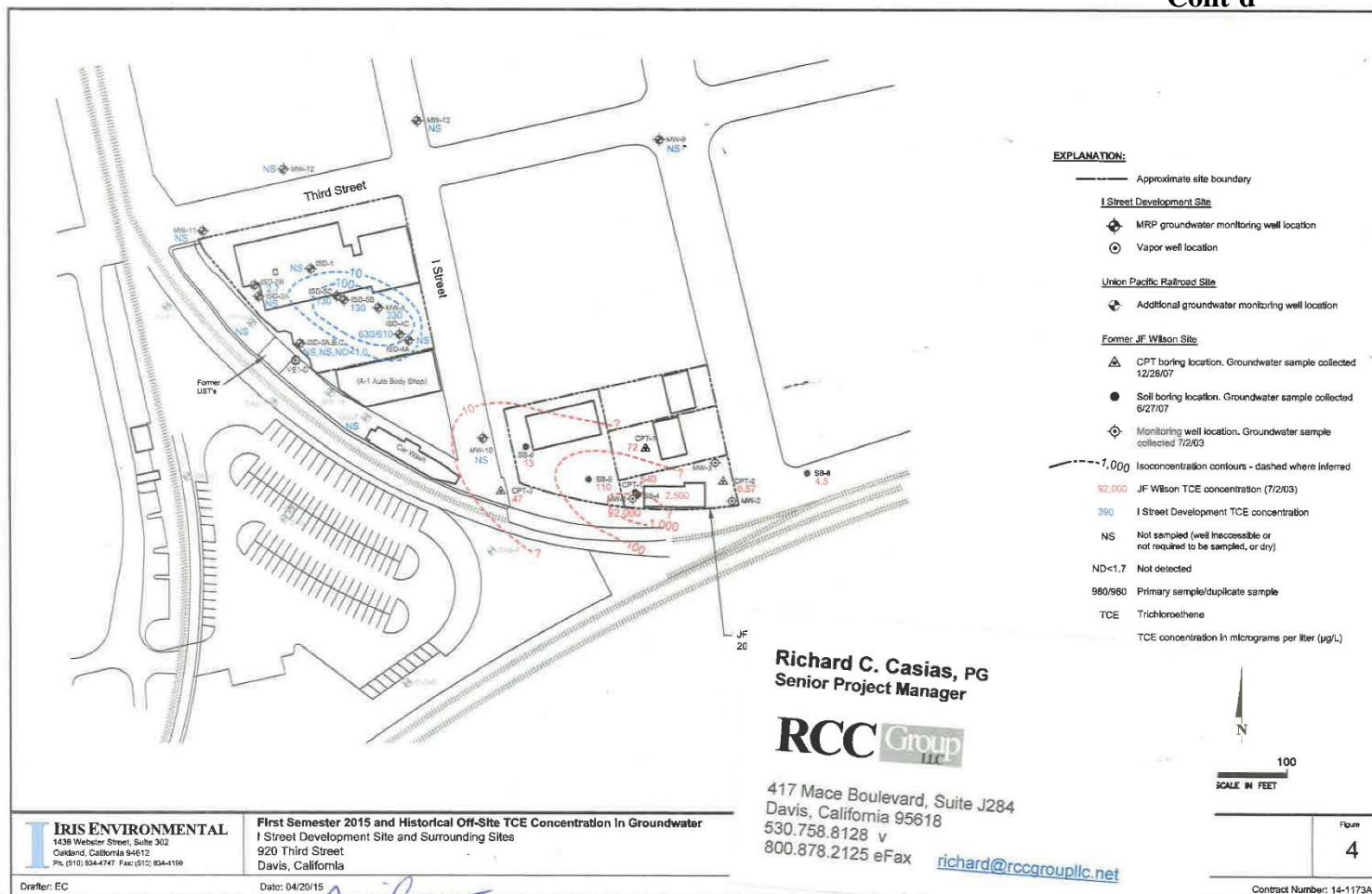
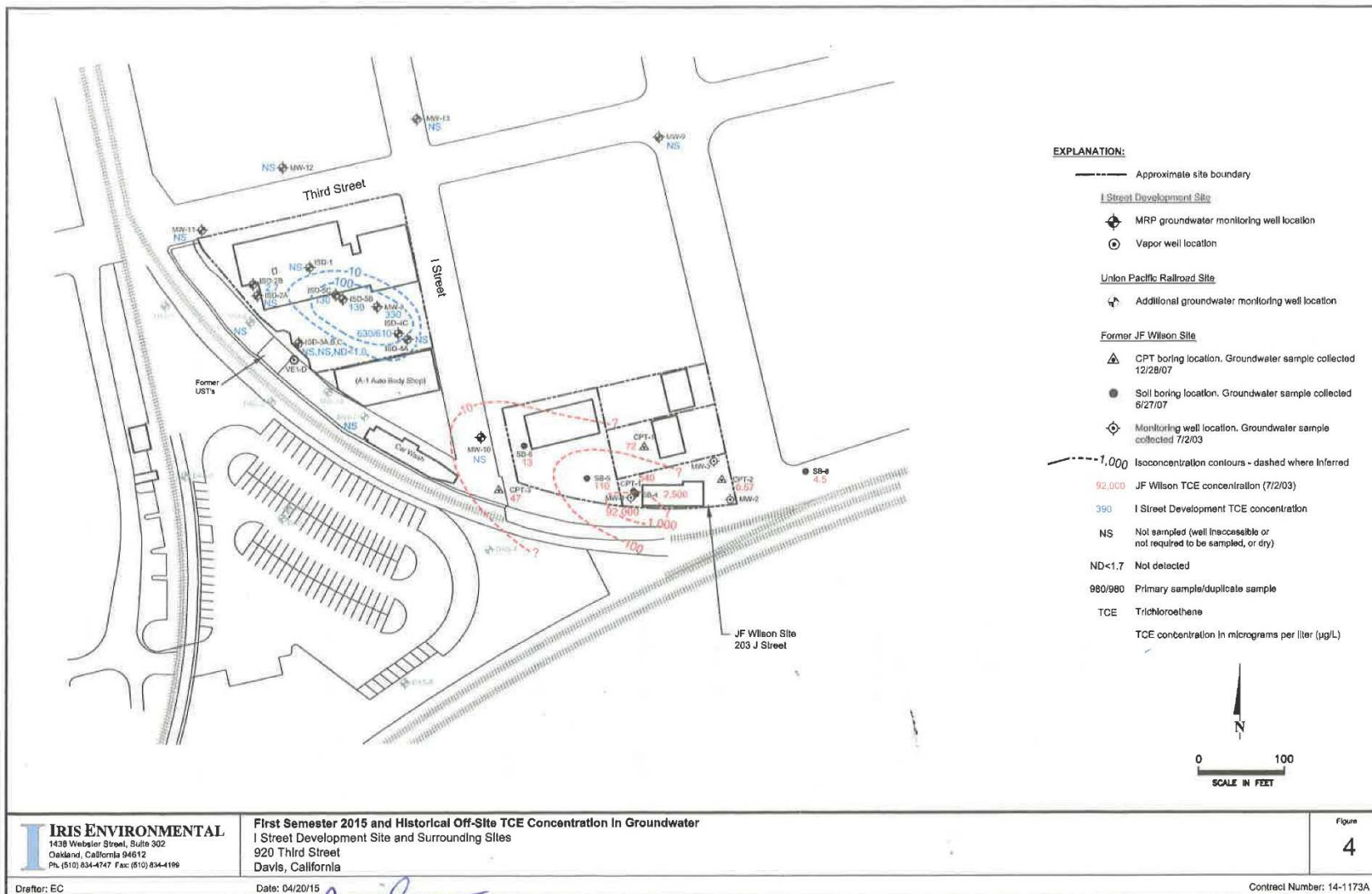


Exhibit 3

Letter 7
Cont'd



**Letter 7
Cont'd**

- 7-13 • The contamination plumes are heading south, southeast, which means the contamination is heading under the train tracks towards the project site.
- 7-14 • Contamination of this nature can be mitigated.
 - If the plume reaches the project site, the proposed structures could be subject to vapor intrusion.
 - Vapor intrusion can be mitigated through proper building techniques.
- 7-15 • The DEIR does not include mitigation measures requiring vapor intrusion barriers
 - Stormwater runoff from railroads often contain high levels of arsenic and lead.
 - Runoff could have contaminated on-site soils.
 - Contamination can be mitigated if it has occurred, but mitigation not included in the DEIR.
- 7-16 • Potential concern if a community garden is proposed on site, if produce grown on-site could become contaminated.
- 7-17 • The ESA for the project stated that the 2013 guidelines were followed, but the content of the ESA does not reflect 2013 standards
- 7-18 • Regional groundwater moves south towards the project site; the DEIR is incorrect in stating groundwater moves southeast.

Susan Rainier, LEED Architect

- 7-19 • Closure of the Olive Drive I-80 off-ramp would turn Olive Drive into a cul-de-sac.
 - Cul-de-sacs are being widely recognized as inappropriate for this age, and are falling out of favor in general.
 - Cul-de-Sacs are particularly inappropriate for high density development areas, such as the Olive Drive area.
- 7-20 • Turning Olive Drive into a cul-de-sac would make the project into a death trap.
 - Emergency vehicle trucks would have great difficulty accessing the site.
 - Site access would be inhibited by the severe traffic congestion at the Richards/Olive Drive intersection, and emergency vehicles needing to turnaround would need to use the cul-de-sac at the end of Olive Drive.
- 7-21 • As the intersection of Richards Boulevard and Olive Drive exists now, the intersection is already unsafe.
 - The project would add more cars to the intersection of Richards Boulevard and Olive Drive, with more congestion and gridlock, which would further reduce the ability of emergency vehicles to access the site.
- 7-22 • CALTRANS may be requiring the closure of Olive Drive, but that closure is in the future, what is in front of the Commission now is the project, which would add more density to Olive Drive.
- 7-23 • The applicant should be able to prove compliance with LEED Gold at this stage in development.
 - Applicant should not have to wait until a later stage of development to determine if LEED Gold would be met.
- 7-24 • LEED equivalency is just a work-around for developers
 - LEED equivalency should not be used

**Letter 7
Cont'd**

- 7-24**
cont'd ↑
- Developers claim LEED equivalency is used because LEED is expensive, but LEED equivalency just provides a way for developers to game the system without getting LEED certified.
- 7-25** • Greater access to 2nd Street from Olive Drive should be looked into.
- Two potential places for linking to 2nd Street over the UPRR tracks.
- 7-26** • Cork oaks have high value to soil quality, stormwater, biological resources and represent cultural resources.
- Canopies of cork oaks draw down carbon from the atmosphere.
 - It is important to have tree canopies drawing down carbon in close proximity to Interstate 80, because I-80 is a major source of carbon.
- 7-27** • Truck hauling related to the project could harm cork oak tree roots that exist under the road.
- Tree roots should be imaged.
- 7-28** • Importance of cork oaks at project site and around Davis should be recognized.

Eileen Samitz

- 7-29** • The City should establish the same requirements as were recently required of the Sterling Apartments Project.
- 7-30** • The intersection of Richards and Olive Drive is already a mess, the project site is a bad location for such a large development.
- 7-31** • The Aggressive Transportation and Parking Demand Management Alternative would not work.
- 50 parking spaces is too few. Providing only 50 spaces would result in spill-over effects as tenants park on the surrounding streets.
 - The project would provide luxury apartments, so the students would be more affluent and would be expected to have cars.
- 7-32** • The Off-Site UC Davis On-Campus Alternative should have been considered the superior alternative.
- The DEIR should not have penalized the Off-Site UC Davis On-Campus Alternative project by saying the Off-Site UC Davis On-Campus Alternative does not meet the objective of using the project site.
- 7-33** • On top of the toxic issue raised by Mr. Casias, other projects in this area have had issues with toxic.
- 7-34** • CEQA streamlining does not allow for streamlining to occur at the expense of local policies and planning.
- CEQA streamlining should not be used as an excuse for not complying with local regulations by this project.
- 7-35** • The project would demand enormous amounts of infrastructure.
- Jamming in 708 students into this cul-de-sac would demand a lot of services, thus increasing City costs and impacts of infrastructure.
 - The project would demand \$30 million in City funded infrastructure. The developer will not pay for that, so the City will have to pay for all the project's infrastructure needs for this bad project.

**Letter 7
Cont'd**

The remainder of the commenter's comments reiterated prepared statements that were submitted to the Commission in writing. The prepared statements are included as Attachment 1 to this document.

**Letter 7
Cont'd**

**Attachment 1
Eileen Samitz Comments**

Letter 7
Cont'd

July 24, 2017

Dear Commissioners,

7-36

I am writing in regard to the Natural Resources Commission review of the Lincoln40 project. It is notable to begin with that the Draft EIR clarified that "no project" is the environmentally superior alternative, which reflects that the enormity of the project as proposed by the developer and its impacts define an unacceptable project. It is notable that the developer's proposed design wants to cram in 708 students in a vicinity Olive Drive which is likely to become a cul-de-sac due to Cal Trans wanting to close off the Olive Drive I-80 exit at some point. The Lincoln40 project scale is too large for that site and is basically a wall in appearance and a project of this size and scale does not belong on a future cul-de-sac. It would be a fire-trap and would have enormous impacts in many ways including traffic and circulation.

7-37

7-38

Furthermore, this should not be about "ware-housing" students in a luxury mega-dorm. If anything moves forward at this site, it needs to be a project with is scaled appropriately and works at the site. Design Review and compatibility are key issues with any new proposal within the City.

7-39

However, in the event that any version of Lincoln40 moves forward, there are critical issues which are not adequately addressed in the Draft EIR and need to be. These same issues came up with the Sterling Apartments project which resulted in conditions which were added to the development agreement to try to address them. Many of these issues are particularly related to the 4- and 5- bedroom suites which dominate the project, where around half of the apartment units will have double occupancy multiplying out the usage of water and energy. This all the more reason why an effective conservation program including monitoring is needed regarding water usage and energy is needed, as was required of the Sterling Apartments project. Some of the issues of concern include the conservation and monitoring program needed (including some evidence it is being implemented by periodic check-ins with the City) and some other issues are as follows:

7-40

- 1) **Water and energy conservation monitoring programs are needed on site:** A conservation monitoring program similar to the Sterling Apartments project needs to be demanded of the developer. Since the project is essentially a single-room-occupancy format renting by-the-bed and because many of the apartments will be 4- and 5- bedroom "suites" the developers typically want to charge a flat rent per bed which allows unlimited water and energy usage. To begin with, metering of water and energy needs to be demanded of each apartment and agreed to be part included in any original construction, because the State mandate does not take effect until next year officially.

The other issue related to this is how does the management of the apartments complex implement water and energy conservation of the billing is done on a flat rate per bedroom since it is a single-room-occupancy leasing format? This same problem was revealed when West Village opened and because the proper planning was *not* done to allow metering to bill for excessive water and electric usage, students have been quoted in the media that they take long showers since there is no incentive to conserve. Their rent would not change not matter how much water and energy they use. We cannot allow the same mistakes make at West Village to be repeated in the City.

Sterling Apartments agreed to do monitoring and give incentives to conserve, however the City needs to have accountability and some periodic evidence from the Lincoln40 management to be assured that this conservation monitoring program is being implemented with periodic reports to the City. Otherwise, there will be massive waste of water and energy and essentially the rest of the residents of the entire apartment complex wind up subsidizing the costs.

Beyond the cost issue is the obvious environmental consequences of the enormous waste of water and impacts on our waste water treatment plant, as well as excessive usage of energy. This accountability "check-in" of the conservation program component would need to demonstrate evidence at least annually or bi-annually to demonstrate that the management is implementing these conservation efforts. This way residents who use

**Letter 7
Cont'd**

7-40
cont'd

excessive amounts of water and /or energy, are charged more, as opposed to spreading that cost out to the rest of the residents which is not only unfair, but allows and encourages the continued waste of water and energy.

7-41

2) **No master leasing by UCD:** There needs to be a control mechanism by the City to avoid master leasing by UCD so that the City does not lose property tax. At the very least, a "make whole" clause needs to be included in the development agreement so that if the City cannot legally prevent Lincoln40 from master leasing that Lincoln40 will make up the property tax losses to the City. Sterling agreed to this and therefore this must be agreed to by Lincoln40.

7-42

3) **Down-size the over-sized project to be a reasonable size and save more trees** to reduce the impacts from the project and to spare more of the trees. The many trees on the Lincoln40 site are especially important to preserve because they help deal with the carbon emissions coming from I-80 traffic which is literally adjacent to the proposed Lincoln40 project site. Sizing the project property reduces the impacts as well including traffic and circulation. Also, a smaller footprint of the project is needed to save more of the precious mature trees which took so many years to grow.

7-43

4) **Monitoring program to ensure that there are not additional occupants per bedroom than the stated original capacity per bedroom for the project:** The Sterling Apartment project committed to monitoring and limiting the number of students per bedroom so that the project impacts on water, waste-water treatment, and traffic and circulation could be quantified so that measures can be proposed to try mitigate these impacts. The Lincoln40 project is over-sized, particularly for the Olive Drive site, but if any version of the Lincoln40 project moves forward it needs to also have a mechanism like Sterling to monitor and control excess occupation per bedroom of the already enormous capacity proposed of 708 student beds. This is student "warehousing" rather than student housing. This massive sized project with a massive number of 708 student occupants is particularly inappropriate since the Lincoln40 project site is adjacent to the massive fumes and noise from I-80 which is directly adjacent to the project.

If you have any questions or would like to discuss the Lincoln40 proposal further, please feel free to contact me.

Thank you for your time and consideration,

Eileen M. Samitz
emsamitz@dcn.org
(530) 756-5165

LETTER 7: NATURAL RESOURCES COMMISSION COMMENTS, CITY OF DAVIS

Response to Comment 7-1

Comments regarding the Draft EIR from the Commission's June 26th meeting are included as Letter 2. Please see Responses to Comments 2-1 through 2-20 for discussion of the Commission's comments from the June 26th meeting.

Response to Comment 7-2

Please see Master Response #1.

Response to Comment 7-3

Please see Master Response #1.

Response to Comment 7-4

Air toxics were analyzed in two locations within the Draft EIR. Potential impacts of project-related emissions of toxic air contaminants (TAC) on existing nearby sensitive receptors were discussed in Chapter 4.2, Air Quality and Greenhouse Gas Emissions. Concurrently, potential impacts to future residents of the proposed residential structure from existing sources of TAC emissions, specifically UPRR operations and nearby I-80 were analyzed in Appendix D of the Draft EIR. While both the analysis within Chapter 4.2 and the analysis within the Appendix discuss potential health risks related to emissions of TAC, the source of such emissions are substantially different, requiring different approaches to each analysis.

The health risk assessment presented in Chapter 4.2 analyzes the potential for the demolition and construction activity included in the proposed project to expose nearby residents to substantial levels of TAC emissions. Diesel-fueled construction equipment would be the primary source of demolition and construction-related TAC emissions from the proposed project. Diesel-fueled construction equipment includes backhoes, graders and other pieces of equipment, which generally move throughout the site during construction, and, thus, are considered mobile sources of emissions. As discussed on page 4.2-33 of the Draft EIR, the YSAQMD has established a threshold of 10 cases of cancer per million residents for exposure to TACs from new individual stationary sources. Stationary sources include individual stationary diesel generators, gas dispensing facilities, chrome platers, and other industrial or commercial processes that emit TACs from one stationary, unmoving point. However, as discussed, construction-related emissions are considered mobile sources of emissions. Therefore, while YSAQMD's threshold was intended to be used for the analysis of emissions from a single source at a single point, the analysis presented in Chapter 4.2 had to determine whether the emissions from multiple sources, over an entire project site, would result in the exposure of receptors to substantial levels of pollution. Nevertheless, in the absence of a YSAQMD-adopted threshold for mobile emissions sources, and considering that all construction-related emissions would occur within the project site, the Draft EIR applied the YSAQMD's stationary source emissions threshold to all emissions from the project site during construction activity. Considering that YSAQMD's thresholds are meant to assess a single source

of emissions on sensitive receptors, application of YSAQMD's stationary source threshold to the multiple mobile sources operating on the project site during demolition and construction is considered conservative. Furthermore, as discussed on page 4.2-33, the threshold used in the Draft EIR to assess the project's potential impact on surrounding receptors is generally supported by methodologies used by the nearby Sacramento Metropolitan Air Quality Management District (SMAQMD) and Bay Area Air Quality Management District (BAAQMD).

Emissions from the UPRR tracks and I-80 are fundamentally different from emissions related to demolition and construction equipment. The first major difference is that emissions from UPRR operations and I-80 already exist in the project area. The proposed project is not anticipated to alter the emissions rate or the severity of emissions from UPRR operations or I-80; thus, the existing emissions represent a potential impact of the environment on the proposed project. As discussed on pages 4.2-33 through 4.2-34, recent CEQA case law has limited the scope of CEQA regarding impacts related to the existing environment on the proposed project. Secondly, as discussed on pages three through six of Appendix D to the Draft EIR, both of the aforementioned sources of pollution are mobile sources that are emitted over wide areas. For instance, emissions from operations along the UPRR tracks are related to the movement of individual locomotives along the railway, as well as idling of locomotive engines at the Amtrak station. Simultaneously, emissions from vehicle traffic on I-80 occur from each individual vehicle throughout the entire length of I-80. As a result, not only are emissions from UPRR operations and I-80 traffic considered mobile sources, but emissions originate from thousands of individual sources with varying intensities of emissions, over a wide emission area. The diffuse nature of emissions from I-80 traffic and UPRR operations renders YSAQMD's threshold for stationary sources inappropriate for analysis of emissions from such sources.

Considering that YSAQMD's thresholds for single stationary sources of emissions on nearby receptors do not apply to emissions from the UPRR operations and I-80 traffic, a threshold more applicable to the cumulative nature of existing pollution in the project area was needed. As discussed on page six of Appendix D to the Draft EIR, the nearby BAAQMD had recently adopted a threshold for such cases,²¹ and the threshold was vetted through the Superior Court of the City and County of San Francisco.²² The BAAQMD's threshold for cumulative thresholds take into account that multiple sources of emissions may exist in proximity to a project site, and the emissions from multiple sources may aggregate to affect receptors. In such cases where multiple sources of emissions contribute TACs to an area, the BAAQMD recommends a cancer risk level of 100 cases of cancer per million people.²³

As discussed on page six of Appendix D to the Draft EIR, while the use of YSAQMD's threshold for new stationary sources can be conservatively applied to construction at the project site, the YSAQMD's threshold for new stationary sources is inappropriate for use when analyzing emissions from I-80 traffic and UPRR operations. Therefore, BAAQMD's cumulative threshold

²¹ Bay Area Air Quality Management District. *California Environmental Quality Act: Air Quality Guidelines*. May 2017.

²² City and County of San Francisco Superior Court. *Mission Bay Alliance et al. v. Office of Community Investment and Infrastructure et al., GSW Arena LLC et al.* Filed November 29, 2016.

²³ Bay Area Air Quality Management District. *California Environmental Quality Act: Air Quality Guidelines* [pgs. 5-15 through 5-16]. May 2017.

of 100 cases per million is an appropriate threshold for use in analyzing the potential for existing emissions from multiple sources to affect future residents.

In conclusion, the application of different thresholds within the Draft EIR is well documented in Chapter 4.2, as well as Appendix D to the Draft EIR, and is supported by CEQA case-law.

Response to Comment 7-5

The commenter's statement that considering risks on a case-by-case basis is not efficient is noted and has been forwarded to decision makers for consideration. However, in the absence of a citywide assessment of health risks, the Draft EIR presented an analysis of air pollution in the project area in Chapter 4.2 of the Draft EIR, as well as in Appendix D to the Draft EIR. Please refer to Response to Comment 2-7 regarding potential impacts related to existing air quality pollutants on the proposed project. As shown in Appendix D, future residents of the proposed residential structure are not anticipated to experience increased health risks in excess of thresholds of significance used by the City for this analysis.

Response to Comment 7-6

Impact 4.5-1 of the Draft EIR concludes that potential impacts from the operation of the nearby UPRR tracks would result in a less-than-significant impact related to potential upset of hazardous materials due to train accidents. Please refer to pages 4.5-11 through 4.5-15 of the Draft EIR.

Response to Comment 7-7

The health risk assessment included as Appendix D to the Draft EIR analyzed potential health risks related to the existence of TAC emissions from nearby sources. The analysis assumed that high-efficiency particulate (HEPA) air filters would not be used. Under the foregoing assumptions, the analysis presented in Appendix D to the Draft EIR concluded that future residents at the project site would not experience increased health risks in excess of the applicable thresholds of significance. Nevertheless, Appendix D to the Draft EIR included the recommendation that the City impose, as a condition of approval for the proposed project, a requirement for the installation of HEPA air filters, within the heating, ventilation, and air conditioning (HVAC) system of the proposed residential structure. The installation of HEPA filters would further reduce potential health risks from the risks presented in Table 1 of Appendix D to the Draft EIR. However, it should be noted that the inclusion of HEPA filters is not required to achieve health risks below the applicable threshold of significance.

Therefore, the health risks presented in Appendix D to the Draft EIR present a worst-case health risk that would occur if the entire project was naturally ventilated. The use of HEPA filters would reduce the concentration of indoor air pollutants, and any requirements for such filters imposed by the City would reduce the health risk for future residents from what is presented in the Draft EIR.

Response to Comment 7-8

Legal requirements that new developments are constructed to be all electric do not currently exist. Additionally, the City of Davis has not adopted requirements that new construction be all electric. As discussed in Chapter 4.2, Air Quality and Greenhouse Gas Emissions, of the Draft EIR, assuming that the proposed project would use both electricity and natural gas, the project is anticipated to result in less-than-significant impacts related to GHG emissions under the City's adopted thresholds for GHG emissions. The possibility exists for the applicant to incorporate alternative energy systems on-site during detailed design of the project; thus, this recommendation has been forwarded to the applicant and decision makers for consideration.

Response to Comment 7-9

Please refer to Response to Comment 2-7 for a discussion of the Draft EIR's consideration of the sustainability plan for the proposed project. The commenter's desire that the sustainability plan include the specified measures is a planning issue that the City's Department of Community Development and Sustainability will consider during its review of the project. The comment has been forwarded to decision makers for consideration.

Response to Comment 7-10

Please see Master Response #1. As discussed in the Master Response, the Phase I ESA prepared by ERCdiligence.com, and included as Appendix K to the Draft EIR, identifies multiple facilities located north of the project site, beyond the UPRR right-of-way, with documented releases of volatile organic compounds (VOCs). The Phase I ESA specifically identifies the former J.F. Wilson facility, located at 203 J Street, approximately 80 feet north of the project site, as well as the I Street Development, located at 920 3rd Street, approximately 500 feet northwest of the project site (see pp. 26 and 29 of Appendix E, Radius Report, to the Phase I ESA).

Response to Comment 7-11

Please see Master Response #1.

Response to Comment 7-12

Please see Master Response #1.

Response to Comment 7-13

Please see Master Response #1.

Response to Comment 7-14

Please see Master Response #1. As demonstrated in the Master Response, mitigation measures requiring vapor intrusion barriers are not necessary.

Response to Comment 7-15

There is an existing storm drain line within the UPRR railroad right-of-way, between the railroad tracks and the property line, which collects runoff from the railroad right-of-way. This storm drain system limits the potential for stormwater runoff to reach the project site from the UPRR right-of-way. To the extent any stormwater runoff from the UPRR right-of-way has historically reached the project site, due to the existing elevation and topography along the northern boundary line, separating the project site and UPRR right-of-way, such runoff would have, at most, extended a few feet onto the project site.

To the extent that the comment also concerns the potential for contaminated runoff to impact the proposed project in the future, no such potential exists. Through typical grading practices, consistent with the City of Davis Public Works Design standards, a landscaped area will be developed along the northern property line separating the project site from the UPRR right-of-way, at grades higher than existing. The increased elevation along this boundary would ensure that runoff would not cross the property line from the UPRR right-of-way onto the project site in the future. Furthermore, the landscaped area along the northern property line would be separated from the adjacent parking lot area by a curb, which would further prevent any potential stormwater runoff collected within this landscaped area from extending into the project's parking lot. For these reasons, once the proposed project is constructed, there would be no potential for any potentially contaminated stormwater runoff from the UPRR right-of-way to reach the project site.

Response to Comment 7-16

The comment does not address the adequacy of the Draft EIR. In addition, a community garden is not proposed for the site.

Response to Comment 7-17

Please see Master Response #1. In addition, it should be noted that the Phase I ESA for the Lincoln40 project site includes an attachment summarizing the soil vapor sampling results at the UPRR Wye VOC Site, which is just north of the Lincoln40 project site.²⁴ The soil vapor sampling report concludes that the PCE and TCE concentrations in groundwater show a consistent, overall decreasing trend, and these compounds in groundwater do not appear to pose a threat to human health and the environment. As a result, it was reasonable for the Phase I ESA to conclude that “No evidence of impact to shallow soil or groundwater was identified during the course of the investigation that would result in Vapor Intrusion.” (Phase I ESA, p. 1).

²⁴ Antea Group. *Annual Monitoring & Conceptual Site Model Report – 2016: Union Pacific Railroad Wye VOC Site, Davis, California, Central Valley Regional Water Quality Control Board Case No. SL185452916*. July 1, 2016.

Response to Comment 7-18

Please see Master Response #1. The direction of subsurface groundwater flow in the project vicinity is variable. However, according to a review of GeoTracker data for the vicinity, groundwater flow in the general area predominantly flows towards the southeast.²⁵

Response to Comment 7-19

Please refer to Responses to Comments 3-1 and 3-2. Closure of the Westbound I-80 Olive Drive Off-ramp is not included in the proposed project, but is being considered a separate project undertaken by the City. Considering that closure of the Westbound I-80 Olive Drive off-ramp is not included as part of the proposed project, implementation of the proposed project would not result in closing of the off-ramp, nor would the project result in Olive Drive becoming a cul-de-sac. Nevertheless, the comment has been forwarded to decision makers for their consideration.

Response to Comment 7-20

Please refer to Responses to Comments 3-1 and 3-2.

Response to Comment 7-21

Please refer to Response to Comment 2-5 regarding the analysis concerning traffic conditions and traffic safety presented in the Draft EIR, and Responses to Comments 3-1 and 3-2 regarding emergency vehicle access.

Response to Comment 7-22

The comment does not directly address the adequacy of the Draft EIR. Please refer to Response to Comment 7-19.

Response to Comment 7-23

Please refer to Response to Comment 2-1.

Response to Comment 7-24

The comment does not address the adequacy of the Draft EIR. The comment has been forwarded to decision makers.

²⁵ Personal communication between Nick Pappani, Vice President, Raney Planning & Management, Inc., and Trevor Hartwell, Geologist, Geocon Consultants, Inc., October 3, 2017.

Response to Comment 7-25

Please refer to Response to Comment 2-5. Additionally, through a planning process independent of the proposed project, the City recently completed the Richards Boulevard – Olive Drive Corridor Study, which included various potential transportation infrastructure improvements to the Richards Boulevard – Olive Drive Corridor.²⁶ It should be noted that the Richards Boulevard – Olive Drive Corridor Study included a potential linkage between Olive Drive and L Street; however, such an alternative has been considered undesirable by the City due to the cost of the project compared to the potential traffic effect.

Response to Comment 7-26

Please refer to Response to Comment 5-6 regarding the protection and removal of on-site trees. It should be noted that the cork oaks along Olive Drive are not proposed for removal as part of the project. All trees, not just cork oaks, remove and sequester carbon during growth. Therefore, while 131 trees would be removed during construction of the proposed project, 93 of which would be removed due to poor health condition, the proposed project would include planting 65 replacement trees, payment of any necessary in-lieu fees, and protection of 46 existing trees. The protected trees and replacement trees would continue to remove and sequester carbon on-site.

Response to Comment 7-27

Olive Drive has been in place for many years, previously acting as the Lincoln Highway and a main thoroughfare through the region. Considering the age of Olive Drive, previous traffic along the roadway has compacted the soil underlying Olive Drive, and further soil compaction from construction vehicles would not be anticipated to occur during construction of the proposed project. Therefore, the roots of the existing trees are not likely to experience disturbance during construction traffic.

Response to Comment 7-28

As discussed on page 4.3-12, and elsewhere in the Draft EIR, the four cork oaks along the project frontage to Olive Drive have been designated as Landmark Trees by the Urban Forestry Division of the City of Davis. Designation of the cork oaks as Landmark Trees signifies the trees' significance to the neighborhood and the City. The cork oaks along Olive Drive are not proposed for removal as part of the project.

Response to Comment 7-29

The comment does not directly pertain to the adequacy of the Draft EIR. Nevertheless, the comment has been forwarded to decision makers for consideration.

²⁶ Fehr & Peers. *Richards Boulevard – Olive Drive Corridor: Transportation Analysis Report*. October 2016.

Response to Comment 7-30

Please refer to Response to Comment 2-5.

Response to Comment 7-31

The commenter speculates regarding the wealth of future residents and the likelihood of residents to choose to have vehicles at the project site. The comment has been forwarded to decision makers.

Response to Comment 7-32

Under Public Resource Code Section 21155.2(c), projects that qualify for CEQA streamlining are not required to analyze off-site alternatives. As discussed throughout the Draft EIR, the proposed project would be considered consistent with SACOG's MTP/SCS, and, thus, the proposed project qualifies for CEQA streamlining. As such the Draft EIR was not required to provide an analysis of off-site alternatives to the proposed project. Nevertheless, for informational purposes, and consistent with City Council direction,²⁷ the Draft EIR provided analyses of multiple off-site scenarios.

Chapter 6, Alternatives Analysis, provides an environmental analysis of nine potential alternatives to the proposed project. One alternative included in Chapter 6 is the Off-Site UC Davis On-Campus Alternative. The Off-Site UC Davis On-Campus Alternative would involve development of an identical project located on the UC Davis Campus. The only substantial difference between the Off-Site UC Davis On-Campus Alternative and the proposed project is that the Off-Site UC Davis On-Campus Alternative would be developed on a currently unknown site within UC Davis-owned property. Analyzing an identical project at an alternative site is common in EIRs. Pursuant to CEQA Guidelines Section 15126.6(f)(2)(A), with respect to alternative locations, "The key question and first step in analysis is whether any of the significant effects of the project would be avoided or substantially lessened by putting the project in another location." Therefore, off-site alternative analyses allow for EIRs to compare differences in environmental impacts that would be the result of the project location itself. Although innumerable permutations could exist for off-site alternatives, it is more difficult to isolate the negative or positive environmental effects of relocating the project if other factors are artificially entered into the analysis, such as reducing the project density, reducing the building heights, etc. Following this approach for the Off-Site UC Davis Alternative analysis, the City chose to keep the density and other parameters the same to facilitate a point to point comparison.

As a result of the Off-Site UC Davis On-Campus Alternative being located at a site other than the project site, Chapter 6 accurately notes that the Off-Site UC Davis On-Campus Alternative would only partially meet one of the objectives of the proposed project, which, as stated on page 6-2 of the Draft EIR, includes revitalizing the project site with new residential developments. However, as shown within the analysis provided on pages 6-53 through 6-58, of the Draft EIR, not meeting all of the project objectives was not the primary consideration that determined that the Off-Site UC Davis On-Campus Alternative would not qualify as the environmentally superior option.

²⁷ City of Davis, City Council. *Minutes of the Davis City Council: Meeting of April 25, 2017*. April 25, 2017.

Rather, as shown throughout the analysis of the Off-Site UC Davis On-Campus Alternative, and summarized in Table 6-15, of the Draft EIR, the similarity of the Off-Site UC Davis On-Campus Alternative to the proposed project resulted in similar potential environmental impacts from the Off-Site UC Davis On-Campus Alternative, as compared to the proposed project. For instance, the Off-Site UC Davis On-Campus Alternative would be anticipated to result in a similar amount of vehicle trips to and from the Off-Site UC Davis On-Campus Alternative site, consequently, the Off-Site UC Davis On-Campus Alternative would result in similar mobile source air quality and GHG emissions. As another example, the Off-Site UC Davis On-Campus Alternative would likely involve a similar area of ground disturbance and vegetation removal as the proposed project, thus the Off-Site UC Davis On-Campus Alternative would be anticipated to result in similar impacts to biological resources. What is evident from the two foregoing examples is that changing the location of the proposed project does not necessarily change the potential impacts that could occur due to implementation of the project.

While the analysis presented within Chapter 6 shows that the Off-Site UC Davis On-Campus Alternative would result in similar or slightly reduced environmental impacts as opposed to the proposed project, other alternatives would reduce potential environmental impacts to a greater degree than the Off-Site UC Davis On-Campus Alternative. Therefore, meeting project objectives was not used as the final determination for the selection of the environmentally superior alternative. Rather, the Aggressive Transportation and Parking Demand Management Alternative was chosen as the environmentally superior alternative over the Off-Site UC Davis On-Campus Alternative because the Aggressive Transportation and Parking Demand Management Alternative resulted in fewer potential environmental impacts.

Response to Comment 7-33

The commenter does not provide support for the statement.

Response to Comment 7-34

Chapter 4.7, Land Use and Planning, of the Draft EIR, presented an analysis of the proposed project's conformance with applicable land use regulations. The Land Use and Planning Chapter of the Draft EIR provides analysis of the project's consistency with the Gateway/Olive Drive Specific Plan as well as the City of Davis' General Plan and other applicable plans and policies. As shown within Chapter 4.7, should the City approve the entitlements included in the proposed project, the proposed project would not result in significant conflicts with land use and planning documents that could cause environmental impacts. Thus, while the project is consistent with the MTP/SCS, should the City approve the project's entitlements, the proposed project would comply with the City's local regulations. Furthermore, while the project qualifies for CEQA streamlining, considering the project's consistency with the MTP/SCS, the Draft EIR provided information on all CEQA topics for the purposes of public disclosure and to aid in the decision making process.

Response to Comment 7-35

Chapter 4.12, Utilities and Service Systems, and Chapter 4.10, Public Services and Recreation, of the Draft EIR, provides analysis regarding the potential environmental impacts that could result

from increased demand on utilities, service systems, and public services as a result of the proposed project. As shown in Chapters 4.12 and 4.11, the proposed project would not result in the need for infrastructure or service improvements that would result in on- or off-site environmental impacts. Furthermore, the City assesses standard development fees on new projects to defray costs of new infrastructure. The proposed project would be required to pay development impact fees, which would fund infrastructure costs generated by the proposed project.

It should be noted that monetary demand is not considered a potential environmental impact under CEQA. Therefore, the Draft EIR does not contain an analysis of the potential fiscal demand of the project. The comment has been forwarded to decision makers for consideration.

Response to Comment 7-36

Chapter 6, Alternatives Analysis, provides an analysis of the No Project Alternative as well as eight other alternatives to the proposed project. The No Project Alternative would not involve any changes to the project site, and such an alternative would not meet any project objectives. It should be noted that No Project Alternatives are commonly identified as the environmentally superior alternative, not because of a particular issue with a project, but because under the No Project Alternative project sites are left in their current state, which often avoids potential impacts from implementation of projects. CEQA Guidelines Section 15126.6 recognize this, and thus, Section 15126(e)(2) of the CEQA Guidelines requires that an environmentally superior alternative be designated and states, “If the environmentally superior alternative is the ‘no project’ alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives.” In accordance with 15126(e)(2), the Aggressive Transportation and Parking Demand Management Alternative was determined to be an environmentally superior alternative to the proposed project. The Aggressive Transportation and Parking Demand Management Alternative featured the same number of residential units on the project site, but reduced the amount of parking spaces included in the site design.

Chapter 4.1 Aesthetics and Visual Resources, of the Draft EIR, presents an analysis of potential impacts related to the aesthetic character of the project. To facilitate the analysis of Chapter 4.1, visual simulations of the proposed structure were incorporated into the Chapter as Figure 4.1-1 through Figure 4.1-4 of the Draft EIR. As further discussed in Impact 4.1-1, the project is not anticipated to result in a significant degradation of the existing visual character or quality of the project site. Furthermore, as shown in Figure 3-3, within Chapter 3, Project Description, of the Draft EIR, the proposed structure would feature a highly articulated design, with varying building heights, colors, and materials used (see Figure 3-4 of the Draft EIR). Although the project would be five-stories, which is taller than the surrounding structures, the nearby Lexington apartments are three-story structures, and developments within Downtown Davis currently range from one to four-stories.

Please refer to Response to Comment 3-1 for a discussion of potential closure of the I-80 Westbound Olive Drive off-ramp. The commenter’s opinions regarding the scale of the project represent a consideration for the planning process, and the comment has been forwarded to decision makers for consideration.

Response to Comment 7-37

Please refer to Response to Comment 3-1.

Response to Comment 7-38

Chapter 6, Alternatives Analysis, of the Draft EIR, includes an analysis of nine alternatives to the proposed project, four of which involve reduced densities. Such alternatives include No Project (No Build), buildout of the project site under existing Gateway/Olive Drive Specific Plan designations, as well as alternatives for the development of reduced density student apartments and development of a Mixed-Use Alternative. The inclusion of such alternatives in Chapter 6 allows for a thorough and reasoned consideration of other potential development options at the project site.

As discussed in Chapter 3, and elsewhere in the Draft EIR, the proposed project would be subject to a design review (i.e., site plan and architectural review). Such a design review would include a review for consistency with City and state standards. Furthermore, the proposed project's consistency with City of Davis standards was included as Chapter 4.7, Land Use and Planning, of the Draft EIR. The comment has been forwarded to decision makers for consideration.

Response to Comment 7-39

Please refer to Response to Comment 2-14 for a discussion regarding water conservation, water availability, and unit metering. It should be noted that the project is anticipated to include individual water metering per apartment unit.

The Draft EIR included analyses related to energy use at the proposed project. In particular, energy use was discussed in Chapter 4.2, Air Quality and Greenhouse Gas Emissions, and in Chapter 4.12, Utilities and Service Systems, of the Draft EIR. As discussed in both of the foregoing Chapters, the proposed project would be designed to meet the most up-to-date requirements of the California Building Code, including the 2016 Building Energy Efficiency Standards. Compliance with such standards would ensure that the proposed project does not result in significant impacts related to energy use, as discussed in Chapters 4.2 and 4.12 of the Draft EIR.

Nevertheless, the comment has been forwarded to decision makers.

Response to Comment 7-40

Please refer to Response to Comment 2-14 for a discussion regarding individual apartment metering for water use. Furthermore, project energy use is discussed in Response to Comment 7-39. In addition to the discussion presented in Response to Comment 7-39, regarding energy use, the project applicant has indicated that individual apartment units would be sub-metered to allow for tracking of energy use on an apartment level. Such energy use tracking would enable further energy conservation from what was assumed in the Draft EIR.

Water use and wastewater production was analyzed and discussed in Chapter 4.12, Utilities and Service Systems, of the Draft EIR. As discussed within Chapter 4.12, project-specific water consumption and wastewater production was considered and impacts related to such environmental issue areas were shown to be less than significant.

The imposition of an on-going conservation plan would be a consideration during the planning process. As such, the comment has been forwarded to decision makers for consideration.

Response to Comment 7-41

The comment does not address the adequacy of the Draft EIR. The comment has been forwarded to decision makers for consideration.

Response to Comment 7-42

As shown in Figure 4.3-1 of the Draft EIR, the proposed project would include removal of some on-site trees due to poor health, removal of other on-site trees due to conflicts with the project's site plan, and retention of various trees throughout the site. However, as discussed in Impact 4.3-7, the proposed project includes planting of at least 65 replacement trees on-site. Additionally, as discussed on page 4.3-32, the project applicant would be required to pay in-lieu replacement fees for the provision of replacement trees off-site. The replacement of on-site trees and payment of in-lieu fees would ensure that the proposed project would not result in a net loss of trees within the City. It should be noted that an equivalent or slightly reduced number of trees would likely be required to be removed in order to implement the Reduced Density Student Apartments Alternative.

Chapter 4.11, of the Draft EIR, presents an analysis of potential impacts related to Transportation and Circulation. As shown within Chapter 4.11, following the implementation of mitigation measures, the proposed project, as currently sized, would not result in any significant impacts to traffic in the project area.

Response to Comment 7-43

The project applicant has stated that future apartment units would be leased on a per-bed basis, which would limit the number of occupants per unit to the number of beds available. The comment has been forwarded to decision makers.

As discussed in Response to Comment 2-7, the California Supreme Court has recently ruled on the applicability of CEQA in analyzing potential impacts of the existing environment on proposed projects. While potential impacts on the proposed project associated with noise from UPRR operations and nearby vehicle traffic, including freeway traffic along I-80, would be considered an impact of the environment on the project, and, thus, not within the scope of CEQA, the Draft EIR presented analysis regarding such topics to the extent feasible within Chapter 4.2, Air Quality and Greenhouse Gas Emissions, Chapter 4.9, Noise, and Appendix D of the Draft EIR. Per Chapter 4.8, Noise, of the Draft EIR, future residents of the proposed project would not be exposed to excessive noise levels associated with nearby vehicle traffic, including freeway traffic on I-80.

Letter 8

From: Mike Webb [mailto:MWebb@cityofdavis.org]
Sent: Wednesday, July 26, 2017 4:01 PM
To: Ike Njoku <INjoku@cityofdavis.org>; Ashley Feeney <AFeeney@cityofdavis.org>; Nick Pappani <npappani@raneymanagement.com>
Subject: Fwd: Lincoln40 EIR needs to be disqualified without analysis of crossing as 1st step

FYI

Sent from my iPad

Begin forwarded message:

From: Todd Edelman <todd@deepstreets.org>
Date: July 26, 2017 at 3:15:04 PM PDT
To: <PlanningCommission@cityofdavis.org>
Cc: "trish@deepstreets.org" <trish@deepstreets.org>, "spikemitchell@hotmail.com" <spikemitchell@hotmail.com>, Jon C Watterson <joncwatterson@gmail.com>, "eric.gudz@gmail.com" <eric.gudz@gmail.com>, "ryan.noel.dodge@gmail.com" <ryan.noel.dodge@gmail.com>, Frances Andrews <francesandrewsbooks@gmail.com>, "boss2bike@att.net" <boss2bike@att.net>, Dan Fuchs <dmfuchs@gmail.com>, George Hague <gthague@yahoo.com>, <citycouncilmembers@cityofdavis.org>, <afeeney@cityofdavis.org>, "Darell Dickey" <ddickey@bikedavis.us>, <jli@dcn.org>
Subject: Lincoln40 EIR needs to be disqualified without analysis of crossing as 1st step

Dear Planning Commission,

- 8-1 The Lincoln40 EIR needs to be disqualified without a thorough analysis of a bike/ped RR overcrossing as the very first stage of the project.
- 8-1 If the project goes forward it is absolutely necessary that a bike-ped over-crossing is a first step, with a MoU that costs for it must be split equitably by Highbridge Properties (Lincoln40), UP, the City of Davis, UCD, Hallmark Properties (Lexington Apts on Olive Dr) and other relevant actors and beneficiaries of the crossing.
- 8-2 Related, i think it is relevant that the planned "tight diamond" re-design of the 80-Richards interchange based on the idea of *increasing* road capacity has clear projections for how long it will be before the situation returns to current levels of congestion, and that we determine how if possible we can use the same financial resources to increase use of Capitol Corridor and other measures that will *reduce* demand.

Letter 8
Cont'd

8-3

The City of Davis also needs to stop using Level of Service requirements.

Thanks for your time!

Todd Edelman, Deep Streets Davis



Todd Edelman
2855 Bidwell St. #2
Davis CA 95618
415-613-0304
todd@deepstreets.org

LETTER 8: TODD EDELMAN

Response to Comment 8-1

Issues related to transportation and circulation of the project area were analyzed in Chapter 4.11, Transportation and Circulation. As discussed throughout the Draft EIR and Chapter 4.11, the proposed project currently consists of a residential development, which would include the dedication of land to the City, for potential future use as a grade-separated railroad crossing. Although the proposed project includes the dedication of land, the project does not include construction of such a crossing; instead, construction of a grade-separated crossing would be undertaken by the City and subject to separate CEQA review. Because the proposed project does not include construction of a grade-separated crossing, and the crossing is not currently included in the City of Davis' list of Capital Improvement Projects, the Draft EIR is not required to include analysis of such a potential future project. Consequently, the analysis presented in Chapter 4.11 relied on the existing pedestrian, bicycle, and vehicle circulation systems to assess potential impacts. As shown in Impact 4.11-4 and Impact 4.11-13, the proposed project would not result in any significant impacts to existing bicycle and pedestrian facilities in existing or cumulative scenarios. Furthermore, as discussed within Chapter 4.11, with the incorporation of Mitigation Measure 4.11-8 restriping of the intersection of Richards Boulevard and Olive Drive, the proposed project would not result in any potential impacts related to overall traffic operations within the project area. Therefore, without the inclusion of a grade-separated crossing over the railroad tracks, the proposed project would not be anticipated to result in significant impacts to transportation and circulation in the project area. Please refer to Master Response #2 for a further discussion of the potential future grade-separated crossing.

The comment has been forwarded to decision makers for consideration.

Response to Comment 8-2

The City of Davis has initiated a study with Caltrans to improve the I-80/Richards Boulevard interchange for all travel modes (cars, transit, pedestrians and bicyclists) with a spread-diamond—versus tight diamond design on the north side of the interchange. This would increase the distance between the freeway off-ramp and the Richards Boulevard/Olive Drive intersection. In addition, as part of the I-80/Richards Boulevard interchange improvement project, a separated bicycle/pedestrian path will be constructed on the west side of Richards Boulevard. It should be noted that CEQA Cumulative scenarios, discussed in Chapter 4.11, Transportation and Circulation, of the Draft EIR, consider potential impacts related to implementation of the proposed project as well as potential improvements to the I-80/Richards Boulevard interchange.

Response to Comment 8-3

The standards of significance used in the Draft EIR originate from adopted policies and plans within the City, specifically, LOS standards for intersection operation are established in the City's General Plan. In addition to existing City standards, Caltrans has established LOS standards for I-80. Chapter 4.11 of the Draft EIR presents analysis pertaining to I-80 operations and queuing;

because the Draft EIR includes analysis of I-80, which is within Caltrans' jurisdiction, the Draft EIR used the LOS standard adopted by Caltrans.

In addition to the LOS analysis, as seen on pages 4.11-30 through 4.11-31, the Draft EIR provided a VMT analysis using guidance provided by the OPR technical advisory for SB 743. The qualitative threshold used for the analysis is consistent with SB 74 advisory, as follows: would the project exceed regional per capita VMT averages. According to Impact 4.11-3, the project's 10.0 VMT per capita per day is lower than the existing City Davis/UC Davis Area-generated 18.0 VMT per capita per day.

Nevertheless, the commenter's preference for the City to use standards other than LOS in future environmental analyses is noted, and the comment shall be forwarded to decision makers for review and consideration.

Letter 9

From: Jon Li [<mailto:jlili@dcn.org>]
Sent: Wednesday, July 26, 2017 12:24 PM
To: Ike Njoku <INjoku@cityofdavis.org>
Cc: Paul Gradeff <pgradeff@highbridgeproperties.net>; Vanessa Errecarte <verrecarte@gmail.com>; Robb Davis <RDavis@cityofdavis.org>; Brett Lee <BLee@cityofdavis.org>; Lucas Frerichs <lucasf@cityofdavis.org>; Will Arnold <WArnold@cityofdavis.org>; Rochelle Swanson <RSwanson@cityofdavis.org>; Stacey Winton <SWinton@cityofdavis.org>; Kelly Stachowicz <KStachowicz@cityofdavis.org>; Mike Webb <MWebb@cityofdavis.org>; Katherine Hess <KHess@cityofdavis.org>; ddavis@davisenterprise.net; John.Meyer@live.com; President@ucop.edu; chancellor@ucdavis.edu; provost@ucdavis.edu; kfmohr@ucdavis.edu; Karl M Engelbach <kmengelbach@ucdavis.edu>; Marjorie Dickinson <mmddickinson@ucdavis.edu>; rbsegar@ucdavis.edu; ralphwashingtonjr@gmail.com; jagriffith@ucdavis.edu; gasandy@ucdavis.edu; Dana Topousis <dtopousis@ucdavis.edu>
Subject: Pedestrians block up Richards at Olive in Lincoln40 Draft EIR

City of Davis Planning Commission hearing on Lincoln40 project, July 26, 2017

These comments are addressed to the California State Supreme Court, and the Chief Justice who is my expert witness, since she went to UCD for undergraduate and law school.

9-1

This is the one opportunity the public has to actually participate in the decision design of the Lincoln40 project. I detest the Davis General Plan, and I hate the California Environmental Quality Act that governs it and too much of city governance. In the name of POWER, that is the supposed economic dominance of a locality, LAND USE is glorified at the expense of people. I believe we should have a City Charter that includes the other 90% of what the city council is responsible for. Tonight I will be presenting my plan for Davis to become a charter city with communities of around 5,000 people, to replace county government statewide during public comment, so I can focus on the problems that Lincoln40 causes Richards and Olive drive since the UPRR put

9-2

up the fence and channels maybe 2000 people to walk through the intersection several times a day. For me, as much as a dozen times a day, which obstructs car traffic, and was ignored by the Draft EIR.

**Letter 9
Cont'd**

This is the only chance I have to attack bad public process, bad economic development, and mostly tonight stupid traffic science declaring “less than significant environmental impacts” to congestion at Richards and Olive, with only a passing reference to a pedestrian/bicycle railroad overcrossing that the developer has conned everyone with to relieve the F traffic stoppage created by 700 additional people.

9-3

The transportation element of the Lincoln40 Draft Environmental Impact Report is such bad science that it cannot justify building the project even though it claims it will not worsen traffic that is already at level F. Every pitch of the Lincoln40 project includes the hope of the RR overcrossing. Pure fraud.

The Davis General Plan is a bad suburban car oriented joke on bicycles (bikes are mostly in the logo, and only 12% of the population use bikes regularly, down from 22%). The worst problem for the central southern half of Davis is the Richards Olive traffic congestion. It is the one place that people plan around because the traffic is so much worse than the carrying capacity of the tunnel.

The Richards Olive Traffic is a frog in boiling water in a pan, the Davis population is fighting it every day, and this Draft EIR claims that they won't make it significantly worse while adding 700 people. The only argument they have is rhetoric, and claiming that level of F (the worst) is “acceptable.”

9-4

I urge the Planning Commission not to certify the Lincoln40 Draft EIR without a thorough analysis of the comparison between how much worse traffic will be during the building of the project (which the Draft EIR whitewashes) AND an analysis of what a pedestrian/bicycle overcrossing would do to improve the traffic that is getting worse from pedestrians NOW, and what it would be like in a best case scenario of building the overcrossing as the initial phase of Lincoln40, because anything else is so much worse that it is unacceptable to the half of Davis that is impacted every day by Richards Olive Drive.

9-5

9-6

I wish to be on record as asking 1) that this Draft EIR be rejected until it has a workable analysis of the railroad overcrossing happening first, and

9-7

2) that the City of Davis General Plan is incapable of dealing with economic development, growth issues, land use and transportation issues because the 2001 plan is so out of date and out of touch with the need to change from the suburban auto-centered reality in California for climate change, and,

3) that CEQA is unconstitutional in California because it violates the state constitutional provision for home rule, which is normally interpreted permissively, and I am arguing that it is prohibitive to dynamic economic process now that the state has eliminated Redevelopment Agencies.

Governor Reagan's administration invented the CEQA to pin the environmentalists in a legal corner where they could only complain, and rarely stop a project. Then Governor Brown's administrations did a lot to make the CEQA so tedious and boring that it is a complete waste of time.

Letter 9 Cont'd

Worse, as social process, it is a terrible way to organize economic change. It gives the developer all the power and responsibility, and then they go crazy. The Lincoln40 developer "listened for 2 years" but he never had a thing to do with me. I hate the process. It reminds me of leeching, used in medicine in former times to bleed patients. CEQA does no good whatsoever. This process does not work at all.

Lois Wolk, Maynard Skinner and I invented the current general plan in 1992, and Sue Greenwald invented the Growth Management and Neighborhood Preservation committee, and her paranoia destroyed my innovation.

Back in 1972, Davis had a 2 year general plan process with a committee of 110 people who made Davis famous for suburban environmental awareness right after the Arab oil embargo. By 1984, that plan was obsolete and Davis was bursting with growth pressures just like it is now. In 1986, the city council majority of Rosenberg Evans and Corbett broke the Brown Public Meeting rules every week as they decided on the phone and then announced at the council meeting what was going to be in the 1987 general plan. It was such bad politics that by 1992, I organized a Davis Citizens Plan Day in Emerson Junior High, and all the candidates for city council came pledged to a new general plan. One of the shortest plan time periods in municipal history.

9-7
cont'd

In 1993, the author of my favorite book called from Toronto, and asked me to write a Reader's Guide for the second edition:

Why Jon Li is the author of this Reader's Guide to *Platform for Change*:

Jon Li is a political economist who has been writing about applied general systems theory since 1975, and the ideas in *Platform for Change* since 1976. Jon has worked in county mental health administration, for the California legislature as a consultant on health and welfare policy, and in video production. Jon is involved in setting up the Davis Community Network, a residential citywide computer network linked to the Internet. Jon recently convinced the Davis City Council to run a 3 year planning process to revise the City General Plan; with over 200 citizen volunteers on 14 committees; with issues ranging from housing, transportation, land use and open space (which are state mandated elements), to economics, health and social services, and computers (areas which are not state-required elements of the city's General Plan). Jon's theory goal of applying general systems theory is to convince the California legislature to set up similar citywide generalist committees in every city in California, and then hold a decentralized state constitutional convention. Jon is usually seen around Davis on his bicycle.

I believe cities should become charter cities (1/4 are now), and have a dynamic environmental-socio-economic plan. And eliminate county government, replacing it with communities of 10,000, with federal daily reporting requirements for all jurisdictions. The budget was invented when a year was a short time period, like a week is now, post-Internet.

**Letter 9
Cont'd**

9-8

The biggest problem the Davis Planning Commission has is the Richards Olive interchange. I saw a bicyclist that had been hit by a car, and a fire engine was diagonally parked to block traffic in both directions for a half hour. It seems like that a lot of the time with Richards, and traffic is at level of service F. But the scale is so pathetic that saying Level of Service "F" is like saying it is hot in Davis when you can only measure the temperature up to 90 °F, and all you can say is that it gets "hotter" and can't distinguish between 95 °F and the 105 °F days that we get every summer. The traffic is so much worse at Richards Olive that there needs to be an extension of the LOS scale past F, to G, H, and I, where I is the fire engine blocking traffic forever. Then look at how bad a single pedestrian is.

9-9

When UPRR put up the fence along the RR track, it funneled all the pedestrians and bicyclists to Richards, maybe 2000 people, many trips a day. Lincoln40 will raise that to 2700 people a day, in a over loaded traffic system, where the pedestrian stops traffic. Over and over again.

9-10

And UCD is adding thousands and thousands of new students, and the city and UCD refuse to add new housing, forcing more and more traffic onto Richards every day.

9-11

The city general plan was written to be obsolete 20 years ago. It is driving by looking in the rear view mirror, with a dream of Davis becoming Winters, which has 7500 people. The Davis General Plan is a monument to the 1970s, Birkenstocks and Volvos, and a bike in the garage. The plan is a tribute to a suburban car-oriented lifestyle, which is not sustainable. The only thing "sustainable" about the Davis General Plan is that the word "sustainable" is inserted in several in-significant places. The Davis General Plan is a tribute to automobiles, with an out of date obsolete high wheeler that nobody rides as our logo. CEQA is just as obsolete in view of climate change as the Davis high wheeler bike logo.

9-12

The only part of the Lincoln40 Draft EIR that matters is the transportation element, and it is a disaster. A complete fraud. Fehr and Peers "stake their reputation" on these analyses, and they have a great track record. But the absurd ritual that the CEQA process calls public evaluation and approval of a project is this bureaucratic waste of paper that is called a Draft EIR. It is 90% boilerplate and of no use at all; 5% should be stated once and then the other 5% is the relevant issues of concern in this project at this time.

The problem with engineers is that after they figure something out, they use it again. When they have a successful design, they use it until they fail. With a bridge, the idea is what happened to the Tacoma Bridge when the winds caused accelerated harmonic vibration, and the bridge exceeded its carrying capacity. The Fehr and Peers analysis in this Draft EIR is a canary in the coal mine dying indication of how rote and unaware of the environment the CEQA process has become.

**Letter 9
Cont'd**

**9-12
cont'd**

The only purpose of CEQA and the EIR process is to bury the issues of environmental concern in so much bureaucratic jargon, to legitimize environmental damage, that the proposed project is not stopped.

Fehr and Peers transportation analysis is a complete fraud. A con job. Deceit. If you believe then pretend. Calling a sow's ear a silk's purse.

The only thing that matters is for the Planning Commission to certify the Draft EIR. It doesn't need to actually say anything. Once the Draft EIR is approved, the whole process moves on and nobody cares if the analysis was right or worked.

9-13

Fehr and Peers start with the assumption of "less than significant impacts" and then work backwards with their rhetoric and then it doesn't matter at all what the numbers are. Fehr and Peers justify a "Level of Service" of "F" that somehow has less than significant impact when adding 700 people.

Hogwash. Gross misrepresentation. The Fehr and Peers emperor has no clothes. They are resting on their reputation. Engineers have a tendency to repeat what was successful; it is a cheap way to benefit from earlier work. Sometimes the rhetoric is mass producible: over 90% of this Draft EIR was cut and pasted from other Draft EIRs. You have no way of knowing if it is a good analysis, unless you can compare it to reality, which Fehr and Peers obviously did not do.

9-14

Level of Service F is not acceptable, except to Fehr and Peers. The reality of Richards and Olive is so much worse than Fehr and Peers represent that F is a joke. To detect failure, the measuring tool must be expanded to G, H, and I. Too often Richards is at G because of one stubborn pedestrian who resents the car drivers and decides to hold them in traffic.

9-15

The Fehr and Peers analysis is engineering malpractice. The City of Davis should sue Fehr and Peers to get our money back, just like the city did with Omni Means for the Poleline Road overcrossing fraud.

9-16

This is my formal challenge to the Draft EIR of the Lincoln40 project. I request that it be disqualified without a thorough analysis of a bike/ped RR overcrossing as the very first stage of the project, and that be the only direction that the project takes, and,

9-17

The CEQA process is a complete failure at meeting our public and community needs, in terms of social dialogue, economic development and community building.

**Letter 9
Cont'd**

**9-17
cont'd**

Using the Transportation Element of the Lincoln40 Draft EIR, I urge

The State Supreme Court to immediately halt all further CEQA activities (including but not limited to general plan processes and Draft EIRs) until the state legislature has passed a law for local governments to establish dynamic environmental-social-economic plans with specific project impact analyses focusing on the issues that matter and universal daily reporting.

On August 1, before the deadline, I will provide the City of Davis with my specific critique of Fehr and Peers Transportation analysis.

9-18

Having said that, Proposal: memorandum of understanding: 5 equal shares in the cost of Bike/Ped RR Overcrossing to mitigate congestion at Richards and Olive: City of Davis (lead agency), UPRR (whose fence funneled all traffic to the intersection to worsen the problem), UCD (whose registration increase without internal housing is causing the problem to accelerate), Lexington (which is half the problem), and Lincoln40.

Jon Li/1075 Olive Drive #4 Davis CA 95616/530-753-0352 jonli@dcn.org

LETTER 9: JOHN LI

Response to Comment 9-1

Per California Public Resources Code Division 13, Environmental Quality, Chapter 1, Section 21000, the CEQA process is intended to involve the citizens of California, and all state agencies and actors with the potential to affect the environment in the decision making process in order to properly address potential environmental damage from new construction and development within the state. To that end, the environmental review process provides several opportunities for citizens to participate in the decision making process as the process relates to the evaluation of potential environmental issues. The first such opportunity occurred on August 29, 2016, when the NOP for the Draft EIR was posted. The NOP included project details as well as an Initial Study of potential project impacts, which informed the public of the contents to be covered in the Draft EIR. The NOP was publicly posted in accordance with CEQA. In compliance with CEQA, public comments were accepted on the scope of the environmental analysis of the proposed project from August 29, 2016 until 5:00 PM on September 27, 2016, and a public scoping meeting was held on September 15, 2016. During the NOP comment period, comments on the scope of environmental analysis were accepted in written form, through electronic submission, and in-person at the scoping meeting. As discussed in Chapter 1 of the Draft EIR, comments submitted during the NOP comment period were used to guide the analysis of the Draft EIR.

Following publication of the Draft EIR, the project was discussed on multiple occasions before four different City commissions. The Draft EIR was discussed before the Natural Resources Commission on June 26 and July 24 of 2017, before the Bicycling, Transportation, and Street Safety Commission on July 13, 2017, before the Historical Resources Management Commission on July 17, 2017, and before the City's Planning Commission on July 26, 2017. All of the foregoing commission meetings were open to the public, and public comment was accepted during all meetings. Additional hearings before the Planning Commission and City Council will occur for consideration of certification of the EIR and approval of the proposed project.

It should be noted that discussions of project design occur at Planning Commission and City Council hearings and are not a typical component of the CEQA process. The public will have opportunities to comment on the merits of the project at such hearings.

Response to Comment 9-2

The commenter's statement regarding 2,000 people walking through the intersection (Olive/Richards) is not accurate. Currently 750 pedestrians use the crosswalks at the Olive Drive/Richards Boulevard signalized intersection.

Over the course of an entire day, the proposed Lincoln40 project would add 350 walking trips to the Olive Drive/Richards Boulevard intersection. During the morning peak hour 50 residents would walk to and from UC Davis and downtown Davis. During the evening peak hour, 26 residents would walk to and from UC Davis and downtown Davis.

The analysis of the Draft EIR considered the use of alternative transportation throughout Chapter 4.11, Transportation and Circulation. As shown in Figure 4.11-13 of the Draft EIR, bicycle and pedestrian transportation is anticipated to represent the majority of travel from the project site during both the AM and PM peak hours. The travel mode split shown in Figure 4.11-13 was used throughout the impact analyses presented in Chapter 4.11; therefore, the conclusion of Chapter 4.11 is that the increased pedestrian and bicycle trips from the project site, through the intersection of Olive Drive/Richards Boulevard, would not result in significant and unavoidable impacts.

Mitigation Measure 4.11-8 of the Draft EIR, the extension of the bicycle lane on the north side of Olive Drive and traffic signal improvements, would address the need to serve all travel modes at the Olive Drive/Richards Boulevard intersection.

Response to Comment 9-3

Please refer to Master Response #2 and Response to Comment 8-1 regarding the analysis of pedestrian and bicycle facilities provided within the Draft EIR, and potential future railroad crossings.

Chapter 4.11, Transportation and Circulation, of the Draft EIR, presents the methodology used by Fehr and Peers during project review. Fehr and Peers relied on data collection, as discussed on pages 4.11-6, 4.11-9, and 4.11-36 of the Draft EIR, to establish the baseline operating conditions for the project area. Traffic counts at nearby apartment complexes, the Lexington Apartments and the Arbors Apartments were then used to estimate potential vehicle usage and parking need at the project site, as discussed on pages 4.11-36 through 4.11-43, of the Draft EIR. The use of traffic counts to assess current operation of an intersection is reasonable, and justifiable. Thus, the methods used to prepare the analysis presented in Chapter 4.11 allowed for a realistic estimation of potential impacts that could result from implementation of the proposed project.

As discussed on page 4.11-30 of the Draft EIR, the City has an adopted threshold for signalized intersections within the Richards Boulevard/Olive Drive area, which states that a project impact is considered significant if project traffic exacerbates a LOS F intersection by increasing an intersection's average delay by five or more seconds. The analysis presented in Chapter 4.11 of the Draft EIR, shows that the proposed project would not result in such an increase in delay or impacts to other intersections under existing conditions and under cumulative conditions with the implementation of Mitigation Measure 4.11-8.

For a discussion regarding the use of the City's standard of LOS F at the intersection of Richards Boulevard/Olive Drive, please refer to Response to Comment 4-6.

Response to Comment 9-4

The Transportation and Circulation Chapter of the Draft EIR, Chapter 4.11, included Impact 4.11-7, which analyzed the impacts associated with construction vehicle traffic and imposed Mitigation Measure 4.11-7 that would ensure the proposed project meets Davis General Plan Policies and impacts associated with the construction of the Lincoln40 Project are reduced to less-than-significant levels.

Response to Comment 9-5

Existing pedestrian traffic is part of the existing/baseline environmental condition, and not attributable to the project. The EIR is not required to address how a pedestrian/bicycle overcrossing would improve traffic that may be getting worse from existing pedestrian travel. The EIR is required to evaluate the potential impacts associated with the project's increase in pedestrian and bicycle activity. The Draft EIR addresses these topics in Impact 4.11-4 and 4.11-13. The Impact concluded that the proposed project would not result in any significant impacts to pedestrian or bicycle infrastructure, and, because the project would not result in a significant impact, a pedestrian/bike overcrossing would not be needed as part of the project to ensure a less-than-significant impact.

The overcrossing was evaluated as part of the Richards Boulevard–Olive Drive Corridor Study. The proposed bicycle/pedestrian connection from Olive Drive over the tracks to the AmTrak Station and downtown Davis and the Davis Arch over Richards Boulevard are two key projects being considered by the City Council. The Lincoln40 Project would be required to pay the City of Davis Transportation Impact Fee that will be used to fund local transportation system projects.

Response to Comment 9-6

The comment has been noted for the record. Please refer to Master Response #2 for a further discussion of analysis of a potential future crossing.

Response to Comment 9-7

The comment does not address the adequacy of the EIR. Nonetheless, the comment is forwarded to decision makers for their consideration.

Response to Comment 9-8

The proposed Lincoln40 Project would not result in an impact to the Richards Boulevard/Olive Drive intersections under Existing Plus Project Conditions. In addition, the City of Davis has initiated a study with Caltrans to improve the I-80/Richards Boulevard interchange for all travel modes (cars, transit, pedestrians and bicyclists). Under Cumulative Conditions, the combination of General Plan growth and Lincoln40 Project traffic would require implementation of Mitigation Measure 4.11-8, the extension of the bicycle lane on the north side of Olive Drive and traffic signal improvements at the Olive Drive/Richards Boulevard intersection.

Response to Comment 9-9

Please refer to Response to Comment 9-2.

Response to Comment 9-10

As discussed Chapter 4.9, Population and Housing, the Davis housing market currently experiences very low vacancy rates, indicating a high demand for the existing housing stock. Growth of student enrollment at UC Davis and employment within Davis without concurrent growth in housing stock could conceivably lead to increased vehicle traffic within Davis, as employees and students are forced to live in nearby communities with greater housing availability. However, the UC Davis campus can be accessed from multiple other areas, including a dedicated off-ramp from I-80 and nearby Highway 113. Therefore, not all new traffic would be anticipated to use Richards Boulevard to access campus.

UC Davis is currently preparing a Long Range Development Plan (LRDP) for the University. The LRDP includes the construction of additional on-campus housing to accommodate 90 percent of the projected enrollment growth and 40 percent of total campus enrollment. With an anticipated increase in enrollment from 32,600 to 39,000 the corresponding increase in campus housing would equate to 6,200 new student residential units on-campus. In addition to the LRDP, UC Davis is currently implementing expansions to student housing in the Tercero area and redevelopment of Webster Hall to increase the number of student beds on-campus.

Notwithstanding these efforts by UC Davis, the City of Davis City Council adopted Resolution 16-175 on December 20, 2016 requesting the University to provide housing for a minimum of 100 percent of the projected student enrollment growth, and at least 50 percent of total UC Davis campus student population in the LRDP.

Response to Comment 9-11

The comment does not address the adequacy of the Draft EIR. The comment has been forwarded to decision makers for consideration.

Response to Comment 9-12

The Draft EIR was written specifically for the evaluation of the proposed project. All of the analysis presented within the Draft EIR pertains to potential environmental impacts of the proposed project, as required by CEQA. To that end, the analysis conducted by Fehr and Peers was specifically prepared for the proposed project using the standards of significance as discussed in Chapter 4.11, and Response to Comment 8-3. Furthermore, as discussed in Response to Comment 9-3 above, the analysis conducted by Fehr and Peers and presented in Chapter 4.11 included traffic counts and observations of traffic operation in the project area. Thus, the analysis of the Draft EIR includes an accurate depiction of current environmental conditions at the project site and in the surrounding project area.

The level of analysis provided in the Draft EIR requires in-depth discussion and some degree of technical detail. Every attempt was made throughout the preparation of the Draft EIR to make the document readable and easily understandable to the general reader. Chapter 2, Executive Summary, is intended to provide a succinct summary of the analysis provided throughout the Draft

EIR, to ensure the public and decision makers are aware of potential impacts of the proposed project.

Response to Comment 9-13

As discussed in Response to Comment 9-1, the analysis conducted by Fehr and Peers, and presented in Chapter 4.11 of the Draft EIR was based on traffic counts of the project area and adopted thresholds from the City of Davis and other concerned agencies. The conclusions presented throughout Chapter 4.11 were based solely off of the measured, existing traffic patterns, derived from the collected data, and traffic projections related to the proposed project and other future development. However, it should be noted that while future traffic projections are estimates, the projections for future vehicle, pedestrian, and bicycle transportation from the proposed project were based on observations from existing apartments along Olive Drive, as discussed on pages 4.11-36 through 4.11-43. The use of data from existing nearby apartments presents a good faith effort at projecting the project's potential future transportation-related impacts, and was conducted expressly for the purpose of informing the analysis presented within the Draft EIR.

Response to Comment 9-14

Please refer to Response to Comment 4-6 and Response to Comment 9-3.

Response to Comment 9-15

Please refer to Response to Comment 9-12 and Response to Comment 9-13. The comment has been forwarded to decision makers for consideration.

Response to Comment 9-16

Please refer to Master Response #2 and Response to Comment 8-1.

Response to Comment 9-17

The comment addresses CEQA in general, but does not specifically address the adequacy of the Draft EIR.

Response to Comment 9-18

The comment does not address the adequacy of the Draft EIR. The comment has been forwarded to decision makers for consideration.

Letter 10

Ike Njoku
23 Russell Blvd Suite 2
Davis, Ca 95616

Re: Comments Lincoln 40 Project

10-1 Thank you for allowing me to submit a written comment. My name is Karen Mattis and I am the Residential Manager at The Arbors Apartments, located at 1280 Olive Drive. I am also a long time Davis resident. I am the anomaly-long time Davis resident that doesn't own a bike.

10-2 I would be in favor of the Lincoln 40 project, **ONLY IF, it wasn't on Olive Drive.** I have managed and lived at the Arbors for over 10 years, I drive from The Arbors to all parts of town several times a day. Traffic on Olive Drive is a mess. I don't think I am telling you anything new, however let me shed some light on my day to day in regards to the traffic on and around Olive Drive.

10-3 Pulling out of The Arbors Apartments I am very cautious for fear of getting hit by a vehicle speeding off the Olive Drive off ramp/exit. Very rarely do vehicles adhere to the speed limit signs. Side note-I am continually asking for the trees and shrubs to be trimmed that grow in front of those signs. Which, I might add, are currently our only speed deterrent.

10-4 As I approach the Olive Drive/Richards Blvd intersection, I find vehicles parked on the West side of the Olive Drive (the side where parking is not allowed) forcing approaching vehicle into one lane, rather than the left hand turn lane or the straight ahead/right turn lane. AND forcing bicyclists to pull into the street to go around the illegally parked vehicle. Plus there are vehicles coming out of In and Out Burger and Shell. The barriers were re-installed this week so you can no longer exit out of Shell to turn left causing all that traffic to flow onto Olive Drive.

10-5 Okay, now I am in the left turn lane to turn onto Richards Blvd and. I VERY rarely make the first green light and often times have had to wait through three-four green lights. I attribute this to waiting for pedestrians/bicyclists to cross the street, the oncoming traffic not knowing their right of way, and an over excessive of vehicles. Perhaps signage could be installed to help direct drivers.

10-6 Now, let's say I want to turn right from Olive Drive and head into downtown. Well, again there is an issue with oncoming traffic not knowing the right of way.

10-7 My understanding is that there is, *again*, a proposal to make changes to the Olive Drive off ramp (removing it?) and the Olive Drive and Richards Blvd intersection that includes a pedestrian/bicyclist over crossing to the train station. If my understanding is correct and current information, can that plan be finalized BEFORE Lincoln 40 goes to a vote? Being a long time Davis resident I have heard many times of proposals regarding this area that don't get approved.

10-8 I have looked over the proposal for Lincoln 40 and from what I can tell the maximum number of residents could be as many as 708. That many more cars and bikes will just make the traffic that much worse for drivers, pedestrians, and bicyclists.

Thank you for your time.

Karen Mattis

LETTER 10: KAREN MATTIS

Response to Comment 10-1

The comment does not address the adequacy of the Draft EIR.

Response to Comment 10-2

The existing traffic conditions on Olive Drive and the surrounding area are discussed in detail within Section 4.11.2, Existing Environmental Setting, of Chapter 4.11, within the Draft EIR. The analysis of the proposed project's potential impacts related to vehicle transportation is, therefore, based on the existing setting of the project area. Please refer to Response to Comment 9-3 for information regarding the data collection used in determining the existing setting for the proposed project.

Response to Comment 10-3

The City of Davis has initiated a study with Caltrans to improve the I-80/Richards Boulevard interchange for all travel modes (cars, transit, pedestrians and bicyclists). As part of the I-80/Richards Boulevard interchange improvement project, the City is working with Caltrans to potentially close the Olive Drive off-ramp. The closure of the Olive Drive off-ramp was analyzed as part of CEQA Cumulative Scenario 3, and the results shown in Table 4.11-1. Closure of the westbound I-80 off-ramp would reduce traffic volumes/speeds since the roadway would only serve residents and business on Olive Drive.

In addition, several traffic calming devices currently exist on Olive Drive, including a chicane and a raised center medium for controlling traffic speeds along Olive Drive.

The comment does not address the adequacy of the Draft EIR.

Response to Comment 10-4

The commenter's reference to west side of Olive Drive is assumed to refer to the north side. Parking is prohibited on the north side of Olive Drive and the City of Davis will review the location and placement of the "No Parking Any Time" signs to ensure that adequate signage is provided to deter vehicles from parking in the bicycle lane. The re-installation of the bollards on Richards Boulevard are designed to prohibit left-turns into Dutch Bros, but have a secondary effect of prohibiting left-turns out of Shell/In-N-Out Burger. The City recently re-timed the Richards Boulevard/Olive Drive intersection in order to reduce congestion and will continue to monitor operations.

The comment does not address the adequacy of the Draft EIR.

Response to Comment 10-5

The City recently re-timed the Richards Boulevard/Olive Drive intersection in order to reduce congestion/delays and will continue to monitor operations. This may include additional signage as suggested by the commenter. The comment does not address the adequacy of the Draft EIR.

Response to Comment 10-6

The comment addresses issues with driver behavior at the intersection of Richards Boulevard and Olive Drive. The issue does not specifically address the adequacy of the Draft EIR. Nevertheless, the comment has been forwarded to decision makers for consideration.

Response to Comment 10-7

Please refer to Master Response #2 and Response to Comment 8-1 for further discussion of the potential future grade-separated crossing. However, in general, the analysis provided in Chapter 4.11 of the Draft EIR shows that without the consideration of a grade-separated crossing, the proposed project would not result in significant impacts related to transportation and circulation. Because impacts would not occur, even without the construction of a grade-separated crossing, there is not a project-related environmental impact necessitating the finalization of a grade-separated crossing prior to approval of the proposed project.

Response to Comment 10-8

Please refer to Response to Comment 2-5.

Letter 11

Lincoln 40 Comments

Susan Rainier, AIA, LFA, LEED BD+C

Cork Oaks Along Olive Drive:

- 11-1** Cork Oak Trees support one of the world's highest levels of forest biodiversity, including many species of rare birds as well as many fungi, ferns and other plants. The heavy tree canopy provided by these trees give great cooling and saves this area from heavy GHG from I-80 to a great extent. Removal of even 1 cork oak tree will increase GHG in that neighborhood.
- 11-2** Increased traffic and heavy construction trucks could negatively impact the roots of all the cork oaks along Olive Drive as well as break branches from tall equipment.
- 11-3** An in depth study of the infrastructure paths relative to roots needs to be done and a professional arborist given authority for guiding any construction activities that might affect the trees adversely. It is recommended that the arborist who prepared the report also be the project arborist to oversee protections and best practices.
- 11-4** These trees are the best assets Davis has. They are sacred landmark old growth trees. Their care and preservation is our duty.
- 11-5** **Arborist must be on site during construction, especially during site clearance and underground activities, with full authority.**

Traffic Concerns:

- 11-6** Cul-de-sacs were designed for low density – not high density. Traffic is already in gridlock at Richards Blvd. due to poor traffic design. There are too many stop signs after the stoplight for such a major road coming into the city. Loading up Olive Drive with more vehicles at the mouth of the tunnel will make traffic at Richards more congested than it already is and create a dangerous gridlock situation where there is heavy bike and pedestrian traffic as well.
- 11-7** Fire Trucks would have great difficulty getting through traffic at Richards and could lose precious time that loses lives. The Richards Tunnel at Olive creates a two-lane street with no median. There is nowhere for a vehicle to move out of the way for fire trucks coming from downtown.
- 11-8** One way in and out for such a densely populated area is highly unadvisable and unacceptable. It is unsafe to put in a cul-de-sac. The off ramp is needed so that fire trucks can come from the east and needs to remain.

**Letter 11
Cont'd**

- 11-9 Comprehensive pedestrian, bike and vehicle traffic safety studies are imperative and improvements are needed. Leaving things as they are or worse while forcing densification is unacceptable.
- 11-10 Eliminate Cul-de-Sac dead end, retain off ramp.
- 11-11 Add bike and pedestrian safe paths in project.
- 11-12 Davis taxpayers must not be subsidizing the Lincoln40 project.

Architecture – Including Sustainability

- 11-13 The size of the proposed housing complex is incompatible with the other housing units in the area and not proper densification. Graduated densification is smart planning, if there was a master plan for the development in Davis this could be a reasonable approach. Only one story above what is in the area and downsizing the number of units is highly recommended. It could be a much nicer project. It could have a theme of “black walnut” since it is the most prevalent native tree on the lot, albeit cork oaks are the next most prevalent.
- 11-14 How can it be that the EIR does not give the University as the best alternative site? They have plenty of land and need to step up and do what other UC’s have done by building affordable student housing on their land.
- 11-15 Building 6 story housing of such a large size on a lot located between a freeway and a railroad with high power line clusters, putting in a swimming pool and a gym to justify higher rents while gaming what sustainability measures provided is demoralizing to say the least. It shows a complete lack of proper planning or city leadership. Putting in garages for what are basically dorms is irresponsible, as Olive Drive cannot handle the amount of traffic that would be added and nothing seems to be planned for pedestrians and bicycles. Olive Drive cannot be widened due to the landmark trees. Creative thinking is required.
- 11-16 Drive cannot handle the amount of traffic that would be added and nothing seems to be planned for pedestrians and bicycles. Olive Drive cannot be widened due to the landmark trees. Creative thinking is required.
- 11-17 Housing for families, workers and seniors are needed yet none of those groups are people will want to live there or pay unreasonably high rents for what it is, which is luxury student targeted housing, and where it is, one of the most heavily traffic impacted and toxic areas of Davis
- 11-18 People are becoming wise to the quality expected for new construction. They expect to have highly efficient, green homes that do not have large heating and cooling bills. They expect that indoor air quality has been addressed with healthy materials being used. They want to know how they are doing with water and energy conservation.
- 11-19 Each suite needs to be individually metered for water and energy and needs to be monitored to assure that the billing reflects the usage per unit

**Letter 11
Cont'd**

- 11-20** A truly LEED GOLD v.4 building is a good marketing tools as well as providing the bar for achievement. A LEED Gold plaque with interactive energy modeling that is visible to everyone would be an exciting building in our community.
- LPA is a leader in sustainability in Sacramento, why not in Davis?
- The city needs to show leadership and set the bar high for sustainability not encourage business-as-usual holding back, doing the least possible and not pushing into the future where codes will be in very short time. The city needs to act on the climate goals they have made and the best way *is with buildings*. High Sustainability – Reducing GHG's – Striving for ZNE as California State is doing.
- 11-21** **The project needs to be downsized.**
- 11-22** **Eliminate the swimming pool, students are not here in the summer, it is a waste of water.**
- 11-23** The units should be 1,2 and 3 conventional apartment units not 4- and 5- bedroom units each bedroom having a bathroom. The developer apartment "suite" format encourages a massive waste of water and non-flexibility for rental to non-students.
- 11-24** **LEED v.4 GOLD certification and solar ready, at a minimum.**
- 11-25** **EIR:**
How can the project EIR state: "The City concurs with interested citizens that analysis of an on-campus student-housing alternative within this EIR would be consistent with the intent of the Resolution adopted by Davis City Council on December 20, 2016 concerning the scope of the UC Davis Long Range Development Plan (LRDP). As stated in the adopted Resolution, *UC Davis has the responsibility to both plan and deliver the infrastructure, dwelling units, and facilities necessary to support its anticipated growth*, and to do so with *adherence to sound planning and sustainability principles*, including, but not limited to, consideration of high-density *on-campus housing of at least five to six stories in height.*"
- Yet then turn around and exclude UCDavis as a viable alternative site? **The city is taking all the risk with infrastructure & city services cost** to only then serve the University who has not stepped up with all the land they have to provide student housing like other UC's have done. **Why would the city want to do this?** On campus is the most sustainable solution. Students would be on campus, eliminating commuting. Why is the EIR trying to discount this? It is illogical.
- EIR needs to be amended to correct the flawed alternative conclusion of the superior alternative. On Campus is the obvious superior alternative.**

**Letter 11
Cont'd**

- 11-26** ☐ City should really be also providing affordable housing for all, not just focusing on UCD's housing needs. UCD is not stepping up to provide nearly enough for its growth.,

☐ UCDavis needs to provide far more affordable student housing on their campus with a minimum of 50% of their total campus student population like the other UC's

Healthy Site:

- 11-27** ☐ High power lines of such mass concentration are not healthy. The amount of time with exposure causing significant health issues later is unknown.
- 11-28** ☐ Sleep disruption from train noise and vibration is a potential concern. Studies are being done at this time. Noise and vibration attenuation for walls and acoustical doors & windows are needed on the north side of the building.
- 11-29** ☐ It has come to light that hazardous contaminants are present in the region near the project site. Investigation of this needs be included in the EIR.

☐ **Investigate Potential Contaminants of Concern recently revealed at the Natural Resources Commission meeting at public comment regarding a CA State GeoTracker documented plume headed towards Lincoln40: Trichloroethylene (TCE), Vinyl Chloride; Potential Media of Concern: Aquifer used for drinking water supply, indoor air, soil and soil vapor**

SUMMARY:

- 11-30** ☐ ➤ Arborist must be on site during construction, especially during site clearance and underground activities, with full authority.
- 11-31** ☐ ➤ Eliminate Cul-de-Sac dead end, retain off ramp.
- 11-32** ☐ ➤ Add bike and pedestrian safe paths in project.
- 11-33** ☐ ➤ Davis taxpayers must not be subsidizing the Lincoln40 project.
- 11-34** ☐ ➤ Each suite needs to be individually metered for water and energy.
- 11-35** ☐ ➤ The project needs to be downsized.

**Letter 11
Cont'd**

- | | | |
|--------------|--------------------------|--|
| 11-36 | <input type="checkbox"/> | ➤ Eliminate the swimming pool, students are not here in the summer, it is a waste of water. |
| 11-37 | <input type="checkbox"/> | ➤ LEED v.4 GOLD certification and be solar ready, at a minimum. |
| 11-38 | <input type="checkbox"/> | ➤ EIR needs to be amended to correct the flawed alternative conclusion of the superior alternative. On Campus is the obvious superior alternative. |
| 11-39 | <input type="checkbox"/> | ➤ City should really be providing affordable housing for citizens. |
| 11-40 | <input type="checkbox"/> | ➤ UC Davis needs to provide affordable student housing on their campus like other UC's are successfully providing. |
| 11-41 | <input type="checkbox"/> | ➤ Investigate Potential Contaminants of Concern from reported plume headed toward Lincoln40: Trichloroethylene (TCE), Vinyl Chloride; Potential Media of Concern: Aquifer used for drinking water supply, indoor air, soil and soil vapor. |

LETTER 11: SUSAN RAINIER

Response to Comment 11-1

Please refer to Response to Comment 5-6 regarding the protection and removal of on-site trees. It should be noted that the cork oaks along Olive Drive are not proposed for removal as part of the project. Additionally, please refer to Response to Comment 7-26.

Carbon Dioxide (CO₂) is the predominant GHG emitted during operation of fossil fuel powered vehicles. In addition to CO₂ small amounts of other GHGs, including methane, nitrous oxides, and hydrofluorocarbons are released during vehicle operations; however, emission of other GHGs constitutes a small amount of vehicle-related GHG emissions. The aforementioned GHGs are not considered heavy gases that settle and concentrate in certain areas and, instead, are considered to be dispersive. Thus, the commenter's assertion that existing cork oaks save the neighborhood from heavy GHGs is not substantiated.

Response to Comment 11-2

Please refer to Response to Comment 7-27 regarding the comment about roots.

The tree canopies are regularly raised by the City to accommodate existing large truck traffic along Olive Drive. Mitigation Measure 4.3-7(a) requires that any pruning of the existing cork oaks completed as part of the proposed project must be performed per recommendations by an ISA Certified Arborist, and such pruning should be the minimum required to provide clearance. Mitigation Measure 4.3-7(b) includes various other tree protection measures specifically designed to protect the landmark cork oaks on the project site. Implementation of Mitigation Measure 4.3-7(a) and 4.3-7(b) would ensure that the proposed project does not result in impacts related to the damage of the existing landmark cork oaks on the project site.

Response to Comment 11-3

The consulting arborist, Tree Associates, prepared an arborist report based on the site plan for the proposed project. Mitigation Measure 4.3-7(b) requires that all work conducted within the protection zones for the landmark cork oaks be completed only under the supervision of the Consulting Arborist.

Response to Comment 11-4

The landmark cork oaks on the project site would be retained with implementation of the proposed project. As discussed in Response to Comment 11-2 and 11-3 above, the Draft EIR includes Mitigation Measure 4.3-7(b), which is specifically designed to preserve the existing landmark cork oaks.

Response to Comment 11-5

Please refer to Response to Comment 11-3 and Mitigation Measure 4.3-7(b) of the Draft EIR.

Response to Comment 11-6

Please refer to Response to Comment 2-5. It should be noted that closure of the Westbound I-80 Olive Drive Off-ramp is not included in the proposed project, but is being considered a separate project to be undertaken by the City. Considering that closure of the Westbound I-80 Olive Drive off-ramp is not included as part of the proposed project, implementation of the proposed project would not result in closing of the off-ramp, nor would the project result in Olive Drive becoming a cul-de-sac. As discussed in Response to Comment 3-1, the EIR evaluated the closure of the I-80 Olive Drive off-ramp under cumulative conditions. Consequently, the Draft EIR presented full analysis of the potential impacts that could occur following closure of the aforementioned off-ramp.

Response to Comment 11-7

Please refer to Responses to Comments 3-1 and 3-2 regarding emergency access to the project site.

Response to Comment 11-8

Closure of the Olive Drive I-80 Westbound off-ramp is not included as part of the proposed project. Rather, potential closure of the off-ramp would be a City action, undertaken at a separate time, through a separate approval process. As discussed in Response to Comment 3-1, City fire trucks do not typically use the Olive Drive off-ramp to access the Olive Drive Area. As such, the proposed closure of the Olive Drive off-ramp would not reduce the ability of emergency vehicles to access the project site.

Response to Comment 11-9

As part of the Transportation and Circulation analysis presented in Chapter 4.11 of the Draft EIR, Bicycle Level of Stress (LTS), Pedestrian StreetScore+ and Unitrans Transit analysis was completed. The results of the analysis were incorporated into the bicycle and pedestrian improvements identified for the Richards Boulevard/Olive Drive signalized intersection to efficiently serve all modes of travel. As a result of the traffic analysis, Mitigation Measure 4.11-8 was incorporated, which requires the project applicant to construct striping improvements on East Olive Drive.

Response to Comment 11-10

Please refer to Response to Comment 11-8 regarding closure of the Olive Drive I-80 Westbound off-ramp. The comment does not address the adequacy of the Draft EIR.

Response to Comment 11-11

Bicycle lanes currently exist along the Olive Drive frontage of the project site. The proposed project would include extension of the existing sidewalk along the entire length of the Olive Drive

frontage of the project site. Furthermore, as shown in Figure 3-7, sidewalks and bicycle infrastructure would be incorporated throughout the proposed project.

Response to Comment 11-12

The comment does not address the adequacy of the Draft EIR and the comment has been forwarded to decision makers for consideration.

Response to Comment 11-13

The compatibility of the proposed project with surrounding developments and City of Davis planning documents was analyzed in Chapter 4.7, Land Use and Planning, of the Draft EIR. As presented in Chapter 4.7, the proposed project is not anticipated to result in any significant impacts related to land use incompatibility and planning concerns. It should be noted that the Mixed-Use Alternative analyzed in the Draft EIR would include four stories; however, as discussed in Chapter 6, Alternatives Analysis, of the Draft EIR, the Reduced Density Student Apartments Alternative and the Mixed-Use Alternative would include construction of a four-story structure. The Reduced Density Student Apartments Alternative was anticipated to result in similar or reduced impacts, while the Mixed-Use Alternative was anticipated to result in similar, greater, or slightly increase impacts compared to the proposed project. The comment has been forwarded to decision makers for consideration.

Response to Comment 11-14

Please refer to Response to Comment 7-32 for a discussion of the Off-Site UC Davis alternative. The comment has been forwarded to decision makers for consideration.

Response to Comment 11-15

As stated on page 3-5, within Chapter 3 of the Draft EIR, the project would include construction of a stepped structure, with three, four and five story portions. The project does not include a sixth-story. As discussed in Response to Comment 2-1, the project applicant has expressed commitment to achieving LEED Gold, which is a measure of a project's sustainability.

The comment does not address the adequacy of the Draft EIR. Concerns regarding the amenities included in the project and the planning process have been forwarded to decision makers for consideration.

Response to Comment 11-16

The proposed project does not include garages. As discussed in Chapter 3, Project Description, of the Draft EIR, the project would include 240 surface parking spaces.

The City of Davis has planned additional pedestrian and bicycle connections between Olive Drive and downtown Davis since at least 1996, when the Gateway/Olive Drive Specific Plan was adopted. As shown in Figure 3-5 of the Draft EIR, the proposed project would include the

dedication of 20 feet of land on the western property boundary for potential future use for a pedestrian and bicycle connection across the UPRR tracks. Therefore, while such a connection is not included in the proposed project, the project would not inhibit the future establishment of such a connection.

It should be noted that per Mitigation Measure 4.11-8, the existing westbound Olive Drive bicycle lane would be extended by an additional 145 feet from its current terminus on East Olive Drive to the intersection of Richards Boulevard/Olive Drive. In addition, sidewalk improvements would be provided along the project frontage.

Response to Comment 11-17

Although the proposed residential structure would be intended for use as off-campus student housing, the project would be open to any qualified applicant. Potential impacts to transportation and circulation are discussed in Chapter 4.11, and potential impacts related to hazardous materials are discussed in Chapter 4.5, Hazards and Hazardous Materials, of the Draft EIR.

Response to Comment 11-18

The comment does not address the adequacy of the Draft EIR. However, it should be noted that the proposed project would be built to current state standards including the California Building Code, the California Green Building Code, and the California Building Energy Efficiency Standards. The aforementioned state regulations include requirements for energy efficiency, material use, quality of construction, water efficiency, and HVAC systems. Additionally, the applicant has indicated that apartment units would be sub-metered, allowing for future tenants to track energy and water usage.

Response to Comment 11-19

Please refer to Responses to Comments 2-14 and 7-40 for a discussion regarding individual apartment metering for water and energy use.

Response to Comment 11-20

The comment does not address the adequacy of the EIR, but encourages the City to require zero net energy (ZNE) buildings. The comment has been forwarded to decision makers for consideration.

Response to Comment 11-21

The comment does not address the adequacy of the Draft EIR. Please refer to the Reduced Density Student Apartments Alternative analyzed in Chapter 6, Alternatives Analysis, of the Draft EIR. The comment has been forwarded to decision makers for consideration.

Response to Comment 11-22

The comment does not address the adequacy of the Draft EIR. The comment has been forwarded to decision makers for consideration.

Response to Comment 11-23

Please refer to comment 7-40 for a discussion of water use and wastewater production. It should be noted that a Conventional Apartments Alternative is analyzed in Chapter 6, Alternatives Analysis, of the Draft EIR.

Response to Comment 11-24

California's 2016 Building Energy Efficiency Standards require that new high-rise residential structures, such as the proposed structure, must be solar ready. The City has not adopted LEED v.4 Gold as a standard for new residential developments. The comment has been forwarded to decision makers for consideration.

Response to Comment 11-25

Please refer to Response to Comment 7-32 for a discussion of the Off-Site UC Davis Alternative. It should be noted that the Draft EIR did not determine that the Off-Site UC Davis Alternative site would not be a viable Alternative location. If this was the case, the Alternative would have been dismissed from further analysis in Section 6.3 of Chapter 6, Alternatives Considered by Dismissed. Rather, as discussed in Response to Comment 7-32, and shown in Chapter 6, Alternatives Analysis, the Draft EIR analyzed the Off-Site UC Davis Alternative at the same level of detail as all other alternatives in Section 6.4. The Off-Site UC Davis Alternative was not determined to be the environmentally superior option because the potential environmental impacts of the Off-Site UC Davis Alternative were shown to be similar to the proposed project. Concurrently, other alternatives discussed in Chapter 6 were shown to reduce a greater number of potential environmental impacts. Therefore, the commenter is incorrect in stating that the Off-Site UC Davis Alternative was excluded from the Draft EIR.

Response to Comment 11-26

The comment does not address the adequacy of the Draft EIR. Please refer to Response to Comment 1-1 for a discussion of housing availability and affordable housing. The comment has been forwarded to decision makers for consideration.

Response to Comment 11-27

The potential effects of existing power lines on future residents would be considered a potential impact of the environment on the project. As discussed in Response to Comment 2-7, recent California Supreme Court case law limits the applicability of CEQA to consideration of a project's effect on the environment, not the environment's effect on a project. Nevertheless, the comment has been forwarded to decision makers for consideration.

Response to Comment 11-28

Chapter 4.8, Noise, of the Draft EIR, states that the first row of proposed residential units, closest to the UPRR tracks, would potentially exceed the City's interior noise level standard of 45 dB L_{dn}. The nearest first row of proposed residential buildings is approximately 150 feet from the centerline of the railroad tracks. The predicted exterior noise level at the nearest residences is 71 dB L_{dn}. Modern construction typically provides a 25 dB exterior-to-interior noise level reduction with windows closed. Therefore, the first row of residences may exceed the interior noise level standard of 45 dB L_{dn} by approximately 1.0 dB L_{dn}. The Draft EIR required the following mitigation measures to achieve the interior noise level standard:

- 4.8-5(a) *Prior to building permit issuance, the applicant shall retain an expert acoustical consultant to perform a focused noise analysis to evaluate interior noise levels taking into consideration final building materials, any adjustments to building locations, façade and fenestration improvements, etc. to determine if the final site and building plans would result in interior noise levels with the potential to exceed the standard of 45 dB L_{dn}. The focused noise analysis results shall be submitted for review and approval by the Department of Community Development and Sustainability.*
- 4.8-5(b) *If the final site and building plans result in interior noise levels with the potential to exceed the standard of 45 dB L_{dn} within one or more residential units, then windows facing the railroad tracks for all such residential units shall include appropriately-rated STC windows, as determined by the acoustical consultant.*

Considering the above mitigation measures, which were included in the Draft EIR, the potential for noise to exceed the applicable standards was thoroughly considered, and properly analyzed in the Draft EIR. Furthermore, the foregoing mitigation measures would ensure that should further acoustic analysis of the project identify potential exceedance of noise standards, corrective measures would be included into the proposed project, including noise attenuation components, as suggested by the commenter. For example, the STC windows identified in Mitigation Measure 4.8-5(b) can provide exterior to interior noise level reduction ranging from 29 dB to 36 dB, depending on the STC rating and the noise source. When compared to the 71 dB exterior noise level that would be experienced at the first row of proposed residential units, the interior noise level would be below the 45 dB standard with STC window reduction.

Sleep disruption from single events such as train passbys can be a source of sleep disturbance. Sleep disturbance can occur at levels above 35 dBA. The World Health Organization (WHO) is perhaps the best source of current knowledge regarding the health effects of noise impacts because European nations have continued to study noise and its health effects, while the United States Environmental Protection Agency all but eliminated its noise investigation and control program in the 1970s. According to WHO, sleep disturbance can occur when continuous indoor noise levels exceed 30 dBA or when intermittent interior noise levels reach 45 dBA, particularly if background noise is low. With a bedroom window slightly open (a reduction from

outside to inside of 15 dB), the WHO criteria suggest that exterior continuous (ambient) nighttime noise levels should be 45 dBA or below, and short-term events should not generate noise in excess of 60 dBA. WHO also notes that maintaining noise levels within the recommended levels during the first part of the night is believed to be effective for the ability of people to initially fall asleep.

Other potential health effects of noise identified by WHO include decreased performance for complex cognitive tasks, such as reading, attention span, problem solving, and memorization; physiological effects such as hypertension and heart disease (after many years of constant exposure, often by workers, to high noise levels); and hearing impairment (again, generally after long-term occupational exposure, although shorter-term exposure to very high noise levels, for example, exposure several times a year to concert noise at 100 dBA, can also damage hearing). Finally, noise can cause annoyance and can trigger emotional reactions like anger, depression, and anxiety. WHO reports that, during daytime hours, few people are seriously annoyed by activities with noise levels below 55 dBA or moderately annoyed with noise levels below 50 dBA.

Vehicle traffic and continuous sources of machinery and mechanical noise contribute to ambient noise levels. Short-term noise sources, such as truck backup beepers, the crashing of material being loaded or unloaded, car doors slamming, and engines revving outside a nightclub, contribute very little to 24-hour noise levels but are capable of causing sleep disturbance and severe annoyance. The importance of noise to receptors depends on both time and context. For example, long-term high noise levels from large traffic volumes can make conversation at a normal voice level difficult or impossible, while short-term peak noise levels, if they occur at night, can disturb sleep.

The Draft EIR discloses the severity of existing ambient noise levels surrounding the project site. The Draft EIR considers whether the proposed project has the potential to exacerbate these existing conditions. As demonstrated by the analysis in the Draft EIR, the proposed project will not result in a perceptible increase in nighttime ambient noise conditions in the project area. Therefore, for the purposes of CEQA review, the proposed project does not have the potential to result in a significant impact with respect to sleep disturbance.

Vibration can also be a source of annoyance. j.c. brennan & associates, Inc. conducted vibration measurements of train passbys on the site on August 16, 2016. Equipment used was a Larson Davis Laboratories (LDL) Model HVM vibration meter. Measurements were conducted at a distance of 85 feet from the centerline of the railroad track. Measurements indicated that vibration levels ranged between 0.005 and 0.02 peak particle velocity (PPV), in inches/second. Comparing those levels to Table 4.8-6 of the Draft EIR indicates that vibrations at the project site are well below the 0.10 PPV criteria for annoyance to people.

Response to Comment 11-29

Please refer to Master Response #1.

Response to Comment 11-30

Please refer to Response to Comment 11-3.

Response to Comment 11-31

Please refer to Responses to Comments 3-1, 3-2, and 11-8.

Response to Comment 11-32

Please refer to Response to Comment 11-11.

Response to Comment 11-33

The comment does not address the adequacy of the Draft EIR.

Response to Comment 11-34

Please refer to Response to Comment 2-14.

Response to Comment 11-35

Please refer to Response to Comment 11-21.

Response to Comment 11-36

Please refer to Response to Comment 11-22.

Response to Comment 11-37

Please refer to Response to comment 11-24.

Response to Comment 11-38

Please refer to Response to Comment 11-25.

Response to Comment 11-39

Please refer to Response to Comment 11-26.

Response to Comment 11-40

Please refer to Response to Comment 11-26.

Response to Comment 11-41

Please refer to Master Response #1.

Letter 12

**City of Davis
Planning Commission Comments
Wednesday, July 26th, 2017**

Commission Members in Attendance: Herman Boschken, Cheryl Essex, Marilee Hanson (Vice Chair), Rob Hofmann (Chair), Stephen Mikesell, Darryl Rutherford, Stephen Streeter, David Robertson (Alternate)

City Staff in Attendance: Ashley Feeney, Ike Njoku

Comments/Questions Regarding the DEIR

David Robertson

- | | |
|------|--|
| 12-1 | <ul style="list-style-type: none">• The EIR performed analysis for topics not required to be analyzed under CEQA Streamlining.<ul style="list-style-type: none">○ When the EIR is certified, if the analysis of material not required under CEQA streamlining is found to be inadequate, can we ignore it because it's not required, or because the analysis was completed will we need to include it in our analysis? |
| 12-2 | <ul style="list-style-type: none">• The City's Level of Service standard for the downtown area is F. Commissioner requested confirmation that if a project causes an intersection already operating at a LOS of F to have a delay increase of ten percent or more, than an impact would occur. |
| 12-3 | <ul style="list-style-type: none">○ The EIR states that the project, including mitigation, would improve the operation of the intersection Olive Drive/Richards Boulevard. Is this true even when considering the increased amount of pedestrian and bicycle traffic that would result from the project? |
| 12-4 | <ul style="list-style-type: none">○ The EIR analysis includes mitigation to avoid a significant degradation in LOS at the intersection of Olive Drive/Richards Boulevard. Is it true that the mitigation would avoid a significant LOS impact at the intersection of Olive Drive/Richards Boulevard without the need for constructing an additional bike/pedestrian linkage to downtown? |
| 12-5 | <ul style="list-style-type: none">• Granting an easement does not create a pedestrian/bicycle linkage from the project site to downtown. As far as mitigation is concerned, granting an easement would not result in any improvement to circulation. If an impact exists, the project would need to include construction of the pedestrian link to act as mitigation; merely granting the easement would not serve as mitigation. |
| 12-6 | <ul style="list-style-type: none">• Does this EIR conclude that it is unnecessary for this project to contribute to or construct an underpass or overpass to avoid impacts to LOS? |
| 12-7 | <ul style="list-style-type: none">• What was identified as the peak traffic hour for this project? Peak hours of 8 AM to 9AM in the morning and 5 PM to 6 PM in the evening are typical for traffic analyses. |
| 12-8 | <ul style="list-style-type: none">• Does the mitigation included in the DEIR to reduce identified traffic impacts include changing the timing of the traffic signal at the intersection of Olive Drive/Richards Boulevard? |
| 12-9 | <ul style="list-style-type: none">• The commissioner expressed skepticism with respect to the conclusions of the DEIR Traffic analysis. |

**Letter 12
Cont'd**

- 12-10 • Additional pedestrian and vehicular movement from Sterling project may impact intersection of Olive Drive/Richards Boulevard. DEIR analysis may not have fully addressed potential impacts resulting from changes to the circulation patterns related to implementation of the Sterling Project.
- 12-11 ○ Students are going to come on to campus through First or Second Street, thus affecting downtown area traffic.
- 12-12 • Was a sensitivity analysis completed for the number of bicyclists per signal cycle at the intersection of Richards Boulevard and Olive Drive?
○ Given UCD class schedule some times of the day may experience a greater number of bicyclists per cycle.
- 12-13 • Is the DEIR saying that the intersection of Olive Drive/Richards Boulevard could handle a lot more pedestrians and bicyclists without resulting in an impact?

Darryl Rutherford

- 12-14 • City experiencing housing & affordability crisis.
○ Project must address affordability issue.
○ Concern regarding use of in-lieu fees rather than incorporation of affordable units into the project.

Stephen Streeter

- 12-15 • Sterling included 40-50 affordable housing units, what has been included in regard to affordable housing in this project?

Marilee Hanson

- 12-16 • Why is the on-campus alternative not considered the environmentally superior alternative? Is the only reason that the on-campus alternative is not the environmentally superior alternative the fact that it is on campus, and, thus, the on-campus alternative does not meet the project objective of redeveloping the site?
○ Commissioner expressed that dismissal of on-campus alternative just because the on-campus alternative would not use the project site does not seem reasonable.
- 12-17 • Is there a reason why the DEIR did not look at an on-campus alternative with transportation improvements that could have reduced potential impacts from the on-campus alternative?
- 12-18 • Commissioner states that many EIRs for housing in Davis show that an on-campus alternative would not be environmentally superior, but that this conclusion does not seem accurate in all cases.
- 12-19 • Concern over lack of affordable housing.
• Concern over student-only focus of project.
- 12-20 ○ Traditional apartment design could be used by any member of the community.
○ This project and Sterling would only serve the student population.
• Limited opportunities for future multi-family housing development within the City.
○ Student housing projects are using the limited number of multi-family housing locations for student-only uses.
- 12-21 • Did cumulative impacts include the recent Oxford Circle Project?

**Letter 12
Cont'd**

- 12-22
 - Did cumulative consider growth on the other side of the highway at the Hyatt property?
- 12-23
 - What analysis will be done about the newly found plume issue?
- 12-24
 - The Commissioner shares Commissioner Robertson's skepticism about the efficacy of traffic mitigation.
 - Traffic impacts are a huge concern in the project area.
- 12-25
 - Commissioner would like to see more concrete steps towards a pedestrian/bicycle connection across tracks; granting of easement is not enough.

Cheryl Essex

- 12-26
 - Commissioner will be looking into transportation issues, affordable housing, trees, and hazardous material issues in the future. No comments at this time.

Public Comments Regarding the DEIR

Timothy Hobban, Resident

- 12-27
 - Lincoln40 is massive in scale.
 - The project will have a remarkable impact on central Davis and downtown area.
- 12-28
 - UC Davis should provide on-campus housing.
 - Growth of University has been funneled to City.
 - The City should stop developments until UC Davis shows progress towards providing more on-campus housing.
- 12-29
 - Other large mini-dorms are being approved and proposed in town.
 - Student housing projects within town lead to traffic issues, parking issues, issues with density.
- 12-30
 - High density development is turning Davis into a parking lot. Planning Department should prevent town from having density at the level proposed.

Rain Watson

- 12-31
 - Project would add hundreds of cars to the downtown circulation system.
 - Downtown circulation system is already congested.
 - Richards underpass will be impacted.
- 12-32
 - Downtown should be preserved as walkable pedestrian friendly area.
- 12-33
 - Project site is currently rich in trees, other plants, local wildlife.
 - Project would remove trees and displace fauna.
 - Only four trees would be preserved with implementation of the project.
- 12-34
 - Visible tree line would disappear completely, leaving project site visible from train station.
- 12-35
 - Several large apartments already exist on Olive Drive.
 - Olive Drive is not a suitable place for more student housing.
- 12-36
 - Intersection of Richards Boulevard and Olive Drive is hazardous for bicycles and pedestrians.
- 12-37
 - Single-family housing should be preserved in Core area of downtown including Olive Drive so citizens can maintain access to downtown.

**Letter 12
Cont'd**

Susan Rainier, LEED Architect

- 12-38
- An arborist should be present on-site during utility work.
 - The same arborist that completed the arborist report should be used for construction monitoring.
- 12-39
- Currently, a fire truck responding from Mace Boulevard would arrive at the site in three minutes using the Olive Drive Off-ramp.
 - Closure of the off-ramp would delay emergency vehicle response as emergency vehicles get stuck in Richards Boulevard/Olive Drive traffic.
- 12-40
- Intersection of Richards Boulevard and Olive Drive is hazardous for bicycles and pedestrians.
 - Bicyclists riding on Richards Boulevard through the underpass is hazardous.
- 12-41
- EIR alternative analysis is flawed.
 - The Off-Site UC Davis On-Campus Alternative is obviously the Superior Alternative.
- 12-42
- The remainder of the commenter's comments reiterated prepared statements that were submitted to the commission in writing.

Sara Williams, Resident

- 12-43
- All students do not want cars, it is a myth that every student wants to bring a car to Davis.
 - Student residents enjoy walkability and bike-ability of Davis.
 - Future residents of Lincoln40 likely to choose the site for proximity to downtown and easy biking or walking access.
 - Future residents likely to use alternate modes of transportation other than driving.
 - Noise from student population not as large of a problem as some may think.
 - Future residents likely to walk downtown.

Amanda Bernal, External Affairs Chair ASUCD

- 12-44
- Downtown should be enjoyed by all residents, students and otherwise.
 - Lincoln40 project would place more residents near downtown, which could help downtown businesses.
 - Students are a part of the community.

Eric Goods, Resident

- 12-45
- Project provides a significant opportunity for enhanced connectivity between Olive Drive and downtown.
 - Bicycle and pedestrian network connectivity could be enhanced with this project.
 - Various strategies regarding increasing connectivity between Olive Drive and the downtown area have been discussed.
 - Timing of implementing the connectivity strategies is important.
 - This project could help advance proposed connectivity infrastructure.

**Letter 12
Cont'd**

12-45
cont'd

- Campus travel survey 2015 – 2016 showed students are reducing vehicle usage in favor of other modes of transportation.

Conner Goreman, Resident

12-46

- Commenter does not have any concerns regarding parking or traffic, especially considering the closure of the Olive Drive westbound off-ramp from Interstate 80.
- Pedestrian/bike connection across Union Pacific Railroad (UPRR) tracks would further mitigate any potential traffic impacts.
- Development projects should contribute to any future City projects that focus on increasing connectivity within the area of the project.
- In addition to the natural environment, Commission should also consider the human environment.
 - Olive Drive is currently a student and low-income oriented neighborhood.
 - This neighborhood is well-suited for higher density.
 - The City must also consider affordability of new developments.
 - The City must consider how affordability of projects impacts the residents and character of the neighborhood.
 - Should require an affordable component in the project for low income and other individuals, as well as considering market rate affordability for students.
- Future EIRs prepared by the City should consider equal weight alternative that pertains to affordability, and discusses impacts of greater affordability.

Josh Dalavai, ASUCD president

12-47

- Findings within the DEIR that mitigation measures could reduce impacts to less-than-significant levels is very encouraging.
- Students would not inundate area with vehicles.
- Students are pressuring campus to continue constructing student housing on campus.
 - Potential for student housing to be met on campus does not excuse the City from the City's responsibility to meeting housing needs.
- Lincoln40 would help to meet housing need throughout City.

Rubal Kaur Grewal, Student

12-48

- Commenter expresses the difficulty of finding adequate housing in Davis.
 - Without adequate housing in Davis, commenter would have to commute 2-hours each way to get to campus.
 - Students forced to commute would also need to purchase a parking pass, adding further expense due to lack of available housing.
- Proximity of project site to UCD campus and downtown would encourage walking and biking, as well as decreasing use of personal vehicles.

**Letter 12
Cont'd**

Kashal (Unclear name) Davis Resident

- 12-49
 - Location on Olive Drive is good for students that want to walk or bike to campus.
 - Easy commute to downtown.
 - Student environment of student oriented housing helps students learn.
 - UC students are not as loud as is commonly assumed.

Allen Miller, Resident

- 12-50
 - Project would be visible from Old East Davis Neighborhood.
 - Visible from commenter's residence specifically.
- 12-51
 - When Lexington Apartments were built the need for an underpass to Amtrak station was clear.
 - UPRR fence created a block to pedestrian movement across tracks.
 - A pedestrian and bicycle connection across tracks should have been provided with the Lexington Apartments, and prior to construction of UPRR fence.
- 12-52
 - Bicyclists use roadway to go under Richards Boulevard, rather than using the existing bike/pedestrian undercrossing on Richards Boulevard, because using the existing bike/pedestrian path along Richards Boulevard forces bicyclists to wait at the crosswalk for the Richards/First Street intersection signaling.
 - It is legal for bicycles to use Richards Boulevard rather than the bike/pedestrian pathway.
- 12-53
 - UPRR has stated they would allow an underpass in the Richards Boulevard area.
 - UPRR is making it difficult to install underpass.
 - Dixon and Santa Clara have recently built similar underpasses showing that it is not impossible to build an underpass.
 - Underpasses provide safe and attractive connection across tracks.
- 12-54
 - Overpasses are required to maintain a 23-foot clearance from the top of the rail to the bottom of the overpass.
 - Would result in a need for 40-foot towers on each side of railway.
 - 40-foot towers would require elevator or 1,000 feet of back and forth to maintain ADA requirements.
 - People do not want to climb 40 feet up for the crossing and down on the other side.
 - Elevators become a public sanitation problem.
- 12-55
 - Project should pay fair-share of future connection, but should not be required to construct whole new connection unilaterally.
 - The City must take this opportunity to develop a plan for a new connection.
 - Without a plan, any payment received from the developer would only serve to establish a fund, and would not result in the creation of a new connection between Olive Drive and downtown.

Caroline Short, Resident

- 12-56
 - Prior to fence, Olive Drive residents could walk across UPRR tracks to access downtown.
 - All Olive Drive residents took advantage of proximity and walked or biked to downtown.
 - Fence caused more Olive Drive Residents to drive to downtown.
- 12-57
 - Commenter believes that more apartments on Olive Drive would not cause problems.
 - Good to have adequate bike parking at project.



**Letter 12
Cont'd**

- 12-57
cont'd
- But bicycle traffic during morning commute hours currently causes congestion problems.
 - Bicycle and pedestrian traffic cause congestion for vehicles using Olive Drive/Richards Boulevard Intersection.
 - Need a new pedestrian and bicycle connection to downtown to reduce congestion at Olive Drive/Richards Boulevard intersection.
 - During peak commute times traffic is worse at intersection of Olive Drive/Richards Boulevard.
- 12-58
- Possible conflict between new brewpub on Olive Drive and existing safety hazard at Olive Drive/Richards Boulevard intersection.

Richard Cassias, Resident, Environmental Management Consultant

- 12-59
- Commenter stated that comments had been introduced at a previous meeting of the Natural Resource Commission.
 - Considering commenter's previous statement at Natural Resource Commission, the DEIR Hazards Chapter is deficient.
 - Specific details regarding deficiency would be provided by the commenter to the Planning Commission in the form of written comments.
 - Deficiency could be mitigated or corrected.

Eileen Samitz, Resident

- 12-60
- Lincoln40 oversized, proposed structure resembles a wall.
- 12-61
- Olive Drive is worst location in the City for 700 more residents.
 - Increase in residents on Olive Drive will increase congestion at Olive Drive/Richards Boulevard intersection.
- 12-62
- Emergency vehicle access during a fire or derailment is of concern.
 - Would a fire truck be able to get to the site in time?
- 12-63
- Issue concerning potential hazardous material plume, which was discussed at Natural Resource Commission.
 - The EIR did not know about the plume, but now this issue must be addressed.
- 12-64
- The remainder of the commenter's comments reiterated prepared statements that were submitted to the commission in writing.

Allen Hirsch

- 12-65
- Alternate mode access from Olive Drive to downtown should be provided with approval of project.
 - Project should not have to pay for entire alternate mode access improvements.
 - Leftover funds from the Cannery should be used to help provide alternate mode access to downtown.
 - If a bike and pedestrian connection to downtown is constructed along with the proposed project, the proposed project would result in a decrease in vehicle trips from existing developments along Olive Drive to downtown.

**Letter 12
Cont'd**

**12-65
cont'd**

- Without alternate transportation improvement, this project would impact circulation network.

Jim Grey, Resident

12-66

- City currently has less than two tenths of one percent of a vacancy rate for existing housing.
 - Commission must establish a sense of urgency regarding the need for new housing.
- Project would help increase housing stock, and is an opportunity to enhance Gateway Olive Drive Area with new residential development.

John Li, Davis Resident

12-67

- Property line 20 feet from commenter's unit in Slatter's Court.

12-68

- All project activity will increase dust and noise for residents of Slatter's Court near project boundary.

12-69

- Transportation Analysis focused too heavily on cars. One pedestrian has greater impact on Olive Drive/Richards Boulevard intersection than five cars.
 - One pedestrian stops the Olive Drive/Richards Boulevard intersection from operating.
- Transportation Chapter does not take into account pedestrians.

12-70

- Lincoln40 project without overcrossing would make conditions worse for residents living in south Davis.

12-71

- Commenter discussed City of Davis General Plan; discussed need to make Davis a charter City; provides commissioners with proposal to make Davis a charter City.

Kaja Heart, Resident

12-72

- Project allows future residents to take advantage of alternative modes of transportation to access UCD campus and downtown.
- Olive Drive/Richards Boulevard intersection traffic due to pedestrian/vehicle conflict.
 - A bike/pedestrian connection to downtown would reduce the existing conflict and improve intersection operation.
- Additional 700 residents would help to revitalize properties on Olive Drive.
- The project would help to alleviate the City's existing housing crisis.
 - City shares responsibility for providing housing with UCD.

Paul Gradeff, Project Proponent

- Offers comments in support of project.

LETTER 12: PLANNING COMMISSION, CITY OF DAVIS

Response to Comment 12-1

Commenter asks whether it is appropriate to comment on topics included in the Draft EIR that are not legally required to be addressed in the EIR pursuant to applicable CEQA streamlining provisions. To be legally sufficient, an EIR must “compl[y] with procedures required by law.” (*Davidon Homes v. City of San Jose* (1997) 54 Cal.App.4th 106, 113.) For example, in *Rominger v. County of Colusa* (2014) 229 Cal.App.4th 690, 700-701 (*Rominger*), the County of Colusa, despite concluding a mitigated negative declaration (MND) was not required by CEQA for a proposed residential subdivision, prepared an MND on the project. A lawsuit was filed alleging that the MND was inadequate. The county argued the lawsuit was meritless because “[t]he environmental analysis was conducted to provide public information about impacts that could occur...,’ but ‘[t]he analysis is informational and not required pursuant to CEQA or local statute.’” (*Id.* at p. 700.) The court agreed that, if the MND was not required by CEQA, “it would serve no purpose for the courts to spend valuable time and resources reviewing whether a purely voluntary environmental review complied with legal provisions that did not actually mandate that review.” (*Ibid.*) Therefore, consistent with the holding in *Rominger*, in the event that a CEQA challenge alleged flaws in the EIR that go above and beyond the requirements of CEQA, the allegations would not constitute cognizable CEQA violations.

However, CEQA does not prohibit a lead agency from conducting analysis that goes “above and beyond the requirements of law.” (*Rominger, supra*, 229 Cal.App.4th at p. 701.) Here, the City exercised its discretion to include topics not required by CEQA within the EIR for the purposes of public disclosure and to facilitate full and informed decisionmaking. For this reason, all comments received on the Draft EIR addressing environmental topics, including topics that are not legally required to be addressed pursuant to CEQA, are evaluated and responded to in the Final EIR. All analysis prepared by the City and its consultants, information submitted by the applicant, and public comments, whether addressing topics required by CEQA or not, will be presented to the Planning Commission and City Council for consideration in their evaluation of the proposed project.

Response to Comment 12-2

As stated on page 4.11-30 of the Draft EIR, a significant impact would result in the Core Area and Richards Boulevard/Olive Drive area “if project traffic exacerbates LOS F operations by increasing an intersection’s average delay by five or more seconds.” The proposed project, in combination with General Plan buildout, would increase the delay at four intersections by more than 5 seconds, and thus contribute to a significant cumulative impact. Mitigation Measure 4.11-8 of the Draft EIR would reduce the impact to a less-than-significant level at all four locations.

Response to Comment 12-3

Please refer to Response to Comment 9-2.

Response to Comment 12-4

Table 4.11-22, of the Draft EIR, shows the anticipated cumulative operations under mitigated project conditions. As shown in the aforementioned table, with the implementation of Mitigation Measure 4.11-8, which includes re-striping of Olive Drive but does not include the construction of additional bicycle and pedestrian linkages to downtown, all study intersections would operate acceptably.

Response to Comment 12-5

Dedication of land for a potential future pedestrian and bicycle linkage to the downtown is included as a component of the proposed project, as discussed in Chapter 3, Project Description, of the Draft EIR. Dedication of this land is not used as mitigation for any potential impacts throughout the Draft EIR. Specifically, as discussed in Responses to Comments 12-4 and 2-5, potential impacts related to transportation and circulation would be mitigated through Mitigation Measure 4.11-8, which would require re-striping of the intersection of Richards Boulevard/Olive Drive and extension of the existing bicycle lane along Olive Drive. An additional element of this mitigation measure is the ability for the entire corridor to provide more green time for vehicles entering and exiting downtown Davis, resulting in shorter queues and improved intersection operations at 1st Street/D Street and 1st Street/E Street/Richards Boulevard. The additional green time will be provided through retiming of the coordinated signals between First Street/D Street and Richards Boulevard/Research Park Drive. Thus, the proposed project would not result in significant impacts requiring construction of a pedestrian and bicycle linkage.

Response to Comment 12-6

Please refer to Master Response #2.

Response to Comment 12-7

As stated on page 4.11-6 of the Draft EIR, “Based on the data collection, the peak hour of traffic at the study intersections was determined to occur in the morning between 8 AM and 9 AM, and in the afternoon between 5 PM and 6 PM.”

Response to Comment 12-8

As stated on page 4.11-62 of the Draft EIR, Mitigation Measure 4.11-8 shall include re-timing of the coordinated traffic signals between First Street/D Street and Richards Boulevard/Research Park Drive.

Response to Comment 12-9

Chapter 4.11, Transportation and Circulation, of the Draft EIR, includes detailed information regarding the methodology used to prepare the traffic analysis. Additionally, the analysis is based off observations and data, which represent the actual operating conditions of the existing circulation network. Fehr and Peers is considered an expert in the field of traffic engineers. Thus,

the conclusions of Chapter 4.11 have the full confidence of City staff. Nonetheless, the commenter's concerns are noted.

Response to Comment 12-10

The Sterling Apartments Project was included as a future approved project in the Cumulative No Project AM and PM peak hour analysis, presented in Chapter 4.11 of the Draft EIR, in terms of vehicles using the Richards Boulevard Corridor. In terms of pedestrian volumes, the location and identified mode split of the Sterling Project would add very few if any pedestrians to the Olive Drive/Richards Boulevard intersection.

Response to Comment 12-11

Chapter 4.11, of the Draft EIR, evaluated the First Street Corridor, which is the secondary travel route to and from UC Davis when compared to the Putah Creek Trail. The Richards Boulevard/First Street and the D Street/First Street intersections were analyzed and, as presented in Chapter 4.11, the proposed project would not impact the two foregoing downtown Davis signalized intersections.

Response to Comment 12-12

During both AM (8-9) and PM (5-6) peak hour conditions, existing bicycle and pedestrian volumes at the Richards Boulevard/Olive Drive intersection result in the traffic signal serving bikes and pedestrians during each cycle. The AM and PM peak hour conditions were analyzed because the intersection of Richards Boulevard/Olive Drive experiences the highest volume of vehicles, pedestrians, and bicyclists during those peak hours. If class schedules lead to differing levels of bicycle or pedestrian traffic at other times of day, such bicycle and pedestrian traffic would occur at times of the day when the vehicle traffic is less intense at the intersection. Therefore, even if a greater number of bicycles and pedestrians are using the intersection, the increased number of bicycles and pedestrians would not result in greater impacts, because the vehicle volume at the intersection would not be as intense as during the peak hours. As such, even if the number of pedestrians and bicyclists using the intersection at times of day outside of the peak hours increased to a level where each signal cycle serves pedestrians and bicyclists, as occurs during the peak hours, the operating condition at the intersection of Richards Boulevard/Olive Drive would not be worse than during the peak hours when each signal cycle serves pedestrians and bicyclists simultaneous to the highest vehicle volumes.

Therefore, the addition of the proposed Lincoln40 bicycle and pedestrian trips did not require a sensitivity analysis.

Response to Comment 12-13

Please refer to Response to Comment 9-2.

The traffic analysis completed for the Draft EIR included estimation of the number of pedestrians and bicyclists from the proposed project that would use the intersection of Richards Boulevard and

Olive Drive. To provide a worst-case analysis the Chapter 4.11 of the Draft EIR focused on the peak hour traffic periods when the volumes of vehicles, pedestrians, and bicyclists using the intersection of Richards Boulevard and Olive Drive would be greatest. Thus, Chapter 4.11 presents an analysis based on the addition of project related trips to the existing and cumulative peak hour volumes. The proposed project's addition of pedestrian and bicycle trips to the intersection would not be anticipated to result in significant impacts because during both morning and evening peak hours, based on the number of pedestrians (>350) and bicyclists (>190) currently using the signalized Richards Boulevard/Olive Drive intersection, the addition of project-generated multi-modal person trips would not decrease the performance of the existing crosswalks or Class II bicycle lane.

Although the proposed project is not anticipated to result in impacts to pedestrian or bicycle infrastructure, and the project is not anticipated to result in an impact to intersection operations under existing conditions, the Draft EIR did identify that the proposed project would have the potential to result in a cumulative impact at the intersection of Richards Boulevard and Olive Drive. However, as discussed in Response to Comment 2-5, Mitigation Measure 4.11-8 would reduce the potential impact to less-than-significant levels through the extension of the bike lane along the north side of Olive Drive and improvements to the intersection of Richards Boulevard and Olive Drive.

Response to Comment 12-14

While the Lincoln40 Project's proposal to provide in-lieu fees is compliant with the City's affordable housing ordinance, the commenter's concerns with this approach are noted and have been provided to the decision makers.

Response to Comment 12-15

At the time of environmental analysis for the Draft EIR, the proposed project did not contain on-site affordable housing. Rather, as discussed on page 3-21 of the Draft EIR, the proposed project would include a project individualized program (PIP).

Response to Comment 12-16

Please refer to Response to Comment 7-32.

Response to Comment 12-17

Please refer to Response to Comment 7-32.

Response to Comment 12-18

Please refer to Response to Comment 7-32.

Response to Comment 12-19

Please refer to Response to Comment 12-14.

Response to Comment 12-20

The comment does not directly address the adequacy of the Draft EIR. However, it should be noted that Chapter 6, Alternatives Analysis, of the Draft EIR, included two alternatives related to the comment. First, the Conventional Apartments Alternative provides an analysis of potential environmental impacts that could occur if the proposed project was developed as a traditional style apartment complex. Second, as discussed in the Existing Gateway/Olive Drive Specific Plan Alternative, if the proposed project is not developed, the project site could be developed in compliance with the existing land use designations for the site. Buildout of the project site consistent with the Existing Gateway/Olive Drive Specific Plan Alternative would result in fewer residential units on-site, which would be developed as cottages rather than apartments. This is because the existing Gateway / Olive Drive Specific Plan land use only allows cottages.

Response to Comment 12-21

The cumulative scenario for the proposed project was developed using build out assumptions for the City's General Plan as well as individual proposed and approved development projects. CEQA Guidelines Section 15125 (a) states that "An EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published." The NOP for the proposed project was issued on August 29, 2016, which was prior to the proposal of the recent Oxford Circle Project. Thus, the cumulative analysis for the proposed project does not directly include the potential Oxford Circle Project, per CEQA Guidelines Section 15125. However, if the Oxford Circle Project is consistent with buildout of the City's General Plan, the project would have been generally considered within the cumulative setting of the Draft EIR.

Response to Comment 12-22

Please refer to Response to Comment 12-21 regarding the cumulative setting for the Draft EIR.

Response to Comment 12-23

Please refer to Responses to Comments 31-1 through 31-16.

Response to Comment 12-24

Please refer to Responses to Comments 2-5, 12-9, and 12-13.

Response to Comment 12-25

Please refer to Master Response #2.

Response to Comment 12-26

Chapters 4.11, 4.7, 4.3, and 4.5 of the Draft EIR contain analysis regarding transportation issues, affordable housing, trees, and hazardous materials, respectively. The comment does not address the adequacy of the Draft EIR. Please also see Master Response #1 regarding hazardous materials.

Response to Comment 12-27

The commenter does not provide specific concerns related to the analysis within the Draft EIR other than concerns related to the scale of the proposed project. Please see Chapter 4.1, Aesthetics and Visual Resources, of the Draft EIR for a discussion of the project's height and massing. Potential environmental impacts of the proposed project are addressed throughout the Draft EIR. As shown throughout the Draft EIR, and summarized in Chapter 2, Executive Summary, the proposed project would not be anticipated to result in any significant and unavoidable environmental impacts.

Response to Comment 12-28

The comment does not directly address the adequacy of the Draft EIR. The comment has been forwarded to decision makers for consideration.

Response to Comment 12-29

Chapter 4.11, Transportation and Traffic, of the Draft EIR provides an analysis of potential issues related to traffic in the project area. Please refer to Response to Comment 2-18 regarding parking.

Response to Comment 12-30

Please refer to Response to Comment 2-18 regarding parking. The comment does not directly address the adequacy of the Draft EIR and has been forwarded to decision makers for consideration. As discussed in Chapter 4.7, Land Use and Planning, of the Draft EIR, SACOG has provided a letter to the City of Davis stating that SACOG agrees with the City's conclusion that the proposed project density would be consistent with the MTP/SCS.

Response to Comment 12-31

Chapter 4.11, Transportation and Traffic, of the Draft EIR provides an analysis of potential issues related to increased vehicle use in the project area. Please refer to Response to Comment 2-5 regarding potential impacts to traffic in the project area.

Response to Comment 12-32

As discussed in Chapter 3, Project Description, of the Draft EIR, the proposed project would include the extension of the sidewalk along the north side of Olive Drive across the project site's entire Olive Drive frontage. Extension of the sidewalk would improve pedestrian access in the project area. Additionally, the project includes the dedication of 20 feet of land along the western

property boundary for potential future use as a grade separated pedestrian and bicycle connection to downtown Davis. While the construction of such a connection would be a separate City-initiated project, the dedication of land would ensure that such a project remains feasible, which would increase the walkability of the City.

Response to Comment 12-33

As discussed in Chapter 4.3, of the Draft EIR, the proposed project would result in the removal of 132 on-site trees, but 46 trees would be retained throughout the site. Therefore, the commenter is incorrect in stating that the project would only retain four trees on-site. It should be noted that of the 132 trees to be removed, 93 are rated as being in poor health. In addition, the proposed project includes replanting of at least 65 trees on the project site, and payment of in-lieu fees, which would be used by the City to plant additional trees elsewhere in the City.

As stated in Chapter 4.3, of the Draft EIR, a Biological Resources Evaluation (BRE) was prepared for the proposed project. The BRE included two site surveys, as well as complimentary research regarding potential species that could use the project site as habitat. Chapter 4.3 includes several mitigation measures designed to protect wildlife present at the project site during construction of the proposed project. It should be noted that, as discussed in Chapter 4.3 of the Draft EIR, the proposed project includes extensive landscaping throughout the project site, which may serve as continued habitat for animals on the project site.

Response to Comment 12-34

Figures 4.1-1 and 4.1-2, of the Draft EIR, present visual simulations of the project site following implementation of the proposed project. As shown in the aforementioned figures, the majority of existing on-site vegetation/trees would be maintained and augmented to provide visual screening of the project from the north side of the UPRR tracks. Furthermore, as discussed in Response to Comment 12-33, approximately 46 on-site trees would be retained and at least 65 replacement trees planted, which would ensure that a tree line continues to exist on the project site.

Response to Comment 12-35

The comment does not directly address the adequacy of the Draft EIR. The comment has been forwarded to decision makers for consideration.

Response to Comment 12-36

The safety of the Richards Boulevard/Olive Drive Intersection for bicycles and pedestrians is discussed in Chapter 4.11, Transportation and Circulation, of the Draft EIR. The extension of the existing bicycle lane along the north side of Olive Drive, required by Mitigation Measure 4.11-8, is anticipated to improve the safety of the intersection for bicyclists and pedestrians.

Response to Comment 12-37

The comment does not directly address the adequacy of the Draft EIR. The comment has been forwarded to decision makers for consideration.

Response to Comment 12-38

Please refer to Responses to Comments 11-2 and 11-3.

Response to Comment 12-39

Please refer to Responses to Comments 3-1 and 3-2.

Response to Comment 12-40

Please refer to Response to Comment 12-36.

Response to Comment 12-41

Please refer to Response to Comment 7-32.

Response to Comment 12-42

The commenter submitted a written comment letter. Please refer to comment letter 11 of this final EIR.

Response to Comment 12-43

The comment does not directly address the adequacy of the Draft EIR. The comment has been forwarded to decision makers for consideration.

Response to Comment 12-44

The comment does not directly address the adequacy of the Draft EIR. The comment has been forwarded to decision makers for consideration.

Response to Comment 12-45

Please refer to Master Response #2. The comment does not directly address the adequacy of the Draft EIR. The comment has been forwarded to decision makers for consideration.

Response to Comment 12-46

Please refer to Responses to Comments 1-1 and 12-14. The comment has been forwarded to decision makers for consideration. It should be noted that the Conventional Apartments Alternative analyzed in Chapter 6, Alternatives Analysis, of the Draft EIR, would include affordable housing

consistent with the full affordable housing requirements set forth in Section 18.05.060 of the City's Municipal Code.

Response to Comment 12-47

The comment does not directly address the adequacy of the Draft EIR. The comment has been forwarded to decision makers.

Response to Comment 12-48

The comment does not directly address the adequacy of the Draft EIR. The comment has been forwarded to decision makers.

Response to Comment 12-49

The comment does not directly address the adequacy of the Draft EIR. The comment has been forwarded to decision makers.

Response to Comment 12-50

Please refer to Response to Comment 7-36. In addition, Figure 4.1-2 of the Draft EIR presents a visual simulation of the proposed project from 2nd and J Street. The proposed project includes tree protection measures and targeted landscaping which would maintain and augment the existing vegetative visual screen along the UPRR tracks. While portions of the proposed residential structure would be visible from view points on 2nd Street, very limited obstruction of the open skyline would occur as a result of project development.

Response to Comment 12-51

The comment does not directly address the adequacy of the Draft EIR. The comment has been forwarded to decision makers for consideration.

Response to Comment 12-52

The comment does not directly address the adequacy of the Draft EIR. The comment has been forwarded to decision makers for consideration.

Response to Comment 12-53

The comment does not directly address the adequacy of the Draft EIR. The comment has been forwarded to decision makers for consideration.

Response to Comment 12-54

The comment does not directly address the adequacy of the Draft EIR. The comment has been forwarded to decision makers for consideration.

Response to Comment 12-55

The comment does not directly address the adequacy of the Draft EIR. The comment has been forwarded to decision makers for consideration.

Response to Comment 12-56

The comment does not directly address the adequacy of the Draft EIR. The comment has been forwarded to decision makers for consideration.

Response to Comment 12-57

Please refer to Responses to Comments 12-13 and 2-5. The comment does not directly address the adequacy of the Draft EIR. The comment has been forwarded to decision makers for consideration.

Response to Comment 12-58

Mitigation Measure 4.11-8, the extension of the bicycle lane on the north side of Olive Drive, providing a five-foot sidewalk, and traffic signal improvements would mitigate cumulative impacts and improve safety at the Olive Drive/Richards Boulevard intersection for both pedestrians and bicyclists.

Response to Comment 12-59

Please refer to Master Response #1 and Responses to Comments 31-1 through 31-16.

Response to Comment 12-60

Potential visual impacts of the proposed project were discussed in Chapter 4.1 of the Draft EIR. The comment does not directly address the adequacy of the Draft EIR and has been forwarded to decision makers for consideration.

Response to Comment 12-61

Please refer to Response to Comment 2-5.

Response to Comment 12-62

Please refer to Responses to Comments 3-1 and 3-2 concerning emergency vehicle access to the project site.

Response to Comment 12-63

Please see Master Response #1.

Response to Comment 12-64

The commenter submitted a written comment letter. Please refer to comment letter 14 of this final EIR.

Response to Comment 12-65

Please refer to Master Response #2.

Response to Comment 12-66

The comment does not directly address the adequacy of the Draft EIR. The comment has been forwarded to decision makers for consideration.

Response to Comment 12-67

Please refer to Response to Comment 4-1.

Response to Comment 12-68

Please refer to Response to Comment 4-1.

Response to Comment 12-69

Please refer to Responses to Comments 2-5 and 12-13.

Response to Comment 12-70

Please refer to Response to Comment 2-5.

Response to Comment 12-71

The comment does not directly address the adequacy of the Draft EIR. The comment has been forwarded to decision makers for consideration.

Response to Comment 12-72

Please refer to Response to Comments 2-5 and 12-13. The comment does not directly address the adequacy of the Draft EIR. The comment has been forwarded to decision makers for consideration.

Letter 13

From: Mike Webb [mailto:MWebb@cityofdavis.org]
Sent: Thursday, July 27, 2017 11:24 AM
To: Ashley Feeney <AFeeney@cityofdavis.org>; Ike Njoku <INjoku@cityofdavis.org>; Nick Pappani <npappani@raneymanagement.com>
Subject: Fwd: Strong community opposition to the proposed Lincoln 40 Project from my family and residents we know because of massive environmental, traffic and circulation impacts to the entire city:

Begin forwarded message:

From: Timothy Hoban <newhoban@gmail.com>
Date: July 27, 2017 at 11:07:34 AM PDT
To: <planningcommission@cityofdavis.org>
Cc: <citycouncilmembers@cityofdavis.org>
Subject: **Strong community opposition to the proposed Lincoln 40 Project from my family and residents we know because of massive environmental, traffic and circulation impacts to the entire city:**

Dear Planning Commission Members:

13-1

Thank you for allowing me to speak last night during the public comment portion of the meeting. I had sent this letter earlier in the day, but it had a tiny flaw in the address and was unfortunately not sent to you. I was unable to stay for the discussion of the issue later in the evening but imagine you had many students and developer representatives present and likely too few of the Davis general public. Yet stopping very destructive projects such as this I see as a key responsibility of your commission.

13-2

I want to share my very strong opposition to the proposed Lincoln 40 project. As a Davis citizen and home owner since 1968, I find that the residents and taxpayers of the city have an ever diminishing voice in the development that is so changing our town. The recent proliferation of massive mini-dorms, or maxi dorms in this case, approved or currently being considered, like this

**Letter 13
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**13-2
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very harmful project, will be having enormous destructive environmental and quality of life impacts on our residents. The approved Sterling units next to the Post Office, the horrible Trackside project, and the units on Second Street are just recent examples. Meanwhile, the University seriously continues to neglect its fair share of on-campus housing and continues to amp up great increases in student population, and then forces these students into housing in the small footprint of our city for the residents to deal with. In turn, the City fails to hold UCD accountable for its major impacts on a growing crisis they are fully responsible for.

13-3

Like all of these fast growth huge units in the pipeline, the Lincoln 40 project on Olive Drive is FAR too dense in numbers and scale. The proposed parking will be woefully inadequate. The vast numbers of residents will create huge and insoluble traffic, crowding and circulation problems that will terribly effect our entire city. This is a horrible project with shameful effects and impacts and represents the worst kind of planning

13-4

When is the Planning Commission and our City Council going to LEGALLY demand UC Davis to provide on-campus housing to address its continuing wild expansion? So far, the City's actions have been ineffective. The only way we can require the University to do the right thing and be fair is for the Planning Commission and the Council to Ban and not give any approval to ALL of these large scale mini dorms and units until UC begins building its own units on the campus to handle its own housing UCD formally agrees to and then builds on-campus student housing at percentages other UC campuses deliver.

I plead with you to hear the voices of my family and neighbors and fully reject this very harmful project and the ones like it coming. We are counting on your assistance to keep the promise of Davis alive.

Sincerely,

Timothy Hoban

633 K Street

Davis

LETTER 13: TIMOTHY HOBAN

Response to Comment 13-1

The comment does not address the adequacy of the Draft EIR and has been forwarded to decision makers for consideration.

Response to Comment 13-2

The comment broadly discusses destructive environmental and quality of life impacts on residents, but does not identify specific concerns related to the proposed project. The Draft EIR concludes that, with implementation of mitigation measures, all impacts would be considered less than significant. The comment has been forwarded to decision makers.

Response to Comment 13-3

Potential environmental impacts related to traffic were analyzed and discussed in Chapter 4.11 Transportation and Circulation, of the Draft EIR. As shown in Chapter 4.11, following the implementation of mitigation measures included in the Draft EIR, the proposed project would not result in any significant impacts related to transportation and circulation within the City.

Please also refer to Response to Comment 2-18.

Response to Comment 13-4

The comment does not address the adequacy of the Draft EIR. The comment has been forwarded to decision makers for consideration.

Letter 14

Comments and concerns regarding Lincoln40 and the Draft EIR

- 14-1 1) **The Lincoln40 developer proposal is far too dense for the traffic and circulation impacts it would add to this already heavily impacted traffic area, and not enough parking is provided.** The Lincoln40 project is FAR too dense with trying to jam in 130 apartments. The project proposes having far too many (84 total) 4 bedroom/4 bath apartments (note: each bedroom with a bathroom) and eight 5 bedroom/5 bath apartments which should not even be allowed in such dominating numbers in the Olive Drive area, since lower income housing for non-students is needed as well in this area. These excessively large apartment “suites” are essentially not desirable or rentable to non-students. Most of these apartments allow “double occupancy” per bedroom, increasing the number of residents to up to 708 which would bring enormous traffic and circulation impacts to the already over-whelmed Olive Drive and Richards Boulevard vicinity. These apartments need to be marketable by design to non-student Davis residents as well.
- 14-2 2) **Traffic impacts from the Lincoln40 Project has major Olive Drive/Richards Blvd. access and egress, and exacerbates the traffic and circulation issues.** Traffic and circulation is currently bad enough now. Adding potentially 708 additional residents to the further most east end of Olive Dr. would bring a massive increase of car and bicycle traffic on a street which cannot handle it. Shoe-horning in this over-sized Lincoln40 project with the enormous number of bedrooms will simply not work, particularly in an already impacted on Olive Drive and Richards Boulevard which has major access and egress issues. The size of the project and the number of bedrooms must be significantly reduced due to the small parcel size and these access and egress issues.
- 14-3 3) **Dispersed bicycle traffic constantly interrupting the traffic signals will back-up car traffic flow.** Dispersed bicycle traffic of 700+ bicyclists constantly trying to cross at the Olive Drive vicinity traffic light intersections to get to and from UCD campus and Lincoln40 will cause *continuous interruptions* of the traffic light cycles particularly at Olive Drive and Richards Blvd., and Richards Blvd. and First Street. This will further slowdown and back-up the flow of car traffic and *further worsen the current traffic back-up along the Richards Corridor.* The backed-up traffic, fuel uses by these cars, and vehicle gases created alone make any Lincoln40 project with an enormous number of residents like the 708-capacity proposed, makes this project unacceptable due to the environmental impacts it would bring.
- 14-4 4) **A down-sized conventional apartment-complex mix of studio apartments as well as 1,2,3, bedroom conventional apartments for any resident to rent, but no 4- or 5- bedroom apartment “suites” with individual bathrooms per bedroom should be included.** The Lincoln40 project has been designed to target only housing students. Non-students, such as our community’s workforce and families need rental housing also, and generally cannot afford or want to rent 4-to 5-bedroom apartment suites. The cost of that rent would allow them to, instead, purchase a home and pay off a mortgage rather than rents in this or any 4-5-bedroom multi-family apartment complex. This project has a format of primarily 4 bedroom/4 bath apartment suites and some 5-bedroom apartment suites designed specifically for students. The 3-,4-, or 5-bedroom apartment suites are designed for students only and would work best on campus. **Lincoln40 is not proposing housing, but “ware-housing” of students.**
- 14-6 Therefore, it is not in or City’s best interest to build multi-family housing that is designed for only students who can pool their financial resources. This created an *unhealthy* rental competition where students can pool their rent money and can afford to out-compete non-student workers and families to acquire a rental unit. This is temporary living for students, but not so for non-students. Therefore, the Lincoln40 project needs to have a mix of studio, one, two and three bedrooms which are flexible in their use to non-students now and in the future.
- 14-7 Although there is a demand for student housing now, UCD is undergoing its LRDP update and needs to provide significantly more on-campus housing for its own needs and growth, rather than continuing to push 71% and

Letter 14
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14-8
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potentially more of its 35,000+ campus student population off-campus impacting Davis and surrounding communities. UCD needs to practice the sustainable planning that it preaches. Instead, currently, UCD is causing massive impacts on Davis and surrounding communities. Having a primarily 4+-bedroom suites in a multi-family project like Lincoln40 (which even is allowing "doubling up" per bedroom in most units) is *not* a good or flexible design for our City.

14-8

Furthermore, our General Plan speaks to having a diversity of housing within any development and the Lincoln40 project is being designed exclusively for students and is luxury housing as well, when the need is for more non-luxury housing which is more affordable.

14-9

5) **Single-Room-Occupancy format for entire Lincoln40 project is a major issue.** It appears that Lincoln40 is renting by the bedroom. This makes the entire project essentially a single-room-occupancy (SRO) format. This type of situation can be used and is appropriate on a university campus such as UCD, but is not appropriate for an entire apartment complex of with 708 beds for rent located in the City which should be available to non-students as well as students to rent. Lincoln40 apartments need to have a traditional and flexible design of studio, 1-, 2- and 3- bedroom apartments primarily because the rental housing market in the City needs to have a design which makes the apartments practical and available to non-students such as our workforce and families, as well as students. Lincoln40, particularly this huge complex for 708 residents, *should not* be designed entirely for multiple non-students living in one apartment renting individual beds, or rooms in one apartment. This is especially important for the Olive Drive areas which has offered housing options being eliminated by Lincoln40 for lower income resident and replacing those units with expensive, luxury student housing.

14-10

6) **New information regarding the potential of a toxic plume migrating towards the Lincoln40 site needs to be investigated.**

Due to new information revealed during public comment on July 24th at the Natural Resources Commission meeting there is concern that there is a toxic plume moving towards the Lincoln40 project site which needs to be followed with investigation of if this plume is an issue for the Lincoln40 site to determine how far it has migrated toward the Lincoln40 site and to determine potential health impacts. If it is not investigated to rule out any health, welfare and safety issues to the public, the City would otherwise be liable for not clarifying this situation before moving forward with processing the Lincoln40 project.

The contaminants of great concern involve TCE in soil vapor and shallow groundwater, which reportedly is found to occur on a seasonal basis between 45 and 65 feet below grade surface (BGS). Early documentation and attempts to remediate some of the contamination is publicly available online using the SWRCB GeoTracker website. It is critical that the Lincoln40 developer and the City do not ignore of this new toxic plume information which is headed toward the Lincoln40 site, and proceed with an environmental sampling investigation.

14-11

7) **The Lincoln40 Draft EIR project alternative conclusions are not logical.**

A) The Draft EIR concludes that "No Project" is essentially the "superior alternative ". This speaks volumes on the how unacceptable the developers project is, because of it being an overly-dense project, particularly for the Olive Drive – Richards vicinity with its existing traffic and circulation impacts. Having over 700 more

14-12

bicyclists needing to frequently interrupting the traffic signal lights at Richards and Olive Drive to cross both ways daily to get to and from UCD will back up traffic even more at the Richards tunnel from maybe 10 minutes to potentially 30 minutes or more. The extent of this backed up traffic will interpret to major

14-13

environmental impacts including the air quality to the additional energy usage for the additional fuel used by so many cars in level of F+ back up of traffic which is likely to extend from 10 minutes or so to 30+ minutes or more. It is important to understand that the amount of the time of the delay *does* matter environmentally, as well as regarding the inconvenience to the driver. None of this is good planning for the community or the environment.

**Letter 14
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- 14-14 B) The Draft EIR considers the "Aggressive Transportation and Parking Demand Management Alternative" to be considered the superior alternative makes no sense. This project alternative offers *only 50 parking spaces for 708 beds* and logically cannot possibly be the superior alternative due to the traffic back-ups that would be caused at Olive Drive and Richards' due to the constant signal light interruptions by more than 700 bicyclists trying to get across Richards Boulevard. Yet, the Draft EIR uses the excuse that since there would be a smaller parking lot that this is the "superior project alternative. It also seems obvious that this alternative is not realistic to believe that only 50 parking spaces could possibly work since it will be a luxury student apartment complex with student who *will* have cars. If there is inadequate parking, the parking problem will just be moved down Olive Drive to neighboring apartment complexes and businesses. This massive 708 bed project design primarily includes *a bathroom per bedroom* which would result in far more water usage than a traditional 1-, 2- or 3- bedroom apartment complex format which would also have the advantage of being more flexible for rental to non-students.
- 14-15 **The Aggressive**
- 14-16 **Transportation and Parking Demand Management Alternative also includes a luxury swimming pool which is a huge environmental impact given the water usage and chemicals to maintain it while it increases the rental cost as well.** Most students are gone in the summer anyway and there is more than one pool on the UCD campus. **The conclusion is that any Lincoln40 proposal with a swimming pool and a**
- 14-17 **bathroom per bedroom design, particularly with 4- and 5- bedroom apartment "suites" has no legitimate right to be being ranked as a "superior project alternative".**
- 14-18 C) **The UCD on-campus alternative is illogically disqualified as being a superior alternative simply because it is not using the Lincoln40 land site (Draft EIR Alternatives pages 6-53- 6-58). However, it makes no sense for the Draft EIR to penalize and disqualify the UCD on-campus housing option as a superior alternative with the excuse that is an off-site alternative.** Otherwise, all alternatives in all CEQA EIR's would automatically be considered inferior to the original proposal if they were at an alternative location from the project site, which is usually the case.
- 14-19 The UCD on-campus student housing alternative is intuitively the superior alternative because it is creating the least impacts on the environment since it is locating the students much closer to their classroom destinations and thee avoids the commuting impacts. It is also the best alternative since it could allow student to have not cars or greatly at least reduce the need for student vehicle cars the most. Yet, it is illogically and unfairly disqualified simply because is an off-site location from the Lincoln40 land.
- 14-20 CEQA EIR alternatives usually offer off site alternatives and in this case, that the UCD off-site alternative has been ridiculously eliminated due to the fact that the student housing would be located on-campus rather than on the Lincoln40 site, *even though it would cause far fewer impacts*. This Draft EIR conclusion is clearly flaws and should be called out as such. UCD on-campus hosing is intuitively and logically the most sustainable solution to providing student housing since UCD has plenty of land with over 5,300 acres, and would drastically reduce the commuting needs of thousands of students by locating them on-campus close to their classrooms rather than the 71% of their 35,000+ student population that UCD is currently forcing off campus due to their negligence in providing the needed on-campus student housing.
- 14-21 D) It is also very odd that in the Draft EIR that the "Existing Gateway – Olive Drive Specific Plan" alternative is apparently being disqualified as the superior alternative (as well). Yet, the impacts would be far less than the developer proposed project be less (Draft EIR Alternatives section pages 6-16- 6-20 and page 6-58). Although it does not specifically offer a student only housing mega-dorm like Lincoln40, it cannot exclude the possibility that students could live in these units as some likely live in the housing that exists there now. It should be acknowledged that is one of the superior alternatives due to the low level of impacts while pointing out it would comparatively offer less housing.

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- 14-22 **In conclusion of the alternatives studied, it should be obvious that the UCD on-campus student housing is the superior project alternative.** However, if the Lincoln40 site is to be developed, it needs to be significantly scaled down, remove the pool, adequate parking needs to be included since residents do need to have a place to store their cars otherwise the Lincoln40 parking shortage is simply displaced to surrounding areas including other apartment complexes and businesses, and affordable housing options should be included at Lincoln40 given its location in a lower income housing area.
- 14-23
- 14-24 A scaled-down version of the Lincoln40 project is a starting point, such as a conventional apartment complex which has the advantage of allowing non-students as well as students occupy the units in 1-, 2- or 3-bedrooms apartments, which would have fewer bathrooms also and lower impacts on water consumption. The single-room-occupancy problem would also be eliminated since billing per apartment would be straight forward and there would be better control to avoid excessive water and energy used due to direct billing based upon usage which is a built-in conservation mechanism. Conversely, single-room-occupancy formats particularly with 4- and 5- bedroom suites have the inherent problem of not being able to appropriately bill individuals who are high water and energy users which is a problem which West Village created due to poor planning and the charging the same rent per bed regardless of how much water and energy is used.
- 14-25 8) **Insufficient car parking spaces.** The developer proposed project has insufficient parking with only 239 parking spaces. With 708 potential residents, the parking requirement should be based upon this 708 bed-count number since this project is a very atypical design. The developer proposed project will be housing *far* more occupants than any other multi-family project given the size and having 84 four-bedroom suites (i.e. the vast majority of the project is the 4-bedroom suites which with double occupancy would allow 504 beds) of the very high density of the project and the “doubling up” factor in so many of the apartments, particularly the 3 and 4-bedroom apartments. This in turn, double the number of occupants and the number of parking slots needed. No tandem parking should be allowed since this project is too dense as it is and would hamper movement of cars trying to exit particularly.
- 14-26 9) **Insufficient covered bicycle parking spaces.** The number of parking slots for bikes needs to be increased to accommodate covered bicycle or “long term” covered bicycle parking for every possible occupant. Currently 177 are not covered and those could be used for guests, but all occupants need to have a covered long-term bicycle parking slot particularly for the adverse weather times of wet and cold in winter and extreme heat in summer.
- 14-27 10) **Major improvements to East Olive Drive need to be paid for by the developer for the massive traffic that Lincoln40 would impose.** The entire East end of Olive Drive would need to be improved by the developers (since Lincoln40 is at the furthest eastern end of Olive Drive) to allow better car and bicycle traffic flow, including improving the bike lane access for the many hundreds of bikes that would circulate daily. Apparently, the infrastructure “wish list” is over \$30 million. Yet, the developer is not willing to pay the full costs of the infrastructure that would be needed for this enormous, luxury student housing project for more than 700 students which would exacerbate the already overly traffic and circulation impacted Olive Drive and Richards Boulevard vicinity. Apparently, the Davis community taxpayers would need to pick up the enormous bill to subsidize the Lincoln40 project. This enormous 708 bed Lincoln40 definitely pushes the Olive Drive – Richards Boulevard vicinity well past the tipping point of imposing impacts what would exacerbate the vicinity and the Davis community.
- 14-28 11) **Down-size the over-sized Lincoln40 project to be a reasonable size to reduce impacts and save more trees** to reduce the impacts from the project and to spare more of the trees. The many trees on the Lincoln40 site are

Letter 14
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14-28
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especially important to preserve because they help deal with the carbon emissions coming from I-80 traffic which is literally adjacent to the proposed Lincoln40 project site. Sizing the project property reduces the impacts as well including traffic and circulation. Also, a smaller footprint of the project is needed to save more of the precious mature trees which took so many years to grow.

14-29

Lincoln40 was asked early in the process to preserve as many trees as possible for aesthetics and privacy. Assume that any construction will not harm any of the existing trees. Downsizing the project would reduce the impacts and have more trees on site. Addition of any more trees should assure that their placement will not interfere with any solar aspects of the project as they mature into the future. Assume that solar placement will not cause the need for major pruning or damage to any existing trees. Also, any construction on the site must

14-30

protect these trees or they must pay significant fines, not just replacement of a tree that will take decades to grow for the privacy and aesthetics. This is especially important at this site since the developers are planning to remove an enormous number of mature trees which would be a tragic loss particularly since they are also helping mitigate the I-80 reduction of carbon emissions. Reducing the size of the project to reduce traffic impacts in the area as well sparing more of these critically needed trees which took many, many years to grow, it critical.

14-31

- 12) **Water and energy conservation monitoring programs are needed on site.** Lincoln40 due to its proposed single-room-occupancy rent by the bed format need to implement a water and energy conservation monitoring program similar to the Sterling Apartments project. The vast majority of the apartments will be apartments will be 4- and 5- bedroom "suites" the developers typically want to charge a flat rent per bed which allows unlimited water and energy usage. To begin with, metering of water and energy needs to be demanded of each apartment and agreed to be part included in any original construction, because the State mandate does not take effect until next year officially. **If these individual water and energy meters were not installed per unit, there would be no incentive for water conservation and with each bedroom having its own bathroom, the water usage will be enormously more compared to any other 130-unit multi-family since it has 473 bedrooms allowing double occupancy in most, equaling as many as 708 residents.**

The other issue related to this is even if water and energy metering is implemented per apartment unit, how does the management of the apartments complex *implement* water and energy conservation of the billing is done on a flat rate per bedroom since it is a single-room-occupancy leasing format? This is especially relevant for the 4- and 5- bedroom "suite" apartments. This same problem was revealed when West Village opened and because the proper planning was *not* done to allow metering to bill for excessive water and electric usage, students have been quoted in the media that they take long showers since there is no incentive to conserve. Their rent would not change no matter how much water and energy they use. We cannot allow the same mistakes made at West Village to be repeated in the City.

The City also needs to have accountability and some periodic evidence from the Lincoln40 management to be assured that this conservation monitoring program is being implemented with periodic reports to the City. Otherwise, there will be massive waste of water and energy and essentially the rest of the residents of the entire apartment complex wind up subsidizing the costs. Beyond the cost issue is the obvious environmental consequences of the enormous waste of water and impacts on our waste water treatment plant, as well as excessive usage of energy. This accountability "check-in" of the conservation program component would need to demonstrate evidence at least annually or bi-annually to demonstrate that the management is implementing these conservation efforts. This way residents who use excessive amounts of water and /or energy, are charged more, as opposed to spreading that cost out to the rest of the residents which is not only unfair, but allows and encourages the continued waste of water and energy.

14-32

- 13) **No master leasing by UCD.** There needs to be a control mechanism by the City to avoid master leasing by UCD so that the City does not lose property tax. At the very least, a "make whole" clause needs to be included in the development agreement so that if the City cannot legally prevent Lincoln40 from master leasing that Lincoln40

**Letter 14
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14-32
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will make up the property tax losses to the City. Sterling agreed to this and therefore this must be agreed to by Lincoln40.

14-33

- 14) Monitoring program to ensure that there are not additional occupants per bedroom than the stated original capacity per bedroom for the project. The Sterling Apartment project committed to monitoring and limiting the number of students per bedroom so that the project impacts on water, waste-water treatment, and traffic and circulation could be quantified so that measures can be proposed to try mitigate these impacts. The Lincoln40 project is over-sized, particularly for the Olive Drive site, but if any version of the Lincoln40 project moves forward it needs to also have a mechanism like Sterling to monitor and control excess occupation per bedroom of the already enormous capacity proposed of 708 student beds. This is student "warehousing" rather than student housing. This massive sized project with a massive number of 708 student occupants is particularly inappropriate since the Lincoln40 project site is adjacent to the massive fumes and noise from I-80 which is directly adjacent to the project. Again, terms to limit any additional occupants beyond the 708 must be mandated and have a monitoring and enforcement mechanism by the management. The Sterling Apartment project agreed to this as Lincoln40 must also.

14-34

- 15) A Lincoln40 Resident Complaint Resolution mechanism needs to be on-site and fully run and financially absorbed by Lincoln40 Management, not the City. This is important so that that roommate incompatibilities or other complaints do not wind up having to be resolved by the City's Mediation Services. These problems and issues are very likely given that the vast majority of the Lincoln40 project involve 3-, 4-, and 5-bedroom suites, which allow double occupancy in most of these bedrooms per apartment suites. With 5-6 residents per apartment, roommate incompatibilities are likely to result.

14-35

- 16) Affordable housing units should be included instead of using in-lieu fees. Affordable housing should be included in multifamily housing projects whenever possible due to the obvious need of rental housing for non-students as well as students particularly in the Olive Drive vicinity since it helps provide affordable housing for some of the lower income residents of Davis, some of which is being eliminated by the Lincoln40 luxury, student housing project proposal.

14-36

- 17) A grade separated crossing over or under the railroad track needs to be paid for by the Lincoln40 developers. A grade-separated crossing for bikes and pedestrian crossing over or under the railroad tracks would be needed due to the enormous increase of more than 700 students at the Lincoln40 project. Therefore, it must be paid for by the Lincoln40 developers before construction or any occupancy of the Lincoln40 project. The Lincoln40 project would bring massive impacts of students trying to get to and from the UCD campus and is a definite tipping point of an area already seriously impacted with traffic and circulation problems at Olive Drive and Richards Boulevard.

14-37

- 18) Lincoln40 luxury apartments and fitting in on Olive Drive? Upon researching Highbridge developments, it appears that Highbridge builds very high-end luxury apartments. This video on line shows an example <http://progress910.com/>. I am questioning whether this type of expensive, 4-bedroom/4-bath room apartments "fit" in the Oliver Drive area, particularly when lower cost housing would be removed from the site evicting those lower income residents and replacing that affordable housing with very expensive luxury apartment when Davis needs lower cost rental housing, not higher cost luxury apartments. Particularly when we need more affordable rental units for our City workforce and families.

14-38

- 19) Public safety vehicular and bicycle access and egress issues. The Lincoln40 enormous size and design shoe-horned in at the eastern-most end of Olive Drive does not work either for public safety service vehicular traffic, such the large fire trucks as well as police cars trying to get to the site in an emergency yet the Olive Drive

**Letter 14
Cont'd**

14-38
cont'd

street will, predictably, be backed up with traffic all the time with *708 more residents* who are certain to have more than 239 cars which is the inadequate amount of car parking spaces proposed. Add this to the unusual proposal of tandem parking proposes which will just jam up access and egress to the Lincoln40 site even more.

14-39

20) **Proximity of Lincoln40 to the railroad tracks and safety issues regarding the railroad.** The proximity of Lincoln40 to the railroad tracks raises the issues of noise and potential derailment or spillage from loaded train cars concerns. This shoehorned in project would be a huge fire-trap if there was such an accident and the emergency services would not be able to get to it or evacuate this enormous 700+ resident complex it fast enough, particularly since it will become a cul-de-sac if and when the Olive Drive exit is eliminated.

14-40

21) **Determine if the Olive Drive exit will be closed by Cal-Trans at some time in the future.** There has been discussion in the past regarding Cal trans possibly closing off the Olive Drive exit from I-80. Since this would affect ingress significantly and make the east end of Olive drive a cul-de-sac essentially, this issue needs to be researched and determine if this closure is going to happen. If so it greatly affects this vicinity in many way and particularly whether Lincoln40 can even be considered at this site.

14-41

22) **The City would get no SACOG RHNA Fair Share credit for the Lincoln40 project if it is built before 2021.** Since the City needs to have land site for it next fair share credit, if it is developed before 2021, the Lincoln40 land site would not be available for development when more fair share units are required for our City's next SACOG RHNA fair share allocation starting in 2021. Building Lincoln40 project now also would give UCD a disincentive to build more on-campus housing. UCD's need to build the 50/100 plan for providing are more on campus housing needs to be negotiated first to help resolve the need for on-campus student housing that UCD has continued to neglect to provide. Other UC's are providing at least 50% on campus housing and UCD needs to do so also particularly since it is the best and most sustainable planning solution for long-term affordability and availability for student housing. On-campus housing is the cheapest way to build student housing which make its more affordable. UCD is the largest UC campus with over 5,300 acres and has plenty land therefore would not need to pay for land costs, nor permit fees or project application fees for on-campus housing development.

14-42

It would allow the students to live near their classrooms and eliminat the commuting impacts that UCD is currently causing. UCD is pushing over 71% of its studnt off campus now and that needs to be reduced to 50% or less like the other UC campuses are accomplishing. The City has an obligation to provide housing for non-students whereas UCD has a responsibility to provide housing for its students which is has been neglecting.

14-43

23) **Relevance of SB 375 CEQA streamlining for Lincoln40 or any infill project.** While the Staff report points out that Lincion40 is eligibility regarding this new state policy, it is critical that to understand that any project coming forward trying to implement must be consistent with local policies and ordinances such as a City's General Plan (see below). **Therefore, SNB 375 has made clear that no infill project can move forward ignoring or undermining a City's local planning principles and policies including the General Plan.** This includes the concept of the need for compatibility of a project with its surroundings particularly with infill projects. Lincoln40 would bring far more impacts and costs than benefits and it is not compatible with its surroundings as it is currently proposed.

**Letter 14
Cont'd**

- The discretionary nature of SB375 as can be found in the text of the bill states that:

(J) Neither a sustainable communities strategy nor an alternative planning strategy regulates the use of land, nor, except as provided by subparagraph (I), shall either one be subject to any state approval. Nothing in a sustainable communities strategy shall be interpreted as superseding the exercise of the land use authority of cities and counties within the region. Nothing in this section shall be interpreted to limit the state board's authority under any other provision of law. Nothing in this section shall be interpreted to authorize the abrogation of any vested right whether created by statute or by common law. Nothing in this section shall require a city's or county's land use policies and regulations, including its general plan, to be consistent with the regional transportation plan or an alternative planning strategy. Nothing in this section requires a metropolitan planning organization to approve a sustainable communities strategy that would be inconsistent with Part 450 of Title 23 of, or Part 93 of Title 40 of, the Code of Federal Regulations and any administrative guidance under those regulations. Nothing in this section relieves a public or private entity or any person from compliance with any other local, state, or federal law.

Source: http://www.leginfo.ca.gov/pub/07-08/bill/sen/sb_0351-0400/sb_375_bill_20080930_chaptered.html

Thank for your time and consideration. Please feel free to contact me to further discuss anything regarding the Lincoln40 project.

Eileen M. Samitz

emsamitz@dcn.org

(530) 756-5165

LETTER 14: EILEEN SAMITZ

Response to Comment 14-1

Please refer to Response to Comment 2-5 for a discussion of potential traffic impacts related to the proposed project.

As stated in Chapter 3, Project Description, of the Draft EIR, the Draft EIR analyzed the project at full capacity with 708 students at the project site. Although the project would be designed to offer off-campus student housing, the project would be open to any qualified applicant.

Response to Comment 14-2

Please refer to Response to Comment 2-5 for a discussion of potential traffic impacts related to the proposed project. As discussed in Chapter 4.11, Transportation and Circulation, of the Draft EIR, the proposed project would result in a net increase of 33 vehicle trips during the AM peak hour and 50 vehicle trips during the PM peak hour. The project would generate 70 AM peak hour bicycle trips and 61 PM peak hour bicycle trips. Such an increase in vehicle and bicycle trips would be relatively modest.

Impact 4.11-6 presents an analysis of the sufficiency of access to the project site. As discussed in Impact 4.1-6, the design of the proposed project would provide sufficient access to the proposed structure.

Response to Comment 14-3

Please refer to Responses to Comments 2-5 and 14-2. The comment does not otherwise address the adequacy of the Draft EIR, but the comment has been forwarded to decision makers for consideration.

Response to Comment 14-4

Over the course of an entire day, the proposed Lincoln 40 project would generate an estimated 700 bicycle trips, thereby eliminating a corresponding number of vehicle trips.

As noted in Chapter 4.11, during the morning peak hour 70 project residents are projected to ride their bicycles. During the evening peak hour, 61 project residents are projected to ride their bicycles. This would not cause continuous interruptions at the Olive Drive/Richards intersection because the traffic signal is already providing sufficient green time to serve pedestrians and bicyclists. Moreover, the addition of Lincoln40 bicyclists would not result in additional interruptions to the Richards Boulevard/Olive Drive intersection.

The improvements at the Olive Drive/Richards Boulevard intersection required by Mitigation Measure 4.11-8 of the Draft EIR, are designed to serve all travel modes efficiently by providing a separate travel lane for bicycles and automobiles on westbound Olive Drive. This would allow bicyclists to line up when the traffic signal is red in the bicycle lane. And when the traffic signal

turns green, the bicyclists would be able to cross Richards Boulevard to the Downtown Davis Tunnel or Putah Creek Trail. By efficiently serving pedestrians and bicyclists at this signalized intersection, travel times for vehicles on Richards Boulevard would not increase when compared to Cumulative (No Project) Conditions.

Finally, with over 70 percent of all bicycle and pedestrian traffic continuing to the Putah Creek Trail towards UC Davis, the Richards Boulevard/First Street/E Street intersection would not be impacted by the proposed Lincoln40 Project.

Response to Comment 14-5

Chapter 4.2, Air Quality and Greenhouse Gas Emissions, of the Draft EIR, presents analyses of potential emissions related to operation of the proposed project. The analysis presented in Chapter 4.2 includes estimation of operational emissions of criteria pollutants and GHG emissions from mobile sources, such as passenger vehicles. Additionally, Impact 4.2-3 includes an analysis of potential carbon monoxide emissions related to vehicles idling in the project area. It should be noted that the analysis presented in Chapter 4.2 is based off of the conclusions of Chapter 4.11, Transportation and Circulation, and, thus, considers potential impacts related to traffic within the consideration of air quality and GHG emissions. The analysis presented in Chapter 4.2 concludes that the mobile emissions related to operation of the proposed project would not exceed established YSAQMD standards, nor would such emissions result in the exposure of sensitive receptors to substantial pollutant concentrations.

Response to Comment 14-6

The comment does not address the adequacy of the Draft EIR. The comment has been forwarded to decision makers for consideration.

Response to Comment 14-7

The comment does not address the adequacy of the Draft EIR. The comment has been forwarded to decision makers for consideration.

Response to Comment 14-8

Although the proposed project would be designed as off-campus student housing, the future apartment units would be available for rent by any qualified applicant. The comment does not address the adequacy of the Draft EIR.

Response to Comment 14-9

Please refer to Response to Comment 1-1, which pertains to affordable housing. The Draft EIR is required to evaluate the project's compliance with adopted plans and policies, which include the City's affordable housing ordinance. The project proposes PIP, which is consistent with Davis Municipal Code requirements regarding affordable housing. Furthermore, it should be noted that

Chapter 6, Alternatives Analysis, of the Draft EIR, provides an analysis of potential environmental impacts that would occur under a Conventional Apartments Alternative.

Response to Comment 14-10

Please see Master Response #1.

Response to Comment 14-11

Please refer to Response to Comment 7-36.

Response to Comment 14-12

During the morning peak hour 70 project residents are projected to ride their bicycles. During the evening peak hour, 61 project residents are projected to ride their bicycles. As discussed in Chapter 4.11, the addition of Lincoln40 bicyclists would not result in an impact to the Richards Boulevard/Olive Drive intersection.

The analysis presented in Chapter 4.11 of the Draft EIR shows that vehicle, pedestrian, and bicycle trips related to the proposed project would not result in impacts to the intersection of Richards Boulevard/Olive Drive in existing conditions. Rather, project related transportation trips would only result in an impact in the cumulative scenarios, where buildout of the City's General Plan and other projects is assumed. The proposed bicycle lane on the north side of Olive Drive and traffic signal improvements, required by Mitigation Measure 4.11-8 of the Draft EIR, would address the cumulative impact at the Olive Drive/Richards Boulevard intersection of the 70 morning peak hour and 61 evening peak hour bicycle trips. Average travel times on Richards Boulevard from I-80 to First Street are currently less than 10 minutes and would not increase with the multi-modal improvements at the Olive Drive/Richards Boulevard signalized intersection.

Response to Comment 14-13

Please refer to Response to Comments 2-5 and 14-12 regarding potential traffic impacts.

Please refer to Response to Comment 14-5 regarding potential air quality impacts of increased congestion. As discussed in Chapter 4.2, Air Quality and Greenhouse Gas Emissions, of the Draft EIR, the proposed project is not be expected to generate localized Carbon Monoxide (CO) emissions that would expose sensitive receptors to substantial concentrations of localized CO.

Response to Comment 14-14

Please refer to Response to Comment 7-31 regarding the Aggressive Transportation and Parking Demand Management Alternative, as well as Response to Comment 14-12 above.

As shown in Chapter 6, of the Draft EIR, the Aggressive Transportation and Parking Demand Management Alternative was not concluded to be the environmentally superior alternative due to a smaller parking lot. Rather, the Aggressive Transportation and Parking Demand Management

Alternative would reduce potential environmental impacts to the greatest extent through reductions in passenger vehicle use by future tenants.

Response to Comment 14-15

As discussed in Response to Comment 2-14, the potential water demand for the proposed project was conservatively estimated and presented in Chapter 4.12, Utilities and Service Systems, of the Draft EIR. Additionally, current building standards, as well as project plans indicate that water use efficiency measures would be implemented to reduce outdoor and indoor water use at the project site.

Response to Comment 14-16

Environmental analysis of the proposed project and the Aggressive Transportation and Parking Demand Management Alternative, presented within the Draft EIR, included consideration of potential impacts related to development of an on-site pool. Consideration was given to water use, in Chapter 4.12, as well as potential on-site chemical use, in Chapter 4.6. The Draft EIR concluded that the proposed project would not result in any significant impacts with inclusion of a pool, and the Aggressive Transportation and Parking Demand Management Alternative would have a similarly low likelihood of resulting in any significant impacts.

Response to Comment 14-17

Please refer to Chapter 6 of the Draft EIR, as well as Response to Comment 7-31 for discussions regarding why the Aggressive Transportation and Parking Demand Management Alternative was chosen as the environmentally superior alternative.

Response to Comment 14-18

Please refer to Responses to Comments 7-32 and 12-16.

Response to Comment 14-19

As discussed in Response to Comment 7-32, the commenter is incorrect to assert that the Off-Site UC Davis Alternative was disqualified. The Off-Site UC Davis Alternative was analyzed under the same level of scrutiny as the other eight alternatives included in Chapter 6. As noted on page 6-57 through 6-58 of Chapter 6, Alternatives Analysis, of the Draft EIR, the Off-Site UC Davis Alternative would be anticipated to reduce potential impacts related to Transportation and Circulations. The potential reduction in Transportation and Circulation related impacts was considered with respect to the other CEQA topic areas covered throughout the Draft EIR and presented in Table 6-15 of the Draft EIR.

Response to Comment 14-20

Please refer to Response to Comment 14-19 and Response to Comment 7-32.

Response to Comment 14-21

On page 6-58 of the Draft EIR, the Existing Gateway/Olive Drive Specific Plan Alternative is identified as the potentially environmentally superior alternative. However, because the Existing Gateway/Olive Drive Specific Plan Alternative represents a form of the no project scenario, the Existing Gateway/Olive Drive Specific Plan Alternative cannot be chosen as the environmentally superior option. Therefore, notwithstanding the potential environmental superiority of the Existing Gateway/Olive Drive Specific Plan Alternative, the Aggressive Transportation Alternative was determined to be the most appropriate choice for the environmentally superior alternative.

Response to Comment 14-22

Please refer to Response to Comment 14-19 and Response to Comment 7-32.

Response to Comment 14-23

Please refer to Response to Comment 2-18 regarding parking, Response to Comment 13-16 regarding the proposed pool, and Response to Comment 1-1 regarding housing affordability.

In addition, the commenter is directed to Chapter 6, Alternatives Analysis, of the Draft EIR, which includes several project alternatives that would include fewer residential units on-site.

However, in general, the comment does not address the adequacy of the Draft EIR, but, instead, provides feedback on the project itself. The comment has been forwarded to decision makers for consideration.

Response to Comment 14-24

The proposed project would include individual water and electricity meters for each unit.

It should be noted that Chapter 6, Alternatives Analysis, provides an analysis of a Conventional Apartments Alternative, which provides insight into the environmental trade-offs inherent in a conventionally designed apartment structure as compared to the proposed project.

Response to Comment 14-25

Please refer to Response to Comment 2-18 regarding parking.

Response to Comment 14-26

Bicycle parking on the project site is provided in compliance with the City's bicycle parking standards, as shown in Figure 3-7 of the Draft EIR. As discussed in Response to Comment 2-18, parking, including bicycle parking is not considered a CEQA issue. Nevertheless, the comment has been forwarded to decision makers for consideration.

Response to Comment 14-27

As discussed in Response to Comment 2-5, Mitigation Measure 4.11-8 of the Draft EIR, would require re-striping of the intersection of Richards Boulevard/Olive Drive, the extension of the existing bicycle lane along Olive Drive, and signal synchronization improvements. Implementation of these requirements would sufficiently reduce potential traffic-related impacts to less-than-significant levels. Therefore, major improvements to East Olive Drive are not needed, and are not included in the proposed project.

The commenter does not provide a basis for the alleged 30-million-dollar infrastructure “wish list”. The City will require the project applicant to fund all needed infrastructure improvements identified in Chapter 3, Project Description, of the Draft EIR, including water sewer, drainage, and circulation system improvements. Nonetheless, the comment has been forwarded to decision makers for consideration.

Response to Comment 14-28

Please refer to Response to Comment 7-42.

Response to Comment 14-29

As discussed in Chapter 4.3, Biological Resources, of the Draft EIR, the proposed project would include retention of a significant number of existing on-site trees, including two landmark cork oak trees located on the Olive Drive frontage. Please refer to Response to Comment 5-6 for a discussion of mitigation measures included in the Draft EIR, which would ensure the protection of retained trees. Additionally, the incorporation of replacement trees into the proposed project is further discussed in Response to Comment 7-42. Replacement trees and existing trees must be maintained in compliance with Municipal Code Section 40.25.100 (f), which requires that 50 percent of paved parking lot surface be shaded with tree canopies within 15 years. As discussed in Chapter 4.3, Biological Resources, of the Draft EIR, and required by Mitigation Measure 4.3-7(a), any necessary tree pruning may only be performed per recommendations in the Arborist Report, prepared for the proposed project, and such pruning may only be completed by an ISA Certified Arborist or Tree Worker. Such pruning would be limited to involve the minimum amount of pruning necessary to ensure the on-going health of the on-site trees.

The proposed project does not include solar panel installation at this time. While solar panels may be installed in the future, the location of such panels is not currently known. At such a time as the project applicant chooses to install solar infrastructure, installation would be required to comply with existing regulations within the City’s Municipal Code related to pruning of protected trees.

Response to Comment 14-30

Please refer to Response to Comment 7-42.

Response to Comment 14-31

Please refer to Response to Comment 7-40. In addition, the applicant has indicated that they intend to implement a competitive program among future tenants, whereby tenants compete with each other to use the least amount of electricity and/or water. Incentives for winning would be included in the program. The commenter's suggestions and concerns regarding water and energy metering have been forwarded to the decision makers.

Response to Comment 14-32

Please refer to Response to Comment 7-41.

Response to Comment 14-33

Please refer to Response to Comment 7-43.

Response to Comment 14-34

The comment does not address the adequacy of the Draft EIR and has been forwarded to decision makers for consideration.

Response to Comment 14-35

Please refer to Response to Comment 1-1. The commenter's preference for on-site affordable housing is noted and the comment has been forwarded to decision makers for their consideration.

Response to Comment 14-36

Please refer to Master Response #2 regarding provision of a grade-separated crossing.

Response to Comment 14-37

Please refer to Response to Comment 1-1 regarding the availability of affordable housing within Davis, and the displacement of existing residents.

Response to Comment 14-38

Please refer to Responses to Comments 3-1 and 3-2 regarding emergency access to the project site.

Response to Comment 14-39

Please refer to Response to Comments 3-1 and 3-2 regarding emergency fire service access to the project site. With regard to railroad noise at future on-site sensitive receptors, implementation of Mitigation Measures 4.8-5(a) and 4.8-5(b) would reduce the project's impact to a less-than-significant level.

Please refer to Response to Comment 2-7 regarding potential hazards due to the proximity of the UPRR tracks to the project site.

Response to Comment 14-40

As discussed in Chapter 4.11, closure of the existing Olive Drive Off-ramp was considered in the cumulative traffic analysis.

As part of the I-80/Richards Boulevard interchange improvement project, the City is working with Caltrans to potentially close the Olive Drive off-ramp as part of the reconstructed I-80/Richards Boulevard Interchange Project. The closure of the westbound I-80 off-ramp to Olive Drive would be an overall benefit to the Olive Drive Corridor by reducing vehicle traffic as shown in Table 4.11-2, CEQA Cumulative Scenario 3 No Project and Plus Project Intersection Operations. The CEQA Cumulative Condition includes City General Plan buildout, the original Embassy Suites Hotel/Conference Center project, and additional traffic generated by the Mace Ranch Innovation Center (MRIC) project and the Nishi project. It should be noted that closure of the Olive Drive off-ramp would not occur until the I-80/Richards Boulevard Interchange Project is completed.

The closure of the westbound I-80 off-ramp to Olive Drive would also address concerns raised by the public about potential conflicts between pedestrians, bicyclists, and vehicles at the Olive Drive/Richards Boulevard intersection. However, the westbound I-80 off-ramp to Olive Drive would only be closed following the improvements to the I-80 Richards Boulevard Interchange.

Please refer to Response to Comments 3-1 and 3-2 regarding access to the project site following such closure.

Response to Comment 14-41

The comment does not address the adequacy of the Draft EIR and has been forwarded to decision makers for consideration in the planning process.

Response to Comment 14-42

The comment does not address the adequacy of the Draft EIR and has been forwarded to decision makers.

Response to Comment 14-43

The City's planning principles and policies have not been ignored. Chapter 4.7, Land Use and Planning, of the Draft EIR presented an analysis of the project's compatibility with existing nearby land uses, and relevant planning documents and policies. As shown in Chapter 4.7, should the City approve the various entitlements included in the project, the proposed project would be consistent with all relevant planning documents and policies. Furthermore, Olive Drive currently features extensive residential development, including the two-story Arbors Apartments, the three-story Lexington Apartments, and the two-story Cesar Chavez Plaza, among other single-story

developments. Considering the presence of residential developments on the project site, and in the surrounding area, the proposed project would be compatible with nearby land uses.

Letter 15

From: Isabel Shaskan [<mailto:isabelshaskan@att.net>]
Sent: Friday, July 28, 2017 2:15 PM
To: Ike Njoku <Njoku@cityofdavis.org>
Subject: EIR on Lincoln 40

Hello,

I have additional comments to make on the EIR Report I submitted;

15-1

A huge raptor flew to the ground to catch a squirrel in the June. It was on the ground when I saw it and I think it was after a squirrel who had taken refuge under something near an apartment. I went inside to get my iPad to photograph it but it was in the air when I returned and being chased by a group of birds.

15-2

I was shocked to hear that the developer intends to leave only 4 trees of all the trees on his property. I myself planted a formosa flame tree and on one side is an ash planted 40 years and on the other an acorn tree. (I attended the EIR meeting on Wednesday). As I said in my original EIR, I have watched the bird population diminish over the 50 years I have lived here with adjacent developments. Are we now giving the remaining populations no trees?

15-3

The last thing is that this month fire engines and an ambulance went all the way down Hickory Lane to the railroad tracks and stayed there. I and my guests watched this from across the field where I live at Koeber Apartments. I do not know for what reason.

Respectfully yours,

Isabel Shaskan

LETTER 15: ISABEL SHASKAN

Response to Comment 15-1

Please refer to Response to Comment 12-33. Furthermore, Chapter 4.3 included several mitigation measures including mitigation designed to protect raptors that may be using the project site as habitat. Mitigation Measures 4.3-1(a), 4.3-1(b), 4.3-2(a), 4.3-2(b), and 4.3-3 are all intended to protect raptors and other avian species during project development.

Response to Comment 15-2

Please refer to Response to Comment 12-33.

Response to Comment 15-3

The comment does not directly address the adequacy of the Draft EIR.

Letter 16

-----Original Message-----

From: Marti Vinson [mailto:mvinson@omsoft.com]

Sent: Saturday, July 29, 2017 3:44 PM

To: Ike Njoku <INjoku@cityofdavis.org>

Subject: Lincoln Housing

16-1

I am opposed to the Lincoln Housing Project. The University had an obligation to the community and its students to build and maintain housing on campus. As I recall the City Council has sent a letter to UCD reminding the University of its responsibility to build student housing on campus. The UCD has a very poor record is following through with the that obligation.

Respectfully,
Martha Anna Vinson Feldman

LETTER 16: MARTHA ANNA VINSON FELDMAN

Response to Comment 16-1

The comment does not directly address the adequacy of the Draft EIR and the comment has been forwarded to decision makers for consideration.

Letter 17

-----Original Message-----

From: Josh Dalavai [mailto:president@asu.cd.ucdavis.edu]
Sent: Sunday, July 30, 2017 6:45 PM
To: Ike Njoku <INjoku@cityofdavis.org>
Subject: Lincoln40 Draft EIR

Dear Mr. Njoku,

I am writing to submit comment on the Lincoln40 draft EIR. I am the current ASUCD president and as such, it is my job to listen closely to campus issues. One of the top issues by far is Davis' housing crisis. I've heard stories of student homelessness, sub par living conditions, and students who have had to take time off solely because they could not find housing. Additionally, rents increase substantially each year because there is no market competition controlling them. Most students come to Davis hoping to find a safe place to learn and thrive and that is simply currently not the case.

I am extremely supportive of the Lincoln40 project for several reasons. First, the location is ideal for students to live close to campus and travel by bike and foot. Many students do not want cars or cannot afford cars so this is ideal for students economically and is great for the environment.

Additionally, the Olive Drive/Richards intersection has been criticized in the past as a high traffic area. After studying the EIR, I am excited to see that the project would widen the westbound bike lane to 7 feet and modify the timing of the signal to encourage safe traffic flow. The diagram on page 4.11-62 clearly illustrates the added safety and flow this provides for cars, pedestrians, and cyclists alike.

Lincoln40 is a great development for Davis. Not only does help to alleviate the student housing crisis and make the Richards/Olive intersection safer, it also frees up single family homes that have become "mini dorms" for families to rent. Thank you for reviewing my comments on this very positive project for Davis.

Sincerely,

Josh Dalavai, ASUCD President

17-1

LETTER 17: JOSH DALAVAI

Response to Comment 17-1

The comment supports the adequacy of the Draft EIR and the comment has been forwarded to decision makers for consideration.

Letter 18

From: Edmund Dea [<mailto:edmund.dea@gmail.com>]

Sent: Monday, July 31, 2017 9:22 AM

To: Ike Njoku <INjoku@cityofdavis.org>

Subject: Lincoln40 - another student housing development being planned for Olive Drive

Hello City of Davis Planners,

18-1

I am a homeowner and resident of Davis, as well as UC Davis alumni. I am EXTREMELY concerned about the Lincoln40 student housing development plans. The plan to house an additional 708 beds to Olive Drive will certainly increase traffic flow from South Davis into Downtown through the tunnel. This housing plan is absolutely unacceptable. The traffic through the downtown tunnel is already bad.

18-2

In addition, the City of Davis already approved Sterling Apartments on 5th street. This will increase traffic flow along Pole line and 5th st. If the city approves both the Lincoln40 student housing project and the Sterling Apartments, then the citizens in South Davis will face traffic gridlock both through the downtown tunnel AND along Pole Line road.

Please reconsider and decline the Lincoln40 housing development.

Thanks,
Edmund

LETTER 18: EDMUND DE A

Response to Comment 18-1

Please refer to Response to Comment 2-5 regarding the project's potential impacts on traffic.

Response to Comment 18-2

Based on the location of the Lincoln40 project and the site's proximity to downtown Davis and UC Davis, the proposed project mode split would be up to 75 percent bicycle, walk, and transit trips. The remaining vehicle trips would primarily use the Richards Corridor and not Pole Line Road where the Sterling Apartments are located. Project related impacts at the Olive Drive/Richards Boulevard intersection would be mitigated with both physical (bicycle lane and sidewalk) and traffic signal improvements.

Letter 19

From: Carol Parker [mailto:ca_parker@hotmail.com]
Sent: Sunday, July 30, 2017 10:58 AM
To: Ike Njoku <Injoku@cityofdavis.org>
Subject: Comment on Lincoln 40 Housing

19-1

We are retired senior citizen renters paying market rate rent who live in fear that we will be priced out of Davis. I imagine you will be inundated with comments from the NIMBY element in town who are opposed to infill projects and have any manner of concerns about traffic. We, on the other hand, want to encourage Davis to grow inside its borders rapidly to create additional student housing. While we would much prefer housing be built on campus, UC Davis seems unwilling to build an adequate number of units for its existing students, let alone the increase in students it anticipates. Therefore we encourage you to support and provide incentives to developers who build more rental housing in town. If more students could be moved into student-type housing it would free up existing rentals to be occupied by families and seniors. Being shelter insecure as a senior is very stressful. I do not think homeowners can fully appreciate the constant worry renters in town carry with them wondering whether they will be able to meet the inevitable rent increase that comes with each renewed lease. The West Davis senior housing development is not even something we can consider because we have no money to buy a home and the apartments will not allow adult children to live with you. Our youngest child, in his 20's, must live with us because he does not earn enough to rent a place of his own. To say we have a housing crisis would be a huge understatement. Those of us living this nightmare of housing insecurity implore the city to build, build, build and relieve the pressure on the rental market.

Thank you for considering our concerns.

Peter and Carol Parker
Davis renters

"Do small things with great love"

LETTER 19: PETER AND CAROL PARKER S

Response to Comment 19-1

The comment does not directly address the adequacy of the Draft EIR and the comment has been forwarded to decision makers for consideration.

Letter 20

From: veronicastanton@comcast.net [mailto:veronicastanton@comcast.net]

Sent: Saturday, July 29, 2017 12:37 PM

To: Ike Njoku <Injoku@cityofdavis.org>

Subject: Please say No to Lincoln40 housing development on Olive Drive

Dear Ike,

I want to register my total dissatisfaction with plans to build more student housing in Davis.

20-1

I was opposed to the Sterling Apartments on 5th Street but it went ahead and now developers are trying to build more student housing on Olive Drive.

The building of student housing should totally be the responsibility of UC Davis. Any available land zoned for housing should be for affordable housing for working families.

20-2

I also strongly object that such dense housing is being proposed along Olive Drive (708 beds). The traffic congestion trying to enter Davis through the tunnel is already overcrowded and dangerous. The draft EIR stating that Lincoln40 would add another 5 seconds to traffic delay is laughable. When did they study traffic? at 3 am? I want to see the study done between 7:30 am and 9: am and between 4:00 - 6:00 pm. It's a nightmare, with traffic coming down Richards, off the freeway, out of In and Out and the garage, and off Olive Drive.

Please deny the developers request.

thank you,

Veronica Stanton
2613 Regatta Lane

LETTER 20: VERONICA STANTON

Response to Comment 20-1

The comment does not address the adequacy of the Draft EIR and the comment has been forwarded to decision makers for consideration.

Response to Comment 20-2

As stated on page 4.11-6 of the Draft EIR:

Vehicle turning movement counts were collected at the study intersections in May 2016, during the AM peak period (7 AM to 9 AM) and PM peak period (4 PM to 6 PM), when schools, including UC Davis, were in session.

Based on the vehicle counts conducted in May 2016, Fehr and Peers concluded that peak hour traffic is within 8 AM and 9 AM in the morning and 5 PM and 6 PM in the afternoon. The aforementioned study times and peak hour times fall within the commenter's suggested timeframe. The analysis presented in Chapter 4.11 was subsequently based on traffic volumes and potential impacts during the foregoing timeframes, which is consistent with the commenter's suggestion.

Please refer to Response to Comment 2-5 regarding the project's traffic increase in relation to Richards Boulevard.

Letter 21

From: Melissa Bain [<mailto:dvmbehavior@gmail.com>]
Sent: Monday, July 31, 2017 5:11 PM
To: Ike Njoku <INjoku@cityofdavis.org>
Subject: strong objection to Lincoln40 student housing development

Hi

21-1

I am a homeowner and resident of south Davis. I am EXTREMELY concerned about the Lincoln40 student housing development plans. The plan to house an additional 708 beds to Olive Drive will certainly increase traffic flow from South Davis into Downtown through the tunnel. This housing plan is absolutely unacceptable. The traffic through the downtown tunnel is already bad, so much that we rarely, if ever, go through this harrowing tunnel.

21-2

In addition, the City of Davis already approved Sterling Apartments on 5th street. This will increase traffic flow along Pole line and 5th st. If the city approves both the Lincoln40 student housing project and the Sterling Apartments, then the citizens in South Davis will face traffic gridlock both through the downtown tunnel AND along Pole Line road. Please reconsider and decline the Lincoln40 housing development.

Thank you
Melissa Bain

LETTER 21: MELISSA BAIN

Response to Comment 21-1

Please refer to Response to Comment 2-5.

Response to Comment 21-2

Please refer to Response to Comment 18-2.

Letter 22

From: Lindsey Douros [<mailto:lindsey.douros@gmail.com>]
Sent: Tuesday, August 1, 2017 4:00 PM
To: Ike Njoku <INjoku@cityofdavis.org>
Subject: EIR public comment

Dear Mr. Njoku,

My name is Lindsey Douros and I live in Dixon with my husband and two young daughters. I am writing in support of the Lincoln40 project draft EIR.

I commute to Davis several times a day to exercise in the parks and greenbelts with Davis Fit4Mom, see friends, initiate play dates for my daughters, shop, and run other errands. My husband and I attend Christ Church Davis, where I volunteer in the church preschool and my husband lends his musical expertise. I'm also a board member at University Covenant Nursery School, where our oldest daughter will attend preschool in the coming fall. We may live in Dixon, but our lives are clearly in Davis. Unfortunately, as a single-income young family, we've been unable to successfully purchase a home in the Davis community--a community we love and in which we are heavily invested.

When we initially moved to the area a little over three years ago, we were eager to find permanent housing; I was pregnant with my first daughter, and my husband had already started working in the region. We sold our first home in Monterey, planning to purchase in Davis, but were unable to do so. Housing inventory at reasonable price points was limited, and the few

22-1

LETTER 22: LINDSEY DOUROS

Response to Comment 22-1

The comment does not directly address the adequacy of the Draft EIR and has been forwarded to decision makers.

Letter 23

From: Rubal Grewal <rukkgrewal@ucdavis.edu>
Sent: Tuesday, August 01, 2017 12:16 PM
To: injoku@cityofdavis.org
Subject: Comments in support of Lincoln40 EIR

Dear Mr. Njoku,

I am writing to you today in support of the Lincoln40 draft EIR. I came to the Planning Commission and verbally made many of the following comments on Wednesday, July 26, but wanted to be sure that I also submitted them in writing.

I am a student at the University of California, Davis. The Lincoln40 apartments would be really helpful for students like me who are struggling to find housing in Davis. I currently live in the Lexington but my lease is up and I do not have housing secured for summer session 2, and have not been able to find any, despite searching very hard. My only option at this point is to buy a parking permit and commute two hours from San Jose to Davis. It would be a huge financial strain for me to incur these transportation costs and also add unnecessary pollution to the environment from all the commuting. If the commuting does not work then I will have to take the quarter off, which will cause delays in my academic progress. I am just one example but I am sure there are more students like me who facing the same problem.

The Lincoln40 apartments would be a great addition to Davis. It would be easier for students walk to school. From experience at the Lexington, I know that it is just a 10-15 minute walk to the UC Davis campus. I don't even need to have a car. More housing would also allow students to complete their education without the constant worry about finding a safe place to live. In the city of Davis, housing is very limited and it is very hard to find it. Students love downtown and everything they need is nearby so there is no need of a car.

With the high acceptance rate of students, housing is getting harder to find. These apartments would be very beneficial to accommodate all those students accepted. Also, if traffic is an issue, there are buses at the intersection of Richards and Olive. Not all students bring cars-- I never needed a car at the Lexington. Mostly students travel by foot or bike to school or may ride the bus to school. In fact, Lincoln40 would improve the traffic situation because I read in the EIR that the bike lane would be widened. I think this is a very important improvement that the project brings.

Davis is known as a college city, so of course there should be plenty of housing for students. Even though there isn't much land left in the city of Davis, what are the students supposed to do who are the future of our generation? How are they supposed to focus on their education, if they do not even have a place to reside in the city of their school? Everything I read about this project is positive and it puts the land on Olive Drive to great use. I hope that in a few years with this project, students like me won't have to worry as much about having on place to live in Davis and instead will be able to focus on their education.

Rubal Kaur Grewal

23-1

LETTER 23: RUBAL KAUR GREWAL

Response to Comment 23-1

The comment does not directly address the adequacy of the Draft EIR and has been forwarded to decision makers for consideration.

From: Gurpreet Kahlon <kahlon916@gmail.com>
Sent: Tuesday, August 01, 2017 9:24 PM
To: injoku@cityofdavis.org
Subject: Regarding Lincoln 40

Letter 24

24-1

Dear Mr.Njoku,

I attended the Planning Commission meeting last week because I work down the street on Olive Drive. Tonight I am writing in support of the Lincoln40 EIR. Since I work down the street I see many incidents where people are doing drugs. Additionally, people with families can not go on a walk with their families since it's very dark at night. It seems like a jungle so how is this safe for the students and the families with kids who are living on the street? Since the area is very dark any incident can happen. Bringing these apartments will bring life to the empty area down the street and make it safer. There are only benefits after benefits for the City of Davis with the arrival of these apartments.

If traffic is the problem, what town does not have traffic? There is traffic in every city so this traffic argument is just an excuse. This is a college city so more housing must be available for students. Another point is that these apartments will be for students and Davis students often do not bring cars. I speak with many students who come to my store daily and the majority of students in Davis either walk or bike. The walk to UC Davis is just a ten minute walk so they will not be causing traffic. Additionally, parking permits cost over \$500 and many students cannot afford one, which is an additional reason they don't drive cars.

At the end of the day, we have to build more housing and apartment complexes because we have a .2% vacancy rate.

People like me who try to buy a house in Davis aren't able to because nothing is available so I commute every day.

I believe that the city should approve this project. It will be beneficial for everyone, especially with the widened bike lane it proposes. Again, this project only helps the traffic situation because students do not bring their cars to campus.

Thank you sir for listening to my view in this project. Hopefully soon families and students will be able to walk around even to that side of the street without having any fear with the improvement this project brings to the area.

Thank you for your consideration,

Gurpreet Kahlon

LETTER 24: GURPREET KAHLON

Response to Comment 24-1

The comment does not directly address the adequacy of the Draft EIR and has been forwarded to decision makers for consideration.

Letter 25

From: Jon Li <jli@dcn.org>
Sent: Tuesday, August 01, 2017 4:58 PM
To: Paul Gradeff
Cc: Vanessa Errecarte; injoku@cityofdavis.org; Robb Davis; blee@cityofdavis.org; lucasf@cityofdavis.org; warnold@cityofdavis.org; rswanson@cityofdavis.org; Stacey Winton; kstachowicz@cityofdavis.org; Mike Webb; Katherine Hess; ddavis@davisenterprise.net; John.Meyer@live.com; President@ucop.edu; chancellor@ucdavis.edu; provost@ucdavis.edu; kfmohr@ucdavis.edu; Karl M Engelbach; Marjorie Dickinson; rbsegar@ucdavis.edu; ralphwashingtonjr@gmail.com; lagriffith@ucdavis.edu; gasandy@ucdavis.edu; Dana Topousis
Subject: City of Davis Lincoln40 Draft EIR Hearing Farce

August 1, 2017

Subject: City of Davis Lincoln40 Draft EIR Hearing Farce

25-1

This is my third comment letter criticizing the Lincoln40 Draft EIR, arguing that the idea of a city general plan leaves out most of what matters, and the California Environmental Quality Act does not in any way accomplish its intent or mandate, to protect the environment or improve the state of the State of California environment, let alone the society and the economy.

Overview:

25-2

The only hearing on the Draft EIR of the Lincoln40 project on July 26 was conclusive evidence that CEQA cannot fulfill its legislative and legal intent of protecting the environment. The CEQA process is so bankrupt that the results are absurd: the EIR Consultant smugly pointing out that CEQA streamlining has determined the need for housing makes the transportation element irrelevant.

25-3

The biggest problem the Davis Planning Commission has is the Richards Olive interchange. I saw a bicyclist that had been hit by a car in the Richards tunnel, and a fire engine was diagonally parked to block traffic in both directions for a half hour. It seems like that a lot of the time with Richards. Traffic is at level of service F.

25-4

But the scale is so pathetic that saying Level of Service "F" is like saying it is hot in Davis when you can only measure the temperature up to 90 °F, and all you can say is that it gets "hotter" and can't distinguish between 95 °F and the 105 °F days that we get every summer. The traffic is so much worse at Richards Olive that there needs to be an extension of the LOS scale past F, to G, H, and I, where I is the fire engine blocking traffic forever. Then look at how bad adding a single pedestrian is.

**Letter 25
Cont'd**

25-5

When UPRR put up the fence along the RR track, it funneled all the pedestrians and bicyclists to Richards, maybe 2000 people, several trips a day – some days a dozen for me. Lincoln40 will raise that to 2700 people a day, in a over-loaded traffic system, where the pedestrian stops traffic. Over and over again.

25-6

And UCD is adding thousands and thousands of new students, and the city and UCD refuse to add new housing, forcing more and more traffic onto Richards every day.

25-7

I wish to argue:

1. CEQA does not protect the environment or endangered species. The goal of the EIR process is to claim mitigations sufficient to reduce the environmental impacts to less than significance. It is rare that a governing body will even rule “over-riding considerations” which is an admission of gross environmental damage. All CEQA does is create artificial counterproductive obstacles for economic development, community building and evolutionary, sequential political decision taking.
2. The CEQA-defined city general plan only looks at land use, housing and transportation, and ignores most of the economy and society. The city general plan leaves out: how the government is structured, how the local economy works, how the government is financed, and how economic development is cultivated. Neglected areas include: youth, seniors, art, health, social services, computer networking and community sustainability.

25-8

3. This Lincoln40 Draft EIR is a) buried in the legal streamlining protection so it can scorn criticism with impunity, and b) engineering science has advanced so far beyond reality that the Draft EIR transportation and circulation element consultant can claim that cosmetic painting of one extended bicycle lane while adding an additional 700 people is going to improve the most dangerous intersection in the City of Davis.

25-9

1. CEQA is out of date and obsolete.

1970, I was the research intern to Governor Reagan’s survey research firm, Decision Making Information (DMI), down the hall from Reagan’s campaign management firm, Spencer-Roberts.

September, 1969, the Santa Barbara oil slick was unique. The rich people in Santa Barbara called their media friends in New York City and demanded that they cover the slick so much that newspapers added an “Environment” page to the front section.

DMI was doing a monthly poll for the Governor’s upcoming re-election campaign, and in September, when asked “what is the most important problem facing the State of California” a new issue “the environment” joined “economy, campus unrest, taxes and the war.” It was a solid 15% of the electorate. So Governor Reagan’s January 1970 State of the State of California message was entirely couched in the context of the environment.

Governor Reagan became so sick of the politics of the environmentalists that his administration invented CEQA to pin the environmentalists in a legal corner.

**Letter 25
Cont'd**

In 1975, when Jerry Brown became Governor, the environmentalists did everything they could to have CEQA look at every single environmental nook and cranny. It might have improved things for a few years, maybe five. But it became a bureaucratic jobs program for environmental lawyers and environmentalists who like to talk.

Post Proposition 13, the one percent property tax limit forced local jurisdictions to utilize Redevelopment Agencies to drive economic development. That ended a decade ago, and most jurisdictions are wandering in economic no man's land, buried under CEQA and the city general plan.

CEQA does not protect the environment or endangered species. The goal of the EIR process is to claim mitigations sufficient to reduce the environmental impacts to less than significance. It is rare that a governing body will even rule "over-riding considerations" which is an admission of gross environmental damage. All CEQA does is create artificial counterproductive obstacles for economic development, community building and evolutionary, sequential political decision taking.

The CEQA process is like the old medical procedure of leeching blood. John Maynard Keynes advocated people being hired to dig holes, put money in the holes, and then fill the holes, and then hire other people to dig up the money, to achieve full employment. CEQA is worse than that for the economy. Sitting through the hearing on Lincoln40 reminded me of being in a theological debate on the number of angels on the head of a pin in 1499.

I wish to point out to the EIR Consultant that your flowery bureaucratic legalese only smooths over the fact that there is a problem so you can justify chaos and further environmental damage. I am proposing paradigm shift beyond your environmentalist jargon mindset. Just like the invention of CEQA was paradigm shift in 1970.

2. The CEQA-defined City General Plan is obsolete and out of date (not just Davis')

After World War I, the greatest innovation in cities happened: sewers in the downtown. All diseases dropped. Children didn't get sick as often, and disease did not spread as rapidly.

Zoning and Urban Land Use Planning was invented in the 1920s in the rust belt cities like Philadelphia, Boston and New York because the downtown roadways were falling apart.

The initial purpose of Zoning was to talk about re-development. Then, after World War II, the great land rush to suburbia happened, and the California version of land use was totally about building on new land, not re-development. From 1950 to now, people made gobs of money building houses, and Davis is no exception. The single focus of all California development is the worship of the automobile.

The automobile is a 19th century idea that outlived its usefulness in the 20th century. Davis is a city with a car-oriented general plan, and an image that it is sustainable, when it is not sustainable economically or ecologically. 53% of the Davis Carbon Footprint is for transportation, not that different from the rest of the planet. The Davis General Plan only worships the auto, at the expense of the bicycle, and the Lincoln40 project without a bicycle/pedestrian RR overpass or underpass is a bad joke that ONLY HURTS THE ENVIRONMENT with more air pollution and exhaust.

3. The only CONSEQUENTIAL environmental impact of the Lincoln40 project is increased demand on the already overloaded transportation intersection of Richards and Olive Drive. The model under-estimates the impacts of 700 more people. The streamlining rules disregard any concerns.

**Letter 25
Cont'd**

25-11

Why do the Draft EIR or the CEQA process at all? The rest of it is so pro forma that you might as well just declare a Negative Declaration, and who cares what impacts it has on residents or the local environment.

The whole exercise is Orwellian doublespeak. It is going through the CEQA process just so you can claim that it was subjected to some kind of review, no matter how ineffective this is. Specifically:

25-12

a) 4.11-6: study time periods were 7-9 am and 4-6 pm. 8-9 am and 5-6 pm were used. I argue: should have been 24/7/168. Real time for a week. And, should have at least been 7-10 am and 4-7 pm or 4-8 pm, with several hours included in the model, not just two samples.

25-13

b) 4.11-33: Out of nowhere, with nothing to substantiate it, the report states: "During the midday lunch hour (noon to 1:00 pm), the combination of background and project-related traffic would be lower than either the morning or evening peak hours." Based on what? Did Fehr and Peers collect data that was not reported in the Draft EIR? How can they draw that conclusion?

25-14

c) LOS F: In my 7/26 letter I complain about how inadequate the F Level of Service is, since that is the area where it matters, and this makes it a complete joke.

25-15

d) Specifically, Table 4.11-18 Existing Plus Project Intersection Operations, page 4.11-44, I object to the scaling and definition of F, the numbers used to justify the language, the analysis, and the conclusions; especially that it is not less than significant after the project.

25-16

e) To those points cumulatively, the model is insensitive to GRIDLOCK at 1st and D streets, and it is something your model cannot measure. It happens every day. That is your best example of FAILURE that you cannot take into account in your model.

25-17

The Lincoln40 Draft EIR is a complete waste of time because it does not include a way for bicycles and pedestrians to bypass the Richards Olive intersection to get downtown or to get to campus. At the very least, the Draft EIR should have included an analysis of at-grade, over-crossing, and under-crossing. It was alluded to every time the developer has talked about the project because traffic congestion is so bad at Richards now for people who live on Olive Drive, and adding more people can only make it worse – and the Fehr and Peers consultant gloated as he corrected the Planning Commissioner with the challenge that the project extending the bicycle line that would cut off cars, would IMPROVE the level of service of the traffic for cars.

25-18

Right now, there are 4 cars parked in the bike lane on the northern side of East Olive Drive, forcing bikes to go out into the only lane for cars because the In and Out parking is overflowing. Somehow, with paint, the developer is going to improve the existing situation. Who evaluates these claims after the fact? What is the penalty when the Draft EIR is fraud? Is this engineering malpractice? If the planning commission certifies the Draft EIR as is, is that Planning Commission malpractice? Where are the standards of sustainability? I believe the California Supreme Court needs to do a better job of establishing how California communities can pro-actively plan for the future in an era of automobile-caused climate peril.

25-19

UPRR caused the traffic congestion increase when they built the fence and funneled bikes and pedestrians to the Richards/Olive intersection. UCD increasing demand for student housing makes the problem increasingly worse all the time, and the Lexington apartments UCD students are as much of a part of the problem as Lincoln40 will be. Split the costs 5 ways, with the City of Davis as the Lead Agency:

25-20

An at-grade cattle crossing seems complicated. An over-crossing would have to be high enough to require an elevator for handicap access. An under-crossing could be custom designed. All should have been evaluated, and MUST be evaluated before the Draft EIR for Lincoln40 is complete. The City of Davis and the EIR Consultant are derelict in their

**Letter 25
Cont'd**

**25-20
cont'd**

legal responsibilities to have gone public with this document vacant that analysis, especially since the streamlining means that this whole exercise was a joke from start to finish.

25-21

What is needed, Supreme Court of the State of California, is something that replaces CEQA, this silly, bureaucratic waste of time and paper, which causes regulatory nightmares, enormous expense and potential lawsuits as the environmentalists only threat.

Rather than being buried in 500 pages of verbiage that lists everything not involved, it needs to identify significant impacts.

Rather than just a static general plan that sits on the shelf, a City should have a dynamic Ecological Socio-Economic Strategy that is evolving. Then a project proposal could include a narrative, identify ecological constraints and challenges, social circumstance and potential impacts, (plus the developer's financials and architectural plans), political strategy and timeline.

25-22

The EIR Consultant made quite clear that because of CEQA streamlining, the Lincoln40 project cannot be blocked because of problems with the transportation element of the Draft EIR. I believe that without the overcrossing, the project will make the environment SIGNIFICANTLY worse, enough that the applicant should be penalized for having the arrogance to submit a Draft EIR without addressing the railroad bypass issue directly. In terms of political problems with the Davis General Plan and especially the terrible congestion at Richards and Olive, this is the straw that broke the camel's back.

25-23

CEQA is an obstacle to good community decision taking and ecologically responsible action.

I ask the State Supreme Court to order the Brown Administration and all levels of California government to cease and desist all CEQA related activities, including but not limited to anything related to city general plans and the CEQA EIR process, until such time as the Governor signs a new law establishing Ecological Socio-Economic Strategy as the evolving direction for decentralized California economic governance.

Jon Li, 1075 Olive Drive #4, Davis CA 95616/530-753-0352, jonli@dcn.org

LETTER 25: JOHN LI

Response to Comment 25-1

The comment does not address the Draft EIR document and has been forwarded to decision makers.

Response to Comment 25-2

The commenter misinterprets the purpose of CEQA streamlining as being based on housing need to the detriment of transportation concerns. In reality, CEQA streamlining is principally meant to reduce GHG emissions from the transportation sector, through easing the regulatory burden for qualifying infill projects. CEQA streamlining was enacted by Senate Bill (SB) 375, known as the Sustainable Communities and Climate Protection Act of 2008. Contrary to the commenter's assertion the Draft EIR does not state that the need for housing makes the transportation Chapter irrelevant, nor did the EIR consultant testify to as much during Planning Commission hearing. Rather, the Draft EIR includes a full analysis of potential impacts related to transportation and circulation in Chapter 4.11.

Response to Comment 25-3

Please refer to Response to Comment 9-3.

Response to Comment 25-4

Please refer to Response to Comment 9-8.

Response to Comment 25-5

Please refer to Response to Comment 9-2.

Response to Comment 25-6

Please refer to Response to Comment 9-10.

Response to Comment 25-7

While the comment addresses the commenter's perceived structural problems with the CEQA process, the comment does not directly address the adequacy of the Draft EIR. Nevertheless, the comment has been forwarded to decision makers for consideration.

Response to Comment 25-8

While the proposed project qualifies for CEQA streamlining, in the interest of public disclosure, the Draft EIR included full analysis of the proposed project, including those issue areas exempt from analysis due to CEQA streamlining.

Please refer to Response to Comment 14-4.

Response to Comment 25-9

The comment does not directly address the adequacy of the Draft EIR and has been forwarded to decision makers.

Response to Comment 25-10

The analysis presented in Chapter 4.11, Transportation and Circulation, of the Draft EIR, was drafted using industry standard approaches and real-world data. The City believes the analysis presented in Chapter 4.11 represents a good faith effort to fully capture potential impacts that could result from implementation of the proposed project.

Please refer to Response to Comment 25-8 regarding CEQA streamlining.

Response to Comment 25-11

The comment does not directly address the adequacy of the Draft EIR and has been forwarded to decision makers.

Response to Comment 25-12

The time periods analyzed and presented in Chapter 4.11 of the Draft EIR were based on a review of multi-modal traffic volumes on the Richards Corridor, from Research Park Drive to the south and First Street to the north. The combination of commuter, downtown Davis, and UC Davis activity in terms of vehicles, transit ridership, pedestrians and bicyclists identified the weekday 8 AM to 9 AM and 5 PM to 6 PM having the highest level of multi-modal travel. Therefore, these two critical time periods were analyzed to determine potential impacts of the proposed Lincoln40 project and required mitigation measures.

Response to Comment 25-13

This conclusion was based on existing midday traffic volumes contained in the Richards Boulevard Corridor Study that showed midday (noon to 1:00 PM) traffic volumes are lower than the evening 5 PM to 6 PM traffic volumes between First Street and Research Park Drive and on I-80. In addition, the multi-modal trip making characteristics of the Lincoln40 project would also be lower in comparison with the morning or evening peak hour. Therefore, the midday time period was not analyzed in the Transportation Section of the Draft EIR.

Response to Comment 25-14

Please refer to Response to Comment 4-6 regarding the use of the City's LOS F standard.

Response to Comment 25-15

Although the commenter does not agree with the definition of LOS F or the conclusions of the Existing Plus Project analysis, it should be noted that the analysis methodology is based on the methodology documented in the Highway Capacity Manual (Transportation Research Board) and project traffic impacts were determined by adding project trips to existing levels of traffic obtained by intersection-specific counts conducted in May 2016 when UC Davis was in session..

Response to Comment 25-16

Please see Response to Comment 12-5.

Response to Comment 25-17

Please refer to Response to Comment 3-7 and Master Response #2.

Response to Comment 25-18

Parking is prohibited on the north side of Olive Drive and the City of Davis will review the location and placement of the existing “No Parking Any Time” signs to ensure that adequate signage is provided to deter vehicles from parking in the bicycle lane. If needed, additional no parking signs will be installed by the City of Davis on the north side of Olive Drive. The City is currently completing the pavement rehabilitation and streetscape project on Olive Drive.

Response to Comment 25-19

The comment does not directly address the adequacy of the Draft EIR and has been forwarded to decision makers for consideration.

Response to Comment 25-20

Please refer to Master Response #2. The City recently completed a comprehensive study of the circulation network in the project area. The report, title *Richards Boulevard – Olive Drive Corridor: Transportation Analysis Report*, the study assesses the efficacy of a variety of future transportation improvement projects.²⁸ Please refer to Response to Comment 10-7.

Response to Comment 25-21

The comment does not directly address the adequacy of the Draft EIR and has been forwarded to decision makers for consideration.

Response to Comment 25-22

Please refer to Master Response #2.

²⁸ Fehr and Peers. *Richards Boulevard – Olive Drive Corridor: Transportation Analysis Report*. October 2016.

Although the proposed project qualifies for CEQA streamlining, and is not required to analyze some issue areas related to transportation, CEQA does not prohibit a lead agency from conducting analysis that goes beyond CEQA requirements. In the case of the Draft EIR, the City exercised its discretion to include topics not required by CEQA within the EIR for the purposes of public disclosure and to facilitate full and informed decisionmaking. For this reason, all comments received on the Draft EIR addressing environmental topics, including topics that are not legally required to be addressed pursuant to CEQA, are evaluated and responded to in the Final EIR. All analysis prepared by the City and its consultants, information submitted by the applicant, and public comments, whether addressing topics required by CEQA or not, will be presented to the City Council and subordinate commissions for consideration in their evaluation of the proposed project. However, because the Draft EIR was not required to analyze certain issues due to CEQA streamlining, the Draft EIR's inclusion of such issues is for informational purposes and is voluntary. Based on recent court cases,²⁹ challenges to alleged flaws in the EIR analysis related to issue areas not required under CEQA streamlining would not be considered legally defensible.

Response to Comment 25-23

The comment does not directly address the adequacy of the Draft EIR.

²⁹ *Rominger v. County of Colusa* (2014). 229 Cal.App.4th 690, 700-701.

Letter 26

Greg Rowe
1610 Pismo Court
Davis, CA 95616
Email: gregrowe50@comcast.net
Phone: 530-759-7092
REVISED August 1, 2017

Ike Njoku
Planner and Historical Resources Manager
City of Davis Department of Community Development and Sustainability
23 Russell Boulevard, Suite 2
Davis, CA 95616

Subject: Revised Comments on Draft EIR for Lincoln40 Project (SCH #20160820173)

Dear Ike:

26-1

Please accept this revised letter as my commentary on the DEIR for the proposed Lincoln40 project. I was out of town and unable to attend the July 26 Planning Commission meeting. This letter corrects typographical errors in my July 29 letter and adds comments about hazardous substances and traffic.

1. Project Alternatives

- a. Off-Site UC Davis (UCD) On-Campus Alternative ("Campus Alternative"): The analysis conducted for this alternative lacks rigor, makes unwarranted assertions that building a similar project on campus would require demolition of existing structures, and ignores potential on-campus housing sites that have been previously brought to the City's attention. As such, this alternative warrants revision.

26-2

The analysis is based on inaccurate assumptions and attempts to justify its lack of detail by stating on page 6-55 that "A particular site within the UC Davis campus has not been identified at this time for the Off-Site UC Davis On-Campus Alternative." Although the DEIR correctly cites the desire of the City of Davis to encourage more student housing on the UCD campus through adoption of its Resolution on December 20, 2016, the analysis would have had much greater credibility if it had selected for evaluation one or more of the 14 potential campus student housing sites that were identified last year by Citizens for Responsible Planning (CFRP), as discussed below. Such a more refined analysis could have enabled the DEIR preparer to conclude that the on-campus alternative is in fact the Environmentally Superior Alternative.

26-3

- i. Demolition of Existing Structures: The DEIR states that "Based on a review of conceptual Long Range Development land use exhibits for the UC Davis campus, demolition of existing structures may be required in order to implement the Off-Site UCD On-Campus Alternative" (page 2-8). The assertion that demolition of existing structures would be necessary to accommodate a student housing project is not factually correct. Comprised of 5,300 acres, UCD has more acreage than any other campus in the UC system. It would therefore be easily feasible for an apartment similar in size and footprint to the Lincoln40 project to be constructed in the core campus area without necessitating demolition of existing facilities. As I stated in an email sent to

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Cont'd**

Comments on Draft EIR for Lincoln40 Project

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cont'd**

the Davis City Council and senior staff on April 25, 2017, "I suggest it may be beneficial for the EIR consultant to consider an on-campus site or sites that would be a similar student commuting distance to the Civic Core of the campus, as shown on the UCD District Map. Sites within the NE Core, SE Core, SW Core, NW Core, Solano Gateway and the Segundo District may be most comparable to the Lincoln40 site in terms of comparing potential environmental impacts."

26-4

ii. Identification of Available On-Campus Housing Sites: In addition, last year CFRP prepared the enclosed detailed exhibit showing 14 on-campus locations that could easily accommodate construction of student apartment buildings. That exhibit was conveyed to UCD planners, Davis City Council, and City staff.

As also stated in my April 25 email to the Council, some of the sites identified in the exhibit "...could be ideal for EIR comparison purposes, including sites 1 (Solano Park), 2 (Environmental Horticulture facility scheduled for redevelopment), 3 (Cowell building planned for redevelopment), 4 (Regan dorms planned for redevelopment), 6 (Greenhouses east of the domes planned for relocation), 9 (site northwest of football stadium), 10 (vacant parcel northeast of football stadium), and 11 (dairy barns proposed for relocation, adjacent to existing Tercero apartments)." Given that the City has had the CFRP exhibit and accompanying narrative in its possession since last year, it is difficult to understand why the DEIR preparer did not explore these potential sites for alternatives to the Lincoln40 project.

26-5

b. Aggressive Transportation and Parking Demand Management Alternative: This alternative assumes that no more than 50 resident permit parking spaces would be provided. It also assumes there would be no on-site visitor parking, with visitors required to park off-site on the street. These are entirely unrealistic assumptions that are fraught with easily discernable negative consequences. Although the project's proximity to campus may substantially eliminate the need for students to commute to campus using private motor vehicles, it is unrealistic to assume that most residents would not want to bring their personal vehicle to Davis for use in traveling on family visits, commuting to off-campus jobs, attending cultural and entertainment events outside Davis, etc. Given the project's anticipated 708 occupants, the project owner would need to provide a very large number of shared electric cars to meet such travel demands. The space needed for parking such a fleet of electric vehicles could in fact completely negate any of the project proponent's assumptions of reduced parking demand.

26-6

i. Visitor Parking: Multiple simultaneous parties and similar activities could attract a substantial number of visitors to the Lincoln40 site, thereby completely overwhelming the available number of on-street parking spaces. Visitors would most likely attempt to park their vehicles at adjacent housing projects and businesses. Vehicle idling and driving at slow speeds while drivers search for a parking space could also offset any anticipated reduction in criteria air pollutant and greenhouse gas emissions.

26-7

ii. The Failure of Transportation and Parking Demand Management: This alternative makes the dubious assumption that simply reducing the number of parking spaces available to residents will compel those individuals to voluntarily give up their cars.

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cont'd**

It also presumes that innate human behavior can be altered through social engineering. In a similar fashion (as noted on page 4.11-39 [Transportation and Circulation], the project proposes using a combination of parking space reduction and monthly parking fees "...to reduce parking demand and the associated number of vehicles and vehicle trips to and from the project." These are poor and unproven assumptions upon which to base projections of future vehicular, bicycle and pedestrian congestion at the intersection of Olive Drive, Richards Boulevard and Interstate 80.

26-8

1. As I stated in my January 6, 2016 comment letter to the Davis Planning Commission regarding the Transportation Demand Management (TDM) provisions of the proposed Nishi project, "TDM programs have been advocated and implemented with varying degrees of success since...the mid-1970s. Fundamental to TDM programs is the assumption that it is possible to alter an individual's behavior by limiting their ability to drive and park a vehicle at a time and place of their choosing. Such forms of 'social engineering' disregard the innate desire of most people to 'vote with their feet' by selecting the transportation mode most convenient and reflective of their perceived needs. Moreover, TDM programs and the Transportation Management Associations (TMAs) created to implement them impose an additional cost and administrative burden on employers (and likewise apartment managers), which some companies find unacceptable. In practice, there is seldom an enforcement mechanism that would enable a TMA or a jurisdiction such as the City to compel individuals to commute by bicycle, carpool or vanpool."

26-9

2. Another example of how using supply or pricing programs to discourage parking often fails to achieve desired results is easily observable at the UCD Medical Center in Sacramento. Rather than paying for the high cost of parking, many hospital staff instead park in the neighborhoods surrounding Sacramento High School and walk to their jobs on Sherman Avenue and other adjacent streets.

26-10

iii. Net Vehicle Trips Added to Roadway Will Be Higher Than Portrayed by the DEIR: Table 4.11-15 and accompanying text on page 4.11-41 summarize traffic studies purporting to show that the project will cause a minimal increase in traffic above existing conditions at the Olive Drive-Richards Blvd. intersection; an increase of 734 daily trips, 33 AM peak hour and 45 PM peak hour. It appears, however, that the traffic analysis which produced these results did not take into account the tremendous projected increase in UCD students, faculty and staff assumed in UCD's draft Long Range Development Plan (LRDP). According to the Notice of Preparation (NOP) issued for the draft LRDP on January 4, 2017, the following increases are anticipated between the base year of 2015-16 and 2027-28: (1) enrollment, 6,337; (2) Employment, 2,319; (3) Los Rios Community College, 625; (4) Dependents of UC residents, 1,444; Non-UC Employees, 305.

These categories in combination amount to more than 11,000 people who may potentially be commuting to UCD by 2027-28. Many of these people will no doubt drive to UCD from locales east of Davis (Sacramento, West Sacramento). Of those

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Cont'd**

Comments on Draft EIR for Lincoln40 Project

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**26-10
cont'd**

drivers, a sizeable proportion will exit I-80 at the Richards Boulevard offramp, putting them in direct conflict with the increased number of students who will be commuting to campus from the project site by vehicle, bike or as pedestrians. (The number of students living in West Sacramento and commuting by vehicle to UCD is already substantial.)¹ Absent consideration of the impact of UCD's expected growth pursuant to the draft LDRP, the DEIR's conclusion that the project's anticipated traffic impacts are likely to be less than significant are highly questionable.

26-11

2. Traffic Congestion at Richards/Olive Drive Intersection Will Worsen

If none of the projected 708 residents of the Lincoln40 development drove to campus, the result would be over 700 students making multiple daily roundtrip bicycle and walking trips through this intersection. Absent a pedestrian/bike bridge over Richards Boulevard, this would mean hundreds of times per day when vehicular traffic on Richards would be stopped after student bike riders and pedestrians activate the crosswalk sign. This impact would be particularly significant during the Monday-Friday commute hours. It is not evident to me that the EIR traffic consultant's analysis took this dynamic into account; if not, then it should be fully evaluated.

26-12

3. Hazardous Substances:

It has come to my attention that a recent presentation to the City's Natural Resources Commission (NRC) disclosed the existence of potential environmental hazards associated with hazardous substances releases on J and I Streets in old East Davis, particularly emanating from the former JF Wilson site. The substances include petroleum hydrocarbons and chlorinated solvents such as TCE, TCE and PCA, which under certain circumstances can be harmful to human health. I therefore recommend that the DEIR be

26-13

revised to include an analysis of whether excavation and use of heavy construction equipment at the Lincoln40 site could cause ground shaking of sufficient magnitude to cause expansion of the current soil and groundwater plume containing these contaminants. I also recommend that the project proponent

26-14

be required to investigate whether the existence of this plume will make it necessary to install a soil and groundwater vapor barrier beneath the building pad to prevent inhalation of hazardous substance vapors by residents of the Lincoln40 project.

Thank you for considering my comments.

Sincerely,

Greg Rowe

Greg Rowe

Attachment: Exhibit – Citizens' Proposed Housing Sites

C: Mike Webb, Assistant City Manager
Ash Feeney, Assistant Director Community Development & Sustainability

C:\Users\Greg Rowe\Documents\Davis Growth\Lincoln40\Comment Ltr_Lin40_DEIR_Rowe(2)8-1-17.docx

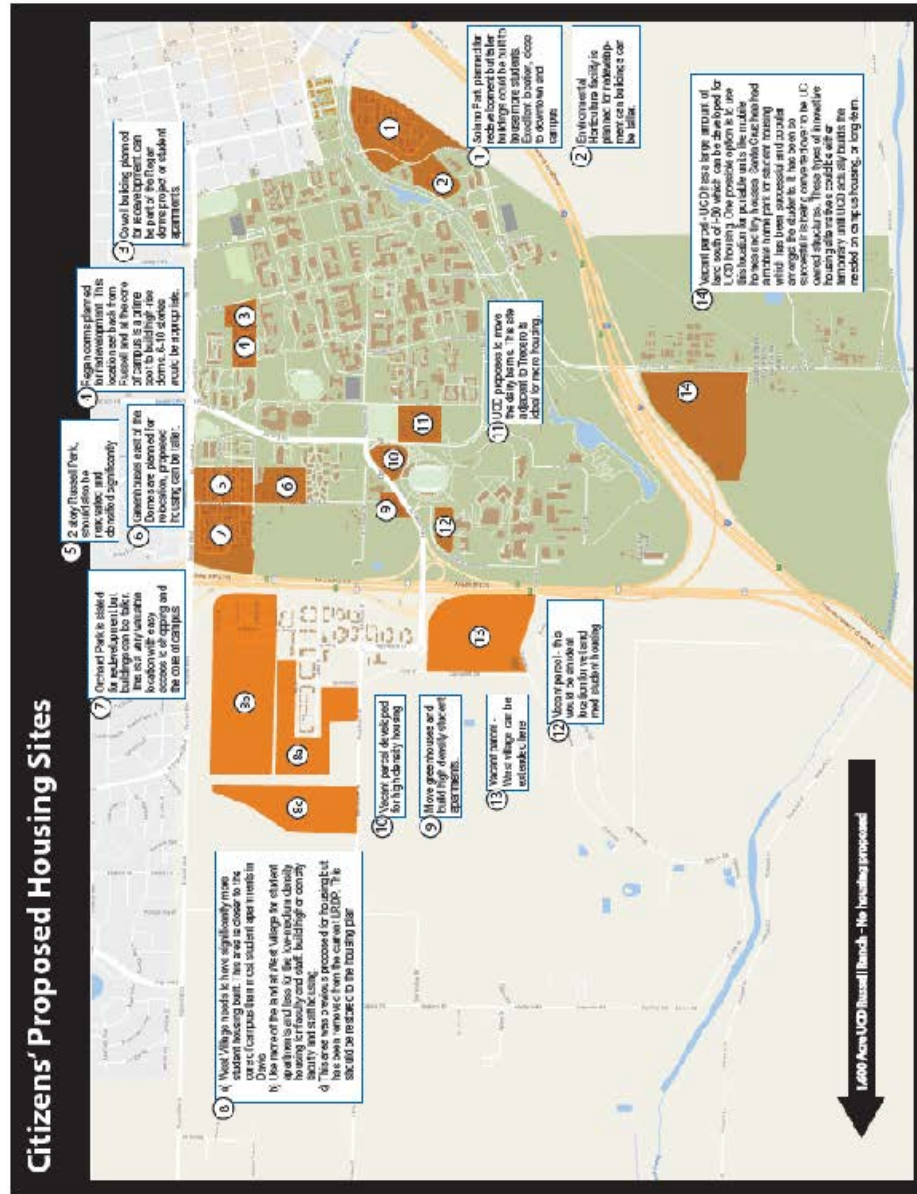
¹ Personal communication, Yolo County District 1 Supervisor Oscar Villegas, April 27, 2017.

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Cont'd

Comments on Draft EIR for Lincoln40 Project

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LETTER 26: GREG ROWE

Response to Comment 26-1

The comment does not address the adequacy of the Draft EIR.

Response to Comment 26-2

Under Public Resource Code Section 21155.2(c), projects that qualify for CEQA streamlining are not required to analyze off-site alternatives. As discussed throughout the Draft EIR, the proposed project would be considered consistent with SACOG's MTP/SCS, and, thus, the proposed project qualifies for CEQA streamlining. As such the Draft EIR was not required to provide an analysis of off-site alternatives to the proposed project. Nevertheless, in the interest of public disclosure, the Draft EIR provided analyses of multiple off-site scenarios to provide context during the decision-making process consistent with City Council direction.³⁰

In drafting the Off-Site UC Davis On-Campus Alternative, the LRDP Draft Planning Scenario website was consulted.³¹ The LRDP website depicts potential areas of the UC Davis campus that are considered for future campus housing projects. Although the Citizens for Responsible Planning (CFRP) has identified potential sites for on-campus housing development, the sites identified by the UC Davis' own LRDP are considered more likely to be developed than those identified by the independent CFRP group. Of the sites identified for future campus housing the majority of such sites are currently developed, and redevelopment of the sites with a project similar to Lincoln40 would involve demolition of existing structures. As such, the assumption that demolition may be necessary for a similar on-campus project was based on the most up-to-date information available regarding the LRDP and UC Davis plans for future housing development.

Therefore, at the time of environmental analysis, selection of a particular site that is currently undeveloped would have been speculative, and would have unnecessarily limited the analysis of the Off-Site UC Davis Alternative, presented in Chapter 6 of the Draft EIR.

Response to Comment 26-3

The quoted passage from the Draft EIR does not necessarily assert that demolition of existing structures on the UC Davis campus must occur; rather, the passage, which is actually from page 6-53 of the Draft EIR, states "demolition of existing structures may be required." Thus, the Draft EIR acknowledges that development of a similar project may not necessarily involve demolition of existing structures. However, it should be noted that eight of the 14 locations identified by the CFRP exhibit would require demolition of some existing structures. Thus, the majority of the sites identified by the CFRP would require demolition, which supports the statement within the Draft EIR that demolition may be required.

³⁰ City of Davis, City Council. *Minutes of the Davis City Council: Meeting of April 25, 2017*. April 25, 2017.

³¹ University of California Davis. *LRDP Draft Planning Scenario*. Available at <http://campustomorrow.ucdavis.edu/slide5>. Accessed September 2017.

Response to Comment 26-4

Please refer to Response to Comment 26-3. It should be noted that the comment contains reference to eight parcels for redevelopment, six of which contain existing structures that would require demolition prior to development. The commenter's site list for EIR comparison included in this comment supports the Draft EIR's assumption that development of the project on-campus may require demolition of existing structures.

Response to Comment 26-5

The Aggressive Transportation and Parking Demand Management Alternative was designed to demonstrate how the project could be designed to reduce certain environmental impacts resulting from single-passenger vehicle use. The Aggressive Transportation and Parking Demand Management Alternative would be technically feasible, and provides information to decision makers regarding the proposed project and other potential options for the project site. Please refer to Response to Comment 2-18.

Response to Comment 26-6

While visitors searching for parking could result in emissions from car idling, the assumption can be made that should the Aggressive Transportation and Parking Demand Management Alternative be implemented, future residents and guests would be aware of the parking limitations, and would plan accordingly by not bringing personal vehicles to Davis and relying on other modes of transportation. Additionally, parties or events would likely be only occasional occurrences at the project site, and would be outweighed by vehicle emissions savings occurring over the majority of the project's operational time.

Response to Comment 26-7

The use of parking policies such as the reduction in available spaces and the pricing of parking spaces has been investigated and analyzed by various entities. In fact, the California Air Pollution Control Officers Association's (CAPCOA) publication *Quantifying Greenhouse Gas Mitigation Measures* compiled the conclusions of many such investigations.³² As discussed in CAPCOA's document, parking management policies, such as those discussed in the comment and incorporated into the proposed project and the Aggressive Transportation and Parking Demand Management Alternative have proven efficacy at reducing VMT. As such, the assumptions included in the Draft EIR are based on widely accepted research.

Response to Comment 26-8

Transportation demand management (TDM) programs typically involve discouraging the use of vehicles through coordination between various employers, employees, and public agencies and encouragement of carpooling and vanpooling. The inclusion of reduced parking spaces within the

³² California Air Pollution Control Officers Association. *Quantifying Greenhouse Gas Mitigation Measures*. August 2010.

proposed project would be considered to discourage the use of vehicles; however, the inclusion of reduced parking spaces within the project would not, by itself, constitute a TDM. Because the project would be constructed with reduced numbers of parking spaces, the City or property manager would not necessarily need to enforce the reduction in vehicle use. Rather, the vehicle use reductions are likely to occur simply because the project cannot accommodate large numbers of resident-owned vehicles. As discussed in Response to Comment 26-7, such strategies have proven efficacy.

Response to Comment 26-9

Comparable alleged parking patterns of hospital staff is not directly relevant to the potential parking patterns of future Lincoln40 residents. Please refer to Response to Comment 2-18. The comment has been forwarded to decision makers for consideration.

Response to Comment 26-10

The information contained in Table 4.11-15 and the accompanying text on page 4.11-41 is referring to the trip making characteristics of the proposed Lincoln40 Project and the results of the Existing + Project Intersection Operations Analysis.

The Transportation Section of the DEIR evaluated the potential impacts of the proposed Lincoln40 project and not UCD's draft Long Range Development Plan.

As shown in Table 4.11-6, the Lincoln40 Project is comprised of 130 dwelling units and 473 rooms, resulting in 33 vehicle trips during the AM peak hour and 50 vehicle trips during the PM peak hour.

Based on the location of surface parking and parking garages on the UC Davis campus, school-related vehicle trips would use a combination of the I-80 Richards Boulevard, I-80 Old Davis Road, and SR 113 Hutchison Drive interchanges from locations east of Davis (Sacramento and West Sacramento), with less than 20% using the I-80 / Richards Boulevard interchange. The Cumulative No Project and CEQA Cumulative Volumes shown in Figures 4.11-6, 4.11-19, 4.11-20, and 4.11-21 includes the projected growth in traffic volumes, for both City of Davis and UC Davis related vehicle trips, on the Richards Boulevard Corridor based on the current UCD Long Range Development Plan.

As part of the updated UCD Long Range Development Plan, the University is envisioning constructing additional on-campus housing for the projected increase in their student population from 32,600 to 39,000. The 2017 LRDP would provide on-campus housing to accommodate more than 90 percent of the projected enrollment growth in campus housing, which includes a planning capacity for an additional 6,200 students in residence halls and apartments. This would have the potential cumulative benefit of reducing VMT on City of Davis Streets on the Richards Boulevard Corridor.

It is also important to note that, notwithstanding these efforts by UC Davis, the City of Davis City Council adopted Resolution 16-175 on December 20, 2016 requesting the University to provide

housing for a minimum of 100 percent of the projected student enrollment growth, and at least 50 percent of total UC Davis campus student population in the LRDP.

Additionally, please refer to Response to Comment 12-21.

Response to Comment 26-11

Over the course of an entire day, the proposed project would add 350 walking trips to the Olive Drive/Richards Boulevard intersection. During the morning peak hour 50 residents would walk to and from UC Davis and downtown Davis. During the evening peak hour, 26 residents would walk to and from UC Davis and downtown Davis.

Mitigation Measure 4.11-8, requiring the extension of the bicycle lane on the north side of Olive Drive and improvements to the Richards Boulevard/Olive Drive intersection, would mitigate cumulative impacts at the Olive Drive/Richards Boulevard intersection.

The Davis Arch over Richards Boulevard is being considered by the City Council. But because the Davis Arch concept is not a near-term funded project, the Draft EIR does not include this improvement in the pedestrian and bicycle analysis. The proposed project would pay the City of Davis Transportation Impact Fee that would be used to fund local transportation system projects.

Response to Comment 26-12

Please see Master Response #1.

Response to Comment 26-13

The JF Wilson facility is located north of the project site beyond the UPRR mainline tracks. The lateral and vertical extent of TCE and PCE from the JF Wilson facility has not been defined; however, Geocon conducted a soil vapor assessment at the site on September 28, 2017, in which TCE was detected in soil vapor samples collected immediately above the groundwater table (see Master Response #1). Although TCE concentrations in the soil vapor samples do not suggest conditions that are a threat to the health of site users, the presence of TCE in deep soil vapor indicates that TCE is in groundwater beneath the site.

Regarding operation of heavy construction equipment at the site, it is Geocon's professional opinion that ground shaking would not mobilize contaminants in soil, soil vapor, or groundwater. The UPRR mainline tracks are located between the JF Wilson facility and the project site. Daily train traffic would produce more ground shaking than any planned use of heavy equipment at the site during the construction phase. An analysis of ground shaking on contaminant mobilization from off-site sources is not warranted.

Response to Comment 26-14

Please see Master Response #1.

Letter 27

From: Peter Stanzler <stanzler@pacbell.net>
Sent: Tuesday, August 01, 2017 6:15 PM
To: injoku@cityofdavis.org
Subject: Lincoln 40

Mr Njoku,

I won't re-elaborate my comments submitted to the original EIR for Lincoln 40, but instead just bullet some points:

- 27-1 • Nothing should be approved until Richards/Olive gets fixed. To see if it even works instead of speculation (which is what consultants do, sorry, it's not an established science).
- 27-2 • Maintain the current medium-density status. Lincoln 40 will completely change the character of this neighborhood forever.
- 27-3 • Why should 700 students from upper-income families be plopped down in the middle of Olive Drive; one of the poorest neighborhoods in Davis?
- 27-4 • Why should we suffer the consequences of the inaction of UC Davis to house their students when they have **over 5000 acres** of available to build on?
- 27-5 • Despite their fancy design drawings, if you really want to check out the quality of this developer just check out progress910.com: **Minimum** vegetation, **tacky** buildings, **cheap** Ikea type furnishings, pool designed for large parties (on Olive?). Ugly times 10.
- 27-6 • Where's the affordable housing?? Oh yeah, the developer bribed their way out of that one.
- 27-7 • Cost of Olive/Richards fix to accommodate the 700 extra cars and bikes **\$13 million dollars?** Why should taxpayers accommodate both this developer and the university? These are early estimates. What major project hasn't run over cost?
- 27-8 • Right next to where trains accelerate leaving the train station isn't exactly the best place to build high-density housing.
- 27-9 • 5 stories?
- 27-10 Anyway, I can say with near certainty that everyone here in Slatter's Court is strongly against the intrusion of this mega-dorm. Many had, and still have, no idea what this whole project is all about. All they know is that a lot of our neighbors on our street are getting forced out of their homes. Many having lived there for many years.
- 27-11 Best option of the proposed options? Don't build the thing. Save the lot for something that won't destroy this neighborhood and will benefit the residents of this city, not the university. We love low income housing, why not more of that?

-Peter Stanzler
1075 Olive Drive, SPC 26

LETTER 27: PETER STANZLER

Response to Comment 27-1

The comment does not address the adequacy of the Draft EIR. It should be noted that the Richards Boulevard/Olive Drive intersection is evaluated in Chapter 4.11, Transportation and Circulation, of the Draft EIR. The comment has been forwarded to decision makers for consideration.

Response to Comment 27-2

Please refer to Response to Comment 12-27. The comment does not address the adequacy of the Draft EIR. However, the comment has been forwarded to decision makers for consideration.

Response to Comment 27-3

The comment does not address the adequacy of the Draft EIR. The comment has been forwarded to decision makers for consideration.

Response to Comment 27-4

The comment does not address the adequacy of the Draft EIR. The comment has been forwarded to decision makers for consideration.

Response to Comment 27-5

The comment does not address the adequacy of the Draft EIR. The comment has been forwarded to decision makers for consideration.

Response to Comment 27-6

Please refer to Responses to Comments 1-1 and 12-14 regarding affordable housing.

Response to Comment 27-7

Mitigation Measure 4.11-8 of the Draft EIR requires that the developer fund and implement the needed improvements to Olive Drive to ensure that the project's incremental traffic in combination with General Plan buildout traffic does not result in cumulative impacts to the intersection of Richards Boulevard and Olive Drive.

Response to Comment 27-8

Please refer to Response to Comment 2-9 for a discussion of potential health risks associated with placing new housing next to the UPRR tracks.

Response to Comment 27-9

The comment does not address the adequacy of the Draft EIR. The comment has been forwarded to decision makers for consideration.

Response to Comment 27-10

Displacement of current residents is discussed in Impact 4.9-2 of the Draft EIR. In addition, please refer to Response to Comment 1-1. The comment has been forwarded to decision makers for consideration.

Response to Comment 27-11

The comment does not address the adequacy of the Draft EIR. The comment has been forwarded to decision makers for consideration.

Letter 28

POSITION STATEMENT



Lincoln40 Student Housing Project

May 25, 2017

Adopted by the DCOC Executive Board of Directors

The Davis Chamber of Commerce Board of Directors supports Highbridge Properties Lincoln40 student housing project proposed on a 6-acre parcel on Olive Drive.

Highbridge Properties has a multi-family off-campus student housing focus and this project is no exception. Highbridge has a strong and stable history of over three decades of acquiring, developing, financing, and managing more than \$1.5 billion in property assets.

The Lincoln40 project is slated to include 708 beds which will be leased separately and will include over 10,000 square feet of communal areas for residents. The project is slated for 5-stories with fully furnished units ranging from 2-5 bedrooms and 204 parking spaces, all of which will be 'paid' by tenants and will include zip-car options.

Chamber Position

Housing Supply

The Davis Chamber of Commerce generally supports the goals and policies of the Davis General Plan's **Housing Element** which promotes an adequate supply of affordable ownership and rental housing for local employees, students, low income and disabled persons, and seniors (2001 General Plan Goals 6.1 and 6.2).

Specifically, the chamber supports the city standards and actions which implement these goals and policies, including:

- Providing a range of unit sizes and a mix of housing types, densities, designs, prices, and rents (General Plan Policy 1.1);
- Providing a buyer's selection process for low, moderate, and middle income ownership units which gives the highest priority to households with a member of the local workforce (General Plan Policy 4.3); and
- Encouraging a variety of housing types and care choices for seniors of all income levels (General Plan Policy 1.8).

The mission of the Davis Chamber of Commerce is to promote, support and advocate on the general economic vitality of its membership and the quality of life for the community.

28-1

LETTER 28: DAVIS CHAMBER OF COMMERCE

Response to Comment 28-1

The comment does not address the adequacy of the Draft EIR. The comment has been forwarded to decision makers for consideration.

Letter 29

From: Amanda Bernal [<mailto:arbernal@ucdavis.edu>]
Sent: Wednesday, August 2, 2017 7:58 AM
To: Ike Njoku <INjoku@cityofdavis.org>
Subject: Lincoln40 DEIR Comment

Dear Mr. Njoku,

I hope this email finds you well. I attended the City of Davis Planning Commission meeting last Wednesday night and would just like to take a moment to provide my written comments in response to Lincoln40's EIR.

I am a student at UC Davis and I, as well as other students, have felt the crunch of the 0.2% vacancy rate each year as the search for housing begins. Not only is housing hard to find and wait lists long, but rent is raised by 5-6% each year because there is no market force controlling it. We just don't have enough supply.

Traffic at Richards and Olive Drive came up a lot at the Planning Commission meeting, but I just want to say that many students do not want or need a car. In fact, students seem to be the best population to put at Richards and Olive Drive because the impacts will be minimal. I carefully read the traffic section of the Lincoln40 EIR and from what I can tell, there are many positive measures to *improve* the traffic at Richards and Olive Drive, should this project get passed.

In closing, I would like to mention that I am the ASUCD External Affairs representative and I hear stories from students every day who fear homelessness or are paying unreasonably high rents in almost unlivable conditions. I hope that we can all work together to find relief for this housing crisis soon.

Sincerely,

Amanda Bernal

LETTER 29: AMANDA BERNAL

Response to Comment 29-1

The comment does not address the adequacy of the Draft EIR. The comment has been forwarded to decision makers for consideration.

Letter 30

From: Ike Njoku [mailto:INjoku@cityofdavis.org]
Sent: Thursday, August 3, 2017 7:39 AM
To: 'Phyllis Graham' <phyllisagraham@gmail.com>
Cc: 'Paul Gradeff' <pgradeff@highbridgeproperties.net>; Nick Pappani <npappani@raneymanagement.com>
Subject: RE: high-density residential

Phyllis,

Thank you. I believe your comments include Lincoln40 project as such it would be included.

Ike

From: Phyllis Graham [mailto:phyllisagraham@gmail.com]
Sent: Wednesday, August 2, 2017 6:32 PM
To: Ike Njoku <INjoku@cityofdavis.org>; Planning Commission <PlanningCommission@cityofdavis.org>; Mike Webb <MWebb@cityofdavis.org>; City Council Members <CityCouncilMembers@cityofdavis.org>
Subject: high-density residential

30-1

Planning officials seem often to encourage and approve large development projects regardless of their appropriateness or conformance with local residential patterns and zoning regulations.

Increasingly, this seems to be the case in Davis, where the voices of concerned residential home-owners go unheard as campus growth provides ever-more profit potential to private real estate developers.

30-2

Once again, I write to express opposition to the approval of *any and all* rent-by-the-bed apartment development schemes. Rather, city officials would better serve their constituents by maintaining pressure on UCD to utilize more of their expansive real estate west and south of campus to house students. Orchard Park and West Village are examples of properties whose potential the University continues to ignore or neglect.

30-3

It is disingenuous and misleading to represent high-density projects as 'opportunities' for 'young professionals,' 'empty-nesters,' 'down-sizers,' or young families. We have all seen the pattern: bedrooms become available, students move in, cars proliferate. Noise, traffic, and frequent turnover negatively impact Davis residential neighborhoods.

Tight availability of housing for non-students is not eased while campus stalls, canny investors snatch up single-family homes for student rentals, and developers push high-density schemes in whatever sliver or pocket of the city they might claim.

I hope city officials will NOT approve the Sterling and Trackside proposals.

LETTER 30: PHYLLIS GRAHAM

Response to Comment 30-1

The comment does not address the adequacy of the Draft EIR and has been forwarded to decision makers for consideration.

Response to Comment 30-2

The comment does not address the adequacy of the Draft EIR and has been forwarded to decision makers for consideration.

Response to Comment 30-3

The proposed project is being designed as off-campus student housing; however, the project would accept applications from any qualified applicant. Potential impacts related to noise and traffic were discussed in Chapters 4.9 and 4.11 of the Draft EIR, respectively.

The comment does not address the adequacy of the Draft EIR and has been forwarded to decision makers for consideration.

Letter 31

From: Eileen Samitz [<mailto:emsamitz@dcn.org>]
Sent: Wednesday, August 2, 2017 6:02 PM
To: Ike Njoku <INjoku@cityofdavis.org>; Ashley Feeney <AFeeney@cityofdavis.org>
Subject: Additional comments regarding Lincoln40 Draft EIR

August 2, 2017

I am writing again in regard to the Lincoln40 project with additional comments regarding the Draft EIR.

31-1

Traffic, circulation, and air quality impacts would be significantly worse due to far more cars backed-up along Richards Blvd. and Olive Drive corridors. The Lincoln40 Draft EIR is inaccurately diminishing the impacts on Richards Drive in all scenarios involving using the Lincoln40 site. The reduced parking scenarios are falsely reducing the impacts based upon the fewer resident cars being parked at Lincoln40. Any scenario of student-only housing will significantly *increase* the traffic, circulation, and air quality impacts. This would be due to the *significantly increased* interruptions of the traffic signals by students trying to cross Richards Blvd. all day long, not just at peak times (i.e. morning and evening) of *primarily* pedestrians and bicyclists. However, student car drivers would also bring added impacts heading to UCD daily from Lincoln40 throughout the day.

31-2

So, what is not being recognized (or accounted for correctly) in the Lincoln40 Draft EIR, is that in the alternative scenarios targeting student residents, it is the massive number of additional students (potentially 708) who will be primarily pedestrians and bicyclists (as well as some car drivers) who will be obligated to interrupt the traffic signal at Richards to get across Richard's Blvd, *many hundreds of times more daily, all day long*, for the students to get to the UCD campus. This in turn will back-up the already congested traffic at Richard's and Olive Drive vicinity, which in turn will create more fuel usage *by many more backed-up cars*, and the fumes from the gasoline exhausts from these many delayed vehicles would have far greater air quality impacts. These

**Letter 31
Cont'd**

**31-2
cont'd**

environment impacts would be far greater than a non-student housing scenario with just peak traffic impacts, rather than all day traffic impacts.

31-3

To explain why these traffic light interruptions at Richards would not just be at peak morning and evening times primarily, they would be constant, all day, due to the UCD classroom schedules being spread out during the day. So, the impacts if anything, are worse for a Lincoln40 project targeting students-only rather than a convention apartment complex which would have far more non-students (including local workers and families), with vehicles (which will need adequate parking), yet it would be morning and evening peak traffic impacts, rather than *all day* where the impacts would be *cumulative and far greater* due to the frequency of bicycle and pedestrian crossings of potentially 708 more students in the developers proposal.

31-4

Therefore the "Aggressive Transportation and Parking Demand Management Alternative" *cannot possibly* be the superior alternative, and certainly not the developer's proposal, nor the Reduced Density Student Apartment Alternative. If any of the alternatives are superior it is logical that the UCD On-Campus student housing alternative is the superior alternative, particularly since, contrary to the Draft EIR's unwarranted assertion, *this option does not require demolition* on campus of existing sites since there are plenty of undeveloped sites on campus and the attached map demonstrates this. Furthermore, it is absurd that the Draft EIR tried to disqualify the UCD On-Campus alternative simply because it is off-site.

31-5

The next potential superior alternative should be the conventional apartment complex, because although it would have more cars, the traffic impacts would be morning and evening peaks primarily, not *all day* as a student-only apartment complex would bring even more traffic, circulation, and air quality impacts.

Thank you for your time.

Sincerely,

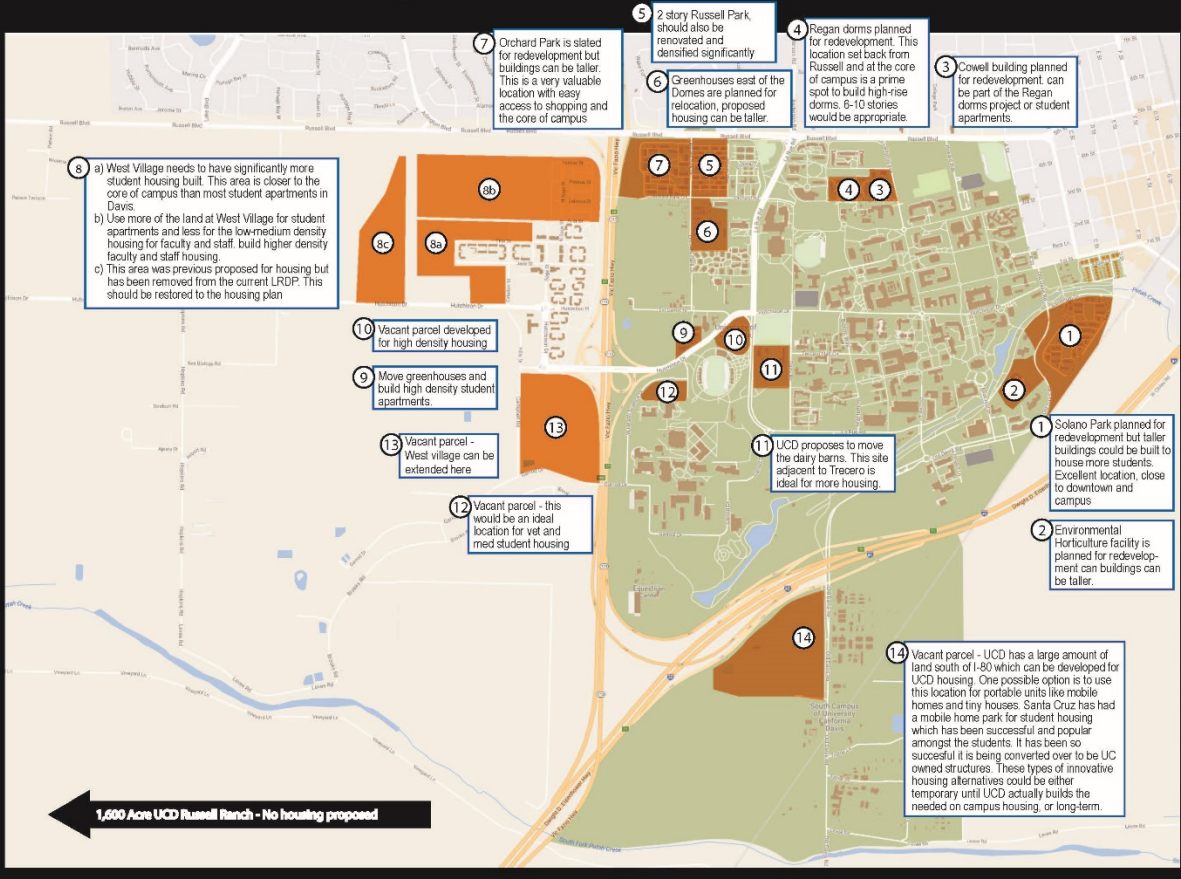
Eileen M. Samitz

emsamitz@dcn.org

(530) 756-5165

**Letter 31
Cont'd**

Citizens' Proposed Housing Sites



LETTER 31: EILEEN SAMITZ

Response to Comment 31-1

Analysis presented in Chapter 4.11 focuses on peak times because the peak hours are the times during the day that the study intersections experience the greatest volume of traffic. Therefore, potential impacts of the proposed project would be most intense during the peak hour times. If a project does not result in significant impacts during peak hours, then the project's impacts throughout less traffic heavy times of day would be proportionally less intense.

Please refer to Responses to Comments 2-5, 12-13, 14-4 and 26-7.

Response to Comment 31-2

Please refer to Responses to Comments 2-5 and 14-12 regarding potential traffic impacts.

Please refer to Response to Comment 14-5 regarding potential air quality impacts of increased congestion.

Response to Comment 31-3

The combination of commuter, downtown Davis, and UC Davis activity in terms of vehicles, transit ridership, pedestrians and bicyclists resulted in the weekday 8-9 AM and 5-6 PM having the highest level of multi-modal travel. Therefore, these two critical time periods were analyzed in the Transportation Section of the DEIR to determine potential impacts of the proposed project and required mitigation measures.

It should be noted that Chapter 6, Alternatives Analysis, of the Draft EIR, includes an analysis of vehicle trips associated with the Conventional Apartments Alternative. As shown on pages 6-25 and 6-26 of the Draft EIR, the Conventional Apartments Alternative would result in slightly fewer impacts related to transportation and circulation, but mitigation would still be required to reduce impacts to less-than-significant levels.

Response to Comment 31-4

Please refer to Responses to Comments 3-14, 7-32, 26-3, and 14-19.

Response to Comment 31-5

Please refer to Response to Comment 31-3.

Letter 32



Memorandum

To: Planning Commission/ Natural Resources Commission –
City of Davis

From: Richard Casias, PG

cc: City Email Distribution List

Date: July 31, 2017

Subject: Brief Review of Comments from Richard Casias Offered during the
Public Comment Session – DEIR on Lincoln40 Project

32-1

Thank you again for the opportunity to provide my professional perspective as an environmental management consultant and hydrogeologist. As Principal Scientist and Managing Member of **RCC Group, LLC (RCC)**, I have been providing these services to the regulated community since 1980, and since 1997 as RCC. I hold a registration in California as a Professional Geologist No. 7122.

My review comments and recommendations provided below are those of my own, and based on my professional practice and experience with and knowledge of subsurface environmental conditions in close proximity to the Subject Property.

32-2

Within this brief memorandum, I intend to express my concern for a required element of the **Draft Environmental Impact Report (DEIR)** for the "**Lincoln 40 Project**", which I understand is undergoing the public planning and permitting process with the City of Davis Planning Commission (City). On July 24, 2017 during the Public Comments portion of the regularly scheduled Natural Resources Commission (NRC) meeting in Community Chambers at City Hall, 23 Russell Boulevard, I introduced my initial criticism and concern for what I believe is a significant deficiency in **DEIR Appendix K**, which was the August 11, 2016 Phase I ESA Report titled "*Phase I Environmental Site Assessment: Lincoln40 1111, 1165, 1185, 1223, 1225 and 1231 Olive Drive and 113, 115 and 118 Hickory Lane Davis, California 95616 - ERC Project #15-PH1-16*" (Phase I ESA).

32-3

It is RCC's opinion that since important contents of the referenced Phase I ESA are neither "*true nor accurate*", the **DEIR Hazards and Hazardous Materials Section 4.5** cannot be considered completely reliable for permitting and planning purposes. RCC understands the intent of Section 4.5 is to evaluate "*the potential for hazards and hazardous materials to be present on the Lincoln40 Project (proposed project) site or within the near vicinity of the site.*"

**Letter 32
Cont'd**

**32-3
cont'd**

RCC further understands the *"information and analysis in this section of the EIR is primarily based upon information from the Phase I Environmental Site Assessment (Phase 1 ESA)1 prepared for the proposed project site by Environmental Research Consultants (ERC) (see Appendix K)."*

As a direct consequence of the stated reliance of the DEIR on the Phase I ESA, it behooves the City to require the DEIR authors, **Raney Planning & Management, Inc. (RPM)**, to remove and replace Appendix K with a more reliable Phase I ESA that addresses the obvious deficiencies and incorporates the technical elements outlined in this RCC Memorandum. By doing so, RPM will be able to properly address all elements of the DEIR that relied on that Section's flawed "Conclusions."

Provided below is a brief summary of background on RCC's environmental assessment, which led to the discovery of the inaccuracy, as well as selected specific details of the Phase I ESA deficiencies.

Background on RCC Environmental Assessment

In June through August 2016, during the course of conducting important due diligence activities for an unrelated Client who owns real properties on J and K streets in **Old East Davis**, RCC was asked to provide a technical opinion regarding the proximity of potential environmental hazards at known locations of hazardous substance releases on J Street and I Street in Old East Davis. As a professional practice, RCC is well qualified to provide these services to the regulated community and RCC is directly familiar with several locations where historical releases of volatile organic compounds (VOCs) were released.

32-4

One of the suspect locations is at **203J Street**, which is also known as the **JF Wilson Site**. This location and other locations located on I Street are under the environmental oversight of the **Central Valley Water Board (Water Board)**. The Water Board is responsible for investigating the release of hazardous substances including but not limited to petroleum hydrocarbons, and VOCs (chlorinated solvents such as TCE, TCA and PCE).

Specifically and as it relates to the Lincoln 40 Project, my research and evaluation concluded that the JF Wilson Site is a location of extensive contamination by the chlorinated solvent TCE. The Water Board required investigations of this location starting as early as 2000 and continuing into 2007. Early documentation of the attempts to remediate some of the contamination is publicly available online using the SVRCB [GeoTracker](#) website. In 2016 Water Board staff advised RCC that the JF Wilson Site is considered an active site and staff is requiring the current Responsible Party (Estate/Property Owner) to restart the remedial assessment of the lateral and vertical extent of TCE in soil vapor and shallow groundwater, which reportedly is found to occur on a seasonal basis between 45 and 65 feet below grade surface (BGS). The Responsible Party for the JF Wilson Site has not complied with any Water Board orders since 2007.

32-5

In 2016 RCC determined and Water Board staff confirmed the JF Wilson Site plume of contamination in shallow groundwater and subsequently contaminated soil vapor (soil gas in the unsaturated zone soil matrix) is likely migrating in a south-southeastern direction. In other words, the plumes are migrating beneath the UPRR right-of-way in the direction of the Lincoln40 Project Site. The distance from the JF Wilson Site to the Lincoln40 Project Site is approximately **250-feet** laterally.

Letter 32
Cont'd

32-6

Unless remedial investigation and soil vapor assessment work is conducted down gradient of JF Wilson Site and also on the Lincoln40 Project Site itself, the magnitude of the plume of VOCs, including the lateral and vertical extent cannot be determined. The referenced VOC compounds are highly mobile and recalcitrant in the subsurface, in that they do not readily degrade in the subsurface and require considerable time to remediate (months to years).

The California Department of Toxics Substances Control (DTSC), in concert with the State Water Boards as well as the US EPA Region 9, has developed well-established *Vapor Intrusion Guidance* on this subject matter. The issue of [Vapor Intrusion](#) and the potential inhalation hazard caused by migration of petroleum hydrocarbon and VOCs in the unsaturated zone above contaminated groundwater is well documented. The DTSC in fact offers a stepwise and iterative process for the investigation of vapor intrusion and its guidance documents describe procedures for screening and site-specific evaluation of potential risks associated with this human exposure pathway. Indoor air concentrations estimated from soil gas or groundwater concentrations by fate and transport models for vapor intrusion and/or measured indoor air concentrations are used in the assessment of these hazards.

In summer 2016, RCC was unaware of planning and permitting process for the Lincoln40 Project, and would have no reason to share my insights of this publicly available information with anyone in 2016.

Specific DEIR Appendix K - Phase I ESA Deficiencies

32-7

In June 2017, while conducting remedial investigation and due diligence services for two unrelated Clients in the Old East Davis and Richards Boulevard corridors, the Lincoln40 Project and the DEIR were publicly noticed such that the DEIR came to RCC's direct attention. RCC reviewed elements of the Lincoln40 Project including but not limited to DEIR Appendix K, which consists of the August 11, 2016 Phase I ESA Report.

As a result of briefly participating in the Commission discussions regarding the DEIR, and especially after listening to the *dismissive tone and speculative opinion* of the RPM Project Manager during the City Planning Commission Meeting, I felt it was my responsibility as an informed Davis resident that I bring to light some of the technical deficiencies I observed in the referenced Phase I ESA Report.

32-8

1) Generally speaking, Environmental Professionals (EPs) who conducts Phase I environmental site assessments and prepares Phase I ESA Reports are required to adhere to the current ASTM International Standard E-1527-13. The mere fact that the author states "*ERC has conducted this ESA in general accordance with...*" does not necessarily make it compliant. In fact, the ASTM International (ASTM) protocol was specifically revised in 2012 and finalized in December 2013 to require that the responsible EP identify the potential for vapor intrusion of petroleum hydrocarbon and hazardous substance VOCs from on-site sources, as well as off-site sources (adjoining or adjacent).

32-9

2) The omission of the required Potential Vapor Intrusion section Phase I ESA Report is a clear deficiency. The ASTM protocol requires the EP to conduct an appropriate "Records Review". Missing from the Phase I ESA Report is **any evaluation** of the historical and local sites provided in the required environmental databases.

**Letter 32
Cont'd**

32-10

The author appears to have complied with the ASTM protocol by including the required environmental databases, but the author did not recognize the fact that several historical releases of petroleum hydrocarbons and hazardous substance VOCs are identified in the environmental databases. The only mention in the Phase I ESA Report of "Vapor Intrusion Condition" was found at the end of a Table Summary on page 1. There is no documentation, or basis in fact or explanation for the accompanying statement, which says "No evidence of impact in shallow soil or groundwater was identified during the course of the investigation that would result in Vapor Intrusion." This statement is meaningless as it does not identify if this was directed specifically regarding on-site or off-site environmental conditions. In reality the environmental databases and the specific details within them are considered evidence of releases. In addition, the SWRCB GeoTracker website has extensive details regarding site use history, remedial measures and ongoing threats to groundwater.

32-11

- 3) Stormwater runoff from the adjoining Union Pacific Railroad (UPRR) right-of-way was not identified as a potential Recognized Environmental Condition (REC). It is RCC's experience and it is well documented that historic railroad slag and track ballast were once derived from material sources that contain elevated lead and arsenic. Although these hazardous substances are not highly mobile, they are readily attached to sediment, which in turn is transported easily with stormwater runoff. RCC would have identified adjoining surface soils on the Lincoln40 Project Site as being suspect until it had been determined that there was no impact to these surface soils. An exposure pathway to contaminated soil is easily addressed once potential hazardous substances are identified.

Specific Recommendations to Update the DEIR Section 4.5 and Appendix K

32-12

In RCC's opinion the Section 4.5 Hazards and Hazardous Materials section of the DEIR has not properly "evaluated the potential for hazards and hazardous materials to be present on the Lincoln40 Project (proposed project) site or within the near vicinity of the site" as stated on page 4.5 - 1 of the DEIR.

32-13

- 1) The principal failure of the DEIR Section 4.5 Hazards and Hazardous Materials section is due to its reliance on a deficient Phase I ESA Report. It is recommended that a more qualified Environmental Professional participate in the revision and reissuance of a new Phase I ESA Report.
- 2) The potential for human exposure from hazardous substances including VOCs, lead and arsenic-impacted particulate matter from known and documented sources identified in the Phase I ESA Report has not been properly identified in the DEIR. It is recommended that experienced environmental professionals be consulted to design and implement appropriate surface and subsurface investigations to identify and evaluate the potential human health hazards from subsurface soil vapor impacted by VOCs, and from surface soils that may be impacted by lead and arsenic-impacted particulate matter.

32-14

- 3) No Phase II recommendations to conduct appropriate surface and subsurface investigations were proposed in the Phase I ESA Report to address the potential exposure issues from VOCs, lead and arsenic-impacted particulate matter.

**Letter 32
Cont'd**

**32-14
cont'd**

It is recommended that a more qualified Environmental Professional participate in the revision and reissuance of a new Phase I ESA Report in order to address this deficiency.

32-15

- 4) As a final recommendation directed to the RPM Project Manager, before offering speculative and somewhat dismissive opinions regarding the potential human health hazards raised by stakeholders, it's important to reflect on the following excerpts California Health and Safety Code - Section 25110-25124 :: Article 2. Definitions:

25117. (a) Except as provided in subdivision (d), "hazardous waste" means a waste that meets any of the criteria for the identification of a hazardous waste adopted by the department pursuant to Section 25141. (b) "Hazardous waste" includes, but is not limited to, RCRA hazardous waste. (c) Unless expressly provided otherwise, "hazardous waste" also includes extremely hazardous waste and acutely hazardous waste. (d) Notwithstanding subdivision (a), in any criminal or civil prosecution brought by a city or district attorney or the Attorney General for violation of this chapter, when it is an element of proof that the person knew or reasonably should have known of the violation, or violated the chapter willfully or with reckless disregard for the risk, or acted intentionally or negligently, the element of proof that the waste is hazardous waste may be satisfied by demonstrating that the waste exhibited the characteristics set forth in subdivision (b) of Section 25141.

25117.3. (a) "Hazardous waste property" means land which is either of the following:

(1) Any hazardous waste facility or portion thereof, required to be permitted pursuant to this chapter, which has a permit for disposal from the department or has submitted an application for such a permit.

(2) A portion of any land designated as a hazardous waste property pursuant to Section 25229 where a significant disposal of hazardous waste has occurred on, under, or into the land resulting in a significant existing or potential hazard to present or future public health or safety.

(b) "Hazardous waste property" does not mean residential land that has never received waste chemicals from an industrial, commercial, agricultural, research, or business activity.

25117.4. "Border zone property" means any property designated as border zone property pursuant to Section 25229 which is within **2,000 feet of a significant disposal of hazardous waste**, and the **wastes so located are a significant existing or potential hazard to present or future public health or safety on the land in question.**

32-16

Thank you for the opportunity to provide my specific feedback and review comments on this important DEIR. Should anyone have any questions regarding my discussion points and recommendations outlined in this memorandum please do not hesitate to contact me at (530) 758-8128 or by email to richard@rccgroupllc.net and I will respond accordingly.

Richard C. Casias

Richard C Casias, Principal Scientist

CA Professional Geologist No. 7122 Expires January 31, 2018

Managing Member – RCC Group, LLC

LETTER 32: RICHARD CASIAS

Response to Comment 32-1

The comment is an introductory statement and does not address the adequacy of the Draft EIR.

Response to Comment 32-2

Please refer to Responses to Comments 7-10 through 7-18.

Response to Comment 32-3

Please see Master Response #1.

Response to Comment 32-4

The comment does not address the adequacy of the Draft EIR. Please see Master Response #1.

Response to Comment 32-5

The comment does not address the adequacy of the Draft EIR. Please see Master Response #1.

Response to Comment 32-6

Please see Master Response #1.

Response to Comment 32-7

Please see Master Response #1.

Response to Comment 32-8

Please see Master Response #1. In addition, it should be noted that the Phase I ESA for the Lincoln40 project site includes an attachment summarizing the soil vapor sampling results at the UPRR Wye VOC Site, which is just north of the Lincoln40 project site.³³ The soil vapor sampling report concludes that the PCE and TCE concentrations in groundwater show a consistent, overall decreasing trend, and these compounds in groundwater do not appear to pose a threat to human health and the environment. As a result, it was reasonable for the Phase I ESA to conclude that “No evidence of impact to shallow soil or groundwater was identified during the course of the investigation that would result in Vapor Intrusion.” (Phase I ESA, p. 1).

³³ Antea Group. *Annual Monitoring & Conceptual Site Model Report – 2016: Union Pacific Railroad Wye VOC Site, Davis, California, Central Valley Regional Water Quality Control Board Case No. SL185452916*. July 1, 2016.

Response to Comment 32-9

Please see Response to Comment 32-8 and Master Response #1. As discussed in the Master Response, the Phase I ESA prepared by ERCdiligence.com, and included as Appendix K to the Draft EIR, identifies multiple facilities located north of the project site, beyond the UPRR right-of-way, with documented releases of volatile organic compounds (VOCs). The Phase I ESA specifically identifies the former J.F. Wilson facility, located at 203 J Street, approximately 80 feet north of the project site, as well as the I Street Development, located at 920 3rd Street, approximately 500 feet northwest of the project site (see pp. 26 and 29 of Appendix E, Radius Report, to the Phase I ESA).

Response to Comment 32-10

Please see Response to Comment 32-8 and Master Response #1.

Response to Comment 32-11

Please see Response to Comment 7-15.

Response to Comment 32-12

Please see Master Response #1.

Response to Comment 32-13

Please see Master Response #1. In addition, the commenter refers to soils that may be impacted by lead and arsenic particulate matter. These particles can be released during demolition of older structures. The potential for this is addressed and mitigated in the Hazards and Hazardous Materials chapter of the Draft EIR (see p. 4.5-14, Mitigation Measures 4.5-1(a) and (b)).

Response to Comment 32-14

Please see Master Response #1 and Response to Comment 32-13.

Response to Comment 32-15

Thank you for your comments; they are noted for the record.

Response to Comment 32-16

The comment is conclusory and does not address the adequacy of the Draft EIR.

Letter 33

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION

DISTRICT 3 – SACRAMENTO AREA OFFICE
2379 GATEWAY OAKS DRIVE, STE 150 – MS 19
SACRAMENTO, CA 95833
PHONE (916) 274-0635
FAX (916) 263-1796
TTY 711



Serious drought.
Help save water!

August 2, 2017

03-YOL-2016-00035
SCH# 2016082073

Mr. Ike Njoku
City of Davis
23 Russel Blvd, Suite 2
Davis, CA, 95616

DEIR – Lincoln 40

Dear Mr. Njoku:

33-1

Thank you for including the California Department of Transportation (Caltrans) in the review process for the project referenced above. Caltrans' new mission, vision, and goals signal a modernization of our approach to California's transportation system. We review this local development for impacts to the State Highway System in keeping with our mission, vision and goals for sustainability/livability/economy, and safety/health. We provide these comments consistent with the State's smart mobility goals that support a vibrant economy, and build communities, not sprawl.

We appreciate the project proponent's commitment to reducing Vehicle Miles Traveled (VMT) generated by the project.

Project Sequencing

33-2

We would like more information about the sequencing of the potential projects in "CEQA Cumulative Scenario 3." We are looking for clarification from the City of Davis that the closure of the WB Olive Drive off-ramp will not precede the improvements to the Richards Blvd interchange. If it did, we would have concerns about queuing onto the mainline at the Richards WB off-ramp.

33-3

Please provide our office with copies of any further actions regarding this project. We would appreciate the opportunity to review and comment on any changes related to this development.

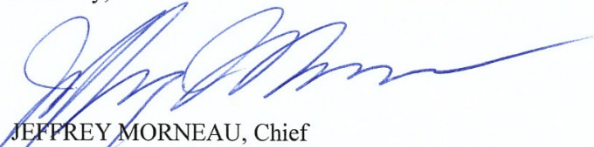
If you have any questions regarding these comments or require additional information, please contact Jacob Buffenbarger, Intergovernmental Review Coordinator at (916) 263-1625 or by email at: Jacob.Buffenbarger@dot.ca.gov.

"Provide a safe, sustainable, integrated, and efficient, transportation system to enhance California's economy and livability"

**Letter 33
Cont'd**

City of Davis
August 2, 2017
Page 2

Sincerely,



JEFFREY MORNEAU, Chief
Office of Transportation Planning – South Branch

*"Provide a safe, sustainable, integrated, and efficient, transportation
system to enhance California's economy and livability"*

LETTER 33: JEFFREY MORNEAU, CALIFORNIA DEPARTMENT OF TRANSPORTATION

Response to Comment 33-1

The comment does not address the adequacy of the Draft EIR and has been forwarded to decision makers.

Response to Comment 33-2

The CEQA Cumulative Scenario 3, which includes an improved I-80 Richards Boulevard Interchange and closed Westbound I-80 off-ramp to East Olive Drive would be constructed (sequenced) such that the Olive Drive off-ramp would not be closed until the westbound I-80 off-ramp to Richards Boulevard was re-aligned and widened to provide sufficient off-ramp storage to eliminate the potential for queueing onto westbound I-80.

Response to Comment 33-3

The comment does not address the adequacy of the Draft EIR. The City will provide Caltrans with a copy of documents related to further actions regarding the proposed project.

Letter 34

Sacramento Area
Council of
Governments

1415 L Street,
Suite 300
Sacramento, CA
95814

tel: 916.321.9000
fax: 916.321.9551
tdd: 916.321.9550
www.sacog.org



August 2, 2017

City of Davis
Department of Community Development and Sustainability
Ike Njoku, Planner and Historical Resources Manager
23 Russell Boulevard, Suite 2
Davis, CA 95616

Re: Comments on the Draft Environmental Impact Report for the Lincoln 40
Project

Dear Mr. Njoku:

Auburn
Citrus Heights
Colfax
Davis
El Dorado County
Elk Grove
Folsom
Galt
Isleton
Live Oak
Lincoln
Loomis
Marysville
Placer County
Placerville
Rancho Cordova
Rocklin
Roseville
Sacramento
Sacramento County
Sutter County
West Sacramento
Wheatland
Winters
Woodland
Yolo County
Yuba City
Yuba County

34-1

Thank you for inviting SACOG's comments on the Draft Environmental Impact Report (DEIR) for the proposed Lincoln 40 Project in Davis. The basis for our comments is the Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS) and Blueprint. SACOG's primary responsibility is developing and implementing the MTP/SCS, a document that establishes transportation spending priorities throughout the region. The MTP/SCS must be based on the most likely land use pattern to be built over the 20+ year planning period, and it must conform with federal and state air quality regulations. The foundation for the MTP/SCS land use forecast is local government general plans, community plans, specific plans, and other local policies and regulations. Other market and regulatory/policy variables that are considered help refine the sum of the local plans in order to determine the most likely future development pattern for a specific period of time. The Blueprint vision is based on the principles of smart growth and is intended to give general direction on how the region should develop to reap the benefits of the Blueprint Preferred Scenario (and related MTP/SCS). Implementation of the Blueprint vision depends greatly on the efforts of cities and counties to implement that vision through local plans and projects. The MTP/SCS and Blueprint are in alignment with each other because of these local efforts.

This letter is submitted in addition to our letter on October 3, 2016, which stated SACOG's concurrence with the City's determination that the proposed Lincoln 40 project is consistent with the 2016 Metropolitan Transportation Plan/Sustainable Communities Strategy (MTP/SCS). We also find the project supportive of the Blueprint principles.

The project supports the Blueprint principles of compact development, use existing assets and mixed use communities. The proposed project includes 130 units of student housing in downtown Davis along Olive Drive. The Blueprint study revealed the need to aggressively utilize existing infill and redevelopment opportunities to add more housing in the City of Davis to help balance the high number of jobs. The Blueprint assumes that 20 percent of all new homes in Davis will be in the downtown area through development of land that is vacant or under-utilized today.

**Letter 34
Cont'd**

City of Davis
August 2, 2017
Page 2

**34-1
cont'd**

The Blueprint shows that adding more housing in Davis will allow for more people to live near their work or school, which reduces the demand on the regional transportation system by allowing for shorter trips and encouraging alternative-mode trips such as walking, biking, and transit. The Blueprint Preferred Scenario and the adopted MTP/SCS achieve transportation, air quality, and other quality of life benefits by relying in part on projects like Lincoln40: compact, residential infill and redevelopment, located in or adjacent to regional job centers.

The project supports housing choice. The Blueprint, as well as every MTP/SCS update since then, has identified the need for more attached housing in the region in order to meet the needs of current and future residents. The Blueprint assumes a significant portion of the housing growth in Davis, roughly two-thirds, is attached housing including apartments, such as the proposed project. Housing choice is also about providing housing for all income levels. This becomes particularly important as new homes are added to urbanized areas where existing affordable options are limited. Although the proposed project does not include any affordable housing, we support the City's effort to collect an in-lieu fee that will help the City's efforts for more affordable housing.

The project supports transportation choice. The project is located on a high-quality transit corridor and adjacent to the Amtrak station. It provides access to the City's comprehensive bicycle and pedestrian network, and—with dedication of an easement for a multi-use trail—will provide the neighborhood a future connection to downtown Davis over the railroad tracks. The project further facilitates transportation choice with 708 bicycle parking spaces. In all these ways, the project supports travel by transit, biking and walking.

Quality design is a Blueprint principle that is critical to facilitating the ease of walking and biking and ensuring that the project is well integrated with the community, particularly as larger scale buildings are added to existing neighborhoods. We encourage the City's design review process to carefully examine the design details of the proposed project, including the fencing/wall plan, to support these outcomes.

Overall, the proposed project is supportive of the Blueprint and the MTP/SCS. Thank you again for the opportunity to comment. Please don't hesitate to contact me or Kacey Lizon, Planning Manager at klizon@sacog.org or 916-340-6265 if you have further questions.

Sincerely,



James Corless
Chief Executive Officer

JC:KL:JH:pm

LETTER 34: JAMES CORLESS, SACRAMENTO REGIONAL COUNCIL OF GOVERNMENTS

Response to Comment 34-1

The comment does not address the adequacy of the Draft EIR and has been forwarded to decision makers for consideration.

Letter 35



YOLO-SOLANO
AIR QUALITY MANAGEMENT DISTRICT

1947 Galileo Court, Suite 103 • Davis, CA 95618 • (530) 757-3650 • ysaqmd.org

August 1, 2017

Mr. Ike Njoku
City of Davis
Department of Community Development and Sustainability
23 Russell Blvd., Suite 2
Davis, CA 95616

Dear Mr. Njoku:

RECEIVED
AUG 03 2017
City of Davis
Community Development

35-1

The Yolo-Solano Air Quality Management District (District) has received the Environmental Impact Report (EIR) for the Lincoln 40 project (Project). The Project would demolish several existing structures and construct one multi-family residential building. The new building would total 130 units and 249,875 square feet of space. We have reviewed the EIR and offer the following comments:

Demolition of Existing Structures:

35-2

Please be aware that prior to any demolition activities taking place, a demolition permit will need to be obtained from the District in accordance with the requirements of District **Rule 4.3 – Fees, Asbestos Demolition and Renovations** and District **Rule 9.9 - Asbestos**.

Construction Activities:

35-3

In Section 4.2-3 of the EIR, the Lead Agency concludes that diesel particulate matter generated during construction of the project would create a significant impact by increasing cancer risk at the maximally exposed receptor by more than 10 in one million. The EIR prescribes Mitigation Measure 4.2-3 to reduce this impact to less than significant. District staff proposes the following revised language for Mitigation Measure 4.2-3 to make this measure more accurate and comprehensive:

"Prior to approval of any grading plans, the project applicant shall show on the plans via notation that the contractor shall ensure that all off-road diesel-powered equipment over 25 horsepower to be used in the construction of the project (including owned, leased, and subcontractor equipment) shall meet the California Air Resources Board (CARB) Tier 4 emissions standards or cleaner. The plans shall be submitted for review and approval to the Department of Community Development and Sustainability. In addition, all off-road equipment working at the construction site must be maintained in proper working condition according to manufacturer's specifications. Idling shall be limited to 5 minutes or less in accordance with the Off-Road Diesel Fueled Fleet Regulation as required by CARB."

**Letter 35
Cont'd**

**35-3
cont'd**

↑
Portable equipment over 50 horsepower must have either a valid District Permit to Operate (PTO) or a valid statewide Portable Equipment Registration Program (PERP) placard and sticker issued by CARB.

Idling shall be limited to five minutes or less for all on-road construction related and/or delivery trucks in accordance with CARB's On-Road Heavy-Duty Diesel Vehicles (In-Use) Regulation. Clear signage regarding idling restrictions should be placed at the entrances to the construction site."

Operational Emissions:

35-4

The EIR states that the project will be designed and constructed consistent with the City's General Plan policies. General Plan policy TRANS 1.7 recommends electric vehicle charging infrastructure at new development. The District suggests that new electric vehicle infrastructure have the ability to be expanded to accommodate additional vehicles as demand increases.

35-5

The District appreciates the opportunity to comment on the EIR for this project. If you have any questions about the comments included in this letter, please feel free to contact me at 530-757-3668 or email me at mjones@ysaqmd.org.

Sincerely,



Matthew Jones
Planning Manager, YSAQMD

LETTER 35: MATTHEW JONES, YSAQMD

Response to Comment 35-1

The comment is introductory and does not address the adequacy of the Draft EIR.

Response to Comment 35-2

Mitigation Measure 4.5-1(b), of the Draft EIR, requires that prior to demolition activities, an asbestos abatement plan be prepared and implemented. The asbestos abatement plan would be designed to meet the YSAQMD's requirements regarding asbestos control, and the applicant would obtain the proper permitting through consultation with YSAQMD.

Response to Comment 35-3

In accordance with the YSAQMD direction, Mitigation Measure 4.2-3, in Chapter 4.2, Air Quality and Greenhouse Gas Emissions, of the Draft EIR, is hereby revised as follows:

Prior to approval of any grading plans, the project applicant shall show on the plans via notation that the contractor shall ensure that all off-road diesel-powered equipment over 25 horsepower that all diesel powered equipment (e.g., rubber tired dozers, scrapers, cranes, etc.) to be used in the construction of the project (including owned, leased, and subcontractor equipment vehicles) shall, at a minimum, meet USEPA emissions California Air Resources Board (CARB) standards for Tier 4 emissions standards or cleaner engines or equivalent. The plans shall be submitted for review and approval to the Department of Community Development and Sustainability. In addition, all off-road equipment working at the construction site must be maintained in proper working condition according to manufacturer's specifications. Idling shall be limited to 5 minutes or less in accordance with the Off-Road Diesel Fueled Fleet Regulation as required by CARB.

Portable equipment over 50 horsepower must have either a valid District Permit to Operate (PTO) or a valid statewide Portable Equipment Registration Program (PERP) placard and sticker issued by CARB.

Idling shall be limited to five minutes or less for all on-road related and/or delivery trucks in accordance with CARB's On-Road Heavy-Duty Diesel Vehicles (In-Use) Regulation. Clear signage regarding idling restrictions should be placed at the entrances to the construction site.

The above revision does not affect the conclusions of the Draft EIR.

Response to Comment 35-4

The comment does not address the adequacy of the Draft EIR and has been forwarded to the applicant and decision makers for consideration.

Response to Comment 35-5

The comment does not address the adequacy of the Draft EIR. The comment has been forwarded to decision makers for consideration.

Letter 36



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

August 3, 2017

Ike Njoku
City of Davis
23 Russel Blvd, Suite 2
Davis, CA 95616

Subject: Lincoln40 Project
SCH#: 2016082073

Dear Ike Njoku:

The enclosed comment (s) on your Draft EIR was (were) received by the State Clearinghouse after the end of the state review period, which closed on August 2, 2017. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.

The California Environmental Quality Act does not require Lead Agencies to respond to late comments. However, we encourage you to incorporate these additional comments into your final environmental document and to consider them prior to taking final action on the proposed project.

Please contact the State Clearinghouse at (916) 445-0613 if you have any questions concerning the environmental review process. If you have a question regarding the above-named project, please refer to the ten-digit State Clearinghouse number (2016082073) when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

RECEIVED
AUG 09 2017
City of Davis
Community Development

36-1

**Letter 36
Cont'd**

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 3 – SACRAMENTO AREA OFFICE
2379 GATEWAY OAKS DRIVE, STE 150 – MS 19
SACRAMENTO, CA 95833
PHONE (916) 274-0635
FAX (916) 263-1796
TTY 711



Serious drought.
Help save water!

August 2, 2017

03-YOL-2016-00035
SCH# 2016082073

Mr. Ike Njoku
City of Davis
23 Russel Blvd, Suite 2
Davis, CA, 95616

DEIR – Lincoln 40

Dear Mr. Njoku:

Thank you for including the California Department of Transportation (Caltrans) in the review process for the project referenced above. Caltrans' new mission, vision, and goals signal a modernization of our approach to California's transportation system. We review this local development for impacts to the State Highway System in keeping with our mission, vision and goals for sustainability/livability/economy, and safety/health. We provide these comments consistent with the State's smart mobility goals that support a vibrant economy, and build communities, not sprawl.

We appreciate the project proponent's commitment to reducing Vehicle Miles Traveled (VMT) generated by the project.

Project Sequencing

We would like more information about the sequencing of the potential projects in "CEQA Cumulative Scenario 3." We are looking for clarification from the City of Davis that the closure of the WB Olive Drive off-ramp will not precede the improvements to the Richards Blvd interchange. If it did, we would have concerns about queuing onto the mainline at the Richards WB off-ramp.

Please provide our office with copies of any further actions regarding this project. We would appreciate the opportunity to review and comment on any changes related to this development.

If you have any questions regarding these comments or require additional information, please contact Jacob Buffenbarger, Intergovernmental Review Coordinator at (916) 263-1625 or by email at: Jacob.Buffenbarger@dot.ca.gov.

"Provide a safe, sustainable, integrated, and efficient, transportation system to enhance California's economy and livability"

**Letter 36
Cont'd**

City of Davis
August 2, 2017
Page 2

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeffrey Morneau', written over a horizontal line.

JEFFREY MORNEAU, Chief
Office of Transportation Planning – South Branch

*"Provide a safe, sustainable, integrated, and efficient, transportation
system to enhance California's economy and livability"*

**Letter 36
Cont'd**



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

August 3, 2017

RECEIVED
AUG 09 2017
City of Davis
Community Development

Ike Njoku
City of Davis
23 Russel Blvd, Suite 2
Davis, CA 95616

Subject: Lincoln40 Project
SCH#: 2016082073

Dear Ike Njoku:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on August 2, 2017, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

36-3

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

**Letter 36
Cont'd**

**Document Details Report
State Clearinghouse Data Base**

SCH# 2016082073
Project Title Lincoln40 Project
Lead Agency Davis, City of

Type EIR Draft EIR

Description The proposed project is a residential in-fill project that would include the demolition of the existing apartment complex and 10 single-family homes and the construction of a 249,788-sf multi-family residential building for student oriented housing.

The building would include three tiers, which would step-up in height from Olive Drive. The first tier would be three stories, the second would be four stories, and the third would be five stories tall, with a max height of 60 ft. The proposed project would include a total of 130 rental units designed specifically as off-campus student housing. Of the 473 total bedrooms; thus, the estimated total beds for the proposed project is 708. The project would also include a lobby, manager's facility and office, mail room, game/theater room, multiple lounges and study spaces, a fitness center, a bike shop, indoor bicycle storage, and three restroom facilities. Parking would be provided for both vehicles and bicycles, with 240 proposed parking stalls and 708 bicycle parking spaces. Vehicular access to the site would be provided at the location of the current Hickory Lane ROW, which is proposed for vacation, and by a second access on Olive Drive.

Lead Agency Contact

Name Ike Njoku
Agency City of Davis
Phone 530-757-5610
email
Address 23 Russel Blvd, Suite 2
City Davis
State CA **Zip** 95616
Fax

Project Location

County Yolo
City Davis
Region
Lat / Long 38° 32' 35.13" N / 121° 44' 10.41" W
Cross Streets Olive Drive/ Hickory Lane
Parcel No. 078-280-010,-012, -013, -014, -015, -016, -017; 070-290-001, -002, -003, -004
Township 8N **Range** 2E **Section** 15 **Base** MDBM

Proximity to:

Highways 80
Airports
Railways UPRR
Waterways
Schools Various
Land Use

Project Issues Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Noise; Sewer Capacity; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Growth Inducing; Cumulative Effects

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 2; Office of Historic Preservation; Department of Parks and Recreation; California Highway Patrol; Caltrans, District 3 N; California Department of Education; Department of Housing and Community Development; Native American Heritage Commission; Public Utilities Commission; Department of Toxic Substances Control; Regional Water Quality Control Bd., Region 5 (Sacramento); State Water Resources Control Board, Division of Water Quality

Note: Blanks in data fields result from insufficient information provided by lead agency.

36-4

**Letter 36
Cont'd**

**Document Details Report
State Clearinghouse Data Base**

Date Received 06/16/2017 *Start of Review* 06/19/2017 *End of Review* 08/02/2017

Note: Blanks in data fields result from insufficient information provided by lead agency.

LETTER 36: SCOTT MORGAN, GOVERNOR’S OFFICE OF PLANNING AND RESEARCH

Response to Comment 36-1

The comment refers to Comment Letter 33, which has been addressed above, in this Final EIR.

Response to Comment 36-2

The comment is the Caltrans project letter included as Comment Letter 33 of this Final EIR.

Response to Comment 36-3

The comment affirms the adequacy of the public review process for the Draft EIR.

Response to Comment 36-4

The comment does not address the adequacy of the Draft EIR.

3. REVISIONS TO THE DRAFT EIR TEXT

3

REVISIONS TO THE DRAFT EIR TEXT

3.1 INTRODUCTION

This chapter provides all corrections, additions, and revisions made to the Draft EIR. It should be noted that the changes represent minor clarifications and amplifications of the analysis contained in the Draft EIR and do not constitute significant new information that, in accordance with CEQA Guidelines, Section 15088.5, would trigger the need to recirculate portions or all of the Draft EIR. Please refer to the discussion of this topic provided in Section 1.4.2 of Chapter 1, Introduction.

3.2 DESCRIPTION OF CHANGES

New text is double underlined and deleted text is ~~struck through~~. Text changes are presented in the page order in which they appear in the Draft EIR.

2 EXECUTIVE SUMMARY

Mitigation Measure 4.2-3 of the Draft EIR, Page 2-13 of chapter 2, Executive Summary, is hereby revised as follows:

Prior to approval of any grading plans, the project applicant shall show on the plans via notation that the contractor shall ensure that all off-road diesel-powered equipment over 25 horsepower ~~that all diesel-powered equipment (e.g., rubber tired dozers, scrapers, cranes, etc.)~~ to be used in the construction of the project (including owned, leased, and subcontractor ~~equipment~~ vehicles) shall, ~~at a minimum,~~ meet USEPA emissions California Air Resources Board (CARB) standards for Tier 4 emissions standards or cleaner engines or equivalent. The plans shall be submitted for review and approval to the Department of Community Development and Sustainability. In addition, all off-road equipment working at the construction site must be maintained in proper working condition according to manufacturer's specifications. Idling shall be limited to 5 minutes or less in accordance with the Off-Road Diesel Fueled Fleet Regulation as required by CARB.

Portable equipment over 50 horsepower must have either a valid District Permit to Operate (PTO) or a valid statewide Portable Equipment Registration Program (PERP) placard and sticker issued by CARB.

Idling shall be limited to five minutes or less for all on-road related and/or delivery trucks in accordance with CARB's On-Road Heavy-Duty Diesel Vehicles (In-Use) Regulation. Clear signage regarding idling restrictions should be placed at the entrances to the construction site.

3 PROJECT DESCRIPTION

The Draft EIR, Page 3-1 of Chapter 3, Project Description, is hereby revised as follows:

The 5.92-acre project site consists of a small field, approximately ~~178~~¹⁸⁰ trees, and 24 residential units (see Figure 3-2). The existing residential units include 10 single-family homes and an old lodging facility that was previously converted into a 14-unit apartment complex. The apartment complex is currently fully occupied. At the time of issuance of the Notice of Preparation, six of the 10 single-family homes were occupied by renters; of the remaining four units, three were uninhabitable and one was vacant. Portions of the project site not containing structures are mostly dominated by weedy, ruderal vegetation with the aforementioned ~~178~~¹⁸⁰ existing trees scattered throughout the site. The on-site trees include several large cork oaks fronting Olive Drive.

The foregoing revisions reflect an update to the number of on-site trees. Several other sections of the Draft EIR include references to 180 trees being located on-site. Therefore, pages 4.1-3, 4.1-9, 4.1-10, 4.1-12, 4.3-2, 4.3-12, 4.3-30, 4.5-1, 4.5-2, 4.7-1, 4.7-3, and 6-12 are hereby revised, in a similar manner, to reflect that only 178 trees exist on the project site, not 180.

4.2 AIR QUALITY

Mitigation Measure 4.2-3 on page 4.2-48 of the Draft EIR is hereby revised as follows:

Prior to approval of any grading plans, the project applicant shall show on the plans via notation that the contractor shall ensure that all off-road diesel-powered equipment over 25 horsepower ~~that all diesel-powered equipment (e.g., rubber tired dozers, scrapers, cranes, etc.)~~ to be used in the construction of the project (including owned, leased, and subcontractor equipment/vehicles) shall, ~~at a minimum, meet USEPA emissions~~ California Air Resources Board (CARB) standards for Tier 4 emissions standards or cleaner engines or equivalent. The plans shall be submitted for review and approval to the Department of Community Development and Sustainability. In addition, all off-road equipment working at the construction site must be maintained in proper working condition according to manufacturer's specifications. Idling shall be limited to 5 minutes or less in accordance with the Off-Road Diesel Fueled Fleet Regulation as required by CARB.

Portable equipment over 50 horsepower must have either a valid District Permit to Operate (PTO) or a valid statewide Portable Equipment Registration Program (PERP) placard and sticker issued by CARB.

Idling shall be limited to five minutes or less for all on-road related and/or delivery trucks in accordance with CARB's On-Road Heavy-Duty Diesel Vehicles (In-Use) Regulation. Clear signage regarding idling restrictions should be placed at the entrances to the construction site.

4.3 BIOLOGICAL RESOURCES

Page 4.3-30 is hereby revised as follows:

In order to accommodate the proposed site plan, the proposed project will require the removal of a total of 38 protected trees (21 percent of the tree population) (see Figure 4.3-1), plus one tree identified for avoidance would be subject to moderate/high impact during construction. This results in a total of ~~48~~⁴⁶ trees that would be preserved on-site. In order to help ensure minimal modifications within the driplines of trees nearest to the

proposed parking area, the project design includes a total of 21 gravel parking spaces along the northern boundary, within tree driplines.

It should be noted that the above revision is made due to the understanding that two trees previously included in the arborist report are not located on-site. Therefore, the two off-site trees would not be preserved or removed as part of the proposed project.

4.4 CULTURAL RESOURCES

Page 4.4-25 is hereby revised as follows:

Nearby Historic Resources

Although the proposed project would involve demolition of structures in close proximity to Slatter's Court, which may be eligible for listing on the CRHR, the structures proposed for demolition are separated from Slatter's Court, and are not part of the same auto-oriented development. Additionally, the proposed project does not include any activities that would physically alter Slatter's Court. As such, Slatter's Court would remain an example of a tourist court motel related to the former Lincoln Highway, and the proposed project would not be anticipated to impact the nearby Slatter's Court potential historic resource.²⁰

The Southern Pacific (SP) Depot property, which is a historic resource listed on the National Register of Historic Places, is located approximately 290 feet northwest of the project site. Considering the distance between the project site and the SP Depot, the proposed project would not have the potential to physically alter the SP Depot. Figure 4.1-1 within Chapter 4.1 of this EIR provides a visual simulation of the proposed project from the SP Depot. As shown in Figure 4.1-1, a substantial amount of vegetation exists along the northern boundary of the project site, which would act as a visual screen between the proposed project and the SP Depot, and the proposed project is anticipated to minimally project into the skyline of the project site. Consequently, the proposed project would not result in a substantial adverse change in the historic significance of the SP Depot.

4. MITIGATION MONITORING AND REPORTING PROGRAM

4

MITIGATION MONITORING AND REPORTING PROGRAM

4.1 INTRODUCTION

Section 15097 of the California Environmental Quality Act (CEQA) requires all State and local agencies to establish monitoring or reporting programs for projects approved by a public agency whenever approval involves the adoption of either a “mitigated negative declaration” or specified environmental findings related to environmental impact reports.

The following is the Mitigation Monitoring and Reporting Program (MMRP) for the Lincoln40 Project. The intent of the MMRP is to ensure implementation of the mitigation measures identified within the Environmental Impact Report (EIR) for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this MMRP shall be funded by the applicant.

4.2 COMPLIANCE CHECKLIST

The MMRP contained herein is intended to satisfy the requirements of CEQA as they relate to the EIR for the Lincoln40 Project prepared by the City of Davis. This MMRP is intended to be used by City staff and mitigation monitoring personnel to ensure compliance with mitigation measures during project implementation. Mitigation measures identified in this MMRP were developed in the EIR that was prepared for the proposed project.

The Lincoln40 Project EIR presents a detailed set of mitigation measures that will be implemented throughout the lifetime of the project. Mitigation is defined by CEQA Guidelines, Section 15370, as a measure that:

- Avoids the impact altogether by not taking a certain action or parts of an action;
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation;
- Rectifies the impact by repairing, rehabilitating, or restoring the impacted environment;
- Reduces or eliminates the impact over time by preservation and maintenance operations during the life of the project; or
- Compensates for the impact by replacing or providing substitute resources or environments.

The intent of the MMRP is to ensure the implementation of adopted mitigation measures. The MMRP will provide for monitoring of construction activities as necessary and in-the-field identification and resolution of environmental concerns.

Monitoring and documenting the implementation of mitigation measures will be coordinated by the City of Davis. The table attached to this report identifies the mitigation measure, the monitoring action for the mitigation measure, the responsible party for the monitoring action, and timing of the monitoring action. The applicant will be responsible for fully understanding and effectively implementing the mitigation measures contained within the MMRP. The City will be responsible for monitoring compliance.

4.3 MITIGATION MONITORING AND REPORTING PROGRAM

The following table indicates the mitigation measure number, the impact the measure is designed to address, the measure text, the monitoring agency, implementation schedule, and an area for sign-off indicating compliance.

| MITIGATION MONITORING AND REPORTING PROGRAM LINCOLN40 PROJECT | | | | | |
|--|---|--|---|---------------------------------------|----------|
| Impact Number | Impact | Mitigation Measure | Monitoring Agency | Implementation Schedule | Sign-off |
| 4.2 Air Quality and Greenhouse Gas Emissions | | | | | |
| 4.2-3 | Expose sensitive receptors to substantial pollutant concentrations. | <p>4.2-3 <i>Prior to approval of any grading plans, the project applicant shall show on the plans via notation that the contractor shall ensure that all off-road diesel-powered equipment over 25 horsepower to be used in the construction of the project (including owned, leased, and subcontractor equipment meet California Air Resources Board (CARB) Tier 4 emissions standards or cleaner. The plans shall be submitted for review and approval to the Department of Community Development and Sustainability. In addition, all off-road equipment working at the construction site must be maintained in proper working condition according to manufacturer's specifications. Idling shall be limited to 5 minutes or less in accordance with the Off-Road Diesel Fueled Fleet Regulation as required by CARB.</i></p> <p><i>Portable equipment over 50 horsepower must have either a valid District Permit to Operate (PTO) or a valid statewide Portable Equipment Registration Program (PERP) placard and sticker issued by CARB</i></p> <p><i>Idling shall be limited to five minutes or less for all on-road related and/or delivery trucks in accordance with CAB's On-Road Heavy-</i></p> | City of Davis Department of Community Development and Sustainability | Prior to approval of grading plans | |

| MITIGATION MONITORING AND REPORTING PROGRAM LINCOLN40 PROJECT | | | | | |
|--|--|---|--|--|----------|
| Impact Number | Impact | Mitigation Measure | Monitoring Agency | Implementation Schedule | Sign-off |
| | | <i>Duty Diesel Vehicles (In-Use) Regulation. Clear signage regarding idling restrictions should be placed at the entrances to the construction site.</i> | | | |
| 4.3 Biological Resources | | | | | |
| 4.3-1 | Have a substantial adverse effect, either directly or through habitat modifications, on Swainson's hawk. | <i>4.3-1(a) For construction activities occurring between February 1 and August 31, the project applicant shall retain a qualified biologist to conduct surveys for Swainson's hawk in accordance with the Swainson's Hawk Technical Advisory Committee 2000 guidelines (SHTAC 2000) or currently accepted guidance/industry standards, subject to review and approval by the Department of Community Development and Sustainability. Surveys shall encompass a 0.25-mile minimum radius around the construction area. If Swainson's hawk and/or Swainson's hawk nests are not observed during the survey, further mitigation is not required. If nesting Swainson's hawks are detected, a 0.25-mile, no-disturbance buffer should be established, depending on location. The buffer shall be maintained until a qualified biologist has determined that the young have fledged and are no longer reliant upon the nest or parental care for survival. The buffer distance may be reduced in consultation with CDFW and the Department of Community Development and</i> | City of Davis Community Development and Sustainability Department CDFW | Prior to and during construction activities occurring between February 1 and August 31 | |

| MITIGATION MONITORING AND REPORTING PROGRAM LINCOLN40 PROJECT | | | | | |
|--|--------|--|---|--|----------|
| Impact Number | Impact | Mitigation Measure | Monitoring Agency | Implementation Schedule | Sign-off |
| | | <p><i>Sustainability if an adequate visual buffer exists between the construction and an active nest, and if the nesting pair is not disturbed by the noise and activity on the construction site. This is done on a case-by-case basis if a nest has been established prior to or during construction.</i></p> <p><i>4.3-1(b) If an active Swainson's hawk nest is found within the project site and the nesting tree is to be removed during construction activities, removal shall take place only after (1) the qualified biologist has determined that the young have fledged (typically by August 31st) and are no longer reliant upon the nest or parental care for survival, and (2) outside of the Swainson's hawk nesting season (February 1 to August 31). If any nesting tree is removed, a tree replacement plan shall be prepared, in consultation with CDFW and the Department of Community Development and Sustainability, to replace the nest trees. The tree replacement plan shall require the nesting tree(s) be replaced on a 1:1 basis and planted at an on-site or off-site location selected by the project applicant in consultation with CDFW and the Department of Community Development and Sustainability. The tree replacement plan shall also require that a qualified biologist monitor any replacement trees on an annual</i></p> | <p>City of Davis Department of Community Development and Sustainability CDFW</p> | <p>During construction activities if Swainson's hawk nests are found and the nesting tree is to be removed</p> | |

| MITIGATION MONITORING AND REPORTING PROGRAM LINCOLN40 PROJECT | | | | | |
|--|---|---|---|--|----------|
| Impact Number | Impact | Mitigation Measure | Monitoring Agency | Implementation Schedule | Sign-off |
| | | <i>basis for five years to ensure the survivability of replacement trees. Results of the monitoring shall be submitted to the Department of Community Development and Sustainability for review and approval.</i> | | | |
| 4.3-2 | Have a substantial adverse effect, either directly or through habitat modifications, on burrowing owl | <p>4.3-2(a) <i>The project applicant shall implement the following measures to avoid or minimize impacts to western burrowing owl:</i></p> <ul style="list-style-type: none"> <i>No more than 14 days prior to initiation of ground disturbing activities, the project applicant shall retain a qualified burrowing owl biologist to conduct a take avoidance survey of the proposed project site, any off-site improvement areas, and all publicly accessible potential burrowing owl habitat within 500 feet of the project construction footprint. The survey shall be performed in accordance with the applicable sections of the March 7, 2012, CDFW's Staff Report on Burrowing Owl Mitigation guidelines. If the survey does not identify any nesting burrowing owls on the proposed project site, further mitigation is not required. The take avoidance survey shall be submitted to the City of Davis Department of Community Development and Sustainability for</i> | <p>City of Davis Department of Community Development and Sustainability</p> <p>CDFW</p> | No more than 14 days prior to initiation of ground disturbing activities | |

| MITIGATION MONITORING AND REPORTING PROGRAM LINCOLN40 PROJECT | | | | | |
|--|--------|--|-------------------|-------------------------|----------|
| Impact Number | Impact | Mitigation Measure | Monitoring Agency | Implementation Schedule | Sign-off |
| | | <p>review. The survey periods and number of surveys are identified below:</p> <ul style="list-style-type: none"> ○ If construction related activities commence during the non-breeding season (1 September to 31 January), a minimum of one take avoidance survey shall be conducted of that phase and all publicly accessible potential burrowing owl habitat within 500 feet of the construction footprint of that phase. ○ If construction related activities commence during the early breeding season (1 February to 15 April), a minimum of one take avoidance survey shall be conducted of that phase and all publicly accessible potential burrowing owl habitat within 500 feet of the construction footprint of that phase. ○ If construction related activities commence during the breeding season (16 April to 30 August), a minimum of three take avoidance surveys shall be conducted of that phase and all publicly accessible potential burrowing owl habitat within 500 feet of the | | | |

| MITIGATION MONITORING AND REPORTING PROGRAM LINCOLN40 PROJECT | | | | | |
|--|--------|---|-------------------|-------------------------|----------|
| Impact Number | Impact | Mitigation Measure | Monitoring Agency | Implementation Schedule | Sign-off |
| | | <p><i>construction footprint of that phase. If construction related activities commence after 15 June, at least one of the three surveys shall be completed after 15 June.</i></p> <ul style="list-style-type: none"> ○ <i>Because the owls are known to occur nearby and may take up occupancy on a site under construction, the take avoidance survey shall be conducted prior to the start of any new phase, and/or if construction-related activity is delayed or suspended for more than 30 days.</i> • <i>If active burrowing owl dens are found within the survey area in an area where disturbance would occur, the project applicant shall implement measures consistent with the applicable portions of the March 7, 2012, CDFW's Staff Report on Burrowing Owl Mitigation guidelines. If needed, as determined by the biologist, the formulation of avoidance and minimization approaches would be developed in coordination with the CDFW. The avoidance and minimization approaches would likely include burrow avoidance buffers during the</i> | | | |

| MITIGATION MONITORING AND REPORTING PROGRAM LINCOLN40 PROJECT | | | | | |
|--|--------|---|---|--|----------|
| Impact Number | Impact | Mitigation Measure | Monitoring Agency | Implementation Schedule | Sign-off |
| | | <p><i>nesting season (February to August). For burrowing owls present on-site, outside of the nesting season, passive exclusion of owls from the burrows could be utilized under a CDFW-approved burrow exclusion plan.</i></p> <p><i>4.3-2(b) If active owl burrows are present and the project would impact active burrows, the project applicant shall provide compensatory mitigation for the permanent loss of burrowing owl habitat at a ratio of 2.5 acres of higher quality owl habitat for every one acre of suitable owl habitat disturbed. The calculation of habitat loss may exclude acres currently occupied by hardscape or structures. Such mitigation may include the permanent protection of land that is deemed to be suitable burrowing owl habitat through a conservation easement deeded to a non-profit conservation organization or public agency with a conservation mission, or the purchase of burrowing owl conservation bank credits from a CDFW-approved burrowing owl conservation bank. A record of the compensatory mitigation provided by the project applicant shall be submitted to the City of Davis Department of Community Development and Sustainability prior to initiation of ground disturbing activities.</i></p> | City of Davis Department of Community Development and Sustainability | If active owl burrows are present, prior to initiation of ground disturbing activities | |

| MITIGATION MONITORING AND REPORTING PROGRAM LINCOLN40 PROJECT | | | | | |
|--|--|--|---|---|----------|
| Impact Number | Impact | Mitigation Measure | Monitoring Agency | Implementation Schedule | Sign-off |
| 4.3-3 | Have a substantial adverse effect, either directly or through habitat modifications, on raptors, nesting birds, or other birds protected under the MBTA. | <p>4.3-3 <i>The project applicant shall implement the following measures to avoid or minimize impacts to white-tailed kite, other raptors, and protected migratory bird species:</i></p> <ul style="list-style-type: none"> <i>If any site disturbance or construction activity for any phase of development begins outside the February 1 to August 31 breeding season, a preconstruction survey for active nests shall not be required.</i> <i>If any site disturbance or construction activity for any phase of development is scheduled to begin between February 1 and August 31, a qualified biologist shall conduct a preconstruction survey for active nests from publicly accessible areas within 14 days prior site disturbance or construction activity for any phase of development. The survey area shall cover the construction site and the area surrounding the construction site, including a 100-foot radius for MBTA birds, and a 500-foot radius for birds of prey. If an active nest of a bird of prey, MBTA bird, or other protected bird is not found, then further mitigation measures are not necessary. The preconstruction survey shall be submitted to the City of Davis</i> | City of Davis Department of Community Development and Sustainability | Any site disturbance or construction activity for any phase of development during the February 1 to August 31 breeding season | |

| MITIGATION MONITORING AND REPORTING PROGRAM LINCOLN40 PROJECT | | | | | |
|--|--------|---|-------------------|-------------------------|----------|
| Impact Number | Impact | Mitigation Measure | Monitoring Agency | Implementation Schedule | Sign-off |
| | | <p><i>Department of Community Development and Sustainability for review.</i></p> <ul style="list-style-type: none"> • <i>If an active nest of a bird of prey, MBTA bird, or other protected bird is discovered that may be adversely affected by any site disturbance or construction or an injured or killed bird is found, the project applicant shall immediately:</i> <ul style="list-style-type: none"> ○ <i>Stop all work within a 100-foot radius of the discovery.</i> ○ <i>Notify the City of Davis Department of Community Development and Sustainability.</i> ○ <i>Do not resume work within the 100-foot radius until authorized by the biologist.</i> ○ <i>The biologist shall establish a minimum 500-foot Environmentally Sensitive Area (ESA) around the nest if the nest is of a bird of prey, and a minimum 100-foot ESA around the nest if the nest is of an MBTA bird other than a bird of prey. The ESA may be reduced if the biologist determines that a smaller ESA would still adequately protect the active nest. Further work may not occur</i> | | | |

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| | | <i>within the ESA until the biologist determines that the nest is no longer active.</i> | | | |
| 4.3-4 | Have a substantial adverse effect, either directly or through habitat modifications, on special-status bats. | <p>4.3-4 <i>Before ground disturbance is initiated, a qualified biologist shall conduct a habitat assessment survey to determine whether the removal of trees greater than 10 inches in diameter at breast height (DBH) support bat roosts. Trees shall be surveyed within 14 days before the onset of construction. Surveys shall consist of daytime pedestrian surveys looking for potential roosting habitat such as branch and bole hollows, exfoliating bark and other crevices and cavities, and may include an evening emergence survey with acoustic equipment to note the presence or absence of bats. The emergence survey is necessary to survey for foliage-roosting bat species (western red bat and hoary bat). The three special-status bat species potentially occurring on the site should be identifiable utilizing acoustic equipment.</i></p> <p><i>If bats are not acoustically detected and potential roosting habitat is not identified, then further study and mitigation is not required. If evidence of bat use is detected, the biologist shall determine the approximate number and species of bats using the roost, and roost type (i.e., individual or maternity roost). A 100-foot buffer shall be created</i></p> | City of Davis Department of Community Development and Sustainability | Within 14 days before the onset of construction | |

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| | | <p><i>around the roost and project-related activities shall not occur within the buffer until after one of the steps below is performed:</i></p> <ul style="list-style-type: none"> <i>A qualified biologist has determined that the roost is no longer in use.</i> <i>A qualified biologist determines that bat exclusion is feasible and confirms that all bats have been excluded from the daytime roost. Bat exclusion shall not occur between April 1 and September 15 (depending on type of roost and location), which coincides with the maternity season in California.</i> <i>Trees that potentially support active roosts have been removed. However, if bat roosts are detected on the project site, trees shall not be removed from April 1 to September 15 in order to avoid the maternity season. Subject to monitoring by a qualified biologist, trees that potentially support active roosts may be removed outside of the maternity season using procedures that create noise and cause vibration, which are designed to cause bats to leave potential roosts.</i> <p><i>Results of the habitat assessment survey shall</i></p> | | | |

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| | | <i>be submitted to the City of Davis Department of Community Development and Sustainability for review.</i> | | | |
| 4.3-7 | Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. | <p><i>4.3-7(a) The project applicant shall implement the following tree preservation measures prior to and during construction for all trees to be preserved on the proposed project site:</i></p> <ul style="list-style-type: none"> <i>• Tree Protection Zones (TPZs): The surveyed trunk locations and TPZs / tree protection fencing shall be indicated on all construction plans for trees to be preserved;</i> <i>• Modified TPZs: Modified TPZs are areas where proposed infrastructure is located within protection zones. These Modified TPZs and fencing shall be indicated as close to infrastructure as possible (minimize overbuild);</i> <i>• The Consulting Arborist shall revise development impact assessment (as needed) for trees to be preserved once construction plans are drafted;</i> <i>• Grading, compaction, trenching, rototilling, vehicle traffic, material storage, spoil, waste, or washout, or any other disturbance within TPZs shall be avoided to the maximum extent feasible.</i> | City of Davis Department of Community Development and Sustainability | Included in the notes on construction drawings. Prior to and during construction and demolition activity | |

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| | | <ul style="list-style-type: none"> Any work that is to occur within the TPZs shall be monitored by the Consulting Arborist; A meeting shall be conducted to discuss tree preservation guidelines with the Consulting Arborist and all contractors, subcontractors, and project managers prior to the initiation of demolition and construction activities; Prior to any demolition activity on-site, tree protection fencing shall be installed in a circle centered at the tree trunk with a radius equal to the defined TPZ as indicated in the Arborist Report; Tree protection fences should be made of chain-link with posts sunk into the ground, and shall not be removed or moved until construction is complete; Any pruning shall be performed per recommendations in the Arborist Report by an ISA Certified Arborist or Tree Worker. Pruning for necessary clearance should be the minimum required to build the project and performed prior to demolition by an ISA Certified Arborist; If roots larger than 1.5 inches or limbs larger than 3 inches in diameter are | | | |

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| | | <p><i>cut or damaged during construction, the Consulting Arborist shall be contacted immediately to inspect and recommend appropriate remedial treatments;</i></p> <ul style="list-style-type: none"> <i>All trees to be preserved shall be irrigated once every two weeks, spring through fall, to uniformly wet the soil to a depth of at least 18 inches under and beyond the canopies of the trees.</i> <p><i>The tree preservation measures shall be included in the notes on construction drawings.</i></p> <p><i>4.3-7(b) The project applicant shall implement the following tree protection measures prior to and during construction to avoid or minimize impacts to cork oak trees #40 and #41:</i></p> <ul style="list-style-type: none"> <i>All work within the protection zones of the trees shall be supervised by the Consulting Arborist;</i> <i>Overbuild for the building is to be limited to the path surrounding the building (use shoring as needed);</i> <i>The grading limits of the building closest to the trunk within the protection zone of tree #40 shall be excavated with water and any roots two inches or larger shall be pre-cut</i> | City of Davis Department of Community Development and Sustainability | Included in the notes on construction drawings. Prior to and during construction and demolition activity | |

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| | | <p>prior to excavation;</p> <ul style="list-style-type: none"> • The TPZ of trees #40 and #41 (except for the grading area) are to be fenced off prior to demolition and through the construction period and protected from soil disturbance; • Concrete walkways are to be installed on grade without soil scarification; • Walls are to be installed on grade on piers avoiding roots greater than two inches in diameter; • A drip irrigation system (emitters on two-foot centers in the Tree Protection Zone where possible) shall be installed under four inches mulch, which shall be maintained at that thickness; and • The Consulting Arborist shall inspect the trees throughout the construction period and every spring and summer for at least three years following the end of construction. The inspections would include an assessment of, and recommendations to improve, tree health, preservation measures, and irrigation management. The results of each inspection shall be submitted to the City of Davis Department of Community Development and Sustainability. | | | |

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| | | <i>The tree preservation measures shall be included in the notes on construction drawings.</i> | | | |
| 4.3-8 | Conflict with an adopted HCP, NCCP, or other approved local, regional, or state habitat conservation plan. | <i>4.3-8 Should the Yolo Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) be adopted prior to initiation of any ground disturbing activities for any phase of development associated with the proposed project, the project applicant shall comply with the mitigation/conservation requirements of the Yolo HCP/NCCP, as applicable. The project applicant, the City of Davis Department of Community Development and Sustainability, and a representative from the YHC shall ensure that all mitigation/conservation requirements of the HCP/NCCP are adhered to prior to and during construction. To the extent there is duplication in mitigation for a given species, the requirements of the HCP/NCCP shall supersede.</i> | City of Davis Department of Community Development and Sustainability | If the Yolo HCP/NCCP is adopted prior to initiation of any ground disturbing activities for any phase of development | |
| 4.4 Cultural Resources | | | | | |
| 4.4-1 | Cause a substantial adverse change in the significance of a historical resource. | <i>4.4-1 If any subsurface historic remains, prehistoric or historic artifacts, other indications of archaeological resources, or cultural and/or tribal resources are found during grading and construction activities, all work within 100 feet of the find shall cease, the City of Davis Department of</i> | City of Davis Department of Community Development and Sustainability | During grading and construction activities The language of this mitigation measure shall be | |

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| | | <p><i>Community Development and Sustainability shall be notified, and the applicant shall retain an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, to evaluate the find(s). If tribal resources are found during grading and construction activities, the applicant shall notify the Yocha Dehe Wintun Nation.</i></p> <p><i>The archaeologist shall define the physical extent and the nature of any built features or artifact-bearing deposits. The investigation shall proceed immediately into a formal evaluation to determine the eligibility of the feature(s) for inclusion in the California Register of Historical Resources. The formal evaluation shall include, at a minimum, additional exposure of the feature(s), photo-documentation and recordation, and analysis of the artifact assemblage(s). If the evaluation determines that the feature(s) and artifact(s) do not have sufficient data potential to be eligible for the California Register, additional work shall not be required. However, if data potential exists (e.g., an intact feature is identified with a large and varied artifact assemblage), further mitigation would be necessary, which might include avoidance of further disturbance to</i></p> | Yocha Dehe Wintun Nation | included on any future grading plans, utility plans, and subdivision improvement drawings approved by the City for the development of the Lincoln40 project site. | |

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| | | <p><i>the resource(s) through project redesign. If avoidance is determined to be infeasible, additional data recovery excavations shall be conducted for the resource(s), to collect enough information to exhaust the data potential of those resources.</i></p> <p><i>Pursuant to CEQA Guidelines Section 15126.4(b)(3)(C), a data recovery plan, which makes provisions for adequately recovering the scientifically consequential information from and about the resource, shall be prepared and adopted prior to any excavation being undertaken. Such studies shall be deposited with the California Historical Resources Regional Information Center. Data recovery efforts can range from rapid photographic documentation to extensive excavation depending upon the physical nature of the resource. The degree of effort shall be determined at the discretion of a qualified archaeologist and should be sufficient to recover data considered important to the area's history and/or prehistory.</i></p> <p><i>Significance determinations for tribal cultural resources shall be measured in terms of criteria for inclusion on the California Register of Historical Resources (Title 14 CCR, §4852[a]), and the definition of tribal</i></p> | | | |

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| | | <p><i>cultural resources set forth in Public Resources Code Section 21074 and 5020.1 (k). The evaluation of the tribal cultural resource(s) shall include culturally appropriate temporary and permanent treatment, which may include avoidance of tribal cultural resources, in-place preservation, and/or re-burial on project property so the resource(s) are not subject to further disturbance in perpetuity. Any re-burial shall occur at a location predetermined between the landowner and the Yocha Dehe Wintun Nation. The landowner shall relinquish ownership of all sacred items, burial goods, and all archaeological artifacts that are found on the project area to the Yocha Dehe Wintun Nation for proper treatment and disposition. If an artifact must be removed during project excavation or testing, curation may be an appropriate mitigation.</i></p> <p><i>The language of this mitigation measure shall be included on any future grading plans, utility plans, and subdivision improvement drawings approved by the City for the development of the Lincoln40 project site.</i></p> | | | |
| 4.4-2 | Cause a substantial adverse change in the significance of an archaeological resource | 4.4-2 Implement Mitigation Measure 4.4-1. | See Mitigation Measure 4.4-1 | See Mitigation Measure 4.4-1 | |

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| | pursuant to Section 15064.5. | | | | |
| 4.4-3 | Directly or indirectly destroy a unique paleontological resource or unique geologic feature on the project site. | 4.4-3 <i>If any vertebrate bones or teeth are found by the construction crew, the City of Davis Department of Community Development and Sustainability shall be notified and the contractor shall cease all work within 100 feet of the discovery until an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, inspects the discovery. If deemed significant with respect to authenticity, completeness, preservation, and identification, the resource(s) shall then be salvaged and deposited in an accredited and permanent scientific institution (e.g., the University of California Museum of Paleontology), where it shall be properly curated and preserved for the benefit of current and future generations. The language of this mitigation measure shall be included on any future grading plans, utility plans, and subdivision improvement drawings approved by the City for Lincoln40 project site, where excavation work would be required.</i> | City of Davis Department of Community Development and Sustainability | During grading and construction activities The language of this mitigation measure shall be included on any future grading plans, utility plans, and subdivision improvement drawings approved by the City for Lincoln40 project site, where excavation work would be required. | |
| 4.4-4 | Cause a substantial adverse change in the significance of a unique archeological resource or tribal cultural | 4.4-4(a) <i>Implement Mitigation Measure 4.4-1.</i> 4.4-4(b) <i>If human remains are discovered during project construction, further disturbance shall not occur within 100 feet of the vicinity</i> | See Mitigation Measure 4.4-1 Yolo County Coroner | See Mitigation Measure 4.4-1 During grading and construction | |

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| | resource as defined in CEQA Guidelines, Section 15064.5, Public Resource Code Section 5020.1 (k), or Public Resource Code Section 21074 or disturb any human remains, including those interred outside of formal cemeteries. | <i>of the find(s) until the Yolo County Coroner has made the necessary findings as to origin. (California Health and Safety Code Section 7050.5) Further, pursuant to California Public Resources Code Section 5097.98(b), remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Yolo County Coroner determines the remains to be Native American, the Native American Heritage Commission (NAHC) and the Yocha Dehe Wintun Nation must be contacted within 24 hours. The NAHC and Yocha Dehe Wintun Nation must then identify the "most likely descendant(s)" (MLD). The landowner shall engage in consultations with the MLD. The MLD shall make recommendations concerning the treatment of the remains within 48 hours, as provided in Public Resources Code 5097.98.</i> | Native American Heritage Commission Yocha Dehe Wintun Nation | activities | |
| 4.5 Hazards and Hazardous Materials | | | | | |
| 4.5-1 | 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. | <i>4.5-1(a) Prior to issuance of a demolition permit by the City for any on-site structures, the project applicant shall provide a site assessment that determines whether any structures to be demolished contain lead-based paint. If structures do not contain lead-based paint, further mitigation is not required. If lead-based paint is found, all loose and peeling paint shall be removed and disposed of by a</i> | City Engineer | Prior to issuance of a demolition permit | |

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| | | <p><i>licensed and certified lead paint removal contractor, in accordance with federal, State, and local regulations. The demolition contractor shall be informed that all paint on the buildings shall be considered as containing lead. The contractor shall take appropriate precautions to protect his/her workers, the surrounding community, and to dispose of construction waste containing lead paint in accordance with federal, State, and local regulations subject to approval by the City Engineer.</i></p> <p><i>4.5-1(b) Prior to issuance of a demolition permit by the City for any on-site structures, the project applicant shall provide a site assessment that determines whether any structures to be demolished contain asbestos. If structures do not contain asbestos, further mitigation is not required. If asbestos-containing materials are detected, the applicant shall prepare and implement an asbestos abatement plan consistent with federal, State, and local standards, subject to approval by the City Engineer, City Building Official, and the Yolo-Solano Air Quality Management District.</i></p> <p><i>Implementation of the asbestos abatement plan shall include the removal and disposal of the asbestos-containing materials by a</i></p> | <p>City Engineer</p> <p>City Building Official</p> <p>YSAQMD</p> | <p>Prior to issuance of demolition permit</p> | |

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| | | <i>licensed and certified asbestos removal contractor, in accordance with local, State, and federal regulations. In addition, the demolition contractor shall be informed that all building materials shall be considered as containing asbestos. The contractor shall take appropriate precautions to protect his/her workers, the surrounding community, and to dispose of construction waste containing asbestos in accordance with local, State, and federal regulations subject to the City Engineer, City Building Official, and the Yolo-Solano Air Quality Management District.</i> | | | |
| 4.6 Hydrology and Water Quality | | | | | |
| 4.6-1 | Violate any water quality standards or waste discharge requirements, provide substantial additional sources of polluted runoff, or otherwise substantially degrade water quality through erosion during construction. | <i>4.6-1 Prior to initiation of any ground disturbing activities, the project applicant shall prepare a SWPPP, and implement BMPs that comply with the Stormwater Construction General Permit from the RWQCB, to reduce water quality effects during construction. Such BMPs may include but not be limited to: temporary erosion control measures such as silt fences, staked straw bales/wattles, silt/sediment basins and traps, check dams, geofabric, sandbag dikes, watering down disturbed soil during grading activities, suspending grading or dirt disturbing activities during wind events in excess of 25mph, stabilized construction entrances, and</i> | City of Davis Department of Community Development and Sustainability RWQCB | Prior to initiation of ground disturbing activities | |

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| | | <i>temporary revegetation. Other BMPs may include, but be not limited to, good housekeeping practices such as concrete washout facilities, containerizing construction materials, keeping public street front clean of sediments, placing drainage inlet protection on any drainage inlets onsite or downstream of the project site, and having still response kits on-site. The SWPPP shall be kept on-site and implemented during construction activities and shall be made available upon request to representatives of the City of Davis and/or RWQCB.</i> | | | |
| 4.6-2 | Violate any water quality standards or waste discharge requirements, provide substantial additional sources of polluted runoff, or otherwise substantially degrade water quality during operations. | 4.6-2 <i>Prior to issuance of building permits, the applicant shall submit to the City a final plan, identifying permanent stormwater TCMs, SDMs, and Hydromodification Measures, for each DMA to be implemented on the project, as well as a signed stormwater maintenance agreement and corresponding maintenance plan. The plan shall include LID measures consistent with the Lincoln40 Utilities Demand, and the Lincoln40: Drainage Evaluation for 2-Year and 10-Year Events memoranda prepared for the project and shall be subject to review and approval by the Public Works Department.</i> | City of Davis Public Works Department | Prior to issuance of building permits | |
| 4.6-4 | Substantially alter the existing drainage pattern of the site or area, or create or contribute | 4.6-4 <i>Implement Mitigation Measure 4.6-2.</i> | See Mitigation Measure 4.6-2 | See Mitigation Measure 4.6-2 | |

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| | runoff water which would exceed the capacity of existing or planned stormwater drainage systems, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site. | | | | |
| 4.8 Noise | | | | | |
| 4.8-1 | A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project. | <p><i>4.8-1 Prior to issuance of any grading permit, the applicant shall submit proposed noise-reduction practices (to ensure individual piece of equipment shall not produce a noise level exceeding 83 dBA at a distance of 25 feet and the noise level at any point outside the property plane of the project shall not exceed 86 dBA), for review and approval by the Department of Community Development and Sustainability. One or more of the following measures shall be utilized to reduce the impact of construction noise (below the above stated single-source and property boundary standards):</i></p> <ul style="list-style-type: none"> <i>Electric construction equipment as an alternative to diesel-powered equipment.</i> | City of Davis Department of Community Development and Sustainability | Prior to issuance of any grading permit | |

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| | | <ul style="list-style-type: none"> • Sound-control devices on construction equipment. • Muffled exhaust on construction equipment. • Construction equipment staging and operation setbacks from nearby sensitive receptors. • Limits on idling time for construction vehicles and equipment. • Installation of acoustic barriers around stationary construction noise sources. • Installation of temporary barriers between the project site and adjacent sensitive receptors. | | | |
| 4.8-5 | Railroad noise at new sensitive receptors. | 4.8-5(a) Prior to building permit issuance, the applicant shall retain an expert acoustical consultant to perform a focused noise analysis to evaluate interior noise levels taking into consideration final building materials, any adjustments to building locations, façade and fenestration improvements, etc. to determine if the final site and building plans would result in interior noise levels with the potential to exceed the standard of 45 dB L_{dn} . The focused noise analysis results shall be submitted for review and approval by the Department of Community Development and Sustainability. | City of Davis Department of Community Development and Sustainability | Prior to building permit issuance | |

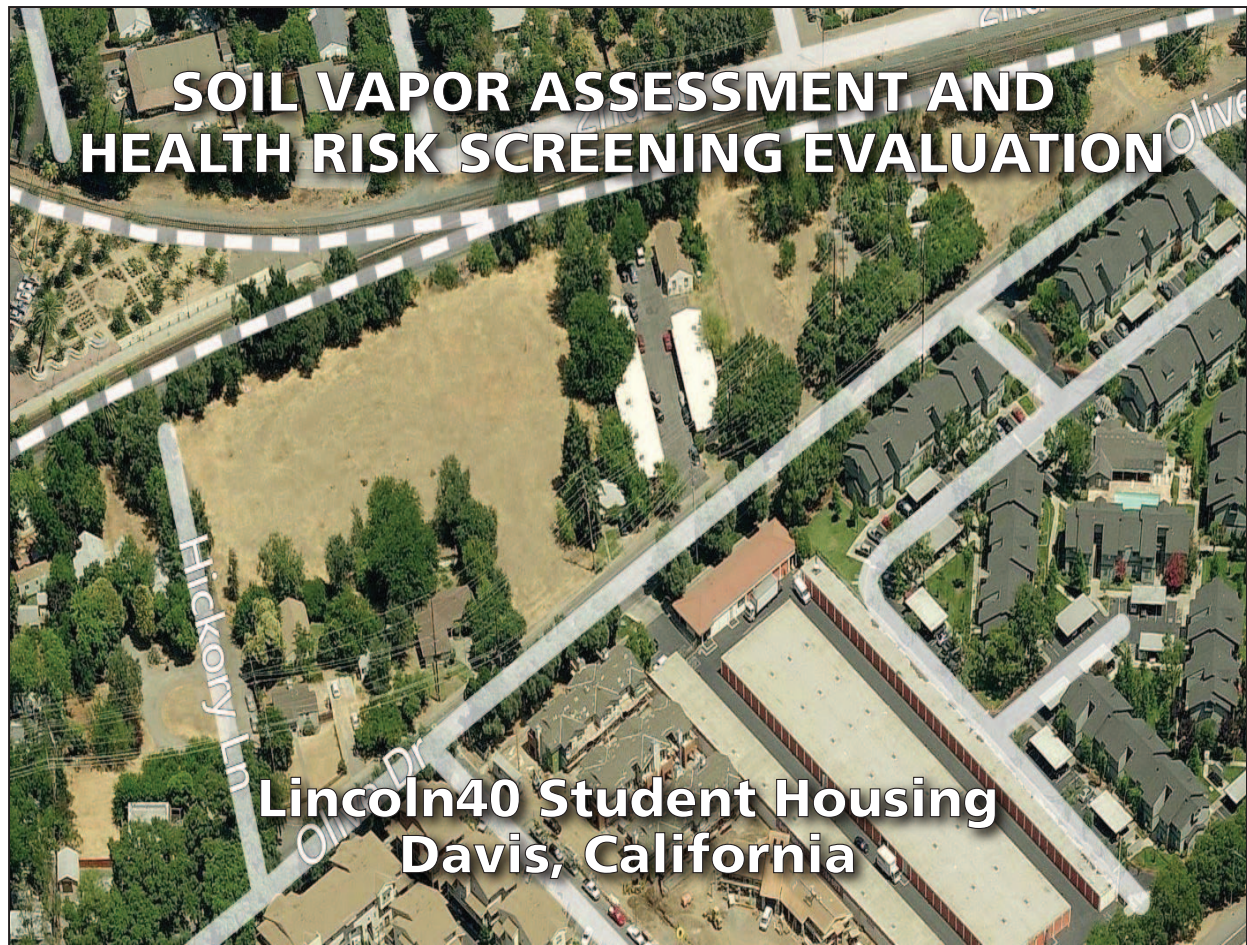
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| | | 4.8-5(b) <i>If the final site and building plans result in interior noise levels with the potential to exceed the standard of 45 dB L_{dn} within one or more residential units, then windows facing the railroad tracks for all such residential units shall include appropriately-rated STC windows, as determined by the acoustical consultant.</i> | City of Davis Department of Community Development and Sustainability | Prior to issuance of building permit | |
| 4.11: Transportation and Circulation | | | | | |
| 4.11-7 | Impacts associated with Construction Vehicle Traffic. | <p>4.11-7 <i>Before commencement of any construction activities for the project site, the project applicant shall prepare a detailed Construction Traffic Control Plan and submit it for review and approval by the City Department of Public Works. The applicant and the City shall consult with Caltrans, Unitrans, YoloBus, and local emergency service providers for their input before approving the Plan. The Plan shall ensure that acceptable operating conditions on local roadways and freeway facilities are maintained during construction. At a minimum, the Plan shall include:</i></p> <ul style="list-style-type: none"> <i>The number of truck trips, time, and day of street closures;</i> <i>Time of day of arrival and departure of trucks;</i> | City of Davis Department of Public Works | Before commencement of any construction activities | |

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| | | <ul style="list-style-type: none"> • Limitations on the size and type of trucks, provision of a staging area with a limitation on the number of trucks that can be waiting; • Provision of a truck circulation pattern; • Provision of driveway access plan so that safe vehicular, pedestrian, and bicycle movements are maintained (e.g., steel plates, minimum distances of open trenches, and private vehicle pick up and drop off areas); • Maintain safe and efficient access routes for emergency vehicles; • Manual traffic control when necessary; • Proper advance warning and posted signage concerning street closures; and • Provisions for pedestrian safety. <p>A copy of the Construction Traffic Control Plan shall be submitted to local emergency response agencies and these agencies shall be notified at least 14 days before the commencement of construction that would partially or fully obstruct roadways.</p> | | | |
| 4.11-8 | Impacts to study intersections under the Cumulative Plus Project | 4.11-8 Prior to approval of the Lincoln40 Improvement Plans, the plans shall show the extension of the existing westbound Olive | City Department of Public Works | Prior to approval of Improvement Plans | |

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| | scenario. | <p><i>Drive bicycle lane an additional 145 feet from its current terminus on East Olive Drive to the intersection of Richards Boulevard/Olive Drive. The East Olive Drive lane configuration shall include the following as shown in the Exhibit below:</i></p> <ul style="list-style-type: none"> • A westbound bike lane (7 feet); • A westbound shared through / right-turn lane (10 feet); • A westbound left-turn lane (10 feet); • An eastbound travel lane (10 feet); and • An eastbound bike lane (7 feet). <p><i>The applicant shall construct the striping improvements prior to issuance of a certificate of occupancy. As part of this improvement, the coordinated traffic signals between First Street / D Street and Richards Boulevard / Research Park Drive shall be re-timed to provide efficient traffic flow.</i></p> | | | |
| 4.11-9 | Impacts to study freeway segments under the Cumulative Plus Project scenario. | 4.11-9 Implement Mitigation Measure 4.11-8. | See Mitigation Measure 4.11-8 | See Mitigation Measure 4.11-8 | |
| Initial Study | | | | | |
| VI c,d. | Would the project be located on a geologic | VI-1. The following requirements, identified in the Geotechnical Investigation for the Lincoln40 | City Engineer | Prior to approval of grading and | |

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| | <p>unit or soil that is 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?</p> <p>Would the project be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code?</p> | <p><i>Project, shall be shown on the project grading and foundation plans, subject to review and approval by the City engineer:</i></p> <ul style="list-style-type: none"> • <i>Remedial grading in the form of partial removal and re-compaction of soils is required in order to reduce the potential for adverse post-construction settlement and to allow the use of conventional shallow foundations for the proposed buildings. Specific remedial grading and foundation recommendations are provided in the Geotechnical Investigation.</i> • <i>Proper moisture conditioning during site grading (see Geotechnical Report Sections 7.5.10 thru 7.5.13); extending footings below the zone of seasonal moisture fluctuation (i.e., top 18 inches of soil); and placing low-expansive material, such as Class 2 Aggregate Base (AB) below concrete flatwork and other exterior slabs is required.</i> • <i>Complete removal of existing structures, foundations, underground utilities, and septic tanks/leach fields (if present).</i> | | foundation plans | |

APPENDIX A



PREPARED FOR:

**HIGHBRIDGE PROPERTIES
101 MONTGOMERY STREET, SUITE 2550
SAN FRANCISCO, CALIFORNIA 94904**

PREPARED BY:

**GEOCON CONSULTANTS, INC.
3160 GOLD VALLEY DRIVE, SUITE 800
RANCHO CORDOVA, CALIFORNIA 95742**





Geocon Project No. S1127-05-02
October 12, 2017

Paul Gradeff
HighBridge Properties
101 Montgomery Street, Ste. 2550
San Francisco, California 94104-4158

Subject: SOIL VAPOR ASSESSMENT AND HEALTH RISK SCREENING EVALUATION
LINCOLN40 HOUSING PROJECT
DAVIS, CALIFORNIA

Dear Mr. Gradeff:

In accordance with your request, we have performed a soil vapor assessment and health risk screening evaluation for the Lincoln40 student housing complex located on the north side of Olive Drive east of Richards Boulevard in Davis, California. (Figure 1). We performed the soil vapor assessment and health risk screening evaluation for HighBridge Properties (the Client) to determine if volatile organic compounds (VOC) are present in soil vapor beneath the Site at concentrations that could adversely affect the health of potential future site users.

We appreciate the opportunity to assist you with this project. Please contact us if you have any questions concerning this report or if we may be of further service.

Sincerely,

GEOCON CONSULTANTS, INC.

A handwritten signature in blue ink, appearing to be 'TH' with a long horizontal stroke extending to the right.

Trevor Hartwell, PG
Project Geologist

A handwritten signature in blue ink, appearing to be 'J. Brake' with a large, looping initial 'J'.

Jim Brake, PG
Senior Geologist

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1. Vicinity Map
2. Site Plan

TABLE

1. Summary of Soil Vapor Analytical Data – VOCs

APPENDICES

- A. Laboratory Analytical Report
- B. DTSC-Modified Johnson and Ettinger Vapor Model Input and Results
- C. Soil Boring Permits
- D. Response to Comments

SOIL VAPOR ASSESSMENT AND RISK EVALUATION

1.0 INTRODUCTION

This report summarizes the methodology and presents the results of a soil vapor assessment and health risk screening evaluation for a property on Olive Drive (the Site) in Davis, California (Figure 1) slated for development of the “Lincoln40” student housing project. This report describes the site setting, background information, the purpose and objectives of the assessment, field sampling methodology and procedures, and presents the results of laboratory analysis of soil vapor samples and the results of a health risk screening evaluation.

1.1 Site Location and Description

The Site consists of several parcels comprising a pie-shaped area located on the north side of Olive Drive at Hickory Lane in Davis, California (Figure 1). The Site is bounded by the Union Pacific Railroad (UPRR) mainline tracks to the north, residences to the west, and Olive Drive to the south and east. The Site is relatively flat-lying with ground surface elevations ranging from approximately 46 to 48 feet based on the North American Vertical Datum 1988 (NAVD 88). The Site is partially developed with existing single-family residences, apartment buildings, one commercial building. The majority of the Site being open space vegetated with annual grasses and several mature trees.

1.2 Planned Site Project

The Site is planned to be developed with two, four- to five-story wood-framed student housing buildings with approximately 130 units. The buildings will be supported on conventional shallow foundations with concrete slabs-on-grade. The planned development design is shown on Figure 2.

1.3 Background

A Draft Environmental Impact Report (DEIR) for the Lincoln40 project prepared by Raney Planning & Management, Inc., includes a Phase I Environmental Site Assessment (ESA) report titled *Phase I Environmental Site Assessment: Lincoln40, 1111, 1165, 1186, 1223, 1225 and 1231 Olive Drive and 113, 115 and 118 Hickory Lane, Davis California 95616*, dated August 11, 2016. The Phase I ESA report was prepared by ERCdiligence.com (ERC). The Phase I ESA report identifies no recognized environmental conditions (RECs) associated with the Site. However, the Phase I ESA report identifies multiple facilities located north of the Site, beyond the UPRR right-of-way, with documented releases of volatile organic compounds (VOCs). The nearest such facility is identified as the former J.F. Wilson facility located at 203 “J” Street, approximately 80 feet north of the Site.

Richard Casias of RCC Group, LLC, commented on the DEIR in a letter dated July 31, 2017, expressing concern that VOCs that originate from the J.F. Wilson facility may be present in groundwater extending beneath the Site and that vapor intrusion from potential VOCs in groundwater beneath the Site should be evaluated. Data obtained from the State Water Resources Control Board’s GeoTracker online database

shows that trichloroethene (TCE) concentrations in groundwater samples collected from groundwater monitoring wells at the former J.F. Wilson facility in 2003 were reported to have been as high as 79,000 micrograms per liter (ug/l).

Other sources of VOCs have been identified in the area of the J.F. Wilson facility including the “I Street Development” approximately 300 feet northwest of the J.F. Wilson facility where TCE was also identified in soil vapor and groundwater. A soil vapor extraction (SVE) pilot test was performed and an SVE system installed and operated there from 2009 to 2014 (Terraphase, 2017). That system was closed in 2016. Ongoing groundwater monitoring for that project shows decreasing TCE concentrations in groundwater (Terraphase, 2017a). Groundwater monitoring and investigation data for the J.F. Wilson facility has not been produced since 2007 and 2003, respectively.

Geocon recommended that the best way to address Mr. Casias’s comments would be to conduct a soil vapor assessment to determine if VOCs, including TCE, are present in soil vapor beneath the Site.

1.4 Purpose and Objective

The purpose of the soil vapor assessment and health risk screening evaluation was to assess if VOCs are present in soil vapor beneath the Site at concentrations that might pose an unacceptable health risk to future site users via the vapor intrusion to indoor air pathway. The objective of the soil vapor assessment and health risk screening evaluation was to collect representative soil vapor samples beneath the footprint of the residential structures planned for the Site in accordance with California Department of Toxic Substances Control (DTSC) protocol, have them analyzed for VOCs, compare the results to regulatory screening levels for soil vapor in a residential land use scenario, and estimate VOC concentrations in indoor air and associated health risk using a DTSC-approved vapor intrusion model.

2.0 ASSESSMENT ACTIVITIES

2.1 Pre-field Activities

We performed the following pre-field activities:

- Submitted soil boring permit applications and paid requisite fees to Yolo County Department of Community Services, Environmental Health Division (YCEHD).
- Called Underground Service Alert at least 72 hours prior to mobilization to the Site.
- Retained the services of TEG of Rancho Cordova, California (a C-57-licensed drilling contractor and California-certified analytical laboratory) to install temporary soil vapor sampling wells using direct-push equipment and perform chemical analysis of soil vapor samples in an onsite, mobile laboratory.

2.2 Field Activities

2.2.1 Sample Locations, Depth, and Rationale

The soil vapor sampling locations are shown on Figure 2. The sampling locations were selected based on the proposed residential building locations at the Site and the location of the former J.F. Wilson facility beyond the UPRR right-of-way north of the Site. Borings SV-1, SV-2, SV-4, and SV-5 were advanced beneath the building footprint of the planned multi-unit student housing at the Site in order to evaluate the risk of vapor intrusion to indoor air in those buildings. Boring SV-3 was advanced near the northern site boundary at a location closest to and potentially downgradient of the former J.F. Wilson facility.

The depth of soil vapor sample collection was conservatively selected to be close to, but above the groundwater table and the capillary fringe in an effort to collect soil vapor samples with maximum VOC concentrations. The most recent depth to groundwater data for the site vicinity available on GeoTracker shows that depth to groundwater in two wells 100 to 200 feet north of the Site was approximately 41 feet in March 2017 (Antea Group, 2017). Depth to groundwater at the time of our soil vapor sample collection was expected to be slightly deeper than in March 2017. Therefore, a maximum depth of 40 feet to attempt soil vapor sample collection was selected.

2.2.2 Soil Vapor Well Installation

On September 28, 2017, TEG advanced 1-inch-diameter steel probe rods to a depth of 40 feet in each sampling location using direct-push equipment. The steel probe rods were equipped with a steel drop-off tip on the bottom and a post-run tubing (PRT) fitting inside the rods. Once driven to the desired depth, TEG constructed a temporary soil vapor well by inserting 1/8-inch Nylaflow tubing down the center of the rods and connecting it to the PRT fitting just above the drop-off steel tip.

In each of the wells, the vapor probe tip was placed in the center of a 12-inch filter pack consisting of #30 silica sand. Six inches of dry granular bentonite clay was placed above the filter pack, and hydrated bentonite was placed from above that to the ground surface. A hydrated bentonite seal was also placed around the probe rods at the ground surface to seal the rods and sampling train from the atmosphere.

Nylaflow® tubing extended approximately 2 feet above the ground surface and was capped with a polycarbonate 3-way stop valve to accommodate sample collection. A 60-cubic-centimeter (cc) syringe was then connected to the 1/8-inch Nylaflow tubing at the surface via a three-way polycarbonate stop valve. TEG tested the integrity of the sampling train connections by creating a vacuum inside the tubing with the syringe. TEG waited at least 2 hours for subsurface conditions to equilibrate prior to sampling. If the vacuum inside the PRT sample train dissipated, then the sample train's connections would be checked and retested until a successful (no discernable decrease in vacuum) test occurred. After confirming that each sampling train held vacuum, TEG then retracted the probe rods approximately 3 inches exposing the vapor inlet port. The depths of the filter pack for each well are listed on the following table.

| Soil Vapor Sample ID | Depth of Filter Pack (feet) |
|----------------------|-----------------------------|
| SV-1 | 39 - 40 |
| SV-2 | 35 - 36 |
| SV-3 | 35 - 36 |
| SV-4 | 35 - 36 |
| SV-5 | 35 - 36 |

In boring SV-2, TEG attempted to pull soil vapor from a depth of 40 feet, but pulled water into the tubing. They then pulled the probe rods up to 36 feet and were able to draw soil vapor. Therefore, SV-2 through SV-5 were constructed to draw soil vapor from a depth of 35 to 36 feet as shown in the table.

2.2.3 Soil Vapor Sample Collection

TEG collected soil vapor samples following guidelines in the *Advisory-Active Soil Gas Investigations* (DTSC et al., 2015). The sampling activities included the following:

- To check for atmospheric leaks, TEG encompassed the soil vapor well, tubing, and sample point with a hard-plastic shroud containing a tracer compound of 1,1-difluoroethane (1,1-DFA). The tracer compound was sprayed inside the plastic shroud immediately prior to purging the well and sample collection. If the mobile lab detected the tracer compound in the sample, another sample would be collected and analyzed.
- TEG purged wells SV-1, SV-2, SV-4, and SV-5 of approximately three well volumes prior to sample collection. Well SV-3 was purged only one purge volume due to low permeability soil conditions. The soil vapor wells were purged at a flow rate between 100 and 200 milliliters per minute (ml/min) and at a vacuum of less than 7 inches of mercury (in-Hg).
- TEG collected each soil vapor sample into a 100-cc glass syringe connected to the Nylaflow tubing via the polycarbonate 3-way stop valve. Each sample was then immediately transferred within minutes of collection to the mobile lab for analysis.

Once TEG finished analyzing the soil vapor samples, they destroyed the soil vapor wells by backfilling them with hydrated bentonite under the supervision of YCEHD personnel. TEG capped each boring at the surface with soil from the Site to match the surrounding ground surface.

2.3 Laboratory Sample Analysis

TEG analyzed the soil vapor samples for VOCs by United States Environmental Protection Agency (USEPA) Test Method 8260B in their mobile lab at the Site. Soil vapor sample analysis results are summarized in Section 3.0 and the laboratory reports and chain-of-custody documentation are in Appendix A.

3.0 RESULTS

3.1 Soil Vapor

TCE was detected in soil vapor samples SV-2 and SV-3 at concentrations of 700 and 530 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$), respectively (Table 1). No other VOCs were detected at a concentration equal to or exceeding reporting limits.

3.2 Field and Laboratory QA/QC

As part of TEG's QA/QC program, a syringe blank was analyzed. The data show acceptable surrogate recoveries and non-detect results for the syringe blank. TEG's continuing calibration verification data were within the method limits, and no analytical or quality control issues were noted. Additionally, the tracer compound 1,1-DFA was not detected at concentrations equal to or exceeding reporting limits in any of the samples, which indicates that the sample collection trains and wells did not have atmospheric leaks.

4.0 HEALTH RISK SCREENING EVALUATION

In accordance with the *Advisory – Active Soil Gas Investigations* (DTSC, 2015), we performed a health risk screening evaluation for the Site by comparing the maximum detected TCE concentration from the soil vapor assessment to the San Francisco Bay Regional Water Quality Control Board's (SFBRWQCB) Tier 1 Environmental Screening Levels (ESLs) for "subslab/soil gas", dated February 2016. The ESLs were developed as conservative screening tools to evaluate potentially impacted sites and are not enforceable regulatory standards. Chemicals of potential concern (COPC) detected in soil vapor at concentrations that are less than respective ESLs are generally assumed to not pose a significant threat to human health or the environment, whereas COPC concentrations that equal or exceed their respective ESLs may indicate that additional investigation or cleanup actions are appropriate.

4.1 Preliminary Screening Assessment

As reported in Section 3, the maximum TCE concentration in the soil vapor samples was $700 \mu\text{g}/\text{m}^3$ for the sample collected from boring SV-2. TCE was the only VOC in soil vapor detected at concentrations equal to or exceeding its reporting limit. The maximum TCE concentration of $700 \mu\text{g}/\text{m}^3$ exceeds the Tier 1 residential soil vapor ESL of $240 \mu\text{g}/\text{m}^3$.

4.2 Vapor Intrusion Modeling

Because the maximum TCE concentration exceeds the Tier 1 residential ESL for TCE, we performed a Tier 2 (site-specific) screening evaluation using the DTSC-modified Johnson and Ettinger (J&E) Model to estimate human health (cancer and non-cancer) risk resulting from vapor intrusion to indoor air. Following is a summary of conservative assumptions of the J&E Model and site-specific information we entered into the model:

- The Site was evaluated under a residential scenario. Default residential parameters included in the J&E Model include a 70-year averaging time for carcinogens, 26-year averaging time for non-carcinogens, 26-year exposure duration, 350 days per year exposure frequency, 24 hours per day exposure time, and 0.5 time per hour air exchange rate. These conservative residential parameters are more conservative as applied to the project because the site residents will typically be students. Students generally occupy their residences for much fewer total years and fewer months per year than assumed for a typical single-family residential scenario.
- The highest TCE concentration of 700 $\mu\text{g}/\text{m}^3$ was used as an input value.
- The soil vapor sampling depth was 36 feet (1,097 centimeters [cm]) for boring SV-2, where the highest concentration of TCE was detected.
- The default soil temperature of 24 degrees Celsius was used.
- Default values for soil dry bulk density, soil total porosity and soil water-filled porosity of sand were used in the performance of the J&E Model. These values are 1.66 g/cm^3 , 0.375 (unit-less), and 0.054 cm^3/cm^3 , respectively. Sand was used as an input parameter to obtain the most conservative model output. Clay and silt clay are the predominant soil types encountered beneath the Site, as shown on logs of soil borings Geocon advanced at the Site in 2016 for geotechnical purposes (Geocon, 2016).

4.3 Results

Using the maximum TCE concentration detected in the soil vapor samples and the parameters stated above, the model calculated a TCE concentration for indoor air on the Site of 0.19 $\mu\text{g}/\text{m}^3$, which is less than the residential indoor air ESL of 0.480 $\mu\text{g}/\text{m}^3$. This TCE concentration in indoor air equates to an incremental excess lifetime cancer risk (IELCR) and respective cumulative hazard index of 2.8×10^{-7} and 0.09, respectively. The calculated IELCR is less than the USEPA's target cancer risk level of 1.0×10^{-6} and the calculated hazard index is less than the USEPA's target non-cancer hazard index of 1.00. The calculated TCE concentration for indoor air and associated risk levels indicate that vapor intrusion of TCE to indoor air on the Site will not be a threat to the health of site users. In other words, while construction of the project will not mobilize soil vapor (Appendix D, Geocon, October 12, 2017 letter), this analysis demonstrates that the TCE concentration for indoor air, even if a vapor intrusion pathway was present, would not be in excess of the risk thresholds. The input parameters and results for the J&E Model are in Appendix B.

5.0 CONCLUSIONS AND RECOMMENDATIONS

The results of the soil vapor assessment indicate that TCE is present in deep soil vapor beneath the Site. No other VOCs were detected in the soil vapor samples at concentrations exceeding laboratory reporting limits. Soil vapor samples were collected at a depth of 36 and 40 feet, just above first-encountered ground water and the capillary fringe, in an effort to identify the highest VOC concentrations in soil vapor beneath the planned student housing development on the Site. Because of the generally low-permeability (clayey) soil beneath the Site, we expect TCE concentrations in soil vapor at depths of 10 feet or shallower to be less than those encountered at 36 to 40 feet beneath the Site.

Using the highest TCE concentration detected in deep soil vapor samples, conservative site occupancy assumptions, and conservative soil type parameters in the J&E model, the calculated IELCR is less than the USEPA's target cancer risk of 1.0×10^{-6} and the calculated hazard index is less than the target non-cancer hazard index of 1.0. If site-specific soil type parameters are used in the model, the IELCR and hazard index are lower yet than that calculated.

The results of the soil vapor assessment and site-specific health risk screening evaluation suggest that there is not an unacceptable level of health risk to site residents or workers in indoor air and no further evaluation of VOCs in soil vapor beneath the Site appears to be warranted.

Lastly, the planned site development will be constructed "at-grade" and excavation for a pool and utilities is not planned to be greater than 12 feet. Construction and the planned development itself are not expected to exacerbate existing conditions beneath the Site with respect to VOCs in soil vapor.

6.0 LIMITATIONS

This report has been prepared exclusively for the Client. The information obtained is only relevant as of the date of this report. The Client should recognize that this report is not a comprehensive site characterization and should not be construed as such. The findings presented in this report are predicated on the results of the limited sampling and laboratory analyses described herein.

Therefore, the report should only be deemed conclusive with respect to the information obtained. No guarantee of the results of the study is implied within the intent of this report. The services performed were conducted in accordance with the local standard of care in the geographic region at the time the services were rendered.

7.0 REFERENCES

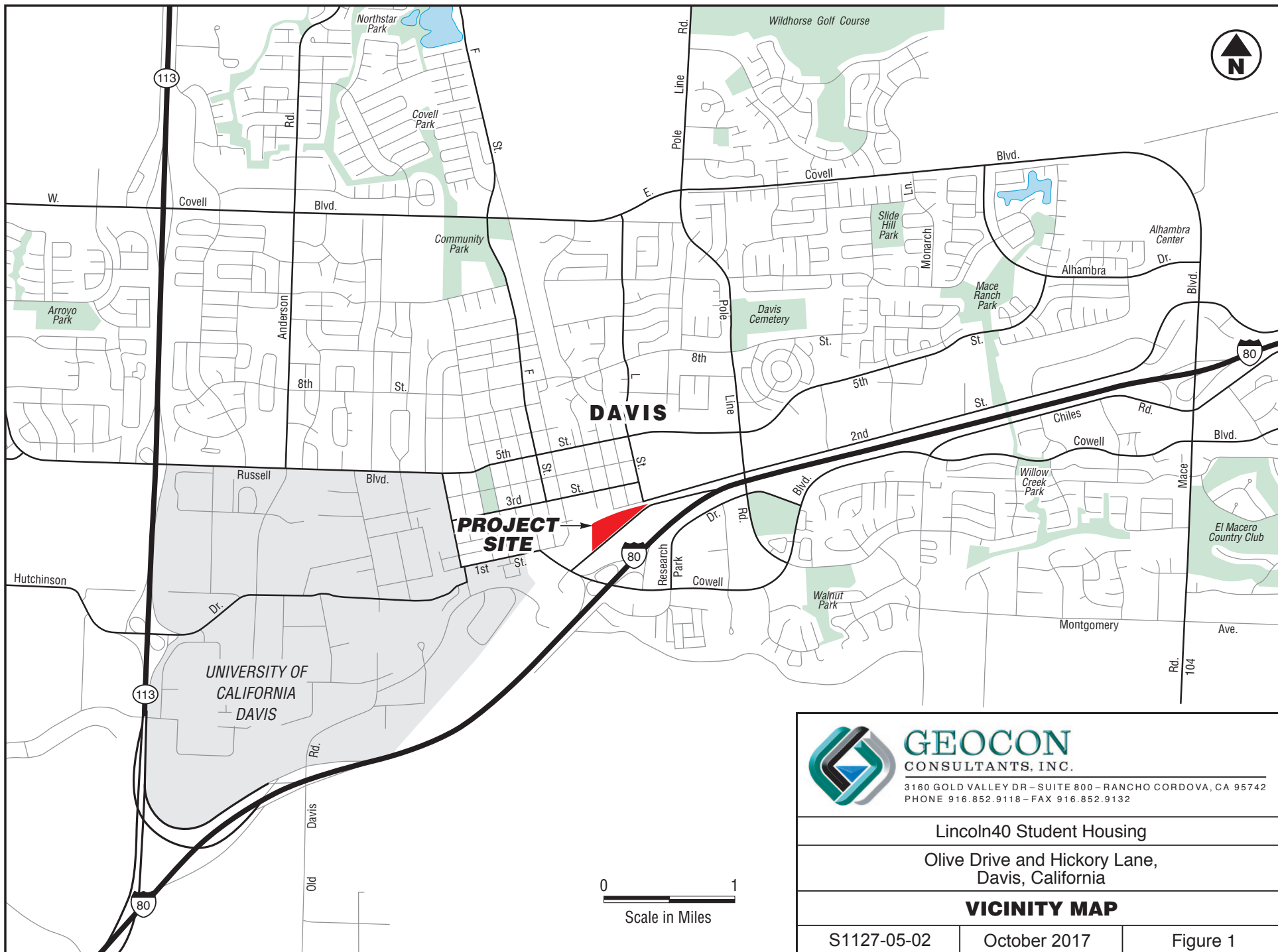
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Department of Toxic Substances Control, *Advisory – Active Soil Gas Investigations*, July 2015.

Geocon, *Geotechnical Investigation – Lincoln40 Student Housing, Davis, California*, February 3, 2016.

Terraphase Engineering, Inc., *Work Plan for In-situ Remediation of Groundwater, I Street Development Site, Davis, California*, August 7, 2017 (2017).

Terraphase Engineering, Inc., *First Semester 2017 Semiannual Groundwater Monitoring Report I Street Development Site 920 3rd Street Davis, California*, May 1, 2017 (2017a).



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Lincoln40 Student Housing

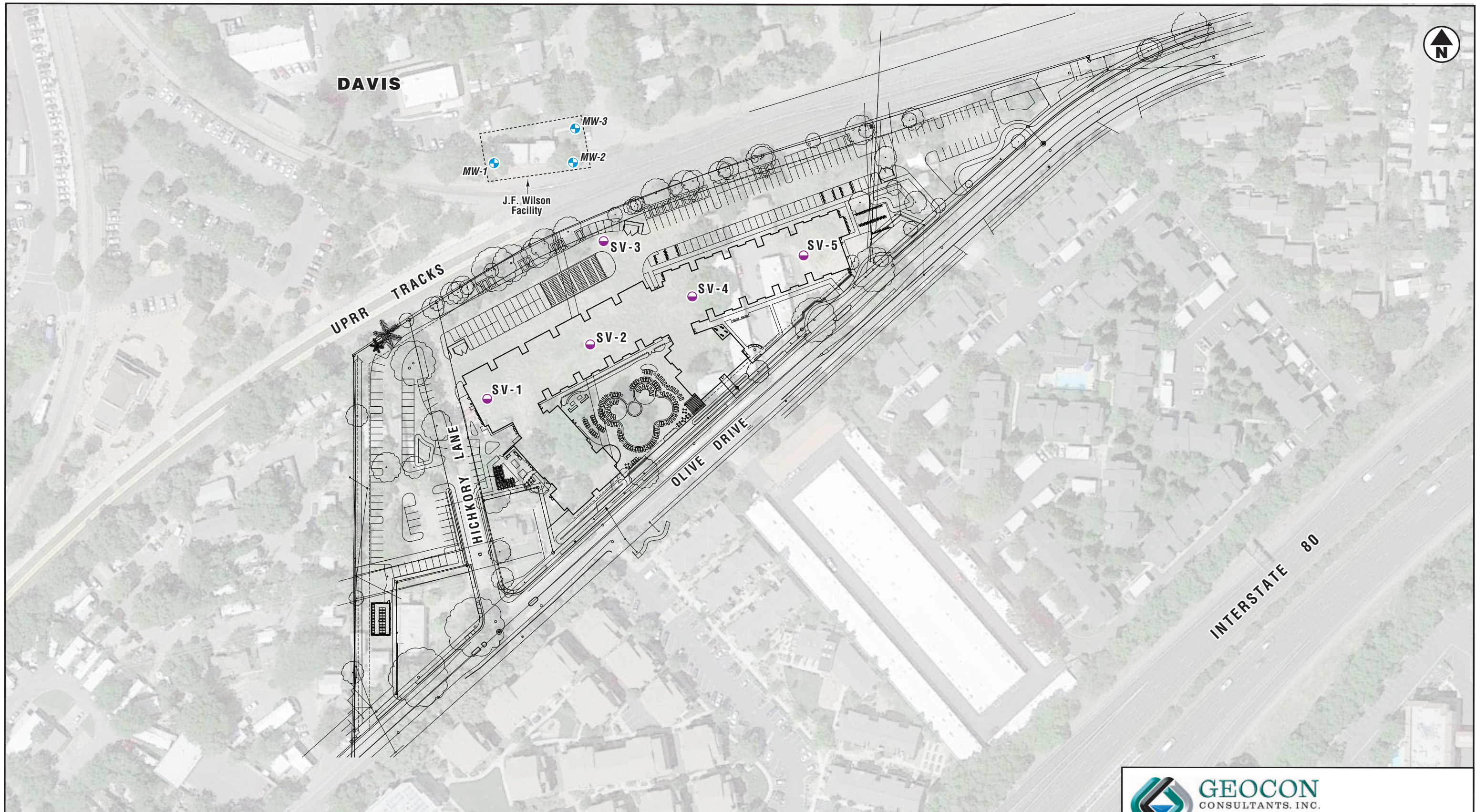
Olive Drive and Hickory Lane,
Davis, California

VICINITY MAP



S1127-05-02

October 2017

Figure 1



LEGEND:

- SV-1  Approximate Soil Vapor Sampling Location
- MW-1  Approximate Monitoring Well Location (J. F. Wilson)



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Lincoln40 Student Housing

Olive Drive and Hickory Lane,
Davis, California

SITE PLAN

S1127-05-02

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Figure 2

TABLE 1
SUMMARY OF SOIL VAPOR ANALYTICAL DATA - VOCs
LINCOLN40 PROJECT
OLIVE DRIVE AND HICKORY LANE
DAVIS, CALIFORNIA

| Sample ID | Sample Date | Sample Depth (Feet) | Benzene | Toluene | Ethylbenzene | Xylene | Trichloroethene | Tetrachloroethene | Chloroform | Additional VOCs | 1,1 Difluoroethane ¹ |
|---------------------------------|-------------|---------------------|--------------------------|---------|--------------|--------|-----------------|-------------------|------------|-----------------|---------------------------------|
| | | | $\mu\text{g}/\text{m}^3$ | | | | | | | | |
| SV-1 | 9/28/2017 | 40 | <80 | <200 | <100 | <200 | <100 | <100 | <100 | ND | <10,000 |
| SV-2 | 9/28/2017 | 36 | <80 | <200 | <100 | <200 | 700 | <100 | <100 | ND | <10,000 |
| SV-3 | 9/28/2017 | 36 | <80 | <200 | <100 | <200 | 530 | <100 | <100 | ND | <10,000 |
| SV-4 | 9/28/2017 | 36 | <80 | <200 | <100 | <200 | <100 | <100 | <100 | ND | <10,000 |
| SV-5 | 9/28/2017 | 36 | <80 | <200 | <100 | <200 | <100 | <100 | <100 | ND | <10,000 |
| Tier 1 ESLs Subslab/Soil Gas | | | 48 | 160,000 | 560 | 52,000 | 240 | 240 | 61 | NA* | NA |

Notes:

¹ = leak check compound

VOCs = Volatile Organic Compounds

Tier 1 ESLs = San Francisco Bay Regional Water Quality Control Board Environmental Screening Levels for subslab and soil vapor, February 2016 (rev. 3). Input settings are for residential land use, deep groundwater depth, fine to coarse soil type and intact building slab.

< = Less than reporting limit

* = Additional VOCs analyzed were not reported above reporting limits. See full analytical report in Appendix A for details.

ND = Not Detected

NA = Not Applicable

APPENDIX

A

Geocon Consultants, Inc. Project # S1127-05-02
 Lincoln 40 Student Housing
 Olive Drive and Hickory Lane
 Davis, California

PRELIMINARY

TEG Project #70928E

PRELIMINARY

EPA Method 8260B VOC Analyses of SOIL VAPOR in micrograms per cubic meter of Vapor

| SAMPLE NUMBER: | | Probe Blank | SV-1 | SV-2 | SV-3 | SV-4 | SV-5 |
|---------------------------------|-------|----------------|---------|---------|---------|---------|---------|
| SAMPLE DEPTH (feet): | | | 40.0 | 36.0 | 36.0 | 36.0 | 36.0 |
| PURGE VOLUME: | | | 3 | 3 | 1 | 3 | 3 |
| COLLECTION DATE: | | 9/28/17 | 9/28/17 | 9/28/17 | 9/28/17 | 9/28/17 | 9/28/17 |
| COLLECTION TIME: | | 8:45 | 11:22 | 12:27 | 13:23 | 13:48 | 14:15 |
| DILUTION FACTOR: | | 1 | 1 | 1 | 1 | 1 | 1 |
| RL | | | | | | | |
| Dichlorodifluoromethane | 100 | nd | nd | nd | nd | nd | nd |
| Vinyl Chloride | 100 | nd | nd | nd | nd | nd | nd |
| Chloroethane | 100 | nd | nd | nd | nd | nd | nd |
| Trichlorofluoromethane | 100 | nd | nd | nd | nd | nd | nd |
| 1,1-Dichloroethene | 100 | nd | nd | nd | nd | nd | nd |
| 1,1,2-Trichloro-trifluoroethane | 100 | nd | nd | nd | nd | nd | nd |
| Methylene Chloride | 100 | nd | nd | nd | nd | nd | nd |
| trans-1,2-Dichloroethene | 100 | nd | nd | nd | nd | nd | nd |
| 1,1-Dichloroethane | 100 | nd | nd | nd | nd | nd | nd |
| cis-1,2-Dichloroethene | 100 | nd | nd | nd | nd | nd | nd |
| Chloroform | 100 | nd | nd | nd | nd | nd | nd |
| 1,1,1-Trichloroethane | 100 | nd | nd | nd | nd | nd | nd |
| Carbon Tetrachloride | 100 | nd | nd | nd | nd | nd | nd |
| 1,2-Dichloroethane | 100 | nd | nd | nd | nd | nd | nd |
| Benzene | 80 | nd | nd | nd | nd | nd | nd |
| Trichloroethene | 100 | nd | nd | 700 | 530 | nd | nd |
| Toluene | 200 | nd | nd | nd | nd | nd | nd |
| 1,1,2-Trichloroethane | 100 | nd | nd | nd | nd | nd | nd |
| Tetrachloroethene | 100 | nd | nd | nd | nd | nd | nd |
| Ethylbenzene | 100 | nd | nd | nd | nd | nd | nd |
| 1,1,1,2-Tetrachloroethane | 100 | nd | nd | nd | nd | nd | nd |
| m,p-Xylene | 200 | nd | nd | nd | nd | nd | nd |
| o-Xylene | 100 | nd | nd | nd | nd | nd | nd |
| 1,1,2,2-Tetrachloroethane | 100 | nd | nd | nd | nd | nd | nd |
| 1,1 Difluoroethane (leak check) | 10000 | nd | nd | nd | nd | nd | nd |

'RL' Indicates reporting limit at a dilution factor of 1
 'nd' Indicates not detected at listed reporting limits

Analyses performed in TEG-Northern California's lab

APPENDIX

B

Department of Toxic Substances Control Vapor Intrusion Screening Model - Soil Gas

DATA ENTRY SHEET

Scenario: Residential
Chemical: Trichloroethylene

Reset to
Defaults

| Soil Gas Concentration Data | | | | Chemical |
|--|---|----|---|-------------------|
| ENTER Chemical CAS No. (numbers only, no dashes) | ENTER Soil gas conc., C_g ($\mu\text{g}/\text{m}^3$) | OR | ENTER Soil gas conc., C_g (ppmv) | |
| 79016 | 7.00E+02 | | | Trichloroethylene |

MESSAGE: See VLOOKUP table comments on chemical properties
and/or toxicity criteria for this chemical.

MORE
↓

| ENTER Depth below grade to bottom of enclosed space floor, L_F (15 or 200 cm) | ENTER Soil gas sampling depth below grade, L_s (cm) | ENTER Average soil temperature, T_s (°C) | ENTER Vadose zone SCS soil type (used to estimate soil vapor permeability) | OR | ENTER User-defined vadose zone soil vapor permeability, k_v (cm^2) |
|--|---|---|--|----|---|
| 15 | 1097 | 24 | S | | |

MORE
↓

| ENTER Vadose zone SCS soil type (Lookup Soil Parameters) | ENTER Vadose zone soil dry bulk density, ρ_b^A (g/cm^3) | ENTER Vadose zone soil total porosity, n^V (unitless) | ENTER Vadose zone soil water-filled porosity, θ_w^V (cm^3/cm^3) | ENTER Average vapor flow rate into bldg. (Leave blank to calculate) Q_{soil} (L/m) |
|---|---|--|---|--|
| S | 1.66 | 0.375 | 0.054 | 5 |

MORE
↓

Lookup Receptor
Parameters

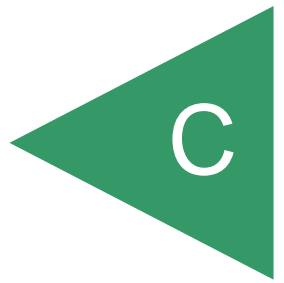
| ENTER Averaging time for carcinogens, AT_C (yrs) | ENTER Averaging time for noncarcinogens, AT_{NC} (yrs) | ENTER Exposure duration, ED (yrs) | ENTER Exposure frequency, EF (days/yr) | ENTER Exposure Time ET (hrs/day) | ENTER Air Exchange Rate ACH (hour^{-1}) |
|---|---|---|--|--|--|
| 70 | 26 | 26 | 350 | 24 (NEW) | 0.5 (NEW) |

NEW=> Residential

END

| Results Summary | | | | |
|--|----------------------------------|--|----------------|---------------------|
| Soil Gas Conc. ($\mu\text{g}/\text{m}^3$) | Attenuation Factor (unitless) | Indoor Air Conc. ($\mu\text{g}/\text{m}^3$) | Cancer Risk | Noncancer Hazard |
| 7.00E+02 | 2.7E-04 | 1.9E-01 | 2.8E-07 | 9.0E-02 |

APPENDIX



FOR OFFICE USE ONLY

PERMIT #: 17-137H WP #: 5733
 DATE RECEIVED: 9/22/17 FEES PAID: (737) 660-1919
 RECEIPT #: 864371 CHECK #: 86305
 FACILITY ID: 3393 CREDIT CARD: _____

MONITORING WELL AND SOIL BORING PERMIT APPLICATION FORM



YOLO COUNTY
 Department of Community Services
 Environmental Health Division
 292 W. Beamer Street, Woodland CA 95696
 Phone: (530) 666-8646 Fax: (530) 669-1448

PROPERTY OWNER INFORMATION

| | | |
|---|-------------------------------------|---|
| Site Name: <u>Lincoln 40 Student Housing</u> | | |
| Site Address: <u>1223 Olive Dr</u> <u>Olive Drive/Hickory Lane</u> | City: <u>Davis</u> | APN: <u>070-290-001</u> |
| Property Owner(s): <u>High Bridge Properties</u> | Phone Number: <u>(415) 847-7011</u> | Email: <u>pgradeff@highbridgeproperties.net</u> |
| Mailing Address: | City/State: | Zip Code: |

CONSULTANT INFORMATION

| | | |
|---|--|------------------------|
| Contact Name: <u>Gemma Reblando</u> | Business Name: <u>Geocon Consultants, Inc.</u> | |
| Phone Number: <u>(916) 852-9118</u> | Email: <u>reblando@geoconinc.com</u> | |
| Mailing Address: <u>3160 Gold Valley Dr. #800</u> | City/State: <u>Rancho Cordova, CA</u> | Zip Code: <u>95742</u> |
| Professional Engineer #: | Registered Geologist #: | Land Surveyor #: |

Pursuant to Section 13750.5 (Division 7, Chapter 10, Article 3) Construction, alteration, or destruction of monitoring wells to monitor hazardous waste facilities, other waste facilities, or underground storage tanks, shall be performed under the supervision of a California Registered Professional Engineer, California Registered Geologist, or California Certified Engineering Geologist, where specified by law.

LICENSED CONTRACTOR INFORMATION

| | | |
|---|---------------------------------------|-------------------------------|
| Business Name: <u>TEG</u> | Phone Number: <u>(916) 853-8010</u> | Email: <u>mark@tegnal.com</u> |
| Onsite Contractor's Name: | C57 License #: <u>706568</u> | Exp. Date: <u>5/31/2019</u> |
| Mailing Address: <u>11350 Monier Park Place</u> | City/State: <u>Rancho Cordova, CA</u> | Zip Code: <u>95742</u> |

WELL BORING TYPE:

☐ Monitoring Well ☐ Vapor well ☐ Extraction Well ☒ Exploratory Boring ☐ Sparging Well
☐ Bloventing Well ☐ Cathodic Well ☐ Exploratory Well ☐ Other: _____

CONTAMINATED SITE? ☐ Yes ☐ No WELL ABANDONMENT? ☐ Yes ☒ No

DRILLING METHOD: ☐ Mud Rotary ☐ Air Rotary ☒ Push ☐ Auger ☐ Other: _____

Description of Work:

Advance 3 direct-push borings to a depth just above groundwater (around 40 feet) for soil vapor sampling only.

I will comply with all Codes, Rules, and Regulations of the State and County pertaining to construction, alteration or destruction of monitoring wells and soil borings. As owner or owner's authorized representative, I confirm all information provided on this form is correct to the best of my knowledge.

Print Name & Title: GEMMA REBLANDO / Project Geologist Signature: [Signature] Date: 9/22/17

The Environmental Health Specialist has up to 10 business days to review the application.
 Application cannot be revised without prior approval from the Environmental Health Division.

PERMIT EXPIRES ONE (1) YEAR AFTER DATE OF ISSUANCE (UNLESS EXTENDED)

FOR OFFICE USE ONLY

Installation Permit Issuance

☐ Approved ☒ Approved with Conditions

Date: 9/25/17 HMS Signature: [Signature] Mark Carley

FOR OFFICE USE ONLY

PERMIT # 17-136H WP # 5732
 DATE RECEIVED 9/22/17 FEES PAID (137) pd on 9/19/17
 RECEIPT # 869371 CHECK # 86305
 FACILITY ID: 19180 CREDIT CARD

MONITORING WELL AND SOIL BORING PERMIT APPLICATION FORM

YOLO COUNTY

Department of Community Services

Environmental Health Division

292 W. Beamer Street, Woodland CA 95695

Phone: (530) 666-8646 Fax: (530) 669-1448



PROPERTY OWNER INFORMATION

Site Name: Lincoln 40 Student HousingSite Address: 1231 Olive Dr
Olive Drive/Hickory LaneCity: DavisAPN: 070-290-004Property Owner(s): High Bridge PropertiesPhone Number: (415) 847-7011Email: pgradeff@highbridgeproperties.net

Mailing Address:

City/State:

Zip Code:

CONSULTANT INFORMATION

Contact Name: Gemma ReblandoBusiness Name: Geocon Consultants, Inc.Phone Number: (916) 852-9118Email: reblando@geoconinc.comMailing Address: 3160 Gold Valley Dr. #800City/State: Rancho Cordova, CAZip Code: 95742

Professional Engineer #:

Registered Geologist #:

Land Surveyor #:

Pursuant to Section 13750.5 (Division 7, Chapter 10, Article 3) Construction, alteration, or destruction of monitoring wells to monitor hazardous waste facilities, other waste facilities, or underground storage tanks, shall be performed under the supervision of a California Registered Professional Engineer, California Registered Geologist, or California Certified Engineering Geologist, where specified by law.

LICENSED CONTRACTOR INFORMATION

Business Name: TEGPhone Number: (916) 853-8010Email: mark@tegnal.com

Onsite Contractor's Name:

C67 License #: 706568Exp. Date: 5/31/2019Mailing Address: 11350 Monier Park PlaceCity/State: Rancho Cordova, CAZip Code: 95742

WELL BORING TYPE:

☐ Monitoring Well ☐ Vapor well ☐ Extraction Well ☒ Exploratory Boring ☐ Sparging Well
☐ Bioventing Well ☐ Cathodic Well ☐ Exploratory Well ☐ Other: _____

CONTAMINATED SITE? ☐ Yes ☐ No WELL ABANDONMENT? ☐ Yes ☒ No

DRILLING METHOD: ☐ Mud Rotary ☐ Air Rotary ☒ Push ☐ Auger ☐ Other: _____

Description of Work:

Advance 1 direct-push boring to a depth just above groundwater (around 40 feet) for soil vapor sampling only.

I will comply with all Codes, Rules, and Regulations of the State and County pertaining to construction, alteration or destruction of monitoring wells and soil borings. As owner or owner's authorized representative, I confirm all information provided on this form is correct to the best of my knowledge.

Print Name & Title: GEMMA REBLANDO / Project GeologistSignature: Gemma ReblandoDate: 9/22/17

The Environmental Health Specialist has up to 10 business days to review the application.
 Application cannot be revised without prior approval from the Environmental Health Division.

PERMIT EXPIRES ONE (1) YEAR AFTER DATE OF ISSUANCE (UNLESS EXTENDED)

FOR OFFICE USE ONLY

Installation Permit Issuance

HI Approved ☒ Approved with Conditions

Date: 9/25/17 HMS Signature: [Signature]

Mark Carley

FOR OFFICE USE ONLY

PERMIT # 17-1354 WP # 5731
 DATE RECEIVED 9/22/17 FEES PAID 737
 RECEIPT # 36-9371 CHECK # 86305
 FACILITY ID 19179 CREDIT CARD:

**MONITORING WELL AND SOIL BORING
 PERMIT APPLICATION FORM**

YOLO COUNTY
 Department of Community Services

Environmental Health Division
 292 W. Beamer Street, Woodland CA 95695
 Phone: (530) 666-8646 Fax: (530) 669-1448

**PROPERTY OWNER INFORMATION**

| | | |
|---|------------------------------|--|
| Site Name: Lincoln40 Student Housing | | |
| Site Address: <u>1145 Olive Dr</u> | City: Davis | APN: 070-280-015 |
| Property Owner(s): High Bridge Properties | Phone Number: (415) 847-7011 | Email: pgradeff@highbridgeproperties.net |
| Mailing Address: | City/State: | Zip Code: |

CONSULTANT INFORMATION

| | | |
|--|---|------------------|
| Contact Name: Gemma Reblando | Business Name: Geocon Consultants, Inc. | |
| Phone Number: (916) 852-9118 | Email: reblando@geoconinc.com | |
| Mailing Address: 3160 Gold Valley Dr. #800 | City/State: Rancho Cordova, CA | Zip Code: 95742 |
| Professional Engineer #: | Registered Geologist #: | Land Surveyor #: |

Pursuant to Section 13750.5 (Division 7, Chapter 10, Article 3) Construction, alteration, or destruction of monitoring wells to monitor hazardous waste facilities, other waste facilities, or underground storage tanks, shall be performed under the supervision of a California Registered Professional Engineer, California Registered Geologist, or California Certified Engineering Geologist, where specified by law.

LICENSED CONTRACTOR INFORMATION

| | | |
|--|--------------------------------|------------------------|
| Business Name: TEG | Phone Number: (916) 853-8010 | Email: mark@tegnal.com |
| Onsite Contractor's Name: | C57 License #: 706568 | Exp. Date: 5/31/2019 |
| Mailing Address: 11350 Monier Park Place | City/State: Rancho Cordova, CA | Zip Code: 95742 |

WELL BORING TYPE:

☐ Monitoring Well ☐ Vapor well ☐ Extraction Well ☒ Exploratory Boring ☐ Sparging Well
☐ Bioventing Well ☐ Cathodic Well ☐ Exploratory Well ☐ Other:

CONTAMINATED SITE? ☐ Yes ☐ No **WELL ABANDONMENT?** ☐ Yes ☒ No

DRILLING METHOD: ☐ Mud Rotary ☐ Air Rotary ☒ Push ☐ Auger ☐ Other:

Description of Work:

Advance 1 direct-push boring to a depth just above groundwater (around 40 feet) for soil vapor sampling only.

I will comply with all Codes, Rules, and Regulations of the State and County pertaining to construction, alteration or destruction of monitoring wells and soil borings. As owner or owner's authorized representative, I confirm all information provided on this form is correct to the best of my knowledge.

Print Name & Title: GEMMA REBLANDO / Project Geologist

Signature: Gemma Reblando Date: 9/22/17

The Environmental Health Specialist has up to 10 business days to review the application.
 Application cannot be revised without prior approval from the Environmental Health Division.

PERMIT EXPIRES ONE (1) YEAR AFTER DATE OF ISSUANCE (UNLESS EXTENDED)

FOR OFFICE USE ONLY

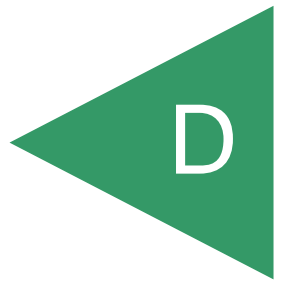
Installation Permit Issuance

☐ Approved ☒ Approved with Conditions

Date: 9/25/17 HMS Signature: [Signature]

Matt Corkey

APPENDIX





Project No. S1127-05-02
October 12, 2017

Paul Gradeff
HighBridge Properties
101 Montgomery Street, Ste. 2550
San Francisco, California 94104-4158

Subject: RESPONSE TO COMMENTS ON DRAFT EIR
 LINCOLN 40 PROJECT
 DAVIS, CALIFORNIA

Dear Mr. Gradeff:

This letter provides our response to a comment received regarding a Draft Environmental Impact Report (DEIR) for the planned Lincoln 40 Project (the Site) in Davis, California. The City of Davis received a comment from Greg Rowe of Davis, California, referencing the former JF Wilson facility at 203 J Street and "hazardous substances" such as chlorinated solvents like trichloroethene (TCE) and tetrachloroethene (PCE) in soil and groundwater at that facility. Mr. Rowe commented "...that the DEIR be revised to include analysis of whether excavation and use of heavy construction equipment at the Lincoln40 site could cause ground shaking of sufficient magnitude to cause expansion of the current soil and groundwater plume containing these contaminants."

The JF Wilson facility is located north of the Site beyond the Union Pacific Railroad (UPRR) mainline tracks. The lateral and vertical extent of TCE and PCE from the JF Wilson facility has not been defined; however, Geocon conducted a soil vapor assessment at the Site on September 28, 2017, in which TCE was detected in soil vapor samples collected immediately above the groundwater table. Although TCE concentrations in the soil vapor samples don't suggest conditions that are a threat to the health of site users, the presence of TCE in deep soil vapor indicates that TCE is in groundwater beneath the Site.

Regarding operation of heavy construction equipment at the Site, it is our opinion that ground shaking will not mobilize contaminants in soil, soil vapor, or groundwater. The UPRR mainline tracks are located between the JF Wilson facility and the Site. Daily train traffic would produce more ground shaking than any planned use of heavy equipment at the Site. An analysis of ground shaking on contaminant mobilization from offsite sources is not warranted.

We appreciate the opportunity to assist you on this project. Please let us know if you have questions regarding this review summary or if we can be of further service.

Sincerely,

GEOCON CONSULTANTS, INC.

A green ink signature of Trevor Hartwell, PG, consisting of a stylized 'T' and 'H' followed by a long horizontal line.

Trevor Hartwell, PG
Project Geologist

A green ink signature of Jim Brake, PG, consisting of a stylized 'J' and 'B' followed by a horizontal line.

Jim Brake, PG
Senior Geologist

APPENDIX B

HISTORICAL RESOURCE ANALYSIS STUDY OF THE LINCOLN 40 PROJECT, INCLUDING 1111, 1165, 1185, 1207 AND 1225 OLIVE DRIVE AND 113 AND 118 HICKORY LANE, DAVIS, YOLO COUNTY, CALIFORNIA 95616

JANUARY 2016
REVISED OCTOBER 2016



PREPARED FOR:

Paul Gradeff
HighBridge Properties
101 Montgomery Street, Suite 2550
San Francisco, CA 94104

PREPARED BY:

Historic Resource Associates
2001 Sheffield Drive
El Dorado Hills, CA 95762

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Figure 23: 118 Hickory Lane residence, looking northeast from Hickory Lane.

ATTACHMENTS

DPR 523A - Primary Records

DPR 523B - Building, Structure, and Object Records

ACKNOWLEDGMENTS

Special thanks to Sandra Fuentes for providing family photographs and guiding me through the Callori family history. Thanks also to Frank Jordan, another Callori family member, who grew up along Olive Drive and provided additional family history, and to other Callori family members, including Linda Callori Pasley, Frederick G. Callori, Steven Callori, and Kevin Callori.

The cover photograph was provided by Sandra Fuentes, depicting the Callori family in the 1930s, seated, from left to right: Giuseppe, wife Maria, brother Pietro Callori, and standing, from left to right: Fred, Irene, Dora, and Joseph.

I. INTRODUCTION AND PROJECT DESCRIPTION

The Lincoln 40 project requests approval to develop approximately 120 student apartment units. The proposed development will be located on an underutilized group of parcels that are located along the northern portion of East Olive Drive. This development will provide a safe and pedestrian oriented development within a short walk from the downtown core and the University of California, Davis campus. Catering to students, Lincoln 40 will include, but not be limited to, a study lounge, bike repair station, fitness facility, swimming pool and outdoor living areas. The development will be a four-story wood frame construction building and will offer an ample buffer from adjoining parcels and roadway.

This historical resource analysis serves as an addendum to the study conducted by Dennis J. Dahlin and dated February 23, 2015. The project site borders Olive Drive (Lincoln Highway/Old US 40) on the south, Slatter's Court on the west, and the Union Pacific Railroad right of way on the north. The triangular-shaped project area includes 115 Hickory Lane and 1233 Olive Drive, which were assessed by Dahlin in February 2015, as well as 1111, 1165, 1185, 1207, and 1225 Olive Drive and 113 and 118 Hickory Lane, which were formally recorded and evaluated for this study. The project site includes Assessor's Parcel Numbers (APN) 070-280-10, 12, 13, 14, 15, and 16; and 070-290-001, 002, and 004, all lying within the incorporated boundaries of the City of Davis.

The historical development of this section of Davis occurred less systematically, largely because the area was separated by the railroad right of way and lay along the periphery of the city proper. Historic maps suggest this portion of Davis was associated more with the region's agricultural and transportation heritage, since Olive Drive was itself a part of the Lincoln Transcontinental Highway and later signed as State Route 40.

Because of its association with the highway, Olive Drive saw mixed uses, including single-family homes, rental cottages, auto courts, gas stations, and retail businesses, such as restaurants and stores. All the buildings constructed along this transportation corridor appear to have been quite modest in scale and design, and most of the development occurred between the 1920s through the 1940s, with later infill in the 1950s through the early 1960s. During the 1980s previously undeveloped land south of Olive Drive was subdivided and developed with apartment complexes to house students from the University of California, Davis.

On July 10, 1996, the City of Davis approved the Gateway/Olive Drive Specific Plan. The Plan was subsequently amended in March and May of 2002.¹ The Plan provides guidance for future uses along the Olive Drive corridor, including the area encompassed by the proposed project.



Figure 1: Aerial view of the project site (Google Earth 2014).

II. REGULATORY AND EVALUATION FRAMEWORK

A. National Register of Historic Places (NRHP) Criteria

Criterion A: Event

Properties can be eligible for the National Register if they are associated with events that have made a significant contribution to the broad patterns of our history.

Criterion B: Person

Properties may be eligible for the National Register if they are associated with the lives of persons significant in our past.

¹ City of Davis. Gateway/Olive Drive Specific Plan, July 10, 1996, amended March 13, 2002 and May 1, 2002.

Criterion C: Design/Construction

Properties may be eligible for the National Register if they embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction.

Criterion D: Information Potential

Properties may be eligible for the National Register if they have yielded, or may be likely to yield, information important in prehistory or history.

As the National Register points out, “when evaluated within its historic context, a property must be shown to be significant for one or more of the four Criteria for Evaluation - A, B, C, or D.” The rationale for judging a property's significance and, ultimately, its eligibility under the Criteria is its historic context and integrity. The use of historic context allows a property to be properly evaluated in a variety of ways. The key to determining whether the characteristics or associations of a particular property are significant is to consider the property within its proper historic context.²

B. CEQA and CRHR Criteria

The California Environmental Quality Act (CEQA) is the principal statute mandating environmental assessment of projects in California. The purpose of CEQA is to evaluate whether a proposed project may have an adverse effect on the environment and, if so, if that effect can be reduced or eliminated by pursuing an alternative course of action or through mitigation. CEQA is part of the Public Resources Code (PRC), Sections 21000 et seq. The CEQA Guidelines are the regulations that govern the implementation of CEQA. The CEQA Guidelines are codified in the California Code of Regulations (CCR), Title 14, Chapter 3, Sections 15000 et seq. and are binding on state and local public agencies. The basic goal of CEQA is to develop and maintain a high-quality environment now and in the future, while the specific goals of CEQA are for California's public agencies to:

1. Identify the significant environmental effects of their actions; and, either
2. Avoid those significant environmental effects, where feasible; or
3. Mitigate those significant environmental effects, where feasible.

² USDI, National Park Service. National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation, n.d.

Historical resources are recognized as part of the environment under CEQA (PRC §21002(b), 21083.2, and 21084.1). The California Register of Historic Resources (CRHR) is an authoritative guide to the state's historical resources and to which properties are considered significant for purposes of CEQA. The California Register includes resources listed in or formally determined eligible for listing in the National Register of Historic Places, as well as some California State Landmarks and Points of Historical Interest. Properties of local significance that have been designated under a local preservation ordinance (local landmarks or landmark districts) or that have been identified in a local historical resources inventory may be eligible for listing in the California Register and are presumed to be significant resources for purposes of CEQA unless a preponderance of evidence indicates otherwise (PRC § 5024.1, 14 CCR§ 4850).

A historical resource may be eligible for inclusion in the CRHR if it:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. Is associated with the lives of persons important in our past;
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, represents the work of an important creative individual, or possesses high artistic values; or
4. Has yielded, or may be likely to yield, information important to prehistory or history.

Even if a resource is not listed in, or determined eligible for listing in, the CRHR, the lead agency may consider the resource to be an "historical resource" for the purposes of CEQA provided that the lead agency determination is supported by substantial evidence (CEQA Guidelines 14 CCR 15064.5).

According to the state guidelines, a project with an effect that may cause a substantial adverse change in the significance of a historical resource or a unique archaeological resource is a project that may have a significant effect on the environment (14 CCR 15064.5[b]). CEQA further states that a substantial adverse change in the significance of a resource means the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired. Actions that would materially impair the significance of a historical resource are any actions that would demolish or adversely alter those physical characteristics of a historical resource that convey its significance and qualify it for inclusion in the CRHR or in a local register or survey that meet the requirements of PRC 5020.1(k) and 5024.1(g).

C. Landmark Resource Criteria

The City of Davis Historical Resources Management Zoning Code defines a Landmark as follows:

“Landmark” means buildings, structures, objects, signs, features, sites, places, areas, cultural landscapes or other improvements of the highest scientific, aesthetic, educational, cultural, archaeological, architectural, or historical value to the citizens of the City of Davis and designated as such by the City Council pursuant to the provisions of this article. A landmark is deemed to be so important to the historical and architectural fabric of the community that its loss would be deemed a major loss to the community. Once designated, Landmarks are included in the Davis Register of Historical Resources. Landmarks were formerly designated as “Outstanding Historical Resources.”

(a) Upon the recommendation of the Historical Resource Management Commission and approval of the City Council a Historical Resource may be designated a Landmark if the resource meets any of the following four criteria at the local, state, or national level of significance and retains a high level of historic integrity as defined by this article.

(1) Associated with events that have made a significant contribution to the broad patterns in the history of Davis, California, or the Nation; or

(2) Associated with the lives of significant persons in the history of Davis, California, or the Nation; or

(3) Embodies the distinctive characteristics of a type, period, architectural style or method of construction; or that represent the work of a master designer; or that possess high artistic values; or that represents a significant and distinguishable entity whose components may lack individual distinction; or

(4) Has yielded or may likely yield archaeological or anthropological information important in the study of history, prehistory, or human culture.

(b) Landmark factors to be considered. In determining whether to designate a resource a Landmark, the following factors should be considered, if applicable:

(1) A resource moved from its original location may be designated a Landmark if it is significant primarily for its architectural value or it is one of the most important surviving structures associated with an important person or historic event.

(2) A birthplace or grave may be designated a Landmark if it is that of a historical figure of outstanding importance within the history of Davis, the state or the nation and there are no other appropriate sites or resources directly associated with his or her life or achievements.

(3) A reconstructed building may be designated a Landmark if the reconstruction is historically accurate and is based on sound historical documentation, is executed in a suitable environment, and if no other original structure survives that has the same historical association.

(4) A resource achieving significance within the past fifty (50) years may be designated a landmark if the resource is of exceptional importance within the history of Davis, the state or the nation.

D. Merit Resource Criteria

The Historical Resources Management Commission may also designate a resource as a Merit Resource. A Merit Resource is defined in city zoning as follows:

“Merit Resource” means buildings, structures, objects, signs, features, sites, places, areas, cultural landscapes or other improvements with scientific, aesthetic, educational, cultural, archaeological, architectural, or historical value to the citizens of the City of Davis and designated as such by the City Council pursuant to the provisions of this article. Once designated, Merit Resources are included in the Davis Register. Merit Resources were formerly designated as “Historical Resources.”

(c) Upon the recommendation of the Historical Resource Management Commission and approval of the City Council a Historical Resource may be designated a Merit Resource if the resource meets one of the following four criteria at the local level of significance and possesses historic integrity as defined under this article:

(1) Associated with events that have made a significant contribution to the broad patterns in the history of Davis; or

(2) Associated with the lives of significant persons in the history of Davis; or

(3) Embodies the distinctive characteristics of a type, period, architectural style or method of construction; or that represent the work of a master designer; or that possess high artistic values; or

that represents a significant and distinguishable entity whose components may lack individual distinction; or

(4) Has yielded or may likely yield archaeological or anthropological information important in the study of history, prehistory, or human culture.

(d) Merit Resources factors to be considered. In determining whether to designate a resource a Merit Resource, the following factors should be considered, if applicable:

(1) A resource moved from its original location may be designated a Merit Resource if it is significant for its architectural value or if an understanding of the associated important person or historic event has not been impaired by the relocation.

(2) A birthplace or grave may be designated a Merit Resource if it is that of a historical figure of outstanding importance within the history of Davis and there are no other appropriate sites or resources directly associated with his or her life or achievements.

(3) A reconstructed building may be designated a Merit Resource if the reconstruction is historically accurate and is based on sound historical documentation, is executed in a suitable environment, and if no other original structure survives that has the same historical association.

Integrity Criteria

Determining the significance of any property requires the property to retain a certain level of integrity commensurate with its historic context. Integrity is defined by the National Park Service as follows:

Location

Location is the place where the historic property was constructed or the place where the historic event occurred. The relationship between the property and its location is often important to understanding why the property was created or why something happened. The actual location of a historic property, complemented by its setting, is particularly important in recapturing the sense of historic events and persons. Except in rare cases, the relationship between a property and its historic associations is destroyed if the property is moved.

Design

Design is the combination of elements that create the form, plan, space, structure, and style of a property. It results from conscious decisions made during the original conception and planning of a property (or its significant alteration) and applies to activities as diverse as community planning, engineering, architecture, and landscape architecture. Design includes such elements as organization of space, proportion, scale, technology, ornamentation, and materials. A property's design reflects historic functions and technologies as well as aesthetics. It includes such considerations as the structural system; massing; arrangement of spaces; pattern of fenestration; textures and colors of surface materials; type, amount, and style of ornamental detailing; and arrangement and type of plantings in a designed landscape. Design can also apply to districts, whether they are important primarily for historic association, architectural value, information potential, or a combination thereof. For districts significant primarily for historic association or architectural value, design concerns more than just the individual buildings or structures located within the boundaries. It also applies to the way in which buildings, sites, or structures are related: for example, spatial relationships between major features; visual rhythms in a streetscape or landscape plantings; the layout and materials of walkways and roads; and the relationship of other features, such as statues, water fountains, and archeological sites.

Setting

Setting is the physical environment of a historic property. Whereas location refers to the specific place where a property was built or an event occurred, setting refers to the *character* of the place in which the property played its historical role. It involves *how*, not just *where*, the property is situated and its relationship to surrounding features and open space.

Setting often reflects the basic physical conditions under which a property was built and the functions it was intended to serve. In addition, the way in which a property is positioned in its environment can reflect the designer's concept of nature and aesthetic preferences.

The physical features that constitute the setting of a historic property can be either natural or manmade, including such elements as:

- Topographic features (a gorge or the crest of a hill);
- Vegetation;
- Simple manmade features (paths or fences); and
- Relationships between buildings and other features or open space.

These features and their relationships should be examined not only within the exact boundaries of the property, but also between the property and its *surroundings*. This is particularly important for districts.

Materials

Materials are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property. The choice and combination of materials reveal the preferences of those who created the property and indicate the availability of particular types of materials and technologies. Indigenous materials are often the focus of regional building traditions and thereby help define an area's sense of time and place.

A property must retain the key exterior materials dating from the period of its historic significance. If the property has been rehabilitated, the historic materials and significant features must have been preserved. The property must also be an actual historic resource, not a recreation; a recent structure fabricated to look historic is not eligible. Likewise, a property whose historic features and materials have been lost and then reconstructed is usually not eligible (refer to Criteria Consideration E in Part VII: *How to Apply the Criteria Considerations* for the conditions under which a reconstructed property can be eligible.)

Workmanship

Workmanship is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory. It is the evidence of artisans' labor and skill in constructing or altering a building, structure, object, or site. Workmanship can apply to the property as a whole or to its individual components. It can be expressed in vernacular methods of construction and plain finishes or in highly sophisticated configurations and ornamental detailing. It can be based on common traditions or innovative period techniques. Workmanship is important because it can furnish evidence of the technology of a craft, illustrate the aesthetic principles of a historic or prehistoric period, and reveal individual, local, regional, or national applications of both technological practices and aesthetic principles. Examples of workmanship in historic buildings include tooling, carving, painting, graining, turning, and joinery.

Feeling

Feeling is a property's expression of the aesthetic or historic sense of a particular period of time. It results from the presence of physical features that, taken together, convey the property's historic character. For example, a rural historic district retaining original design, materials, workmanship, and

setting will relate the feeling of agricultural life in the 19th century. A grouping of prehistoric petroglyphs, unmarred by graffiti and intrusions and located on its original isolated bluff, can evoke a sense of tribal spiritual life.

Association

Association is the direct link between an important historic event or person and a historic property. A property retains association if it is the place where the event or activity occurred and is sufficiently intact to convey that relationship to an observer. Like feeling, association requires the presence of physical features that convey a property's historic character. For example, a Revolutionary War battlefield whose natural and manmade elements have remained intact since the 18th century will retain its quality of association with the battle. Because feeling and association depend on individual perceptions, their retention *alone* is never sufficient to support eligibility of a property for the National Register.

III. ENVIRONMENTAL AND CULTURAL CONTEXT

A. Environment and Geology

The project area is located within a physiographic setting characteristic of the Great Central Valley (Storer and Usinger 1963: 26), an area that spans from 50 feet to near sea level along the Sacramento and American rivers.³ The physiographic setting of Davis had a pronounced effect upon development in the community from the nineteenth century through the present, particularly related the availability of a sustainable supply of domestic water.

Prior to cultivation and settlement the project area consisted of undulating ground with silty soils strewn with cobbles, a reflection of numerous flood events that were a persistent problem in portions of Davis through the early-twentieth century. Topographic maps display the meandering drainage patterns found throughout Davis. These drainage patterns influenced development, as did a lack of sustainable water for domestic use. Prior to 1920, groundwater supplies, well, and tank houses were the norm in the unincorporated portions of Yolo County.

The subject parcels do not appear to be located within an area of Davis prone to flooding or other hydrological issues. However, city water was not available in this part of Davis for many years, and wells were the primary source of water for some time. While the project area was suitable for agriculture, small orchards and plots of row crops helped sustain ranchers and farmers in south Davis.

³ Tracy I. Storer and Usinger, Robert L. *Sierra Nevada Natural History*. Berkeley, CA: University of California Press, 1963:26.

B. Climate and Hydrology

The climate in the area now occupied by the City of Davis is characterized as humid mesothermal, meaning that it is Mediterranean or dry summer subtropical. The valley and foothill region has been termed the "thermal belt" because of its mild winter climate (Storie and Trussell 1927:30). However, marked differences occur within short distances, because the temperature is dependent upon elevation and air drainage.

In the depressions and small valleys the temperature is lower, particularly during nights when the cool air moves downward. The temperature is warmer on the slopes and tops of the ridges. High and low temperature varied dramatically, ranging from winter lows of 12 degrees Fahrenheit to summer highs well over 100 degrees Fahrenheit. As with flooding and water supplies, early settlement in Davis and the unincorporated areas of Yolo County was influenced by climate as well as soils. The unpredictability of California's rainfall was also a determinant in settlement, particularly the type, scale, and success of agriculture.

C. Contextual History and Land Use

The development of Davis, or Davisville as it was originally known, influenced the decision by partners of the California Pacific Railroad to run their proposed railroad from Vallejo to Sacramento and Marysville through the Jerome C. Davis ranch along Putah Creek. Jerome C. Davis, one of the first pioneers to settle the Davis area, later married Mary Chiles, the daughter of a prominent regional rancher in 1850. It is from this pioneer family that the town of Davis derives its name. The railroad was surveyed in 1865-1866 and completed in 1869. The decision to place a triangular junction and station where the present-day railroad station in Davis is located, established the community as an important connector and shipping point. A few years later a branch line to Napa Valley was added.⁴

Recognizing the development potential of the region adjacent to the newly constructed railroad right of way, the California Pacific partners, sometimes known as the "Big Five," John Frisbie, William Roelofson, DeWitt Haskins, James Rydern and DeWitt Rice, purchased 3,000 acres of Jerome Davis' ranch for \$78,000 in November, 1867 and proceeded to plat a town consisting of thirty-two square blocks, laid out on a grid plan. The Davisville Townsite, as depicted in Figure 2, included a portion of the project area, but not the entire project which continues east below the railroad right of way. The lot platting of the 1868 Townsite south of the railroad tracks never did come to fruition.

⁴ Carol Roland-Nawi. Central Davis Historic Conservation District Historical Resource Study and Context Statement for the Central Davis Historic Conservation District, Davis, California, 2003. p. 8-9.

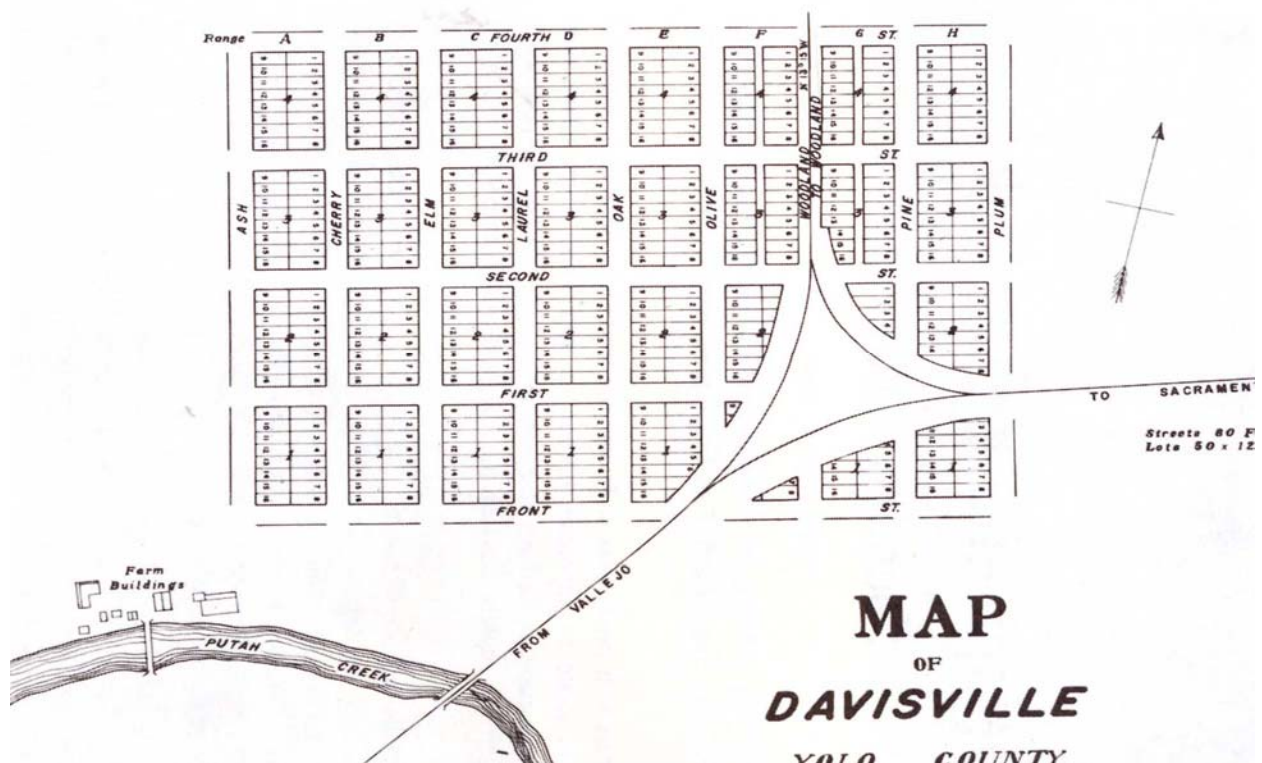


Figure 2: Original Plat Map of Davisville, California, 1868
(Roland-Nawi 2003; Courtesy of Hattie Weber Museum).

During the 1850s through the 1870s, Yolo County was a prosperous agricultural area of grain cultivation, particularly wheat. The railroad junction provided a natural shipping point and the availability of transportation led to the creation of processing and packaging plants that made shipping more efficient. In addition to the convenience of its location, Davis had the advantage of being one of the first towns “on the line” and thus enjoyed a slight advantage over other agricultural towns that the railroad reached later, such as Winters. Attracting an initial population of approximately 350, Davis emerged as a community whose economy was largely based upon agricultural shipping, processing and storage. With the exception of the lumber yard, still in the same location, but much altered, few if any buildings survive from this period in the history of Davis.⁵

Most of the commercial development in Davis was originally along G Street, creating a tightly packed, linear business district not far removed from the railroad transportation corridor and the main depot. Financial services, however, remained centered in Woodland, the county seat, until 1910 when the

⁵ Roland-Nawi, p. 9.

Bank of Yolo established the first bank in Davis, now a city Landmark. A disastrous fire in 1916 destroyed many of the original nineteenth century downtown buildings, followed in 1919 by another fire along G Street. Most of the current commercial buildings in the core downtown date from 1914-1954, with some contemporary infill, and encompass a range of styles from Prairie Style office block to streamline Art Moderne.⁶

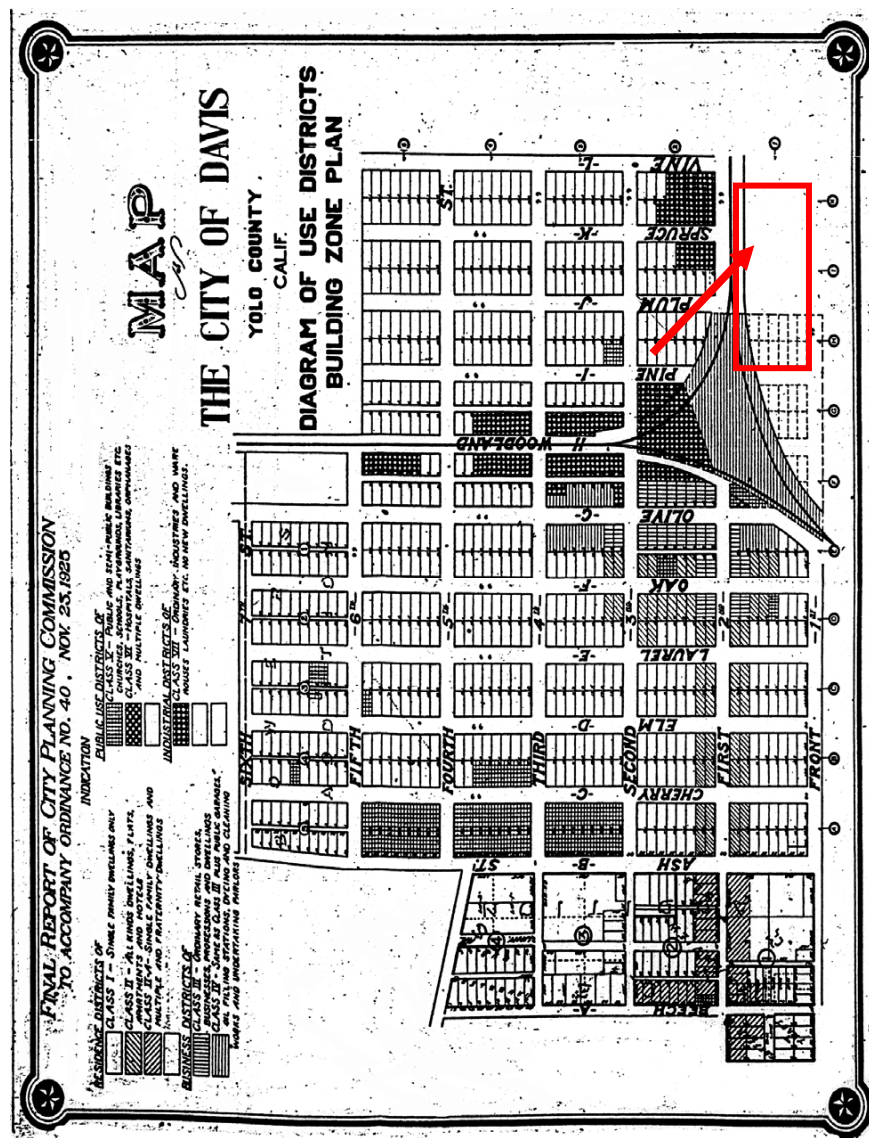


Figure 3: City Planning Map of Davis, California, 1925.
Note that the project site, illustrated by the red box,
continued outside the City Planning Map of Davis in 1925.

⁶ Roland-Nawi, p. 10.

Once established the city grew slowly, adding a mere ten citizens per year; a growth rate that did not accelerate until the early 1900s, when the second crucial economic event occurred in Davis' history. The roots of University Farm began in the 1860s, when a strong element within the farming community argued for a separate agricultural college that would address the practical aspects of educating farmers. On March 23, 1868, the California legislature took advantage of the federal Morrill Act of 1862, and established the University of California as the state's land grant institution of higher education. Consequently, by the end of the nineteenth century, many of the most pressing problems of agriculture were being addressed through University research and Extension programs, as well as by the state's regulatory agencies for viticulture, horticulture, and quarantine for plant and animal disease control, which were established in the 1880s. Having the college in close proximity to Yolo County agriculturalists certainly enhanced their knowledge of scientific farming and helped propel the county's agriculture both economically and technically.⁷

By the 1890s horticultural crops became more lucrative for some farmers than grain-growing or stock-raising, and a new generation of cooperative organizations formed. Two of the most successful cooperatives, the Davisville Almond Growers' Association and the Winters Dried Fruit Company, were incorporated in 1897. These two cooperatives were not the first in the state, but were clearly some of the earliest organizations of their type. Prior to the 1890s there was quite a bit of resistance by farmers to remain independent. Other cooperatives that formed in the Woodland and Winters areas also gave growers bargaining power with creameries, canneries, and fruit packing and shipping companies. At the same time costly reclamation projects along the Sacramento River and in the Yolo Basin helped prevent winter flooding and brought more land into agricultural production for an increasing number of farmers who came to settle in Yolo County.⁸

The establishment of what was commonly known as "University Farm" propelled the city into a new period of sustained growth. The University recruited bright, well educated faculty and students who sought an academic program rich in new technologies applied to all forms of agriculture. In the early 1900s, California was on the cutting edge of breakthroughs in the science of agriculture and the state's farmers vastly outpaced the rest of the nation in purchasing new and modern equipment for a wide range of crops and conditions. The history of the University Farm campus began in 1905, when Governor George Pardee signed legislation creating a "University Farm" for the College of Agriculture of the University of California. Previous to 1905, the College of Agriculture, associated with the University of California, Berkeley

⁷ Joann Leach Larkey. *Cooperating Farmers: A 75-Year History of the Yolo County Farm Bureau*. The Bureau, Woodland, California. 1989.

⁸ Ibid.

campus, was to be sited on a large 778 acre parcel of land where "practical agricultural education" could be conducted.

The ensuing competition among the state's agricultural communities for the "Farm" was fierce with sixty-nine different sites originally considered by the selection committee. Recognizing the competition posed by the development of a college adjacent to the city boundary, Davis quickly organized a citizens committee, known invariably as the Davis Chamber of Commerce, to promote Davis' virtues as a future campus and university town. Martin Sparks, a large landowner to the west of the original town plat, pledged to offer his property for a campus, while other members of the committee assembled a booklet describing the City's advantages, including the city's prominent location as a railroad junction that provided passenger service from the Bay Area.

In 1906, Davis greatly enhanced its position by making a major contribution in underwriting the sale of parcel and the purchase of water rights. By 1907, the first building was constructed, a residence for the Farm Director, which is reportedly still standing.⁹ The charter mission of the new college was to teach students the latest in agricultural methods and technology. The following January, regular classes began with a student body of 18. In 1906, the year the University State Farm property was acquired by the state, it consisted of approximately 779 acres, with a scattering of trees along Putah Creek, a dozen or so fig trees south of the old Soils Building (originally the Creamery), and a small group of older ranch buildings. In the spring of 1907 construction began on the new campus with the Creamery Building, the round stock judging Pavilion, Farm Manager's Cottage (the Faculty Club, now University House), and Cottage No. 2, which was built for the Creamery Manager. In 1908, following arrival of the first group of students, a water system was installed, consisting of tank and pump house, the Agronomy Building was built, North Dormitory, a Dairy Barn, and a Carpenter and Blacksmith Shop. During this same year the first shade trees were planted along Shields Avenue. By 1921, there were approximately 21 buildings or structures built inside the campus.¹⁰

The 1920s ushered in a new phase of construction within the University Farm. In 1922 the "Farm" initiated its first four year degree program. A campus building plan prepared in 1922, lists John William Gregg as landscape architect, William C. Hays as principal architect, and Harry Groll Newton as collaborator. Hays apparently designed the Dairy Industry (Roadhouse Hall 1922), the Horticulture Building (1922-1970), Agriculture and Engineering Building (Walker Hall 1927), and the Animal Science Building (1928). The 1922 site plan for campus buildings was reportedly incorporated into C.F. Cheney's 1927 master plan for the City of Davis. The Davis campus expanded over the early decades of the 20th century from a working farm into a branch of the

⁹ EDAW, UC Davis Historic Context and Overview, April 2009, p. 2-5; 2-6.

¹⁰ Joann Leach Larkey. "Portraits of the Past: Regents Adopt a Building Plan for the University Farm," *Davis Enterprise*, May 11, 1972.

College of Agriculture, ultimately becoming a general campus of the University of California in 1959. By 1930 the campus grew to encompass roughly 1000 acres.¹¹

The early campus architecture of both University State Farm, Davis and U.C. Berkeley shared a common vocabulary, influenced by two-story, rectangular Craftsman Architecture, particularly shingle clad buildings. Several of the first Davis buildings were sited around the main Quad, a field that would form the core of the campus. Despite the predilection of early Davis architecture following in the footsteps of Craftsman design, the work of Architect William Hays in the early 1920s was fundamentally different. William Charles Hays (1873-1963) was born in Philadelphia and received his bachelor's degree in architecture in 1893 from the University of Pennsylvania. After graduating, he studied at the American Academy in Rome and in Paris and traveled through Europe and in Egypt. Hays began his own practice in 1894 in Philadelphia and moved to San Francisco in 1904 where he started a practice in 1908. Hays was professor of architecture at UC Berkeley from 1906-1943 and served as acting director of the school from 1917-1919.¹²

Hays was a Fellow of the American Institute of Architects and a charter member of the Beaux-Arts Institute.¹³ Hays' most notable work falls in the school of "Classicism," particularly his designs of Beaux-Arts buildings. William Hays and John W. Gregg completed a Beaux-Arts plan for Davis that would have doubled the size of the Quad, replaced all the wood-frame buildings with more permanent structures, and formally planted the central open space. Although the plan was never implemented, several large more Classically inspired buildings were constructed around the Quad during the 1920s, reinforcing the established central open area.

In the 1940s, modern architectural designs began to take hold at the Davis campus. Characterized by a use of transitional spaces between of indoors and outdoors, asymmetrical plans, and simple materials and forms, modern design transformed the Davis campus. Thomas Church and Lawrence Halprin, two important figures in California modern landscape design, led this transformation, designing many of the landscapes at Davis through the 1940s, 1950s, and 1960s.¹⁴ As the campus embraced modern design, it also expanded its agricultural research programs, purchasing additional acreage west and south of the main campus. The growth and success of the agricultural programs at Davis and Riverside resulted in further expansion and later diversification within the university system.¹⁵ The evolution of architecture in

¹¹ Joann Leach Larkey. "Portraits of the Past: Regents Adopt a Building Plan for the University Farm," *Davis Enterprise*, May 11, 1972.

¹² University of California Berkeley, Environmental Design. "William Charles Hays, 1873-1963. www.ced.berkeley.edu/cedarchives/profiles/hays.htm. Accessed March 2013.

¹³ Ibid.

¹⁴ Silvio Barovetto, a landscape architect and son of Giovanni Barovetto, also participated in the redesign in the 1950s.

¹⁵ UC Davis Historic Context, 2-5.

Davis reflects a variety of influences including the architectural design ethos of the newly formed agricultural college, the income levels of its residents, topography, architectural plan books, and by local builders.

Since the 1980s various studies have been conducted in the City examining its historic resources, including the study of the subject property by Dennis J. Dahlin (2015). Historic maps, aerial photographs, historic documents, and oral history helped develop the context for land use within and near the project area. Based upon the 1907 USGS topographic quadrangle map, the earliest from the U.S. Geological Survey for Davis, there appears to be one building located within or near the project area at the top of the "D" in Davisville (Figure 4). This may have been a barn described by Robert Jordan, grandson of Giuseppe "Joseph" Callori, who stated a barn once existed behind 113 and 115 Hickory Lane. The barn was demolished in the 1960s.¹⁶



Figure 4: USGS 1:62500' Davis, California Topographic Map, 1907. Red arrow indicates a building or structure within the project area.

¹⁶ Robert Jordan. Personal communication, January 7, 2016.

By 1915 (Figure 5), there appears to be two buildings or residences that are illustrated south of the railroad right of way. The residence or structure to the right is the same one as illustrated in 1907. The residence or structure to the left above the D in Davis was located within Slatter's Court and may represent the first building constructed in the court.

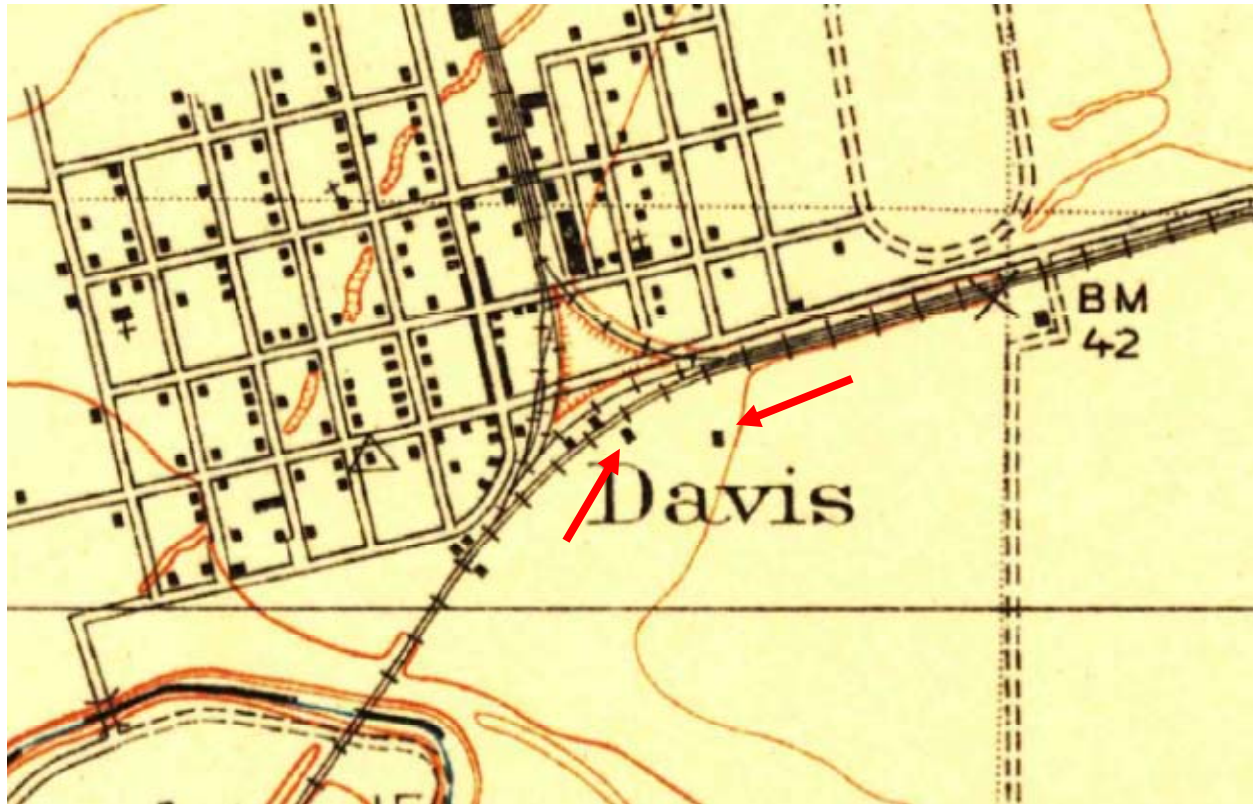


Figure 5: USGS 1:62500' Davis, California Topographic Map, 1915.

By 1952 (Figure 6), the area bordering the railroad right of way to the south had been developed with homes and a few scattered businesses. The building that appears in the 1907 and 1915 topographic maps has apparently been demolished or moved. There is some evidence of an older residence behind the mature cork oaks along Olive Drive, but that building or structure lies east of the Kober Apartments. Certainly, by 1952 Slatter's Court was fully developed, as are seven cottages to the east once owned by Giuseppe "Joseph" Callori.

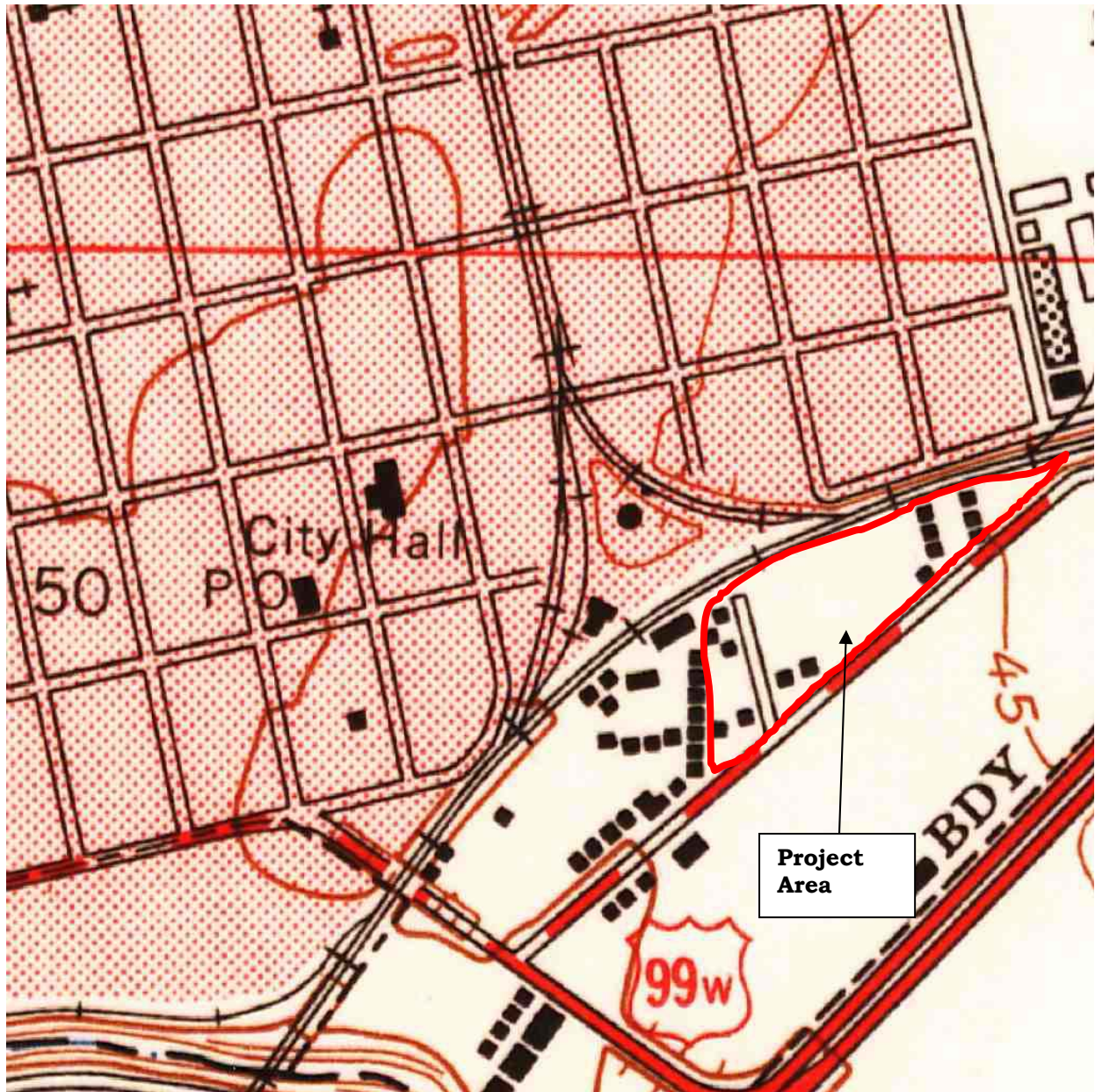


Figure 6: USGS 1:24,000' Davis, California Topographic Map, 1952.

An aerial photograph taken in 1952 verifies the infill that occurred within the project area, although the Kober Motel had yet to been built. By 1952, no development had occurred in the parcels south of Olive Drive across the street from the project site.

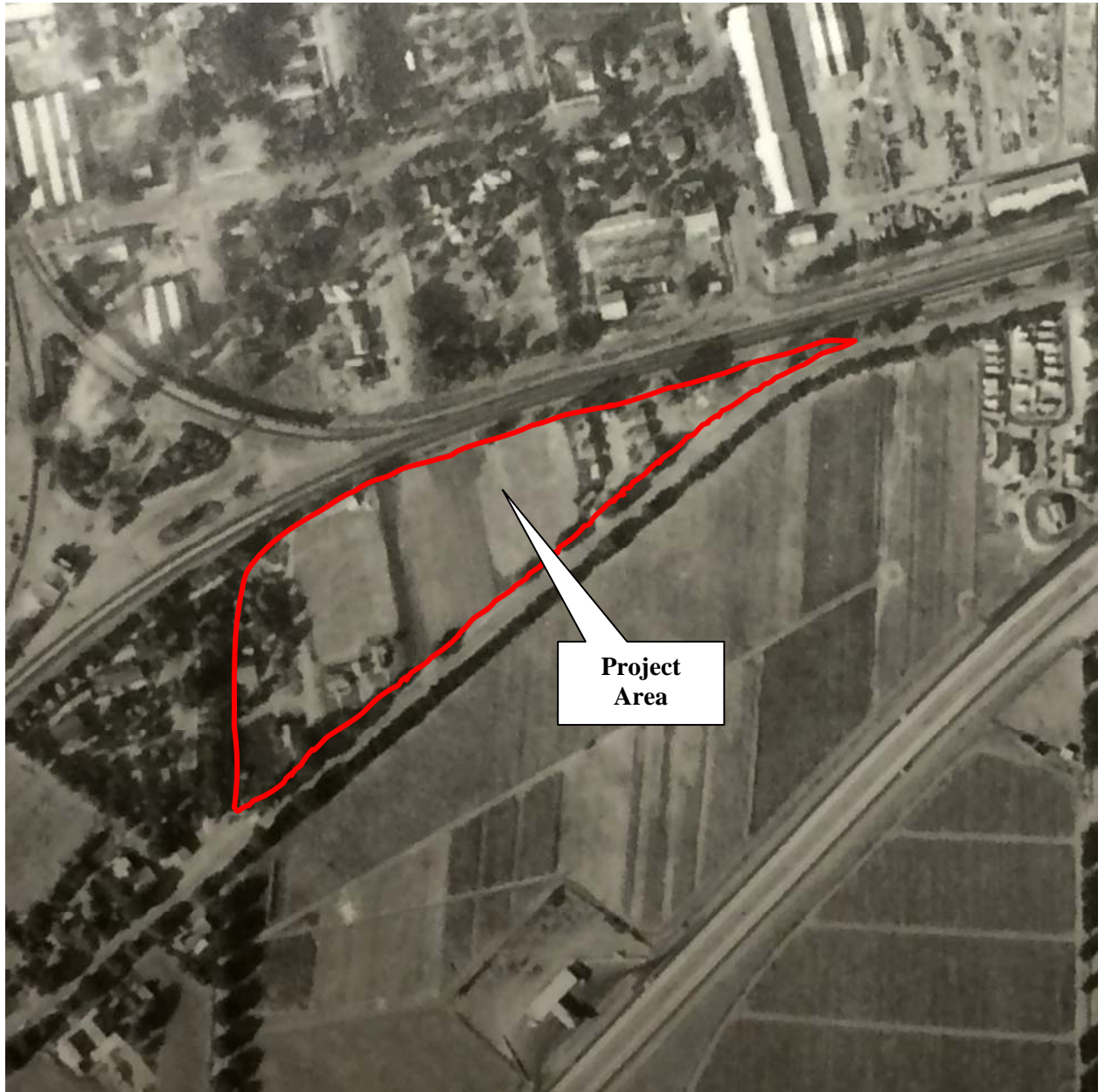


Figure 7: Aerial Photograph of south Davis, 1952 (Courtesy of U.C. Davis Shields Map Library, Special Collections, Davis, CA).

The 1968 USGS topographic map (Figure 8) shows continuing infill within the project area, including the construction of the Kober Motel and to the left of it two residential homes - 1207 and 1185 Olive Drive. The residence at 118 Hickory Lane was reportedly built between 1952 and 1968. One of the Callori rental cottages appears to have been demolished or moved by 1968, due to the fact that there are only six cottages remaining. Figure 9 illustrates a similar pattern of development without any major changes.

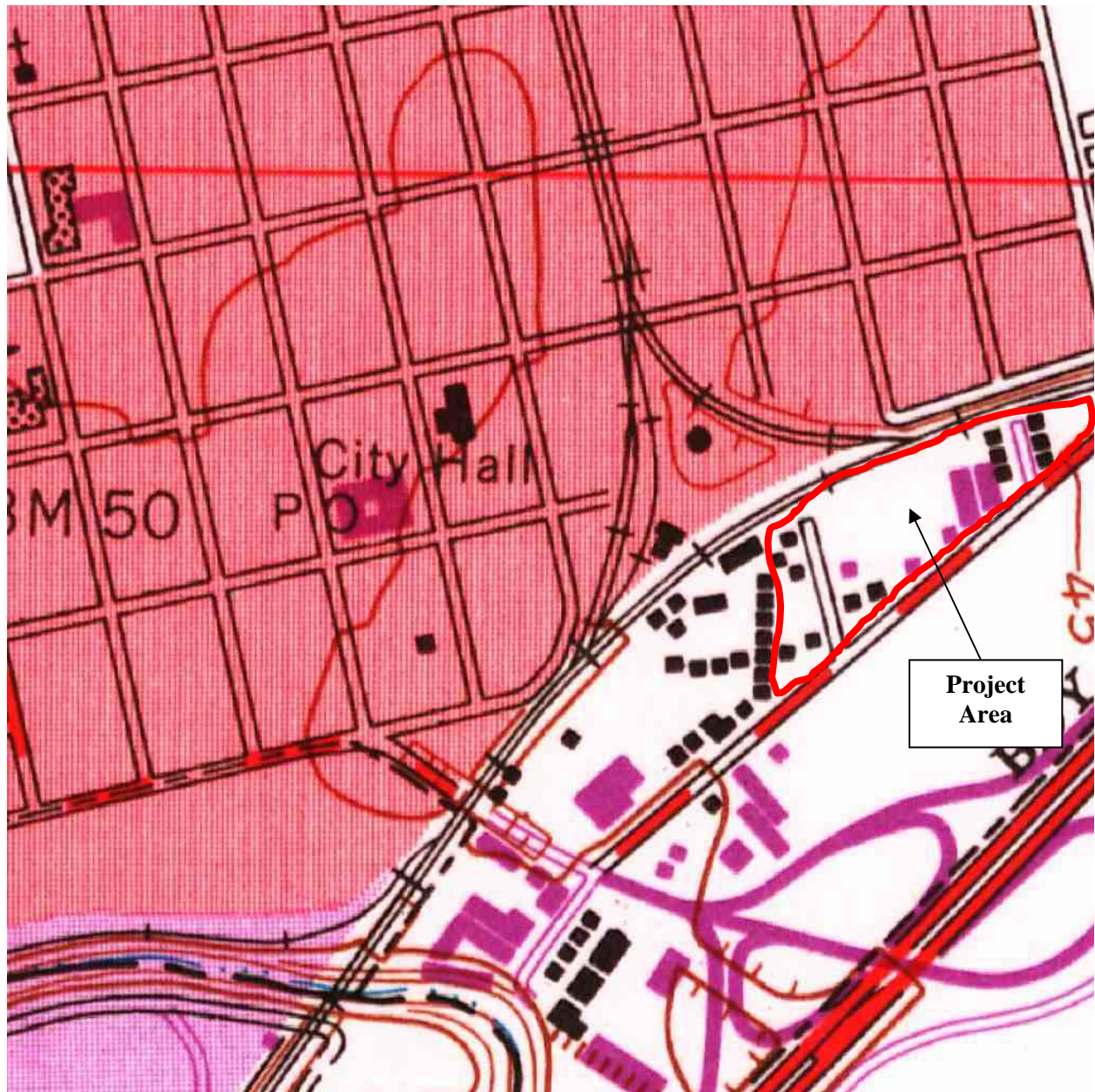


Figure 8: USGS 1:24,000' Davis, California Topographic Map, 1968.

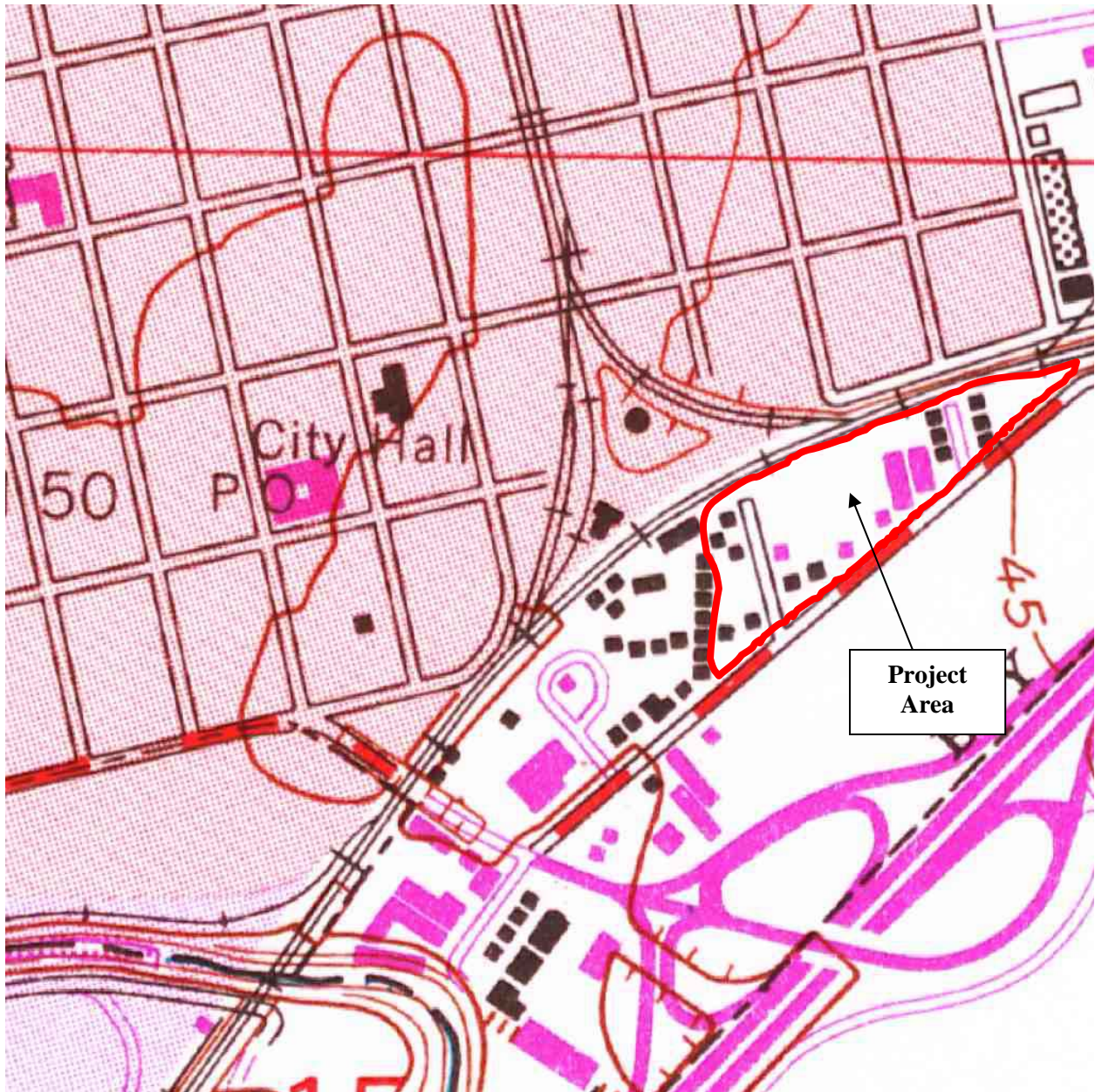


Figure 9: USGS 1:24,000' Davis, California topographic map, 1981.

D. Property Ownership History

The progenitor of the project site was Giuseppe “Joseph” Callori, who was born in Italy in 1874 in the Ligurian village of Pignona, within the province of La Spezia, near Genoa.¹⁷ According to U.S. Federal Census records he immigrated to the United States in 1907 and eventually settled in Davis. Before leaving Italy, Giuseppe had married Maria Catarina Ricci. Leaving behind Maria, their three-year-old daughter Irene, and their infant daughter Linda, Giuseppe immigrated through Ellis Island in 1907 to establish a new life in America for his young family. Maria immigrated to the U.S. with their young daughters in 1911. She gave birth to their first American-born child, Fred, in 1912, followed by Joseph in 1918, and daughter Dora Josephine in 1921. The descendants of the Callori children have retained ownership of the project site since the acquisition of the property by Giuseppe Callori.



Figure 10: Callori family group photograph, circa 1930. Seated, from left to right: Giuseppe, wife Maria, and brother Pietro Callori. Standing, left to right: Fred, Irene, Dora, and Joseph (Courtesy Sandra Fuentes).

¹⁷ Sandra Fuentes, Personal Communication, January 6, 2016.

Based upon U.S. Federal Census data, in 1920, Giuseppe and his cousin Bernard were living along present-day Olive Drive.¹⁸ Their primary occupation was truck farming. According to Robert Jordan, grandson of Giuseppe Callori, his grandfather was leasing land around the Yolo Bypass and growing a few crops on his own property on Olive Drive that he had acquired in 1925 for \$5,000.¹⁹ By the 1920s truck farming had become a major business in Sacramento and Yolo counties. Generally truck farmers leased agricultural land and paid the owner part of the proceeds from the sales or simply paid a monthly lease amount. Besides immigrants from Italy, Japanese and Filipinos engaged in a similar occupation in Yolo County. Giuseppe's nephew, Richard Ricci, was a well-known local Italian-American who had a farm to the east of the Callori farm, south of present-day Interstate 80. Giuseppe's brother, Pietro, or "Pete" as he was known, also owned land and farmed on Olive Drive, west of Richards Boulevard.

By 1930, according to U.S. Federal Census data, Giuseppe Callori, now aged 55, owned his own farm (9 acres along Olive Drive), where he lived with his wife, Maria, aged 49 years; son Fred, aged 17 years; son Joseph, aged 12 years; and daughter Dora, aged 9 years.²⁰ By the 1930s the Callori family appear to have been living at 115 Hickory Lane, just east of Slatter's Court. According to granddaughter Sandra Fuentes (nee Callori), Joseph and Maria subsequently lived at 1041 Olive Drive, to the west of the project area and north of the present-day In and Out Burger restaurant.²¹ Giuseppe Callori never became a naturalized citizen of the United States, which would have allowed him to vote and obtain other rights granted solely to citizens of the United States.

Between 1937 and 1944, Giuseppe Callori reportedly built seven cottages that served the family as rental income at what became known as "Callori Court."²² To the west of the Callori property was "Slatter's Court," which had been developed by Joseph Slatter around the time when the new State Highway was being built in the 1920s. In the 1940 United States Federal Census, Joseph Slatter is listed as 53 years of age and born in Wisconsin. Based upon United States Federal Census data, Slatter's Court was occupied by Dust Bowl Migrants during the 1930s and 1940s. The migrants included families from Oklahoma, Texas, Missouri, and Arizona.²³

Through the late 1940s to the present day, descendants of Giuseppe and Maria Callori, including members of the Callori, Jordan, and Maggiolo families, retained ownership of the Callori Farm along Olive Drive. In addition to the family farmhouse located at 115 Hickory Lane and Callori Court on the far east

¹⁸ United States Federal Census, Putah Township, Yolo County, California, 1920.

¹⁹ Robert Jordan, Personal Communication, January 5, 2016.

²⁰ United States Federal Census, Putah Township, Yolo County, California, 1930.

²¹ Sandra Fuentes, Personal Communication, January 6, 2016.

²² Ibid.

²³ United States Federal Census, Davis, Yolo County, California, 1940. Robert Jordan also recalled that many of the Callori properties were occupied by "Dust Bowl" migrants as well.

end of the Callori farm, several houses were constructed on the property by or for Giuseppe and Maria Callori and their adult children from 1937-1957, including 1037 Olive Drive, 1041 Olive Drive, 1051 Olive Drive, 1111 Olive Drive, 1123 Olive Drive, 1165 Olive Drive, 1185 Olive Drive, 1207 Olive Drive, 113 Hickory Lane, and 118 Hickory Lane. The 1940 United States Federal Census lists Earl and Irene (nee Callori) Jordan, parents of Joyce, Ann Jeanette, and Robert Jordan, living on the Callori Ranch along present-day Olive Drive. Earl and Irene lived at 113 Hickory Lane. Earl Jordan is listed as a gardener in the 1940 United States Federal Census.

Giuseppe and Maria Callori deeded property from their original 9 acre farm to their son Joseph, who developed the Davis Mobile Home Park, which is still operating, located to the west of the project site and east of Richards Boulevard.²⁴ Joseph, his wife Lois, and son Joseph Arthur lived for many years in the Callori house located at 1123 Olive Drive until, in the 1970s, Joseph built and operated a popular Italian restaurant at that location; in homage to his father, the restaurant was named Giuseppe's.

Over the next few decades, Callori family members continued to construct and occupy new buildings on the Callori Ranch or Farm, such as the property at 1165 Olive Drive, which was built in the late 1940s. In 1946, Dora Callori married Joseph Maggiolo of San Francisco, and they lived for a time in the residence at 118 Hickory Lane, until moving to the Bay area in 1947, where they raised children Donna, Joseph Jr. and Gary. Dora Maggiolo (nee Callori) retained ownership or part ownership of multiple properties on Olive Drive until her death in 2015 at the age of 93.

The properties at 1185 and 1207 Olive Drive were constructed in the late 1950s. Giuseppe Callori apparently commissioned the construction of 1207 Olive Drive, which was the last residence for Giuseppe and Maria Callori. Giuseppe died at the age of 82 in 1957; Maria died at the age of 83 in 1965.

The residence located at 1185 Olive Drive was the home of Giuseppe and Maria's oldest son, Fred Callori, and his wife, Louise Stefani Callori, and their six surviving children, Elaine, Linda, Frederick, Sandra, Steven, and Kevin. Louise Stefani was the daughter of Marco and Minnie Stefani, also well-known and respected Italian natives, who owned and ranched the south Davis area which would later be known as Willowbank. After losing his wife Louise in 1977, Fred Callori continued to live and farm on Olive Drive until his death, at age 81, in 1994. He carried his agricultural roots into his professional life, working for 40 years in the Agricultural Services Division of the University of California, Davis (UC Davis). Four of his six children would graduate from UC Davis, as did two of his grandchildren. After retiring from UC Davis in 1977, he

²⁴ Sandra Fuentes. Personal communication, January 2016. Sandra believed that the property transfer occurred in the 1950s.

was a familiar face at the Davis Farmer's Market, where he sold homegrown vegetables and persimmons to local residents.²⁵

In 1957, Giuseppe Callori sold a portion of the ranch to a Mr. Martino who later sold the parcel to Frank Kober, who built a motel on the property. In the late 1980s, Kober moved several cottages onto the rear of the property and created additional rental units.²⁶

The properties at 1185 and 1207 Olive Drive were constructed in the late 1950s. Giuseppe "Joseph" Callori apparently commissioned the construction of 1207 Olive Drive, and Fred, his son, lived for a time at 1185 Olive Drive. In 1957, Joseph Callori sold a portion of the ranch to Frank Kober, who built a motel on the property. In the late 1980s, Kober moved several cottages onto the rear of the property and created additional rental units.²⁷



Figure 11: View looking north at one of the remaining Callori Cottages, built between 1937-1944. At one time there were seven cottages. The exterior stucco was applied by hand and the wood windows appear to be original, although at one time the cottages were clad with wood siding.

²⁵ Jordan 2016.

²⁶ Ibid.

²⁷ Ibid.

The story of the Callori family reflects an important part of the history of Davis as it relates to Italian immigrants and the challenges and hardships that faced assimilating into their new lives in California's Sacramento Valley. Like other newly arrived immigrants, Giuseppe and Maria Callori sought a better life for their family, who in later generations attended the University of California, Davis and contributed to the culture and wealth of the city.

The historic development of south Davis and Olive Drive is primarily associated with the creation of the State Highway, which became part of the Lincoln Highway, and later old US 40. Prior to 1910, the main road leading to Davis from the east was along 2nd Street, north of the railroad right of way. The original 1913 route of the Lincoln Highway followed what is now Highway 99 south to Stockton. From there, I-205 and I-580 now parallel much the same route the Lincoln Highway took leading into Oakland. A ferry once crossed the bay from Oakland to San Francisco.

In 1927, the Lincoln Highway was realigned to follow a route over the Yolo Causeway through Davis, Vallejo, and Berkeley, where a ferry took Lincoln Highway drivers to San Francisco. The Lincoln Highway wound directly through the heart of Davis. From the east the route followed what is now County Road 32A, and as it approached the city, it followed south of the present-day Union Pacific Railroad tracks, along Olive Drive, and under the Richards Boulevard underpass. The road then turned left onto First Street, right on B Street, and then heading west toward Winters via what is now Russell Boulevard, passing the original entrance to UC Davis. Today, the Lincoln Highway route as it passes through Davis is more symbolic since numerous alterations have occurred to the original road alignment. The Lincoln Highway in Davis has been described as follows:

P-57-000382: Lincoln Highway

This resource appears to be a segment of the historic Lincoln Highway. Today the segment on the east side of Davis is a two-lane, paved frontage road that runs along the south side of the Southern (now Union) Pacific Railroad line. The segment through Davis and Dixon was part of a realignment that occurred in 1927–1928. The Lincoln Highway Historic District (recorded in Davis under Primary Number P-57-000382) is listed in the California State Office of Historic Preservation's (SHPO's) Directory of Properties in the Historic Properties Data File for Yolo County. This feature does not intersect the project APE and is located south of the project site.²⁸

²⁸ Raney Planning and Management, Inc. Draft Environmental Impact Report, Mace Ranch Innovation Center Project. Prepared for the City of Davis. August 2015.

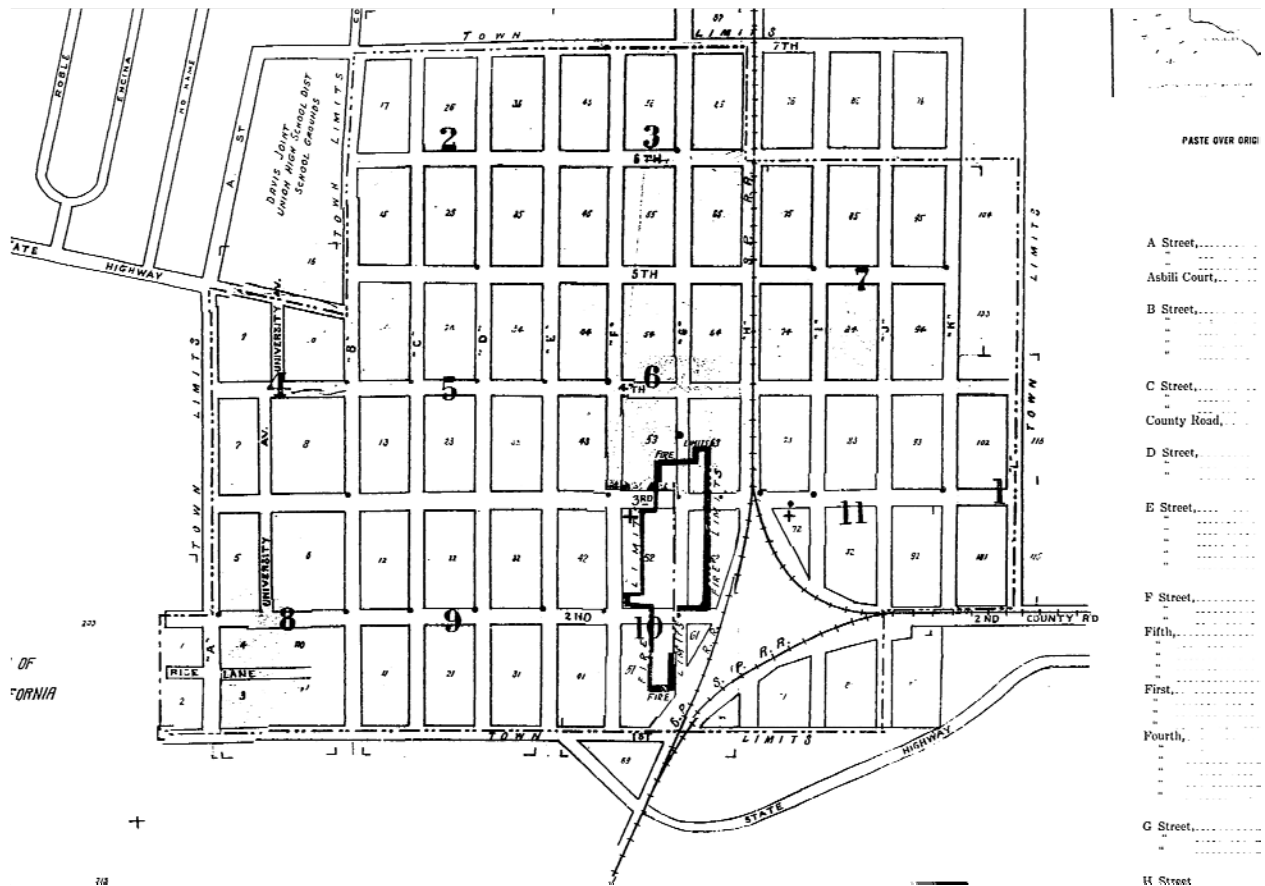


Figure 12: Sanborn Fire Insurance Map Index, Davis, California, 1921-revised 1941. The lower right section of the map illustrates the Davis City Limits in 1941 and a portion of the project area. The road labeled "State Highway" (part of the Lincoln Highway) follows present-day Olive Drive. The old county road once followed 2nd Street bordering the railroad tracks.

Unlike the downtown core of Davis, the south end of town remained largely rural interspersed with a scattered residences, small orchards, auto courts, and several service stations. Callori and Slatter may have acquired land at the margins of the city because it was cheaper than land north of the railroad right of way, or perhaps because they recognized the advantage of being on the margins of the city where they had more freedom to develop their property as they chose. Whatever the reason, the pattern of development along Olive Drive was geared towards the new highway and many of the properties built north of the highway were modest and provided some respite from the tight rental market in the city during the 1930s-1950s.

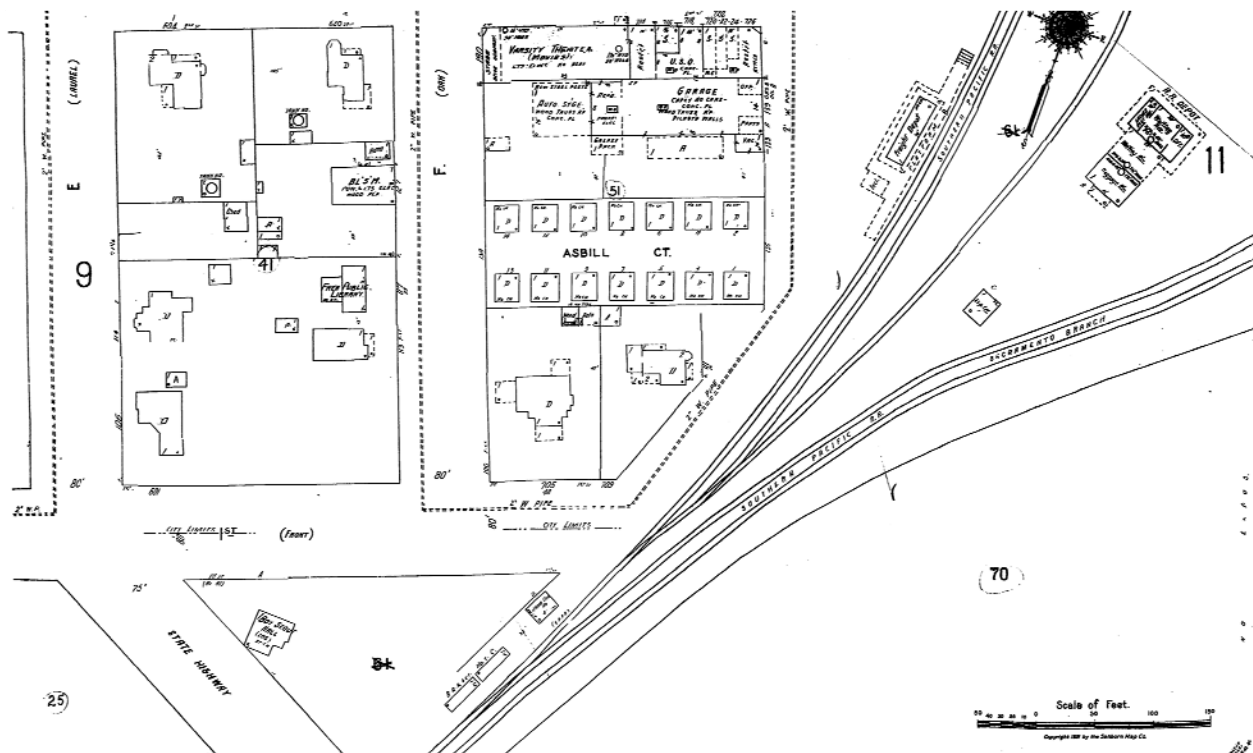


Figure 13: Sanborn Fire Insurance Map, Davis, California, Sheet 10, 1921-revised 1941. The map illustrates land use along the railroad right of way. Near the center of the map is Asbill Court, a group of rental cottages that mirror Slatter's Court and the Callori Cottages along Olive Drive.

By the late-1940s, commerce through Davis began to increase, in part due to an improving economy, expansion of the university, and traffic along US 40 between Sacramento and points west. In 1942, the Davis-Dixon Cut-off was opened to through traffic. The new cut-off was expected to save roughly 150,000 vehicle hours by creating a straighter link between Davis and Dixon and avoiding cross-town traffic congestion.²⁹ The newly created bypass was a blessing for some and a curse for others who relied on cross-town highway traffic as their main source of revenue. The 7.3 mile cut-off relinquished Olive Drive as part of the State Highway system.

²⁹ *California Highway and Public Works*. "Davis-Dixon Cut-off on U.S. 40 Open; Saves 150,000 Vehicle Hours." October 1942: 10-12.

At that point, development along present-day Olive Drive seems to have slowed until the late 1950s. In 1957, Frank Kober purchased a narrow, rectangular parcel of land surrounded by the Callori family ranch and built a motel.³⁰ The motel served travelers along US 40 and later I-80 through the circa 1970s, when it was converted to apartments (Figure 14).



Figure 14: Kober Apartments, formerly the Kober Motel, 1225 Olive Drive, looking north.

³⁰ Dennis J. Dahlin. Historical Resources Analysis with supplementary photos: Proposed Olive Drive Area Building Demolition, 115 Hickory Lane and 1233 Olive Drive, Davis, California, February 23, 2015; revised September 5, 2015.

IV. DESCRIPTION OF THE PROPERTIES

The following properties were formally recorded and evaluated for this project: 1111, 1165, 1185, 1207, 1225 Olive Drive, and 113 and 118 Hickory Lane (Figure 15). The residences at 1233 Olive Drive and 115 Hickory Lane were formally recorded and evaluated by Dahlin in 2015.

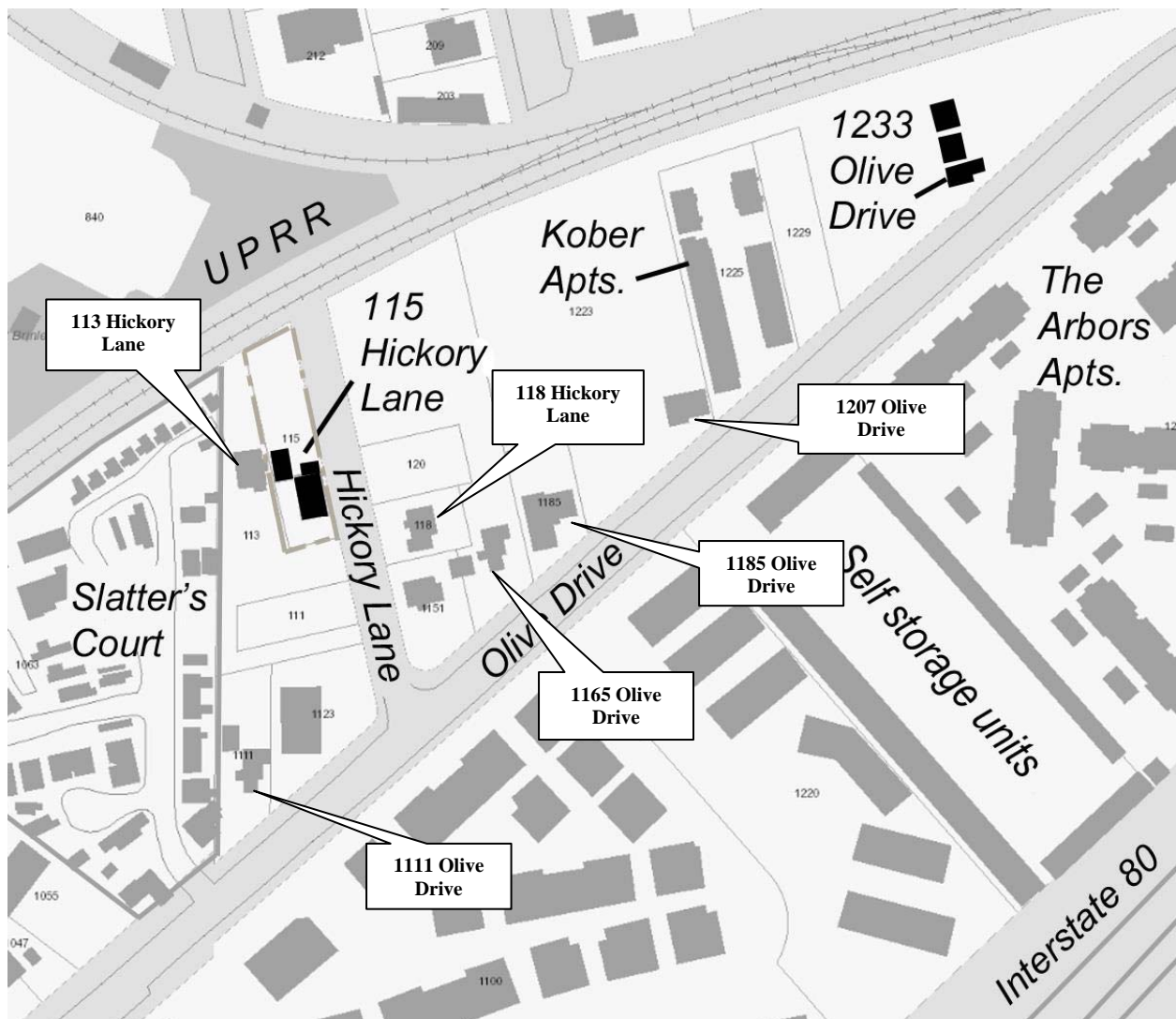


Figure 15: Parcel Map of the Project Site, illustrating the evaluated properties.

to Parcel Nine; Callori Group, LLC, a California limited liability company as their interests may appear of record, as to Parcel Ten; Callori Group, LLC, a California limited liability company, as to Parcel Eleven.³¹

The abstract of title prepared by First American Title Company provides irrefutable evidence of the linkages to the various parcels to the Callori, Jordan, and Maggiolo families. It should be noted that the Slatters, another early twentieth century Davis family, also played an important role in development along present-day Olive Drive.

The following descriptions include the properties in the project area from east to west, with the exception of 1223 Olive Drive and 115 Hickory Lane that were recorded and evaluated by Dahlin in 2015.

A. 1111 Olive Drive

The single-family, single-story, wood frame residence dates to the early 1950s (Figure 17) reportedly as a rental property for the Callori family. The house sits on a narrow, level parcel fronting Olive Drive and abutting Slatter's Court to the west. Character defining features of the residence include a asphalt shingle shallow pitched hipped roof, stucco exterior wall surfaces, and irregular shape or massing, aluminum slider windows, and a wooden and lighted front entry door facing east with a shed roof porch above the concrete entry stoop. Access to the residence is via a paved asphalt driveway off Olive Drive.



Figure 17: 1111 Olive Drive residence, looking west from Olive Drive.

³¹ First American Title Company, Sacramento, California. Order Number: NCS-716663-SAC4, December 16, 2015.

B. 1165 Olive Drive

The subject property, which reportedly dates to circa 1946, consists of a single-story, wood-frame "L-shaped" residence with a hipped roof clad with asphalt shingles, stucco exterior wall cladding, exposed purlins below the roof eaves, and divided light wood-sash, and aluminum slider windows (Figure 18). The property was reportedly built for Callori family members and later became a rental. The house rests on perimeter concrete foundation and the paneled wood front entry door is accessed via several concrete steps. The house faces east instead of Olive Drive to the south and the rear or west elevation of the house includes a hipped roof addition which is likely a kitchen or bathroom. The house has no garage and parking is in the rear. The front of the house features mature trees, a prickly pear cactus, lawns, and a concrete walkway along its eastern edge.



Figure 18: 1165 Olive Drive residence, looking northeast from Olive Drive.

C. 1185 Olive Drive

The subject property, which reportedly dates to the late 1950s, consists of an "L" shaped single-story, wood-frame residence Ranch style residence (Figure 19). The property was occupied by Fred and Louise Stefani Callori. Character defining features of the residence include a shallow gable roof clad with asphalt shingles, stucco exterior wall cladding, aluminum slider windows, a brick skirt, and a two-car garage with a contemporary paneled roll-up aluminum garage

door. Each window is flanked by a wooden louvered shutter. The front entry door is sandwiched between the garage and the return on the main wall covered with a shed roof and accessed by a concrete stoop. Mature shrubs cover portions of the front of the house facing Olive Drive. The garage is accessed via a paved asphalt driveway.



Figure 19: 1185 Olive Drive residence, looking northwest from Olive Drive.

D. 1207 Olive Drive

The single-family, single-story, wood frame residence dates to the late 1950s (Figure 20). The property was occupied for a time by Giuseppe and Maria Callori. The house sits on a large parcel of land that continues west towards Hickory Lane. Character defining features of the residence include a hipped roof clad with asphalt shingles, a single-car garage to the right of the front entry door, a partial covered front porch, stucco exterior wall cladding, aluminum slider windows, decorative scroll-carved (diamond patterned) wood shutters flanking the windows, a solid paneled wood front door, and a brick skirt across the front of the home. A mature coastal redwood tree flanks the left side of the front yard and a second coastal redwood rises in the rear yard behind the wood fence. The front features a lawn divided by a concrete walkway and to the right concrete driveway.



Figure 20: 1207 Olive Drive residence, looking north from Olive Drive.

E. 1225 Olive Drive

The subject property known as the Kober Apartments reportedly dates to 1957, and was built as a motel fronting Olive Drive with 10 units (Figure 21). Today, the single-story wood-frame building is used as an apartment complex. The complex is characterized by two detached rectangular units that face each other with a central courtyard/driveway. Other character defining features include the low horizontal rolled asphalt roof with exaggerated roof eaves and exposed wood purlins on the gable ends, stucco exterior wall cladding, large horizontally oriented picture windows, and a brick skirt. Roof-top air conditioning units can be seen atop the roof of the some, but not all the apartments. The fenestration of each unit or apartment features a large picture window flanked by what appear to be two narrow single or double-hung wood windows. Beyond the flush panel (painted orange) entry doors are two pairs of wood-sash windows.

In the far north end of the parcel are two more detached building with four additional rental units, two per building. Unlike the front two buildings which reflect Mid-Twentieth Century Ranch style motel architecture, the two buildings in the rear reflect an earlier design used from the 1930s through the 1940s. They were reportedly moved from another location and placed on the subject parcel in the 1980s. Character defining features of these buildings

include a moderately steep pitched roof clad with asphalt shingles, horizontal v-groove exterior siding, contemporary vinyl slider windows, flush panel doors, and scalloped vertical v-groove boards along each gable end. The entry doors are protected by a small shed roof clad with scalloped boards on the ends. While the former motel appears to have been built on a concrete slab, the units to the north have raised concrete foundations



Figure 21: Kober Apartments, 1225 Olive Drive, formerly the Kober Motel, looking north from Olive Drive.

F. 113 Hickory Lane

The subject property, which reportedly dates to the 1940s is a wood-frame, "L shaped" gable-roof Vernacular style house. (Figure 22). The house, which was occupied for a time by Earl and Irene (nee Callori) Jordan, is sited on a level parcel surrounded by mature trees and features a moderately steep gable roof clad with asphalt shingles, stucco exterior wall cladding, double or single-hung wood sash windows, a covered gabled-roof porch over the front entry door with scalloped vertical boards on the face, rectangular columns and wood railing below the gable atop a concrete stoop, and a gabled horizontal board addition on the east elevation with fixed and divided light windows. A boxed in area behind or north of the addition was done recently to enclose a hot water heater. The home faces south towards Olive Drive and abuts Slatter's Court which lies immediately to the west. To the east is a single-car garage and 115 Hickory Lane. The property is accessed via dirt driveway off of Hickory Lane.



***Figure 22: 113 Hickory Lane residence, looking north.
The garage to the right belongs to 115 Hickory Lane.***

G. 118 Hickory Lane

The subject property, which reportedly dates to the late 1950s is a wood-frame, "L shaped" Ranch style house (Figure 23). For a time Joseph and Dora Callori lived at this residence. The house is sited on a level parcel surrounded by mature trees and features a shallow gable roof clad with asphalt shingles, stucco exterior wall cladding, double or single-hung wood sash windows, a covered porch, and a single-car garage with a replacement aluminum paneled roll-up door. The home faces west towards Hickory Lane and is accessed via a concrete driveway. Mature trees obscure the house from Hickory Lane.



***Figure 23: 118 Hickory Lane residence,
looking notheast from Hickory Lane.***

V. SIGNIFICANCE STATEMENT

Determining the significance of the properties located at 1111, 1165, 1185, 1207, and 1225 Olive Drive, and 113 and 118 Hickory Lane, is predicated on each property retaining a sufficient level of integrity in order to convey its historic significance, and whether the property meets the aforementioned criteria, including the NRHP Criteria A-D, CRHR Criteria 1-4, and the criteria of City of Davis for Landmark and Merit resources.

With the exception of the Kober Apartments, formerly the Kober Motel, the remaining properties represent wood or stick-frame, modest, single-family residential houses built between 1940 and 1960. All the residences are associated with the Callori family. None of the houses, a number of which were built as rentals, exhibit important architectural designs reflective of a high level of workmanship. The Kober Apartments was likely built and perhaps designed by the same person as several of the residential homes, particularly 1207 Olive Drive, which abuts the apartments to the west.

The Callori Ranch developed over many years with different iterations of development as the family expanded and the rental market increased during the 1930s with Dust Bowl Migrants entering the town, and during the 1950s and 1960s as U.C. Davis expanded. While the majority of the residences and

cottages still exist, others have been torn down, and the Kober Apartments infilled a large part of the original ranch during the late 1950s. Each property was examined for its individual merit and collectively as an ensemble group of properties, being part of a potential historic district. While many of the residential homes retain good integrity, none of the properties exhibit high merit in terms of architectural design, and none of the properties bear any physical connection with Italy, the former home of Giuseppe “Joseph” Callori. The "Callori Court" cottages at 1233 Olive Drive, previously evaluated by Dahlin and determined to be ineligible, along with 115 Hickory Lane property, represent some of the oldest remaining buildings within the project area, although four of the seven cottages have been demolished and the other compromised by stucco cladding placed over the wood exterior board siding in the 1960s.

In terms of cultural history, no physical "ethnic" markers exist within the properties to directly tie them to a person or persons whose ethnic origin was Southern Europe. Nor was the Callori property a functional working farm or ranch. Callori farmed land well beyond the Olive Drive parcels, which he acquired as an investment for their proximity to the City of Davis. The property was outside the old City boundary and annexed into Davis in later years. Although many of the properties that the Callori's owned were used as rentals, they were not specifically geared towards or set aside for students at U.C. Davis.

In regards to potential visual effects, since the 1980s infill has crept into the Olive Drive corridor, mostly in the form of multi-unit apartments. Two properties located in the project visual APE - Slatter's Court and the Lincoln Highway/Old U.S. 40 - were previously discussed by Dahlin (2015). Dahlin argued that neither Slatter's Court at 1075 Olive Drive, which dates to the 1920s, nor former route of the Lincoln Highway/Old U.S. 40 along Olive Drive would be adversely affected. Dahlin's study, however, was prepared for Robert Jordan et al., who at the time was proposing to demolish five building on two separate parcels at 115 Hickory Lane and 1233 Olive Drive. The purpose of the demolition was to remove unsafe and substandard structures and to provide space for future efficient development of the properties, in keeping with City goals and policies for the area.³²

³² Dahlin 2015: 1.

Eligibility Finding

The following properties in the direct project APE have been found to be ineligible for the NRHP, CRHR, ad a City of Davis Historic Landmark, as a City of Davis Merit Resource, or as contributing elements to a potential historic district:

1111 Olive Drive
1165 Olive Drive
1185 Olive Drive
1207 Olive Drive
1225 Olive Drive
113 Hickory Lane
118 Hickory Lane

The following properties in the visual APE are eligible for the CRHR, and as City of Davis Merit Resources:

Slatter's Cabins and Motor Court 1075 Olive Drive
Lincoln Highway/old US 40

VI. CEQA IMPACTS

The following historic resources or properties are not significant historic resources per CEQA pursuant to criteria set forth in subdivision (g) of Section 5024.1:

1111 Olive Drive
1165 Olive Drive
1185 Olive Drive
1207 Olive Drive
1225 Olive Drive
113 Hickory Lane
118 Hickory Lane

The following historic resources or properties are significant historic resources per CEQA pursuant to criteria set forth in subdivision (g) of Section 5024.1:

Slatter's Cabins and Motor Court 1075 Olive Drive
Lincoln Highway/old US 40

The current project as proposed, which includes off-site improvements such as curbs, gutters, and sidewalks, will not significantly diminish the qualities that make Slatter's Court a potential historic property. Nor will the proposed project improvements diminish the qualities of the former Lincoln Highway/Old U.S. 40 to a level that would be considered significant or adverse.

This recommendation is based upon the fact that the roadway will remain two-lane, the two landmark cork oaks that border the project area will be protected, Slatter's Court is screened by a mature tree canopy, and that the Motor Court is set a modest distance from the actual development. Nor will the project conflict with the design guidelines for the Gateway/Olive Drive Specific Plan (amended 2002).

VII. RECOMMENDATIONS

Despite the fact that the buildings and structures identified in this study do not appear to be individually eligible under any criteria or part of a potential historic district, the Callori family represents an important chapter in the history of Davis, reflecting the struggles and successes of Italian immigrants who sought a better life in America. The subject properties have been owned by family members since the 1920s and the history of Italian-Americans living in Davis is not well documented. Like other immigrant families, the Callori family helped shape the community both culturally and economically. The family stayed the course through the Great Depression of the 1930s, through World War II, and witnessed the expansion of U.C. Davis, with Callori children and grandchildren attending the university.

Therefore, it is recommended that a plaque, memorial, and perhaps the Callori name be retained in some form when the property is developed. Because family members still retain a great deal of family history in the form of photographs and documents, another possibility is to develop a short history of the family that could be published through the Hattie-Weber Museum and made available to the public. The family has expressed a strong desire for acknowledging the legacy of the Callori family, as representatives of many Italian immigrants who contributed to the culture, history, and economy of the City of Davis, by memorializing the Callori family through the naming of a street on the project site with the Callori surname.

In accordance with Section 5097.98 of the California Public Resources Code, if during the implementation of this project subsurface archaeological remains are exposed during ground construction, work within five meters of the radius of the find(s) must be halted and a qualified archaeologist retained to evaluate the findings. These requirements applies to the discovery of both historic archaeological deposits and prehistoric archaeological deposits, including human remains. If human are encountered during excavations associated with this project, all work must halt, and the County Coroner must be notified (Section 7050.5 of the California Health and Safety Code). The coroner will determine whether the remains are of forensic interest. If the coroner, with the aid of the supervising archaeologist, determines that the remains are prehistoric, the coroner will contact the Native American Heritage Commission (NAHC). The NAHC will be responsible for designating the most likely descendant (MLD), who will be responsible for the ultimate disposition of the

remains, as required by Section 5097.98 of the Public Resources Code. The MLD should make his/her recommendations within 48 hours of their notification by the NAHC. This recommendation may include A) the nondestructive removal and analysis of human remains and items associated with Native American human remains; (B) preservation of Native American human remains and associated items in place; (C) relinquishment of Native American human remains and associated items to the descendants for treatment; or (D) other culturally appropriate treatment.

VIII. PROFESSIONAL QUALIFICATIONS

Dana E. Supernowicz, principal of Historic Resource Associates, earned his M.A. degree in History at California State University, Sacramento in 1983, with an emphasis in California and Western United States history. Supernowicz has over 38 years of experience working in the field of cultural resources management for federal and state agencies, as well as over 30 years in private consulting. He is a Registered Professional Archaeologist (RPA), served as president of the El Dorado County Historical Society, and is a member of the Society for California Archaeology, Society of Historical Archaeology, Oregon-California Trails Association, and the National Trust for Historic Preservation. Supernowicz meets the Secretary of the Interior's Professional Standards in Architectural History, Archaeology, and History.

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State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # _____
HRI # _____
Trinomial _____
NRHP Status Code _____

Other Listings _____

Review Code _____ Reviewer _____ Date _____

Page 1 of 2

*Resource Name or #: 1111 Olive Drive

P1. Other Identifier: APN 070-290-007

*P2. Location: ☐ Not for Publication ☒ Unrestricted

*a. County: Yolo

*b. USGS 7.5' Quad: Davis, California

c. Address: 1111 Olive Drive

City: Davis

Zip: 95616

d. UTM: N/A

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate): The subject property is located one parcel west of the intersection of Hickory Lane and Olive Drive. The trapezoidal parcel fronts Olive Drive. APN 070-324-07.

*P3a. Description:

The single-family, single-story, wood frame residence dates to the early 1950s. The house sits on a narrow, level parcel fronting Olive Drive and abutting Slatter's Court to the west with a single-car garage in the rear. Character defining features of the residence include an asphalt shingle, shallow pitched hipped roof; stucco exterior wall surfaces; an irregular shape or massing; aluminum slider windows; and a wooden and lighted front entry door facing east with a shed roof porch above the concrete entry stoop. Access to the residence is via a paved asphalt driveway off Olive Drive.

*P3b. Resource Attributes: HP2 - Single-family residence

*P4. Resources Present: ☒ Building ☐ Structure ☐ Object ☐ Site ☐ District ☐ Element of District

P5a. Photograph or Drawing (Photograph required for buildings, structures, and objects.)



P5b. Description of Photo: View looking west at the residence from Olive Drive.

*P6. Date Constructed/Age and Sources: ☒ Historic Circa early 1950s, as per Robert Jordan (personal communication, January 7, 2016).

*P7. Owner and Address: Paul Gradeff, HighBridge Properties, 101 Montgomery Street, Suite 2550, San Francisco, CA 94104.

*P8. Recorded by: Dana E. Supernowicz, Architectural Historian, Historic Resource Associates, 2001 Sheffield Drive, El Dorado Hills, CA 95762.

*P9. Date Recorded: December 2015

*P10. Type of Survey: ☒ Architectural

Describe: Architectural Recordation and Evaluation per Section 106 of NHPA.

*P11. Report Citation: Historical Resource Analysis Study of the Lincoln 40 Project, including 1111, 1165, 1185, 1207 and 1225 Olive Drive and 113 and 118 Hickory Lane, Davis, Yolo County, California 95616. Prepared for Paul Gradeff, HighBridge Properties, 101 Montgomery Street, Suite 2550, San Francisco, CA. Prepared by Historic Resource Associates, 2001 Sheffield Drive, El Dorado Hills, CA 95762. January 2016.

*Attachments: ☐ NONE ☐ Location Map ☐ Continuation Sheet ☒ Building, Structure, and Object Record ☐ Archaeological Record ☐ District Record ☐ Linear Feature Record ☐ Milling Station Record ☐ Rock Art Record ☐ Artifact Record ☐ Photograph Record ☐ Other (List):

PRIMARY RECORD

Primary # _____

HRI # _____

Trinomial _____

NRHP Status Code _____

Other Listings _____

Review Code _____ Reviewer _____ Date _____

Page 2 of 2

*Resource Name or #: 1111 Olive Drive

*P3a. Description: (Continued):



Figure 1: View looking northeast at the residence in the center of the photograph from Olive Drive.

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
BUILDING, STRUCTURE & OBJECT RECORD

Primary # _____
HRI # _____

Page 1 of 7

*Resource Name or #: 1111 Olive Drive

NRHP Status Code: 6Z

- B1. Historic Name:** Maggiolo Family Property
B2. Common Name: 1111 Olive Drive
B3. Original Use: Residence **B4. Present Use:** Residence/Rental
***B5. Architectural Style:** Mid-Century Ranch/Minimalist
***B6. Construction History:** According to historic maps, aerial photographs, and oral history (personal communication Robert Jordan, January 7, 2016), the subject property was built in the early 1950s and was a "kit" house, perhaps Sears & Robuck.
***B7. Moved?** ☒ No ☐ Yes ☐ Unknown **Date:** N/A **Original Location:.**
***B8. Related Features:** To the east of the subject property is the former Callori Restaurant. To the west is Slatter's Court.
B9a. Architect: Possibly Sears & Robuck **B9b. Builder:** Undetermined
***B10. Significance: Theme:** Mid-Twentieth Century Residence Ranch/Minimalist Architecture; Callori-Maggiolo Family Farm
Area: South Davis **Period of Significance:** 1925-1960 **Property Type:** Residential building
Applicable Criteria: NRHP A-C; CRHR 1-3; Davis Landmark 1-3; Davis Merit Resource 1-3; Davis Historic District

The historic context for the subject property is rooted in the development of land fronting Olive Drive by members of the Callori and Maggiolo families from the 1920s through the 1950s. The homes and rental properties built by the two families shared common features in that they were modest in size, affordable to build, and represented architectural designs commonly found in Davis and the Sacramento Valley from the 1920s through the 1950s (refer to BSO, Page 2 of 7).

- B11. Additional Resource Attributes:**
B12. References: Anderson, Timothy, Eudorah M. Moore, and Robert W. Winter eds. *California Design 1910*. Salt Lake City: Peregrine Smith Books. 1980; Architectural Resources Group. Cultural Resources Inventory and Context Statement. 1996. Unpublished report on file City of Davis Planning Department; Boghosian, Paula. "Cultural Resources Inventory: City of Davis." 1986. Unpublished report on file City of Davis Planning Department; City of Davis. The Core Area Specific Plan (1961), Margolis, John. *Home Away from Home: Motels in America*, Bullfinch Press, 1995; The Downtown Strategy Report (2000) and the Davis Downtown and Traditional Residential Neighborhoods Design Guidelines (July 2001); Gebhard, David ed. *The Guide to Architecture in San Francisco and Northern California*. 1976, revised 1985; Gudde, Erwin G. *California Place Names: The Origin and Etymology of Current Geographical Names*. Berkeley: University of California Press. 1969; Larkey, Joann Leach. "Portraits of the Past." A series of articles published in the *Davis Enterprise* with detailed information on an array of individuals, buildings, and events in Davis' history. File at Hattie Weber Museum, Davis, CA. 1960s; Larkey, Joann Leach. "Portraits of the Past: Suburban Development in the 1920s." *Davis Enterprise*. June 22, 1972 (refer to BSO, Page 7 of 7).
B13. Remarks: None.
B14. Evaluator: Dana E. Supernowicz, Architectural Historian, Historic Resource Associates, 2001 Sheffield Drive, El Dorado Hills, CA 95762.
Date of Evaluation: December 2015

AERIAL PHOTOGRAPH (Google Earth) 2015



(This space reserved for official comments.)

***B10. Significance:(Continued):**

REGULATORY FRAMEWORK

National Register of Historic Places (NRHP) Criteria

Criterion A: Event

Properties can be eligible for the National Register if they are associated with events that have made a significant contribution to the broad patterns of our history.

Criterion B: Person

Properties may be eligible for the National Register if they are associated with the lives of persons significant in our past.

Criterion C: Design/Construction

Properties may be eligible for the National Register if they embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction.

Criterion D: Information Potential

Properties may be eligible for the National Register if they have yielded, or may be likely to yield, information important in prehistory or history.

As the National Register points out, “when evaluated within its historic context, a property must be shown to be significant for one or more of the four Criteria for Evaluation - A, B, C, or D.” The rationale for judging a property's significance and, ultimately, its eligibility under the Criteria is its historic context and integrity. The use of historic context allows a property to be properly evaluated in a variety of ways. The key to determining whether the characteristics or associations of a particular property are significant is to consider the property within its proper historic context (Ibid).¹

California Environmental Quality Act (CEQA) and California Register of Historic Resources (CRHR) Criteria

The regulatory framework for this historic resource study and the evaluation lies within the guidelines imposed for the California Environmental Quality Act (CEQA) and the California Register of Historic Resources (CRHR) under Public Resources Code section 5024.1. CEQA guidelines define a significant cultural resource as “a resource listed in or eligible for listing on the CRHR. A historical resource may be eligible for inclusion in the CRHR if it:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. Is associated with the lives of persons important in our past;
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, represents the work of an important creative individual, or possesses high artistic values; or
4. Has yielded, or may be likely to yield, information important to prehistory or history.

¹ USDI, National Park Service. National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation, n.d.

***B10. Significance:(Continued):**

Landmark Resource Criteria

In addition, the City of Davis Historical Resources Management Zoning Code defines a Landmark as follows:

“Landmark” means buildings, structures, objects, signs, features, sites, places, areas, cultural landscapes or other improvements of the highest scientific, aesthetic, educational, cultural, archaeological, architectural, or historical value to the citizens of the City of Davis and designated as such by the City Council pursuant to the provisions of this article. A landmark is deemed to be so important to the historical and architectural fabric of the community that its loss would be deemed a major loss to the community. Once designated, Landmarks are included in the Davis Register of Historical Resources. Landmarks were formerly designated as “Outstanding Historical Resources.”

(a) Upon the recommendation of the Historical Resource Management Commission and approval of the City Council a Historical Resource may be designated a Landmark if the resource meets any of the following four criteria at the local, state, or national level of significance and retains a high level of historic integrity as defined by this article.

- (1) Associated with events that have made a significant contribution to the broad patterns in the history of Davis, California, or the Nation; or
- (2) Associated with the lives of significant persons in the history of Davis, California, or the Nation; or
- (3) Embodies the distinctive characteristics of a type, period, architectural style or method of construction; or that represent the work of a master designer; or that possess high artistic values; or that represents a significant and distinguishable entity whose components may lack individual distinction; or
- (4) Has yielded or may likely yield archaeological or anthropological information important in the study of history, prehistory, or human culture.

(b) Landmark factors to be considered. In determining whether to designate a resource a Landmark, the following factors should be considered, if applicable:

- (1) A resource moved from its original location may be designated a Landmark if it is significant primarily for its architectural value or it is one of the most important surviving structures associated with an important person or historic event.
- (2) A birthplace or grave may be designated a Landmark if it is that of a historical figure of outstanding importance within the history of Davis, the state or the nation and there are no other appropriate sites or resources directly associated with his or her life or achievements.
- (3) A reconstructed building may be designated a Landmark if the reconstruction is historically accurate and is based on sound historical documentation, is executed in a suitable environment, and if no other original structure survives that has the same historical association.
- (4) A resource achieving significance within the past fifty (50) years may be designated a landmark if the resource is of exceptional importance within the history of Davis, the state or the nation.

***B10. Significance:(Continued):**

Merit Resource Criteria

The Historical Resources Management Commission may also designate a resource as a Merit Resource. A Merit Resource is defined in city zoning as follows:

“Merit Resource” means buildings, structures, objects, signs, features, sites, places, areas, cultural landscapes or other improvements with scientific, aesthetic, educational, cultural, archaeological, architectural, or historical value to the citizens of the City of Davis and designated as such by the City Council pursuant to the provisions of this article. Once designated, Merit Resources are included in the Davis Register. Merit Resources were formerly designated as “Historical Resources.”

(c) Upon the recommendation of the Historical Resource Management Commission and approval of the City Council a Historical Resource may be designated a Merit Resource if the resource meets one of the following four criteria at the local level of significance and possesses historic integrity as defined under this article:

- (1) Associated with events that have made a significant contribution to the broad patterns in the history of Davis; or
- (2) Associated with the lives of significant persons in the history of Davis; or
- (3) Embodies the distinctive characteristics of a type, period, architectural style or method of construction; or that represent the work of a master designer; or that possess high artistic values; or that represents a significant and distinguishable entity whose components may lack individual distinction; or
- (4) Has yielded or may likely yield archaeological or anthropological information important in the study of history, prehistory, or human culture.

(d) Merit Resources factors to be considered. In determining whether to designate a resource a Merit Resource, the following factors should be considered, if applicable:

- (1) A resource moved from its original location may be designated a Merit Resource if it is significant for its architectural value or if an understanding of the associated important person or historic event has not been impaired by the relocation.
- (2) A birthplace or grave may be designated a Merit Resource if it is that of a historical figure of outstanding importance within the history of Davis and there are no other appropriate sites or resources directly associated with his or her life or achievements.
- (3) A reconstructed building may be designated a Merit Resource if the reconstruction is historically accurate and is based on sound historical documentation, is executed in a suitable environment, and if no other original structure survives that has the same historical association.

***B10. Significance:(Continued):**

Historic District Criteria

The City zoning code defines a historic district as follows:

“Historic District” means a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development. A district derives its importance from being a unified entity, even though it is often composed of a wide variety of resources. The identity of a Historic District results from the interrelationship of its resources, which can convey a visual sense of the overall historic environment or be an arrangement of historically or functionally related properties. Designated Historic Districts are included in the Davis Register of Historic Resources. Historic Districts can include Historical Resources that may be individually designated as Landmarks or Merit Resources.

It further defines the components of a district as follows:

“Historic District Contributor” means a building, site, structure, object, or cultural landscape identified in the Historic District Plan that possesses sufficient integrity to add to the historic architectural qualities, historic associations or patterns for which an Historic District is significant.

“Historic District Non-Contributor” means a building, site, structure, object, or cultural landscape identified in the Historic District Plan that does not add to the historic architectural qualities, historic association or patterns for which a Historic District is significant.

Zoning code provides that the Commission can designate districts of historical resources as follows:

(e) Commission and approval of the City Council a group of historical resources may be designated a Historic District if the district meets any of the following significance criteria:

- (1) Associated with events that have made a significant contribution to the broad patterns in the history of Davis, California or the Nation; or
- (2) Associated with the lives of significant persons in the history of Davis, California or the Nation; or
- (3) Embodies the distinctive characteristics of a type, period, architectural style or method of construction; or that represent the work of a master designer; or that possess high artistic values; or that represents a significant and distinguishable entity whose components may lack individual distinction; or
- (4) Has yielded or may likely yield archaeological or anthropological information important in the study of history, prehistory, or human culture.

(f) Historic District factors to be considered. In determining whether to designate a group of resources as a Historic District, the following factors should be considered, if applicable:

- (1) To be designated a Historic District a grouping of historical resources must meet one of the above four criteria at the local, state, or national level of significance and the majority of the Historic District contributors must retain historic integrity. The collective value of the district contributors may be greater than the individual resources within the Historic District;

***B10. Significance:(Continued):**

(2) A Historic District Plan shall be developed and reviewed by the Historical Resources Management Commission simultaneously with designation. The Historic District Plan shall provide standards for review within that particular district to ensure that new development, renovation, and rehabilitation are compatible and complementary to the prevalent character-defining features, architectural style, historic context, and design elements within the Historic District;

(3) The Historic District contributors are identified in the designation materials and the District Plan including buildings, sites, structures, objects, or cultural landscapes that add to the historic architectural qualities, historic associations or patterns for which a Historic District is significant and that are located within the district boundaries;

(4) The Historic District non-contributors are identified in the designation materials and the District Plan including buildings, sites, structures, objects and landscapes within the district boundaries that do not add to the historic architectural qualities, historic association or patterns for which the Historic District is significant;

(5) The Historic District boundaries and period of significance are identified in the designation materials and the District Plan.

SIGNIFICANCE STATEMENT

Determining the significance of 1111 Olive Drive is predicated on the property retaining a sufficient level of integrity in order to convey its historic significance, and whether the property meets the aforementioned criteria. The house located at 1111 Olive Drive represents a modest Mid-Twentieth Century Ranch/Minimalist style residence that is associated with the Italian-American Callori and Maggiolo families, who developed a large swath of land beginning at a point where Olive Drive meets the Union Pacific Railroad right of way, west just past Hickory Lane, and just east of Slatter's Court. Within this approximate 9 acre area, both families built various homes, many as rental properties, beginning in the mid-1920s, when Guissepi "Joseph" Callori acquired the property. While the majority of the residences and cottages still exist, others have been demolished, and a former motel (Kober Apartments) built in what was once an undeveloped field.

Each property was examined for its individual merit and collectively as an ensemble group of properties, being part of a historic district. In regards to the individual eligibility, 1111 Olive Drive does not represent an important example of Ranch or Minimalist Mid-Twentieth Century architecture despite the fact that the building retains relatively good integrity of design, materials, workmanship, association, setting, feeling, and location. Nor does the property's architecture exhibit any ethnic or cultural characteristics that would associate it with Italians or Italian-Americans.

In terms of a historic district, based upon oral history, historic maps, and photographs, four of the 1937-1944 Callori cottages have been demolished, the remaining three cottages have been remodeled with stucco cladding over the original wood board siding, an older barn at the north end of Hickory Drive has been torn down, and a commercial motel, now an apartment building, has been added near the center of the family holding, altering the visual continuity of the modest residential homes and cottages.

In conclusion, the subject property at 1111 Olive Drive is not eligible for the NRHP, the CRHR, as a City of Davis Historic Landmark, as a City of Davis Merit Resource, or as a contributing element to a potential historic district.

B12. References: (Continued):

Larkey, Joann Leach and Shipley Walters. *Yolo County, Land of Changing Patterns*. Windsor Publications, 1987.

Lofland, John. "Researching Davis Buildings." Unpublished Manuscript. Davis, California.

Lofland, John and Phyllis Haig. *Davis, California: 1910s-1940s*. Arcadia Publishing. 2000.

McAlester, Lee. *Field Guide to American House*. New York: Knopf. 1984.

USDI, National Parks Service. National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation. n.d.

Weissman, Alan, ed. *Craftsman Bungalows: 59 Homes from "The Craftsman."* New York: Dover Publications, Inc. 1988.

Primary Records

City of Davis. Building Permits on file with the City Community Development Department, 23 Russell Boulevard, Davis, California.

Fuentes, Sandra. Personal Communication. January 2016.

Jordan, Robert. Personal Communication. Petaluma, California. January 2016.

Lofland, John. Personal Communication. Davis, California. December 2015.

United States Federal Census. Davis, Yolo County, California. 1920-1940.

University of California, Davis. Shields Library, Map Room. Davis, California.

Maps

Assessor Parcel Maps, Yolo County, California.

Cheney, Charles. City Plan of Davis 1927.

City of Davis Ownership Map 1929.

Map of Davis 1914, 1928.

Map of Davisville Yolo County 1868.

Sanborn Fire Insurance Map Company. Sanborn Fire Insurance Maps. Davis, California. 1900; 1907; 1911; 1921; and 1921, updated 1945.

USGS Quadrangle Map, Davis, California 1907; 1915; 1952; 1968; and 1981.

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # _____
HRI # _____
Trinomial _____
NRHP Status Code _____

Other Listings _____

Review Code _____ Reviewer _____ Date _____

Page 1 of 2

*Resource Name or #: 1165 Olive Drive

P1. Other Identifier: APN 070-290-009

*P2. Location: ☐ Not for Publication ☒ Unrestricted

*a. County: Yolo

*b. USGS 7.5' Quad: Davis, California

c. Address: 1165 Olive Drive

City: Davis

Zip: 95616

d. UTM: N/A

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate): The subject property is located southeast of 118 Hickory Lane and one parcel over from Hickory Lane; the subject parcel fronts Olive Drive. APN 070-290-009.

*P3a. Description:

The subject property, which reportedly dates to circa 1946, consists of a single-story, wood-frame "L-shaped" residence with a hipped roof clad with asphalt shingles, stucco exterior wall cladding, exposed purlins below the roof eaves, and divided light wood-sash, and aluminum slider windows. The house rests on a perimeter concrete foundation and the paneled wood front entry door is accessed via several concrete steps. The house faces east away from Olive Drive and the rear or west elevation of the house includes a hipped roof addition, which is likely a kitchen or bathroom. The house does not have a garage and parking is in the rear. The front of the house features mature trees, a prickly pear cactus, lawns, and a concrete walkway along its eastern edge.

*P3b. Resource Attributes: HP2 - Single-family residence

*P4. Resources Present: ☒ Building ☐ Structure ☐ Object ☐ Site ☐ District ☐ Element of District

P5a. Photograph or Drawing (Photograph required for buildings, structures, and objects.)



P5b. Description of Photo: View looking northeast from Olive Drive.

*P6. Date Constructed/Age and Sources: ☒ Historic
Circa 1946 per historic maps, aerial photographs, and oral history.

*P7. Owner and Address: Paul Gradeff, HighBridge Properties, 101 Montgomery Street, Ste. 2550, San Francisco, CA 94104.

*P8. Recorded by: Dana E. Supernowicz, Architectural Historian, Historic Resource Associates, 2001 Sheffield Drive, El Dorado Hills, CA 95762.

*P9. Date Recorded: December 2015

*P10. Type of Survey: ☒ Architectural

Describe: Architectural Recordation and Evaluation per Section 106 of NHPA.

*P11. Report Citation: Historical Resource Analysis Study of the Lincoln 40 Project, including 1111, 1165, 1185, 1207 and 1225 Olive Drive and 113 and 118 Hickory Lane, Davis, Yolo County, California 95616. Prepared for Paul Gradeff, HighBridge Properties, 101 Montgomery Street, Suite 2550, San Francisco, CA. Prepared by Historic Resource Associates, 2001 Sheffield Drive, El Dorado Hills, CA 95762. January 2016.

*Attachments: ☐ NONE ☐ Location Map ☐ Continuation Sheet ☒ Building, Structure, and Object Record ☐ Archaeological Record
☐ District Record ☐ Linear Feature Record ☐ Milling Station Record ☐ Rock Art Record ☐ Artifact Record ☐ Photograph Record
☐ Other (List):

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # _____
HRI # _____
Trinomial _____
NRHP Status Code _____

Other Listings _____

Review Code _____ Reviewer _____ Date _____

Page 2 of 2

*Resource Name or #: 1165 Olive Drive

*P3a. Description: (Continued):



Figure 1: View looking northeast at the residence from Olive Drive.



Figure 2: View looking north at the residence from Olive Drive.

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
BUILDING, STRUCTURE & OBJECT RECORD

Primary # _____
HRI # _____

Page 1 of 7

*Resource Name or #: 1165 Olive Drive

NRHP Status Code: 6Z

- B1. Historic Name:** Callori/Maggiolo family property
B2. Common Name: 1165 Olive Drive
B3. Original Use: Residence **B4. Present Use:** Residence/Rental
***B5. Architectural Style:** Mid-Century Ranch /Minimalist Cottage
***B6. Construction History:** According to historic maps, photographs, and oral history, the subject property was built around 1946.
***B7. Moved?** ☒ No ☐ Yes ☐ Unknown **Date:** N/A **Original Location:**
***B8. Related Features:** The subject property lies one parcel to the east of Hickory Lane. The residence at 1185 Olive Drive lies immediately to the east.
B9a. Architect: Undetermined **B9b. Builder:** Undetermined
***B10. Significance: Theme:** Mid-Twentieth Century Ranch/Minimalist Architecture; Callori-Maggiolo Family Ranch or Farm
Area: South Davis **Period of Significance:** 1925-1960 **Property Type:** Residence
Applicable Criteria: NRHP A-C; CRHR 1-3; Davis Landmark 1-3; Davis Merit Resource 1-3; Davis Historic District

The historic context for the subject property is rooted in the development of land fronting Olive Drive by members of the Callori and Maggiolo families from the 1920s through the 1950s. The homes and rental properties built by the two families shared common features in that they were modest in size, affordable to build, and represented architectural designs commonly found in Davis and the Sacramento Valley from the 1920s through the 1950s (refer to BSO, Page 2 of 7).

B11. Additional Resource Attributes:

B12. References: Anderson, Timothy, Eudora M. Moore, and Robert W. Winter eds. *California Design 1910*. Salt Lake City: Peregrine Smith Books. 1980; Architectural Resources Group. Cultural Resources Inventory and Context Statement. 1996. Unpublished report on file City of Davis Planning Department; Boghosian, Paula. "Cultural Resources Inventory: City of Davis." 1986. Unpublished report on file City of Davis Planning Department; City of Davis. The Core Area Specific Plan (1961), Margolis, John. *Home Away from Home: Motels in America*, Bullfinch Press, 1995; The Downtown Strategy Report (2000) and the Davis Downtown and Traditional Residential Neighborhoods Design Guidelines (July 2001); Gebhard, David ed. *The Guide to Architecture in San Francisco and Northern California*. 1976, revised 1985; Gudde, Erwin G. *California Place Names: The Origin and Etymology of Current Geographical Names*. Berkeley: University of California Press. 1969; Larkey, Joann Leach. "Portraits of the Past." A series of articles published in the *Davis Enterprise* with detailed information on an array of individuals, buildings, and events in Davis' history. File at Hattie Weber Museum, Davis, CA. 1960s; Larkey, Joann Leach. "Portraits of the Past: Suburban Development in the 1920s." *Davis Enterprise*. June 22, 1972 (refer to BSO, Page 7 of 7).

B13. Remarks: None.

B14. Evaluator: Dana E. Supernowicz, Architectural Historian, Historic Resource Associates, 2001 Sheffield Drive, El Dorado Hills, CA 95762.

Date of Evaluation: December 2015

AERIAL PHOTOGRAPH 2015 (Google Earth)



(This space reserved for official comments.)

***B10. Significance:(Continued):**

REGULATORY FRAMEWORK

National Register of Historic Places (NRHP) Criteria

Criterion A: Event

Properties can be eligible for the National Register if they are associated with events that have made a significant contribution to the broad patterns of our history.

Criterion B: Person

Properties may be eligible for the National Register if they are associated with the lives of persons significant in our past.

Criterion C: Design/Construction

Properties may be eligible for the National Register if they embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction.

Criterion D: Information Potential

Properties may be eligible for the National Register if they have yielded, or may be likely to yield, information important in prehistory or history.

As the National Register points out, “when evaluated within its historic context, a property must be shown to be significant for one or more of the four Criteria for Evaluation - A, B, C, or D.” The rationale for judging a property's significance and, ultimately, its eligibility under the Criteria is its historic context and integrity. The use of historic context allows a property to be properly evaluated in a variety of ways. The key to determining whether the characteristics or associations of a particular property are significant is to consider the property within its proper historic context (Ibid).¹

California Environmental Quality Act (CEQA) and California Register of Historic Resources (CRHR) Criteria

The regulatory framework for this historic resource study and the evaluation lies within the guidelines imposed for the California Environmental Quality Act (CEQA) and the California Register of Historic Resources (CRHR) under Public Resources Code section 5024.1. CEQA guidelines define a significant cultural resource as “a resource listed in or eligible for listing on the CRHR. A historical resource may be eligible for inclusion in the CRHR if it:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. Is associated with the lives of persons important in our past;
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, represents the work of an important creative individual, or possesses high artistic values; or
4. Has yielded, or may be likely to yield, information important to prehistory or history.

¹ USDI, National Park Service. National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation, n.d.

***B10. Significance:(Continued):**

Landmark Resource Criteria

In addition, the City of Davis Historical Resources Management Zoning Code defines a Landmark as follows:

“Landmark” means buildings, structures, objects, signs, features, sites, places, areas, cultural landscapes or other improvements of the highest scientific, aesthetic, educational, cultural, archaeological, architectural, or historical value to the citizens of the City of Davis and designated as such by the City Council pursuant to the provisions of this article. A landmark is deemed to be so important to the historical and architectural fabric of the community that its loss would be deemed a major loss to the community. Once designated, Landmarks are included in the Davis Register of Historical Resources. Landmarks were formerly designated as “Outstanding Historical Resources.”

(a) Upon the recommendation of the Historical Resource Management Commission and approval of the City Council a Historical Resource may be designated a Landmark if the resource meets any of the following four criteria at the local, state, or national level of significance and retains a high level of historic integrity as defined by this article.

- (1) Associated with events that have made a significant contribution to the broad patterns in the history of Davis, California, or the Nation; or
- (2) Associated with the lives of significant persons in the history of Davis, California, or the Nation; or
- (3) Embodies the distinctive characteristics of a type, period, architectural style or method of construction; or that represent the work of a master designer; or that possess high artistic values; or that represents a significant and distinguishable entity whose components may lack individual distinction; or
- (4) Has yielded or may likely yield archaeological or anthropological information important in the study of history, prehistory, or human culture.

(b) Landmark factors to be considered. In determining whether to designate a resource a Landmark, the following factors should be considered, if applicable:

- (1) A resource moved from its original location may be designated a Landmark if it is significant primarily for its architectural value or it is one of the most important surviving structures associated with an important person or historic event.
- (2) A birthplace or grave may be designated a Landmark if it is that of a historical figure of outstanding importance within the history of Davis, the state or the nation and there are no other appropriate sites or resources directly associated with his or her life or achievements.
- (3) A reconstructed building may be designated a Landmark if the reconstruction is historically accurate and is based on sound historical documentation, is executed in a suitable environment, and if no other original structure survives that has the same historical association.
- (4) A resource achieving significance within the past fifty (50) years may be designated a landmark if the resource is of exceptional importance within the history of Davis, the state or the nation.

***B10. Significance:(Continued):**

Merit Resource Criteria

The Historical Resources Management Commission may also designate a resource as a Merit Resource. A Merit Resource is defined in city zoning as follows:

“Merit Resource” means buildings, structures, objects, signs, features, sites, places, areas, cultural landscapes or other improvements with scientific, aesthetic, educational, cultural, archaeological, architectural, or historical value to the citizens of the City of Davis and designated as such by the City Council pursuant to the provisions of this article. Once designated, Merit Resources are included in the Davis Register. Merit Resources were formerly designated as “Historical Resources.”

(c) Upon the recommendation of the Historical Resource Management Commission and approval of the City Council a Historical Resource may be designated a Merit Resource if the resource meets one of the following four criteria at the local level of significance and possesses historic integrity as defined under this article:

- (1) Associated with events that have made a significant contribution to the broad patterns in the history of Davis; or
- (2) Associated with the lives of significant persons in the history of Davis; or
- (3) Embodies the distinctive characteristics of a type, period, architectural style or method of construction; or that represent the work of a master designer; or that possess high artistic values; or that represents a significant and distinguishable entity whose components may lack individual distinction; or
- (4) Has yielded or may likely yield archaeological or anthropological information important in the study of history, prehistory, or human culture.

(d) Merit Resources factors to be considered. In determining whether to designate a resource a Merit Resource, the following factors should be considered, if applicable:

- (1) A resource moved from its original location may be designated a Merit Resource if it is significant for its architectural value or if an understanding of the associated important person or historic event has not been impaired by the relocation.
- (2) A birthplace or grave may be designated a Merit Resource if it is that of a historical figure of outstanding importance within the history of Davis and there are no other appropriate sites or resources directly associated with his or her life or achievements.
- (3) A reconstructed building may be designated a Merit Resource if the reconstruction is historically accurate and is based on sound historical documentation, is executed in a suitable environment, and if no other original structure survives that has the same historical association.

***B10. Significance:(Continued):**

Historic District Criteria

The City zoning code defines a historic district as follows:

“Historic District” means a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development. A district derives its importance from being a unified entity, even though it is often composed of a wide variety of resources. The identity of a Historic District results from the interrelationship of its resources, which can convey a visual sense of the overall historic environment or be an arrangement of historically or functionally related properties. Designated Historic Districts are included in the Davis Register of Historic Resources. Historic Districts can include Historical Resources that may be individually designated as Landmarks or Merit Resources.

It further defines the components of a district as follows:

“Historic District Contributor” means a building, site, structure, object, or cultural landscape identified in the Historic District Plan that possesses sufficient integrity to add to the historic architectural qualities, historic associations or patterns for which an Historic District is significant.

“Historic District Non-Contributor” means a building, site, structure, object, or cultural landscape identified in the Historic District Plan that does not add to the historic architectural qualities, historic association or patterns for which a Historic District is significant.

Zoning code provides that the Commission can designate districts of historical resources as follows:

(e) Commission and approval of the City Council a group of historical resources may be designated a Historic District if the district meets any of the following significance criteria:

- (1) Associated with events that have made a significant contribution to the broad patterns in the history of Davis, California or the Nation; or
- (2) Associated with the lives of significant persons in the history of Davis, California or the Nation; or
- (3) Embodies the distinctive characteristics of a type, period, architectural style or method of construction; or that represent the work of a master designer; or that possess high artistic values; or that represents a significant and distinguishable entity whose components may lack individual distinction; or
- (4) Has yielded or may likely yield archaeological or anthropological information important in the study of history, prehistory, or human culture.

(f) Historic District factors to be considered. In determining whether to designate a group of resources as a Historic District, the following factors should be considered, if applicable:

- (1) To be designated a Historic District a grouping of historical resources must meet one of the above four criteria at the local, state, or national level of significance and the majority of the Historic District contributors must retain historic integrity. The collective value of the district contributors may be greater than the individual resources within the Historic District;

***B10. Significance:(Continued):**

(2) A Historic District Plan shall be developed and reviewed by the Historical Resources Management Commission simultaneously with designation. The Historic District Plan shall provide standards for review within that particular district to ensure that new development, renovation, and rehabilitation are compatible and complementary to the prevalent character-defining features, architectural style, historic context, and design elements within the Historic District;

(3) The Historic District contributors are identified in the designation materials and the District Plan including buildings, sites, structures, objects, or cultural landscapes that add to the historic architectural qualities, historic associations or patterns for which a Historic District is significant and that are located within the district boundaries;

(4) The Historic District non-contributors are identified in the designation materials and the District Plan including buildings, sites, structures, objects and landscapes within the district boundaries that do not add to the historic architectural qualities, historic association or patterns for which the Historic District is significant;

(5) The Historic District boundaries and period of significance are identified in the designation materials and the District Plan.

SIGNIFICANCE STATEMENT

Determining the significance of the residence located at 1165 Olive Drive is predicated on the property retaining a sufficient level of integrity in order to convey its historic significance, and whether the property meets the aforementioned criteria. The house at 1165 Olive Drive represents a modest Mid-Twentieth Century Ranch/Minimalist Cottage style residence that is associated with the Italian-American Callori and Maggiolo families, who developed a large swath of land beginning at a point where Olive Drive meets the Union Pacific Railroad right of way, west just past Hickory Lane, and just east of Slatter's Court. Within this approximate 9 acre area, both families built various homes, many as rental properties, beginning in the mid-1920s when Guisseppe "Joseph" Callori acquired the property. While the majority of the residences and cottages still exist, others have been demolished, and a former motel (Kober Apartments) built in what was once an undeveloped field.

Each property was examined for its individual merit and collectively as an ensemble group of properties, being part of a potential historic district. In regards to the individual eligibility, 1165 Olive Drive does not represent an important example of Ranch or Minimalist Mid-Twentieth Century architecture, despite the fact that the building retains relatively good integrity of design, materials, workmanship, association, setting, feeling, and location. Nor does the property's architecture exhibit any ethnic or cultural characteristics that would associate it with Italians or Italian-Americans.

In terms of a historic district, based upon oral history, historic maps, and photographs, four of the 1937-1944 Callori cottages have been demolished, the remaining three cottages have been remodeled with stucco cladding over the original wood board siding, an older barn at the north end of Hickory Drive has been torn down, and a former commercial motel, now an apartment building, has been added near the center of the family holdings, altering the visual continuity of the modest residential homes and cottages.

In conclusion, the subject property at 1165 Olive Drive is not eligible for the NRHP, the CRHR, as a City of Davis Historic Landmark, as a City of Davis Merit Resource, or as a contributing element to a potential historic district.

B12. References: (Continued):

Larkey, Joann Leach and Shipley Walters. *Yolo County, Land of Changing Patterns*. Windsor Publications, 1987.

Lofland, John. "Researching Davis Buildings." Unpublished Manuscript. Davis, California.

Lofland, John and Phyllis Haig. *Davis, California: 1910s-1940s*. Arcadia Publishing. 2000.

McAlester, Lee. *Field Guide to American House*. New York: Knopf. 1984.

USDI, National Parks Service. National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation. n.d.

Weissman, Alan, ed. *Craftsman Bungalows: 59 Homes from "The Craftsman."* New York: Dover Publications, Inc. 1988.

Primary Records

City of Davis. Building Permits on file with the City Community Development Department, 23 Russell Boulevard, Davis, California.

Fuentes, Sandra. Personal Communication. January 2016.

Jordan, Robert. Personal Communication. Petaluma, California. January 2016.

Lofland, John. Personal Communication. Davis, California. December 2015.

United States Federal Census. Davis, Yolo County, California. 1920-1940.

University of California, Davis. Shields Library, Map Room. Davis, California.

Maps

Assessor Parcel Maps, Yolo County, California.

Cheney, Charles. City Plan of Davis 1927.

City of Davis Ownership Map 1929.

Map of Davis 1914, 1928.

Map of Davisville Yolo County 1868.

Sanborn Fire Insurance Map Company. Sanborn Fire Insurance Maps. Davis, California. 1900; 1907; 1911; 1921; and 1921, updated 1945.

USGS Quadrangle Map, Davis, California 1907; 1915; 1952; 1968; and 1981.

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # _____
HRI # _____
Trinomial _____
NRHP Status Code _____

Other Listings _____

Review Code _____ Reviewer _____ Date _____

Page 1 of 2

*Resource Name or #: 1185 Olive Drive

P1. Other Identifier: APN 070-290-010

*P2. Location: ☐ Not for Publication ☒ Unrestricted

*a. County: Yolo

*b. USGS 7.5' Quad: Davis, California

c. Address: 1185 Olive Drive

City: Davis

Zip: 95616

d. UTM: N/A

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate): The subject property is located on the north side of Olive Drive. APN 070-290-010.

*P3a. Description:

The subject property, which reportedly dates to the early 1960s, consists of an "L" shaped single-story, wood-frame residence Ranch style residence. Character defining features of the residence include a shallow gable roof clad with asphalt shingles, stucco exterior wall cladding, aluminum slider windows, a brick skirt, and a two-car garage with a contemporary paneled roll-up aluminum garage door. Each window is flanked by a wooden louvered shutter. The front entry door is sandwiched between the garage and the return on the main wall covered with a shed roof and accessed by a concrete stoop. Mature shrubs cover portions of the front of the house facing Olive Drive. The garage is accessed via a paved asphalt

*P3b. Resource Attributes: HP2 - Single-family residence

*P4. Resources Present: ☒ Building ☐ Structure

☐ Object

☐ Site

☐ District

☐ Element of District

P5a. Photograph or Drawing (Photograph required for buildings, structures, and objects.)



P5b. Description of Photo: View looking north at the residence from Olive Drive.

*P6. Date Constructed/Age and Sources: ☒ Historic Circa late 1950s based upon historic maps and aerial photos, and personal communication: Sandra Fuentes, January 16, 2016..

*P7. Owner and Address: Paul Gradeff, HighBridge Properties, 101 Montgomery Street, Ste. 2550, San Francisco, CA 94104.

*P8. Recorded by: Dana E. Supernowicz, Architectural Historian, Historic Resource Associates, 2001 Sheffield Drive, El Dorado Hills, CA 95762.

*P9. Date Recorded: December 2015

*P10. Type of Survey: ☒ Architectural

Describe: Architectural Recordation and Evaluation per Section 106 of NHPA.

*P11. Report Citation: Historical Resource Analysis Study of the Lincoln 40 Project, including 1111, 1165, 1185, 1207 and 1225 Olive Drive and 113 and 118 Hickory Lane, Davis, Yolo County, California 95616. Prepared for Paul Gradeff, HighBridge Properties, 101 Montgomery Street, Suite 2550, San Francisco, CA. Prepared by Historic Resource Associates, 2001 Sheffield Drive, El Dorado Hills, CA 95762. January 2016.

*Attachments: ☐ NONE ☐ Location Map ☐ Continuation Sheet ☒ Building, Structure, and Object Record ☐ Archaeological Record
☐ District Record ☐ Linear Feature Record ☐ Milling Station Record ☐ Rock Art Record ☐ Artifact Record ☐ Photograph Record
☐ Other (List):

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # _____
HRI # _____
Trinomial _____
NRHP Status Code _____

Other Listings _____

Review Code _____ Reviewer _____ Date _____

Page 2 of 2

*Resource Name or #: 1185 Olive Drive

*P3a. Description: (Continued):



Figure 1: View looking north at the residence from Olive Drive.



Figure 2: View looking northwest at the residence from Olive Drive.

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
BUILDING, STRUCTURE & OBJECT RECORD

Primary # _____
HRI # _____

Page 1 of 7

*Resource Name or #: 1185 Olive Drive

NRHP Status Code: 6Z

- B1. Historic Name:** Callori Residence
B2. Common Name: 1185 Olive Drive
B3. Original Use: Residence **B4. Present Use:** Residence/Rental
***B5. Architectural Style:** Mid-Century Modern Ranch
***B6. Construction History:** According to historic maps, aerial photographs, and oral history, the subject property was built in the late 1950s.
***B7. Moved?** ☒ No ☐ Yes ☐ Unknown **Date:** N/A **Original Location:.**
***B8. Related Features:** The subject lies within a much larger parcel that was once owned by the Callori family.
B9a. Architect: Undetermined **B9b. Builder:** Undetermined
***B10. Significance: Theme:** Mid-Twentieth Century Residence Ranch Architecture; Callori-Maggiolo Family Ranch/Farm
Area: South Davis **Period of Significance:** 1925-1960 **Property Type:** Residential building
Applicable Criteria: NRHP A-C; CRHR 1-3; Davis Landmark 1-3; Davis Merit Resource 1-3; Davis Historic District

The historic context for the subject property is rooted in the development of land fronting Olive Drive by members of the Callori and Maggiolo families from the 1920s through the 1950s. The homes and rental properties built by the two families shared common features in that they were modest in size, affordable to build, and represented architectural designs commonly found in Davis and the Sacramento Valley from the 1920s through the 1950s (refer to BSO, Page 2 of 7).

B11. Additional Resource Attributes:

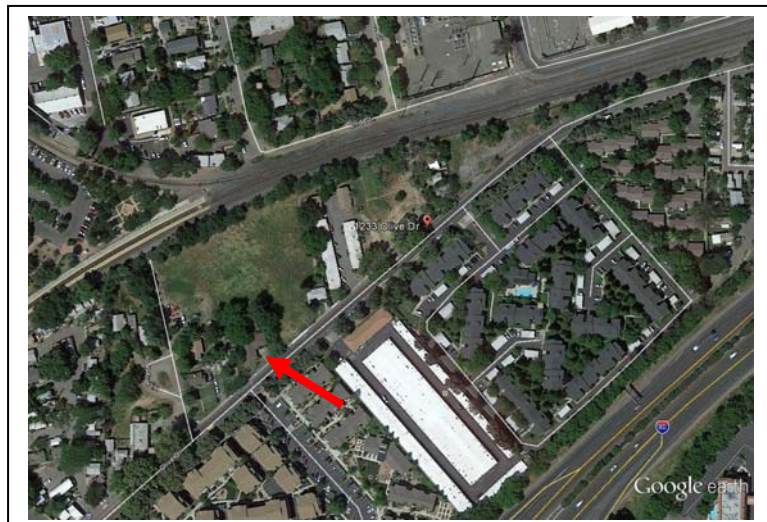
B12. References: Anderson, Timothy, Eudorah M. Moore, and Robert W. Winter eds. *California Design 1910*. Salt Lake City: Peregrine Smith Books. 1980; Architectural Resources Group. Cultural Resources Inventory and Context Statement. 1996. Unpublished report on file City of Davis Planning Department; Boghosian, Paula. "Cultural Resources Inventory: City of Davis." 1986. Unpublished report on file City of Davis Planning Department; City of Davis. The Core Area Specific Plan (1961), Margolis, John. *Home Away from Home: Motels in America*, Bullfinch Press, 1995; The Downtown Strategy Report (2000) and the Davis Downtown and Traditional Residential Neighborhoods Design Guidelines (July 2001); Gebhard, David ed. *The Guide to Architecture in San Francisco and Northern California*. 1976, revised 1985; Gudde, Erwin G. *California Place Names: The Origin and Etymology of Current Geographical Names*. Berkeley: University of California Press. 1969; Larkey, Joann Leach. "Portraits of the Past." A series of articles published in the *Davis Enterprise* with detailed information on an array of individuals, buildings, and events in Davis' history. File at Hattie Weber Museum, Davis, CA. 1960s; Larkey, Joann Leach. "Portraits of the Past: Suburban Development in the 1920s." *Davis Enterprise*. June 22, 1972 (refer to BSO, Page 7 of 7).

B13. Remarks: None.

B14. Evaluator: Dana E. Supernowicz, Architectural Historian, Historic Resource Associates, 2001 Sheffield Drive, El Dorado Hills, CA 95762.

Date of Evaluation: December 2015

AERIAL PHOTOGRAPH 2015 (Google Earth)



(This space reserved for official comments.)

***B10. Significance:(Continued):**

REGULATORY FRAMEWORK

National Register of Historic Places (NRHP) Criteria

Criterion A: Event

Properties can be eligible for the National Register if they are associated with events that have made a significant contribution to the broad patterns of our history.

Criterion B: Person

Properties may be eligible for the National Register if they are associated with the lives of persons significant in our past.

Criterion C: Design/Construction

Properties may be eligible for the National Register if they embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction.

Criterion D: Information Potential

Properties may be eligible for the National Register if they have yielded, or may be likely to yield, information important in prehistory or history.

As the National Register points out, “when evaluated within its historic context, a property must be shown to be significant for one or more of the four Criteria for Evaluation - A, B, C, or D.” The rationale for judging a property's significance and, ultimately, its eligibility under the Criteria is its historic context and integrity. The use of historic context allows a property to be properly evaluated in a variety of ways. The key to determining whether the characteristics or associations of a particular property are significant is to consider the property within its proper historic context (Ibid).¹

California Environmental Quality Act (CEQA) and California Register of Historic Resources (CRHR) Criteria

The regulatory framework for this historic resource study and the evaluation lies within the guidelines imposed for the California Environmental Quality Act (CEQA) and the California Register of Historic Resources (CRHR) under Public Resources Code section 5024.1. CEQA guidelines define a significant cultural resource as “a resource listed in or eligible for listing on the CRHR. A historical resource may be eligible for inclusion in the CRHR if it:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. Is associated with the lives of persons important in our past;
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, represents the work of an important creative individual, or possesses high artistic values; or
4. Has yielded, or may be likely to yield, information important to prehistory or history.

¹ USDI, National Park Service. National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation, n.d.

***B10. Significance:(Continued):**

Landmark Resource Criteria

In addition, the City of Davis Historical Resources Management Zoning Code defines a Landmark as follows:

“Landmark” means buildings, structures, objects, signs, features, sites, places, areas, cultural landscapes or other improvements of the highest scientific, aesthetic, educational, cultural, archaeological, architectural, or historical value to the citizens of the City of Davis and designated as such by the City Council pursuant to the provisions of this article. A landmark is deemed to be so important to the historical and architectural fabric of the community that its loss would be deemed a major loss to the community. Once designated, Landmarks are included in the Davis Register of Historical Resources. Landmarks were formerly designated as “Outstanding Historical Resources.”

(a) Upon the recommendation of the Historical Resource Management Commission and approval of the City Council a Historical Resource may be designated a Landmark if the resource meets any of the following four criteria at the local, state, or national level of significance and retains a high level of historic integrity as defined by this article.

- (1) Associated with events that have made a significant contribution to the broad patterns in the history of Davis, California, or the Nation; or
- (2) Associated with the lives of significant persons in the history of Davis, California, or the Nation; or
- (3) Embodies the distinctive characteristics of a type, period, architectural style or method of construction; or that represent the work of a master designer; or that possess high artistic values; or that represents a significant and distinguishable entity whose components may lack individual distinction; or
- (4) Has yielded or may likely yield archaeological or anthropological information important in the study of history, prehistory, or human culture.

(b) Landmark factors to be considered. In determining whether to designate a resource a Landmark, the following factors should be considered, if applicable:

- (1) A resource moved from its original location may be designated a Landmark if it is significant primarily for its architectural value or it is one of the most important surviving structures associated with an important person or historic event.
- (2) A birthplace or grave may be designated a Landmark if it is that of a historical figure of outstanding importance within the history of Davis, the state or the nation and there are no other appropriate sites or resources directly associated with his or her life or achievements.
- (3) A reconstructed building may be designated a Landmark if the reconstruction is historically accurate and is based on sound historical documentation, is executed in a suitable environment, and if no other original structure survives that has the same historical association.
- (4) A resource achieving significance within the past fifty (50) years may be designated a landmark if the resource is of exceptional importance within the history of Davis, the state or the nation.

***B10. Significance:(Continued):**

Merit Resource Criteria

The Historical Resources Management Commission may also designate a resource as a Merit Resource. A Merit Resource is defined in city zoning as follows:

“Merit Resource” means buildings, structures, objects, signs, features, sites, places, areas, cultural landscapes or other improvements with scientific, aesthetic, educational, cultural, archaeological, architectural, or historical value to the citizens of the City of Davis and designated as such by the City Council pursuant to the provisions of this article. Once designated, Merit Resources are included in the Davis Register. Merit Resources were formerly designated as “Historical Resources.”

(c) Upon the recommendation of the Historical Resource Management Commission and approval of the City Council a Historical Resource may be designated a Merit Resource if the resource meets one of the following four criteria at the local level of significance and possesses historic integrity as defined under this article:

- (1) Associated with events that have made a significant contribution to the broad patterns in the history of Davis; or
- (2) Associated with the lives of significant persons in the history of Davis; or
- (3) Embodies the distinctive characteristics of a type, period, architectural style or method of construction; or that represent the work of a master designer; or that possess high artistic values; or that represents a significant and distinguishable entity whose components may lack individual distinction; or
- (4) Has yielded or may likely yield archaeological or anthropological information important in the study of history, prehistory, or human culture.

(d) Merit Resources factors to be considered. In determining whether to designate a resource a Merit Resource, the following factors should be considered, if applicable:

- (1) A resource moved from its original location may be designated a Merit Resource if it is significant for its architectural value or if an understanding of the associated important person or historic event has not been impaired by the relocation.
- (2) A birthplace or grave may be designated a Merit Resource if it is that of a historical figure of outstanding importance within the history of Davis and there are no other appropriate sites or resources directly associated with his or her life or achievements.
- (3) A reconstructed building may be designated a Merit Resource if the reconstruction is historically accurate and is based on sound historical documentation, is executed in a suitable environment, and if no other original structure survives that has the same historical association.

***B10. Significance:(Continued):**

Historic District Criteria

The City zoning code defines a historic district as follows:

“Historic District” means a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development. A district derives its importance from being a unified entity, even though it is often composed of a wide variety of resources. The identity of a Historic District results from the interrelationship of its resources, which can convey a visual sense of the overall historic environment or be an arrangement of historically or functionally related properties. Designated Historic Districts are included in the Davis Register of Historic Resources. Historic Districts can include Historical Resources that may be individually designated as Landmarks or Merit Resources.

It further defines the components of a district as follows:

“Historic District Contributor” means a building, site, structure, object, or cultural landscape identified in the Historic District Plan that possesses sufficient integrity to add to the historic architectural qualities, historic associations or patterns for which an Historic District is significant.

“Historic District Non-Contributor” means a building, site, structure, object, or cultural landscape identified in the Historic District Plan that does not add to the historic architectural qualities, historic association or patterns for which a Historic District is significant.

Zoning code provides that the Commission can designate districts of historical resources as follows:

(e) Commission and approval of the City Council a group of historical resources may be designated a Historic District if the district meets any of the following significance criteria:

- (1) Associated with events that have made a significant contribution to the broad patterns in the history of Davis, California or the Nation; or
- (2) Associated with the lives of significant persons in the history of Davis, California or the Nation; or
- (3) Embodies the distinctive characteristics of a type, period, architectural style or method of construction; or that represent the work of a master designer; or that possess high artistic values; or that represents a significant and distinguishable entity whose components may lack individual distinction; or
- (4) Has yielded or may likely yield archaeological or anthropological information important in the study of history, prehistory, or human culture.

(f) Historic District factors to be considered. In determining whether to designate a group of resources as a Historic District, the following factors should be considered, if applicable:

- (1) To be designated a Historic District a grouping of historical resources must meet one of the above four criteria at the local, state, or national level of significance and the majority of the Historic District contributors must retain historic integrity. The collective value of the district contributors may be greater than the individual resources within the Historic District;

***B10. Significance:(Continued):**

(2) A Historic District Plan shall be developed and reviewed by the Historical Resources Management Commission simultaneously with designation. The Historic District Plan shall provide standards for review within that particular district to ensure that new development, renovation, and rehabilitation are compatible and complementary to the prevalent character-defining features, architectural style, historic context, and design elements within the Historic District;

(3) The Historic District contributors are identified in the designation materials and the District Plan including buildings, sites, structures, objects, or cultural landscapes that add to the historic architectural qualities, historic associations or patterns for which a Historic District is significant and that are located within the district boundaries;

(4) The Historic District non-contributors are identified in the designation materials and the District Plan including buildings, sites, structures, objects and landscapes within the district boundaries that do not add to the historic architectural qualities, historic association or patterns for which the Historic District is significant;

(5) The Historic District boundaries and period of significance are identified in the designation materials and the District Plan.

SIGNIFICANCE STATEMENT

Determining the significance of the residence at 1185 Olive Drive, which was reportedly built in the late 1950s per Sandra Fuentes (nee Callori), is predicated on the property retaining a sufficient level of integrity in order to convey its historic significance, and whether the property meets the aforementioned criteria. The house at 1185 Olive Drive represents a modest Mid-Twentieth Century Ranch style residence that is associated with the Italian-American Callori and Maggiolo families, who developed a large swath of land beginning at a point where Olive Drive meets the Union Pacific Railroad right of way, west just past Hickory Lane, and just east of Slatter's Court. Within this approximate 9 acre area, both families built various homes, many as rental properties beginning in the mid-1920s when Guissepi "Joseph" Callori acquired the property. While the majority of the residences and cottages still exist, others have been demolished, and a former motel (Kober Apartments) built in what was once an undeveloped field.

Each property was examined for its individual merit and collectively as an ensemble group of properties, being part of a historic district. In regards to the individual eligibility, 1185 Olive Drive does not represent an important example of Mid-Twentieth Century Ranch style architecture, despite the fact that the building retains relatively good integrity of design, materials, workmanship, association, setting, feeling, and location. Nor does the property's architecture exhibit any ethnic or cultural characteristics that would associate it with Italians or Italian-Americans.

In terms of a historic district, based upon oral history, historic maps, and photographs, four of the 1937-1944 Callori cottages have been demolished, the remaining three cottages have been remodeled with stucco cladding over the original wood board siding, an older barn at the north end of Hickory Drive has been torn down, and a former commercial motel, now an apartment building, has been added near the center of the family holdings, altering the visual continuity of the modest residential homes and cottages.

In conclusion, the subject property at 1185 Olive Drive is not eligible for the NRHP, the CRHR, as a City of Davis Historic Landmark, as a City of Davis Merit Resource, or as a contributing element to a potential historic district.

B12. References: (Continued):

Larkey, Joann Leach and Shipley Walters. *Yolo County, Land of Changing Patterns*. Windsor Publications, 1987.

Lofland, John. "Researching Davis Buildings." Unpublished Manuscript. Davis, California.

Lofland, John and Phyllis Haig. *Davis, California: 1910s-1940s*. Arcadia Publishing. 2000.

McAlester, Lee. *Field Guide to American House*. New York: Knopf. 1984.

USDI, National Parks Service. National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation. n.d.

Weissman, Alan, ed. *Craftsman Bungalows: 59 Homes from "The Craftsman."* New York: Dover Publications, Inc. 1988.

Primary Records

City of Davis. Building Permits on file with the City Community Development Department, 23 Russell Boulevard, Davis, California.

Fuentes, Sandra. Personal Communication. January 2016.

Jordan, Robert. Personal Communication. Petaluma, California. January 2016.

Lofland, John. Personal Communication. Davis, California. December 2015.

United States Federal Census. Davis, Yolo County, California. 1920-1940.

University of California, Davis. Shields Library, Map Room. Davis, California.

Maps

Assessor Parcel Maps, Yolo County, California.

Cheney, Charles. City Plan of Davis 1927.

City of Davis Ownership Map 1929.

Map of Davis 1914, 1928.

Map of Davisville Yolo County 1868.

Sanborn Fire Insurance Map Company. Sanborn Fire Insurance Maps. Davis, California. 1900; 1907; 1911; 1921; and 1921, updated 1945.

USGS Quadrangle Map, Davis, California 1907; 1915; 1952; 1968; and 1981.

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # _____
HRI # _____
Trinomial _____
NRHP Status Code _____

Other Listings _____

Review Code _____ Reviewer _____ Date _____

Page 1 of 2

*Resource Name or #: 1207 Olive Drive

P1. Other Identifier: APN 070-290-009

*P2. Location: ☐ Not for Publication ☒ Unrestricted

*a. County: Yolo

*b. USGS 7.5' Quad: Davis, California

c. Address: 1207 Olive Drive

City: Davis

Zip: 95616

d. UTM: N/A

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate): The subject property is located on the north side of Olive Drive immediately west of the Kober Apartments.

*P3a. Description:

The single-family, single-story, wood frame residence dates to the late 1950s. The house sits on a large parcel of land that continues west towards Hickory Lane. Character defining features of the residence include a hipped roof clad with asphalt shingles, an attached single-car garage to the right of the front entry door, a partial covered front porch, stucco exterior wall cladding, aluminum slider windows, decorative scroll-carved (diamond patterned) wood shutters flanking the windows, a solid paneled wood front door, and a brick skirt across the front of the home. A mature coastal redwood tree flanks the left side of the front yard and a second coastal redwood rises in the rear yard behind the wood fence. The front features a lawn divided by a concrete walkway and to the right concrete driveway.

*P3b. Resource Attributes: HP2 - Single-family residence

*P4. Resources Present: ☒ Building ☐ Structure ☐ Object ☐ Site ☐ District ☐ Element of District

P5a. Photograph or Drawing (Photograph required for buildings, structures, and objects.)



P5b. Description of Photo: View looking north at the residence from Olive Drive.

*P6. Date Constructed/Age and Sources: ☒ Historic
Circa 1957 based upon historic maps and aerial photos.

*P7. Owner and Address: Paul Gradeff, HighBridge Properties, 101 Montgomery Street, Suite 2550, San Francisco, CA 94104.

*P8. Recorded by: Dana E. Supernowicz, Architectural Historian, Historic Resource Associates, 2001 Sheffield Drive, El Dorado Hills, CA 95762.

*P9. Date Recorded: December 2015

*P10. Type of Survey: ☒ Architectural

Describe: Architectural Recordation and Evaluation per Section 106 of NHPA.

*P11. Report Citation: Historical Resource Analysis Study of the Lincoln 40 Project, including 1111, 1165, 1185, 1207 and 1225 Olive Drive and 113 and 118 Hickory Lane, Davis, Yolo County, California 95616. Prepared for Paul Gradeff, HighBridge Properties, 101 Montgomery Street, Suite 2550, San Francisco, CA. Prepared by Historic Resource Associates, 2001 Sheffield Drive, El Dorado Hills, CA 95762. January 2016.

*Attachments: ☐ NONE ☐ Location Map ☐ Continuation Sheet ☒ Building, Structure, and Object Record ☐ Archaeological Record
☐ District Record ☐ Linear Feature Record ☐ Milling Station Record ☐ Rock Art Record ☐ Artifact Record ☐ Photograph Record
☐ Other (List):

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # _____
HRI # _____
Trinomial _____
NRHP Status Code _____

Other Listings _____

Review Code _____ Reviewer _____ Date _____

Page 2 of 2

*Resource Name or #: 1207 Olive Drive

*P3a. Description: (Continued):



Figure 1: View looking northeast at 1207 Olive Drive from Olive Drive.



Figure 2: View looking east at 1207 Olive Drive from Olive Drive.

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
BUILDING, STRUCTURE & OBJECT RECORD

Primary # _____
HRI # _____

Page 1 of 7

*Resource Name or #: 1207 Olive Drive

NRHP Status Code: 6Z

- B1. Historic Name:** Callori Residence
B2. Common Name: 1207 Olive Drive
B3. Original Use: Residence **B4. Present Use:** Residence/Rental
***B5. Architectural Style:** Mid-Century Modern Ranch
***B6. Construction History:** According to historic maps, aerial photographs, and oral history, the subject property was built in the late 1950s.
***B7. Moved?** ☒ No ☐ Yes ☐ Unknown **Date:** N/A **Original Location:.**
***B8. Related Features:** The subject lies within a much larger parcel that was once owned by the Callori family. The house borders the Kober Apartments (formerly the Kober Motel) to the east and bears a strong resemblance to its Mid-Twentieth Century design.
B9a. Architect: Undetermined **B9b. Builder:** Possibly Martino
***B10. Significance: Theme:** Mid-Twentieth Century Residence Ranch Architecture **Area:** South Davis
Period of Significance: Circa 1957 **Property Type:** Residential building
Applicable Criteria: NRHP A-C; CRHR 1-3; Davis Landmark 1-3; Davis Merit Resource 1-3; Davis Historic District

The historic context for the subject property is rooted in the development of land fronting Olive Drive by members of the Callori and Maggiolo families from the 1920s through the 1950s. The homes and rental properties built by the two families shared common features in that they were modest in size, affordable to build, and represented architectural designs commonly found in Davis and the Sacramento Valley from the 1920s through the 1950s (refer to BSO, Page 2 of 7).

B11. Additional Resource Attributes:

B12. References: Anderson, Timothy, Eudora M. Moore, and Robert W. Winter eds. *California Design 1910*. Salt Lake City: Peregrine Smith Books. 1980; Architectural Resources Group. Cultural Resources Inventory and Context Statement. 1996. Unpublished report on file City of Davis Planning Department; Boghosian, Paula. "Cultural Resources Inventory: City of Davis." 1986. Unpublished report on file City of Davis Planning Department; City of Davis. The Core Area Specific Plan (1961), Margolis, John. *Home Away from Home: Motels in America*, Bullfinch Press, 1995; The Downtown Strategy Report (2000) and the Davis Downtown and Traditional Residential Neighborhoods Design Guidelines (July 2001); Gebhard, David ed. *The Guide to Architecture in San Francisco and Northern California*. 1976, revised 1985; Gudde, Erwin G. *California Place Names: The Origin and Etymology of Current Geographical Names*. Berkeley: University of California Press. 1969; Larkey, Joann Leach. "Portraits of the Past." A series of articles published in the *Davis Enterprise* with detailed information on an array of individuals, buildings, and events in Davis' history. File at Hattie Weber Museum, Davis, CA. 1960s; Larkey, Joann Leach. "Portraits of the Past: Suburban Development in the 1920s." *Davis Enterprise*. June 22, 1972 (refer to BSO, Page 7 of 7).

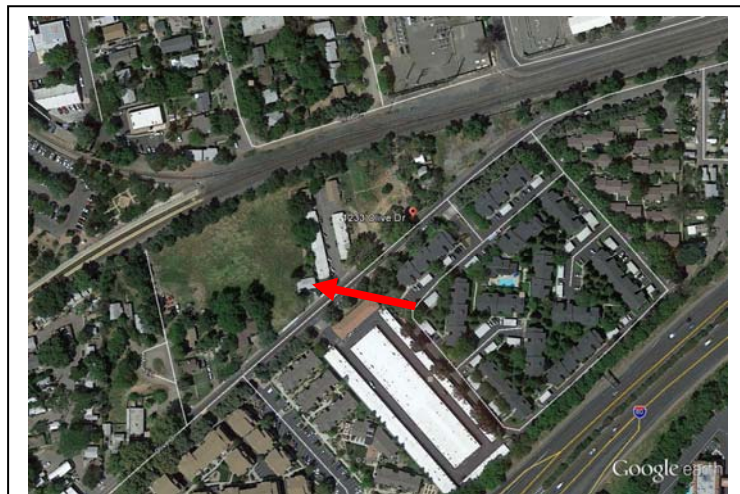
B13. Remarks: None.

B14. Evaluator: Dana E. Supernowicz, Architectural Historian, Historic Resource Associates, 2001 Sheffield Drive, El Dorado Hills, CA 95762.

Date of Evaluation: December 2015

AERIAL PHOTOGRAPH 2015 (Google Earth)

(This space reserved for official comments.)



***B10. Significance:(Continued):**

REGULATORY FRAMEWORK

National Register of Historic Places (NRHP) Criteria

Criterion A: Event

Properties can be eligible for the National Register if they are associated with events that have made a significant contribution to the broad patterns of our history.

Criterion B: Person

Properties may be eligible for the National Register if they are associated with the lives of persons significant in our past.

Criterion C: Design/Construction

Properties may be eligible for the National Register if they embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction.

Criterion D: Information Potential

Properties may be eligible for the National Register if they have yielded, or may be likely to yield, information important in prehistory or history.

As the National Register points out, “when evaluated within its historic context, a property must be shown to be significant for one or more of the four Criteria for Evaluation - A, B, C, or D.” The rationale for judging a property's significance and, ultimately, its eligibility under the Criteria is its historic context and integrity. The use of historic context allows a property to be properly evaluated in a variety of ways. The key to determining whether the characteristics or associations of a particular property are significant is to consider the property within its proper historic context (Ibid).¹

California Environmental Quality Act (CEQA) and California Register of Historic Resources (CRHR) Criteria

The regulatory framework for this historic resource study and the evaluation lies within the guidelines imposed for the California Environmental Quality Act (CEQA) and the California Register of Historic Resources (CRHR) under Public Resources Code section 5024.1. CEQA guidelines define a significant cultural resource as “a resource listed in or eligible for listing on the CRHR. A historical resource may be eligible for inclusion in the CRHR if it:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. Is associated with the lives of persons important in our past;
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, represents the work of an important creative individual, or possesses high artistic values; or
4. Has yielded, or may be likely to yield, information important to prehistory or history.

¹ USDI, National Park Service. National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation, n.d.

***B10. Significance:(Continued):**

Landmark Resource Criteria

In addition, the City of Davis Historical Resources Management Zoning Code defines a Landmark as follows:

“Landmark” means buildings, structures, objects, signs, features, sites, places, areas, cultural landscapes or other improvements of the highest scientific, aesthetic, educational, cultural, archaeological, architectural, or historical value to the citizens of the City of Davis and designated as such by the City Council pursuant to the provisions of this article. A landmark is deemed to be so important to the historical and architectural fabric of the community that its loss would be deemed a major loss to the community. Once designated, Landmarks are included in the Davis Register of Historical Resources. Landmarks were formerly designated as “Outstanding Historical Resources.”

(a) Upon the recommendation of the Historical Resource Management Commission and approval of the City Council a Historical Resource may be designated a Landmark if the resource meets any of the following four criteria at the local, state, or national level of significance and retains a high level of historic integrity as defined by this article.

- (1) Associated with events that have made a significant contribution to the broad patterns in the history of Davis, California, or the Nation; or
- (2) Associated with the lives of significant persons in the history of Davis, California, or the Nation; or
- (3) Embodies the distinctive characteristics of a type, period, architectural style or method of construction; or that represent the work of a master designer; or that possess high artistic values; or that represents a significant and distinguishable entity whose components may lack individual distinction; or
- (4) Has yielded or may likely yield archaeological or anthropological information important in the study of history, prehistory, or human culture.

(b) Landmark factors to be considered. In determining whether to designate a resource a Landmark, the following factors should be considered, if applicable:

- (1) A resource moved from its original location may be designated a Landmark if it is significant primarily for its architectural value or it is one of the most important surviving structures associated with an important person or historic event.
- (2) A birthplace or grave may be designated a Landmark if it is that of a historical figure of outstanding importance within the history of Davis, the state or the nation and there are no other appropriate sites or resources directly associated with his or her life or achievements.
- (3) A reconstructed building may be designated a Landmark if the reconstruction is historically accurate and is based on sound historical documentation, is executed in a suitable environment, and if no other original structure survives that has the same historical association.
- (4) A resource achieving significance within the past fifty (50) years may be designated a landmark if the resource is of exceptional importance within the history of Davis, the state or the nation.

***B10. Significance:(Continued):**

Merit Resource Criteria

The Historical Resources Management Commission may also designate a resource as a Merit Resource. A Merit Resource is defined in city zoning as follows:

“Merit Resource” means buildings, structures, objects, signs, features, sites, places, areas, cultural landscapes or other improvements with scientific, aesthetic, educational, cultural, archaeological, architectural, or historical value to the citizens of the City of Davis and designated as such by the City Council pursuant to the provisions of this article. Once designated, Merit Resources are included in the Davis Register. Merit Resources were formerly designated as “Historical Resources.”

(c) Upon the recommendation of the Historical Resource Management Commission and approval of the City Council a Historical Resource may be designated a Merit Resource if the resource meets one of the following four criteria at the local level of significance and possesses historic integrity as defined under this article:

- (1) Associated with events that have made a significant contribution to the broad patterns in the history of Davis; or
- (2) Associated with the lives of significant persons in the history of Davis; or
- (3) Embodies the distinctive characteristics of a type, period, architectural style or method of construction; or that represent the work of a master designer; or that possess high artistic values; or that represents a significant and distinguishable entity whose components may lack individual distinction; or
- (4) Has yielded or may likely yield archaeological or anthropological information important in the study of history, prehistory, or human culture.

(d) Merit Resources factors to be considered. In determining whether to designate a resource a Merit Resource, the following factors should be considered, if applicable:

- (1) A resource moved from its original location may be designated a Merit Resource if it is significant for its architectural value or if an understanding of the associated important person or historic event has not been impaired by the relocation.
- (2) A birthplace or grave may be designated a Merit Resource if it is that of a historical figure of outstanding importance within the history of Davis and there are no other appropriate sites or resources directly associated with his or her life or achievements.
- (3) A reconstructed building may be designated a Merit Resource if the reconstruction is historically accurate and is based on sound historical documentation, is executed in a suitable environment, and if no other original structure survives that has the same historical association.

***B10. Significance:(Continued):**

Historic District Criteria

The City zoning code defines a historic district as follows:

“Historic District” means a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development. A district derives its importance from being a unified entity, even though it is often composed of a wide variety of resources. The identity of a Historic District results from the interrelationship of its resources, which can convey a visual sense of the overall historic environment or be an arrangement of historically or functionally related properties. Designated Historic Districts are included in the Davis Register of Historic Resources. Historic Districts can include Historical Resources that may be individually designated as Landmarks or Merit Resources.

It further defines the components of a district as follows:

“Historic District Contributor” means a building, site, structure, object, or cultural landscape identified in the Historic District Plan that possesses sufficient integrity to add to the historic architectural qualities, historic associations or patterns for which an Historic District is significant.

“Historic District Non-Contributor” means a building, site, structure, object, or cultural landscape identified in the Historic District Plan that does not add to the historic architectural qualities, historic association or patterns for which a Historic District is significant.

Zoning code provides that the Commission can designate districts of historical resources as follows:

(e) Commission and approval of the City Council a group of historical resources may be designated a Historic District if the district meets any of the following significance criteria:

- (1) Associated with events that have made a significant contribution to the broad patterns in the history of Davis, California or the Nation; or
- (2) Associated with the lives of significant persons in the history of Davis, California or the Nation; or
- (3) Embodies the distinctive characteristics of a type, period, architectural style or method of construction; or that represent the work of a master designer; or that possess high artistic values; or that represents a significant and distinguishable entity whose components may lack individual distinction; or
- (4) Has yielded or may likely yield archaeological or anthropological information important in the study of history, prehistory, or human culture.

(f) Historic District factors to be considered. In determining whether to designate a group of resources as a Historic District, the following factors should be considered, if applicable:

- (1) To be designated a Historic District a grouping of historical resources must meet one of the above four criteria at the local, state, or national level of significance and the majority of the Historic District contributors must retain historic integrity. The collective value of the district contributors may be greater than the individual resources within the Historic District;

***B10. Significance:(Continued):**

(2) A Historic District Plan shall be developed and reviewed by the Historical Resources Management Commission simultaneously with designation. The Historic District Plan shall provide standards for review within that particular district to ensure that new development, renovation, and rehabilitation are compatible and complementary to the prevalent character-defining features, architectural style, historic context, and design elements within the Historic District;

(3) The Historic District contributors are identified in the designation materials and the District Plan including buildings, sites, structures, objects, or cultural landscapes that add to the historic architectural qualities, historic associations or patterns for which a Historic District is significant and that are located within the district boundaries;

(4) The Historic District non-contributors are identified in the designation materials and the District Plan including buildings, sites, structures, objects and landscapes within the district boundaries that do not add to the historic architectural qualities, historic association or patterns for which the Historic District is significant;

(5) The Historic District boundaries and period of significance are identified in the designation materials and the District Plan.

SIGNIFICANCE STATEMENT

Determining the significance of the residence located at 1207 Olive Drive is predicated on the property retaining a sufficient level of integrity in order to convey its historic significance, and whether the property meets the aforementioned criteria. The house at 1207 Olive Drive represents a modest Mid-Twentieth Century Ranch/Minimalist style residence that is associated with the Italian-American Callori and Maggiolo families, who developed a large swath of land beginning at a point where Olive Drive meets the Union Pacific Railroad right of way, west just past Hickory Lane, and just east of Slatter's Court. Within this approximate 9 acre area, both families built various homes, many as rental properties beginning in the mid-1920s when Guissepi "Joseph" Callori acquired the property. While the majority of the residences and cottages still exist, others have been demolished, and a former motel (Kober Apartments) built in what was once a undeveloped field.

Each property was examined for its individual merit and collectively as an ensemble group of properties, being part of a historic district. In regards to the individual eligibility, the property at 1207 Olive Drive does not represent an important example of Ranch or Minimalist Mid-Twentieth Century architecture, despite the fact that the building retains relatively good integrity of design, materials, workmanship, association, setting, feeling, and location. Nor does the property's architecture exhibit any ethnic or cultural characteristics that would associate it with Italians or Italian-Americans.

In terms of a historic district, based upon oral history, historic maps, and photographs, four of the 1937-1944 Callori cottages have been demolished, the remaining three cottages have been remodeled with stucco cladding over the original wood board siding, an older barn at the north end of Hickory Drive has been torn down, and a commercial motel, now apartments, has been added near the center of the family holding, altering the visual continuity of the modest residential homes and cottages.

In conclusion, the subject property at 1207 Olive Drive is not eligible for the NRHP, the CRHR, as a City of Davis Historic Landmark, as a City of Davis Merit Resource, or as a contributing element to a potential historic district.

B12. References: (Continued):

Larkey, Joann Leach and Shipley Walters. *Yolo County, Land of Changing Patterns*. Windsor Publications, 1987.

Lofland, John. "Researching Davis Buildings." Unpublished Manuscript. Davis, California.

Lofland, John and Phyllis Haig. *Davis, California: 1910s-1940s*. Arcadia Publishing. 2000.

McAlester, Lee. *Field Guide to American House*. New York: Knopf. 1984.

USDI, National Parks Service. National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation. n.d.

Weissman, Alan, ed. *Craftsman Bungalows: 59 Homes from "The Craftsman."* New York: Dover Publications, Inc. 1988.

Primary Records

City of Davis. Building Permits on file with the City Community Development Department, 23 Russell Boulevard, Davis, California.

Fuentes, Sandra. Personal Communication. January 2016.

Jordan, Robert. Personal Communication. Petaluma, California. January 2016.

Lofland, John. Personal Communication. Davis, California. December 2015.

United States Federal Census. Davis, Yolo County, California. 1920-1940.

University of California, Davis. Shields Library, Map Room. Davis, California.

Maps

Assessor Parcel Maps, Yolo County, California.

Cheney, Charles. City Plan of Davis 1927.

City of Davis Ownership Map 1929.

Map of Davis 1914, 1928.

Map of Davisville Yolo County 1868.

Sanborn Fire Insurance Map Company. Sanborn Fire Insurance Maps. Davis, California. 1900; 1907; 1911; 1921; and 1921, updated 1945.

USGS Quadrangle Map, Davis, California 1907; 1915; 1952; 1968; and 1981.

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # _____
HRI # _____
Trinomial _____
NRHP Status Code _____

Other Listings _____

Review Code _____ Reviewer _____ Date _____

Page 1 of 4

*Resource Name or #: 1225 Olive Drive

P1. Other Identifier: APN 070-290-003

*P2. Location: ☐ Not for Publication ☒ Unrestricted

*a. County: Yolo

*b. USGS 7.5' Quad: Davis, California

c. Address: 1225 Olive Drive

City: Davis

Zip: 95616

d. UTM: N/A

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate): The subject property is located on the north side of Olive Drive. APN 070-290-003.

*P3a. Description:

The subject property, which reportedly dates to 1957, was built as a motel fronting Olive Drive with 10 units. Today, the single-story wood-frame building is used as an apartment complex. The complex is characterized by two detached rectangular units that face each other with a central courtyard/driveway. Other character defining features include the low horizontal rolled asphalt roof with exaggerated roof eaves and exposed wood purlins on the gable ends, stucco exterior wall cladding, large horizontally oriented picture windows, and a brick skirt. Roof-top air conditioning units can be seen atop the roof of some, but not all, of the apartments. The fenestration of each apartment unit features a large picture window flanked by what appear to be two narrow single or double-hung wood windows. Beyond the flush panel (painted orange) entry doors are two pairs of wood-sash windows. In the far north end of the parcel are two more detached buildings with four additional rental units, two per building. Unlike the front two buildings which reflect Mid-Twentieth Century Ranch style motel architecture, the two buildings in the rear reflect an earlier design used from the 1930s through the 1940s. Character defining features of these buildings include a moderately steep pitched roof clad with asphalt shingles, horizontal v-groove exterior siding, contemporary vinyl slider windows, flush panel doors, and scalloped vertical v-groove boards along each gable end. The entry doors are protected by a small shed roof clad with scalloped boards on the ends. While the former motel appears to have been built on a concrete slab, the units to the north have raised concrete foundations (refer to Primary Record, Page 2 of 4).

*P3b. Resource Attributes: HP3 - Multi-family buildings; HP5 - Motel

*P4. Resources Present: ☒ Building ☐ Structure ☐ Object ☐ Site ☐ District ☐ Element of District

P5a. Photograph or Drawing (Photograph required for buildings, structures, and objects.)



P5b. Description of Photo: View looking north from Olive Drive towards the former motel.

*P6. Date Constructed/Age and Sources: ☒ Historic

Circa 1957 as per Dennis J. Dahlin (2015).

*P7. Owner and Address: Paul Gradeff, HighBridge Properties, 101 Montgomery Street, Suite 2550, San Francisco, CA 94104.

*P8. Recorded by: Dana E. Supernowicz, Architectural Historian, Historic Resource Associates, 2001 Sheffield Drive, El Dorado Hills, CA 95762.

*P9. Date Recorded: December 2015

*P10. Type of Survey: ☒ Architectural

Describe: Architectural Recordation and Evaluation per Section 106 of NHPA.

*P11. Report Citation: Historical Resource Analysis Study of the Lincoln 40 Project, including 1111, 1165, 1185, 1207 and 1225 Olive Drive and 113 and 118 Hickory Lane, Davis, Yolo County, California 95616. Prepared for Paul Gradeff, HighBridge Properties, 101 Montgomery Street, Suite 2550, San Francisco, CA. Prepared by Historic Resource Associates, 2001 Sheffield Drive, El Dorado Hills, CA 95762. January 2016.

*Attachments: ☐ NONE ☐ Location Map ☐ Continuation Sheet ☒ Building, Structure, and Object Record ☐ Archaeological Record
☐ District Record ☐ Linear Feature Record ☐ Milling Station Record ☐ Rock Art Record ☐ Artifact Record ☐ Photograph Record
☐ Other (List):

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # _____
HRI # _____
Trinomial _____
NRHP Status Code _____

Other Listings _____

Review Code _____ Reviewer _____ Date _____

Page 2 of 4

*Resource Name or #: 1225 Olive Drive

***P3a. Description: (Continued):**

The legal description of the property is as follows:

Beginning at a point on the northerly line of the Old California State Highway, Route 6, Section "A," in the City of Davis, Yolo County, California, that is situate north 48° 09' East 452.98 feet from a 3/4" iron pipe marking the point of intersection of the northerly line of said Old State Highway right of way with the westerly line of "I" Street as same appears of record in Maps and Surveys Book 6, at Page 36, in the Office of the County Recorder of Yolo County; thence, from said point of beginning, North 13° 15' West 251 .44 feet; thence North 71° 49' East 100.38 feet; thence South 13° 15' East 205.56 feet to the point of intersection with the northerly line of said Old State Highway right of way; thence South 48° 09' West 113.90 feet to the point of beginning.



Figure 1: View looking north at the westernmost apartments from the center courtyard or driveway.

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # _____
HRI # _____
Trinomial _____
NRHP Status Code _____

Other Listings _____

Review Code _____ Reviewer _____ Date _____

Page 3 of 4

*Resource Name or #: 1225 Olive Drive

*P3a. Description: (Continued):



Figure 2: View looking north at the easternmost apartments.



Figure 3: View looking due north through the middle of the apartment complex.

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # _____
HRI # _____
Trinomial _____
NRHP Status Code _____

Other Listings _____

Review Code _____ Reviewer _____ Date _____

Page 4 of 4

*Resource Name or #: 1225 Olive Drive

*P3a. Description: (Continued):



Figure 4: View looking north at the northernmost apartments, which were moved in during the 1980s.



Figure 5: View looking north at the left unit of the northernmost apartments, which was moved in during the 1980s.

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
BUILDING, STRUCTURE & OBJECT RECORD

Primary # _____
HRI # _____

Page 1 of 9

*Resource Name or #: 1225 Olive Drive

NRHP Status Code: 6Z

- B1. Historic Name:** Kober Motel
B2. Common Name: Kober Apartments
B3. Original Use: Motel **B4. Present Use:** Apartments
***B5. Architectural Style:** Mid-Century Modern Ranch /Minimalist Cottage
***B6. Construction History:** According to historic maps and oral history, the Kober Apartments were constructed in 1957. The units in the rear appear to have been added in the 1980s and may have been moved from the Callori property, where there was once seven cottages. Four of the cottages are missing today and could have been combined to form two units with three apartments.
***B7. Moved?** ☐ No ☒ Yes ☐ Unknown **Date:** 1980s **Original Location:** The two units in the rear were moved to their present location during the 1980s and remodeled as additional rental units.
***B8. Related Features:** The subject property occupies a narrow, rectangular-shaped parcel previously owned by the Callori family. To the north is the Union Pacific Railroad right of way, and to the west is the Old State or Lincoln Highway (present-day Olive Drive).
B9a. Architect: Undetermined **B9b. Builder:** Undetermined
***B10. Significance: Theme:** Mid-Twentieth Century Motel Architecture **Area:** South Davis
Period of Significance: 1957 **Property Type:** Commercial building
Applicable Criteria: NRHP A-C; CRHR 1-3; Davis Landmark 1-3; Davis Merit Resource 1-3; Davis Historic District

The historic context for the subject property is rooted in the demand for roadside, in this case "highway" accommodations during the late 1950s when Davis and other nearby communities witnessed rapid growth and suburbanization. The former motel, was built by Frank Kober, who later modified each unit as an apartment. The two wood-frame units in the rear of the former motel were likely created from four of the seven Callori family cottages that were located immediately to the east. Two of the cottages were probably combined to form one unit each and then completely remodeled inside and out (refer to BSO, Page 2 of 9).

B11. Additional Resource Attributes:

B12. References: Anderson, Timothy, Eudorah M. Moore, and Robert W. Winter eds. *California Design 1910*. Salt Lake City: Peregrine Smith Books. 1980; Architectural Resources Group. Cultural Resources Inventory and Context Statement. 1996. Unpublished report on file City of Davis Planning Department; Boghosian, Paula. "Cultural Resources Inventory: City of Davis." 1986. Unpublished report on file City of Davis Planning Department; City of Davis. The Core Area Specific Plan (1961), Margolis, John. *Home Away from Home: Motels in America*, Bullfinch Press, 1995; The Downtown Strategy Report (2000) and the Davis Downtown and Traditional Residential Neighborhoods Design Guidelines (July 2001); Gebhard, David ed. *The Guide to Architecture in San Francisco and Northern California*. 1976, revised 1985; Gudde, Erwin G. *California Place Names: The Origin and Etymology of Current Geographical Names*. Berkeley: University of California Press. 1969; Larkey, Joann Leach. "Portraits of the Past." A series of articles published in the *Davis Enterprise* with detailed information on an array of individuals, buildings, and events in Davis' history. File at Hattie Weber Museum, Davis, CA. 1960s; Larkey, Joann Leach. "Portraits of the Past: Suburban Development in the 1920s." *Davis Enterprise*. June 22, 1972; Larkey, Joann Leach and Shipley Walters. *Yolo County, Land of Changing Patterns*. Windsor Publications, 1987; Lofland, John. *Davis: Radical Changes, Deep Constants*. Arcadia Publishing. 2004 (refer to BSO, Page 9 of 9).

B13. Remarks: None.

B14. Evaluator: Dana E. Supernowicz, Architectural Historian, Historic Resource Associates, 2001 Sheffield Drive, El Dorado Hills, CA 95762.

Date of Evaluation: December 2015

AERIAL PHOTOGRAPH 2015 (Google Earth)



(This space reserved for official comments.)

***B10. Significance: (Continued):**

As previously noted, the historic context for the Kober Motel/Apartments lies in the post-World War II Era, which was a boom for the motel industry, as well as many other commercial establishments oriented towards the motoring public. Veterans who had returned home from the War decided to go into the lucrative motel business, generally as mom-and-pop operations. It is estimated that there were 20,000 motels in 1940, 30,000 in 1948, and 61,000 by 1960. By the late 1940s, more than 86 percent of travelers were behind the wheels of their cars, and, by 1951 motels had surpassed hotels as the leading suppliers of rooms (Margolies 1995: 90).

Motel designs of the 1950s were generally more practical than the previous two decades, although oftentimes eccentric, vernacular designs were still being built. Generally, 1950s motels had distinguishable marquees that were more Streamline Moderne in their designs. In 1951, an average motel had approximately 25 rooms, and, rarely, pools and restaurants. Few, if any, had lounges or meeting rooms. By the 1960s, the individual cabins and cottages began to slowly evolve into a continuous line of rooms that characterize the “modern” motel complex (Ibid: 92). Whereas, the modern motel of the 1960s generally shared common walls, the individual cottages, were viewed as more cozy, private, sharing common characteristic of single-family dwellings. The move in the 1960s towards connected rooms was clearly one of economics, as it was more cost effective to build one long, linear single or two-story building then it was to construct individual cottages. Efficiency was the rule, and by the late 1950s and early 1960s, manuals and guidebooks became available to help the fledgling motel entrepreneur design his or her motel. Frank Kober appears to have moved to the Davis area in the 1950s, a rather late-comer as compared to the Frank Slatter who lived the west and Joseph Callori who owned property surrounding Kober's parcel. Interestingly, the Kober Motel bears a resemblance to the former motel at 901-919 3rd Street in Davis, which has also been converted to other uses, in this case to retail shops (Figure 1).



Figure 1: View of the former motel at 901-919 3rd Street, Davis, CA.

***B10. Significance:(Continued):**

The Kober Motel/Apartments (two front units) retains good integrity of design, materials, workmanship, feeling, and location. Its association has been compromised by its conversion to apartments, and its setting has been compromised along what was a semi-rural State Highway, which now is largely infilled with student housing complexes from the 1980s. In comparison to Slatter's Court, which lies less than a block to the west, the Kober Apartments represent the transition from the more eclectic automobile court cottages of the pre-World War II years to the post-World War II courtyard motels. The motel complex was among a handful of similar complexes built in Davis between 1955 and 1965. Most of the other complexes have been torn down or converted to other uses. It is also important to note that when the motel was built in 1957 its association with the State Highway/Lincoln Highway had been diminished due to the bypass that was built to the south in the 1940s.

REGULATORY FRAMEWORK

National Register of Historic Places (NRHP) Criteria

Criterion A: Event

Properties can be eligible for the National Register if they are associated with events that have made a significant contribution to the broad patterns of our history.

Criterion B: Person

Properties may be eligible for the National Register if they are associated with the lives of persons significant in our past.

Criterion C: Design/Construction

Properties may be eligible for the National Register if they embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction.

Criterion D: Information Potential

Properties may be eligible for the National Register if they have yielded, or may be likely to yield, information important in prehistory or history.

As the National Register points out, "when evaluated within its historic context, a property must be shown to be significant for one or more of the four Criteria for Evaluation - A, B, C, or D." The rationale for judging a property's significance and, ultimately, its eligibility under the Criteria is its historic context and integrity. The use of historic context allows a property to be properly evaluated in a variety of ways. The key to determining whether the characteristics or associations of a particular property are significant is to consider the property within its proper historic context.¹

¹ USDI, National Park Service. National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation, n.d.

***B10. Significance:(Continued):**

California Environmental Quality Act (CEQA) and California Register of Historic Resources (CRHR) Criteria

The regulatory framework for this historic resource study and the evaluation lies within the guidelines imposed for the California Environmental Quality Act (CEQA) and the California Register of Historic Resources (CRHR) under Public Resources Code section 5024.1. CEQA guidelines define a significant cultural resource as “a resource listed in or eligible for listing on the CRHR. A historical resource may be eligible for inclusion in the CRHR if it:

1. Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
2. Is associated with the lives of persons important in our past;
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, represents the work of an important creative individual, or possesses high artistic values; or
4. Has yielded, or may be likely to yield, information important to prehistory or history.

Even if a resource is not listed in, or determined eligible for listing in, the CRHR, the lead agency may consider the resource to be an “historical resource” for the purposes of CEQA provided that the lead agency determination is supported by substantial evidence (CEQA Guidelines 14 CCR 15064.5).

According to the state guidelines, a project with an effect that may cause a substantial adverse change in the significance of a historical resource or a unique archaeological resource is a project that may have a significant effect on the environment (14 CCR 15064.5[b]). CEQA further states that a substantial adverse change in the significance of a resource means the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired. Actions that would materially impair the significance of a historical resource are any actions that would demolish or adversely alter those physical characteristics of a historical resource that convey its significance and qualify it for inclusion in the CRHR or in a local register or survey that meet the requirements of PRC 5020.1(k) and 5024.1(g).

Landmark Resource Criteria

In addition, the City of Davis Historical Resources Management Zoning Code defines a Landmark as follows:

“Landmark” means buildings, structures, objects, signs, features, sites, places, areas, cultural landscapes or other improvements of the highest scientific, aesthetic, educational, cultural, archaeological, architectural, or historical value to the citizens of the City of Davis and designated as such by the City Council pursuant to the provisions of this article. A landmark is deemed to be so important to the historical and architectural fabric of the community that its loss would be deemed a major loss to the community. Once designated, Landmarks are included in the Davis Register of Historical Resources. Landmarks were formerly designated as “Outstanding Historical Resources.”

(a) Upon the recommendation of the Historical Resource Management Commission and approval of the City Council a Historical Resource may be designated a Landmark if the resource meets any of the following four criteria at the local, state, or national level of significance and retains a high level of historic integrity as defined by this article.

- (1) Associated with events that have made a significant contribution to the broad patterns in the history of Davis, California, or the Nation; or
- (2) Associated with the lives of significant persons in the history of Davis, California, or the Nation; or

***B10. Significance:(Continued):**

(3) Embodies the distinctive characteristics of a type, period, architectural style or method of construction; or that represent the work of a master designer; or that possess high artistic values; or that represents a significant and distinguishable entity whose components may lack individual distinction; or

(4) Has yielded or may likely yield archaeological or anthropological information important in the study of history, prehistory, or human culture.

(b) Landmark factors to be considered. In determining whether to designate a resource a Landmark, the following factors should be considered, if applicable:

(1) A resource moved from its original location may be designated a Landmark if it is significant primarily for its architectural value or it is one of the most important surviving structures associated with an important person or historic event.

(2) A birthplace or grave may be designated a Landmark if it is that of a historical figure of outstanding importance within the history of Davis, the state or the nation and there are no other appropriate sites or resources directly associated with his or her life or achievements.

(3) A reconstructed building may be designated a Landmark if the reconstruction is historically accurate and is based on sound historical documentation, is executed in a suitable environment, and if no other original structure survives that has the same historical association.

(4) A resource achieving significance within the past fifty (50) years may be designated a landmark if the resource is of exceptional importance within the history of Davis, the state or the nation.

Merit Resource Criteria

The Historical Resources Management Commission may also designate a resource as a Merit Resource. A Merit Resource is defined in city zoning as follows:

“Merit Resource” means buildings, structures, objects, signs, features, sites, places, areas, cultural landscapes or other improvements with scientific, aesthetic, educational, cultural, archaeological, architectural, or historical value to the citizens of the City of Davis and designated as such by the City Council pursuant to the provisions of this article. Once designated, Merit Resources are included in the Davis Register. Merit Resources were formerly designated as “Historical Resources.”

(c) Upon the recommendation of the Historical Resource Management Commission and approval of the City Council a Historical Resource may be designated a Merit Resource if the resource meets one of the following four criteria at the local level of significance and possesses historic integrity as defined under this article:

(1) Associated with events that have made a significant contribution to the broad patterns in the history of Davis; or

(2) Associated with the lives of significant persons in the history of Davis; or

(3) Embodies the distinctive characteristics of a type, period, architectural style or method of construction; or that represent the work of a master designer; or that possess high artistic values; or that represents a significant and distinguishable entity whose components may lack individual distinction; or

(4) Has yielded or may likely yield archaeological or anthropological information important in the study of history, prehistory, or human culture.

***B10. Significance:(Continued):**

(d) Merit Resources factors to be considered. In determining whether to designate a resource a Merit Resource, the following factors should be considered, if applicable:

(1) A resource moved from its original location may be designated a Merit Resource if it is significant for its architectural value or if an understanding of the associated important person or historic event has not been impaired by the relocation.

(2) A birthplace or grave may be designated a Merit Resource if it is that of a historical figure of outstanding importance within the history of Davis and there are no other appropriate sites or resources directly associated with his or her life or achievements.

(3) A reconstructed building may be designated a Merit Resource if the reconstruction is historically accurate and is based on sound historical documentation, is executed in a suitable environment, and if no other original structure survives that has the same historical association.

Historic District Criteria

The City zoning code defines a historic district as follows:

“Historic District” means a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development. A district derives its importance from being a unified entity, even though it is often composed of a wide variety of resources. The identity of a Historic District results from the interrelationship of its resources, which can convey a visual sense of the overall historic environment or be an arrangement of historically or functionally related properties. Designated Historic Districts are included in the Davis Register of Historic Resources. Historic Districts can include Historical Resources that may be individually designated as Landmarks or Merit Resources.

It further defines the components of a district as follows:

“Historic District Contributor” means a building, site, structure, object, or cultural landscape identified in the Historic District Plan that possesses sufficient integrity to add to the historic architectural qualities, historic associations or patterns for which an Historic District is significant.

“Historic District Non-Contributor” means a building, site, structure, object, or cultural landscape identified in the Historic District Plan that does not add to the historic architectural qualities, historic association or patterns for which a Historic District is significant.

Zoning code provides that the Commission can designate districts of historical resources as follows:

(e) Commission and approval of the City Council a group of historical resources may be designated a Historic District if the district meets any of the following significance criteria:

(1) Associated with events that have made a significant contribution to the broad patterns in the history of Davis, California or the Nation; or

(2) Associated with the lives of significant persons in the history of Davis, California or the Nation; or

***B10. Significance:(Continued):**

(3) Embodies the distinctive characteristics of a type, period, architectural style or method of construction; or that represent the work of a master designer; or that possess high artistic values; or that represents a significant and distinguishable entity whose components may lack individual distinction; or

(4) Has yielded or may likely yield archaeological or anthropological information important in the study of history, prehistory, or human culture.

(f) Historic District factors to be considered. In determining whether to designate a group of resources as a Historic District, the following factors should be considered, if applicable:

(1) To be designated a Historic District a grouping of historical resources must meet one of the above four criteria at the local, state, or national level of significance and the majority of the Historic District contributors must retain historic integrity. The collective value of the district contributors may be greater than the individual resources within the Historic District;

(2) A Historic District Plan shall be developed and reviewed by the Historical Resources Management Commission simultaneously with designation. The Historic District Plan shall provide standards for review within that particular district to ensure that new development, renovation, and rehabilitation are compatible and complementary to the prevalent character-defining features, architectural style, historic context, and design elements within the Historic District;

(3) The Historic District contributors are identified in the designation materials and the District Plan including buildings, sites, structures, objects, or cultural landscapes that add to the historic architectural qualities, historic associations or patterns for which a Historic District is significant and that are located within the district boundaries;

(4) The Historic District non-contributors are identified in the designation materials and the District Plan including buildings, sites, structures, objects and landscapes within the district boundaries that do not add to the historic architectural qualities, historic association or patterns for which the Historic District is significant;

(5) The Historic District boundaries and period of significance are identified in the designation materials and the District Plan.

SIGNIFICANCE STATEMENT

Determining the significance of the Kober Apartments, including the two moved units on the northern end of the parcel, is predicated on the property retaining a sufficient level of integrity in order to convey its historic significance. Integrity is defined by the National Park Service as follows:

Is the property eligible for the NRHP? No

The subject property is not eligible for the NRHP under Criteria A, B, and C, at the local level of significance. The rationale for this recommendation is based upon the fact that the property is not associated with an event or events of significance in the history of Davis. Nor is the property associated with a person or persons of significance in the history of Davis. While the property retains generally good integrity, its conversion to apartments with the addition of the two northern units, and the fact that its design does not an important example of Mid-Twentieth Century Modern motel architecture. The two units in the rear of the former motel were likely moved to their present location from the adjacent parcel the east formerly owned by the Callori family. This move occurred after 1980 and involved converting four cottages into two units along with substantial remodeling of both units. Thus, neither building reflects its original location or design.

***B10. Significance:(Continued):**

Is the property eligible for CEQA and the CRHR? No

The subject property is not eligible for the NRHP under Criteria A, B, and C, at the local level of significance. The rationale for this recommendation is based upon the fact that the property is not associated with an event or events of significance in the history of Davis. Nor is the property associated with a person or persons of significance in the history of Davis. While the property retains generally good integrity, its conversion to apartments with the addition of the two northern units, and the fact that its design does not an important example of Mid-Twentieth Century Modern motel architecture. The two units in the rear of the former motel were likely moved to their present location from the adjacent parcel the east formerly owned by the Callori family. This move occurred after 1980 and involved converting four cottages into two units along with substantial remodeling of both units. As such neither building reflects its original location or design.

Is the property eligible as a City of Davis Historical Landmark? No

The subject property is not eligible as a Davis Historical Landmark. The property does not reflect any of the significant elements required to be elevated to this level of importance.

Is the property eligible as a City of Davis Merit Resource? No

The subject property is not eligible as a Davis Historical Landmark. The property does not reflect any of the significant elements required to be elevated to this level of importance.

Is the property eligible as part of a Historic District? No

As defined by the City of Davis a "Historic District" means a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development. A district derives its importance from being a unified entity, even though it is often composed of a wide variety of resources. The identity of a Historic District results from the interrelationship of its resources, which can convey a visual sense of the overall historic environment or be an arrangement of historically or functionally related properties. The property does not bear a direct relationship to the Old State Highway/Lincoln Highway or old US 40 since it was built well after the road was converted back to a local road following rerouting of US 40 or I-80.

CONCLUSION

In summary, taking into consideration the aforementioned criteria for determining the eligibility of a building or structure in the City of Davis, it is recommended that the property in its entirety, located at 1225 Olive Drive, does not meet the threshold to be considered eligible for inclusion on the NRHP, CEQA (CRHR), as well as City of Davis Landmark, Merit, and potentially contributor as part of a future Historic District designation.

B12. References: (Continued):

Lofland, John. "Researching Davis Buildings." Unpublished Manuscript. Davis, California.

Lofland, John and Phyllis Haig. *Davis, California: 1910s-1940s*. Arcadia Publishing. 2000.

Margolies, John. *Home Away From Home: Motels in America*. Boston: Bulfinch Press Book. 1995

Polk, R.L. City Directory for Davis, California. Copy on file California State Library, Sacramento, CA. 1970.

Roland, Carol. Central Davis Historic Conservation District Historical Resource Study and Context Statement for the Central Davis Historic Conservation District, Davis, California. 2003.

USDI, National Parks Service. National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation. n.d.

Primary Records

City of Davis. Building Permits on file with the City Community Development Department, 23 Russell Boulevard, Davis, California.

Davis Enterprise. Newspaper articles related to the development of the city. Courtesy of John Lofland, Davis, California.

Fuentes, Sandra. Personal Communication. January 2016.

Jordan, Robert. Personal Communication. Petaluma, California. January 2016.

Lofland, John. Personal Communication. Davis, California. December 2015.

United States Federal Census. Davis, Yolo County, California. 1920-1940.

University of California, Davis. Shields Library, Map Room. Davis, California.

Yolo County Tax Assessor's Office. Official records. Woodland, California.

Yolo County Telephone Directories 1948-1968. Copies on file at the California State Library, History Room, Sacramento, California.

Maps

Assessor Parcel Maps, Yolo County, California.

Cheney, Charles. City Plan of Davis 1927.

City of Davis Ownership Map 1929.

Map of Davis 1914, 1928.

Map of Davisville Yolo County 1868.

Sanborn Fire Insurance Map Company. Sanborn Fire Insurance Maps. Davis, California. 1900; 1907; 1911; 1921; and 1921, updated 1945.

USGS Quadrangle Map, Davis, California 1907; 1915; 1952; 1968; 1972; and 1981.

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # _____
HRI # _____
Trinomial _____
NRHP Status Code _____

Other Listings _____

Review Code _____ Reviewer _____ Date _____

Page 1 of 2

*Resource Name or #: 113 Hickory Lane

P1. Other Identifier: APN 070-290-002

*P2. Location: ☐ Not for Publication ☒ Unrestricted

*a. County: Yolo

*b. USGS 7.5' Quad: Davis, California

c. Address: 113 Hickory Lane

City: Davis

Zip: 95616

d. UTM: N/A

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate): The subject property is located on the east side of Hickory Lane near the middle of the lane between Olive Drive and the Union Pacific Railroad right of way.

*P3a. Description:

The subject property, which reportedly dates to the 1940s, is a wood-frame, "L shaped" gable-roof Vernacular style house. The residence is sited on a level parcel surrounded by mature trees and features a moderately steep gable roof clad with asphalt shingles, stucco exterior wall cladding, double or single-hung wood sash windows, a covered gabled-roof porch over the front entry door with scalloped vertical boards on the face, rectangular columns and wood railing below the gable atop a concrete stoop, and a gabled horizontal board addition on the east elevation with fixed and divided light windows. A boxed in area behind or north of the addition was done recently to enclose a hot water heater. The house faces south towards Olive Drive and abuts Slatter's Court, which lies immediately to the west. To the east is a single-car garage and 115 Hickory Lane. The property is accessed via a dirt driveway off of Hickory Lane.

*P3b. Resource Attributes: HP2 - Single-family residence

*P4. Resources Present: ☒ Building ☐ Structure ☐ Object ☐ Site ☐ District ☐ Element of District

P5a. Photograph or Drawing (Photograph required for buildings, structures, and objects.)



P5b. Description of Photo: View looking north at the residence from Hickory Lane.

*P6. Date Constructed/Age and Sources: ☒ Historic 1940s. Based upon historical aerial photographs, maps, and interviews with Robert Jordan, whose family once owned the house.

*P7. Owner and Address: Paul Gradeff, HighBridge Properties, 101 Montgomery Street, Suite 2550, San Francisco, CA 94104.

*P8. Recorded by: Dana E. Supernowicz, Architectural Historian, Historic Resource Associates, 2001 Sheffield Drive, El Dorado Hills, CA 95762.

*P9. Date Recorded: December 2015

*P10. Type of Survey: ☒ Architectural

Describe: Architectural Recordation and Evaluation per Section 106 of NHPA.

*P11. Report Citation: Historical Resource Analysis Study of the Lincoln 40 Project, including 1111, 1165, 1185, 1207 and 1225 Olive Drive and 113 and 118 Hickory Lane, Davis, Yolo County, California 95616. Prepared for Paul Gradeff, HighBridge Properties, 101 Montgomery Street, Suite 2550, San Francisco, CA. Prepared by Historic Resource Associates, 2001 Sheffield Drive, El Dorado Hills, CA 95762. January 2016.

*Attachments: ☐ NONE ☐ Location Map ☐ Continuation Sheet ☒ Building, Structure, and Object Record ☐ Archaeological Record ☐ District Record ☐ Linear Feature Record ☐ Milling Station Record ☐ Rock Art Record ☐ Artifact Record ☐ Photograph Record ☐ Other (List):

PRIMARY RECORD

Primary # _____

HRI # _____

Trinomial _____

NRHP Status Code _____

Other Listings _____

Review Code _____ Reviewer _____ Date _____

Page 2 of 2

*Resource Name or #: 113 Hickory Lane

*P3a. Description: (Continued):



View looking south at the northeast elevation of 113 Hickory Lane.

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
BUILDING, STRUCTURE & OBJECT RECORD

Primary # _____
HRI # _____

Page 1 of 7

*Resource Name or #: 113 Hickory Lane

NRHP Status Code: 6Z

- B1. Historic Name:** Jordan House
B2. Common Name: 113 Hickory Lane
B3. Original Use: Residence **B4. Present Use:** Residence
***B5. Architectural Style:** Vernacular
***B6. Construction History:** According to historic maps, aerial photographs, and interviews with Robert Jordan, who grew up in the house, the residence was built in the 1940s as part of the Callori Ranch complex.
***B7. Moved?** ☒ No ☐ Yes ☐ Unknown **Date:** N/A **Original Location:**
***B8. Related Features:** The residence abuts Slatter's Court to the west and 115 Hickory Lane, the former home of Giuseppe "Joseph" and Maria Callori.
B9a. Architect: Undetermined **B9b. Builder:** Undetermined
***B10. Significance: Theme:** Twentieth Century Residential Vernacular Architecture; Callori-Maggiolo Family Ranch or Farm
Area: South Davis **Period of Significance:** 1925-1960 **Property Type:** Residence **Applicable Criteria:** NRHP A-C; CRHR 1-3; Davis Landmark 1-3; Davis Merit Resource 1-3; Davis Historic District

The historic context for the subject property is rooted in the development of land fronting Olive Drive by members of the Callori and Maggiolo families from the 1920s through the 1950s. The homes and rental properties built by the two families shared common features in that they were modest in size, affordable to build, and represented architectural designs commonly found in Davis and the Sacramento Valley from the 1920s through the 1950s. The subject property descended from the Callori family, and was once the home of Robert Jordan, grandson of Giuseppe "Joseph" Callori (refer to BSO, Page 2 of 7).

B11. Additional Resource Attributes:

B12. References: Anderson, Timothy, Eudora M. Moore, and Robert W. Winter eds. *California Design 1910*. Salt Lake City: Peregrine Smith Books. 1980; Architectural Resources Group. Cultural Resources Inventory and Context Statement. 1996. Unpublished report on file City of Davis Planning Department; Boghosian, Paula. "Cultural Resources Inventory: City of Davis." 1986. Unpublished report on file City of Davis Planning Department; City of Davis. The Core Area Specific Plan (1961), Margolis, John. *Home Away from Home: Motels in America*, Bullfinch Press, 1995; The Downtown Strategy Report (2000) and the Davis Downtown and Traditional Residential Neighborhoods Design Guidelines (July 2001); Gebhard, David ed. *The Guide to Architecture in San Francisco and Northern California*. 1976, revised 1985; Gudde, Erwin G. *California Place Names: The Origin and Etymology of Current Geographical Names*. Berkeley: University of California Press. 1969; Larkey, Joann Leach. "Portraits of the Past." A series of articles published in the *Davis Enterprise* with detailed information on an array of individuals, buildings, and events in Davis' history. File at Hattie Weber Museum, Davis, CA. 1960s; Larkey, Joann Leach. "Portraits of the Past: Suburban Development in the 1920s." *Davis Enterprise*. June 22, 1972 (refer to BSO, Page 7 of 7).

B13. Remarks: None.

B14. Evaluator: Dana E. Supernowicz, Architectural Historian, Historic Resource Associates, 2001 Sheffield Drive, El Dorado Hills, CA 95762.

Date of Evaluation: December 2015

AERIAL PHOTOGRAPH 2015 (Google Earth)



(This space reserved for official comments.)

***B10. Significance:(Continued):**

REGULATORY FRAMEWORK

National Register of Historic Places (NRHP) Criteria

Criterion A: Event

Properties can be eligible for the National Register if they are associated with events that have made a significant contribution to the broad patterns of our history.

Criterion B: Person

Properties may be eligible for the National Register if they are associated with the lives of persons significant in our past.

Criterion C: Design/Construction

Properties may be eligible for the National Register if they embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction.

Criterion D: Information Potential

Properties may be eligible for the National Register if they have yielded, or may be likely to yield, information important in prehistory or history.

As the National Register points out, “when evaluated within its historic context, a property must be shown to be significant for one or more of the four Criteria for Evaluation - A, B, C, or D.” The rationale for judging a property's significance and, ultimately, its eligibility under the Criteria is its historic context and integrity. The use of historic context allows a property to be properly evaluated in a variety of ways. The key to determining whether the characteristics or associations of a particular property are significant is to consider the property within its proper historic context (Ibid).¹

California Environmental Quality Act (CEQA) and California Register of Historic Resources (CRHR) Criteria

The regulatory framework for this historic resource study and the evaluation lies within the guidelines imposed for the California Environmental Quality Act (CEQA) and the California Register of Historic Resources (CRHR) under Public Resources Code section 5024.1. CEQA guidelines define a significant cultural resource as “a resource listed in or eligible for listing on the CRHR. A historical resource may be eligible for inclusion in the CRHR if it:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. Is associated with the lives of persons important in our past;
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, represents the work of an important creative individual, or possesses high artistic values; or
4. Has yielded, or may be likely to yield, information important to prehistory or history.

¹ USDI, National Park Service. National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation, n.d.

***B10. Significance:(Continued):**

Landmark Resource Criteria

In addition, the City of Davis Historical Resources Management Zoning Code defines a Landmark as follows:

“Landmark” means buildings, structures, objects, signs, features, sites, places, areas, cultural landscapes or other improvements of the highest scientific, aesthetic, educational, cultural, archaeological, architectural, or historical value to the citizens of the City of Davis and designated as such by the City Council pursuant to the provisions of this article. A landmark is deemed to be so important to the historical and architectural fabric of the community that its loss would be deemed a major loss to the community. Once designated, Landmarks are included in the Davis Register of Historical Resources. Landmarks were formerly designated as “Outstanding Historical Resources.”

(a) Upon the recommendation of the Historical Resource Management Commission and approval of the City Council a Historical Resource may be designated a Landmark if the resource meets any of the following four criteria at the local, state, or national level of significance and retains a high level of historic integrity as defined by this article.

- (1) Associated with events that have made a significant contribution to the broad patterns in the history of Davis, California, or the Nation; or
- (2) Associated with the lives of significant persons in the history of Davis, California, or the Nation; or
- (3) Embodies the distinctive characteristics of a type, period, architectural style or method of construction; or that represent the work of a master designer; or that possess high artistic values; or that represents a significant and distinguishable entity whose components may lack individual distinction; or
- (4) Has yielded or may likely yield archaeological or anthropological information important in the study of history, prehistory, or human culture.

(b) Landmark factors to be considered. In determining whether to designate a resource a Landmark, the following factors should be considered, if applicable:

- (1) A resource moved from its original location may be designated a Landmark if it is significant primarily for its architectural value or it is one of the most important surviving structures associated with an important person or historic event.
- (2) A birthplace or grave may be designated a Landmark if it is that of a historical figure of outstanding importance within the history of Davis, the state or the nation and there are no other appropriate sites or resources directly associated with his or her life or achievements.
- (3) A reconstructed building may be designated a Landmark if the reconstruction is historically accurate and is based on sound historical documentation, is executed in a suitable environment, and if no other original structure survives that has the same historical association.
- (4) A resource achieving significance within the past fifty (50) years may be designated a landmark if the resource is of exceptional importance within the history of Davis, the state or the nation.

***B10. Significance:(Continued):**

Merit Resource Criteria

The Historical Resources Management Commission may also designate a resource as a Merit Resource. A Merit Resource is defined in city zoning as follows:

“Merit Resource” means buildings, structures, objects, signs, features, sites, places, areas, cultural landscapes or other improvements with scientific, aesthetic, educational, cultural, archaeological, architectural, or historical value to the citizens of the City of Davis and designated as such by the City Council pursuant to the provisions of this article. Once designated, Merit Resources are included in the Davis Register. Merit Resources were formerly designated as “Historical Resources.”

(c) Upon the recommendation of the Historical Resource Management Commission and approval of the City Council a Historical Resource may be designated a Merit Resource if the resource meets one of the following four criteria at the local level of significance and possesses historic integrity as defined under this article:

- (1) Associated with events that have made a significant contribution to the broad patterns in the history of Davis; or
- (2) Associated with the lives of significant persons in the history of Davis; or
- (3) Embodies the distinctive characteristics of a type, period, architectural style or method of construction; or that represent the work of a master designer; or that possess high artistic values; or that represents a significant and distinguishable entity whose components may lack individual distinction; or
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(d) Merit Resources factors to be considered. In determining whether to designate a resource a Merit Resource, the following factors should be considered, if applicable:

- (1) A resource moved from its original location may be designated a Merit Resource if it is significant for its architectural value or if an understanding of the associated important person or historic event has not been impaired by the relocation.
- (2) A birthplace or grave may be designated a Merit Resource if it is that of a historical figure of outstanding importance within the history of Davis and there are no other appropriate sites or resources directly associated with his or her life or achievements.
- (3) A reconstructed building may be designated a Merit Resource if the reconstruction is historically accurate and is based on sound historical documentation, is executed in a suitable environment, and if no other original structure survives that has the same historical association.

***B10. Significance:(Continued):**

Historic District Criteria

The City zoning code defines a historic district as follows:

“Historic District” means a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development. A district derives its importance from being a unified entity, even though it is often composed of a wide variety of resources. The identity of a Historic District results from the interrelationship of its resources, which can convey a visual sense of the overall historic environment or be an arrangement of historically or functionally related properties. Designated Historic Districts are included in the Davis Register of Historic Resources. Historic Districts can include Historical Resources that may be individually designated as Landmarks or Merit Resources.

It further defines the components of a district as follows:

“Historic District Contributor” means a building, site, structure, object, or cultural landscape identified in the Historic District Plan that possesses sufficient integrity to add to the historic architectural qualities, historic associations or patterns for which an Historic District is significant.

“Historic District Non-Contributor” means a building, site, structure, object, or cultural landscape identified in the Historic District Plan that does not add to the historic architectural qualities, historic association or patterns for which a Historic District is significant.

Zoning code provides that the Commission can designate districts of historical resources as follows:

(e) Commission and approval of the City Council a group of historical resources may be designated a Historic District if the district meets any of the following significance criteria:

- (1) Associated with events that have made a significant contribution to the broad patterns in the history of Davis, California or the Nation; or
- (2) Associated with the lives of significant persons in the history of Davis, California or the Nation; or
- (3) Embodies the distinctive characteristics of a type, period, architectural style or method of construction; or that represent the work of a master designer; or that possess high artistic values; or that represents a significant and distinguishable entity whose components may lack individual distinction; or
- (4) Has yielded or may likely yield archaeological or anthropological information important in the study of history, prehistory, or human culture.

(f) Historic District factors to be considered. In determining whether to designate a group of resources as a Historic District, the following factors should be considered, if applicable:

- (1) To be designated a Historic District a grouping of historical resources must meet one of the above four criteria at the local, state, or national level of significance and the majority of the Historic District contributors must retain historic integrity. The collective value of the district contributors may be greater than the individual resources within the Historic District;

***B10. Significance:(Continued):**

(2) A Historic District Plan shall be developed and reviewed by the Historical Resources Management Commission simultaneously with designation. The Historic District Plan shall provide standards for review within that particular district to ensure that new development, renovation, and rehabilitation are compatible and complementary to the prevalent character-defining features, architectural style, historic context, and design elements within the Historic District;

(3) The Historic District contributors are identified in the designation materials and the District Plan including buildings, sites, structures, objects, or cultural landscapes that add to the historic architectural qualities, historic associations or patterns for which a Historic District is significant and that are located within the district boundaries;

(4) The Historic District non-contributors are identified in the designation materials and the District Plan including buildings, sites, structures, objects and landscapes within the district boundaries that do not add to the historic architectural qualities, historic association or patterns for which the Historic District is significant;

(5) The Historic District boundaries and period of significance are identified in the designation materials and the District Plan.

SIGNIFICANCE STATEMENT

Determining the significance of the residence located at 113 Hickory Lane is predicated on the property retaining a sufficient level of integrity in order to convey its historic significance, and whether the property meets the aforementioned criteria. The house at 113 Hickory Lane represents a modest Mid-Twentieth Century vernacular style residence that is associated with the Callori and Maggiolo families, who developed a large swath of land beginning at a point where Olive Drive meets the Union Pacific Railroad right of way, west just past Hickory Lane, and just east of Slatter's Court. Within this approximate 9 acre area, both families built various homes, many as rental properties, beginning in the mid-1920s when Guissepi "Joseph" Callori acquired the property. While the majority of the residences and cottages still exist, others have been demolished, and a former motel (Kober Apartments) built in what was once an undeveloped field.

Each property was examined for its individual merit and collectively as an ensemble group of properties, being part of a potential historic district. In regards to the individual eligibility, 113 Hickory Lane does not represent an important example of Mid-Twentieth Century vernacular architecture, despite the fact that the building retains relatively good integrity of design, materials, workmanship, association, setting, feeling, and location.

In terms of a historic district, based upon oral history, historic maps, and photographs, four of the 1937-1944 Callori cottages have been demolished, the remaining three cottages have been remodeled with stucco cladding over the original wood board siding, an older barn at the north end of Hickory Drive has been torn down, and a former commercial motel, now an apartment building, has been added near the center of the family holdings, altering the visual continuity of the modest residential homes and cottages.

In conclusion, the subject property at 113 Hickory Lane is not eligible for the NRHP, the CRHR, as a City of Davis Historic Landmark, as a City of Davis Merit Resource, or as a contributing element to a potential historic district.

B12. References: (Continued):

Larkey, Joann Leach and Shipley Walters. *Yolo County, Land of Changing Patterns*. Windsor Publications, 1987.

Lofland, John. "Researching Davis Buildings." Unpublished Manuscript. Davis, California.

Lofland, John and Phyllis Haig. *Davis, California: 1910s-1940s*. Arcadia Publishing. 2000.

McAlester, Lee. *Field Guide to American House*. New York: Knopf. 1984.

USDI, National Parks Service. National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation. n.d.

Weissman, Alan, ed. *Craftsman Bungalows: 59 Homes from "The Craftsman."* New York: Dover Publications, Inc. 1988.

Primary Records

City of Davis. Building Permits on file with the City Community Development Department, 23 Russell Boulevard, Davis, California.

Fuentes, Sandra. Personal Communication. January 2016.

Jordan, Robert. Personal Communication. Petaluma, California. January 2016.

Lofland, John. Personal Communication. Davis, California. December 2015.

United States Federal Census. Davis, Yolo County, California. 1920-1940.

University of California, Davis. Shields Library, Map Room. Davis, California.

Maps

Assessor Parcel Maps, Yolo County, California.

Cheney, Charles. City Plan of Davis 1927.

City of Davis Ownership Map 1929.

Map of Davis 1914, 1928.

Map of Davisville Yolo County 1868.

Sanborn Fire Insurance Map Company. Sanborn Fire Insurance Maps. Davis, California. 1900; 1907; 1911; 1921; and 1921, updated 1945.

USGS Quadrangle Map, Davis, California 1907; 1915; 1952; 1968; and 1981.

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # _____
HRI # _____
Trinomial _____
NRHP Status Code _____

Other Listings _____

Review Code _____ Reviewer _____ Date _____

Page 1 of 2

*Resource Name or #: 118 Hickory Lane

P1. Other Identifier: APN 070-290-006

*P2. Location: ☐ Not for Publication ☒ Unrestricted

*a. County: Yolo

*b. USGS 7.5' Quad: Davis, California

c. Address: 118 Hickory Lane

City: Davis

Zip: 95616

d. UTM: N/A

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate): The subject property is located on the east side of Hickory Lane near the middle of the lane between Olive Drive and the Union Pacific Railroad right of way. APN 070-290-006.

*P3a. Description:

The subject property, which reportedly dates to the late 1950s, is a wood-frame, "L shaped" Ranch style house. The house is sited on a level parcel surrounded by mature trees and features a shallow gable roof clad with asphalt shingles, stucco exterior wall cladding, double or single-hung wood sash windows, a covered porch, and a single-car garage with a replacement aluminum paneled roll-up door. The residence faces west towards Hickory Lane and is accessed via a concrete driveway. Mature trees obscure the house from Hickory Lane.

*P3b. Resource Attributes: HP2 - Single-family residence

*P4. Resources Present: ☒ Building ☐ Structure ☐ Object ☐ Site ☐ District ☐ Element of District

P5a. Photograph or Drawing (Photograph required for buildings, structures, and objects.)



P5b. Description of Photo: View looking northeast at the residence from Hickory Lane.

*P6. Date Constructed/Age and Sources: ☒ Historic Circa late 1950s based upon historical aerial photos and maps.

*P7. Owner and Address: Paul Gradeff, HighBridge Properties, 101 Montgomery Street, Ste. 2550, San Francisco, CA 94104.

*P8. Recorded by: Dana E. Supernowicz, Architectural Historian, Historic Resource Associates, 2001 Sheffield Drive, El Dorado Hills, CA 95762.

*P9. Date Recorded: December 2015

*P10. Type of Survey: ☒ Architectural

Describe: Architectural Recordation and Evaluation per Section 106 of NHPA.

*P11. Report Citation: Historical Resource Analysis Study of the Lincoln 40 Project, including 1111, 1165, 1185, 1207 and 1225 Olive Drive and 113 and 118 Hickory Lane, Davis, Yolo County, California 95616. Prepared for Paul Gradeff, HighBridge Properties, 101 Montgomery Street, Suite 2550, San Francisco, CA. Prepared by Historic Resource Associates, 2001 Sheffield Drive, El Dorado Hills, CA 95762. January 2016.

*Attachments: ☐ NONE ☐ Location Map ☐ Continuation Sheet ☒ Building, Structure, and Object Record ☐ Archaeological Record ☐ District Record ☐ Linear Feature Record ☐ Milling Station Record ☐ Rock Art Record ☐ Artifact Record ☐ Photograph Record ☐ Other (List):

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # _____
HRI # _____
Trinomial _____
NRHP Status Code _____

Other Listings _____

Review Code _____ Reviewer _____ Date _____

Page 2 of 2

*Resource Name or #: 118 Hickory Lane

*P3a. Description: (Continued):



Figure 1: View looking southeast from the north end of Hickory Lane at 118 Hickory Lane.



Figure 2: View looking south at the northeast elevation of 118 Hickory Lane, looking south.

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
BUILDING, STRUCTURE & OBJECT RECORD

Primary # _____
HRI # _____

Page 1 of 7

*Resource Name or #: 118 Hickory Lane

NRHP Status Code: 6Z

- B1. Historic Name:** Dora Maggiolo (Callori) House
B2. Common Name: 118 Hickory Lane
B3. Original Use: Residence **B4. Present Use:** Residence
***B5. Architectural Style:** California Ranch/Minimalist Cottage
***B6. Construction History:** According to historic maps and aerial photographs, the subject property was built during the late 1950s or early 1960s at the latest.
***B7. Moved?** ☒ No ☐ Yes ☐ Unknown **Date:** N/A **Original Location:**
***B8. Related Features:** The subject property occupies a small rectangular-shaped parcel that borders Hickory Lane on the west.
B9a. Architect: Undetermined **B9b. Builder:** Undetermined
***B10. Significance: Theme:** California Ranch Architecture **Area:** South Davis **Period of Significance:** Circa late 1950s
Property Type: Commercial building **Applicable Criteria:** NRHP A-C; CRHR 1-3; Davis Landmark 1-3; Davis Merit Resource 1-3; Davis Historic District

The historic context for the subject property is rooted in the development of land fronting Olive Drive by members of the Callori and Maggiolo families from the 1920s through the 1950s. The homes and rental properties built by the two families shared common features in that they were modest in size, affordable to build, and represented architectural designs commonly found in Davis and the Sacramento Valley from the 1920s through the 1950s. The subject property descended from the Callori family through the Maggiolo family and has been used as a rental for many years (refer to BSO, Page 2 of 7).

B11. Additional Resource Attributes:

B12. References: Anderson, Timothy, Eudora M. Moore, and Robert W. Winter eds. *California Design 1910*. Salt Lake City: Peregrine Smith Books. 1980; Architectural Resources Group. Cultural Resources Inventory and Context Statement. 1996. Unpublished report on file City of Davis Planning Department; Boghosian, Paula. "Cultural Resources Inventory: City of Davis." 1986. Unpublished report on file City of Davis Planning Department; City of Davis. The Core Area Specific Plan (1961), Margolis, John. *Home Away from Home: Motels in America*, Bullfinch Press, 1995; The Downtown Strategy Report (2000) and the Davis Downtown and Traditional Residential Neighborhoods Design Guidelines (July 2001); Gebhard, David ed. *The Guide to Architecture in San Francisco and Northern California*. 1976, revised 1985; Gudde, Erwin G. *California Place Names: The Origin and Etymology of Current Geographical Names*. Berkeley: University of California Press. 1969; Larkey, Joann Leach. "Portraits of the Past." A series of articles published in the *Davis Enterprise* with detailed information on an array of individuals, buildings, and events in Davis' history. File at Hattie Weber Museum, Davis, CA. 1960s; Larkey, Joann Leach. "Portraits of the Past: Suburban Development in the 1920s." *Davis Enterprise*. June 22, 1972 (refer to BSO, Page 7 of 7).

B13. Remarks: None.

B14. Evaluator: Dana E. Supernowicz, Architectural Historian, Historic Resource Associates, 2001 Sheffield Drive, El Dorado Hills, CA 95762.

Date of Evaluation: December 2015

AERIAL PHOTOGRAPH 2015 (Google Earth)



(This space reserved for official comments.)

***B10. Significance:(Continued):**

REGULATORY FRAMEWORK

National Register of Historic Places (NRHP) Criteria

Criterion A: Event

Properties can be eligible for the National Register if they are associated with events that have made a significant contribution to the broad patterns of our history.

Criterion B: Person

Properties may be eligible for the National Register if they are associated with the lives of persons significant in our past.

Criterion C: Design/Construction

Properties may be eligible for the National Register if they embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction.

Criterion D: Information Potential

Properties may be eligible for the National Register if they have yielded, or may be likely to yield, information important in prehistory or history.

As the National Register points out, “when evaluated within its historic context, a property must be shown to be significant for one or more of the four Criteria for Evaluation - A, B, C, or D.” The rationale for judging a property's significance and, ultimately, its eligibility under the Criteria is its historic context and integrity. The use of historic context allows a property to be properly evaluated in a variety of ways. The key to determining whether the characteristics or associations of a particular property are significant is to consider the property within its proper historic context (Ibid).¹

California Environmental Quality Act (CEQA) and California Register of Historic Resources (CRHR) Criteria

The regulatory framework for this historic resource study and the evaluation lies within the guidelines imposed for the California Environmental Quality Act (CEQA) and the California Register of Historic Resources (CRHR) under Public Resources Code section 5024.1. CEQA guidelines define a significant cultural resource as “a resource listed in or eligible for listing on the CRHR. A historical resource may be eligible for inclusion in the CRHR if it:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. Is associated with the lives of persons important in our past;
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, represents the work of an important creative individual, or possesses high artistic values; or
4. Has yielded, or may be likely to yield, information important to prehistory or history.

¹ USDI, National Park Service. National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation, n.d.

***B10. Significance:(Continued):**

Landmark Resource Criteria

In addition, the City of Davis Historical Resources Management Zoning Code defines a Landmark as follows:

“Landmark” means buildings, structures, objects, signs, features, sites, places, areas, cultural landscapes or other improvements of the highest scientific, aesthetic, educational, cultural, archaeological, architectural, or historical value to the citizens of the City of Davis and designated as such by the City Council pursuant to the provisions of this article. A landmark is deemed to be so important to the historical and architectural fabric of the community that its loss would be deemed a major loss to the community. Once designated, Landmarks are included in the Davis Register of Historical Resources. Landmarks were formerly designated as “Outstanding Historical Resources.”

(a) Upon the recommendation of the Historical Resource Management Commission and approval of the City Council a Historical Resource may be designated a Landmark if the resource meets any of the following four criteria at the local, state, or national level of significance and retains a high level of historic integrity as defined by this article.

- (1) Associated with events that have made a significant contribution to the broad patterns in the history of Davis, California, or the Nation; or
- (2) Associated with the lives of significant persons in the history of Davis, California, or the Nation; or
- (3) Embodies the distinctive characteristics of a type, period, architectural style or method of construction; or that represent the work of a master designer; or that possess high artistic values; or that represents a significant and distinguishable entity whose components may lack individual distinction; or
- (4) Has yielded or may likely yield archaeological or anthropological information important in the study of history, prehistory, or human culture.

(b) Landmark factors to be considered. In determining whether to designate a resource a Landmark, the following factors should be considered, if applicable:

- (1) A resource moved from its original location may be designated a Landmark if it is significant primarily for its architectural value or it is one of the most important surviving structures associated with an important person or historic event.
- (2) A birthplace or grave may be designated a Landmark if it is that of a historical figure of outstanding importance within the history of Davis, the state or the nation and there are no other appropriate sites or resources directly associated with his or her life or achievements.
- (3) A reconstructed building may be designated a Landmark if the reconstruction is historically accurate and is based on sound historical documentation, is executed in a suitable environment, and if no other original structure survives that has the same historical association.
- (4) A resource achieving significance within the past fifty (50) years may be designated a landmark if the resource is of exceptional importance within the history of Davis, the state or the nation.

***B10. Significance:(Continued):**

Merit Resource Criteria

The Historical Resources Management Commission may also designate a resource as a Merit Resource. A Merit Resource is defined in city zoning as follows:

“Merit Resource” means buildings, structures, objects, signs, features, sites, places, areas, cultural landscapes or other improvements with scientific, aesthetic, educational, cultural, archaeological, architectural, or historical value to the citizens of the City of Davis and designated as such by the City Council pursuant to the provisions of this article. Once designated, Merit Resources are included in the Davis Register. Merit Resources were formerly designated as “Historical Resources.”

(c) Upon the recommendation of the Historical Resource Management Commission and approval of the City Council a Historical Resource may be designated a Merit Resource if the resource meets one of the following four criteria at the local level of significance and possesses historic integrity as defined under this article:

- (1) Associated with events that have made a significant contribution to the broad patterns in the history of Davis; or
- (2) Associated with the lives of significant persons in the history of Davis; or
- (3) Embodies the distinctive characteristics of a type, period, architectural style or method of construction; or that represent the work of a master designer; or that possess high artistic values; or that represents a significant and distinguishable entity whose components may lack individual distinction; or
- (4) Has yielded or may likely yield archaeological or anthropological information important in the study of history, prehistory, or human culture.

(d) Merit Resources factors to be considered. In determining whether to designate a resource a Merit Resource, the following factors should be considered, if applicable:

- (1) A resource moved from its original location may be designated a Merit Resource if it is significant for its architectural value or if an understanding of the associated important person or historic event has not been impaired by the relocation.
- (2) A birthplace or grave may be designated a Merit Resource if it is that of a historical figure of outstanding importance within the history of Davis and there are no other appropriate sites or resources directly associated with his or her life or achievements.
- (3) A reconstructed building may be designated a Merit Resource if the reconstruction is historically accurate and is based on sound historical documentation, is executed in a suitable environment, and if no other original structure survives that has the same historical association.

***B10. Significance:(Continued):**

Historic District Criteria

The City zoning code defines a historic district as follows:

“Historic District” means a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development. A district derives its importance from being a unified entity, even though it is often composed of a wide variety of resources. The identity of a Historic District results from the interrelationship of its resources, which can convey a visual sense of the overall historic environment or be an arrangement of historically or functionally related properties. Designated Historic Districts are included in the Davis Register of Historic Resources. Historic Districts can include Historical Resources that may be individually designated as Landmarks or Merit Resources.

It further defines the components of a district as follows:

“Historic District Contributor” means a building, site, structure, object, or cultural landscape identified in the Historic District Plan that possesses sufficient integrity to add to the historic architectural qualities, historic associations or patterns for which an Historic District is significant.

“Historic District Non-Contributor” means a building, site, structure, object, or cultural landscape identified in the Historic District Plan that does not add to the historic architectural qualities, historic association or patterns for which a Historic District is significant.

Zoning code provides that the Commission can designate districts of historical resources as follows:

(e) Commission and approval of the City Council a group of historical resources may be designated a Historic District if the district meets any of the following significance criteria:

- (1) Associated with events that have made a significant contribution to the broad patterns in the history of Davis, California or the Nation; or
- (2) Associated with the lives of significant persons in the history of Davis, California or the Nation; or
- (3) Embodies the distinctive characteristics of a type, period, architectural style or method of construction; or that represent the work of a master designer; or that possess high artistic values; or that represents a significant and distinguishable entity whose components may lack individual distinction; or
- (4) Has yielded or may likely yield archaeological or anthropological information important in the study of history, prehistory, or human culture.

(f) Historic District factors to be considered. In determining whether to designate a group of resources as a Historic District, the following factors should be considered, if applicable:

- (1) To be designated a Historic District a grouping of historical resources must meet one of the above four criteria at the local, state, or national level of significance and the majority of the Historic District contributors must retain historic integrity. The collective value of the district contributors may be greater than the individual resources within the Historic District;

***B10. Significance:(Continued):**

(2) A Historic District Plan shall be developed and reviewed by the Historical Resources Management Commission simultaneously with designation. The Historic District Plan shall provide standards for review within that particular district to ensure that new development, renovation, and rehabilitation are compatible and complementary to the prevalent character-defining features, architectural style, historic context, and design elements within the Historic District;

(3) The Historic District contributors are identified in the designation materials and the District Plan including buildings, sites, structures, objects, or cultural landscapes that add to the historic architectural qualities, historic associations or patterns for which a Historic District is significant and that are located within the district boundaries;

(4) The Historic District non-contributors are identified in the designation materials and the District Plan including buildings, sites, structures, objects and landscapes within the district boundaries that do not add to the historic architectural qualities, historic association or patterns for which the Historic District is significant;

(5) The Historic District boundaries and period of significance are identified in the designation materials and the District Plan.

SIGNIFICANCE STATEMENT

Determining the significance of 118 Hickory Lane is predicated on the property retaining a sufficient level of integrity in order to convey its historic significance, and whether the property meets the aforementioned criteria. The house at 118 Hickory Lane represents a modest Mid-Twentieth Century Ranch style residence that is associated with the Callori and Maggiolo families, who developed a large swath of land beginning at a point where Olive Drive meets the Union Pacific Railroad right of way, west just past Hickory Lane, and just east of Slatter's Court. Within this approximate 9 acre area, both families built various homes, many as rental properties, beginning in the mid-1920s when Guissepi "Joseph" Callori acquired the property. While the majority of the residences and cottages still exist, others have been demolished, and a former motel (Kober Apartments) built in what was once an undeveloped field.

Each property was examined for its individual merit and collectively as an ensemble group of properties, being part of a potential historic district. In regards to the individual eligibility, 118 Hickory Lane does not represent an important example of Mid Twentieth Century Ranch style architecture, despite the fact that the building retains relatively good integrity of design, materials, workmanship, association, setting, feeling, and location.

In terms of a historic district, based upon oral history, historic maps, and photographs, four of the 1937-1944 Callori cottages have been demolished, the remaining three cottages have been remodeled with stucco cladding over the original wood board siding, an older barn at the north end of Hickory Drive has been torn down, and a former commercial motel, now an apartment building, has been added near the center of the family holdings, altering the visual continuity of the modest residential homes and cottages.

In conclusion, the subject property at 118 Hickory Lane is not eligible for the NRHP, the CRHR, as a City of Davis Historic Landmark, as a City of Davis Merit Resource, or as a contributing element to a potential historic district.

B12. References: (Continued):

Larkey, Joann Leach and Shipley Walters. *Yolo County, Land of Changing Patterns*. Windsor Publications, 1987.

Lofland, John. "Researching Davis Buildings." Unpublished Manuscript. Davis, California.

Lofland, John and Phyllis Haig. *Davis, California: 1910s-1940s*. Arcadia Publishing. 2000.

McAlester, Lee. *Field Guide to American House*. New York: Knopf. 1984.

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Map of Davisville Yolo County 1868.

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USGS Quadrangle Map, Davis, California 1907; 1915; 1952; 1968; and 1981.