

STAFF REPORT

DATE: May 15, 2018

TO: City Council

FROM: Mike Webb, City Manager
Heidi Tschudin, Deputy City Manager/Community Development & Sustainability Director

SUBJECT: City Comments on Draft Environmental Impact Report for UC Davis Long Range Development Plan (LRDP)

Recommendation

Authorize the City Manager or his designee to finalize and submit the attached draft comment letter regarding the Draft Environmental Impact Report (DEIR) for the UC Davis Long Range Development Plan (LRDP) by the May 29, 2018 deadline

Fiscal Impact

Costs for staff to review the LRDP and draft the comment letter are absorbed by the departmental budgets.

Council Goal(s)

Engagement in the LRDP process relates to several City Council goals, including the following specific goal and objective:

Goal 5, Objective 1(D): Actively engage with UC Davis on the Long Range Development Plan (LRDP). Seek opportunities for collaboration and clearly articulate City goals and objectives. Assess impacts on traffic, parking, housing, and city services and recommend possible mitigation measures.

Background

UC Davis (University) released the draft Long Range Development Plan (LRPD) on April 11, 2018. The LRDP is the comprehensive land use plan for UCD that establishes a land use framework for future campus growth. It can be viewed at the following website:

http://campustomorrow.ucdavis.edu/app_pages/view/187

On April 13, 2018, the University released the Draft Environmental Impact Report (DEIR) on the LRDP for a 45-day review and comment period extending through May 29, 2018. The DEIR examines the potential for adverse environmental impacts resulting from implementation of the LRDP. The DEIR can be viewed at the following website:

http://campustomorrow.ucdavis.edu/app_pages/view/185

On January 24, 2017 the City submitted comments on the scope of the DEIR (Attachment 2, January 24, 2017 Notice of Preparation [NOP] Comment Letter). Staff is seeking authorization from the City Council to submit the attached comments on the DEIR (Attachment 1, Proposed DEIR Comment Letter). A staff team comprised of the departments of Community Development and Sustainability, Public Works, and the City Attorney have reviewed the DEIR and prepared a draft comment letter for the Council's consideration. It identifies a combination of general and specific concerns, and incorporates the detailed scoping comments from the January 24th letter. Examples include: that the DEIR looks at current and future conditions, but no scenarios in between; that there is no alternative that looks generally at the University providing additional student housing; that the University does not commit to the provision of identified future housing nor commit to ensuring that it will keep pace with enrollment over time, and that key transportation mitigation lack specificity. The draft comment letter also identifies nine reasonable and feasible mitigation measures that would address impacts to the City and requests that they be included in the EIR.

Attachment(s)

1. Proposed DEIR Comment Letter
2. January 24, 2017 NOP Comment letter

May __, 2018

Matt Dulcich, AICP
Director of Environmental Planning
Campus Planning and Environmental Stewardship
University of California
One Shields Avenue, Davis, CA 95616

Dear Mr. Dulcich:

The City of Davis is in receipt of the Draft Environmental Impact Report (DEIR) for the Draft 2018 Long Range Development Plan (Draft LRDP) for the University of California at Davis (UC Davis or University). Thank you for the opportunity to comment on this important analysis. We appreciate the modifications to the project that have been made by the University, in particular the commitment to provide more student housing than was described in the original project description. We look forward to your responses to the following comments, and to a continuing dialog regarding our mutual interests.

1. We are incorporating our January 24, 2017 NOP comment letter (attached) into these comments and respectfully request responses to the comments made in that letter.
2. We believe it is imperative to understand how campus housing will be provided over time as student enrollment increases. Please expand the Project Description to include a consolidated table showing student population and University housing under existing (2016/17) and LRDP horizon years (2030/31) conditions, including some reasonable (e.g. three-year) increments in between.
3. The DEIR describes existing conditions and analyzes future conditions but does not analyze any interim scenarios in between. As detailed in the Transportation Chapter of the DEIR, the University has taken the position that it would be misleading to look at the impacts of development under the LRDP based on the assumption that the full project would be built out in 2018. So, instead, the DEIR assumes that development under the LRDP would occur in 2031 and the analysis measures the impacts of that development against a hypothetical future baseline of 2031. This does not align with the Supreme Court's guidance in *Neighbors for Smart Rail*. The EIR must include an analysis of the impacts of development of the LRDP over time based on the University's projected phasing and sequencing development, including, importantly, development of campus housing verses increasing student population.

While *Neighbors for Smart Rail* does hold that a lead agency has the discretion to omit an analysis of the project's significant impacts on existing environmental conditions and substitute a baseline consisting of environmental conditions projected to exist in the future if the existing conditions analysis would be misleading or without informational value, there is no published case law interpreting what it means to be "misleading and without informational value." The City is not aware

of any basis upon which the University is authorized to measure the impacts of development of the LRDP against a “future baseline” that would occur long after development and operation of the new components expressly called for in the LRDP are already well underway.

The Supreme Court’s ruling on the actual project at issue in *Neighbors for Smart Rail* provides guidance to the University that is in direct contrast to the conclusions of the DEIR. In that case, the lead agency decided to omit from the project EIR, an analysis of the proposed project’s traffic and air quality impacts on existing environmental conditions, and consider only conditions which would exist on future date when the project was fully operational. The lead agency did this on the basis that current conditions would not exist when project was fully operational. The Supreme Court held that the evidence did not support this approach.

The Court found that by focusing solely on the project’s operational impacts in the distant future, the EIR neglected to inform the public and decision makers explicitly of operational impacts that could occur in the project’s first 15 years of operation, and, while expected changes might make it important for the authority to also examine impacts under future conditions, it did not constitute substantial evidence supporting a determination that an existing conditions analysis would be uninformative or misleading.

With regard to the LRDP, it is clear implementation of the plan will lead to the development and operation of facilities/housing and their attendant environmental impacts long before 2031. This is much like the light rail project considered in *Neighbors for Smart Rail*, which had undisputable impacts during its first years of construction and operation, impacts which that DEIR ignored. We believe the most appropriate way for the University to comply with CEQA would be to include phasing for the development proposed under the LRDP and then to disclose the impacts of each phase of development. Without this the EIR will be missing an analysis of the impact of developing new facilities before it develops housing for the students who will be drawn to those facilities.

4. Impact 3.11-1 does not identify and analyze consistency with policy of the City articulated in Resolution No. 16-175 (attached). Please incorporate the Resolution into the description of regulatory setting and add an analysis of consistency with this City policy. We believe this is an important component of fulfilling the disclosure role of CEQA.
5. Alternative 4 (2018 LRDP With Additional Student Housing Alternative) is specific in the assumed location of units on the Nishi, West Davis, and Orchard Park sites and does not consider increased density elsewhere in the University housing portfolio. The DEIR dismisses this alternative generally and concludes that other alternatives, including the project, are environmentally superior. The analysis of Alternative 4 is greatly affected by the specifics of the description. The design of this alternative precludes it from performing well. An alternative that generally houses more of the University’s students on campus would have commensurate decreases in commuting, air quality emissions, greenhouse gas emissions, trip generation, and impacts to the regional circulation system, among other outcomes. Also, to the extent that the increased housing is in the form of vertical rather than horizontal growth, there would be fewer site specific effects such as aesthetics, agriculture, geology, biology, cultural resources, energy, hazards, water quality, etc. Please modify the description of this alternative or add a new one that looks more generally at increased housing of students on campus, including higher vertical density design, and reconsider the analysis of the environmental superior alternative in light of these revisions.

6. Without a commitment to the provision of campus housing at a rate that keeps pace with the increasing student population, it is not possible to verify the accuracy of the impact analysis or the effectiveness of the mitigation measures. We respectfully propose the following reasonable and feasible mitigation measures be incorporated into the EIR and committed to by the University in the required Mitigation Monitoring and Reporting Plan:

Proposed Mitigation Measure #1 -- The University will commit to housing a minimum of 100 percent of the projected student enrollment of all new incoming students and at least 50 percent of total University campus student population in the LRDP.

Proposed Mitigation Measure #2 -- The University will commit to higher densities (e.g. four-plus stories) in redeveloped and new student housing than are currently being provided, taking into account neighborhood context.

Proposed Mitigation Measure #3 -- The University will commit to housing students of all incomes, and will incorporate innovative affordable housing models, including cooperative housing.

Proposed Mitigation Measure #4 -- The University will develop a construction and financing implementation strategy to ensure the delivery of campus housing units and facilities in a timely manner commensurate with levels committed to by the University in these mitigation measures.

Proposed Mitigation Measure #5 -- The University will enter into an agreement with the City to compensate for the direct and indirect impacts of students on city infrastructure and services (e.g. transportation, transit, utilities, water supply, wastewater treatment, stormwater conveyance, parks and greenbelts, community services, recreation facilities and programs, police and fire service).

Proposed Mitigation Measure #6 -- The University will regularly demonstrate to the City (eg. reporting to the City Council at least annually) that the housing target has been achieved and identify appropriate measures to improve performance if necessary.

Proposed Mitigation Measure #7 -- The University will enter into an agreement with the City to compensate for lost property tax revenue associated with the University's leasing of property within the city limits.

Proposed Mitigation Measure #8 -- The University will commit to engaging the City in and assisting in the funding of a collaborative process for joint planning of shared edges and corridors to ensure mutually workable and coordinated results.

Proposed Mitigation Measure #9 -- The University will enter into an agreement with the City of Davis to actively participate in and assist with funding the City's rental registration and inspection program to help address the indirect effects associated with increasingly overcrowded student housing conditions off-campus.

7. The traffic analysis largely suggests that implementing University policies (eg. SOV reduction by 10%) will minimize impacts due to motor vehicle trips by implementing undefined TDM strategies, and that other impacts resulting from pedestrian and bicycle trips will be mitigated by monitoring and reacting to negative outcomes (MM 3.16 -3 through 5). There is no quantification of these impacts to be able to assess specific definable and enforceable mitigation measures and the expressed reactive approach

that relies on waiting for problems to materialize before considering mitigation is of concern in the context of CEQA's requirements.

Furthermore, the analysis relies on a general unsupported statement that because total new campus housing exceed total campus population growth, that fewer students and faculty/staff will live in Davis with a commute on local City streets to/from campus and therefore, no adverse impacts on local streets are to be expected. This modelling assumption is presumptive and requires justification, without which the modeling results are not reliable.

Similarly, the analysis does not quantify parking impacts in the local neighborhoods, even though it acknowledges that campus trips are resulting in parking impacts on existing streets in the current condition (Impact 3.16-32). While the analysis in various places assumes current behavior would be replicated in the additional trip growth, in this case, the existing behavior of motorists parking in the city to walk/bike/bus the last mile is ignored with the new growth. A reasonable expectation is that motorists would park in the City rather than on campus thereby exacerbating existing City parking challenges caused by campus parking policies.

The DEIR relies on transportation demand management (TDM) as mitigation for traffic impacts without consideration of other physical improvements that could improve conditions and modify the travel behavior of motorists, cyclists and pedestrians. For example, modifications to intersections at campus gateway connections and corridors potentially change the travel choices of campus-bound travelers and should be considered. Specific suggestions were set forth in the City's January 24, 2017 NOP comment letter (attached), however, these were not analyzed or responded to as requested.

We respectfully request the University specify how it will ensure that identified impacts will be mitigated as opposed to reliance on unidentified TDM and "wait and see" monitoring strategies. The assumptions that housing built on campus and affordable housing outside of Davis will reduce the travel trips on city streets for bicyclists and pedestrians is not substantiated and requires substantiation through fact-based analysis.

Upon receipt of responses to the issues identified above we respectfully request additional time to adequately review and consider the new information. Thank you for consideration of these comments.

Sincerely,

Heidi Tschudin, FAICP
Deputy City Manager/Community Development
and Sustainability Director
City of Davis
23 Russell Blvd
Davis, CA 95616

Attachment:

City of Davis NOP Comment Letter (dated January 24, 2017) including attachments

Copies:

Janet Napolitano, President, UC Office of the President

Board of Regents of the University of California

Robert Segar, UC Davis Assistant Vice Chancellor, Campus Planning and Community Resources

Mayor Robb Davis and Members of the City Council, City of Davis

Mike Webb, City Manager, City of Davis

Bob Clarke, Director of Public Works, City of Davis

DRAFT

CITY COUNCIL

Robb Davis, *Mayor* – Brett Lee, *Mayor Pro Tem*
Councilmembers: Will Arnold, Lucas Frerichs, Rochelle Swanson
23 Russell Boulevard – Davis, California 95616
530/757-5602 – TDD: 530/757-5666



January 24, 2017

Ralph Hexter
Interim Chancellor
UC Davis Office of the Chancellor
573 Mrak Hall
Davis, CA 95616

Re: UC Davis Notice of Preparation of Environmental Impact Report for 2017 Long Range Development Plan

Dear Chancellor Hexter,

The City of Davis is in receipt of the Notice of Preparation (NOP) of an Environmental Impact Report (EIR) for the UC Davis 2017 Long Range Development Plan. Attached, please find the comments submitted by the City of Davis regarding the scope and content of the EIR, including reasonable alternatives and mitigation measures, that the City of Davis believes will be necessary to ascertain the potential environmental impacts of the LRDP.

We are appreciative of the previous and ongoing engagement of campus staff with our community, our City staff, and our City Council LRDP subcommittee and thank you for your prompt and serious consideration of these matters. We remain committed to engaging in dialogue with UC Davis as you consider your responses to these comments.

Robb Davis
Mayor

Attachment

1. NOP Scoping Comment Letter

cc: Janet Napolitano, President, UC Office of the President
Board of Regents of the University of California
Robert Segar, UC Davis Assistant Vice Chancellor Campus Planning & Community Resources
Matt Dulcich, UC Davis Assistant Director of Environmental Planning

CITY OF DAVIS

Indian Wells
(760) 566-2611
Irvine
(949) 263-2600
Los Angeles
(213) 617-8100
Ontario
(909) 989-8584

BBK
BEST BEST & KRIEGER
ATTORNEYS AT LAW

500 Capitol Mall, Suite 1700, Sacramento, CA 95814
Phone: (916) 325-4000 | Fax: (916) 325-4010 | www.bbklaw.com

Riverside
(951) 686-1450
San Diego
(619) 525-1300
Walnut Creek
(925) 977-3300
Washington, DC
(202) 785-0600

Harriet A. Steiner
(916) 551-2621
harriet.steiner@bbklaw.com

File No. 82504.01001

January 24, 2017

VIA E-MAIL AND U.S. MAIL

Matt Dulcich, AICP
Assistant Director of Environmental Planning
Campus Planning and Environmental Stewardship
University of California
One Shields Avenue
Davis, CA 95616

Re: UC Davis Notice of Preparation of Environmental Impact Report for
2017 Long Range Development Plan

Dear Mr. Dulcich,

Our client, the City of Davis is in receipt of the Notice of Preparation (NOP) of an Environmental Impact Report (EIR) for the UC Davis 2017 Long Range Development Plan (LRDP or Project). In the interests of the City's shared objective for community disclosure, we hereby submit the City's comments on the NOP regarding the scope and content of the EIR, including reasonable alternatives and mitigation measures, that the City believes will be necessary to ascertain the potential environmental impacts of the LRDP. The City is appreciative of the previous and ongoing engagement of campus staff with the community, City staff, and the City Council's LRDP subcommittee. To that end, we have also attached to this comment letter, as part of the City's comments on the NOP, copies of the City's December 21, 2016 letter to UC Davis, the City Council's Resolution 16-175 concerning the LRDP, and the City's January 12, 2017 letter to UC Davis requesting a second NOP scoping meeting.

Based on our review of the NOP, there are many questions regarding the proposed development of the campus under the LRDP that are unanswered or information that is unclear or incomplete that must be clearly defined before there will be an adequate Project Description to evaluate in the EIR. Therefore, after consideration of these comments and others that may be submitted to UC Davis during the current scoping period, we strongly recommend that UC Davis issue a revised and updated NOP, with a new scoping period, which addresses the following issues:

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- It is unclear from the Project Description of the LRDP provided in the NOP how the LRDP will fully meet the Project Goals and Objectives to Support the Academic Enterprise through the development of Academic and Administrative space (what we refer to in this letter as academic/office/R&D/support space). While the NOP provides general data on the acreage for such space and a reference to a gross 2 million square feet of space, there is no breakdown of how many square feet of each academic/office/R&D/support space will be needed to accommodate the projected growth, whether the proposed amount of such space will be (or is considered to be) sufficient to accommodate the Project growth in full, and whether the proposed space will allow UC Davis to re-absorb onto campus such space that is currently occupied within the City of Davis and other nearby communities.
- The NOP should explain the rationale, in a manner that reflects the LRDP's Project Objectives, for UC Davis' proposal to house no more than 40% of enrollment on campus, as well as its assumptions and rationale for the percentage of students living off campus and outside of Davis. This is necessary to inform public understanding of the Project, potential impacts, and feasible mitigation measures to reduce potential impacts.
- The NOP should provide a list of the intersections and roadway segments proposed to be evaluated in the EIR.
- The NOP should provide an explanation as to whether the "900 additional students" proposed to be housed at Orchard Park are in addition to the students previously housed there, or are considered 900 students housed above the current vacant status of the site.
- NOP clarifications needed regarding population estimates.
 - Under the "Campus Population" heading (page A-7), the NOP states that LRDP has until now used enrollment data for the 2014-15 academic year, but updated 2015-16 data will be used as the base year for the EIR. Accordingly, it is unclear precisely what enrollment data will form the basis for the Project scope and description, making informed comment on the scope challenging.
 - Expanding the student population from 32,663 in 2015-16 to 39,000 by 2027-28 is an increase of 6,337 (19.4%). Employment is expected to increase by 2,319 (19.0%), growing from 12,181 to 14,500. In total, by 2027-28 there will be a combined total of 8,656 additional people on campus. This does not include the combined total of 2,364 additional community college students (615), dependents of UC residents (1,444) and non-UCD employees (305), which when added to student and employment growth will result in a total net increase of 11,020 (as shown on NOP Table 2, page A-8). The NOP should reflect that these additional direct and

indirect “maximum” population increases so that they will be accounted for and analyzed in the EIR.

- The NOP states that the LRDP assumes 40% (15,600) students will live on campus by 2027-28 (Table 4), but does not describe how the remaining 60% (23,400) will be allocated between the City of Davis and other communities and the rationale for that allocation. The NOP should reflect that the direct and indirect impacts of this off-campus housing will be accounted for and analyzed in the EIR.
- The on-campus population of student and staff exceeded the projections in the 2003 LRDP. To form a sound understanding of the baseline existing conditions, the NOP should reflect that the EIR will articulate how much these projections were exceeded, an understanding of why this occurred, why it may or may not occur again in the future with regard to the 2017 LRDP projections, and what the environmental impacts of such exceedances would be. The proposed LRDP “40% housing” represents an aspirational “ceiling” of on-campus development for housing units. Based on the attached documentation, UC Davis has historically not met prior on-campus housing goals associated with former LRDP’s and MOU’s with the City. The EIR should disclose and analyze anticipated impacts if anything less than the proposed housing “ceiling” is not constructed, particularly with respect to local and regional housing, greenhouse gas, air quality, and traffic/circulation impacts.

While these clarifications (and other necessary information articulated in this letter) to the Project Description are needed, based on the information that is currently provided in the NOP, the City requests that the EIR contain a detailed analysis of the direct and indirect environmental impacts of both interim and full implementation of the LRDP.¹

The City’s comments fall into three major categories: 1) Housing, Academic/Office/R&D/Support Space, Phasing, 2) Transportation and Infrastructure and 3) Cumulative Projects.

Housing, Academic/Office/R&D/Support Space, Phasing

Housing

The City of Davis is concerned that the Project, as detailed in the NOP, will not fully meet the UC Davis’s Project Goals and Objectives to enrich community life with residence halls and student apartments and to promote affordable and accessible residential communities. The LRDP proposes to provide housing for only 90 percent of new enrollment and 40 percent of total campus enrollment, neither of which, as acknowledged in the NOP, is sufficient to meet the Projected growth of the university. The City of Davis believes that such a housing proposal will result in a

¹ The City reserves the opportunity to submit additional comments prior to the February 17, 2017 conclusion of the public comment period on the NOP.

number of direct and indirect significant impacts on the environment, all of which will need to be feasibly mitigated. Accordingly, the City requests that the EIR evaluate:

- The potential for significant increases in air quality impacts and greenhouse gas emissions from students and faculty forced by the lack of housing on campus and by the City of Davis's 0.2% apartment vacancy rate, to travel further from campus, to cities such as Woodland, Sacramento and Dixon, to find housing.
- The consistency of the LRDP with the City's Transportation Element, Housing Element, and Parks Master Plan.
- The potential for implementation of the LRDP to induce, directly or indirectly, substantial population growth or displace substantial housing of residents, using as a baseline the number and percentage of owner-occupied housing units in Davis and evaluating any direct or indirect impacts from the anticipated growth in residents.
- The potential for other impacts to City of Davis public services from the new campus population increase, including but not necessarily limited to parks and greenbelts, community services, recreation facilities and programs, police services, fire services, and social services.
- The potential direct and indirect impacts of additional incremental off-campus demand for key City utilities, including domestic water supplies, wastewater treatment, and stormwater conveyance.
- The potential for urban decay from the crowding and/or deterioration of housing units in the City, as a result of a lack of on-campus housing.

Given the anticipated significant direct and indirect impacts from housing only 40% of the future student population on campus, along with the resulting additional incremental demand for public services provided by the City of Davis, the City of Davis respectfully requests that UC Davis include in the EIR an equal weight alternative, which fully evaluates the provision of a minimum of 100 percent of projected student enrollment growth, including all new incoming students starting in the 2017 academic year and at least 50 percent of total UC Davis campus student population in the LRDP (a so-called 50/100 plan). Housing at least 50% of the student population on campus is a common and reasonable housing approach that has already been embraced by multiple UC campuses, including UC Irvine, UC Merced, UC San Diego, UC Santa Barbara, UC Santa Cruz, and UC Riverside.

We are aware that UC Davis has recently issued statements suggesting that they will be considering more housing on campus as the LRDP "process unfolds," but we would be concerned that such an approach would result in an unstable Project Description, in violation of CEQA. Including a 50/100 plan in the EIR as an equal weight alternative would more fully inform the UC Regents as they consider LRDP adoption, is in the best interests of full disclosure, and will afford all parties a better understanding of the implications of various housing alternatives.

Academic/Office/R&D/Support Space

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The City of Davis is concerned that, as currently drafted, it is unclear how the LRDP will fully meet the Project Goals and Objectives to Support the Academic Enterprise through the development of academic, administrative office, R&D, and other support space. The City asks that UC Davis ensure that the EIR evaluates the direct and indirect impacts of meeting (or not meeting) current space needs and anticipated growth of campus academic/office/R&D/support space. Specifically, please note that, while Table 1 of the NOP, Land Use Designations Acreage Summary Table calls for a net increase of 83.30 acres in Academic and Administrative land use, it is not clear from Exhibit 4, Land Uses Proposed for 2017 LRDP, where that new acreage will be, what will take place in these spaces, how they will be allocated amongst the various types of spaces, and whether or not this acreage will fully accommodate the University's existing and projected needs.

The City of Davis is concerned that there will be significant direct and indirect impacts to the environment related to the need for UC Davis to acquire additional academic/office/R&D/support space in the City of Davis, Sacramento, and other locations. To that end, the City requests that the EIR fully detail and evaluate the impacts of the proposed new academic/office/R&D/support spaces and evaluate all direct and indirect impacts across all impact categories being studied in the EIR related to any overflow demands for such space outside of the UC Davis campus. While the NOP speaks to acreage for such space and a gross of 2 million square feet, it is not clear in the NOP precisely how this figure was derived, how many square feet of academic/office/R&D/support space will be needed to accommodate the projected growth, whether the proposed amount of such space will be sufficient to accommodate the Project growth in full, and whether the proposed space will allow UC Davis to re-absorb onto campus such space that is currently occupied within the City of Davis and other nearby communities.

Phasing

Full disclosure and plans for the proposed phasing and timing of the delivery of both housing and academic/office/R&D/support space is crucial to understanding the full breadth of potential impacts. Significant impacts can be reasonably expected if the construction and delivery of these spaces is not commensurate with anticipated campus population growth timing. Phasing/delivery plans can also serve to inform the City's consideration of timing of development within the City of Davis and how City and campus growth may better work in tandem as the City undertakes our own General Plan updates in the future. Furthermore, a clear understanding of the phasing/delivery schedule will inform the timing and triggers for implementation of infrastructure and services needed to serve that space and the timing triggers for implementation of mitigation measures. The City requests that the EIR evaluate and recommend feasible mitigation to address the potential impacts of interim or phased development of the LRDP, i.e. the potentially significant interim impacts that could result, potentially for years, if residential and non-residential uses are developed either in different phases with each other, or in any manner not commensurate with the demand generated by campus population increases..

Circulation and Infrastructure

The City of Davis asks that the EIR fully detail how UC Davis proposes to develop streetscapes and roadways to serve the growing campus and, similarly, fully evaluate the direct

and indirect impacts of the LRDP's proposed circulation plans. The evaluation should, in particular, evaluate the impact of 11,200 more people on campus relative to the Transportation Element of the City's General Plan and the SACOG Metropolitan Transportation Plan (MTP)/Sustainable Communities Strategy.

To that end, it is vital that the traffic model employed in the EIR is up to date and takes into account a full range of circulation assumptions and analyses related to flow of traffic from I-80 and city to campus for both existing and proposed campus growth. We would also request that any evaluation of the adequacy of the current transit system assess the ability of the system to meet the needs of new students and staff/faculty/city travelers given the current transit schedule is designed around the student schedule, which does not address the year-round needs of faculty and staff.

As UC Davis cannot assume that access points to the campus from the City of Davis will remain static, the City requests that the transportation analysis prepared for the EIR evaluate:

- Options to route vehicle trips to and from campus away from Richards/Olive and to alternatives such as Old Davis Road and Hutchison
- Alternative connection configurations at Russell/Howard Way and Russell/California and Orchard Park/Russell Boulevard for "right in/out only" (except for transit).
- Transit only access at First and A Streets.

The City would like to engage in discussion with UC Davis on opportunities for coordinated/joint planning on City/Campus edges and corridors either as part of the LRDP or as separate efforts, such as:

- Russell Boulevard Corridor
- Anderson Road Corridor
- First and A
- 3rd and A
- LaRue/Anderson/Russell intersection
- Russell bike/pedestrian path west of SR-113
- A and Russell bike connectivity options.

These possibilities should be explored in the EIR's transportation analysis and/or its alternatives analysis. Furthermore, as detailed above, the NOP does not provide a listing of the intersections and roadway segments proposed to be evaluated in the EIR. The City requests a full listing of all intersections and roadway segments proposed to be included in the EIR analysis and consultation

with City staff prior to the start of analysis to ensure the appropriate scope of analysis is performed to fully disclose all potentially significant impacts.

The City of Davis also notes that Table 1 of the NOP, Land Use Designations Acreage Summary Table calls for a net decrease in space for parking of 13.75 acres. However, it is not clear whether this reduction in parking acreage is accompanied by a change in provision of parking spaces or whether such parking areas may be replaced with structured parking or other forms of transportation will supplant the need for such parking. While the City is supportive of transportation strategies that will reduce the dependency on single occupant vehicles the EIR should evaluate the impacts of drivers leaving campus for parking, including the air quality impacts of their search for parking. The City shares what we believe to be a shared objective to reduce vehicle trips and seeks affirmation from UC Davis in the form of its Project description and NOP UC Davis' intentions to clearly articulate specific programs for vehicle trip reductions. The City therefore recommends that the EIR identify a full range of measures, such as demand-sensitive transportation incentives, car share systems, and other techniques to reduce the need for driving, and therefore parking. On a related note, as currently proposed, development of the LRDP is likely to send students searching for housing well outside a 2 to 5 mile radius from campus, and, to that end the City of Davis would request that the EIR evaluate the adequacy of public transit to serve that population, or the significant impacts of the lack thereof.

Cumulative Projects

Please know that the City is able to provide UC Davis with all data necessary regarding City of Davis projects currently in planning, approved, or under construction, in order to ensure that, in addition to the EIR's Project-level analysis of the LRDP, it also provides a complete picture of the LRDP's cumulative impacts. To that end, and while we acknowledge that the Nishi Project was narrowly rejected by the voters in 2016, we note that the Nishi Project was approved by the City Council and still has a reasonably foreseeable possibility of moving forward in the near future. As such, we would request that, at least in its evaluation of cumulative impacts, the EIR evaluate the potential future bicycle/pedestrian/transit/vehicle connection to the Nishi site in the EIR, and utilize land use assumptions from the last Nishi Project proposal.

We appreciate your consideration of the City of Davis's comments on the NOP. In this letter we have attempted to focus primarily on the areas of analysis that we believe will be necessary to ensure an EIR that discloses and evaluates the full range of potential impacts. We look forward to your responses to these comments and to engaging in review of an updated NOP and Project description and to ultimately reviewing the Draft EIR when it is prepared, the analysis performed therein, and identifying the full range of mitigation measures to be included.

Sincerely,

A handwritten signature in blue ink, appearing to read "Harriet Steiner".

Harriet A. Steiner
of BEST BEST & KRIEGER LLP
City Attorney

Attachments

- a. December 21, 2016 Letter from Mayor Robb Davis to Interim Chancellor Ralph Hexter
- b. City Council Resolution 16-175
- c. January 12, 2017 Letter from Mayor Robb Davis to Interim Chancellor Ralph Hexter

cc: Davis City Council

Janet Napolitano, President, UC Office of the President

Board of Regents of the University of California

Ralph Hexter, Interim Chancellor

Robert Segar, UC Davis Assistant Vice Chancellor Campus Planning & Community Resources

CITY COUNCIL

Robb Davis, Mayor – Brett Lee, Mayor Pro Tem
Councilmembers: Will Arnold, Lucas Frerichs, Rochelle Swanson

23 Russell Boulevard – Davis, California 95616
530/757-5602 – TDD: 530/757-5666



December 21, 2016

Ralph Hexter
Interim Chancellor
UC Davis Office of the Chancellor
573 Mrak Hall
Davis, CA 95616

RE: UC Davis Long Range Development Plan

Dear Chancellor Hexter,

While the City of Davis and UC Davis have separate jurisdictions and missions, we share the common fundamental value of providing for a safe, healthy, accessible, and prosperous community. The UC Davis Long Range Development Plan for 2017-2027 (LRDP) represents the single most critical opportunity for UC Davis to appropriately plan for the needs of anticipated university growth. The City has adopted a number of Housing Element policies over the last decade pointing to the need for additional on-campus housing, and of a unit type that serves students beyond their first year in the dormitories. The City believes that the scope of what has been proposed to date in the LRDP is not sufficient to meet the projected growth of the university and, if left unchanged, will have substantive negative impacts on the community we share.

The City Council of the City of Davis hereby requests that UC Davis incorporate into the LRDP substantial additional on-campus housing units and housing density, and provide clear definition of non-residential space increase needs and how those increases will be accommodated on-campus. Specifically, the City requests that UC Davis provide for a minimum of 100 percent of the projected student enrollment growth, including all new incoming students starting with the 2017 academic year and at least 50 percent of total UC Davis campus student population in the LRDP. The City further requests that UC Davis develop an accompanying construction and financing implementation strategy to ensure the delivery of these units and facilities in a timely manner commensurate with student population growth. The importance of these requests is further illustrated by the attached Resolution adopted by the City Council on December 20, 2016.

The City of Davis places tremendous pride and value on the relationship that we hold with UC Davis. We are appreciative of the engagement of campus staff with our community, our city staff, and our City Council LRDP subcommittee. The discussions over the last few months have allowed for greater understanding of both campus and community needs and have resulted in several positive adjustments and resolution of key issues of importance to the community on the LRDP. For example, in recognition of the shared community resource they represent, UC Davis has committed to remove all construction

from Russell, Howard, and Toomey Fields and retain those fields for community and athletic use. It is our desire and expectation that the fields will remain available for use at the current capacity year-round. Furthermore, UC Davis has expressed its commitment to cease master leases of apartment units in the city and has agreed to evaluate connectivity to the Nishi site. While additional specificity is needed to confirm year-round access to the Russell Fields and to understand the targeted timeline for UC Davis to cease master leases, these outcomes illustrate that tangible and positive evolution of thinking can come from discussion and partnership.

We do not make the above LRDP requests without a sound recognition that the City has responsibilities in this partnership as well. The City has been and remains committed to doing its part to provide for the full and diverse breadth of housing needs in our community, including, but not limited to seniors, affordable housing, accessible housing, families, workforce housing, as well as student oriented housing. The Cannery, Grande, Chiles Ranch, Villages at Willowcreek, Paso Fino, Mission Residences, Berry Bridge, and Del Rio Place projects are all currently under construction. Both the Creekside and Cannery affordable apartments are under way. The City is also committed to reviewing new high density apartment proposals, such as Sterling and Lincoln 40, as they come forward. Collectively, the above projects represent over 1150 dwelling units. Although the initial attempt at the ballot did not prove successful, the City Council remains committed to working with the property owner and UC Davis to determine the future possibilities for the Nishi site.

While the City understands the campus perspective in putting forward the current "90/40" LRDP housing proposal, the City must evaluate it in the context of our commitment to provide for the full range of community housing needs. With the City's continuous consideration of proposals to meet the wide range of community housing needs, it is crucial to recognize that the role of the City in the provision of housing fundamentally differs from that of the University. Where the City reviews proposals for development of private property and does not ultimately control where and when those proposals will be made to the City, the University of California controls its own fate of on-campus growth, construction, funding, and timing. To that end, the City firmly believes that UC Davis has a responsibility to both plan and deliver the infrastructure, units, and facilities necessary to support its anticipated growth and to do so with creativity and adherence to sound land use planning and sustainability principles.

While the City will be prepared to submit formal comments in response to the LRDP EIR Notice of Preparation when released (see draft LRDP objectives table presented to the City Council on December 6, 2016), we believe that it is of crucial importance for UC Davis to afford additional time for proper campus consideration and integration of these requests. This opportunity should be afforded before UC Davis releases an EIR Notice of Preparation – a step that will practically be (and will certainly be perceived as) a final position on the LRDP project scope. Absent the on-campus housing increase and delivery strategy noted above UC Davis should work with the UC Regents to reduce the UC Davis enrollment growth allocation or timing thereof.

If the current schedule for LRDP release and Notice of Preparation (NOP) remains unchanged, the City and community at large will unnecessarily be forced into taking formal positions in the context of a CEQA prescribed process. Based on the current direction of UC Davis on the LRDP project description, UC Davis should expect extensive community and City comment during the scoping period and later during the Draft EIR comment period. This will likely lead to a highly protracted LRDP and CEQA process. If it is "schedule" that is driving the current timeline for the LRDP release, that schedule may be better served by affording the opportunity for campus incorporation of the City requests up front.

Maintaining and fostering the relationship between the City and University is of paramount importance to the ongoing health and prosperity of our collective community. We respectfully request UC Davis withhold the impending release of the draft LRDP and NOP to provide the opportunity for UC Davis to appropriately consider the City's requests contained herein.

Additionally, in parallel with the LRDP, the City believes that it is possible to develop a framework for a partnership that recognizes our mutual needs, as well as limitations in the face of the anticipated growth at UC Davis over the coming decade. We sincerely want to achieve a framework where both entities can best support one another and ensure desired outcomes with ongoing monitoring. The City is committed to working with UC Davis to develop such a framework in the months ahead.

We thank you for your prompt and serious consideration of these matters.

A handwritten signature in black ink, appearing to read "Robb Davis", with a stylized, flowing script.

Robb Davis
Mayor

Attachment

1. City Council Resolution

cc: Janet Napolitano, President, UC Office of the President
Board of Regents of the University of California
Robert Segar, UC Davis Assistant Vice Chancellor Campus Planning & Community Resources

RESOLUTION NO. 16-175, SERIES 2016

**RESOLUTION URGING THE UNIVERSITY OF CALIFORNIA, DAVIS AND
THE BOARD OF REGENTS OF THE UNIVERSITY OF CALIFORNIA TO REVISE THE
DRAFT UC DAVIS 2017-2027 LONG RANGE DEVELOPMENT PLAN**

WHEREAS, while the City of Davis and UC Davis are separate jurisdictions with distinct missions, they share the common fundamental value of providing for a safe, healthy, accessible, and prosperous community; and

WHEREAS, the UC Davis Long Range Development Plan for 2017-2027 (LRDP) represents the single most critical opportunity for UC Davis to appropriately plan for the needs of anticipated university growth; and

WHEREAS, The City of Davis has adopted a number of Housing Element policies over the last decade pointing to the need for substantial additional on-campus housing, and of a unit type that serves students beyond their first year in the dormitories. This includes policies adopted as part of the 2008 Housing Element Steering Committee and the 2013-2021 City General Plan Housing Element; and

WHEREAS, the City has been and remains committed to doing its part to provide for the full and diverse breadth of housing needs in our community, including, but not limited to seniors, affordable housing, accessible housing, workforce housing, families, as well as student oriented housing. The Cannery, Grande, Chiles Ranch, Villages at Willowcreek, Paso Fino, Mission Residences, Berry Bridge, and Del Rio Place projects are all currently under construction. Both the Creekside and Cannery affordable apartments are under way. The City is also committed to reviewing new high density apartment proposals, as they come forward. Collectively, the above projects represent over 1150 dwelling units. Although the initial attempt at the ballot did not prove successful, the City Council remains committed to working with the property owner and UC Davis to determine the future possibilities for the Nishi site; and

WHEREAS, with the City's continuous consideration of proposals to meet the wide range of community housing needs, it is crucial to recognize that the role of the City in the provision of housing fundamentally differs from that of the University. Where the City reviews proposals for development of private property and does not ultimately control where and when those proposals will be made to the City, the University of California controls its own fate of on-campus growth, construction, funding, and the timing thereof; and

WHEREAS, in 1989 the City and UC Davis developed a Memorandum of Understanding (MOU) wherein UC Davis and the City agreed that "it is in their mutual interests to plan and phase campus and City growth" and that "sharp student enrollment increases should be avoided in favor of more gradual and planned growth"; and

WHEREAS, in 2002 the UC Regents appointed a task force to draft the "UC Housing for the 21st Century" which acknowledged the need to provide on-campus housing for the growing student population on the campuses, to avoid creating impacts on the communities where the UC campuses are located. Specific excerpts from the report include the following:

"Housing that is built to meet student, faculty, or staff housing needs also alleviates the need to provide housing in the community for these same groups. In other words, adding housing in support of the educational mission of UC also adds to the state's housing stock" (Executive Summary, pg. 2)

"Added demand for housing in communities surrounding UC campuses results in rising rental and home prices. Where University-affiliated housing is in short supply, the only choice for students, faculty and staff is to compete in these nearby markets or make decisions to live considerable distances from the campus" (Executive Summary, pg. 2)

"...the construction and financing costs of new housing will need to be integrated into total campus growth plans in such a way as to ensure that each campus has assessed all needs and developed a coherent strategy to satisfy the multiple demands being faced by the University" (Pg. 10); and

WHEREAS, UC Davis enrollment has risen steadily, but is now planned to rise sharply, while new on-campus student housing construction, and planned on-campus housing development has not kept pace. The "UC Housing for the 21st Century" report established a 2012 UC system-wide housing construction goal of 42 percent with UC Davis specifically to house 38 percent of students on-campus by 2012. UC Davis student housing goals have not been met, with UC Davis accommodating approximately only 29 percent of Davis campus students during 2014-15; and

WHEREAS, UC campuses, including UC Irvine, UC Merced, UC San Diego, UC Santa Barbara, UC Santa Cruz, and UC Riverside have committed to provide at least 50% on-campus housing. The University of California as an institution of the State of California, and UC Davis in particular with over 5,300 acres of land area, has a responsibility to both plan and deliver the infrastructure, dwelling units, and facilities necessary to support its anticipated growth and to do so with creativity and adherence to sound land use planning and sustainability principles, including but not limited to consideration of high density on campus housing of at least five to six stories; and

WHEREAS, past MOUs between the City and UC Davis have not resulted in the desired delivery of needed housing, campus housing development has not kept pace with prior agreements and the City wishes to explore partnership framework opportunities with UC Davis to develop a mechanism by which LRDP and City residential and non-residential space needs and commitments can be achieved and monitored over time; and

WHEREAS, the scope of what has been proposed to date in the LRDP (housing 90 percent of new enrollment and 40 percent of total campus enrollment) is not sufficient to meet the projected growth of the university and, if left unchanged, will have substantive negative health, safety, welfare, and economic impacts on the community we share, as illustrated by the current unhealthy and unsustainable 0.2% apartment vacancy rate, thereby reducing the rental housing inventory available to other community housing needs; and

WHEREAS, it is the City's desire to increase the limited supply of commercial/R&D space with the City for private company development and reduce the impact of property tax revenue loss to the City by UC Davis owned/leased space within the City; and

WHEREAS, the City must evaluate the proposed LRDP in the context of the City's commitment to provide for the full and diverse breadth of housing needs in our community, including, but not limited to seniors, affordable housing, accessible housing, families, and workforce housing; and

WHEREAS, that it is of crucial importance for the City to convey key LRDP interests to UC Davis in a timely manner and prior to the release of an EIR Notice of Preparation.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Davis does hereby authorize the Mayor to immediately transmit on behalf of the City Council a letter to UC Davis and the Board of UC Regents with the following requests:

1. That UC Davis provide for a minimum of 100 percent of the projected student enrollment growth, including all new incoming students starting with the 2017 academic year and at least 50 percent of total UC Davis campus student population in the LRDP.
2. That UC Davis provide clear definition of non-residential space expansion needs and how those needs will be accommodated on-campus in the LRDP.
3. That UC Davis develop a construction and financing implementation strategy to accompany the LRDP to ensure the delivery of these units and facilities in a timely manner commensurate with student population growth.
4. That absent the on-campus housing increase and delivery strategy noted above that UC Davis work with the UC Regents to reduce the UC Davis enrollment growth allocation or timing thereof.
5. That UC Davis withhold the impending release of the LRDP and EIR Notice of Preparation to provide the opportunity for UC Davis to appropriately consider and integrate the City's requests.
6. That UC Davis work with the City in parallel with the LRDP to develop a framework for a partnership that recognizes our mutual needs, as well as limitations in the face of the anticipated growth at UC Davis over the coming decade, and how both entities can best support one another and ensure desired outcomes with ongoing monitoring.

PASSED AND ADOPTED by the City Council of the City of Davis on this 20th day of December, 2016, by the following vote:

AYES: Arnold, Frerichs, Lee, Swanson, Davis

NOES: None


Robb Davis
Mayor

ATTEST:


Joe S. Mirabile, CMC
City Clerk

CITY COUNCIL

Robb Davis, Mayor – Brett Lee, Mayor Pro Tem
Councilmembers: Will Arnold, Lucas Frerichs, Rochelle Swanson
23 Russell Boulevard – Davis, California 95616
530/757-5602 – TDD: 530/757-5666



January 12, 2017

Ralph Hexter
Interim Chancellor
UC Davis Office of the Chancellor
573 Mrak Hall
Davis, CA 95616

RE: UC Davis LRDP EIR Scoping Meeting

Dear Chancellor Hexter,

"Scoping" is one of the methods used by lead agencies to identify key issues to be examined in the Draft EIR. While not required, some lead agencies hold two scoping meetings to accommodate the different needs of public agencies and the public, with the public scoping meeting held after normal business hours so members of the working public can more easily attend.¹ UC Davis has scheduled one EIR scoping meeting for Wednesday, January 25, 2017 from 4:30 PM to 6:30 PM on the UC Davis campus.

In the interest of providing sufficient opportunities for community involvement, and given the high level of community interest in the LRDP, the City respectfully requests that UC Davis hold a second scoping meeting at a location within the City of Davis. Ideally, this meeting would be held in the evening between the hours of 6-9 PM to afford maximum opportunity for community member participation. Particularly given the large and complex nature of the LRDP project, we believe this request is reasonable. The City will be happy to assist in securing a venue at one of our City facilities (the Senior Center or Veterans Memorial Center, for example) and can assist in announcing the meeting via our social media networks.

Thank you for your consideration of this request. I look forward to your reply.

Sincerely,

A handwritten signature in dark ink, appearing to read "Robb Davis", written over a horizontal line.

Robb Davis, Mayor.

cc: Robert Segar, UC Davis Assistant Vice Chancellor Campus Planning & Community Resources

¹ CEQA Deskbook, Solano Press, 3rd ed., Bass, Bogdan and Rivasplata, 2012, p. 119