

STAFF REPORT

DATE: September 7, 2021

TO: City Council

FROM: Ashley Feeney, Assistant City Manager
Sherri Metzker, Principal Planner

SUBJECT: Davis Innovation and Sustainability Campus (DiSC 2022) Processing

Recommendation

Provide direction to staff, city commissions and the community on processing expectations for the project application through approval of the attached Resolution Outlining the Purpose and Scope, and Review of the DiSC 2022 Project by the Commissions of the City of Davis

Fiscal Impact

All fees and costs associated with processing the DiSC 2022 application will be paid by the project applicant. A deposit was provided with the application which will be continually replenished with additional funds as additional costs are incurred.

Council Goal(s)

This item relates to the following City Council Goals:

1. Ensure a Safe, Healthy, Equitable Community
2. Ensure Fiscal and Economic Stability
3. Pursue Environmental Sustainability

Commission Input

The original DiSC project, was submitted in June 2019 and approved by the City Council in July, 2020. Over the course of that time, seven city commissions carefully and thoughtfully reviewed the DiSC proposal providing a very robust citizen commentary on the project. All of the advisory recommendations were provided to the Planning Commission and City Council as a part of the project staff report and ultimately informed the City Council's decision to place the project on the ballot. The details of the various commission recommendations can be found in Attachment 1 of this staff report. *(NOTE: Any references to appendices in Attachment 1 are a carryover from the staff report where the attachment first appeared. The appendices were not included in this staff report.)*

The most notable difference between the original DiSC project and the DiSC 2022 project is the reduction in size of the project. The project is roughly half the size it was in 2019. The applicant states that careful consideration was given to the commission advisory process that occurred during the processing of the 2019 proposal in the preparation of the current application. As part of this staff report, a proposed commission process for the DiSC 2022 proposal is outlined for City Council review and feedback.

Background and Analysis

On June 11, 2019, the applicant submitted a letter requesting that the City begin processing the DISC project. The application was processed and reviewed by commissions over the course of the year informing the proposal that was ultimately presented to City Council. On July 7, 2020, the City Council approved a request for annexation, pre-general plan land use designation, pre-zoning and a development agreement, as well as, certified a Final Environmental Impact Report (FEIR or EIR) for the 228.5-acre DISC project. The requested applications granted land-use entitlements to allow the unincorporated Mace 25, Davis Innovation & Sustainability Campus, and Mace Triangle properties to be annexed to the City of Davis and developed as an innovation center for research and development, advanced manufacturing, office, hotel, residential and agricultural uses. In November 2020, the project was subject to a Measure J/R/D vote and was rejected by the electorate. Therefore, the project did not proceed to LAFCo for annexation to the City. For more detailed information on the former project, please see the DISC webpage link below:

<https://www.cityofdavis.org/city-hall/community-development-and-sustainability/development-projects/davis-innovaton-sustainability-campus>

The DISC project was reviewed by several city commissions who made recommendations for items to be included in the final approval documents. Below is a chart with a list of dates when all commissions and the City Council met regarding the 2019 DISC project.

Table 1 – Commission Meetings in review of the 2019 DISC Project Proposal

Commission	Dates When Met
Open Space and Habitat Commission	November 4, 2019; April 6, 2020; April 23, 2020;
Bicycling Transportation and Street Safety Commission	April 9, 2020; May 8, 2020; June 11, 2020
Social Services Commission	November 25, 2019
Recreation and Parks Commission	April 15, 2020; May 6, 2020;
Tree Commission	April 16, 2020; May 7, 2020
Natural Resources Commission	February 24, 2020; April 27, 2020; May 14, 2020; June 3, 2020
Finance and Budget Commission	April 13, 2020; May 11, 2020; May 27, 2020
Planning Commission	February 26, 2020; June 10, 2020;
City Council	June 30, 2020; July 7, 2020

A comprehensive list of the recommendations and how they were addressed was included as an attachment to the June 30, 2020 City Council staff report. A copy of that document has been provided herein as Attachment 1.

Davis Innovation and Sustainability Campus 2022 (DiSC 2022)

On July 7, 2021, an applicant that consisted of one of the DiSC property owners submitted a revised application for the project called DiSC 2022. DiSC 2022 proposes to meet the objectives of the Innovation Park Task Force but with a smaller sized project. The revised proposal reduces the DiSC 2022 portion of the project footprint from 194 to 102 acres, reduces the office, laboratory and advanced manufacturing space from 2.6 to 1.1 million square feet, and reduces the number of proposed housing units from 850 to 460. The applicants believe that the modified project will serve the economic development and innovation needs of UC Davis and the City for the next decade, will do so in a manner that is responsive to community feedback, and reflects the realities of a post-COVID work environment.

Along with a request for approval of the revised entitlements, the applicant is also requesting to be processed in a manner that will ensure the project can be placed on the ballot for consideration in the June 2022 election. In order to meet the June 2022 election, City Council would need to take an action on the project and refer the project to the June 2022 ballot no later than February 15, 2022. Staff has outlined a proposed process below for consideration and approval by the City Council.

Staff believes that returning to the commissions that reviewed the prior proposal for the purpose of confirming that their prior recommendations are still valid and to see if there are any modifications they feel should be made to address the scaled-down proposal would be helpful. This process would ensure the advisory input received from the commissions is current when the proposal comes before City Council. The 2019 proposal was thoroughly discussed by the commissions. Staff intends to provide a background staff report to the commissions comparing the two different proposals and sharing the feedback the commission provided previously. Staff would be requesting that the commission confirm past feedback and provide any new feedback at the meeting that is designated for their commission.

The anticipated schedule for commission feedback is provided below. Staff recommends the City Council clarify what is expected of the commissions and that commission feedback be provided in one meeting. One meeting feedback also means that there should not be subcommittees formed without City Council approval. Staff believes that the proposed commission process is reasonable as robust commission feedback was provided for the prior proposal and given that the current proposal is a scaled down version of the prior project, the issues are well understood. Should a commissioner have individual comments after their commission has reviewed the revised proposal, a commissioner is welcome to continue to provide individual comments to other commissions and the City Council for consideration as part of general public comment.

TABLE 2 – Proposed Project Processing Timeline and Estimated Meeting Dates

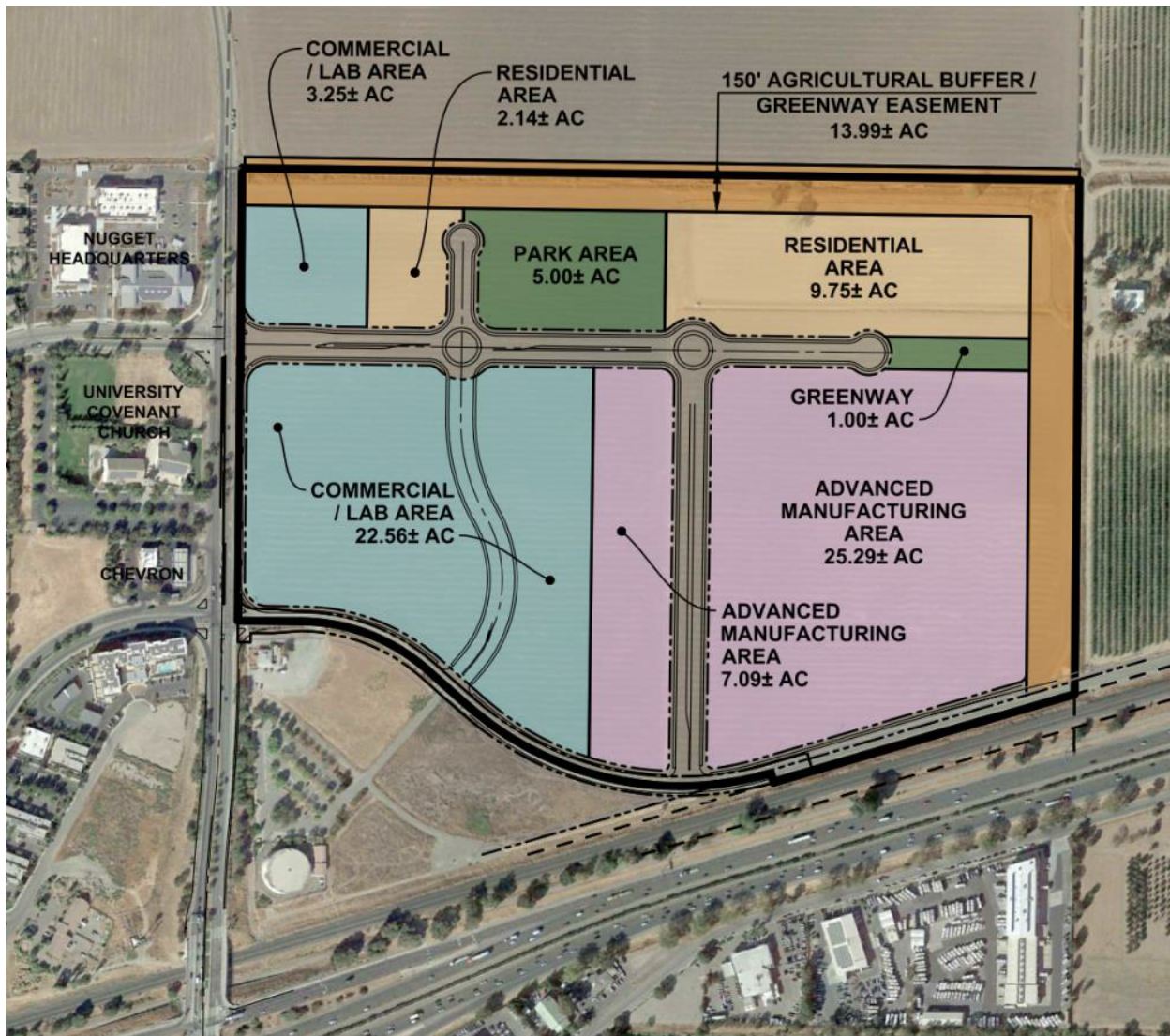
DATE	ACTION
July 7, 2021	Application Submitted
August 7, 2021	Application Deemed Complete
August 13, 2021	Contract for CEQA Document Preparation Approved
October 4, 2021	Open Space and Habitat Commission
October 20, 2021	Recreation and Parks Commission
October 21, 2021	Tree Commission
October 25, 2021	Natural Resources Commission
December 1, 2021	CEQA Document (Estimated Completion Date)
December 9, 2021	Bicycling, Transportation and Street Safety Committee
December 13, 2021	Finance and Budget Commission
December 20, 2021	Social Services Commission
January 2022	Planning Commission (public hearing)
February 2022	City Council (public hearing)

As noted above, staff has already begun the work of preparing an updated CEQA analysis, which will be in the form of an addendum to the EIR. The addendum will examine the new project and compare its impacts to the impacts outlined in the certified EIR. It will also identify those mitigation measures which will be applied to the project. Economic and fiscal analysis that was previously prepared will also be updated and presented to the Finance and Budget Commission when the project goes before their commission.

Staff will be working on review and analysis of the land use entitlement requests associated with the revised DiSC 2022 project proposal while the CEQA addendum is being prepared. Given the requested timeline to process the revised project and the community dialogue that occurred around the first proposal, the issues associated with the application are narrowed and well understood. The scaled down version of the project also removes the area of the project that previously bordered the Mace 25 property that generated a significant number of comments in the prior proposal. Staff feels the schedule is achievable should the City Council wish to consider the revised application for possible ballot referral for the June 2022 election but it will be important that the outlined process and schedule is adhered to.

Should the City Council refer the project to ballot, and the voters approve the proposal, future actions would include negotiating a tax sharing agreement with Yolo County, annexation approval through LAFCO, and implementing entitlements such as subdivision maps and site plan/design review applications. In 2019 the City Council assigned a subcommittee of Mayor Partida and Councilmember Carson to work on the development agreement and City/County tax share agreement. Absent alternative direction from the Council the same subcommittee would have the same role for DiSC 2022.

Exhibit 1 - DiSC 2022 Land Use Plan



Attachments

1. Supplemental Advisory Commission Response Table Originally attached to City Council Staff Report June 30, 2020
2. RESOLUTION OUTLINING THE PURPOSE & SCOPE, AND GROUND RULES FOR REVIEW OF THE DISC 2022 PROJECT BY THE COMMISSIONS OF THE CITY OF DAVIS

RESOURCES:

<https://www.cityofdavis.org/city-hall/community-development-and-sustainability/disc-2022>

Attachment 1
Supplemental Advisory Commission Response Table
Originally attached to City Council Staff Report
June 30, 2020

Commission Meeting Summary in Narrative Format

Open Space and Habitat Commission Meeting Summary

At the November 4, 2019 Open Space and Habitat meeting, the Commission was asked to approve the proposed list of open space and habitat elements. At that meeting, the Commission approved the following motion:

“The Open Space and Habitat Commission recommends that, if the City Council approves the Aggie Research Campus project, the following project features should be included in the project’s “Baseline Project Features” and/or Development Agreement:

1. The agricultural mitigation land should be located within the Davis Planning Area;
2. The east side of the east-west channel should be natural like the rest of the channel;
3. Native plants should predominate the channel and agricultural buffer;
4. Burrowing owl habitat should be on the northwest segment of the agricultural buffer, pending confirmation from the City’s wildlife biologist;
5. The agricultural buffer and east-west channel should be managed for habitat;
6. The east-west channel must have a public access easement;
7. Trees and pollinator habitat should be disbursed throughout the site, including in parking areas; and
8. If the agricultural buffer remains on the “Mace 25” site, the agricultural buffer should be wider.

In addition, the Open Space and Habitat Commission recommends that (1) one of the project’s “Conditions of Approval” should be that the project come back to the Open Space and Habitat Commission before approval of appropriate final entitlements, and (2) environmental documents should come back to the Open Space and Habitat Commission during the 90-day comment period and after the Response to Comments period.”

On a motion by Commissioner Allen, seconded by Commissioner Huber, the Open Space and Habitat Commission voted 6-0-0-0 to approve the following motion at a special meeting on April 23, 2020 (Ayes – Allen, Huber, Klineberg, Millstein, Shaw, Vayssieres; Noes – none; Absent – None; Abstentions – none):

“In addition to the recommendations given by the Open Space and Habitat Commission on November 4, 2019, the Commission further recommends the following:

1. The Open Space and Habitat Commission does not recommend the ARC project as currently proposed, because it will result in the substantial net loss of the following noteworthy combination of open space values:
 - Prime agricultural land (96.6% classified as Farmland of Local Importance, including approximately 141 acres of Prime Farmland),
 - Open space on the City’s perimeter (“Urban Fringe”),
 - Potential habitat for sensitive species such as Swainson’s hawk (California Threatened), burrowing owl (Species of Special Concern), and white-tailed kite (Fully Protected) (“Biological Resources”),
 - Views of significant landmarks, namely the Sierra Nevada and the Sacramento skyline (“Scenic Resources”) and aesthetic qualities more generally,
 - Open space and habitat opportunities on seven of the entire City-owned twenty-five acres in the Northwest corner of the site (“Mace 25”), and
 - Open space and habitat opportunities on the Howatt-Clayton Ranch, proposed as water runoff storage.

The Open Space and Habitat Commission urges the City Council to strongly factor in the loss of these open space values in the Council’s decision-making process. If the ARC project were to remove the ag buffer from the Mace 25 property and to include a developer-financed habitat enhancement project on the disturbed area of Howatt Ranch, the Commission would be willing to revisit its decision.

[Note this is similar to a resolution passed by the OSHC on March 7, 2016].

2. The Open Space and Habitat Commission (OSHC) reiterates its January 7, 2019 recommendations regarding the future use of the City’s Mace 25 parcel.
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3. The Open Space and Habitat Commission recommends that the City’s 25 acres of open space just to the east of the Mace curve and northwest of the proposed ARC site (Mace 25) either not be annexed to the City, or if they are annexed, that they are given an "Agriculture" and/or "Natural Habitat Area" General Plan Land Use Designation.
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4. The Open Space and Habitat Commission recommends the following language be included in the development agreement and baseline features for the ARC Project as currently proposed:

City-owned land shall not be utilized in any manner, including but not limited to conveyance of easements or transfer in fee title, to fulfill any component of the project's agricultural, open space and/or potential habitat impact mitigation obligations. City-owned land shall also not be utilized for the purposes of meeting the project's off-site stormwater conveyance and/or storage needs. This prohibition includes but is not limited to the "Mace 25" parcel and the "Howatt/Clayton Ranch" properties.

If the ARC project were to remove the ag buffer from the Mace 25 property and to include a developer-financed habitat enhancement project on the disturbed area of Howatt Ranch, the Commission would be willing to revisit its decision.

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5. The Open Space and Habitat Commission recommends the following, slightly modified from language from the Draft ARC SEIR (Page 3-14), be included in the baseline features for the ARC Project:

The agricultural buffer for the ARC Project would include planned and natural spaces, utilized in part for drainage swales, on-site detention, bio swales, visual and noise attenuation, and owl habitat, as well as cycling and pedestrian trails. The 22.6-acre agricultural buffer would abut active agricultural operations located along the north and east sides of the site.

The project applicant, in consultation with a biological expert, would build three artificial burrow complexes for burrowing owls within the agricultural buffer along the perimeter of the ARC Site. The burrow complexes would be located within the 150-foot wide agricultural buffer, but not within the drainage swales, or the 50-foot wide agricultural transition area, where bike paths, community gardens, and other potential uses could occur. A burrowing owl site management plan would be prepared consistent with applicable portions of the Yolo HCP/NCCP.

In recognition of the fact that burrowing owls require relatively short vegetation with sparse shrubs and taller vegetation and burrows for nesting, the ARC Project will implement the following measures within the external 100-foot buffer area to ensure that the existing and created habitat within this area will be beneficial for burrowing owls:

- *Reduce or cluster trees to allow large expanses of grassland within the buffer,*
- *Implement seasonal mowing, or preferably, stock grazing of grassland areas in the buffer to maintain short grass height preferred by burrowing owls,*
- *Preserve any California ground squirrels that colonize the buffer grasslands, including their burrows, and*
- *Establish the three artificial burrow systems currently proposed in the buffer area. The buffer on the north side of the ARC Site, east of CR 104 is a particularly suitable location to establish one or more of the artificial burrows. Nearby,*

occupied burrowing complexes exist along CR 104, on the Mace Boulevard curve, and along CR 30B.

6. The Open Space and Habitat Commission recommends that the agricultural buffer as currently required under 40A.01.050 be included as a baseline project feature for the ARC Project.
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7. The Open Space and Habitat Commission recommends that the following mitigation measure be included in the Development Agreement for the project:

In the event that an active burrowing owl burrow is discovered within the proposed development limits of the Aggie Research Campus (Project) site. If the Project will result in the permanent loss of active burrowing owl burrows, a qualified biologist should prepare a mitigation and monitoring plan in accordance with CDFW's Staff Report on Burrowing Owl Mitigation (2012). The Mitigation and Monitoring Plan should be submitted for CDFW review and approval prior to the start of Project activities. The Mitigation and Monitoring Plan should include the permanent protection of occupied burrowing owl habitat, at a mitigation to impacts ratio acceptable to CDFW, through a conservation easement deeded to a non-profit conservation organization or public agency with a conservation mission, for the purpose of conserving burrowing owl habitat and prohibiting activities incompatible with burrowing owl use. Habitat should not be altered or destroyed on the Project site, and burrowing owls should not be excluded from burrows until mitigation lands have been legally secured and are managed for the benefit of burrowing owls according to Department-approved management, monitoring and reporting plans; and the endowment or other long-term funding mechanism is in place or security is provided until these measures are completed.

8. The Open Space and Habitat Commission recommends that the burrowing owl habitat area is distinct from the drainage swale in the ag buffer and that the bike paths should be situated so that they are not negatively impacting the burrowing owl habitat. Both of these recommendations should be in the Development Agreement.

Social Services Meeting Summary

At the December 16, 2019 Social Services Commission meeting, the commission was asked to make a recommendation on the Aggie Research Campus project's affordable housing proposal, which proposed providing the number of affordable units and affordability mix required by Municipal Code Article 40.05.050 (a) for ownership units and 18.05.060(a) or (b) for rental units, regardless of whether subsection (b) is extended in ordinance past May 31, 2020. Essentially, the applicant's proposal was that the

affordable housing requirements as they stand today would be applicable to the project over the project build-out or Development Agreement term providing certainty relative to their obligations.

The majority of the Social Services Commission ultimately approved the following motion:

“The City require the builder to comply with the affordable housing requirements at the time of construction with a strong preference for onsite affordable units.”

The applicant has since modified their affordable housing program to include a number of additional considerations, inclusive of onsite units which is discussed later in the report under the Development Agreement section.

Natural Resources Commission

At the February 24, 2020, Natural Resources Commission meeting, the commission was asked to make a recommendation on a document entitled, *Aggie Research Campus Environmental Sustainability Guiding Principles*. The applicant proposes that these principles will set the framework under which all future development in the campus will be evaluated for their sustainability features. The NRC provided feedback and determined that they needed more information. Subsequently, it was determined that the item would be discussed again at the April 27, 2020 meeting.

The City of Davis (City) Natural Resources Commission (NRC) met on April 27, 2020 to discuss the proposed Davis Innovation Sustainability Campus (DISC; formerly known as the Aggie Research Campus) Project (Project). At this meeting, the NRC formed a subcommittee to propose environmental sustainability features (features) for the Project with consideration given to the applicant's Environmental Sustainability Guiding Principles. These features were reviewed with the full NRC at a special meeting on May 14, 2020 and submitted to City staff on May 18, 2020.

On June 3, 2020, the NRC met to discuss revisions to the proposed environmental sustainability baseline features, in response to City staff comment. Additionally, the NRC addressed baseline features related to transportation demand management, site access, and traffic mitigation measures. The NRC voted unanimously to submit the features—following revision by the subcommittee based on feedback received during the meeting—to the Planning Commission, City Council and City Staff, with a recommendation for the revised features to be included in “Baseline Project Features” submitted for voter approval of the Project pursuant to a Measure R vote. The product of this discussion is below, and represents the NRC's final recommendations for environmental sustainability features for the Davis Innovation Sustainability Campus Project.

The NRC has made recommendations for transportation demand management and traffic mitigation measures because transportation contributes over 70% of GHG emissions in Davis, based on the latest GHG Inventory. This is within the stated NRC function/purpose: ‘advise on environmental matters relating to global warming’. However, the NRC understands that Bicycle, Transportation, and Street Safety Commission will also be making recommendations for baseline features related to these topics. Both the NRC's and BTSSC's recommendations regarding transportation and traffic should be considered.

Proposed environmental sustainability features for the Davis Innovation Sustainability Campus Project

Recommended for inclusion in “Baseline Project Features” submitted for voter approval of the Project pursuant to a Measure R vote

Measurement and Verification

To ensure accurate tracking and reporting of achievement of Project sustainability goals and obligations, the Developer will establish a Master Owners Association (MOA) for the Project that reports to the City and is responsible for measurement of, verification of, and assuring compliance with Project sustainability obligations and mitigation measures. The MOA will prepare and submit for City approval a Sustainability and Mitigation Monitoring Reporting Plan. Per the Plan, the MOA will prepare and submit to the City annual reports that describe progress towards meeting sustainability goals and obligations and implementing mitigation measures, including all relevant provisions in the Project’s baseline features. Annual reports will also indicate what actions will be taken in the following year to meet phased actions as part of the sustainability goals and obligations and mitigation measures.

Energy Efficiency and Usage

The developer shall commit to minimizing carbon emissions by maximizing production of clean energy onsite and ensuring that all Project structures consume 100 percent clean energy. “Clean energy” is defined as energy derived from technologies eligible for California’s Renewables Portfolio Standard (RPS). In addition, the Developer shall commit to the following measures:

- The Project shall meet all CALGreen Tier 1 prerequisites for Residential and Non-Residential buildings in effect at the time of permitting of each phase of the Project.
- The Project shall meet all City of Davis Residential and Commercial Energy Reach Code Standards in effect at the time of permitting of each phase of the Project.
- The Developer shall enter into a purchase and sale agreement with Valley Clean Energy (and/or another electric utility company) for all power produced by the Project in excess of on-site demand. This agreement shall ensure that all power generated but not used onsite is used locally.
- If, after maximizing energy efficiency and on-site production of clean energy, the energy demand of Project structures exceeds the energy produced on-site, then the Developer shall purchase power from solely renewable sources such as Valley Clean Energy’s “UltraGreen” 100 percent renewable and 100 percent carbon-free service (or equivalent) to offset the deficit. This requirement will be continued for the lifetime of the Project by building owners.
- All onsite residential units shall be all-electric (i.e., shall not include natural-gas service).
- All onsite commercial buildings shall be all-electric, with the exception for fossil fuels (e.g., natural gas, propane) required for manufacturing processes as specified by a tenant. As mechanisms become available to reduce or offset carbon emissions from

manufacturing processes fed by fossil fuels, the MOA shall require implementation of these mechanisms to reduce emissions in a timeline consistent with the City's Climate Action and Adaptation Plan (CAAP). Volumes and types of fossil fuels used onsite, as well as opportunities to reduce emissions, shall be included in each annual report prepared and submitted by the MOA.

- Prior to beginning construction on each phase of the Project, the Developer shall prepare a report describing plans to incorporate passive heating and cooling strategies into building design so as to reduce overall energy demand. Such strategies may include but are not limited to: construction using thermally massive materials, incorporation of shading devices in the building envelope, strategic building orientation and window placement, and strategic planting of trees and other vegetation. This report shall be subject to review and approval by City staff.
- All onsite buildings (commercial and residential) shall achieve zero net carbon for the building envelope—including heating, ventilation and air conditioning (HVAC), and lighting—with onsite renewables and storage.
- Prior to beginning construction on each phase on the Project, the Developer (and MOA for Phases 2 and 3) shall engage an outside consultant to conduct a solar feasibility assessment for development planned in that phase. The assessment shall identify all appropriate locations for solar photovoltaics (PV) or other future comparable technology, taking into account factors such as structure orientation, grid design, installation cost, and site landscaping. Locations may include but are not limited to rooftops, ground solar arrays, and constructed canopy structures. The Developer shall implement PV on all recommended locations, up to the extent that Project electricity demands are fully met. Note that this provision is not intended to and shall not substantially interfere with Project requirements for tree canopy.
- The Project shall achieve net-zero energy for outdoor lighting through the use of onsite PV or similar technology.
- In anticipation of improved solar-connected energy storage, the Project shall be designed and pre-wired for future microgrid capacity and energy storage.

Parking Lots and Internal Streets

The desired outcomes of design features for the Project's parking lots and internal streets shall be to: (1) encourage a mode shift from Single Occupancy Vehicles (SOVs) to walking, bicycling, public transit, private transit, ridesharing, carsharing, carpooling, and/or micromobility; (2) encourage use of zero-emission vehicles (e.g., electric vehicles) where SOV use is necessary as well as in any alternative transportation service that relies on passenger vehicles; (3) reduce runoff and heat-island effects

amplified by parking lots; and (4) reduce adverse visual, aesthetic, and quality-of-life impacts of working and living near parking lots. To further these desired outcomes, the developer shall implement the following features in its parking areas and/or along the Project's internal roadway system:

- Low-impact development (LID) features, such as bioswales and permeable pavement, shall be implemented in all streets and surface-level parking to capture and filter runoff and maximize groundwater recharge.
- All parking surfaces or street-adjacent sidewalks that use or are conducive to tree shading shall incorporate structured soil or suspended substrate to allow successful tree-root development. The developer shall size the area of each pavement-treatment site to accommodate the maximum size of a tree that could reasonably be accommodated on that site.
- Landscaping shall provide 80 percent shading of pedestrian walkways and off-street bike paths. At least 50 percent parking-lot shading shall be achieved through either shade trees or PV arrays. Compliance with these requirements shall be demonstrated at the time of building by securing permits for adequate PV arrays and/or by consulting with a certified arborist on a tree-planting and -maintenance strategy expected to achieve the desired shading area within 15 years of planting. Failure to meet shading requirements shall be considered a code violation and subject to penalty until remedied. Progress towards meeting the shading requirement shall be included in each Annual Report.
- Parking preference and priority shall be given to electric vehicles (EVs) and to vehicles participating in a carpool program. Only carpool and EV parking shall be allowed adjacent to buildings in spots not designated for disabled persons. Spots designated for disabled persons shall not be restricted to particular vehicle types.
- All stalls designated for EVs shall have charging stations pre-installed. Stations shall include a mix of free Level 1 charging and paid Level 2 charging.
- All commercial and residential parking areas shall be EV ready, equipped with infrastructure designed to facilitate installation of EV charging stations as demand grows. This infrastructure will include electrical panels, conduit/raceways, overprotection devices, wires, and pull boxes and will be designed to support vehicle-grid integration. On-site demand for EV charging shall be reported in each year's Annual Report.
- All housing shall include one Level 2 EV charger per unit or, if a multifamily building is provided parking at a ratio of less than 1:1, one Level 2 EV charger per parking stall. Townhomes, if built to accommodate two vehicles, will be prewired to allow for the installation of a second charger.
- All commercial parking for non-electric SOVs shall be paid parking. To encourage occasional bus use, no discounts for monthly parking versus daily parking will be allowed.

- The Project shall be exempt from parking minimums otherwise required by the City for new development. Specifically, the minimum number of parking spots necessary for the Project shall be informed by the Project’s TDM plan rather than general minimum parking requirements.

Landscaping and Water Conservation

To reduce Project demand on groundwater and potable water and to provide appropriate habitat for native species, the developer shall commit to the following measures:

- All Project landscaping shall be adapted for climate change, drought resistant, pollinator friendly, and maintained organically.
- Native and drought-tolerant plants shall predominate the plant palette. A diversity of native habitats— including but not limited to riparian and California oak savanna— shall be maintained throughout the Project site, primarily but not exclusively within the agricultural buffer and along the drainage channel.
- Turf shall be used only in areas (such as “The Oval” or organized sports fields) programmed for activities that require turf.
- The Developer shall engage with the Center for Land Based Learning, the UC Davis Arboretum, or other local expert(s) to design and manage its open and landscaped buffer areas. Landscape plans shall be subject to City review, including review by the Open Space and Habitat Commission and the Tree Commission.
- Consistent with the City’s stormwater permit and regulations, stormwater runoff shall be captured, conveyed, and detained onsite in a series of bioretention facilities and similar devices intended to filter the runoff, maximize groundwater recharge, and provide deep watering for onsite vegetation.
- To prevent flooding of the channel, stormwater flows shall be retained onsite using swales, ponds, or other appropriate facilities, consistent with City stormwater regulations and system capacity. Stormwater facilities necessary to meet these regulations must be located on-site or on another privately-owned property incorporated within City boundaries. The stormwater facilities should be sized following a joint hydrological investigation with the City.
- The Developer shall install infrastructure suitable for conveying non-potable water to meet all landscape irrigation demands. The Developer shall convert this system to reclaimed/greywater water if and when such service is made available.
- All greywater shall be reused onsite where practical and permissible. The Developer shall install infrastructure (including two-way valves and piping) to support use of greywater from laundry facilities in all townhomes. The Developer shall also identify opportunities for using greywater in multi-family housing and commercial buildings, and shall install infrastructure needed to pursue such opportunities. The MOA

shall review proposed uses of greywater to prevent pollution. The MOA may require owners to revisit/update proposed plans for greywater reuse in the future, and may require installation of additional infrastructure as appropriate.

Housing

Housing is included in the Project to maximize environmental benefits of mixed-use development. Specifically, including housing alongside commercial buildings and workplaces encourages walking and biking as commuting options, reduces air-quality impacts, and reduces the Project's overall carbon footprint. To further increase the sustainability benefits of onsite housing, the Developer shall commit to the following:

- All Project housing shall be medium- and high-density, incorporating 15–50 units per acre. No single-family detached housing shall be permitted.
- Housing shall be designed to meet the housing needs of the anticipated Project workforce and shall not resemble student-oriented housing found elsewhere in the City. No unit shall include more than three bedrooms. No rental apartment shall include more than two bedrooms.
- Housing construction shall be directly linked to the development of commercial space at a ratio of no more than one dwelling unit per 3,000 square feet of nonresidential space ¹. This linkage will correlate the availability of housing with the creation of jobs which will maximize ARC employee occupancy of the housing.

¹ The ratio of one dwelling unit per 3,000 square feet is different ratio than the Developer-proposed one dwelling unit per 2,000 square feet. This directly ties housing to the proposed square footage in each phase of the ARC development, to ensure that housing growth is better matched with job growth at the site.

- To provide an opportunity for a car-free lifestyle, parking associated with multifamily rental housing will be unbundled. Multifamily rental units will be charged for parking separate from rent.
- To minimize transportation emissions, the Developer shall strive to maximize the number of Project housing units occupied by individuals working onsite. To this end, the Developer shall require employer master leasing of all rental housing and ownership of a portion of the single-family housing units and require employment for residency. These requirements shall be dependent upon a minimum firm size, to be designated by the City.

Recycling and Waste Disposal

- All buildings and facilities shall participate in a mandatory, site-wide recycling and compost program to be managed by the MOA. Building maintenance staff will be trained in best practices for maximizing commercial recycling.
- All common areas that include disposal options managed by the MOA shall include solid-waste disposal cans, recycling cans, and compost bins.

To be submitted as part of the updated Environmental Sustainability Baseline Features recommendations to City staff and City Council, after review and approval by the NRC.

Transportation Demand Management

The Project will need to implement a comprehensive set of design features and Transportation Demand Management (TDM) strategies intended to reduce vehicle trips and vehicle miles traveled (and therefore greenhouse gas emissions), encourage the use of alternative transportation modes such as walking, bicycling, micromobility, public and private transit, and ridehailing/pooling, and provide safe infrastructure for bicyclists and pedestrians. The desired outcomes of a TDM Plan shall be to reduce greenhouse gas (GHG) emissions and transportation total carbon footprint through a reduction of the Project’s vehicle miles traveled (VMT). A key strategy should be shifting away from single occupancy vehicle (SOV) use by incentivizing a mode shift to walking, bicycling, public transit, private transit, and/or 3+ carpool.

- A designated TDM manager shall be identified for the Project. The TDM manager shall represent the Developer, MOA, or other equivalent Project-related body, and shall report directly to the City.
- Prior to, or concurrent with, adoption of Final Development Agreement, the Developer shall create a TDM plan that includes quantitative goals and temporal benchmarks for shifting away from single-/low occupancy vehicle use. The TDM plan shall also include metrics for assessing progress towards these goals and benchmarks. Responsibility for this task shall reside with the designated TDM manager.
- The TDM plan shall include actions that will result in a reduction of GHG emissions consistent with the City's then current Climate Action and Adaptation Plan (CAAP) and the goal of the City Council to achieve carbon neutrality by 2040. Subsequent phases of the Project shall not be permitted for construction unless the GHG-driven benchmarks for the previous phase of the Project are met.
- The TDM manager shall coordinate implementation of the Project’s TDM strategies with UC Davis to ensure that relevant efforts by both parties are aligned and allow for cooperative ventures where appropriate.
- An additional goal of the TDM program shall be mitigation of daily traffic congestion generated by the project by reducing daily SOV trips by at least 33% compared to the business-as-usual (unmitigated) scenario predictions in the SEIR. In other words, at full buildout the project must generate fewer than 16,000 SOV trips per day (compared to the 24,000 trips predicted in the SEIR). This reduction requirement is to be applied incrementally at each phase of the Project. If daily SOV trips for each phase are not 33% lower than the business-as-usual (unmitigated) projections in the SEIR, then construction of the next phase shall not be permitted.
- Prior to the commencement of construction of each phase of the Project, the Developer/MOA shall commission a traffic study which measures in- and out-flow from the Project and identifies traffic patterns. This analysis will be shared with the City to

determine which traffic mitigation measures are necessary beyond those specified later in this document. This analysis will also inform the City on mode share and the potential need for increased public transit services.

- The Developer/MOA shall review and update the TDM Plan every 2 years. The TDM Plan update shall include results of a travel behaviors survey, to be completed annually by the Developer/MOA. The annual survey shall include the travel behaviors of Project residents and employees (e.g., where employees live and by what mode they get to and from work; where residents work and by what mode they get to and from home). The updated TDM Plan, including survey results, shall be made publicly available.
- Prior to Phase 1, the Developer and the City shall agree upon a process for monitoring and evaluating TDM goals on an annual basis, modeled on the process detailed in the Nishi Gateway Project Sustainability Implementation Plan (2015). This monitoring and evaluation process will include an Annual Report, to be transmitted to the City, which details progress towards the actions outlined in the TDM plan and specification of actions required when TDM goals are not met. *(It should be noted that vehicle trip monitoring in the Nishi SIP is a surrogate for transportation GHG emissions, while modeling to estimate actual GHG emissions is preferred for DISC.)*

The Project shall include the following features, in addition to features identified by the TDM Plan, to encourage a shift to alternative transportation modes, such as walking, bicycling, micromobility, public and private transit, and ridehailing/pooling:

- The Project shall be designed to accommodate and incentivize private transit, local transit (Unitrans), and regional transit (Yolobus) through the following measures:
 - The Project shall include a central transit plaza to serve as the hub for a variety of mode shares.
 - The Project shall include transit stops located throughout site to ease pedestrian access such that no transit stop is further than 400 meters from any occupied building.
 - The Developer shall petition Yolobus and Unitrans to increase the frequency and capacity of bus service to the central transit plaza as the Project develops. The Developer shall provide funding, if necessary, to the transit services to implement the change.
 - Phase 2 cannot commence until after the implementation of an on-demand electric transit to and from UCD and scheduled electric transit to and from the Amtrak/Capital Corridor station running weekdays including the AM to PM peak commute periods.
 - To promote transit use, the MOA shall provide upon request free passes for local and regional transit service (e.g., a unlimited access pass similar

to YoloBus and Unitrans' pass for UC Davis undergraduates) to the Project's residents and employees.

- The Project shall include parking to accommodate single-occupancy vehicles (SOVs) and carpool vehicles while also incentivizing other modes of transportation:
 - As part of the TDM plan, the Developer will determine the appropriate number of parking stalls, which may be fewer than City parking minimums. Commercial parking requirements shall be determined by the TDM plan. For residential development no more than one stall per residential unit shall be provided onsite.
 - All employers shall create through the MOA or participate in a regional carpool program that is modeled after and functionally equivalent to the UC Davis goClub carpool program. The program shall be open to all Project residents and employees.
 - Carshare and preferential carpool spaces shall be provided, with the number of appropriate stalls to be specified in the TDM plan.
 - Parking costs shall be unbundled from the cost of other goods and services. A separate fee shall be charged for all parking spaces (commercial and residential).
 - Parking cash-out programs shall be offered by any employer who provides a parking subsidy to employees, to give employees who do not drive a cash benefit equivalent to the value of the offered parking subsidy. The MOA shall be in charge of ensuring that employers comply with this program and shall record participation in the Annual Report.
- The Developer shall provide bicycle facilities and infrastructure comparable to the City's Platinum-level Bicycle Friendly Community Certification to support bicycling within and to the site, including the following features:
 - Provide short term bicycle parking, as required by Davis Municipal Code.
 - Provide end-of-commute facilities (showers, lockers, changing rooms) and support electric bicycle charging in all commercial buildings.
 - Provide covered and secured long-term bicycle parking at central locations within the site and at the central transit hub.
 - Provide community bicycle repair facilities.
 - The MOA shall implement a bicycle share program including electric-assist bicycles for employees and residents to use on and off the Project site.

- A bicycle network of Class IV protected cycle tracks shall connect bicyclists to all areas of the site and all key connecting streets/facilities.
- The Developer shall provide accessible sidewalks that facilitate pedestrian access within and to the site, including the following features:
 - All pedestrian access routes shall be readily accessible by all users, particularly individuals with disabilities. Street design should emphasize universal design through use of appropriate width, grade, surface material, tactile cues, audible cues, and push buttons. The Developer shall reference the United States Access Board Proposed Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG), or other appropriate reference.

Site Access and Traffic Mitigation Features

The follow measures are recommended to improve site access and mitigate traffic impacts of the Project. The Developer shall fund infrastructure to mitigate traffic problems attributable to the project either wholly, where the problem is mainly caused by the Project, or proportionately, for traffic improvement measures where the Project is a partial contributor to the problem. The intent is to avoid subsidization of the Project by the City providing funding for traffic mitigation measures.

As described below, City approvals will not be granted for different phases of the Project until public and private funding are budgeted and available, and regulatory approvals have been granted. In other words, all obstacles to the start of construction have been removed.

In general, the base conditions will include at a minimum the construction or implementation of all the mitigation measures proposed in the Aggie Research Campus Subsequent EIR and Appendix F - Transportation Impact Analysis, including the “Potential Operational Enhancements” identified in the Traffic Study. Specific projects are highlighted below, but this should not be taken as a comprehensive list. The Developer may propose alternative projects to the City, but these will not be approved unless the Developer can demonstrate that the alternative achieves equal or better site access and/or traffic mitigation without causing other problems.

The desired outcomes of site-access measures are reduction of the Project’s vehicle miles traveled (VMT) through improvements for bicycle, pedestrian, and transit access to the Project site.

- Phase 1 Site Access
 - The Developer shall provide sites for bus stop relocation for Yolobus and Unitrans along the Project frontage on Mace Boulevard and to enhance the bus stops with benches and coverings, to the extent those features are allowed by the transit agencies.

- The Developer shall fully fund construction of a new grade-separated bicycle and pedestrian crossing of Mace Boulevard, located near Alhambra Drive.
- The Developer shall contribute funding to construction of a new Class IV bicycle path and separated pedestrian path on the inside of the Mace Curve between the new grade-separated bicycle and pedestrian crossing (see previous bullet) and Harper Junior High School. Such funding shall be proportional to the use of this facility by Project residents and employees.
- The Developer shall contribute funding to construction of improved pedestrian and bicycle connections for both north-bound and south-bound pedestrian and bicycle traffic on the Mace Blvd/I-80 overpass and continuing to the Project site. Such funding shall be proportional to the use of this facility by Project residents and employees.
- Phase 2 Site Access
 - The Developer shall petition to reroute Unitrans and Yolobus service off Mace Blvd. and to the central transit plaza and through the Project site. If necessary, the Developer will provide funding to the transit services to implement this change.

The desired outcomes of traffic-mitigation measures are to reduce the transportation total carbon footprint and adverse level of service (LOS) traffic impacts on roads in the Project vicinity, including Mace Boulevard, Covell Boulevard, and I-80.

- Phase 1 Traffic Mitigation
 - Phase 1 shall not proceed until public and private funding are budgeted and available and regulatory approvals have been granted for construction or implementation of all other mitigation measures proposed in the Aggie Research Campus Subsequent EIR and Appendix F - Transportation Impact Analysis.
 - The Developer shall contribute funding to the City to study and implement bus rapid (BRT) transit strategies, including a bus signal preemption system on Mace Boulevard and Covell Boulevard for freeway access or local traffic bypass.
- Phase 2 Traffic Mitigation
 - Phase 2 shall not proceed until public and private funding are budgeted and available and regulatory approvals have been granted for a rush-hour bus and 3+ high occupancy vehicle (HOV) lane and class IV bicycle path on the frontage road north of I-80 (county road 32) to allow traffic to bypass the Mace Blvd east bound on-ramps and west bound off-ramps to I-80.

- Phase 2 shall not proceed until public and private funding are budgeted and available and regulatory approvals have been granted for the construction of bus/3+ HOV lanes on I-80 west of causeway between Richards Blvd and the Yolo Causeway.

- Phase 3 Traffic Mitigation

Phase 3 shall not proceed until public and private funding are budgeted and available and regulatory approvals have been granted for adding bus/3+ HOV lanes eastbound and westbound on the Yolo Causeway (I-80).

Mitigation Measures

The project shall comply with and ensure public or private funding and completion within a two-year period for all Mitigation Measures identified in the Approved Mitigation, Monitoring, and Reporting Plan.

Implementation

Concurrent with the approval of a Final Planned Development and Site Plan and Architectural Review for any structure located at the DISC, a Sustainability Implementation Plan shall be developed and implemented to ensure compliance with the Environmental Sustainability Baseline Features to the satisfaction of the City.

Recreation and Parks Commission

The City of Davis Recreation and Park Commission met on April 15, 2020, to receive a presentation and solicit community input related to Parks, Greenways, and Recreational Amenities Proposed for the Aggie Research Campus (ARC) Project. At the Commission meeting on April 15, 2020, the Commission voted to create a sub-committee of the Commission to make recommendations to the City Council concerning specific “Baseline Project Features” to be included in the project exhibits and plans submitted for voter approval pursuant to Measure R. The sub-committee met and completed its task.

The Recreation and Park Commission reconvened on May 6, 2020, and solicited additional public comment concerning the Project. Ultimately the Commission voted to adopt the below (A) Proposed “Baseline Project Features” and (B) Proposed Recommendations for submission to City Council and the Planning Commission.

A. Proposed “Baseline Project Features”

1. Onsite Park Details – Developer will ensure public access through a recorded easement to a minimum of 15 acres of onsite parks. Of the minimum of 15 acres of onsite parks, a neighborhood park of a minimum of 7.5 net acres of contiguous park land will be established in accordance with the City of Davis Parks and Recreation Master Plan. The parks will be designed and maintained to meet the needs of the residents who reside at the project site, and will include children playgrounds and picnic facilities with adequate shading, public art, natural/landscaped areas, and multi-use open fields. This neighborhood park will include a softball / multi-use field that meets the field of play regulations appropriate for youth and adult organized softball for use by employees and residents of the project site, as well as Davis community sports programs, and will include permanent spectator seating, dugouts, fencing, and lights for use at night and in the evening. The neighborhood park will be completed in Phase 1, and within 3 months from when the first person occupies a residential unit at the project site. All use of the onsite parks, including rental by Davis residents, will be managed by the City of Davis Parks and Community Services Department in accordance with City Council Policy for rental and use of city facilities. The City of Davis shall be entitled to charge and collect a fee for the reserved use of the onsite parks.
2. Park Construction and Design – Developer will be responsible to construct all onsite parks and open space, and will consult with the City of Davis Recreation and Park Commission as well as City of Davis Parks and Community Services Department concerning all programming and equipment installed in the onsite parks. The parks will be designed in accordance with best practices so as to provide a safe place for City residents to recreate, including, as necessary, appropriate measures to protect park visitors from nearby roadways. The

Developer agrees to receive approval from the Parks and Community Services Department on all final park designs and programming.

3. Park Maintenance – Developer will ensure that all maintenance associated with onsite parks and open spaces will meet or exceed the standards expected as Class-A commercial facilities in perpetuity, and will further meet or exceed all operative City of Davis maintenance standards for parks, including but not limited to the City of Davis Integrated Pest Management Policies and Procedures, as those policies and procedures may be amended from time-to-time, as well as the ban imposed by the City of Davis on the use of glysohate in City parks. Developer agrees that all maintenance costs associated with meeting the foregoing standards will be assumed by Developer and/or by the ARC Master Owners' Association, and to the extent that the City is required to expend its own resources to meet the standards agreed to herein that the City shall be entitled to compensation from Developer and/or ARC Master Owners' Association for the value of City's resources so expended.
4. Peripheral Trail – Developer will ensure public access through fee or easement to a 7.5 acre peripheral trail that will run along the perimeter of the Project site and which will include a walking path and a class 1 bike trail. At least a material portion of either the walking path or the class 1 bike trail must be completed in Phase 1, and within 3 months from when the first commercial tenant occupies the site so as to provide recreational opportunities for the employees who will work at the site. The trail will also be open to residents of the site and the public at large.
5. Turf Usage – Parks and recreational areas will minimize the use of natural grass turf while balancing the needs of certain sporting activities.
6. Off-Grade Bicycle Crossing – A class 1 bike trail will parallel the Mace Drainage Channel, be serviced by an off-grade crossing of Mace Blvd, connect with the City easement located east of the Project site, and will enhance overall regional bicycling connections.

B. Proposed Recommendations

7. Strain on City Facilities – The residents of the 850 residential units and the 6,000 employees will undoubtedly further the strain on existing City resources. The Commission recommends that City Council require, either as a Baseline Project Feature or as part of a Developer Agreement, that the Developer agrees to make a financial contribution to a parks development fund, in addition to park impact or construction tax fees, for the City to use on projects identified in the Masterplan Park Update, on infrastructure updates, or on other high-priority projects.
8. Skateboarding Facilities – As the project will eliminate any future use of the "Davis Ditch" unauthorized, but frequently used skateboarding area on the

Southeast corner of the project site, the Developer should be required to contribute toward a future skatepark or improvement as identified in the Masterplan Park Update.

9. Private Ownership – The Commission is concerned that the private ownership of land proposed to be used as a public park via easement presents potentially novel issues related civil liberties. For example, will private security or local police have jurisdiction to patrol the parks? Will citizens have a right to protest on this sort of privately owned public park lands in the same way as they would on traditional City-owned park land? The Commission encourages City Council to work with the City Attorney to fully analyze these concerns so as to ensure the protection of residents' civil liberties.

10. Municipal Arts – The Commission encourages City Council to have a discussion with the Developer about an appropriate plan for creating spaces for public art within the Project. The Commission proposes that the Developer be required to make a financial contribution to public arts to be managed through the City's internal processes for selecting and installing public art in accordance with City standards.

Tree Commission

The City of Davis Tree Commission met on April 16, 2020, to receive a presentation and solicit community input related to trees and landscaping proposed for the Aggie Research Campus (ARC) Project. At the Commission meeting on April 15, 2020, the Commission voted to create a sub-committee of the Commission to make recommendations to the City Council concerning specific “Baseline Project Features” to be included in the project exhibits and plans submitted for voter approval pursuant to Measure R. The sub-committee met and completed its task. On May 7, 2020, the Tree Commission voted to recommend approval of the following:

Tree Commission Recommendations for Aggie Research Center (ARC) Business Park

Overview

- I. Measure R Baseline Project Features
- II. Other Tree Commitments for Inclusion in Development Agreement
- III. Burrowing Owls Statement

I. Measure R Baseline Project Features

- a. Tree Quantity - The Aggie Research Center (ARC) Business Park development will have a minimum of 4,000 trees, as defined in the City of Davis Tree Ordinance, provided by the developer with the following goals
 - i. Bike paths: 80% canopy coverage after 15 years
 - ii. Parking lots: 50% canopy coverage after 15 years or solar arrays at the time of lot construction
 - iii. Manufacturing area: 15% minimum canopy coverage after 15 years
 - iv. Housing, mixed-use, office R&D and commercial areas, including hotels: 30% canopy coverage after 15 years
 - v. Parks: 30% minimum canopy coverage after 15 years
 - vi. Bike paths to the west of the project, if built as part of ARC proposal, will have 80% canopy coverage after 15 years and will be in addition to the 4,000 tree requirement for the development.
- b. Best Practices - The project will have a Tree Management Plan. The Tree Management Plan will allow for each tree to have an assigned number to easily locate and identify specified trees.
 - i. There shall be habitat and species diversity in the AG buffer. Species should be a mix of valley oak woodland, grassland/burrowing owl habitat, and seasonal wetlands swales.

- ii. Tree plantings must include drought tolerant and climate-ready trees. There will be a minimum of 200 locally native *Quercus sp.*, Oak trees.
 - iii. In the open space area along the east/west ditch, through the middle of the proposed project shall include at minimum 50% California central valley native riparian tree species.
 - iv. There will be hedgerows planted with native species including *Heteromeles arbutifolia*, Toyon, *Ceanothus sp.*, Ceanothus, *Arctostaphylos sp.*, Manzanita, *Fremontodendron californicum*, Fremontodendron, *Cercis sp.*, Redbud, and *Rhamnus californica*, Coffeeberry, especially on the edge of the 50-foot portion of the AG buffer.
 - v. A preference for permeable paving throughout the project.
- b. Tree Planting Specifications and Irrigation
- i. Structural soil and/or suspended substrate pavement shall be used in parking lots.
 - ii. A preference for permeable paving is highly recommended around trees.
 - iii. When planting in parking areas or along paved walkways, developer will size pavement treatment area to adequately accommodate the tree varietal's intended size.
 - iv. All tree plantings must comply with ANSI A300 Standards and be inspected before backfilling.
 - v. Irrigation is required and must be indicated on the landscape plans.
- c. Phasing of Tree Planting
- i. Inner 50 feet of Ag buffer (public access and bike path area) to have all tree planting in early part of Phase 1, including those trees that will provide 80% shade for bike path
 - ii. Riparian area on drainage channel to be completed in Phase 1
 - iii. Trees for the large park on central west side of development to be in Phase 1 with park completion
 - iv. Outer 100 feet of ag buffer to be planted in Phase 2.
- d. Follow-up Tree Care Guarantees for Success
- i. Developer or successor to pay the City for arborist services to annually monitor all trees in the project. (indefinitely)
 - ii. Financial penalties to be specified in development agreement and determined at the start of each phase.
 - iii. The tree maintenance in the Ag buffer shall be funded by a special assessment district as is described under 40A.01.050e "The city

reserves its right to form a special benefit assessment district, or other applicable district as is permitted under state law, and to maintain the agricultural buffer and transition area once the land is improved, dedicated, and annexed.” The district will include the entirety of the ARC business park.

- e. Inspection Protocol
 - i. Robust annual inspection and documentation protocol to ensure the City of Davis Tree Ordinance is followed. This inspection includes tree canopy, irrigation needs, and any need to adjust, fix, prune, and/or replant any trees.
 - ii. Every stage of the development will be reviewed by the Tree Commission.

II. Other Tree Commitments for Inclusion in Development Agreement

- A. Consequences - Immediate financial consequences, shall be determined if the trees are not planted or trees are not being maintained per the tree management plan for the property. Consequences should incentivize initial compliance.
- B. Reimbursement Protocol to City from Developer
 - 1. Developer will reimburse the city for the full cost of both initial plantings and the annual follow-up care.
 - 2. City shall inspect the plantings prior to accepting the project.
 - 3. The Full Cost of Care includes the City Arborist’s time to undertake the review of the trees and/or the cost to supervise an outside Arborist hired by the City (possibly subcontracted by Tree Davis) to undertake the review of the trees.
 - 4. Cost of any new trees and their proper follow-up for the next phase of tree life.
- C. Extra Costs - Incurred when the Developer/Contractor/Etc. allow for improper plantings that have not been signed-off as having any of the following:
 - 1. The proper tree planted
 - 2. The proper sod and groundcover installed
 - 3. The proper standards for width and depth of dirt hole size for specified tree
 - 4. The proper follow-up tags assigned for next Phase of Tree Life

D. Phase of Tree Life

1. Each tree is assigned a unique identifier number that provides the following tree information:
 - a. Name
 - b. Unique specifications determined by planting-to-spec details (Parking lot vs. suspended pavement vs. structural soil)
 - c. Location within the development
 - d. Phases
 - e. Progression
 - f. Replacement, if needed
 - g. Photo documentation

2. Allowed under approval by City Arborist and/or City hired Arborist
Photos must include:
 1. Tree Unique Identifier Number - shown large enough to read.
 2. Hole depth and width shown along with a measuring stick - from two angles with root ball in place but not covered showing proper hole width and depth
 3. Root ball Cleared - shown from different angles that circling roots are cleared
 4. Root crown showing after dirt is filled in hole
 5. New Stakes
 6. Root ball right depth
 7. Nursery stakes removed
 8. Tree Canopy

III. Burrowing Owls Statement - The City of Davis Tree Commission is sympathetic to burrowing owls but find it to be the Open Space and Habitat Commission and Natural Resource Commission purview to oversee burrowing owl protection and our tree recommendations and requirements should be understood and implemented to fit with those other commission recommendations for burrowing owl protections.

Finance and Budget Commission

The Finance and Budget Commission (FBC) met on three times to review the proposed DISC project and ultimately to provide comments and feedback the on *Davis Innovation & Sustainability Campus Economic Analysis*. The first meeting focused on a project overview and answering specific questions. The second meeting included a presentation by the City's consultant Economic Planning Systems (EPS) on the economic and fiscal analysis that had been prepared for the project. The analysis was thoroughly discussed and an ad hoc subcommittee was established to generate a memorandum that laid out various questions and comments for response, and also items the FBC wished the Planning Commission and City Council to consider. The third meeting included a prepared response that EPS and staff collaborated on, along with a presentation addressing the FBC Ad Hoc Subcommittee questions.

By a vote of 4-3 (Ayes: Jacobs, Buzbee, Neville, Weiss Nay: Beeman, Salomon, Sufi) the FBC took an action noting that the FBC generally agrees with the EPS analysis that forecasts that the project provides a positive net fiscal impact to the City; and will include ad hoc subcommittee report and EPS responses; and urge Council to consider parts 2 and 3 as the city negotiates the final development agreement.

Part Two – Development Agreement (DA):

- **Compensation:** There are a number of city assets, including 6.8 acres of City open space, being utilized by the applicant. We would expect to see in the DA an external appraisal of any assets and fair market compensation for them.
- **Tax Exempt Organizations:** We suggest that the City protect itself from any property tax reduction by writing in language to the development agreement to shield the city from lease or acquisition by entities exempt from paying property taxes.
- **Uncertainty:** While the overall project on both a leveraged and an unleveraged basis look to have a healthy return for the developers, in the EPS report they state that “Phases 1 and 2 rates of return are significantly stronger than for those of Phases 3 and 4.” We suggest that the City assess any risk here to best ensure that the project gets built out over the >20 year time horizon so that Davis gets the full fiscal benefits. One way to do that would be to consider a different phasing of the housing perhaps moving more into the latter phases to provide the target return in all phases.

Part Three – Other:

- **COVID-19:** We recognize that the EPS analysis was done prior to the global pandemic and that it would be very difficult to forecast the effects of COVID-19

on the model. However, it is our new reality and tough to ignore. Unless it is believed that a full economic recovery will take place prior to completion (and thus property tax valuation of the initial construction) it's reasonable to assume follow-on effects in the overall economy will affect at least initial demand for ARC property, and thus the underlying valuation. As property tax increases are capped at 2% regardless of any increase in the value of the underlying property (i.e., as a result of economic recovery), any shortfalls in initial valuation would roll through the financial model.

- **Semiconductor Manufacturing:** Calling out semiconductor manufacturing as a potential onsite user of the advanced manufacturing site did raise concerns from citizens as it does involve potentially toxic and carcinogenic chemicals albeit it can be “clean” manufacturing if removal of potential hazards is done correctly. While not specifically part of a DA, the city may want to be sure that any additional costs for safety and inspection and training of fire personnel if such an entity were to be part of ARC, were borne by others and not passed on to the city.
- **Impact Fees:** FBC has no way to assess that the impact fees and construction taxes outlined in Table 4 of the EPS report are sufficient to cover future costs such as the roadway improvements. We assume that the city will do appropriate analysis on these to ensure that is a “good deal” for the city.
- **Innovation:** Members of the FBC who are actively engaged with innovation specifically around technology believe there is not much in the proposal to encourage innovation. Specifically, how it helps small business (1-50 employees) especially those working on technology transfer. It would be good to tie this to other initiatives in the city for innovation/entrepreneurship perhaps by negotiating a portion of the build out to be designated to incubate new entrepreneurs and start-ups based in Davis.

City of Davis - Bicycling, Transportation and Street Safety Commission

Proposed Transportation Baseline Features for Davis Innovation Sustainability Campus:

Parking Lots and Internal Streets, Housing, Transportation Demand Management, Site Access and Traffic Mitigation Features and general Mitigation Features

Bicycle Transportation and Street Safety Commission

The Bicycle Transportation and Street Safety Commission (BTSSC) met on April 9, 2020 to provide comments and feedback on the Davis Innovation & Sustainability Campus SEIR Transportation and Circulation chapter. This section of the SEIR fully examines the range of impacts to the City's transportation network, including vehicles, bicycles, and pedestrian. Ultimately, the BTSSC agreed with the recommendations of the Transportation Section of the SEIR with the following motion, *The BTSSC recommends support of the SEIR and do not offer additional comments at this time. We recommend the City Council certify the SEIR in its current form. BTSSC supports Transportation Demand Management proposal submitted for the commission meeting on April 9, 2020. Motion carries, 6-1 (Edelman dissenting)*

The City of Davis (City) Bicycling, Transportation and Street Safety Commission (BTSSC) met on May 8, 2020 and formed a sub-committee on transportation baseline features for the proposed Davis Innovation Sustainability Campus (DISC; formerly known as the Aggie Research Campus) Project (Project). These draft features will be reviewed with the full BTSSC on June 11, 2020 with any resulting vote submitted to the appropriate city bodies, with a recommendation for the revised features to be included in "Baseline Project Features" submitted for voter approval of the Project pursuant to a Measure R vote. The draft of this sub-committee discussion is below.

The NRC and BTSSC have overlapping but also different mandates.

The following draft recommendations from the BTSSC's baseline features subcommittee are intentionally based on the Natural Resource Commission (NRC) proposed environmental sustainability features - in the general area of transportation - which the NRC submitted to the Planning Commission on June 8, 2020.

BTSSC - DISC Transportation Baseline Features Sub-Committee: William (Joe) Bolte, Todd Edelman, Elizabeth (Lizzy) Hare.

Proposed environmental sustainability features for the Davis Innovation Sustainability Campus Project

Recommended for inclusion in "Baseline Project Features" submitted for voter approval of the Project pursuant to a Measure R vote

From a transportation perspective a successful development at this location will result in safe, equitable, sustainable access to the site and through nearby corridors. The developer and MOA will prioritize access and parking area by the safety, sustainability, and space-efficiency of travel modes. In descending order of priority, these are walking, bicycling, micromobility, mass transit, high occupancy vehicles, electric vehicles.

Measurement and Verification

To ensure accurate tracking and reporting of achievement of Project sustainability goals and obligations, the Developer will establish a Master Owners Association (MOA) for the Project that reports to the City and is responsible for measurement of, verification of, and assuring compliance with Project sustainability obligations and mitigation measures. The MOA will prepare and submit for City approval a Sustainability and Mitigation Reporting Plan. Per the Plan, the MOA will prepare and submit to the City annual reports that describe progress towards meeting sustainability goals and obligations and implementing mitigation measures, including all relevant provisions in the Project's baseline features. Annual reports will also indicate what actions will be taken in the following year to meet phased actions as part of the sustainability goals and obligations and mitigation measures. The Sustainability and Mitigation Reporting Plan shall include measurement of the project's GHG emissions and VMT per service population, and plans to keep them below standards in the City of Davis Climate Action Plan.

Parking Lots and Internal Streets

The desired outcomes of design features for the Project's parking lots and internal streets shall be to (1) reduce runoff and heat-island effects amplified by parking lots; and (2) reduce adverse visual, aesthetic, and quality-of-life impacts of working and living near parking lots. To further these desired outcomes, the developer shall implement the following features in its parking areas and/or along the Project's internal roadway system:

- All parking shall be pre-wired for eventual specific assignment by the third phase of the project, with the exception of designated spots for disabled users.
- All off-street parking shall be in below-grade structures, above-grade structures which are designed for conversion to other uses (commercial or residential) or in surface lots designed for possible replacement by commercial or residential buildings.
- All general parking will be in off-street lots. On-street spaces for ADA parking, short-term passenger loading, and freight loading will be allowed.
- Low-impact development (LID) features, such as bioswales and permeable pavement, shall be implemented in all streets and surface-level parking to capture and filter runoff and maximize groundwater recharge.
- All parking surfaces or street-adjacent sidewalks that use or are conducive to tree shading shall incorporate structured soil or suspended substrate to allow successful tree-root development. The developer shall size the area of each pavement-treatment site to accommodate the maximum size of a tree that could reasonably be accommodated on that site.
- Landscaping shall provide 80 percent shading of pedestrian walkways off-street bike paths, and bike lanes / bikeways on streets. At least 50 percent parking-lot shading shall be achieved through either shade trees or PV arrays. Compliance

with these requirements shall be demonstrated at the time of building by securing permits for adequate PV arrays and/or by consulting with a certified arborist on a tree-planting and -maintenance strategy expected to achieve the desired shading area within 15 years of planting. Failure to meet shading requirements shall be considered a code violation and subject to penalty until remedied. Progress towards meeting the shading requirement shall be included in each Annual Report.

- Parking preference and priority shall be given to electric vehicles (EVs) and to vehicles participating in carpool and car share programs. Only carpool, car share, and EV parking shall be allowed adjacent to buildings in spots not designated for disabled persons. Spots designated for disabled persons shall not be restricted to particular vehicle types.
- All stalls designated for EVs shall have charging stations pre-installed. Stations shall include a mix of free Level 1 charging and paid Level 2 charging.
- All commercial and residential parking areas shall be EV ready, equipped with infrastructure designed to facilitate installation of EV charging stations as demand grows. This infrastructure will include electrical panels, conduit/raceways, overprotection devices, wires, and pull boxes and will be designed to support vehicle-grid integration. On-site demand for EV charging shall be reported in each year's Annual Report.
- All commercial parking shall be paid parking.
- The Project shall be exempt from parking minimums otherwise required by the City for new development.
- Applicant will implement "complete streets" that meet City of Davis Street Standards for 20mph vehicle speeds.

Housing

Including housing alongside commercial buildings and workplaces encourages walking and biking as commuting options, reduces air-quality impacts, and reduces the Project's overall carbon footprint. To further increase the sustainability benefits of onsite housing, the Developer shall commit to the following:

- All Project housing shall be medium- and high-density, incorporating 15–50 units per acre. No single-family detached housing shall be permitted.
- Housing shall be designed to meet the housing needs of the anticipated Project workforce.
- Housing construction shall be directly linked to the development of commercial space at a ratio of no less than one dwelling unit per onsite employee. This linkage will correlate the availability of housing with the creation of jobs which will maximize ARC employee occupancy of the housing.

Transportation Demand Management

The Project will need to implement a comprehensive set of design features and Transportation Demand Management (TDM) strategies intended to reduce vehicle trips and vehicle miles traveled (and therefore greenhouse gas emissions), encourage the use of safe, sustainable, space-efficient transportation modes such as walking, bicycling, micromobility, public and private transit, carshare, carpool, and provide safe infrastructure for bicyclists and pedestrians. The desired outcomes of a TDM Plan shall be to reduce greenhouse gas (GHG) emissions and transportation total carbon footprint through a reduction of the Project's vehicle miles traveled (VMT). A key strategy should be shifting away from single occupancy vehicle (SOV) use by incentivizing a mode shift to walking, bicycling, public transit, private transit, and/or 3+ carpool.

- A designated TDM manager shall be identified for the Project. The TDM manager shall represent the Developer, MOA, or other equivalent Project-related body, and shall report directly to the City.
 - Prior to, or concurrent with, adoption of Final Development Agreement, the Developer shall create a TDM plan that includes quantitative goals and temporal benchmarks for shifting away from single-/low occupancy vehicle use. The TDM plan shall also include metrics for assessing progress towards these goals and benchmarks. Responsibility for this task shall reside with the designated TDM manager.
- The TDM manager - or management entity - will include a representative from the Bicycling, Transportation and Street Safety Commission and a representative from the Natural Resources Commission.
- The TDM plan shall include actions that will result in a reduction of GHG emissions consistent with the City's then current Climate Action and Adaptation Plan (CAAP) and the goal of the City Council to achieve carbon neutrality by 2040. Subsequent phases of the Project shall not be permitted for construction unless the GHG-driven benchmarks for the previous phase of the Project are met.
 - The developer/MOA shall coordinate implementation of the Project's TDM strategies with UC Davis to ensure that relevant efforts by both parties are aligned and allow for cooperative ventures where appropriate.
- An additional goal of the TDM program shall be mitigation of daily traffic congestion generated by the project by reducing daily SOV trips by at least 33% compared to the business-as-usual (unmitigated) scenario predictions in the SEIR. In other words, at full buildout the project must generate fewer than 12,000 motor vehicle trips per day (compared to the 24,000 trips predicted in the SEIR). This reduction requirement is to be applied incrementally at each phase of the

Project. If daily SOV trips for each phase are not 33% lower than the business-as-usual (unmitigated) projections in the SEIR, then construction of the next phase shall not be permitted.

- Prior to the commencement of construction of each phase of the Project, the Developer/MOA shall commission a traffic study which measures in- and out-flow from the Project and identifies traffic patterns. This analysis will be shared with the City to determine which traffic mitigation measures are necessary beyond those specified later in this document. This analysis will also inform the City on mode share and the potential need for increased public transit services.
- The Developer/MOA shall review and update the TDM Plan every 2 years. The TDM Plan update shall include results of a travel behaviors survey, to be completed annually by the Developer/MOA. The annual survey shall include the travel behaviors of Project residents and employees (e.g., where employees live and by what mode they get to and from work; where residents work and by what mode they get to and from home). The updated TDM Plan, including survey results, shall be made publicly available.
 - Prior to Phase 1, the Developer and the City shall agree upon a process for monitoring and evaluating TDM goals on an annual basis, modeled on the process detailed in the Nishi Gateway Project Sustainability Implementation Plan (2015). This monitoring and evaluation process will include an Annual Report, to be transmitted to the City, which details progress towards the actions outlined in the TDM plan and specification of actions required when TDM goals are not met. *(It should be noted that vehicle trip monitoring in the Nishi SIP is a surrogate for transportation GHG emissions, while modeling to estimate actual GHG emissions is preferred for DISC.)*

The Project shall include the following features, in addition to features identified by the TDM Plan, to encourage a shift to safe, sustainable, space-efficient transportation modes, such as walking, bicycling, micromobility, public and private transit, and carpooling (in descending order of preference):

- The Project shall be designed to accommodate and incentivize private transit, internal transit, local transit (Unitrans), and regional transit (Yolobus) through the following measures:
 - The Project shall include an internal transit service - e.g. a low-capacity automated shuttle on a fixed route - between all buildings and transit stops, both within and on the periphery of the project (i.e. both side of Mace Blvd.) Such a service will facilitate transit access for employees, residents, and visitors who may have limited mobility.

- The Project shall include a centrally-located facility to serve as a mobility information center, bicycle workshop and repair facility and a stop for internal transit, shuttle and point-to-point transit services.
- Bus stops with enough bus capacity to provide 30% of trips to the site will be constructed on Mace Blvd, south of Alhambra. This is an alternative to diverting YoloBus and/or Unitrans buses from Mace Blvd. into the transit plaza, which would add considerable time to the routes and likely reduce ridership.
- The Project shall include transit stops for internal transit, shuttle and point-to-point transit services located throughout site to ease pedestrian access such that no transit stop is further than 400 meters from any occupied building.
- All stops should include real-time displays of future departures of transit services.
- The Developer shall petition YoloBus and Unitrans to increase the frequency and capacity of internal transit, shuttle and point-to-point service as the Project develops. The Developer shall provide funding, if necessary, to the transit services to implement the change.
- The Developer shall establish a contract with a carshare service that exclusively uses EV's. The service shall include light trucks, small vans and with options replicating classic car rental (weekend use, etc.). Vehicles with adaptive controls and which allow pet dogs shall be included.
- Phase 2 cannot commence until after the implementation of an on-demand electric transit to and from multiple locations on UCD campus and scheduled electric transit to and from the Amtrak/Capitol Corridor station (Davis Depot, and any future facilities serving commuter and regional rail at a replacement location), running seven days a week, including the AM to PM peak commute periods. The services to and from the nearest rail services node will be synchronized with arriving and departing trains, inclusive of delays and extraordinary circumstances, such as interruption of rail services, temporary closing of the station etc.
- To promote transit use, the MOA shall provide upon request free passes for local and regional transit service (e.g., an unlimited access pass similar to YoloBus and Unitrans' pass for UC Davis undergraduates) to the Project's residents, employees and commercial visitors.
- Total motor vehicle parking spaces at the site will be limited by building use according to the following formula:

Use	Ratio	Unit
R&D/office/laboratory	1:800	Sq ft
Manufacturing	1:2,000	Sq ft
Hotel/Conference	1:2	units
Retail	1:600	Sq ft
Housing	1:2	unit

- In order to facilitate fiscal unbundling of parking, no parking spaces within the project should be dedicated to a specific user, commercial or residential, with the exception of designated spots for disabled users. All parking will be managed by the TDM agency described below, including determination of parking fees, terms and allowed users.
- All employers shall create through the MOA or participate in a regional carpool program that is modeled after and functionally equivalent to the UC Davis goClub carpool program. The program shall be open to all Project residents and employees.
- Carshare and preferential carpool spaces shall be provided, with the number of appropriate stalls to be specified in the TDM plan.
- Parking costs shall be unbundled from the cost of other goods and services. A separate fee shall be charged for all parking spaces (commercial and residential).
- Parking cash-out programs shall be offered by any employer who provides a parking subsidy to employees, to give employees who do not drive a cash benefit equivalent to the value of the offered parking subsidy. The MOA shall be in charge of ensuring that employers comply with this program and shall record participation in the Annual Report.
- The Developer shall provide bicycle facilities and infrastructure comparable to the City's Platinum-level Bicycle Friendly Community Certification to support bicycling within and to the site, including the following features:
 - Provide short term bicycle parking, as required by Davis Municipal Code, with the addition of protection from both precipitation and the sun.
 - Provide long-term bicycle parking inside all commercial buildings - including support for electric bicycle charging and over-sized bicycles -

immediately adjacent to end-of-commute facilities (showers, lockers, changing rooms).

- Provide community bicycle repair facilities.
- The MOA shall implement a bicycle share program including Type 1 and Type 3 (28-mph) electric-assist bicycles - including cargo bicycles and bicycles with adaptive controls - for employees, residents and commercial/residential visitors to use on and off the Project site.
- A bicycle network of Class IV protected cycle tracks shall connect bicyclists to all areas of the site and all key connecting streets/facilities.
- The Developer shall provide accessible sidewalks that facilitate pedestrian access within and to the site, including the following features:
 - All pedestrian access routes shall be readily accessible by all users, particularly individuals with disabilities. Street design should emphasize universal design through use of appropriate width, grade, surface material, tactile cues, audible cues, and push buttons. The Developer shall reference the United States Access Board Proposed Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG), or other appropriate reference.

Site Access and Traffic Mitigation Features

The following measures are recommended to improve site access and mitigate traffic impacts of the Project. The Developer shall fund infrastructure to mitigate traffic problems attributable to the project either wholly, where the problem is mainly caused by the Project, or proportionately, for traffic improvement measures where the Project is a partial contributor to the problem. The intent is to avoid subsidization of the Project by the City providing funding for traffic mitigation measures.

As described below, City approvals will not be granted for different phases of the Project until public and private funding are budgeted and available, and regulatory approvals have been granted. In other words, all obstacles to the start of construction have been removed.

In general, the base conditions will include at a minimum the construction or implementation of all the mitigation measures proposed in the Aggie Research Campus Subsequent EIR and Appendix F - Transportation Impact Analysis, including the "Potential Operational Enhancements" identified in the Traffic Study. Specific projects are highlighted below, but this should not be taken as a comprehensive list. The Developer may propose alternative projects to the City, but these will not be approved unless the Developer can demonstrate that the alternative achieves equal or better site access and/or traffic mitigation without causing other problems.

The desired outcomes of site-access measures are reduction of the Project's vehicle miles traveled (VMT) through improvements for bicycle, pedestrian, and transit access to the Project site.

- Phase 1 Site Access
 - The Developer shall provide sites for bus stop relocation for Yolobus and Unitrans along the Project frontage on Mace Boulevard and to enhance the bus stops with benches and coverings, to the extent those features are allowed by the transit agencies.
 - Applicant will implement a bike/ped crossing under Mace Blvd. that is sufficiently wide to accommodate heavy bidirectional pedestrian and cyclist travel.
 - The Developer shall contribute funding to construction of a new Class IV bikeway and separated pedestrian path on the inside of the Mace Curve between the new grade-separated bicycle and pedestrian crossing (see previous bullet) and Harper Junior High School. Such funding shall be proportional to the use of this facility by Project residents, employees, and visitors.
 - The Developer shall contribute funding to construction of a new Class IV bikeway for both north-bound and south-bound bicycle traffic on and near Alhambra St. between the landing area of the Mace Blvd. overcrossing and the northeast corner of John Barovetto Park. Such funding shall be proportional to the use of this facility by Project residents, employees and visitors.
 - The Developer shall contribute funding to paving to Class I standards of the current gravel path starting on the east edge of John Barovetto Park to the existing Greenbelt path at the southwest corner of the Park. Such funding shall be proportional to the use of this facility by Project residents, employees and visitors.
 - The Developer shall contribute funding to construction of a new Class IV bikeway and separated pedestrian path for both north-bound and south-bound pedestrian and bicycle traffic on the Mace Blvd/I-80 overpass and continuing to the Project site. Such funding shall be proportional to the use of this facility by Project residents, employees and visitors.
 - The Developer shall contribute funding to construction of a new Class IV bikeway for both west-bound and east-bound bicycle traffic on 2nd St between the area of Davis Depot / L St. and the Dave Pelz bridge (i.e. connecting to the Class I Greenbelt path to John Barovetto Park). Such funding shall be proportional to the use of this facility by Project residents, employees and visitors.

- The Developer shall contribute funding to construction of a new Class IV bikeway for both west-bound and east-bound bicycle traffic on 32A between the WB I-80 off-ramp and current and future bike/fed facilities across the Yolo Bypass. This facility should have multiple egress points to the Project area. Such funding shall be proportional to the use of this facility by Project residents, employees and visitors.
- The Developer shall contribute funding to re-construction of the intersection of East Covell Blvd and Pole Line Rd. Such funding shall be proportional to the use of this facility by Project residents, employees and visitors.
- The Developer shall contribute funding to construction of the already-in-planning pedestrian and cycling corridor on the north side of East Covell between Pole Line Rd and J St. Such funding shall be proportional to the use of this facility by Project residents, employees and visitors.
- The Developer shall not incentivize or contribute funding to the addition of general traffic lanes on Mace Blvd.

The desired outcomes of traffic-mitigation measures are to reduce the transportation total carbon footprint and adverse level of service (LOS) traffic impacts on roads in the Project vicinity, including Mace Boulevard, Covell Boulevard, and I-80.

- Phase 1 Traffic Mitigation
 - Phase 1 shall not proceed until public and private funding are budgeted and available and regulatory approvals have been granted for construction or implementation of all other mitigation measures proposed in the Aggie Research Campus Subsequent EIR and Appendix F - Transportation Impact Analysis.
 - The Developer shall contribute funding to the City to study and implement bus rapid (BRT) transit strategies, including a bus signal preemption system on Mace Boulevard and Covell Boulevard for freeway access or local traffic bypass.
- Phase 2 Traffic Mitigation
 - Phase 2 shall not proceed until public and private funding are budgeted and available and regulatory approvals have been granted for a rush-hour bus and 3+ high occupancy vehicle (HOV) lane and class IV bicycle path on the frontage road north of I-80 (county road 32) to allow traffic to bypass the Mace Blvd east bound on-ramps and west bound off-ramps to I-80.
 - Phase 2 shall not proceed until public and private funding are budgeted and available and regulatory approvals have been granted for the

construction of bus/3+ HOV lanes on I-80 west of causeway between Richards Blvd and the Yolo Causeway.

- Phase 3 Traffic Mitigation
 - Phase 3 shall not proceed until public and private funding are budgeted and available and regulatory approvals have been granted for adding bus/3+ HOV lanes eastbound and westbound on the Yolo Causeway (I-80).

Mitigation Measures

The project shall comply with and ensure public or private funding and completion within a two-year period for all Mitigation Measures identified in the Approved Mitigation, Monitoring, and Reporting Plan.

Commission Comment Summary in Chart Format

<p>The NRC voted to submit the following features to the City Council with a recommendation for these features to be included in “Baseline Project Features” submitted for voter approval of the Project pursuant to a Measure R vote.</p>	<p>Project Proposal Response to Commission Recommendation</p>
<p><u>NRC1.</u> To ensure accurate tracking and reporting of achievement of Project sustainability goals and obligations, the Developer will establish a Master Owners Association (MOA) for the Project that reports to the City and is responsible for measurement of, verification of, and assuring compliance with Project sustainability obligations and mitigation measures.</p> <p>The MOA will prepare and submit for City approval a Sustainability and Mitigation Monitoring Reporting Plan. Per the Plan, the MOA will prepare and submit to the City annual reports that describe progress towards meeting sustainability goals and obligations and implementing mitigation measures, including all relevant provisions in the Project’s baseline features.</p> <p>Annual reports will also indicate what actions will be taken in the following year to meet phased actions as part of the sustainability goals and obligations and mitigation measures.</p>	<p><u>Included in the Baseline Project Features:</u></p> <p>Measurement and verification of compliance with sustainability provisions will be monitored by the Master Owners Association (MOA) with outcomes submitted to the City in biennial reports.</p> <p>The Commission has more detail in the recommended contents of the report and suggest that it be done annually. The applicant proposal is biennial reports. However, Development Agreements are subject to annual reports and the sustainability commitments are in the DA so, at a minimum the items will be heard annually with more robust reporting every other year.</p>
<p><u>NRC2</u> The developer shall commit to minimizing carbon emissions by maximizing production of clean energy onsite and ensuring that all Project structures consume 100 percent clean energy. “Clean energy” is defined as energy derived from technologies eligible</p>	<p><u>Included in the Baseline Project Features:</u></p> <p>Project’s electricity demand shall be fueled by 100% clean energy either generated onsite or purchased from a 100% renewable program such as Valley Clean Energy’s “UltraGreen” program.</p>

<p>for California’s Renewables Portfolio Standard (RPS)</p>	
<p><u>NRC3 NEW COMMENT</u></p> <p>The Project shall meet all CALGreen Tier 1 prerequisites for Residential and Non-Residential buildings in effect at the time of permitting of each phase of the Project.</p> <p>The Project shall meet all City of Davis Residential and Commercial Energy Reach Code Standards in effect at the time of permitting of each phase of the Project.</p>	<p><u>NEW RESPONSE</u></p> <p><u>Included in the Development Agreement</u></p> <p>The Project shall meet and exceed Title 24, Cal Green Tier 1 and will utilize the City of Davis’ Residential Energy Reach Code standards. The Reach Code to promote energy efficiency within the City of Davis through the use of energy-efficient building standards and is intended to ensure LEED Gold Equivalent or better. <i>In addition, as specified in Article 2 G. (Sec. 206) of the Development Agreement, this Project shall be constructed in accordance with the provisions of the California Building Code and City of Davis ordinances in effect at the time that building permits are granted, including those relating to energy efficiency requirements thereby ensuring that as Davis’s building standards increase in sustainability features, so too will the Project.</i></p>
<p><u>NRC 4</u> The Developer shall enter into a purchase and sale agreement with Valley Clean Energy (and/or another electric utility company) for all power produced by the Project in excess of on-site demand. This agreement shall ensure that all power generated but not used onsite is used locally.</p>	<p>The developer has agreed to enter into an agreement. However, it cannot be ensured that all power will be used locally.</p>
<p><u>NRC5</u> If, after maximizing energy efficiency and on-site production of clean energy, the energy demand of Project structures exceeds the energy produced on-site, then the Developer shall purchase power from solely renewable sources such as Valley Clean Energy’s “UltraGreen” 100 percent renewable and 100 percent carbon-free service (or equivalent) to offset the deficit. This</p>	<p><u>NEW RESPONSE</u></p> <p><u>Included in the Development Agreement</u></p> <p>The Developer is committed to <i>minimizing carbon emissions</i> by maximizing clean energy production onsite and to implementing a program within the Project to ensure that all structures</p>

<p>requirement will be continued for the lifetime of the Project by building owners.</p>	<p>consume 100 percent renewable electricity.</p>
<p><u>NRC6 NEW COMMENT</u> All onsite residential units shall be all-electric (i.e., shall not include natural-gas service).</p>	<p><u>Included in the Baseline Project Features:</u> Housing units will be all-electric, not include natural gas, and utilize the City’s Residential Energy Efficiency “Reach” Green Building Code for construction.</p>
<p><u>NRC7</u> All onsite commercial buildings shall be all-electric, with the exception for fossil fuels (e.g., natural gas, propane) required for manufacturing processes as specified by a tenant. As mechanisms become available to reduce or offset carbon emissions from manufacturing processes fed by fossil fuels, the MOA shall require implementation of these mechanisms to reduce emissions in a timeline consistent with the City’s Climate Action and Adaptation Plan (CAAP). Volumes and types of fossil fuels used onsite, as well as opportunities to reduce emissions, shall be included in each annual report prepared and submitted by the MOA.</p>	<p>Requiring all electric is not consistent with the City of Davis Non-Residential Reach Code. The recommendation goes beyond our Reach Code and could require a cost effectiveness study and California Energy Commission review. The Reach Code applicable to the project was developed in consultation with the NRC and at the direction of CC to provide greater certainty for entitlement applications and a code that pushes the edge of cost-effectiveness while still being feasible. The project will be required to comply with codes at the in place at the time of building permit as the City makes further changes. Furthermore, it is anticipated that certain desired laboratory and advanced manufacturing uses may need natural gas or other fuel sources.</p>
<p><u>NRC 8 NEW COMMENT</u> Prior to beginning construction on each phase of the Project, the Developer shall prepare a report describing plans to incorporate passive heating and cooling strategies into building design so as to reduce overall energy demand. Such strategies may include but are not limited to: construction using thermally massive materials, incorporation of shading devices in the building envelope, strategic building orientation and window placement, and strategic planting of trees and other vegetation. This report shall be</p>	<p><u>Included in the DA Sustainability Section:</u> Buildings shall be designed to incorporate passive heating and cooling so as to reduce overall energy demands.</p>

<p>subject to review and approval by City staff.</p>	
<p>NRC 9 All onsite buildings (commercial and residential) shall achieve zero net carbon for the building envelope—including heating, ventilation and air conditioning (HVAC), and lighting—with onsite renewables and storage.</p>	<p>Developer has indicated that it has feasibility concerns with this request particularly in the early phases.</p>
<p><u>NRC 10 NEW COMMENT</u></p> <p>Prior to beginning construction on each phase on the Project, the Developer (and MOA for Phases 2 and 3) shall engage an outside consultant to conduct a solar feasibility assessment for development planned in that phase. The assessment shall identify all appropriate locations for solar photovoltaics (PV) or other future comparable technology, taking into account factors such as structure orientation, grid design, installation cost, and site landscaping. Locations may include but are not limited to rooftops, ground solar arrays, and constructed canopy structures. The Developer shall implement PV on all recommended locations, up to the extent that Project ((NRC 10 cont.) electricity demands are fully met. Note that this provision is not intended to and shall not substantially interfere with Project requirements for tree canopy.</p>	<p><u>Included in the Baseline Project Features:</u></p> <p>In furtherance of the commitment to utilize 100% renewable energy, the installation of photovoltaics or future renewable energy technology will be required on every conducive structure; e.g. greenhouses would not be conducive, to the greatest extent practicable.</p>
<p>NRC 11 The Project shall achieve net-zero energy for outdoor lighting through the use of onsite PV or similar technology.</p>	<p><u>Included in the Baseline Project Features:</u></p> <p>Achieve net zero for outdoor lighting.</p>
<p>NRC 12. In anticipation of improved solar-connected energy storage, the Project shall be designed and pre-wired for future microgrid capacity and energy storage.</p>	<p><u>NEW RESPONSE</u></p> <p>Development Agreement, Exhibit F, Energy Efficiency and Usage</p> <p>The Developer is committed to <i>minimizing carbon emissions</i> by maximizing clean</p>

	<p>energy production onsite and to implementing a program within the Project to ensure that all structures consume 100 percent renewable electricity.</p> <p><i>In anticipation of improved solar connected energy storage, the Project shall be designed and pre-wired for future microgrid capacity and energy storage.</i></p>
<p>NRC 13. NEW COMMENT</p> <p>Low-impact development (LID) features, such as bioswales and permeable pavement, shall be implemented in all streets and surface-level parking to capture and filter runoff and maximize groundwater recharge.</p>	<p><u>Dev Agreement Ex. G</u></p> <p>Runoff shall be captured and conveyed onsite in a series of bioswales intended to filtrate and clean the run-off and maximize groundwater recharge.</p> <p>All streets and surface-level parking shall utilize low-impact development (LID) features, such as bioswales, to capture and filter runoff and to maximize groundwater recharge. Piping of runoff will be discouraged and only utilized when necessary.</p>
<p>NRC 14 COMMENT OMITTED</p>	
<p>NRC 15 All parking surfaces or street-adjacent sidewalks that use or are conducive to tree shading shall incorporate structured soil or suspended substrate to allow successful tree-root development. The developer shall size the area of each pavement-treatment site to accommodate the maximum size of a tree that could reasonably be accommodated on that site.</p>	<p><u>Included in the Baseline Project Features:</u></p> <p>Trees planted in parking areas or street-adjacent shall use structured soil or suspended substrate to allow successful tree root development. Developer shall size pavement treatment areas to accommodate the anticipated size(s) of the various tree varieties.</p>
<p>NRC 16 Landscaping shall provide 80 percent shading of pedestrian walkways and off-street bike paths. At least 50 percent parking-lot shading shall be achieved through either shade trees or PV arrays. Compliance with these requirements shall be demonstrated at</p>	<p><u>Development Agreement Ex. G</u></p> <p>Landscaping shall provide 80% shading of pedestrian walkways and off-street Class I bike paths. 50% parking lot shading shall be achieved through either shade trees or photovoltaic arrays.</p>

<p>the time of building by securing permits for adequate PV arrays and/or by consulting with a certified arborist on a tree-planting and -maintenance strategy expected to achieve the desired shading area within 15 years of planting. Failure to meet shading requirements shall be considered a code violation and subject to penalty until remedied. Progress towards meeting the shading requirement shall be included in each Annual Report.</p>	<p>These requirements shall be demonstrated at building permit for PV or shall be achieved within 15 years of planting for areas shaded by trees. Failure to meet shading requirements shall be considered a code violation and subject to penalty until remedied.</p> <p>Staff recommends that the applicant meet the City's Tree Ordinance requirements for shading.</p>
<p>NRC 17 Parking preference and priority shall be given to electric vehicles (EVs) and to vehicles participating in a carpool program. Only carpool and EV parking shall be allowed adjacent to buildings in spots not designated for disabled persons. Spots designated for disabled persons shall not be restricted to particular vehicle types.</p>	<p><u>NEW RESPONSE</u></p> <p><u>Included in the Development Agreement</u></p> <p>Parking preference and priority will be given to high occupancy vehicles (HOV) and electric vehicles (EV). Aside from handicap parking, only HOV and EV parking shall be allowed adjacent to buildings. All stalls designed for EV will have charging stations pre-installed. <i>Installation of Level 2 stations is preferred unless specified reasons are provided by the applicant to the City to justify the use of Level 1 charging stations. In addition, as specified in Section G of this agreement, this Project shall be constructed in accordance with the provision of the California Building Code and City of Davis ordinances in effect at the time that building permits are granted, including those relating to EV charging requirements.</i></p>
<p><u>NRC 18 NEW COMMENT</u></p> <p>All stalls designated for EVs shall have charging stations pre-installed. Stations shall include a mix of free Level 1 charging and paid Level 2 charging.</p>	<p>The Current City of Davis REACH code requires Level 2 EV stations but can be satisfied with some Level 1 EV stations under particular circumstances.</p> <p>Staff recommends application of the City's Ordinance.</p>

<p>NRC 19. All commercial and residential parking areas shall be EV ready, equipped with infrastructure designed to facilitate installation of EV charging stations as demand grows. This infrastructure will include electrical panels, conduit/raceways, overprotection devices, wires, and pull boxes and will be designed to support vehicle-grid integration. On-site demand for EV charging shall be reported in each year's Annual Report.</p>	<p><u>NEW RESPONSE</u></p> <p><u>Included in the Development Agreement</u></p> <p>All commercial <i>and residential</i> parking areas <i>shall be EV ready, equipped</i> with infrastructure to allow for the installation of EV charging stations <i>as demand grows</i>.</p>
<p>NRC 20. All housing shall include one Level 2 EV charger per unit or, if a multifamily building is provided parking at a ratio of less than 1:1, one Level 2 EV charger per parking stall. Townhomes, if built to accommodate two vehicles, will be prewired to allow for the installation of a second charger.</p>	<p>Under the Current City of Davis REACH code, Single Family Residential developments are required to pre-install 8 Gauge wiring to support Level 2 electric vehicle charging.</p> <p>Multifamily housing is required to have a ratio of EV parking stalls. Not every stall is required to be EV ready.</p> <p>Staff recommends application of the City's Ordinance.</p>
<p>NRC 21 All commercial parking for non-electric SOVs shall be paid parking. To encourage occasional bus use, no discounts for monthly parking versus daily parking will be allowed.</p>	<p>Market analysis indicates that the market will not bear paid parking for commercial in Davis.</p> <p>Development Agreement Ex. 12:</p> <p>Developer commits that when the market will bear parking fees, such fees will be implemented with proceeds supporting TDM measures.</p>
<p>NRC 22 The Project shall be exempt from parking minimums otherwise required by the City for new development. Specifically, the minimum number of parking spots necessary for the Project shall be informed by the Project's TDM</p>	<p><u>NEW RESPONSE</u></p> <p><u>Included in the Development Agreement</u></p> <p><i>This agreement establishes a maximum number of parking spaces for the overall project but provides the flexibility to allow a lesser number of parking spaces than</i></p>

<p>plan rather than general minimum parking requirements.</p>	<p><i>has been required by the city in the past for other development projects. This is in keeping with the application requirements of TDM measures and other provisions in this agreement to encourage bicycling, transit, pedestrian access, other transportation options and on-site residency of project workers and their families.</i></p>
<p>NRC 23 All Project landscaping shall be adapted for climate change, drought resistant, pollinator friendly, and maintained organically.</p>	<p><u>Included in the Baseline Project Features:</u> Native and drought tolerant plants shall predominate the plant palette. Valley Oaks or other local native oak species will be significantly incorporated into the agricultural buffer area.</p>
<p>NRC 24 Native and drought-tolerant plants shall predominate the plant palette. A diversity of native habitats— including but not limited to riparian and California oak savanna—shall be maintained throughout the Project site, primarily but not exclusively within the agricultural buffer and along the drainage channel.</p>	<p><u>Included in the Baseline Project Features:</u> A diversity of native habitats shall be disbursed and managed throughout the site, primarily within the agricultural buffer and along the channel, including but not limited to riparian, California oak savanna, and native prairie grasslands. The agricultural buffer shall include areas densely vegetated and sparsely vegetated to accommodate nesting and foraging opportunities for a variety of species.</p>
<p>NRC 25 NEW COMMENT Turf shall be used only in areas (such as “The Oval” or organized sports fields) programmed for activities that require turf.</p>	<p><u>Development Agreement Ex. J:</u> Turf will be strongly discouraged and utilized only in areas programmed for activities such as the Oval.</p>
<p>NRC26.The Developer shall engage with the Center for Land Based Learning, the UC Davis Arboretum, or other local expert(s) to design and manage its open and landscaped buffer areas. Landscape plans shall be subject to City review, including review by the Open Space and Habitat Commission and the Tree Commission.</p>	<p><u>Development Agreement Ex. J:</u> Developer shall engage with Tree Davis, the Center for Land Based Learning, the Davis Arboretum, or other local expert(s) to design and manage its open and landscaped buffer areas. Through the adoption of design guidelines, landscape plans will be subject to City review,</p>

	including the Open Space and Habitat Commission and the Tree Commission.
<p><u>NRC 27 NEW COMMENT</u></p> <p>Consistent with the City’s stormwater permit and regulations, stormwater runoff shall be captured, conveyed, and detained onsite in a series of bioretention facilities and similar devices intended to filter the runoff, maximize groundwater recharge, and provide deep watering for onsite vegetation.</p>	<p><u>Included in the Baseline Project Features</u></p> <p>Runoff shall be captured and conveyed onsite in a series of bioswales intended to filtrate and clean the run-off and maximize groundwater recharge.</p>
<p><u>NRC 27A NEW COMMENT</u></p> <p>To prevent flooding of the channel, stormwater flows shall be retained onsite using swales, ponds, or other appropriate facilities, consistent with City stormwater regulations and system capacity. Stormwater facilities necessary to meet these regulations must be located on-site or on another privately-owned property incorporated within City boundaries. The stormwater facilities should be sized following a joint hydrological investigation with the City.</p>	<p><u>NEW RESPONSE</u></p> <p>The City of Davis municipal Code requires that all development in the city detain its stormwater flows. The project will be required to meet all requirement required by the city.</p>
<p><u>NRC 28</u> The Developer shall install infrastructure suitable for conveying non-potable water to meet all landscape irrigation demands. The Developer shall convert this system to reclaimed/greywater water if and when such service is made available.</p>	<p><u>NEW RESPONSE</u></p> <p><u>Included in the Development Agreement</u></p> <p>Infrastructure to accommodate reclaimed water, i.e. “purple pipe,” shall be installed in anticipation of future service. <i>The reuse of residential greywater will be permitted based on builder or homeowner preference subject to City approval.</i></p>
<p><u>NRC 29</u> All greywater shall be reused onsite where practical and permissible. The Developer shall install infrastructure (including two-way valves and piping) to support use of greywater from laundry facilities in all townhomes. The Developer shall also identify opportunities for using greywater in multi-family housing and</p>	<p><u>NEW RESPONSE</u></p> <p><u>Development Agreement, Exhibit J</u></p> <p><i>Developer shall permit and allow for the reuse of residential greywater.</i></p>

<p>commercial buildings, and shall install infrastructure needed to pursue such opportunities. The MOA shall review proposed uses of greywater to prevent pollution. The MOA may require owners to revisit/update proposed plans for greywater reuse in the future, and may require installation of additional infrastructure as appropriate.</p>	
<p>NRC 30 All Project housing shall be medium- and high-density, incorporating 15–50 units per acre. No single-family detached housing shall be permitted</p>	<p><u>Included in the Baseline Project Features</u></p> <p>All housing shall be medium- and high-density with a minimum median density of 30 units per acre. No single-family detached housing will be permitted.</p>
<p>NRC 31 Housing shall be designed to meet the housing needs of the anticipated Project workforce and shall not resemble student-oriented housing found elsewhere in the City. No unit shall include more than three bedrooms. No rental apartment shall include more two bedrooms.</p>	<p><u>Included in the Baseline Project Features</u></p> <p>A maximum of 850 units of housing designed to accommodate the needs of the DISC worker shall be permitted onsite. The housing will be a mix of rental and for-sale with a density range of 15 to 50 units per acre. Residential units will range from studio to three-bedroom.</p> <p>Product types will be multi-family, condominiums or townhomes.</p> <p>DISC residences will not be dormitory-style housing found elsewhere in the City but may include micro units, studios, one-to-three bedroom apartments, condos and townhomes. No home will be greater than three bedrooms.</p>
<p>NRC 32 Housing construction shall be directly linked to the development of commercial space at a ratio of no more than one dwelling unit per 3,000 square feet of nonresidential space¹. This linkage will correlate the availability of housing with the creation of jobs which will maximize ARC employee occupancy of the housing.</p>	<p><u>Included in the Baseline Project Features</u></p> <p>Commercial development shall precede housing construction; there must be 200,000 square feet of job space before any homes. Housing construction will be contingent upon the construction of commercial space at a ratio of one home per 2,000 square feet of nonresidential space. This direct correlation between the development of housing and the</p>

	creation of jobs will maximize DISC employee occupancy of the housing.
<p>NRC 33 To provide an opportunity for a car-free lifestyle, parking associated with multifamily rental housing will be unbundled. Multifamily rental units will be charged for parking separate from rent.</p>	<p><u>NEW RESPONSE</u></p> <p><u>Included in the Development Agreement</u></p> <p><i>To provide an opportunity for a car-free lifestyle, parking associated with multifamily rental housing will be unbundled. Multifamily rental units will be charged for parking separate from rent.</i></p>
<p>NRC 34 To minimize transportation emissions, the Developer shall strive to maximize the number of Project housing units occupied by individuals working onsite. To this end, the Developer shall require employer master leasing of all rental housing and ownership of a portion of the single-family housing units and require employment for residency. These requirements shall be dependent upon a minimum firm size, to be designated by the City.</p>	<p><u>NEW RESPONSE</u></p> <p><u>Included in the Development Agreement</u></p> <p><i>To further minimize transportation emissions and enhance the active live-work-play environment of the Project, the applicant and the MOA shall ensure an introduction and establishment of a relationship between commercial tenants and the then active builders of on-site housing and/or leasing companies. Establishing a direct relationship between employers and purveyors of onsite housing will maximize the number of project housing units occupied by individuals working onsite. The applicant shall describe the specific actions taken to comply with this provision and report on the outcome of these efforts as part of the annual Development Agreement review.</i></p>
<p>NRC 35 All buildings and facilities shall participate in a mandatory, site-wide recycling and compost program to be managed by the MOA. Building maintenance staff will be trained in best practices for maximizing commercial recycling.</p>	<p><u>Development Agreement Ex. F:</u></p> <p>All buildings and facilities will participate in a mandatory, site-wide, recycling program that will be managed by the Master Owners Association. Building maintenance staff will be trained in best practices for maximizing commercial recycling and will emphasize paper and cardboard recycling.</p>

<p>NRC 36 All common areas that include disposal options managed by the MOA shall include solid-waste disposal cans, recycling cans, and compost bins.</p>	<p><u>Development Agreement Ex. F</u></p> <p>All common areas that include disposal options managed by the Master Owners Association will include solid waste disposal cans, recycling cans, and compost bins.</p>
<p>NRC 36A A designated TDM manager shall be identified for the Project. The TDM manager shall represent the Developer, MOA, or other equivalent Project-related body, and shall report directly to the City.</p>	<p><u>Development Agreement Ex G</u></p> <p>The developer will adopt and implement a TDM Plan with a designated TDM manager that reports directly to the city.</p>
<p>NRC 36B Prior to, or concurrent with, adoption of Final Development Agreement, the Developer shall create a TDM plan that includes quantitative goals and temporal benchmarks for shifting away from single-/low occupancy vehicle use. The TDM plan shall also include metrics for assessing progress towards these goals and benchmarks. Responsibility for this task shall reside with the designated TDM manager.</p>	<p><u>Development Agreement Ex G</u></p> <p>The Project shall implement a Transportation Demand Management Plan (TDM plan) with measurable results to promote a shift away from single occupancy vehicle (SOV) use and incentivize a mode shift to bicycling, public transit, private transit, or carpool and to determine which traffic mitigations are needed at each phase of Project development. Prior to or concurrent with the adoption of the Final Planned Development, the developer shall finalize a TDM plan acceptable to the city.</p>
<p>NRC 36C The TDM plan shall include actions that will result in a reduction of GHG emissions consistent with the City's then current Climate Action and Adaptation Plan (CAAP) and the goal of the City Council to achieve carbon neutrality by 2040. Subsequent phases of the Project shall not be permitted for construction unless the GHG-driven benchmarks for the previous phase of the Project are met. •</p>	<p>Mitigation Measure 3-38 a and b of the Aggie Research Campus EIR, which require the preparation of a plan prior to approval of a project, have been prepared to attain consistency with the city's CAAP.</p>
<p>NRC 36D The TDM manager shall coordinate implementation of the Project's TDM strategies with UC Davis to ensure that relevant efforts by both</p>	<p><u>Development Agreement – Ex G</u></p> <p>The developer will work with Yolobus and Unitrans to maximize transit ridership with an objective to increase the frequency</p>

<p>parties are aligned and allow for cooperative ventures where appropriate.</p>	<p>and capacity of bus service as the project develops.</p>
<p>NRC 36E An additional goal of the TDM program shall be mitigation of daily traffic congestion generated by the project by reducing daily SOV trips by at least 33% compared to the business-as-usual (unmitigated) scenario predictions in the SEIR. In other words, at full buildout the project must generate fewer than 16,000 SOV trips per day (compared to the 24,000 trips predicted in the SEIR). This reduction requirement is to be applied incrementally at each phase of the Project. If daily SOV trips for each phase are not 33% lower than the business-as-usual (unmitigated) projections in the SEIR, then construction of the next phase shall not be permitted.</p>	<p>The TDM program measures will be aimed at reducing the number of single occupancy vehicles. Given that the applicant is required to meet the provisions of the CAAP and that the project impact has been mitigated to a less than significant level, it is uncertain where or why the number of Single Occupancy Vehicles must be reduced by 16,000 trips per day</p>
<p>NRC 36F Prior to the commencement of construction of each phase of the Project, the Developer/MOA shall commission a traffic study which measures in- and out-flow from the Project and identifies traffic patterns. This analysis will be shared with the City to determine which traffic mitigation measures are necessary beyond those specified later in this document. This analysis will also inform the City on mode share and the potential need for increased public transit services.</p>	<p><u>Development Agreement Ex G</u></p> <p>Prior to the commencement of construction of each phase, a traffic study shall be prepared which measures in and out flow from the project and identifies traffic patterns. This analysis will be shared with the City to determine which traffic mitigation measures are necessary to accommodate each phase of development. This will also serve to inform the city on mode share and to trigger the need for increased transit services.</p>
<p>NRC 36G The Developer/MOA shall review and update the TDM Plan every 2 years. The TDM Plan update shall include results of a travel behaviors survey, to be completed annually by the Developer/MOA. The annual survey shall include the travel behaviors of Project residents and employees (e.g., where employees live and by what mode they get to and from work; where residents</p>	<p>Mitigation measure 3-72 of the Aggie Research Campus EIR requires that prior to the issuance of the first building permit, the applicant must prepare a TDM plan to the entire project. The TDM plan must be designed to reduce trips to achieve 1.5 average vehicle ridership and reduce project generated VMT such that the project achieves all three VMT significance criteria.</p>

<p>work and by what mode they get to and from home). The updated TDM Plan, including survey results, shall be made publicly available.</p>	
<p>NRC 36H Prior to Phase 1, the Developer and the City shall agree upon a process for monitoring and evaluating TDM goals on an annual basis, modeled on the process detailed in the Nishi Gateway Project Sustainability Implementation Plan (2015). This monitoring and evaluation process will include an Annual Report, to be transmitted to the City, which details progress towards the actions outlined in the TDM plan and specification of actions required when TDM goals are not met. <i>(It should be noted that vehicle trip monitoring in the Nishi SIP is a surrogate for transportation GHG emissions, while modeling to estimate actual GHG emissions is preferred for DISC.)</i></p>	<p><u>See Above</u></p>
<p>The Project shall be designed to accommodate and incentivize private transit, local transit (Unitrans), and regional transit (Yolobus) through the following measures:</p>	
<p>NRC 36I The Project shall include a central transit plaza to serve as the hub for a variety of mode shares.</p>	<p><u>Included in the Development Agreement</u></p> <p>The Project shall be designed to accommodate internal, local and regional transit. It will include a centralized multi-use pedestrian plaza, which will serve as a designated connection point for multi-modal transportation including corporate shuttles with connection to Amtrak and UC Davis, future on-site shuttles, and micromobility alternatives (e.g. bike-, skateboard-, and scooter-share services). <i>The plaza will be a minimum of 0.6-acres and may increase up to 2-acres based upon final project design and in response</i></p>

	<p><i>to needs expressed by local transit agencies. It is anticipated that, when the Project reaches critical mass, local and regional bus service may also choose to provide direct bus service to the plaza, therefore the plaza will be designed to accommodate this mode share as well which may necessitate dedication of managed lanes within portions of the project site to accommodate unimpeded transit circulation.</i></p>
<p>NRC 36J The Project shall include transit stops located throughout site to ease pedestrian access such that no transit stop is further than 400 meters from any occupied building.</p>	<p>The centrally located Transit Plaza, as shown at its current location is ¼ mile or 400 meters from nearly all uses on site.</p>
<p>NRC 36K The Developer shall petition Yolobus and Unitrans to increase the frequency and capacity of bus service to the central transit plaza as the Project develops. The Developer shall provide funding, if necessary, to the transit services to implement the change.</p>	<p><u>Development Agreement Ex G</u></p> <p>The developer will work with Yolobus and Unitrans to maximize transit ridership with an objective to increase the frequency and capacity of bus service as the project develops.</p>
<p>NRC 36L Phase 2 cannot commence until after the implementation of an on-demand electric transit to and from UCD and scheduled electric transit to and from the Amtrak/Capital Corridor station running weekdays including the AM to PM peak commute periods.</p>	<p><u>Development Agreement Ex G</u></p> <p>Developer will participate in and contribute toward an electric shuttle service running weekdays from the AM to PM peaks, connecting commuters from DISC and 2nd Street to UC Davis and the Amtrak station.</p>
<p>NRC 36M To promote transit use, the MOA shall provide upon request free passes for local and regional transit service (e.g., a unlimited access pass similar to Yolobus and Unitrans' pass for UC Davis undergraduates) to the Project's residents and employees.</p>	<p>Mitigation measure 3-72 of the Aggie Research Campus EIR requires that prior to the issuance of the first building permit, the applicant must prepare a TDM plan for the entire project. The TDM plan must be designed to reduce trips to achieve 1.5 average vehicle ridership and reduce project generated VMT such that the project achieves all three VMT significance criteria. This program is one</p>

	of many that will be considered as the TDM is developed.
NRC 36N The Project shall include parking to accommodate single-occupancy vehicles (SOVs) and carpool vehicles while also incentivizing other modes of transportation:	The parking standards are included in the Planned Development Ordinance.
NRC 36O As part of the TDM plan, the Developer will determine the appropriate number of parking stalls, which may be fewer than City parking minimums. Commercial parking requirements shall be determined by the TDM plan. For residential development no more than one stall per residential unit shall be provided onsite.	The parking standards are included in the Planned Development Ordinance. The standards are less than that required by city ordinance.
NRC 36P All employers shall create through the MOA or participate in a regional carpool program that is modeled after and functionally equivalent to the UC Davis goClub carpool program. The program shall be open to all Project residents and employees.	Mitigation measure 3-72 of the Aggie Research Campus EIR requires that prior to the issuance of the first building permit, the applicant must prepare a TDM plan for the entire project. The TDM plan must be designed to reduce trips to achieve 1.5 average vehicle ridership and reduce project generated VMT such that the project achieves all three VMT significance criteria. This criteria is one of many that will be considered as the TDM is developed.
NRC 36Q Carshare and preferential carpool spaces shall be provided, with the number of appropriate stalls to be specified in the TDM plan.	<u>Development Agreement Ex G</u> Parking preference and priority will be given to high occupancy vehicles and electric vehicles.
NRC 36R Parking costs shall be unbundled from the cost of other goods and services. A separate fee shall be charged for all parking spaces (commercial and residential).	<u>Development Agreement Ex G</u> Parking associated with multifamily housing shall be unbundled to incentivize a car free lifestyle.
NRC 36S Parking cash-out programs shall be offered by any employer who provides a parking subsidy to employees,	The developer has no near term ability to charge for commercial parking due to economic constraints. However, when it

<p>to give employees who do not drive a cash benefit equivalent to the value of the offered parking subsidy. The MOA shall be in charge of ensuring that employers comply with this program and shall record participation in the Annual Report.</p>	<p>is a more viable option, they are willing to consider it under the TDM measures.</p>
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<p>The Developer shall provide bicycle facilities and infrastructure comparable to the City’s Platinum-level Bicycle Friendly Community Certification to support bicycling within and to the site, including the following features:</p>	
<p>NRC 36T Provide short term bicycle parking, as required by Davis Municipal Code.</p>	<p><u>Development Agreement Ex G</u> Developer will provide for bicycle parking as is required by the Davis Municipal Code</p>
<p>NRC 36U Provide end-of-commute facilities (showers, lockers, changing rooms) and support electric bicycle charging in all commercial buildings.</p>	<p>Mitigation measure 3-72 of the Aggie Research Campus EIR requires that prior to the issuance of the first building permit, the applicant must prepare a TDM plan for the entire project. The TDM plan must be designed to reduce trips to achieve 1.5 average vehicle ridership and reduce project generated VMT such that the project achieves all three VMT significance criteria. This program is one of many that will be considered as the TDM is developed.</p>
<p>NRC 36V Provide covered and secured long-term bicycle parking at central locations within the site and at the central transit hub.</p>	<p>The Davis Municipal Code requires covered and secured long term parking.</p>
<p>NRC 36W Provide community bicycle repair facilities.</p>	<p><u>Baseline Project Features</u> Two bicycle maintenance and repair kiosks will be provided on site.</p>

<p>NRC 36XThe MOA shall implement a bicycle share program including electric-assist bicycles for employees and residents to use on and off the Project site.</p>	<p><u>Development Agreement – EX G</u></p> <p>The developer is required to construct a multimodal transit center which will include electric assist bikes.</p>
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<p>NRC 36Y A bicycle network of Class IV protected cycle tracks shall connect bicyclists to all areas of the site and all key connecting streets/facilities.</p>	<p>Bike lanes are provided through out the site, including a Class 1 bike lane surrounding the project perimeter and through the center of the site. No Class IV tracks are proposed.</p>
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<p>NRC 36ZThe Developer shall provide accessible sidewalks that facilitate pedestrian access within and to the site, including the following features:</p> <p>All pedestrian access routes shall be readily accessible by all users, particularly individuals with disabilities. Street design should emphasize universal design through use of appropriate width, grade, surface material, tactile cues, audible cues, and push buttons. The Developer shall reference the United States Access Board Proposed Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG), or other appropriate reference.</p>	<p>All projects built in California must meet the requirements of the Americans with Disabilities Act and Title 24 of the California Building Code which provide requirements for accessibility. In addition, the Baseline Project Features require the transit plaza to be designed to accommodate paratransit riders.</p>
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<p>NRC 36CC The follow measures are recommended to improve site access and mitigate traffic impacts of the Project. The Developer shall fund infrastructure to mitigate traffic problems attributable to the project either wholly, where the problem is mainly caused by the Project, or proportionately, for traffic improvement measures where the Project is a partial contributor to the problem. The intent is to avoid subsidization of the Project by the City providing funding for traffic mitigation measures.</p>	<p>The City of Davis has carefully written the project’s traffic mitigation measures to mitigate the impacts they have create. Since the entire project will not come on-line at one time, requiring the expenditure of funding prior to the need for the actual improvement is unnecessary.</p>
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<p>As described below, City approvals will not be granted for different phases of the Project until public and private funding are budgeted and available, and regulatory approvals have been granted. In other words, all obstacles to the start of construction have been removed.</p> <p>In general, the base conditions will include at a minimum the construction or implementation of all the mitigation measures proposed in the Aggie Research Campus Subsequent EIR and Appendix F - Transportation Impact Analysis, including the “Potential Operational Enhancements” identified in the Traffic Study. Specific projects are highlighted below, but this should not be taken as a comprehensive list. The Developer may propose alternative projects to the City, but these will not be approved unless the Developer can demonstrate that the alternative achieves equal or better site access and/or traffic mitigation without causing other problems.</p> <p>The desired outcomes of site-access measures are reduction of the Project’s vehicle miles traveled (VMT) through improvements for bicycle, pedestrian, and transit access to the Project site.</p>	
<p>NRC 36DD The Developer shall provide sites for bus stop relocation for Yolobus and Unitrans along the Project frontage on Mace Boulevard and to enhance the bus stops with benches and coverings, to the extent those features are allowed by the transit agencies.</p> <p>(Phase 1)</p>	<p><u>Development Agreement Ex G</u></p> <p>The developer will work with Yolobus and Unitrans to maximize transit ridership with an objective to increase the frequency and capacity of bus service as the Project develops.</p>

<p>NRC 36EE The Developer shall fully fund construction of a new grade-separated bicycle and pedestrian crossing of Mace Boulevard, located near Alhambra Drive. (Phase 1)</p>	<p><u>Baseline feature</u></p> <p>DISC will construct a grade separated bicycle and pedestrian crossing of Mace Blvd. connecting to local and regional trails</p>
<p>NRC 36FF The Developer shall contribute funding to construction of a new Class IV bicycle path and separated pedestrian path on the inside of the Mace Curve between the new grade-separated bicycle and pedestrian crossing (see previous bullet) and Harper Junior High School. Such funding shall be proportional to the use of this facility by Project residents and employees. (Phase 1)</p>	<p><u>Baseline features</u></p> <p>DISC shall construct a new bike trail connection between Mace Blvd and Harper Junior High School along the inside of the Mace Curve, thereby improving bike safety to schools and the site.</p>
<p>NRC 36GG The Developer shall contribute funding to construction of improved pedestrian and bicycle connections for both north-bound and south-bound pedestrian and bicycle traffic on the Mace Blvd/I-80 overpass and continuing to the Project site. Such funding shall be proportional to the use of this facility by Project residents and employees. (Phase 1)</p>	<p>The developer is required to fund a Corridor Study for Mace Blvd. That planning effort will lead to the identification of necessary improvements to Mace Blvd and the surrounding area, which could be identified as those to be built by the developer.</p>
<p>NRC 36HH The Developer shall petition to reroute Unitrans and Yolobus service off Mace Blvd. and to the central transit plaza and through the Project site. If necessary, the Developer will provide funding to the transit services to implement this change. (Phase 2)</p>	<p><u>Development Agreement Ex G</u></p> <p>The developer will work with Yolobus and Unitrans to maximize transit ridership with an objective to increase the frequency and capacity of bus service as the Project develops.</p>
<p>NRC 36II The desired outcomes of traffic-mitigation measures are to reduce the transportation total carbon footprint and adverse level of service (LOS) traffic</p>	<p><u>Comment Noted.</u></p>

<p>impacts on roads in the Project vicinity, including Mace Boulevard, Covell Boulevard, and I-80.</p> <p>(Phase 2)</p>	
<p>NRC 36JJ Phase 1 Traffic Mitigation</p> <ul style="list-style-type: none"> - Phase 1 shall not proceed until public and private funding are budgeted and available and regulatory approvals have been granted for construction or implementation of all other mitigation measures proposed in the Aggie Research Campus Subsequent EIR and Appendix F - Transportation Impact Analysis. - The Developer shall contribute funding to the City to study and implement bus rapid (BRT) transit strategies, including a bus signal preemption system on Mace Boulevard and Covell Boulevard for freeway access or local traffic bypass. 	<p>A traffic study will be prepared prior to construction of Phase 1 which will identify mitigation measures which must be constructed to mitigate impacts associated with Phase 1</p>
<p>NRC 36KK Phase 2 Traffic Mitigation</p> <ul style="list-style-type: none"> - Phase 2 shall not proceed until public and private funding are budgeted and available and regulatory approvals have been granted for a rush-hour bus and 3+ high occupancy vehicle (HOV) lane and class IV bicycle path on the frontage road north of I-80 (county road 32) to allow traffic to bypass the Mace Blvd east bound on-ramps and west bound off-ramps to I-80. - Phase 2 shall not proceed until public and private funding are budgeted and available and regulatory approvals have been granted for the construction of bus/3+ HOV lanes on I-80 west of causeway between Richards Blvd and the Yolo Causeway. 	<p>All changes to bus routes will be demand driven and will be under the jurisdiction of the transit providers.</p> <p>It should be noted that Caltrans has started to review plans to improve I-80 through Yolo County. Although their expected timeframe for the project is in the near term, large projects that need Federal funding and timing remain uncertain.</p>
<p>NRC 36LL Phase 3 Traffic Mitigation</p>	<p><u>See above</u></p>

<p>Phase 3 shall not proceed until public and private funding are budgeted and available and regulatory approvals have been granted for adding bus/3+ HOV lanes eastbound and westbound on the Yolo Causeway (I-80).</p>	
<p>NRC 37 The project shall comply with and ensure public or private funding and completion within a two-year period for all Mitigation Measures identified in the Approved Mitigation, Monitoring, and Reporting Plan</p>	<p>This recommendation does not align with the way in which the mitigations are structured. Several impacts associated with the project do not arise until the latter phases. As such, it is inappropriate to mitigate for impacts that do not exist.</p>
<p>NRC 38 Concurrent with the approval of a Final Planned Development and Site Plan and Architectural Review for any structure located at the DISC, a Sustainability Implementation Plan shall be developed and implemented to ensure compliance with the Environmental Sustainability Baseline Features to the satisfaction of the City</p>	<p><u>Development Agreement Ex. F</u> Concurrent with the approval of a Final Planned Development and Site Plan and Architectural Review for any structure located at DISC, a Sustainability Implementation Plan shall ensure compliance with these Sustainability Guiding Principles to the satisfaction of the City.</p>

The Bicycle Transportation Street Safety Commission sent these comments to the Planning Commission on June 11, 2020. These comments were not previously included or addressed in a staff report.

<p>The BTSSC voted to submit the following features to the City Council with a recommendation for these features to be included in “Baseline Project Features” submitted for voter approval of the Project pursuant to a Measure R vote.</p>	<p>Project Proposal Response to Commission Recommendation</p>
<p>B1 From a transportation perspective a successful development at this location will result in safe, equitable, sustainable access to the site and through nearby corridors. The developer and MOA will prioritize access and parking area by the safety, sustainability, and space-efficiency of travel modes. In descending order of priority, these are walking, bicycling, micromobility, mass transit, high occupancy vehicles, electric vehicles.</p>	<p>Comment noted.</p>
<p>B2 To ensure accurate tracking and reporting of achievement of Project sustainability goals and obligations, the Developer will establish a Master Owners Association (MOA) for the Project that reports to the City and is responsible for measurement of, verification of, and assuring compliance with Project sustainability obligations and mitigation measures.</p> <p>The MOA will prepare and submit for City approval a Sustainability and Mitigation Reporting Plan. Per the Plan, the MOA will prepare and submit to the City annual reports that describe progress towards meeting sustainability goals and obligations and implementing mitigation measures, including all relevant provisions in the Project’s baseline features.</p>	<p><u>Included in the Baseline Project Features:</u></p> <p>Measurement and verification of compliance with sustainability provisions will be monitored by the Master Owners Association (MOA) with outcomes submitted to the City in biennial reports.</p> <p>The Commission has more detail in the recommended contents of the report and suggest that it be done annually. The applicant proposal is biennial reports. However, Development Agreements are subject to annual reports and the sustainability commitments are in the DA so, at a minimum the items will be heard annually with more robust reporting every other year.</p>

<p>Annual reports will also indicate what actions will be taken in the following year to meet phased actions as part of the sustainability goals and obligations and mitigation measures.</p>	
<p>B3 The Sustainability and Mitigation Reporting Plan shall include measurement of the project's GHG emissions and VMT per service population, and plans to keep them below standards in the City of Davis Climate Action Plan.</p>	<p>Mitigation Measure 3-38 a and b of the Aggie Research Campus EIR, which require the preparation of a plan prior to approval of a project, have been prepared to attain consistency with the city's CAAP.</p>
<p>The desired outcomes of design features for the Project's parking lots and internal streets shall be to (1) reduce runoff and heat-island effects amplified by parking lots; and (2) reduce adverse visual, aesthetic, and quality-of-life impacts of working and living near parking lots. To further these desired outcomes, the developer shall implement the following features in its parking areas and/or along the Project's internal roadway system:</p>	
<p>B4 All parking shall be pre-wired for eventual specific assignment by the third phase of the project, with the exception of designated spots for disabled users.</p>	<p>The comment does not note for whom the assignment shall be.</p>
<p>B5 All off-street parking shall be in below-grade structures, above-grade structures which are designed for conversion to other uses (commercial or residential) or in surface lots designed for possible replacement by commercial or residential buildings.</p>	<p>All parking is planned to be surface parking or above ground</p>
<p>B6 All general parking will be in off-street lots. On-street spaces for ADA parking, short-term passenger loading, and freight loading will be allowed.</p>	<p>Off street general parking is required. On street spaces for ADA parking and other legal parking will be allowed.</p>
<p>B7 Low-impact development (LID) features, such as bioswales and permeable pavement, shall be</p>	<p><u>Included in the Baseline Project Features:</u></p>

<p>implemented in all streets and surface-level parking to capture and filter runoff and maximize groundwater recharge.</p>	<p>Runoff shall be captured and conveyed onsite in a series of bioswales intended to filtrate and clean the run-off and maximize groundwater recharge.</p> <p><u>Dev Agreement Ex. G</u></p> <p>All streets and surface-level parking shall utilize low-impact development (LID) features, such as bioswales, to capture and filter runoff and to maximize groundwater recharge. Piping of runoff will be discouraged and only utilized when necessary.</p>
<p>B8 All parking surfaces or street-adjacent sidewalks that use or are conducive to tree shading shall incorporate structured soil or suspended substrate to allow successful tree-root development. The developer shall size the area of each pavement-treatment site to accommodate the maximum size of a tree that could reasonably be accommodated on that site</p>	<p><u>Included in the Baseline Project Features:</u></p> <p>Trees planted in parking areas or street-adjacent shall use structured soil or suspended substrate to allow successful tree root development. Developer shall size pavement treatment areas to accommodate the anticipated size(s) of the various tree varieties.</p>
<p>B9 Landscaping shall provide 80 percent shading of pedestrian walkways off-street bike paths, and bike lanes / bikeways on streets. At least 50 percent parking-lot shading shall be achieved through either shade trees or PV arrays. Compliance with these requirements shall be demonstrated at the time of building by securing permits for adequate PV arrays and/or by consulting with a certified arborist on a tree-planting and -maintenance strategy expected to achieve the desired shading area within 15 years of planting. Failure to meet shading requirements shall be considered a code violation and subject to penalty until remedied. Progress towards meeting the shading requirement shall be included in each Annual Report.</p>	<p><u>Development Agreement Ex. G</u></p> <p>Landscaping shall provide 80% shading of pedestrian walkways and off-street Class I bike paths. 50% parking lot shading shall be achieved through either shade trees or photovoltaic arrays. These requirements shall be demonstrated at building permit for PV or shall be achieved within 15 years of planting for areas shaded by trees. Failure to meet shading requirements shall be considered a code violation and subject to penalty until remedied.</p> <p>Staff recommends that the applicant meet the City's Tree Ordinance requirements for shading.</p>
<p>B10 Parking preference and priority shall be given to electric vehicles (EVs) and to</p>	<p><u>NEW RESPONSE</u></p>

<p>vehicles participating in carpool and car share programs. Only carpool, car share, and EV parking shall be allowed adjacent to buildings in spots not designated for disabled persons. Spots designated for disabled persons shall not be restricted to particular vehicle types.</p>	<p><u>Included in the Development Agreement</u></p> <p>Parking preference and priority will be given to high occupancy vehicles (HOV) and electric vehicles (EV). Aside from handicap parking, only HOV and EV parking shall be allowed adjacent to buildings. All stalls designed for EV will have charging stations pre-installed. <i>Installation of Level 2 stations is preferred unless specified reasons are provided by the applicant to the City to justify the use of Level 1 charging stations. In addition, as specified in Section G of this agreement, this Project shall be constructed in accordance with the provision of the California Building Code and City of Davis ordinances in effect at the time that building permits are granted, including those relating to EV charging requirements</i></p>
<p>B11 All stalls designated for EVs shall have charging stations pre-installed. Stations shall include a mix of free Level 1 charging and paid Level 2 charging.</p>	<p>The Current City of Davis REACH code requires Level 2 EV stations but can be satisfied with some Level 1 EV stations under particular circumstances.</p> <p>Staff recommends application of the City's Ordinance.</p>
<p>B12 All commercial and residential parking areas shall be EV ready, equipped with infrastructure designed to facilitate installation of EV charging stations as demand grows. This infrastructure will include electrical panels, conduit/raceways, overprotection devices, wires, and pull boxes and will be designed to support vehicle-grid integration. On-site demand for EV charging shall be reported in each year's Annual Report.</p>	<p><u>Included in the Development Agreement</u></p> <p><i>All commercial and residential parking areas shall be EV ready, equipped with infrastructure to allow for the installation of EV charging stations as demand grows.</i></p>
<p>B13 All commercial parking shall be paid parking.</p>	<p>Market analysis indicates that the market will not bear paid parking for commercial in Davis.</p>

	<p>Development Agreement Ex. 12:</p> <p>Developer commits that when the market will bear parking fees, such fees will be implemented with proceeds supporting TDM measures.</p>
<p>B14 The Project shall be exempt from parking minimums otherwise required by the City for new development.</p>	<p><u>NEW RESPONSE</u></p> <p><u>Included in the Development Agreement</u></p> <p><i>This agreement establishes a maximum number of parking spaces for the overall project but provides the flexibility to allow a lesser number of parking spaces than has been required by the city in the past for other development projects. This is in keeping with the application requirements of TDM measures and other provisions in this agreement to encourage bicycling, transit, pedestrian access, other transportation options and on-site residency of project workers and their families.</i></p>
<p>B15 Applicant will implement “complete streets” that meet City of Davis Street Standards for 20mph vehicle speeds.</p>	<p>The developer will be required to meet all city of Davis street standards.</p>
<p>B16 All Project housing shall be medium- and high-density, incorporating 15–50 units per acre. No single-family detached housing shall be permitted.</p>	<p><u>Included in the Baseline Project Features</u></p> <p>All housing shall be medium- and high-density with a minimum median density of 30 units per acre. No single-family detached housing will be permitted.</p>
<p>B17 Housing shall be designed to meet the housing needs of the anticipated Project workforce.</p>	<p><u>Included in the Baseline Project Features</u></p> <p>A maximum of 850 units of housing designed to accommodate the needs of the DISC worker shall be permitted onsite. The housing will be a mix of rental and for-sale with a density range of 15 to 50 units per acre. Residential units will range from studio to three-bedroom.</p> <p>Product types will be multi-family, condominiums or townhomes.</p>

	<p>DISC residences will not be dormitory-style housing found elsewhere in the City but may include micro units, studios, one-to-three bedroom apartments, condos and townhomes. No home will be greater than three bedrooms.</p>
<p>B18 Housing construction shall be directly linked to the development of commercial space at a ratio of no less than one dwelling unit per onsite employee. This linkage will correlate the availability of housing with the creation of jobs which will maximize ARC employee occupancy of the housing.</p>	<p><u>Included in the Baseline Project Features</u></p> <p>Commercial development shall precede housing construction; there must be 200,000 square feet of job space before any homes. Housing construction will be contingent upon the construction of commercial space at a ratio of one home per 2,000 square feet of nonresidential space. This direct correlation between the development of housing and the creation of jobs will maximize DISC employee occupancy of the housing.</p>
<p>B19 A designated TDM manager shall be identified for the Project. The TDM manager shall represent the Developer, MOA, or other equivalent Project-related body, and shall report directly to the City.</p>	<p><u>Development Agreement Ex G</u></p> <p>The developer will adopt and implement a TDM Plan with a designated TDM manager that reports directly to the city.</p>
<p>B20 Prior to, or concurrent with, adoption of Final Development Agreement, the Developer shall create a TDM plan that includes quantitative goals and temporal benchmarks for shifting away from single-/low occupancy vehicle use. The TDM plan shall also include metrics for assessing progress towards these goals and benchmarks. Responsibility for this task shall reside with the designated TDM manager.</p>	<p><u>Development Agreement Ex G</u></p> <p>The Project shall implement a Transportation Demand Management Plan (TDM plan) with measurable results to promote a shift away from single occupancy vehicle (SOV) use and incentivize a mode shift to bicycling, public transit, private transit, or carpool and to determine which traffic mitigations are needed at each phase of Project development. Prior to or concurrent with the adoption of the Final Planned Development, the developer shall finalize a TDM plan acceptable to the city.</p>
<p>B21 The TDM manager - or management entity - will include a representative from the Bicycling, Transportation and Street Safety</p>	<p>The TDM manager will be an employee who works for the MOA coordinating with the City.</p>

<p>Commission and a representative from the Natural Resources Commission.</p>	
<p>B22 The TDM plan shall include actions that will result in a reduction of GHG emissions consistent with the City's then current Climate Action and Adaptation Plan (CAAP) and the goal of the City Council to achieve carbon neutrality by 2040. Subsequent phases of the Project shall not be permitted for construction unless the GHG-driven benchmarks for the previous phase of the Project are met.</p>	<p>Mitigation Measure 3-38 a and b of the Aggie Research Campus EIR, which require the preparation of a plan prior to approval of a project, have been prepared to attain consistency with the city's CAAP.</p>
<p>B23 The developer/MOA shall coordinate implementation of the Project's TDM strategies with UC Davis to ensure that relevant efforts by both parties are aligned and allow for cooperative ventures where appropriate.</p>	<p>Development Agreement – Ex G The developer will work with Yolobus and Unitrans to maximize transit ridership with an objective to increase the frequency and capacity of bus service as the project develops.</p>
<p>B24An additional goal of the TDM program shall be mitigation of daily traffic congestion generated by the project by reducing daily SOV trips by at least 33% compared to the business-as-usual (unmitigated) scenario predictions in the SEIR. In other words, at full buildout the project must generate fewer than 12,000 motor vehicle trips per day (compared to the 24,000 trips predicted in the SEIR). This reduction requirement is to be applied incrementally at each phase of the Project. If daily SOV trips for each phase are not 33% lower than the business-as-usual (unmitigated) projections in the SEIR, then construction of the next phase shall not be permitted.</p>	<p>The TDM program measures will be aimed at reducing the number of single occupancy vehicles. Given that the applicant is required to meet the provisions of the CAAP and that the project impact has been mitigated to a less than significant level, it is uncertain where or why the number of Single Occupancy Vehicles must be reduced by 12,000 trips per day</p>
<p>B25 Prior to the commencement of construction of each phase of the Project, the Developer/MOA shall commission a traffic study which measures in- and out-flow from the Project and identifies traffic</p>	<p>Prior to the commencement of construction of each phase, a traffic study shall be prepared which measures in and out flow from the project and identifies traffic patterns. This analysis will be</p>

<p>patterns. This analysis will be shared with the City to determine which traffic mitigation measures are necessary beyond those specified later in this document. This analysis will also inform the City on mode share and the potential need for increased public transit services.</p>	<p>shared with the City to determine which traffic mitigation measures are necessary to accommodate each phase of development. This will also serve to inform the city on mode share and to trigger the need for increased transit services.</p>
<p>B26 The Developer/MOA shall review and update the TDM Plan every 2 years. The TDM Plan update shall include results of a travel behaviors survey, to be completed annually by the Developer/MOA. The annual survey shall include the travel behaviors of Project residents and employees (e.g., where employees live and by what mode they get to and from work; where residents work and by what mode they get to and from home). The updated TDM Plan, including survey results, shall be made publicly available.</p>	<p>Mitigation measure 3-72 of the Aggie Research Campus EIR requires that prior to the issuance of the first building permit, the applicant must prepare a TDM plan to the entire project. The TDM plan must be designed to reduce trips to achieve 1.5 average vehicle ridership and reduce project generated VMT such that the project achieves all three VMT significance criteria.</p>
<p>The Project shall include the following features, in addition to features identified by the TDM Plan, to encourage a shift to safe, sustainable, space-efficient transportation modes, such as walking, bicycling, micromobility, public and private transit, and carpooling (in descending order of preference):</p>	
<p>B27 Prior to Phase 1, the Developer and the City shall agree upon a process for monitoring and evaluating TDM goals on an annual basis, modeled on the process detailed in the Nishi Gateway Project Sustainability Implementation Plan (2015). This monitoring and evaluation process will include an Annual Report, to be transmitted to the City, which details progress towards the actions outlined in the TDM plan and specification of actions</p>	<p>Mitigation measure 3-72 of the Aggie Research Campus EIR requires that prior to the issuance of the first building permit, the applicant must prepare a TDM plan to the entire project. The TDM plan must be designed to reduce trips to achieve 1.5 average vehicle ridership and reduce project generated VMT such that the project achieves all three VMT significance criteria.</p>

<p>required when TDM goals are not met. <i>(It should be noted that vehicle trip monitoring in the Nishi SIP is a surrogate for transportation GHG emissions, while modeling to estimate actual GHG emissions is preferred for DISC.)</i></p>	
<ul style="list-style-type: none"> • The Project shall be designed to accommodate and incentivize private transit, internal transit, local transit (Unitrans), and regional transit (Yolobus) through the following measures: 	
<p>B28The Project shall include an internal transit service - e.g. a low-capacity automated shuttle on a fixed route - between all buildings and transit stops, both within and on the periphery of the project (i.e. both side of Mace Blvd.) Such a service will facilitate transit access for employees, residents, and visitors who may have limited mobility.</p>	<p><u>Development Agreement Ex G</u></p> <p>Developer will participate in and contribute toward an electric shuttle service running weekdays from the AM to PM peaks, connecting commuters from DISC and 2nd Street to UC Davis and the Amtrak station.</p>
<p>B29The Project shall include a centrally-located facility to serve as a mobility information center, bicycle workshop and repair facility and a stop for internal transit, shuttle and point-to-point transit services.</p>	<p><u>Included in the Development Agreement</u></p> <p>The Project shall be designed to accommodate internal, local and regional transit. It will include a centralized multi-use pedestrian plaza, which will serve as a designated connection point for multi-modal transportation including corporate shuttles with connection to Amtrak and UC Davis, future on-site shuttles, and micromobility alternatives (e.g. bike-, skateboard-, and scooter-share services). <i>The plaza will be a minimum of 0.6-acres and may increase up to 2-acres based upon final project design and in response to needs expressed by local transit agencies.</i> It is anticipated that, when the Project reaches critical mass, local and regional bus service may also choose to provide direct bus service to the plaza, therefore the plaza will be designed to accommodate this mode share as well</p>

	<i>which may necessitate dedication of managed lanes within portions of the project site to accommodate unimpeded transit circulation</i>
B30 Bus stops with enough bus capacity to provide 30% of trips to the site will be constructed on Mace Blvd, south of Alhambra. This is an alternative to diverting YoloBus and/or Unitrans buses from Mace Blvd. into the transit plaza, which would add considerable time to the routes and likely reduce ridership.	Development Agreement – Ex G The developer will work with YoloBus and Unitrans to maximize transit ridership with an objective to increase the frequency and capacity of bus service as the project develops.
B31 The Project shall include transit stops for internal transit, shuttle and point-to-point transit services located throughout site to ease pedestrian access such that no transit stop is further than 400 meters from any occupied building.	The centrally located Transit Plaza, as shown at its current location is ¼ mile or 400 meters from nearly all uses on site.
B32 All stops should include real-time displays of future departures of transit services.	Development Agreement – Ex G The developer will work with YoloBus and Unitrans to maximize transit ridership with an objective to increase the frequency and capacity of bus service as the project develops.
B33 The Developer shall petition YoloBus and Unitrans to increase the frequency and capacity of internal transit, shuttle and point-to-point service as the Project develops. The Developer shall provide funding, if necessary, to the transit services to implement the change.	See Above.
B34 The Developer shall establish a contract with a carshare service that exclusively uses EV's. The service shall include light trucks, small vans and with options replicating classic car rental (weekend use, etc.). Vehicles with adaptive controls and which allow pet dogs shall be included.	

<p>B35Phase 2 cannot commence until after the implementation of an on-demand electric transit to and from multiple locations on UCD campus and scheduled electric transit to and from the Amtrak/Capitol Corridor station (Davis Depot, and any future facilities serving commuter and regional rail at a replacement location), running seven days a week, including the AM to PM peak commute periods. The services to and from the nearest rail services node will be synchronized with arriving and departing trains, inclusive of delays and extraordinary circumstances, such as interruption of rail services, temporary closing of the station etc.</p>	<p><u>Development Agreement Ex Gc</u></p> <p>Developer will participate in and contribute toward an electric shuttle service running weekdays from the AM to PM peaks, connecting commuters from DISC and 2nd Street to UC Davis and the Amtrak station.</p>
<p>B36To promote transit use, the MOA shall provide upon request free passes for local and regional transit service (e.g., an unlimited access pass similar to Yolobus and Unitrans' pass for UC Davis undergraduates) to the Project's residents, employees and commercial visitors.</p>	<p>Mitigation measure 3-72 of the Aggie Research Campus EIR requires that prior to the issuance of the first building permit, the applicant must prepare a TDM plan for the entire project. The TDM plan must be designed to reduce trips to achieve 1.5 average vehicle ridership and reduce project generated VMT such that the project achieves all three VMT significance criteria. This criteria is one of many that will be considered as the TDM is developed.</p>
<p>B37In order to facilitate fiscal unbundling of parking, no parking spaces within the project should be dedicated to a specific user, commercial or residential, with the exception of designated spots for disabled users. All parking will be managed by the TDM agency described below, including determination of parking fees, terms and allowed users.</p>	<p>Only the multifamily parking is unbundled. It is not economically feasible to unbundle commercial parking at this time.</p>
<p>B38All employers shall create through the MOA or participate in a regional carpool program that is modeled after and functionally equivalent to the UC Davis goClub carpool program. The program</p>	<p>Mitigation measure 3-72 of the Aggie Research Campus EIR requires that prior to the issuance of the first building permit, the applicant must prepare a TDM plan for the entire project. The TDM plan must</p>

<p>shall be open to all Project residents and employees.</p>	<p>be designed to reduce trips to achieve 1.5 average vehicle ridership and reduce project generated VMT such that the project achieves all three VMT significance criteria. This program is one of many that will be considered as the TDM is developed.</p>
<p>B39 Carshare and preferential carpool spaces shall be provided, with the number of appropriate stalls to be specified in the TDM plan.</p>	<p><u>Development Agreement Ex G</u></p> <p>Parking preference and priority will be given to high occupancy vehicles and electric vehicles.</p>

<p>B40 Parking costs shall be unbundled from the cost of other goods and services. A separate fee shall be charged for all parking spaces (commercial and residential).</p>	<p><u>NEW RESPONSE</u></p> <p><u>Included in the Development Agreement</u></p> <p><i>To provide an opportunity for a car-free lifestyle, parking associated with multifamily rental housing will be unbundled. Multifamily rental units will be charged for parking separate from rent.</i></p>
<p>B41 Parking cash-out programs shall be offered by any employer who provides a parking subsidy to employees, to give employees who do not drive a cash benefit equivalent to the value of the offered parking subsidy. The MOA shall be in charge of ensuring that employers comply with this program and shall record participation in the Annual Report</p>	<p>The developer has no near term ability to charge for commercial parking due to economic constraints. However, when it is a more viable option, he is willing to consider it under the TDM measures.</p>
<ul style="list-style-type: none"> • The Developer shall provide bicycle facilities and infrastructure comparable to the City’s Platinum-level Bicycle Friendly Community Certification to support bicycling within and to the site, including the following features: 	
<p>B42 Provide short term bicycle parking, as required by Davis Municipal Code, with</p>	<p><u>Development Agreement Ex G</u></p>

<p>the addition of protection from both precipitation and the sun.</p>	<p>Developer will provide for bicycle parking as is required by the Davis Municipal Code</p>
<p>B43Provide long-term bicycle parking inside all commercial buildings - including support for electric bicycle charging and over-sized bicycles - immediately adjacent to end-of-commute facilities (showers, lockers, changing rooms).</p>	<p>Mitigation measure 3-72 of the Aggie Research Campus EIR requires that prior to the issuance of the first building permit, the applicant must prepare a TDM plan for the entire project. The TDM plan must be designed to reduce trips to achieve 1.5 average vehicle ridership and reduce project generated VMT such that the project achieves all three VMT significance criteria. This program is one of many that will be considered as the TDM is developed</p>
<p>B44Provide community bicycle repair facilities.</p>	<p><u>Baseline Project Features</u> Two bicycle maintenance and repair kiosks will be provided on site.</p>
<p>B45The MOA shall implement a bicycle share program including Type 1 and Type 3 (28-mph) electric-assist bicycles - including cargo bicycles and bicycles with adaptive controls - for employees, residents and commercial/residential visitors to use on and off the Project site.</p>	<p>Mitigation measure 3-72 of the Aggie Research Campus EIR requires that prior to the issuance of the first building permit, the applicant must prepare a TDM plan for the entire project. The TDM plan must be designed to reduce trips to achieve 1.5 average vehicle ridership and reduce project generated VMT such that the project achieves all three VMT significance criteria. This program is one of many that will be considered as the TDM is developed</p>
<p>B46A bicycle network of Class IV protected cycle tracks shall connect bicyclists to all areas of the site and all key connecting streets/facilities</p>	<p>Bike lanes are provided through out the site, including a Class 1 bike lane surrounding the project perimeter and through the center of the site. No Class IV tracks are proposed.</p>
<p>The Developer shall provide accessible sidewalks that facilitate pedestrian access within and to the site, including the following features:</p>	

<p>B47All pedestrian access routes shall be readily accessible by all users, particularly individuals with disabilities. Street design should emphasize universal design through use of appropriate width, grade, surface material, tactile cues, audible cues, and push buttons. The Developer shall reference the United States Access Board Proposed Guidelines for Pedestrian Facilities in the Public Right-of-Way (PROWAG), or other appropriate reference.</p>	<p>All projects built in California must meet the requirements of the Americans with Disabilities Act and Title 24 of the California Building Code which provide requirements for accessibility. In addition, the Baseline Project Features require the transit plaza to be designed to accommodate paratransit riders.</p>
<p>B48As described below, City approvals will not be granted for different phases of the Project until public and private funding are budgeted and available, and regulatory approvals have been granted. In other words, all obstacles to the start of construction have been removed.</p>	<p>The City of Davis has carefully written the project’s traffic mitigation measures to mitigate the impacts they have create. Since the entire project will not come on-line at one time, requiring the expenditure of funding prior to the need for the actual improvement is unnecessary.</p>
<p>B49In general, the base conditions will include at a minimum the construction or implementation of all the mitigation measures proposed in the Aggie Research Campus Subsequent EIR and Appendix F - Transportation Impact Analysis, including the “Potential Operational Enhancements” identified in the Traffic Study. Specific projects are highlighted below, but this should not be taken as a comprehensive list. The Developer may propose alternative projects to the City, but these will not be approved unless the Developer can demonstrate that the alternative achieves equal or better site access and/or traffic mitigation without causing other problems.</p>	<p>See Above</p>
<p>B50The desired outcomes of site-access measures are reduction of the Project’s vehicle miles traveled (VMT) through improvements for bicycle, pedestrian, and transit access to the Project site.</p>	<p>Comment noted</p>

<ul style="list-style-type: none"> Phase 1 Site Access 	
<p>B51The Developer shall provide sites for bus stop relocation for Yolobus and Unitrans along the Project frontage on Mace Boulevard and to enhance the bus stops with benches and coverings, to the extent those features are allowed by the transit agencies.</p>	<p><u>Development Agreement Ex G</u></p> <p>The developer will work with Yolobus and Unitrans to maximize transit ridership with an objective to increase the frequency and capacity of bus service as the Project develops.</p>
<p>B52Applicant will implement a bike/ped crossing under Mace Blvd. that is sufficiently wide to accommodate heavy bidirectional pedestrian and cyclist travel.</p>	<p><u>Baseline feature</u></p> <p>DISC will construct a grade separated bicycle and pedestrian crossing of Mace Blvd. connecting to local and regional trails</p>
<p>B53The Developer shall contribute funding to construction of a new Class IV bikeway and separated pedestrian path on the inside of the Mace Curve between the new grade-separated bicycle and pedestrian crossing (see previous bullet) and Harper Junior High School. Such funding shall be proportional to the use of this facility by Project residents, employees, and visitors.</p>	<p><u>Baseline features</u></p> <p>DISC shall construct a new bike trail connection between Mace Blvd and Harper Junior High School along the inside of the Mace Curve, thereby improving bike safety to schools and the site</p>
<p>B54 The Developer shall contribute funding to construction of a new Class IV bikeway for both north-bound and south-bound bicycle traffic on and near Alhambra St. between the landing area of the Mace Blvd. overcrossing and the northeast corner of John Barovetto Park. Such funding shall be proportional to the use of this facility by Project residents, employees and visitors.</p>	<p>The developer is required to fund a Corridor Study for Mace Blvd. That planning effort will lead to the identification of necessary improvements to Mace Blvd and the surrounding area, which could be identified as those to be built by the developer.</p>

<p>B55The Developer shall contribute funding to paving to Class I standards of the current gravel path starting on the east edge of John Barovetto Park to the existing Greenbelt path at the southwest corner of the Park. Such funding shall be proportional to the use of this facility by Project residents, employees and visitors.</p>	<p>The developer is required to fund a Corridor Study for Mace Blvd. That planning effort will lead to the identification of necessary improvements to Mace Blvd and the surrounding area, which could be identified as those to be built by the developer.</p>
<p>B56The Developer shall contribute funding to construction of a new Class IV bikeway and separated pedestrian path for both north-bound and south-bound pedestrian and bicycle traffic on the Mace Blvd/I-80 overpass and continuing to the Project site. Such funding shall be proportional to the use of this facility by Project residents, employees and visitors.</p>	<p>See Above</p>
<p>B57The Developer shall contribute funding to construction of a new Class IV bikeway for both west-bound and east-bound bicycle traffic on 2nd St between the area of Davis Depot / L St. and the Dave Pelz bridge (i.e. connecting to the Class I Greenbelt path to John Barovetto Park). Such funding shall be proportional to the use of this facility by Project residents, employees and visitors.</p>	<p>This has not been identified as an impact area.</p>
<p>B58The Developer shall contribute funding to construction of a new Class IV bikeway for both west-bound and east-bound bicycle traffic on 32A between the WB I-80 off-ramp and current and future bike/fed facilities across the Yolo Bypass. This facility should have multiple egress points to the Project area. Such funding shall be proportional to the use of this</p>	<p>There are no Class IV bike paths included in the project nor has this been identified as an impact.</p>

facility by Project residents, employees and visitors.	
B59 The Developer shall contribute funding to re-construction of the intersection of East Covell Blvd and Pole Line Rd. Such funding shall be proportional to the use of this facility by Project residents, employees and visitors.	This has not been identified as an impact area.
B60 The Developer shall contribute funding to construction of the already-in-planning pedestrian and cycling corridor on the north side of East Covell between Pole Line Rd and J St. Such funding shall be proportional to the use of this facility by Project residents, employees and visitors.	This has not been identified as an impact area.
B61 The Developer shall not incentivize or contribute funding to the addition of general traffic lanes on Mace Blvd.	The developer is required to fund a Corridor Study for Mace Blvd. That planning effort will lead to the identification of necessary improvements to Mace Blvd and the surrounding area, which could be identified as those to be built by the developer.
B62 The desired outcomes of traffic-mitigation measures are to reduce the transportation total carbon footprint and adverse level of service (LOS) traffic impacts on roads in the Project vicinity, including Mace Boulevard, Covell Boulevard, and I-80.	Comment noted.
<ul style="list-style-type: none"> ● Phase 1 Traffic Mitigation 	
B63 Phase 1 shall not proceed until public and private funding are budgeted and available and regulatory approvals have been granted for construction or implementation of all other mitigation measures proposed in the Aggie Research Campus Subsequent EIR and	The City of Davis has carefully written the project's traffic mitigation measures to mitigate the impacts they have create. Since the entire project will not come on-line at one time, requiring the expenditure of funding prior to the need for the actual improvement is unnecessary.

Appendix F - Transportation Impact Analysis.	
<p>B64The Developer shall contribute funding to the City to study and implement bus rapid (BRT) transit strategies, including a bus signal preemption system on Mace Boulevard and Covell Boulevard for freeway access or local traffic bypass.</p>	<p>The developer is required to fund a Corridor Study for Mace Blvd. That planning effort will lead to the identification of necessary improvements to Mace Blvd and the surrounding area, which could be identified as those to be built by the developer.</p>
<ul style="list-style-type: none"> Phase 2 Traffic Mitigation 	
<p>B65 Phase 2 shall not proceed until public and private funding are budgeted and available and regulatory approvals have been granted for a rush-hour bus and 3+ high occupancy vehicle (HOV) lane and class IV bicycle path on the frontage road north of I-80 (county road 32) to allow traffic to bypass the Mace Blvd east bound on-ramps and west bound off-ramps to I-80.</p>	<p>All changes to bus routes will be demand driven and will be under the jurisdiction of the transit providers</p> <p>It should be noted that Caltrans has started to review plans to improve I-80 through Yolo County. Although their expected timeframe for the project is in the near term, large projects that need Federal funding and timing remain uncertain.</p>
<p>B66 Phase 2 shall not proceed until public and private funding are budgeted and available and regulatory approvals have been granted for the construction of bus/3+ HOV lanes on I-80 west of causeway between Richards Blvd and the Yolo Causeway.</p>	<p>See Above</p>
<ul style="list-style-type: none"> Phase 3 Traffic Mitigation 	
<p>B67 Phase 3 shall not proceed until public and private funding are budgeted and available and regulatory approvals have been granted for adding bus/3+ HOV lanes eastbound and westbound on the Yolo Causeway (I-80).</p>	<p>See Above</p>
<p>B68 <u>Mitigation Measures</u></p> <p>The project shall comply with and ensure public or private funding and completion</p>	<p>This recommendation does not align with the way in which the mitigations are structured. Several impacts associated</p>

within a two-year period for all Mitigation Measures identified in the Approved Mitigation, Monitoring, and Reporting Plan.	with the project do not arise until the latter phases. As such, it is inappropriate to mitigate for impacts that do not exist.
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B69 Total motor vehicle parking spaces at the site will be limited by building use according to the following formula:

Use	Ratio	Unit
R&D/office/laboratory	1:800	Sq ft
Manufacturing	1:2,000	Sq ft
Hotel/Conference	1:2	units
Retail	1:600	Sq ft
Housing	1:2	unit

This parking formula results in far fewer parking spaces than were analyzed in the project SEIR. The result of the study concluded requiring less than the number of spaces in the study would force off site parking into the surrounding area. It should be noted that the amount of parking in the study is less than that required by the City of Davis zoning ordinance.

Open Space and Habitat Commission

“The Open Space and Habitat Commission recommends that, if the City Council approves the Davis Innovation & Sustainability Campus project, the following project features	Project Proposal Response to Commission Recommendation
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<p>should be included in the project’s “Baseline Project Features” and/or Development Agreement</p>	
<p>OSH1. The agricultural mitigation land should be located within the Davis Planning Area;</p>	<p>Section 40A.03 of the Davis Municipal Code requires 2:1 mitigation and gives locational requirements.</p> <p><u>Included in the Baseline Project Features:</u> At full build-out, developer shall have purchased agricultural conservation easements over 342 acres of local agricultural lands, thereby ensuring their preservation consistent with City Ordinance and subject to City approval.</p>
<p>OSH2. The east side of the east-west channel should be natural like the rest of the channel</p>	<p><u>Included in the Baseline Project Features:</u></p> <p>Restore and enhance the portion of the Mace Drainage Channel onsite utilizing native riparian vegetation while maintaining its drainage conveyance function.</p>
<p>OSH3. Native plants should predominate the channel and agricultural buffer</p>	<p><u>Included in the Baseline Project Features:</u></p> <p>A diversity of native habitats shall be disbursed and managed throughout the site, primarily within the agricultural buffer and along the channel, including but not limited to riparian, California oak savanna, and native prairie grasslands. The agricultural buffer shall include areas densely vegetated and sparsely vegetated to accommodate nesting and foraging opportunities for a variety of species.</p>
<p>OSH4. Burrowing owl habitat should be on the northwest segment of the agricultural buffer, pending confirmation from the City’s wildlife biologist;</p>	<p><u>Included in the Baseline Project Features:</u></p> <p>Install artificial burrowing owl dens in the agricultural buffer in consultation with a qualified biologist.</p>
<p>OSH5. The agricultural buffer and east-west channel should be managed for habitat</p>	<p>The primary purpose of the east-west channel is for drainage and as such it must be periodically dredged etc. to maintain flood protection. However,</p>

	<p>Project commits to enhance the channel and restore habitat value with peripheral plantings in consultation with the Center for Land Based Learning.</p> <p>The agricultural buffer will be utilized for several purposes amongst which is the creation of habitat with a commitment to utilize primarily native and drought tolerant plant species and to establish a variety of native habitats for both nesting and foraging. The Project emphasizes habitat for the Burrowing Owls and includes three dens.</p>
<p>OSH6. The east-west channel must have a public access easement</p>	<p><u>Included in the Baseline Project Features:</u> The Project requires inclusion of greenways meeting City’s definition. The Baseline Project Features map identifies a publicly accessible greenway along the channel. Project figures identify a walking path and class 1 bike lane.</p>
<p>OSH7. Trees and pollinator habitat should be disbursed throughout the site, including in parking areas;</p>	<p><u>Included in the Baseline Project Features:</u> Native and drought tolerant plants shall predominate the plant palette. Valley Oaks or other local native oak species will be significantly incorporated into the agricultural buffer area.</p>

<p>OSH8. If the agricultural buffer remains on the “Mace 25” site, the agricultural buffer should be wider.</p>	<p>The width of the buffer was analyzed in the Davis Innovation & Sustainability Campus EIR. It was determined that the 150 foot buffer is adequate if certain provisions are met. Nevertheless, City has not entered into any easement with Developer yet and has the discretion to insist upon a wider buffer during future negotiations.</p>
<p>OSH9.One of the project’s “Conditions of Approval” should be that the project come back to the Open Space and Habitat Commission before approval of appropriate final entitlements.</p>	<p>If a component of future entitlements is within the purview of the commission, that component may be sent to the OSHC at the discretion of Council.</p>

<p>OSH10 The Open Space and Habitat Commission does not recommend the ARC project as currently proposed, because it will result in the substantial net loss of the following noteworthy combination of open space values:</p> <ul style="list-style-type: none"> • Prime agricultural land (96.6% classified as Farmland of Local Importance, including approximately 141 acres of Prime Farmland), • Open space on the City’s perimeter (“Urban Fringe”), • Potential habitat for sensitive species such as Swainson’s hawk (California Threatened), burrowing owl (Species of Special Concern), and white-tailed kite (Fully Protected) (“Biological Resources”), • Views of significant landmarks, namely the Sierra Nevada and the Sacramento skyline (“Scenic Resources”) and aesthetic qualities more generally, • Open space and habitat opportunities on seven of the entire City-owned twenty-five acres in the Northwest corner of the site (“Mace 25”), and • Open space and habitat opportunities on the Howatt-Clayton Ranch, proposed as water runoff storage. <p>The Open Space and Habitat Commission urges the City Council to strongly factor in the loss of these open space values in the Council’s decision-making process. If the ARC project were to remove the ag buffer from the Mace 25 property and to include a developer-financed habitat enhancement project on the disturbed</p>	<p>The project has been recommended for approval by staff. These comments will be forwarded to the decision makers for their consideration.</p>
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<p>area of Howatt Ranch, the Commission would be willing to revisit its decision.</p>	
<p>OSH11 The Open Space and Habitat Commission (OSHC) reiterates its January 7, 2020 recommendations regarding the future use of the City's Mace 25 parcel.</p>	<p>The January 7, 2020 recommendations are addressed in OSH1 through OSH9.</p>
<p>OSH12 The Open Space and Habitat Commission recommends that the City's 25 acres of open space just to the east of the Mace curve and northwest of the proposed ARC site (Mace 25) either not be annexed to the City, or if they are annexed, that they are given an "Agriculture" and/or "Natural Habitat Area" General Plan Land Use Designation.</p>	<p>The Mace 25 property is proposed to be zoned Agriculture.</p>
<p>OSH13 The Open Space and Habitat Commission recommends the following language be included in the development agreement and baseline features for the ARC Project as currently proposed:</p> <p><i>City-owned land shall not be utilized in any manner, including but not limited to conveyance of easements or transfer in fee title, to fulfill any component of the project's agricultural, open space and/or potential habitat impact mitigation obligations. City-owned land shall also not be utilized for the purposes of meeting the project's off-site stormwater conveyance and/or storage needs. This prohibition includes but is not limited to the "Mace 25" parcel and the "Howatt/Clayton Ranch" properties.</i></p> <p>If the ARC project were to remove the ag buffer from the Mace 25 property and to include a developer-</p>	<p>This comment has been taken into consideration as the draft Development Agreement was negotiated. Language related to this concern is addressed in the draft Development Agreement, Exhibit H.</p>

<p>financed habitat enhancement project on the disturbed area of Howatt Ranch, the Commission would be willing to revisit its decision.</p>	
<p>OSH 14 The Open Space and Habitat Commission recommends the following, slightly modified from language from the Draft ARC SEIR (Page 3-14), be included in the baseline features for the ARC Project:</p> <p><i>The agricultural buffer for the ARC Project would include planned and natural spaces, utilized in part for drainage swales, on-site detention, bio swales, visual and noise attenuation, and owl habitat, as well as cycling and pedestrian trails. The 22.6-acre agricultural buffer would abut active agricultural operations located along the north and east sides of the site.</i></p> <p><i>The project applicant, in consultation with a biological expert, would build three artificial burrow complexes for burrowing owls within the agricultural buffer along the perimeter of the ARC Site. The burrow complexes would be located within the 150-foot wide agricultural buffer, but not within the drainage swales, or the 50-foot wide agricultural transition area, where bike paths, community gardens, and other potential uses could occur. A burrowing owl site management plan would be prepared consistent with applicable portions of the Yolo HCP/NCCP.</i></p> <p><i>In recognition of the fact that burrowing owls require relatively short vegetation with sparse shrubs and taller vegetation and burrows for nesting, the ARC Project will implement the following measures within the external 100-foot buffer</i></p>	<p>This comment is referred to the decision makers as a possible substitute mitigation measure.</p>

<p><i>area to ensure that the existing and created habitat within this area will be beneficial for burrowing owls:</i></p> <ul style="list-style-type: none"> • <i>Reduce or cluster trees to allow large expanses of grassland within the buffer, Implement seasonal mowing, or preferably, stock grazing of grassland areas in the buffer to maintain short grass height preferred by burrowing owls,</i> • <i>Preserve any California ground squirrels that colonize the buffer grasslands, including their burrows, and</i> • <i>Establish the three artificial burrow systems currently proposed in the buffer area. The buffer on the north side of the ARC Site, east of CR 104 is a particularly suitable location to establish one or more of the artificial burrows. Nearby, occupied burrowing complexes exist along CR 104, on the Mace Boulevard curve, and along CR 30B.</i> 	
<p>OSH15 The Open Space and Habitat Commission recommends that the agricultural buffer as currently required under 40A.01.050 be included as a baseline project feature for the ARC Project.</p>	<p>The Agricultural Buffer on the project perimeter is a baseline project feature and a requirement of the Davis Municipal Code.</p>
<p>OSH16. The Open Space and Habitat Commission recommends that the following mitigation measure be included in the Development Agreement for the project:</p> <p>In the event that an active burrowing owl burrow is discovered within the proposed development limits of the Aggie Research Campus (Project) site. If the Project will result in the permanent loss of active burrowing owl burrows, a qualified biologist</p>	<p>Endangered species are protected by Federal and State Law. The developer will be required to comply with the law in the event burrowing owls are found on or near the property prior to construction.</p>

<p>should prepare a mitigation and monitoring plan in accordance with CDFW's Staff Report on Burrowing Owl Mitigation (2012). The Mitigation and Monitoring Plan should be submitted for CDFW review and approval prior to the start of Project activities. The Mitigation and Monitoring Plan should include the permanent protection of occupied burrowing owl habitat, at a mitigation to impacts ratio acceptable to CDFW, through a conservation easement deeded to a non-profit conservation organization or public agency with a conservation mission, for the purpose of conserving burrowing owl habitat and prohibiting activities incompatible with burrowing owl use. Habitat should not be altered or destroyed on the Project site, and burrowing owls should not be excluded from burrows until mitigation lands have been legally secured and are managed for the benefit of burrowing owls according to Department-approved management, monitoring and reporting plans; and the endowment or other long-term funding mechanism is in place or security is provided until these measures are completed.</p>	
<p>OSH17 The Open Space and Habitat Commission recommends that the burrowing owl habitat area is distinct from the drainage swale in the ag buffer and that the bike paths should be situated so that they are not negatively impacting the burrowing owl habitat. Both of these recommendations should be in the Development Agreement.</p>	<p>The features necessary for the protection of the burrowing owls will be included in the design for the Agricultural Buffer, and will be evaluated by a professional wildlife biologist at the time the improvement plans for the Ag Buffer is prepared.</p>

Social Services Commission

“The Social Services Commission recommends that, if the City Council approves the Davis Innovation & Sustainability Campus project, the following project features should be included in the project’s “Baseline Project Features” and/or Development Agreement	Project Proposal Response to Commission Recommendation
SSC1. The City require the builder to comply with the affordable housing requirements at the time of construction with a strong preference for onsite affordable units.”	<u>Included in the Baseline Project Features:</u> The project will provide for no less than 153 affordable housing units through the use of those methods identified in City Ordinance and subject to Council approval. At least 100 of the Project’s affordable housing units will be constructed on-site. See Development Agreement for details.

<p>“The Recreation and Parks Commission recommends that, if the City Council approves the Davis Innovation & Sustainability Campus project, the following project features should be included in the project’s “Baseline Project Features” and/or Development Agreement</p>	<p>Project Proposal Response to Commission Recommendation</p>
<p>RPC 1 <u>Onsite Park Details</u> – Developer will ensure public access through a recorded easement to a minimum of 15 acres of onsite parks. Of the minimum of 15 acres of onsite parks, a neighborhood park of a minimum of 7.5 net acres of contiguous park land will be established in accordance with the City of Davis Parks and Recreation Master Plan.</p>	<p>The project must comply with the provisions of the Quimby Act, which is codified in Davis Municipal Code Section 36.08.040. As such, the project is required to dedicate 11.14 acres of parkland. The applicant has proposed to dedicate 12.8 acres which exceeds its obligation. The city does not have to authority ask for more park acreage unless agreed to as part of a Development Agreement. The park locations have been laid out on the land use plan</p>
<p>RPC 2 The parks will be designed and maintained to meet the needs of the residents who reside at the project site, and will include children playgrounds and picnic facilities with adequate shading, public art, natural/landscaped areas, and multi-use open fields. This neighborhood park will include a softball / multi-use field that meets the field of play regulations appropriate for youth and adult organized softball for use by employees and residents of the project site, as well as Davis community sports programs, and will include permanent spectator seating, dugouts, fencing, and lights for use at night and in the evening.</p>	<p><u>Included in the Baseline Project Features</u> Open space, greenbelts, courtyards and parks, including the agricultural buffer area, will comprise approximately 49 acres or ¼ of the DISC site. The open space and park areas will include programmed and passive gathering spaces, miles of new pedestrian and bicycle trails and facilities, sports fields, and vegetated landscape buffers. The ultimate park design and programming will be reviewed by the Recreation & Park Commission when the park design details come forward.</p>

<p>RPC3 The neighborhood park will be completed in Phase 1, and within 3 months from when the first person occupies a residential unit at the project</p>	<p><u>Included in the Baseline Project Features</u> The central park located on Mace Boulevard and the off-grade crossing of</p>
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<p>site. All use of the onsite parks, including rental by Davis residents, will be managed by the City of Davis Parks and Community Services Department in accordance with City Council Policy for rental and use of city facilities. The City of Davis shall be entitled to charge and collect a fee for the reserved use of the onsite parks.</p>	<p>Mace Boulevard shall be constructed in Phase 2.</p> <p>Improvements to the Mace Drainage Channel, the accompanying east/west class 1 bike trail and the parks south of the channel will be commenced in Phase 2.</p>
<p><u>RPC4</u> Park Construction and Design – Developer will be responsible to construct all onsite parks and open space, and will consult with the City of Davis Recreation and Park Commission as well as City of Davis Parks and Community Services Department concerning all programming and equipment installed in the onsite parks</p>	<p><u>NEW RESPONSE</u></p> <p><u>Included in the Development Agreement</u></p> <p>Programming of the parks shall be determined collaboratively by Developer and City recognizing the unique nature of the Project site to <i>ensure it meets the needs of residents and onsite workers. This may include a playground, picnic facilities with adequate shading, public art, and appropriate measures to protect park users from nearby roadways.</i> Sports fields will be included to accommodate both local athletic leagues and onsite league <i>and may include such features as spectator seating, dugouts, and fencing.</i> If so desired by the City during the programming of onsite parks, lighting for the sports fields shall be included, installed and paid for by the Developer. All programming which may result in impacts not previously contemplated shall be subject to appropriate environmental review prior to action and implementation.</p> <p><i>Developer shall install art in publicly accessible communal spaces including but not limited to the Oval Park and Transit Plaza.</i></p>
<p><u>RPC5</u> The parks will be designed in accordance with best practices so as to provide a safe place for City residents to recreate, including, as necessary, appropriate measures to protect park visitors from nearby roadways. The Developer agrees to receive approval</p>	<p><u>See above</u></p>

<p>from the Parks and Community Services Department on all final park designs and programming.</p>	
<p><u>RPC6</u> Park Maintenance – Developer will ensure that all maintenance associated with onsite parks and open spaces will meet or exceed the standards expected as Class-A commercial facilities in perpetuity, and will further meet or exceed all operative City of Davis maintenance standards for parks, including but not limited to the City of Davis Integrated Pest Management Policies and Procedures, as those policies and procedures may be amended from time-to-time, as well as the ban imposed by the City of Davis on the use of glysophate in City parks.</p>	<p><u>Included in the Baseline Project Features</u> Form a financing district to pay for the maintenance and upkeep of all publicly accessible park, greenbelt and open spaces.</p> <p><u>Development Agreement Ex. I:</u> Developer will retain ownership of park and greenbelt spaces and, accordingly, shall be responsible to construct and maintain all onsite parks and open spaces, relieving the City of a considerable financial burden.</p>
<p><u>RPC7</u> Developer agrees that all maintenance costs associated with meeting the foregoing standards will be assumed by Developer and/or by the DISC Master Owners’ Association, and to the extent that the City is required to expend its own resources to meet the standards agreed to herein that the City shall be entitled to compensation from Developer and/or DISC Master Owners’ Association for the value of City’s resources so expended.</p>	<p><u>See above</u></p>
<p><u>RPC8</u> Peripheral Trail – Developer will ensure public access through fee or easement to a 7.5 acre peripheral trail that will run along the perimeter of the Project site and which will include a walking path and a class 1 bike trail. At least a material portion of either the walking path or the class 1 bike trail must be completed in Phase 1, and within 3 months from when the first commercial tenant occupies the site so as to provide recreational opportunities for the employees who will work at the site. The trail will also be open to residents of the site and the public at large.</p>	<p><u>Included in the Baseline Project Features</u> Develop a minimum of 2.75 miles of publicly accessible bike lanes and walking paths on-site</p> <p>Improvements to the Mace Drainage Channel, the accompanying east/west class 1 bike trail and the parks south of the channel will be commenced in Phase 2.</p> <p>The agricultural buffer and associated peripheral bicycle and pedestrian trail shall be constructed in segments concurrent with adjacent development.</p>

	<p>The peripheral trail and bike path will be completed in Phase 3.</p>
<p><u>RPC9 Turf Usage</u> – Parks and recreational areas will minimize the use of natural grass turf while balancing the needs of certain sporting activities.</p>	<p><u>Development Agreement Ex. J:</u></p> <p>Turf will be strongly discouraged and utilized only in areas programmed for activities such as the Oval.</p>
<p><u>RPC10 Off-Grade Bicycle Crossing</u> – A class 1 bike trail will parallel the Mace Drainage Channel, be serviced by an off-grade crossing of Mace Blvd, connect with the City easement located east of the Project site, and will enhance overall regional bicycling connections.</p>	<p><u>Included in the Baseline Project Features</u> Construct a grade separated bicycle and pedestrian crossing of Mace Boulevard connecting to local and regional trails.</p> <p>Develop a minimum of 2.75 miles of publicly accessible bike lanes and walking paths on-site.</p>
<p><u>RPC11 Strain on City Facilities</u> – The residents of the 850 residential units and the 6,000 employees will undoubtedly further the strain on existing City resources. The Commission recommends that City Council require, either as a Baseline Project Feature or as part of a Developer Agreement, that the Developer agrees to make a financial contribution to a parks development fund, in addition to park impact or construction tax fees, for the City to use on projects identified in the Masterplan Park Update, on infrastructure updates, or on other high-priority projects.</p>	<p>Developer is making a commitment to contribute to fund municipal services.</p>
<p><u>RPC13 Private Ownership</u> – The Commission is concerned that the private ownership of land proposed to be used as a public park via easement presents potentially novel issues related civil liberties. For example, will private security or local police have jurisdiction to patrol the parks? Will citizens have a right to protest on this sort of privately owned public park lands in the same way as they would on traditional City-owned park land? The Commission encourages</p>	<p>Project will grant City a public access and recreation easement over the park and greenway features. Permitting unencumbered public access to the park areas should afford the public all rights it has in any City-owned park.</p>

<p>City Council to work with the City Attorney to fully analyze these concerns so as to ensure the protection of residents' civil liberties.</p>	
<p>RPC14 Municipal Arts – The Commission encourages City Council to have a discussion with the Developer about an appropriate plan for creating spaces for public art within the Project. The Commission proposes that the Developer be required to make a financial contribution to public arts to be managed through the City's internal processes for selecting and installing public art in accordance with City standards.</p>	<p><u>There is no plan for public art, however it could be incorporated into the project with future entitlements</u></p>

<p>“The Tree Commission recommends that, if the City Council approves the Davis Innovation & Sustainability Campus project, the following project features should be included in the project’s “Baseline Project Features” and/or Development Agreement</p>	<p>Project Proposal Response to Commission Recommendation</p>
<p>TC1 Tree Quantity - The Davis Innovation and Sustainability Campus development will have a minimum of 4,000 trees, as defined in the City of Davis Tree Ordinance, provided by the developer with the following goals</p>	<p><u>Included in the Baseline Project Features</u> The site shall accommodate a minimum of 1,000 trees for shading and carbon benefits. The maintenance and growth of all onsite trees will be monitored by a third-part arborist and failure to meet tree obligations (i.e. number and shading requirements) will be subject to penalty.</p>
<p>TC2 Bike paths: 80% canopy coverage after 15 years</p>	<p>Development Agreement Ex. G: Landscaping shall provide 80% shading of pedestrian walkways and off-street Class I bike paths. 50% parking lot shading shall be achieved through either shade trees or photovoltaic arrays. These requirements shall be demonstrated at building permit for PV or shall be achieved within 15 years of planting for areas shaded by trees. Failure to meet shading requirements shall be considered a code violation and subject to penalty until remedied.</p>
<p>TC3 Parking lots: 50% canopy coverage after 15 years or solar arrays at the time of lot construction</p>	<p><u>See above.</u></p>
<p>TC4 Manufacturing area: 15% minimum canopy coverage after 15 years</p>	<p><u>Project does not identify shade canopy based upon use type. Project shall comply with City standards for shading unless otherwise specified.</u></p>
<p>TC5 Housing, mixed-use, office R&D and commercial areas, including hotels: 30% canopy coverage after 15 years</p>	<p><u>See above</u></p>
<p>TC6 Parks: 30% minimum canopy coverage after 15 years</p>	<p><u>See above.</u></p>
<p>TC7 Bike paths to the west of the project, if built as part of DISC proposal,</p>	<p>The City has design standards for bike paths that will dictate shading requirements <u>offsite.</u></p>

<p>will have 80% canopy coverage after 15 years and will be in addition to the 4,000 tree requirement for the development.</p>	
<p>TC8 The project will have a Tree Management Plan. The Tree Management Plan will allow for each tree to have an assigned number to easily locate and identify specified trees.</p>	<p><u>Included in the Baseline Project Features</u> The site shall accommodate a minimum of 1,000 trees for shading and carbon benefits. The maintenance and growth of all onsite trees will be monitored by a third-party arborist and failure to meet tree obligations (i.e. number and shading requirements) will be subject to penalty.</p>
<p>TC9 There shall be habitat and species diversity in the AG buffer. Species should be a mix of valley oak woodland, grassland/burrowing owl habitat, and seasonal wetlands swales.</p>	<p><u>Included in the Baseline Project Features</u> A diversity of native habitats shall be disbursed and managed throughout the site, primarily within the agricultural buffer and along the channel, including but not limited to riparian and California oak savanna. The agricultural buffer shall include areas densely vegetated and sparsely vegetated to accommodate nesting and foraging opportunities for a variety of species.</p> <p>Install artificial burrowing owl dens in the agricultural buffer in consultation with a qualified biologist.</p>
<p>TC10 Tree plantings must include drought tolerant and climate-ready trees. There will be a minimum of 200 locally native <i>Quercus sp.</i>, Oak trees.</p>	<p><u>Included in the Baseline Project Features</u> Native and drought tolerant plants shall predominate the plant palette. Valley Oaks or other local native oak species will be significantly incorporated into the agricultural buffer area.</p>
<p>TC11 In the open space area along the east/west ditch, through the middle of the proposed project shall include at minimum 50% California central valley native riparian tree species.</p>	<p><u>Included in the Baseline Project Features</u> Restore and enhance the portion of the Mace Drainage Channel onsite utilizing native riparian vegetation while maintaining its drainage conveyance function.</p>
<p>TC12 There will be hedgerows planted with native species including <i>Heteromeles arbutifolia</i>, Toyon, <i>Ceanothus sp.</i>, <i>Ceanothus</i>, <i>DISCtostaphylos sp.</i>, Manzanita, <i>Fremontodendron</i></p>	<p>The planting of hedgerows is identified within the agricultural buffer. The landscape plans will be a part of Final Planned Development and subject to City review at that time.</p>

<p><i>californicum</i>, Fremontondendron, <i>Cercis</i> sp., Redbud, and <i>Rhamnus californica</i>, Coffeeberry, especially on the edge of the 50-foot portion of the AG buffer.</p>	
<p>TC13 A preference for permeable paving throughout the project.</p>	<p><u>Development Agreement Ex. G:</u> All streets and surface-level parking shall utilize low-impact development (LID) features, such as bioswales, to capture and filter runoff and to maximize groundwater recharge. Piping of runoff will be discouraged and only utilized when necessary.</p>
<p>TC14 Tree Planting Specifications and Irrigation Structural soil and/or suspended substrate pavement shall be used in parking lots. A preference for permeable paving is highly recommended around trees. When planting in parking areas or along paved walkways, developer will size pavement treatment area to adequately accommodate the tree varietal's intended size. All tree plantings must comply with ANSI A300 Standards and be inspected before backfilling. Irrigation is required and must be indicated on the landscape plans.</p>	<p><u>Included in the Baseline Project Features</u> Trees planted in parking areas or street-adjacent shall use structured soil or suspended substrate to allow successful tree root development. Developer shall size pavement treatment areas to accommodate the anticipated size(s) of the various tree varietals.</p>
<p>TC15 Phasing of Tree Planting Inner 50 feet of Ag buffer (public access and bike path area) to have all tree planting in early part of Phase 1, including those trees that will provide 80% shade for bike path Riparian area on drainage channel to be completed in Phase 1</p>	<p><u>Included in the Baseline Project Features</u> The agricultural buffer and associated peripheral bicycle and pedestrian trail shall be constructed in segments concurrent with adjacent development. The peripheral trail and bike path will be completed in Phase 3. Improvements to the Mace Drainage Channel, the accompanying east/west class 1 bike trail and the parks south of the channel will be commenced in Phase 2. The central park located on Mace Boulevard and the off-grade crossing of</p>

<p>Trees for the large park on central west side of development to be in Phase 1 with park completion</p> <p>Outer 100 feet of ag buffer to be planted in Phase 2</p> <p style="text-align: center;">•</p>	<p>Mace Boulevard shall be constructed in Phase 2.</p>
<p>TC16 Follow-up Tree Care Guarantees for Success</p> <p>Developer or successor to pay the City for arborist services to annually monitor all trees in the project. (indefinitely)</p> <p>Financial penalties to be specified in development agreement and determined at the start of each phase.</p> <p>The tree maintenance in the Ag buffer shall be funded by a special assessment district as is described under 40A.01.050e “The city reserves its right to form a special benefit assessment district, or other applicable district as is permitted under state law, and to maintain the agricultural buffer and transition area once the land is improved, dedicated, and annexed.” The district will include the entirety of the DISC business park.</p>	<p><u>Included in the Baseline Project Features</u></p> <p>Developer will establish a Master Owners Association which reports to the City biennially and is responsible for measurement, verification and assuring compliance with Project baseline features, sustainability obligations and mitigation measures.</p> <p>The site shall accommodate a minimum of 1,000 trees for shading and carbon benefits. The maintenance and growth of all onsite trees will be monitored by a third-part arborist and failure to meet tree obligations (i.e. number and shading requirements) will be subject to penalty.</p>
<p>TC17 Inspection Protocol</p> <p>Robust annual inspection and documentation protocol to ensure the City of Davis Tree Ordinance is followed. This inspection includes tree canopy, irrigation needs, and any need to adjust, fix, prune, and/or replant any trees.</p> <p>Every stage of the development will be reviewed by the Tree Commission.</p>	<p><u>NEW RESPONSE</u></p> <p><u>Included in the Development Agreement</u></p> <p>Planting practice and <i>ongoing</i> tree health shall be subject to 3rd party verification by the City’s Urban Forest Manager or a <i>mutually agreed upon arborist</i>. <i>The maintenance and growth of all onsite trees will be biennially monitored by a third-party arborist who will provide recommendations to improve tree health such as pruning, mulch and irrigation practices. Inspection, maintenance and replacement costs shall be borne by the Developer or services district. Compliance with arborist recommendations is mandatory and failure to comply shall be considered a violation of project</i></p>

	<p><i>entitlements and subject to penalty.</i> If, five years from the original date of planting, a tree is not growing at its anticipated rate or is otherwise showing signs of failure, that tree will be identified by the Urban Forest Manager or arborist who, at his or her discretion, may require tree replacement.</p>
<p>TC18 Immediate financial consequences, shall be determined if the trees are not planted or trees are not being maintained per the tree management plan for the property. Consequences should incentivize initial compliance.</p>	<p><u>See above</u></p>
<p>TC19 Reimbursement Protocol to City from Developer Developer will reimburse the city for the full cost of both initial plantings and the annual follow-up care. City shall inspect the plantings prior to accepting the project. The Full Cost of Care includes the City Arborist's time to undertake the review of the trees and/or the cost to supervise an outside Arborist hired by the City (possibly subcontracted by Tree Davis) to undertake the review of the trees. Cost of any new trees and their proper follow-up for the next phase of tree life.</p>	<p><u>See above</u></p>
<p>TC20 Extra Costs - Incurred when the Developer/Contractor/Etc. allow for improper plantings that have not been signed-off as having any of the following:</p> <ol style="list-style-type: none"> 5. The proper tree planted 6. The proper sod and groundcover installed 7. The proper standards for width and depth of dirt hole size for specified tree 8. The proper follow-up tags assigned for next Phase of Tree Life 	<p><u>See above</u></p>

<p>TC21 Phase of Tree Life</p> <p>3. Each tree is assigned a unique identifier number that provides the following tree information:</p> <ul style="list-style-type: none"> h. Name i. Unique specifications determined by planting-to-spec details (Parking lot vs. suspended pavement vs. structural soil) j. Location within the development k. Phases l. Progression m. Replacement, if needed n. Photo documentation <p>4. Allowed under approval by City Arborist and/or City hired Arborist Photos must include:</p> <ul style="list-style-type: none"> 1. Tree Unique Identifier Number - shown large enough to read. 2. Hole depth and width shown along with a measuring stick - from two angles with root ball in place but not covered showing proper hole width and depth 3. Root ball Cleared - shown from different angles that circling roots are cleared 4. Root crown showing after dirt is filled in hole 5. New Stakes 6. Root ball right depth 7. Nursery stakes removed 8. Tree Canopy 	<p>This type of programmatic detail is not typically included in a land use based application.</p>
<p>TC22 Burrowing Owls Statement - The City of Davis Tree Commission is sympathetic to burrowing owls but find it to be the Open Space and Habitat Commission and Natural Resource Commission purview to oversee burrowing owl protection and our tree</p>	<p><u>Included in the Baseline Project Features</u></p> <p>Install artificial burrowing owl dens in the agricultural buffer in consultation with a qualified biologist</p>

recommendations and requirements should be understood and implemented to fit with those other commission recommendations for burrowing owl protections.	
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<p>“The Finance and Budget Commission <i>urges Council to consider comments FBC1 through FBC7 as the city negotiates the final development agreement and considers the project.</i></p>	<p>Project Proposal Response to Commission Recommendation</p>
<p>FBC1 Compensation: There are a number of city assets, including 6.8 acres of City open space, being utilized by the applicant. We would expect to see in the DA an external appraisal of any assets and fair market compensation for them.</p>	<p>If the City Council ultimately chooses approve an easement, compensation would be required as specified in Exhibit H of the Draft Development Agreement.</p>
<p>FBC2 Tax Exempt Organizations: We suggest that the City protect itself from any property tax reduction by writing in language to the development agreement to shield the city from lease or acquisition by entities exempt from paying property taxes.</p>	<p>Provided for in Draft Development Agreement Section 201(7).</p>
<p>FBC3 Uncertainty: While the overall project on both a leveraged and an unleveraged basis look to have a healthy return for the developers, in the EPS report they state that “Phases 1 and 2 rates of return are significantly stronger than for those of Phases 3 and 4.” We suggest that the City assess any risk here to best ensure that the project gets built out over the >20 year time horizon so that Davis gets the full fiscal benefits. One way to do that would be to consider a different phasing of the housing perhaps moving more into the latter phases to provide the target return in all phases.</p>	<p>The developer has maintained that the overall projected returns that are projected in the project are attractive for them to move forward with the project. The housing allocation has been spread to housing the workforce as well as help fund early infrastructure.</p>

<p>FBC4 COVID-19: We recognize that the EPS analysis was done prior to the global</p>	
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<p>pandemic and that it would be very difficult to forecast the effects of COVID-19 on the model. However, it is our new reality and tough to ignore. Unless it is believed that a full economic recovery will take place prior to completion (and thus property tax valuation of the initial construction) it's reasonable to assume follow-on effects in the overall economy will affect at least initial demand for ARC property, and thus the underlying valuation. As property tax increases are capped at 2% regardless of any increase in the value of the underlying property (i.e., as a result of economic recovery), any shortfalls in initial valuation would roll through the financial model.</p>	<p>Given the length of the project buildout forecast, it is likely that the project will see several economic cycles. The project still has implementing entitlements to proceed with, infrastructure and building design and permitting. These items take time to work through and it is likely that reassessments of property values will begin as the local economy is on a path to recovery. Senility analysis was also conducted as part of FBC comments that were received on this matter and the project still produced a significant, positive fiscal benefit for the City.</p>
<p>FBC5</p> <p>Semiconductor Manufacturing: Calling out semiconductor manufacturing as a potential onsite user of the advanced manufacturing site did raise concerns from citizens as it does involve potentially toxic and carcinogenic chemicals albeit it can be “clean” manufacturing if removal of potential hazards is done correctly. While not specifically part of a DA, the city may want to be sure that any additional costs for safety and inspection and training of fire personnel if such an entity were to be part of ARC, were borne by others and not passed on to the city.</p>	<p>Should the City desire to potentially allow for this use, tools such as a Conditional Use Permit could be required to ensure a higher level of scrutiny is applied to ensure no public nuisance or safety hazards are presented. This is a land-use planning matter that is of the purview of the Planning Commission and City Council.</p>

<p>FBC6</p> <p>Impact Fees: FBC has no way to assess that the impact fees and construction taxes outlined in Table 4 of the EPS report are sufficient to cover future costs such as the roadway improvements. We</p>	<p>The City will collect development impact fees and construction taxes over the course of the project buildout. The fees are updated from time-to-time with the next update anticipated to occur after the upcoming General Plan update. The</p>
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<p>assume that the city will do appropriate analysis on these to ensure that is a “good deal” for the city.</p>	<p>project will continue to be subject to updated impact fee and construction tax rates over the course of the buildout.</p>
<p>FBC7</p> <p>Innovation: Members of the FBC who are actively engaged with innovation specifically around technology believe there is not much in the proposal to encourage innovation. Specifically, how it helps small business (1-50 employees) especially those working on technology transfer. It would be good to tie this to other initiatives in the city for innovation/entrepreneurship perhaps by negotiating a portion of the build out to be designated to incubate new entrepreneurs and start-ups based in Davis.</p>	<p>The project will is anticipated to provide a variety of different space sizes and configurations to suit a number of different user needs. The applicant has been advised of this comment for a response and a potential proposal.</p>

RESOLUTION NO. 21- , SERIES 2021

RESOLUTION OUTLINING THE PURPOSE & SCOPE, AND REVIEW OF THE DISC 2022 PROJECT BY THE COMMISSIONS OF THE CITY OF DAVIS

WHEREAS, the City of Davis City Council accepted a renewed application for the Davis Innovation and Sustainability Campus (DISC) project in June 2020; and

WHEREAS, the proposed DISC project was considered and recommendations were made by the Open Space and Habitat Commission, the Natural Resources Commission, the Bicycling Transportation and Street Safety Commission, the Recreation and Parks Commission, the Social Services Commission, the Tree Commission, the Finance and Budget Commission, and the Planning Commission prior to a final decision by the City Council; and

WHEREAS, on July 7, 2020, the City Council, after carefully considering the recommendations of the city commissions, staff, and the general public approved the proposed DISC project and referred it to be placed on the ballot for consideration by the City of Davis electorate at the November 3, 2020 election; and

WHEREAS, on November 3, 2020, the electorate of the City of Davis voted to not approve the proposed General Plan land use map amendments that would convert the agricultural land uses to an urban land use designation; and

WHEREAS, on July 7, 2021, the applicants of the DISC project submitted a revised application for a project called DiSC 2022; and

WHEREAS, the applicants for the DiSC 2022 request that the proposed project be processed in a manner that would allow for the City Council to consider the project in a timeline that would allow for possible referral to the June 2022 ballot; and

WHEREAS, the DiSC 2022 project is similar in nature and land uses as the DISC project, but at 118 acres, is approximately half the size of the original project; and

WHEREAS, City Commissions undertook considerable review of the previously proposed project in great detail providing meaningful feedback for City Council consideration; and

WHEREAS, as part of the City Commissions process in reviewing the previously proposed project, the issues have been narrowed and are well understood in evaluating the revised DiSC 2022 proposal; and

WHEREAS, the DiSC 2022 project's most significant alteration is its proposed size, the City Council desires an efficient and timely commission review of the revised project using the prior advisory comments as a baseline for review, in recognition that the commission's

time is of value and that the past comments help in guiding the project review for the commissions.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Davis does hereby approve the attached statement of purpose and scope for commission reviews of the proposal.

PASSED AND ADOPTED by the City Council of the City of Davis on this 7th day of September, 2021, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Gloria J. Partida
Mayor

ATTEST:

Zoe S. Mirabile, CMC
City Clerk

DiSC 2022 Commission Review

PURPOSE AND SCOPE

The DiSC 2022 project, is a revised version of the DISC project that was approved for land use entitlements through the City's legislative entitlement process but failed to be approved by the Davis voters as a Measure J project in the November 2020 election. The original DISC project was 228 total acres that was to be annexed to the City upon approval while the DiSC 2022 project is a reduced total of 118.5 acres. The DiSC 2022 proposed land uses are similar in nature to those included in the DISC project. The Reynolds and Brown property and the City property (commonly known as the Mace 25), both located north of the project site, are not included in the project proposal.

The purpose of having advisory commissions review a proposed project is to generate comments, provide feedback, and ultimately provide advisory recommendations to the City Council relative to the purview of each commission as defined in the resolution that established each commission. The DiSC 2022 project is a scaled-down version of the prior DISC proposal that was previously reviewed by city commissions. As part of the commission review process for DISC, the issues were narrowed and well understood by the time the DISC project was heard by the City Council. Considering the thorough past discussion and time expended by the commissions on project issues that resulted in a compilation of advisory comments that were forwarded to the City Council, coupled with the project being a scaled-down version of the prior proposal, the City Council is seeking for the commissions to use prior comments as a baseline and either reaffirm or modify prior comments as part of the upcoming review. Therefore, the City Council directs each Commission listed below to:

- 1) Have commissioners familiarize themselves with the DiSC 2022 project, specifically as it relates to the purview of the individual commission for which they serve.
- 2) Compare the comments generated from the Commission in 2020 to the proposed project.
- 3) Eliminate those comments that are no longer relevant.
- 4) Add and/or modify any comments as necessary.
- 5) Communicate the final recommendations back to the commission's staff liaison and direct them to forward the recommendations to the Planning staff and ultimately to the City Council.

SCHEDULED MEETINGS

It is anticipated that the following dates / meeting times will be set aside as the date when DiSC 2022 will be placed on the agenda for each affected commission for the purpose of the commissions to provide advisory comments to the City Council consistent with the purpose and scope of review.

October 4, 2021	Open Space and Habitat Commission
October 20, 2021	Recreation and Parks Commission
October 21, 2021	Tree Commission
October 25, 2021	Natural Resources Commission
December 9, 2021	Bicycling, Transportation and Street Safety Committee
December 13, 2021	Finance and Budget Commission
December 20, 2021	Social Services Commission

EXPECTATIONS

The following expectations provide the basis for meetings and collaborative communication among the various commissions being asked to provide feedback and recommendations on the DiSC 2022 project.

1. Anticipated Number of Meetings and Duration of Project

A total of approximately seven (7) advisory Commission meetings are anticipated to take place between October and December. Meetings will be held during the regularly scheduled meeting dates for each commission unless otherwise approved by the City Manager. The City Manager retains the authority to modify dates in “Scheduled Meetings” section of this resolution. Affected commissions would be promptly notified if there is a need to change a “Scheduled Meeting” date. No Commission Subcommittees shall be established as part of the DiSC 2022 project review unless approved or directed by the City Council.

Each commission’s meeting dates will be published on a project website created specifically for the DiSC 2022 project. The website is already operational and a link to the project website will be provided on the Community Development page of the City's website. The project website will provide information regarding the proposed project as the public process progresses. Meeting materials will be posted on the project website and be available for public review.

The project is expected to be scheduled for final City Council consideration by February 2022.

2. Information Sharing

Relevant information plays an important role in the development of informed consent. At the same time, too much information or information of limited relevance can cause confusion and slow down the process. Where individual members wish to share written or printed information with their commission as a whole, such information should be provided to the Commission liason at least 72 hours prior to any scheduled meeting to allow for duplication and/or distribution by staff to other commissioners and posted for the general public prior to the meeting.

3. Communications and the Brown Act

All Commission member questions, comments, and other correspondence should be directed to City staff. Electronic communications shall be guided by the same general protocols for communication, problem solving and negotiation that are followed when the group is in general face-to-face or virtual commission meeting sessions. All email correspondence shall be directed through the City staff at least 24 hours in advance of meetings if possible. Compliance with the Brown Act also requires that members of the Commission refrain from commenting about the group's activities on social media.

4. Participation and Observation by Members of the Public

All Commission meetings are open to the public and all observers are welcome. Members of the public will have an opportunity to address each Commission during each meeting for a period of time established by the Chair but not to exceed three minutes for an individual or five minutes for an attending group of five or more that wish to cede their time to an individual speaker who will represent the attending group. Members of the public are encouraged to submit written materials in advance of the meetings via the City staff.

5. Relationship to Staff and Consultants

Each Commission has an assigned liaison. Staff and liaisons will provide written and verbal information to the commission, and respond to questions whenever possible.

Specific legal issues shall be directed through City staff for a response from the City Attorney, as needed.

6. Relationship to Planning Commission and City Council

Information and recommendations from the various commissions will be documented and reported to the Planning Commission and City Council in writing and/or graphic form. Recommendations from each commission will include an explanation for all decisions. The Planning Commission and City Council will review the recommendations, and the City Council will retain ultimate decision-making authority for all project decisions leading to a decision of whether to place the proposal on a ballot for consideration of the electorate pursuant to Measure J/R/D. The Planning Commission will review, amend, and supplement the work of the Commissions to create the draft entitlements, and CEQA public review. The City Council will review and amend the draft plans before certifying the CEQA document and approving the land use applications if approval is the ultimate decision of the City Council.