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## 2. RESPONSES TO COMMENTS

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## 2

## RESPONSES TO COMMENTS

### 2.0 INTRODUCTION

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This chapter contains responses to City commission comments and comment letters from other agencies or interested persons submitted regarding the 3820 Chiles Road Project (proposed project) Draft Environmental Impact Report (EIR).

### 2.1 RESPONSES TO COMMENTS

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

**Letter 1**

**Historic Resources Management Commission (HRMC) Summary of Comments on DEIR for 3820 Chiles Road (8/20/18 and 9/17/19 Meetings)**

<b>1-1</b>	The HRMC discussed and provided comments on the Draft EIR relative to Cultural Resources at their meeting on August 20 <sup>th</sup> . While no formal vote was taken, there was general agreement on several specific points that include:
<b>1-2</b>	1. Correct the HRA and EIR to reflect and reference the current 2015 DPR survey form completed for the property and its conclusions for the site's Landmark eligibility status.
<b>1-3</b>	2. Add a summary of the property owner's extensive efforts to adaptively re-use the site as part of the site's historical record.
<b>1-4</b>	3. Enhance the proposed mitigation measure for the Historic Documentation Report to add that the report shall be made available electronically and to include other locations receiving a copy, such as the University Collections.
<b>1-5</b>	4. Enhance the proposed mitigation measure for the plaque/display to detail what type of information should be included and where it should be located and recommend that an HRMC subcommittee can provide input and help.
<b>1-6</b>	5. Add as mitigation measure item c), a requirement to develop a plan to locate and find the time capsule that was buried on the site and to appropriately handle it.
<b>1-7</b>	Additionally, the HRMC directed staff to return to their next meeting to formally consider a recommendation to City Council to designate the subject property as a historical resource. A technical recommendation is anticipated as part of the HRMC's duties. However, several commissioners also acknowledged in their comments that the building's design and function may be obsolete and that demolition of the building may be appropriate in order to find a use for the site. Commissioner's also expressed appreciation for the property owner's efforts to adaptively re-use the site and his summary of those efforts (see Attachment).
<b>1-8</b>	At their September 17, 2018 meeting, the HRMC took additional action and voted to:
<b>1-9</b>	1. Recommend that the City Council designate the property as a Merit Resource. 2. Acknowledge that the HRMC believes that the site should be designated and that adaptive reuse of a historic resource is generally the best course of action, but that given the voluminous record of the owner's efforts to reuse the site, the HRMC recognizes that adaptive reuse does not appear feasible in this case and should be taken into account by the City Council.
<b>1-10</b>	An additional correction was noted that the property history portion of the 2015 DPR 523 Form should be corrected to reference "Freland" Mace instead of "Fredland."
<b>1-11</b>	↓

**Letter 1  
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August 14, 2018

To: The Historical Resources Management Commission  
From: Lawrence Shepard and Chuck Cunningham, Co-owners  
3820 Chiles Road Project  
Re: Adaptive Reuse of the Pacific Standard Life Building

Commissioners:

This document, based on the more voluminous Project Application, describes seven separate initiatives to evaluate, implement, or otherwise further adaptive reuse of the Pacific Standard Life Building. The first of these was mounted by UC Davis when it weighed exercising its option to purchase the building and site. The other six were supported over a three-year period by Lawrence Shepard as he searched for a means to achieve his goal in buying the property, preservation of the existing structure.

**Letter 1  
Cont'd**

**Adaptive Reuse of the Pacific Standard Life Building**

**Origins of the Building**

Built in 1965 for Intercoastal Life Insurance Company, predecessor to Pacific Standard Life Insurance Company, the 53,000 square foot building occupies the western half of a 7.4 acre (400'x800') parcel. The second story housed corporate offices while the first floor stored the voluminous insurance contracts, records and securities of the company in the pre-digital era. The first floor was built as a vault with one entrance, no windows and partially subterranean. In 1989 the building's ownership passed to the California Commissioner of Insurance as receiver in the July 1989 bankruptcy of Pacific Standard's successor, Southmark Corporation, a high-flying Texas-based financial services company that used junk bonds to buy up smaller companies.

**Development Team**

The building was purchased by an investor group that included Lawrence Shepard in 1996 and was leased to the University of California under a 20-year lease. In August 2014 the University announced to the ownership group that it would not extend its occupancy of 3820 Chiles Road or exercise its option to purchase the property. Fond of the existing building, he was attracted to the challenge of adaptively reusing it as he had preserved other properties including:

- the 1874 Hunt Boyer Mansion, Davis, a National Register property that was under threat of demolition when he bought and restored it in 1978
- his primary residence at 66 College Park built in 1926 that, when acquired in 1980, served as a boarding house for 11 students
- three flats in the Francesca Apartments, 850 Powell Street, San Francisco dating from 1924
- two 75-year-old cabins in Bucks Lake, Plumas County
- 15 early and mid-Century homes in Davis and Sacramento, California
- approximately 30 less remarkable postwar tract homes and condominiums abandoned and boarded up during the Great Recession.

Identifying as a (now retired) professor rather than a developer, Shepard finds fulfillment in breathing new life into old structures. The process most often involves interdependent issues of physically and financially stabilizing properties while rehabilitating and repurposing them. These are tasks corporate developers find time-consuming, risky and complex.

Chuck Cunningham, well known civil engineer in Davis, joined Shepard as co-owner and co-manager of the project.

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**Letter 1  
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**Adaptive Reuse of the Existing Building**

The table and text that follow describe seven separate initiatives to evaluate, implement, or otherwise further adaptive reuse of the Pacific Standard Life Building. The first of these was mounted by UC Davis when it weighed exercising its option to purchase the building and site. The other six were supported over a three-year period by Lawrence Shepard as he searched for more than two years for a means to achieve his goal in buying the property, preservation of the existing structure. After studying purchase of the building in some depth UC Davis decided not to exercise its option to purchase the building. In declining to buy the property the UC Davis Executive Director of Real Estate Services cited seismic issues discovered by consulting engineers and its poor location. Remedying the seismic issues would have added considerable but unknown costs to a much-needed rehab of the building. The locational issue was not distance from campus (UC occupies a great deal of space across I-80 equidistant from campus) but isolation: 3820 Chiles Road is not adjacent to other offices and providers of support services.

It is noteworthy that after extensive due diligence, the largest office and R&D tenant in the region--one possessed of a burgeoning appetite for space, one for which the specified purchase price was not a significant sum, and one which had occupied and operated the building for 20 years--concluded that in light of the building's structural and locational limitations, it was not worth rehabilitating.

2015 Study Team. After taking possession of the property in 2015 with the intention of restoring the building, the owner assembled a study team to assess the practicality of developing the site with the existing structure as the centerpiece of an office/R&D park. The team was composed of a contractor, an architect, an engineer, two commercial real estate brokers, and the owner. Notwithstanding the owner's predilection, the team concluded saving the building was impractical due to a combination of structural and design issues. Paramount among these were seismic deficiencies identified by engineers retained by UC Davis. Other major impediments identified by the study team included its isolated location, gross deficiencies with respect to Title 24 and ADA requirements, obsolete design and layout, and the vault-like basement.

The study team concluded that at best rehabbing the building would cost what a new building would cost without meeting modern design standards for commercial buildings and could cost considerably more because of unknowns. Far from representing an asset for economic development, this conspicuous site and obsolete building could stand brown and dark for many years so it should be demolished in favor of uses for which there is current demand.

After confronting the impracticality of restoring the obsolete building, the study team analyzed the feasibility of demolishing the building and developing a new office/R&D park on the site, without the burden of the existing building. Multiple plot plans and pro formas were considered. The challenge here was three-fold:

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**Initiatives Intended to Support the Preservation of the Pacific Standard Life Building (2013 - 2017)**  
 3820 Chiles Road

Initiatives	Type	Proposed Land Use	Focused on Adaptive Reuse of Existing Building?	Time Line
UC Davis Due Diligence including Seismic Review in anticipation of exercising favorable purchase option	Feasibility Study	Office R&D	Yes: UCD declined to exercise option to purchase after detailed assessment	
Ongoing marketing efforts to lease or rebuild-to-suit using multiple commercial real estate brokers	Marketing Campaign	Office R&D	Yes: attracted no prospective buyers or tenants in 3 years	
2015 Study Team developed detailed cost analysis & layout for R&D Park with existing bldg. as centerpiece	Feasibility Study	Office R&D	Yes: determined adaptive reuse to be infeasible and the site to be infeasible	
PSL Lofts Condominium Project	Alternative Use Study	Residential	Yes: experienced development partners declined to participate because of risk	
2015 - 2016 City of Davis & Greater Sacramento Economic Development Campaign	Marketing Campaign	Office R&D	Yes: attracted no prospective buyers or tenants in 2 years	
MarketONE Builders/Cushman & Wakefield Economic Feasibility Analysis	Feasibility Study	Office R&D	Yes: determined site to be infeasible for Office R&D due to size and location	
2017 Economic & Planning Systems, Inc. Independent Evaluation of Land Use Alternatives	Feasibility Study	Office R&D	Yes: concluded office R&D and retail uses infeasible with or without existing building	
Current Project - EIR	Alternative Use Study	Residential	No	

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1. Commercial real estate brokers on the team argued that R&D and office tenants prefer to co-locate with similar uses and with service providers in a “campus” environment. This resonated with UCD’s second reason for leaving the site, its isolation. To overcome this, the team proposed using some of the already small site to open space amenities for employees and visitors. On this site in this market, they also argued that there should be 5 parking spaces per 1000 square foot of building rather than the required 4 spaces. These provisions materially reduce the buildable square footage. Finally, the brokers estimated a minimum five to seven-year build-out of any office/R&D park built on this site. In addition to tying up millions of dollars in infrastructure, this exacerbates risk by making the project vulnerable to any new, larger research park approved in the interim like Mace Ranch Innovation Center.
2. While design and development of corporate facilities in urban centers are influenced by corporate image and marketing, office/R&D space in suburban markets like Davis is built for local enterprises and start-ups making it cost-driven. Such space represents a commodity and its development is subject to huge economies of scale. As a result, projects like the Interland Research Park (originally about 50 acres), the original Mace Ranch Research Park across I-80 (more than 100 acres) and the proposed Mace Ranch Innovation Center (102 acres) enjoy much lower development costs than sites as small as 3820 Chiles Road (7.4 acres).
3. There is an abundant inventory of land already zoned for and better located for business park. Just in the immediate vicinity of the site, south of I-80 adjacent to the freeway between the Mace Blvd. and Richards Blvd. exits there are more than 20 acres of vacant office/R&D land. This land alone, when considered next to the vacant standing inventory of office space, represents more than a decade’s absorption in the Davis market.

The factors caused the study team to conclude it is impractical to establish a commercial business park on the 7.4 acre site.

2015-2016 City and Regional Economic Development Efforts. Aware of the University’s decision to vacate the existing building and acting under the impetus of the city’s critical need for new revenue, the city’s deputy chief innovation officer contacted the owner in August 2015 expressing interest in using the building to stimulate economic development in Davis. She and senior city staff toured the building in December and were provided the 2014 seismic study as well as summary statements of the contractor and real estate brokers who participated in the 2015 Study. The city remained interested in the possibility that the building could be used to attract a major technology firm from the Bay Area. An informal arrangement was agreed upon under which the City of Davis economic development team and Greater Sacramento CEO Barry Broome would draw the property to the attention of a specific internationally known tech giant and other firms expressing interest in the region. The owner could pursue alternative uses but was asked to support the economic development effort by having a rendering of the building drawn for use by economic development officers of the City of Davis and Greater Sacramento. Wanting to unreservedly support the city’s aspiration to bring a tech giant to Davis, the owner went the extra step of developing a printed brochure and a two-minute animated rendering at



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a cost of \$8,000. After the passage of a full year, local officials indicate that they had not been able to identify a single prospective tenant to show the materials requested.

The applicants believe that city staff responsible for economic development now concur with the 2015 Study Team that the 52-year-old building does not have the potential to attract a user.

2016 MarketOne Builders and Cushman & Wakefield Analysis of the Viability of Building a New Building. A concern remained that by rezoning the site from commercial to residential uses the City Council might be tying the hands of future councils by reducing the supply of commercially zoned land (albeit highway commercial land). In the summer of 2016 the owner asked Cushman and Wakefield, an international commercial real estate brokerage firm, to assess the viability of creating a new office building on the site. At their request, James Fitzgerald of MarketOne Builders did a cost study of constructing a *new* office building that met modern design, seismic and energy efficiency standards. His site-specific numbers were very close to numbers produced a year before by Steve Harrison and his group of subcontractors. Cushman and Wakefield Managing Director Ron Thomas and his Davis colleague Jim Gray analyzed Fitzgerald's cost figures against market rents in Davis. Their conclusion is that if a developer were to build such a structure today *putting in the land at zero cost*, the developer

“ . . . would lose \$111,000 per year, at 90% occupancy, and would take construction risk. This deal would never get underwritten for a loan . . . Average rents in Davis (are) \$1.86 MG (per month gross). Until rents rise – to \$2.75 or \$3.00 per foot it is unlikely that any spec office building will get built.”

In the long run, office and commercial rents in our region rise by little more than the rate of inflation, two to three percent annually, so a fifty percent increase in rents would require more than a decade and, of course, the land has more than zero cost.

This analysis provides confirmation of the findings of the 2015 Study Team: it would be many years—likely decades-- before this parcel becomes viable for such office/R&D uses.

Continued Efforts to Market the Property (Q4 2014 to the present). Starting soon after he contracted to buy out his partners in Fall 2014, the owner alerted prominent members of the commercial brokerage community that he intended to rehab the building so it and the unbuilt half of the site would be available for lease and/or build-to-suit. As was noted above, this marketing effort was supplemented by the work of economic development officers from the city and Sacramento region in their efforts to bring companies to the area. This 28-month effort has produced nothing: these sources have identified only three prospects with any possible interest but none of them were interested enough to tour the property. Two of these were fitness/recreational center users and one was office and light manufacturing, a far cry from the high-tech R&D user sought for broader civic benefit.

The applicants' inability to attract even one potential buyer or tenant to tour the building or site confirm the conclusions of the 2015 Study Team and the City of Davis/Greater Sacramento

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marketing effort on behalf of the region: firms that want to locate in Davis—especially firms capable of being game changers in the local economy—require land and build-to-suit opportunities in research parks large enough to provide three things: economies of scale in development; co-location with service providers; and expansion opportunities.

2017 Economic & Planning Systems, Inc. (EPS) Study. This study, conducted by an independent consulting firm often used by the City of Davis and other jurisdictions, analyzes the viability of developing the site under four land use scenarios with options 2 through 4 requiring demolition of the existing structure:

1. Adaptive reuse of the existing building for office/R&D use
2. Construction of a new office/R&D building
3. Construction of mid-sized retail
4. Construction of for-sale and rental housing as contemplated in our original application (later modified to all rental)

EPS determined that it is not economically feasible to develop the site for office/R&D purposes either by adaptively reusing the old building or by starting with new construction. Adaptive reuse would require one time and on-going losses having an estimated total present value of \$6.6 million even when zero cost is attached to the land. Under this scenario, the 52-year-old building would retain locational and functional limitations enumerated in the report.

New construction of an office/R&D building would yield a more functional building without remedying locational limitations but it was still estimated to lose \$4.1 million without allowance for land costs. In its detailed analysis, EPS identified as the source of this conclusion low commercial rents prevailing in the Davis and regional markets. For an office/R&D project to make sense to an investor and lender, monthly lease rates would have to rise by about 50 percent \$2.90 per gross leasable square foot, a phenomenon that would likely require decades.

The conclusion of EPS that office/R&D is infeasible on this site corroborates:

1. the decision of UC Davis not to purchase and renovate the building following its 2014 due diligence;
2. the findings of the 2015 Study Team and the 2016 MarketOne Builders and Cushman & Wakefield analysis; and
3. the fruitless marketing efforts of the owner, his brokers and city and regional economic development authorities since early 2015.

**1-11  
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**LETTER 1: HISTORIC RESOURCES MANAGEMENT COMMISSION, CITY OF DAVIS**

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**Response to Comment 1-1**

The comment is introductory and does not address the adequacy of the Draft EIR.

**Response to Comment 1-2**

The following revisions to the text of the Draft EIR address the comment:

In accordance with direction from the Historic Resources Management Committee (HRMC), the Draft EIR, page 4.2-15, Chapter 4.2, Cultural Resources, is hereby revised as follows:

DPR 523 Primary Record and BSO Record

In ~~November 2013~~ March 2015, Kara Brunzell completed a DPR 523 Primary Record and BSO Record focused on the existing structure at 3820 Chiles Road. The Brunzell evaluation relies upon review of numerous archived articles published in the Davis Enterprise and the Sacramento Bee, as well as other local publications, and a site visit. The information gathered by Brunzell was used to determine the potential historicity of the subject structure. Evaluation of the structure by Kara Brunzell was conducted on ~~November 11, 2013~~ March 1, 2015.

In accordance with direction from the HRMC, page 4.2-16, Chapter 4.2, Cultural Resources, of the Draft EIR, is hereby revised as follows:

NRHP Criterion A/CRHR Criterion 1 and Davis Historical Landmark Criteria

For NRHP and CRHR eligibility under NRHP Criterion A and CRHR Criterion 1, respectively, a resource must be associated with one or more event or historic theme of importance. According to the DPR 523 Primary Record and BSO Record, based on the building's association with the broad patterns of the history of Davis, the commercial development of Yolo County and the City of Davis, and the financial crisis of the late 1980s in California, the building ~~was~~ is considered eligible for listing under NRHP Criterion A and CRHR Criterion 1. ~~However, according to Historic Resource Associates' update provided in the DPR 523 Continuation Sheets, while both Interoast Life Insurance Company and Pacific Standard Life Insurance Company helped boost the local economy, so did many other local firms, large and small, including UC Davis. In addition, the original firm that occupied the subject property, Interoast Life Insurance Company, was only in the building for a few short years (1966-1970). As a result, according to the DPR 523 Continuation Sheets, the building is not eligible for listing under NRHP Criterion A or CRHR Criterion 1.~~

~~Similarly, ¶~~The DPR 523 Primary Record and BSO Record originally determined the building to be considered a Davis landmark resource, eligible for listing on the DRHR. A landmark resource means buildings, structures, objects, signs, features, sites, places, areas, cultural landscapes or other improvements of the highest scientific, aesthetic, educational, cultural, archaeological, architectural, or historical value to the citizens of the City of

Davis. A landmark is deemed to be so important to the historical and architectural fabric of the community that loss of the resource would be deemed a major loss to the community. ~~According to the DPR 523 Continuation Sheets, neither the property's architectural design, past owners, nor association with UC Davis would elevate the building to listing as a Davis Landmark property. While the property is significant architecturally, as described in further detail below, the place or contribution to the community as a whole is not substantiated by the historical evidence. As such, the building is not eligible for listing under the DRHR as a Davis historical landmark~~

Eligibility for listing as a landmark resource is dependent on the significance and integrity of the site. Loss of integrity, such as redevelopment or removal of architecturally-significant design elements, has the potential to overwhelm the historical significance of a resource and render it ineligible for listing. While the building has received alterations over the years, such as removal of signage and flagpoles, and while a lack of maintenance to the building's landscaping have affected the integrity of the building, the building still retains character-defining aspects of its New Formalist design that allow the building to convey its original historical significance. As such, the building meets the criteria for listing on the DRHR as an individual landmark for its local historical significance and architecture.

The above revisions are for clarification purposes and do not alter the analysis or conclusions within the Draft EIR.

In accordance with direction from the HRMC, the Draft EIR, page 4.2-19, Chapter 4.2, Cultural Resources, is hereby revised as follows:

In addition, Criterion 3 for listing on the DRHR as a merit resource is whether a resource embodies distinctive characteristics of a type, period, architectural style or method of construction; represents the work of a master designer; possesses high artistic values; or that represents a significant and distinguishable entity whose components may lack individual distinction. Based on the discussion above, the property is significant architecturally and is considered eligible for listing on the DRHR as a merit resource per Criterion 3. ~~While a similar criterion exists for eligibility as a Davis historical landmark, for the reasons described under NRHP Criterion A/CRHR Criterion 1 and Davis Historical Landmark Criteria above, the building's sense of place or contribution to the community as a whole is not substantiated by the historical evidence. As such, the building is not also eligible for listing under the DRHR as a Davis historical landmark.~~

The above revisions are for clarification purposes and do not alter the analysis or conclusions within the Draft EIR.

In accordance with direction from the HRMC, the Draft EIR, page 4.2-20, Chapter 4.2, Cultural Resources, is hereby revised as follows:

### Conclusion

Based on the above, the existing structure at 3820 Chiles Road is determined to be historically significant to the City of Davis and eligible for listing on the DRHR as both a merit resource and historical landmark. The building is also eligible for listing on the NRHP and CRHR under NRHP Criterion A/CRHR Criterion 1 € and NRHP Criterion

C/CRHR Criterion 3. As such, the structure is considered a historic resource per the requirements of CEQA.

The above revisions are for clarification purposes and do not alter the analysis or conclusions within the Draft EIR.

The foregoing revisions reflect an update to the Department of Parks and Recreation 523 Primary Record (Appendix H in the Draft EIR) and the Historical Effects Analysis Study (Appendix G in the Draft EIR), which are attached to this Final EIR as Appendices A and B, respectively. Several other sections of the Draft EIR include references to the date of the DPR 523 Primary Record and BSO Record. Therefore, pages 4.2-1, 4.2-4, 4.2-8, and 4.2-18 are hereby revised, in a similar manner, to reflect the revised date of the document from November 11, 2013 to March 1, 2015.

### **Response to Comment 1-3**

The efforts of the property owner to adaptively re-use the site do not directly affect the potential for the proposed project to result in an environmental impact under CEQA. However, the information presented on pages 4.2-3 through 4.2-8, Chapter 4.2, Cultural Resources, of the Draft EIR, provide a detailed discussion of the history of the existing structure and the attempts made by the property owner to adaptively re-use the building.

### **Response to Comment 1-4**

In accordance with direction from the HRMC, Mitigation Measure 4.2-1 on page 4.2-20 of Chapter 4.2, Cultural Resources, of the Draft EIR is hereby revised as follows:

4.2-1 *Prior to demolition of the existing on-site building, the applicant shall:*

- a) *Retain a qualified architectural historian, as approved by the City of Davis Department of Community Development and Sustainability, to prepare a "Historic Documentation Report." The report shall include current photographs of each building displaying each elevation, architectural details or features, and overview of the buildings, together with a textual description of the building along with additional history of the building, its principal architect or architects, and its original occupants. The photo-documentation shall be done in accordance to HABS/HAER guidelines, which should include archival quality negatives and prints. The final Report shall be made available electronically in addition to being deposited with the City of Davis Department of Community Development and Sustainability, the Hattie Weber Museum, ~~and~~ the State Office of Historic Preservation, University Collections, and other appropriate organizations and agencies as identified by the City of Davis Department of Community Development and Sustainability.*
- b) *Place and maintain a publicly accessible space for a memorial or interpretive plaque/display on or near the former location of the*

*subject property, identifying the former location of the building, its original owner, and its historic significance as it relates to Postmodern architectural design. The location of the memorial or plaque/display and information provided therein shall be determined in coordination with a subcommittee of the HRMC.*

The above revisions do not affect the conclusions of the Draft EIR.

### **Response to Comment 1-5**

The time capsule at the project site has been located by the property owner, who has subsequently notified the City. The owner is in the process of reviewing the recovered materials, and will be coordinating with the City regarding the means of curation, if appropriate.

### **Response to Comment 1-6**

See Response to Comment 1-4. In addition, page 4.2-4 of Chapter 4.2, Cultural Resources, of the Draft EIR has been revised as follows to acknowledge the presence of the time capsule on the site:

For the building at 3820 Chiles Road, Silvio Barovetto produced his boldest design to date, and perhaps ever, according to the DPR 523 Primary Record and BSO Record, as the design was considered very modern for its time.<sup>5</sup>The building was constructed in 1966 by Campbell Construction Company for Intercoast Life Insurance Company. At the building's opening in 1966, a time capsule, set to be opened in the year 2032 to commemorate the 100<sup>th</sup> anniversary of Intercoast's funding, was buried on the site. The time capsule was filled with items deposited from State and local officials along with leaders of industry in the aerospace field. The time capsule at the project site has been located by the property owner, who has subsequently notified the City. The owner is in the process of reviewing the recovered materials, and will be coordinating with the City regarding the means of curation, if appropriate.

### **Response to Comment 1-7**

See Responses to Comments 1-8 and 1-9 for discussions regarding the designation of the project site as a historical resource.

### **Response to Comment 1-8**

The HRMC voted to recommend that the City Council designate the site as a Merit Resource. The Draft EIR concluded that the existing structure is determined to be historically significant and eligible for listing as a Merit Resource under the Davis Register of Historical Resources (DRHR). Therefore, designation of the site as a Merit Resource was anticipated by the Draft EIR and, even with implementation of Mitigation Measure 4.2-1, a significant and unavoidable impact related to causing a substantial adverse change in the significance of a historical resource would result. As such, the official designation of the site as a Merit Resource under the DRHR does not affect the conclusions of the Draft EIR.

### **Response to Comment 1-9**

The comment reflects the perspective of the HRMC regarding the commission's preferred course of action for the site and the HRMC's recognition of why that course of action is not feasible. The comment does not address the adequacy of the Draft EIR and has been forwarded to the applicant and decision-makers for consideration.

### **Response to Comment 1-10**

The Draft EIR, page 4.2-2, Chapter 4.2, Cultural Resources, is hereby amended as follows:

#### **Historic Context of the Project Site**

The 3820 Chiles Road building is now located well within the City boundaries of Davis, but when planning for the structure first began in 1964, the site was still on Yolo County land, some two miles east of Davis. Five years prior, in 1959, a local developer, Bruce Mace, and his sons, Herbert and C. ~~Fred~~ Freland, had begun developing the El Macero Country Club outside of Davis city limits. They intended the development to eventually include several hundred homes, a championship-grade golf course, and an extensive, up-scale commercial district located just off of Interstate 80. By July of 1964, construction had begun on a Standard Oil service station, and the Mace family announced plans to convert 23 acres of bean fields into a 250-room motel, the Voyager Inn, and the new offices for the Intercoast Life Insurance Company.

The above revisions are for clarification purposes and do not alter the analysis or conclusions within the Draft EIR.

### **Response to Comment 1-11**

The comment provides the document that the applicant handed to the HRMC at the meeting. The document provides a history of the building and a summary of efforts on the part of the owner to adaptively re-use the property and does not address the adequacy of the Draft EIR.

**Letter 2**

**PC Comments on Draft EIR (8/29/18 Meeting)**

**2-1**

1. Waste Water: The discussion at the bottom of page 4.8-34 and top of page 35 states that the existing sewer system flowing to El Macero Drive has the capacity to support build out of the General Plan including the proposed project, but “The shed will be fully developed upon completion of this project, with little opportunity to add additional flows in the future.”
  - a. What exactly does this passage mean, and what is its significance? Does it mean that future development of other remaining sites along Chiles Road will be precluded, or that the owners of other properties seeking development approval will be faced with large sewer improvement costs?

**2-2**

2. Comment about existing trees to be retained. Suggested following additional trees that could be preserved based on numbers from the Arborist Report: Tree #156, 157, 158, 159, 161, 175, 177, 178, 179, 180, 181, 182.

**2-3**

3. Comments about historic analysis and that HRMC implicitly endorsed the findings of the historic survey when it was accepted and its findings that the site is eligible as a Landmark even if they have not formally recommended designation. Additional and more specific comments to be provided.



**LETTER 2: PLANNING COMMISSION, CITY OF DAVIS**

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**Response to Comment 2-1**

The project site is located within a developed portion of the City, and the project area sewer shed, depicted in Figure 4.8-5, of the Draft EIR, has largely been built out per existing land use designations. Within the sewer shed area depicted in Figure 4.8-5, of the Draft EIR, the project site represents the only site within the sewer shed available for infill development.

Considering the degree of existing development within the sewer shed encompassing the project site, the passage indicated by the commenter is intended to convey that the sewer shed is currently near full build out, and following implementation of the proposed project the sewer shed would be considered fully developed and built out. Because the area would be considered built out following completion of the project, and other potential infill sites do not exist within the sewer shed, future development within the sewer shed that would increase wastewater flows within the shed are not anticipated to occur.

In order to provide greater clarity within the Draft EIR, and in response to the comments offered by the Planning Commission, the following revisions to page 4.8-35, of the Utilities and Service Systems chapter, of the Draft EIR, have been made:

With respect to the collection system, according to Attachment 6 of the Utility Study for the proposed project, the existing City sewer system flowing to El Macero Drive has the capacity to support the buildout of the General Plan with the inclusion of the proposed project (d/D equal to 50%). The shed encompassing the project site is currently near buildout, and will be considered fully developed upon completion of this project, with little opportunity to add additional flows in the future. Accordingly, following implementation of the proposed project, future development within the shed, and associated future additions of wastewater flow within the shed, is not anticipated.

The foregoing revisions do not affect the analysis of the Draft EIR, and are for clarification purposes only.

**Response to Comment 2-2**

The comment mentions consideration to retain specific trees that were recommended by an ISA Certified Arborist in a project-specific report to be removed due to development of the proposed project. Development of the proposed project would require removal of a number of on-site trees protected by the City's Municipal Code. Accordingly, the applicant is required to provide for on-site replacement, off-site replacement, and/or payment of in-lieu fees. Mitigation Measure IV-e ensures that the project would implement the tree preservation guidelines provided in the project-specific Arborist Report.

A follow-up site walk with Rob Cain, the Urban Forest Manager for the City of Davis, was conducted by Cunningham Engineering on July 30, 2018 to review the Existing Trees Plan Exhibit and review any concerns the City may have with the proposed tree removal and preservation plan.

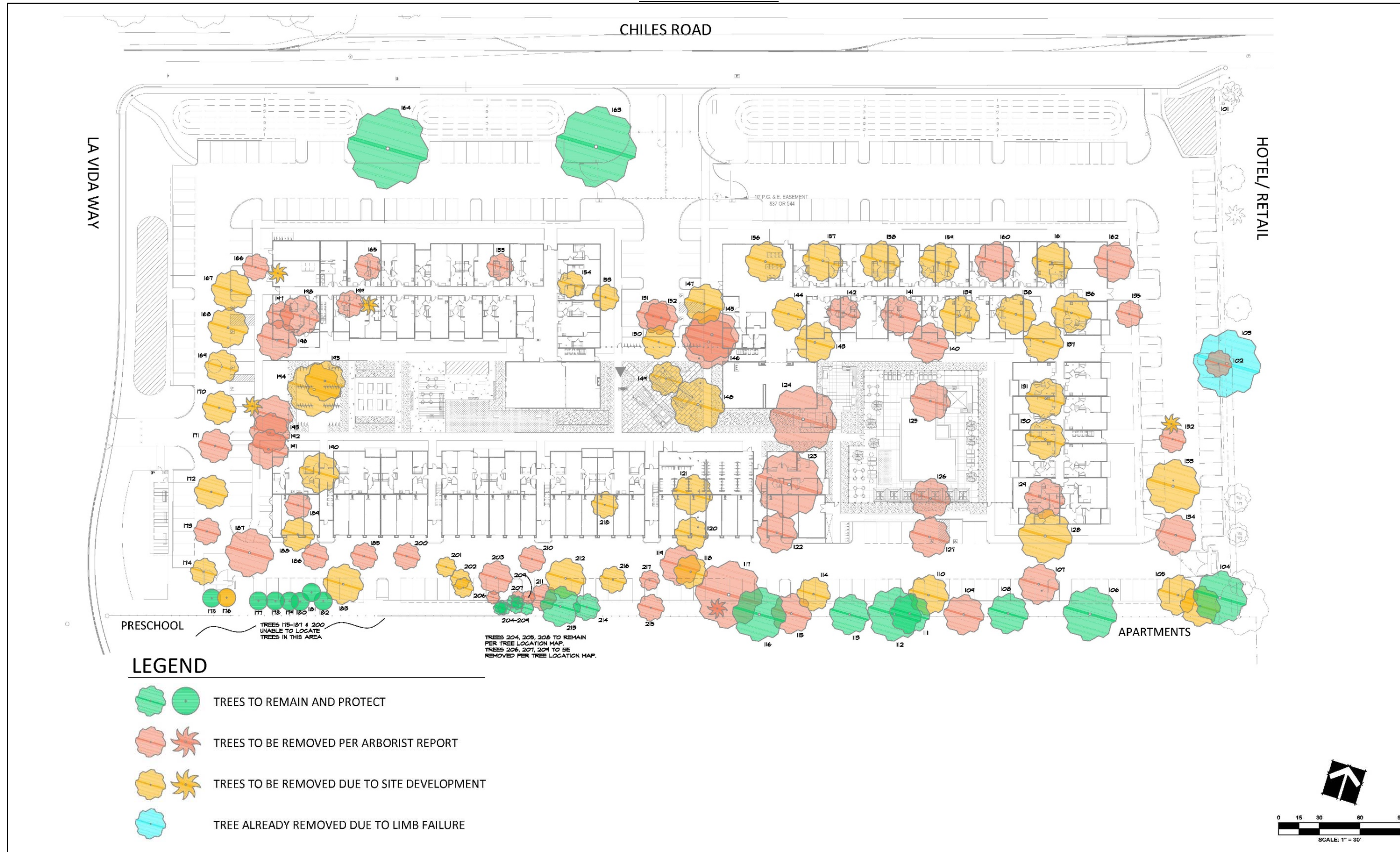
During this site visit, it was determined that many of the trees that make up the existing berm surrounding the building create a visual barrier and subsequent safety concerns. For example, six Chinese tallow trees on the southern portion of the site, numbered 104, 106, 108, 112, 113, and 116, were recommended for removal due to the species having a propensity for limb breakage, which could cause damage to nearby pedestrians and parked vehicles. The trees would be removed and replaced with larger more drought tolerant species to better serve the project and the community in the long term. A memo describing the results of the site walk was prepared and is included as Appendix C to this Final EIR. Based on the memo and the project-specific arborist report, a feasible solution to preserve the trees mentioned in the comment does not exist. The Draft EIR, page 1-8, Chapter 1, Introduction, is hereby revised as follows:

Development of the proposed project would require the removal of a substantial portion of the existing on-site trees, including trees protected by the City's Municipal Code (see Figure 1-1); however, Mitigation Measure IV-5 would ensure impacts related to a potential conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, would be *less than significant*. Specifically, Mitigation Measure IV-5 requires the implementation of tree preservation measures prior to and during construction for all trees to be preserved on the project site. Figure Furthermore, Mitigation Measure IV-6 from the Initial Study would ensure that the mitigation/conservation requirements from the recently adopted Yolo Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) would be adhered to prior to and during construction of the proposed project, as applicable. Given compliance with Mitigation Measure IV-6, impacts related to a potential conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan, would be *less than significant*. Mitigation Measures IV-5 and IV-6 are included in Section 2, Executive Summary, of this EIR.

Included in the memo is a revised exhibit showing the on-site trees to be removed, which is hereby added as Figure 1.1 to page 1-9, Chapter 1, Introduction of the Draft EIR as shown on the next page. It should be noted that this figure reflects adjustments to the Tree Removal Plan figure since the August 29, 2018 public comments meeting to accept comments on the Draft EIR.

An updated Arborist Report, dated November 30, 2018, was prepared by Tree Associates (see Appendix D to this Final EIR) with an updated Tree Exhibit. It provides additional clarifying information, but does not substantially alter any analysis or recommendations. The clarifying information notes that the 12 trees identified in the comment are in fair to good condition and updates the arborist's recommendations noting that the trees numbered 156, 157, 158, 159, and 161 should be removed due to site development and providing pruning recommendations on the other seven trees (trees numbered 175, 177, 178, 179, 180, 181, and 182) noted in the comment that will be retained. The updated tree exhibit included as Figure 1-1 incorporates those recommendations and preserves those seven trees.

**Figure 1-1  
Tree Removal Plan**



**Response to Comment 2-3**

See Response to Comments 1-8 and 1-9 for discussions regarding the designation of the project site as a historical resource.

**Letter 3**

**3820 Chiles Road DEIR Review  
BTSSC Meeting Comments (September 13, 2018)**

*Public Comment:*

Chris Granger (Cool Davis):

- |             |  |
|-------------|--|
| <b>3-1</b>  | 1. It is Cool Davis' priority to reduce transportation greenhouse gas emissions. They're trying to advise commission on getting to net zero GHGs. The BTSSC should look at the cumulative impacts of GHGs being added over time. Build site infrastructure to support future transportation needs. Cited the need for different vehicles for different trips.  |
| <b>3-2</b>  | <i>General Commission Comments Summarized:</i>   |
| <b>3-3</b>  | 2. Expressed general support for use and location.   |
| <b>3-4</b>  | 3. Number of parking spaces is a concern; that Davis Live was a good standard (1 space per unit).  |
| <b>3-5</b>  | 4. Concerned about distances to transit.   |
| <b>3-6</b>  | 5. Encouraged additional EV capacity to accommodate for the next 20 years.   |
| <b>3-7</b>  | 6. The number of electric charging spaces needs to be enumerated.  |
| <b>3-8</b>  | 7. Capabilities for e-bikes and other two wheeled vehicles needs to be in the plan.  |
| <b>3-9</b>  | 8. Inquired if net zero energy is a project objective.   |
| <b>3-10</b> | 9. Asked about PV in the project.  |
| <b>3-11</b> | 10. Suggested using corner car spaces for covered bike parking.  |
| <b>3-12</b> | 11. Buffered bike lane on Chiles Road does not meet suggested safe standards for an arterial street.   |
| <b>3-13</b> | 12. Consider bike lane on La Vida way.   |
| <b>3-14</b> | 13. Unhappy the Natural Resources Council isn't looking at the project.  |
| <b>3-15</b> | 14. The BTSSC Parking Subcommittee pressed Davis Live on parking issue and is now coming back to the commission. The BTSSC can work with this developer too. Agrees with incremental and cumulative impacts of development. Also suggests the following be incorporated: <ul style="list-style-type: none"> <li>○ Should decrease turning radii at La Vida way.</li> <li>○ Reallocate proposed Chiles Road frontage investment to Cowell Blvd.</li> <li>○ Provide a connection to Nugget shopping center from project's southeast corner through the private properties.</li> <li>○ Provide only horizontal and two tiered bike parking.</li> <li>○ Provide spaces for 10 oversized bikes at 4' x 10'.</li> <li>○ Provide electronic access to bike parking facility.</li> <li>○ Provide E-bike charging access for 100% of the bicycle parking.</li> <li>○ Providing car share and e-assist cargo biker share can eliminate 80 parking spaces.</li> <li>○ Need secure bike parking at nearby bus shelters.</li> </ul> |
| <b>3-16</b> | 15. The EIR didn't give the BTSSC a lot to work with as it is limited in detail.   |
| <b>3-16</b> | 16. Disappointed by the lack of innovation; the project isn't unique to Davis. Looking to see cost of parking decoupled from apartments; there is no place for carpool or shared ride drop-off; no details for onsite car sharing, bike sharing, and limited specifics on EV charging. Wants to see vehicle parking hidden in the site plan; the building is surrounded  |

**Letter 3  
Cont'd**

- by parking. Need non-standard bike parking. Would like to see project return when more fully fleshed out.
- 3-17** 17. The secondary (northeast) driveway would be safer as a right-turn only entrance/exit.
- 3-18** 18. Comment about placing the parking on Chiles Road next to the travel lane, which would protect the bike lane.
- The BTSSC unanimously passed the following motion recommending the following additions to the project:*
1. Reduce turning speed at La Vida.
  2. Unbundle cost of parking from lease.
  3. Long term parking for oversized bicycles.
  4. Provisions for e-bike charging infrastructure.
  5. Parking spaces for car share around the development.
- 3-19**
- The BTSSC also unanimously passed the following motion to:*
1. Return project to BTSSC as it's further developed and prior to City Council decision.

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

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**Response to Comment 3-1**

Chapter 4.3, Greenhouse Gas Emissions and Energy, of the Draft EIR, provides an in-depth analysis and discussion of cumulative greenhouse gas emission impacts related to the implementation of the proposed project. The comment does not specifically address the adequacy of the Draft EIR.

**Response to Comment 3-2**

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

**Response to Comment 3-3**

As stated on page 3-16, Chapter 3, Project Description, of the Draft EIR, the number of vehicle and bicycle parking spaces would be consistent with the amount of vehicle and bicycle parking spaces required per the City's Municipal Code. As stated on page 4.7-18 of the Draft EIR, the City recognizes that parking is an important planning consideration that will be evaluated as part of the merits of the proposed project. The comment has been forwarded to the project applicant and decision-makers for consideration.

**Response to Comment 3-4**

The project site is located within a SACOG designated MTP/SCS Transit Priority Area. Transit Priority Areas are areas of the region within one-half mile of a major transit stop including existing or planned light rail, street car, train station, or the intersection of two or more major bus routes. Per the MTP/SCS consistency letter for the project, the project is entirely within one-half mile of the Cowell Boulevard high quality transit corridor, as well as the Drummond Avenue and Mace Boulevard high quality transit corridors to the west and east, respectively.

As discussed on page 4.7-6, Chapter 4.7, Transportation and Circulation, of the Draft EIR, Unitrans Q and P routes operate along Cowell Boulevard and Mace Boulevard and the nearest Unitrans stop is located just 700 feet south of the project site at the Cowell Boulevard/La Vida Way intersection. In addition, Yolobus provides service in the vicinity with four routes, the nearest of which are routes 42A and 42B, both of which have stops at the Mace Boulevard/Chiles Road intersection located less than one-half mile east of the project site.

Thus, the project is located within an MTP/SCS Transit Priority Area which would provide future tenants with access to both Yolobus and Unitrans lines within close proximity to the project site.

### **Response to Comment 3-5**

Page 3-20 in Chapter 3, Project Description, of the Draft EIR includes electric vehicle charging stations, among other strategies, as a potential sustainability strategy. The comment concerns design elements associated with the proposed project and does not address the adequacy of the Draft EIR or constitute an impact under CEQA. The comment has been forwarded to the project applicant and decision-makers for consideration.

### **Response to Comment 3-6**

The project will comply with the City's EV Charging Facilities Plan. The EV Charging Facilities Plan includes the following standards for EV charging provisions for multi-family (four or more units) developments:

- Level 1 charging at five percent of all required parking spaces;
- Level 2 charging at one percent of all required parking spaces where more than 20 parking spaces are required;
- Conduit adequate for Level 2 charging to serve or reasonably be extended in the future to 25 percent of all parking spaces; and
- Room in panels and capacity to serve 20 percent of all parking spaces with Level 1 charging and five percent of all parking spaces with Level 2 charging.

Nonetheless, the comment concerns design elements associated with the proposed project and does not address the adequacy of the Draft EIR or constitute an impact under CEQA. The comment has been forwarded to the project applicant and decision-makers for consideration.

### **Response to Comment 3-7**

The project meets City standards for bicycle parking and will provide a minimum of one bicycle space per room. However, the comment concerns design elements associated with the proposed project and does not address the adequacy of the Draft EIR or constitute an impact under CEQA. The comment has been forwarded to the project applicant and decision-makers for consideration.

### **Response to Comment 3-8**

The Draft EIR, on page 3-4, of Chapter 3, Project Description, discusses the project objectives for the 3820 Chiles Road Project. While net-zero energy is not a project objective, the project includes sustainable design elements such as compliance with California's 2016 Building Energy Efficiency (CalGreen) standards. Furthermore, as discussed on page 3-18 of the Draft EIR Project Description, and further clarified in Chapter 3 of this Final EIR, the project would include various other sustainability strategies that meet or exceed the City of Davis' identified existing and additional reach code requirements in CalGreen Tiers 1 and 2, California Energy Code, and Davis Municipal Code. This approach would achieve a similar outcome as Leadership in Energy and Environmental Design (LEED) Gold equivalency, but is more consistent with the City of Davis' current approach to implementing and enforcing sustainability-related measures in development



projects. The comment concerns design elements associated with the proposed project and does not address the adequacy of the Draft EIR or constitute an impact under CEQA. The comment has been forwarded to the project applicant and decision-makers for consideration.

**Response to Comment 3-9**

The proposed project would include a number of sustainability features, as discussed in Response to Comment 3-8 above. As discussed throughout the Draft EIR, particularly in Chapters 4.3, Greenhouse Gas Emissions and Energy, and 4.8, Utilities and Service Systems, significant impacts would not occur related to energy. Accordingly, any inclusion or addition of photovoltaic systems in the project design would not be required in order to substantially lessen a significant impact identified for the proposed project. The comment concerns design elements associated with the proposed project and does not address the adequacy of the Draft EIR or constitute an impact under CEQA. The comment has been forwarded to the project applicant and decision-makers for consideration.

**Response to Comment 3-10**

The comment concerns design elements associated with the proposed project and does not address the adequacy of the Draft EIR or constitute an impact under CEQA. The comment has been forwarded to the project applicant and decision-makers for consideration.

**Response to Comment 3-11**

The project proposes to widen Chiles Road along its frontage to provide a buffered bike lane. The design of the bike lane will be finalized as part of the Department of Public Works' review and approval process, which would ensure compliance with any applicable standards. The comment concerns design elements associated with the proposed project and does not address the adequacy of the Draft EIR or constitute an impact under CEQA. The comment has been forwarded to the project applicant, the Department of Public Works, and decision-makers for consideration.

**Response to Comment 3-12**

The comment concerns design elements associated with the proposed project and does not address the adequacy of the Draft EIR or constitute an impact under CEQA. The comment has been forwarded to the project applicant and decision-makers for consideration.

**Response to Comment 3-13**

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

**Response to Comment 3-14**

Please refer to Response to Comment 3-3, 3-6, and 3-7 regarding parking and bicycle parking. The comment concerns design elements associated with the proposed project and does not address the

adequacy of the Draft EIR or constitute an impact under CEQA. The comment has been forwarded to the project applicant and decision-makers for consideration.

### **Response to Comment 3-15**

The comment does not provide specific details as to which area(s) of the Draft EIR the commenter finds lacking in detail; thus, the City is unable to provide a detailed response. However, Chapter 4.7, Transportation and Circulation, of the Draft EIR, provides an in-depth analysis of the potential impacts that could occur related to vehicle, bicycle, and pedestrian transportation due to implementation of the proposed project. As noted previously, parking is not a CEQA issue.

### **Response to Comment 3-16**

The comment concerns design elements associated with the proposed project and does not address the adequacy of the Draft EIR or constitute an impact under CEQA. The comment has been forwarded to the project applicant and decision-makers for consideration.

### **Response to Comment 3-17**

The comment concerns design elements associated with the proposed project and does not address the adequacy of the Draft EIR or constitute an impact under CEQA. The comment has been forwarded to the project applicant and decision-makers for consideration. However, the northeast driveway is proposed as right-turn only movements.

### **Response to Comment 3-18**

The Chiles Road striping and parking configuration will be finalized as part of the Department of Public Works' review and approval process, which would ensure compliance with any applicable standards. However, the comment concerns design elements associated with the proposed project and does not address the adequacy of the Draft EIR or constitute an impact under CEQA. The comment has been forwarded to the project applicant and decision-makers for consideration.

### **Response to Comment 3-19**

See above responses. The proposed project would provide adequate parking, consistent with requirements per the City's Municipal Code. Accordingly, direct or indirect impacts related to parking would not occur. The comment concerns design elements associated with the proposed project parking and, thus, does not address the address the adequacy of the Draft EIR. However, this comment has been forwarded to the project applicant and decision-makers for consideration.

Letter 4

STATE OF CALIFORNIA - CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

DEPARTMENT OF TRANSPORTATION

DISTRICT 3  
703 B STREET  
MARYSVILLE, CA 95901  
PHONE (530) 634-7616  
FAX (530) 741-4111  
TTY 711  
www.dot.ca.gov/dist3



Making Conservation  
a California Way of Life.

September 10, 2018

GTS# 03-YOL-2018-00051  
03-YOL-80 PM 2.07  
SCH# 201802206

Eric Lee  
City of Davis  
23 Russell Blvd Suite 2  
Davis, CA 95616

3820 Chiles Road

Dear Eric Lee:

Thank you for including California Department of Transportation (Caltrans) in the application review for the 3820 Chiles Road project. Caltrans' new mission, vision, and goals signal a modernization of our approach to California's transportation system. We review this local development for impacts to the State Highway System in keeping with our mission, vision and goals for sustainability/livability/economy, and safety/health. We provide these comments consistent with the state's mobility goals that support a vibrant economy, and build communities, not sprawl.

4-1

The proposed project is for a 7.4 acre infill housing development consisting of 225 multi-family rental units or 188 multi-family rental units and five detached, two-story, single-family homes. The project site is located at the southeast corner of Chiles Road and La Vida Way in the City of Davis, California, within the South Davis Specific Plan Area. Regional access to the site is provided by Interstate 80 (I-80) and the I-80/Mace Boulevard interchange, located northeast of the project site. The current site is now occupied by a vacant two-story 53,248 sf office building and 2 surface parking lots. The proposed project would amend the existing zoning from Commercial Mixed Use to Planned Development. Caltrans provides the following comments based on the Draft Environmental Impact Report received.

**Hydraulics**

4-2

Increases in peak runoff discharge for the 100-year storm event to the State's highway right of way and to Caltrans' highway drainage facilities must be reduced to at or below the pre-construction levels. The cumulative effects on drainage due to development within the region should be considered in the overall development plan of this area. All work proposed and performed within the State's highway right of way must be in accordance with Caltrans'

4-3

"Provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability"

**Letter 4  
Cont'd**

Eric Lee  
City of Davis  
September 10, 2018  
Page 2

4-3  
Cont'd

standards and require a Caltrans Encroachment Permit prior to commencing construction. All grading and/or drainage improvements must maintain or improve existing drainage pathways and may not result in adverse hydrologic or hydraulic conditions within the State's highway right of way or to Caltrans drainage facilities. The developer must maintain or improve existing drainage patterns and/or facilities affected by the proposed project to the satisfaction of the State and Caltrans.

***Encroachment Permit***

4-4

An encroachment permit will be required from the Department for any work performed on the State Right-of-Way if not previously obtained. To apply, a completed encroachment permit application, environmental documentation, and five sets of plans clearly indicating State ROW must be submitted to:

Hikmat Bsaibess  
California Department of Transportation  
District 3, Office of Permits  
703 B Street  
Marysville, CA 95901

4-5

Please provide our office with copies of any further actions regarding this project. We would appreciate the opportunity to review and comment on any changes related to this development.

If you have any question regarding these comments or require additional information, please contact Todd Rogers, Intergovernmental Review Coordinator for Yolo County, by phone (530) 741-4507 or via email to [todd.rogers@dot.ca.gov](mailto:todd.rogers@dot.ca.gov).

Sincerely,

Alex Fong, Branch Chief  
Office of Transportation Planning  
Regional Planning Branch—South

*"Provide a safe, sustainable, integrated and efficient transportation system  
to enhance California's economy and livability"*

**LETTER 4: ALEX FONG, CALIFORNIA DEPARTMENT OF TRANSPORTATION**

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**Response to Comment 4-1**

The comment is introductory and provides a summary of the proposed project but does not address the adequacy of the Draft EIR.

**Response to Comment 4-2**

As discussed on page 4.4-18 of the Draft EIR and shown in Figure 4.4-2, consistent with MS4 permit requirements, the proposed project site would be divided into nine DMAs, each of which would include either a bio-retention planter or a permeable pavement area to management stormwater runoff from the DMA. Runoff would be routed to the proposed LID features by a series of new drain inlets and underground storm piping throughout the project site. Runoff entering the pervious pavement areas would percolate through the underlying soils in a manner similar to what currently occurs within the vegetated areas of the project site.

Stormwater directed to the bio-retention planters would interact with an active soil layer. Stormwater interaction with the active vegetated soil layer would retain the stormwater to allow for infiltration, transpiration, and evaporation to partially reduce the volume of stormwater runoff.

Proposed site detention storage would occur within the detention basins at the northeast portion of the project site, adjacent to Chiles Road, and the western portion of the site adjacent to La Vida Way. Per the Preliminary Utility Study, with implementation of the proposed LID features, the peak runoff associated with both subbasins would be reduced relative to existing conditions for the modeled 2- and 10-year 24-hour storm events.

In summary, the proposed project would include a stormwater system, designed in compliance with Phase II MS4 permit requirements and resulting in no net increase in runoff leaving the project site. Treated runoff would be discharged to the City's stormwater system and would not have the potential to enter the State highway system, north of the project site, across Chiles Road.

**Response to Comment 4-3**

The proposed project does not include any improvements, including any improvements as a result of mitigation, within any State highway right-of-way.

**Response to Comment 4-4**

Please refer to Response to Comment 4-3.

**Response to Comment 4-5**

The comment does not address the adequacy of the Draft EIR. The City will provide Caltrans with a copy of documents related to further actions regarding the proposed project.

**Letter 5**

**From:** GREG ROWE <[grogrowe50@comcast.net](mailto:grogrowe50@comcast.net)>

**Sent:** Friday, August 10, 2018 10:11 AM

**To:** Heidi Tschudin <[HTschudin@cityofdavis.org](mailto:HTschudin@cityofdavis.org)>; Eric Lee <[ELee@cityofdavis.org](mailto:ELee@cityofdavis.org)>

**Subject:** DEIR - 3820 Chiles

5-1

Dear Heidi and Eric: This is a comment on the DEIR for the Chiles Road apartment project. This morning I happened to see former SMAQMD Executive Director Larry Greene. Like me, he is reviewing the DEIR for the 3820 Chiles Road project. He mentioned that he has informed Chuck Cunningham of what he thinks is an important piece of information missing from the DEIR. That is, it references ARB's April 2005 *Air Quality and Land Use Handbook*, but does not reference the changes made in ARB policy embodied in the April 2017 technical supplement to the Handbook, issued by ARB. It is titled *Strategies to Reduce Air Pollution Exposure Near High Volume Highways*. (Given that the *Strategies* document has been referenced in recent EIRs for other Davis projects, you're no doubt familiar with it.) Larry thinks the DEIR needs to be bolstered by citing the exposure mitigation strategies cited in that document. Given that I'm almost finished reading the DEIR and am making a list of questions, I thought it would be pertinent to pass this information along to you. Regards, Greg Rowe

**LETTER 5: GREG ROWE**

---

**Response to Comment 5-1**

See responses to comments 8-4 and 8-6 below for a discussion of the CARB's document, *Technical Advisory: Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways*.

**Letter 6**

**From:** Erin Autry Montgomery <[erinautrymontgomery@gmail.com](mailto:erinautrymontgomery@gmail.com)>  
**Sent:** Monday, August 20, 2018 12:06 PM  
**To:** Ike Njoku <[INjoku@cityofdavis.org](mailto:INjoku@cityofdavis.org)>; Scott Miltenberger <[smiltenberger@irphistorical.com](mailto:smiltenberger@irphistorical.com)>  
**Subject:** Comment for tonight's meeting

**6-1**

Hi Ike and Scott,

I'm terribly sorry that I am unable to make the meeting tonight. I've read through the staff report and DEIR and have no questions to pose at the meeting tonight.

**6-2**

My comment: I am cognizant that the isolated location makes it difficult to re-utilize in its original construction and am supportive of the mitigation proposed in the DEIR. I would have hoped that the applicants could have utilized some portion of the existing building for the common area amenities, in hopes of preserving at least the facade and feel of the resource.

**6-3**

I also will be away on personal travel for the 9/17 meeting but have no conflicts for the remainder of the year.

--  
*Erin Autry Montgomery*  
*Development Consultant*  
*Davis, California*  
*ph (619) 379-5890*  
[erinautrymontgomery@gmail.com](mailto:erinautrymontgomery@gmail.com)



**LETTER 6: ERIN AUTRY-MONTGOMERY**

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**Response to Comment 6-1**

The comment is introductory and does not address the adequacy of the Draft EIR.

**Response to Comment 6-2**

The comment has been forwarded to the applicant for consideration. Please refer to Response to Comment 1-4.

**Response to Comment 6-3**

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

**Letter 7**

7-1

Dear Planning Commission,

I wrote to you last summer concerning the need for more housing for working professionals in Davis and I am writing again today to remind you of my sentiments as I see that you will be commenting on the EIR for 3820 Chiles Rd on Wednesday.

I just stepped down as CEO of Barobo, a local company that got its start at Davis Roots. I love this community and for many years, did everything I could to keep my company in the City of Davis, despite it being costlier to do so.

While I always hoped that my employees could live in Davis, sadly, it's a struggle to find housing in Davis. We often hire interns from the university who graduate and eventually go full time with us, but they are forced to move to Sacramento or Woodland because they can't find a place to live in Davis, either due to cost or availability. I, myself, live in West Sacramento but wish I could live in Davis.

If there were rental or for-sale options in Davis geared toward working professionals who want to live in the same town where they work, that would be truly wonderful. Currently, most entry level homes are bought by people who would like to rent them to students and the apartment complexes have wait lists that require entry a year in advance.

It shouldn't be this hard. In Silicon Valley, where I now work, you hear of upscale, workforce apartment complexes. It seems like Davis is a ripe environment for that with the innovative atmosphere here. At the very least, however, we need more supply. Please help make Davis a town that gives young professionals and families a chance to place Roots here. Davis is a great place to start a company, but hopefully there will be an opportunity for employees to join the community as well.

Thank you for your time and attention to my comments.

Sincerely,



Graham Ryland

**LETTER 7: GRAHAM RYLAND**

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**Response to Comment 7-1**

The comment does not address the adequacy of the Draft EIR but encourages the City to provide housing options that address the needs of working professionals who seek to live and work in Davis. The comment has been forwarded to decision-makers for consideration.

**Letter 8**

August 27, 2018

From: Larry F. Greene  
2304 Holman Court  
Woodland, CA 95776

To: Cunningham Engineering Corporation  
2940 Spafford Street  
Suite 200  
Davis, CA 95618

Subject: Review of Draft Environmental Impact Report for 3820 Chiles Road Project

**8-1**

I have reviewed the Draft EIR for 3820 Chiles Road and have developed the attached recommendations and observations. Where appropriate I developed recommended language for the DEIR and the Health Risk Assessment.

**8-2**

This review is based on my experience as the Air Pollution Control Officer/Executive Director at the Yolo-Solano Air Quality Management District from 1995 to 2004, and at Sacramento Metropolitan Air Quality Management District from 2004 to 2017. At both agencies, I managed staff who interfaced with planning staffs in cities in Yolo, Solano and Sacramento Counties and the county planning staffs in each county with regard to land use projects and strategies. Both districts were designated CEQA commenting agencies for project air quality and climate change impacts. The district staffs worked with project proponents from the initial stages of the project, through design, approval, and construction and made official comments to the DEIR and EIR for each project regarding air quality, climate impacts and mitigation. District staffs also supported cities and counties in development of their General Plans and project related Specific Plans as well as the development of Climate Plans and Hazard Mitigation Plans. Staff testified with regard to air district comments at planning commissions, city councils and boards of supervisors. When necessary, and especially for controversial projects and plans, I testified on behalf of the air district.

Both staff and I worked closely with the various transportation agencies and organizations in the counties such as SACOG, RT, YCTD, UNITRANS, and STA with regard to their planning efforts related to air quality, sustainability, and climate.

In addition to district work at the city and county level, I worked on California legislative and executive branch developments that impacted local cities and counties in the areas of air quality, land use, sustainability, transportation planning, and global warming, as well as the same issue areas at the federal level. The California work was with the California Air Pollution Control Officers Association (CAPCOA), both as a board member and twice as the President of

**Letter 8  
Cont'd**

**8-2  
Cont'd**

the association. The national work was with the National Association of Clean Air Agencies (NACAA), where I was also a board member and served as President.

Prior to working at Yolo-Solano AQMD, I served 23 years in the US Army, retiring in 1995 as a Lieutenant Colonel. My major work areas were Logistics and Fuels Management. I have a Bachelor's Degree in Science Education from NC State University, and Master's Degrees in Logistics Management from Florida Institute of Technology and Human Resources Education from Boston University.

Sincerely,

(signed)

Larry F. Greene

**Letter 8  
Cont'd**

August 26, 2018

Review of the Draft EIR 3820 Chiles Road

8-3

I reviewed the following sections in the **Draft Environmental Impact Report for 3820 Chiles Road**: Project Description, Air Quality, and Appendix E Health Risk Assessment and have the following observations:

8-4

1. Many of the comments in the **draft EIR 3820 Chiles Road** reference an Air Resources Board guidance document published in 2005, ***Air Quality and Land Use Handbook. A Community Health Perspective - April 2005***. The guidance in this document was based on public health studies in many locations, but was especially focused on studies in communities in LA and the Bay Area along heavily traveled roadways with very significant near road air quality and air toxics impacts. Air quality agencies elsewhere in California were aware that air quality was often less impacted by roadways in other parts of the state and in the years since 2005 these agencies have published a range of guidance documents more appropriate to their regions. Both Sacramento Metropolitan AQMD and Yolo-Solano AQMD have published such guidance. The draft EIR references several of these documents in reviewing air quality and toxics impacts for 3820 Chiles Road. Subsequent to 2005, Air Districts asked the California Air Resources Board to update the guidance in the 2005 document to reflect the great progress in California in reducing air pollution from cars, trucks and railways, and new research showing the important public health benefits of infill projects, even those near freeways when they include design features to reduce near-road pollution. In April 2017 the California Air Resources Board published this requested update, ***Strategies to Reduce Air Pollution Exposure Near High Volume Roadways***.<sup>1</sup>

8-5

2. The 3820 Chiles Road DEIR should reference this April 2017 document on page 4.1-14. A paragraph at the end of the section titled "***Air Quality and Land Use Handbook***" should address the relevance of the April 2017 update to the 3820 Chiles Road project. A suggested paragraph follows:

For many years Air Districts and other agencies and organizations requested that ARB update the April 2005 guidance document because air quality along freeways continually improved in California from 2005 onward. Vehicle engines and especially heavy-duty diesel engines were redesigned to dramatically decrease emitted air pollutants and even gasoline and diesel fuels were reformatted to reduce pollution from engines. There has also been a tremendous increase in zero emission, and partial-zero emission vehicles in recent years. These trends are projected to continue into the future. ***Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways, April 2017***<sup>1</sup> has some important guidance for planners and elected officials related to balancing the impacts of near road air pollution with the benefits of compact infill development along traffic corridors.

The Executive Summary in this document states:

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8-5 cont'd	<p style="text-align: center;"><i>“Since its publication, research has demonstrated the public health, climate, financial, and other benefits of compact, infill development along transportation corridors. Moreover, new research has demonstrated promising strategies to help decrease pollution exposure near their sources. These strategies are the focus of this Technical Advisory.”</i></p> <p style="text-align: center;"><i>“This Technical advisory demonstrates that planners, developers, and local governments can pursue infill development while simultaneously reducing exposure to traffic-related pollution by implementing the strategies identified here and in other statewide guidance and policies that promote sustainable communities. The State Planning Priorities emphasize infill development since this pattern of development can help attain goals to promote equity, strengthen the economy, protect the environment, and promote public health and safety.”</i></p> <p>It is important to note that 3820 Chiles Road is a qualifying in-fill project and is supported by SACOG as being consistent with SACOG’s MTP/SCS Streamlining efforts. The project is also an infill project within the Established Community designation of the MTP/SCS for the City of Davis.</p>
8-6	<p>3. Given the infill nature of this project, the April 2017 ARB guidance document outlines how projects can reduce the impact on residents from high-volume roadways. Two directly relevant elements in the guidance document that are included in the 3820 Chiles Road project are “Removal of gaseous pollutants by filtration” and “Removal of Air Pollution via vegetation.”</p> <p>The Health Risk Assessment for the project published in August 2018 includes a recommendation on page 8, referencing Sacramento Metropolitan Air Quality Management District (SMAQMD) guidance for the design of the project HVAC system. The HRA should also include a reference to the 2017 ARB guidance. The following underlined sentence could be added at the end of paragraph 1, page 9, in the HRA, and a footnote made to reference the ARB Guidance. <u>The April 2017 ARB Guidance Document, <i>Strategies to Reduce Air Pollution Exposure Near High Volume Roadways</i>,<sup>1</sup> pp. 36-39, also highlights “Indoor high efficiency filtration” as a strategy to reduce air pollution impacts along freeways, and includes extensive support for this determination.</u></p>
8-7	<p>4. I reviewed the Air Quality chapter 4.1 and find it consistent in my experience in considering local AQMD rules and regulations, construction and operational emissions, and descriptions of the air quality framework within which the project falls.</p>
8-8	<p>5. The last paragraph in <i>Appendix E Health Risk Assessment</i>, should also reference the April 2017 ARB document with regard to vegetative barriers. Such a narrative description would be helpful in showing the importance and benefit of a vegetative barrier in reducing near road emission impacts on residents who will live at 3820 Chiles Road. The following underlined sentence could be added at the end of the last paragraph on page 9 in the HRA. <u>The April 2017 ARB Guidance Document, <i>Strategies to Reduce Air Pollution Exposure Near High Volume</i></u></p>

**Letter 8  
Cont'd**

**8-8  
Cont'd**

Roadways,<sup>1</sup> pp. 32-35, highlights “Vegetation for pollution dispersion” as a strategy to reduce air pollution impacts along freeways, and includes extensive support for this determination.

In reviewing the draft EIR and through further discussions with the project team, the vegetative barrier along Chiles road is well designed, has tiered vegetation with appropriate species for the area and is designed to be successful over time through choice of species and an in place irrigation system. The design and footprint of the barrier is shown on page 3-19 of the Draft EIR.



**LETTER 8: LARRY GREENE**

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**Response to Comment 8-1**

The comment is introductory and does not address the adequacy of the Draft EIR.

**Response to Comment 8-2**

The comment provides the professional background and qualifications of the commenter, but does not address the adequacy of the Draft EIR.

**Response to Comment 8-3**

The comment is introductory and does not address the adequacy of the Draft EIR.

**Response to Comment 8-4**

As noted on page 4.1-1, of the Air Quality chapter of the Draft EIR, and throughout the Regulatory Context section as well as Impacts and Mitigation Measures section of the Air Quality chapter, the analysis presented in the Draft EIR relies on guidance and resources from various agencies and air districts including those listed in the comment.

As discussed on page 4.1-14 of the Draft EIR, the California Air Resources Board (CARB) released a comprehensive guidance document for the consideration of potential impacts related to air quality and land use, titled *Air Quality and Land Use Handbook: A Community Health Perspective*, hereafter referred to as the CARB Handbook, in April of 2005. As noted by the commenter, the CARB has since released updated technical guidance to supplement the original CARB Handbook, including the Technical Advisory referenced by the commenter. It is important to note that both the CARB Handbook and the Technical Advisory are advisory or guidance documents, and do not constitute specific policy documents. Rather, both documents include recommendations for the analysis and mitigation of impacts from existing sources of pollution on new sensitive land uses.

As discussed on page 4.1-22 of the Air Quality chapter of the Draft EIR, since the publication of the CARB Handbook the California Supreme Court has clarified that CEQA does not require lead agencies to analyze the impact of existing environmental conditions on a project's future users or residents unless the project will exacerbate the existing environmental hazards or conditions. This clarification relates specifically to the analysis of existing sources of toxic air contaminants (TACs) on proposed new receptors. As such, the analysis of potential impacts related to emissions from Interstate 80 (I-80) was considered outside of the CEQA process, but was included in Appendix E of the Draft EIR. The information included in the Technical Advisory relates directly to the analysis included in Appendix E of the Draft EIR, but, considering the recent California Supreme Court ruling discussed on page 4.1-22 of the Air Quality chapter of the Draft EIR, the Technical Advisory does not relate directly to the analysis of potential impacts under CEQA.

Nevertheless, page 4.1-14 of the Air Quality chapter of the Draft EIR is hereby revised as follows:

*Air Quality and Land Use Handbook*

CARB's *Air Quality and Land Use Handbook: A Community Health Perspective* (CARB Handbook) addresses the importance of considering health risk issues when siting sensitive land uses, including residential development, in the vicinity of intensive air pollutant emission sources including freeways or high-traffic roads, distribution centers, ports, petroleum refineries, chrome plating operations, dry cleaners, and gasoline dispensing facilities.<sup>1</sup> The CARB Handbook draws upon studies evaluating the health effects of traffic traveling on major interstate highways in metropolitan California centers within Los Angeles (I-405 and I-710), the San Francisco Bay, and San Diego areas. The recommendations identified by CARB, including siting residential uses a minimum distance of 500 feet from freeways or other high-traffic roadways, are consistent with those adopted by the State of California for location of new schools. Specifically, the CARB Handbook recommends, "Avoid siting new sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles/day, or rural roads with 50,000 vehicles/day" (CARB 2005).

Importantly, the Introduction section of the CARB Handbook clarifies that the guidelines are strictly advisory, recognizing that: "[l]and use decisions are a local government responsibility. The Air Resources Board Handbook is advisory and these recommendations do not establish regulatory standards of any kind." CARB recognizes that there may be land use objectives as well as meteorological and other site-specific conditions that need to be considered by a governmental jurisdiction relative to the general recommended setbacks, specifically stating, "[t]hese recommendations are advisory. Land use agencies have to balance other considerations, including housing and transportation needs, economic development priorities, and other quality of life issues" (CARB 2005).

Based on feedback from air districts within the State and continued improvement of air quality conditions in proximity to high volume roadways since 2005, the CARB has released technical advisories to supplement the CARB Handbook. Vehicle engines and especially heavy-duty diesel engines were redesigned to dramatically decrease emitted air pollutants and even gasoline and diesel fuels were reformatted to reduce pollution from engines. There has also been a tremendous increase in zero emission, and partial-zero emission vehicles in recent years. These trends are projected to continue into the future. *Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways, April 2017*<sup>15</sup>, has some important guidance for planners and elected officials related to balancing the impacts of near road air pollution with the benefits of compact infill development along traffic corridors.

The Executive Summary in this document states:

"Since its publication, research has demonstrated the public health, climate, financial, and other benefits of compact, infill development along transportation corridors. Moreover, new research has demonstrated promising strategies to help decrease pollution exposure near their sources. These strategies are the focus of this Technical Advisory."

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<sup>1</sup> California Air Resources Board. *Air Quality and Land Use Handbook: A Community Health Perspective*. April 2005.

“This Technical advisory demonstrates that planners, developers, and local governments can pursue infill development while simultaneously reducing exposure to traffic-related pollution by implementing the strategies identified here and in other statewide guidance and policies that promote sustainable communities. The State Planning Priorities emphasize infill development since this pattern of development can help attain goals to promote equity, strengthen the economy, protect the environment, and promote public health and safety.”

It is important to note that, as discussed in Section 1.3 of Chapter 1, Introduction, of the Draft EIR, the proposed project is a qualifying infill project and is supported by SACOG as being consistent with SACOG’s MTP/SCS Streamlining efforts. The project is also an infill project within the Established Community designation of the MTP/SCS for the City of Davis.

The foregoing revisions to text include the following footnote that is also added to page 4.1-14 of the Air Quality chapter of the Draft EIR as follows:

<sup>15</sup> California Air Resources Board. *Technical Advisory: Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways*. April 2017.

Considering the discussion on page 4.1-22 of the Air Quality chapter of the Draft EIR related to recent California Supreme Court rulings clarifying the scope of CEQA, the CARB’s Technical Advisory relates to potential impacts of existing hazards on the proposed project and is not within the scope of CEQA. Thus, the foregoing changes are provided for informational purposes and do not affect the analysis or conclusions of the Draft EIR.

### **Response to Comment 8-5**

See Response to Comment 8-4 above.

### **Response to Comment 8-6**

Appendix E of the Draft EIR demonstrates that future residents at the project site would not be exposed to sources of TACs in excess of the applicable thresholds of significance. Nevertheless, Appendix E recommends that the City incorporate a condition of approval requiring the use of heating ventilation, and air conditioning (HVAC), systems with high-efficiency particulate air (HEPA) filters. The use of HEPA equipped HVAC systems in order to achieve reductions in the level of indoor particulate pollution is recommended by the Sacramento Metropolitan Air Quality Management District (SMAQMD), and is included as a recommended measure in the CARB’s 2017 Technical Advisory.

Therefore, to further substantiate the efficacy of such recommended measures the following revision to page eight of Appendix E to the Draft EIR is hereby revised as follows:

Although future residents at the proposed project would not be exposed to an increased cancer risk in excess of the 100 cases per million persons threshold being applied, measures

to reduce the risk to future residents are available and should be considered. Specifically, the Sacramento Metropolitan Air Quality Management District (SMAQMD) recommends that enhanced indoor air filtration be used in projects located near sources of diesel particulates. Pages 36 through 39 of the April 2017 CARB Technical Advisory Document, *Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways*,<sup>22</sup> also highlights “indoor high efficiency filtration” as a strategy to reduce air pollution impacts along freeways, and includes extensive support for this determination. As such, the following measure is recommended to be required by the City as a condition of approval for the proposed project in order to reduce potential risks to future on-site residents:

The foregoing text additions include an additional footnote. Thus, page eight of Appendix E to the Draft EIR is further revised to include the following footnote:

<sup>22</sup> California Air Resources Board. *Technical Advisory: Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways*. April 2017.

The number of all subsequent footnotes throughout the appendix will reflect the addition of the above footnote. The foregoing revisions to text offer further support to the recommendations previously included in Appendix E to the Draft EIR, and do not result in any changes to the analysis or conclusions presented in the Draft EIR.

It should be noted that in addition to the foregoing recommendation for the inclusion of HEPA equipped HVAC systems, Appendix E of the Draft EIR notes that the proposed project includes landscaping features that would be generally consistent with SMAQMD’s published *Landscaping Guidance for Improving Air Quality Near Roadways*.<sup>2</sup> SMAQMD’s guidance includes strategies consistent with the recommendations of the CARB’s Technical Advisory, and, consequently, page nine of Appendix E to the Draft EIR is hereby revised as follows:

In addition to SMAQMD’s recommendations regarding enhanced indoor air filtration, recent scientific studies have shown that roadside landscaping can reduce roadway-generated pollutant exposure for nearby sensitive receptors. In light of recent studies, SMAQMD published *Landscaping Guidance for Improving Air Quality Near Roadways*.<sup>22</sup> The landscaping guidance provides considerations based on general roadway frontage factors, as well as recommended best practices including, species mix, horizontal and vertical clearances, barrier length, vegetation spacing and long-term maintenance suggestions. It should be noted that while studies of the effect of vegetation on near roadway air pollution have generally supported the conclusion that vegetation near roadways can reduce pollutant exposure for nearby sensitive receptors, studies have shown such effects to be variable. Variation of pollutant reductions due to vegetation is understood to be based on site specific factors such as the built environment in proximity to such vegetation and the configuration of the landscaping. As a consequence of such uncertainty, the site-specific efficacy of landscaping at reducing exposure of nearby residents to roadway generated pollution cannot be conclusively known for the project site. Nevertheless, both the Preferred Site Plan and Alternative B, would include a berm and landscaping along the Chiles Road frontage. As currently proposed, the landscaping along

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<sup>2</sup> Sacramento Metropolitan Air Quality Management District. *Landscaping Guidance for Improving Air Quality Near Roadways*. April 2017.

the Chiles Road frontage would largely comply with SMAQMD's recommendations by extending along the entire project frontage, integrating vertically mixed vegetation, and generally conforming to the recommended 33 foot width. Although Table 1 demonstrates that future residents at the project site would not be subject to significant health risks due to roadway traffic along I-80, considering the general compliance of the proposed landscaping with the SMAQMD's guidance, such landscaping is likely to reduce exposure of on-site sensitive receptors to emissions related to operations of I-80 from the levels estimated in this analysis. The CARB's Technical Advisory Document, *Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways* (pgs. 32-35), also highlights the use of vegetation as a strategy to reduce air pollution impacts related to high-volume roadways, and includes extensive support for this determination.

In fact, the only strategies within the CARB's Technical Advisory that would be applicable to the proposed project are the recommendations with regard to the use of high efficiency filters and vegetative barriers. Therefore, while the Air Quality chapter and Appendix E, of the Draft EIR, did not expressly cite the CARB's Technical Advisory, the analysis presented within the Draft EIR and Health Risk Assessment (HRA) adequately addresses the findings of the CARB's Technical Advisory, through the use of other air district documents, including SMAQMD guidance and publications as well as guidance and publications from the Yolo-Solano Air Quality Management District.

The above revisions do not result in any changes to the analysis or conclusions presented in the Draft EIR and HRA.

#### **Response to Comment 8-7**

The comment generally supports the analysis and content of the Draft EIR.

#### **Response to Comment 8-8**

See Response to Comment 8-6 above.

**Letter 9**

**From:** Holly Wong <[hollywong@gmail.com](mailto:hollywong@gmail.com)>  
**Sent:** Monday, August 27, 2018 12:04 PM  
**To:** Planning Commission <[PlanningCommission@cityofdavis.org](mailto:PlanningCommission@cityofdavis.org)>  
**Subject:** In Support of 3820 Chiles

Dear Davis Planning Commission,

9-1

I am writing today in favor of the 3820 Chiles Rd. project. Given the project's location and intent to house working professionals, I can't think of a better project for Davis. My husband and I moved here in July 2015 because my husband was starting a professorship at the UC Davis Graduate School of Management and I was starting a nonprofit consulting business. We wanted to spend time renting before we committed to purchasing a house so that we could see which areas of Davis we liked. Finding an apartment was incredibly hard, and finding one with like-minded working professionals was near impossible. We were frustrated that every option in Davis was geared toward the student schedule and lacked amenities we would prefer.

The parcel on which the project is proposed - around the corner from the home we now own - is currently zoned for things like car dealerships, gas stations, fast food, and more of the same. While every city needs some of these businesses, my husband and I firmly believe Davis has enough. Housing, especially rental housing for Davis' working professionals is what we need. I sincerely encourage you to support the EIR for 3820 Chiles Rd, and to eventually vote in favor of the project.

Sincerely,  
Holly Wong

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*Holly Wong*  
Nonprofit Consultant - Events, Fundraising, & Communications  
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**LETTER 9: HOLLY WONG**

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**Response to Comment 9-1**

The commenter's experience with the existing Davis housing market is noted for the record. The comment has been forwarded to decision-makers for their deliberation.