

Staff Report

January 7, 2005

TO: Planning Commission

FROM: Bill Emlen, Community Development Director
Katherine Hess, Community Development Administrator

SUBJECT: Covell Village Draft Environmental Impact Report

Recommendation

Staff recommends the Planning Commission hold a hearing to take public comments on the adequacy of the Draft Environmental Impact Report that has been prepared for the Covell Village proposal. No action by the Commission is recommended at this meeting.

Background and Analysis

Project Description

The project proposal contains 1,515 residential units and a 16-acre Village Center on 422 acres at the northwest corner of Pole Line Road and Covell Boulevard. The project would also include support features and public amenities including a School District site; a fire station site; land for non-profit uses including a nursery school, church, senior care facility, hospice, and community building; and substantial parks, greenbelt, and drainage/habitat areas.

Residential uses proposed are predominantly single-family attached and detached units, including 185 age-restricted senior homes. There would be 407 multifamily units in mixed-income complexes, affordable housing land dedication sites, and live-work or apartment units in the Village Center. The Village Center would include retail, office, restaurant, hotel, and health club uses, plus a gas station and convenience market.

Policy Review Process

Various aspects of the proposed project have been reviewed by city commissions, including the Planning Commission, over the past few months. These reviews are continuing into January. Most importantly, the City Council is scheduled to hold a workshop on the applications on January 8, 2005, and will further discuss the project on the evening of January 25, 2005.

The acting schedule for the application review calls for formal public hearings before the Planning Commission and City Council at the end of February and City Council determination at the beginning of March. If the applications are approved by the City Council on March 1, the target would be a Measure J election in June 2005. The fallback is November 2005 if the timeline slips.

Environmental Impact Report Process

Any discretionary land use action is subject to review under the California Environmental Quality Act (CEQA). Because of its size and potential impacts, the Covell Village proposal requires an Environmental Impact Report (EIR).

In summary, the EIR process is:

- **“Scoping,”** with an opportunity for the public to comment on the issues that should be addressed in the EIR. The City took comments on the project scope in summer 2004, including a public meeting on June 30.
- **Draft Environmental Impact Report** with an analysis of the proposed project’s impacts on the environment, possible measures that would mitigate impacts, and assessment of alternatives to the proposal that might reduce or eliminate impacts. The DEIR looks at impacts of the proposed project, and “cumulative” impacts reflecting likely future changes in the area or the region. The DEIR for Covell Village was released on December 10, 2004, with a comment period ending January 28, 2005.
- **Final Environmental Impact Report** with a response to comments received on the adequacy of the DEIR.
- **Findings for approval** if a project is approved.

As a reminder, CEQA does not prohibit an agency from taking an action that will have a negative impact on the environment. Before taking such an action, the City must determine that all feasible mitigation measures have been incorporated, and that there are specific economic, legal, social, technological, or other benefits of the project that override the significant and unavoidable environmental effects. The City of Davis has previously used overrides for several large project approved in the mid 1990s and for the General Plan Updates, particularly regarding impacts to agriculture, air quality, and traffic.

Draft Environmental Impact Report conclusions

The Draft Environmental Impact Report for the Covell Village applications analyzed two equal-weight alternatives: the 1,515-unit proposed project and an alternative with 1,990 units. The goal of providing the alternatives was to give the City Council flexibility to adjust the project without re-initiating the environmental review. Another alternative (the “Reduced Acreage Alternative”) analyzed in the EIR, but not at an equal-weight level, – involves keeping the 1,515 requested units but constraining development to the area south of Channel A. Although not analyzed at an equal-weight level, this variation (or “alternative”) does appear adequately covered under the

broader equal-weight alternatives in that it contains elements of each and thus could be considered without significant modification or recirculation of the EIR.

Table 2-1 (the colored sheets) in the Draft Environmental Impact Report summarizes the impacts and required mitigation measures for the Proposed Project and the High Density Alternative. Please note one erratum: The Chapter 2 Summary Table states that Impact 4.4-2, Impacts to Segments of Pole Line Road and Covell Boulevard under existing Plus Project conditions is *Significant and Unavoidable*. The text of the DEIR (page 4.4-52) identifies a mitigation measure for this impact that is not listed in the Summary Table, which would reduce impacts to Pole Line Road, north of Covell Boulevard to a less-than-significant level for both the Proposed Project and the High Density Alternative. However, the impact remains *Significant and Unavoidable* for the segment of Pole Line Road south of Covell Boulevard and the segment of Covell Boulevard between J and L Street.

The Draft Environmental Impact Report analysis found that the following potential impacts were *Less-than-Significant* and did not require mitigation:

- Incompatibility between the hospice and the adjacent habitat area
- Conflicts between the proposed project and future uses on the Con-Agra property
- Conflicts between uses proposed within the project
- Conflicts between the proposed project and the firing range and bomb training facility (mitigation proposed anyway)
- Inconsistency with the City of Davis General Plan and Planned Development process
- Impacts on the Mace Boulevard Overcrossing
- Impacts to alternative modes of transportation
- Impacts to on-site circulation
- Increased carbon monoxide concentrations at project-area intersections
- Railroad noise impacts on the project site
- Removal of riparian vegetation and potential loss of wildlife corridors
- Cumulative loss of biological resources
- Impact of seismic activity on the proposed development and long-term geologic impacts
- Impacts due to presence of onsite wells
- Potential hazards from the proposed gas station
- Long-term impacts due to hazards
- Increased runoff leading to downstream flooding
- Construction-related impacts to surface water quality and long-term water quality degradation from urban runoff from the project site
- Groundwater quality impacts to Covell Village residents and workers
- Impacts to the groundwater aquifer
- Increased demand for school resources
- Impacts to gas and electric facilities
- Long-term impacts to public services and facilities
- Impacts to employment

The Draft Environmental Impact Report analysis found that the following impacts could be reduced to a *Less-than-Significant* level with mitigation:

- Impacts due to light and glare
- Incompatibilities between future residential uses and the hospice with nearby agricultural uses
- Conflict between future residential uses and state regulations for the former city landfill
- Impacts to intersections on Pole Line Road and Covell Boulevard, and to on-site access
- Impacts to parking supply and demand regarding the Village Center
- Impacts to traffic flow from construction traffic
- Impacts of off-site noise to on-site sensitive uses
- Increase in traffic noise levels on surrounding roadways
- Noise from the Blue Max club on the project site
- Short-term noise impacts from construction activities
- Impacts to prehistoric and historic resources
- Elimination of the depression seasonal wetlands on the site (plant and animal habitat)
- Loss of habitat for the valley elderberry longhorn beetle
- Impacts to the giant garter snake, northwestern pond turtle, western spadefoot toad habitat, Swainson's hawk habitat and foraging habitat, western burrowing owl nesting and foraging habitat, and nesting and foraging habitat for raptors and migratory birds
- Removal of sensitive habitat associated with Channel A and Covell Drain
- Removal of protected trees
- Increased soil erosion
- Damage to structures from expansive soils
- Presence of pesticide and herbicide residues on the project site
- Impacts from PCB-containing transformers
- Exposure of construction workers to asbestos and lead-based paint
- Presence of storage tanks and substance containers
- Groundwater impacts from the former landfill
- Impacts on the existing on-site gas pipeline
- Exposure to flood hazards on the site
- Adequate ration of fire and law enforcement personnel to residents
- Increased demand for wastewater disposal and water supply
- Increased demand for solid waste disposal/recycling services
- Increased demand for parks and recreation services and facilities
- Inconsistency with City of Davis Affordable Housing Ordinance and policies
- Inconsistency with Growth Management action "e" of the Davis General Plan
- Long-term impacts to population, employment, and housing from the proposed project and other developments in the area.

The DEIR analysis found that the following impacts could not be adequately mitigated and would remain *Significant and Unavoidable*:

Project-level

- Visual impacts from altering the existing agricultural nature of the project site
- Loss of prime agricultural land (mitigation proposed, but not sufficient)
- Impacts to segments of Pole Line Road and Covell Boulevard (mitigation proposed for one segment, but not sufficient overall)
- Emission of exhaust and fugitive particles from construction activities (mitigation proposed, but not sufficient)
- Air pollution resulting from vehicle trips to and from the project site (mitigation proposed, but not sufficient)
- Residences outside the five-minute response time goal (mitigation proposed, but not sufficient)

Cumulative

- Long-term impacts to the visual character of the region from the proposed project in combination with existing and future developments in the Davis area
- Long-term impacts to prime farmland
- Long-term air quality impacts
- Long-term cumulative impacts to roadway segments of Pole Line Road and Covell Boulevard

For the most part, impacts and mitigation measures are the same between the Proposed Project and the High Density Alternative. The exceptions are:

Traffic: The Draft EIR found that the following intersections are more adversely impacted under the High Density Alternative, which would necessitate the incorporation of additional mitigation measures or in the case of the Pole Line Road/Picasso Avenue intersection, the exclusion of alternative mitigation measures.

Pole Line Road/Picasso Avenue Intersection

For the Proposed Project, the Draft EIR includes as an alternative mitigation measure (4.4-1(c)), the installation of a roundabout. The Draft EIR found that the installation of a roundabout at Pole Line Road/Picasso Avenue would not reduce impacts to a less-than-significant level for the High Density Alternative, and a traffic signal would be required.

Covell Boulevard/L Street Intersection

The Draft EIR requires that the Covell Boulevard/J Street intersection be signalized for the Proposed Project and the High Density Alternative. However, an additional mitigation measure is required for the High Density Alternative in order to ensure impacts are less-than-significant to

the Covell Boulevard/L Street intersection. The additional mitigation measure requires intersection modifications.

Pole Line Road/Covell Boulevard

For the cumulative scenario, the Draft EIR requires a mitigation measure (4.4-4(g)) for the High Density Alternative but not for the Proposed Project in order to reduce impacts to Pole Line Road/Covell Boulevard. The mitigation measure requires intersection modifications.

Wastewater:

For the High Density Alternative, the Draft EIR found that the Wastewater Treatment Plant capacity in year 2010 would be exceeded by approximately 0.04 MGD (40,000 gallons per day); however, adequate capacity would exist to serve the Proposed Project. Therefore, the Draft EIR includes a mitigation measure (4.12-4) for the High Density Alternative, which requires the applicant to prepare a wastewater plan that indicates the sewer-conservation measures to be implemented in the proposed project in order to ensure that the sewer generation is reduced by 40,000 gpd.

Purpose and structure for this hearing

The purpose of this public hearing is for the Planning Commission to solicit comments from the public on the Draft Environmental Impact report prepared for the Covell Village project. The format for the hearing will generally include:

1. A brief introduction by city staff.
2. The environmental consultant, Mr. Tim Raney of Raney Planning & Management, will provide an overview of the CEQA process and the conclusions of the Covell Village Draft EIR.
3. The Planning Commission will request comments from the public on the Covell Village Draft EIR. At this time it should be stated that comments on the Draft EIR can also be submitted in writing to the Community Development Department (addressed to Ms. Katherine Hess) until 5pm, January 28, 2005. The Commission should request that commenters come up to the microphone one at a time and should state their name and address. A court reporter will be present at the hearing to record all of the public's comments.