

Nishi Gateway Planning Commission Workshop  
Attachment 10a

<b>Commission Comments</b>	<b>Staff Response</b>
<p><b>Bicycling, Transportation, and Street Safety Commission:</b> The Project does not appropriately meet Transportation Principle. There is not enough information about detailed plans and actual commitments.</p>	<p>See staff report discussion on Guiding Principle #3 - Transportation</p>
<p><b>BTSSC (1)</b> The proposed pedestrian, bicycle, vehicle, and transit configuration is cannot be determined to be generally consistent with the goals and standards of the Transportation Element, because there are too many uncertainties in the project and the analysis.</p>	<p>See staff report discussion on Guiding Principle #3 - Transportation</p>
<p><b>BTSSC (2)</b> Project must commit to a minimum of two entrances / exits: Olive Drive and UC Davis.</p>	<p>See staff report discussion on Guiding Principle #3 - Transportation. The Development Agreement is anticipated to stipulate that development on the Nishi property cannot go forward without UC Davis commitment to the grade-separated crossing to the UC Davis campus.</p>
<p><b>BTSSC (3)</b> Description of road configuration is highly desirable and should be incorporated to help mitigate traffic impacts.</p>	<p><i>To be incorporated as Baseline Project Feature?</i></p>
<p><b>BTSSC (4)</b> Another, more extensive and inclusive study should be done as part of the EIR combining the cumulative impacts of the Nishi Downtown / Gateway and hotel conference center on Richards Blvd and Olive Drive between the WB I-80 off ramp and proposed Nishi Downtown / Gateway entrance.</p>	<p>Mitigation Measure 4.14.2 calls for either construction of Phase 1 improvements prior to construction of Phase 1 of development, or conduct a focused traffic assessment to provide details on the mitigation trigger timing.</p>
<p><b>Natural Resources Commission:</b> Project is generally consistent with Guiding Principles and CAAP, except for (below)</p>	<p>See staff report discussion on Guiding Principle #2 - Sustainability</p>
<p><b>NRC (1)</b> SIP is an aspirational document and commitments need to be reflected as enforceable obligations in the Development Agreement</p>	<p>Concur – the DA should explicitly establish sustainability commitments, such as trip cap, VMT reduction, and provision that buildings exceed 30% performance over 2013 Title 24 standards.</p>

<p><b>NRC (2)</b> Buildings should be ZNE at the time of construction (all building envelope energy use should be met from on-site generation)</p>	<p>The SIP notes that ZNE would be possible with additional ground-mounted PV arrays at the detention area and along the southern section of the railroad setback. PV over the detention area would potentially be counter to the preferences of the OSH and RP Commissions regarding wildlife habitat and public access/recreation. Appendix C of the SIP outlines the significant regulatory challenges and utility coordination issues for Zero Net Energy projects. Consistent with the Guiding Principle language that GHG reductions should be an evolving goal that allows flexibility and adaption over project lifespan, staff believes that future energy-efficiency and power generation improvements will be fostered by the incentive for continued investment and exploration of alternative technologies or methods.</p> <p><i>(See also OSHC (4))</i></p>
<p><b>NRC (3)</b> GHG emissions should be required to follow the trajectory in MM 4.7-2a over time, reaching zero in 2050, rather than be frozen at the time of building permit</p>	<p>The trajectory established in the Mitigation Measure is intended to reflect the assumption that there will be improvements in technology, policy, and social behavior at the state and global level that will reduce operational emissions for this project and for the community as a whole. Establishing a GHG cap that ratchets downward after buildings are constructed and occupied is likely to have a chilling effect on financing and marketability of the project.</p>
<p><b>NRC (4)</b> The City should take advantage of this and other projects to create the local offset program envisioned in the Mitigation Measure.</p>	<p>The City Council has adopted a goal to develop an annual Sustainability work plan within the Sustainability division of the Department of Community Development and Sustainability, to direct and prioritize work efforts, in alignment with the CAAP and City Council goals. This is an appropriate topic for inclusion in the effort.</p>
<p><b>Open Space and Habitat Commission:</b> The Commission finds that the Project’s location, configuration, and amenities are generally consistent with the City Council-approved Guiding Principles for Innovation Center(s) in the category of Ag Land Conservation/Open Space.</p>	<p>See staff report discussion on Guiding Principle #2 - Sustainability</p>
<p><b>OSHC CEQA comments</b></p>	<p>The CEQA comments were addressed in the Final Environmental Impact Report.</p>

<p><b>OSHC (1)</b> The agriculture mitigation land, required pursuant to Davis Municipal Code Section 40A.03, should have comparable or better soil quality and comparable or better irrigation water supply as compared to the agriculture land being developed.</p>	<p>The City's ordinance requires that the mitigation lands have comparable soils and water quality:</p> <p>40A.03.040 Comparable soils and water supply.</p> <p>(a) The remainder agricultural mitigation land shall be comparable in soil quality with the agricultural land whose use is being changed to nonagricultural use.</p> <p>(b) The agricultural mitigation land shall have adequate water supply to support the historic agricultural use on the land to be converted to nonagricultural use and the water supply on the agricultural mitigation land shall be protected in the farmland conservation easement, the farmland deed restriction or other document evidencing the agricultural mitigation. (Ord. 2300 § 1, 2007)</p> <p>Compliance will be verified at the time the mitigation land is identified for preservation, which would be required prior to any construction or conversion of the Nishi property.</p>
<p><b>OSHC (2)</b> At least a majority of tree and plant species on the Project site should be native species.</p>	<p>Sustainability Implementation Plan 6.3 calls for areas dedicated as open space to include native, drought tolerant landscaping. Staff notes that Recreation and Park Commission supported active recreation areas, including turfgrass, to meet the needs of residents and employees. It should also be noted that the EIR mitigation measure for toxic air contaminants and ultrafine particles requires trees with the ability to filter the air during all seasons. Final selection of plant species will be confirmed through the Design Guidelines and review of improvement drawings</p>
<p><b>OSHC (3)</b> The existing connectivity between the Arboretum (to the west of the Project site) and open space (to the east of the Project site) should be maintained, preserved and enhanced for its value as a wildlife corridor.</p>	<p>The value of the corridor for the movement of wildlife species is limited. The I-80 corridor and associated fencing are significant barriers to both terrestrial and arboreal movement along the remnant creek channel/ habitat. The proposed retrofit of the crossing between Olive and the project site is likely to improve movement for wildlife along the channel.</p>

<p><b>OSHC (4)</b> Green roofs should be maximized. <i>(preference over photovoltaics or patios/decks)</i></p>	<p>The Sustainability Implementation Plan notes that Solar PV systems on building rooftops and central PV installations at surface parking areas are the most cost effective means of generating on-site renewable energy to offset energy consumption at the Nishi development. Action 4.20 calls for designing building rooftops to allow for PV to cover 75 percent of total rooftop area for the multi-family buildings and 50 percent for the R&amp;D buildings, but notes that the total available rooftop area will be reduced based on offset requirements, space necessary for HVAC equipment, and space desired for other functional uses such as rooftop gardens and community social spaces, or solar thermal panels.</p> <p>Action 6.16 calls for above-ground outdoor spaces that can include hardscape patios surrounded by vegetation, trees and seating/resting areas. These will allow unique “active green roofs” for these buildings and areas where residents can relax, socialize and recreate.</p> <p>Action 6.32 calls for green roof features to the top of the Office/R&amp;D buildings to reduce heat gain and improve energy efficiency within the buildings themselves. This includes applying “cool roof” materials (e.g., lighter-colored, higher-albedo materials) that can help to reduce solar reflectance, which would help to minimize the Nishi development’s contribution to the urban heat island effect.</p> <p>Final determination of whether specific rooftops will include photovoltaics, patios/decks, or green roofs will be made at the time of design review approval, considering other project sustainability commitments.</p> <p><i>(See also NRC (2))</i></p>
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<p><b>OSHC (5)</b> Passive recreation should be allowed in habitat areas, including the drainage basin, and the use of fences that restrict access should be minimized.</p>	<p>SIP Action 6.10 states “Stormwater detention is the primary purpose of the southern area but secondary uses may be appropriate in the ‘upland’ or perimeter areas of the detention basin. As an example, develop the southern portion of the site as a park surrounding the stormwater detention area. Amenities at this park may include a combination of children’s playground, picnic facilities, and natural areas. There is a potential for a small multi-use open field on this site as well; however, its total turf coverage should be kept to a minimum in order to reduce irrigation needs. A restroom would not be necessary at this park so long as a publicly-accessible restroom is available in one of the adjacent buildings.”</p> <p>Public Works staff has generally not supported public access in detention basins, because of concerns about public safety when there is standing water, and potential disruption to wildlife. Final determination of amenities and public access will be made at the time of approval of improvement drawings for the detention area.</p>
<p><b>OSHC (6)</b> The Commission requested more information about the trees (i.e., the number and placement of trees) in order to determine whether a “robust urban forest” will be created on the Project site. Also, during the design phase, the Commission requested that it be allowed to review and critique the pre-approved list of trees and vegetation proposed to be planted on the Project site before it is approved.</p>	<p>SIP Action 6.30 calls for maximizing carbon sequestration and air quality benefits by planting trees throughout the site in parks, open spaces, and along public streets. In particular, emphasize planting of trees to shade multi-use paths, sidewalks and parking areas in order to mitigate the heat island effect and encourage pedestrian activity. Similar to plant selection (see Action 4.28), tree species should be selected that are well-suited for filtration of particulate matter and ultrafine particulate matter, and are climate appropriate in terms of drought and heat tolerance.</p> <p>Note also comment OSHC (2) regarding native species.</p>
<p><b>Recreation and Park Commission:</b> Concur with determinations that park and greenbelt configuration are general consistent with the Parks and Recreation Facilities Master Plan, and that the project’s location configuration, and amenities appropriately meet the City Guiding Principles for Low Impact Development and Ag Land Conservation / Open Space</p>	<p>See staff report discussion on Guiding Principle #4 – Work Environment</p>

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<p><b>RPC (1)</b> Need flexibility in developing park spaces; balance advantages and disadvantages of turfgrass for active recreation areas.</p>	<p>SIP Action 6.28 calls for limiting turf to only active recreation areas and require all turf to have low-water impacts per the plant palette in the Design Guidelines.</p> <p>Note also comment OSHC (2) regarding native species.</p>
<p><b>RPC (2)</b> Needs skillful management and maintenance, not just usual contract services. Many of the proposed improvements and sustainability implementation features are sophisticated and reflect emerging trends in parks, open space, horticulture and urban farming, which may have higher maintenance costs than standard design elements.</p>	<p>Concur – will be evaluated as part of Development Agreement obligations and City maintenance budget.</p>
<p><b>RPC (3)</b> Parking should be provided for public use within the project and for access to parks, greenbelt and habitat areas; enhanced ped/bike access needs to be provided so that residents should have easy access to downtown recreation amenities</p>	<p>Final determination of amenities and public access will be made at the time of approval of improvement drawings for the detention area.</p> <p>Residents will have bicycle/pedestrian access to downtown through the existing connection under the railroad tracks to either E Street or B Street. The City is exploring improvements to the Richards Boulevard corridor that will enhance connectivity and comfort for all users, including bicyclists and pedestrians.</p>
<p><b>RPC (4)</b> Northern park area will be intensively used and should have a public restroom</p>	<p>Final determination of amenities and public access will be made at the time of approval of improvement drawings for the park.</p>
<p><b>RPC (5)</b> Design the detention basin and perimeter areas to discourage camping and maintain safety</p>	<p>Final determination of amenities and public access will be made at the time of approval of improvement drawings for the detention area.</p>
<p><b>RPC (6)</b> More information is needed on community gardens. Are they proposed as public or private? Who will manage them; who will have access to plots; what standards will be applied?</p>	<p>SIP Actions 6.34 and 6.35 address on-site food production and distribution. Final determination of amenities and public access will be made at the time of approval of improvement drawings for the park areas.</p>

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<p><b>Social Services Commission (1)</b> Development Agreement should require rental and for-sale affordable housing consistent with requirements before inclusionary requirements were amended in 2013</p>	<p>See staff report discussion on Guiding Principle #5 – Uses. The City’s Affordable Housing Ordinance exempts vertical mixed-use and stacked-flat condominiums from inclusionary requirements. Any affordable housing contribution would be addressed through the Development Agreement.</p> <p>The City Council and Social Services Commission are also currently undergoing a review of the affordable housing requirements for Mixed-Use and Stacked Flat Condominiums, including a fiscal analysis for the feasibility of requirements.</p>
<p><b>SSC (2)</b> Concern over risks to children from trains on railroad tracks should be addressed</p>	<p>Staff concurs – this will be incorporated into the Design Guidelines.</p>