

RESOLUTION PC2015-04

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
SAN CARLOS RECOMMENDING THE CITY COUNCIL ADOPT A
MITIGATION MONITORING AND REPORTING PROGRAM FOR THE
WHEELER PLAZA REDEVELOPMENT PROJECT**

WHEREAS, Silverstone Communities on behalf of the City of San Carlos proposes the redevelopment of an approximately 2.19 acre site (Assessor's Parcel Numbers: 050-132-260, 050-132-170, 050-132-18 and, 050-132-140) generally located within a city block in downtown San Carlos. The site is generally bounded by San Carlos Avenue to the north, Laurel Street to the east, Cherry Street to the south and Walnut Street to the west;

WHEREAS, the City issued a Notice of Preparation in June 2011 and the Draft Environmental Impact Report (DEIR) was released for public review, beginning on November 23, 2011 and ending on January 23, 2012;

WHEREAS, a community meeting was held on December 7, 2011 to present the project plan and the findings of the DEIR and receive comments;

WHEREAS, on January 25, 2012, a joint Study Session was held with the Transportation and Circulation Commission and the Planning Commission and on February 6, 2012, the Planning Commission held a second Study Session on the DEIR,

WHEREAS, the City prepared a Final Environmental Impact Report (FEIR) for the Project,

WHEREAS all potentially significant environmental impacts of the Project were addressed in the FEIR and all of the mitigation measures identified in the FEIR apply to the Project and reduce the impacts to "Less than Significant";

WHEREAS, the Planning Commission at its April 2, 2012 meeting recommended the City Council certify the FEIR as being in compliance with the requirements of the California Environmental Quality Act ("CEQA"),

WHEREAS, the City Council at a public hearing on October 8, 2012 certified the FEIR in compliance with CEQA.;

WHEREAS, CEQA requires that the lead agency approving a project adopt a Mitigation Monitoring and Reporting Program for changes to the project to ensure compliance during project implementation.

NOW THEREFORE BE IT RESOLVED that the San Carlos Planning Commission hereby recommends that the City Council make the following findings:

The City Council has independently reviewed and analyzed the Wheeler Redevelopment Project Final EIR and other information in the record and the mitigation measures incorporated into the project would avoid or substantially lessen all of the significant environmental effect as identified in the final EIR to a less than significant level.

The minor changes to the project are within the scope of the project as evaluated by the Wheeler Redevelopment Project Final EIR and are not considered significant new information as defined in CEQA.

The Planning Commission finds that the Mitigation Monitoring and Reporting Program accurately reflects the mitigation measures contained in the Wheeler Plaza Redevelopment Project EIR and recommends the City Council Adopt the Mitigation Monitoring and Reporting Program, attached as Exhibit A.

The Community Development Director is designated as the custodian of the documents and records of proceedings on which this decision is based. The Community Development Director's office is located at City Hall, 600 Elm Street, San Carlos, California.

Passed and adopted as a Resolution of the Planning Commission of the City of San Carlos at a special meeting thereof held of the 14th day of April, 2015 by the following vote:

AYES COMMISSIONERS: Silberman, Gutierrez, Harper Pedersen, Bergman, Marsters

NOES, COMMISSIONERS: none

ABSENT, COMMISSIONERS: none



CHAIR Planning Commission

ATTEST:


Lisa Porras, Principal Planner

Exhibit A: Wheeler Plaza Redevelopment Project Mitigation Monitoring and Reporting Plan

SAN CARLOS WHEELER PLAZA REDEVELOPMENT PROJECT MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measures	Timing	Implementation Responsibility	Verification	
			Monitoring Action	Monitoring Responsibility Date/Initials
<p>Air-1: Basic Construction Management Practices. The Project shall demonstrate proposed compliance with all applicable regulations and operating procedures prior to issuance of demolition, building or grading permits, including implementation of the following BAAQMD "Basic Construction Mitigation Measures".</p> <ul style="list-style-type: none"> • All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. • All haul trucks transporting soil, sand, or other loose material off-site shall be covered. • All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. • All vehicle speeds on unpaved roads shall be limited to 15 mph. • All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. • Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. • All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. • Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations. 	<p>Prior to issuance of demolition, building or grading permits</p>	<p>Applicant / Developer</p>	<p>Verify requirements are included in construction contracts and are met during construction</p>	<p>San Carlos Building Division</p>
<p>Air-3: Diesel Emission Reduction. Construction contracts for the Project shall include diesel emission reduction measures that reduce particulate emissions a minimum of 61% for PM10 and PM2.5 compared to the most recent California Air Resources Board (CARB) fleet average. Diesel emission reduction measures can include, but are not limited to alternatively fueled equipment, engine retrofit technology, after-treatment products and add-on devices such as particulate filters, and/or other</p>	<p>Prior to issuance of demolition, building or grading permits</p>	<p>Applicant / Developer</p>	<p>Verify requirements are included in construction contracts and are met during construction</p>	<p>San Carlos Building Division (If a health risk assessment is submitted, it shall first be reviewed)</p>

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<p>options as they become available. Alternatively, when more is known of the specifics of construction and the relative timing of project components, a health risk assessment could be completed by a qualified consultant to modify or remove the need for these emissions reductions to meet threshold levels.</p> <p>Bio-1: Pre-Construction Nesting Bird Survey. Pre-construction surveys for nesting birds protected by the Migratory Bird Treaty Act of 1918 and/or Fish and Game Code of California within 100 feet of a development site in the Project area shall be conducted within 30 days of initiation of construction activities. If active nests are found, the project shall follow recommendations of a qualified biologist regarding the appropriate buffer in consideration of species, stage of nesting, location of the nest, and type of construction activity. The buffer shall be maintained until after the nestlings have fledged and left the nest. If there is a complete stoppage in construction activities for 30 days or more, a new nesting-survey shall be completed prior to re-initiation of construction activities.</p>	<p>Within 30 days prior to initiation or re-initiation of construction</p>	<p>Applicant / Developer</p>	<p>Verify study was performed and, if birds present, verify provision of buffer in construction contracts.</p>	<p>by San Carlos Planning Division to confirm revised requirements) San Carlos Building Division</p>
<p>Bio-2: Approved Tree Removal. Prior to removing heritage trees, the applicant shall obtain required tree removal permits consistent with the City's Tree Ordinance (Municipal Code section 12.20).</p> <p>Culture-2a: Halt Construction Activity, Evaluate Find and Implement Mitigation. In the event that any previously unidentified paleontological or archaeological resources are uncovered during site preparation, excavation or other construction activity, all such activity shall cease until these resources have been evaluated by a qualified paleontologist or archaeologist and specific mitigation measures can be implemented to protect these resources in accordance with sections 21083.2 and 21084.1 of the California Public Resources Code.</p> <p>Culture-2b: Halt Construction Activity, Evaluate Remains and Take Appropriate Action in Coordination with Native American Heritage Commission. In the event that any human remains are uncovered during site preparation, excavation or other construction activity, all such activity shall cease until these resources have been evaluated by the County Coroner, and appropriate action taken in coordination with the Native American Heritage Commission, in accordance with section 7050.5 of the California Health and Safety Code or, if the remains are Native American, section 5097.98 of the California Public Resources Code.</p>	<p>Prior to removing heritage trees</p> <p>Prior to issuance of demolition, building or grading permits then during construction if triggered</p>	<p>Applicant / Developer</p> <p>Applicant / Developer</p>	<p>Issuance of tree removal permits</p> <p>Verify requirements are included in construction contracts and track outcome if triggered</p>	<p>San Carlos Planning Division</p> <p>San Carlos Building Division</p>
<p>Geo-1: Compliance with a design-level Geotechnical Investigation report prepared by a Registered Geotechnical Engineer and with Structural Design Plans as prepared by a Licensed Professional Engineer. Proper</p>	<p>Prior to issuance of building or grading permits</p>	<p>Applicant / Developer</p>	<p>Verify completion of report and adherence of</p>	<p>San Carlos Building Division</p>

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<p>foundation engineering and construction shall be performed in accordance with the recommendations of a Registered Geotechnical Engineer and a Licensed Professional Engineer. The structural engineering design, with supporting Geotechnical Investigation, shall incorporate seismic parameters compliant with the California Building Code.</p>			structural design plans to the report		
<p>Geo-2: Construction-Period Stormwater Pollution Prevention Plan (SWPPP). The Project applicant shall prepare and implement a SWPPP for the proposed construction period. The SWPPP and Notice of Intent (NOI) must be submitted to the State Water Resources Control Board to receive a Construction General Permit. The plan shall address National Pollutant Discharge Elimination System (NPDES) requirements, include applicable monitoring, sampling and reporting, and be designed to protect water quality during construction. The Project SWPPP shall include "Best Management Practices" (BMPs) as required by the State and Contra Costa County Clean Water Program for preventing stormwater pollution through soil stabilization, sediment control, wind erosion control, soil tracking control, non-storm water management, and waste management and materials pollution control.</p>	<p>Prior to issuance of building or grading permits and ongoing during construction</p>	<p>Applicant / Developer</p>	<p>Verification of Construction General Permit from the State Water Resources Control Board and inclusion of BMPs in construction contracts.</p>	<p>San Carlos Building Division</p>	
<p>Haz-2a: Lead-Based Paint, Asbestos, and PCB Light Ballasts, Mercury Tube Lights, and Mercury HID Lamps Abatement. Any suspected asbestos-containing materials, lead-based paint suspected, suspected PCB light ballasts, mercury tube lights, and mercury HID lamps shall be abated by a licensed abatement contractor and disposed of according to all state and local regulations.</p>	<p>Prior to issuance of demolition permits</p>	<p>Applicant / Developer</p>	<p>Verify assessments have been completed and any hazardous building materials properly disposed of.</p>	<p>San Carlos Building Division</p>	
<p>Haz-2b: Assessment for Presence of Potentially Hazardous Materials and Abatement. The buildings at 1244 Cherry Street, 1232/1234 Cherry Street, and 1245 San Carlos Avenue have not been assessed for the presence of universal hazardous materials, asbestos-containing materials, or lead based paint. Additionally, further assessment for universal hazardous materials and lead based paint is required at existing buildings 657 Walnut Street, 1249 San Carlos Avenue, 1253 San Carlos Avenue, 1257 San Carlos Avenue, 1261 San Carlos Avenue, and 1265 San Carlos Avenue. Prior to issuance of a demolition permit, these properties shall be assessed and any hazardous materials abated by a licensed abatement contractor and disposed of according to all state and local regulations.</p>					

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<p>Haz-3: PCE Abatement. As stated in the Phase I Environmental Site Assessment Report and the Phase II Soil, Groundwater and Indoor Air Investigation Report, further characterization of PCE impacts to the project site should be investigated. PCE impacts to site soil and groundwater should be delineated and mitigated as part of site development. Mitigation measures may include source removal through excavation or soil vapor extraction, groundwater treatment, and/or soil vapor barriers. Construction contracts shall include appropriate handling of hazardous and potentially hazardous soil and groundwater during construction activities, as determined necessary based on further characterization of the PCE impacts.</p>	Prior to issuance of demolition or grading permits	Applicant / Developer	Verify characterization of PCE contamination and proper handling is included in construction contracts.	San Carlos Building Division	
<p>Noise-1: Design-Level Residential Acoustical Analysis. A design-level acoustical analysis should be conducted for the residential portions of the project to confirm that interior noise levels will be reduced to 45 dBA DNL or lower. Building sound insulation requirements would need to include the provision of forced-air mechanical ventilation for all units, so that windows could be kept closed at the occupant's discretion to control noise. In addition, special building construction techniques (e.g., sound-rated windows and building façade treatments) may be required for residential uses exposed to higher noise levels. These treatments include, but are not limited to, sound rated windows and doors, sound rated wall constructions, acoustical caulking, etc. The specific determination of what treatments are necessary will be conducted on a unit-by-unit basis. Results of the analysis, including the description of the necessary noise control treatments, will be submitted to the City along with the building plans and approved prior to issuance of a building permit.</p>	Prior to issuance of construction permits for residential portions of the project.	Applicant / Developer	Verify completion of acoustical analysis and inclusion of necessary measures in building plans	San Carlos Building Division	
<p>Noise-2a: Design-Level Mechanical Equipment Acoustical Analysis. During final design of the project, conduct an acoustical analysis for any portion including mechanical equipment to confirm that mechanical equipment noise resulting from the project complies with applicable General Plan policies and Municipal Code noise level limits. The acoustical analysis will calculate noise levels resulting from the proposed equipment at the nearest sensitive receiving land uses, assess noise levels relative to applicable standards, and provide recommendations to control noise levels in accordance with the applicable limits. Equipment that operates primarily during daytime hours (e.g., underground parking garage fans) shall be subject to the City's 55 dBA noise standard. Equipment that operates both day and night, such as roof-top mechanical equipment, shall be subject to the City's 45 dBA nighttime noise standard. The report shall be completed and submitted to the building department prior to the issuance of building permits.</p>	Prior to issuance of construction permits for residential portions of the project.	Applicant / Developer	Verify completion of acoustical analysis and inclusion of necessary measures in building plans	San Carlos Building Division	

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<p>Noise-2b: The Southeast Facade of the Parking Garage shall be solid. The shielding provided by the solid parking garage wall would maintain noise levels emanating from the parking garage at the nearby residences in compliance with the Municipal Code noise limits for maximum instantaneous noise levels and resultant noise levels would be similar to existing conditions.</p> <p>Noise-4: Construction Vibration Monitoring. The following measures shall be included into the project to respond to the potential for impacts from construction-period vibration:</p> <p>a. A list of all heavy construction equipment to be used for this project and the anticipated time duration of using equipment that has been known to produce high vibration levels (tracked vehicles, vibratory compaction, jackhammers, hoe rams, etc.) shall be submitted by the contractor. This list shall be used to identify equipment and activities that would potentially generate substantial vibration and to define the level of effort required for continuous vibration monitoring.</p> <p>b. A construction vibration monitoring plan shall be implemented to document conditions prior to, during and after vibration generating construction activities. All plan tasks shall be undertaken under the direction of a licensed Professional Structural Engineer in the State of California and be in accordance with industry accepted standard methods. The construction vibration monitoring plan should be implemented to include the following tasks:</p> <ul style="list-style-type: none"> • Identification of the sensitivity of nearby structures to groundborne vibration. Vibration limits should be applied to all vibration-sensitive structures located within 50 feet of the project site. If pile-driving occurs, vibration limits should be applied to all vibration-sensitive structures located within 80 feet of the project site and 140 feet of the project site for historical structures, if any are identified. • Performance of a photo survey, elevation survey, and crack monitoring survey for each sensitive structure within 50 feet of construction activities identified as sources of high vibration levels. Surveys shall be performed prior to any construction activity, in regular interval during construction and after project completion and shall include internal and external crack monitoring in structures, settlement, and distress and shall document the condition of foundations, walls and other structural elements in the interior and exterior of said structures. • Development of a vibration monitoring and construction contingency plan to identify structures where monitoring would be conducted, set up 	<p>Prior to issuance of construction permits for residential portions of the project.</p>	<p>Applicant / Developer</p>	<p>Verify completion of acoustical analysis and inclusion of necessary measures in building plans</p>	<p>San Carlos Building Division</p>	

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<p>a vibration monitoring schedule, define structure-specific vibration limits, and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions. Construction contingencies would be identified for when vibration levels approached the limits.</p> <ul style="list-style-type: none"> • At a minimum, vibration monitoring should be conducted during pavement demolition and excavation. Monitoring results may indicate the need for more or less intensive measurements. • If vibration levels approach limits, suspend construction and implement contingencies to either lower vibration levels or secure the affected structures. • Designate a person responsible for registering and investigating claims of excessive vibration. The contact information of such person shall be clearly posted on the construction site. • Conduct post-survey on structures where either monitoring has indicated high levels or complaints of damage has been made. Make appropriate repairs or compensation where damage has occurred as a result of construction activities. • The results of all vibration monitoring shall be summarized and submitted in a report shortly after substantial completion of each phase identified in the project schedule. The report will include a description of measurement methods, equipment used, calibration certificates and graphics as required to clearly identify vibration-monitoring locations. An explanation of all events that exceeded vibration limits will be included together with proper documentation supporting any such claims. 					
<p>Noise-5: Construction Noise. To reduce noise levels generated by construction, the following standard construction noise control measures shall be included in the construction plans for the project:</p> <ul style="list-style-type: none"> • Pursuant to the Municipal Code, construction activities shall be limited to the hours of seven a.m. to six p.m., Monday through Friday and nine a.m. to five p.m. on Saturdays and Sundays. No construction noise-related activities on the following holidays: New Year's Day, Martin Luther King Jr. Day, President's Day, Memorial Day, 4th of July, Labor Day, Thanksgiving Day and Christmas Day. • Where reasonable and feasible, construct solid plywood fences (minimum 8 feet in height) around the construction site or near the residential property line to shield adjacent receivers. • Equip all internal combustion engine driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the 	Prior to issuance of demolition, grading or construction permits	Applicant / Developer	Verify inclusion of noise control measures in construction contracts.	San Carlos Building Division	

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<p>equipment.</p> <ul style="list-style-type: none"> • Unnecessary idling of internal combustion engines should be strictly prohibited. • Locate stationary noise generating equipment such as air compressors or portable power generators as far as possible from sensitive receptors. Construct temporary noise barriers to screen stationary noise generating equipment when located near adjoining sensitive receptors. Temporary noise barriers could reduce construction noise levels by 5 dBA. • Utilize "quiet" air compressors and other stationary noise sources where technology exists. • Route all construction traffic to and from the project area via designated truck routes where possible. Prohibit construction related heavy truck traffic in residential areas where feasible. • Control noise from construction workers' radios to a point that they are not audible at existing residences bordering the project area. • The contractor shall prepare and submit to the City for approval a detailed construction plan identifying the schedule for major noise-generating construction activities. • Designate a "disturbance coordinator" who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and will require that reasonable measures warranted to correct the problem be implemented. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule. • For pile driving activities, consider a) pre-drilling foundation pile holes to minimize the number of impacts required to seat the pile, b) using multiple pile driving rigs to expedite this phase of construction, and/or c) The use of "acoustical blankets" for receivers located within 100 feet of the site. 					

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Traf-5: Redesign Drive Aisles to Provide Adequate Throat Depth. Provide a throat depth of at least 25 feet to provide adequate circulation.	Prior to issuance of construction permits	Applicant / Developer	Verify inclusion in plans.	San Carlos Building Division	
Traf-7: Signalize the Intersection. Activate the existing signal at the Holly Street / Laurel Street intersection and coordinate with the signals at El Camino Real and Old Country Road to ensure that queues do not develop along Holly Street.	Prior to issuance of certificate of occupancy permits for residences.	Applicant / Developer in Coordination with San Carlos Public Works Street Maintenance and Traffic Operations Division	Verify improvements have been implemented.	San Carlos Building Division	
Traf-8: Convert Intersection to All-way Stop-controlled Intersection at Cherry Street. Add stop signs to Laurel Street to change this intersection from a side-street stop-controlled intersection to an all-way stop.	Prior to issuance of certificate of occupancy permits for residences.	Applicant / Developer in Coordination with San Carlos Public Works Street Maintenance and Traffic Operations Division	Verify improvements have been implemented.	San Carlos Building Division	