



City of Rialto

Legislation Text

File #: 18-361, **Version:** 1

For City Council Meeting [May 8, 2018]

TO: Honorable Mayor and City Council

APPROVAL: Robb R. Steel, Interim City Administrator

Request City Council to Receive and File the Sound Attenuation Language for Resolution No. 7258, "A Resolution of the City Council of the City of Rialto, California, Approving the Draft Environmental Impact Report Prepared in Conjunction with the Proposed Pepper Avenue Specific Plan (Specific Plan 2017-0001) in Compliance with the California Environmental Quality Act of 1970 and City Environmental Guidelines", which was approved by the City Council at the December 12, 2017 Public Hearing.

BACKGROUND:

On December 12, 2017, the City Council approved Resolution No. 7258 with the following direction to staff: add language requiring construction of a sound attenuation wall to address potential noise impacts to properties with a direct line of sight to Pepper Avenue. The language obligates the City to expend capital improvement funds to construct or cause the construction of the mitigation measure. The following properties have a direct line of sight located on the bluff abutting Shirley Bright Road within the Pepper Avenue 60 dB noise contour and are eligible for sound attenuation:

1. 1550 Shirley Bright Road (APN: 0133-321-01);
2. 1518 N. Ash Avenue (APN: 0133-321-12);
3. 1519 N. Ash Avenue (APN: 0133-321-11);
4. 856 E. Scott Street (APN: 0133-321-08), and
5. 1499 N. Birch Road (APN: 0133-321-07).

ANALYSIS/DISCUSSION:

Staff identified five properties potentially affected by an increase in ambient noise because of the Specific Plan. As directed by Council at the Public Hearing, the Mitigation Monitoring and Reporting Plan as follows:

Mitigation Measure NOISE-1: Prior to approval of building plans for development within the Specific Plan, a qualified acoustical consultant shall either: 1) design and implement a sound barrier wall, earthen berm, or landscaping to buffer outdoor sensitive uses (i.e., residential courtyards, parks, and passive recreation areas) from development in the Specific Plan to reduce and/or ensure that exterior noise levels are at or below 65 CNEL; or alternatively, 2) the plans shall show that outdoor uses in the Plan area are located behind buildings (not

facing traffic corridors) in a manner that shields outdoor sensitive uses from roadway noise and reduces the exterior noise level to 65 CNEL or below. An acoustical engineer shall submit evidence, along with the application for a building permit, for construction in the Specific Plan that the design plans or features of sound insulation are sufficient to mitigate interior noise levels below a CNEL of 45 dBA in any habitable room.

Furthermore, to reduce potential impacts to off-site sensitive receptors, the City shall develop a specification and then offer to provide a sound attenuation wall (that may or may not be transparent) for the following properties with a direct line of sight located on the bluff abutting Shirley Bright Road within the Pepper Avenue 60 dB noise contour prior to the issuance of any Building Permit for commercial or residential occupancy in the Pepper Avenue Specific Plan.

1. 1550 Shirley Bright Road (APN: 0133-321-01);
2. 1518 N. Ash Avenue (APN: 0133-321-12);
3. 1519 N. Ash Avenue (APN: 0133-321-11);
4. 856 E. Scott Street (APN: 0133-321-08), and
5. 1499 N. Birch Road (APN: 0133-321-07).

Properties eligible to receive the offer of assistance from the City have a direct line of sight to Pepper Avenue, without any intervening single-family properties. Walls are not required for properties that already have sound walls. Upon approval by the property owner, the City (or the owner) shall construct sound walls prior to the issuance of any Occupancy Permit for commercial or residential occupancy within the Pepper Avenue Specific Plan. The City shall allocate funds to pay for the cost of an acoustical engineer and the construction of the walls. The property owner shall have a one-time opportunity to accept the City's offer of assistance and the City shall remain solely responsible for determining the character of the sound attenuation improvement.

ENVIRONMENTAL IMPACT:

The City Council certified EAR No.2018-0013 for the proposed project. No additional analysis pursuant to California Environmental Quality Act is required.

GENERAL PLAN CONSISTENCY:

The project conforms to the goals and policies of the 2010 General Plan. A General Plan consistency analysis is included in Appendix A of the Specific Plan appended to this report as 17-1112).

LEGAL REVIEW:

The City Attorney has reviewed and approved the staff report and proposed mitigation measure.

FINANCIAL IMPACT:

Operating Budget Impact

There is no immediate or future operating cost impact. The homeowners will accept maintenance responsibility for the completed improvements.

Capital Improvement Budget Impact

The proposed mitigation measure requires the City to allocate funds from a future Capital Improvement Budget to pay for the cost of an acoustical engineer and the construction of the wall(s). Assuming the walls encompass approximately 800 linear feet at six feet high, the current cost is estimated at \$120,000, or \$150 per linear foot including all soft costs. The City's obligation to provide the financial assistance to the homeowners will trigger upon the issuance of the first building permit within the Pepper Avenue Specific Plan.

RECOMMENDATION:

Staff recommends that the City Council Receive and File the sound attenuation language for Resolution No. 7258; "A Resolution of the City Council of the City of Rialto, California, Approving the Draft Environmental Impact Report Prepared in Conjunction with the Proposed Pepper Avenue Specific Plan (Specific Plan 2017-0001) in Compliance with the California Environmental Quality Act of 1970 and City Environmental Guidelines".