



*"Small Town Atmosphere
Outstanding Quality of Life"*

**DRAFT MITIGATED NEGATIVE DECLARATION OF
ENVIRONMENTAL SIGNIFICANCE**

(Incorporating edits made since initial distribution on March 1, 2011)

PROJECT TITLE: Danville Hotel Redevelopment Project

LEAD AGENCY AND ADDRESS: Town of Danville
510 La Gonda Way
Danville, CA 94526

CONTACT PERSON/PHONE#: Kevin Gailey, Chief of Planning / (925) 314-3305

PROJECT SPONSORS: Castle Companies, Inc.
Attn.: Thomas Baldacci
12885 Alcosta Blvd., Suite A
San Ramon, CA 94583

ZONING: DBD: Downtown Business District Area 11 - Special Opportunity Site

GENERAL PLAN: Downtown Master Plan

PROJECT DESCRIPTION: Final Development Plan request DEV10-0064; Variance request VAR10-0016; Tree Removal request TR10-0022; Master Sign Permit request SR10-0024, and Major Subdivision request SD 9292; for the proposed redevelopment of the Danville Hotel mixed-use project providing for the demolition of approximately 14,387 square feet of existing retail, office, restaurant, and personal service use space and the construction of approximately 34,585 square feet of new residential (16 individual residential units), retail, and restaurant use space which is proposed to be served by the construction of a new 9,450+/- square foot at-grade parking structure (28 parking spaces), 2,250+/- square feet of new common, conditioned elevator/stairwell support area, 2,250+/- square feet of new common, conditioned residential support area, 1,050+/- square feet of new common, unconditioned mechanical support area, and construction of associated new landscaping and parking/driveway improvements, and new and replacement project public frontage improvements (i.e., curb, gutter, sidewalk, street light, mid-block lighted crosswalk "bulb-outs" improvements and associated project frontage and offsite storm drain and storm water treatment and storage improvements). The Variance request would allow: (1) building height variances (38' height requested at several locations and 44' height requested for two elevator towers - where a maximum 37' building height standard applies); (2) average front yard building setback variances along Hartz Avenue (2'-8" to 12' setbacks with a 5' average setback requested - where a 10' minimum average setback standard applies), along Prospect Avenue (5' to 17' setbacks with a 6'-3" average setback requested - where a 10' minimum average setback standard applies), and along Railroad Avenue (zero to 3' setbacks with a 2' average setback requested - where a 10' minimum average setback standard applies); (3) numerical parking variance for the proposed residential component of the project (28 parking

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Maintenance
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Police
(925) 314-3410

Parks and Recreation
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Exhibit D

spaces proposed where a 33.75 parking space standard applies); (4) dimensional parking variances (to allow use of tandem loaded parking spaces within the onsite parking structure that will serve the residential component of the project); (5) variance from the minimum required coverage of landscaping improvements (<5% coverage requested where a 20% minimum coverage standard applies); and (6) numerical parking variance to allow a heightened dependency on municipal parking facilities - providing 119 of 153 parking space demand to be handled by dependency on municipal parking facilities where historic dependency has been 96 of 129 parking space demand and where dependency on municipal parking facilities for that portion of a project exceeding a floor area ratio (FAR) of 80% is required to be handled through provision of onsite parking. The Tree Removal request seeks authorization to remove one Town-protected tree - a 38" diameter Heritage Tree (Redwood tree). The Master Sign Permit request seeks conceptual approval of tenant wall-mounted signs, shingle signs, and mini-pole free-standing signs and for center free-standing and directory signs. The Major Subdivision request seeks approval to divide the property through recordation of one or more condominium maps for financing purposes and/or for the purpose of creating lots and/or condominium lots to facilitate the phasing of project construction and/or the sale of the residential units proposed in the project.

SURROUNDING LAND USES: Surrounding land uses and setting: The subject site is located in the central core of Downtown Danville, surrounded by commercial uses dominated by ground floor retail and restaurant uses, and with a wide variety of additional uses (mostly as second floor uses) including personal service, service commercial, and office uses. The site shares its Prospect Avenue frontage with the Danville Clock Tower Municipal Parking Lot, shares its Railroad Avenue frontage with the Railroad Depot (home to the Museum of the San Ramon Valley) and a portion of the Railroad Avenue Municipal Park Lot. Also in the immediate area is the Danville Veterans Memorial Building (currently being remodeled and expanded), which shares Hartz Avenue frontage with the project site.

AFFECTED PUBLIC AGENCIES: San Ramon Valley Fire Protection District
Contra Costa County Central Sanitary District
East Bay Municipal Utility District
County Health Dept. - Environmental Health Division
San Ramon Valley Unified School District

ENVIRONMENTAL EFFECTS:

Aesthetic Impacts: The following mitigation measures shall be imposed to mitigate potential aesthetic impacts to a level of insignificance:

Mitigation Measure #1.a. Exterior wall-mounted lighting shall be at the minimum lighting intensity necessary to provide adequate lighting for safety and security purposes. Project light fixtures shall be of a design that generally screens the view of the light source and provides down-directed lighting. Prior to the issuance of building permits, the developer shall submit a photometric plan as part of the lighting plan that indicates lighting locations and fixture details and provides the corresponding photometric information. This plan shall be subject to review and approval by the Planning Division and Design Review Board. If required by the Planning Division and/or the Design Review Board, field

modifications found necessary to prevent inappropriate levels of off-site light intrusion and/or glare shall be made.

Air Quality Impacts: The following mitigation measures shall be imposed to mitigate potential air quality impacts to a level of insignificance:

Mitigation Measure #3.a. *A watering program, which incorporates the use of a dust suppressant and which complies with Regulation 2 of the Bay Area Air Quality Management District, shall be established and implemented for all on- and off-site construction activities. Equipment and human resources for watering all exposed or disturbed soil surfaces shall be supplied on weekends and holidays as well as workdays. Dust-producing activities shall be discontinued during high wind periods.*

Mitigation Measure #3.b. *All stockpiles of debris, soil, sand or other materials that can be blown by the wind shall be covered.*

Mitigation Measure #3.c. *All exhaust systems for restaurants, coffee houses and other food service activities uses established within the commercial portion of the project shall be fitted with air cleaning systems to reduce smoke and odors emanating from these uses to an efficiency level of 95-99% by particle count, or as otherwise determined acceptable by the Development Services Department. If alternate treatment of food service-generated smoke and/or odor is sought by the developer, the proposed method of treatment shall be subject to review and approval by the Planning Division prior to issuance of building permits for tenant improvements for affected tenant spaces in the project.*

Biological Resource Impacts: The following mitigation shall be imposed to mitigate the potential impacts to biological resources, and thereby reduce the project's potential biological impacts to a level of insignificance:

Mitigation Measure #4.a. *~~Prior to grading or tree removal within the development area, a determination shall be made as to whether grading or tree removal is proposed during the raptor nesting season (i.e., between February through August).~~ If grading or tree removal is proposed during the raptor nesting season (i.e., between February through August), a focused tree pre-construction survey for raptor nests shall be conducted by a qualified biologist during the nesting season to determine if active nests are present on the project site. The survey shall be conducted no less than 14 days, and no more than 30 days, prior to the beginning of grading or tree removal activity. If nesting raptors are found during the focused survey, no grading or tree removal shall occur within 500 feet of an active nest until the young have fledged (as determined by a qualified biologist). If impacts to nest trees are unavoidable, they shall be removed during the non-breeding season.*

Mitigation Measure #4.b. *The Project Landscape Architect shall calculate the diameter of the Town-protected Heritage Tree slated for removal (i.e., the Redwood Tree currently 38" in diameter) as of the date of the grading permit application and submit that calculation to the Planning Division. The developer shall be required to mitigate the loss of the Heritage Tree to be removed with a number and size of oak trees (or approved alternate tree species) equal to the total inches of diameter of the tree to be removed. The required mitigation tree planting shall be in addition to the street trees otherwise required to be planted as part of the project's landscape plan. Since the project landscape plan will not accommodate the number of trees necessary under this mitigation measure, credit for the remaining trees shall be obtained through off-site oak planting (i.e., by "Off-Site Inches") and/or restoration as*

deemed acceptable to the ~~Town~~ Planning Division. The developer may satisfy the off-site planting obligation in either of the two following manners (or in a combination of the two):

- (a) The developer may plant 24-inch box trees with a cumulative diameter equal to the Off-Site Inches (credited at 2 inches per 24-inch box tree) and install and maintain irrigation for those trees until they are established, at an off-site location or locations to be approved by the ~~Town~~ Planning Division; or
- (b) The developer may, rather than planting trees itself, apply that cost to a recognized, ~~Town~~ Planning Division-approved off-site planting or restoration program.

Cultural Resources Impacts:

Archaeological Resource: The following mitigation measure shall be implemented to mitigate potential impacts to archaeological resources:

Mitigation Measure #5.a. In the event that subsurface archeological remains are discovered during any construction or pre-construction activities on the site, all land alteration work within 100 feet of the find shall be halted, the ~~Town~~ Development Services Department notified, and a professional archeologist, certified by the Society of California Archeology and/or the Society of Professional Archeology, shall be notified. Site work in this area shall not occur until the archeologist has had an opportunity to evaluate the significance of the find and to outline appropriate mitigation measures, if they are deemed necessary. If prehistoric archaeological deposits are discovered during development of the site, local Native American organizations shall be consulted and involved in making resource management decisions.

Mitigation Measure #5.b. Prior to issuance of a grading permit, the developer shall hire a historical resource consultant to determine whether the site contains historic resources. The findings of the consultant shall be submitted in written form to the Planning Division and to the Northwest Information Center of the California Historical Resources Information System at Sonoma State University. All work ~~must~~ shall comply with the requirements of the California Historical Resources Information System.

Historic Resources Impacts: The following mitigation shall be imposed to mitigate the potential substantial adverse change in the significance of a historic resource (as defined by CEQA Guidelines Section 15064.5), and thereby reduce the project's potential impacts to historical resources to a level of insignificance:

Mitigation Measure # 5.e.d. Developer shall submit a structural report/building restoration plan for review and approval by the Planning Division and Building Division prior to issuance of a building permit ~~for altering~~ to alter the exterior of the Danville Hotel building (which is authorized to include the removal of the non-historic portion of the Danville Hotel building). The report shall include provisions for preservation of the existing exterior materials, doors, trim or other significant historic architectural features that may be affected by ~~altering the building~~ the proposed partial demolition of the building. The report shall detail specific recommendations for foundation design. The plans shall address how structural and/or seismic upgrades are proposed to be implemented, with a goal of providing these improvements in the least invasive method possible as relates the exterior of the building.

Mitigation Measure # 5.d.c. The building renovation plans for the two historic structures shall

comply with the ~~Town's~~ Danville Design Guidelines for Historic Resources and the third-party historic architect report cited in Condition of Approval #A.1.d., above.

Mitigation Measure # 5.e. ~~The d~~Developer shall prepare a building restoration plan for each historic structure the McCauley House structure building for Planning and Building Division review and approval. The plans shall address how any required structural and/or seismic upgrades are to be implemented, with a goal of providing these improvements in the least invasive method possible as relates to the exterior of the building.

Mitigation Measure # 5.f. ~~The developer shall take all reasonable precautionary measures to ensure that the two historic buildings will not be significantly damaged by the remodel effort (which is authorized to include the removal of the non-historic portion of the Danville Hotel building).~~ If significant damage to either building occurs during remodeling efforts, the owner shall immediately inform ~~Town officials~~ the Planning Division and develop a response plan for Town review and approval. If it is found that exterior architectural elements or materials that were intended to be maintained on the buildings are damaged beyond repair, the developer shall be responsible for replacing the element(s)/material with a historically accurate element(s)/material as determined acceptable by the Historic Design Review Committee (HDRC). At the discretion of the ~~Chief of Planning Division~~ or the ~~Historic Design Review Committee~~ HDRC, such modifications may be referred to the Heritage Resource Commission for review and action.

Mitigation Measure # 5.g. New exterior materials for the historic structures shall match the originals in appearance as closely as reasonably feasible.

Mitigation Measure # 5.h. The developer shall be responsible for funding a third party review of the project building permit plans and on-site oversight during the partial building demolition of the Danville Hotel building. The third party reviewer shall be a professional historical architect that is chosen by the ~~Town~~ Planning Division and is acceptable to the developer.

Geology and Soils Impacts

Seismic Hazards – Ground Shaking Hazards: The following mitigation measure shall be implemented to mitigate potential ground shaking impacts to a level of insignificance:

Mitigation Measure #6.a. To adequately mitigate the shaking effects associated with a moderate to high earthquake within the San Francisco Bay region, all project structures shall, at a minimum, be designed using sound engineering judgment and the 2007-2010 California Building Code (CBC) requirements. Structures shall be designed to be able to: (a) resist minor earthquakes without damage; (b) resist moderate earthquakes without structural damage but with some nonstructural damage, and (c) resist major earthquakes without collapse but with some structural as well as nonstructural damage. Structures shall be designed to reflect the subject property's location within Seismic Site Class D and shall provide for the soil profile and seismic coefficients cited in the project geotechnical report (i.e., "Danville Hotel Site", prepared by ENGE0, Inc. and consisting of 13 pages and dated July 13, 2010.).

Expansive Soil Hazards: The following mitigation measure shall be implemented to mitigate potential impacts associated with expansive soils to a level of insignificance:

Mitigation Measure #6.b. Prior to submittal for project building permits, a design-level geotechnical

exploration of the subject property shall be made that shall includes soil sampling and laboratory testing for the evaluation of the expansion potential of soils present at the site. Mitigation measures called for in that report for both general site improvements and for structure foundation design shall be followed to mitigate potential impacts resulting from the presence of expansive soils. Prior to commencing drilling activities for any soil borings associated with the geotechnical investigation (or any environmental investigation and/or cleanup) a permit from the Contra Costa Environmental Health Division shall be secured.

Compressible Soil Hazards: The following mitigation measure shall be implemented to mitigate potential impacts associated with soil settlement to a level.

Mitigation Measure #6.c. The design-level geotechnical exploration shall be of a sufficient scope and detail to document whether compressible soil layers are present at the subject property. As dictated by the findings of that report, project foundation design utilized in the project shall be as necessary to mitigate potential total or differential settlement of compressible soil layers as a result of planned loading at the surface associated with new structures and/or fill.

General Soil/Geotechnical Impacts: The following mitigation measures shall be imposed to mitigate impacts with generalized soil/geotechnical problems to a level of insignificance:

Mitigation Measure #6.d. An evaluation of the site's soil corrosion potential shall be determined through the preparation of a soil corrosion study, which shall be integrated into the design-level geotechnical exploration and shall be prepared by a corrosion consultant. The soil corrosion study shall be subject to review and approval by the San Ramon Valley Fire Protection District and the ~~City Engineer~~ Engineering Division. As dictated by the findings of that study, site-specific design measures shall be developed and implemented to protect buried pipelines and other infrastructure elements against corrosion.

Mitigation Measure #6.e. If toxic or contaminated soil is encountered during construction, all construction activity in that area shall cease until the appropriate action is determined and implemented. The concentrations, extent of the contamination and mitigation shall be determined by the Contra Costa County Health Department. Suitable disposal and/or treatment of any contaminated soil shall meet all federal, state and local regulations. If deemed appropriate by the Health Department, the developer shall make provisions for immediate containment of the materials. Runoff from any contaminated soil shall not be allowed to enter any drainage facility, inlet or creek.

Mitigation Measure #6.f. Where geotechnical conditions encountered in grading operations and/or site preparation work are different from that anticipated in the preliminary geotechnical report or the design-level geotechnical exploration, a revised report shall be prepared and submitted for review and approval by the Engineering Division. It shall be accompanied by an engineering and geological opinion as to the safety of the site from settlement and seismic activity.

Hazards and Hazardous Materials Impacts: The following mitigation shall be imposed to mitigate the potential impacts associated with hazards or hazardous materials, and thereby reduce the project's potential hazards or hazardous materials impacts to a level of insignificance:

Mitigation Measure #8.a.#7.a. Prior to any demolition and/or re-modeling activity involving existing structures on the subject property, an Asbestos Hazard Emergency Response Act (AHERA)

Asbestos Containing Materials site inspection shall be conducted, with samples obtained from suspect materials and analysis by a state-certified lab to ascertain what, if any, asbestos containing materials (ACM) is present in the onsite buildings. Recommendations of such report shall be followed to the satisfaction of the Building Division to address any ACM found at the project site.

Mitigation Measure #8.b.#7.b. *Prior to any demolition and/or re-modeling activity involving existing structures on the subject property, a Lead-based paint site inspection shall be conducted, with samples obtained from suspect materials and analysis by a state-certified lab to ascertain what, if any, lead-based paint (LMP) material is present in the onsite buildings. Recommendations of such report shall be followed to the satisfaction of the Building Division to address any LMP found at the project site.*

Mitigation Measure #8.c.#7.c. *If the ACM report determines there are ACMs present, the developer shall have the responsibility to: (a) remove and dispose all ACM in accordance with applicable Federal, State and local regulations governing asbestos including, but not limited to those promulgated by OSHA, EPA, Cal-OSHA, Cal-DPH, DTSC, and the Bay Area Air Quality Management District Developer (BAAQMD); (b) supply notification to employees, contractors, subcontractors, and tenants having access to the structures on the subject property as to the presence, location, and quantity of ACMs documented to be present at the site, with such notification to occur within 15 days of receiving such information; (c) retention of a State of California licensed and Cal-OSHA registered asbestos contractor to complete the recommended pre-demolition abatement of all ACM at the site; (d) provision of a 10 working day minimum advanced written notification to BAAQMD prior to demolition activities (with said notice to be accompanied by payment of requisite administrative fees); and (e) provision of an "Intent to Conduct ACM Related Work" notification to Cal-OSHA.*

Mitigation Measure #8.d.#7.d. *If the LBP report determines there are LBPs present, the developer shall have the responsibility to: (a) remove and dispose all LBPs in accordance with applicable Federal, State and local regulations; (b) advise contactors engaged in work at the site that LBPs are present and that said LBPs shall only be impacted by properly trained workers, using appropriate lead-related work practices in compliance with applicable Cal-OSHA worker exposure regulations; and (c) provision of an "Intent to Conduct Lead Related Work" notification to Cal-OSHA.*

Mitigation Measure #8.e.#7.e. *If conjunction with the submittal for a project demolition permit and/or a building permit, the developer shall submit a recycling plan for building and construction materials and the disposal of green waste generated from land clearing on the site. Prior to obtaining framing inspection approval for the project, the developer shall provide the Planning Division with written documentation (e.g., receipts and records) documenting that waste materials created from the demolition of existing buildings and the construction of new structures were/are being recycled according to the approved recycling plan or in an equivalent manner. In conjunction with observance of the approved recycling plan, developer shall have the responsibility to document proper recycling/disposal of fluorescent light bulbs and ballasts, security light bulbs, electrical switches, and other demolition by-product containing mercury, PCBs, refrigerants, etc. in accordance with applicable regulations. As appropriate, a California licensed hazardous waste hauler shall conduct transportation of these items from the site.*

Hydrology and Water Quality Impacts: The following mitigation measures shall be imposed to

mitigate potential impacts to ground water quality standards or the creation or contribution of runoff water that would exceed the capacity of existing or planned stormwater drainage systems.

Mitigation Measure #8.a. Any abandoned wells (water, environmental, or geotechnical) and septic tanks shall be destroyed under permit from the Contra Costa Environmental Health Division (CCEHD). If the existence of such wells or septic tanks are known in advance or discovered during construction or other activities, these shall be clearly marked, kept secure, and destroyed pursuant to CCEHD requirements.

Mitigation Measure #8.b. In recognition of the project's location within the San Ramon Creek watershed and Drainage Area 10 of the Contra Costa County Flood Control & Water Conservation District (FC District), the project shall make payment of appropriate drainage fees respectively being a \$0.10 per square foot of net new impervious surface area drainage fee for the San Ramon Creek watershed (based on the FC District's standard impervious surface area ordinance) and a drainage fee consistent with FC District Ordinance No. 92-52 for the Drainage Area 10 watershed.

Storm Water Pollution Impacts: The following mitigation measures shall be imposed to mitigate potential impacts resulting from runoff pollutants to a level of insignificance:

Mitigation Measure #9.a. The project shall comply with both the treatment and flow control guidelines set forth by the 2009 Municipal Regional Permit (MRP) C.3. Requirements issued by the San Francisco Regional Water Quality Control Board. Since the project will alter more than 50% of the pre-project impervious surfaces present at the subject property, and since existing site improvements do not include stormwater treatment measures, the project shall provide stormwater treatment measures for the entire site (with this obligation to be inclusive of treatment for impervious surfaces present in abutting public right-of-way areas that will be removed in conjunction with the project's construction). Since the subject property is over one acre in size and since the project will increase the amount of impervious surface area from current totals, the project shall abide to hydrograph modification management (i.e., flow control) requirements of the MRP. Pursuant to the MRP, the existing developed site conditions shall be used as a baseline for the determination of the pre- and post-project runoff conditions and to define the required volume of the flow control facilities. Project compliance with its hydro-modification requirements shall be through the construction and maintenance of Town Engineering Division-approved stormwater detention/retention facilities.

Mitigation Measure #9.b. A final Stormwater Control Plan (SCP) that defines all Drainage Management Areas (DMAs) and related Integrated Management Practices (IMPs) shall be submitted for review and approval by the City Engineer prior to issuance of grading or building permits for the project. The SCP shall be substantially consistent with the Preliminary Stormwater Control Plan cited in Project Condition of Approval #A.1.f., above. All C.3 stormwater facilities detailed in the SCP shall conform in size and dimension to the minimum requirements contained the Contra Costa Clean Water Program Stormwater C.3 Guidebook in place at the time application in made for project grading or building permits. All final construction, architecture, landscaping and improvement plan details prepared for the project shall conform to the approved final SCP. Unless otherwise authorized by the City Engineer Engineering Division, the SCP shall be submitted for review and approval prior to

submittal of the project improvement plans or grading plans to verify that all DMAs are properly described, sized, and located.

Mitigation Measure #9.c. A Stormwater Facilities Operation and Maintenance Plan, consistent with the project's SCP and applicable Contra Costa Clean Water Program instructions, shall be submitted for review and approval by the ~~City Engineer~~ Engineering Division prior to approval of the initial frame inspection for a project building permit. The approved Stormwater Facilities Operation and Maintenance Plan shall be executed and recorded prior approval of the initial final inspection for a project building permit.

Mitigation Measure #9.d. The project's Preliminary Stormwater Control Plan (i.e., "Danville Hotel Site" prepared by Carlson, Barbee & Gibson, Inc. and consisting of 24 pages and dated February 15, 2011.) indicates that a portion of the project C.3. treatment requirements are proposed to be met by the construction offsite treatment-only improvements and/or by payment of an in-lieu fee. Pursuit of the in-lieu fee option for that portion of the C.3 treatment requirements not handled on the subject property may only be utilized if approved by the Town Council prior to issuance of project grading permit.

Mitigation Measure #9.e. The SCP shall include final calculations and designs for both the planned onsite and offsite IMPs. The SCP shall include page cross-references to all related architectural, landscaping and improvement plan construction details for both onsite and offsite improvements.

Mitigation Measure #9.f. The location and general design of any proposed offsite IMPs serving the project shall be subject to review and approval by the ~~City Engineer~~ Engineering Division prior to Town approval of the SCP and ~~Town~~ approval of any final construction drawings.

Mitigation Measure #9.g. Prior to issuance of grading or building permits for the project, the developer, project general contractor, and appropriate project sub-contractors shall attend a pre-construction meeting with the ~~City Engineer~~ and assigned Engineering Division and Stormwater inspection staff to discuss the project SCP and related IMPs and to discuss the inspection process to be used to assure IMPs are installed consistent with the SCP.

Mitigation Measure #9.h. Written Engineering Division or Stormwater Program inspection staff sign-offs shall be secured for construction and installation of all project IMPs, with IMPs inspections observing the following minimum inspection sequence: a) layout inspection (required prior to beginning project excavation); b) excavation inspection (required prior to backfilling IMPs with any material or pipe installation); c) overflow inlet/surface connection to storm drain system inspection (required prior to backfilling IMPs with any material); d) underground connection to storm drain outlet or orifice inspection (required prior to backfilling IMPs with any material); e) drain rock/sub-drain inspection (required prior to soil media mix inspection/test and installation); f) soil media mix inspection/test (required prior to soil media installation); g) soil media installation inspection (required prior to irrigation installation); h) irrigation inspection (required prior to plant material installation); i) planting inspection (required prior to final Engineering Division Inspection); and j) Engineering Division Final (required prior to building permit final). The developer shall utilize the inspection log provided by the ~~Town~~ Engineering Division at the pre-construction meeting.

Mitigation Measure #9.i. All mud or dirt carried off the construction site onto adjacent streets shall

be swept each day. Water flushing of site debris or sediment or concrete washing is prohibited.

~~Mitigation Measure #9.j. All grading activity shall address National Pollutant Discharge Elimination system (NPDES) concerns. Specific measures to control sediment runoff, construction pollution and other potential construction contamination shall be addressed through the Erosion Control Plan and Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall supplement the Erosion Control Plan and project improvement plans. These documents shall also be kept onsite while the project is under construction. A NPDES construction permit may be required, as determined by the Engineering Division.~~

Noise Impacts: The following mitigation measures shall be implemented to mitigate potential noise impacts to a level of insignificance:

Mitigation Measure #11.a. *The developer shall require their contractors and subcontractors to fit all internal combustion engines with mufflers, which are in good condition, and to locate stationary noise-generating equipment as far away from existing residences as feasible.*

Mitigation Measure #11.b. *Construction activity shall be restricted to the period between the weekday hours of 7:30 a.m. to 5:30 p.m. (Mondays through Fridays), unless otherwise approved in writing by the City Engineer for general construction activity and the Chief Building Official for building construction activity. Prior to any construction work on the site, including grading, the developer shall install a ~~minimum~~ 3' x 3' sign at the project entry which specifies the allowable construction work days and hours, and lists the name and contact person for the overall project manager and all contractors and sub-contractors working on the job.*

Public Services Impacts

School Facilities Impacts: The following mitigation measure shall be implemented to mitigate potential impacts to school facilities resulting from the development of new housing:

Mitigation Measure #14.a. *Prior to the issuance of building permits for the residential portion of the project, the developer shall verify that payment of the applicable school impact fees have been paid to the San Ramon Valley Unified School District.*

Recreational Facilities Impacts: The following mitigation measure shall be implemented to mitigate potential impacts to recreational facilities resulting from the development of new housing:

Mitigation Measure #14.b. *Prior to the issuance of building permits for the residential portion of the project, the developer shall make payment to the Town of the applicable parkland in-lieu fees.*

Transportation/Traffic Impacts: The following mitigation measures shall be imposed to mitigate potential transportation/traffic impacts to a level of insignificance:

Mitigation Measure #16.a. *Prior to the issuance of a building permit for the project, a Parking Management Plan agreement for the project shall be developed and submitted for review and approval by the ~~Town~~ Planning Division and the Transportation Division. Each commercial tenant occupying the project shall be provided an executed copy of the Parking Management Plan along with their rental agreements and each individual lessee shall submit written verification of their awareness and*

acceptance of the requirements of the Plan. The Plan shall include, at a minimum, the following provisions: (a) commitment to provide and maintain directional signage indicating where the nearest municipal parking facilities are located; (b) a system to monitor ongoing compliance with the Plan; (c) a mechanism to allow changes to the Plan as may be deemed necessary over time to meet the established goals of the Plan (with such changes to be submitted to the ~~Chief of Planning~~ Planning Division and the Transportation Division for review and approval); (d) commitment by the property owner to provide commute alternative information to all tenants prior to their respective occupancies in the project; (e) a commitment by the property owner that all reasonably feasible efforts shall be made to enforce the intent and requirements of the Plan; and (f) commitment by the property owner to require all business owners and their employees to secure and utilize municipal parking permits and park off-site in appropriate public parking areas as directed by the Transportation Division.

Mitigation Measure #16.b. To facilitate safe pedestrian crossings to and from the project site to the Railroad Avenue Municipal Parking Lot, the project improvement plans shall detail changes to the design of the existing intersection of Railroad Avenue and Short Street/northerly driveway of the Railroad Avenue Municipal Parking Lot to provide for: (a) the creation of a four-legged intersection to align vehicular movement; (b) the creation of bulb-outs at four corners of the modified intersection (to shorten the pedestrian crossing distance); and (c) the installation of in-pavement flashing amber LED unidirectional warning lights along each side of both crosswalks spanning Railroad Avenue. The design of the in-pavement flashing amber LED lights shall as necessary to provide adequate to alerts motorists approaching the intersection that they are approaching an occupied (or soon to be occupied) crosswalk(s) and should be prepared to stop and yield to pedestrians. In addition to being responsible for the cost of design for these improvements, the developer shall be responsible for 50% of the construction costs of the improvements (based on the engineer's estimate of the work), with payment to be made prior to issuance of project building permits. Upon receiving Town Council approval, project-generated Town-controlled traffic impact fees may be assigned to the developer's portion of the project cost.

Mitigation Measure #16.c. A 40-foot long parking space on the east side of project's Railroad Avenue frontage, near its intersection with Prospect Avenue, shall be developed and maintained as a loading zone. The use of the loading zone shall be regulated as directed by the ~~Town~~ Transportation Division to mitigate impacts associated with loading and unloading of trucks serving the future mixed use project. As may be provided for through posted use restrictions for this curbside loading zone, it may also be used for informal passenger drop-off and pick-ups and/or for ~~Town~~ Planning Division-approved valet parking activity serving project ~~restaurants~~ food service uses during evening peak periods and/or for special functions.

Utility and Service Systems Impacts: The following mitigation measures shall be imposed to mitigate potential transportation/traffic impacts to a level of insignificance:

Mitigation Measure #17.a. The Final Landscape and Irrigation Plans submitted for the Project shall be accompanied by a written report prepared by the Project Landscape Architect documenting how the plans comply with applicable outdoor water-use efficiency recommendations and requirements in place at the time of their submittal. The report shall, at a minimum, speak to conformance to applicable East Bay Municipal Utility District (EBMUD) recommendations and requirements and the State of

California Department of Water Resources requirements that would pertain to the project regarding the Water Conservation in Landscaping Act of 2006 (AB 1881).

DETERMINATION: Based upon the above identified mitigation measures, no significant environmental impacts are anticipated to be associated with the subject project. A Draft Mitigated Negative Declaration of Environmental Significance has been prepared.

The Initial Study for the project was prepared by the Planning Division, Town of Danville. Copies of the Initial Study may be obtained at the Town offices located at 510 La Gonda Way, Danville, California, 94526.

ATTEST:



Kevin J. Gailey, AICP
Chief of Planning