ADDITIONS TO EIR

MONTEREY AVENUE SKATE PARK

STATE CLEARINGHOUSE #2015062067

IN THIS SECTION:

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INTRODUCTION

A Draft Environmental Impact Report (DEIR) for the proposed Monterey Avenue Skate Park was completed in November 2015 and circulated for a 52-day public review and comment period. A Final EIR (FEIR) was completed in March 2016, which includes public comments on the DEIR, staff responses to comments, and changes to the DEIR analyses as result of the comments and responses. The EIR consists of both documents: the Draft EIR, dated November 2015 and the Final EIR document, dated March 2016.

On March 31, 2016, the Capitola Planning Commission certified the EIR for the proposed Monterey Avenue SkatePark project and approved a project based on a relocated skate park within Monterey Park as described and evaluated as Alternative 1 in the EIR. Two appeals to the Planning Commission's decision were filed with the City, challenging the Planning Commission's decision on the EIR and the project approval. The EIR will be considered for recertification by the City Council.

In June 2016, two site concept plans were developed by the applicant to depict a skate park layout consistent with the Alternative 1 description included in the EIR in response to Planning Commission direction given with approval of the project. The two options shift the facility closer to the Monterey Avenue to improve visibility, public safety, and to reduce noise impacts. The first option would move the skate park immediately adjacent to the existing parking lot. The second would shift the facility north along the school district property line to an area presently occupied by eucalyptus trees. For purposes of clarification, these options are further described below, and the text on the following pages expands upon the discussion of Alternative 1 provided on pages 5-9 to 5-11 of the Draft EIR as corrected on page 3-7 of the Final EIR document (see FEIR page 3-7) by providing a more detailed review of impacts that could result from implementation of either of these options under Alternative 1. The State CEQA Guidelines section 15088.5 requires a lead agency to recirculate an EIR when "significant new information" is added to an EIR after public review but before certification. New information is not significant unless the "EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect." "Significant new information" that would require circulation according to this section of the State CEQA Guidelines include:

- □ A new significant environmental effect resulting from the project or from a new mitigation measures.
- □ A substantial increase in the severity of an environmental impact unless mitigation measures are adopted to reduce the impact to a level of insignificance.
- □ A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impact of the project, but the project proponents decline to adopt it.
- □ The DEIR was so fundamentally inadequate that meaningful public review and comment were precluded.

The expanded text provided in this document does not result in any of the above conditions that would warrant recirculation. As demonstrated below, none of the additions to the DEIR text regarding Alternative 1 would result in or indicate a new significant impact or a substantial increase in the severity of an impact associated with the proposed project.¹ "There are also no feasible project alternatives or mitigation measures that are considerably different from others previously analyzed that would clearly lessen the environmental impact of the project that the applicant has declined to adopt.

SUMMARY OF EIR ADDITIONS

This document provides the following revisions to the Monterey Avenue Skate Park EIR:

- Expanded discussion of the Draft EIR Alternative 1 impacts based on review of two site layout options developed after the March 31, 2016 Planning Commission meeting and review of a noise assessment;
- Noise Assessment of the two Alternative 1 options that was prepared for the City by Illingworth & Rodkin; and
- □ Additional graphics to illustrative the Alternative 1 options and resulting noise contours.

¹ "Proposed project" as used in this document refers to the project proposed by the applicant that was evaluated in the EIR as shown on EIR revised Figure 2-1 and Figure 2-1A on pages 3-9 and 3-10 of the Final EIR.

EIR ALTERNATIVE 1 EXPANDED TEXT

As indicated in the EIR, in accordance with CEQA and the State CEQA Guidelines (section 15126.6), an EIR shall describe a range of reasonable alternatives to the project or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project. As discussed in the EIR, under Alternative 1, the proposed project would be relocated in the existing Monterey Park to be sited closer to the existing parking lot and Monterey Avenue; the EIR estimated that the skate park would be moved approximately 60-140 feet northeast of the proposed location under this alternative. Two conceptual site layouts were developed by the applicant to illustrate this alternative after the March 31, 2016 Planning Commission meeting. The internal layout and elements of the skate park would essentially be the same as the proposed project design; the only difference would be the location and orientation of the skate park. Each option is described below and is consistent with what was described and reviewed as Alternative 1 in the EIR. The skate park would be enclosed by a six-foot tall perimeter wrought iron fence as reviewed in the EIR. For each option, storm drainage would be collected and conveyed to a bioswale in the location for the proposed project as shown on Figure 2-1A in the in the FEIR document (page 3-10). As indicated in the EIR, the use of the skate park would be limited to the hours of between 8:00 AM and dusk, per the allowable hours of operation specified in the City's Municipal Code.

Description of Alternative 1 Options

- □ Option 1. Under this option, the skate park location would be shifted approximately 100 feet to the north and reoriented so that it is sited adjacent to and parallel with the existing parking lot as shown on Figure 5-3². Storm drainage would be collected and conveyed to a bioswale in the general location for the proposed project as also shown on Figure 5-3. The skate park would be located north of the softball field with relocation of the softball field approximately 10 feet south of its current location. The walking path from the parking lot would also be repositioned. An approximate 3.5-foot tall block retaining wall would be installed along both sides of the realigned pathway for a distance of approximately 75 feet, although the wall on the east may be a foot shorter (2.5 feet) in height. Another 3.5-foot tall retaining wall is shown on the south side of the skate park for a distance of approximately 60 feet.
- □ Option 2. Under this option, the skate park location would be shifted north from the proposed project location so that the southern edge of the skate park would be at the northern edge of the proposed project location. The facility would be slightly reconfigured from a rectangular shape to an inverted "L" shape as shown on Figure 5-4. Under this option, the skate park would be located immediately to the east of the

 $^{^{2}}$ The figures are provided at the end of this chapter and follow the numerical order in the EIR.

existing school district office and private residence, approximately 5 feet from the property line. Two approximately 3.5-foot tall retaining walls would be located for a short distance on both the northern and western sides of the property line as shown on Figure 5-4.

Assessment of Impacts

The environmental effects of each option considered under Alternative 1 are discussed below. The focus is on discussion of whether and how the option could eliminate or substantially reduce significant impacts identified for the proposed project or result in new significant impacts.

Noise. A noise assessment, including modeling, was conducted for the City of Capitola by Illingworth & Rodkin (May 2016) to determine noise levels with operation of a skate park as sited under each option. For the purpose of modeling, the skate park layout and design would essentially be the same as the proposed project design for each option except for the change in location and orientation of the skate park. The number of skate park users and time of use would not change from what was described in the EIR, and project traffic volumes would not change under either option. Other noise-generating sources at the Monterey Park (e.g., baseball/softball fields, track) would remain unchanged. Noise generated from use of the play fields would not change since the slight reorientation of the field would not change the overall intensity of use or sounds from activities at the play field.

The nearest sensitive receptors include the Soquel Union Elementary School District office and private residence; nearby classrooms of the New Brighton Middle School; and singlefamily residences along Monterey Avenue, Junipero Court and Orchid Avenue. The table below compares the distance of the proposed skate park and the two Alternative 1 options to sensitive receptors.

	Approximate Distance From Skate Park				
Sensitive Receptor Location	Proposed Skate Park	Alternative 1- Option 1	Alternative 1 – Option 2		
Residential-Nearest to Site					
 Residence to northeast adjacent to School District Office 	80 feet	74 feet	6 feet		
 Residences to north on Monterey Avenue 	250-300+ feet	155 feet	160 feet		
 Residences to east on Junipero Court 	300 feet	165 feet	290 feet		
 Residences to south on Orchid Avenue 	80-100+ feet	380 feet	265 feet		
New Brighton Middle School					
Nearest Classrooms	140 feet	210 feet	130 feet		
 School District Offices 	60 feet	90 feet	32 feet		

As indicated in the EIR (Draft EIR, November 2015), noise generated by the skate park would be considered significant if levels would exceed 60 dBA Ldn/CNEL (the normally acceptable noise and land use compatibility standard for residential land uses) or substantially exceed existing ambient noise levels (in terms of hourly average noise level or maximum instantaneous noise level, Leg or Lmax, respectively). A substantial exceedance of existing ambient noise levels generally is considered an increase of 5 dBA or more because such an increase in noise level is clearly perceptible by most people. A substantial permanent noise increase would occur if: the noise level increase is 5 dBA Ldn/CNEL or greater where a future noise level is less than 60 dBA Ldn/CNEL or a noise level increase of 3 dBA CNEL or greater where a future noise level is 60 dBA Ldn/CNEL or greater. Increases of 3 dBA L_{dn} /CNEL or greater typically are considered significant where exterior noise levels would exceed the normally acceptable noise level standard (60 dBA L_{dn} /CNEL for residential land uses). Capitola's General Plan also indicates that a change of 3 dB is generally considered to be the threshold for a perceptive change in sound, although a specific noise measure descriptor is not given. Where noise levels would remain at or below the normally acceptable noise level standard with the project, noise level increases of 5 dBA L_{dn} /CNEL or greater would be considered significant because such an increase in noise level is clearly perceptible by most persons.

The noise modeling for the Alternative 1 options used the same methodology as used in the EIR. Noise measurement results from the Sunnyvale skate park, which were presented in the noise report in the DEIR and summarized in the Noise section of the DEIR, were utilized in the SoundPLAN noise modeling for the proposed skate park to represent a credible worst-case scenario. The noise assessment report is included as Attachment 1 of this document. The results of the noise modeling for the two Alternative 1 options are summarized on Table 5-0, and L_{eq} and L_{max} noise contours are shown on Figures 5-5 and 5-7 for Option 1 and Option 2, respectively.

Noise impacts resulting from the proposed skate park and the Alternative 1 options were evaluated using four acoustical descriptors: L_{max} , L_{eq} , L_{dn} and CNEL. The L_{max} is the maximum instantaneous noise level resulting from activities and would likely result from shouting, the slapping of the skateboard or "grinds." The L_{eq} is the average noise level resulting from skateboarding activities and is defined as the logarithmic average of all sounds measured during the period. This measurement would be highly influenced by maximum instantaneous noise events. The L_{dn} is the day-night average noise levels resulting from the use of the skate park on a daily basis. The CNEL is similar to the L_{dn} but applies an additional 5 dBA penalty to noises occurring during the evening. For both Alternative 1 options, two models were generated: 1) maximum instantaneous noise level calculations for point-sources and line-sources modeled throughout the skate park to represent shouting, slapping of the skateboard, or "grinds;" and 2) hourly average noise level calculations, assuming 25 to 30 skateboarders were present and approximately 5 to 12 skateboarders were actively skating at any given moment (Illingworth & Rodkin, May 2016).

As indicated in the EIR, the noise modeling and analysis represents a conservative, worst-case analysis in which the model used to calculate noise levels with the skate park assumes maximum use during the entire period of operation and is based on use at a larger facility. However, hourly and daily use will vary depending on the time of day and year. For example, it would be expected that there would be less use during school days during the school year since the targeted users would be in school. Additionally, the L_{max} standard accounts for full use of the proposed skate park and includes the highest level of sounds that could occur as result of skateboard jumps and shouting.

	Distance Daytime From Hourly		Daytime Maximum	Average Day- Night Noise Level		
Location	Project Site (Feet)	Average L _{eq}	Hourly L _{max}	Ldn	CNEL	
Soquel Union Elementary School District Office / Adjacent Residence						
 Proposed Project 	60 / 80	50-55 dBA	65-70 dBA 50-55* dBA	47-52 dBA	48-53 dBA	
 Alternative 1 – Option 1 	90 / 74	55 dBA	70 dBA 55*	52 dBA	53 dBA	
 Alternative 1 – Option 2 	32 / 6	65 dBA	>70 dBA	62 dBA	63 dBA	
New Brighton Middle School nearest Classrooms						
 Proposed Project 	140	50 dBA	60-65 dBA 45-50*	47 dBA	48 dBA	
 Alternative 1 – Option 1 	210	<50 dBA	60-65 dBA	47 dBA	48 dBA	
 Alternative 1 – Option 2 	130	50 dBA	65 dBA	47 dBA	48 dBA	
 Monterey Avenue Residences Proposed Project – east boundary near Junipero Court 	300	50 dBA or less	60 dBA 45* dBA		48	
 Alternative 1 – Option 1 	155	<50 dBA	60-65 dBA	47 dBA	48 dBA	
 Alternative 1 – Option 2 	160	50 dBA	65 dBA	47 dBA	48 dBA	
 Junipero Court Residences Proposed Project – east boundary near Junipero Court 	300 feet	50 dBA or less	60 dBA 45* dBA		48	
 Alternative 1 – Option 1 	165	<50 dBA	<65 dBA	47 dBA	48 dBA	
 Alternative 1 – Option 2 	290	<50 dBA	<60 dBA	47 dBA	48 dBA	
Orchid Avenue Residences			CT TO 10.			
 Proposed Project 	80-100 feet		65-70 dBA 50-55* dBA	47 dBA		
 Alternative 1 – Option 1 	380	<50 dBA	<60 dBA	47 dBA	48 dBA	
 Alternative 1 – Option 2 	265	<50 dBA	<60 dBA	47 dBA	48 dBA	
Sound levels are exterior except as noted below.						
* Interior sound levels with windows partially	open					

TABLE 5-0: Predicted Noise Levels with Proposed Skate Park and Alternative 1 Options (dBA)

SOURCE: Illingworth & Rodkin, September 2015 and May 2016

The EIR analyses concluded that operation of the proposed skate park would result in ambient noise levels below 60 dBA L_{dn} /CNEL and would not result in a substantial permanent increase in ambient noise levels as measured on a daily (24-hour) basis. The predicted L_{eq} and L_{max} noise levels resulting from the use of the skate park would fall within the existing range of L_{eq} and L_{max} noise levels currently generated by Monterey Avenue Park activities. However, noise levels would exceed the arithmetic average L_{eq} by up to 7 dBA L_{eq} and the arithmetic average L_{max} by up to 5 dBA L_{max} at the nearest Soquel Union Elementary School District Office and residence and at some residences on Orchid Avenue. Therefore, the EIR concluded that the impact was significant at these locations as the noise increase exceed the 3-5 decibel noise increase threshold.

Implementation of either Option 1 or Option 2 would not result in the significant impacts at the Orchid Avenue residences with regards to increases in L_{eq} and L_{max} noise levels that were identified in the EIR because under either option, the skate park will be located further away from these residences.

The potential significant impact identified in the EIR at the school district office and adjacent residence would remain significant, as the L_{eq} and L_{max} noise levels would be at the upper range reported in the EIR for the proposed project impacts. Both Options 1 and 2 would result in L_{max} and L_{eq} noise level increases of 5 dBA or more at the School District office and adjacent residence. Furthermore, under Option 2, the day-night average noise levels and the community noise equivalent levels attributable to skate park operations would be 62 dBA Ldn and 63 dBA CNEL at the school district office and adjacent residence, respectively. In the original noise report, the short-term measurement ST-1, which was made 45 feet from the centerline of Monterey Avenue, had a day-night average noise level of 60 dBA Ldn, and this was used to estimate existing ambient conditions at the Soquel Union Elementary School District Offices. Since the adjacent residence is set back further from Monterey Avenue than ST-1, the more conservative day-night average measured at LT-1 and LT-2 was used to represent existing ambient conditions. Therefore, the predicted Ldn/CNEL noise levels at the school district office and adjacent residence would exceed existing ambient conditions, which were measured to range from 50 to 55 dBA Ldn at LT-1 and LT-2, by more than 5 dBA and would exceed the 60 dBA Ldn/CNEL threshold.

The predicted noise level increases at the adjacent office and residence would exceed ambient conditions by more than 5 dBA for the L_{eq} and L_{max} noise levels under both options and also for the Ldn/CNEL level under Option 2, which also would exceed the 60 dBA Ldn/CNEL threshold. Thus, a significant impact would continue to occur at the School District office and adjacent residence with a slightly increased exposure under Option 2. Under Option 1, the skate park would be located slightly further from these structures than with the proposed project. This finding is consistent with the EIR conclusion, which reported that noise impacts to these sensitive receptors could increase, remain the same or be slightly reduced, but the significant impact would not be eliminated under Alternative 1, and as indicated in

the EIR, acoustical mitigation would be required. Assuming open windows, interior noise levels at the School District Office and adjacent residence would be greater than 55 dBA Lmax.

The EIR found no significant impacts resulting from the proposed skate park at New Brighton Middle School classrooms or to residences along Junipero Court and Monterey Avenue. Both options would move the skate park closer to residences along Monterey Avenue and Junipero Court, but a minimum distance of 155 feet would be maintained. As a result, L_{eq} and L_{max} noise levels would increase at these locations compared to noise levels generated by the proposed project as discussed in the EIR. However, the noise levels generated under either Option 1 or Option 2 would be within the range of existing noise levels and would not result in a noise increase that would exceed 5 decibels, the threshold of significance at any location. There would be no change in the 24-hour L_{dn} or CNEL ambient noise levels under either Option 1 or Option 2 at these locations. Assuming open windows, interior noise levels at the surrounding single-family residences would be at or below 50 dBA L_{max} . Thus, neither Option 1 nor 2 would result in new significant impacts to residences along Junipero Court or Monterey Avenue. These findings are consistent with the EIR conclusion that no significant noise impacts would be expected at these locations, although the skate park facility would be closer to these residences than proposed by the project evaluated in the EIR.

Option 1 would move the skate park further from the New Brighton Middle School classrooms, and no new impacts would result. However, under Option 2, the skate park would be located approximately 10 feet closer to the nearest classroom. Under this option, the maximum L_{max} noise level would be between the 65 and 70 dBA, slightly higher than 65 dBA, the high level of the range reported in the EIR. While maximum levels may reach 68 dBA L_{max}, they are not expected to be 70 dBA L_{max} or more; therefore, Option 2 is not expected to increase ambient levels by 5 dBA or more, and noise exposure would be a less-than-significant impact. Assuming open windows, interior noise levels at the nearest New Brighton Middle School classrooms would be below 55 dBA L_{max}.

Mitigation measures identified in the EIR would continue to be required to reduce noise impacts to a less-than-significant level at the School District office and adjacent residence for either Alternative 1 Option 1 or Option 2. The recommended mitigation also would reduce L_{eq} and L_{max} noise levels at the nearest classroom to below 60 decibels. No mitigation would be required for other surrounding residential uses as no significant impacts were found to result from either Option 1 or Option 2. With the reduction in the identified significant impact to less than significant at the nearest Orchid Avenue residences, no mitigation would be required.

With Option 1, an eight-foot noise barrier is recommended for a distance of about 115 feet that would be constructed along the western Monterey Park property line to reduce maximum instantaneous and average hourly noise levels by approximately 8 dBA at the adjacent residence and School District office. The height would be two feet higher than

recommended for the proposed project mitigation, but would be constructed of the same recommended materials as identified in the EIR, which would be from materials having a minimum surface weight of three lbs/ft2, such as one-inch thick wood fence boards, masonry block, or concrete and be constructed in a manner free of any cracks or gaps between barrier materials and between the barrier and the ground. Alternately, as indicated in the EIR, suitable barrier materials such as Acoustifence by Acoustiblok or ¼-in. plexiglass could be used to provide an equivalent noise level reduction. A 12-foot noise barrier is recommended in the same location for a distance of approximately 185 feet under Option 2 to reduce maximum instantaneous and average hourly noise levels by a minimum of 12 dBA. Figures 5-6 and 5-8 show the approximate location of the proposed noise barrier and resulting noise levels under Options 1 and 2, respectively.

With the additional acoustical shielding provided by the eight-foot noise barrier for Option 1, predicted L_{max} noise levels resulting from the use of the skate park would be reduced to approximately 65 dBA L_{max} , and the hourly average L_{eq} would be reduced to 50 dBA L_{eq} or less at the nearest sensitive receptor, the school district office and residence. With the implementation of this mitigation measure, development of a skate park under Option 1 would not result in a substantial noise increase, in terms of L_{max} or L_{eq} at the adjacent land uses. With the additional acoustical shielding provided by the 12-foot noise barrier under Option 2, noise levels would be reduced to 65 dBA L_{max} , and the hourly average noise level would be reduced to 50 dBA L_{eq} . The day-night average noise level and the community noise equivalent level would be reduced to 47 dBA Ldn and 48 dBA CNEL, respectively. With the implementation of this mitigation measure, the a skate park project under Option 2 would not result in a substantial noise increase, in terms of L_{max} , L_{eq} , and $L_{dn}/CNEL$, at the adjacent land uses, and the impact would be reduced to less-than-significant level.

<u>Aesthetics</u>. Under either Option 1 or Option 2, the skate park design generally would be the same as the proposed project, but the facility would be located closer to Monterey Avenue. The alternative site layout options do not show include creation of berms at the ends of the facility. The facility would be more visible from Monterey Avenue, but the bowl-shaped design with wrought iron fencing would have a low-profile appearance similar to other recreational facilities typically found at a park, i.e., play equipment, parking areas. Additionally, the existing Monterey Park site slopes gently to the south away from Monterey Avenue, and the visibility of the site under Option 1 would be partially screened by trees along Monterey Avenue. Under Option 2, the facility would be oriented in a mostly north-south configuration and partially screened by trees as viewed from Monterey Avenue. Photos of each site are shown on the next page.



Alternative 1 Option 2 Site



As indicated in the EIR, Monterey Park is not located within or adjacent to a designated scenic vista, and therefore, the proposed skate park would not have a substantial adverse impact on any scenic vista. Monterey Park also does not support any designated scenic resources, such as trees, rock outcroppings, or historic structures and is not located within or near a state scenic highway. The addition of a new recreational facility in the form of a skate park would also not substantially degrade the existing visual character or quality of the site and its surroundings because Monterey Park is an existing active park which supports common park uses and structures. The skate park design would be a low-profile recreational feature, which is visually consistent with active park settings. Additionally, the City of Capitola's adopted General Plan calls for Monterey Park to be developed with additional active park uses. The skate park as originally proposed or under either Alternative 1 option would, therefore, be consistent with the existing visual setting of Monterey Park and would fulfill General Plan goals to further develop the park with active recreational uses.

Based on recommendations from the City's Architecture and Site Review Committee, the applicant has agreed to use a decorative, wrought-iron fence design. The fence would be approximately 6-feet tall and would not be of a solid material. The fence would be similar to other decorative fences throughout the City as discussed in the Final EIR. It is also noted that fencing at the school baseball diamond is adjacent to the proposed site and also is visible from various viewpoints, but it is not a prominent visual feature. In the same manner, a wrought-iron fence installed for either Option 1 or Option 2 would not be visually prominent within the surrounding area, which is developed and contains fences of different types and materials. This type of fencing and would not result in a substantial alteration of the visual quality of the surrounding area Furthermore, neither the existing Monterey Park nor the proposed skate park site is visible from a wide area.

Proposed block retaining walls are of a low height of approximately 3.5 feet. The retaining wall would appear as a low-profile feature under Option 1. The height of the existing berm

along the western property boundary would partially screen the wall under Option 2 and would be approximately 1.5 to 2 feet taller than the highest portion of the retaining wall. These elements would be installed for a short distance and would not be prominently visible due to the short height. Therefore, for these reasons, the added retaining wall features would not result in significant degradation of the visual character of the surrounding area or a significant impact under either option.

The project would not create a new source of substantial light or glare as no lighting has been proposed as part of the project. A condition of project approval required security lighting to illuminate the skate park and the path leading to the facility, which was discussed in the EIR (see Final EIR page 3-3). This type of lighting would be restricted to low pressure bulbs affixed to downward casting fixtures to prevent light trespass onto adjacent properties. This type of would be similar to lighting commonly found on residential and commercial properties to softly illuminate a confined area for safety and security purposes, and thus, would not result in light trespass or create a new source of substantial light or glare which would adversely affect nighttime views in the area.

As discussed in the Draft EIR (page 4.3-22), installation of an acoustical barrier has been identified as a mitigation measure. The barrier could be constructed of wood, masonry block or concrete, all of which would have a limited thickness. This type of barrier would resemble fences and walls surrounding the park and in the surrounding area. Visually, the barrier would appear as typical fence section under Option 1. The barrier would be longer and slightly taller under Option 2 (about 12 feet tall), but the visual appearance would that of a side of a short building. Under either option, the visual appearance of the barrier would be similar to other fences and wall planes present in the area and also would not be visible to a larger area, but only from a short segment of Monterey Avenue and nearby properties.

Thus, there would be no new significant impact related to aesthetics or degradation of the visual character of the surrounding area as a result of development of a skate park under either Option 1 or Option 2.

<u>Biological Resources</u>. The EIR identified a potentially significant impact related to disturbance to nesting birds as a result of construction activities or removal of trees. As indicated in the EIR (both Draft and Final EIR documents), the project does not propose removal of trees. However, it was indicated that the City may require removal for the proposed project, and thus, potential removal of eight trees was evaluated in the Initial Study and applicable EIR analyses.

Under Option 1, the skate park siting and reconfiguration would not require removal of the existing eucalyptus and redwood trees along the western property line due to improved visibility with relocation of the facility closer to Monterey Avenue. Two small horticultural trees would be relocated or replaced if replanting is not viable. It is also possible that a mature alder tree could be impacted by the relocated pathway under Option 1. A condition

of project approval requires a pre-construction survey by a certified arborist to evaluate design options and tree protection strategies to avoid impacts to the alder tree. If impacts cannot be avoided, the alder tree may be removed per the City's Community Tree and Forest Management Ordinance, including the requirement for a 2:1 tree replacement within Monterey Park.

Under Option 2, two eucalyptus trees and an alder tree would be removed for the physical siting the skate park. The facility would be located at the outer edge of the dripline of an existing large redwood tree. To minimize the potential for the facility to significantly damage the redwood, a condition of approval has been incorporated to require a pre-construction inspection by a certified arborist to minimize impacts to the tree and its roots. If necessary, the facility could be slightly shifted to the east to prevent the loss of the redwood.

Therefore, no or fewer trees would be required for removal under either Option 1 and Option 2, respectively, than was considered in the EIR, which assumed a worst-case removal of eight trees as might have been required by the City. Thus, development under either Option 1 or Option 2 would substantially lessen potential significant impact to nesting birds due to potential tree removal. However, due to the skate park proximity to the trees, potential disturbance to nesting birds in retain trees during construction could occur. Thus, mitigation to protect nesting birds would continue to be required, consistent with the conclusions of the EIR.

<u>Exposure to Hazards</u>. Under either Option 1 or Option 2, it is expected that arseniccontaminated soils are present given their presence on the proposed project site and at other nearby locations. Therefore, neither option would change the significant impact related to exposure to arsenic-contaminated soils. It is possible that this contaminant would also be found at the relocated site, which would require additional soil testing and potential implementation of remediation measures as with the proposed project.

<u>Other Impacts</u>. Due to the same project size, there would be no change to other identified lessthan-significant impacts related to drainage, water quality, traffic or public services. There would be potentially less grading under Option 1 than the proposed project due to a more level location with the Option 1 site. Grading under Option 2 would likely be similar as the proposed project due to the existing berm in this location. City staff has indicated that relocation of the proposed skate park closer to Monterey Avenue could improve visibility and public safety.

<u>Project Objectifies</u>. Either Option 1 or Option 2 would meet all the project objectives, and would better meet the City's objective of developing park improvements in areas that are safe and highly visible.

<u>Conclusions</u>

Under either option, significant impacts identified in the EIR could be eliminated or substantially lessened under either Alternative 1 option as explained above and summarized below. These findings are consistent with the conclusions for Alternative 1 in the EIR. The significant noise impact identified in the EIR (Draft and Final documents together) would be reduced. Either of the two options would reduce a reported significant impact at Orchid Street residences to a less-than-significant level, although the significant impact identified at school district office and adjacent residence would still result, but could be mitigated to a less-than-significant level same as the proposed project. No new significant impacts would occur at the nearest classroom under Options 1 or 2. Although neither option would result in new significant impacts to residences along Monterey Avenue and Junipero Court, the overall sound level would be slightly higher than with the proposed project.

Under either option, the significant biological resource impact related to disturbance to nesting birds due to construction activities and potential tree removal would be lessened due to removal of fewer trees. Under Option 1, no mature trees would be removed, although two small recently planted trees would be relocated or replaced is re-planting is not viable. Under Option 2, three trees would be removed, which is less than up to eight trees addressed in the EIR. Required mitigation would reduce construction-related impacts to nesting birds to a less-than-significant level.

Potentially significant impacts related to exposure to contaminated soils would remain unchanged. No new significant impacts would occur as discussed above. Other identified less-than-significant impacts would remain less than significant.

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FIGURE 5-3: Alternative 1, Option 1 Skate Park Layout

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FIGURE 5-4: Alternative 1, Option 2 Skate Park Layout

CITY OF CAPITOLA Monterey Avenue Skate Park

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Alternative 1, Option 1



Average Noise Generated Throughout Proposed Monterey Avenue Skate Park lculated at 5 feet above ground ated: 5/26/2016 cessed with SoundPLAN 7.4, Update 4/13/2016 Skate Park Noise in dB(A) Leq 70 65 = 60 = 55 = 50 = 45 Area Source Barriers 140 210



SOURCE: Illingworth & Rodkin

CITY OF CAPITOLA Monterey Avenue Skate Park



Alternative 1, Option 1 with Barrier

SOURCE: Illingworth & Rodkin

Alternative 1, Option 2



Leq in dBA

Average Hourly

Average Noise Generated Throughout Proposed Monterey Avenue Skate Park alculated at 5 feet above ground ated: 5/26/2016 cessed with SoundPLAN 7.4, Update 4/13/2016 Skate Park Noise in dB(A) Leq 70 65 60 55 Area Source Barriers 35 70 140 210

Maximum

Instantaneous

Maximum Noise Generated at Locations near Proposed Monterey Avenue Skate Park alculated at 5 feet above ground

reated: 5/26/2016 rocessed with SoundPLAN 7.4, Update 4/13/2016

Skate Park Noise in dB(A) Lmax ₩. 35 70 210

SOURCE: Illingworth & Rodkin



Alternative 1, Option 2 with Barrier

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June 9, 2016

Mr. Richard Grunow Community Development Director City of Capitola 420 Capitola Avenue Capitola, California 95010

Dear Mr. Grunow:

The Monterey Avenue Skatepark Project proposed at the Monterey Avenue Park would include a 6,000 square foot skatepark designed to serve beginner to intermediate riders, typically aimed at children between the ages of five and 14; however, the facility would be available for use by anyone over the age of five. The use of the skatepark would occur between the hours of 8:00 a.m. and dusk, and it is estimated that approximately one to 25 skateboarders would potentially be using the facility at the same time.

In addition to the initial proposed skatepark location evaluated in the EIR, two optional locations have been evaluated, which are consistent with Alternative 1 in the EIR. Option 1 consists of the skatepark being adjacent to the Monterey Avenue Park parking lot, located north of the softball field. This option would include the relocation of the softball field approximately 10 feet south of its current location. The walking path from the parking lot would also be repositioned. For Option 2, the skatepark would be located east of the school offices and caretaker residence. For the purposes of these analyses, the project traffic volumes estimated for the original skatepark design would not vary under either Option 1 or 2. Therefore, the following addendum focuses solely on project-generated noise from skatepark activities.

For the purpose of modeling these two alternative scenarios, the layout of the skatepark would essentially be the same as the initial design; the only difference would be the location and orientation of the skatepark. This analysis assumes that the use of the skatepark would be limited to the hours of between 8:00 a.m. and dusk, per the allowable hours of operation specified in the City's Municipal Code. The noise measurement results from the Sunnyvale skatepark, which were presented in the initial noise report, were utilized in the SoundPLAN noise modeling for the proposed skatepark, to represent a credible worst-case scenario.

Skatepark use would vary, depending on the day (weekday versus weekend or school-year versus summer), the time of day, and the popularity of the park. As observed from similar existing parks, such as the park located near New Brighton Middle School, use of the skatepark would vary on a daily basis. Typically, there would be 5 to 12 skaters using the skatepark during busy periods; however, there are also periods where the skatepark would not be used by more than 1 to 2 skaters at a time. Additionally, there are periods of time where no activity occurs at the skatepark.

Under all design options, the skatepark would replace an existing grass-covered area in Monterey Avenue Park. Other noise-generating sources at the park (e.g., baseball/softball fields, track) would remain unchanged in terms of noise generation. The nearest sensitive receptors include the Soquel Union Elementary School District Offices and caretaker residence; single-family residences along Orchid Avenue, Junipero Court, and opposite Monterey Avenue; and the nearby classrooms of the New Brighton Middle School.

Skatepark-generated noise would be considered significant if levels would exceed 60 dBA $L_{dn}/CNEL$ (the normally acceptable noise and land use compatibility standard for residential land uses) or substantially exceed existing ambient noise levels (in terms of hourly average noise level or maximum instantaneous noise level, L_{eq} or L_{max}). A substantial exceedance of existing ambient noise levels is defined as 5 dBA or more because such an increase in noise level is clearly perceptible by most persons. A substantial permanent noise increase would occur if: a) the noise level increase is 5 dBA $L_{dn}/CNEL$ or greater, with a future noise level of less than 60 dBA $L_{dn}/CNEL$, or b) the noise level increase is 3 dBA CNEL or greater, with a future noise level of 60 dBA $L_{dn}/CNEL$ or greater.

Noise impacts resulting from the proposed skatepark are evaluated in this analysis using four separate acoustical descriptors: L_{max} , L_{eq} , L_{dn} and CNEL. The L_{max} is the maximum instantaneous noise level resulting from activities and would likely result from shouting, the slapping of the skateboard, or "grinds." The L_{eq} is the average noise level resulting from skateboarding activities and is defined as the logarithmic average of all sounds measured during the period. This measurement would be highly influenced by maximum instantaneous noise events. The L_{dn} is the day-night average noise levels resulting from the use of the skatepark on a daily basis. The CNEL is similar to the L_{dn} but applies an additional 5 dBA penalty to noises occurring during the evening. For both design options, two models were generated: 1) maximum instantaneous noise

level calculations for point-sources and line-sources modeled throughout the skatepark to represent shouting, slapping of the skateboard, or "grinds;" and 2) hourly average noise level calculations, assuming 25 to 30 skateboarders were present and approximately 5 to 12 skateboarders were actively skating at any given moment.

Option 1: Adjacent to the Existing Monterey Park Parking Lot

Figure 1 shows the results of the maximum instantaneous noise level model generated for Option 1, and the predicted maximum instantaneous noise levels calculated at the surrounding sensitive land uses are summarized in Table 1. As shown in the figure and the table, the surrounding single-family residences and the nearest New Brighton Middle School classrooms would have maximum instantaneous noise levels ranging from 60 to 65 dBA L_{max} , and the Soquel Union Elementary School District Offices and caretaker residence would have maximum instantaneous noise levels of 70 dBA L_{max} .

Noise levels attributable to exterior noise sources are approximately 15 dBA lower inside a building of standard construction, assuming the windows to be partially open for ventilation. With the windows closed, interior noise levels are approximately 20 to 25 dBA less than the noise levels received at the building's façade. Assuming open windows, maximum instantaneous noise levels on the interior of the Soquel Union Elementary School District Offices and caretaker residence would be 55 dBA L_{max} , while the surrounding residences and classrooms would have interior levels ranging from 45 to 50 dBA L_{max} .

To determine whether these predicted levels would cause a significant permanent noise level increase at the surrounding land uses, these levels are compared to the measured ambient results collected at LT-1 and LT-2 between June 5 and June 9, 2015. This comparison is conservative because ambient noise levels are higher in areas near Monterey Avenue, as compared to the data collected in the quietest locations of the park. According to the measurements, maximum instantaneous noise levels at the quietest locations surrounding the proposed skatepark ranged from 53 to 87 dBA L_{max} between the hours of 8:00 a.m. and dusk, with an arithmetic average of 65 dBA L_{max} . Due to the existing six-foot wooden fence located at the rear yard property lines of residences bordering the site, the average maximum measured at the backyards would be 60 dBA L_{max} . As shown in Table 1, Option 1 for the proposed skatepark would cause a permanent noise level increase of 5 dBA or more at the Soquel Union Elementary School District Offices and caretaker residence. This would be a significant impact.

School Offices & Caretaker Res.	70 dBA L _{max}	55 dBA L _{eq}	52 dBA L _{dn} / 53 dBA CNEL	Yes	Yes	No	
Orchid Ave. Res.	<60 dBA L _{max}	<50 dBA L _{eq}	47 dBA L _{dn} / 48 dBA CNEL	No	No	No	
Junipero Ct. Res.	<65 dBA L _{max}	<50 dBA L _{eq}	47 dBA L _{dn} / 48 dBA CNEL	No	No	No	
Monterey Ave. Res.	65 dBA L _{max}	50 dBA L _{eq}	47 dBA L _{dn} / 48 dBA CNEL	No	No	No	
Nearest Classrooms	60 to 65 dBA L _{max}	<50 dBA L _{eq}	47 dBA L _{dn} / 48 dBA CNEL	No	No	No	

 $^{\rm a}$ The average maximum instantaneous noise level measured at LT-1 and LT-2 was 65 dBA $L_{\rm max}$

^b The hourly average noise level measured at LT-1 and LT-2 was 48 dBA L_{eq}

 $^{\rm c}$ The day-night average noise level and community noise equivalent level measured at LT-1 and LT-2 ranged from 50 to 55 dBA $L_{dn}/CNEL$

In addition to maximum instantaneous noise level calculations, SoundPLAN was also used to model the hourly average noise levels generated by skatepark activities, under the assumptions discussed above. The predicted hourly average noise levels are summarized in Table 1 for Option 1, and the contours for this scenario are shown in Figure 2. While the predicted hourly average noise levels for the surrounding single-family residences and the nearest classrooms would be at or below 50 dBA L_{eq} , the hourly average noise levels at the Soquel Union Elementary School District Offices and caretaker residence would be 55 dBA L_{eq} .

Existing hourly average noise levels measured at LT-1 and LT-2 between the hours of 8:00 a.m. and dusk ranged from 43 to 65 dBA L_{eq} , with an arithmetic average of 48 dBA L_{eq} . As discussed above, the existing six-foot wooden fence located along the rear yard property lines of residences bordering the site would provide approximately 5 dBA reduction; therefore, the average hourly noise levels in the backyards of these residences would be 43 dBA L_{eq} . The predicted hourly average noise levels at the surrounding single-family residences and at the nearest classrooms would not exceed the ambient levels by 5 dBA or more; however, the predicted levels at the Soquel Union Elementary School District Offices and caretaker residence would exceed the ambient levels by more than 5 dBA. This would be a significant impact.

Assuming that the skatepark operated at full occupancy for the entire operational period between 8:00 a.m. and dusk, the day-night average noise level (L_{dn}) and community noise equivalent level (CNEL) can be calculated by subtracting 3 dBA and 2 dBA, respectively, from the hourly

average noise level results. Day-night average noise levels and the community noise equivalent levels attributable to skatepark operations would be 47 dBA L_{dn} and 48 dBA CNEL, respectively, at the surrounding single-family residences and the nearest classrooms. At the Soquel Union Elementary School District Offices and caretaker residence, the day-night average noise level would be 52 dBA L_{dn} , and the community noise equivalent level would be 53 dBA CNEL. None of these levels would exceed ambient levels or exceed 60 dBA L_{dn} /CNEL, which is the City's land use compatibility threshold. This is a less-than-significant impact.

Mitigation Measures for Option 1

To reduce noise levels generated by the proposed skatepark at the Soquel Union Elementary School District Offices and caretaker residence, the following mitigation measures are recommended:

• An eight-foot noise barrier shall be constructed along the eastern property line of the Soquel Union Elementary School District Offices and caretaker residence to reduce maximum instantaneous and average hourly noise levels by approximately 8 dBA at these adjacent land uses. The noise barrier shall be constructed from materials having a minimum surface weight of three lbs/ft², such as one-inch thick wood fence boards, masonry block, or concrete and be constructed in a manner free of any cracks or gaps between barrier materials and between the barrier and the ground. Alternately, suitable barrier materials such as Acoustifence by Acoustiblok or ¼-in. plexiglass could be used to provide an equivalent noise level reduction.

Figures 3 and 4 show the approximate location of the proposed noise barrier along the property line of the offices and caretaker residence and the resultant noise levels with the construction of the eight-foot barrier. With the additional acoustical shielding provided by the eight-foot noise barrier, predicted L_{max} noise levels resulting from the use of the skatepark located at the Option 1 location would be reduced to approximately 65 dBA L_{max} , and the hourly average L_{eq} would reduce to 50 dBA L_{eq} or less. With the implementation of this mitigation measure, the proposed project would not result in a substantial noise increase, in terms of L_{max} or L_{eq} , at the adjacent land uses. This impact would be reduced to less-than-significant with the implementation of mitigation.

Option 2: Adjacent to the Soquel Union Elementary School District Offices and Caretaker Residence

Similar to the analysis for Option 1, Figures 5 and 6 show the results of the maximum instantaneous and the hourly average noise level models, respectively, generated for Option 2, and Table 2 summarizes the predicted levels measured at the surrounding land uses. The maximum instantaneous noise levels would be greater than 70 dBA L_{max} at the Soquel Union Elementary School District Offices and caretaker residence. Since this would exceed ambient conditions by 5 dBA or more, this is a significant impact. At the surrounding single-family residences, the maximum instantaneous noise levels would be at or below 65 dBA L_{max} , which would not exceed ambient levels by 5 dBA or more. This would be a less-than-significant impact.

At the nearest New Brighton Middle School classrooms, the maximum instantaneous noise levels would fall between the 65 and 70 dBA L_{max} contours, as shown in Figure 5. While maximum levels may reach 68 dBA L_{max} , they are not expected to be 70 dBA L_{max} or more; therefore, Option 2 is not expected to increase ambient levels by 5 dBA or more. This would be a less-than-significant impact. Assuming open windows, interior noise levels at the Soquel Union Elementary School District Offices and caretaker residence would be greater than 55 dBA L_{max} , at the surrounding single-family residences would be at or below 50 dBA L_{max} , and at the nearest New Brighton Middle School classrooms would be below 55 dBA L_{max} .

Predicted hourly average noise levels generated by skatepark activities for Option 2 would be 65 dBA L_{eq} at the Soquel Union Elementary School District Offices and caretaker residence and would be at or below 50 dBA L_{eq} at the surrounding residences and at the nearest New Brighton Middle School classrooms. Since the predicted hourly average noise levels at the adjacent offices and caretaker residence would exceed ambient levels by more than 5 dBA, this is a significant impact.

School Offices & Caretaker Res.	>70 dBA L _{max}	65 dBA L _{eq}	62 dBA L _{dn} / 63 dBA CNEL	Yes	Yes	Yes	
Orchid Ave. Res.	<60 dBA L _{max}	<50 dBA L _{eq}	47 dBA L _{dn} / 48 dBA CNEL	No	No	No	
Junipero Ct. Res.	<60 dBA L _{max}	<50 dBA L _{eq}	47 dBA L _{dn} / 48 dBA CNEL	No	No	No	
Monterey Ave. Res.	65 dBA L _{max}	50 dBA L _{eq}	47 dBA L _{dn} / 48 dBA CNEL	No	No	No	
Nearest Classrooms	<70 dBA L _{max}	50 dBA L _{eq}	47 dBA L _{dn} / 48 dBA CNEL	No	No	No	

^a The average maximum instantaneous noise level measured at LT-1 and LT-2 was 65 dBA L_{max}

^b The hourly average noise level measured at LT-1 and LT-2 was 48 dBA Leq

 $^{\rm c}$ The day-night average noise level and community noise equivalent level measured at LT-1 and LT-2 ranged from 50 to 55 dBA $L_{dn}/CNEL$

Under the same assumptions described above for calculating L_{dn} and CNEL, the day-night average noise levels and the community noise equivalent levels attributable to skatepark operations would be 62 dBA L_{dn} and 63 dBA CNEL, respectively, at the Soquel Union Elementary School District Offices and caretaker residence and would be at or below 47 dBA L_{dn} and at or below 48 dBA CNEL, respectively, at the surrounding residences and at the nearest

New Brighton Middle School classrooms. In the original noise report, the short-term measurement ST-1, which was made 45 feet from the centerline of Monterey Avenue, had a daynight average noise level of 60 dBA L_{dn} , and this was used to estimate existing ambient conditions at the Soquel Union Elementary School District Offices. Since the caretaker residence would be adjacent to the proposed Option 2 skatepark location and the residence is setback further from Monterey Avenue than ST-1, the more conservative day-night average measured at LT-1 and LT-2 was used to represent existing ambient conditions. Therefore, the predicted noise levels at the adjacent offices and caretaker residence would exceed ambient conditions, which were measured to range from 50 to 55 dBA L_{dn} at LT-1 and LT-2, by more than 5 dBA and would exceed the 60 dBA $L_{dn}/CNEL$ threshold. This would result in a substantial permanent noise increase and would be a significant impact.

Mitigation Measures for Option 2

To reduce noise levels generated by the proposed skatepark at the Soquel Union Elementary School District Offices and caretaker residence, the following mitigation measures are recommended:

• A 12-foot noise barrier shall be constructed along the eastern property line of the Soquel Union Elementary School District Offices and caretaker residence to reduce maximum instantaneous and average hourly noise levels by approximately 12 dBA at these adjacent land uses. The noise barrier shall be constructed from materials having a minimum surface weight of three lbs/ft², such as one-inch thick wood fence boards, masonry block, or concrete and be constructed in a manner free of any cracks or gaps between barrier materials and between the barrier and the ground. Alternately, suitable barrier materials such as Acoustifience by Acoustiblok or ¹/₄-in. plexiglass could be used to provide an equivalent noise level reduction.

Figures 7 and 8 show the approximate location of the proposed noise barrier and the resultant noise levels, assuming mitigation. With the additional acoustical shielding provided by the 12-foot noise barrier, predicted L_{max} noise levels resulting from the use of the skatepark located at the Option 2 location would be reduced to 65 dBA L_{max} , and the hourly average noise level would be reduced to 50 dBA L_{eq} . Therefore, the day-night average noise level and the community noise equivalent level would be reduced to 47 dBA L_{dn} and 48 dBA CNEL, respectively. With the implementation of this mitigation measure, the proposed project would not result in a substantial noise increase, in terms of L_{max} , L_{eq} , and $L_{dn}/CNEL$, at the adjacent land uses. This impact would be reduced to less-than-significant with the implementation of mitigation.

Mr. Richard Grunow, City of Capitola Monterey Avenue Skatepark Project, Capitola, California June 9, 2016

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This concludes our noise assessment. If you have any questions or comments regarding this analysis, please do not hesitate to call.

Sincerely,

Carrie J. Janello Consultant *Illingworth & Rodkin, Inc*.

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