



## **STAFF REPORT**

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### **RESOLUTION AUTHORIZING EXTENDED CONSTRUCTION HOURS FOR THE NIKON PRECISION INC. BUILDING EXPANSION PROJECT**

Honorable Mayor and Council members:

#### **Summary**

The applicant/owner, Nikon Precision Inc., requests the City of Belmont authorize extended construction hours for the Nikon Precision Building Expansion project located at 1399 Shoreway Road. More specifically, the applicant requests the following:

- A 7:00 AM to 5:00 PM construction schedule – Monday through Friday
- Five specific days during the construction period with a 5:00 AM – 5:00 PM construction schedule

#### **Background and Discussion**

On July 6, 2004, the Planning Commission approved a Design Review and Grading Plan to allow construction of a 31,392 square foot addition to the existing 48,250 square foot three-story Nikon Precision Inc. office building, associated parking, pedestrian accessways, and new landscaping for the 5.37-acre project site. The new addition will house a training center, multipurpose room, office areas, and equipment rooms to allow for assembly of Nikon products.

The subject site is located at the intersection of Shoreway Road and Cormorant Drive at the southeastern border of San Carlos (south) and Redwood City (east). Uses surrounding the property are both commercial and public, with several manufacturing facilities nearby; the predominant feature of the area consists of U.S. Highway 101 freeway (Bayshore Freeway) across Shoreway Road to the west. Two hotels to the north are located a considerable distance from the site, Extended Stay America - 1,100 feet, and Motel 6 - 1,300 feet. The closest residential properties to Nikon are across the freeway to the northwest approximately 1,300 feet (Homeview Neighborhood) from the site.

Nikon Precision is close to obtaining building permits for the building addition, and has requested the extended construction hours in conjunction with their development project (See Attachment II - Applicant Letter). Nikon also indicates in the attached letter that the requested extended hours are necessary to avoid construction schedule delays and an overtime-driven budget overrun.

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Contractors who undertake these types of construction projects typically work between the hours of 7:00 AM and 3:00 PM (consistent with Building Trade Union contracts). The total length of the construction project is approximately nine months (expected completion in June 05).

The City of Belmont's Construction Noise Ordinance (Adopted in November 1998 and amended in September 2000 – Ord. 953) limits the hours of construction activity to the following:

- 8:00 AM to 5:00 PM Monday through Friday
- 10:00 AM to 5:00 PM on Saturdays
- No work on Sundays or listed National holidays

As discussed earlier, the applicant requests a 7:00 AM construction start time on Monday through Friday. The applicant does not request any waivers to the Saturday, Sunday, or listed National Holiday construction hours limits per the noise ordinance. During the project construction period, the applicant also requests five specific days with a 5:00 AM to 5:00 PM work schedule. This is necessary to allow large continuous placement of concrete pouring and erection of associated steel trusses for the building on those five days. Nikon will be able to notify the City of such days ahead of time.

#### Construction Noise Ordinance Scope and Authority

The Purpose Section of the Construction Noise Ordinance calls for creating “*a noise environment that maintains a healthy living environment; fosters relaxation and recreation; is conducive to the work environment; and provides pleasant living conditions...*”<sup>1</sup>. This ordinance was also enacted “*...to limit construction hours and require noise mitigation of construction equipment adjacent to noise sensitive areas.*”<sup>1</sup>. Finally, the Ordinance purpose describes the necessity in establishing such an ordinance to promote the health, safety, and welfare of the public, which is consistent with adopted goals and policies of the General Plan.

The City Council has in the past granted individual exceptions to the limit on construction hours for other development and Capital Improvement projects (the most recent example being the Ralston/101 Interchange Project). These exceptions were deemed appropriate for such projects when the longer hours would not significantly affect the surrounding neighborhoods or the public health, safety, or welfare.

Staff has reviewed Nikon's request and notes the following:

- Traffic noise generated along the U.S. 101 freeway dominates the noise environment along Shoreway Road adjacent to the subject site.
- There are no residences (closest is a minimum of 1,300 feet away) in proximity to the subject site which staff believes would be adversely affected by the requested construction hours schedule for the project.

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<sup>1</sup> Construction Noise Ordinance – Ord. 953 – Adopted September 26, 2000

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- Nikon indicates that extended hours would reduce the total number of construction days and avoid an overtime-driven budget overrun.

In balancing all of these issues (in conjunction with the Purpose of the Construction Noise Ordinance), staff believes the extended construction hours schedule is warranted for the project.

**Fiscal Impact**

None.

**Recommendation**

Staff recommends the City Council adopt the attached resolution authorizing extended construction hours for the Nikon Precision Building Expansion project as follows:

- 7:00 AM – 5:00 PM – Monday through Friday
- 5:00 AM – 5:00 PM on five specific days during the construction project (Nikon will notify the City a minimum of 14 days prior to such days)

**Alternatives**

1. Deny the request.
2. Refer back to staff for additional information.

**Public Contact**

A courtesy notice was sent to all property owners within 300 feet of the subject site on Friday September 3, 2004, informing them that this issue would be considered by the City Council.

**Attachments**

- I. Draft Resolution Authorizing the Extended Construction Hours Schedule for Nikon Precision Inc.
- II. Applicant Letter
- III. Construction Noise Ordinance (City Council Only)

Respectfully submitted,

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Carlos de Melo  
Principal Planner

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Craig A. Ewing, AICP  
Community Development  
Director

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Daniel Rich  
Interim City Manager

ATTACHMENT I

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT  
AUTHORIZING EXTENDED CONSTRUCTION HOURS FOR THE NIKON PRECISION  
INC. BUILDING EXPANSION PROJECT AT 1399 SHOREWAY ROAD

WHEREAS, Nikon Precision Inc., property owner/applicant, requests approval of extended construction hours for the Nikon Precision Building Expansion Project at 1399 Shoreway Road; and,

WHEREAS, on September 14, 2004, the City Council, following notification in the prescribed manner, conducted a public meeting, at which meeting the Council considered public testimony and a staff memorandum on the aforementioned request; and

WHEREAS, the City Council did hear and use their independent judgment and considered all said reports, recommendations and testimony herein above set forth.

WHEREAS, the City Council has in the past granted individual exceptions to the limit on construction hours for other development and Capital Improvement projects. These exceptions were deemed appropriate for such projects when the longer hours would not significantly affect the surrounding neighborhoods or the public health, safety, or welfare.

WHEREAS, the City Council, in reviewing the extended construction hours request, hereby finds that traffic noise generated along the U.S. 101 freeway dominates the noise environment along Shoreway Road adjacent to the subject site. In addition, there are no residences or hotels in close proximity to the subject site which Council believes would be adversely affected by the requested construction hours schedule for the project. Finally, authorizing the extended hours would reduce the total number of construction days and avoid an overtime-driven budget overrun for the project.

NOW, THEREFORE BE IT RESOLVED that the City Council hereby grants approval to Nikon Precision Inc. for extended construction hours for the Nikon Precision Building Expansion project as follows:

- 7:00 AM – 5:00 PM – Monday through Friday.
- 5:00 AM – 5:00 PM on five specific days during the construction project. Nikon shall notify the City a minimum of 14 days prior to such construction hours days.

\* \* \* \* \*

I hereby certify that the foregoing resolution was duly and regularly passed and adopted by the City Council of the City of Belmont at a regular meeting held on September 14, 2004 by the following vote:

AYES,

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COUNCIL MEMBERS: \_\_\_\_\_

NOES,

COUNCIL MEMBERS: \_\_\_\_\_

ABSENT,

COUNCIL MEMBERS: \_\_\_\_\_

ABSTAIN,

COUNCIL MEMBERS: \_\_\_\_\_

RECUSED,

COUNCIL MEMBERS: \_\_\_\_\_

\_\_\_\_\_  
CITY CLERK, City of Belmont

\_\_\_\_\_  
MAYOR, City of Belmont

**PLEASE NOTE:**

**Attachments II and III are not included as part of this document – please contact the City Clerk’s Office at (650) 595-7413 for further information on these attachments.**