



STAFF REPORT

Resolution Granting a Hauling Permit to Nikon Precision, Inc. for Hauling Soil and Materials from 1399 Shoreway Road (Nikon Training Center) in Vehicles Exceeding the Maximum Gross Weights on Ralston Avenue and Shoreway Road

Honorable Mayor and City Council:

Summary

Hauling of soil and materials is expected to begin in mid October, 2004, for the construction of the new Nikon Training Center at 1399 Shoreway Road. The contractor indicates that they wish to use trucks, which exceed the weight limits established by Belmont Municipal Code. Pursuant to Section 14-65 of the Belmont Municipal Code, the City Council may, upon making of specific findings, grant an exemption to the weight limits enumerated in the Belmont Municipal Code. Staff recommends that the Council approve a permit for hauling pursuant to Section 14-65, allowing the contractor to haul materials in trucks, which exceed the weight limits enumerated in the Belmont Municipal Code.

Background and Discussion

Section 14-46 of the Belmont Municipal Code designates truck routes within the City. Subsection (e) provides that Alameda de las Pulgas and Ralston Avenue are acceptable truck routes, but limits the gross weight of any truck and load moving along these roadways to eight (8) tons. The maximum vehicle weight on other City streets, including Shoreway Road, is limited to three (3) tons. Pursuant to Section 14-65 of the Belmont Municipal Code, the City Council may, upon making of specific findings, grant an exemption to the weight limits enumerated in the Belmont Municipal Code.

Nikon Precision, Inc. is constructing a new training center on their property at 1399 Shoreway Road. Estimated 1,500 cubic yards of dirt will be off-hauled from the site. The proposed truck route for this project is Highway 101, Ralston Avenue and Shoreway Road.

The owner submitted a hauling permit application. The following reasons provide a basis for granting a waiver to the Municipal Code:

- 1) The use of any smaller dump vehicle will double the number of vehicles utilizing Ralston Avenue.

- 2) The project is scheduled to begin in mid October, 2004. Approximately 14 days will be required to remove the soil and demolished materials from the site. The hauling of building materials will be continuous through the 12 months of construction but will be limited to a few trucks each time.
- 3) The project site is within a commercial/industrial neighborhood. The construction traffic will have little impact to the local traffic.
- 4) The time interval for trucks leaving the site will be approximately 5 to 10 minutes apart during the hauling of soil and demolished materials from the construction site.
- 5) All trucks will be staged within the construction site.

Pursuant to Section 14-65, Conditions for Granting Permits, the City Council may grant a permit allowing the variance from the weight limits based upon the following findings:

- (a) *That the public health, safety or welfare require the operation of vehicles in excess of the weight limits herein set forth and the use of the route applied for or such modification thereof as it may be deemed advisable* - The operation of the tractor-trailer dump vehicles will reduce the number of vehicle trips without adversely affecting the public health, safety or welfare of the public. In addition, the project site is within a commercial/industrial neighborhood. The construction traffic will have little impact to the local traffic.
- (b) *That the hauling over the route specified will not be injurious to the public health, safety or welfare* - The routes used by the vehicles will be on designated truck routes with pavement designed to handle the fully loaded vehicles.
- (c) *That the city will be duly protected from liability for injury to persons and property* - The contractor will have insurance protecting the City from liability for injury to persons and property.
- (d) *That the city will be indemnified from injury to the public streets and other places by reason of the use thereof for such operation* - The City will be indemnified from injury to public streets and other places by reason of the use of vehicles associated with the removal of material from the construction site.

Fiscal Impact

There is no fiscal impact. The City will receive the Hauling Permit fees as required in the City Code.

Recommendation

It is recommended City Council adopt a resolution granting a hauling permit to Nikon Precision, Inc. for hauling soil and materials from 1399 Shoreway Road (Nikon Training Center) in vehicles exceeding the maximum gross weight on Ralston Avenue and Shoreway Road.

Alternatives

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

Attachments

1. Resolution

Respectfully submitted,

Gilbert Yau, PE
Senior Civil Engineer

Raymond E. Davis III, PE, PTOE
Public Works Director

Daniel Rich
Interim City Manager

RESOLUTION NO. _____

CITY OF BELMONT
San Mateo County, California

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT
GRANTING A HAULING PERMIT TO NIKON PRECISION, INC. FOR HAULING
SOIL AND MATERIALS FROM 1399 SHOREWAY ROAD (NIKON TRAINING
CENTER) IN VEHICLES EXCEEDING THE MAXIMUM GROSS WEIGHTS ON
RALSTON AVENUE AND SHOREWAY ROAD**

WHEREAS, the City of Belmont has approved a building and grading permit for the construction of a new training center at 1399 Shoreway Road; and,

WHEREAS, Nikon Precision, Inc., the owner of the property at 1399 Shoreway Road, proposes to utilize Ralston Avenue and Shoreway Road for hauling of soil and materials from the site; and,

WHEREAS, Belmont Municipal Code Section 14-65 allows for the hauling of materials in trucks exceeding the weight limits provided for in Belmont Municipal Code, Chapter 14, Article III, Truck Routes and Weight Limitation, provided certain findings are made; and,

WHEREAS, the City Council finds that:

- (a) *That the public health, safety or welfare require the operation of vehicles in excess of the weight limits herein set forth and the use of the route applied for or such modification thereof as it may be deemed advisable* - The operation of the tractor-trailer dump vehicles will reduce the number of vehicle trips without adversely affecting the public health, safety or welfare of the public. In addition, the project site is within a commercial/industrial neighborhood. The construction traffic will have little impact to the local traffic.
- (b) *That the hauling over the route specified will not be injurious to the public health, safety or welfare* - The routes used by the vehicles will be on designated truck routes with pavement designed to handle the fully loaded vehicles.
- (c) *That the City will be duly protected from liability for injury to persons and property* - The contractor will have insurance protecting the City from liability for injury to persons and property.
- (d) *That the City will be indemnified from injury to the public streets and other places by reason of the use thereof for such operation* - The City will be indemnified from injury to public streets and other places by reason of the use of vehicles associated with the removal of material from the construction site.

NOW, THEREFORE BE IT RESOLVED THAT, the City Council grants a hauling permit pursuant to Belmont Municipal Code Section 14-65 to Nikon Precision Inc.

* * * * *

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 thereof held on this 12th day of October 2004, by the following vote:

AYES, COUNCILMEMBER(S): _____

NOES, COUNCILMEMBER(S): _____

ABSTAIN, COUNCILMEMBER(S): _____

ABSENT, COUNCILMEMBER(S): _____

Clerk of the City of Belmont

APPROVED:

Mayor of the City of Belmont