



## **Staff Report**

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### RESOLUTION GRANTING A HAULING PERMIT TO 1116 LASSEN DRIVE FOR USING LAKE ROAD AS HAUL ROUTE

Honorable Mayor and Council Members:

#### **Summary**

The City of Belmont has received a building permit application for 1116 Lassen Drive to re-construct several retaining walls and re-landscape behind 1116 Lassen Drive. The walls will stabilize the site and reduce slope erosion. The existing retaining walls are in a very poor condition that the owners believe the retaining walls will not make it through this winter. The owners want to use trucks and equipment on Lake Road, which is currently not designated as a public street.

#### **Background**

Section 14-46 of the Belmont Municipal Code designates truck routes within the City. However, Lake Road is an unimproved dirt road utilized as a recreation trail and is not designated as a public street.

The property owners at 1116 Lassen Drive are replacing several retaining walls to stabilize their site. Approximately 240 cubic yards of dirt will be hauled to the site during construction. The proposed truck route for this project is Lake Road – Hallmark Drive – Ralston Avenue.

In May 2005, the City Council adopted a new truck routes and weight limits ordinance that allows staff to issue permits with notification and appeal rights to the City Council. The permit applicant will be required to file for a permit 10 days in advance of the actual hauling of material to a site. The applicant will also be required to notify all properties within 300 feet of the proposed hauling permit of the proposed days the material will be hauled. However, since Lake Road is not currently designated as a public street, staff requests Council to authorize the approval of a non-public street as haul route.

#### **Discussion**

The property at 1116 Lassen Drive has some significant challenges to remodeling the house.

There is an 8’ drop from the street level from Lassen Drive to the side yard making construction access from Lassen Drive impractical. The owners have also looked into using a conveyor belt to bring in the materials from Lassen Drive. However, after speaking with several contractors, the owners found that the biggest conveyor belt available is only 10” wide. This makes it impractical to use a conveyor belt for this project.

Lake Road is directly behind the property back fence. It is approximately 450’ from the end of the pavement at Hallmark Drive entrance to the property. The owner is requesting to use this portion of Lake Road to move equipment and materials necessary to replace the failing retaining walls. The road varies in width between 12’-15’ along this 450’ stretch of road, averaging at 13’ wide. The owner proposes the following schedule for access and use of the road.

Description of Work	No. of Days	Equipment	Weight	No. of Trips per day (Estimated Maximum)
Tree & debris removal	5-7	Chipper	5 tons	1 or 2
Demolition & construction	2 months	Bobcat,	5 tons	6
		Wheel Loader	13 tons	10
		Excavator	22 tons	Working on-site only

Approximately 40 trips will be needed to haul off old concrete and debris with front end loader to dump trucks at Hallmark Drive entrance. The loader will bring in the dirt, gravel and materials needed for construction of the walls on the return trips back to the yard. Another 45 trips using a Bobcat or front loader is needed to bring in replacement trees, shrubs, pavers, face brick and railing material for the retaining walls. The use of the front end loader is proposed in case trucks are not allowed on Lake Road.

All construction materials and equipment will be stored on the property off of Lake Road, except a dumpster may need to be set next to Lake Road. The owners have also secured the permission from their neighbors to use their lower yards for storage if necessary. The owners proposed to have a driver near the equipment while it is on the road so it can be moved quickly when needed for public or emergency vehicle access. The equipment will be on the road as little as possible. Proper signage will be provided to warn pedestrians and bikers about the construction work.

The following rational may be used to provide a basis for granting a hauling permit. That will also comply with the hauling ordinance:

- 1) The applicant has filed the permits with the City at least 10 days prior to hauling. This staff report serves as a notification to the Council regarding this hauling permit.
- 2) The applicant will notify all properties within 300’ of the proposed hauling permit site of the proposed days the material will be hauled.

- 3) The project is scheduled to begin in mid-August 2005. Approximately 3 months will be required to complete the project. The project will be completed before the grading moratorium goes into effect in mid November.
- 4) The construction traffic will be mitigated by proper signage and laborers to direct the pedestrian and bike traffic.
- 5) The granting of the hauling permit will not have a major impact to the public. The proposed portion of Lake Road is a dirt road in fair and stable condition. No known slide or erosion problems have been documented in this area. Owner will be responsible for any damages to the roadway during construction.
- 6) Per Belmont Municipal Code, Section 14-48, tractor trailer dumps trucks will be allowed on Hallmark Drive which is a residential street over 24 feet wide. The contractor will use a front end loader on Lake Road for hauling materials to the gated entrance at Hallmark Drive. No trucks will be allowed on Lake Road.
- 7) The contractor will have insurance protecting the City from liability for injury to persons and property.
- 8) The contractor filed the grading and hauling permit applications that include an indemnification clause to hold the City harmless against any claims and damages for using roadway.
- 9) The owner will post a \$50,000 bond to guarantee the work and repair the roadway if there is any damage to the roadway because of the construction.

### **Fiscal Impact**

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

### **Public Contact**

Posting of Council agenda and notices mailed to residences within 300' radius.

### **Recommendation**

It is recommended City Council adopt a resolution granting a hauling permit to 1116 Lassen Drive for utilizing Lake Road as a haul route.

### **Alternatives**

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

**Attachments**

- A. Resolution
- B. 300' radius mailing map

Respectfully submitted,

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Gilbert Yau, PE  
Senior Civil Engineer

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

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Jack R. Crist  
Interim City Manager

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

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT  
GRANTING A HAULING PERMIT TO 1116 LASSEN DRIVE FOR USING  
LAKE ROAD AS HAUL ROUTE**

**WHEREAS**, the owner of 1116 Lassen Drive has filed a building and grading permit application for the construction of several retaining walls at their property; and,

**WHEREAS**, the owners of the property at 1116 Lassen Drive propose to utilize Lake Road, Hallmark Drive, and Ralston Avenue for hauling of soil and materials to the site; and,

**WHEREAS**, the City Council finds that the granting of the hauling permit will not have a major impact to the public for the use of Lake Road as a haul route; and,

**WHEREAS**, the applicant has notified the City 10 days prior to commencement of hauling; and,

**WHEREAS**, the applicant will be responsible for mailing a notice to all residences within 300' radius in regard to the time and dates of hauling; and,

**WHEREAS**, the property owner will post a \$50,000 bond and provide the City with insurance to guarantee the work and indemnify the City against any liability for using this roadway.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Belmont authorize the approval of a hauling permit pursuant to Belmont Municipal Code Section 14-65 to 1116 Lassen Drive to use Lake Road as a haul route.

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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 the 9<sup>th</sup> day of August by the following vote:

AYES, COUNCILMEMBERS: \_\_\_\_\_

NOES, COUNCILMEMBERS: \_\_\_\_\_

ABSTAIN, COUNCILMEMBERS: \_\_\_\_\_

ABSENT, COUNCILMEMBERS: \_\_\_\_\_

\_\_\_\_\_  
CLERK of the City of Belmont

APPROVED:

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MAYOR of the City of Belmont