

MEETING OF DECEMBER 20, 2005

AGENDA ITEM NO. 5D



Application I.D.: 2000-1085

Application Type: Hillside Road Improvement Plan and Mitigated Negative Declaration

Location: 2800 block of Monte Cresta Drive

Applicant/Owners: Damon Campbell

APN: Adjacent to 043-243-340, 043-165-180 and 043-242-210

Zoning: Roadway: Public Roadway
Adjacent Parcels: HRO-2 - Hillside Residential and Open Space, R-1B – Single-Family Residential

General Plan Designation: Roadway: Public Roadway
HROP - Hillside Residential and Open Space
(San Juan Hills Area Plan)

Environmental Determination: Mitigated Negative Declaration

PROJECT SUMMARY

The applicant has proposed constructing an approximately 104-foot long, two-lane extension of Monte Cresta Drive from its existing terminus approximately 1,000 feet northwest of Barclay Way and below (south of) All View Way in the San Juan Hills area of the City of Belmont. The project location is shown on Attachment 2, Project Location Map. The site is currently an unimproved roadway/pathway primarily used by local residents as an open-space recreational trail. According to Section 7-13 of the Belmont Municipal Code and the San Juan Hills Area Plan, a road improvement plan is required to be approved by the City Council to "...ensure adequate emergency access, public safety and drainage improvements"(BMC Section 7-13(e)(9)).

Per Section 7-13(e) Table 2, the roadway shall be 39 feet in width, including two 10-foot wide travel lanes, two 5.5-foot wide parking lanes, two two-foot wide curb and gutters and one four-foot wide sidewalk along the southern side of the roadway. However, per Fire Department's comment the parking lane on one side of the road shall be designated as "No Parking" to provide for adequate emergency access. Therefore, the practical layout for the roadway shall be two 12-foot wide travel lanes, one 7-foot wide parking lane, two 2-foot wide curb and gutters, and one 4-foot wide sidewalk for a total width of roadway of 39-feet. A two-foot wide planter strip is proposed along the north side of the roadway. Estimated grading includes a balanced cut and fill of 196 cubic yards. Section 7-13(e)(6) allows the width of a proposed hillside road segment to be reduced by eliminating sidewalks and/or parking lanes to meet the purposes of Section 7-13(e) of the Belmont Municipal Code. The proposal includes a 4-foot wide sidewalk on one side

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of the street, where the guidelines in Section 7-13(e)(6) recommend two, 3-foot sidewalks. A 4-foot sidewalk is required to comply with the current ADA standard. The purposes of hillside road standards as identified in Section 7-13(e)(1) are as follows:

1. Provide for safe movement of vehicles and pedestrians in the San Juan Hills.
2. Minimize grading and vegetation removal in constructing roads in the San Juan Hills by controlling the grade, widths of rights-of-way and paving, and other design and construction features.
3. Allow flexibility in setting standards to prevent erosion, flooding and slope failure, and to minimize the environmental impacts of road construction.

The proposed roadway extension would be supported and protected by retaining walls on both sides, ranging from 2 feet to 6 feet in height. The project would provide access to three potential driveways and currently inaccessible lots zoned HRO-2 (Hillside Residential and Open Space), two on the south side of the extension, one on the upslope (north) side of the extension. Two of the existing lots, those located on the south side of the proposed extension, could potentially be developed with small houses of 900 to 1,200 square feet each including garages. It may be possible, in accordance with the provisions of the Belmont Zoning Code, that floor area could be increased through a floor area transfer if approved by the Community Development Department. The third lot provided access by the proposed roadway extension could be proposed for development of a residence of a maximum 3,300 square feet in size.

RECOMMENDATION

Staff recommends the Planning Commission open the public hearing, take testimony and continue the item for any additional research the Commission may deem necessary.

GENERAL PLAN AND ZONING CODE DESIGNATIONS

The project site is located in a hillside residential area of the San Juan Hills area of Belmont. Lands to the north, west and south of the roadway extension are primarily undeveloped residentially designated parcels zoned HRO-2, which would be subject to the requirements of Measure F, should an increased density or smaller minimum lot size than the current requirements outlined for the HRO zoning districts be sought. The paved portion of Monte Cresta Drive to the south of the project site has been developed with hillside residences and the area is zoned R-1/B. The General Plan identifies the previously developed residential properties to the east of the road extension as Low-Density Residential (RL).

According to Section 4.7 of the City of Belmont Zoning Code, one-family residences are permitted in the HRO-2 District. The Belmont General Plan identifies the land use on the subject property as Hillside Residential and Open Space (HROP). The property is located within the purview of the San Juan Hills Area Plan. According to the General Plan, low-density residential development in the San Juan Hills area is appropriate only when it has been demonstrated that safe development can take place consistent with the policies of the General Plan and that adequate access, utilities, fire services and other essential services are available.

PRIOR ACTIONS

The original application for a Hillside Roadway Extension was submitted in October 2000. At that time, the plan consisted of an approximate 120-foot extension of Monte Cresta Drive, an 80-foot driveway leading to the vacant property north of the extension. Driveway aprons were proposed for the existing lots south of the roadway; however, potential for specific development on those properties was not contemplated.

The original application was deemed incomplete due to a number of outstanding issues. One of the primary issues referred to the San Juan Hills Specific Plan requiring the proposed plan to provide an overall improvement plan along the entire unimproved road to a point where there is a physical constraint that makes further road extensions infeasible or undesirable. Examples of such constraints are extremely steep slopes and areas categorized as having a deep landslide (MD) area.

Over the next three years, the applicant resubmitted the roadway extension plan proposal, including a September 2001 submittal consisting of a full-length 1800-foot roadway extension of Monte Cresta Drive connecting its southern terminus in the 2800 block (at Barclay Way) north to the northern terminus at the 2900 block (near Alhambra). Due to the projected removal of 54 trees, significant geotechnical issues and construction of significant retaining walls to accommodate the road construction, the applicant resubmitted the road extension concept in November 2002 refining the plan to the current 104-foot extension configuration.

SITE CONDITIONS

The project site is currently an undeveloped, unpaved road and path surrounded by naturally vegetated hillsides on three sides, and by low-density hillside residential development on the fourth side. The project site affords panoramic views of the San Juan Hills, San Juan Canyon and Sugarloaf Mountain in San Mateo. The viewshed includes both developed hillsides and canyon areas, and heavily vegetated natural areas.

PROJECT ANALYSIS

Environmental Review

The hillside road improvement plan is subject to review in accordance with the California Environmental Quality Act, which guides the City in evaluating a project's impacts on the physical environment. Under CEQA, the road improvement plan is considered a "project" and is subject to a determination of environmental impact prior to final action.

In April 2005, an Initial Study and Notice of Intent to Adopt a Mitigated Negative Declaration were circulated for public review. During the 30-day public review and comment period, 30 letters and e-mails were received commenting on the Initial Study and Notice of Intent (See Attachment 4). Those commenting on the CEQA documents were primarily neighbors of the project or residents in the vicinity. The environmental consultant retained to conduct the CEQA review identified 15 separate CEQA-related issues raised by the public comments. The

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documents were also sent to the Governor's Office of Planning and Research – State Clearinghouse, whose function is to coordinate the state level review of environmental documents. There were no agencies providing comments on the environmental documents. Subsequent to receipt of comments during the review period, the environmental consultant provided responses to comments. A copy of the Initial Study, Notice of Intent, public comments, and Responses to Comments are attached (see Attachment 3).

The proposed road plan would be for an entire segment of roadway up to the point where geologic and slope constraints reduce the feasibility of further extension. The applicable section of the Belmont Municipal Code to this roadway improvement plan, Section 7-13(e)(9)(b), states that a plan for an unimproved road segment may be approved, instead of a plan for the entire roadway, when the segment lies between an existing paved road and an area where physical constraints, such as very steep slopes or geologic instability effectively preclude construction of a through connection. William Cotton and Associates (1985) mapped potential debris flow (PDF) area on the northwest portion of the lot to the north of the proposed roadway extension, as well as at the western edge of the proposed extension. In reviewing the latest proposal in November 2000, the City's geotechnical consultants noted that a 20-foot wide shallow landslide of less than 6 feet in depth was observed 12 feet downslope of the roadway near the western terminus of the proposed roadway extension. This landslide is consistent with the PDF designation illustrated on the San Juan Hills Ground Movement Potential Map.

FINDINGS

To adopt a hillside road improvement plan, the Planning Commission must make a recommendation to the City Council regarding each of the following findings:

- a. The road improvement plan is consistent with the purposes and policies of the San Juan Hills Area Plan; and,
- b. The proposed project provides for safe vehicular and pedestrian movement; and,
- c. The road has been designed to minimize grading and vegetation removal to the extent feasible; and,
- d. Drainage, erosion control and slope stability have been fully addressed in the design of the road improvements; and,
- e. The applicants have demonstrated that adequate financing is available to construct and maintain the road as proposed; and,
- f. Access to abutting properties has been adequately considered in the design of the road improvements; and,
- g. If the project is for a cul-de-sac, the length and turnaround design are appropriate and consistent with emergency access requirements; and
- h. If the plan is for an unimproved road segment, the City Council must have made all of the above findings in the affirmative, plus:
 1. A stable, safe, through road cannot be reasonably constructed because of physical constraints; and,
 2. Recommendations for access to properties abutting the part of the road which would not be improved under the plan are reasonable and consistent with the purposes and policies of the San Juan Hills Area Plan.

Discussion of Findings

a. The road improvement plan is consistent with the purposes and policies of the San Juan Hills Area Plan.

The San Juan Hills Area Plan establishes policies for unimproved roadways in subdivided areas. The following is an analysis of the project's conformance with specific Area Plan road policies not related to geology. A discussion of the project as it relates to geological policies of the Area Plan is located in a subsequent paragraph of this report.

San Juan Hills Area Plan Applicable Policies

Land Use and Site Development Standards – Goal 3: Minimize Buildout of Vacant Subdivided Land on Unimproved Roads. This goal would minimize development in area where buildout is geologically hazardous, would require major road extension and improvement and degrade natural resources and public views.

The proposal would extend Monte Cresta Drive by 104 feet from its current terminus off of Barclay Way. Two major areas of geologically unstable soil, identified as a Potential Debris Flow (Pdf) area on the San Juan Hills Ground Movement Potential Map, are located approximately 12 feet and 135 feet from the proposed road extension terminus. The uphill lot of the three lots provided with access from the road extension contains a geologically hazardous condition (Pdf) in the northwest corner of the site. Public views, depending on the site design of the downsloping lots, may be affected by development. Specific view analysis will be required at the time of design review for the individual properties.

Infrastructure - Policy 9: Minimize Road Improvements to Protect Natural Resources. This policy encourages avoidance of steep slopes, stands of substantial trees and creeks/riparian corridors in order to minimize road improvements to protect natural resources. The proposed roadway is sized and located to minimize its effects on steep slopes, avoids most trees and does not cross any creeks or riparian corridors. No protected trees would be removed with development of the proposed road extension; however, related construction may impact a single protect 13-inch DBH coast live oak.

Infrastructure - Policy 10: Require Overall Road Improvement, Plans and Financing Prior to Granting any Building Permits on Unimproved Roads. This policy requires property owners to resolve design and financing of road improvements along the entire unimproved road on which their property is located prior to receiving a building permit for a new structure or enlargement of an existing structure. There are two possible methods of accomplishing this objective: A) submitting an acceptable design, geotechnical, and financing information for approval by the City; or B) submitting a plan for improving a section of a roadway between an existing paved road and an area where existing physical constraints (such as extremely steep slopes

or moving deep landslides) make further road extensions infeasible or undesirable. If option B is chosen, the applicant must submit 1) A roadway design plan; 2) Evidence that the road will be geologically safe, 3) A method for financing, 4) A plan to access properties located along the rest of the unimproved road, and 5) Evidence of support by the affected landowners.

The applicant has proposed option B as noted above. Although a conceptual plan to access properties along the remainder of unimproved Monte Cresta was submitted for review in 2001, the applicant's engineers have confirmed that the retaining walls proposed with the extension will not block any future possible extensions of the roadway. Such access, however, may not be feasible due to geological constraints.

Infrastructure - Policy 16: Hillside Road Standards. This policy establishes four policy standards relating to hillside road standards. The standards include: a) to establish special hillside road improvement standards, including but not limited to right-of-way width, on-street parking, sidewalks, paving requirements and maximum street grade; b) to minimize the right-of-way and the paved area of the road in order to lessen the amount of grading and vegetation removal, while maintaining adequate width for emergency vehicles and required parking; c) to provide some on-street parking, and d) to consider the use of paths and narrower sidewalks as an alternative to standard sidewalks in steep areas.

One of the methods used to implement Policy 16 of the San Juan Hills Area Plan was the establishment of Hillside Road Standards as incorporated in the Belmont Municipal Code Section 7-13. Under those standards, in order for the City Council to adopt a plan for improvement of an unimproved road segment, a plan must include all items specified in Section 7-13(e)(9), as well as a report signed by a licensed geotechnical engineer concluding that the physical constraints are such that a stable road cannot be reasonably constructed through to a paved road, including a description of the constraints and an evaluation of the costs and impacts of overcoming the constraints.

The applicant has provided these statements consistent with the aforementioned requirement from the applicant's geotechnical engineer (dated September 18th and December 22nd 2002). The Planning Commission must then make a series of findings, including concurring with the geotechnical engineer's conclusions and recommendations for access to properties abutting the part of the road that would remain unimproved.

b. The proposed project provides for safe vehicular and pedestrian movement.

The proposed road design provides adequate vehicular and pedestrian movement, providing a new sidewalk along the south side of the roadway extension. As proposed, the road extension would provide access to up to three houses. The South County Fire Authority has reviewed the project plans and has expressed no concerns regarding emergency access to the site.

The extension would include parking lanes on both sides of the roadway, increasing the provision of on-street parking.

c. The road has been designed to minimize grading and vegetation removal to the extent feasible.

The extension of Monte Cresta Drive, as proposed, would require upslope and downslope retaining walls ranging from 2 to 6 feet in height. The extension would provide access to three potential residential development sites. The estimated amount of grading would be a balanced cut and fill of 196 cubic yards. The improved width of the proposed road extension is 39 feet, consisting of two 10-foot wide travel lanes, two 5.5-foot wide parking lanes, two 2-foot wide curbs and gutters and one 4-foot wide sidewalk. The suggested design standard identified in Section 7-13(e)(6) for roadways with a cross slope of 21-30% is 38 feet, with the same standards as proposed, with the exception a 3-foot sidewalk.

With respect to vegetation removal, a biological resources assessment was prepared for an approximate one-acre area that included the road extension area and the three potential residential development sites. In addition, the City Arborist surveyed the project site and provided a report (see Attachment 5). The biological resources assessment stated that the predominant vegetation type on site is non-native grassland. However, evidence of Silver lupines was found, suitable larval host plants for the Federally-listed endangered subspecies the Mission Blue butterfly are present within the vicinity of the road extension (on two of the three abutting parcels). The presence of the host plants cannot rule out the presence of the butterfly. A mitigation measure was included to the draft Mitigated Negative Declaration that would protect the Silver lupine plans during construction.

According to the City Arborist, the development plan for the proposed roadbed would not result in the removal of any trees protected by the Belmont Tree Ordinance. However, proposed hillside area work above the proposed roadway could impact a single protected coast live oak of 13-inch diameter. Three protected and two unprotected coast live oaks on the two downslope lots could potentially be affected by future residential development on the lots. Specific mitigation measures to protect existing oaks in the vicinity of the road extension have been included in the Mitigated Negative Declaration prepared for this project.

d. Drainage, erosion control and slope stability have been fully addressed in the design of the road improvements.

Many of the specific drainage, erosion control and slope stability measures have not been submitted as part of the road improvement plan application. However, all aspects of project construction and grading plans must be reviewed and approved by the applicant's geotechnical consultant – including site preparation and design of foundations, retaining walls and roadway pavement – prior to issuance of permits.

Mitigation measures to control runoff and drainage are included in the Mitigation Monitoring Program for the proposed road improvement plan. The applicant's geotechnical report suggests energy dissipators such as rip-rapped stilling basins may be required to reduce erosion where drains or culverts discharge into drainage ways. Furthermore, a Stormwater Pollution Prevention Plan must be prepared for review and approval by the City's Public Works Department prior to issuance of permits to prevent pollutants from entering the City's stormdrain system.

Section 7-12 of the Belmont Municipal Code requires a determination of geotechnical hazards and preparation of geotechnical reports for proposed development activities in the San Juan Hills are prior to issuance of a building or grading permit. The area involved in the proposed hillside road improvement plan has been evaluated on numerous occasions through geotechnical investigations conducted by licensed geotechnical engineers. These reports have been prepared by the City's consulting geotechnical engineers as well as a geotechnical engineer retained by concerned neighbors. In addition, over-excavation of the existing loose soils, subgrade preparation and placement of engineered fill under the roadway would eliminate any hazards associated with potentially expansive soil. This mitigation is recommended by the applicant's geotechnical engineer.

San Juan Hills Area Plan Applicable Policies

Geologic Hazards - Policy 5: Mitigate Geologic Hazards Poising a Moderate Hazard to Road Development.

According to the applicant's geotechnical engineer, with confirmation by the City's geotechnical engineer through peer review, the proposed roadway extension is geotechnically feasible with utilization of appropriate geotechnical design criteria. As confirmed in the Initial Study, the proposed project, as mitigated, should not expose people or structure to potential substantial adverse impacts resulting from fault rupture, ground shaking, seismic ground failure, landslides, expansive soil or erosion.

However, a supplemental geotechnical investigation and geotechnical plan review is required prior to issuance of permits.

Infrastructure – Policy 9: Minimize Road Improvements to Protect Natural Resources.

The proposed 104-foot extension of Monte Cresta Drive would not extend into the adjacent areas of moderate to critical geologic hazard (identified as Pdf). As noted in the attached City Arborist's report, no protected or unprotected trees would be removed as part of the road construction. However, certain protected and unprotected trees may be affected by eventual development on the residential lots or during roadway construction. Mitigation measures to protect these trees are required. Tree permits would be required at the time of residential development, and site-specific mitigation would be evaluated at that point.

- e. **The applicants have demonstrated that adequate financing is available to construct and maintain the road as proposed.**

San Juan Hills Area Plan Applicable Policies

Infrastructure – Policy 10: Require Overall Road Improvement, Plans and Financing Prior to Granting any Building Permits on Unimproved Roads.

The road extension is considered a public right-of-way and would not be a private drive. Therefore, perpetual maintenance would be the responsibility of the City of Belmont upon acceptance of the completed right-of-way. The applicant has provided the proposed plans and financing mechanisms for the Monte Cresta Drive road improvement plan. The applicant intends to self-finance the design, permitting, inspection and construction of the roadway and enter into reimbursement agreements with the two property owners gaining access to their properties from the road extension. At this time, copies of the reimbursement agreement have not been submitted for review and adequacy cannot be determined. However, the applicant would fund all costs associated with construction and present the roadway to the City for acceptance upon completion. The estimate submitted by the applicant for construction of the roadway is \$152,426 (see Attachment 16). Other costs associated with completing a road to City standards, such as landscaping and irrigation, would be the responsibility of the applicant.

- f. **Access to abutting properties has been adequately considered in the design of the road improvements.**

The project plans include provision of driveway access to the three undeveloped lot abutting the road extension. On the two downhill lots located on the south side of the roadway, the two driveways would require construction of walls to support the driveway structures. The proposed walls, range from seven feet to twelve feet in height. In addition, the provision of the driveways would threaten or cause removal of three protected and two unprotected coast live oak trees. Mitigation and a tree permit would be required.

On the uphill lot abutting the road extension, a long driveway traversing the upsloping hill is proposed. The purpose of this proposed design is to minimize grading and height of retaining walls. The maximum height of retaining walls proposed for this driveway is two feet. Portions of the driveway would encroach approximately 53 linear feet into the Monte Cresta Drive right-of-way, due to its gently upsloping design.

- g. If the project is for a cul-de-sac, the length and turnaround design are appropriate and consistent with emergency access requirements.**

The project will not create a cul-de-sac. The existing terminus of Monte Cresta Avenue is a cul-de-sac bulb design, a portion of which would remain if the road extension is constructed. The South County Fire Authority has reviewed the plans and has expressed no concerns regarding emergency access to the site. However, the project would be conditioned to meet specific requirements prior to issuance of permits.

- h. If the plan is for an unimproved road segment, the City Council must have made all of the above findings in the affirmative, plus:**

- 1. A stable, safe, through road cannot be reasonably constructed because of physical constraints; and,**
- 2. Recommendations for access to properties abutting the part of the road which would not be improved under the plan are reasonable and consistent with the purposes and policies of the San Juan Hills Area Plan.**

The applicant has previously submitted plans for consideration of a through-route of Monte Cresta Drive, from the Barclay terminus to the Alhambra terminus. The approximate 1800-foot road improvement proposal was found by the City's geotechnical engineers to not adequately delineate the extent of the site geologic constraints, nor illustrate the locations of necessary engineering stabilization measures required for project construction. However, the roadway would have extended through geologically hazardous soils as noted on the City's Ground Movement Potential Map, across active landslide zones and other potentially unstable areas. These conditions, coupled with the projected removal of approximately 51 protected trees, are considered constraints that would hinder safe, stable through access.

The 1800-foot through-road plan provided recommendations for access to all properties along the route. The plan was conceptual, in that specific grading and design aspects were not provided for review. A review of the conceptual plans found that, due to the sensitive nature of the environmental and geologic conditions, a through-road extension would be infeasible and undesirable due to geotechnical issues and environmental conditions and inconsistent with the purposes and policies of the San Juan Hills Area Plan (see Attachment 17 plans dated 09/23/03).

CONCLUSION

Based on the forgoing analysis, staff recommends the Planning Commission take the following actions:

1. Continue the review to a date certain in order to appropriately assess the material.

ACTION ALTERNATIVES

1. Adopt a resolution recommending City Council action regarding the Mitigated Negative Declaration.
2. Adopt a resolution with findings recommending City Council action regarding the Hillside Road Improvement Plan on Monte Cresta Drive.

ATTACHMENTS

1. 500-foot Radius Map
2. Project Location Map
3. Initial Study and draft Mitigated Negative Declaration, Biological Assessment, Addendum and Mitigation Monitoring Program prepared by Grasseti Environmental Consulting – Commission Only
4. Public Comments submitted during Public Review period pursuant to CEQA – Commission Only
5. Arborist Report (December 27, 2004), prepared by Walter Levison – Commission Only
6. Geotechnical Report (July 6, 2000), prepared by Earth Mechanics Consulting Engineers: 120-foot roadway extension proposal – Commission Only
7. Geotechnical Review (November 8, 2000), prepared by Cotton Shires & Associates: 120-foot roadway extension proposal – Commission Only
8. Geotechnical Report (October 18, 2001), prepared by Earth Mechanics Consulting Engineers: 1800-foot roadway extension proposal – Commission Only
9. Geotechnical Consultation (October 22, 2001), prepared by Earth Mechanics Consulting Engineers: 1800-foot roadway extension proposal – Commission Only
10. Geotechnical Consultation (December 18, 2001), prepared by Michelucci & Associates, Inc.: 1800-foot roadway extension proposal – Commission Only
11. Geologic and Geotechnical Review (January 23, 2002), prepared by Cotton Shires & Associates: Peer review of 1800-foot roadway extension proposal – Commission Only
12. Geotechnical Consultation (September 18, 2002), prepared by Earth Mechanics Consulting Engineers: 1800-foot roadway extension proposal – Commission Only
13. Geotechnical Consultation (December 22, 2002), prepared by Earth Mechanics Consulting Engineers: Response to specific geotechnical data requests from CDD – Commission Only
14. Geotechnical Update Letter (August 16, 2004), prepared by Earth Mechanics Consulting Engineers: Confirms past reports and findings – Commission Only
15. Geotechnical Review (May 10, 2005), prepared by Cotton Shires & Associates: –

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16. Construction Estimate (January 8, 2004), prepared by Shade Construction & Engineering, Inc. (SCE) – Commission Only
 17. Road Improvement Plans (dated 09/26/03, 03/03/05 and 11/11/05) – Commission only
 18. Monte Cresta Feasibility Study by LTI (dated 10/22/04) – Commission only

Respectfully submitted,

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