

**CITY OF BELMONT  
MEMORANDUM**



**TO:** Planning Commission

**FROM:** Carlos de Melo, Community Development Director

**SUBJECT:** July 18, 2006 Planning Commission Meeting – Agenda Item 5B  
Charles Armstrong School (CAS) – 1405 Solana Drive  
Review of Frontage Landscape/Signage/Lighting Plan

---

**Summary/Background**

On April 4, 2006, Staff presented a status report to the Planning Commission on code enforcement issues associated with the two approved Conditional Use Permits that govern the operations of the Charles Armstrong School (CAS) at 1405 Solana Drive. Based upon Commission discussion at the 4/4/06 meeting, the Commission discontinued (at that time) the pursuit of a Revocation Hearing for the CAS Conditional Use Permits. The Commission cited measurable progress that had been made to correct expected code compliance/performance issues for the school and improved communication with the surrounding neighborhood - see Attached 4/4/06 Staff Memo & Commission Meeting Minutes for additional background information for CAS.

Since that time, CAS partnered with Neighborhoods First in the formation of a “Green Screen Working Group (GSWG)” to:

- 1) Identify the best solution for landscape planting improvements for the CAS property frontage on Solana Drive.
- 2) Develop a model for future school/neighborhood discussions.

The GSWG tasks were to identify the design parameters, evaluate alternative solutions, and refine a proposed solution. The group was comprised of:

Rick Huff (1408 Solana Drive)  
Richard and Julie Hughes (1532 Desvio Way)  
Barry Lake (1720 El Verano Way)  
Stephen Cann (1720 El Verano Way)  
George Glushenok (1627 El Verano Way)  
Carol Beattie, Chairman of the CAS Board of Trustees Compliance Committee  
Debbie Vielbaum, Director of CAS Community Relations and Fund Raising  
Candace Hathaway, Community Relations consultant  
Brian Fletcher, landscape architect, Callander & Associates

STAFF MEMO

RE: 1405 Solana Drive – Charles Armstrong School

Landscape/Lighting/Signage Plan

July 18, 2006

Page 2

Two meetings were held (May 24, 2006 & June 1, 2006) at Twin Pines Community Center that allowed both hands-on participation in the group and an opportunity for interested neighbors to observe. CAS provided a facilitator for the meetings and a landscape architect to develop the plan for future review by the Planning Commission.

At the May 24, 2006 meeting, Neighborhoods First members expressed frustration with the condition and maintenance of the plant materials along Solana Drive. In addition, there was concern about the visual impacts of signage and lighting. CAS representatives expressed their concerns regarding safety, cost-effective maintenance, and the durability and longevity of plant materials. The group then identified the following goals in the design of new landscape plan to:

- Create a serene, natural environment
- Provide a visual and sound barrier along Solana Drive
- Use low-maintenance, drought tolerant plant materials
- Use an automated watering system
- Create a plan for regular maintenance
- Use safety lighting with the least amount of spill over
- Remove items that are a nuisance attraction (e.g. tables, benches, excess lighting)
- Improve, coordinate and reposition signage
- Provide a clear sign about McDougal park location
- Provide an immediate visual and spatial impact.

At the June 1, 2006 meeting, Brian Fletcher presented a proposed green screen plan and plant materials for the group to review. Debbie Vielbaum presented actions that the school had taken to address the green screen parameters. These included changing or eliminating some of the light sources, clearing plant debris, removing items that attracted nuisance, and researching the source of the water that sometimes appears near the sidewalk.

The group suggested and discussed using more evergreen trees, assuring the effectiveness of the watering system, using more dense plant materials on the corners leading to the school, and extending the landscape design to the school's upper property line. These changes were incorporated into the green screen plan that is attached as part of this memorandum. All of the GSWG members expressed a strong desire to have the plan reviewed by the City as soon as possible so the project could be completed by late in the summer.

GSWG members were invited during the week of July 10-14 to either attend a working group meeting or arrange an individual meeting to review the final draft of green screen plan that will be presented to the Planning Commission.

## **Discussion**

The pertinent Conditional Use Permit (CUP) conditions of approval governing issues associated with improved CAS frontage landscaping and minor site plan modifications to minimize negative impacts to surrounding residential properties are described in Planning Commission Resolution

STAFF MEMO

RE: 1405 Solana Drive – Charles Armstrong School

Landscape/Lighting/Signage Plan

July 18, 2006

Page 3

2002-0039. This CUP approval allowed an enrollment increase for the school from 220 to 260 students. The pertinent conditions (relating to the current request) are as follows:

*I.A.7 - The applicant shall install landscape screening along the Solana Street frontage of the school, the landscape/irrigation plan shall be subject to review and approval by the Planning Director.*

*I.A.10 - The applicant shall monitor all activities to minimize negative impacts (e.g., noise, traffic, litter and loitering) on surrounding residential properties.*

Landscape/Irrigation Plan

The landscape plan for the CAS frontage details the following:

Fifteen new tree plantings consisting of Madrone (3 at 24” box size and 3 at 15-gallon size), Deodar Cedar (4 at 15-gallon size), Brisbane Box (3 at 24” box size), and California Buckeye (2 at 15-gallon size). The tree plantings are designed to augment and “fill-in” the gaps between existing frontage trees and provide a more compact, and dense screen of the school buildings and upper parking lot. Tree installation/location details are noted on Plan Sheets 4, 5, and 6.

Complimentary shrub plantings (5-gallon size) consist of Coyote Bush and Orchid Rockrose. Groundcover (1-gallon size) would consist of Manzanita, Sageleaf Rockrose, and Rosemary plantings. Details, locations, and quantities of all shrub and groundcover plantings are noted on Plan Sheet 4.

The project includes a full irrigation plan for the proposed planting areas. The plan adequately identifies irrigation components, locations, and quantities – See Plan Sheet 3 for Irrigation Plan details.

Overall, staff believes the submitted plan meets the requirements of Condition I.A.7. Staff concurs with the frontage landscape/irrigation plan, as proposed.

Site Plan/Lighting/Signage Modifications

Site Plan Modification & Demolition items associated with the Landscape Plan are as follows:

- Relocation of the existing school and parking signs – see Plan Sheets 5 & 6 for sign details/location; a main school identification sign will be brought forward to the City for review at a future date
- A new proposed McDougal Park identification sign – see Plan Sheets 5 & 6 for sign details/location
- Removal of three benches that were concentrated along the property frontage – See Plan Sheet 6

STAFF MEMO

RE: 1405 Solana Drive – Charles Armstrong School

Landscape/Lighting/Signage Plan

July 18, 2006

Page 4

- Removal of frontage lighting lamp; if determined that adequate existing lighting addresses safety/security issues, the entire fixture and pole would then be subsequently removed
- Exterior building lighting lamps have been readjusted to reduce glare to off-site residential properties

The proposed site plan changes reflect measurable progress towards mitigating negative off-site impacts to adjacent residential properties as required by Condition of Approval I.A10. Staff concurs with the associated Site Plan/Lighting/Signage Plan modifications as proposed.

### **Conclusion and Recommendation**

Staff recommends the Planning Commission approve the Landscape/Irrigation Plan and Site Modifications Plan (Lighting, Benches, and Signage) as proposed.

### **Alternatives**

1. Refer back to staff for additional information.

### **Attachments**

- A. Resolution Approving Landscape/Irrigation Plan & Site Modifications Plan
- B. Staff Memorandum & Planning Commission Meeting Minutes – April 4, 2006
- C. Green Screen Working Group Minutes – May 24 & June 1, 2006
- D. Landscape/Signage/Lighting Plan – July 10, 2006

### ***PLEASE NOTE:***

Attachments C and D are not included as part of this document. Please contact the Community Development Department at (650) 595-7453 for information on viewing these additional attachments.

RESOLUTION NO. 2006-\_\_\_\_\_

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELMONT  
APPROVING A FINAL LANDSCAPE/IRRIGATION PLAN AND SITE MODIFICATIONS  
PLAN FOR CHARLES ARMSTRONG SCHOOL -1405 SOLANA DRIVE (Appl. 2001-0106)

WHEREAS, Charles Armstrong School, requests approval of a Solana Drive property frontage Landscape/Irrigation Plan and Site Modifications Plan in conjunction with the school enrollment increase Conditional Use Permit granted for the school (Appl. 2001-0106) located at 1405 Solana Drive, as required by Condition I.A.7 and I.A.10 of Planning Commission Resolution 2002-0039; and,

WHEREAS a public meeting was held on July 18, 2006; and,

WHEREAS, the Planning Commission hereby adopts the staff memorandum dated July 18, 2006 and the facts contained therein as its own findings of facts; and,

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission approves the CAS Solana Drive property frontage Landscape/Irrigation Plan and Site Modifications Plan for the Conditional Use Permit (Appl. 2001-0106) entitlement granted for 1405 Solana Drive as proposed.

\* \* \* \* \*

Passed and adopted at a regular meeting of the Planning Commission of the City of Belmont held on July 18, 2006 by the following vote:

AYES,  
COMMISSIONERS: \_\_\_\_\_

NOES,  
COMMISSIONERS: \_\_\_\_\_

ABSENT,  
COMMISSIONERS: \_\_\_\_\_

ABSTAIN,  
COMMISSIONERS: \_\_\_\_\_

RECUSED,  
COMMISSIONERS: \_\_\_\_\_

\_\_\_\_\_  
Carlos de Melo  
Planning Commission Secretary

**CITY OF BELMONT  
MEMORANDUM**

**TO:** Planning Commission

**FROM:** Carlos de Melo, Community Development Director

**SUBJECT:** April 4, 2006 Planning Commission Meeting – Agenda Item 7A  
Charles Armstrong School (CAS) – 1405 Solana Drive  
Code Enforcement Update

---

**Summary/Background**

On January 17, 2006, the Planning Commission directed staff to set a “Revocation Hearing”<sup>1</sup> within 90 days (April 18, 2006) to review two approved Conditional Use Permits that govern the operations of the Charles Armstrong School (CAS) at 1405 Solana Drive.

The genesis for discussion of the matter at the 1/17/06 Commission meeting centered on letters (dated 10/18/05 & 1/17/06) that staff presented from the neighborhood organization entitled “Neighborhoods First” which outlined their concerns with adherence to conditions of approval in conjunction with CAS - these letters and the 1/17/06 staff memorandum and Commission meeting minutes have been provided as **Attachment A**.

Since the 1/17/06 meeting, staff also took on the task of preparing status reports on the item (to allow dissemination of any new information from staff or received from CAS or Neighborhoods First) for review at a subsequent Commission meetings in advance of holding the 4/18/06 Revocation Hearing. Staff has attached such previously provided correspondence as part of this memorandum:

- Neighborhoods First Letter – 1/24/06 – **Attachment B**
- Staff letter sent to CAS on 2/16/06 which documented the violations of the Conditional Use Permits – **Attachment C**
- CAS Response to Violations Letter – 2/27/06 – **Attachment D**
- Neighborhoods First Letter – 3/7/06 – **Attachment E**
- CAS Update on Status of Code Compliance Issues/Remedies – 3/22/06 – **Attachment F**

Staff has also facilitated two meetings with CAS and Neighborhoods First representatives (on 3/7/06 & 3/23/06) to allow for discussion of CUP compliance and next steps to remedy the outstanding

---

*1 - 11.9 REVOCATION – A Conditional Use Permit shall be deemed null and void upon a finding by the Planning Commission that the property for which such exception has been granted is in violation of any applicable provisions of this Ordinance, or that there has been failure to comply with any condition or conditions imposed in the granting of a Conditional Use Permit. – Belmont Zoning Ordinance*

issues.

## **Discussion**

The pertinent conditions of approval for the first Conditional Use Permit governing the operation of the school was adopted as part of Planning Commission Resolution 1988-10, which established enrollment of 220 for the school, a procedure for increasing enrollment to 266, and allowable hours of operation from 7:00 a.m. to 9:00 p.m., Monday through Friday. These conditions are as follows:

### Planning Commission Resolution 1988-10

1. *A detailed development plan dated November 10, 1987 is hereby approved for a maximum school enrollment of 220 students. Expansion of enrollment to the maximum enrollment of 266 students allowed by the approved concept plan may be approved by the Planning Commission, provided 1) the director of Public Services ascertains whether the level of service of any nearby intersections may be affected by the requested enrollment increase and, if so, the applicant shall provide a traffic analysis detailing the traffic impacts to nearby intersections and any possible mitigations, and 2) the Planning Commission approves a use permit to modify the detailed development plan to allow the increased enrollment. All exterior changes required to convert the storage area within the multi-purpose building into tutoring rooms shall be submitted to the Planning Commission for design review approval.*
2. *The applicant shall maintain a carpool assistance program, whereby employees, students, and student teachers can register and access information about other employees willing to carpool.*
3. *The applicant shall instruct employees to park on-site. Quiet zone signs shall be installed at appropriate locations within the school parking lot, the wording and location of the signs shall be subject to the review of the Planning director. Said signs shall be installed within 60 days.*
4. *During the month of February 1989, the applicant shall submit a statement listing the number of employees and students enrolled at the school. A Planning Commission review of parking availability and on-site parking needs shall be conducted. The applicant shall install any additional parking spaces necessary to accommodate the parking demand.*
5. *Within 60 days, the applicant shall submit a statement to the Planning Department indicating a) how the school operations have been made compatible with the neighborhood in the following areas: noise from garbage pick up, noise from gardeners, traffic noise and parking impacts from parent drop off and pick up of children (and how drop off and pick up of students has been accomplished entirely on site, and b) steps the applicant has taken to:*
  - *advise parents of the need to not use the public street for the pick up and drop off of students,*
  - *implement the carpool assistance program, and*
  - *provide instructions to employees to park on-site.*

STAFF MEMO

RE: 1405 Solana Drive – Charles Armstrong School

Code Enforcement Update

April 4, 2006

Page 3

6. *Use of the school shall be permitted strictly for school activities between 7 a.m. and 9 p.m. Monday through Friday, except the gardener's hours shall be limited to 9 a.m. to 5 p.m., Monday through Friday. The applicant shall monitor all activities to minimize negative impacts (e.g. noise, traffic, litter and loitering) on surrounding properties. The applicant shall be responsible for picking up any excessive litter resulting from the school's use of the adjacent city park and shall protect the park improvements from damage from school activities.*
7. *If the Planning Commission receives substantial evidence that the use of the site may be in violation of the terms of this permit, the Commission may direct the Planning Director to seek corrective action. If the alleged violations are not resolved to the satisfaction of the Planning Commission, then the Planning Commission may schedule a public hearing to review this permit for possible revocation.*

The second Conditional Use Permit conditions of approval pertinent to school operations were adopted as part of Planning Commission Resolution 2002-0039, which allowed an enrollment increase for the school from 220 to 260 students.

Planning Commission Resolution 2002-0039

1. *Parking shall be reconfigured to conform to the plans on file in the Planning Division for Appl. No. 2001-0106 and date-stamped March 28, 2002. The parking plan includes 70 parking spaces and the Director of Community Development may approve minor modifications to the plan.*
2. *The school shall continue to encourage carpooling, bus and train use in order to minimize school traffic impacts on the residential neighborhood.*
3. *The applicant shall continue to advise parents and employees to park on-site.*
4. *The following "Student Loading Policy" shall be required to minimize school traffic impacts on the residential neighborhood.*
  - *Morning drop-off for the school begins at 7:30 am until the start of school at 8:30 am. School staff has assigned a traffic director to direct school traffic off of Solana Drive and down to the lower parking lot. A second traffic director, in the parking lot, opens the car door and assists the student out of the vehicle. Once the student is safely away from the vehicle the vehicle driver is directed out of the lot and back out of the campus and off of the neighborhood streets as quickly as possible.*
  - *Afternoon pick-up includes staggered class dismissal times. Drivers begin arriving at approximately 2:45 pm where a staff person directs pick-up traffic to the lower driveway and into the schoolyard. At a designated time all vehicles are halted and the students are allowed to go to their vehicle. Homeroom teachers accompany their students to the lower schoolyard and when the first group of students are safely in their vehicles, student movement is halted and the loaded vehicles are directed out of the lot. There are at least six traffic directors managing the pedestrian and vehicle traffic movement at all times.*

STAFF MEMO

RE: 1405 Solana Drive – Charles Armstrong School

Code Enforcement Update

April 4, 2006

Page 4

5. *Private school enrollment shall not exceed 260 students with this approval.*
6. *The applicant shall install quiet zone signs at appropriate places within the school parking lot; the wording and location of quiet zone signs shall be subject to review and approval by the Director of Community Development.*
7. *The applicant shall install landscape screening along the Solana Street frontage of the school, the landscape/irrigation plan shall be subject to review and approval by the Planning Director.*
8. *The applicant shall limit the gardener's hours to Monday through Friday, 9:00 am to 5:00 pm.*
9. *The applicant shall arrange for refuse/recycling pick-up to occur between Mondays through Friday, 7:00 am to 5:00 pm.*
10. *The applicant shall monitor all activities to minimize negative impacts (e.g., noise, traffic, litter and loitering) on surrounding residential properties.*
11. *The applicant shall be responsible for picking-up excessive litter resulting from the school's use of the adjacent city park and shall protect the park improvements from damage from school activities.*
12. *No Charles Armstrong School students shall drive to school; during school operating hours; the 70 required parking spaces are intended for school employees and school visitors.*
13. *The school shall prepare and mail a calendar of special events on a quarterly basis to all property owners within 300 feet of the school property in order to notify neighbors of school events.*
14. *The school shall conduct a minimum of one open house meeting annually in order to foster neighbor communication and continued neighborhood compatibility.*
15. *A report, verifying continued conditions of approval compliance, shall be generated by the school and presented to the Director of Community Development on an annual basis.*
- II.1 *All remaining vertical structures in the paved rear yard area (i.e. basketball poles) shall have reflective tape wrapped around them, top to bottom.*
- II.2. *Fire access roads shall be provided for every facility and building. (and maintained).*
- III.1. *All activities shall be subject to the requirements of the Belmont Noise Ordinance.*
- III.5. *The applicant shall install adequate lighting on the black top area if it is going to be used for night parking.*

Summary of CUP/Code Compliance Issues

The following provides a summary chart of code compliance complaints/violations (from the 10/18/05 Neighborhoods First letter), filed Police Reports in conjunction with certain violations, and their associated conditions of approval for the two corresponding Conditional Use Permits (Reso 1988-10 & Reso 2002-0039):

STAFF MEMO

RE: 1405 Solana Drive – Charles Armstrong School

Code Enforcement Update

April 4, 2006

Page 5

Condition	Source	Related Compliance Issue
1. Hours of Operation limited to 7 am to 9 pm	1988 Condition no. 6.	a. Square dances held on Wed. nights that last until 10:30 pm.  b. Pre-7am teacher/staff arrival.  c. Pre-7am bus arrival.  d. Evening use of school facilities after 9 pm; truck and car traffic after 9 pm.  e. Use of CAS for weeknight Commonwealth Club events
2. Days of Operation limited to M-F	1988 Condition no. 6.	a. Repeated weekend use of school by teachers/staff  b. School events on weekends.
3. Designated drop-off areas required. Morning drop off and afternoon pick up is to occur in lower parking lot.	2002 Condition no. 4.	a-c. Drop-off occurring outside of designated areas. CAS permits use of Solana Drive and the "upper parking lot" as well as Chula Vista and El Verano for drop off and pick up of students.
4. The 70 required parking spaces are intended for school employees and school visitors.	2002 Conditions no. 1 and 12.	a. CAS exceeds the limit of 10 cars in the upper lot  b. CAS fails to keep the upper lot chained up after hours and on weekends.
5. Gardeners hours are limited to 9 am to 5 pm, M-F	Resol. 1987-54 as condition no. ___; 1988 Condition no. 6	Neighbors have observed lawn blowers and other gardening tasks occurring on weekends.
6. Landscape Screening along the Solana Street frontage required.	2002 Condition no. 7.	School installed small plants which did not provide the required "screen".
7. CAS shall monitor all activities to minimize negative impacts (e.g. noise, traffic, litter and loitering) on surrounding properties."	-- 1988 condition no. 6. --2002 Condition no. 10.	a. The school has used disruptive flood lights that shine onto adjacent property  b. The school allows trash and litter to accumulate on fences.  c. Illegal late night use of school property

STAFF MEMO

RE: 1405 Solana Drive – Charles Armstrong School

Code Enforcement Update

April 4, 2006

Page 6

		by "partiers and others."  d. The Quiet Zone signs are ignored.
8. "Use of school shall be permitted strictly for school activities..."	1988 Condition no. 6	a-d. CAS conducts unauthorized programs, including educational outreach, college accredited teacher education programs, and foreign language training.
9. Trash pickup only between 7am-5pm, M-F	2002 Condition no. 9.	a-c. Early am – i.e. 4:00 a.m. garbage pickup occurs
10. School's use of Park is limited: during "regular session" use is limited to M-F from 8 am- 4 pm and during the "summer session" it s limited to 8 am to 12:30 pm.	Easement documents	a. Weekend events have gone on for years, often entailing the CAS' use of the park on both Saturday and Sunday.  b. Summer session use of the park has extended past 12:30 pm.  c. Expansion of summer session into August.  d. A large enclosed trash holding structure on a portion of the Belmont easement to the park interferes with parking areas for legitimate city use of the park.
11. The school shall prepare and mail a calendar of special events on a quarterly basis to all property owners within 300 feet of the school property in order to notify neighbors of school events.	2002 Condition no. 13.	CAS conducts late evening and weekend activities of various kinds, which are not noted in its public announcements to the community...on the entire weekend of July 24- 25, 2005, extensive social activities for CAS alumni were conducted over many hours on both days. Overflow parking on streets was noted.
12. No students shall drive to school.	2002 Cond. No. 12.	CAS teaching institute students and attendees of other adult classes drive to the school site.
13. Private school enrollment shall not exceed 260 students with this approval.	2002 Cond. No. 5.	The school's enrollment exceeds 260, when you include CATI, Language institute, Summer Teacher Institute, and summer school students, and other programs.
14. The school shall continue to encourage	2002 Cond. Nos. 2 and 3.	Visitors to the school continue to park on Solana Drive, Chula Vista, and on

carpooling, bus and train use to minimize school traffic impacts on residential neighborhood. The applicant shall continue to advise parents and employees to park on-site.		surrounding streets.
---	--	----------------------

CAS Compliance Committee

Since early February 2006, CAS formulated a new “team” to directly respond to and address all code enforcement violations in association with the school. This Compliance Committee includes Candace Hathaway (public relations consultant), Sam Bronfman (CAS Board Member), Carol Beattie (CAS Board Member), and Debbie Vielbaum (Director of Community Relations). CAS has indicated that Ms. Vielbaum would advise the Compliance Committee on a frequent basis, with the direction of zero tolerance of violations of CUP conditions.

CAS/Neighborhoods First “Summit” Meetings

As discussed earlier staff brokered two meetings – 3/7 & 3/23 between CAS and Neighborhoods First representatives to discuss the code compliance issues. The meetings served to introduce the CAS Compliance Committee to Neighborhoods First and “get all issues out on the table”. The main goals of the meetings (from the CAS perspective) focused on starting the process for fostering improved neighborhood relations, and demonstrating CAS action in addressing code compliance issues. The Neighborhoods First perspective centered on the provision of a concrete action plan for addressing code compliance matters (with measurable results), and initiating the dialogue for future “improved community access” to McDougal Park. The meetings were well attended by both parties.

Out of these meetings, it was agreed that the first “test case” for addressing improved communications between CAS and Neighborhoods First would be the collaborative efforts in designing an improved landscape plan (required as part of CUP 2002-0039) for the main entry of the school. Once all parties reach consensus on this plan, it would be forwarded to the Commission for approval.

At this time, staff believes that all “stakeholders” walked away from these two meetings pleased with initial progress made in identifying/acknowledging violations, the discussion of enforcement of CAS obligations under the two CUP’s, and strategies/milestones for achieving full code compliance. Future meetings will be scheduled between the two parties to provide progress updates on code compliance, and refine CAS and neighborhood expectations going forward for the school.

CAS Response to Violations/Remedy’s

As discussed earlier, CAS has provided a summary of operating changes made to the school to address code compliance violations – see Attachment F, 3/22/06 CAS Letter. Such operating modifications include but are not limited to:

- Ceasing operation of all school functions that transpire before 7AM or after 9 PM on Monday-Friday and on weekends
- Eliminating all non-school related activities (i.e. teaching programs will only be offered CAS teachers, staff and parents)
- Reinforcing Drop-off/Pick-up activities for students
- Creating an action plan to monitor all activities (i.e. noise, traffic, litter and loitering) that would negatively impact surrounding properties to minimize negative impacts

It should be noted that the school, with a CUP in force that governs their operations, is always “on probation” relative to code compliance. In other words, the school is always on notice that they must comply with the CUP Conditions of Approval governing their operations, unless such CUP is amended via discretionary review (by the Planning Commission or City Council).

McDougal Park Access

As discussed earlier, a central issue of the Neighborhoods First group is their request to create improved community access to McDougal Park. An existing condition of the site is an easement allowing limited public access to McDougal Park. With the Belmont School District sale of former McDougal Elementary School to CAS and of the playing fields to the City in 1985, a new public park was created which could only be accessed across the school campus. Based on the easements recorded with the two sales, the park is best described as a “part-time” public park since access is permitted only, as follows:

Monday through Friday during the Armstrong School regular session:

- Before 8 a.m. and after 4 p.m.

Monday through Friday during the Armstrong School summer session:

- Before 8 a.m. and after 12:30 p.m.

Saturday and Sunday, throughout the year:

- No limit

The remaining time, the fields are part of the CAS campus. The following chart provides a summary of the time limits, including the Municipal Code time limits for all City parks\*:

Daily Time Intervals	M–F Regular Session	M–F Summer Session	Weekends
Midnight to sunrise	Closed	Closed	Closed
Sunrise to 8 a.m.	Public Use	Public Use	Public Use

\* Section 16-33 of the Belmont Municipal code states that all public parks are, “...closed to the public between one-half hour after sunset and one-half hour before sunrise...”

8 a.m. to 12:30 p.m.	School Use Only	School Use Only	
12:30 p.m. to 4 p.m.			
4 p.m. to sunset	Public Use	Public Use	
Sunset to midnight	Closed	Closed	Closed

The issue of improved public access to McDougal Park is an important one that has been recognized by both CAS and Neighborhoods First. The City would be amenable to discussions on such improved access, but it cannot be performed under the purview or as a requirement to satisfy CUP compliance for the school under the associated Resolutions 1988-10 & 2002-0039.

The notion of improved public park access (not just in this neighborhood) is a policy issue of the City, guided more specifically by General Plan Goals/Objectives. Adhering to and furthering such goals/objectives is more appropriately addressed via direction and subsequent legislative action by the City Council. Such policy issues can be more fully realized as part of a potential General Plan Update program to be commenced in the latter part of this year (expected in Fall 2006).

In the mean time, and subject to mutual agreement by both CAS and Neighborhoods First, discussions could begin on potential improvements to public access to the McDougal Park. However, these discussions are not required to fulfill CUP compliance for the school, as the current reciprocal access easement binds use of and access to the park. Staff would recommend such discussions not begin in earnest until an extended period of time has elapsed with measurable and consistent compliance achieved by CAS in fulfilling its CUP obligations. At that time, staff would welcome such discussions taking place to serve as a “good-faith” effort by CAS to improve its community relations for the neighborhood.

**Conclusion And Recommendation**

Based upon the information presented in this memorandum, staff recommends the Commission not hold a Revocation Hearing for the associated Conditional Use Permits (Per Resolutions 1988-10 & 2002-0039) governing school operations. While CAS is in the early stages of demonstrating code compliance and improved neighborhood communication success, staff believes such efforts have resulted in sufficient progress to warrant not holding a Revocation Hearing at this time.

Staff expects continued progress from CAS to achieve a zero-tolerance scenario in operating the school in accordance with the applicable CUP conditions of approval. As discussed earlier, once the school has achieved an extended period of compliance success (whether 3, 6, or 12 months from now), staff believes at that time it would be more appropriate to engage in cogent discussions on the McDougal Park access issue (should it continue to be mutually acceptable by both parties).

**Alternatives**

2. Provide direction on setting the revocation (public) hearing for the two Conditional Use

STAFF MEMO  
RE: 1405 Solana Drive – Charles Armstrong School  
Code Enforcement Update  
April 4, 2006  
Page 10

Permits (Per Resolutions 1988-10 & 2002-0039) governing CAS operations for the school.

3. Refer back to staff for additional information.

**Attachments**

- A. Neighborhoods First Letters – 10/18/05 & 1/17/06; Staff Memorandum and Commission Meeting Minutes – 1/17/06
- B. Neighborhoods First Letter – 1/24/06
- C. Staff Letter to CAS Documenting CUP Violations - 2/16/06
- D. CAS Response to Violations Letter – 2/27/06
- E. Neighborhoods First Letter – 3/7/06
- F. CAS Update on Status of Code Compliance Issues/Remedies – 3/22/06

***PLEASE NOTE:***

Attachments A through F are not included as a part of this document. Please contact the Community Development Department for information on reviewing these attachments.

**CITY OF BELMONT**  
**PLANNING COMMISSION**  
**ACTION MINUTES**  
**TUESDAY, APRIL 4, 2006 7:00 PM**

**7. REPORTS, STUDIES, UPDATES, AND COMMENTS**

**Code Enforcement updates:**

**7A. Charles Armstrong School – 1405 Solana Drive**

C Wozniak recused herself as she lives within the 300' radius.

CDD de Melo summarized the updated report concerning meetings with staff, CAS, and Neighborhoods First; the CUP compliance, and the McDougal Park issue. Due to the substantial progress that has been made on the code compliance issue to this point, it is recommended that we not hold a revocation hearing at this time. An updated report will be provided at the end-of-the-school year and end-of-summer.

Robert Mayer, Neighborhoods First, spoke in favor of the recent discussions/meetings with CAS

Debbie Vielbaum, Director of Community Relations, was in attendance to respond to questions. Student enrollment is 248 students with a max of 260 students.

## **Minutes of the Green Screen Working Group Meeting May 24, 2006**

**Present:** Carol Beattie, Stephen Cann, Brian Fletcher, Candace Hathaway, Rick Huff, Dick Hughes, Julie Hughes, Barry Lake, Debbie Vielbaum

The timeline for the project will have included two meetings of the working group and a presentation before the Belmont Planning Commission on one of three dates: July 18, August 1 or September 5. July 18 is the most optimal date.

Brian presented some background on the Solana landscaping, which included the previous permit granted in 2002 and improvements that were put in place in 2003 and that proved to be inadequate due to stunted plant growth, deer problems, poor maintenance and an ineffective irrigation system. Brian also pointed out that soil samples were sent to an engineering firm. Analysis of the soil samples will help determine the kinds of plants and trees to be considered for the site at CAS.

The following green screen parameters were identified: an effective sound barrier, regular maintenance and upkeep of the grounds, planting vegetation and trees (such as redwoods) native to California, utilizing such plants as lamb's ear, rosemary and sage that do not appeal to deer, deter negative uses of the site by diminishing or eliminating the "street lights", installed by the CAS, removing the bench that encourages nighttime loitering, create a serene environment with the landscaping, improve the signage, design a natural type of landscape and put in trees and plants that would have an immediate visual and spatial impact.

The comments made on the above parameters included the following topics: addressing the lighting installed by the school on Solana Drive, the importance of regular upkeep and maintenance, an effective irrigation system, deterrence of nuisance uses at night, removal of debris (dead leaves, branches, etc.) and the presence of the bench facing Solana, which is a magnet for nighttime gatherings.

The following green screen design options were presented by Brian: a three tiered arrangement of trees of a variety of sizes on the slope adjacent to Solana Drive, a combination of tall and short shrubs, an examination of the light structures on Solana Drive and screening possibilities. Brian indicated that the city of Belmont sent CAS its parameters, which require drought tolerant native plants and trees, deer proof vegetation and a list of trees.

The next meeting has been set for Thursday, June 1, 2006 at 7 PM. Candace will notify the working group about the location.

Submitted by George Glushenok

**Minutes of the Green Screen Working Group Meeting  
June 1, 2006**

**Present:** Stephen Cann, Kim Downes, Brian Fletcher, Candace Hathaway, Rick Huff, Dick Hughes, Julie Hughes, Barry Lake, Debbie Vielbaum

Candace introduced Kim, who was present to assist Brian in presenting the green screen design options.

Barry noted that his suggestion for lavender plants was omitted from the minutes of last week's meeting.

The action items from last week's meeting were completed as follows: the benches in front of the school have been removed; the lighting on the school's light pole was adjusted to reduce the bothersome glare; the flow pattern of water near the school's sidewalk will be observed; a gardener will clean out the debris on the Solana Drive side of the school; the large flower pots will remain until other options are considered.

It was noted that a bulb on a city light pole has burned out. City staff will be notified.

Rick asked that the glare coming from the lights of the classrooms on the Solana Drive side be reduced.

Brian reviewed the key elements of the green screen design parameters.

**Lighting:** The timer will be set for 9 PM. The benches will be removed (already done). The signage will be relocated. A sign for the city's park will be installed on Solana Drive.

**Irrigation system.** The existing structure is usable since the current valves can be attached to new timers. Stream spray effects and bubblers with minimal sound impact will be added to the irrigation system.

**Soils analysis.** The report indicated that the soil is poor and rocky. The area will require fertilization. The report also included frequency of fertilization.

**Provide Multi-Layer Landscape Screen.** The green screen will consist of three layers. The first will be groundcover with such plants as rosemary, rock roses and manzanita that are about one foot in height. The second tier will include shrubs (white rock roses and coyote bushes) that reach four to six feet in height. The final tier will be made up of native trees, for example yarwood sycamore, madrone, cedar and California buckeye. Some existing trees that are growing well will be retained.

During the discussion of the above parameters Rick urged that deciduous trees be used minimally. Brian gave the Brisbane box tree as an example of a non-deciduous alternative. Other comments included the need for more effective drainage, improved maintenance both long and short term, utilizing denser growth on all corners leading to the school and applying the landscape design on the upper end of Solana in the direction of Altura Way.

The next steps include working with the Planning Department and presenting the landscaping design for the green screen on Solana Drive at the Planning Commission meeting on July 18.

All are urged to attend the Planning Commission.

Recorded by George Glushenok