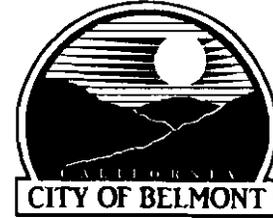


Attachment D

April 15, 2008 Planning Commission Staff Report, Adopted Resolution 2008-21 Denying the requested entitlements, and Meeting Minutes



MEETING OF APRIL 15, 2008

AGENDA ITEM NO. 6A

Application I.D.: 2006-0054

Application Type: Tentative Parcel Map and Single Family Design Review

Location: 1109 Alomar Way

Applicant: Alpheus W. Jessup

Owners: Jean Adams

APN: 045-083-040

Zoning: R-1B – Single Family Residential

General Plan Designation: RL – Low Density Residential

Environmental Determination: Recommended Statutory Exemption per Section 15270 – Projects that are not approved

PROJECT DESCRIPTION

The applicant requests Tentative Parcel Map and Single Family Design Review approval to subdivide one 12,390 square-foot lot into two lots, and to construct one new single family dwelling on the proposed vacant parcel. Proposed Parcel-1 would be 6,000 square feet and would contain the existing single family residence located at 1109 Alomar Way. Proposed Parcel-2 would be 6,390 square feet and is currently vacant. The applicant is requesting Single Family Design Review approval to construct a new 1,492 square-foot single family residence on proposed Parcel 2 that is below the maximum permitted 1,495 square foot for the site. The proposed single family residence would front onto Maywood Drive.

RECOMMENDATION

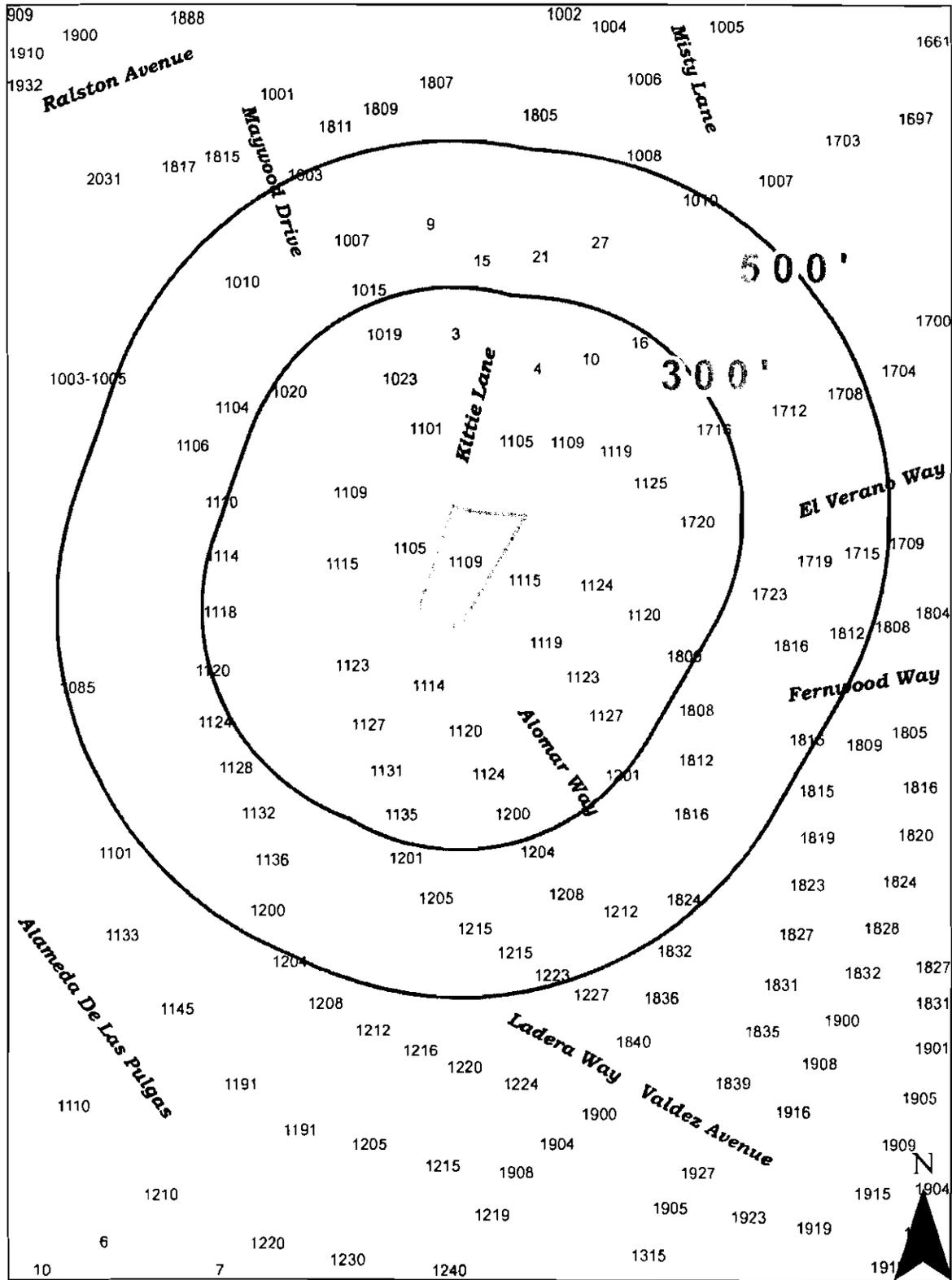
Staff recommends that the Planning Commission adopt the attached resolution **denying**¹ the Tentative Parcel Map and Single Family Design Review applications.

ZONING/GENERAL PLAN DESIGNATION

The existing single-family residence is a permitted use in the designated R-1B (Single Family Residential) zoning district, and is conforming to the General Plan Designation RL - Low Density Residential. The proposed subdivision and development of proposed parcel-2 with a new single-family residence also complies with the Zoning and General Plan designations.

¹ Please note: This recommendation is made in advance of public testimony or Commission discussion of the project. At the public hearing, these two factors, in conjunction with the staff analysis, will be considered by the Commission in rendering a decision on the project.

300/500-foot radius map



1 inch equals 200 feet

PRIOR ACTIONS

The subject lot was established on December 9, 1949 as part of the Carlmont No. 2 Subdivision. The existing single family home was built in 1955. There have been no prior planning actions on this property.

The applicant submitted this application for a Tentative Parcel Map and Single Family Design Review on June 27, 2006. In September 2006, the City Council adopted a Slope Density Ordinance which increased the minimum lot size requirements for subdivisions relative to existing slope conditions. This project is one of two subdivision applications that were submitted under the previous subdivision minimum lot size requirements. During the Public Hearings for the Slope Density Ordinance in September 2006, the City Council acknowledged the two existing subdivision applications and noted that they would continue to be processed by Planning staff under the previous minimum lot size regulations.

SITE CONDITIONS

The project site is located on the south side of Alomar Way, between Verano Way and Ladera Way. The property is a "through lot" with roadway frontage along both the front and rear property lines. The rear property line abuts Maywood Drive. The existing single family home takes access from Alomar Way. The 12,390 square-foot lot has a 21.8 percent average lot slope and slopes down toward the rear (Maywood Drive). The rear portion of the lot (proposed Parcel-2) can be characterized as having significant slopes and dense native vegetation, including 14 regulated trees that were surveyed by the City Arborist.

The subject lot is located in an established residential neighborhood with existing access to utilities and services. Sidewalk, curb and gutter exist along Alomar Way; only curb and gutter are in place along Maywood Drive.

The existing single family residence would remain. An existing accessory structure located behind the residence (identified on the plans as a studio) would be removed to accommodate the proposed subdivision and new residence on parcel-2.

PROJECT ANALYSIS

The proposed two-lot subdivision would divide the existing 12,390 lot into the following:

Parcel-1:	6,000 square feet
Parcel-2:	6,390 square feet

The subdivision proposal would create one new vacant lot. The existing single family home would be entirely located on parcel-1, while parcel-2 would be vacant and would have frontage on Maywood Drive. The Single-Family Design Review request would facilitate construction of a new 1,492 square-foot residence on parcel-2.

The following table summarizes the proposed subdivision and the minimum standards required in accordance with the Belmont Zoning Code (as of April 2006).

PROJECT DATA

Criteria	Existing	Proposed	Required/Allowed
Lot Size	12,390 s.f.	Parcel 1 = 6,000 s.f. Parcel 2 = 6,390 s.f.	Parcel 1 = 6,000 s.f.* Parcel 2 = 6,000 s.f.
Lot Width	61 feet	Parcel 1 = 61 feet Parcel 2 = 71 feet	60 feet
Net Density	3.5 units per acre	Parcel 1 = 7.26 du/acre Parcel 2 = 6.81 du/acre	R1 General Plan Designation permits 1-7 du/acre
Slope	21.8%	Parcel 1 = 5.3% Lot 2 = 54.3%	N/A
Floor Area	2,180 s.f.	Parcel 1 = 2,180 s.f. (existing) Parcel 2 = 1,492 s.f.	Parcel 1 = 3,198 s.f. Parcel 2 = 1,495 s.f.
Parking	2-car garage Two Uncovered	Parcel 1 = No Change Parcel 2 = Two car garage - 21 ft. by 22 ft., Two uncovered driveway spaces	Both parcels: Two car garage plus two uncovered
Setbacks:			
Front	28 ft.	Parcel 1 = 28 ft. (No Change) Parcel 2 = 20 ft.	Parcel 1 = 28 ft. Parcel 2 = 15 ft.**
Side	12 ft. (West) 5 ft. (East)	Parcel 1 = No Change Parcel 2 = 13 ft. (East & West)	9 ft.
Rear	97 ft.	Parcel 1 = 15 ft. Parcel 2 = 15 ft.	15 ft.
Building Height	Existing – No Change	Parcel 2 = 26'3"	28 feet

* At the time of project application (June 2006), Section 4.2.3(a) of the BZO required a minimum lot size of 6,000 square feet for newly subdivided lots in the R-1B Zoning District.

** Proposed parcel-2 did not meet the criteria for front yard averaging as indicated in Section 9.7.4(a) of the BZO, the guidelines from Section 4.2.4 of the BZO were applied. See Zoning Conformance Section for more information.

Site Design, Landscaping and Arborist Recommendations

The City Arborist reviewed this project, conducted a site visit, and prepared a report dated December 7 2006, including a hand-drawn sketch of the surveyed trees, using the applicant's grading plan as a base map. The Arborist Report is provided with this staff report as Attachment V.

The site contains 14 mature trees that were surveyed by the City Arborist. The applicant is proposing to remove seven of the 14 trees (Trees #1, #2, #5, #8, #9, #10, #13) due to direct conflicts with the proposed site plan. These trees include five regulated protected size Coast Live

Oaks, one regulated non-protected size coast live oak, and one non-protected Lombardy Poplar tree.

Of the protected and regulated oaks being removed, the City Arborist evaluated their condition as follows:

Oak Tree No.	1	2	5	8*	9	10
SIZE (DBH)	18.3 in.	19.7 in.	12.3 in.	8.6 in.	13 in.	13.8 in.
Condition	55% Fair	57% Fair	43% Poor	30% Poor	50% Fair	48% Poor

* Regulated, but non-protected size.

The City Arborist report identifies seven trees as requiring removal due to direct conflicts with the proposed site plan, including five protected size oaks. The City requires mitigation plantings for removal of a protected tree at a 3:1 ratio, thus requiring 15 mitigation plantings (minimum 24-inch box native species trees) for the proposed project. The applicant has included twelve 24-inch box trees on the landscape plan. However, staff notes that the proposed species of trees are generally not acceptable as mitigation plantings and recommends that the applicant modify the landscape plan to include some native tree species (Coast Live Oak, California Black Oak, California Bay Laurel, California Buckeye, Valley Oak, etc.).

The arborist's report recommendations are included as conditions of approval.

Groundwork and Geotechnical Recommendations

The applicant has submitted a Geotechnical Investigation, prepared by Romig Engineers, Inc., dated August 2006. The report was peer-reviewed by the City's Consulting Geologist, Cotton, Shires & Associates, Inc., as documented in a letter dated December 15, 2006. A copy of the report and letter are included as Attachments VI and VII.

Final calculations indicate that development of the new 1,442 square-foot single family home on parcel-2 will require approximately 828 cubic yards of cut. The geotechnical report concluded that the proposed residential development is potentially constrained by precipitous slopes that may be potentially unstable during excavation of required project retaining walls. The City Geologist recommended that the applicant's engineer clarify cut slope stability issues in a supplemental review to be submitted to the City Engineer and City Geotechnical Consultant. The applicant's engineer prepared a response addressing the issues raised by the City Geotechnical Consultant. Should the project be approved, the City Geologist's recommendations for final grading plan review and construction inspections would be included as conditions of project approval.

ZONING CONFORMANCE

Section 8.1.4 of the Belmont Zoning Ordinance provides as follows:

"At the time of erection or enlargement of any building containing one or more dwelling units...there shall be provided and maintained not less than four vehicle space – two (2)

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automobile garage spaces and two (2) spaces which need not be covered -- for each new or added dwelling unit in any one or two family structures..."

The applicant is proposing a two car garage for the new dwelling fronting onto Maywood Drive that has minimum interior dimensions of approximately 21 feet by 22 feet. The proposed driveway is 18 feet wide and 20 feet long and satisfies the requirement for two uncovered spaces and provides adequate back-up space.

In evaluating the front yard setback requirement, staff referred to BZO Section 9.7.4(a) which states:

9.7.4(a) - FRONT SETBACK – EXCEPTIONS: Where lots comprising 50 percent or more of all frontage on the same side of the street and within the same block are developed with buildings having front yards within a variation of not more than ten feet in depth, the average of such front yards shall establish the minimum front yard depth for the entire frontage on that side of such street within the same block; but in no case shall such front yard be reduced to less than 15 feet nor shall a front yard of more than 30 feet be required;

Proposed parcel-2 does not meet the criteria for front yard averaging as specified above – the properties abutting proposed parcel-2 on either side are considered existing rear yards with significantly large setbacks (similar to the existing conditions on the subject property). The next property to the northwest (corner of Ladera Way and Maywood Drive) is an oddly configured corner lot that also does not provide a rear yard setback to include in the averaging.

When the conditions of Section 9.7.4(a) can not be met, the front yard setback requirement is determined by BZO Section 4.2.4, which states:

4.2.4 – FRONT YARD - The minimum depth of the front yard...in the R-1A, R-1B and R-1C Districts shall be 15 feet, except as provided in Section 9.7.4; provided, however, that the sum of the front yard plus one-half of the right-of-way of the street on which the site front shall not be less than 40 feet;

Maywood Drive has a 50-foot right-of-way. One half the right-of-way would be 25 feet, thus a front yard setback of 15 feet would be required ($25' + 15' = 40'$).

When this project was submitted in June 2006, Section 4.2.3(a) of the Zoning Ordinance read:

SITE AREA. The minimum site area shall be as follows: R-1E - one acre; R-1H - 20,000 square feet; R-1A - 9,600 square feet; R-1B - 6,000 square feet;

The subdivision request would split the existing 12,390 square-foot lot into two parcels; parcel-1 would be 6,000 square feet and parcel-2 would be 6,390 square feet. The project complies with the applicable minimum lot size requirements.

The project meets all other BZO regulations.

GENERAL PLAN CONFORMANCE

Staff has evaluated the project for consistency with the General Plan and has listed the following Goals and Policies where the proposed subdivision and single family design review request would not comply:

General Community Goals and Policies

Goals

3. *To preserve significant open spaces, trees, views, waterways, wildlife habitats, and other features of the natural environment.*

Policies

2. *Intensity of use of land as measured by such factors as parcel size, population density, building coverage, extent of impervious surfaces, public service requirement parking requirements, and traffic movements should be based on the following general principles:*
 - a. *Intensity of land use should decrease as steepness of terrain and distance from major thoroughfares increase.*
 - b. *The lowest intensities of use should occur on the steep hillsides to limit storm runoff, prevent increased erosion, avoid unstable slopes, protect vegetation and watersheds and maintain scenic qualities.*
 - c. *Intensity of use of individual parcels and buildings should be governed by considerations of existing development patterns, water and air quality, accessibility, traffic generation, parking noise, fire safety drainage, natural hazards, resource conservation and aesthetics.*
4. *The following standards shall apply to all new development:*
 - d. *Grading and new impervious surfaces shall be kept to a minimum necessary to permit development of land in a manner compatible with its characteristics and designated use.*
 - i. *Slopes exceeding 30% shall be avoided whenever possible.*
6. *Natural features, such as ridgelines, canyons, steep hillsides, meadows, streamsides and significant stands of trees, should be preserved and protected through planning, conservation practices and, where appropriate, the dedication of open space or scenic easements.*

Residential Areas

Goals

6. *To ensure that residential development occurs in areas of low risk from geologic and hydrologic hazards.*

Staff has identified five goals/policies from the General Plan that are not consistent with the proposed subdivision and single family design review requests. For more specific review of the General Plan goals and policies please refer to the individual subdivision findings analysis located on pages 9 and 10 of this staff report.

NEIGHBORHOOD OUTREACH

The applicant reports performing neighborhood outreach as detailed in the Neighborhood Outreach Strategy attached to this report (see Attachment IV). On January 17, 2006 the property owner sent a letter to all residents within 300 feet of the subject property inviting them to an open house on January 31, 2006. The home owner provided a written summary of that open house meeting indicating that 25 neighbors attended and discussed the project with the architect. Several issues were raised by neighbors including concerns with slope stability, potential impacts to trees and wildlife, and private view impacts. The project architect was able to address most of the concerns, citing specific project design choices.

Staff has received several responses to the Public Notice that have been included as attachments to the staff report. Three neighbors have expressed concern with the proposed subdivision and development of a new single family home. One neighbor has circulated a petition against the project and he has provided a copy of that petition to staff and to each of the Planning Commissioners.

The applicant appears to have achieved the outreach strategy tasks.

ENVIRONMENTAL DETERMINATION (CEQA)

The proposed subdivision of a lot with an existing slope of 21.8 percent is not categorically exempt from the provisions of the California Environmental Quality Act. However, in light of the fact that staff is recommending denial of the subdivision request the project would qualify for a statutory exemption per Section 15270:

15270 - Projects Which Are Disapproved:

- (a) CEQA does not apply to projects which a public agency rejects or disapproves.*
- (b) This section is intended to allow an initial screening of projects on the merits for quick disapprovals prior to the initiation of the CEQA process where the agency can determine that the project cannot be approved.*

TENTATIVE PARCEL MAP ANALYSIS

The proposed subdivision is considered a "Minor Land Division" subject to Section XI of the Belmont Subdivision Ordinance. Section 11.4 of the Belmont Subdivision Ordinance lists required findings for approval of a Tentative Subdivision Map, as outlined below:

A. The proposed map is consistent with the applicable general and specific plans.

In reviewing the project for consistency with the Belmont General Plan, it is noted that the project would not comply with five (5) of the specific goals and policies of the General Plan, as described below.

The proposed subdivision would not be consistent with Goal 2 of the General Goals and Policies section of the General Plan which encourages development that preserves "significant open spaces, trees, views, waterways, wildlife habitats, and other features of the natural environment." The subdivision request would create a new parcel (parcel-2) from the rear yard area of the existing lot which can be characterized as having dense native vegetation, regulated and protected heritage trees, and a very steep natural slope. The subdivision would facilitate development of a new single family dwelling on this open space area which would result in significant topography modifications and tree removals.

The proposed subdivision would not be consistent with Policies 2 (a), (b), and (c) of the General Policies and Goals section of the General Plan "requiring that intensity of land use should decrease as steepness of the terrain increases and that the lowest intensity of use should occur on steep hillsides." The proposed new parcel and new single family dwelling would be located on the steepest portion of the existing single family residential lot. Additionally, Policy 2(c) notes that "intensity of use should be governed by existing development patterns, natural hazards, resource conservation, and aesthetics." The proposed subdivision would create a lot fronting onto Maywood Drive; the parcels located on either side of and abutting the subject lot are not proposed for subdivision, nor could they ever meet current minimum lot size requirements. This subdivision would be inconsistent with the surrounding land use pattern.

The proposed tentative map would not be consistent with Policy 4(d) and (i) of the General Policies and Goals section of the General Plan recommending that "grading be kept to a minimum necessary to permit development of land, and that development on slopes exceeding 30% should be avoided whenever possible." The subject property currently contains a single family residence which is located on the gentlest portion of the site. If the Tentative Parcel Map were approved, the new lot slated for single family residential development would have an average slope of 54%. Development of the single family residence on such a steep slope would require 828 cubic yards of earthwork cut from the site, also inconsistent with Policy 4(d).

The proposed Tentative Parcel Map would not be consistent with Policy 6 of the General Policies and Goals section of the General Plan recommending "preservation of natural features, including steep hillsides." The proposed project site is located on a steep hillside containing various landscaping and trees and serves as a natural buffer between other residential uses along the street.

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The proposed subdivision would not be consistent with Goal 6 of the "Residential Areas" of the Land Use Element of the General Plan, which states that "residential development should occur in areas of low risk from geologic and hydrologic hazards." The City Geotechnical Consultant has outlined concerns with development of proposed parcel-2 and characterized the lot as being constrained by precipitous slopes that may be potentially unstable during excavation of required project retaining walls. The City Geologist also indicated that the site excavations on proposed parcel-2 are of sufficient magnitude to potentially result in slope instability impacting Maywood Drive, portions of existing parcel-1, or project construction workers.

Based on the foregoing analysis, staff is unable to make this finding in the affirmative.

B. The design or improvement of the proposed subdivision is consistent with applicable general and specific plans.

The proposed design of the residence for parcel-2 is generally in compliance with the other residences in the area. The split-level style design is seen throughout the neighborhood, and many other residences are two stories. The exterior materials, including cement plaster and a natural stone fascia, and the craftsmen architectural style are in character with other homes in the neighborhood. The proposed development would comply with all Zoning Ordinance regulations for the R-1B Zoning District.

This finding can be made in the affirmative.

C. The site is physically suitable for the type of development.

The proposed subdivision would split the existing single family lot essentially in half, creating a new vacant lot from the large rear yard area of the existing parcel. Proposed parcel-2 can be characterized as having significant slopes and dense native vegetation, including 14 regulated trees that were surveyed by the City Arborist. The City Geotechnical Consultant reviewed the proposed project and provided written comments. The report indicates that the proposed subdivision and development of parcel-2 is potentially constrained by precipitous slopes that may be potentially unstable during excavation of the project retaining walls. They also indicated that the site excavations on proposed parcel-2 are of sufficient magnitude to potentially result in slope instability impacting Maywood Drive, portions of existing parcel-1, or project construction workers.

The project would require 828 cubic yards of cut and no fill to accommodate the proposed 1,492 square-foot single family residence on parcel-2. The steep slopes require a basement level garage and partially subterranean living levels at the rear of the home. The required amount of grading can generally be considered significant when compared to other single family residential development in the City (it should be noted that it would not be the largest cut amount approved by the Planning Commission in the past).

The City Arborist has reviewed the project proposal and concluded that the proposed development of a single family home on parcel-2 would result in the removal of five regulated protected size coast live oak trees. Additionally, one regulated but non protected size oak tree and

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one Lombardy poplar tree would be removed. Seven (7) of the 14 surveyed trees located on parcel-2 would be removed to accommodate site development.

The above discussed physical challenges associated with the subdivision and development of parcel-2 may constitute potential hazards in development of the site. Therefore staff does not believe the site is physically suitable for the proposed type of development. This finding cannot be made in the affirmative.

D. The site is physically suitable for the proposed density of development.

The proposed subdivision does not fully comply with the City General Plan. The resulting density for proposed parcel-1 would be 7.26 dwelling units per acre whereas the RI – Low Density residential General Plan designation allows densities ranging from 1-7 dwelling units per acre. The proposed density for parcel-1 is not within the range allowed by the General Plan.

However, the proposed lots meet the minimum required 6,000 square feet lot size as required by Section 4.2.3(a) of the Belmont Zoning Ordinance at the time this application was submitted. Therefore, the site is physically suitable for the proposed density and this finding can be made in the affirmative.

E. The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish and wildlife or their habitat.

Subdivision of a lot with an existing slope of more than 20% is subject to the provisions of the California Environmental Quality Act (CEQA). The existing lot at 1109 Alomar Way has an average natural slope of 21.8% and therefore can not be categorically exempted from CEQA review. However, staff is not recommending approval of the subdivision based on other required project findings, and thus recommends that the Planning Commission find that the project meets the Statutory Exemption identified in Section 15270 – Project Which Are Disapproved.

At this time, neither staff nor the applicant has completed an evaluation of potential environmental impacts or impacts to fish and wildlife. Should the Planning Commission wish to approve the subdivision, a full analysis of environmental impacts would be completed to determine whether there are any significant environmental impacts that can not be mitigated via traditional single family residential development.

At this time, staff is deferring making a determination on this finding based on the fact that other required project findings can not be made in the affirmative. Should the Planning Commission ultimately wish to approve the subdivision request, a full CEQA review would be completed in order to determine whether or not this finding can be made in the affirmative.

F. The design of the subdivision or the type of improvements is not likely to cause serious public health problems.

This infill lot has access to all necessary infrastructure and public utilities and the subdivision design is not expected to cause serious public health problems. This finding can be made in the affirmative.

G. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

The proposed project will not conflict with existing easements. The lot is located in a neighborhood with an established street system; access to proposed parcel-2 would be taken via Maywood Drive and would be consistent with other existing single family residential lots along that roadway. This finding can be made in the affirmative.

CONCLUSION AND RECOMMENDATION

The Tentative Parcel Map is the core entitlement of the applicant's request. Staff has determined that the project cannot meet all of the findings required for approval and is recommending denial of the subdivision. If the Commission agrees with staff's assessment, the remaining Single Family Design Review entitlement is subsequently denied.

However, if the Planning Commission supports the Tentative Parcel Map and can make findings for approval, staff would return to the Commission with analysis of the Single Family Design Review entitlement.

Thus, based on the analysis and required findings, staff recommends the Planning Commission **deny** the Tentative Parcel Map and Single Family Design Review.

ACTION ALTERNATIVES

1. Continue the application for redesign.
2. Approve the Tentative Subdivision Map. The Commission will identify specific facts to support an approval. A revised resolution, Single Family Design Review analysis, and CEQA analysis would be brought back to the Planning Commission for final review and approval.

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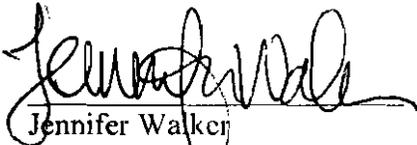
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ATTACHMENTS

- I. 500-foot Radius Map (Follows on Page 2 of report)
- II. Resolution denying the Tentative Parcel Map
- III. Lots slope calculations and earthwork quantity calculations
- IV. Neighborhood Outreach Materials & Public Comment Letters/Pctition Received
- V. City Arborist Report, dated December 7, 2006
- VI. Geotechnical Investigation, Prepared by Romig Engineers, Inc., dated August 2006
- VII. Geotechnical Peer Review, prepared by Cotton Shires and Associates, Inc., dated 15/15/06
- VIII. Response to City Geotechnical Comments, Romig Engineers Inc., dated 05/08/07
- IX. Applicant's Supplemental Application – Required Subdivision and SFDR Findings
- X. Project Plans, Material Samples, Site Photos (Commission Only)

Respectfully submitted,



Jennifer Walker
Associate Planner



Carlos de Melo
Community Development Director

CC: Applicant/Owners

RESOLUTION NO. 2008-____

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELMONT
DENYING A TENTATIVE SUBDIVISION MAP AND SINGLE FAMILY DESIGN REVIEW
FOR 1109 ALOMAR WAY (APPL. NO. 2006-0054)

WHEREAS, Alpheus W. Jessup, applicant, on behalf of Jean Adams, property owner, requests Tentative Subdivision Map and Single Family Design Review approval to subdivide an existing 12,390 square-foot lot into two parcels, and to construct one new 1,492 square-foot single family dwelling on the proposed vacant parcel, located at 1109 Alomar Way; and,

WHEREAS, a public hearing was duly noticed, held, and closed on April 15, 2008; and,

WHEREAS, the Planning Commission of the City of Belmont finds that the project qualifies for a statutory exemption pursuant to the California Environmental Quality Act, Section 15270; and,

WHEREAS, the Planning Commission hereby adopts the staff report dated April 15, 2008 and the facts contained therein as its own findings of facts; and,

WHEREAS, the Planning Commission has reviewed the request for a Tentative Parcel Map and based upon that review, is unable to make the following two findings in the affirmative, pursuant to Section 11.4 of the Belmont Subdivision Ordinance:

A. The proposed map is consistent with the applicable general and specific plans.

In reviewing the project for consistency with the Belmont General Plan, it is noted that the project would not comply with five (5) of the specific goals and policies of the General Plan, as described below.

The proposed subdivision would not be consistent with Goal 2 of the General Goals and Policies section of the General Plan which encourages development that preserves "significant open spaces, trees, views, waterways, wildlife habitats, and other features of the natural environment." The subdivision request would create a new parcel (parcel-2) from the rear yard area of the existing lot which can be characterized as having dense native vegetation, regulated and protected heritage trees, and a very steep natural slope. The subdivision would facilitate development of a new single family dwelling on this open space area which would result in significant topography modifications and tree removals.

The proposed subdivision would not be consistent with Policies 2 (a), (b), and (c) of the General Policies and Goals section of the General Plan "requiring that intensity of land use should decrease as steepness of the terrain increases and that the lowest intensity of use should occur on steep hillsides." The proposed new parcel and new single family dwelling would be located on the steepest portion of the existing single family residential lot. Additionally, Policy 2(c) notes that "intensity of use should be governed by existing development patterns, natural hazards, resource conservation, and aesthetics." The proposed subdivision would create a lot fronting onto Maywood Drive; the parcels located on either side of and abutting the subject lot are not proposed for subdivision, nor could they ever meet current minimum lot size requirements. This subdivision would be inconsistent with the surrounding land use pattern.

The proposed Tentative Parcel Map would not be consistent with Policy 4(d) and (i) of the General Policies and Goals section of the General Plan recommending that “grading be kept to a minimum necessary to permit development of land, and that development on slopes exceeding 30% should be avoided whenever possible.” The subject property currently contains a single family residence which is located on the gentlest portion of the site. If the Tentative Parcel Map were approved, the new lot slated for single family residential development would have an average slope of 54%. Development of the single family residence on such a steep slope would require 828 cubic yards of earthwork cut from the site, also inconsistent with Policy 4(d).

The proposed Tentative Parcel Map would not be consistent with Policy 6 of the General Policies and Goals section of the General Plan recommending “preservation of natural features, including steep hillsides.” The proposed project site is located on a steep hillside containing various landscaping and trees and serves as a natural buffer between other residential uses along the street.

The proposed subdivision would not be consistent with Goal 6 of the “Residential Areas” of the Land Use Element of the General Plan, which states that “residential development should occur in areas of low risk from geologic and hydrologic hazards.” The City Geotechnical Consultant has outlined concerns with development of proposed parcel-2 and characterized the lot as being constrained by precipitous slopes that may be potentially unstable during excavation of required project retaining walls. The City Geologist also indicated that the site excavations on proposed parcel-2 are of sufficient magnitude to potentially result in slope instability impacting Maywood Drive, portions of existing parcel-1, or project construction workers.

Based on the foregoing analysis, the Planning Commission is unable to affirm this finding.

C. The site is physically suitable for the type of development.

The proposed subdivision would split the existing single family lot essentially in half, creating a new vacant lot from the large rear yard area of the existing parcel. Proposed parcel-2 can be characterized as having significant slopes and dense native vegetation, including 14 regulated trees that were surveyed by the City Arborist. The City Geotechnical Consultant reviewed the proposed project and provided written comments. The report indicates that the proposed subdivision and development of parcel-2 is potentially constrained by precipitous slopes that may be potentially unstable during excavation of the project retaining walls. They also indicated that the site excavations on proposed parcel-2 are of sufficient magnitude to potentially result in slope instability impacting Maywood Drive, portions of existing parcel-1, or project construction workers.

The project would require 828 cubic yards of cut and no fill to accommodate the proposed 1,492 square-foot single family residence on parcel-2. The steep slopes require a basement level garage and partially subterranean living levels at the rear of the home. The required amount of grading can generally be considered significant when compared to other single family residential development in the City (it should be noted that it would not be the largest cut amount approved by the Planning Commission in the past).

The City Arborist has reviewed the project proposal and concluded that the proposed development of a single family home on parcel-2 would result in the removal of five regulated protected size coast live oak trees. Additionally, one regulated but non protected size oak tree and one Lombardy poplar tree would be removed. Seven (7) of the 14 surveyed trees located on parcel-2 would be removed to accommodate site development.

The above discussed physical challenges associated with the subdivision and development of parcel-2 may constitute potential hazards in development of the site. Therefore the Planning Commission does not believe the site is physically suitable for the proposed type of development. This finding cannot be affirmed.

WHEREAS, denial of the Tentative Parcel Map request would thereby result in denial of the Single Family Design Review request; and,

WHEREAS, the Planning Commission did hear and use their independent judgment and considered all said reports, recommendations and testimony hereinabove set forth.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission denies the Tentative Parcel Map and Single Family Design Review to subdivide an existing 12,390 square-foot lot into two parcels, and to construct one new 1,492 square-foot single family dwelling on the proposed vacant parcel, located at 1109 Alomar Way.

* * * * *

Passed and adopted at a regular meeting of the Planning Commission of the City of Belmont held on April 15, 2008 by the following vote:

AYES,
COMMISSIONERS: _____
NOES,
COMMISSIONERS: _____
ABSENT,
COMMISSIONERS: _____
ABSTAIN,
COMMISSIONERS: _____
RECUSED,
COMMISSIONERS: _____

Carlos de Melo
Planning Commission Secretary

ATTACHMENT III

LOT SLOPE - SECTION 2.83.1 & 2.83

PROPOSED PARCEL 1 (2.83.1)

$$\frac{510 \text{ (NW cor.)} - 50 \text{ (NORTH SIDE MIDDLE)}}{95'} = \frac{460}{95} = 5.5\%$$

PROPOSED PARCEL 2 - (2.83) SEE PG. 2

TOTAL PARCEL PRIOR TO SUBDIVIDING (SECT. 2.83.1)

$$\frac{510 \text{ (NW cor.)} - 474 \text{ (SE cor.)}}{165'} = \frac{36}{165} = 2.8\%$$



(2)
12/19/07

AVERAGE SLOPE PARCEL 2

USED TENTATIVE MAP DATED 9/05 REVISION 8-24-06 1"=10'

" ZONING ORDINANCES 2-9; 2.83 $AS = \frac{100 IL}{A}$

WHERE $A = 6390 \text{ SF}$, $L = 5'$

CONTOUR	INCHES	FEET
475	1.3	
480	5.5	
485	9.1	
490	12.1	
495	11.5	
500	11.1	
505	7.2	
510	6.8	
515	<u>4.8</u>	
TOTAL	69.4	694'

$$AS = \frac{100 \times 5 \times 694}{6390} = 54.32$$

12/19/07

Earthwork Calculations PARCEL 2

① GARAGE AREA - ASSUME GARAGE 22'x25' x $\left(\frac{28.0 + 19.0 + 18.0 + 19.0}{4}\right)$
 (ASSUME 12" STRUCT SECTION)
 = 397 C.Y. cut

② DRIVEWAY AREA - ASSUME 12" STRUCT SECTION
 $23' \times 24' \times \left(\frac{18.0 + 13.0 + 1.0 + 2.0}{4}\right)$
 = 174 C.Y. cut

③ SWALE (LT. SIDE STEPS)

 $\frac{7 \times 1.5 \times 21}{2 \times 27} = \underline{4}$ C.Y. cut

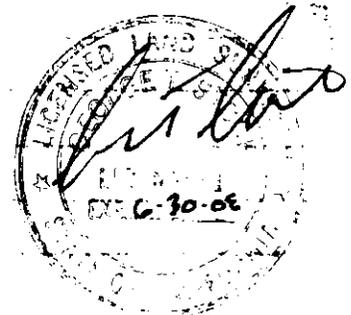
④ SWALE (LT. SIDE HOUSE)

 $\frac{7 \times 1.5 \times 28}{2 \times 27} = \underline{5}$ C.Y. cut

⑤ STEPS TO S/W
 $\frac{6 \times 37}{27} \left(\frac{12.0 + 1.0}{2}\right) = \underline{53}$ C.Y. cut

⑥ LEFT SIDE HOUSE ASSUMES PAD -30" = $493.63 - 25 = 491.13$
 $\frac{33 \times 16}{27} \left(\frac{16 + 14 + 6 + 4}{4}\right) = \underline{195}$ C.Y. cut

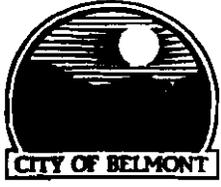
TOTAL 828 C.Y. cut
 0 C.Y. FILL
 OFF TOTAL 828 C.Y.



12/19/07

ATTACHMENT IV

NEIGHBORHOOD OUTREACH STRATEGY



Belmont Permit Center APPLICANT'S GUIDE AND FORM

I. INTRODUCTION

The City of Belmont is committed to an open process of development review, and requires that applicants take a proactive approach to neighborhood outreach. Therefore, every development request which is decided by the Planning Commission or City Council in a public hearing must include a Neighborhood Outreach Strategy, submitted with the application. The strategy must include your proposal for contacting your neighbors, informing them of your proposed project and receiving their feedback in advance of the City's review. This form is provided to assist you in preparing your Neighborhood Outreach Strategy

II. OUTREACH STRATEGY

In order to provide an effective Neighborhood Outreach Strategy, you must address these issues:

- A. *Contacting Your Neighbors* – Since you will be providing the City with labels for all property owners and tenants within 300 feet of your property, it is strongly suggested that you notify these same people of your neighborhood outreach efforts. You can mail your own notices to them, post bulletins, make telephone calls or go door-to-door, if you wish. (Please note that these options do not give you the right to trespass or conduct any other activities which are contrary to the law.)
- B. *Informing Your Neighbors of the Project* – This can be accomplished a variety of ways, but is most easily accomplished by a scheduled meeting or open house on the property. At the meeting, you are encouraged to have your project plans available, as well as your architect, engineer or other consultants as necessary to explain and answer questions about the project. The more convenient the meeting date, time and arrangements, the more success you will have in establishing a positive atmosphere for the dialogue. You may choose other means for informing your neighbors, such as mailing a project information packet.
- C. *Receiving Neighbor Feedback* – If you host a neighborhood meeting, you will be able to receive immediate feedback on your proposal. You are urged to take notes on the comments you receive, as well as who attends. If you mail information, some means of communication must be established to allow neighbors to contact you and leave their comments.
- D. *A Schedule for Action* – Your strategy must also include a schedule for achieving the above tasks prior to the first public hearing conducted by the City. While the City acknowledges that schedules may change, you must identify the approximate timing of the three steps described above.

III. YOUR NEIGHBORHOOD OUTREACH STRATEGY

Please submit a written description of your Neighborhood Outreach Strategy on the attached sheet, addressing the four points described above. You are required to implement the Strategy prior to the public hearing on your project. You may be asked by the Planning Commission or City Council about the results of your efforts. Failure to implement the strategy prior to the public hearing on your application may result in the hearing being continued to a later date.

Continued on Page 2

1. I will contact my neighbors by: Mailing a letter with an invitation to our open house meeting and a question/comment sheet.

2. I will inform my neighbors of the project by: Hosting an open house meeting in our home, where neighbors may view the architectural plans and will be able to meet the architect who will answer any questions they may have about the project.

3. I will gather feedback from my neighbors by: Listening and addressing any questions at the open house meeting and including a question/comment sheet with our initial mailing that may be brought to the meeting, mailed, dropped off or emailed.

4. Here is the schedule for my outreach strategy:

- A. Contact: Mailing 1-17-06
- B. Informing: Meeting 1-31-06
- C. Feedback: _____

5. As property owner, I, Jean Y + Sharon A Adam, Trust (print property owner's name), hereby acknowledge that I will make every reasonable effort to obtain neighbor comments on my project prior to presenting my request to the Planning Commission or City Council in public hearing. I understand that the purpose of the Neighborhood Outreach Strategy is to foster a positive and constructive dialogue regarding my project and its possible effects on surrounding homeowners and tenants.

Jean Adam
Property Owner's Signature

4-10-06
Date

John & Sharon Adam

MINUTES OF THE NEIGHBORHOOD OUTREACH OPEN HOUSE MEETING

An open house meeting was held on Tuesday, January 31, 2006 between 7:00 and 9:00pm. The meeting was hosted by Sharon Adam and Robert Hayes, Architect. 41 invitations were sent to our neighbors who reside within 300' of our property. The names and addresses of the property owners were obtained from LandAmerica Commonwealth. Of the 41 invitations sent, two were returned as non deliverable. Please see the attached invitation letter and returned envelopes.

Approximately 25 neighbors came dispersed between 7 and 9pm. Mr. Hayes displayed the house plans and property maps that he had prepared. Most of our neighbors were mainly curious about our plans. There were some concerns stated about how the structure would impact the trees and wildlife (deer onsite) and if the height of the structure would impede anyone's view. Mr. Hayes referred to his plans showing that his design has the roofline well below the top of the slope or perceived ridgeline and that the large protected trees and most of the existing non protected trees would remain. He explained that he designed the structure to nestle into the natural slope of the property and referred again to the plans on display. He also noted that there would be additional vegetation planted according to the landscaping plans around the structure.

Another concern was raised in regard to the stability of the soil and rock and any impact from the retaining wall. Mr. Hayes pointed out that these concerns would be addressed in detail by the engineering firm conducting the soil, grading and drainage reports as required by the City of Belmont.

The meeting concluded at 9pm.

One letter was received postmarked February 21, 2006. Please see attached.

William & Haven Dubrul

John and Sharon Adam
1109 Alomar Way
Belmont, CA 94002

Dear John and Sharon,

Thank you for the open house you hosted.

As your neighbor, I am writing to *oppose* your *proposed* 'sub-division of a lot' and 'construction' of a small two bedroom home on the Maywood Drive side of the 1109 Alomar Way, Belmont, CA 94002.

The proposed property would put a house right in the middle of this small and beautiful area of land that is filled with wonderful trees that give a home to many birds, squirrels and deer. In our neighborhood, there exists very little uninhabited area such as this with gorgeous flora and fauna.

I am sorry that we cannot condone such a development.

Sincerely,

William & Haven Dubrul

William and Haven Dubrul

***1105 Maywood Drive
Belmont, CA 94004***

Carlos de Melo

From: Susan Brown [susanb181@earthlink.net]
Sent: Sunday, July 16, 2006 3:11 PM
To: Carlos de Melo
Subject: Against further new development on Maywood Drive

FILE COPY

Dear Mr. DeMelo,

My neighbor mentioned that there is a possibility that there could be a new house built directly across from mine on Maywood Drive. I wish to register my strong protest against this for the following reasons:

1. The slope is very steep on that property, and there is a good propability it could cause erosion--if not damage specifically to my property if the house were built and had a slip; as I said my home is directly across from the property in question.
2. I have lived here over 22 years, (bought in 1984) and as a long time resident we especially value the privacy and lack of congestion and density on this part of Maywood. In fact this was a major reason I bought this property and why I stay here.
3. We do not want further traffic on this street--as you know, it sometimes becomes a thoroughfare for parents and students at Charles Armstrong and Carlmont schools. (I recently received a letter referring to a City of Belmont traffic study due to the traffic problem on our street.) More building will only exacerbate the problem.

Please realize we live in Belmont because of the quality of the residential values and lack of density, and we expect and appreciate the support of our City officials in making sure we residents are heard and our needs addressed.

Thank you for your attention.

Sincerely,

Susan Brown

Susan L. Brown
1119 Maywood Drive
Belmont, CA 94002

CEO/Consulting Director
Brown & Associates
Marketing and Business Development
650-218-0906

William & Haven Dubrul

July 18, 2006

Dear Planning Commissioners,

As a neighbor in Belmont, I am writing to you regarding your good work and efforts in understanding property development in our fine city.

I live at 1105 Maywood Drive and there has been an application made to sub-divide and construct a house across the street from us. Actually the 'sub-division' is entitled something like 'subdivide and construct on 1109 Alomar'. The *proposed* sub-divided property is small and very steep (I haven't measured, but it certainly looks to have much more than a 30% slope).

The owners, John and Sharon Adam of 1109 Alomar wrote several of the neighbors a letter inviting us to comment on their proposal. I went to their house meeting as did many neighbors and voiced our opinion against such a sub-division. I followed that up with a letter as well.

But the Adams have decided to go forward with their application. I found out from Mr. Carlos de Melo that they submitted an application to 'construct and subdivide' on June 27, 2006.

Several of our neighbors are banning together in support to stop such construction and subdivision. If you have not heard of them yet, I am sure you will hear from them soon.

When the subdivision was planned in the 1950's the developers never planned on this being subdivided even further, or they would have done so at the time. The original development was done with cogent reasoning I believe.

Our houses were built in the 1950's and several neighbors have resided here for more than 20 years. The vacant land is home to lovely flora and fauna. In fact, there are deer trails that run straight through the area of the proposed subdivision/construction.

Please help support us against this construction and help preserve our neighborhoods as best we can. We shouldn't have to build on every inch of land, and that's what this proposal will be asking.

Again, thank you for your efforts.

Sincerely,

cc: Belmont City Council
Belmont City Attorney
Belmont Comm. Development

Will Dubrul

*1105 Maywood Drive
Belmont, CA 94004
Tel: (650) 596-9951*

ATTACHMENT V



Walter Levison
CONSULTING ARBORIST



ASCA Registered Consulting Arborist #401

ISA Certified Arborist #WC-3172

**Tree assessment & protection recommendations
for fourteen (14) regulated trees at**

**1109 Alomar Way
Belmont, California**

Prepared at the Request of:

**Jennifer Walker, Staff Planner
c/o Planning and Community Development Department
1 Twin Pines Lane
Belmont, CA 94002**

Site Visit:

Walter Levison

12/6/06

Report:

Walter Levison

12/7/06



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1.0 Summary

1. This site is an open undeveloped lot with extremely steep slope located on the backside of the property known as 1109 Alomar Way. The site abuts up against Maywood Drive, and is accessible from Maywood.

The site is stocked with numerous native coast live oaks (*Quercus agrifolia*) throughout the slope. The soil appears to be actively eroding, and has been somewhat terraced in the upper portions.

All of the assessed trees are considered native protected-size specimens, except for oak #8, oak #11, and Lombardy poplar #13. These three "non-protected" size trees will still require fees when removed due to site plan activities.

The conceptual grading and drainage plan sheet was prepared by Smith, Randlett Foulk and Stock in a set of plans stamped received by planning October 20, 2006. After review of this document, the author has determined the following:

- a) **Oaks #1, 2, 5, 8, 9, 10, and #11** will be removed under the site plan due to grading, trenching, excavation, footprint conflicts, or other activities that will negatively affect the above and/or below ground portions of the trees. All of these trees are protected size native coast live oaks except for oaks #8 and #11 which are less than 10-inches in diameter each.
- b) **Protected size oak #3** will be significantly to severely impacted by the proposed storm drain trench at approximately 5-feet out from trunk edge.
- c) **Protected size oak #4** will be severely impacted by the proposed storm drain trench at approximately 2-feet out from trunk edge, and will need to be removed if the trench is cut as proposed.
- d) **Protected size oak #6** may or may not be impacted by site plan activities depending on the locations of woody buttress roots. I did note that this tree has fill soil on the south side of the root crown which should be removed to increase soil oxygen. Note that the existing area under the south portion of the canopy is proposed to be demolished. The tree's root system may be significantly or severely impacted if soil is graded or otherwise altered as may well occur (not verified at the time of writing). An oak of this size typically has a root system extending three times the dripline, or in this case about 75-90 feet in radius. However, because this tree is located in close proximity to existing residential construction, the actual extent of the root system cannot be determined.
- e) **Protected size oak #7** appears to remain without impact from the site plan other than continuing erosion which may become worse during site plan work.



- f) **Protected size oak #12** will be negatively affected by proposed grading as shown on the plan. This grading could theoretically be altered to avoid the area under the canopy dripline (+/-12-15 feet radius out from trunk edges), thereby allowing the tree to be preserved. However, retention of the tree might conflict with the owner's ability to gain solar access from the front of the site, given that the sun is already blocked on the south side from towering oak #6.
- g) **Lombardy poplar #13** should probably be removed for aesthetic purposes, as it is not appropriate for its location direction beneath high voltage wires, and requires periodical topping pruning to gain line clearance. Removal of the tree will require a removal fee.
- h) **Protected size oak #14** is in the best position of all the survey trees in terms of its ability to theoretically remain as-is with no impacts other than the proposed drain line trenching at approximately 11-feet west of the trunk cluster. This trenching may or may not have an impact on the tree.

Recent asphalt replacement work on Maywood Drive has left piles of waste fill soil and asphalt throughout the area under the canopy dripline of oak #14. This material should all be removed by hand down to original grade to clear the zone of potentially phytotoxic materials and increase soil oxygen penetration in the tree's open soil root zone.

- 2. **DEMOLITION:** Note that depending on the methods used and ingress/egress locations used for demolition of the existing studio and surrounding existing concrete work within the vicinity of **oaks #4 and #6**, these two trees may be severely damaged in terms of grading or other subgrade root zone alterations performed either intentionally or inadvertently during demolition machinery movement.

The most tree friendly way to perform this demolition would be to work from above the site, with ingress from Alomar going through the developed portion of the site. This would, of course, be detrimental to the existing residence on the Alomar side. If machinery uses a Maywood Drive ingress, the two oaks will likely receive damage to the above and/or below ground portions of the trees, since it is very difficult to maintain any tree root zone protection (other than trunk buffers) on a very steep slope like this with machinery working close by. Simply the presence of the metal machinery tracks on the soil will necessarily create massive earth movement which will sever the trees' root systems (tree roots tends to stay in the uppermost 12" or 24" of the soil profile).

On very steep slopes such as this, most tree protection becomes infeasible due to the weight of loose eroding or excavated soil pushing downhill on tree protection fences which are initially very difficult to erect much less maintain over the site plan period.

Most existing trees will therefore need to be removed and mitigated rather than maintained in a substandard manner.



3. **TREE FEES:** All regulated trees to be removed or severely damaged, whether they are protected size or not, all require various monetary fees to be deposited to the City tree planting and establishment fund (see section 3.0 for fee schedule details). These fees are noted below and in the recommendations section for reference (fees based on multiple stems as per 2006 fee schedule protocols):

✓ Oak #1 to be removed	\$3,000
✓ Oak #2 to be removed	\$3,000
Oak #3 if trench to be cut as proposed	\$2,000
Oak #4 if trench to be cut as proposed	\$2,000
Oak #5 to be removed	\$2,000
Oak #6 if damaged from site plan activity	\$4,000
Oak #7 if damaged	\$3,000
Oak #8 to be removed	\$1,000
Oak #9 to be removed	\$2,000
Oak #10 to be removed	\$2,000
Oak #11 if retaining wall footing is built as proposed	\$1,000
Oak #12 if grading is performed as proposed (50-100% of the following fee)	\$2,000
✓ Lombardy poplar #13 if removed	\$750
Oak #14 if damaged due to above and below ground activity not shown on the proposed grading and drainage plan sheet	\$4,000



TREE DATA

Tree #	Type:	Parameters:	Status:	Disposition:	Notes:
1	Coast live oak (<i>Quercus agrifolia</i>)	Diameter =10.5/7.8 (total: 18.3") Height =30-ft. Spread =20-ft Health =60% Structure=50% Overall Condition= 55% (Fair)	Regulated. Protected - size native tree.	To be removed	Lopsided over street. Black flux on lower trunk.
2	Coast live oak (<i>Quercus agrifolia</i>)	Diameter =13.0/6.7 (total: 19.7") Height =30-ft. Spread =20-ft Health =60% Structure=55% Overall Condition= 57% (Fair)	Regulated. Protected- size native tree.	To be removed.	Lopsided toward street.
3	Coast live oak (<i>Quercus agrifolia</i>)	Diameter =9.4/6.9 (total: 16.3") Height =35-ft. Spread =15-ft Health =60% Structure=57% Overall Condition= 58% (Fair)	Regulated. Protected - size native tree.	To be significantly or severely impacted by proposed storm drain line trench.	Co-mingled with PG&E guy wire. Trench to be cut at approx. 5-ft out from trunk edge.
4	Coast live oak (<i>Quercus agrifolia</i>)	Diameter =10.0 Height =30-ft. Spread =25-ft Health =70% Structure=70% Overall Condition= 70% (Good)	Regulated. Protected - size native tree.	To be severely impacted by proposed storm drain line trench.	Trench to cut at approx. 2-ft out from trunk edge. Note canopy lopsided south toward existing studio.
5	Coast live oak (<i>Quercus agrifolia</i>)	Diameter =12.3" Height =25-ft. Spread =15-ft Health =60% Structure=40% Overall Condition= 43% (Poor)	Regulated. Protected - size native tree.	To be removed.	Trunk "S" bend at 4.5-ft above grade has Sycamore bark moth larvae activity occurring.

✓

cut

← Changing drain location

←

cut



Tree #	Type:	Parameters:	Status:	Disposition:	Notes:
6	Coast live oak (<i>Quercus agrifolia</i>)	Diameter =34.0" Height =45-ft. Spread =55-ft Health =60% Structure=60% Overall Condition= 60% (Fair)	Regulated. Protected- size native tree.	To be retained, but could potentially be impacted by demolition and grading occurring north and south of the tree (see grading and drainage plan).	South side of root crown is covered with loose fill soil and is likely creating a somewhat anaerobic environment in that part of the root system/trunk base. The tree could probably benefit from a "root crown excavation" to hand dig this material back down to original grade. Multiple codominant mainstems fork at 10-20 ft above grade. Impacts of grading the area to be demolished south of the tree are not known at the time of writing.
7	Coast live oak (<i>Quercus agrifolia</i>)	Diameter =10.6/9.0 (total: 19.6") Height =20-ft. Spread =20-ft Health =55% Structure=55% Overall Condition= 55% (Fair)	Regulated. Protected- size native tree.	Does not appear to be impacted, though erosion may continue to be a problem.	
8	Coast live oak (<i>Quercus agrifolia</i>)	Diameter =8.6" Height =30-ft. Spread =10-ft Health =40% Structure=20% Overall Condition= 30% (Poor)	Regulated. Non-protected size native tree.	To be removed.	Severely pruned back. Makeshift retaining wall has been placed on uphill side of trunk, and may be creating a serious anaerobic condition over the root crown and root system which could eventually kill the tree prematurely.
9	Coast live oak (<i>Quercus agrifolia</i>)	Diameter =13.0" Height =30-ft. Spread =15-ft Health =50% Structure=50% Overall Condition= 50% (Fair)	Regulated. Protected size native tree.	To be removed.	Makeshift retaining wall has been placed on uphill side of trunk, and may be creating a serious anaerobic condition over the root crown and root system which could eventually kill the tree prematurely.
10	Coast live oak (<i>Quercus agrifolia</i>)	Diameter =7.0/6.8 (total: 13.8") Height =25-ft. Spread =20-ft Health =55% Structure=40% Overall Condition= 48% (Poor)	Regulated. Protected- size native tree.	To be removed.	Two codominant mainstems with bark inclusion type crotch at 4-feet above grade (structural defect).

★

★

↑ 22x
↙



Tree #	Type:	Parameters:	Status:	Disposition:	Notes:
11	Coast live oak (<i>Quercus agrifolia</i>)	Diameter =7.4" Height =20-ft Spread =15-ft Health =50% Structure=50% Overall Condition= 50% (Fair)	Regulated. Non-protected size native tree.	Root system will be severed on uphill (tension) side during retaining wall installation. Tree will likely be removed.	Canopy lopsided toward street.
12	Coast live oak (<i>Quercus agrifolia</i>)	Diameter =11.6" Height =35-ft. Spread =25-ft Health =50% Structure=50% Overall Condition= 50% (Fair)	Regulated. Protected-size native tree.	If grading is performed as proposed, this tree will likely be damaged and require removal. Fill soil is to be graded into the area underneath the canopy dripline.	Significant deadwood buildup in lower elevations due to heavy shading in the afternoons. Canopy lopsided east. Flux noted on one stem. If grading is completely eliminated from the lower left portion of the site, this tree may be able to be retained with protective fencing (not verified at time of writing).
13	Lombardy poplar (<i>Populus nigra</i> 'Italica')	Diameter = multistems 6" and less Height =30-ft. Spread =6-ft Health =25% Structure=25% Overall Condition= 25% (Very Poor)	Regulated. Non-protected size non-native tree.	Likely to be removed since it is too tall of a species for its location directly beneath high voltage electric wires.	Tree has been topped by PG&E high voltage line clearance pruners.
14	Coast live oak (<i>Quercus agrifolia</i>)	Diameter =16.2/11.8 (total: 28.0) Height =35-ft. Spread =45-ft Health =50% Structure=55% Overall Condition= 55% (Fair)	Regulated. Protected - size native tree.	To be retained.	Proposed drain line trench is approx. 11-ft west of the trunk cluster. This tree can be fenced off at about 10-west and 20-feet south of the trunk edge with an asymmetrical tree protection zone perimeter.

✓
above grade deck
protective fencing
retention

✓
retain
grading

cut

OK



2.0 Assignment

This report assesses the existing condition of all regulated trees on the site as defined by the city tree ordinance (see 'protected trees' section of this report). This report also provides recommendations for maintaining the long-term health of retainable specimens throughout the development process.

Individual trees are identified above by genus, species, common name, diameter at 4.5' above grade, height, and canopy spread. A visual assessment of the health and structure of each tree has also been performed. I assign a 'Condition Rating' to each tree, based on the unique combination of the two health and structure numbers derived from field observation. The notes column contains detailed information regarding health and structure.

Survey trees have been tagged by the author using aluminum tags affixed on the mainstem of each tree at approximately four to six-feet above grade. These tags read "1" through "14" (see tree map scan, this report).

I have drawn the existing tree canopy "driplines" onto the tree map using correct scale. The sheet utilized for this purpose is the applicant's conceptual grading and drainage plan stamped as received by planning department October 20, 2006. The tree map has been reduced and scanned into this report. Therefore, please utilize the graphic scale bar on the map when scaling off this sheet.

Preliminary tree protection fencing routes are not shown on the tree map, but are discussed in the mitigation section.

Note that the removal fee schedule for all trees being removed in development situations (including most protected and non-protected trunk diameters and tree species) is governed by the 2006 Master Fee Schedule reproduced in section 3.0 of this report.

Recommendations for preserving individual trees are found in the mitigation section. These are designed to guide planning department staff and planning commissioners throughout the decision-making process, as well as provide written documentation for contractors involved with tree preservation measures for this site.

Tree protection inspections will be performed before, during, and after initiation of the site plan project (at the discretion of the planning director). The demolition, grading, and building permits will not be issued without prior city arborist inspection and approval of site tree protection measures.

2.1 Protected Trees

Protected trees are defined in the Belmont city ordinance as oaks, redwoods, sequoias, madrones, bays, buckeyes, and Monterey cypress "having at least one trunk (stem) 10" (measured at 4.5 feet above grade) or greater".



Non-native tree species of diameter 18" DBH or greater are also protected, except for acacia species, *Eucalyptus globulus* (blue gum), and Monterey pine, which are considered non-regulated.*

All tree specimens measuring greater than 6-inches in diameter at 4.5-feet above grade other than the species noted above are considered "regulated trees".

*Non-regulated and regulated trees on undeveloped residential lots cannot be removed without prior approval from planning commission action. Non-regulated trees can be removed on developed residential lots without prior consent from the City.

Multi-stem trees are also protected where the sum total of all mainstems measured at 4.5 feet above grade is greater than 10-inches (protected tree species), or greater than 18-inches (non-native species).

Removal of most tree specimens with at least one stem measuring greater than or equal to 6-inches in diameter now requires a removal fee based on the chart in the city's 2006 Master Fee Schedule. In addition, "protected trees" may require mitigation at up to a 3:1 ratio using 24" box size native oaks or other approved species, or an in-lieu fee of (\$400X3 plantings=\$1200) per "protected tree" removed, at the discretion of the planning commission.



3.0 City of Belmont Master Fee Schedule 2006

**CITY OF BELMONT
MASTER FEE SCHEDULE
EFFECTIVE JULY 1, 2006**

8. TREE REMOVAL FEES- DEVELOPMENT PROJECTS OR GENERAL PROPERTY MAINTENANCE

Tree removal fees are assessed for the removal of trees required for the development or general maintenance of property. They are collected to mitigate the loss of trees from the City's tree population. Fees are deposited in the City Tree Planting and Establishment Fund.

TEE BASIS:

<u>Tree Size (DBH)</u>	<u>Protected Trees</u>	<u>All Other Species</u>
24" or greater	\$4,000	\$2,000
18" but less than 24"	\$3,000	\$1,000
12" but less than 18"	\$2,000	\$750
6" but less than 12"	\$1,000	\$500
Less than 6"	No Fee	No Fee

NOTES:

- 1) Protected Trees as defined in Chapter 23 of the City Code include: Oaks (all species), Bay, California Buckeye, Monterey Cypress, Coast Redwood, Giant Sequoia and Madroño.
- 2) All Other Species includes all other trees except: Avocet (all species), Eucalyptus globulus, Eucalyptus globulus "Compacta" and Monterey Pine.
- 3) Tree size is defined by diameter at breast height (DBH), which means the diameter (at the widest point) of the tree trunk measured at 4.5 feet above natural grade. In the case of multiple stemmed trees, the measurement shall be the sum of the diameter of all stems measured at DBH.
- 4) Payment shall be made prior to the issuance of a grading permit. If no grading permit is required, payment shall be made prior to the issuance of a building permit. If no building permit is required, payment shall be made prior to removal of any protected tree.

9. TREE PLANTING IN-LIEU FEES - DEVELOPMENT OR GENERAL MAINTENANCE PROJECTS

When a requirement to plant trees on the subject property cannot be met, the applicant shall pay a tree planting in-lieu fee to the City Tree Planting and Establishment Fund.

TEE BASIS

<u>Size of Tree to be Planted</u>	<u>In-Lieu Fee</u>
24" Box	\$400



4.0 Mitigation Recommendations

The following recommendations must be included as "tree protection notes" in the final stamped building set of plans:

Prior to issuing a permit for grubbing, demolition, tree removal, grading, or construction, the following must occur:

1. **ROOT CROWN EXCAVATION / OAK #6:** It is suggested that a qualified tree care company be retained to perform a thorough root crown excavation of the south side of the tree (prior to demolition phase) using dull rounded hand tools to remove old fill soil down to original grade and expose the trunk flare/butress roots.

See vendor list below in this report.

2. **FERTILIZATION:** Retain a qualified tree care company to apply a slow release tree fertilizer with greater than 50% WIN via soil injection to the TPZ areas around **tree #12 (if to be retained through grading plan modification) and tree #14** at standard arboricultural rates as per the most recent version of ANSI-A300 fertilization standard and the ISA "Best Management Practices – Tree and Shrub Fertilization" booklet. The city arborist will request a receipt from the applicant to confirm performance of this item before commencement of the site plan demolition phase.
3. **WOOD CHIPS:** Acquire a free load of wood chips (not bark chips or leaf chips) from a tree care company and (if feasible given the steep slope of this site) lay a 4-5 inch thick layer over the area from the trunks of **trees #3, 4, 6, 7, 12, and #14** out to the tree protection zone (TPZ) fencelines. Pull chips out approximately 24 inches away from the trunks so that moisture will not build up on the trunks.
4. **IRRIGATION:** Apply water truck water to trees being retained in the lower site area (**oaks #12, and #14**) at a volume and frequency to be determined by the city arborist. This irrigation shall be monitored by the contract city arborist and the schedule adjusted according to soil moisture readings obtained by using a Lincoln Soil Moisture Probe during regular monthly construction monitoring days.

Contractor shall verify use of irrigation water by documenting in a written journal the time and date of each irrigation event, and the duration that water was applied.

5. TREE PROTECTION FENCING:

Chain link fencing must be erected as per the arborist's direction at various distances from trunk edges of **trees #3, 4, 6, 7, 12, and 14**. The areas between the tree trunk and these fence perimeters shall be known as the critical root zones or tree protection zones ("CRZ" or "TPZ").



Fencing shall be erected as full perimeters at or beyond the canopy driplines of trees #3, 4, 6, 7, and #14, with the west side of the tree #14 fence being pushed in to accommodate the proposed storm drain line trench route.

WASTE ASPHALT & SOIL: Recent waste materials dumped under the canopy dripline of oak #14 during Maywood Drive utility work shall be removed by hand using shovels and a wheelbarrow prior to installation of the tree protection fence.

Fencing around oak #6 will need to initially be located at the existing wall prior to demolition. After demolition of the existing developed residential property areas that are to be annexed onto the lot, the tree protection fence shall then be moved out to the south edge of the canopy dripline.

Fencing details for oak #12 cannot be determined at the time of writing due to grading conflicts which would need to be resolved by the project engineer in order to retain this tree.

Fencing material used for all protective fences as per above must be steel chain-link, at least six-feet in height, mounted on two-inch diameter galvanized iron posts 8-feet in length, driven a minimum of 24-inches into the ground. Posts must be mounted no farther than six-feet apart. *This fence must be erected prior to any heavy machinery traffic or construction material arrival on site.*

Note: Given the steep slope of this site, chain link fencing combined with silt fencing may not be strong enough to prevent loose soil from migrating downhill into the TPZs and covering the root zones of trees.

Compliance inspections will occur (1) at the time of fence erection and buffer and irrigation installation, (2) during construction, and (3) after construction is complete. All fencing must remain in place until all construction is completed and the fencing and other protection has been received a final signoff letter from the city arborist. Permit approval will not occur until after the first inspection has been performed and the protection measures approved by the city arborist.

The protective fencing must not be temporarily moved during construction, *except at the very end of the project when city arborist shall allow movement of the fenceline to accommodate construction of the decks and paths.* No materials, excavated soil, liquids, or substances are to be placed or dumped, even temporarily, inside the TPZ/CRZ.

The TPZ fencing shall have one sign affixed at eye level for every 10-linear feet of fencing, minimum 8X11 size each, plastic laminated or otherwise waterproofed, stating :

TREE PROTECTION FENCE
DO NOT ALTER OR REMOVE
CALL CITY ARBORIST 48-HRS ADVANCE



(650) 697-0990

6. **SILT FENCING:** Install TENAX or equivalent 36-inch high silt fencing with built in wooden stakes to the outsides and uphill sides of all TPZ fencing perimeters as per direction of the city arborist. Install as per package directions, digging in the entire lower edge of the silt fence so that it is secure. This product is available from home improvement stores for about \$30 per 100-linear foot roll. For further benefit to trees, the lower edge can be fitted with a coir roll staked into the ground so that the lower edge of the silt fence is actually secure against the chain link fencing material.

Affix upper edge of the silt fencing to the chain link using UV-resistant zipties and/or wires approximately every 3-linear feet.

7. **DEMOLITION ACCESS ROUTES:** It is suggested that all demolition of existing developed residential areas as shown on the grading and drainage sheet be performed by ingress/egress from Alomar only (as opposed to working from the Maywood Drive side). If this is not feasible, then significant impacts to trees #4 and #6 may occur.

Note again that tree protection fencing will need to be erected around oak #6 initially at the north edge of dripline and along the existing wall to be demolished. After demolition is finished, the south side of the fencing perimeter shall be extended to the canopy dripline.

8. **REDESIGNS & DESIGN ISSUES:**

- a. **STORM DRAIN ROUTE:** It is suggested that the proposed storm drain line along the west edge of the lot be eliminated or moved 10-linear feet east to allow for preservation of oaks #3 and #4 and to allow for tree protection fencing to be erected at the canopy driplines of the trees. If this cannot be accomplished, one or both of the trees may be considered a "removal" by the city arborist, and removal fees will apply.
- b. **RETAINING WALL:** If the proposed retaining wall cannot be eliminated, then oak #11 shall be considered a "removal" and removal fees shall apply.
- c. **GRADING LIMITS:** It is suggested that the proposed grading through the lower left portion of the site be eliminated so that oak #12 can be retained and can be fenced off with chain link tree protection fencing at the canopy dripline of the tree. If the project engineer cannot eliminate this grading, then oak #12 shall be considered a "removal" and removal fees shall apply.



- d. DEMOLITION DETAILS: It is suggested that the applicant provide more detail concerning demolition machinery ingress/egress near oak #6, and concerning grading in the developed area proposed to be demolished underneath the south side of the oak #6 canopy dripline so that the impacts to this tree can be fully determined prior to commencement of the project. It is suggested that this area not be regraded after demolition in order that the tree's root system can be retained as fully as possible.

9. PRUNING:

- a) Pruning of site trees to remain shall NOT be performed other than "crown cleaning" of deadwood as described in the most recent edition of ANSI-A300 "standards for tree care operations".

General Contractor shall verify with city arborist all construction clearance pruning requirements before any tree care company begins pruning of site trees.

- b) All pruning shall be performed only by, or under direct supervision of an ISA-Certified Arborist. See vendor list below for suggested tree care providers. Note: the city arborist will require the owner to present a receipt for pruning work to verify that work was performed by, or under direct supervision of an ISA Certified Arborist.

10. ARBORIST INSPECTION FEE: The applicant shall pay a tree inspection fee of **\$1,560** at the Permit Center, payable to the City of Belmont prior to permit issuance and prior to the initial tree protection inspection meeting on site to cover inspections and signoff letters by the city arborist throughout the life of the project (\$1,200 arborist fee plus 30% administration fee).

Call the contract city arborist at (650) 697-0990 to schedule the initial tree protection confirmation inspection which **MUST** occur prior to any demolition, tree removal, grubbing, grading, excavation, or construction on site.

The City Arborist may need to meet with contractors prior to the initial fencing inspection to discuss tree fence routes, irrigation water supply, etc.



11. TREE REMOVAL FEES: The applicant shall pay the following fees at the Permit Center where building staff will route all fees to the Parks Department's Tree Planting and Establishment Fund:

Oaks #1, 2, 5, 8, 9, 10, and #11 to be removed: \$14,000.

Fees for other trees expected to be significantly or severely damaged:

Oak #3 if trench to be cut as proposed	\$2,000
Oak #4 if trench to be cut as proposed	\$2,000
Oak #6 if damaged from site plan activity as determined by city arborist	\$4,000
Oak #7	\$3,000
Oak #12 if grading is performed as proposed (50%-100% of the following fee)	\$2,000
Lombardy poplar #13 if removed	\$750
Oak #14 (This fee will only apply if the tree is damaged due to above and below-ground activity not shown on the proposed grading and drainage plan sheet)	\$4,000

12. UTILITY TRENCHING: All trenching for any reason such as underground installation of TV, phone, gas, electric, French drain, area drain, downspout drain, sewer, water, etc. lines shall be prohibited within the chain link fenced TPZs as determined by the city arborist, unless specifically authorized by him in writing.

13. LANDSCAPING: It is recommended that no landscaping be performed at this site within 15-linear feet of any oak specimen being retained.

14. ROOT SEVERING:

- a) If woody roots measuring >1-inch in diameter are encountered during any site activity, the roots shall be immediately (same day) severed using an A/C sawzall, professional pruning saw, lopper, chain saw, or electrician's cable cutter. Call the city arborist immediately at (650) 697-0990 to arrange a root inspection and digital photograph documentation.
- b) Roots shall be cut at right angles to the root growth direction, cutting cleanly and carefully all the way back to the soil face without shattering the root tissue behind the soil face.
- c) Roots shall be backfilled within 48-hours using parent soil, and thoroughly irrigated.
- d) If backfilling is delayed past 48-hours, then contractors shall wrap exposed roots in three layers of soaking wet, muddy burlap.

15. EMERGENCY TREE ISSUES: Call the contract city arborist if there is a question concerning trees or tree protection at this site. (650) 697-0990.



Walter Levison
CONSULTING ARBORIST



ASCA Registered Consulting Arborist #401

ISA Certified Arborist #WC-3172

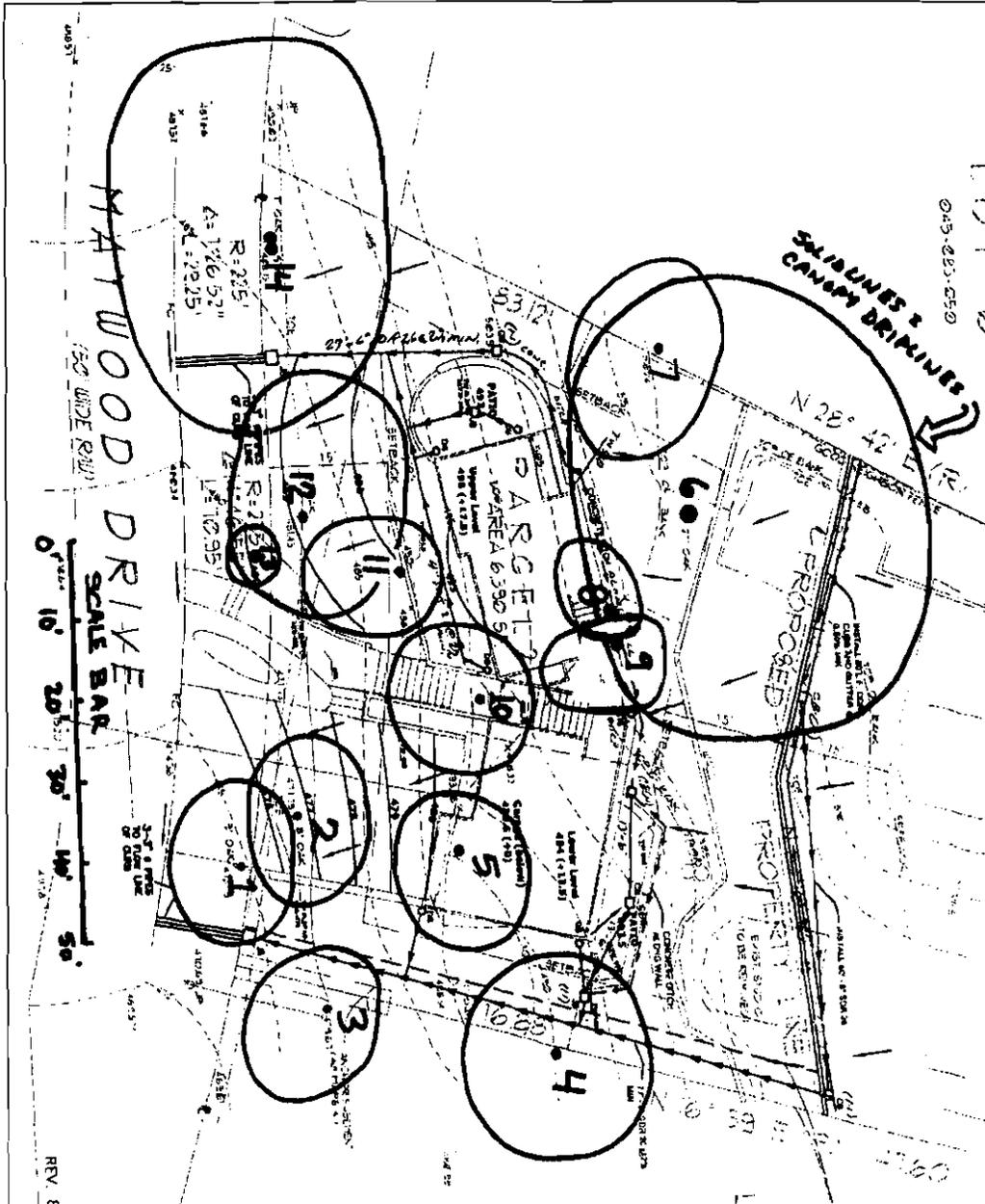
16. **ADDITIONAL MITIGATION MEASURES:** The city arborist reserves the right but not the duty to require that additional tree protection, maintenance, or mitigation measures be installed or performed at any time up to final approval/occupancy.



5.0 Tree Map

Solid lines = Canopy Driplines

Tree Protection Zone fencing is not shown on this scan





6.0 Consultant's Qualifications

- ASCA Registered Consulting Arborist #401
- Millbrae Community Preservation Commission (Tree Board)
2001-2006
- ASCA Arboriculture Consulting Academy graduate, class of 2000
- ISA Certified Arborist #WC-3172
- B.A. Environmental Studies/Soil and Water Resources
UC Santa Cruz, Santa Cruz, California 1990
- Peace Corps Soil and Water Conservation Extension Agent
Chiangmai Province, Thailand 1991-1993
- Associate Consulting Arborist
Barrie D. Coate and Associates
4/99-8/99
- Contract City Arborist to the City of Belmont
5/99-present
- Continued education through attendance of arboriculture lectures and forums sponsored by
The American Society of Consulting Arborists, The International Society of Arboriculture
(Western Chapter), and various governmental and non-governmental entities.

(My full curriculum vitae is available upon request)



7.0 Bay Area Vendors

Tree Moving Services:

Joe Ornaz Trees of California -trees moved by hand only	P.O. Box 13189 Coyote, CA 95013	(408) 264-3663
Mr. John Service @ Valley Crest	8501 Calaveras Road Sunol, CA 94586	(925) 862-2485
Tree Movers of Mountain View -can transplant, acquire, ship, and install trees -trees moved by mechanical spade only. -trees must normally be <12"DBH		(650) 968-6117

Sources of Replacement Trees:

Hecker Pass Specimen Trees Mr. Bill Miller	Hecker Pass Road Gilroy, CA 95020	(408) 842-2121
Pacific Nurseries-wholesale only	2099 Hillside Blvd. Colma, CA 94014	(650) 755-2330
Valley Crest Tree Company	8501 Calaveras Road Sunol, CA 94586	(925) 862-2485
East Bay Nursery	2332 San Pablo Ave. Berkeley, CA 94702	(510) 845-6490
Boething Treeland Farms (Wholesale to the Trade Only. Huge selection of common and hard to find tree species)	2923 Alpine Road Portola Valley, CA 94028	(650) 851-4770
Tree Movers of Mtn View		(650) 968-6117

Peninsula Air Spade Contractors Who Perform Tree-Friendly Air Excavation

Michael Young, Urban Tree Management	(650) 321-0202
Bill Patchett, Treescapes (Burlingame)	(650) 574-5354
Matthew Kidd	(650) 298-8937
Arborwell	(888) 969-8733 or Neil Woolner cell (925) 260-6655
Ian Geddes Tree Care (see below)	
Advanced Tree Care (see below)	

Tree Maintenance

Advanced Tree Care- Rob Weatherill		(650) 566-9539 or 839-9539
Arborwell	Also contact Neil Woolner cell (925) 260-6655	Main Office 1(888) 969-8733
Area Custom-- Ron Walker		(650) 969-7076
Bill Plateman		650.595.5135
Bob Yamane-- Noonan's Tree Care	Redwood City	650.367.8818
BiotaTech—Brendan Nelson		Cell (408) 639-2189
Chris Hall-- West Coast Tree Care	South Bay	408.379.1442
Dan Hoskins		650.322.4400
Doug Anderson	South Bay	408.378.2261
Gil Mitchell	South Bay	(408) 929-3040
Henry Ardalan "City Arborist"	Woodside	Mobile (650) 222-1771
Ian Geddes Tree Care	Saratoga	(408) 374-8233
James Scott	Los Gatos	(408) 370-2089
Kevin Raftery	Palo Alto	(650) 428-8733
Lane Kilpatrick		650.941.0240
Mark O'brien - no brush hauling	Menlo Park	(650) 327-0450
Mayne Tree Expert Co. - Richard Huntington & Kevin	San Carlos	650.593.4400



Kieftly		
McCarthy Tree Specialties	Menlo Park	(650) 367-7552
Michael Young- Urban Tree Management	Santa Clara	(650) 321-0202
Nature First - Jeremy Nama & Mimi Scopettone	South Bay	(831) 562-8233
Randy Harris—Artistry in Trees	Mill Valley (Marin County)	(415) 388-2931
John Stepp	Mountain View	(650) 940-1452
The Care of Trees/Treescapescapes Torrey Young & David Nelson	East Bay	510.638.0781

(The above sources have been known to provide high-quality arboriculture services in the past. They are not guaranteed or endorsed by the author.)

8.0 Assumptions and Limiting Conditions

Any legal description provided to the consultant/appraiser is assumed to be correct. Any titles and ownership to any property are assumed to be good and marketable. No responsibility is assumed for matters legal in character. Any and all property is appraised and evaluated as through free and clean, under responsible ownership and competent management.

It is assumed that any property is not in violation of any applicable codes, ordinance, statutes, or other government regulations.

Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible; however, the consultant/appraiser can neither guarantee nor be responsible for the accuracy of information provided by others.

The consultant/appraiser shall not be required to give testimony or to attend court by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services as described in the fee schedule and contract of engagement.

Unless required by law otherwise, the possession of this report or a copy thereof does not imply right of publication or use for any other purpose by any other than the person to whom it is addressed, without the prior expressed written or verbal consent of the consultant/appraiser.

Unless required by law otherwise, neither all nor any part of the contents of this report, nor copy thereof, shall be conveyed by anyone, including the client, to the public through advertising, public relations, news, sales, or other media, without the prior expressed conclusions, identity of the consultant/appraiser, or any reference to any professional society or institute or to any initiated designation conferred upon the consultant/appraiser as stated in his qualifications.

This report and any values expressed herein represent the opinion of the consultant/appraiser, and the consultant's/appraiser's fee is in no way contingent upon the reporting of a specified value, a stipulated result, the occurrence of a subsequent event, nor upon any finding to be reported.

Sketches, drawings, and photographs in this report, being intended for visual aids, are not necessarily to scale and should not be construed as engineering or architectural reports or surveys unless expressed otherwise. The reproduction of any information generated by engineers, architects, or other consultants on any sketches, drawings, or photographs is for the express purpose of coordination and ease of reference only. Inclusion of said information on any drawings or other documents does not constitute a representation by Walter Levison to the sufficiency or accuracy of said information.

Unless expressed otherwise:

- a. information contained in this report covers only those items that were examined and reflects the conditions of those items at the time of inspection; and
- b. the inspection is limited to visual examination of accessible items without dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the plants or property in question may not arise in the future.

Loss or alteration of any part of this report invalidates the entire report.



Arborist Disclosure Statement:

Arborists are tree specialists who use their education, knowledge, training, and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce the risk of living near trees. Clients may choose to accept or disregard the recommendations of the arborist, or to seek additional advice.

Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments, like any medicine, cannot be guaranteed.

Treatment, pruning, and removal of trees may involve considerations beyond the scope of the arborist's services such as property boundaries, property ownership, site lines, disputes between neighbors, and other issues. Arborists cannot take such considerations into account unless complete and accurate information is disclosed to the arborist. An arborist should then be expected to reasonably rely upon the completeness and accuracy of the information provided.

Trees can be managed, but they cannot be controlled. To live near trees is to accept some degree of risk. The only way to eliminate all risk associated with trees is to eliminate the trees.

9.0 Certification

I hereby certify that all the statements of fact in this report are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

Signature of Consultant

12/7/06

Make payment to:
Walter Levison
 165 Linda Vista
 Millbrae, CA 94030
 Phone/Fax (650) 697-0990

Invoice

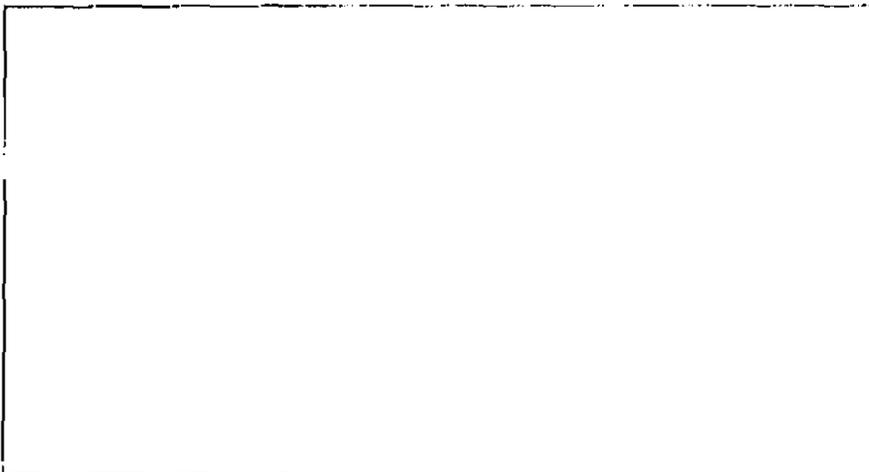
DATE	INVOICE #
12/11/2006	2006/39 BEL



BILL TO
City Of Belmont- Planning Dept Attn: Colleen 637-2983

DUE DATE
1/10/2007

SITE ADDRESS	SCOPE OF WORK	Hours Used	RATE: \$100/HR	AMOUNT
1109 Alomar	Tag and assess 14 trees as per contract. Prepare arborist report with protection and maintenance recommendations, tree location map, etc. Email report doc to Jennifer Walker on 12/11/06	13	100.00	1,300.00



Total	1,300.00
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ATTACHMENT VI

August 24, 2006
1641-1

Mr. Jean Adams
1109 Alomar Way
Belmont, California 94002

**RE: GEOTECHNICAL INVESTIGATION
ADAMS NEW RESIDENCE
MAYWOOD DRIVE
BELMONT, CALIFORNIA**

Dear Mr. Adams:

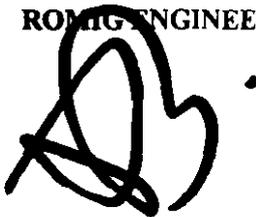
In accordance with your request, we have performed a geotechnical investigation for the proposed residence to be constructed on your property on Maywood Drive in Belmont, California. The accompanying report summarizes the results of our field exploration, laboratory testing, and engineering analysis, and presents our geotechnical recommendations for the proposed improvements.

We refer you to the text of our report for specific recommendations.

Thank you for the opportunity to work with you on this project. If you have any questions or comments about the findings or recommendations from our investigation, please call.

Very truly yours,

ROMIG ENGINEERS, INC.



Glenn A. Romig, P.E., G.E.



Copies: Addressee (5)
Robert W. Hayes Architects (1)
Attn: Mr. Robert Hayes
Smith Randlett, Foulk & Stock, Inc. (1)
Attn: Mr. George T. Stock

GAR:CN

**GEOTECHNICAL INVESTIGATION
ADAMS NEW RESIDENCE
MAYWOOD DRIVE
BELMONT, CALIFORNIA**

**PREPARED FOR:
MR. JEAN ADAMS
1109 ALOMAR WAY
BELMONT, CALIFORNIA 94002**

**PREPARED BY:
ROMIG ENGINEERS, INC.
1390 EL CAMINO REAL, SECOND FLOOR
SAN CARLOS, CALIFORNIA 94070**

AUGUST 2006

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**GEOTECHNICAL INVESTIGATION
FOR
ADAMS NEW RESIDENCE
BELMONT, CALIFORNIA**

INTRODUCTION

This report presents the results of our geotechnical investigation for the proposed construction of a new residence on your property on Maywood Drive in Belmont, California. The approximate location of the site is shown on the Vicinity Map, Figure 1. The purpose of this investigation was to evaluate subsurface conditions at the site and to provide geotechnical recommendations for planned residence.

Project Description

We understand that you are planning to construct a 1,500-square foot, two-story residence at your property in Belmont. A portion of the residence will be underlain by a basement level garage. Basement retaining walls up to 14 feet in height will be required for the garage. A driveway will extend from the northwest corner of the property to the garage. Retaining walls up to 8 feet in height will be required for the driveway. Retaining walls on the order of 10 feet or so in height will also be required at the rear of the residence. The site in the area of the planned residence slopes at an inclination of approximately 1.5:1 (horizontal:vertical) down towards Maywood Drive. The total height of the slope is about 30 to 35 feet from the street to level area at the top of the site.

Scope of Work

Our scope of work for this investigation was presented in detail in our agreement with you dated September 12, 2005. In order to accomplish this investigation, we performed the following work.

- Review of geologic and geotechnical information in our files pertinent to the general area of the site.
- Subsurface exploration consisting of drilling, sampling, and logging of two exploratory borings in the area for the proposed residence.

- Laboratory testing of selected samples to aid in soil classification and to help evaluate the engineering properties of the surface and near-surface soil.
- Engineering analysis and evaluation of the subsurface data to develop geotechnical design criteria for the proposed residence.
- Preparation of this report presenting our findings and geotechnical recommendations for the proposed improvements.

Limitations

This report has been prepared for the exclusive use of Mr. Jean Adams for specific application to developing geotechnical design criteria for the proposed residence to be constructed on Maywood Drive in Belmont, California. We make no warranty, expressed or implied, except that our services have been performed in accordance with geotechnical engineering principles generally accepted at this time and location. This report was prepared to provide engineering opinions and recommendations only. In the event there are any changes in the nature, design or location of the project, or if any future improvements are planned, the conclusions and recommendations contained in this report should not be considered valid unless 1) the project changes are reviewed by us, and 2) the conclusions and recommendations presented in this report are modified or verified in writing.

The analysis, conclusions, and recommendations presented in this report are based on site conditions as they existed at the time of our investigation; the currently planned improvements; review of readily available reports relevant to the site conditions; and laboratory test results. In addition, it should be recognized that certain limitations are inherent in the evaluation of subsurface conditions, and that certain conditions may not be detected during an investigation of this type. Changes in the information or data gained from any of these sources could result in changes in our conclusions or recommendations. If such changes occur, we should be advised so that we can review our report in light of those changes.

SITE EXPLORATION AND RECONNAISSANCE

Site reconnaissance and subsurface exploration were performed on July 6, 2006 using portable Minuteman drilling equipment. Two exploratory borings were advanced to refusal conditions at depths of about 8.4 feet and 1.4 feet. The approximate location of the borings is shown on the Site Plan, Figure 2. The boring logs and the results of our laboratory tests are attached in Appendices A and B, respectively.

Surface Conditions

At the time of our exploration, the site was an undeveloped property along the south side of Maywood Drive. The site grades sloped up from Maywood Drive about 30 to 35 feet at an inclination of about 1.5:1 (horizontal to vertical). The site was landscaped with a moderate growth of native weeds, bushes and grasses and small to large trees. No indications slope instability were noted during our site reconnaissance.

Subsurface Conditions

At the location of exploratory borings, we encountered weathered sandstone bedrock below a thin veneer of surface soil. The Franciscan Complex bedrock was soft to medium hard and our sampling equipment met refusal conditions at depths of about 1.4 and 8.4 feet. About 3 feet of sandy silt was encountered above the bedrock in our Boring EB-1.

A free-swell test performed on a sample of bedrock from the site indicated a free-swell of about 50 percent indicating that the bedrock at the site has low potential for expansion.

Ground Water

Free ground water was not encountered during drilling and sampling. Both of the borings were backfilled immediately upon completion of drilling and sampling. Please be cautioned that fluctuations in the level of ground water can occur due to variations in rainfall, landscaping, and other factors.

GEOLOGIC SETTING

As part of our investigation, we reviewed our local experience and geologic literature in our files pertinent to the general area of the site. The information reviewed indicates the site is located in an area underlain by sandstone bedrock of the Franciscan Formation (Fs) (Pampeyan, 1994 and Brabb and Pampeyan, 1983). The geologic setting in the area of the site is shown on the Vicinity Geologic Map, Figure 4.

The lot and immediate vicinity are located in an area that slopes moderately to the north. The site is located at an elevation of approximately 160 feet above sea level.

No active faults are located in the immediate vicinity of the site. The closest active fault is the San Andreas Fault, which is mapped approximately 2.4 miles southwest of the site. The inactive Belmont Hill Fault is mapped approximately 4000 feet northeast of the site (Pampeyan, 1994). This fault is not considered an active or potentially active fault by the State of California.

Seismicity

The San Francisco Bay Area is located in an active seismic area. The faults most likely to produce large earthquakes locally include the San Andreas, Hayward, San Gregorio, and Calaveras Faults. The San Andreas Fault is located about 2.4 miles (3.8 kilometers) southwest of the site, and the San Gregorio Fault is located approximately 10.5 miles to the west. The Hayward and Calaveras Faults are located approximately 16 and 23 miles northeast of the site, respectively. The estimated maximum magnitude of earthquakes along these faults, and selected historical earthquakes with an estimated magnitude greater than 6.0 that have been produced by these faults, are presented in Table 1 on the following page. The site is not located within an Alquist-Priolo Fault Rupture Hazard Zone, an area where the potential for fault rupture is considered probable. Thus, the main hazard from earthquakes is expected to be related to the strong ground shaking that is produced.

A panel of experts convened in 1999 by the U. S. Geological Survey concluded there is a 70 percent chance for at least one "large" earthquake of Magnitude 6.7 or larger in the Bay Area before 2030. They also concluded there could be more than one earthquake of this magnitude and numerous "moderate" earthquakes of about magnitude 6 during this same timeframe. The San Andreas Fault has the second highest likelihood of a large earthquake in the Bay Area, estimated as a 21 percent chance of a Magnitude 6.7 or larger earthquake, while the Hayward Fault has the highest likelihood of rupture (32 percent) during the next 30 years (Working Group, 1999).

**Table 1. Earthquake Magnitudes and Historical Earthquakes
Adams New Residence
Belmont, California**

<u>Fault</u>	<u>Maximum Magnitude</u>	<u>Historical Earthquakes</u>	<u>Estimated Magnitude</u>
San Andreas	8.3	1989 Loma Prieta	6.9
		1906 San Francisco	8.3
		1865 N. of 1989 Loma Prieta Earthquake	6.5
		1838 San Francisco-Peninsula Segment	6.8
		1836 East of Monterey	6.5
Hayward	7.3	1868 Hayward	6.8
		1858 Hayward	6.8
Calaveras	7.3	1984 Morgan Hill	6.2
		1911 Morgan Hill	6.2
		1897 Gilroy	6.3
San Gregorio	7.3	1926 Monterey Bay	6.1

Earthquake Design Parameters

The International Conference of Building Officials (ICBO) released the 1997 Uniform Building Code (UBC), which contained major revisions to the seismic design approach presented in earlier versions of the UBC. The main geotechnical related revision was that structural design must consider near-source effects for active faults (Holocene-age displacements in the past 11,000 years) located within 15 kilometers of the site. This can result in higher design lateral earthquake forces than in the previous code for structures located close to active faults. The 1997 UBC seismic design philosophy was also clarified under Division IV - Earthquake Design, Section 1626 - General. It reads: "1626.1 Purpose. The purpose of the earthquake provisions herein is primarily to safeguard against major structural failures and loss of life, not to limit damage or maintain function." If the residence will be designed in accordance with the 1997 UBC, or the 2001 California Building Code, the following geotechnical related factors should be considered.

The site is located within Seismic Zone 4; therefore, a Seismic Zone Factor Z of 0.40 applies to the site. Based on site geology and subsurface conditions encountered at the site, Soil Profile Type S_c (very dense soil and soft rock), applies to the site. Since the site is located approximately 3.8 kilometers from the San Andreas Fault, Near-Source Factors of $N_a = 1.3$ and $N_v = 1.8$ may be assumed for design.

CONCLUSIONS

In our opinion, from a geotechnical viewpoint, the site is suitable for the proposed improvements, provided the recommendations presented in our report are followed during design and construction. The primary geotechnical concern at the site is the moderately steep sloping lot and the requirement for retaining walls up to 14 feet in height. In our opinion, the foundations may be designed as conventional shallow spread and continuous footings; however, it is critical that the footings bear in undisturbed bedrock and that adequate drainage be provided behind the retaining walls. Care should also be exercised during construction to protect adjacent property improvements from damage when the necessary cuts are open. Detailed recommendations are presented in the following sections of this report.

Because subsurface conditions may vary from those encountered at the location of our borings, and to observe that our recommendations are properly implemented, we recommend that we be retained to 1) Review the project plans for conformance with our report recommendations and 2) Observe and test the earthwork and foundation installation phases of construction.

FOUNDATIONS

Spread Footings

In our opinion, the residence including the retaining wall footings may be supported on conventional continuous footings bearing at least 18 inches into undisturbed, severely to moderately severely weathered bedrock, which was encountered at depths of about 0 to 3 feet in our exploratory borings. Footings should also have a minimum width of 15 inches and extend at least 24 inches below lowest adjacent grade. The requirement that footings bear in weathered bedrock may require a deeper footing embedment however. Footings may be designed for allowable bearing pressures of 2,500 pounds per square foot for dead loads, 3,500 pounds per square foot for dead plus live loads, with a one-third increase allowed for total loads including wind or seismic forces.

All footings located adjacent to utility lines should bear below a 1:1 plane extending up from the bottom edge of the utility trench. All continuous footings should be reinforced with the equivalent of at least two No. 5 bars, top and bottom, to provide structural continuity and to permit spanning of local irregularities.

The bottom of the footing excavations should be cleaned of loose material. Our representative should observe the excavations to see that they are founded in suitable materials and have been properly cleaned.

Lateral Loads

Lateral loads will be resisted by friction between the bottom of the footings and the supporting subgrade. A coefficient of friction of 0.30 may be assumed for design. In addition to friction, lateral resistance may be provided by passive soil pressure acting against the sides of foundations cast neat in footing excavations or backfilled with properly compacted structural fill. We recommend assuming an equivalent fluid pressure of 300 pounds per cubic foot for passive soil resistance, where appropriate. The upper foot of passive soil resistance should be neglected where soil adjacent to the footing is not covered with a slab or pavement.

Settlement

Thirty year differential movement due to static loads is not expected to exceed 3/4-inch across the structure.

Basement Foundations

As an alternative to conventional footings, the basement and basement walls may be supported on a reinforced concrete mat foundation. A mat is easier to waterproof than a conventional foundation. The mat may be designed for an allowable bearing pressure of 2,000 pounds per square foot for combined dead plus live loads, with a one-third increase allowed when considering additional short-term wind or seismic loading. A modulus of subgrade reaction of 100 pounds per cubic inch may be assumed for the mat subgrade.

Depending upon the use of the basement areas, a water-proofing system could be installed below and around the edges of the mat foundation (and behind the basement walls). It should be noted that we have not provided recommendations regarding the method or details for basement water-proofing since design of water-proofing systems is outside of our scope of services and expertise. Providing adequate damp-proofing of the basement floor and walls is essential for the success of the basement.

The mat should be reinforced to provide structural continuity and to permit spanning of local irregularities. The bottom of the mat excavation should be cleaned of all loose and soft soil and debris. Our representative should observe the basement excavation to evaluate whether scarification and recompaction of the excavation bottom is needed.

SLABS-ON-GRADE

Concrete walkways and exterior flatwork should be at least 4 inches thick and should be constructed on at least 4 inches of Class 2 aggregate base. The garage floor slab and other interior concrete slabs-on-grade should be supported on at least 6 inches of non-expansive fill. The non-expansive fill and the underlying soil subgrade should be prepared as recommended in the section titled "Compaction." Considering the potential for some movements of the surface and near-surface soils, we expect that a reinforced slab will perform better than an unreinforced slab. Consideration should also be given to using a control joint spacing on the order of 10 feet. We recommend that exterior slabs-on-grade be constructed with a thickened edge to improve edge stiffness and to reduce the potential for water seepage under the edge of the slabs.

In areas where floor dampness is undesirable, such as within living areas, concrete floor slabs should be underlain by at least 4 inches of free-draining gravel, such as ½-inch to ¾-inch clean crushed rock with no more than 5 percent passing the ASTM No. 200 sieve. Pea gravel should not be used for the capillary break material. To reduce vapor transmission up through the floor slabs, the gravel layer should be covered with a high-

quality, UV-resistant vapor barrier. The vapor barrier may be covered with a 2-inch thick layer of sand to protect the membrane during construction. If sand is used over the vapor barrier, the sand should be lightly moistened just prior to placement of concrete. The sand and crushed rock may be taken as the 6 inches of the non-expansive fill recommended above.

Although it is unlikely that ground water will rise to the level of the basement floor, a subsurface drain system could be installed below the basement slab or mat. The subslab drainage system will reduce the possibility of water pressure developing below the basement floor slab and floor damp-proofing system. If installed, the subslab drainage system should consist of a minimum 6-inch thick blanket of free-draining gravel, such as ½-inch to ¾-inch clean crushed rock with no more than 5 percent passing the ASTM No. 200 sieve, sloped to drain to perforated pipes. The subgrade below the gravel layer should be sloped at an inclination of about 2 percent to a subdrain pipe or pipes running the full length of the basement. The subdrain pipe(s) should consist of 4-inch diameter perforated PVC pipes (with perforations placed down) sloped to discharge into a sump below the finished basement floor. A filter fabric, such as TC Mirafi 140N or equivalent, should be installed between the soil subgrade and the crushed gravel layer. To minimize vapor transmission through the basement mat, a high-quality water-proof membrane should be placed over the crushed rock and around the edges of the mat foundation. A schematic section illustrating the subslab drainage system is presented in Figure 4 attached.

RETAINING WALLS

Retaining walls may be founded on spread footings designed in accordance with our previous recommendations. We recommend that walls which are restrained from lateral movement be designed to resist an equivalent fluid pressure of 45 pounds per cubic foot, plus an additional uniform lateral pressure of $8H$ pounds per square foot, where H is the height of the backfill above the top of the wall footing in feet. Retaining walls which are not restrained from lateral movement, should be designed to resist an equivalent fluid pressure of 45 pounds per cubic foot. Retaining walls with sloping backfill, up to 2:1 (horizontal to vertical), should be designed to resist an equivalent fluid pressure of 70 pounds per cubic foot for unrestrained walls, with $8H$ added as discussed above for restrained walls. Wherever walls will be subjected to surcharge loads they should be designed for an additional uniform lateral pressure equal to one-half of the surcharge load for restrained walls and one-third of the surcharge load for unrestrained walls.

A subsurface drainage system should be installed behind the basement walls to prevent buildup of water pressure from surface water infiltration or rise in the ground water level. The drainage system should consist of a 4-inch perforated pipe (perforations placed down) embedded in at least 12-inches of ½-inch to ¾-inch clean crushed rock with less than 5 percent fines. The wall backfill should also consist of ½-inch to ¾-inch clean crushed rock extending to within 1 to 2 feet of finished grade. A filter fabric should be used to encapsulate the crushed rock to protect it from infiltration of native soil. Where wall backfill extends beyond the building perimeter, the upper 1.5 to 2 feet of backfill should consist of compacted native clay. The subdrain should slope to a free draining outlet or sump. Damp-proofing of basement walls should be included where wall moisture and efflorescence would be undesirable. A schematic sketch of the wall drainage system is shown on Figure 4.

Miradrain, Enkadrain or other drainage fabrics approved by our office may be used for wall drainage as an alternative to the free-draining gravel backfill described above. If used, the drainage fabric should extend from a depth of 2 feet below the top of the wall backfill down to the drain pipe at the base of the wall. The minimum 12-inch wide section of 1/2- to 3/4-inch crushed rock and filter fabric should be placed around the drainpipe, as recommended above.

Backfill placed behind the walls should be compacted to at least 90 percent relative compaction, using light compaction equipment. If heavy compaction equipment is used, the walls should be temporarily braced. The backfill behind the walls should be placed on level benches, rather than directly on the sloping grade.

Retaining walls may be supported on mat foundations designed in accordance with the recommendations presented previously.

EARTHWORK

Clearing & Subgrade Preparation

All deleterious materials, topsoil, roots, vegetation, designated utility lines, etc., should be cleared from the areas to receive the planned improvements. Excavations that extend below finish grade should be backfilled with structural fill and compacted as discussed below.

After the site has been properly cleared, stripped, and excavated to the required grades, the exposed surface soil in areas to receive structural fill or slabs-on-grade, should be scarified to a depth of 6 inches, moisture conditioned, and compacted to the specifications for structural fill, listed below under section captioned "compaction."

Our representative should observe the basement excavation to evaluate whether scarification and recompaction of the excavation bottom is needed. If a temporary ramp is constructed to access the basement excavation, the ramp should be properly backfilled and compacted in accordance with our recommendations for structural fill. A member of our staff should observe and test during backfilling of the temporary entrance ramp.

We understand that no fills are currently planned at the site. If plans change and fills are required we should be contacted for benching and keying criteria.

Material For Fill

All on-site soil containing less than 3 percent organic material by volume (ASTM D2974) is suitable for use as structural fill. However, structural fill placed at the site, should not contain rocks or pieces larger than 6 inches in greatest dimension, and contain no more than 15 percent larger than 2.5 inches. Imported fill should have a plasticity index of less than 15 percent or be predominately granular. Our representative should approve import materials prior to their use on-site.

Temporary Slopes, Shoring and Excavations

The contractor should be responsible for the design and construction of all temporary slopes and any required shoring. Shoring and bracing should be provided in accordance with all applicable local, state and federal safety regulations, including the current OSHA excavation and trench safety standards. Protection of the structures near the planned cut for the retaining or basement walls should also be the responsibility of the contractor. In our experience, a preconstruction survey is generally performed to document existing conditions prior to construction, with intermittent monitoring of the structures during construction.

Because of the variable nature of the existing rock, field modifications of temporary cut slopes may be required. Unstable materials encountered on the slopes during the excavation should be trimmed off even if this requires cutting the slope back at flatter inclinations.

Permanent Slopes

We recommend that any permanent slopes be cut or filled to an inclination of 2:1 (horizontal to vertical). Exposed slopes may be subject to minor sloughing and erosion which may require periodic maintenance. We recommend that the slopes be planted to minimize erosion.

Compaction

The scarified surface soils and all structural fill should be compacted in uniform lifts, no thicker than 8-inches in uncompacted thickness, conditioned to the appropriate moisture content, and compacted to the specifications for structural fill, listed in Table 2 below. The relative compaction and moisture content specified in Table 2 is relative to ASTM D 1557, latest edition.

**Table 2. Compaction Specifications
Adams Residence
Belmont, California**

<u>General</u>	<u>Relative Compaction*</u>	<u>Moisture Content*</u>
• Scarified subgrade in areas to receive structural fill or slabs-on-grade.	90 percent	2 percent above optimum
• Structural fill.	90 percent	2 percent above optimum
• Fills below 5 feet.	92 percent	2 percent above optimum
<u>Pavement Areas</u>		
• Upper 6-inches of soil below baserock.	95 percent	2 percent above optimum
• Aggregate baserock and Subbase.	95 percent	At optimum
<u>Utility trench backfill</u>		
• On-site soils.	90 percent	2 percent above optimum
• Imported sand - upper 3 feet.	95 percent	Near optimum
• Imported sand - below 3 feet.	90 percent	Near optimum

* Relative to ASTM Test D1557, latest edition.

Surface Drainage

The finish grades should be designed to drain surface water away from foundations and retaining wall areas, to suitable discharge points. Slopes of at least 2 percent are recommended within 5 feet of the structures or exterior slabs. Ponding of water should not be allowed behind the retaining walls or adjacent to the residence. At a minimum, splash blocks should be provided below the ends of downspouts to carry surface water away from perimeter foundations. Preferably, downspout drainage should be collected in a closed pipe system that discharges to a suitable location.

In addition, due to the potential for excessive surface drainage from the hillside behind the residence, it would be desirable to incorporate several area drains and/or lined V-ditches above the planned retaining wall at the back of the residence. The area drains and V-ditches should be directed to discharge at a suitable location below the residence, adjacent to Maywood Drive.

Drainage facilities should be observed to verify that they are adequate and that no adjustments need to be made, especially during first two years following construction. We recommend an as-built plan showing the locations of surface and subsurface drain lines and clean-outs be developed. The drainage facilities should be periodically checked to verify that they are functioning properly. Drainage facilities will probably need to be cleaned of silt and debris that may build up in the lines.

FUTURE SERVICES**Plan Review**

Romig Engineers should review the completed grading and foundation plans for conformance with the recommendations contained in this report. We should be provided with these plans as soon as possible upon completion in order to limit the potential for delays in the permitting process that might otherwise be attributed to our review process. In addition, it should be noted that many of the local building and planning departments now require "clean" geotechnical plan review letters prior to acceptance of plans for their final review. Since our plan reviews often result in recommendations for modification of the plans, our generation of a "clean" review letter often requires two iterations. At a minimum, we recommend the following note be added to the plans:

“All earthwork, foundation and slab subgrade preparation, foundation construction, wall backfilling and drainage, and site drainage should be performed in accordance with the geotechnical report prepared by Romig Engineers, Inc., dated August 24, 2006. Romig Engineers should be notified at least 48 hours in advance of any earthwork or foundation construction and should observe and test during earthwork and foundation construction as recommended in the geotechnical report.”

Construction Observation and Testing

Earthwork and foundation phases of construction should be observed and tested by us to 1) establish that subsurface conditions are compatible with those used in the analysis and design; 2) observe compliance with the design concepts, specifications and recommendations; and 3) allow design changes in the event that subsurface conditions differ from those anticipated. The recommendations in this report are based on a limited number of borings. The nature and extent of variation across the site may not become evident until construction. If variations are exposed during construction, it will be necessary to reevaluate our recommendations.



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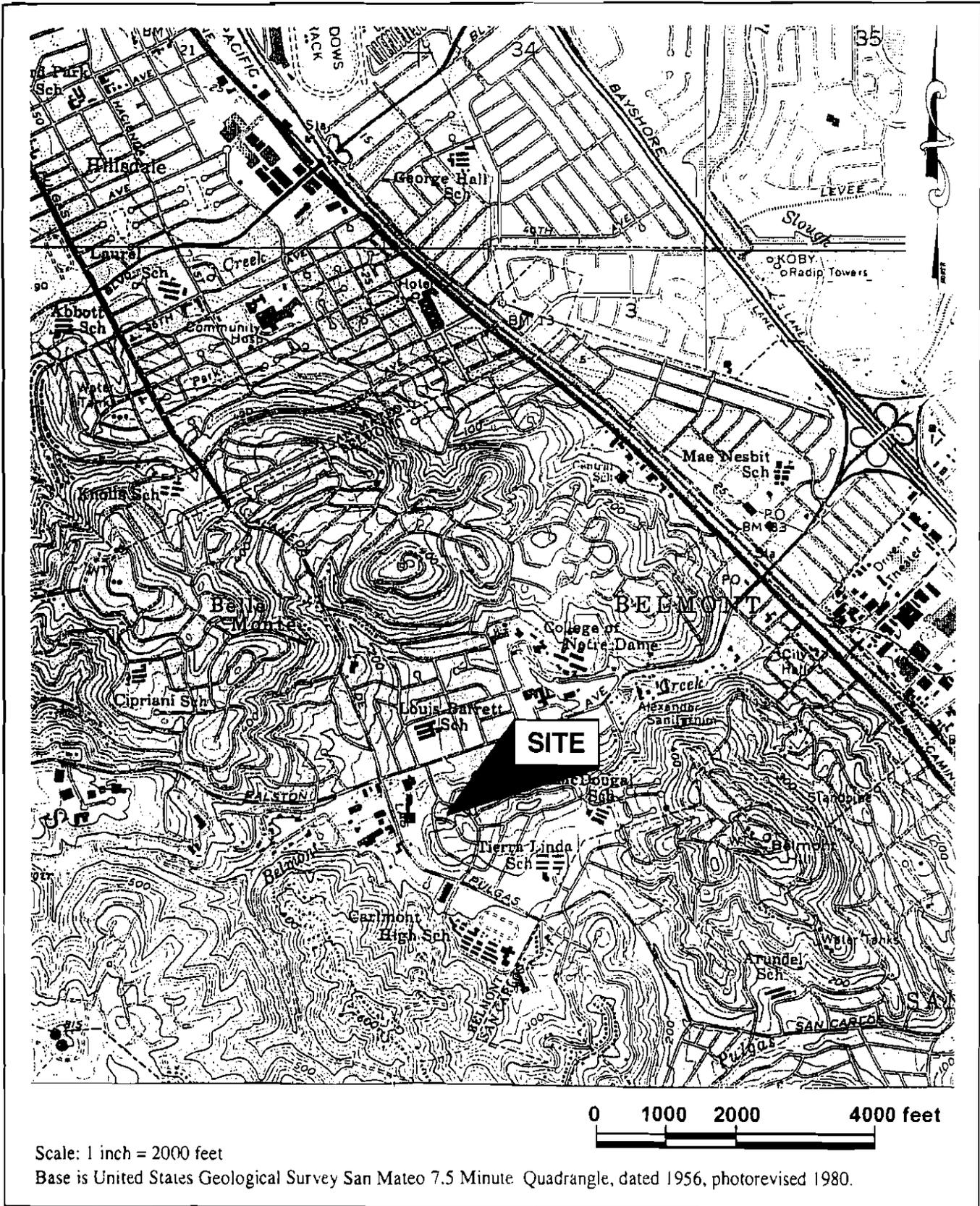
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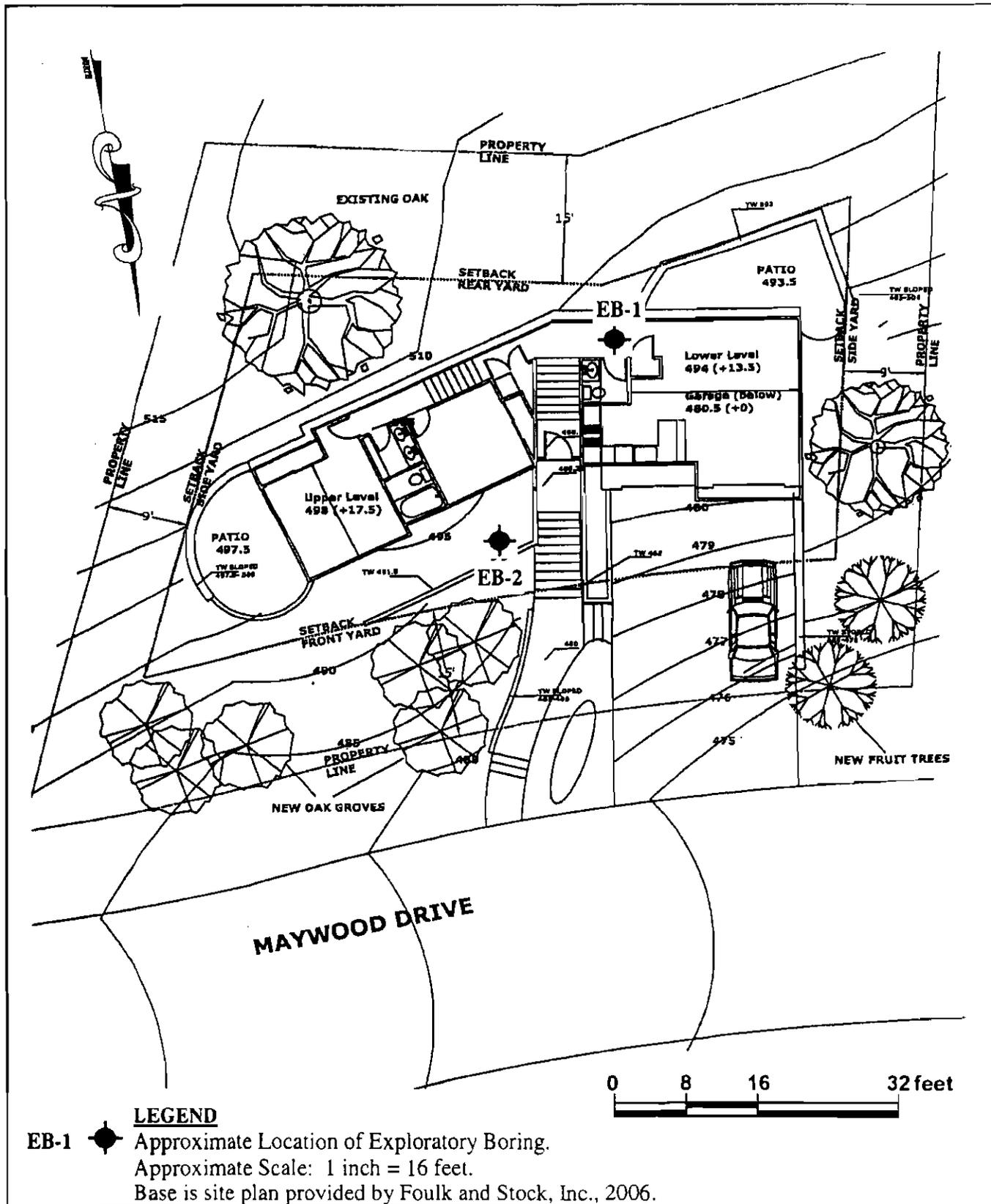
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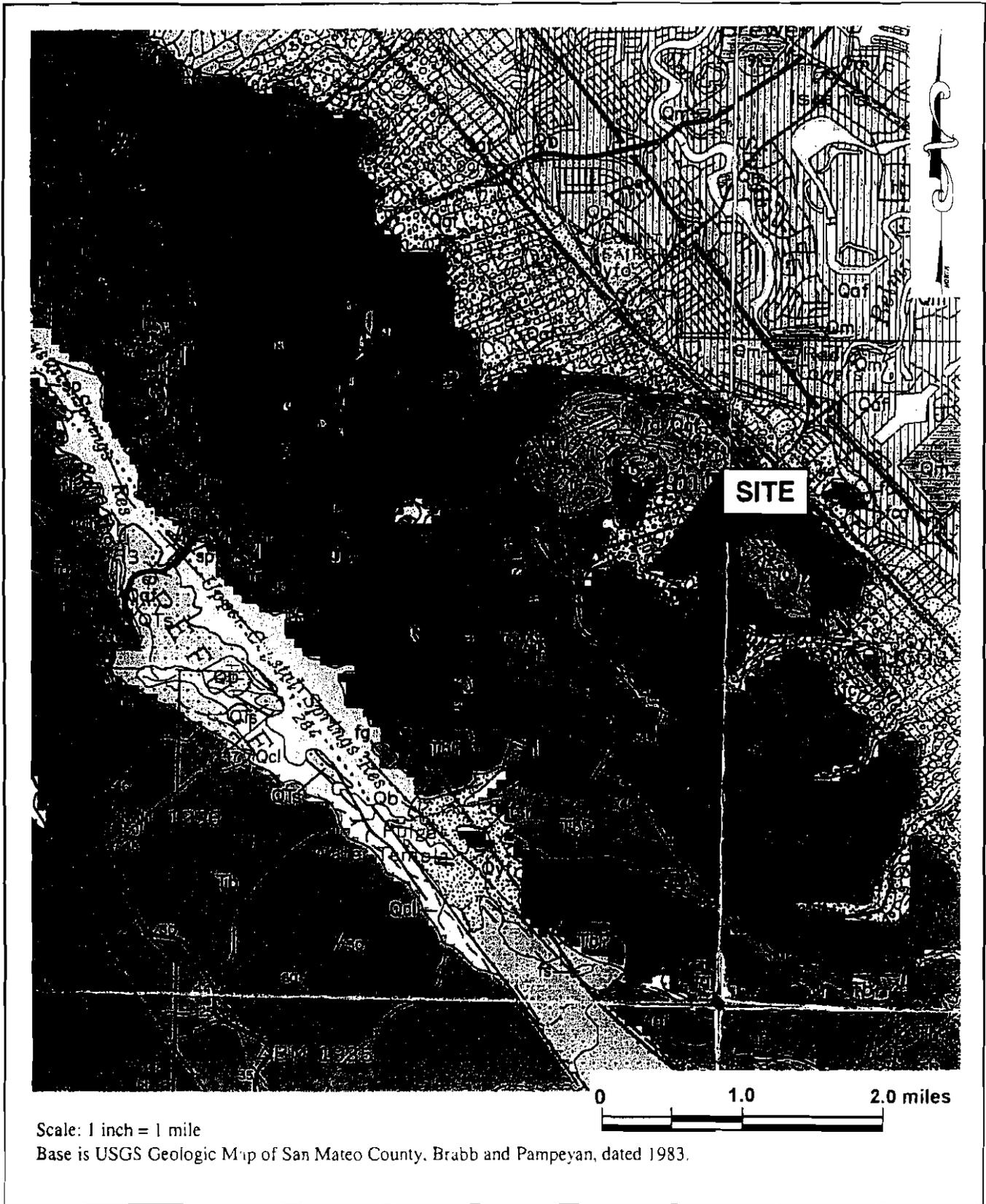
VICINITY MAP
 ADAMS NEW RESIDENCE
 BELMONT, CALIFORNIA

FIGURE 1
 AUGUST 2006



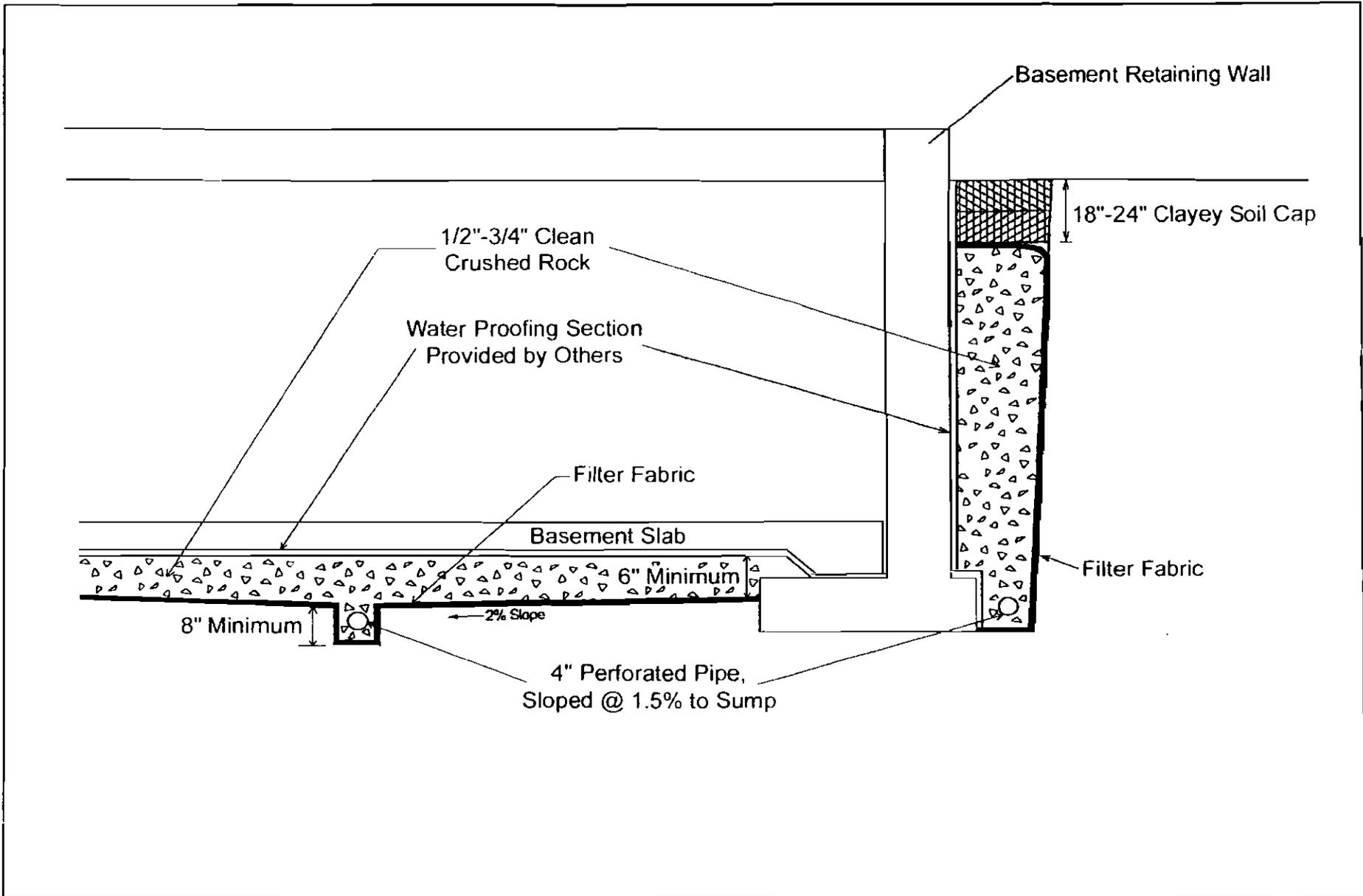
SITE PLAN
ADAMS NEW RESIDENCE
BELMONT, CALIFORNIA

FIGURE 2
AUGUST 2006



VICINITY GEOLOGIC MAP
 ADAMS NEW RESIDENCE
 BELMONT, CALIFORNIA

FIGURE 3
 AUGUST 2006



SUBSLAB DRAINAGE DETAIL
 ADAMS NEW RESIDENCE
 BELMONT, CALIFORNIA

FIGURE 4
 AUGUST 2006

APPENDIX A
FIELD INVESTIGATION

The soils encountered during drilling were logged by our representative and samples were obtained at depths appropriate to the investigation. The samples were taken to our laboratory where they were examined and classified in accordance with the Unified Soil Classification System. The logs of our borings, and a summary of the soil classification system used on the logs (Figure A-1), are attached.

Several tests were performed in the field during drilling. The standard penetration resistance was determined by dropping a 140-pound hammer through a 30-inch free fall and recording the blows required to drive the 2-inch (outside diameter) sampler 18 inches. The standard penetration test (SPT) resistance is the number of blows required to drive the sampler the last 12 inches and is recorded on the boring logs at the appropriate depth. Soil samples were also collected using 2.5-inch and 3-inch O.D. drive samplers. The blow counts shown on the logs for the 2.5-inch and 3-inch samplers do not represent SPT values and have not been corrected in any way.

The location of the borings was established by pacing using the site plan provided to us. The location of the borings should be considered accurate only to the degree implied by the method used.

The boring logs and related information depict our interpretation of subsurface conditions only at the specific location and time indicated. Subsurface conditions and ground water levels at other locations may differ from conditions at the locations where sampling was conducted. The passage of time may also result in changes in the subsurface conditions.



WEATHERING

<p style="text-align: center;">Fresh</p> <p>Rock fresh, crystals bright, few joints may show slight staining. Rock rings under hammer if crystalline.</p> <p style="text-align: center;">Very Slight</p> <p>Rock generally fresh, joints stained, some joints may show thin clay coatings, crystals in broken face show bright. Rock rings under hammer if crystalline.</p> <p style="text-align: center;">Slight</p> <p>Rock generally fresh, joints stained, and discoloration extends into rock up to 1 inch. Joints may contain clay. In granitoid rocks some occasional feldspar crystals are dull and discolored. Crystalline rocks ring under hammer.</p> <p style="text-align: center;">Moderate</p> <p>Significant portions of rock show discoloration and weathering effects. In granitoid rocks, most feldspars are dull and discolored; some are clayey. Rock has dull sound under hammer and shows significant loss of strength as compared with fresh rock.</p>	<p style="text-align: center;">Moderately Severe</p> <p>All rock except quartz discolored or stained. In granitoid rocks, all feldspars dull and discolored and majority show kaolinization. Rock shows severe loss of strength and can be excavated with geologist's pick. Rock goes "clunk" when struck.</p> <p style="text-align: center;">Severe</p> <p>All rock except quartz discolored or stained. Rock "fabric" clear and evident, but reduced in strength to strong soil. In granitoid rocks, all feldspars kaolinized to some extent. Some fragments of strong rock usually left.</p> <p style="text-align: center;">Very Severe</p> <p>All rock except quartz discolored and stained. Rock "fabric" discernible, but mass effectively reduced to "soil" with only fragments of strong rock remaining.</p> <p style="text-align: center;">Complete</p> <p>Rock reduced to "soil". Rock fabric not discernible or discernible only in small scattered locations. Quartz may be present as dikes or stringers.</p>
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HARDNESS

<p style="text-align: center;">Very hard</p> <p>Cannot be scratched with knife or sharp pick. Hand specimens requires several hard blows of geologist's.</p> <p style="text-align: center;">Hard</p> <p>Can be scratched with knife or pick only with difficulty. Hard blow of hammer required to detach hand specimen.</p> <p style="text-align: center;">Moderately Hard</p> <p>Can be scratched with knife or pick. Gouges or grooves to 1/4 inch deep can be excavated by hard blow of point of a geologist's pick. Hard specimen can be detached by moderate blow.</p>	<p style="text-align: center;">Medium</p> <p>Can be grooved or gouged 1/16 inch deep by firm pressure on knife or pick point. Can be excavated in small chips to pieces about 1 inch maximum size by hard blows of the point of a geologist's pick.</p> <p style="text-align: center;">Soft</p> <p>Can be gouged or grooved readily with knife or pick point. Can be excavated in chips to pieces several inches in size by moderate blows of a pick point. Small thin pieces can be broken by finger pressure.</p> <p style="text-align: center;">Very Soft</p> <p>Can be carved with knife. Can be excavated readily with point of pick. Pieces 1 inch or more in thickness can be broken with finger pressure. Can be scratched readily by fingernail.</p>
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JOINT BEDDING AND FOLIATION SPACING

Spacing	Joints	Bedding and Foliation
Less than 2 in.	Very Close	Very Thin
2 in. to 1 ft.	Close	Thin
1 ft. to 3 ft.	Moderately Close	Medium
3 ft. to 10 ft.	Wide	Thick
More than 10 ft.	Very Wide	Very Thick

ROCK QUALITY DESIGNATOR (RQD)

RQD, as a percentage	Descriptor
Exceeding 90	Excellent
90 to 75	Good
75 to 50	Fair
50 to 25	Poor
Less than 25	Very Poor

KEY TO BEDROCK DESCRIPTIONS
ADAMS NEW RESIDENCE
BELMONT, CALIFORNIA

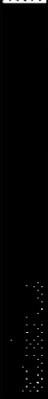
FIGURE A-2
AUGUST 2006

DRILL TYPE: Minuteman with 3-1/4" Continuous Flight Auger

LOGGED BY: CN

DEPTH TO GROUND WATER: Not Encountered. SURFACE ELEVATION: N/A

DATE DRILLED: 7/6/06

CLASSIFICATION AND DESCRIPTION	SOIL CONSISTENCY/ DENSITY or ROCK HARDNESS* (Figure A-2)	SOIL TYPE	SOIL SYMBOL	DEPTH (FEET)	SAMPLE INTERVAL				
						SPT RESISTANCE (Blows/ft)	WATER CONTENT (%)	SHEAR STRENGTH (TSF)*	UNCONFIN. COMP. (TSF)*
Brown, Sandy Silt with little Clay, fine to medium coarse grained sand, occasional fine to coarse gravel, slightly moist, low plasticity. ● 64% Passing No. 200 Sieve.	Firm to Very Stiff	ML		0	0 - 11	11	5		
Brown to reddish brown, Sandstone, moist, severely weathered. Becoming grayish brown mottled with orange brown. ▲ Free Swell = 50%.	Soft to Medium Hard	BR		5	5 - 8.4	31	13	>4.5	
						46	12	>4.5	
						50/5"	11		
						81/10"	11		
Bottom of Boring at 8.4 Feet. Note: The stratification lines represent the approximate boundary between soil and rock types, the actual transition may be gradual. *Measured using Torvane and Pocket Penetrometer devices.				10					
				15					

EXPLORATORY BORING LOG EB-1
ADAMS NEW RESIDENCE
BELMONT, CALIFORNIA

BORING EB-1
AUGUST 2006

DRILL TYPE: Minuteman with 3-1/4" Continuous Flight Auger

LOGGED BY: CN

DEPTH TO GROUND WATER: Not Encountered. **SURFACE ELEVATION:** NA

DATE DRILLED: 7/6/06

CLASSIFICATION AND DESCRIPTION	SOIL CONSISTENCY/ DENSITY or ROCK HARDNESS * (Figure A-2)	SOIL TYPE	SOIL SYMBOL	DEPTH (FEET)	SAMPLE INTERVAL	SPT RESISTANCE (Blows/ft)	WATER CONTENT (%)	SHEAR STRENGTH (TSF)*	UNCONFIN. COMP. (TSF)*
Light grayish brown, Sandstone, slightly moist to dry, moderate weathered.	Medium Hard	BR		0		50/5"			
<p style="text-align: center;">Bottom of Boring at 1.4 Feet.</p> <p>Note: The stratification lines represent the approximate boundary between soil and rock types, the actual transition may be gradual.</p> <p>*Measured using Torvane and Pocket Penetrometer devices.</p>									
				5					
				10					
				15					

EXPLORATORY BORING LOG EB-2
ADAMS NEW RESIDENCE
BELMONT, CALIFORNIA

BORING EB-2
AUGUST 2006

APPENDIX B
LABORATORY TESTS

Samples from subsurface exploration were selected for tests to help evaluate the physical and engineering properties of the soils that were encountered. The tests performed are briefly described below.

The natural moisture content was determined in accordance with ASTM D2216 on most of the samples recovered from the borings. This test determines the moisture content, representative of field conditions, at the time the samples were collected. The results are presented on the boring logs at the appropriate sample depth.

A free-swell test was performed on one sample of weathered bedrock recovered from the borings. The results of these tests are presented on the boring log at the appropriate sample depths.

The amount of silt and clay-sized material present was determined on one sample in accordance with ASTM D422. This result is presented on the log of Boring EB-1 at the appropriate sample depth.



ATTACHMENT VII



December 15, 2006
B0126

TO: Jennifer Walker
Associate Planner
CITY OF BELMONT
One Twin Pines Lane
Belmont, California 94002

SUBJECT: **Geotechnical Peer Review**
RE: Adams, Subdivision and New Single-Family Residence
1109 Alomar Way

At your request, we have completed a geotechnical peer review of the subject application using:

- Geotechnical Investigation (report) prepared by Romig Engineers, Inc., dated August 24, 2006;
- Tentative Map, Conceptual Grading and Drainage Plan, and Erosion Control Plan (3 sheets) prepared by Smith Randlett Foulk & Stock, dated August 24, 2006; and
- Architectural Plans (2 sheets) prepared by Robert W. Hayes, dated October 12, 2006.

In addition, we have reviewed pertinent maps from our office files and completed a recent site inspection.

DISCUSSION

The applicant proposes to subdivide the existing property into two parcels. Parcel 1 would contain the existing residence with access from Alomar Way. Parcel 2 would contain a proposed two-story residence with an underlying basement. The proposed driveway for Parcel 2 would provide access off of Maywood Drive. The back (upslope) wall of the Parcel 2 residence will act as a retaining wall and retain up to about 14 feet of material. Retaining walls up to 8 feet will be required for the driveway. Patio retaining walls at the rear of the residence will be on the order of 10 feet in height. Parcel 2 construction would require an estimated 599 cubic yards of cut and 4 cubic yards of fill.

SITE CONDITIONS

The proposed house site on Parcel 2 is generally characterized by precipitous (60 to 80 percent inclination) north-facing hillside topography. Drainage at the site is generally characterized by sheet flow toward the northern portion of the property. Channelized flow is conveyed by a swale located in the northwest portion of the property. Two isolated areas of relatively shallow soil mantle failures (slumps and earth flows) were observed during our site inspection. Other signs of soil creep were noted near the top of Parcel 2.

According to published geologic maps of the area, the subject property is underlain, at depth, by sandstone bedrock of the Franciscan Complex. Some areas of sandstone bedrock were exposed along site precipitous slopes. The property is located approximately 1 mile southwest of the mapped Belmont Hill fault, which is not considered active. The active San Andreas Fault is located approximately 2.5 miles southwest of the property.

CONCLUSIONS AND RECOMMENDED ACTION

The proposed subdivision and development of Parcel 2 is potentially constrained by precipitous slopes that may be potentially unstable during excavation of required project retaining walls. The referenced geotechnical report indicates that protection of structures near planned cuts should be the responsibility of the contractor, and that the design of any shoring measures to address temporary construction costs should also be the responsibility of the contractor.

Proposed excavations on Parcel 2 are of sufficient magnitude to potentially result in slope instability impacting Maywood Drive, portions of Parcel 1, or project construction workers. Consequently, we recommend that shoring measures be clarified. Construction measures should be considered that allow sequential, top-down retaining wall construction. Precipitous, unsupported temporary construction slopes that exceed approximately 5 feet in vertical height should be avoided. We recommend that the Project Geotechnical Consultant evaluate the basic geotechnical feasibility of proposed measures to ensure the stability of temporary construction excavations.

Consequently, we recommend that the following evaluations be satisfactorily completed prior to preparing a geotechnical recommendation regarding the proposed subdivision:

Cut Slope Stability – Proposed shoring and temporary cutslope design measures should be presented to the City for review. Site cross sections should be prepared to illustrate the sequence of grading and construction. Sequential, top-down retaining wall construction should be considered to minimize the potential for failure of temporary cut slopes. Precipitous unsupported cut slopes greater than approximately 5 feet in height should be avoided. The Project Geotechnical Consultant should evaluate

the geotechnical feasibility of proposed shoring measures and the stability of temporary cutslopes required for project construction.

Appropriate documentation to address the above should be submitted to the City for review by the City Engineer and City Geotechnical Consultant prior to approval of the Tentative Map.

LIMITATIONS

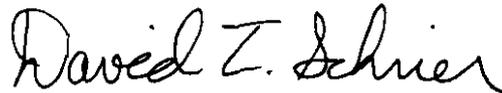
This peer review has been performed to provide technical advice to assist the City with discretionary permit decisions. Our services have been limited to review of the documents previously identified, and a visual review of the property. Our opinions and conclusions are made in accordance with generally accepted principles and practices of the geotechnical profession. This warranty is in lieu of all other warranties, either expressed or implied.

Respectfully submitted,

**COTTON, SHIRES AND ASSOCIATES, INC.
CITY GEOTECHNICAL CONSULTANT**



Ted Sayre
Associate Engineering Geologist
CEG 1795



David T. Schrier
Associate Geotechnical Engineer
GE 2334

TS:DTS:JS:kd

ATTACHMENT VIII



May 8, 2007
1641-1

Mr. Jean Adams
1109 Alomar Way
Belmont, California 94002

**RE: RESPONSE TO CITY'S REVIEW
COMMENTS
ADAMS RESIDENCE
BELMONT, CALIFORNIA**

Dear Mr. Adams:

As requested, we are providing this letter addressing the review comments of Cotton, Shires & Associates, Inc. for the proposed residence to be constructed at Maywood Drive (subdivision from 1109 Alomar Way) in Belmont, California. As you know, we performed a geotechnical investigation for the project and presented the results in our August 24, 2006 report.

We reviewed comments in the letter from Cotton, Shires & Associates, Inc., dated December 15, 2006. We also reviewed the tentative parcel map (dated September 2005, prepared by Smith Randlett Foulk & Stock, Inc.) and architectural plan sheets 1, 2, and 3 (dated July 25, 2005, prepared by Robert W. Hayes, Architects). The Cotton letter requests discussion and evaluation of the stability of temporary construction excavations required for the planned residence.

With respect to the review comment from Cotton, Shires & Associates, Inc. we have prepared two cross sections showing the height and location of the required cuts relative to the property line and upslope residence located at 1109 Alomar Way. The location of the planned residence and cross sections are presented in Figure 1 attached while the cross sections are presented in Figure 2. We note that the back wall of the planned retaining walls and residence basement walls are located as close as about 18 feet from the property line, and the cut is about 25 feet high at this location in what appears to be the most critical location.

Since what appears to be reasonably competent sandstone bedrock was encountered at a shallow depth at the site, in our opinion, the temporary construction excavations for the proposed residence and retaining walls can be built without damage to the upslope residence, assuming the contractor will follow the OSHA excavation and trench safety standards and an approved shoring plan.

In our opinion, temporary excavations less than 5 feet deep into bedrock may be cut vertical with minimal bracing for short construction periods. Excavations deeper than 5 feet should be cut according to OSHA guidelines, or protected by a shoring system which may consist of soil nails, stitch piers, soldier beam walls, or other systems. The contractor should be responsible for the design and construction of all temporary slopes and the required shoring. We recommend that the contractor prepare a shoring and temporary slope plan and forward that plan to our office and Cotton Shires for comments prior to building permit approval. We concur with Cotton, Shires & Associates that precipitous, unsupported temporary construction slopes that exceed 5 feet in vertical height should be avoided.

We make no warranty, expressed or implied, except that our services are performed in accordance with geotechnical engineering principles generally accepted at this time and location.

If you have any questions or comments concerning our plan review services, please call.

Very truly yours,

ROMIG ENGINEERS, INC.

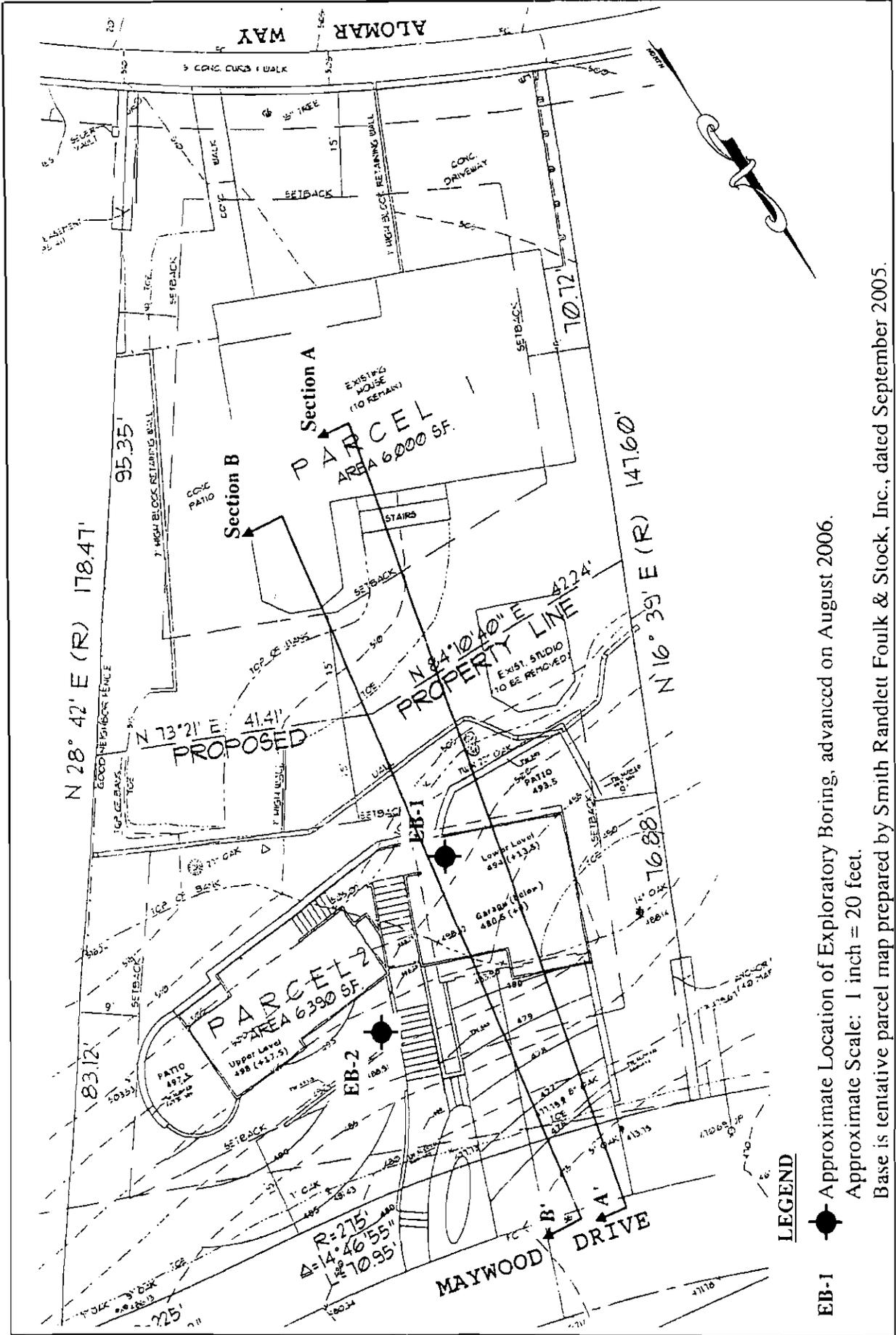


Glenn A. Romig, P.E.



- Copies: Addressee (3)
- Robert W. Hayes Architects (1)
 - Attn: Mr. Robert Hayes
- Smith Randlett, Foulk & Stock, Inc. (1)
 - Attn: Mr. George T. Stock

GAR: CN

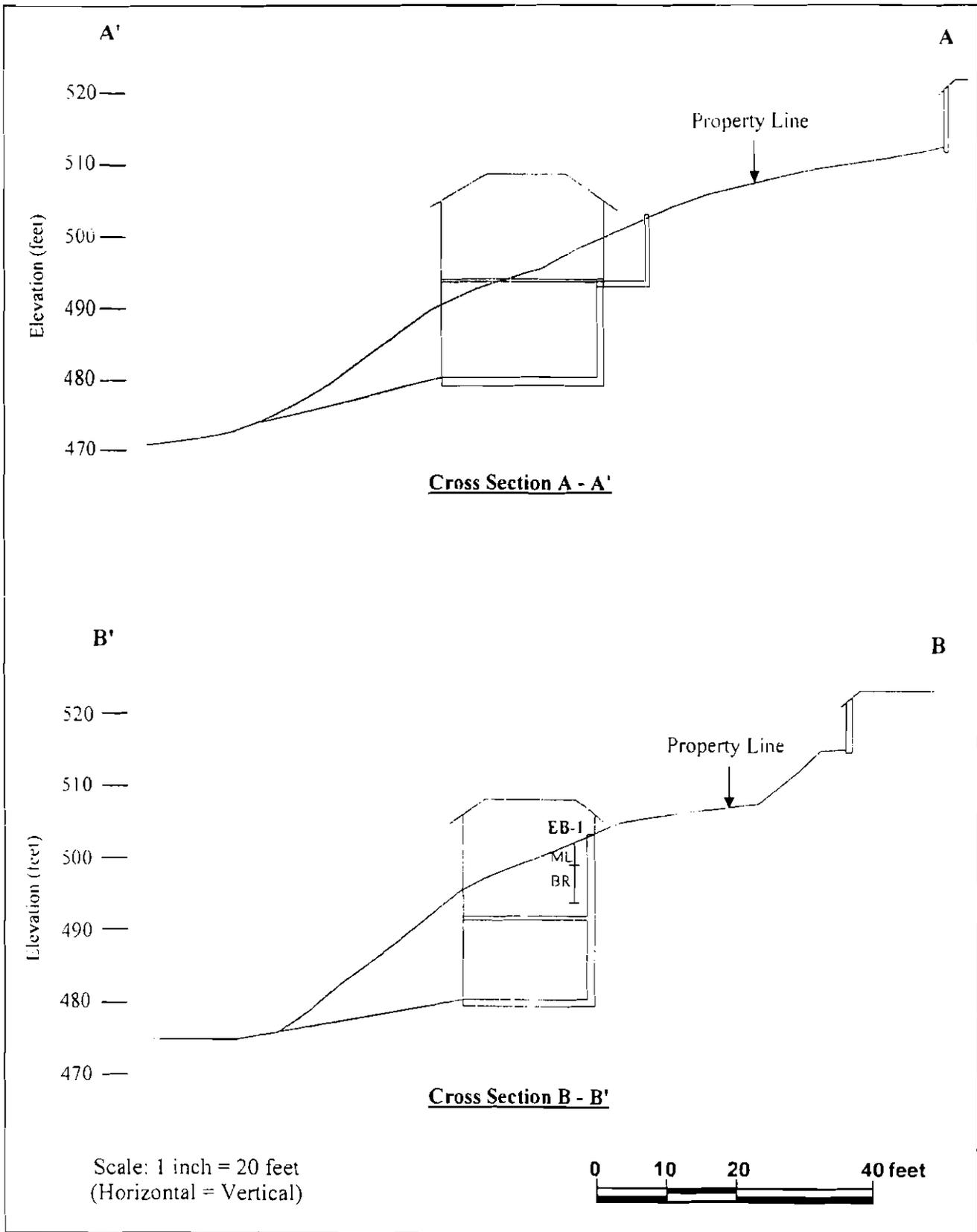


EB-1  Approximate Location of Exploratory Boring, advanced on August 2006.
 Approximate Scale: 1 inch = 20 feet.
 Base is tentative parcel map prepared by Smith Randlett Foulk & Stock, Inc., dated September 2005.

LEGEND

FIGURE 1
MAY 2005

SITE PLAN
ADAMS RESIDENCE
BELMONT, CALIFORNIA



CROSS SECTIONS
ADAMS RESIDENCE
BELMONT, CALIFORNIA

FIGURE 2
MAY 2005

ATTACHMENT IX

SUPPLEMENTAL APPLICATION
(TENTATIVE PARCEL MAP)
(1109 Alomar/Adam Residence)

SPECIAL CONDITIONS: (supplemental text)

Flood Zone:

The site is in Flood Zone C and is approximately 600 feet from the beginning of the Zone A flood boundary. This map information was gathered from existing Flood Insurance Rate Maps (FIRM) from the National Flood Insurance Program (NFIP) within the Federal Emergency Planning Agency (FEMA) and effective as of March 9, 1982. Mitigation measures in design and during construction will not increase the potential for erosion and land movement due to heavy rainfall. Prior to submission of documents for a building permit the design team will put together a comprehensive erosion control plan to comply with the City's requirements.

Geologic Hazards:

Part 3 of the General Plan discusses goals and policies for Seismic safety. A thorough geo-technical investigation and report have been prepared by Romig Engineers that addresses the issues associated with construction of the small residence on the Maywood fronting property. The recommendations of the geo-technical engineers meet or exceed the goals and policies described in the General Plan. It is the opinion of the geo-technical engineers that the proposed residence may be safely constructed on the property.

PHASING:

The site would be developed all at one time with sequencing of the construction activities done in a manner standard to the construction industry. It is anticipated that the site would be developed starting with the site work (grading, subsurface drainage retaining walls, and the new home foundation) proceeding into construction of the home and finishing with site landscaping. The construction activities should be completed approximately in an 18 month period.

The construction plan as envisioned by the owners – necessitated partly for the family's particular needs but also in consideration of the neighborhood – will be to schedule and phase elements of the work to limit any significant impact on the neighboring properties. Noise control during construction activities shall be addressed as a serious concern. Construction vehicles and traffic through the neighborhood are issues that shall be addressed, etc.

RELATIONSHIP TO SURROUNDING USES:

The surrounding uses to the north, south, east, and west are all single family residential uses and for the few blocks in all directions are zoned R-1-B. The project proposed would be to construct a new single family residence on the newly created lot designated on the proposed tentative map. The proposed project would not alter the established character or functioning of the surrounding use or zoning. The proposed project will be designed in a manner consistent with the R1B zoning.

The proposed residence meets the design guidelines of the zoning ordinance and the goals and community standards described in the General Plan for this particular neighborhood.

FINDINGS:

A. "That the proposed map is consistent with applicable general and specific plans:"

The proposed tentative map proposes to subdivide an existing conforming R1B lot into two separate parcels. The proposed subdivided lots are consistent with minimum City requirements for lot area, frontage, and width as designated in the R1B zoning district. The proposed subdivision does not require modification of any City rules or regulations to effect the change. The proposed subdivision would not alter the zoning or use of the existing area. Both of the proposed parcels would be zoned R1B and will ultimately contain structures for single-family residential use.

B. "That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans:"

The newly created northern most lot of the proposed subdivision will contain structures that will be consistent with the regulations of the R1B zoning district and with the applicable general and specific plans. The newly created southern most lot of the proposed subdivision will have an existing non-conforming use relative to side yard setback requirements for the existing home on the site.

(Please note that the proposed use of the property and the design for the existing and the proposed new home are consistent with the General Community Goals and Policies described in Part 1, pages 7 through 9 of the General Plan.

Furthermore, the design of the proposed home is modest for the neighborhood and is in keeping with the design of other homes in the Chula Vista area and both parcels equal or exceed the minimum lot requirements.)

- C. "That the site is physically suitable for the type of development:"
The site is physically suitable for the proposed residential development. The newly created northern most lot is adequately configured to provide suitable building area for outdoor and indoor spaces and parking for the proposed new home. The lot is steep but no more so than other buildable lots within the City and is able to support a design that is consistent with the applicable restrictions of the Zoning Ordinance and the General Plan.
Engineering analysis by the Civil and Geo-technical Engineers confirms the suitability of the site for development in accordance with the City's guidelines and applicable Codes.
Part 2 of The General Plan discusses Land Use and describes Goals and Policies: Both parcels meet or exceed the minimum requirements for lot size.
- D. "That the site is physically suitable for the proposed density of development:"
The site is physically suitable for the proposed density of development. The newly created northern most lot provides adequate area on the site to achieve side yard separation, front and rear yard separation and a home size consistent with or smaller than other homes in the neighborhood. This lot is able to support a design that will be consistent with the applicable restrictions of the Zoning Ordinance and the General and Specific Plans.
Homes have been built throughout the hillside areas of Belmont. The development of this property is consistent with other approved development within the City. The proposed use is compatible with the type of use in the Chula Vista neighborhood. The development of this parcel will require upkeep of the grounds. (For example: the Arborist report indicates that most of the regulated and protected trees on the currently undeveloped parcel are in "fair" or "poor" condition. The proposed new house construction necessitates that several trees will need to be removed – each of those trees fits the categories noted above – and new landscaping and trees installed. The development of the property will require maintenance and upkeep in accordance with established standards and will constitute an improvement over what is currently there.)
- E. "That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat:"
The design of the subdivision and or proposed improvements will not cause substantial environmental damage or substantially injure fish, or wild life, or their habitat in the area. The site has been bound on all sides by residential neighborhoods for over thirty years. The habitat areas of the proposed subdivision will be consistent with those that exist in the neighborhood.
The landscape design for the property will retain the hillside character of the parcel. Trees and shrubbery that are removed shall be replaced in number and size and in a manner to be identified through consultation with the Planning Staff and Commission. Grading shall be limited so as to retain as much of the existing site features as is practical. Site drainage shall be designed to inhibit run-off.

The nearest waterway is over 700 feet from the proposed subdivision. There will not be any impact to the waterway from the proposed subdivision.

- F. "That the design of the subdivision or the type of improvements is not likely to cause serious public health problems:"

The design of the subdivision and/or the type of improvements proposed are not likely to cause serious public health problems; on the contrary, the existing site conditions pose a potentially adverse public health issue which the proposed subdivision would mitigate. The existing slopes of the site are unprotected and fairly steep. There is evidence of erosion. Currently, water run-off from the proposed subdivision area is by sheet flow to Maywood Drive. The proposed improvements would be designed consistent with Codes and regulations regarding slope stabilization and on-site drainage. Both improvements, in conjunction with the landscape design, will provide a higher level of slope protection and an improved benefit for the public health than that which currently exists.

- G. "That the design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large, for access through or use of, property within the proposed subdivision. (in this connection, the City Council may approve a map if it finds that alternate easements, for access or for use, will be provided, and that these will be substantially equivalent to one previously acquired by the public.):"

The design of the Subdivision and or the type of improvement proposed will not conflict with items noted above. All easements have been located on the tentative map and have been preserved intact.

S.F.D.R.

SUPPLEMENTAL APPLICATION
(1109 Alomar/Adam Residence)

- A. "The buildings and structures shown on the site plan ...:"
The design of the home is consistent with the overall design of the neighborhood. There is no disruption of existing public views and the roofline is located well below the top of the property and there are no affected ridgelines.
- B. "The overall site and building plans achieve an acceptable balance...:"
The proposed home is very modest in size relative to its neighbors. Approximately one-third of the site (2,400 sf) will require grading. Hardscape is limited to the driveway, entry walkway to the home and a small patio adjacent to the master bedroom. A total of five trees are to be removed and replaced at a three to one ratio of new to removed. Currently, cut and fill have been calculated at approximately 700 cubic yards.
- C. "All accessways shown on the site plan and on the topographic map...:"
The driveway has been designed in accordance with the City's Public Works requirements with respect to slope (18%), setback, etc., and provides direct access to the garage. Four parking spaces (2 covered, 2 uncovered) have been provided. Provisions for a sidewalk have been made though there are no sidewalks proximate to the property. A paved pedestrian walkway leads from the street to the front entry and garage. (Please note that we are proposing pervious materials at the street apron to provide protection for an oak tree situated at the foot of the driveway.
- D. "All proposed grading and site preparation have been adequately reviewed ...:"
The Geo-technical Engineers, Romig, Inc., and Civil Engineers, Smith, Randlett, Foulk & Stock have both examined the site and provided their expert opinion that the proposed project may be designed to protect against site stability and ground movement hazards, erosion and flooding potential, and habitat and stream degradation.
Currently, there is some evidence that the site has minor erosion issues. It is our opinion and that of the engineers that the work of the project – including the landscape improvements, grading and drainage installation, and building foundations - will lessen erosion and other potential degradation of the property.
- E. "All accessory and support features ...:"
The project has been designed as an integrated whole and all accessory and support structures have been considered though final detailing of specific elements may be accomplished during the construction document phase. (For example, the bedroom wing of the home has been designed as a slab-on-grade to limit the amount of excavation required and to keep as low a profile as possible. The structural detailing will take place during the documentation phase of the project.)

- F.** “The landscape plan incorporates:
Native drought tolerant plants typical of the local ecology and compatible with the existing oaks are incorporated in the landscape plan. Fifteen oak trees shall be planted to replace the 5 being removed to accommodate the new home. The overall effect will be woodsy. The resulting final development will also provide substantially greater stability to the property
- G.** “Adequate measures have been developed....”
A General Contractor has not yet been selected. Once that decision has been made, a formal plan for addressing construction-related impacts shall be prepared that addresses such issues as haul routes, material storage, erosion control, tree protection, waste recycling and disposal, and other potential hazards.
Upon approval of the project, the Civil Engineer will prepare an erosion control plan, recommendations of the arborist for tree protection will be implemented, and other formal documentation will be prepared to address the impact of construction on the neighborhood.
- H.** “Structural encroachments into the public right-of-way....”
The standards of Section 22, Article 1 (Encroachments), have been reviewed. All construction documents relative to the project shall take the requirements into account and all design and engineering work shall comply with the standards.

CITY OF BELMONT
PLANNING COMMISSION
ACTION MINUTES

TUESDAY, APRIL 15, 2008, 7:00 PM

6. PUBLIC HEARINGS:

6A. PUBLIC HEARING – 1109 Alomar Way

To consider Tentative Parcel Map and Single-Family Design Review requests to subdivide one 12,390 square-foot lot into two lots, and to construct one new single-family dwelling on the proposed vacant parcel. Proposed Parcel 1 would be 6,000 square feet and would contain the existing single-family residence located at 1109 Alomar Avenue. Proposed Parcel 2 would be 6,390 square feet and is currently vacant. The applicant is requesting Single-Family Design Review approval to construct a new 1,492 square-foot single family residence on proposed Parcel 2 that is below the maximum permitted 1,495 square foot for the site. The proposed single-family residence would front onto Maywood Drive. (Appl. No. 2006-0054)

APN: 045-083-040; ZONING: R-1B Single-Family Residential

CEQA Status: Recommended Statutory Exemption per Section 15270

Applicant: Alpheus Jessup, M-Designs Architects

Owner: Jean Adams

Project Planner: Jennifer Walker

AP Walker confirmed that each Commissioner had been given the email received that day from Mr. Lake. She summarized the Staff Report, noting that staff could not make Findings A and C of the Tentative Parcel Map Analysis, and recommended denial of the Tentative Parcel Map and Single-Family Design Review.

Commissioner Mayer asked if the applicants were clearly informed of the possibilities of annex buildings or structures within the existing building to accommodate the need for an in-law type of unit. AP Walker responded that they were apprised of the secondary dwelling options that would not require a subdivision, adding that the location of a secondary unit could be similar to where it is now proposed but there could not be secondary driveway cuts on the Maywood Drive frontage.

Alpheus (Chip) Jessup, architect, was available to answer technical questions.

Shante Adams, son of the owner of the property, confirmed that they were informed of their options, but that the problem with those units would be that they would not be usable after they were no longer needed for family use. They concluded that if they are going to have the negative effect they might as well make the most useful type of improvement of the lot possible.

Chair Parsons opened the Public Hearing.

Carmen Dostic, resident, spoke in opposition to the proposed subdivision. She stated that the wildlife and natural backdrop of the neighborhood influenced the purchase of her property, and was very saddened by the clear-cut look of the lot adjacent to hers.

Frank Figone, resident of the neighborhood, spoke in favor of the project. He cited mudslides, poison oak, wasp nests, and fire hazards as safety concerns, and felt that the aesthetics of a different house on the vacant lot would increase the value of the neighborhood. He stated that the tree discussed earlier was condemned by Kielty Arbor Services because years of mudslides had put it at a 45° angle and 18" under dirt to the root crown, which created a fungus and other diseases, and that there have been repeated slides for 50 some years.

Stephen Cann, resident of the neighborhood, spoke in opposition to development of this lot. He felt it would further decimate the unique wooded area in the neighborhood, would have a tremendous impact on the wildlife in the area, would create a traffic hazard where the driveway would be placed, and the slope density and huge amount of earth that would have to be removed is unreasonable.

George Glushenok, resident of the neighborhood, asked that the Commission disapprove the project because of the precarious steep slope, and felt that disruption of the terrain on the site may compromise the stability of the slope and cause damage to neighboring properties. He felt it would change the character of that part of the neighborhood in a negative manner.

Will Dubrul, resident of the neighborhood, spoke in opposition to the project, noting that the view from his kitchen window is now filled with flora and fauna, and tree removal would disrupt the habitat for deer, rabbits and red tail hawks that frequent the lot. He stated that he had canvassed the neighborhood and obtained 47 signatures of people who oppose the project and found no one in favor.

Haven Dubrul, resident of the neighborhood, spoke in opposition to the development. One reason she bought her home in Belmont was because of the general community goals to preserve open space. She asked that the Commission not take lightly the fact that there have been two properties discussed that are adjacent to one another, and she did not believe it is an accident that one of those properties has been decimated of its trees and natural habitat and the other one has a slope density of over 50%.

Fred Barnhart, resident of the neighborhood, opposed the project for aesthetic reasons. He feels that the recently denuded lot next door looks like an open pit mine, and that the excavation required for this project would create another open pit mine and would not be in the best interest of the community.

Bill Hand, resident, concurred with the previous speaker and spoke about the probable drainage problems associated with this development.

MOTION: By Vice Chair Horton, seconded by Commissioner Mayer, to close the Public Hearing. Motion passed 6/0/1 by a show of hands.

Responding to Commissioner Frautschi's question, staff calculated that 755 cubic yards of cut would require approximately 76 truckloads of fill.

Commissioner Frautschi commented that he supported staff's recommendation of denial of the project based on the analysis that five of the specific goals and policies of the General Plan could not be made. He could not find for Findings A, C, and D.

Commissioner Mayer noted that he lives in the McDougal neighborhood and attended the open house. He felt that Maywood is one of the signature entry points to the neighborhood and that the clear-cutting of the adjacent property followed by this plan runs the risk of basically destroying this entire unusual and unique entry point. He felt it conflicts with many provisions of the General Plan and viewed it, not as a case of a property owner having the right to develop his property in any way that he sees fit, but to develop it in a way that the guidelines of Belmont and other cities in similar positions have designed to protect not only the interest of homeowners but the interest of neighborhoods and the larger community. He felt this project would be like an assault on the property due to the fact that the house would basically be gouged out of the hillside. While he respects the right of property owners to develop their property, he did not feel that denial would be an unconstitutional deprivation of those rights but that it is simply the City of Belmont exercising its right to maintain some control over the community and its ambience and values. He could not support the project and supported staff's recommendation to deny this subdivision.

Vice Chair Horton stated that she too is a resident of the McDougal neighborhood and concurred with staff's report. She felt that this lot is not a subdividable or usable lot, which is why it was not originally a lot. A 50% slope and 755 cubic yards of cut for a 1400 sq.ft. house is massive. She could not make the findings or the General Plan Goals and determined that it is a lot that, from a functional standpoint, is not buildable and from a legal standpoint is not a property that can be subdivided and comply with the General Plan that is in place.

Commissioner Mercer also concurred with the Staff Report, and commented on the Findings as follows:

- Could not make Finding A, Tentative Parcel Map, regarding the division of the property being consistent with the applicable general and specific plans.
- Policy, 2.b. and 2.c. regarding intensity of land use are close calls - they would not be the smallest lots ever made in Belmont but they would be out of character for that particular several blocks. They would be by far the smallest lot and by far the highest density.
- Could not make findings for Policy items 4.d. and 4.i. that grading be kept to a minimum necessary to permit development and that slopes exceeding 30% be avoided whenever possible. The lot has a 50% slope and even if confined to the less sloped area they are still looking at 30% slope - there is no where to build that would not have a severe slope.
- Could not make Finding C about the site being physically suitable for the type of development due to the amount of cut. She calculated that for every cubic yard being hauled out of there they were buying two square feet of house - way too big of a cost for the very small benefit.
- Could not make Finding D with regard to the proposed density; 1 to 7 dwelling units per acre is the standard and this is pushing that standard just a little bit. If there were some

tremendous benefit to the community that could be cited for this tradeoff or if this was somehow considered a requirement to allow this property to be used in any way, she said that she might be able to make that close call but could not make that finding under these circumstances.

Commissioner Mercer wanted to make it clear that this in no means implies that this property could not be developed. The current residence could have this same 1490 square foot added on to it and be well within the development standards and zoning regulations in its existing configuration. It does not require a subdivision in order for the property owner to achieve the full use of that property.

Commissioner Reed concurred with what had been said. He pointed out that Section 3 of the General Plan does not establish precise locations for land uses and circulation nor does it set forth specific development schemes for individual properties. The plan establishes a context within which private and public property is to be used, followed by Section 8, which says the plan as adopted reflects the expressed views of the residents of Belmont. Working from that framework, he believed that this project does not comply with Sections 1015, 1016 or 2071 of the General Plan. He also could not make for Findings C, D, E and F of this project, and therefore could not support it.

Chair Parsons also agreed with staff. He could not imagine why anyone would try to put a house on there except for profit and the Commission does not deal with that. He commented to the owner's son that he had put an attached secondary unit addition on his house and was told by every realtor in town that he would get every penny back that he put into it when he sells the property. He could not agree with the proposal because of the findings staff had outlined and concurred with the other Commissioners.

MOTION: By Commissioner Mayer, seconded by Commissioner Reed, adopting the Resolution denying the Tentative Subdivision Map and Single-Family Design Review for 1109 Alomar Way (Appl. No. 2006-0054).

Ayes: Mayer, Reed, Frautschi, Mercer, Horton, Parsons
Noes: None
Absent: McKenzie

Motion passed 6/0/1

Chair Parsons announced that this item may be appealed to Council within 10 calendar days.