



BOARD OF SUPERVISORS

Board of Supervisors Chambers
400 County Center, Redwood City

ITEM # 2

Owner: **John O'Rourke**

Applicant: **San Mateo Real Estate and Construction**

File Number: **PLN 2002-00517**

Location: **Bel Aire Road, San Mateo Highlands**

APN: **041-111-360, 041-111-160, 041-111-270, 041-111-280, 041-111-320, 041-111-130**

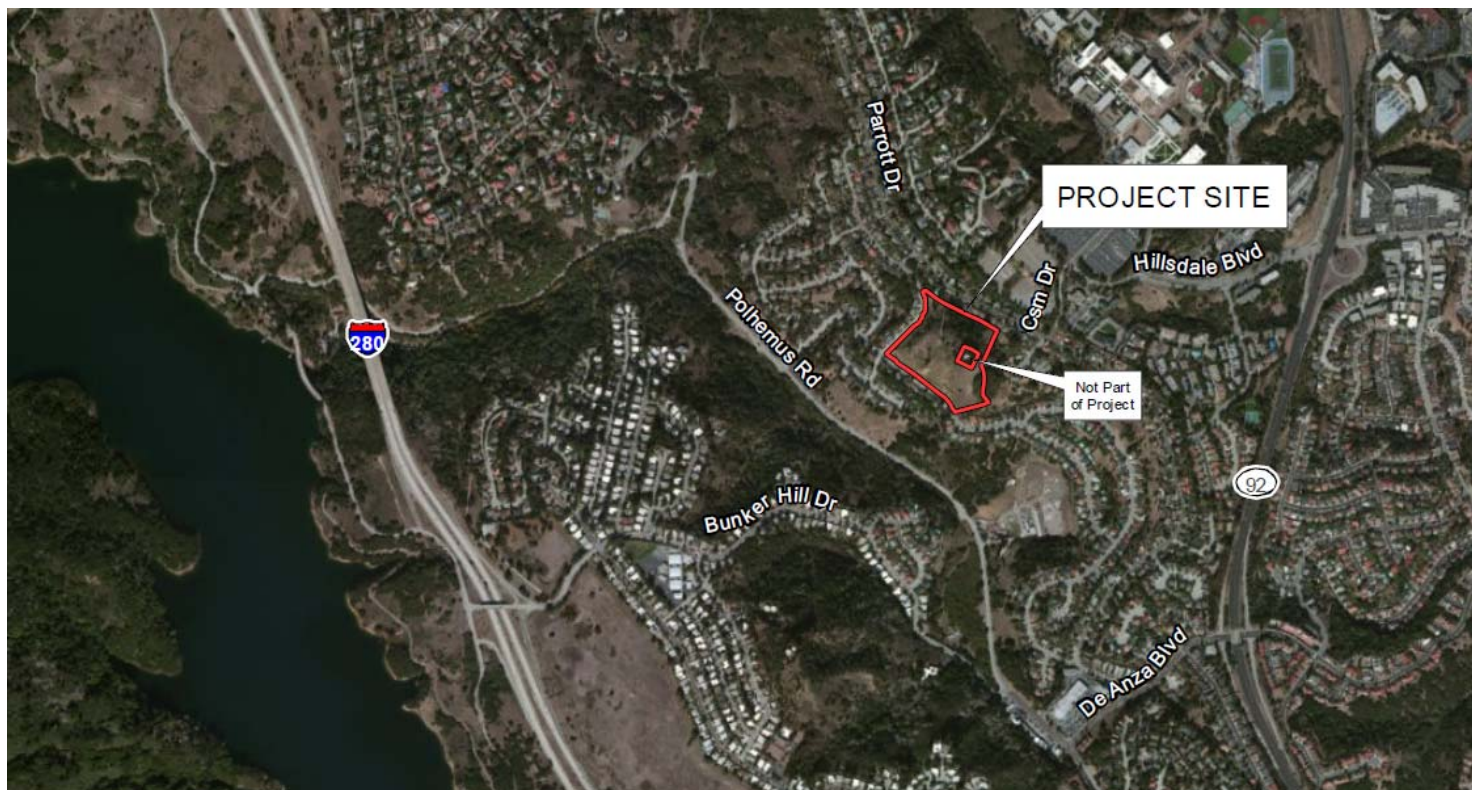
Project Description:

Major Subdivision , Grading Permit, and Certification of a Final Environmental Impact Report to subdivide a 13.32-acre site (Water Tank Hill) into 21-legal parcels for development of 19 single-family dwellings.

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SUBJECT SITE



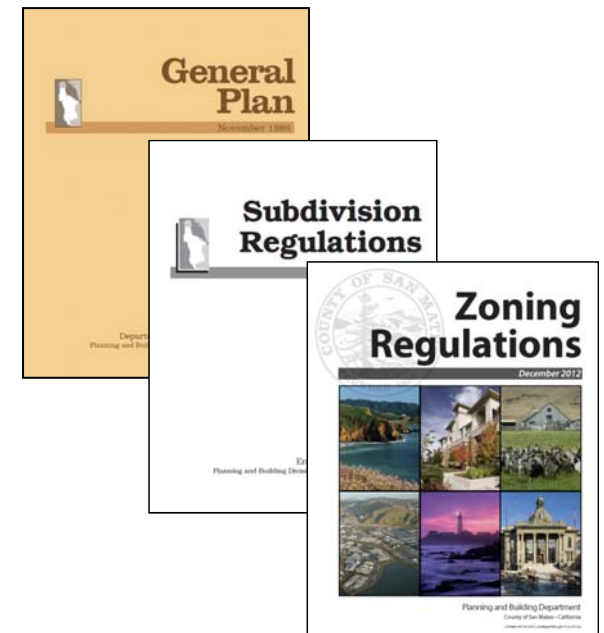
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REGULATORY COMPLIANCE

Project Complies with:

- ✓ General Plan
 - Medium-Low Residential Density (2.4 – 6.0 dwellings/acre)
- ✓ Zoning Regulations
 - R-1/S-8 Zoning District
- ✓ Subdivision Regulations
- ✓ Grading Ordinance

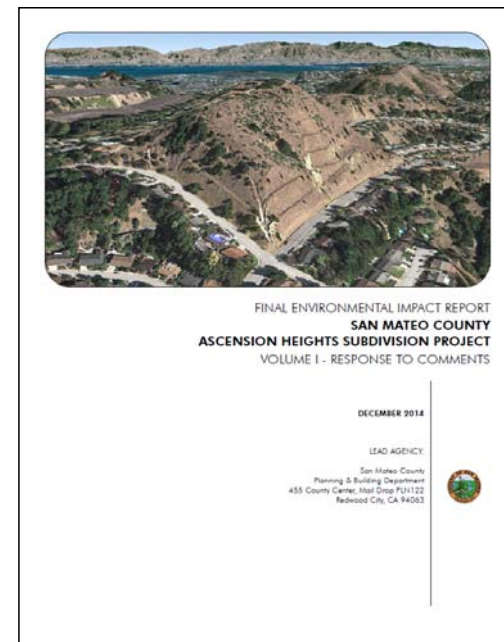




ENVIRONMENTAL REVIEW

Environmental Impact Report (EIR)

- Prepared in compliance with CEQA
- Scoping, October 2013
- Draft EIR, April 2014
- Final EIR, December 2014
- Revisions, January 2016
- All Impacts Mitigatable as Conditioned





Environmental Impact Report (EIR)

- Informational document
- Informs public agency of environmental issues before making a project decision
- Identifies potentially significant direct, indirect, and cumulative project-related impacts, but “need not be exhaustive” (CEQA Guidelines Section 15151)
- Scope of the EIR – Determined in part by public and agency input, included 17 environmental topics including Aesthetics, Biological Resources, Air Quality, Hydrology, Noise, Traffic and Geology
- EIR must present feasible mitigation measures that will lessen significant impacts



MITIGATION MEASURES

Oakland Heritage Alliance v. City of Oakland (2011) 195 Cal.App.4th 884, in upholding the EIR's deferred mitigation, the Court drew numerous relevant principles from the case law:

- Significant impact determinations and formulation of mitigation measures must occur before project approval.
- Where the agency has evaluated significant impacts and identified measures that will mitigate them, it doesn't have to commit to any particular identified mitigation measure as long as it commits to mitigate the impacts.
- The details of exactly how mitigation will be achieved under the identified measures can properly be deferred pending completion of a future study.
- Where impacts are of a type for which mitigation is known to be feasible, but practical considerations prohibit devising such measures early in the planning process, the agency can permissibly articulate specific performance criteria and commit to ultimately devising mitigation measures that will satisfy the criteria.



Response to Public Concerns

- Aesthetics: Privacy and viewpoints
- Impacts were considered significant in the Draft EIR and mitigation required due to public concerns. Additional visual simulations and details regarding plant palates for revegetation were included in Final EIR.
- Biological Resources: Deferred analysis and mitigation
- Final EIR revised to include additional surveys provided by applicant. The number of surveys thereby met the guidelines by USFWS and CDFW to determine that special status species did not have the potential to occur on the project site, except for nesting birds and the Final EIR was updated.



Response to Public Concerns

- Air Quality: Construction emissions
- Health Risk Assessment conducted, against the advice of the BAAQMD due to the low risk of the project. Even with conservative assumptions results for the nearest receptor were well below BAAQMD Risk Thresholds:
- Acceptable Cancer Risk Threshold: 10.0 (per million people)
- Nearest Receptor: 0.153 per million people
- Chronic Health Index Threshold: 1.0
- Nearest Receptor: 0.000074



Response to Public Concerns

- Hydrology (Stormwater): Will the system prevent flooding?
- FEIR added additional details concerning operation of the stormwater system to meet flooding concerns.
- Noise: 85 dBA at nearest receptor, construction noise excluded from ordinance
- Final EIR revised to clarify that noise is below the 90 dBA threshold utilized in absence of a County construction noise significance threshold.
- Traffic: Construction traffic
- Final EIR revised to further explain timing of truck trips & roadway network's ability to handle trips.



PLANNING COMMISSION ACTION

- Three public hearings (January, February, October 2015)
- Approved the project & certified the EIR (3 to 2 vote)
- Recommended Key Conditions of Approval:
 - Requiring a 20 ft. no-build area in rear of proposed lots adjoining Parrott Drive lots.
 - Planting and maintaining native, drought-tolerant trees and landscaping to screen the development from surrounding areas.
 - Enforcing a height limit for new homes of 28 ft. & design guidelines to maintain low profiles for homes on sloped lots
 - Applying more restrictive requirements on hauling to control dust



DESIGN HANDBOOK



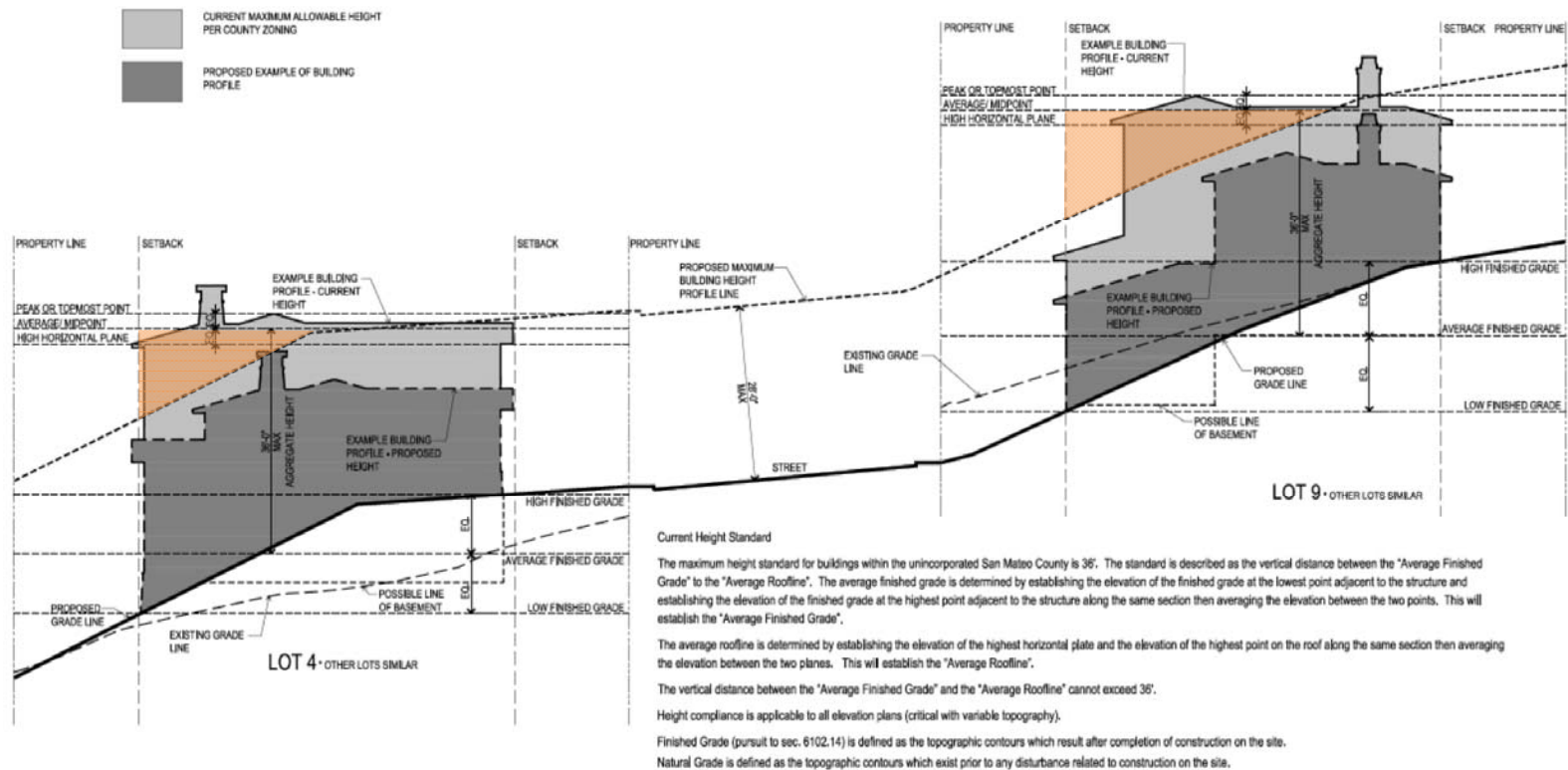
ASCENSION HEIGHTS

D e s i g n H a n d b o o k

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PROPOSED HEIGHT RESTRICTION





CONCEPTUAL LANDSCAPE PLAN



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DESIGN STYLES/GUIDELINES



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APPEAL

- Appeal filed on October 28, 2015
- Challenges adequacy of the EIR and raises issues regarding impacts of the project
- Topical Areas of Concern include:
 - Aesthetics
 - Biological Resources
 - Air Quality
 - Hydrology
 - Noise
 - Geological



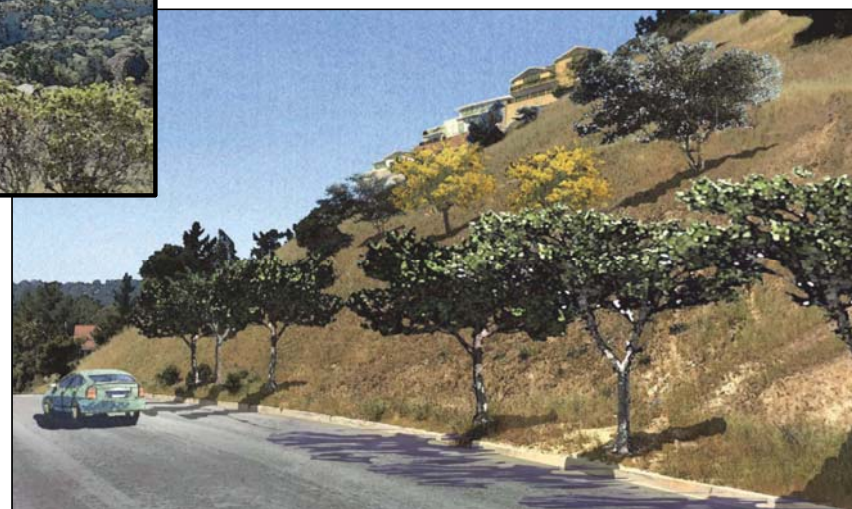
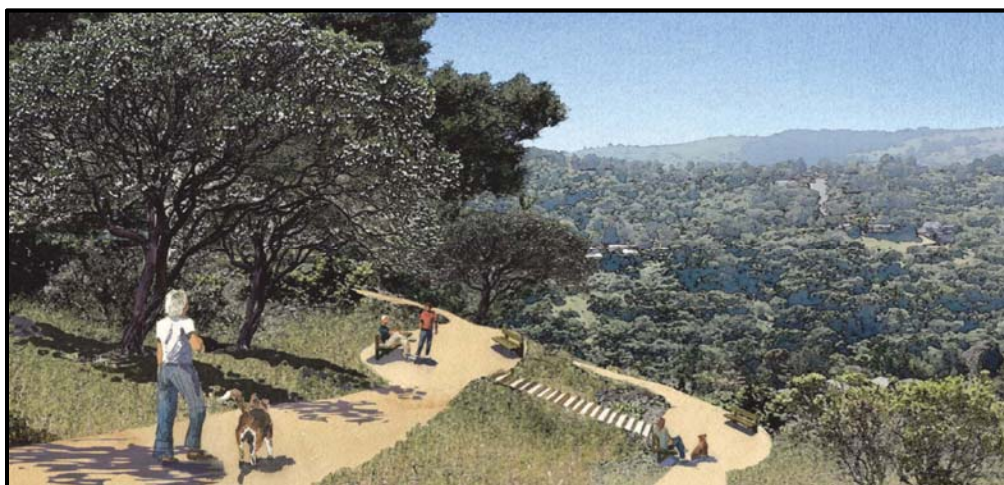
RECOMMENDATION

The issues raised by the appeal have been adequately addressed; Staff's recommendation is that the Board of Supervisors deny the appeal and uphold the Planning Commission's approval of the project by:

1. Approve the vesting tentative map for a major subdivision, grading permit, and removal of nine significant trees, subject to recommended conditions of approval
2. Certify the Final Environmental Impact Report
3. Adopt the Mitigation Monitoring Plan and the Statement of Findings and Facts in Support of Findings resolutions



RENDERINGS



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Existing Site Entrance, Bel Aire Road



Southern Slope, Ascension Drive



Erosion at corner of Ascension Drive and
Bel Aire Road



GRADING PLAN



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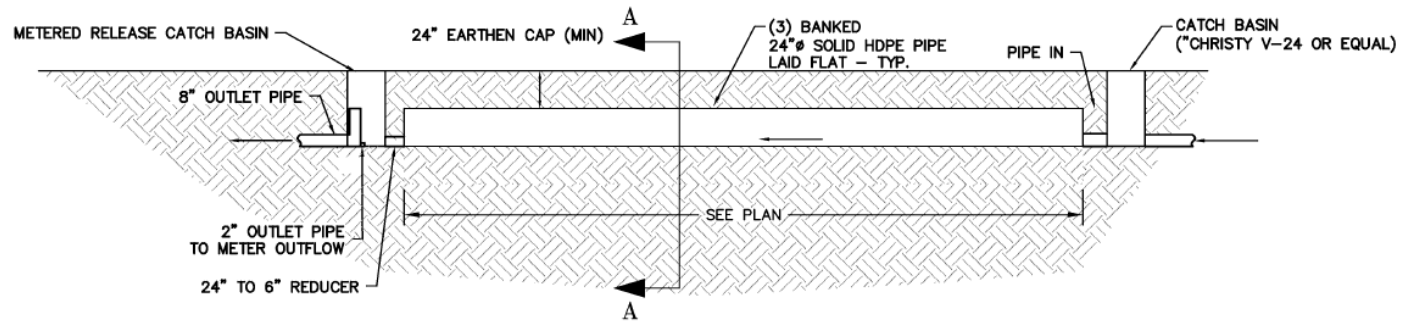
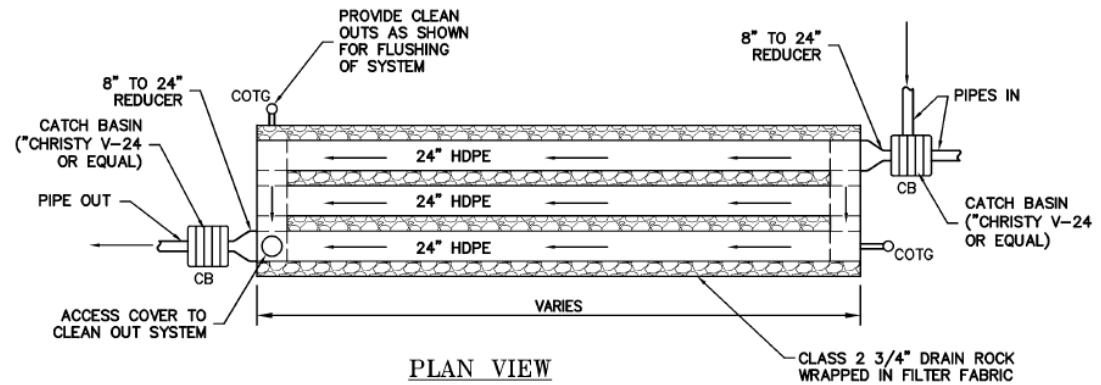
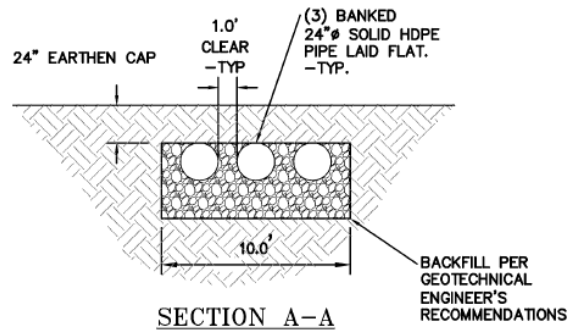
PRELIMINARY UTILITY COMPOSITE PLAN



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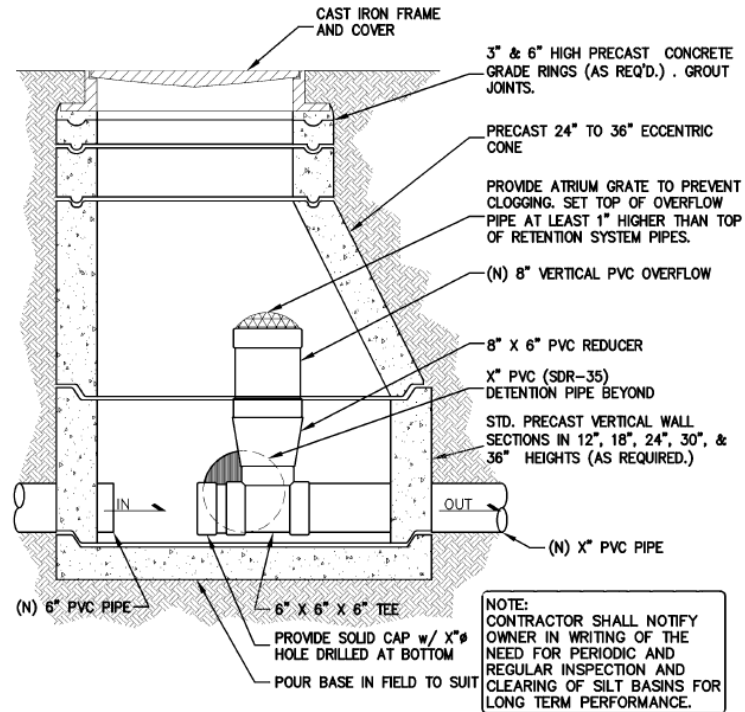
RETENTION/DISSIPATOR STRUCTURE



RETENTION/DISSIPATOR STRUCTURE
NOT TO SCALE



METERED RELEASE OUTLET



METERED RELEASE OUTLET
NOT TO SCALE

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