

**COUNTY OF SAN MATEO  
PLANNING AND BUILDING DEPARTMENT**

**DATE:** November 10, 2021

**TO:** Planning Commission

**FROM:** Planning Staff

**SUBJECT:** EXECUTIVE SUMMARY: Consideration of a revised schedule of grading operations and request for wet season slope repair and retaining wall backfill for the Ascension Heights Subdivision. The project is located in the unincorporated San Mateo Highlands area of San Mateo County.

County File Number: PLN 2002-00517 (Bel Aire Heights LLC)

**PROPOSAL**

Per the Board of Supervisor's decision letter dated February 16, 2016, the applicant has submitted a revised schedule of grading operations and a request for wet season slope repair and retaining wall backfill to be considered for approval by the Planning Commission prior to issuance of a grading permit "hard card" that allows grading operations to commence.

**RECOMMENDATION**

Staff recommends approval of the schedule of grading operations and request for wet season slope repair and retaining wall backfill.

**SUMMARY**

On February 9, 2016, the Board of Supervisors approved the Major Subdivision and Grading Permit for the project, with a condition of approval that required that the Planning Commission review and consider approval of a schedule of grading operations – a task that is typically performed by the Departments of Public Works and Planning and Building staff for projects with approved grading permits.

Grading Progress Update: On July 28, 2020, the Planning and Building Department issued a building permit with a Grading Hard Card to begin grading operations. The grading schedule approved by the Planning Commission on November 18, 2020, estimated that grading would be complete by May 2021. However, as described in a letter from Louis Leong at HPL Development, LLC, dated September 20, 2021, factors including COVID-related delays (including government office closures and labor and materials shortages) and unanticipated site challenges (related to additional tree

removals, rocky soil conditions, windy weather conditions where all grading must cease when winds exceed 25 m.p.h., and additional stabilization work for slides) led to major delays in the grading schedule. Grading for Phase 1 (biological surveys, land clearing, mass grading for road base for access road, major dirt off-haul) and Phase 2A (mass grading for Lots 13-19) are complete.

Interim Approval for Wet Season Slope Repair and Retaining Wall Backfill Only: A grading moratorium applies from October 1st to April 30th each year; Grading may occur during this time with the granting of an exception from the Community Development Director (Director). The applicant has requested an exception, proposing to complete slope repairs and backfill of an already-constructed retaining wall only, which were already underway, to be completed in approximately five weeks. The applicant states that the slope repair will not involve off-haul or import, as existing soil will be processed on-site for use in the slope repair. The applicant provided a letter from the Project Geotechnical Consultant which recommended completion of the slope repairs as soon as possible. Also, staff supports the backfill of the retaining wall as leaving the large unexcavated area behind the retaining wall unfilled would threaten the stability of the cut slope. On October 26, 2021, after confirmation that the site was adequately stabilized for winter, the Director, in consultation with County Geotechnical Section staff, provided interim approval of the wet season exception for grading, subject to the conditions in Attachment H of the staff report. Any grading conducted after November 10, 2021 is subject to the Planning’s Commission’s approval of the revised schedule. As proposed, after slope repair and retaining wall work are completed, erosion control measures will be implemented for the entire site, and no additional grading will take place until after April 30th, when the wet season ends.

Proposed Revised Grading Schedule: As proposed and detailed in the revised grading schedule, continued grading for Phase 2B (new entrance and retaining wall) and Phase 3 (excavation of Lots 5-11; dirt off-haul) would commence after April 30th and continue until September 2022, before the start of the next wet season. The following details were incorporated into the grading schedule based on concerns expressed by the Planning Commission and members of the public:

<b>Table 1 Grading Operation Details Proposed at November 18, 2020 Planning Commission Meeting</b>	
<b>Comments</b>	<b>Responses</b>
Dry Season Grading	The applicant has revised the proposed schedule to avoid wet-weather grading.
Limited Use of Rainbow Drive to minimize damage and traffic hazard due to narrow width of road.	Only empty trucks will use Rainbow Drive, and only until the new driveway is available for access to the site.
Construction Hours	Approved hours for grading: 8 am – 5 pm

<b>Table 1 Grading Operation Details Proposed at November 18, 2020 Planning Commission Meeting</b>	
<b>Comments</b>	<b>Responses</b>
	Approved hours for hauling: 9 am – 3 pm
Traffic Control Plan	A site traffic control plan will be implemented to manage traffic when trucks enter and exit site throughout Phase 1 and Phase 2. Two flagmen will be utilized for traffic control in front of the site entrance off Bel Aire Road for trucks entering and existing the site with signage
Haul Routes	<p>Haul trucks will travel from Polhemus Road, taking a left onto Ascension Drive, a left on Rainbow Drive, a right turn onto Lakeshore Drive, and a right turn onto Bel Aire Road to the site, which reduces construction vehicle interaction with neighborhood residential traffic. All haul trucks exiting the site for both Phases 1 and 2 will utilize an uphill route via Bel Aire Road, Laurie Lane, right on Parrot Drive, left on CSM Drive, and left on Perimeter Road to utilize Hillsdale Boulevard to reach Highway 92.</p> <p>Trucks will be timed 10 to 15 minutes apart running periodically through the work day.</p> <p>Gravel import is only for retaining wall back-fill. Trucks will be confined to 10-Wheeler only. Estimated total of less than five truck loads.</p>
Dust and Erosion Control Measures	<p>All loads leaving site tarped.</p> <p>Site dust control will utilize a 4,000-gallon water truck running throughout the workday.</p> <p>Street leaving site will be swept off daily or as many times as needed to keep the streets clean from dust or dirt.</p>

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**COUNTY OF SAN MATEO  
PLANNING AND BUILDING DEPARTMENT**

**DATE:** November 10, 2021

**TO:** Planning Commission

**FROM:** Planning Staff

**SUBJECT:** Consideration of a revised schedule of grading operations and request for wet season slope repair and retaining wall backfill for the Ascension Heights Subdivision. The project is located in the unincorporated San Mateo Highlands area of San Mateo County.

County File Number: PLN 2002-00517 (Bel Aire Heights LLC)

**PROPOSAL**

The applicant has submitted a revised schedule of grading operations and a request for wet season slope repair and retaining wall backfill to be considered for approval by the Planning Commission.

**RECOMMENDATION**

Staff recommends approval of the schedule of grading operations and request for wet season slope repair and retaining wall backfill.

**BACKGROUND**

Report Prepared By: Camille Leung, Senior Planner

Applicant/Owner: Bel Aire Heights LLC

Location: Six contiguous parcels (APNs 041-111-130, -160, -270, -280, -320 and -360), consisting of a total of approximately 13.25 acres (gross), located in the unincorporated area of San Mateo County known as the San Mateo Highlands. The subject site is bordered to the west by Bel Aire Road, Ascension Drive to the south, existing single-family development to the north and west.

APNs: 041-111-130, 041-111-160, 041-111-270, 041-111-280, 041-111-320 and 041-111 360

Existing Zoning: R-1/S-8 (Single-Family Residential/7,500 sq. ft. minimum lot size)

General Plan Designation: Medium Low Density Residential (2.4 – 6.0 dwelling units/acre)

Environmental Evaluation: A Final Environmental Impact Report (FEIR) was published on December 12, 2014 and certified by the Board of Supervisors February 9, 2016. The FEIR discusses impacts and mitigations specific to grading and construction activities listed within the schedule of grading, and those mitigation measures are incorporated in the proposed plan.

Setting: The subject site is located at the northeast corner of the intersection of Bel Aire Road and Ascension Drive. It is situated on a hillside with average slopes of 40 percent. The site is surrounded by single-family dwellings, including the Baywood Park neighborhood to the northeast, the Enchanted Hills neighborhood to the southeast and southwest, and the Starlite Heights neighborhood to the northwest. The College of San Mateo campus is located less than 1/4-mile northeast of the site via Parrott Drive. At the center of the site is an existing potable water tank on a separate 22,500 sq. ft. parcel owned and operated by the California Water Service Company with several cellular communications facilities established on the parcel.

The site was graded over 40 years ago, by excavating the sides of the hill for the construction of Ascension Drive and Bel Aire Road during the grading for the Enchanted Hills subdivision. Eight-foot-wide benches were created along Ascension Drive at 30-foot elevational intervals. Surface runoff from these benches has eroded the slope over the years, most significantly in the southwest corner adjacent to the intersection of Ascension Drive and Bel Aire Road. The site is characterized by grassland, small brush, and trees such as Oak, Pine and Eucalyptus.

Chronology:

<u>Date</u>	<u>Action</u>
August 28, 2002	- Application submitted for proposed subdivision of the property into 25 lots.
December 9, 2009	- Planning Commission denied the proposed subdivision.
June 29, 2010	- Board of Supervisors considered an appeal by the applicant and remanded the project back to the Planning Commission for consideration of a revised project.
January 28, 2015	- Planning Commission considered the revised subdivision project for a total of 21 lots, including 19 residential lots, and certification of the FEIR and continued the hearing to hear additional public testimony.
October 14, 2015	- Planning Commission approved the project.

- October 28, 2015 - Applications of appeal received.
- February 9, 2016 - Board of Supervisors approved the project.
- March 2016 - Petition for judicial review of approval filed.
- May 2018 - Court of Appeal decision upholding County approval.
- December 12, 2018 - Planning Commission initial review of landscaping plan.
- February 25, 2019 - Planning Commission final review and approval of landscaping plan.
- September 25, 2019  
February 26, 2020; - Planning Commission review of proposed schedule of grading operations and haul routes; approval at February hearing.
- May 18, 2020 - Applicant held public information meeting per Planning Commission Condition 7 from the February 26, 2020 meeting.
- July 28, 2020 - Building Permit issued with Grading Hard Card to begin grading operations.
- November 18, 2020 - Planning Commission review and approval of proposed schedule of grading and wet season grading operations. Grading schedule anticipated completion of grading in May 2021.
- October 26, 2021 - The Community Development Director provided interim approval of a Wet Season Grading Exception for slope repair work and backfill of an already-constructed retaining wall only. The interim approval will expire on November 10, 2021, where work after November 10, 2021 will be subject to the Planning Commission's approval of the revised grading schedule.
- November 10, 2021 - Planning Commission review of proposed schedule of grading and wet season grading operations. Completion of grading is anticipated in September 2022.

## DISCUSSION

### A. BACKGROUND

On February 9, 2016, the Board of Supervisors approved the Major Subdivision and Grading Permit for the project, with a condition of approval that required that the Planning Commission review and consider approval of a schedule of grading operations – a task that is typically performed by the Departments of Public Works and Planning and Building staff for projects with approved grading permits.

### B. GRADING PROGRESS UPDATE

On July 28, 2020, the Planning and Building Department issued a building permit with a Grading Hard Card to begin grading operations. The grading schedule approved by the Planning Commission on November 18, 2020, estimated that grading would be complete by May 2021. However, as described in a letter from Louis Leong at HPL Development, LLC, dated September 20, 2021, factors including COVID-related delays (including government office closures and labor and materials shortages) and unanticipated site challenges (related to additional tree removals, rocky soil conditions, windy weather conditions where all grading must cease when winds exceed 25 m.p.h., and additional stabilization work for slides) led to major delays in the grading schedule. Grading for Phase 1 (biological surveys, land clearing, mass grading for road base for access road, major dirt off-haul) and Phase 2A (mass grading for Lots 13-19) are complete.

#### *Interim Approval for Wet Season Slope Repair and Retaining Wall Backfill Only*

Grading operations for Phase 2b (slide repairs, fine grading, and installation of utilities and other subdivision infrastructure) continued until October 7, 2021, when grading was halted at the request of Planning staff due to the wet season grading moratorium applicable from October 1st to April 30th each year. Grading may occur during this time with the granting of an exception from the Community Development Director (Director). The applicant has requested an exception, proposing to complete slope repairs and backfill of an already-constructed retaining wall only, which were already underway, to be completed in approximately five weeks. The applicant states that the slope repair will not involve off-haul or import, as existing soil will be processed on-site for use in the slope repair. A retaining wall, which has already been excavated and constructed, will be backfilled with drain rock imported to the site. Drain rock handling will result in minimal sedimentation due to the solid nature of the material.

The applicant provided a letter from the Project Geotechnical Consultant (Attachment G) which recommended completion of the slope repairs as soon as possible. Leaving the large unexcavated area behind the retaining wall unfilled would threaten the stability of the cut slope. On October 26, 2021, after confirmation that the site was adequately stabilized and would be continually

monitored by the Applicant, their Qualified Stormwater Professional, and County staff, the Director, in consultation with County Geotechnical Section staff, provided interim approval of the wet season exception for grading, subject to the conditions in Attachment H. The conditions of the interim approval have been included in Attachment A, where staff recommends compliance with the conditions until the completion of grading. Slope repair work has resumed. Any remaining grading conducted after November 10, 2021 is subject to the Planning's Commission's approval of the revised schedule.

As proposed, after slope repair and retaining wall backfill is completed, erosion control measures will be implemented for the entire site, and no additional grading will take place until after April 30th, when the wet season ends.

#### *Change in County Mitigation Monitor*

In compliance with Condition 7 of the 2016 Board of Supervisors approval (Attachment D), the County contracted with AES to serve as the mitigation monitor to regularly inspect the site during grading construction for compliance with conditions, including mitigation measures. The County's contract with AES has completed. The County has coordinated with SWCA to provide monitoring services from November 1, 2021 to the date of project completion. County staff performed inspections in the couple weeks between the end of the AES contract and the start of SWCA services.

### C. PROPOSED REVISED GRADING SCHEDULE

#### *Approximate Dates of Grading*

As proposed and detailed in the revised grading schedule (Attachment F), continued grading for Phase 2B (new entrance and retaining wall) and Phase 3 (excavation of Lots 5-11; dirt off-haul) would commence after April 30th and continue until September 2022, before the start of the next wet season. These five months of grading will include continued grading for roads, retaining walls, building pads, drainage facilities, and utility trenching. In the event that grading activities are not completed by October 1, 2022, as proposed by the schedule, a wet-water grading exemption will be required, and a revised schedule will need to be approved by the Planning Commission. After the completion of grading, the construction of houses and associated infrastructure is anticipated to take approximately two years.

#### *Grading Operation Details*

The permit requires that the schedule of grading include details of the off-site haul operations, including gravel import site(s), size of trucks, haul route(s), time and frequency of haul trips, dust and debris control measures, and traffic and safety control measures. The applicant has submitted materials to satisfy this condition for Planning Commission review. The following details were



incorporated into the schedule based on concerns expressed by the Planning Commission and members of the public at previous hearings:

<b>Table 1 Grading Operation Details</b>	
<b>Comments</b>	<b>Responses</b>
Dry Season Grading	The applicant has revised the proposed schedule to avoid wet-weather grading.
Limited Use of Rainbow Drive to minimize damage and traffic hazard due to narrow width of road.	Only empty trucks will use Rainbow Drive, and only until the new driveway is available for access to the site.
Construction Hours	Approved hours for grading: 8 am – 5 pm Approved hours for hauling: 9 am – 3 pm
Traffic Control Plan	A site traffic control plan will be implemented to manage traffic when trucks enter and exit site throughout Phase 1 and Phase 2. Two flagmen will be utilized for traffic control in front of the site entrance off Bel Aire Road for trucks entering and existing the site with signage
Haul Routes	<p>Haul trucks will travel from Polhemus Road, taking a left onto Ascension Drive, a left on Rainbow Drive, a right turn onto Lakeshore Drive, and a right turn onto Bel Aire Road to the site, which reduces construction vehicle interaction with neighborhood residential traffic. All haul trucks exiting the site for both Phases 1 and 2 will utilize an uphill route via Bel Aire Road, Laurie Lane, right on Parrot Drive, left on CSM Drive, and left on Perimeter Road to utilize Hillsdale Boulevard to reach Highway 92.</p> <p>Trucks will be timed 10 to 15 minutes apart running periodically through the work day.</p> <p>Gravel import is only for retaining wall back-fill. Trucks will be confined to 10-Wheeler only. Estimated total of less than five truck loads.</p>
Dust and Erosion Control Measures	<p>All loads leaving site tarped.</p> <p>Site dust control will utilize a 4,000-gallon water truck running throughout the workday.</p> <p>Street leaving site will be swept off daily or as many times as needed to keep the streets clean from dust or dirt.</p>

D. COMPLIANCE WITH CONDITIONS OF THE LAST APPROVAL

1. **A Building Permit, including payment of inspection fees, is required to track weekly wet season Erosion Control inspections.**

Compliance with Condition? A Building permit (BLD 2018-00991) has been issued for site work associated with the subdivision, including the grading of the access road, retaining walls, culverts, storm drains, curbs, sidewalks, and utilities.

2. **Applicant must comply with all conditions of approval of the Grading Permit.**

Compliance with Condition? The applicant has installed erosion control measures throughout the site, and provided a water truck on-site for daily dust control management, as well as for more frequent watering during grading. However, the County has received complaints from neighbors regarding dust on their house and yards and complaints that no watering was being performed.

3. **If grading period must be extended, the applicant must provide an updated schedule to the Community Development Director (Director) for review by the Planning Commission, unless the Director determines that the proposed schedule modification is minor in nature.**

Compliance with Condition? The applicant has provided a revised grading schedule, which includes slope repair work only for five weeks in October/November, continuation of grading after April 30, 2022 and completion of grading in September 2022.

4. **Grading may occur only on dry days. No grading shall occur within 24-hours after a rain event.**

Compliance with Condition? County staff and the County's mitigation monitor will oversee compliance with this condition over the duration of the limited wet season earthwork.

5. **Applicant shall send photos of final stabilization to the project planner within one week of completion of grading.**

Compliance with Condition? The applicant shall comply with this condition at the completion of grading.

6. **Any empty hauling trucks arriving in the neighborhood without a tarpaulin cover will not be permitted to enter the site for 12 hours and shall only be allowed onsite if covered when arriving or leaving the site.**

Compliance with Condition? County staff and the County's mitigation monitor will continue to oversee compliance with this condition.

## **ATTACHMENTS**

- A. Recommended Finding and Conditions of Approval
- B. Vicinity Map
- C. Approved Subdivision Plan
- D. Landslide Repair Schedule
- E. Grading Schedule
- F. Letters from Applicant
- G. Letter from Project Geotechnical Engineer, dated October 5, 2021
- H. Conditions for Wet Season Slope Repair and Retaining Wall Backfill for Ascension Heights (PLN2002-00517) [Interim Approval], dated October 26, 2021

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**County of San Mateo - Planning and Building Department**

# **ATTACHMENT A**

County of San Mateo  
Planning and Building Department

**RECOMMENDED FINDING AND CONDITIONS OF APPROVAL**

Permit or Project File Number: PLN 2002-00517      Hearing Date: November 10, 2021

Prepared By: Camille Leung, Senior Planner      For Adoption By: Planning Commission

**RECOMMENDED FINDING**

The proposed schedule of grading operations and haul routes conform with the adopted conditions of the subdivision approval.

**CONDITIONS OF APPROVAL**

1. A Building Permit, including payment of inspection fees, is required to track weekly wet season Erosion Control inspections.
2. Applicant must comply with all conditions of the 2016 project approval.
3. If grading period must be extended, the applicant must provide an updated schedule to the Community Development Director (Director) for review by the Planning Commission, unless the Director determines that the proposed schedule modification is minor in nature.
4. Grading may occur only on dry days. No grading shall occur within 24-hours after a rain event.
5. Applicant shall send photos of final stabilization to the project planner within one week of completion of grading.
6. Any empty hauling trucks arriving in the neighborhood without a tarpaulin cover will not be permitted to enter the site for 12 hours and shall only be allowed onsite if covered when arriving or leaving the site.
7. The Applicant shall comply with the Grading Operation Details in Table 1:

<b>Table 1 Grading Operation Details Proposed</b>	
<b>Comments</b>	<b>Responses</b>
Minimize Wet Season Grading	The applicant has revised the proposed schedule to minimize wet-weather grading to the extent feasible. Only slope repair work will proceed in October/November.
Limited Use of Rainbow Drive to minimize damage and traffic hazard due to narrow width of road.	Only empty trucks will use Rainbow Drive, and only until the new driveway is available for access to the site.
Construction Hours	Approved hours for grading: 8 am – 5 pm Approved hours for hauling: 9 am – 3 pm
Traffic Control Plan	A site traffic control plan will be implemented to manage traffic when trucks enter and exit site throughout Phase 1 and Phase 2. Two flagmen will be utilized for traffic control in front of the site entrance off Bel Aire Road for trucks entering and existing the site with signage.
Haul Routes	Haul trucks will travel from Polhemus Road, taking a left onto Ascension Drive, a left on Rainbow Drive, a right turn onto Lakeshore Drive, and a right turn onto Bel Aire Road to the site, which reduces construction vehicle interaction with neighborhood residential traffic. All haul trucks exiting the site for both Phases 1 and 2 will utilize an uphill route via Bel Aire Road, Laurie Lane, right on Parrot Drive, left on CSM Drive, and left on Perimeter Road to utilize Hillsdale Boulevard to reach Highway 92.  Trucks will be timed 10 to 15 minutes apart running periodically through the work day.  Gravel import is only for retaining wall back-fill. Trucks will be confined to 10-Wheeler only. Estimated total of less than five truck loads.
Dust and Erosion Control Measures	All loads leaving site tarped.  Site dust control will utilize a 4,000-gallon water truck running throughout the workday.  Street leaving site will be swept off daily or as many times as needed to keep the streets clean from dust or dirt.

### Geotechnical Conditions

8. The Geotechnical Engineer shall conduct weekly monitoring, as well as perform additional monitoring after every storm event that results in 1/2-inch or more of rainfall within a 12-hour period as measured at the nearest gauge, until grading is complete.

- a. The monitoring should include evaluating whether the exposed bedrock slopes have open fractures/dilations, the presence of tension cracks, slope bulges, erosion, siltation of streets, etc.
  - b. The results of the monitoring should be summarized in a letter provided to the County within 24 hours.
9. The Geotechnical Engineer shall provide a letter with emergency stabilization recommendations in the event that incipient land sliding is observed.
10. The Contractor shall have on-site all materials necessary on-site to implement the Geotechnical Engineer's emergency stabilization recommendations.
11. The Contractor shall cover and protect all stockpile areas from rainfall and erosion.
12. The Contractor shall remove debris accumulated at the base of the slope.
13. The Contractor shall increase the protection of the roadways from potential deposition/siltation (e.g., additional silt fencing, K-Rails or similar barriers to facilitate debris accumulation and catchment).
14. The Contractor shall provide daily street cleaning.

#### Additional Erosion Control Conditions

15. Erosion control measures in areas outside of the slope repair areas and retaining wall area shall remain in place and be maintained continuously until April 30.
16. Areas of active slope repair and retaining wall backfill shall be covered at the end of the workday and for periods of no work, such as weekends and holidays.
17. All grading work shall stop 48-hours prior to a predicted major rain event and the site shall be stabilized.
18. After a major rain event, prior to re-start of grading work, the County shall inspect the site and identify necessary corrections. Corrections shall be completed prior to re-start of grading.

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**County of San Mateo - Planning and Building Department**

# **ATTACHMENT B**





***San Mateo County Board of Supervisors Meeting***

Owner/Applicant: **O'Rourke/San Mateo Real Estate and Construction**

Attachment: **B**

File Numbers: **PLN2002-0517**



**County of San Mateo - Planning and Building Department**

# **ATTACHMENT C**



## San Mateo County Board of Supervisors Meeting

Owner/Applicant: **O'Rourke/San Mateo Real Estate and Construction**

Attachment: **C-7**

File Numbers: **PLN2002-0517**



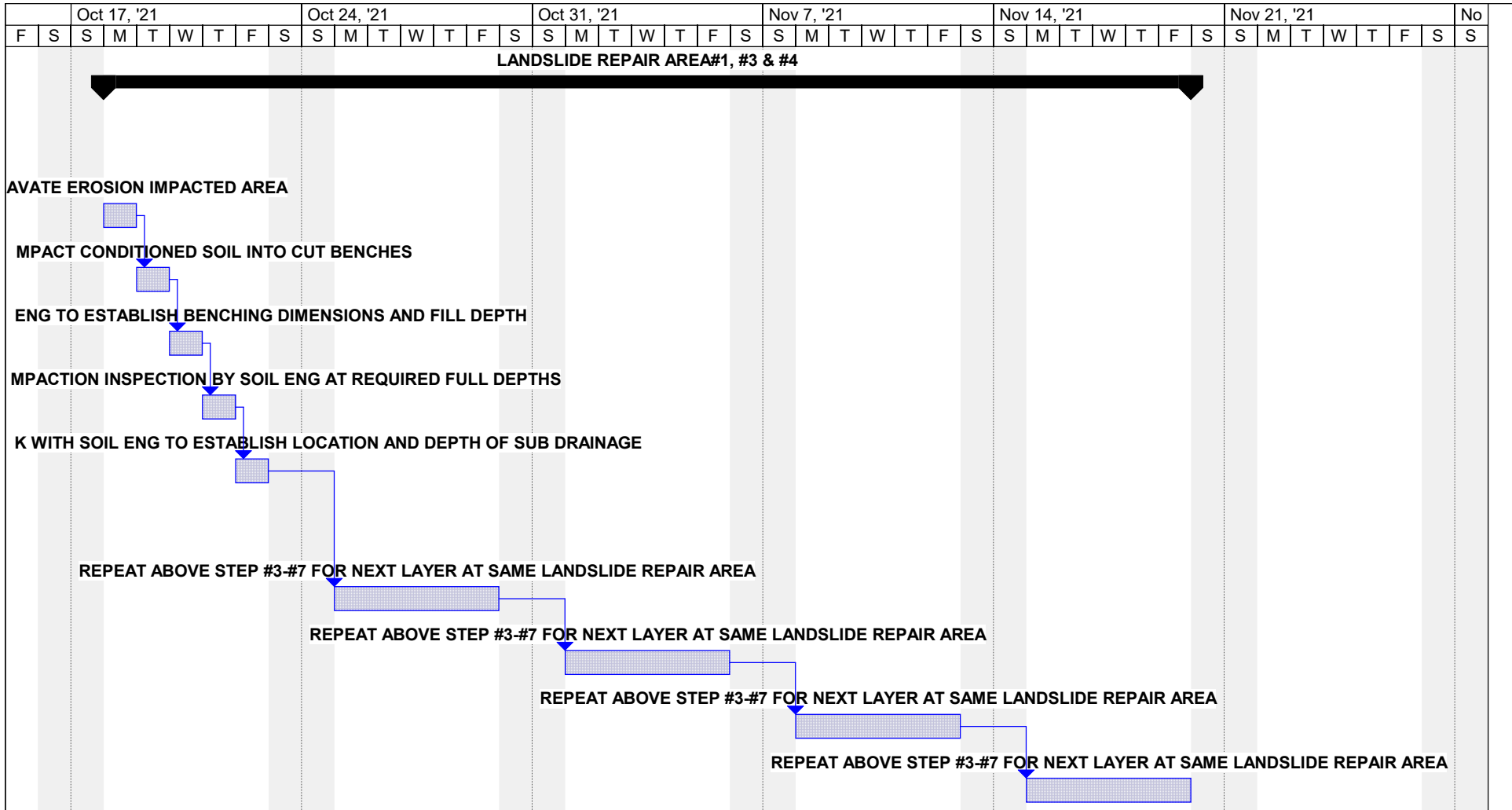
**County of San Mateo - Planning and Building Department**

# **ATTACHMENT D**

ID	Task Name	Duration	Start	Finish
1	<b>LANDSLIDE REPAIR AREA#1, #3 &amp; #4</b>	<b>25 days</b>	<b>Mon 10/18/21</b>	<b>Fri 11/19/21</b>
2				
3	EXCAVATE EROSION IMPACTED AREA	1 day	Mon 10/18/21	Mon 10/18/21
4	PLACE & COMPACT CONDITIONED SOIL INTO CUT BENCHES	1 day	Tue 10/19/21	Tue 10/19/21
5	WORK WITH SOIL ENG TO ESTABLISH BENCHING DIMENSIONS AND FILL DEPTH	1 day	Wed 10/20/21	Wed 10/20/21
6	PERFORM COMPACTION INSPECTION BY SOIL ENG AT REQUIRED FULL DEPTHS	1 day	Thu 10/21/21	Thu 10/21/21
7	INSTALL & WORK WITH SOIL ENG TO ESTABLISH LOCATION AND DEPTH OF SUB DRAINAGE	1 day	Fri 10/22/21	Fri 10/22/21
8				
9	REPEAT ABOVE STEP #3-#7 FOR NEXT LAYER AT SAME LANDSLIDE REPAIR AREA	5 days	Mon 10/25/21	Fri 10/29/21
10	REPEAT ABOVE STEP #3-#7 FOR NEXT LAYER AT SAME LANDSLIDE REPAIR AREA	5 days	Mon 11/1/21	Fri 11/5/21
11	REPEAT ABOVE STEP #3-#7 FOR NEXT LAYER AT SAME LANDSLIDE REPAIR AREA	5 days	Mon 11/8/21	Fri 11/12/21
12	REPEAT ABOVE STEP #3-#7 FOR NEXT LAYER AT SAME LANDSLIDE REPAIR AREA	5 days	Mon 11/15/21	Fri 11/19/21



Project: 1452 BEL AIRE / LANDSLIDE Date: Thu 10/14/21 S.P.E CONSTRUCTION INC.	Task		Summary		Rolled Up Progress	
	Split		Rolled Up Task		External Tasks	
	Progress		Rolled Up Split		Project Summary	
	Milestone		Rolled Up Milestone			



Project: 1452 BEL AIRE / LANDSLIDE  
 Date: Thu 10/14/21  
 S.P.E CONSTRUCTION INC.

Task		Summary		Rolled Up Progress	
Split		Rolled Up Task		External Tasks	
Progress		Rolled Up Split		Project Summary	
Milestone		Rolled Up Milestone			



**County of San Mateo - Planning and Building Department**

# **ATTACHMENT E**

ID	Task Name	Duration	Start	Finish	September				
					8/18	8/25	9/1	9/8	9/15
1	<b>Infrastructure</b>	569 days	Tue 7/28/20	Fri 9/30/22					
2	Grading permit hardcard issue	1 day	Tue 7/28/20	Tue 7/28/20					
3	<b>Mobilization and Preparation work prior to Grading</b>	21 days	Wed 7/29/20	Wed 8/26/20					
10									
11	<b>Mass Grading Work</b>	527 days	Thu 8/27/20	Fri 9/2/22					
12	Cut and clear vegetation	5 days	Thu 8/27/20	Wed 9/2/20					
13	Surveyor staking site	2 days	Thu 9/3/20	Fri 9/4/20					
14	Phase 1A grading cut out and dirt off haul lots 1,2,3,4	31 days	Mon 9/7/20	Mon 10/19/20					
15	Phase 1B grading new driveway between lot 1 & 8	36 days	Mon 10/12/20	Mon 12/14/20					
16	Major dirt offhaul for 1B	16 days	Mon 10/26/20	Tue 11/17/20					
17	Phase 2A grading downhill, lots 13-19	40 days	Tue 11/10/20	Tue 1/5/21					
18	County Planning Commision Meeting 01/27/21	1 day	Wed 1/27/21	Wed 1/27/21					
19	Raining and Wet Ground Delay	7 days	Thu 1/28/21	Fri 2/5/21					
20	Raining and Wet Ground Delay	13 days	Fri 2/12/21	Fri 3/19/21					

Project: Bel Aire Heights  
Date: Wed 10/20/21

Task



Summary



Rolled Up Progress



Split



Rolled Up Task



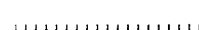
External Tasks



Progress



Rolled Up Split



Project Summary



Milestone














Rolled Up Milestone





ID	Task Name	Duration	Start	Finish	September				
					8/18	8/25	9/1	9/8	9/15
21	Raining & Windy none-working delay in Mar & Apr 2021	21 days	Tue 3/9/21	Fri 4/30/21					
22	Windy none-working delay in May 2021	13 days	Mon 5/3/21	Thu 5/27/21					
23	Windy none-working delay in June-Aug 2021	7 days	Mon 6/7/21	Mon 8/16/21					
24	Windy none-working delay in Sept 2021	3 days	Thu 9/16/21	Tue 9/28/21					
25	Completing Phase 2A grading downhill, lots 13-19	29 days	Mon 2/8/21	Fri 4/30/21					
26	PROJECTED 7/12/21 DATE PERMIT PROCESSING & ISSUING FOR RE	1 day	Fri 8/27/21	Fri 8/27/21					
27	Phase 2B new entrance & Retaining wall	50 days	Tue 4/13/21	Mon 11/22/21					
28	Retaining wall @ Drainage Bio Pits	25 days	Tue 11/23/21	Mon 12/27/21					
29	Retaining wall backfill @ lot 8	10 days	Mon 5/2/22	Fri 5/13/22					
30	Phase 3A grading cut lots 8, 9, 10	20 days	Mon 5/2/22	Tue 7/26/22					
31	Last dirt off haul for 3A	5 days	Wed 7/27/22	Tue 8/2/22					
32	Phase 3B grading cut lots 5, 6, 7, 11	28 days	Wed 7/27/22	Fri 9/2/22					
33									
34	<b>Underground Utilites</b>	<b>174 days</b>	<b>Wed 9/22/21</b>	<b>Mon 5/23/22</b>					

Project: Bel Aire Heights  
Date: Wed 10/20/21

Task		Summary		Rolled Up Progress	
Split		Rolled Up Task		External Tasks	
Progress		Rolled Up Split		Project Summary	
Milestone		Rolled Up Milestone			

ID	Task Name	Duration	Start	Finish	September				
					8/18	8/25	9/1	9/8	9/15
35	PROJECTED 07/12/21 DATE PERMIT PROCESSING & ISSUING FOR OF	1 day	Wed 9/22/21	Wed 9/22/21					
36	Install S.D onsite	60 days	Mon 10/18/21	Fri 1/7/22					
37	Install S.S onsite	10 days	Mon 1/10/22	Fri 1/21/22					
38	Install 12" onsite water main	16 days	Fri 2/4/22	Fri 2/25/22					
39	Install S.S. offsite	10 days	Thu 10/28/21	Wed 11/10/21					
40	Install S.D. offsite	15 days	Thu 11/11/21	Wed 12/1/21					
41	Install onsite joint trench	25 days	Mon 2/28/22	Fri 4/1/22					
42	Install 8" onsite water main	26 days	Mon 4/4/22	Mon 5/9/22					
43	Install water services	10 days	Tue 5/10/22	Mon 5/23/22					
44	Install storm detention & bb detention	20 days	Mon 1/10/22	Fri 2/4/22					
45	Install storm drain curb inlets	15 days	Mon 1/24/22	Fri 2/11/22					
46									
47	PROJECTED 7/5/21 DATE PERMIT FOR TREE CUTTING (LandSlide)	1 day	Thu 8/5/21	Thu 8/5/21					
48	LandSlide area repair EX1(Ascension) and EX3&4(Entry)	59 days	Tue 8/17/21	Fri 11/26/21					

Project: Bel Aire Heights  
Date: Wed 10/20/21

Task



Summary



Rolled Up Progress



Split



Rolled Up Task



External Tasks



Progress



Rolled Up Split



Project Summary



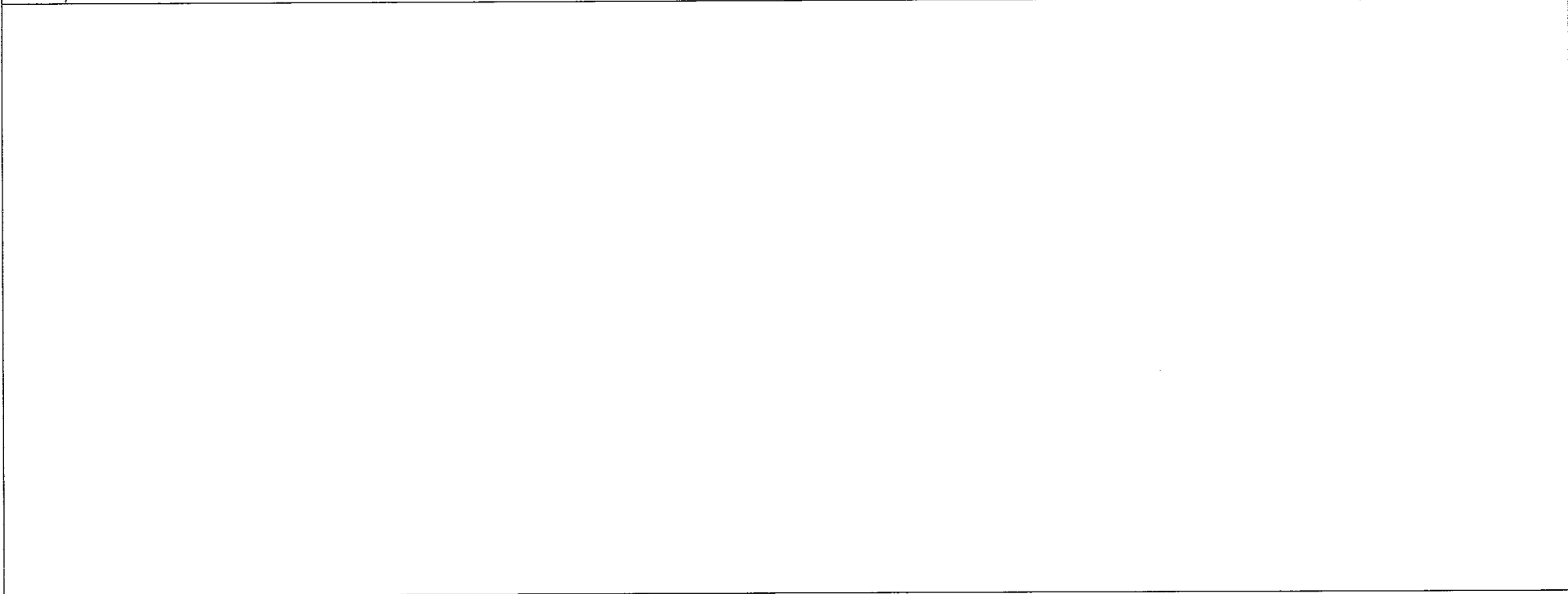
Milestone






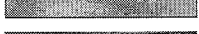







Rolled Up Milestone



ID	Task Name	Duration	Start	Finish	September				
					8/18	8/25	9/1	9/8	9/15
49	Install Eroston blankets right after Landslide Repair EX1 and EX3&EX4	10 days	Mon 11/29/21	Fri 12/10/21					
50	LandSlide area repair EX2 (corner of BelAire&Ascension)	25 days	Mon 5/2/22	Fri 6/3/22					
51									
52	Grading for walking trail	15 days	Mon 6/6/22	Fri 6/24/22					
53	Cut curb gutters	20 days	Mon 9/5/22	Fri 9/30/22					



Project: Bel Aire Heights Date: Wed 10/20/21	Task		Summary		Rolled Up Progress	
	Split		Rolled Up Task		External Tasks	
	Progress		Rolled Up Split		Project Summary	
	Milestone		Rolled Up Milestone			



**County of San Mateo - Planning and Building Department**

# **ATTACHMENT F**

# HPL Development, LLC

*Real Estate Investment, Development and Construction*

To : Camille Leung, Planning Department, County of San Mateo

Dated : September 29, 2021

RE : Issues Related to Winter Grading at Ascension Heights Subdivision

We are confirming that grading operations will be suspended on October 1<sup>st</sup>, 2021 pending County's approval for the special permission to continue certain critical grading activities that will affect the stability of the hilly areas along the property. We will explain the current site conditions below.

We are confirming that the site is winterized in general but not entirely stabilized around the old slide areas. Repair is more than 50% complete on the Bel Aire Road slide area and the Ascension Road slide area. Both of these slide areas need to be completed before the rainy season.

For the winter months of 2021-2022 reason, we are requesting exemption for the following grading work that is essential to provide stability to the slide areas as well as safe access to all the utility companies, including Cal Water. The specific grading work during the winter season is as follow:

1. Slide Repair - Complete the slide repairs along Bel Aire Road and Ascension Road. Repair work has taken much longer because of actual site conditions. They are currently more than 50% complete. A remaining slide repair at the corner of Bel Aire Road and Ascension Road is relatively minor and has not started. The repair for this slide will start after the grading moratorium. Please see attached Soil Engineer's letter dated 9/23/2021, which strongly recommended the completion of the repairs.  
The repair of the slide areas is also a major concern to a number of our neighbors and we intend to complete this work as soon as possible.
2. Utility Access - Complete the main driveway and retaining work so that Cal Water and other utilities' continued unabated and safe access.
3. Safety issues - Completion of the two retaining walls along the entrance will also further stabilize the slope and increase water diversion/retention along the property.

During the 2021 grading season, the project has experienced major delays due to the following reasons:

1. COVID-19 related delays - COVID-19 related issues continue to be the number one major factor in slowing down normal construction activities, such as normal construction hard card approvals, information submittals and comment process, labor and material availability, government shut-downs, CDC requirements, and overall slowdown of all services.
2. Site Conditions – When the grading areas are opened up, a lot of unforeseen soil and geotechnical conditions are discovered. This led to delays to the original construction schedule. This include 1) Rocky conditions that needs special handling and off-haul disposals; (See attached Soil Report) 2) Additional tree removals for the repair of the old slide areas needed arborist report and County approval; 3) Old Slide areas when opened up, needed more stabilization work.
3. Weather conditions – Abnormal windy conditions has created numerous work stoppages as well as much more preventive measures before and after each grading session.

Thank you for giving us the opportunity to provide a detailed explanation to the revised grading schedule for Ascension Heights Subdivision. Bel Aire Heights is committed to be proactive and continue to satisfy the County's requirements, the work schedules of various utility agencies as well as to keep neighborhood well informed of all developments.

Best Regards.

Respectfully,



Louis Leong

Vice President

Bel Aire Heights, LLC

For: Ascension Heights Subdivision

# HPL Development, LLC

*Real Estate Investment, Development and Construction*

October 7, 2021

Steve Monowitz, Community Development Dir.  
Kelsey Lang, Planning & Building  
San Mateo County  
VIA email: [klang@smcgov.org](mailto:klang@smcgov.org), [smonowitz@smcgov.org](mailto:smonowitz@smcgov.org)  
And Priority Mail

Re: Continued Slide Repairs / Ascension Heights Subdivision

Dear Mr. Monowitz and Ms. Lang:

We are in receipt of an email demanding all grading activity at the project cease immediately. Per SMC Ord 8605.6 the time commences October 15.

SECTION 8605.6. TIME RESTRICTIONS. The period from October 15 to April 15 has been determined to be the period in which heavy rainfall normally occurs in the County. During said period, no land disturbing activity shall be authorized on any single site under a permit if the Planning Director determines that such work will endanger the public health or safety or cause excessive erosion.

We have requested on several occasions that County Officials make a site visit and renew this request at this time. Without such information it is difficult to see how the Planning Director can make a determination that the continuation of grading “will endanger the public health or safety or cause excessive erosion”. We believe given the weather situation continuation of grading is warranted. We also believe that the greater public interest is served by getting this work completed as soon as possible as long as it is safe to do so. Hopefully with a meeting a realistic metric can be agreed upon by the professionals.

The situation on site is that the Rough Grading (SMC Ord 8601.30) is 80% complete and aside from a few piles of debris, off haul is substantially complete and the site will be fully winterized by next week. The only remaining open areas that are being actively worked today are the three slide areas and we feel these must continue; SEE attached letter from the Project Geotechnical Consultant. To stop work on these repairs would, in and of itself, constitute an emergency condition and a threat of immanent harm. Winterization measures will not abate this condition.

It is expected that Completion of the slide repairs (equipment, keyway installation, compaction and earthwork) can be completed by the end of the first week of November. The slide areas will then be hydroseeded and protected for the winter. Due to this condition we

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1700 S El Camino Real, Suite 100, San Mateo, CA 94402  
Direct: 650-796-8809 Office: 650-577-1288  
[mhaesloop@chsdg.com](mailto:mhaesloop@chsdg.com)

urge a decision that the slide repairs may continue after October 15, 2021. (SMC Ord 8603.10 and 8601.18)

As an aside, when the moratorium was lifted last spring Bel Aire requested permission to remove the trees in the slide area (May 2021). The county Arborist, for whatever reason, was unable to complete his review until early July. The permit for Slide 1 was not issued until July 19, work commenced the same day. The review and permit for slides 3 and 4 was not complete until July 26 and work commenced on them August 8.

A site visit in the presence of the independent Inspectors, our personnel and the engineers will, we believe, clearly show that the site is winterized, that it should function as well or better than last winter.

We recognize this is a site of great oversight and we need to be clear that our operations will continue through the winter, just grading will cease. Our personnel will continually monitor the erosion control measure and make such changes as required, including the removal of accumulated silt. Construction of infrastructure which does not constitute grading will also continue (8601.31; 8603.1). No off haul for any installation will exceed 250 Yds and is expected to be significantly less. We understand Cal Water, under a separate permit, will also be working this winter.

Lastly, within the week the final easements will be prepared and executed by the Developer. Several of the easements and the Agreements need to be executed by the County as will the Mylar of the final map. We will hand deliver these to Kelsey in Planning for execution by the appropriate county officials next week. Please advise how this can be coordinated. Our title company is prepared to undertake the recording once the Final Map is approved and signed. This, of course, is a ministerial act by the Board of Supervisors and will need to be placed on their agenda.

We submitted the CC&R's to the County over a year ago and have had no comments and assume there are none. The HOA has been formed and the CC&R's will be recorded shortly.

Please call any of our team to schedule your inspection and site visit.

Sincerely,  
HPL Development, LLC  
Managing Member of Bel Aire Heights, LLC



By: Mark Haesloop  
General Counsel

Enc: Michelucci & Associates Letter and Photos



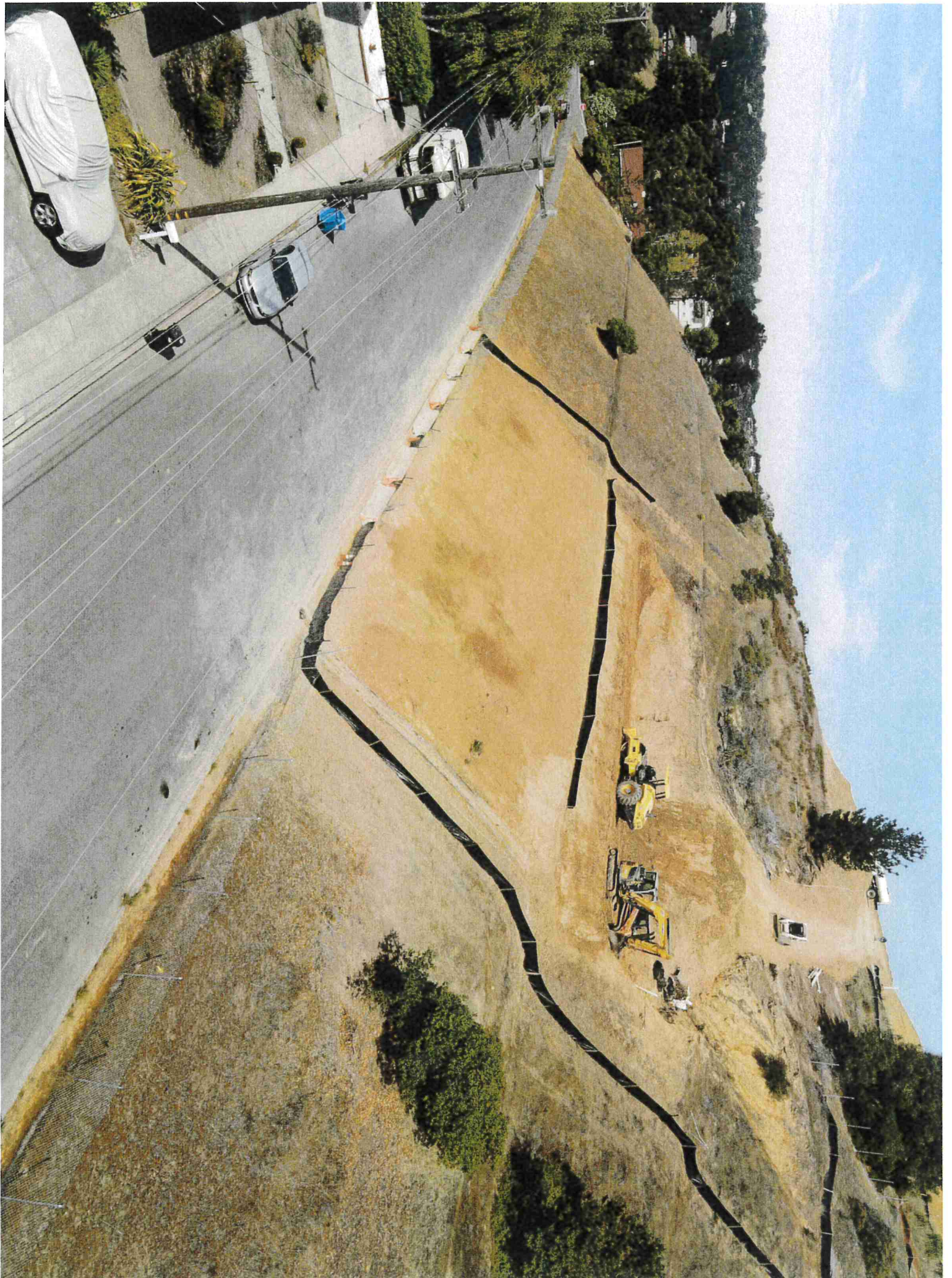








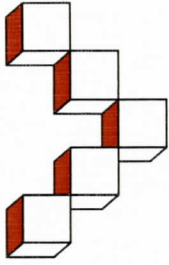






**County of San Mateo - Planning and Building Department**

# **ATTACHMENT G**



**Michelucci & Associates, Inc.**  
Geotechnical Consultants

**Joseph Michelucci, G.E.**  
*joe@michelucci.com*

**Richard Quarry**  
*rich@michelucci.com*

October 5, 2021  
Job No. 13-4309

Via email: [jayroshan@hpldevelopment.com](mailto:jayroshan@hpldevelopment.com)  
[tingyu@speconstruction.com](mailto:tingyu@speconstruction.com)

Bel Aire Heights, LLC  
1700 El Camino Real #100  
San Mateo, CA 94402

Attn: Jay Roshan and Ting yu

Re: Emergency Grading Repair of Erosion Areas  
Ascension Heights Subdivision  
San Mateo County

Dear Mr. Roshan:

The purpose of this letter is to provide our opinion regarding the ongoing grading that is taking place to repair erosion gullies within the Ascension Heights project in San Mateo County. In our opinion it is essential that repair work continue to protect both the subject property as well as neighboring roads and properties. In our opinion it would be far riskier to cease grading during the moratorium than to allow it to continue. The soil and bedrock conditions at the site are favorable (primarily granular) to allow grading during the fall and winter months provided that the site protection provisions that were successfully implemented during the same time frame last rainy season are again followed.

The following includes photos of the Ascension and Bel Aire portions of the ongoing repairs that were taken by the developer with a drone. Also, for reference purposes the contemporary photos are preceded by photos obtained from Google Maps of the erosion gullies as they appeared about 3 years ago.



**Ascension Photo (Google Circa 2018)**



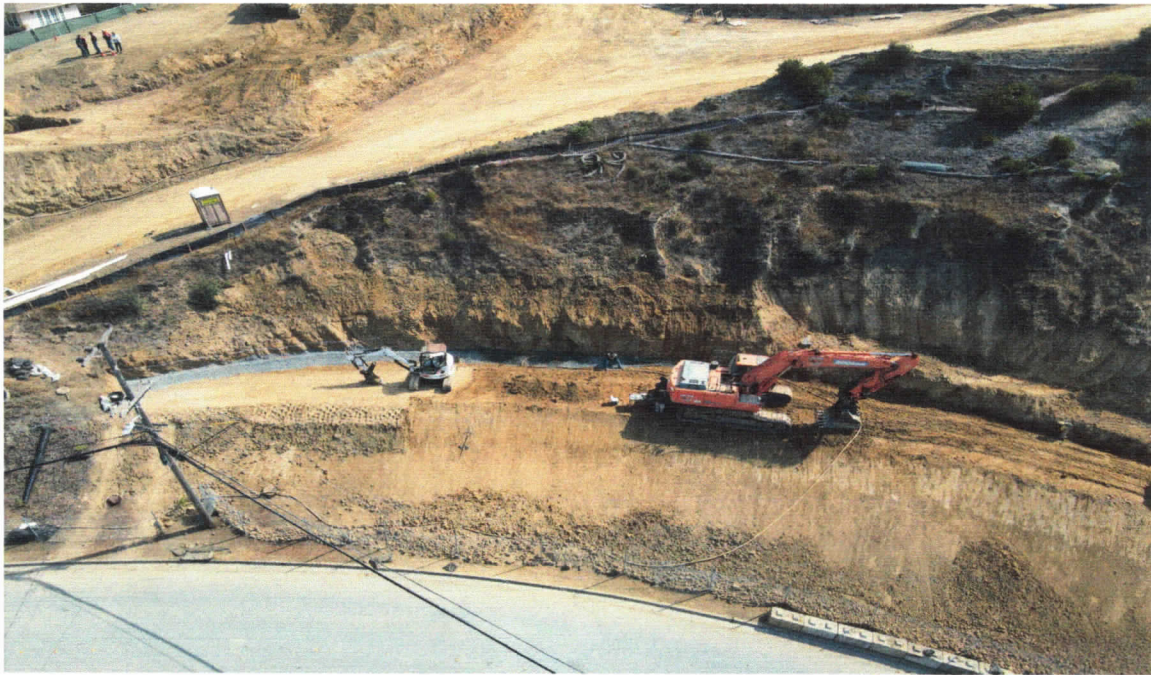
Ascension Photos—October 2021



Bel Aire Photo (Google Circa 2018)



### Bel Aire Photos—October 2021

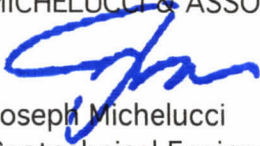


The photos along with our ongoing observation and testing clearly illustrate the progress that has been made in the ongoing slope repairs. The repairs include horizontal keys and benches excavated into solid bedrock, compacted select granular fill reinforced with a geogrid type material and subsurface drainage. In our opinion it is essential that the repairs continue so that the finished slopes can be seeded and protected as illustrated on the Lea & Braze plans dated September 30, 2021. If the repairs are not allowed to continue under an emergency basis the risks far outweigh the benefits for the subject site, roadways and adjacent properties.

Page 6  
October 5, 2021  
Job No. 13-4309

Please contact us with any questions or comments.

Very truly yours,  
MICHELUCCI & ASSOCIATES, INC.



Joseph Michelucci  
Geotechnical Engineer #593  
(Expires 3/31/23)



cc: Ryan MaGee (rmagee@leabraze.com)  
Alex Henson (ahenson@leabraze.com)



**County of San Mateo - Planning and Building Department**

# **ATTACHMENT H**

## **Conditions for Wet Season Slope Repair and Retaining Wall Backfill for Ascension Heights (PLN2002-00517)**

County of San Mateo

Planning & Building Department

Date: October 26, 2021

The Community Development Director has provided an interim approval of wet season slope repair and back fill of the retaining wall, as a minor modification to the schedule approved by the Planning Commission in November 2020. **Grading activities from October 26, 2021 to the Planning Commission meeting of November 10, 2021, shall be limited to slope repair and back fill of the retaining wall that was already poured.** During this time, there shall be no other grading or earthwork. The approval of the revised grading schedule, including slope repair, is contingent on the Planning Commission's review and approval. It is our understanding that the Owner/Applicant does not propose to perform other grading, that which is not related to slope repair or backfill of the retaining wall, until May 1, 2022.

Conditions of this interim approval are listed below:

A. Project Conditions of Approval:

1. Compliance with the 2016 conditions of project approval.
2. Compliance with the November 2020 conditions of the approved grading schedule

B. Geotechnical Conditions:

1. The Geotechnical Engineer shall conduct weekly monitoring, as well as perform additional monitoring after every storm event that results in ½-inch or more of rainfall within a 12 hour period as measured at the nearest gauge, until grading is complete.
  - a. The monitoring should include evaluating whether the exposed bedrock slopes have open fractures/dilations, the presence of tension cracks, slope bulges, erosion, siltation of streets, etc.
  - b. The results of the monitoring should be summarized in a letter provided to the County within 24 hours.
2. The Geotechnical Engineer shall provide a letter with emergency stabilization recommendations in the event that incipient landsliding is observed.

3. The Contractor shall have on-site all materials necessary on-site to implement the Geotechnical Engineer's emergency stabilization recommendations
4. The Contractor shall cover and protect all stockpile areas from rainfall and erosion.
5. The Contractor shall remove debris accumulated at the base of the slope (See attached Photo).
6. The Contractor shall increase the protection of the roadways from potential deposition/siltation (e.g., additional silt fencing, K-Rails or similar barriers to facilitate debris accumulation and catchment).
7. The Contractor shall provide daily street cleaning.

C. Additional Erosion Control Conditions:

1. Erosion control measures in areas outside of the slope repair areas and retaining wall area shall remain in place and be maintained continuously until April 30.
2. Areas of active slope repair and retaining wall backfill shall be covered at the end of the workday and for periods of no work, such as weekends and holidays.
3. Grading may occur only on dry days. No grading shall occur within 24-hours after a rain event.
4. All grading work shall stop 48-hours prior to a predicted major rain event and the site shall be stabilized.
5. After a major rain event, prior to re-start of grading work, the County shall inspect the site and identify necessary corrections. Corrections shall be completed prior to re-start of grading.
6. Applicant shall send photos of final stabilization to the project planner within one week of completion of grading.