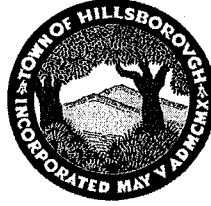


# TOWN OF HILLSBOROUGH

San Mateo County

Christine M. Krolik, Mayor  
Thomas M. Kasten, Vice Mayor  
John J. Fannon  
D. Paul Regan  
Jess E. Benton

1600 Floribunda Avenue  
Hillsborough, CA 94010



## **A G E N D A**

**MONDAY, JULY 12, 2010**

**4:30 pm SITE VISIT**

**6:00 pm CITY COUNCIL MEETING**  
**Hillsborough Town Hall**

### **SITE VISIT (4:30 p.m.)**

- 3115 Ralston Avenue
- 3080 Ralston Avenue

### **REGULAR CITY COUNCIL MEETING (6:00 pm)**

#### **I. PLEDGE OF ALLEGIANCE**

#### **II. ROLL CALL**

#### **III. MINUTES: June 14, 2010**

#### **IV. PRESENTATIONS:**

- Certificate of Appreciation - George and Anna Hsu for their very generous donation to the Carolands Gatehouse Project to preserve one of Hillsborough's most charming and beloved treasures

#### **V. CONSENT CALENDAR:**

*The Consent Calendar includes routine items, which do not require discussion. A Councilmember may remove an item for discussion, and any member of the audience may request a Councilmember to remove an item for discussion. The items are approved in one motion.*

1. MONTHLY CLAIMS: JUNE 1 THROUGH JUNE 30, 2010
2. QUARTERLY TREASURER'S REPORT
3. QUARTERLY INTEREST RATE PRODUCTS (SWAP) REPORT

4. RESOLUTION AMENDING THE LANGUAGE IN SECTION 14 OF THE JOINT POWERS AGREEMENT (JPA) ESTABLISHING THE CENTRAL COUNTY FIRE DEPARTMENT (CCFD) TO CLARIFY THE DISBURSEMENT OF REVENUES
5. RESOLUTION CONFIRMING THE REPORT OF WEED ABATEMENT CHARGES AND ORDERING COLLECTION
6. RESOLUTION APPROVING AN AMENDMENT TO THE CONTRACT WITH BROWN AND CALDWELL FOR THE COMPLETION OF THE WASTEWATER COLLECTION SYSTEM MASTER PLAN (BURLINGAME PORTION)
7. RESOLUTION AWARDED THE 2009-2010 SANITARY SEWER CLEANING AND VIDEO INSPECTION PROJECT – PHASE VII (A) TO ROTO-ROOTER
8. RESOLUTION AWARDED THE ENERGY EFFICIENCY CONSERVATION BLOCK GRANT (EECBG) PUMP MOTOR REPLACEMENT PROJECT TO PUMP REPAIR, INC.

**VI. NEW BUSINESS:**

9. RESOLUTION AUTHORIZING THE PURCHASE OF GREEN WASTE CARTS
10. APPROVAL OF HILLSBOROUGH BEAUTIFICATION FOUNDATION'S PROPOSED DESIGN FOR THE NEW PLACE ISLAND

**VII. PUBLIC HEARING:**

11. FUNDRAISING EVENT PERMIT APPLICATION 10-03 FOR THE SAN MATEO ARBORETUM SOCIETY'S 35TH ANNUAL HILLSBOROUGH/SAN MATEO GARDEN TOUR
12. FUNDRAISING EVENT PERMIT APPLICATION 10-04 FOR THE COYOTE POINT MUSEUM DINNER AND AUCTION
13. RESOLUTION ADOPTING THE MITIGATED NEGATIVE DECLARATION (MND) AND MITIGATION MONITORING PLAN (MMP) AND RESOLUTION APPROVING THE DESIGN FOR THE 3115 RALSTON AVENUE RESIDENTIAL PROJECT (MARK SINCLAIR, BREWER DEVELOPMENT LLC / HABITAT ARCHITECTURE / MICHAEL CALLAN LANDSCAPE)

**VIII. PUBLIC COMMENT:**

*Under Government Code 54954.3, members of the public have the right to address the City Council on any matter within the Council's jurisdiction. However, the Council may not take action on any non-agenda item (except in emergency circumstances). Before addressing the Council, speakers are requested to complete a yellow speaker's card and submit it to the City Clerk. Please come to the podium, state your name and address, limit remarks to 3 minutes, and do not repeat comments by other speakers.*

**IX. CITY COUNCIL ITEMS:**

*This section of the agenda provides the City Council an opportunity to ask questions on any project of interest. No action can be taken on any item not on the agenda.*

## **X. ADJOURN**

### **SPECIAL ACCOMMODATIONS:**

*If you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in the City Council meeting, or if you need an agenda in an alternate form, please contact the City Clerk's Office at 375-7412 at least 24 hours before the scheduled City Council meeting.*

### **MINUTES:**

*A copy of the unapproved minutes will be made available the Friday before the next regularly scheduled City Council meeting. Once minutes are approved by the City Council they will be made available the following day. City Council Agendas and approved minutes are available at the Town's website, [www.hillsborough.net](http://www.hillsborough.net).*

### **ATTACHMENTS:**

*Any items listed as "Attachments" to the agenda are available on the Town's website or at the City Clerk's office.*

*Any writings or documents provided to a majority of the City Council regarding any item on this agenda, except as exempt from public disclosure under applicable law, will be made available for public inspection in the City Clerk's Office located at 1600 Floribunda Avenue, Hillsborough, CA 94010, during normal business hours.*

### **AUDIO / VISUAL ADVISORY:**

*Those persons who wish to use PowerPoint, CDs, DVDs, VHS tapes or other mediums when presenting to the City Council, will be required to submit media items to the City Clerk by 12:00 p.m. on the day of City Council meetings. Media items can be emailed to [myokoyama@hillsborough.net](mailto:myokoyama@hillsborough.net) or brought in on disc or flash drives to the City Clerk's Office located at 1600 Floribunda Avenue, Hillsborough, CA 94010.*



# TOWN OF HILLSBOROUGH

San Mateo County  
1600 Floribunda Avenue  
Hillsborough, CA 94010

# 13

**PUBLIC HEARING  
CITY COUNCIL MEETING  
JULY 12, 2010**

## AGENDA STAFF REPORT

**ITEM SUBJECT: RESOLUTION ADOPTING THE MITIGATED NEGATIVE DECLARATION (MND) AND MITIGATION MONITORING PLAN (MMP) AND RESOLUTION APPROVING THE DESIGN FOR THE 3115 RALSTON AVENUE RESIDENTIAL PROJECT (MARK SINCLAIR, BREWER DEVELOPMENT LLC / HABITAT ARCHITECTURE / MICHAEL CALLAN LANDSCAPE)**

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**SUMMARY:** On June 17, 2010, the Architecture and Design Review Board (ADRB) unanimously approved a new two-story Mediterranean style residence of 11,815.62 square feet in floor area (15.63% Floor Area Ratio), along with an associated landscape plan including new plantings, tree removal, new tennis court, swimming pool and terraces, by means of a 4:0 vote (Boardmember Ho was excused), based on the findings and the conditions outlined in the ADRB resolutions included in the City Council agenda packet. Grading associated with the project is approximately 3,595 cubic yards of cut and 2,660 cubic yards of fill earth material with approximately 685 cubic yards of exported earth matter. The ADRB incorporated additional conditions of approval requiring the replacement of the proposed trees along Pinehill Road with 48-inch box specimen trees and staff review of the entry gate and mailbox. Plans submitted for City Council consideration on July 1, 2010 include 48-inch box size trees along Pinehill Road, as required by the ADRB. A summary of the project evolution and ADRB process, inclusive of environmental review issues raised and the Town's responses, is included in the staff report in the City Council agenda packet.

The design of the proposal reviewed and approved by the ADRB is a Mediterranean architectural style with a palette of high quality materials, including clad wood windows, Redlands clay tile roof, copper gutters, downspouts and chimney caps, custom garage and entry doors and custom roof eave detailing. The proposed residence would be located in generally the same building footprint as the current residence, but would be setback further from the two street sides than the existing structures and would exceed setbacks required by the Hillsborough Municipal Code.

The project site is approximately two acres (or 87,692 square feet) in size located at the northwest intersection of Ralston Avenue and Pinehill Road. A two-story residence of approximately 5,066 square feet exists at the site and is in poor condition.

### ENVIRONMENTAL REVIEW:

As a general rule, the California Environmental Quality Act (CEQA) does not require an environmental review process for a single family residential project and considers such projects as "categorically exempt." Nevertheless, staff made the conservative judgment to prepare a Draft Initial Study (IS) and Mitigated Negative Declaration (MND) for the project to address potential environmental impacts associated with grading on slopes exceeding 10% as outlined in CEQA

Section 15304. The ADRB is required to consider the IS/MND, as well as provide design review of the project, which occurred at a special meeting held on June 17, 2010. The IS/MND were delivered to the ADRB and the City Council on Monday, April 5, 2010. Notification of the IS and MND were mailed to property owners within a 500-foot radius on April 1, 2010, and the public review period for the Draft IS/MND was from April 7, 2010, through April 26, 2010. The environmental documents conclude that any potential environmental impacts associated with aesthetics, biological resources, hazards and dangerous materials, utilities/services systems, cultural resources, hydrology/water quality, noise, air quality, geology/soils and transportation/traffic can be mitigated to a level of insignificance. The Draft Mitigated Negative Declaration provides a summary of these potential impacts and their associated mitigation measures.

CEQA also requires that the Town adopt a Mitigation Monitoring Plan (MMP) in order to ensure implementation of mitigation measures presented in the MND. The MMP is included in the City Council agenda packet.

Staff has reviewed in detail the public comments received regarding the environmental documents. These comments have raised concerns in the following areas: aesthetics, air quality, biological resources, landscaping, transportation and traffic, noise, soils and geology. Staff has carefully considered the issues raised. Certain comments asserted that there were potentially significant impacts that were either not addressed or not adequately mitigated in the MND, while other comments sought additional information or suggested potential changes to the project. While the conclusions remain that the project will not have a significant environmental impact with the proposed mitigations, and the previously considered IS and MND sufficiently cover the potential environmental issues associated with this single family residential project, the Town has enhanced the documents from what was initially issued. Details of these enhancements, staff's responses to comments received regarding the environmental documents, and all public comment received, are included in the City Council agenda packet.

In summary, the MND found that the project would not result in any significant impacts on the environment once the specified mitigation measures were implemented. Although many issues have been raised in the public comment process, during and after the circulation periods for the MND, none have demonstrated a new potentially significant impact that would mandate additional mitigation. Nevertheless, all of these comments have been considered or addressed in some manner through the inclusion of additional information in the MND provided to the ADRB or through enhancements to the project. Accordingly, the May 27, 2010, and July 1, 2010, revisions to the project, which reduced its size and scope are included in the City Council agenda packet. The enhancements to the MND and related documents do not represent a "substantial revision" to the document previously circulated for public review, as that term is defined under CEQA, and no further recirculation is required.

Should the City Council approve the residential project at 3115 Ralston Avenue, the resolution adopting the Mitigated Negative Declaration (MND) and Mitigation Monitoring Plan (MMP) would first need to be adopted. In considering adoption of the MND and MMP, the City Council must consider the environmental documents together with any comments received during the public review process and may adopt the MND and MMP for the reasons outlined in the resolution included in the City Council agenda packet. Should the City Council adopt the resolution adopting

the MND and MMP, the City Council may then consider action on the resolution approving the design of the residential project.

#### **DESIGN REVIEW:**

The key elements for design approval are consistency with the Town's General Plan, Zoning Code and Design Guidelines. These documents, which outline land use policies, development standards and expectations/guidelines for residential design, require that a project be compatible with its neighborhood, consistent with quantitative development standards set forth in the Hillsborough Municipal Code (i.e. height, setbacks, size), be sensitive to the environment, the topography of the site and surrounding buildings, be of high quality, unique, and historically accurate architecturally. The ADRB voted unanimously to approve the residential project at the special meeting held on June 17, 2010, based on these factors and determined the project to be in compliance with the Town's General Plan, Zoning Code and Design Guidelines.

Assessments completed through surveys of surrounding home sizes, lot sizes and setbacks, quantitative analysis of factors, specifically related to the proposed new residence inclusive of setbacks, height and floor area, evaluation of massing impacts, neighborhood compatibility, architecture, landscaping, siting and topography, upon which the ADRB's approval is based, are incorporated in the staff report, which is included in the City Council agenda packet.

Should the City Council adopt the resolution approving or conditionally approving the design of the residential project at 3115 Ralston Avenue, the finding that the proposal is consistent with the Town's Design Guidelines and, therefore, the Zoning Code and General Plan would need to be made and is included as one of the reasons outlined in the resolution included in the City Council agenda packet.

**FISCAL IMPACT:** There is no direct fiscal impact associated with the project.

**ENVIRONMENTAL ISSUES:** An Initial Study, Mitigated Negative Declaration and Mitigation Monitoring Plan have been prepared for the project.

#### **ATTACHMENTS:**

- A. Staff Report for 3115 Ralston Avenue Residential Project
- B. City Council Resolution adopting the Mitigated Negative Declaration and Mitigation Monitoring Plan
- C. City Council Resolution approving the design for the 3115 Ralston Avenue residential project
- D. Architecture and Design Review Board (ADRB) resolutions approving the 3115 Ralston Avenue residential project
- E. July 1, 2010, 3115 Ralston Avenue project plans and application materials
- F. Initial Study, Mitigated Negative Declaration and Mitigation Monitoring Plan

G. Supplemental information submitted by Applicant, Mark Sinclair, including letters from Barton Hechtman, dated June 2, 2010, and June 15, 2010, Geotechnical Investigation prepared by Earth Investigations Consultants dated June 10, 2010 and letter dated July 6, 2010, Noise Study prepared by Edward L. Pack Associates dated June 1, 2010, and letter from Brewer Development, LLC, dated June 7, 2010, requesting continuance to a special ADRB meeting date

H. Supplemental Information from staff including memorandum dated June 10, 2010, including tennis court noise readings from the Hillsborough Police Department; memorandum from the City Engineer dated June 24, 2010 responding to letter prepared by Dennis Rinehart of CSW/ST2 and memorandum dated June 15, 2010, reviewing the June 10, 2010 Geotechnical Investigation prepared by Earth Investigations Consultants; memorandum from C. Barry Butler, Principal Engineer of Cornerstone Earth Group dated July 7, 2010

J. Public comments received regarding the project from the ADRB meetings and up to July 2, 2010

**PREPARED BY:** Elizabeth Cullinan, Director of Building and Planning

**RECOMMENDATION:**

1. Open the public hearing and receive comments;
2. Close the public hearing; and
3. Adopt the resolution adopting the Mitigated Negative Declaration (MND) and Mitigation Monitoring Plan (MMP); and
4. Adopt the resolution approving the design for the 3115 Ralston Avenue residential project.