



BOARD OF SUPERVISORS

Board of Supervisors Chambers
400 County Center, Redwood City

ITEM # 8

Owner: **Anusha Thalapaneni and David Jackson**
Appellant: **Denise Enea, Terry Irwin, Jim Goodrich, Mary Lassiter,
Josh Miller, Yuriy Makarov, & Kathy Fagliano**
File Number: **PLN 2020-00251**
Location: **634 Palomar Drive, Palomar Park**
APN: **APN 051-022-380**
Project Description:
Construction of a three-story, 4,249 sq. ft. single-family residence, 315 sq. ft. covered terrace, a 155 sq. ft. deck, and a 554 sq. ft. attached garage, on a 18,122 sq. ft. legal parcel.



PROJECT DESCRIPTION

- New 4,249 sq. ft., three-story residence on a 18,122 sq. ft. legal parcel.
- Project access is from an improved existing gravel driveway located on 636 Palomar Drive and APN 051-022-250.
- The project involves 880 cubic yards (c.y.) of cut and 90 c.y. of fill and the removal of 2 significant trees.
- Zoning: R-1/S-91/DR (Minimum Lot Size 10,000 sq. ft.)

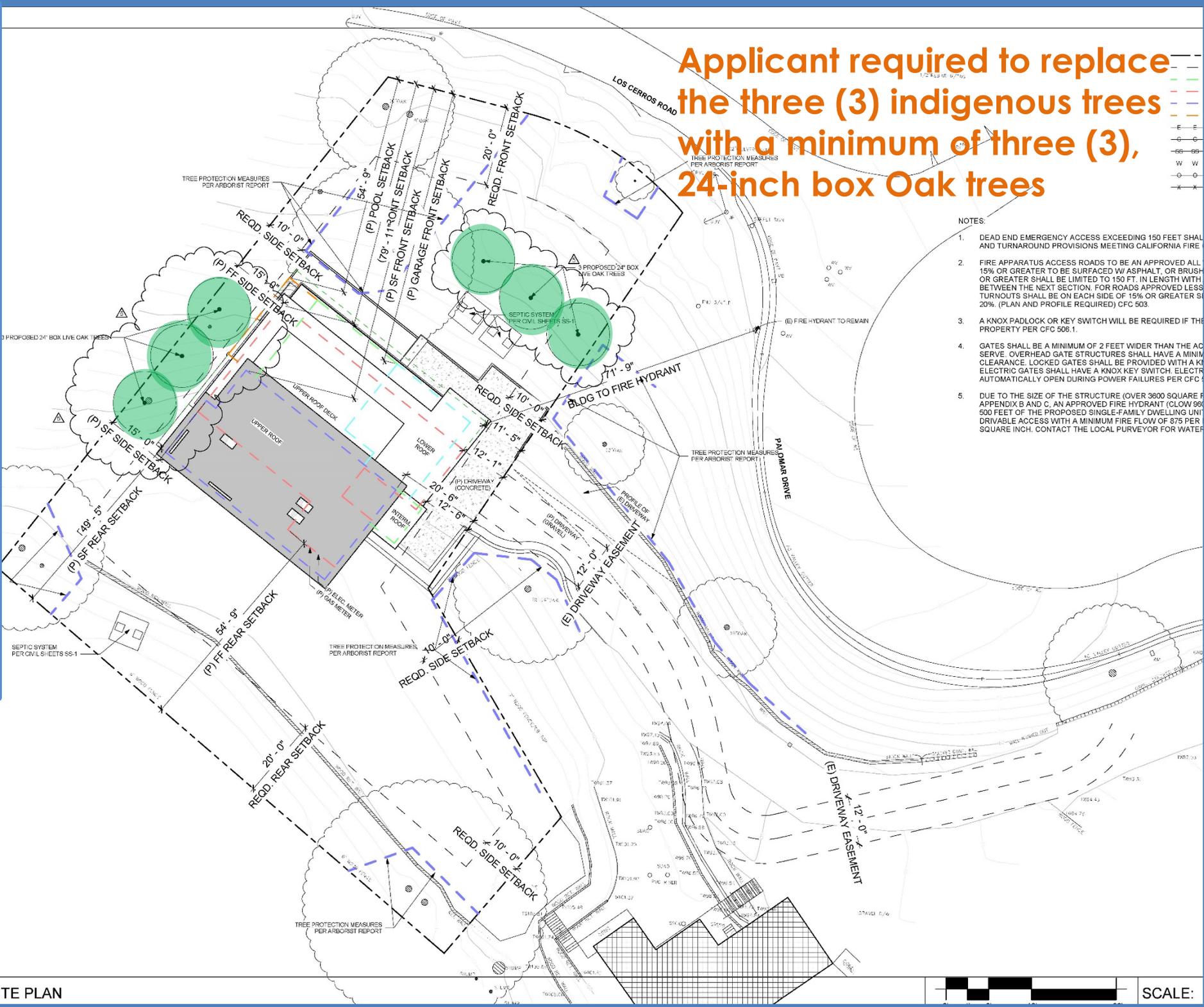


STREET VIEW



(E) SITE PLAN / TREE PROTECTION MEASURES

Removal of 2 significant trees (21"/17.5" Coast Live Oak and 10/6.4" Buckeye) and a 5.14-inch California bay tree

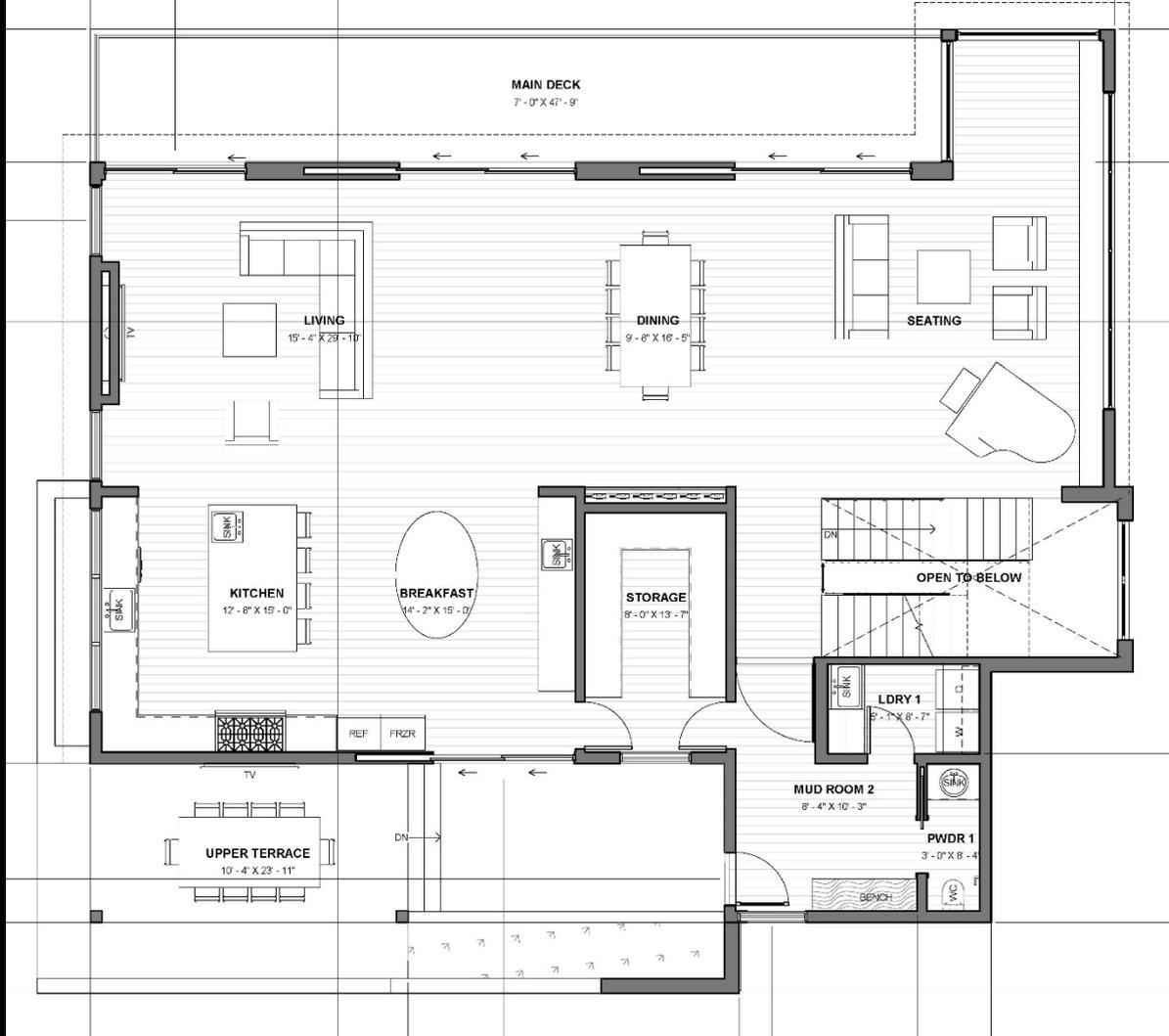


(P) SITE PLAN

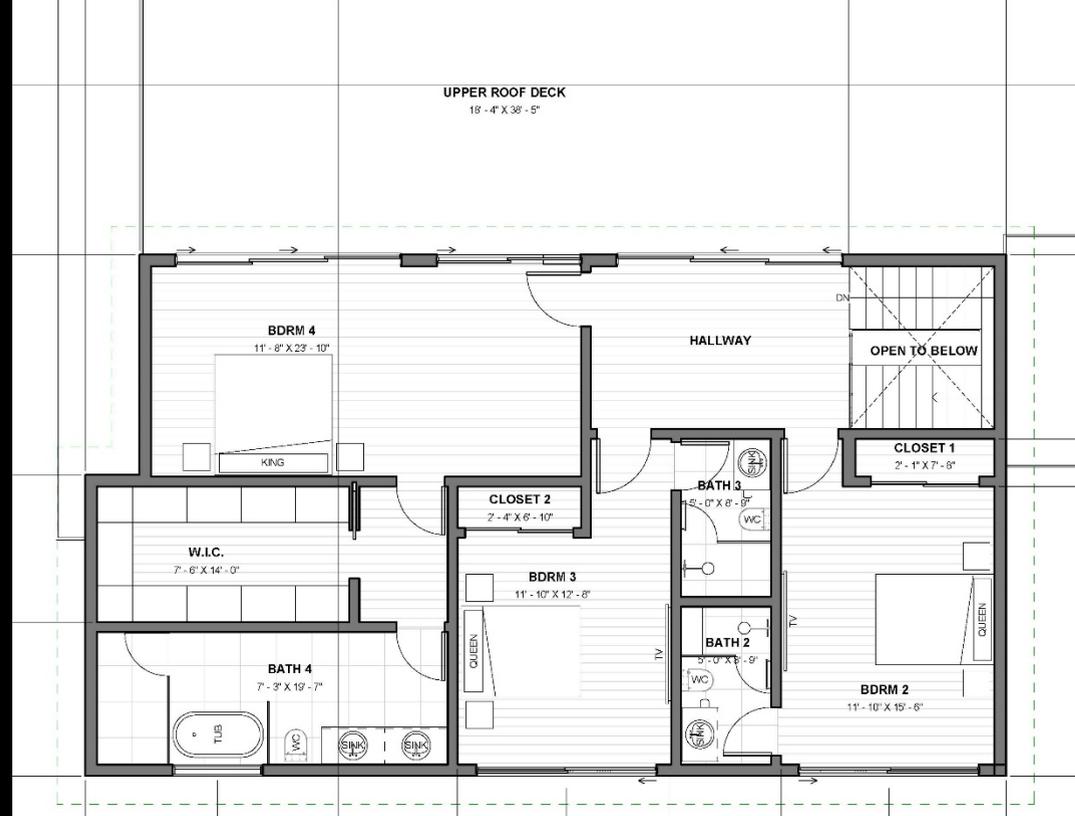
SCALE:

Applicant required to replace the three (3) indigenous trees with a minimum of three (3), 24-inch box Oak trees

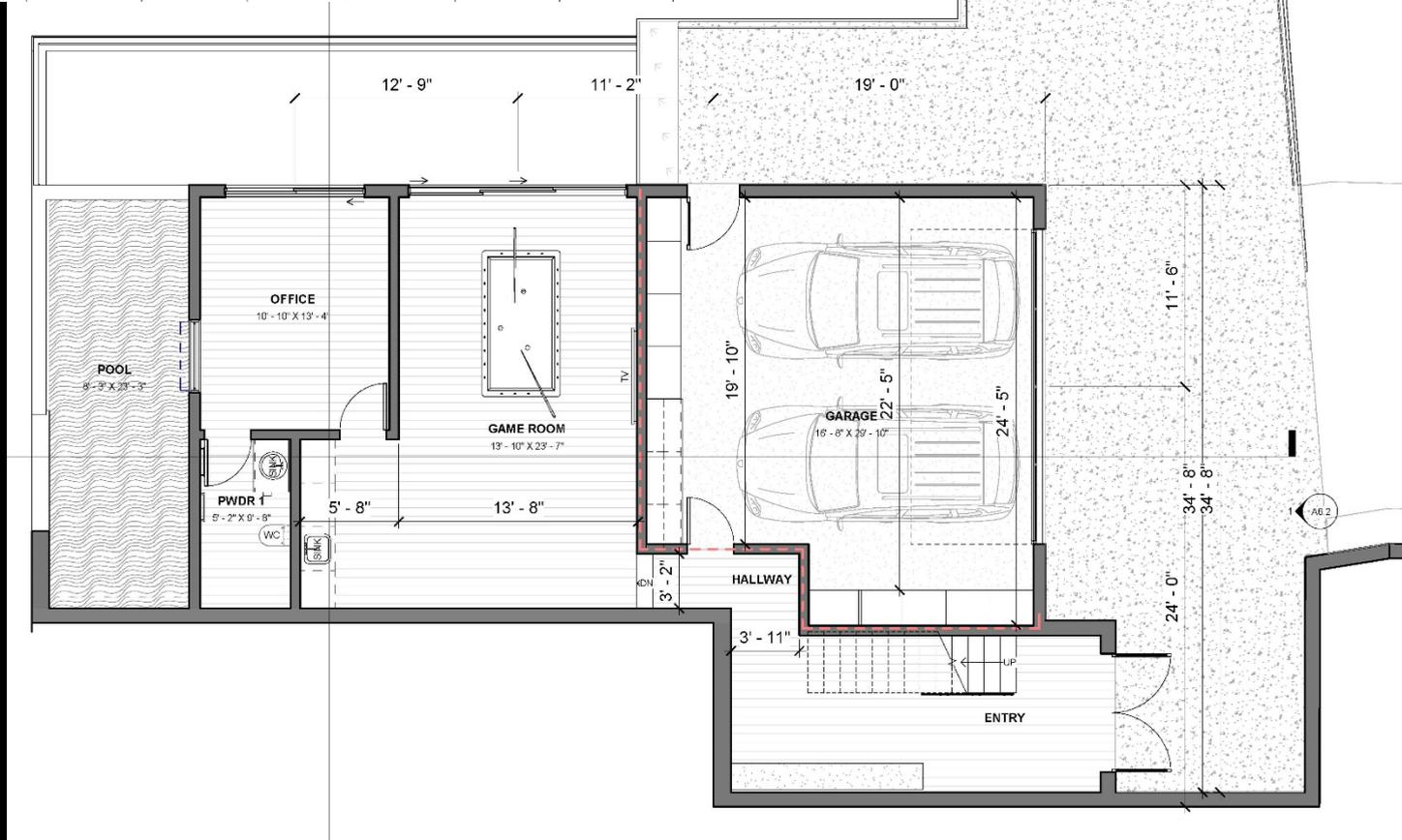
- NOTES:
1. DEAD END EMERGENCY ACCESS EXCEEDING 150 FEET SHALL AND TURNAROUND PROVISIONS MEETING CALIFORNIA FIRE...
 2. FIRE APPARATUS ACCESS ROADS TO BE AN APPROVED ALL 15% OR GREATER TO BE SURFACED W/ ASPHALT, OR BRUSH OR GREATER SHALL BE LIMITED TO 150 FT. IN LENGTH WITH BETWEEN THE NEXT SECTION. FOR ROADS APPROVED LESS TURNOUTS SHALL BE ON EACH SIDE OF 15% OR GREATER S 20%. (PLAN AND PROFILE REQUIRED) CFC 503.
 3. A KNOX PADLOCK OR KEY SWITCH WILL BE REQUIRED IF THE PROPERTY PER CFC 506.1.
 4. GATES SHALL BE A MINIMUM OF 2 FEET WIDER THAN THE AC SERVE. OVERHEAD GATE STRUCTURES SHALL HAVE A MINIM CLEARANCE. LOCKED GATES SHALL BE PROVIDED WITH A KI ELECTRIC GATES SHALL HAVE A KNOX KEY SWITCH. ELECTR AUTOMATICALLY OPEN DURING POWER FAILURES PER CFC...
 5. DUE TO THE SIZE OF THE STRUCTURE (OVER 3600 SQUARE F APPENDIX B AND C, AN APPROVED FIRE HYDRANT (CLOW 96 500 FEET OF THE PROPOSED SINGLE-FAMILY DWELLING UNIT DRIVABLE ACCESS WITH A MINIMUM FIRE FLOW OF 575 PER SQUARE INCH. CONTACT THE LOCAL PURVEYOR FOR WATER...



1st Floor: 2,022 s.f., plus 215 s.f. deck



2nd Floor: 1,340 s.f.



Base Floor: 1,041 s.f. includes garage





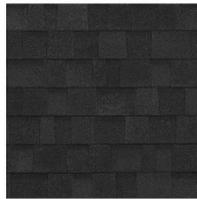
FRONT VIEW



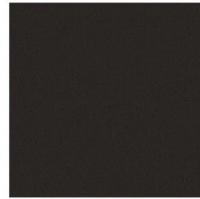
REAR VIEW



STREET VIEW



ROOF - MENARD BLACK SHINGLES



WINDOWS & DOORS TRIM - BLACK



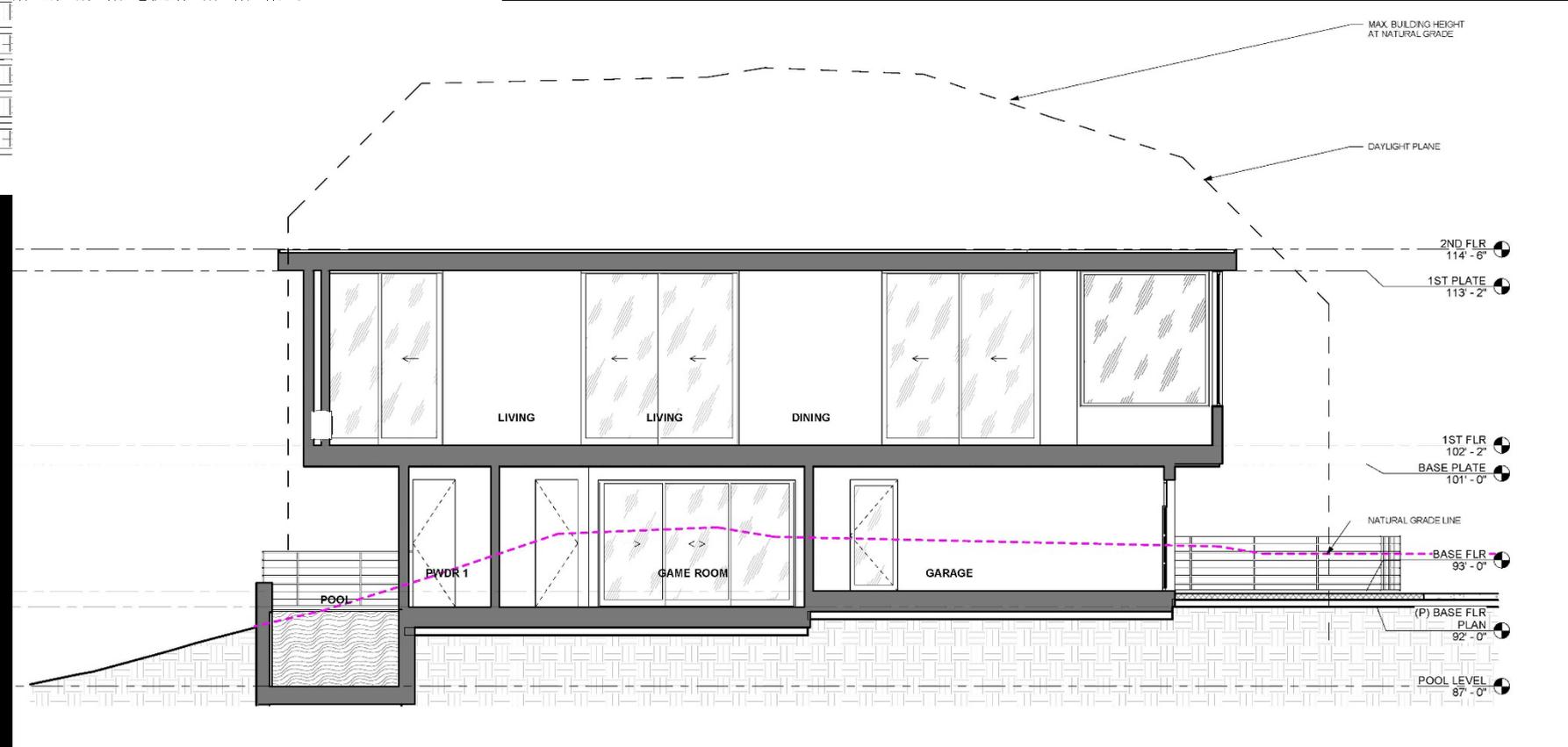
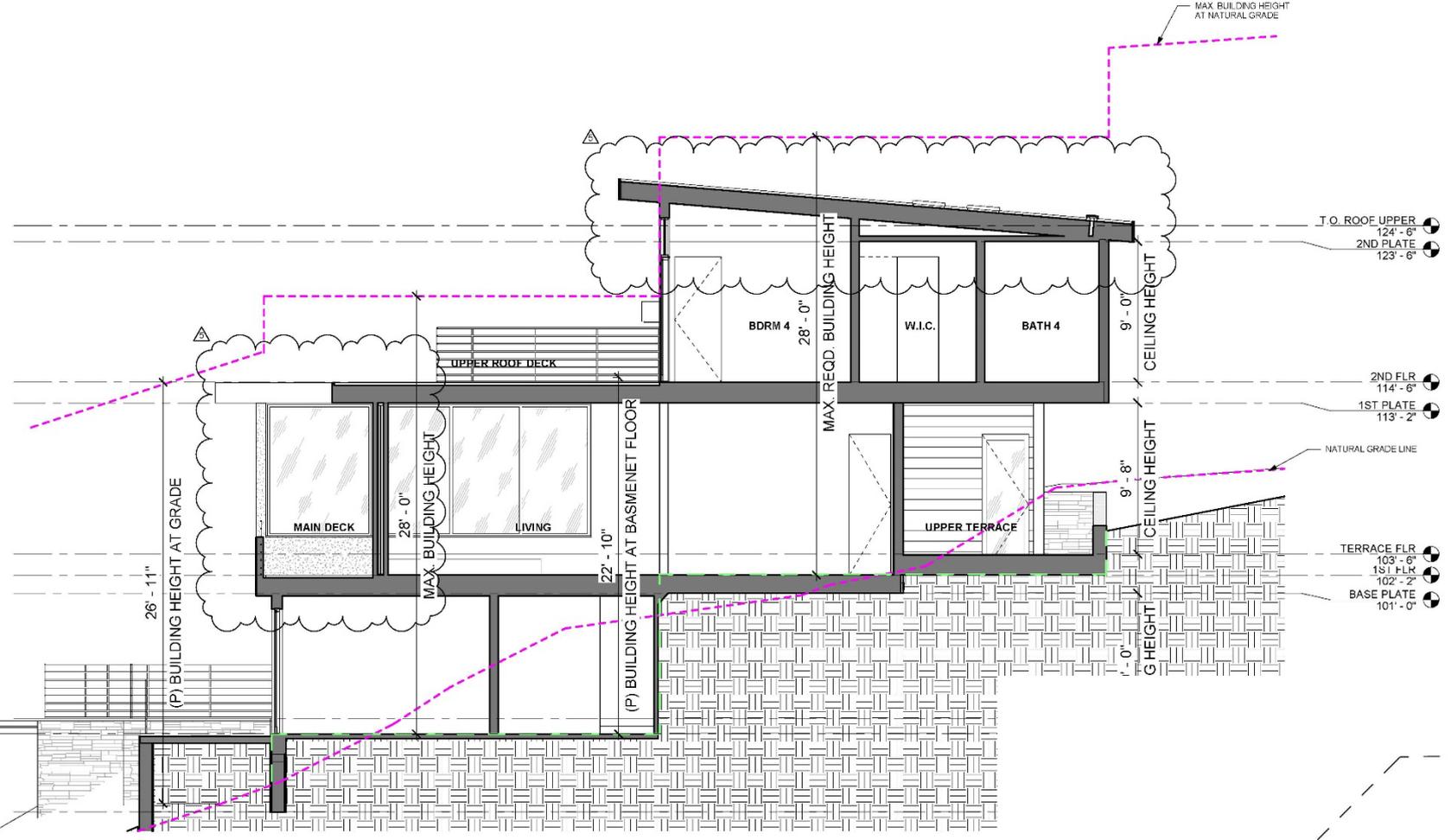
STONE - CORONADO VEIJO RANCH BLEND



WOOD SIDING - POPULAR WOOD T&G



COUNTY OF
SAN MATEO



COUNTY OF
SAN MATEO



REGULATIONS CONFORMANCE

Design Review District Guidelines: On October 26, 2022, the Bayside Design Review Committee (CDRC) recommended approval of the project.

- The BDRC required further reduction in the use of glass on the eastern and northern facades and changes to roof design.
- The applicant has revised the proposal to remove only 2 significant trees (previously 7).
- BDRC found the project in compliance with design standards relating to: materials and colors; pitched roofs; lighting; and site planning to minimize alteration of the natural topography, privacy of neighboring houses and outdoor living areas, and minimize tree removal.



REGULATIONS CONFORMANCE

Required Findings for Grading Permit:

That the granting of the permit will not have a significant adverse effect on the environment, comply with Grading Regulations, and Comply with General Plan.

Applicant must comply with standard conditions of approval which will require:

1. Excavated earth to be off-hauled and deposited to an approved disposal location,
2. Application of erosion control measures prior to and during project grading and construction,
3. Limit grading during the wet season, and
4. Requires Project Engineer shall submit written certification that all grading has been completed in conformance with the approved plans



California Environmental Quality Act (CEQA) Compliance

An Initial Study/Mitigated Negative Declaration was prepared and circulated for public review from July 2, 2022, to July 22, 2022.

The County received two (2) comment letters, including a letter from the Palomar Park Owners' Association, expressing concern with the land stability, drainage, house size and design, and trees to be removed, amongst other concerns.

Main Concerns

Geology:

A letter from Denise Enea states that the IS/MND underplays and leaves out critical information regarding the long history of landslides on and directly adjacent to this parcel. Ms. Enea references letters from Kilik General Engineering, GeoForensics, Inc., and Jeff Lea of Lea & Braze, which are included and analyzed in the IS/MND.



California Environmental Quality Act (CEQA) Compliance

The referenced letters reflect brief reviews of the adjoining off-site properties, with no enclosed maps and no mention of specific site locations or the site APN. The 2021 Connelly report includes a general geologic review of the subject site and does not include subsurface exploration and testing.

The applicant has submitted comprehensive, site-specific reports, including subsurface exploration and testing, for the proposed residence and septic system, which have been reviewed by and received **preliminary approval** from the County Environmental Health Services and the County's Geologist and Geotechnical Engineer. Staff's recommendation of approval is based on the analysis and conditions of approval recommended in those reports.

Hydrology: Ms. Enea asserts that groundwater and springs are the basis for instability of the parcels in this area. Based on subsurface exploration and testing, there is no evidence to support a conclusion that pervasive springs exist on the project site.



California Environmental Quality Act (CEQA) Compliance

Trees: Initially, project proposed removal of seven (7) significant trees, which commenters stated could result in negative aesthetic impacts and impact the stability of the property, due to the stabilization and drainage benefits provided by the root systems of the trees. The applicant has revised the proposal to remove only 2 significant trees (Trees 14 and 15) and a 5.14-inch California bay tree (which is not a significant tree).

Applicant required to replace the three (3) indigenous trees with a minimum of three (3), 24-inch box Oak trees. The applicant proposes to plant these trees in the right-side setback to provide screening of the residence in the same location as the above listed trees proposed for removal. Three (3) additional 24” box trees will also be planted on the lower slope.



Planning Commission Review & Appeal

- March 8, 2023** - Planning Commission (PC) reviewed the project at a public hearing. The PC continued its review to allow time for the applicant's team and County staff to review the Balance Hydrologics letter submitted by a member of the public.
- June 21, 2023** - PC reviewed the project at a public hearing and adopted the IS/MND and approved the project. Condition 64 was revised to require an updated percolation test at the time of building permit application.
- July 6, 2023** - PC's decision is appealed to the Board of Supervisors by Denise Enea, Terry Irwin, Jim Goodrich, Mary Lassiter, Josh Miller, Yuriy Makarov, and Kathy Fagliano.



Planning Commission Review & Appeal

Site stability concerns cited by members of the public at March and June PC meetings:

- History of land sliding in the area which could be exacerbated by project construction and septic system construction.
- Presence of groundwater and springs are the basis for instability of the parcels in this area.
- Removal of 2 trees for the project could reduce site stability.

The applicant has submitted comprehensive, site-specific reports, including subsurface exploration and testing, for the proposed residence and septic system, which have received **preliminary approval** from the County Environmental Health Services and the County's Geologist and Geotechnical Engineer. Staff's recommendation of approval is based on the analysis and conditions of approval recommended in those reports.



Points raised by the Appeal with Staff's Response

1. The Appellants assert that the proposed expansion leach field should not be located within 100 feet of the unstable land mass or the existing current 2023 landslide. The Appellants' assertions of a "2023 landslide" and that the property is "an unstable land mass" have not been substantiated.
2. The Appellants assert that the 100+ year old multi trunk oak, located within 20 feet of current 2023 landslide and 2018 landslide, should not be removed. Roots are vital to hillside stability and dewatering. House design should be modified to preserve the tree. The applicant has demonstrated the preservation of 4 significant trees, where only 2 significant trees (plus one non-significant tree) are now proposed for removal. The project includes replacing the three (3) indigenous trees with a minimum of three (3), 24-inch box Oak trees.



Points raised by the Appeal with Staff's Response

3. The Appellants assert that the swimming pool should not be allowed as it sits at the base of a repaired landslide, next to an unstable land mass. Appellants state that excess pool water will need to drain through neighbor's property and flow into creek without treatment. The County requires pool water to be de-chlorinated prior to release and released in a metered, slow flow, over landscaping and in dry weather, or to on-site drainage facilities. Condition 7 imposes these requirements.

4. The Appellants assert that a percolation test should be conducted under wet season conditions and stacking of existing neighboring leach fields should not be allowed per Environmental Health Ordinance. Condition 64 requires the applicant, at the time of building permit application, to submit an updated percolation test and plans consistent with the On-site Wastewater Treatment System (OWTS) design that has been reviewed and preliminarily approved by Environmental Health Services.



RECOMMENDATION AND FINDINGS

That the Board of Supervisors:

- A) Open public hearing;
- B) Close public hearing;
- C) Deny the appeal and uphold the Planning Commission's decision to approve the Design Review Permit and Grading Permit, PLN 2020-00251, by making findings and adopting the conditions of approval in Attachment A and adopting the Initial Study/Mitigated Negative Declaration, pursuant to the California Environmental Quality Act.



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ITEM ?

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Applicant: **Maurits de Gans, Designer**

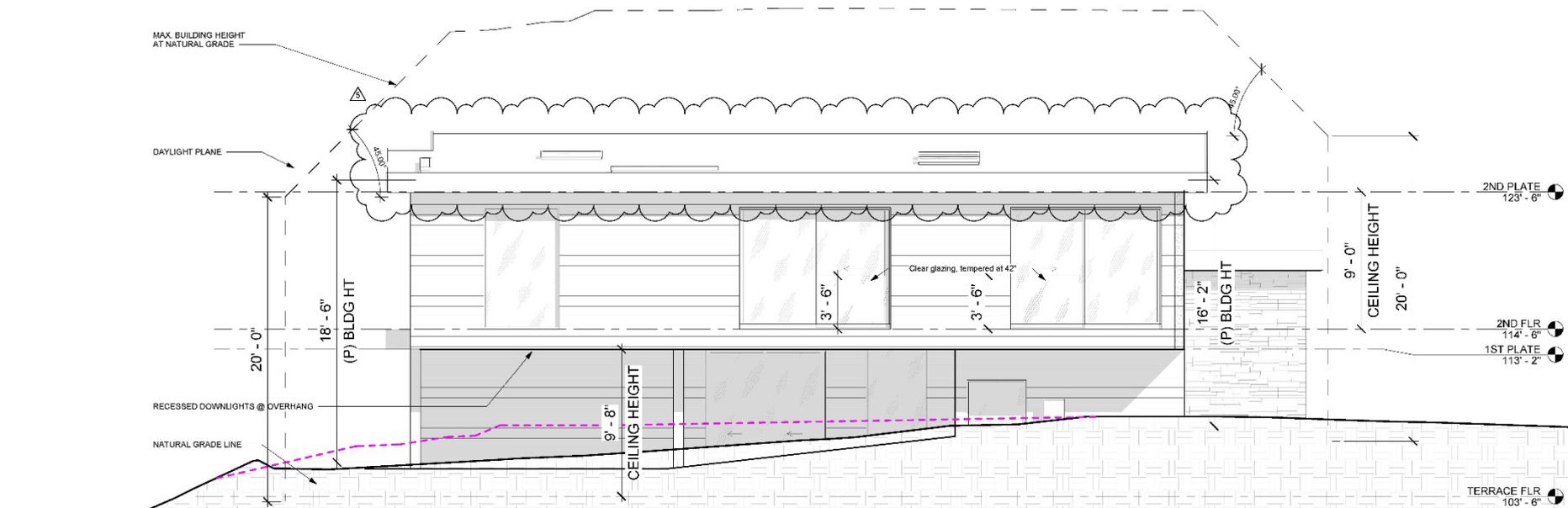
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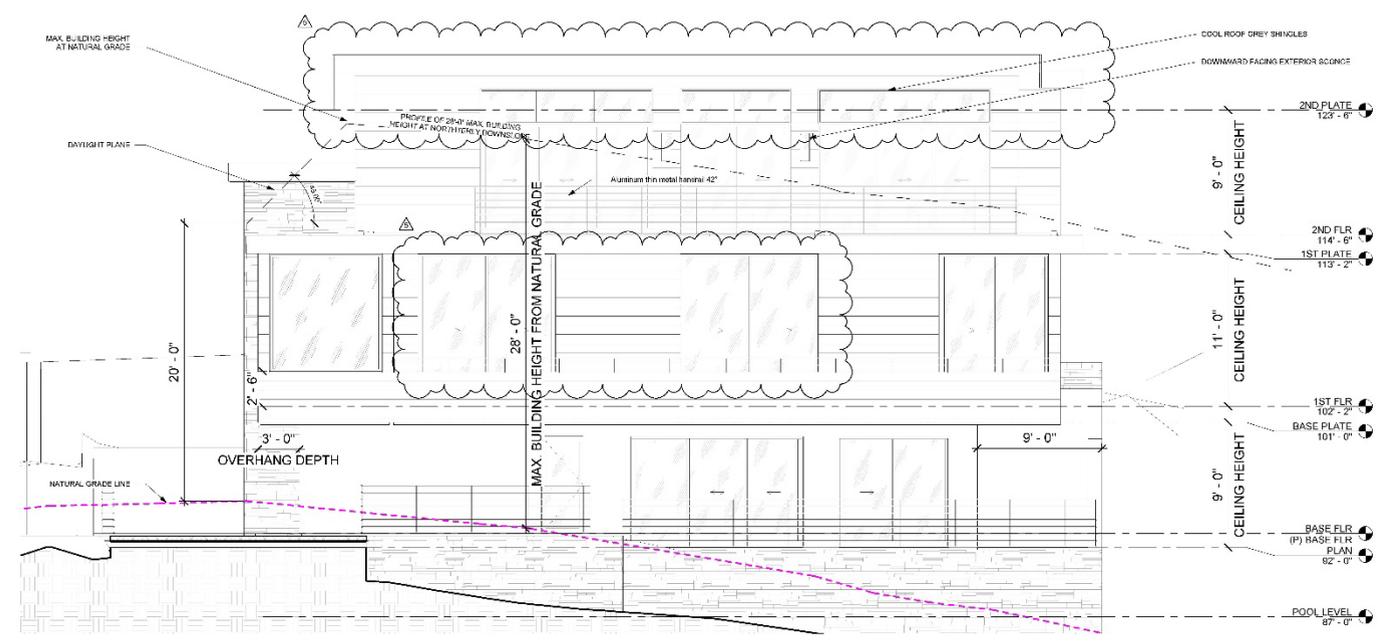
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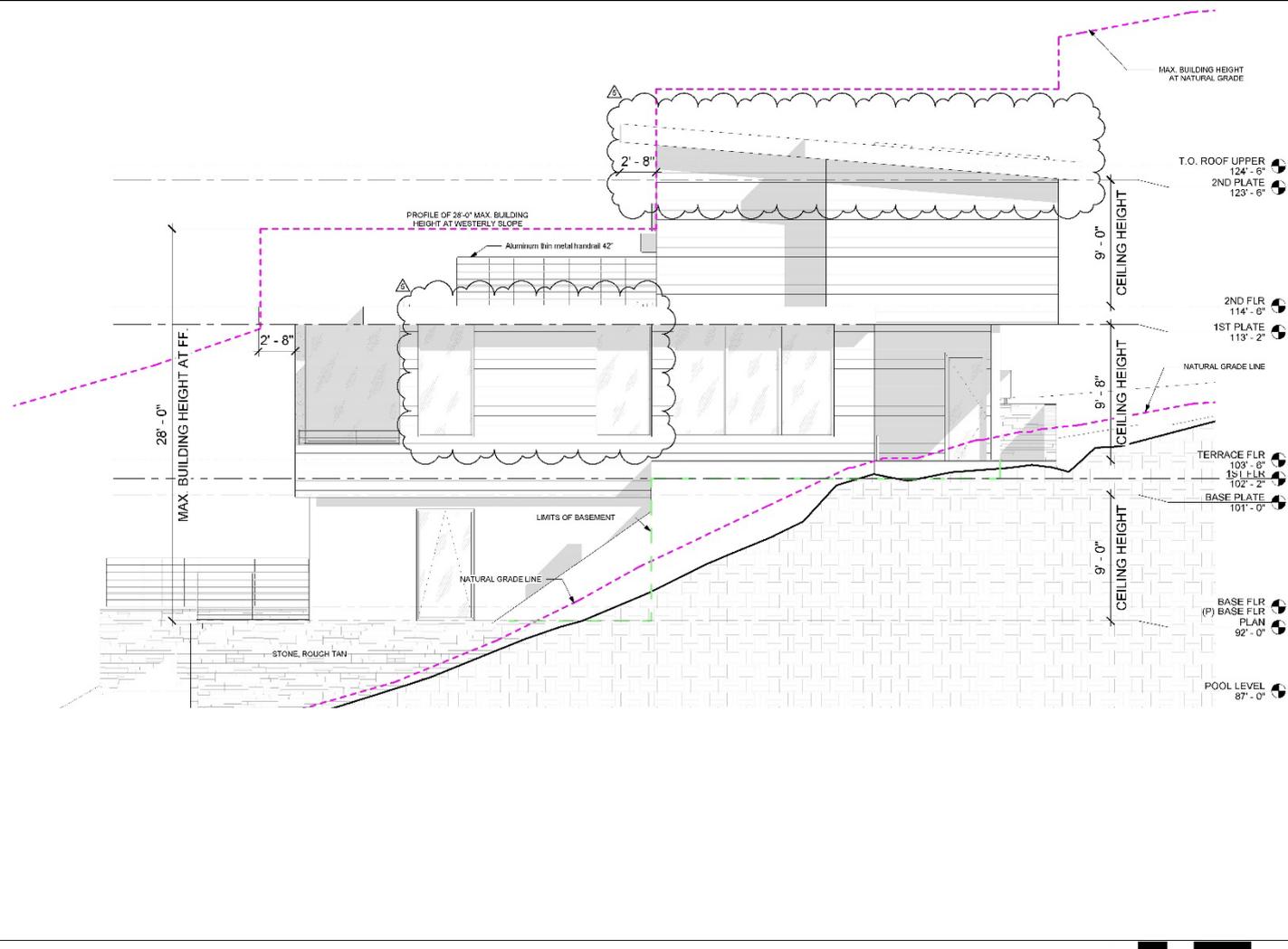


(P) SOUTH ELEVATION

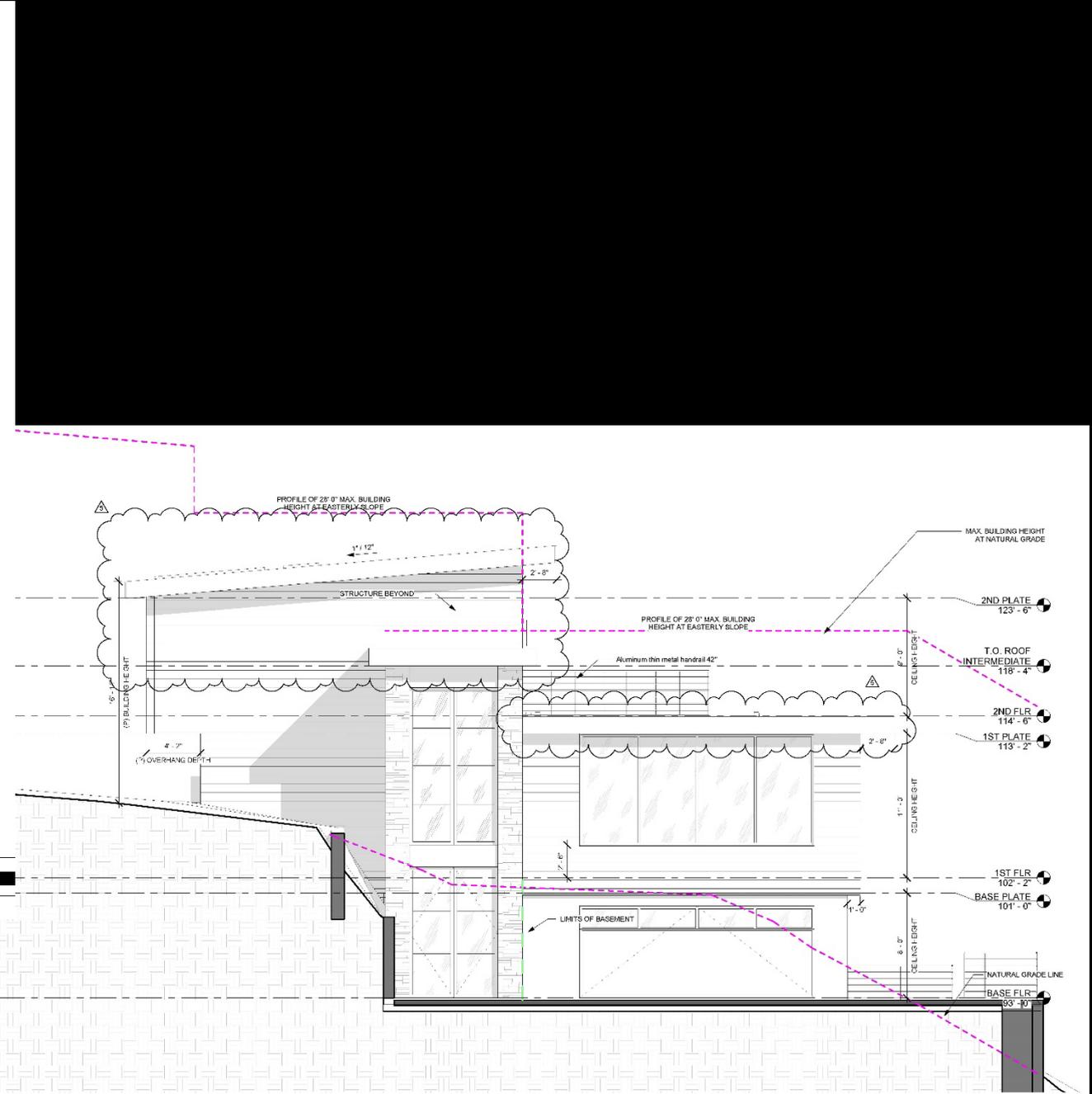


(P) NORTH ELEVATIONS





(P) WEST ELEVATION



(P) EAST ELEVATIONS

