

January 12, 2023

Paul Goswamy
152 Nevada Street
Redwood City, CA 94062

Dear Mr. Goswamy:

SUBJECT: Summary of Major Development Pre-application Public Workshop
890 Upland Road, Emerald Lake Hills
APN: 058-272-120; County File No.: PRE 2022-00020

Thank you for your participation in the virtual public workshop held on August 23, 2022, as required pursuant to County Zoning Regulations Section 6415, for a General Plan Amendment from Low-Density Residential (0.3-2.3 dwelling units (d.u.)/acre) to Medium-Low Density Residential (2.4-6.0 d.u./acre), to allow a 3-lot Minor Subdivision of a 44,721 sq. ft. parcel, located at 890 Upland Road (APN 058-272-120) in the Emerald Lake Hills area of unincorporated San Mateo County. The proposal involves one parcel to be subdivided into three parcels which would maintain the existing RH/DR (Residential Hillside/Design Review) Zoning District (12,000 sq. ft. lot minimum), a request for a new a General Plan land use designation of Medium-Low Density Residential (2.4-6.0 d.u./acre).

The purpose of the Pre-Application Public Workshop is to provide for and foster early public involvement and input on a major development project and, to the extent feasible, identify potential issues before the applicant submits necessary planning applications and plans to initiate the County's formal review process. At the August 23, 2022 meeting, the applicant Paul Goswamy and the Project Civil Engineer Daniel MacLeod, presented the project, listened to community input on the proposal and provided clarifying responses. At the meeting, approximately 25 members of the community provided their input on the project, giving comments and stating concerns about the proposed project.

The purpose of this letter is to summarize the comments received at the public workshop, from the Current Planning Section and other reviewing departments and agencies, and comments from interested parties.

The Minor Subdivision, Grading Permit, and General Plan Amendment applications have been submitted. The project is assigned case number PLN 2022-00321. The project planner is Camille Leung, cleung@smcgov.org



SUMMARY OF PUBLIC CONCERNS REGARDING THE PROJECT

Interested members of the public expressed concerns regarding potential negative impacts the proposed subdivision would have on the surrounding community and neighborhood, with the main concerns as summarized below:

1. **Compatibility with the Density of Surrounding Land Uses** - Several members of the public raised concerns about the proposed density being incompatible with the lower density designation of surrounding homes. There was some opposition to the General Plan Amendment as it may set a precedence for higher density in the area.

Staff's Response: The proposed parcels will be developed with single-family residences in the future, which is consistent with the surrounding development. The lots created by the proposed Minor Subdivision would conform with the RH Zoning District. The proposal does require a change in General Plan designation from Low-Density to Medium-Density residential, but the zoning designation would not change. Both General Plan designations currently exist in the immediate vicinity under Residential Hillside (RH) zoning.

The parcels of the proposed subdivision are required to meet the minimum lot size of the zoning district. It should be noted that numerous parcels in the immediate vicinity are smaller than the minimum lot size requirement of the RH Zoning District. At the time of the County's processing of the Minor Subdivision application, the County will perform further analysis of the proposed project's compatibility with existing development as part of the formal application review process.

2. **Preservation of trees** - Many members of the public raised concerns about tree removal associated with the development of the property, particularly a Heritage oak in the center of proposed Lot 1.

Staff's Response: There are 46 significant trees on the subject parcel and one Heritage tree (Tree No. 3 is a 54-inch dbh Valley oak) based on San Mateo County's tree regulations. The submitted plans show removal of 15 significant trees and one Heritage tree (Tree No. 3).

An evaluation of the health of Tree No. 3 was included in an arborist report by Mayne Tree Expert Company, Inc. dated February 8, 2022. The County Arborist has reviewed the evaluation which indicated that the tree is in poor health and could be a hazard to persons or property located under the canopy and has requested implementation of an Advanced tree risk assessment (Level 3 assessment as defined by ISA). Such assessment should be conducted using a resistance drill or sonic tomogram. The submitted report does not provide objective structural data about the tree of the health and structure of the tree for evaluation, pursuant to Section 11,051 of the County's Regulations for the Preservation, Protection, Removal and Trimming of Heritage trees on Public and Private Property.

The Minor Subdivision process requires that potential footprints of residences be identified, where the subdivision design would largely determine the location of future building footprints and thereby can be predictive of future tree removal. During this process, the applicant will need to demonstrate how lot configurations preserve as many large trees on the site as possible, especially Tree No. 3. However, it is important to note that the final residential footprints and associated tree removal for the residences would be determined during the Design Review Permit application processes, as detailed house designs would be provided with analysis of potential tree preservation/removal. Please see requirements for application(s) in Comment 3 below.

3. **Parking and Traffic/ Pedestrian safety** - Many members of the public spoke about concerns about existing traffic, parking, and pedestrian safety along Upland Road, in front of and around the subject parcels. Questions were also raised about impacts from construction, primarily related to parking and large vehicles within the right-of-way.

Staff's Response: The General Plan amendment would allow for the creation of three parcels, each presumably to be developed with a single-family residence. Two of the residences would share a driveway. Impacts to traffic and pedestrian safety and street parking will be reviewed by the Department of Public Works and discussed in the environmental evaluation for the project.

Parking requirements for a residence with two or more bedrooms requires two-covered parking spaces and two uncovered parking spaces. While the regulations allow the uncovered parking spaces to be located within the right of way, the subdivision as currently designed, would allow for additional on-site, uncovered parking. The subdivision, as currently designed, can comply with all parking regulations.

4. **Drainage** - Several members of the public raised concerns about existing drainage patterns created by retaining walls on an adjacent property.

Staff Response: The County will review project drainage and run-off capture at the subdivision application stage and at the residential development stage for compliance with the County's Drainage Manual, <https://www.smcgov.org/planning/drainage-manual>. San Mateo County's drainage requirements for new development and redevelopment and establish the appropriate level of review based on project size and location to demonstrate that projects do not create additional stormwater flows across property lines. In other words, the post-development stormwater runoff peak flow and volume must be less than or equal to the undeveloped stormwater runoff peak flow and volume at each point of discharge from the project parcel, unless an alternative discharge point is otherwise approved by the County of San Mateo (County), which requires the post-development stormwater runoff peak and volume must be less than or equal to the undeveloped stormwater runoff peak flow and volume at each point of discharge from the project parcel, unless an alternative discharge point is otherwise approved by the County. Also, conveyance systems must be adequately sized and

designed to accommodate design flows. Additionally, stormwater treatment may also be required depending on the proposed total impervious surface.

5. **Privacy** - about a member of the public stated that the increased density would result in additional homes in the area and would result in a loss of privacy for existing homeowners.

Staff's Response: Staff responded that privacy of neighbors is associated with setbacks of residences from surrounding neighbors, which is determined by the zoning, which in this case is not changing. The zoning allows a side yard to be no less than 7.5 feet from the property line. The required building setbacks are met and/or exceeded within the submitted plans. This standard will be applied to any future residences. Furthermore, a Design Review Permit is required for new development in this area, where aspects of privacy related to home siting and design could be addressed, e.g., by modifying windows or decks.

6. **Accessory Dwelling Units (ADUs)** - Members of the public stated concerns that future ADUs on the future project parcels would exacerbate previously mentioned concerns related to parking and traffic.

Staff's Response: Should the subdivision be approved, Accessory Dwelling Units (ADUs) would be allowed on each parcel. ADUs are allowed within all residential districts within California. All residences in Emerald Lake Hills have development opportunities related to ADUs and are subject to parking requirements, which will also apply to this property. Additionally, the ADU regulations require on-site parking in various instances. All ADUs require a building permit which is subject to the review of the Department of Public Works.

7. **Wildlife** - A concern was raised by a member of the public about potential project impacts to deer in the neighborhood.

Staff's Response: Deer are not considered to be a protected or threatened species. The formal subdivision application will require an environmental document which will evaluate if any endangered or threatened species would be significantly impacted (as defined by CEQA regulations) by the proposed development.

8. **Public Notification** - There was question as whether the noticing radius for the workshop was sufficient.

Staff's Response: Staff explained that the pre-application public workshop noticing is a 500-foot radius. While legal requirements for public noticing of the subdivision project would include a 300-foot radius from the project site, staff will continue using the 500-foot radius for future public meeting notices for the project. Additionally, any member of the public requesting to be included in future noticing can send a request to staff.

COMMENTS FROM OTHER REVIEWING AGENCIES

Planning staff has received preliminary comments from the following agencies:

San Mateo County Planning Department

1. This letter is the final step in the Major Development Pre-application. The next step is a formal application to the Planning and Building Department. The applicant has submitted applications for a Minor Subdivision and General Plan Amendment (PLN 2022-00321). Planning application submittal documents for a Major Subdivision and General Plan Amendment shall minimally include the application requirements pursuant to Section 7011 of the County's Subdivision Ordinance (<https://planning.smcgov.org/subdivision-regulations>). Application processing includes a completeness determination within 30 days of application, review by all relevant agencies; and preparation of an environmental document pursuant to the CEQA Guidelines to analyze project impacts. After the environmental document is prepared by staff, it will be released online and to interested members of the public with a public comment period, typically 20 calendar days. The project would require a public hearing for a recommendation on the required permits by the San Mateo County Planning Commission followed by a public hearing for certification of the CEQA document and a decision on the required permits by the San Mateo County Board of Supervisors. All public meetings would include advanced notification to property owners within 500 feet of the project site and interested parties who have requested notification.
2. The submitted plans show removal of 15 significant trees and one Heritage tree (Tree No. 3) which are in the footprint of future development. For your Minor Subdivision application, please identify which trees (over 6-inch dbh) are proposed for removal to accommodate construction of subdivision improvements (e.g., access and utilities to new parcels). Tree removal associated with construction of each future residence will need to be included in the Design Review Permit application for each residence; please do not include proposed tree removals associated with construction of residences in the Minor Subdivision application. Please apply for a separate tree removal permit for trees being removed for health and safety reasons (trees not associated with proposed subdivision improvements or future residence(s)).
 - a. For your Minor Subdivision application, please provide an updated arborist report that assesses the Heritage tree (Tree No. 3) relative to proposed development impacts. The report should include a Sonic tomogram report, Level 3 Tree Risk Assessment. The report shall include existing tree condition, potential tree survival and longevity, and tree protection recommendations, including special measures needed to protect trees during demolition and/or construction.
 - b. The configuration of the Lot 1 in the Preliminary Subdivision Layout presented does not appear to allow adequate space for a future residence and preservation of the Heritage valley oak tree (Tree No. 3). Please note that staff and the County Arborist will be reviewing the Minor Subdivision layout carefully with the

intention of preserving the heritage tree per Chapters 1 through 3 of the County's Regulations for the Preservation, Protection, Removal and Trimming of Heritage Trees on Public and Private Property. Staff is working with the applicant on alternate subdivision layouts, include running the new property line through the location of tree, such that new residences would be required to set-back from the heritage tree.

Local Agency Formation Commission (LAFCo)

3. An Outside Service Agreement is required to allow the City of Redwood City (City) to be able to provide water and wastewater services to the property. An application to both the City and LAFCo is required for these connections. As part of this Outside Service Agreement, LAFCo will require a deferred annexation agreement be recorded on the property.
4. LAFCo and the City requires a description of the area to be served and confirmation that the subdivision of the properties has been approved by the County. The application to the City and LAFCo can be submitted prior to the County's decision on the project so that the review period can run concurrently, but LAFCo action on the Outside Service Agreement is contingent upon the approval of the subdivision. The applicant can contact Rob Bartoli, LAFCo Executive Officer, at either rbartoli@smcgov.org or at 650/363-1857 regarding questions on the LAFCo process.
5. In the subdivision application submitted to the County, the applicant shall identify how many existing water and wastewater connections are currently at the property and how many new connections are being requested for the proposed subdivision.

Environmental Health Services

6. If the applicant plans to connect to the local sewer authority, prior to connection, the State system shall be demolished with permits through Environmental Health Services provided any necessary approval from the Planning and Building Department of record, the appropriate sewer authority, and the San Mateo County Local Agency Formation Commission.
7. A sewer connection must extend to all dwelling units.

Drainage Section

8. The applicant shall have prepared, by a Registered Civil Engineer, a drainage analysis of the proposed subdivision and submit it to the Department of Public Works for review and approval. The drainage analysis shall consist of a written narrative and a plan. The flow of the stormwater onto, over, and off of the property being subdivided shall be detailed on the plan and shall include adjacent lands as appropriate to clearly depict the pattern of flow. The analysis shall detail the measures necessary to certify adequate drainage. Post development flows and velocities shall not exceed those that existed in the predeveloped state. Recommended measures shall be designed and

included in the street improvement plans and submitted to the Department of Public Works for review and approval.

Department of Public Works

9. Prior to the issuance of the Planning permits, the applicant shall submit a driveway "Plan and Profile," to the Department of Public Works, showing the driveway access to the parcel (garage slab) complying with County Standards for driveway slopes (not to exceed 20%) and to County Standards for driveways (at the property line) being the same elevation as the center of the access roadway. When appropriate, as determined by the Department of Public Works, this plan and profile shall be prepared from elevations and alignment shown on the roadway improvement plans. The driveway plan shall also include and show specific provisions and details for both the existing and the proposed drainage patterns and drainage facilities.
10. Should the access shown on the plans go through neighboring properties, the applicant shall provide documentation that "ingress and egress" easements exist providing for this access, prior to issuance of building permit or recordation of map (if any).
11. No proposed construction work within the County right-of-way shall begin until County requirements for the issuance of an encroachment permit, including review of the plans, have been met and an encroachment permit issued. Applicant shall contact a Department of Public Works Inspector 48 hours prior to commencing work in the right-of-way.
12. Prior to the issuance of the building permit, the applicant will be required to provide payment of "roadway mitigation fees" based on the square footage (assessable space) of the proposed building per Ordinance No. 3277.
13. The applicant shall submit a Parcel Map to the Department of Public Works County Surveyor for review, to satisfy the State of California Subdivision Map Act. The final map will be recorded only after all Inter Department conditions have been met.
14. The applicant shall submit written certification from the appropriate utilities to the Department of Public Works and the Planning and Building Department stating that they will provide utility (e.g., sewer, water, energy, communication, etc.) services to the proposed parcels of this subdivision.
15. Future development of any and all parcels resulting from the approved subdivision must comply with these requirements. The applicant shall note the requirement in the deeds for each parcel, copies of which shall be provided to the Planning & Building Department and shall disclose the requirement to any potential buyer(s). Each parcel shall be tagged by the Planning & Building Department with this requirement, and no permits shall be issued for any development of the parcel(s) until this requirement is met. For future structures to be built on the individual parcels, prior to the issuance of

a building permit for any structure on the project site, all plans shall be reviewed by the Planning Department for conformance with this condition.

Cal-Fire

16. On plans submitted for the Planning permits, please provide the width, grade, and cross slope of the proposed driveway and turnaround.

County Arborist

17. The site is dominated by non-native plantings predominantly Acacia, pepper, and olive trees. Removal of these non-native trees may be preferred over removal of the few native species on site. There are five (5) Oak trees proposed for removal according to the site plan, including a Valley oak (No. 3) located in the center of Lot 1, which is designated as Heritage; and a large, Valley oak (No. 26) near the existing house in Lot 2, which is designated as significant. The project arborist has recommended more detailed inspections of these trees by the Project Arborist to formulate an educated opinion on their structural stability. The County Arborist recommends both trees be evaluated using a Sonic tomogram to aid decision making processes for these trees. Use of a Sonic tomogram and the resulting report would qualify as a Level 3 Tree Risk Assessment. The applicant shall evaluate if there are lot orientations which could be considered that avoid future impacts to mature native trees. The County considers the preservation of the largest trees on site as a high priority.
18. Tree No. 3 located on Lot 1 qualifies as a Class II Heritage tree. Prior to approval of a development plan or tree removal permit additional assessment of the health and structure of the tree will be required.

Redwood City Water

19. LAFCO approval of the application for the proposed water service connection may be required, if applicable. If so, the Property owner shall pay associated fees.
20. After approval of the construction drawings by the San Mateo County Building Department and upon application for new water service, the property owner shall pay all applicable City fees, including connection fees associated with providing proposed water service.
21. Property owner shall pay the City's water service annexation fees.
22. Property owner shall install new water service lines.
23. Property owner is responsible for the design, construction, and connection of any water main modifications or extensions necessary to provide adequate flow for domestic use and fire suppression, in accordance to City Code Section 38.26 and as determined by the City and the Fire Marshal within the local jurisdiction.

24. Property owner shall pay the fees for any construction permit in connection with improvements for new water service and shall pay associated costs for plan review and inspections.
25. Property owner shall adhere to all the review comments and conditions of service stated by the City. Property owner shall submit a signed Declaration of Restriction to the City and record it with the County of San Mateo.

Redwood City Sewer District

26. This location is not currently served by Redwood City sewer. Furthermore, the parcel is not within Redwood City's sewer service area. The applicant should coordinate sewer service with the appropriate county sewer district.
27. If District service is unavailable, then Redwood City can consider an application for connection and extension. Such connection would be subject to all applicable fees, reviews and agency approvals. Emerald Lake Hills Sewer District.

The formal application (PLN 2022-00321), including all plans and materials cited earlier in this letter, should consider the comments discussed above. If you have any questions regarding this summary or need assistance with application requirements, please feel free to contact me at 650/363-1825 or by email at eadams@smcgov.org

Sincerely,



Erica Adams, Pre-Application Project Planner

EDA:mda – EDAGG0401_WMN.DOCX

cc: Board of Supervisors
Planning Commission
Steve Monowitz, Community Development Director
Lisa Aozasa, Deputy Director
County Drainage Review Section
County Geotechnical Review Section
County Department of Public Works
LAFCO
Interested Parties
Dan Macleod, Project Civil Engineer
Camille Leung, Planner for PLN2022-00321