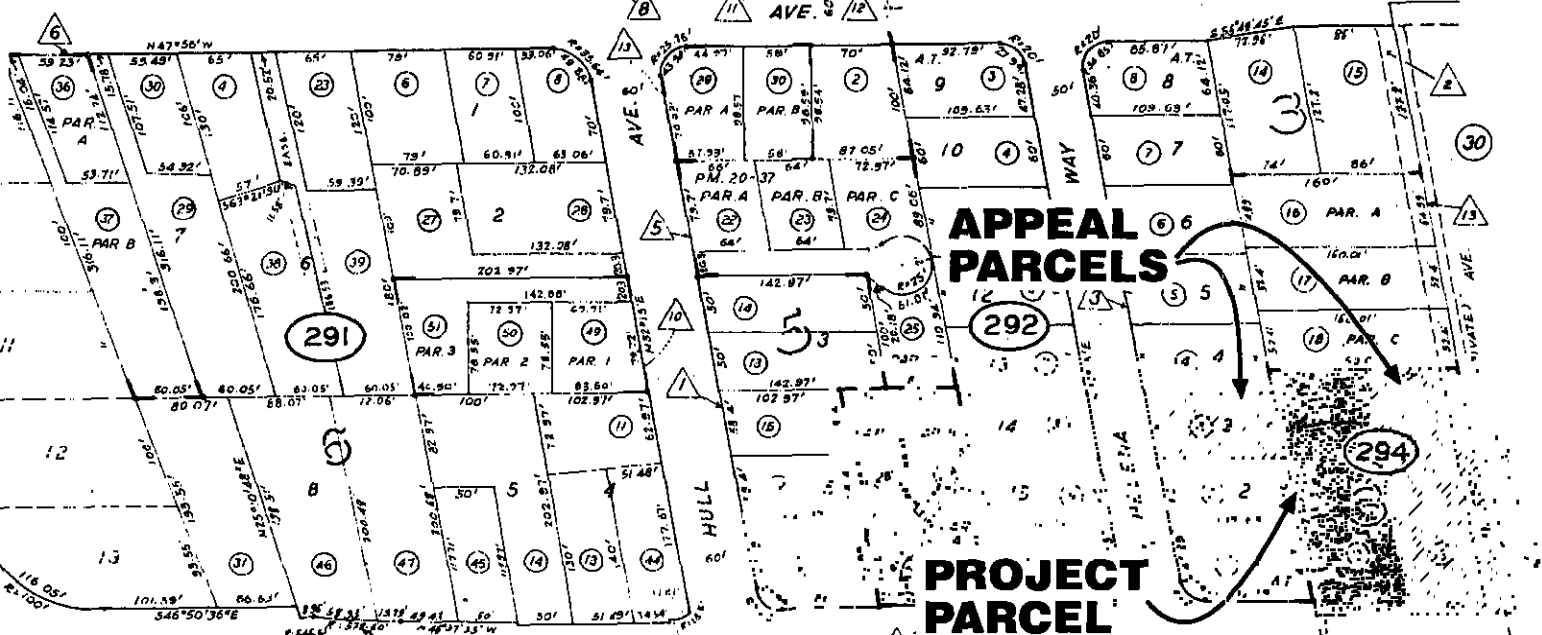
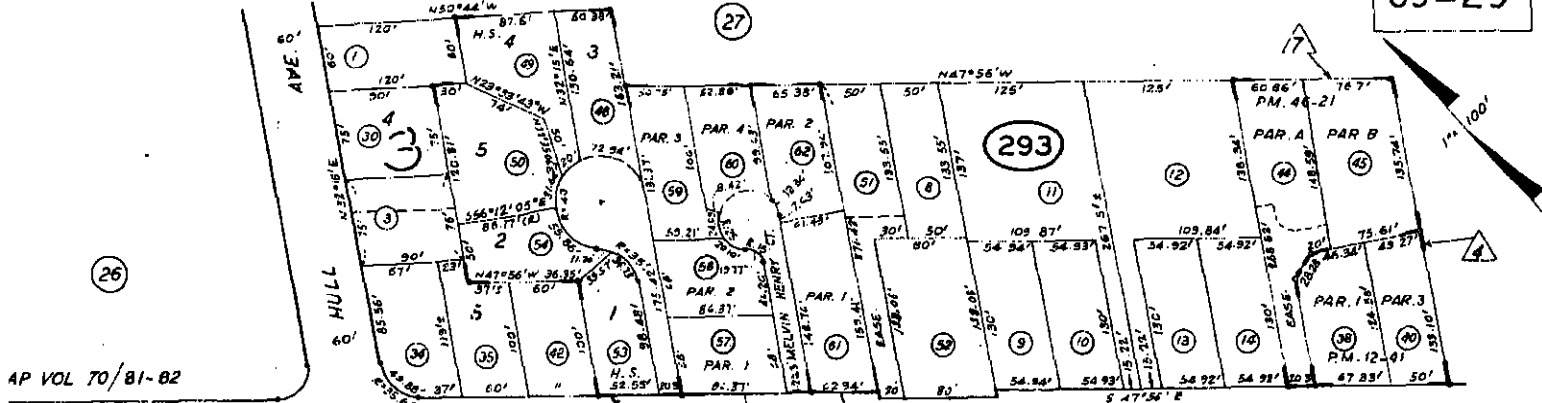


AP VOL 70/81-82



12 PARCEL MAP VOL 63/59-60
11 PARCEL MAP VOL 63/49-51

ALAMEDA

DE LAS

PULGAS

1 WOODACRE KNOLLS RSM 11/70
2 EAST GREENWOOD RSM D/40
3 ALAMEDA TERRACE RSM 39/37

4 PARCEL MAP VOL 12/41
5 PARCEL MAP VOL 20/37
6 PARCEL MAP VOL 33/32

7 PARCEL MAP VOL 46/21
8 HOFHEINZ SUB RSM 99/76-77
9 PARCEL MAP VOL 49/96

San Mateo County Board of Supervisors Meeting

Applicant: **FIROOZ GHAFFARI**

Attachment: **B**

File Numbers: **PLN2001-00080**

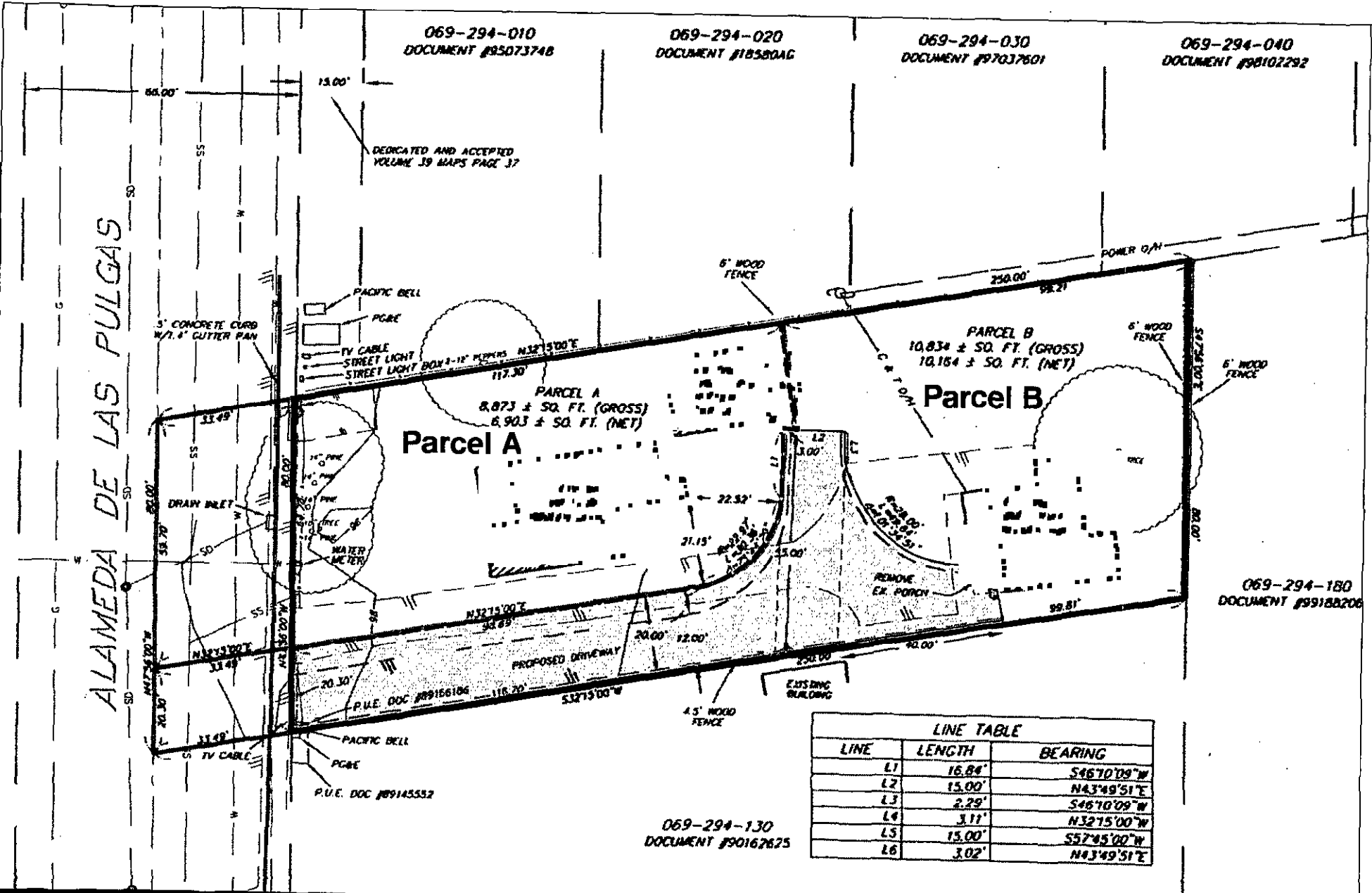


069-294-010
DOCUMENT #95073748

069-294-020
DOCUMENT #18580AG

069-294-030
DOCUMENT #97037601

069-294-040
DOCUMENT #98107292

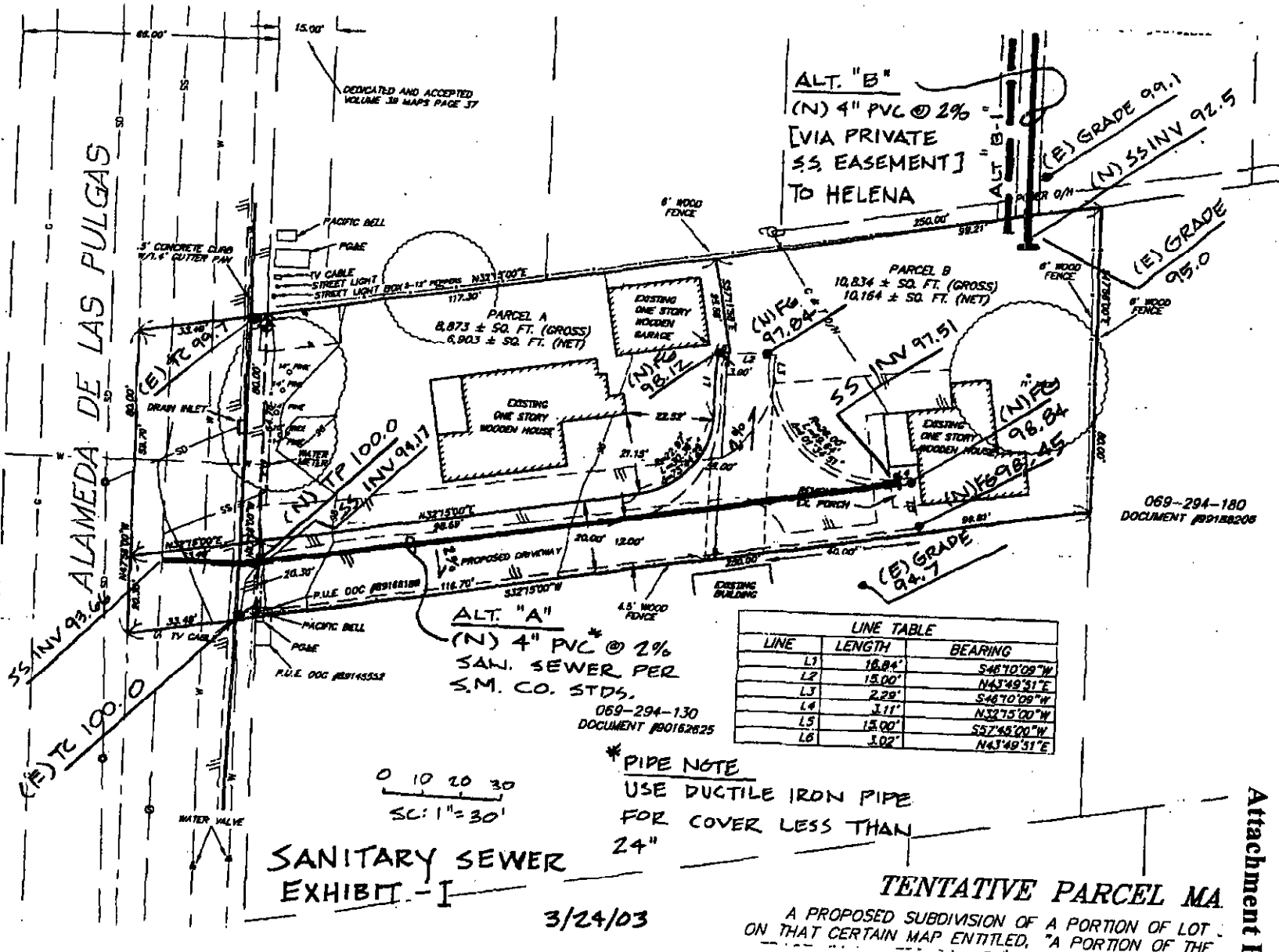


San Mateo County Board of Supervisors Meeting

Applicant: **FIROOZ GHAFFARI**
File Numbers: **PLN2001-00080**

Attachment: **C**

LEA & SUNG ENGINEERING, INC.
 CIVIL ENGINEERS - LAND SURVEYORS
 2485 Industrial Parkway West
 Hayward, CA 94545
 (510) 887-4088
 Fax (510) 887-3018



San Mateo County Board of Supervisors Meeting

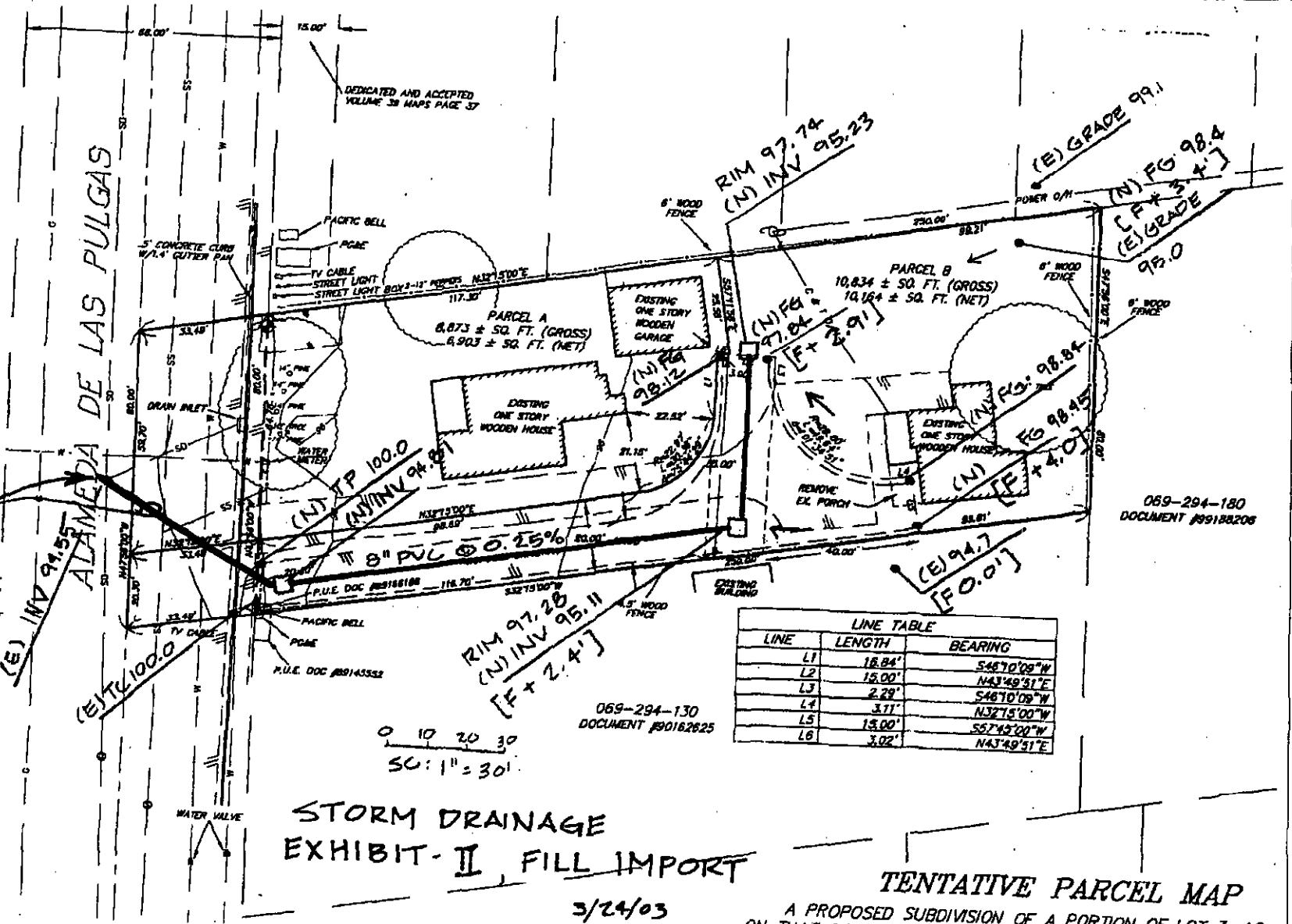
Applicant: **FIROOZ GHAFFARI**
 File Numbers: **PLN2001-00080**

Attachment: **D**

Attachment B

LEA & SUNO ENGINEERING, INC.
 CIVIL ENGINEERS • LAND SURVEYORS
 2485 Industrial Parkway West
 Hayward, CA 94545
 (510) 867-4086
 Fax (510) 867-3018

(N) 12" Ø PVC
 @ 0.5% SLOPE, CONNECT
 TO (E) SPMH.



LINE TABLE		
LINE	LENGTH	BEARING
L1	18.84'	S48°10'08"W
L2	15.00'	N43°49'51"E
L3	2.28'	S48°10'08"W
L4	3.17'	N32°15'00"W
L5	15.00'	S57°42'00"W
L6	3.02'	N43°49'51"E

STORM DRAINAGE
 EXHIBIT-II, FILL IMPORT

3/24/03

TENTATIVE PARCEL MAP

A PROPOSED SUBDIVISION OF A PORTION OF LOT 3, AS
 ON THAT CERTAIN MAP ENTITLED, "A PORTION OF THE EAST"

San Mateo County Board of Supervisors Meeting

Applicant: **FIROOZ GHAFFARI**
 File Numbers: **PLN2001-00080**

Attachment: **D**



Please reply to:

Gabrielle Rowan
(650) 363-1829

PROJECT FILE

August 13, 2003

Lawrence Searcy
2055 Helena Way
Redwood City, CA 94063

Kelsey Taussig
2295 Alameda de las Pulgas
Redwood City, CA 94061

ENVIRONMENTAL SERVICES AGENCY

Dear Mr. Searcy and Ms. Taussig:

Subject:	File Number PLN2001-
Location:	2279 Alameda de las Pulgas, Redwood City
APN:	069-294-120

Agricultural
Commissioner/ Sealer of
Weights & Measures

Animal Control

Cooperative Extension

Fire Protection

LAFCo

Library

Parks & Recreation

Planning & Building

Commissioners:

David Bomberger

William Wong

Bill Kennedy

Ralph Nobles

Jon Silver

On August 13, 2003, the San Mateo County Planning Commission considered your appeal of a decision by the Zoning Hearing Officer to approve a Minor Subdivision, pursuant to Section 7010 of the San Mateo County Subdivision Regulations and the State Subdivision Map Act, to subdivide an existing 19,707 sq. ft. parcel into two parcels consisting of 10,834 sq. ft. and 8,873 sq. ft. located at 2279 Alameda de las Pulgas, Redwood City, California, San Mateo County.

Based on information provided by staff and evidence presented at the hearing the Planning Commission, on August 13, 2003, the appeal, upheld the decision of the Zoning Hearing Officer to approve the Minor Subdivision, made the findings and adopted conditions of approval as attached.

Any interested party aggrieved by the determination of the Planning Commission has the right of appeal to the Board of Supervisors within ten (10) business days from such date of determination. The appeal period for this matter will end at 7:00 p.m. on Tuesday, September 2, 2003.

If you have any questions, please contact the Project Planner listed above.

Sincerely,

Kan Dee Rud
Planning Commission Secretary
Pcd0813n_5kr.doc

cc: Department of Public Works
Building Inspection
Environmental Health
CDF

Assessor
Firooz Ghaffari
Jeffrey Lea

PLANNING COMMISSION

County of San Mateo
Environmental Services Agency
Planning and Building Division

FINDINGS AND CONDITIONS OF APPROVAL

Permit or Project File Number: PLN2001-00080

Hearing Date: August 13, 2003

Prepared By: Gabrielle Rowan

Adopted By: Planning Commission

FINDINGS

For the minor subdivision, found that:

1. In accordance with Section 66473.5 of the Subdivision Map Act, this map, together with the provisions for its design or improvement, is consistent with the San Mateo County General Plan.
2. The site is physically suitable for the type of residential development and for the proposed density of development.
3. The design of the subdivision and proposed improvements are not likely to cause serious public health problems, substantial environmental damage, or substantially and avoidably injure fish or wildlife.
4. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.
5. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities.
6. The discharge waste from the proposed subdivision into an existing community sewer system would not result in violation of existing requirements prescribed by State Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 1300) of the State Water Code.
7. The benefits of additional housing are greater than any negative effects the subdivision would have on fiscal and environmental resources.

For the Environmental Review, found that:

8. This project is exempt from CEQA, Class 15, Section 15315, regarding the division of property in urbanized areas zoned for residential, commercial or industrial uses into four or fewer parcels.

CONDITIONS OF APPROVAL

Planning Division

1. This subdivision approval is valid for two years, during which time a final Parcel Map shall be filed. An extension to the time period, pursuant to Section 7013.5 of the County Subdivision Regulations, may be issued by the Planning Division upon written request and payment of any applicable extension fees.
2. A building permit shall be applied for and obtained from the Building Inspection Section for any future demolition. If either house is demolished prior to recordation of the final parcel map, building permits for new houses shall not neither be applied for nor issued until after the parcel map is recorded.
3. Prior to recordation of the Final Parcel Map, the applicant shall pay to the San Mateo County Planning and Building Division, an amount of either \$7,605.33 or a different, updated amount based on the most recent assessed property valuation, whichever is larger, for in-lieu park fees as required by County Subdivision Regulations Section 7055.3.
4. Prior to the recordation of the Final Parcel Map, the applicant shall pay to the San Mateo County Planning and Building Division, an amount of \$792.00 for the Certificate of Compliance application fees.
5. Prior to the issuance of a building permit for any future construction, the applicant shall provide an erosion and sediment control plan, which demonstrates how erosion will be mitigated during the construction period. This mitigation will be in place at all times during construction.
6. During any future project construction, the applicant, shall, pursuant to Section 5022 of the San Mateo County Ordinance Code, minimize the transport and discharge of stormwater runoff from the construction site into storm drain systems and water bodies by:
 - a. ... between October 15 and April 15.
 - b. Reversing spoils promptly, and avoiding stockpiling of fill materials, when rain is forecast. If rain threatens, stockpiled spoils and other materials shall be covered with a tarp of other waterproof material.

- c. Storing, handling, and disposing of construction materials and wastes so as to avoid their entry to the storm drain system or water body.
 - d. Avoiding cleaning, fueling or maintaining vehicles on-site, except in an area designated to contain and treat runoff.
 - e. Limiting and timing application of pesticides and fertilizers to avoid polluting runoff.
7. Prior to recordation of the Parcel Map, all new utilities for the proposed subdivision shall be installed underground from the nearest existing utility pole. No new utility poles shall be installed. All future structures requiring utilities shall be installed underground to comply with this condition. Implementation of this condition shall occur prior to the recordation of the parcel map if the house on proposed Parcel B is to remain. Should the house be demolished prior to recordation of the parcel map, implementation of this condition shall occur prior to or in conjunction with the issuance of the Certificate of Occupancy for a new residence.
 8. No trees shall be removed as part of this subdivision approval. Any tree removal shall comply with County regulations including a separate permitting process with the Planning Division.
 9. Prior to the recordation of the Parcel map, the existing porch or the structure located on Parcel B shall be removed as shown on the submitted drawings. The rear lean-to addition to the house on Parcel B shall also be removed. Plans or proof of its legality shall be submitted to the County Planning Division. Demolition permits will be required from the Building Inspection Section for any demolition.
 10. Prior to the recordation of the Parcel Map, the applicant shall apply for an after-the-fact tree removal permit for the tree illegally removed within Parcel B. A decision on this permit shall be issued prior to the recordation of the Final Parcel map. The applicant shall also provide photographic evidence of the dead tree removed within Parcel A in order for the Planning Division to determine if a permit was required for its removal.
 11. Prior to the recordation of the Parcel Map, a gate or fence shall be installed across both the existing and proposed access driveway to Parcel B. Plans for the gate or fence shall be submitted to and approved by the Public Works Department and the Planning Division prior to recordation of the Parcel Map. The gate or fence shall comply with all necessary Planning, Public Works and Fire regulations. An encroachment permit, issued by the Public Works Department, will be required should the applicant choose to place the gate or fence within the Alameda De Las Pulgas Right of Way.
 12. Record a deed restriction on Parcel B to the satisfaction of the Planning Director and County Counsel specifying that any and all development, including detached accessory

buildings, shall observe minimum 10' side yard setbacks (both sides). Staff to tag Parcel B accordingly in the Planning Division permit tracking system.

Department of Public Works

13. 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 residence, per Ordinance No. 3277.
14. No construction work within the County right-of-way shall begin until Public Works requirements for the issuance of an encroachment permit, including review of applicable plans, have been met and an encroachment permit is issued by the Department of Public Works.
15. Prior to the recordation of the parcel map, the applicant shall submit driveway "Plans and Profiles" (both parcels), to the Public Works Department, showing the driveway access to each parcel (garage slab) complying with County Standards for driveway slopes (not to exceed 20 percent) and to County Standards for driveways (at the property line) being the same elevation as the center of the access roadway. When, appropriate, this plan and profile shall be prepared from elevations and alignment shown on the improvement plans. The driveway plan shall also include and show specific provisions and details for handling both the existing road and the proposed drainage. Implementation of this condition shall occur prior to the recordation of the parcel map if the house on proposed Parcel B is to remain. Should the house be demolished prior to recordation of the parcel map, implementation of this condition shall occur prior to or in conjunction with the issuance of a building permit for a new residence.
16. Prior to the recordation of the parcel map, 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. Recommended measures shall be designed and included on the improvement plans and submitted to the Public Works Department for review and approval. Selection of the final drainage solution shall include consideration of drainage alternatives submitted on March 24, 2003 and attached. Selection of the final drainage solution shall also occur after additional consultation with adjacent property owners regarding their preferred drainage alternative. Implementation of this condition shall occur prior to the recordation of the parcel map if the house on proposed Parcel B is to remain. Should the house be demolished prior to recordation of the parcel map, implementation of this condition shall occur prior to or in conjunction with the issuance of a building permit for a new residence.

17. Prior to the recordation of the parcel map, the applicant shall prepare a plan indicating the proposed method of sewerage for these properties. This plan should be included on the improvement plans and submitted to the Public Works Department for review and approval. Selection of the final sewer solution shall include consideration of sewer alternatives submitted on March 24, 2003 and attached. Implementation of this condition shall occur prior to the recordation of the parcel map if the house on proposed Parcel B is to remain. Should the house be demolished prior to recordation of the parcel map, implementation of this condition shall occur prior to or in conjunction with the issuance of a building permit for a new residence.
18. Prior to the recordation of the parcel map, the property owner shall dedicate appropriate Sanitary Sewer Easements, if applicable.
19. Prior to the recordation of the parcel map, the applicant shall submit, to both the Public Works Department and the appropriate Water District, written certification from the appropriate Water District stating that their requirements to provide water service connections to the proposed parcels of this subdivision have been met.
20. Prior to the recordation of the parcel map, any potable water system work required by the appropriate district within the County right-of-way shall be completed. County requirements for the issuance of an encroachment permit have been met. Plans for such work shall be reviewed by the Public Works Department prior to the issuance of the permit.
21. Prior to the recordation of the parcel map, the applicant shall permit written certification from the appropriate energy and communication utilities to the Public Works Department and the Planning Division stating that they will provide energy and communication services to the proposed parcels of this subdivision.
22. The applicant shall submit a parcel map to the Department of Public Works for review and recording.
23. All plans, with specific construction details, shall be stamped and signed by the Registered Civil Engineer and submitted to the Public Works Department for review and approval prior to construction.

Pcd0813n_5kr.doc

San Mateo County Environmental Services Agency

Planning and Zoning Division

County Government Center • 590 Hamilton St. • Redwood City CA 94063
Mail Drop PLN 122 • 415 • 363 • 4161

Application for Appeal

To the Planning Commission

To the Board of Supervisors

1. Appellant Information

Name: Lawrence Searcy
Phone, W: 408-525-1410H

Address: 2055 Helena Way
Redwood City CA
Zip: 94061

2. Appeal Information

Permit Numbers involved:
PLN2001-00080

I have read and understood the attached information regarding appeal process and alternatives.

yes no

I hereby appeal the decision of the:
 Staff or Planning Director
 Zoning Hearing Officer
 Design Review Committee
 Planning Commission

Appellant's signature: L Searcy
Date: 20 Aug 03

Made on Aug 13 2003 to approve deny the above-listed permit applications.

3. Basis for Appeal

Planning staff will prepare a report based on your appeal. In order to facilitate this, your precise objections are needed. For example: Do you wish the decision reversed? If so, why? Do you object to certain conditions of approval? If so, then which conditions and why?

See attach #1

August 21, 2003

To: Board of Supervisors, County of San Mateo

From: Lawrence Searcy

Subject: Appeal to Proposed Subdivision (PLN2001-00080)

The purpose of this letter is to appeal the approval of the proposed subdivision of 2279 Alameda de las Pulgas into two parcels. Alternatively, if the Board decides to approve the subdivision, I request that certain conditions be attached. Both my objections and conditions are detailed below.

Background

The developer proposes to subdivide an existing 19,700 sq. ft. parcel into two parcels: Parcel A consisting of 8,873 sq. ft. and Parcel B consisting of 10,834 sq. ft. While there are existing structures on the property, it is clear that the developer plans to demolish these structures and construct two new single family residences, one on each parcel. This will create a flag lot out of Parcel B. Parcel B will also include the entire proposed hammerhead driveway within its boundaries.

Objection 1 – Parcel B will be too small for building

If you remove the area of the driveway from consideration, the remaining area of Parcel B is not large enough for a new building development. The only solution is to build upward. This interferes with my solar access rights under the California Solar Rights Act of 1978 (California Civil Code section 714) and the Solar Shade Act of 1978 (Public Resources Code section 25980-25986).

Objection 2 – Insufficient side setback will block light from my garden and patio

County regulations for this flag lot allow the developer to build a home 35 feet tall across the width of my backyard 5 feet from the fence line. I garden in the back of my home every year. Currently there is a garden across the back of my lot. This allows sunlight to reach my garden. Any new construction on a reduced lot will most likely block this sunlight.

Additionally, I like to sit on the back of my lot and enjoy the view that is created by the sun hitting the back of my home. If the lot is subdivided, any new construction would block the sun from reaching my patio and prevent me from enjoying my property.

Objection 3 – Insufficient privacy

The size of proposed parcel B will necessitate building across the entire width of my lot. Because my home is perpendicular to the lot, this would mean that any second-story windows would look down into my yard and be a mere five feet away from the property line. County setbacks for this type of development violate my privacy and interfere with my

enjoyment of my backyard. I will also have to take additional measures to ensure that occupants cannot look down into my bathroom window and into my tub.

Objection 4 – Lot is unsuitable for residential development

The lot is sloped from the front yard toward the backyard, and the back of the lot floods every year. Years ago the back of this lot was part of a winter pond; the parcels directly behind this lot were also a winter pond. In fact, during the construction of the house behind this lot, the dug out foundation was completely flooded during a brief overnight rainstorm as the water accumulated naturally in this area.

Objection 5 – Unrealistic engineering solutions for the proposed subdivision

This property slopes down away from the Alameda and will require pumping of sewage uphill. I see no documentation from the County Environmental Health Department that indicates this would be acceptable, especially involving a flag lot such as Parcel B. Any failure of such a system would have a potentially serious impacts on adjacent properties, and on the high groundwater located on this property.

Having had time to review the proposed engineering solutions, I find them unrealistic. One proposal (Sanitary Sewer Exhibit I) calls for pumping the sewage uphill. The current pumping system for the house on proposed parcel B was non-operational for several weeks last year. Fortunately, it was not during the property's annual flooding.

Alternate B (in Sanitary Sewer Exhibit I) is for the developer to trench a new sewer line across my property or an adjacent property. Since my neighbors and I are all against this subdivision, this engineering solution should not be considered realistic. Additionally, it does not take into consideration the easement that PG&E has for the telephone poles extending along the mutual property line.

Another proposal (Storm Drainage Exhibit II) is to raise the level of the ground by infilling the parcel with up to 4 feet of soil. By raising the parcel, the developers will impact my solar photovoltaic system. This will allow them to infill 4 feet of soil and still build a 36 foot tall structure on top of it.

The final engineering proposal (Storm Drainage Exhibit I) completely neglects the fact that the ground water is less than six inches from the top of the soil during the summer, and floods the entire area during the winter when the current drainage system is supposed to be operating.

Based on the five objections listed above, I request that the Board overturn the planning Commission's decision and disapprove the subdivision of 2279 Alameda de las Pulgas. However, if the Commission decides to let the subdivision proceed, I request that the following conditions be attached to the proposal.

Condition 1 – Addition of a solar easement for my home's photovoltaic system

There are currently no conditions on the subdivision regarding the operation of my solar photovoltaic system. I request that a solar easement be added as an additional condition to the subdivision and any building development on it.

The California Solar Rights Act of 1978 authorizes local governments to require the dedication of solar easements—defined as “the right of receiving sun light across real property of another for any solar energy system”—as a condition of subdivision approval. (See *Energy Conservation under the Sun: A resource Book for Local Governments*, Fall 1998.)

Additionally, the San Mateo General Plan policies states, “Minimize the obstruction of solar access by: (1) protecting structures from encroachment, (2) landscaping with appropriate plant materials, and (3) clustering structures where beneficial” (see “Solar Access,” page 8.15P). In granting this proposed subdivision, the county has not complied with part 1 of this policy.

The county has also adopted the 1981 Energy Conservation Resolutions, which say in part “The guidelines also specify siting and landscaping principles to designed to protect solar access” (see page 8.27 of the General Plan). The resolution also encourages retrofit of energy conservation measures for existing residential buildings. Approving this subdivision without any conditions on solar access violates that resolution.

Condition 2 – Request for building pads to ensure adequate setbacks

As a condition of approval I would like to request that the county designate, in both parcels, the building pads that protects the neighbors from inadequate setbacks of the side lot.

Parcel B is a flag lot and it appears that more than 50% of Parcel B will be taken up with the hammerhead driveway. This will leave a very small portion of the parcel to be built upon and may very well not be consistent with the General Plan, or the zoning Code. At the very least Staff should investigate the possibility of building a building pad on the lot so as to minimize the impacts from setbacks to adjacent properties. Consideration of the minimal setbacks in a flag lot setting should also be considered.

Condition 3 – Addition of a level area to prevent a traffic hazard

The county has designated Alameda de las Pulgas as a bicycle path in the Bikeway Plan map. Currently, any car leaving the proposed Parcel B must first pull out into the bike lane due to the steep upward sloping driveway and the lack of sight distances along the Alameda. This creates a hazard as the driver cannot see oncoming bicycle or automobile traffic until he or she is in the bicycle lane. I request that a level pad at the elevation of the sidewalk and of not less than 10 feet be built directly adjacent to the sidewalk to improve the driver's sight distance along Alameda de las Pulgas and alleviate this condition.

Condition 4 – Staff should investigate high ground water on parcel B

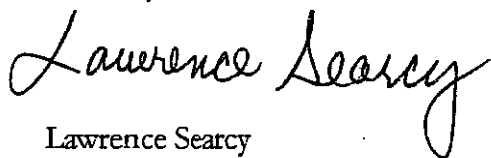
The Staff Report from the County states that the project is categorically exempt under Section 15315 of the CEQA Regulations. Class 15 categorical exemptions involve residential infill projects where the subdivision would be four or fewer parcels and the division is in conformance with the General Plan and zoning, no variances or exceptions are required, and all services and access to the proposed parcels available. However, under CEQA Regulations Section 15300.2 categorical exemptions are not to be used under subsection C where “there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances”.

What is particularly unusual about this property is the high ground water and drainage on the property. This does constitute an unusual circumstance.

Presently water has to be pumped off the property across adjacent properties for which no easement exists. There is no analysis of this condition in the Staff Report or any soils or geology report connected with these factors.

In summary, this letter is to appeal the approval of the proposed subdivision of 2279 Alameda de las Pulgas into two parcels. I have given five objections why I think this proposed subdivision should be disapproved. Alternatively, if the Commission decides to approve the subdivision, I request that certain conditions be attached.

Sincerely,



Lawrence Searcy
2055 Helena Way
Redwood City, Ca 94061
(408)525-1410 (Work)

September 2, 2003

Gabrielle,

Please include my name on Lawrence Searcy's Appeal to Proposed Subdivision (PLN2001-00080) of 2279 Alameda de las Pulgas.

Thank You,

Kelsey Tausig
2295 Alameda de las Pulgas
Redwood City, CA 94061
(650) 743-3000

RECEIVED

2003 AUG 33 A 10: 32

SAN MATEO COUNTY
PLANNING DIVISION

SAN MATEO COUNTY
PLANNING DIVISION

2003 SEP -2 A 10: 33

RECEIVED

September 10, 2003

To: Gabrielle Rowan
Project Planner
San Mateo County
Fax: 650-363-4849

Fr: Firooz Ghaffari
PLN2001-00080

Re: Rescinding to the Conditions as Originally Set by the Zoning Officer on April 3

During the public hearing on August 13th, the Planning Commission approved the minor subdivision with additional conditions. It was our understanding that these conditions would limit the buildability of the lots and may create negative impact on the value of our investment. Despite the above, we agreed to the additional conditions, trusting that by doing so we would satisfy the appellants, save time, money and finally move forward.

Unfortunately, Mr. Searcy filed another appeal. Per statement made by the County Attorney on August 13th, in case of an appeal we as property owners would have the right to rescind. Therefore, we would like the San Mateo Board of Supervisors to consider this minor subdivision application based on the original conditions as set and approved by the Zoning Officer on April 3.

Thank you.