



ion Meeting

Attachment:

San Mateo County Environ

Planning and Building 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: Maria & Rich Silvestri
Frank & Kelly Fraone
Phone, W (650) 368-3941 H: (650) 712-9600
Cell- (650) 255-0826

Address: 208 Correas St.
Half Moon Bay, CA
Zip: 94019

2. Appeal Information

Permit Numbers involved: minor subdivision at
869 Hillcrest Drive
Redwood City
Planner: Olivia Boo

I hereby appeal the decision of the:

- Staff or Planning Director
- Zoning Hearing Officer
- Design Review Committee
- Planning Commission

made on January 31 19 2005 to approve/deny
the above-listed permit applications.

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

yes

no

Appellant's Signature:

Maria Silvestri

Date:

1-31-05

To: Olivia Boo
Jim Eggemeyer
Marcia Raines
Board Of Supervisors

January 31, 2005

From: Maria & Rich Silvestri
Frank & Kelly Fraone

Re: Basis For Appeal At 869 Hillcrest Drive, Redwood City

We wish the decision be reversed based on the following four specific reasons. 1) The project meets all county regulations, 2) Commissioner Bomberger's nay vote was based on irrelevant personal bias towards flag lots, 3) Commissioner Nobles nay vote was based on irrelevant potential for a stop sign to alleviate safety concern, 4) and too much weight was given to neighbor's protest as apposed to us as the property owners.

Relevant History:

- On December 8, 2004, the committee found the proposed project consistent with the General Plan, Low Density Residential Land Use Designation and the site physically suitable for type of residential development, but did not like the flag lot configuration of the driveway.
- Commission moved to continue so applicant can provide alternative to "flag lot". On January 26, 2005, the commission denied the proposed "through access" driveway configuration after compelling issues regarding safety were presented and supported as well as other facts pertaining to "flag lots".
- There was a 2 to 2 split vote, which ultimately ended in a denial because there was no tie-breaking vote.

- We feel our current map is the best use of, most private and above all safest way to divide this property. Commissioner Bomberger's concerns with "future" owners of the proposed property are irrelevant to this project at hand. We know of no reason compelling or otherwise why it should not be approved. Commissioner Bomberger exhibited a personal bias against "flag lots" which is not legally based, nor did he identify any basis for this position nor did he justify the position.
 - It should be noted that Commissioner Bomberger was the only commissioner who did not attend the requested field trip on Monday, January 24th. After the site visit, all the other commissioners agreed with the safety concerns regarding entering and exiting Oak Knoll Drive with the exception of Commissioner Bomberger.
3. Commissioner Nobles who agreed with the identified safety concerns, denied the project proposal with reasoning referring to a potential stop sign being added at some time in the future to Hillcrest and Oak Knoll Drive which could possibly alleviated some of the safety concerns presented. It is noteworthy to add the department of public works opined at the hearing that there is no current plan to investigate, review or commence the process for a stop sign. There exists criteria and extensive process to install a stop sign.
 4. We feel more attention was paid to the sole opponent of this project Milo Medin in regards to his specious and illusory privacy concerns and other claims than there was to the legitimate safety concerns presented by the owners as well as our legal rights to divide this property within the scope of

OWNERS
 Frank & Kelly Fraone
 212 Correas Avenue
 Half Moon Bay, CA 94019
 (650) 366-3507

Rich & Maria Silvestri
 208 Correas Avenue
 Half Moon Bay, CA 94019
 (650) 365-5010

RIVE

Parcel B

VICINITY MAP
not to scale

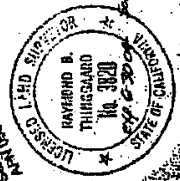
TENTATIVE PARCEL MAP

of a portion of Lots 4 and 5 - Block 25 - "OAK KNOLL, MANOR"
 Redwood City, San Mateo Co., Cal., filed May 10, 1916 in
 Vol. 10 of Maps, pages 4-11, San Mateo County Records.

APN 058-258-020

COUNTY OF SAN MATEO
 STATE OF CALIFORNIA

Scale: 1"=20' March, 2004



Raymond B. Thurgood
 3-19-04
 Date
 Computer Aided
 5-5-04

Thurgood Land Consulting

8524 Breakwater Avenue, Suite A
 Hayward, California 94645
 (510) 732-9605

Elevations shown hereon were ascertained by a site survey.

on Meeting

Attachment:

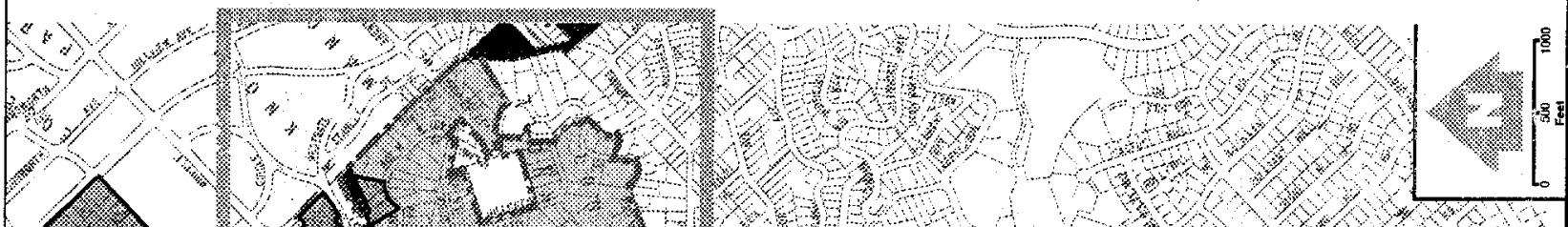
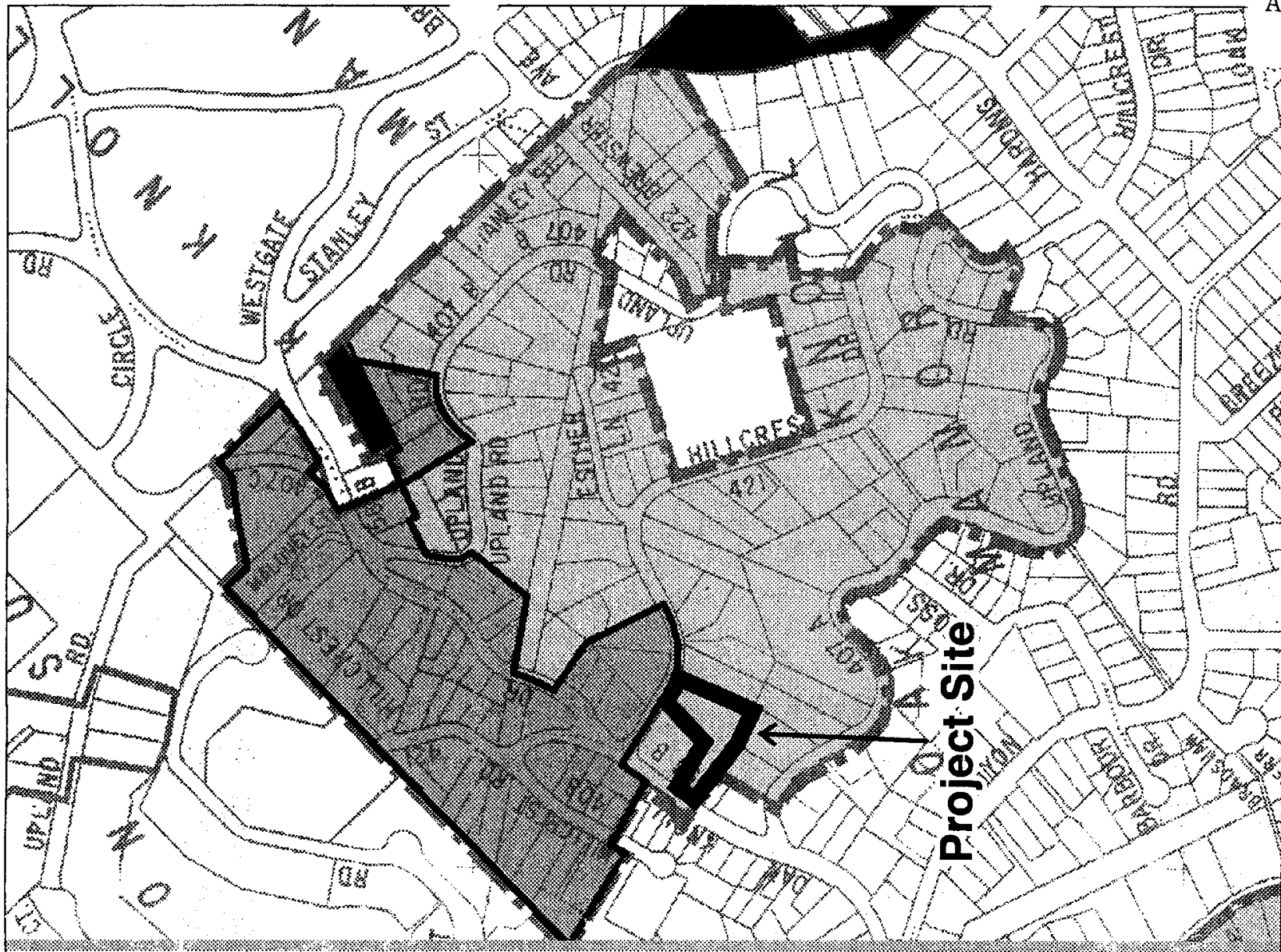
CHRONOLOGY

Fraone/Silvestri Subdivision Application

869 Hillcrest Drive, Redwood City (Emerald Lake Hills Area)

- 2/10/04 - Subdivision application (PLN 2004-00048) submitted to subdivide subject parcel into two lots.
- 2/23/04 - Project planner (James Singleton) deems application “Incomplete” because the required slope density analysis had not been completed; applicant informed. Applicant challenged that such an analysis had to be done, since a 1984 slope analysis calculated a 19% slope, suggesting that the parcel was subdividable into two parcels. However, those early RH slope analyses have since been legally deemed invalid, since it must be determined that both proposed parcels meet their required minimum parcel size relative to each of their respective average slopes.
- 2/24/04 - Slope density analysis application (DEN 2001-00001) submitted for pending subdivision. See March 2, 2004, note below.
- 2/26/04 - Stop Work Notice (SWN 2004-00012) posted by Building Inspection Section on property for land clearing and grading without required grading permit, including removal of at least one significant tree, which would have required Tree Removal Permit. Zoning violation case for same opened (VIO 2004-00020).
- 2/26/04 - Stop Work Notice issued for on-site grading/vegetation removal without permits (County File Number SWN 2004-00012).

- 10/04 - Jim Eggemeyer receives letter from applicant asking that subdivision applica
- 12/8/04 - Planning Commission public hearing continue.
- 1/26/05 - Planning Commission public hearing.
- 1/31/05 - Applicant submitted appeal to the Board of Supervisors.
- 3/6/05 - Staff and the applicant received correspondence from the Department of Public Works Regarding Feasibility of Installing a Stop Sign.
- 3/7/05 - Received Revised Comments from the Emerald Hills Homeowners Association Board.
- 4/26/05 - Board of Supervisors public hearing.



on Meeting

Attachment:



County of San Mateo
Department of Environmental Management
Planning and Development Division

Density Anal.

File #: 43(84)

DENSITY ANALYSIS RESULTS

(Staff Use Only)

Assessor's Parcel Numbers:

58-268-02 _____ _____
_____ _____ _____

Maximum Allowable Density*: Coastal Zone — Total 2

Calculated Area: — Acres or 37120 Sq. Ft.

*Density is expressed in Density Credits (within PAD, RM/CA AND TPZ/CS Districts), or dwelling units (elsewhere), which are more or less equivalent for residential uses.

NOTICE TO APPLICANT

This analysis was performed to determine the maximum density allowed on this property in accordance with provisions of the zoning district within which it is located. Each dwelling must be located on a separate parcel, so that maximum residential density also governs the maximum number of parcels into which this property may be divided. Development or division of this property may take place only when all applicable County standards and requirements are met, as administered by the Directors of Public Works, Public Health and Planning, and the Building Official. Compliance with these standards and requirements may limit development to a lower density than that resulting from this analysis.

Additional Comments zoned RH/DR

RH/DR

58-268-02

Pakis's

Map: Co. Base, 1"=400'

Scale: 1"=400'

Contour interval = 20'

Area = 37,120 sq. ft.

DA# 13(84)

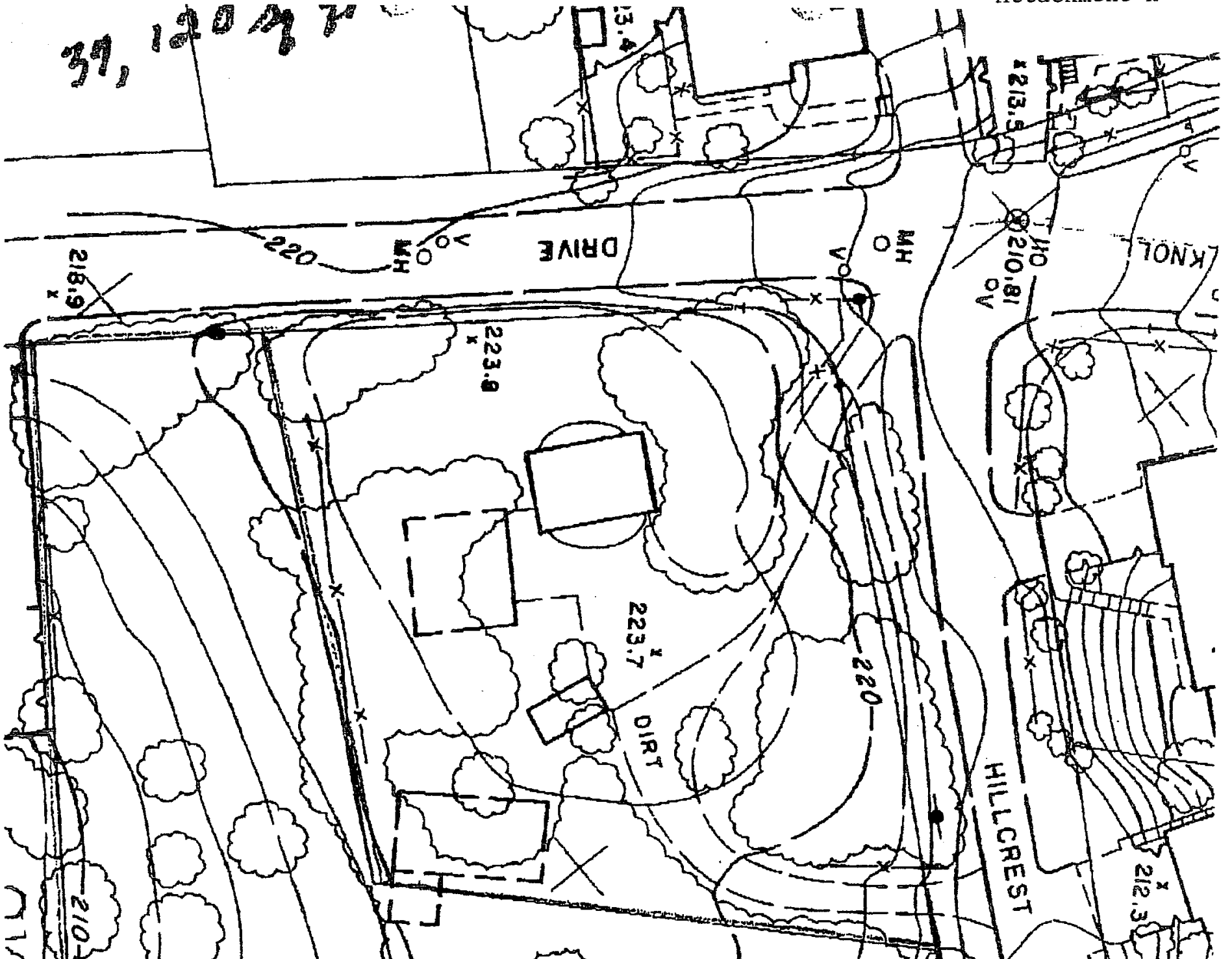
4-8-84 DB

$$\text{Average slope} = \frac{100 \cdot 20 \cdot 360}{37,120} = 19.4$$

$$\text{Average slope} = 19\%$$

$$\text{Minimum lot size} = 14,000 \text{ sq. ft.}$$

39, 120 7



11=40
37,120 sq ft

JAK KNOLL
N 35° 11' E

40' DRIVE

60.00'

4° 45' W 195.87'

PARCEL A

14,000.58 sq. ft

189.30'

562° 33' 30" E 150.44'

45'
REST. DRIVE

MINIMUM BUILDING SITE	
Average Slope of Parcel (percent)	Minimum Area (square feet)
0 - 17	12,000
18	13,000
19	14,000
20	15,000
21	16,000
22	17,000
23	18,000
24	19,000
25	20,000
26	22,000
27	24,000
28	26,000
29	28,000
30	30,000
31	33,000
32	36,000
33	39,000

Planning Commission
County Government Center
455 County Center, 2nd floor
Mail Drop PLN122
Redwood City, CA 94063

January 20, 2005

Dear Planning Commissioners,

Thank you for your time and consideration on our subdivision at 869 Hillcrest Drive. As part of our continuance from the December 8th hearing we would like to present some compelling facts and concerns of why we are presenting a dual access map. Prior to our initial hearing we were lead to believe that a flag lot configuration would not be an issue. Based on our findings, flag lots appeared to be a standard in the surrounding area. In a five-block area of our property there are over 60 flag lots and over 30 parcels with potential for dual street access, not including corner lots. In the Emerald Hills area there are several hundred flag lots and potential dual access parcels.

Our main concerns with our subdivision are for the safety of our family, neighbors and general public. Ingress and egress from Oak Knoll will present an extreme safety risk as compared to Hillcrest Drive. The location of our parcel on Oak Knoll, just below the crest of the hill creates a blind spot for on coming traffic and for anyone exiting the property. Anyone leaving parcel A turning left will have to cross the first lane to enter a lane with no reaction or response time. Entering Oak Knoll from Hillcrest Drive allows much greater visibility in both directions thus significantly increasing reaction or response time. The Oak Knoll side of our parcel has a utility pole and support cables that obstruct a large portion of the property access and creates a visibility hazard. Oak Knoll is one of the main thoroughfares to the Emerald Hills area. According to the traffic study done by San Mateo County Public Works...

In closing, we ask that you give thorough and serious consideration to our proposed dual access plan. We feel this current map is the best use of, most private and above all safest way to divide this property. Our research shows that we fall within all county rules, regulations and requirements. Included in this packet are additional supporting letters and documents. We appreciate you taking the time to review all of our concerns. As owners of 869 Hillcrest Drive, we are always available for any questions or comments.

Respectfully,



Maria & Rich Silvestri (650) 255-0826
Frank & Kelly Fraone (650) 743-3900

Cc: Olivia Sun Boo
Marcia Raines
Jim Eggemeyer
Mary Raftery
Pete Bentley
Kan Dee Rud

Enc. (10): Flag lots
Dual access lots
Letter from Rudi Boekamp
Letter from Eric & Katia Barrett
Letter from Jan & Mary of Mount Cl...

December 18, 2004

County of San Mateo
Planning and Building Division
Environmental Services Agency
Planning Commissioners

Dear Commissioners,

I am the homeowner at 865 Hillcrest Drive in Redwood City. I am located next door to 869 Hillcrest Drive. I am in support of the proposed subdivision and property line locations. I support both driveways entering and exiting off Hillcrest Drive. Having one property accessing Oak Knoll will be more dangerous for the resident and traffic. Entering and exiting Oak Knoll Drive from Hillcrest Drive will be safer for all vehicle and pedestrian traffic.

I look forward to the enhancement of our neighborhood with two new homes and two new young families.

December 8, 2004

County of San Mateo
Planning and Building Division
Environmental Services Agency
Planning Commissioners

Dear Commissioners,

We are the homeowners and residents at 854 Hillcrest Drive in Redwood City, and the residence across from 869 Hillcrest Drive. We are in support of the proposed minor subdivision and new recommended property descriptions. The addition of two new homes and families will be a welcome addition, as the current property is overgrown, dilapidated and is visually unappealing.

The access for both properties from Hillcrest Drive, will not impact traffic congestion or adversely affect our neighborhood. In actuality having both properties enter and exit Oak Knoll Drive from Hillcrest Drive will be safer and create a higher visibility for all automobile and pedestrian traffic.

We support this project and hope that the planning commission will grant the proposed minor subdivision as well as the proposed building plans.

**County of San Mateo
Planning and Building Division
Environmental Services Agency
Planning Commissioners**

12/13/04

Dear Commissioners,

We have lived at 3102 Oak Knoll Drive for over 45 years. Our house is just across from Hillcrest Drive on the north side of Oak Knoll Drive. We most likely have the best perspective of traffic and hazards along Oak Knoll Drive in this area.

We have read the staff report and seen the proposed building subdivision for 869 Hillcrest drive. We agree with the current proposed plan having both residents enter off Hillcrest Drive. Having one of the properties enter off Oak Knoll Drive will increase safety risks for everyone traveling on that street.

Backing into our driveway from Oak Knoll Drive has presented some very scary moments, but backing onto Oak Knoll Drive to exit our driveway is always very risky.

We support the Fraone's and Silvestri's project for a subdivision, both properties entering off Hillcrest Drive and their proposed plans.

Sincerely,

San Mateo County
Planning Commission
Building and Planning Department

January 3, 2005

Dear Planning Commissioners,

I live at 3106 Oak Knoll Drive. Our property is located across the street from the Oak Knoll side of the proposed subdivision at 869 Hillcrest Drive. Our previous entrance was located on Oak Knoll Drive, which is one of the main roads in and out of Emerald Hills. Our entrance to our home was previously changed from Oak Knoll to Hillcrest Road and we feel this is the safer way to enter and exit our property.

We fully understand and support the Silvestri/Fraone Family property design entering and exiting both parcels from Hillcrest Drive as apposed to Oak Knoll Drive.

I have been a Redwood City resident and Real Estate Agent for over 27 years currently with Coldwell Banker. I have represented many clients who have bought and sold property in Emerald Hills. The addition of two new custom homes will benefit the value of all the current homes in our area. In comparison, homes on a busy street will have a lower property value than

December 14, 2004

Frank & Kelly Fraone
Rich & Maria Silvestri
869 Hillcrest Drive
Redwood City Ca, 94061

Dear Frank:

I want to apologize for the inconvenience and miss understanding you have encountered over your property issues. I am the project foreman for the new home under construction at 970 Upland Road in Redwood City. Our project is located at the back west side of your property. The most recent tractor marks on your property were caused by our tractor operator. Our operator mistakenly used a small portion of your property as a turn around while grading the upper most portion of our property. An attempt was made to smooth out the tracks and leave the area in original condition. We have seeded the area, implemented erosion control measures and assured the natural drainage will remain. We placed a temporary silt fence along the property line to insure no worker or equipment will impose on your vacant property. Please accept my apology and considerations for our actions.

If there are any other concerns or issues you might have, please contact me as soon as possible.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to be a cursive name, is written over the word "Sincerely,".



San Mateo District

Maria Silvestri
869 Hillcrest Drive
Redwood City Ca, 94061

Dear Maria,

On your request, Browning-Ferris Industries Waste Services of San Mateo County has evaluated service location to your address and the proposed new property address. BFI contract for waste services to your area will be fulfilled at either entrance location. Service location for both residences is preferred on Hillcrest Drive. A stop at the Oak Knoll Dr entrance is an increased safety risk to our employees and to traffic patterns.

Redwood City
1100 Broadway
Redwood City Ca 94063-9998



January 14, 2005

RE: 869 Hillcrest Dr.

To: Mr. Frank Fraone

After reviewing your request of the placement of the mail box for 869 Hillcrest. I concluded that the safest and most efficient place would be on Hillcrest and not on Oak Knoll.



Dear Friends and Neighbors,

We would like to take a moment to introduce ourselves as the new owners of the property located at 869 Hillcrest Drive. We are two young families who were raised in Emerald Hills and are excited at the opportunity to raise our children in this wonderful location. Rich and Maria Silvestri have two children who currently attend Roy Cloud School. Rich is a Portola Valley business owner and Maria is an Assistant Vice President for Fidelity National Title in Redwood City. Frank and Kelly Fraone have two children who currently attend St. Pius School. Frank is a Division Chief with the Menlo Park Fire Dept. and Kelly is a Speech Language Pathologist currently with the Los Altos School District.

Ms. Vane, the previous owner, sold this property to us based on the knowledge that we would care for the property and surrounding area as well as the neighbors. We promise to do just that. The existing home is

Dual Access Lots in immediate area
869 Hillcrest Drive

