



## Planning & Building Department Planning Commission

Kumkum Gupta, 1<sup>st</sup> District  
Frederick Hansson, 2<sup>nd</sup> District  
Lisa Ketcham, 3<sup>rd</sup> District Manuel  
Ramirez, Jr., 4<sup>th</sup> District  
Carlos Serrano Quan 5<sup>th</sup> District

County Office Building  
455 County Center  
Redwood City, California 94063  
650/363-1859

## ACTION MINUTES

MEETING NO. 1726  
**Wednesday September 14, 2022**  
VIDEO CONFERENCE ONLY

Chair Ramirez called the meeting to order at 9:00 a.m.

**Pledge of Allegiance:** The Pledge of Allegiance was led by Chair Ramirez

**Roll Call:** Commissioners Present: Ketcham, Gupta, Serrano Quan, Ramirez  
Commissioners Absent: Hansson,  
Staff Present: Monowitz, Fox, Montes, Lujan

Legal notice has been published in San Mateo Times on September 3, 2022, and the Half Moon Bay Review on September 7, 2022

**Oral Communications** to allow the public to address the Commission on any matter not on the agenda.

1. Fran Pollard
2. Children (will speak on item #3)

### **CONSENT AGENDA** **9:00 a.m.**

1. Consideration of the Minutes of the Planning Commission Hearing for August 24, 2022.
2. Resolution to Make Findings that, as a Result of the Continuing Covid-19 Pandemic State of Emergency Declared by Governor Newsom, Meeting in Person for Meetings of the Planning Commission Would Present Imminent Risks to the Health or Safety of Attendees.

**COMMISSION ACTION:**

Commissioner Gupta moved and Commissioner Ketcham seconded to continue the minutes to the next Commission meeting and approve item #2. **Motion carried 4-0-0-1** (Commissioner Hansson is absent)

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**END OF CONSENT AGENDA**

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**REGULAR AGENDA**

9:00 a.m.

3.      **Owner:**                      **Issa Khoury**  
          **Applicant:**                **Jonathan Corado**  
          **Appellant:**                **Chris Boeddiker**  
          File Number:                PLN2021-00331  
          Location:                    895 15th Avenue, North Fair Oaks  
          Assessor's Parcel No: 055-206-070

Consideration of an appeal of the Community Development Director's decision to approve a Class-2 Heritage Tree Removal Permit to remove a 52-inch diameter-at-breast height (DBH) Valley Oak tree due to its poor structure, imbalance structure, and proximity to the public sidewalk and overhead powerlines, on the property located at 895 15th Avenue in the unincorporated North Fair Oaks area of San Mateo County. For any questions, please contact Project Planner, Glen Jia at [Gjia@smcgov.org](mailto:Gjia@smcgov.org).

**SPEAKERS:**

1. Chris Boeddiker
2. 7 Children from Children from Children's School
3. Gwen Minor
4. Virginia Miller-Bowen
5. Elena Marinelli
6. Suzanne Buchner

**COMMISSION ACTION:**

Chair Ramirez moved to close public comment. **Motion carried 4-0-0-1.**

Commissioner Ketcham moved, and Commissioner Serrano Quan seconded to deny the appeal and uphold the decision of the Community Development Director. **Motion carried 4-0-0-1.**

Based on information provided by staff and evidence presented at the hearing, the Planning Commission denied the appeal and upheld the decision of the Community Development Director to issue the Tree Removal Permit, County File Number PLN 2021-00331, by making the findings and adopting the conditions of approval included as follows:

**FINDINGS:**

**Regarding the Environmental Review, Found:**

1. The project is categorically exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15301, Class 1(h), related to the maintenance of existing landscaping.

**Regarding the Heritage Tree Removal Permit, Found:**

2. That denying the appeal and upholding the Community Development Director's decision to approve the removal of one (1) 52-inch DBH Valley oak tree meets the criteria for tree removal established in Section 11,052 (*Criteria for Permit Approval*) of the Significant Tree Ordinance:
  - a. The 52-inch DBH Valley oak tree will be replaced by plantings approved by the Community Development Director; and
  - b. The 52-inch DBH Valley oak tree removal is necessary due to: (1) the poor condition, (2) danger of falling, (3) threat to private and public property, and (4) proximity to PG&E powerline.

**CONDITIONS OF APPROVAL**

**Current Planning Section**

1. The tree indicated on the application form dated October 6, 2021, may only be removed after the end of the appeal period, assuming no appeal is filed as stipulated in this letter. A separate Tree Removal Permit or Tree Trimming Permit shall be required for the removal of any additional trees.
2. This Heritage Tree Removal Permit shall be on the site and available at all times during the tree removal operation and shall be available to any person for inspection. The issued permit shall be posted in a conspicuous place at eye level at a point nearest the street.
3. If the work authorized by this permit is not commenced within the period of one (1) year from the date of approval, the permit shall be considered void.
4. The applicant shall plant on-site a total of one (1) Oak tree using at least 24-inch size stock, for the tree removed. Replacement planting shall occur within one (1) year of the Heritage Tree Removal Permit approval date (Section 12,024 of the San Mateo County

- Ordinance Code). The property owner shall work with Planning staff and the County Arborist to find an appropriate on-site location for the tree.
5. The applicant shall submit photo verification to the Planning Department of the planted replacement trees required in Condition of Approval No. 4. Photos shall either be submitted in person, or via email to Glen Jia, project planner, [bjia@smcgov.org](mailto:bjia@smcgov.org) with reference to the Planning Application PLN Number, as identified in the subject line of this letter.
  6. During the tree removal phase, the applicant shall, pursuant to Chapter 4.100 of the San Mateo County Ordinance Code, minimize the transport and discharge of stormwater runoff from the construction site by:
    - a. Stabilizing all denuded areas and maintaining erosion control measures continuously between October 1 and April 30.
    - b. Removing spoils promptly and avoiding stockpiling of fill materials when rain is forecast. If rain threatens, stockpiled soils and other materials shall be covered with a tarp or 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. Using filtration or other measures to remove sediment from dewatering effluent.
    - e. Avoiding cleaning, fueling or maintaining vehicles on-site, except in an area designated to contain and treat runoff.
    - f. Limiting and timing application of pesticides and fertilizers to avoid polluting runoff
  7. The applicant shall clear all debris from the public right-of-way.

4. **Owner:** Bauen Fund 2018 2920 LLC  
**Applicant:** Rachel Royer, Director of Development.  
**File Number:** PLN 2021-00249  
**Location:** 890 Barron Avenue and at 2910, 2920, 2930, and 2964 Bay Road  
**Assessor’s Parcel No:** 054-172-010, -020, -050, -160, -170, and -180

Consideration of a Grading Permit for earthwork involving 23,000 cubic yards (cy) of cut and 3,000 cy of fill, associated with a new three-story, 136,706 sq. ft., Research and Development building (“2900 Bay Road”) with an open plaza and 198 parking spaces, on a 109,706 sq. ft. property on Bay Road, between 2nd Avenue to the south and Barron Avenue to the north, in the Unincorporated North Fair Oaks area of San Mateo County. For any questions, please contact Senior Planner, Camille Leung at [cleung@smcgov.org](mailto:cleung@smcgov.org).

**SPEAKERS:**

1. Ian Barth, Applicant
2. Phil Hyndman (Architect)
3. Roxanne Dragen

**COMMISSION ACTION:**

Chair Ramirez excused himself from the meeting due to a conflict of interest and Vice Chair Gupta took over chairing the meeting.

Vice Chair Gupta moved to close public comment. **Motion carried 3-0-1-1.**

Commissioner Ketcham moved to approve the project and Commissioner Serrano Quan seconded the motion. **Motion carried 3-0-1-1.** (Chair Ramirez recused and Commissioner Hansson absent).

**FINDING:**

The proposed schedule of grading operations conforms with the adopted conditions of the subdivision approval.

**CONDITIONS OF APPROVAL**

1. A Building permit, including payment of inspection fees, is required to track weekly wet season Erosion Control inspections.
2. Applicant must comply with all conditions of the 2016 project approval.
3. If grading period must be extended, the applicant must provide an updated schedule to the Community Development Director (Director) for review by the Planning Commission, unless the Director determines that the proposed schedule modification is minor in nature.
4. Grading may occur only on dry days. No grading shall occur within 24-hours after a rain event.
5. Applicant shall send photos of final stabilization to the project planner within one week of completion of grading.
6. No off-hauling is permitted.

7. The Applicant shall comply with the Grading Operation Details in Table 1:

<b>Table 1 - Grading Operation Details (2022-2023)</b>	
<b>Concern</b>	<b>Requirements</b>
Dry Season Grading	The applicant has revised the proposed schedule to avoid wet-weather grading, except for grading associated with Lots 6, 7, 11, and 12.
Traffic Control Plan/Haul Routes/	N/A - No off-haul is associated with the proposed wet season grading.
Construction Hours	Approved hours for grading: 8 am – 5 pm, Monday through Saturday Approved hours for hauling: N/A
Dust Control Measures	<p>Site dust control will utilize a 4,000-gallon water truck running throughout the workday. Work is subject to mitigation measures, including these:</p> <ul style="list-style-type: none"> <li>• After grading is complete, construction of paved surfaces (e.g., roadways, driveways, sidewalks, building pads) should be completed as soon as possible unless protected by seeding, soil binders, or other similar measures.</li> <li>• Limit idling time to a maximum of five minutes and turn off equipment when not in use; clear signage indicating this shall be displayed at the project site access point.</li> <li>• All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications and shall be checked by a certified visible emissions evaluator.</li> <li>• Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.</li> </ul>
Construction and Worker Parking in Street	The applicant shall park all construction and worker vehicles on-site.
Litter, including Cigarette Butts, in Street	The applicant shall provide necessary training and trash receptacles for workers to properly dispose of litter, including cigarette butts, in on-site trash containers.

Geotechnical Conditions

8. The Geotechnical Engineer shall conduct weekly monitoring, as well as perform additional monitoring after every storm event that results in 1/2-inch or more of rainfall within a 12-hour period as measured at the nearest gauge, until grading is complete.

Additional Erosion Control Conditions

9. The Contractor shall cover and protect all stockpile areas from rainfall and erosion.

10. The Contractor shall increase the protection of the roadways from potential deposition/siltation (e.g., additional silt fencing, K-Rails or similar barriers to facilitate debris accumulation and catchment).
11. The Contractor shall provide daily street cleaning during mass grading.
12. Erosion control measures outside of actively graded areas shall remain in place and be maintained continuously until April 30.
13. Areas of active grading shall be covered at the end of the workday and for periods of no work, such as weekends and holidays.
14. All grading work shall stop 48-hours prior to a predicted major rain event and the site shall be stabilized.
15. After a major rain event, prior to re-start of grading work, the County shall inspect the site and identify necessary corrections. Corrections shall be completed prior to re-start of grading.

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5. **Correspondence and Other Matters**

No official correspondence.

6. **Consideration of Study Session for Next Meeting**

No study Session planned for the meeting, working with Public Works to schedule the upcoming information session on the Middlefield project.

7. **Director's Report**

Agenda items for the 9/28 PC meeting are likely to include the Pescadero Fire Station and the Quarry Park parking lot expansion.

Update on the Board of Supervisors Meeting regarding the AmeriGas and Farm Bureau appeals.

8. **Commissioner Updates and Questions**

Vice Chair Gupta voiced opinion on getting the minutes with plenty of time to review and Director Monowitz will work with Planning Commission secretary to get the documents be shared with plenty of time for review.

Comments made by Commissioner Ketcham comment regarding the Plan Princeton and inquired on the timeline for completion.

Vice Chair Gupta asked about correspondence that she received, and Director Monowitz provided the relevant background regarding this matter.

9. **Adjournment**

Meeting adjourned at 10:56 AM