

**COUNTY OF SAN MATEO
PLANNING AND BUILDING DEPARTMENT**

DATE: May 24, 2023

TO: Planning Commission

FROM: Planning Staff

SUBJECT: EXECUTIVE SUMMARY: Consideration of a Design Review Permit and Grading Permit to allow construction of a new, three-story 5,742 sq. ft. single-family residence with a 501 sq. ft. attached garage and 1,830 cubic yards (c.y.) of earthwork on a legal, 9.73-acre parcel in the unincorporated Devonshire area of San Mateo County. The property would be accessed from Chesham Avenue through a recorded easement located on the adjacent parcel (APN 049-020-110). The project includes removal of 24 significant trees.

County File Number: PLN2020-00467 (Bagerman)

PROPOSAL

The applicant proposes construction of a new three-story, 5,742 sq. ft. single-family residence with a 501 sq. ft. attached garage on a 9.73-acre parcel. The property would be accessed from Chesham Avenue through a recorded easement located on the adjacent parcel (APN 049-020-110). The project involves 1,830 cubic yards (c.y.) of earthwork (950 c.y. for the driveway/access road from Chesham Avenue and 880 c.y. for the residence) and removal of 24 significant trees. The property is located within an existing residential neighborhood and adjoins developed parcels on the east and north sides, and undeveloped land in the City of San Carlos on the west and south sides.

RECOMMENDATION

That the Planning Commission determine the project is categorically exempt from CEQA per Guidelines Section 15303.3 (New construction of small structures), and approve the Design Review Permit and Grading Permit, by making findings and adopting the conditions of approval in Attachment A.

SUMMARY

A new 5,742 sq. ft. residence is proposed on a 9.7-acre parcel at the edge of the residential community of Devonshire in unincorporated San Mateo County and adjacent to the city limits of San Carlos. The proposed development is in the (R-1/S-102/DR One family Residential and Design Review) R-1/S-102/DR zone district portion.

The parcel has frontage on both Devonshire Boulevard and Chesham Avenue. To access the building site, the driveway must cross through the adjacent parcel via a recorded easement.

The project was reviewed by the Bayside Design Review Committee on June 2, 2022, and it was continued to January 4, 2023. Residents submitted correspondence and attended the zoom meetings to express concern about numerous aspects of the project, including access via a private road, the amount of tree removal, erosion control, and house size. At the hearing, members of the public spoke on these topics and about the house's compatibility with the community, potential glare from project windows, and the easement on the adjacent parcel.

At the first meeting it was noted that some of the driveway improvements were not within the easement boundaries and the applicant requested a continuance to address this issue. At the January meeting, the modified driveway was entirely within the easement boundaries, however owners of the adjacent parcel stated the new layout made some structures on their property difficult to access. The Project Planner clarified that the matter of the easement and proposed access improvements are civil matters in nature (between two private property owners), and outside the County's ability to regulate.

The Committee stated that the tree removal appeared to be within the path of development, that the residence complied with zoning and had good site design, that the colors are consistent with the design standards, and recommended that the project be conditioned to require the use of "Dark Sky" fixtures for exterior lights. Also included in the Committee's recommendation was a suggestion that the parties continue to work towards a satisfactory resolution of the easement issue.

The proposed grading of 1,830 c.y. is required to establish access to the site and construction of the residence. The proposal requires a hearing-level grading permit as the amount of grading exceeds 1,000 cubic yards. The grading plans have been reviewed by the Department of Public Works, Cal Fire and the Geotechnical Section of the Building and Planning Department. The plans received conditional approvals.

Staff recommends approval of the project by the Planning Commission based on the project's compliance with applicable policies and regulations, as documented by the Bayside Design Review Committee and other reviewing agencies. The project qualifies for a Categorical Exemption under the California Environmental Quality Act, Guidelines Section 153103, construction of small structures in an urban area.

EDA:mda – EDAH0085_WMU.DOCX