

From: [Michael Schaller](#)
To: [Janneth Lujan](#)
Subject: FW: [EXTERNAL] Work at 2050 Santa Cruz Ave
Date: Monday, March 8, 2021 10:45:33 AM

Hi Janneth,

Here's an email for the record for my item on Weds.

Mike

From: Gregory Faris [mailto:gregory.faris@icloud.com]
Sent: Saturday, March 06, 2021 5:48 PM
To: Lisa Aozasa <laozasa@smcgov.org>
Cc: Michael Schaller <mschaller@smcgov.org>; Yvonne Fulchiron Schmidt <yfschmidt@me.com>; kelly holzrichter <kelly_holzrichter@yahoo.com>; Lynne McClure <lynneevlynmcclure@gmail.com>; Brian Schmidt <mrschmidt@mac.com>; Gregg Holzrichter <gregg.holzrichter@gmail.com>; Keri Nicholas <keri@kerinicholas.com>; Carin Pacifico <carinpacifico@mac.com>; dkgos@aol.com; Leah Rogers <leah.rogers@stanfordalumni.org>; Robert Faris <robertmrfaris@gmail.com>; David Faris <derfaris@gmail.com>
Subject: Re: [EXTERNAL] Work at 2050 Santa Cruz Ave

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Lisa,

Thank you for the link.

Here is an article that just appeared in the Almanac. I would like it included in the record for this.

If we speak on Wednesday, will we be permitted to present materials like a Powerpoint slide?

Thanks again, Greg Faris

<https://www.almanacnews.com/news/2021/03/05/tree-hacked-down-on-stormy-night-rattles-neighborhood>

On Mar 5, 2021, at 3:47 PM, Lisa Aozasa <laozasa@smcgov.org> wrote:

Hello --

I just checked and the staff report has been posted here:

<https://planning.smcgov.org/events/planning-commission-hearing-3>

Best,

Lisa Aozasa, Deputy Director
San Mateo County
Planning & Building Department

From: Gregory Faris <gregory.faris@icloud.com>
Sent: Friday, March 5, 2021 3:09 PM

To: Lisa Aozasa <laozasa@smcgov.org>; Michael Schaller <mschaller@smcgov.org>
Cc: Yvonne Fulchiron Schmidt <yfschmidt@me.com>; kelly holzrichter <kelly_holzrichter@yahoo.com>; Lynne McClure <lynneevelynmcclure@gmail.com>; Brian Schmidt <mrschmidt@mac.com>; Gregg Holzrichter <gregg.holzrichter@gmail.com>; Keri Nicholas <keri@kerinicholas.com>; Carin Pacifico <carinpacifico@mac.com>; dkgos@aol.com <dkgos@aol.com>; Leah Rogers <leah.rogers@stanfordalumni.org>; Robert Faris <robertmrfaris@gmail.com>; David Faris <derfaris@gmail.com>
Subject: Re: [EXTERNAL] Work at 2050 Santa Cruz Ave

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Hello Lisa,
I see that the appeal of the tree-removal permit is on the Planning Commission agenda for Wednesday. Will the report on the investigation of the tree felling be available before the meeting on Wednesday?
Thanks, Greg

On Feb 24, 2021, at 2:29 PM, Yvonne Fulchiron Schmidt <yfschmidt@me.com> wrote:

There is someone currently at 2059 Santa Cruz. Isn't the stop work order still in effect.

<image0.jpeg>

On Feb 22, 2021, at 4:01 PM, Lisa Aozasa <laozasa@smcgov.org> wrote:

Hello --

I understand there is some concern related to the activity at the Cardinal Court site and will try to clarify what work can proceed at this time while resolution of the tree removal permit for Lot 2 is still pending. The following work can proceed now:

- Installation of tree protection and erosion control measures on all 3 lots to keep remaining trees safe and to comply with storm water run-off requirements
- Work in the public right-of-way under separate encroachment permits
- Completion of the Storm Drain Manhole
- Installation of perimeter fencing as needed to secure the site
- Repair/replacement of fence and completion of storm drain improvements located adjacent to 35

Harrison

Regarding the latter, we understand the owner of 35 Harrison has specific concerns about the work underway there and we are looking into it further. Work pursuant to the private road/utility improvements under the 2018 site improvement permit (BLD 2018-01589) continues to be on hold. We are continuing to process building permits for the houses on Lots 1 and 3 however, those building permits have not been issued yet. A Planning Commission hearing on the tree removal permit is tentatively set for March 10; separate notice will be sent directly for that hearing.

Please let me know if you have any follow up questions.

Regards,

Lisa Aozasa, Deputy Director
San Mateo County
Planning & Building Department

From: Gregory Faris <gregory.faris@icloud.com>
Sent: Thursday, February 18, 2021 5:43 PM
To: kelly holzrichter <kelly_holzrichter@yahoo.com>
Cc: Michael Schaller <mschaller@smcgov.org>; Lisa Aozasa <laozasa@smcgov.org>; Yvonne Fulchiron Schmidt <yfschmidt@me.com>; Lynne McClure <lynneevelynmcclure@gmail.com>; Brian Schmidt <mrschmidt@mac.com>; Gregg Holzrichter <gregg.holzrichter@gmail.com>; Keri Nicholas <keri@kerinicholas.com>; Carin Pacifico <carinpacifico@mac.com>; dkgos@aol.com <dkgos@aol.com>; Leah Rogers <leah.rogers@stanfordalumni.org>; Robert Faris <robertmrfaris@gmail.com>; David Faris <derfaris@gmail.com>
Subject: Re: [EXTERNAL] Work at 2050 Santa Cruz Ave

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Kelly,

Thanks for the details. I am very disturbed that they demolished your fence without permission or notice. That is completely unacceptable and part of a pattern of flouting rules and norms.

If there is a county inspection on Monday, it appears that the stop work has been lifted. Can anyone verify that and what work is now permitted?

Thanks, Greg

On Feb 18, 2021, at 5:14 PM, Kelly Holzrichter
<kelly_holzrichter@yahoo.com> wrote:

They are extending the trench, that has been open on our property for 4 months, to connect the drainage pipes to the storm drain on our property. They said there is an inspection on Monday with the county.

We are in favor of completing this work as we have had an open 4'x4' trench in our front yard for 4 months (1/3 of a year!). And the workers demolished our fence without our permission or notice. Another example of total disregard for the neighbors and adjacent homes.

Sent from my iPhone

On Feb 18, 2021, at 4:38 PM, Gregory Faris
<gregory.faris@icloud.com> wrote:

Here is a picture.
Greg

<IMG_6268.jpeg>

On Feb 18, 2021, at 4:32 PM, Gregory Faris
<gregory.faris@icloud.com> wrote:

Hello Michael and Lisa,
The developer has brought a Bobcat T180 onto 2050 Santa Cruz today from the back side (Harrison Way).
Is there a stop work order in place?
What is going on?
Thanks,
Greg Faris
2042 Santa Cruz, Menlo Park

On Feb 2, 2021, at 9:30 AM, Kelly Holzrichter
<kelly_holzrichter@yahoo.com> wrote:

We also have a 4ft x 4ft open trench in our front yard as well that they are supposedly waiting on the county to review. It has been there for almost 4 months now. We've asked both the owners and the county to address it asap as it is not only dangerous, but is on

our property and they have also left the fence torn down and open. It's not safe for people or from the perspective that it looks abandoned.

On Tuesday,
February 2, 2021,
08:58:55 AM PST,
Yvonne F Schmidt
<yfschmidt@me.com>
wrote:

Thank you Gregg.

Michael - The owner has complete negligence based on the stop work order. The property includes deep trenches which are open, close to the existing trees and exposing their roots - something must be done to remove this root exposure. The fines are minimal and we have paid for an appeal and the tree is gone. We would like to stipulate additional requests per the appeal based on the events over the past week.

Glad to set-up a call to discuss further.

Many thanks.

Best,

Yvonne

On Feb
2, 2021,
at 8:31
AM,
Gregory
Faris
<gregory.faris@sri.com>
wrote:

I just called the

Sheriff.
Greg

On Feb
2, 2021,
at 8:18
AM,
Lynne
McClure
<lynneevelynmcclure@gmail.com>
wrote:

Photos
taken
right
now,
8:14am
Tuesday.

How
about
enforcing
the
"Stop
Work"
order??

<IMG_1915.jpg>

<IMG_1916.jpg>

<IMG_1917.jpg>

Sent
from the
mother
ship

TODAY January 28, 2021. Current time: 10:59 pm (America/Los_Angeles timezone)



First light at 6:47:08 AM
Sunrise time:
7:14:45 AM



Sunset time:
5:28:41 PM
Last light at 5:56:19 PM

Day length: **10 hours, 13 minutes**
Sunset in Menlo Park, California was 5 hours, 31 minutes ago

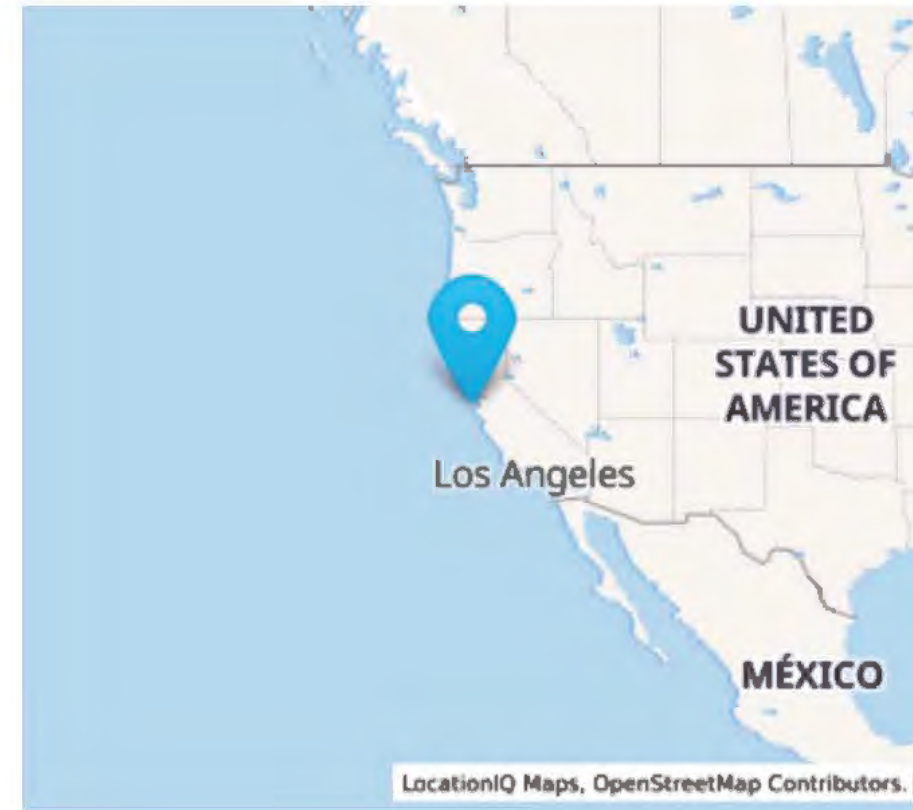
TOMORROW January 28, 2021




First light at 6:46:26 AM
Sunrise time:
7:14:00 AM



Sunset time:
5:29:47 PM
Last light at 5:57:21 PM



Menlo Park, California
Latitude: **37.452961**
Longitude: **-122.181725**
Time zone: **America/Los_Angeles**



Look Closer: Shouldn't Have Taken This Wedding Pic
Look Closer: Shouldn't Have Taken This Wedding Pic

WordSa [READ MORE](#)

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View looking west, towards Alameda
Tree would have struck house at left if it fell the other way



View looking south, towards San Hill Road



Telephoto close up of cut



Tree still intact, view to north from Crocus Court
Tree towers over second story of home in background

This webpage is using significant memory. Closing it may improve the responsiveness of your Mac.



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47° Menlo Park, CA

Today

Hourly

10 Day

Weekend

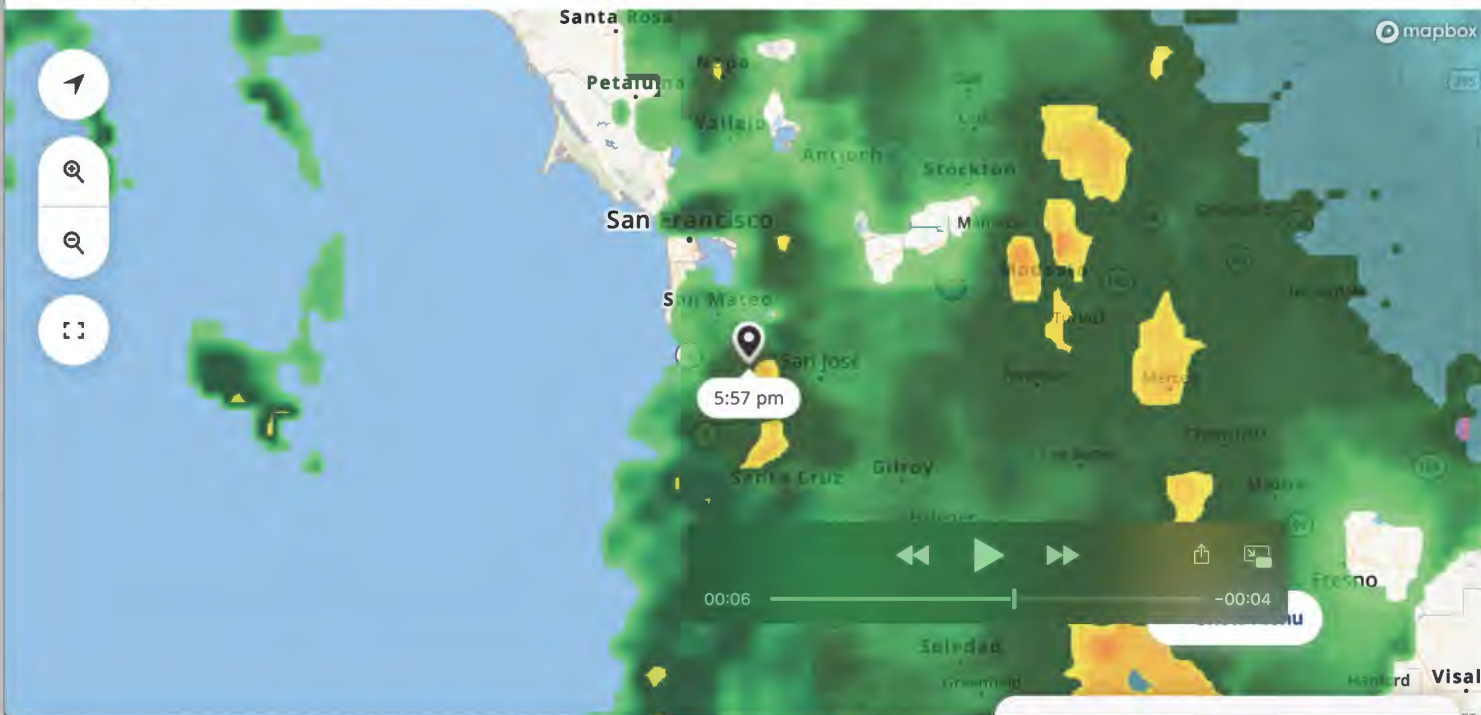
Monthly

Radar

Earth

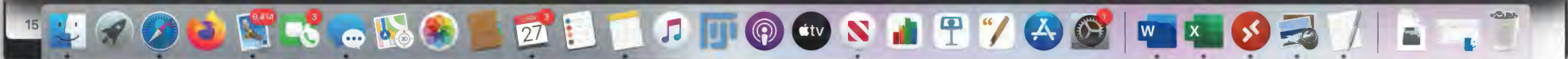
More Forecasts

MENLO PARK, CA RADAR MAP



Advertisement

When the unthinkable occurs, good neighbors show up.





3/9/2021

San Mateo County Planning Commission
455 County Center, 2nd Floor
Redwood City, CA 94063

planning_commission@smcgov.org; jlujan@smcgov.org;
Via Email

Re: 10 Cardinal Court
PLN2020-00443

Dear San Mateo County Planning Commission,

YIMBY Law submits this letter to inform you that the Planning Commission has an obligation to abide by all relevant state housing laws when evaluating the above captioned proposal, including the Housing Accountability Act (HAA).

California Government Code § 65589.5, the Housing Accountability Act, prohibits localities from denying housing development projects that are compliant with the locality's zoning ordinance or general plan at the time the application was deemed complete, unless the locality can make findings that the proposed housing development would be a threat to public health and safety. The most relevant section is copied below:

(j) When a proposed housing development project complies with applicable, objective general plan and zoning standards and criteria, including design review standards, in effect at the time that the housing development project's application is determined to be complete, but the local agency proposes to disapprove the project or to approve it upon the condition that the project be developed at a lower density, the local agency shall base its decision regarding the proposed housing development project upon written findings supported by substantial evidence on the record that both of the following conditions exist:

(1) The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density. As used in this paragraph, a "specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete.

(2) There is no feasible method to satisfactorily mitigate or avoid the adverse impact identified pursuant to paragraph (1), other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density.

...

(4) For purposes of this section, a proposed housing development project is not inconsistent with the applicable zoning standards and criteria, and shall not require a rezoning, if the

housing development project is consistent with the objective general plan standards and criteria but the zoning for the project site is inconsistent with the general plan. If the local agency has complied with paragraph (2), the local agency may require the proposed housing development project to comply with the objective standards and criteria of the zoning which is consistent with the general plan, however, the standards and criteria shall be applied to facilitate and accommodate development at the density allowed on the site by the general plan and proposed by the proposed housing development project.

The applicant proposes to construct three homes on the project site. This proposal along with the tree removal that is the specific subject of this meeting is well within the bounds of what is allowed under the project's zoning and general plan categorization.

The above captioned proposal is zoning compliant and general plan compliant, therefore, your local agency must deny the appeal, or else make findings to the effect that the proposed project would have an adverse impact on public health and safety, as described above.

Yimby Law is a 501(c)3 non-profit corporation, whose mission is to increase the accessibility and affordability of housing in California.

I am signing this letter both in my capacity as the Executive Director of YIMBY Law, and as a resident of California who is affected by the shortage of housing in our state.

Sincerely,

A handwritten signature in black ink that reads "Sonja Trauss". The signature is written in a cursive, flowing style with a large, decorative flourish at the end of the name.

Sonja Trauss
Executive Director
YIMBY Law

From: [Ron Snow](#)
To: [Planning Commission](#); [Steve Monowitz](#)
Cc: [Ron Snow](#); [Michael Schaller](#); [Janneth Lujan](#); [Don Horsley](#); [Michael Callagy](#); [Dave Pine](#); [John Beiers](#)
Subject: 2050 Santa Cruz Ave - Don't Allow Developer Tree Permit -- PLN2020-00443
Date: Tuesday, March 9, 2021 3:12:47 PM

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Regarding: Planning Commission Agenda Item 2:
Highland Solutions LLC
Janel Fung w/ Toby Long Design PLN2020-00443
10 Cardinal Court, West Menlo Park (District 3) 074-091-680

Planning Commission Members,

This developer should not be granted an 'after-the-fact' tree removal permit for this tree numbered 17. The developer's actions in this matter are outrageous and a slap in the face to our County's ordinances. With purposeful intent and forethought, the developer took down this tree in an after hours action to ignore the County and the adjacent neighbors goals to preserve this significant tree.

This developer should have the max penalties levied, including maximum suspension of work (the full 18 months), the moratorium on building should be on all 3 lots being developed by this same developer, maximum fine for cutting the tree (at least \$4,384.80), and developer should be required to replace with a mature tree in the same location (4' or 6' or larger container size). This latter provision should be imposed so that there is no 'gain' to the developer by this inexcusable action.

Planning is using a bogus claim that the subdivision, when approved by the Supervisors, that the Supervisors did not impose protections for this tree number 17; however, at that Board of Supervisor meeting, it was clear that the conditions for the subdivision acknowledged that protection of trees was a primary concern, as this was one of the key topics raised by the neighbors and surrounding community.

Further, Planning's argument that the layout of the building overlapped the tree is also weak and should be dismissed. The developer has the ability to use a design that would have incorporated the tree by adjusting the layout accordingly, or, using a different design that resulted in retaining the tree. Planning's other argument that the developer planted two 24 inch trees is also subject to question, as: 1) there was supposed to be a moratorium on work, 2) the planting of the trees and the selection of size should have given the neighbors a say in the matter.

Developers need to respect the ordinances and goals behind those ordinances that protect our green canopy in the County and our neighborhoods. Don't allow this, or any developer, to so blatantly ignore these important guidelines. I hope that the County ordinances are significantly strengthened and enforcement improved so that developers like Highland Solutions LLC cannot afford to disregard them in the future.

From: [Yvonne Fulchiron Schmidt](#)
To: [Planning Commission](#)
Cc: [Lisa Aozasa](#)
Subject: Item 2 and PLN 2020-0043 - 2050 Santa Cruz Ave., Menlo Park
Date: Tuesday, March 9, 2021 8:36:47 PM

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Hello,

I am writing in reference to the appeal.

We as neighbors worked together to place the appeal and then the tree came down. I am ashamed that the fees are so little. There were no serious consequences for the developer and I fear that others will review this incident and take similar dangerous actions.

I realize that our appeal has been denied.

I am requesting two important items:

- Requirement of a sidewalk along the 2050 Santa Cruz Ave property line.
- Requirement of a walkway/pass through for neighborhood walkers/runners to pass through on Cardinal Way through to Harrison Way (through the current Harrison Way gate).

I thank you for consideration. I am unable to join the meeting today due to prior work meeting commitments.

Thank you.

Best,

Yvonne Fulchiron Schmidt