

August 21, 2004



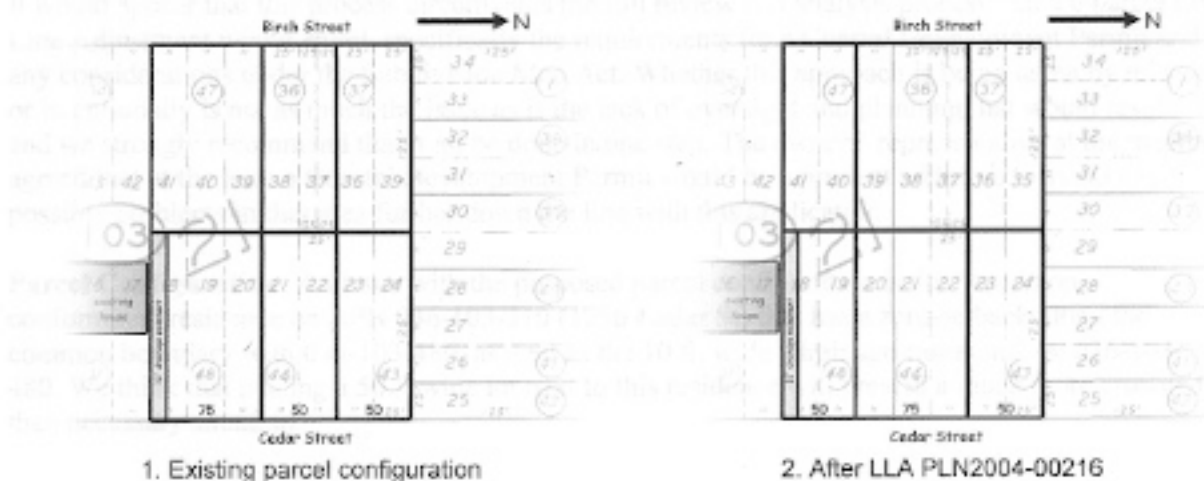
To: **Olivia Boo**
San Mateo County Planning and Building Division
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Redwood City, CA 94063
650.363.1839 - FAX: 650.363.4849

re: **PLN2004-00216**. Consideration of a LLA and CDX for 4 parcels along Cedar and Birch streets between George and Harte in Montara. APNs: 036-103-360, 036-103-370, 036-103-440, 036-103-470, 036-103-480

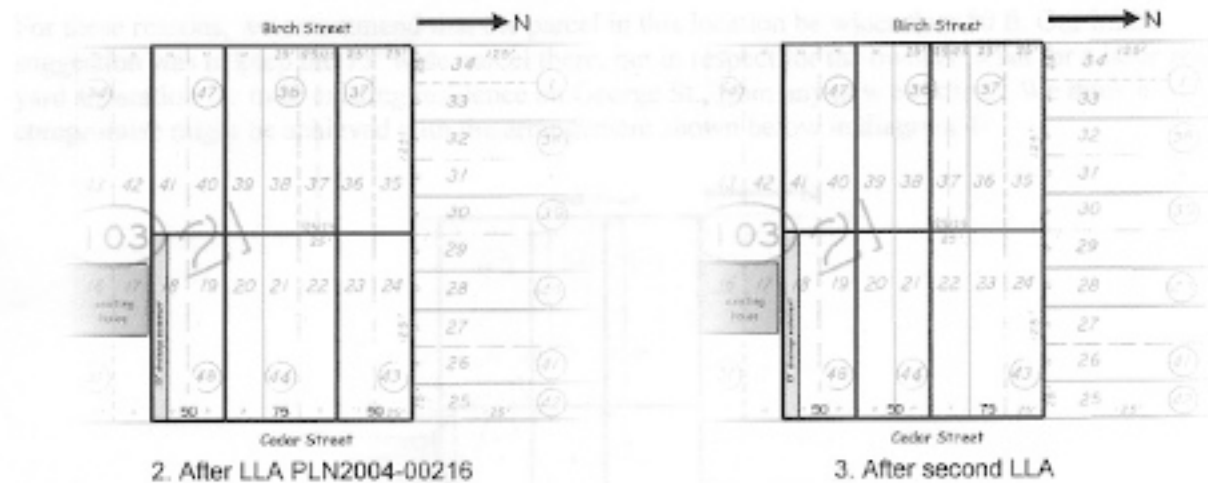
Sara:

The Planning and Zoning Committee of the MidCoast Community Council reviewed the above-referenced application at its regular meeting of July 21, 2004, and had reviewed earlier versions at previous meetings. A site visit was conducted, the most recent by committee member Chuck Kozak with the owners on July 19, 2004. Committee member Karen Wilson recused herself from the meeting for this item because of her property's adjacency to this project. Owner/Applicant Jan Stegmaier and their representative Kerry Burke attended the meeting. Our comments are as follows.

- Project Description:** The project referral, as it was received by the MCC, was described as a "Lot Line Adjustment for 2 parcels", which, in that description, would cause the creation of two 25' x 125' substandard lots. It was clarified by the County project planner that the actual LLA involves 4 parcel (APNs 036-103-360, 440, 470 & 480), that merger would be required of the resulting parcels, and that the description would be changed (emails from Olivia Boo of July 21, 2004 at 12:43 and 13:55). The proposed LLA essentially switches the positions of two 75' wide parcels with two 50' wide parcels. As no complete maps of the LLA were supplied with the referral, we constructed the following for clarification:



The project description on the referral also listed 6 APNs, which were the six that were included in an earlier 6 parcel version of the LLA that our committee had reviewed last year. Upon discussion with the applicants, it was made clear that their intention was to file a second LLA shortly after this one that would involve the newly created 75' wide parcels (the center parcels in diagrams 1 & 2 above) and APNs 036-103-370 & 430, as shown below:



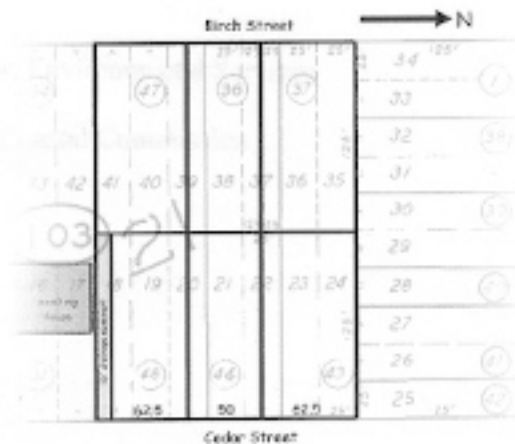
2. **Application Process:** Once it was clarified that this is just a first step in what will be a 6 parcel Lot Line Adjustment, our committee wondered why this was being done in this fashion (especially the initial presentation of the application as a LLA involving only 2 parcels), and not all at once. We found that approaching the project in this "piece-meal" fashion was inadequate in assessing the full impacts of the LLA(s) in terms of development patterns keeping in the character of the immediate neighborhood, as well as inhibiting any analysis of any reasonable alternatives. We would like to note that the committee appreciates the honesty of the owners/applicants in clarifying their intent.

It would appear that this process circumvents the full review and analysis process that a 6 parcel Lot Line Adjustment would entail, specifically the requirements for a Coastal Development Permit and any considerations under the Subdivision Map Act. Whether this approach is being taken by mistake or intentionally is not as much the issue as is the lack of oversight and planning that would result, and we strongly recommend that it all be done in one step. The owners' representative at the meeting agreed that at the least a Coastal Development Permit would be a prudent addition, to avoid any possible problems in that area further down the line with this application.

3. **Parcel Configuration:** An issue with the proposed parcel configuration is the "legal non-conforming" residence on APN 036-103-310 (1256 Cedar St) that has a zero-setback along the common boundary with 036-103-480, as well as the 10 ft. wide "drainage easement" on 036-103-480. We think that placing a 50 ft wide lot next to this residence will present a much more crowded than necessary situation.

In addition, it was unclear whether the setbacks for new development at this parcel would need to respect the addition of the easement, which would severely cramp the design and siting of any new house, or (in the inverse) if the easement were used as a driveway for access to a rear garage or second unit, which would bring vehicle and pedestrian traffic directly past the kitchen and living room windows of the existing house.

For these reasons, we recommend that the parcel in this location be wider than 50 ft. Our initial suggestion was to keep the 75' wide parcel there, but in respect for the owners' wish for a large rear yard separation for their existing residence on George St., from any new buildings. We think a compromise might be achieved with the arrangement shown below in diagram 4:



4. alternative of 62.5 - 50 - 62.5 ft wide lots

We feel this arrangement would afford a better spacing more in keeping with the larger lot standard of the neighborhood, and give room for adequate and comfortable setbacks for any new development on these lots. We understand that the owners would like to be able preserve much of the trees and vegetation on the lots by being sure that they fall into corners of the new lots, outside of potential building envelopes. The use of a process that allows all 6 parcels to be reconfigured at once would allow this flexibility - it should be noted that the lots along Birch St. would not need to be directly reflective of the Cedar St. pattern, and that the depth of the lots could also be adjusted to make these sorts of accommodations.

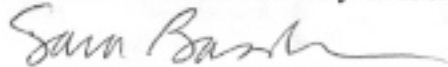
In conclusion, we recommend that this application not proceed as presented, but that the entire set of parcel reconfigurations be done in one package with the proper permits and considerations and that the suggestions regarding size and spacing of the parcels be adopted. We believe that any attempts to circumvent possible requirements for a CDP or other requirements could only result in a higher possibility that a decision on this application would be appealed, with the potential of involvement of the Coastal Commission if it is determined that CDP requirements are being avoided.

Any disagreement between the County and the State regarding the process in this sort of case should be resolved quickly - it is unfair to the property owners and to the coastal communities to be caught in the middle of a procedural argument that only causes more delays, costs, and loss of rights to our communities and property owners.

Because of the many delays and re-submittals that the owners have been asked to go through, we also ask that any further fees for this process be waived.

Thank you for your help with this application. Please keep us informed of any future changes, re-designs, hearings, approvals or appeals of this project.

For the MidCoast Community Council Planning & Zoning Committee,



Sara Bassler
Chair, MCC P&Z
SB/ck

Cc: Marcia Raines, Director, Environmental Services
Kerry Burke
Chris Kern, California Coastal Commission