

Planning & Zoning Committee of the MidCoast Community Council

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March 27, 2002

via email and Fax: 3 pages

To: **Mike Schaller**

San Mateo County Planning and Building Division

Mail Drop PLN122, 455 County Center

Redwood City, CA 94063

650.363.1849 - FAX: 650.363.4849

re: PLN2001-00211: Well Permit, Application Coastal Development Permit and Negative Declaration for the Subdivision of an 8.55 ac. parcel, as specified in earlier application SMN93-0007), to create two new parcels A & B with modifications from earlier approved Master Land Division Plan, at 40 Afar Way (immediately east of East Avenue above 12th - 15th Streets) in Montara. APN 036-310-140.

Mike:

At our meeting of 2/6/02, the Planning & Zoning Committee of the MCC reviewed the above referenced application. We had the following comments:

1. Regarding the subdivision, the Committee felt that new proposal for the two parcels would be less impactful of the resources on the property than the original, but we still had some concerns.
 - a. The first was the arrangement of this project as a “minor subdivision” – SECTION 7009.61 of the Subdivision regulations defines minor subdivisions as those “ ... that result in the creation of four (4) or fewer parcels ...” From a quick review of the regulations, there appears to be a generally less restrictive process for minor subdivisions than those involving more than 4 parcels. Our concern is that the original subdivision of the property created 4 parcels already, and was approved with the stipulation that a further division of this parcel be allowed in the future.

This would seem to be, in total, a subdivision of more than 4 parcels – a pre-arranged “minor subdivision” of a “minor subdivision”, which would seem contrary to the regulations involved. There doesn't seem to be anything in the earlier material or staff reports addressing his anomaly, and we would like clarification on whether this had been handled through proper processing.

- b. A neighbor of the project mentioned after our hearing that he questioned the legality of the ability to shift the new property line in light of the original agreement. Although his was not a part of our hearing that evening, he said he would be sending a separate letter and, like all comments from concerned residents, we would like to see that issue addressed.
 - c. There was some confusion on where the swale to be protected by the new property line arrangement was. The Negative Declaration would seem to indicate it is the depression clearly defined on the topo map as running from the northeast corner to the southwest corner of the property. The arrangement of the new property boundary would seem to agree with this. The applicant insisted that the swale is along the eastern boundary of the parcel, next to the developed Arnett parcel. Another point to clarify.
 - d. The configuration of Parcel A and the indicated proposed building site would create a structure with immediate visual impact on the neighborhood to the west below East street. Situated on a rise above the neighborhood, and with the general tendency of the houses built here to be quite large, it would be very noticeable up the 13th St. corridor and quite imposing on the neighborhood below. We believe approval should condition this future structure to be situated out the direct 13th St. corridor and sited and designed to minimize its height and visual impact on the neighborhood to the west.
2. Regarding the Negative declaration:
 - a. We would like to see “restoration of disturbed natural areas to prevent future erosion and siltation problems” added to Mitigation Measure 1 .
 - b. Items 5b, 5c, 6d, and 7b are indicated for “No impact”. These items address issues of increased pedestrian and vehicle traffic, changes in land use, and views from surrounding areas. It seems obvious that this project furthers the residential development of this property, which will bring more people, cars, a differing use of the land and could have significant effect on the scenic values from the adjacent neighborhood. We feel these items should be considered at least “Significant Unless Mitigated” and certainly, as they continue an ongoing development of this area, “Cumulative”.
 3. Regarding the Well, we do not feel it is appropriate for the approval of any well permits for further residential water production until a complete analysis and survey of the aquifers in the MidCoast region is conducted. This area is already considered as problematic in the limited 1989 Kleinfelder Report, and we would not like to see our water supplies and the health and safety of community be further jeopardized.

The committee recommends that the above issues be addressed and actions be instituted before this application proceed any further. Thank you for your help, and please keep us informed of any further developments, redesigns, hearings, approvals or appeals concerning this application.

For the MCC P&Z Committee,

A handwritten signature in black ink that reads "Chuck Kozak". The signature is written in a cursive style with a large initial "C".

Chuck Kozak, MCC Chair

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