

Minutes of the April 23 Meeting of the MidCoast Community Council April 30 in the  
MCC office next to 2003

Chair Sandy Emerson called the meeting to order at 7:35 pm. Members present were April Vargas, Chuck Kozak, Karen Wilson and Ric Lohman. Kathryn Slater-Carter and Paul Perkovic were absent.

### **Public Comment**

Iris Rogers of El Granada commented on the Design Review Committee and its work. She was concerned that there were no advertisements for the LCP workshops within the community. She saw flyers at Big Creek Lumber in Half Moon Bay alerting the construction industry to the most recent meeting and urging attendance. To "keep the Design Review Committee from making building standards more restrictive."

Chuck announced a San Mateo County Open House on May 6 from 7:30 am until 8:00 pm at the County Government Center. Both alternatives for the current Design Review Standards proposal are available on the MCC website at [mcc@sanmateo.org](mailto:mcc@sanmateo.org) Sandy announced Children's Day at Quarry Park on May 4 from 11:30 am until 3:00 pm. There will be a clean-up day at the park on April 27.

Minutes were removed from the Consent agenda and it was accepted as amended.

### **Board of Supervisors Report**

Deborah Hirst, Legislative Advocate for Supervisor Rich Gordon, answered questions from the Council. MCC comments will be included in the final Alternatives Report for the LCP

Review. The Board of Supervisors will hear the recommendation of the Legislative Subcommittee on the Patriot Act at their May 6 meeting. The Parks and Recreation Task Force will be looking at funding sources for services.

### **Committee Reports**

Treasurer's Report: There is no report. The balance remains unchanged.

Parks and Recreation: The last meeting was held on April 14. There was a review of project commitments. John Hernandez of the Half Moon Bay Trails Committee visited and discussions centered on trails, bike paths and safe crossings of Hwy 1. The next meeting will be on May 12 at the 3-0 Café at 7:30 pm.

Parks and Recreation Task Force: There is a short list of potential facilities locations. There is surplus acreage at the south end of the airport. There is County-owned land at the intersection of Etheldore and Hwy 1 in Moss Beach.

Planning and Zoning: The last meeting was on April 16. Two main projects were reviewed: the Ethan Miller deck proposal and the sewer line installation in Miramar. The

Miramar location is an archaeological site. A brief meeting will be held on April 30 in the MCC office next to the 3-0 Café at 7:30.

Public Works: There will be a joint meeting with Planning and Zoning on May 7 at the 3-0 Café at 7:30 pm. Speed control devices and drainage will be discussed.

### **Consent Agenda**

Ric moved, Chuck seconded and the motion for approval was passed unanimously.

### **Regular Agenda**

8a. Miller Decks issue: See attached documents, handed out at the meeting, for background and a detailed explanation. The MCC was asked to review this item. Planning and Zoning first heard it on 10/3/01 with plans that did not include decks in the project description although they were shown on the plans. There are now 7 different sets of plans for this project. The house has already been constructed. Adding decks at the original elevation would have caused the house to exceed the maximum 35% lot coverage for a two story residential structure. It is alleged that the applicant filled in the lower portions of the lot to keep the proposed lower deck from extending 18" above the existing grade, thereby precluding it from being counted as part of the lot coverage. The house behind the project has no rear set back and the decks, if constructed, would be sited within 17 feet of the neighbor's house. Because of the alleged additional filling, the lower deck would sit 16-17 feet above the neighboring parcel. Under Home Improvement Exemption Provisions, the lower deck area could be enclosed to form additional living space within impacting lot coverage limitations.

There are also drainage issues. The construction of the house has already altered drainage patterns on the parcel, causing water to collect in the rear of the neighboring property mentioned above. In addition, the water on the Miller parcel is being collected in a corner of the property and then pumped into the drainage ditch on 8<sup>th</sup> St., an unimproved channel that is not always adequate during wet periods. Suggestions were made to channel the water down the sides of the property and onto 7<sup>th</sup> St., which would be a gravity-powered alternative.

Vic Abadie of Montara urged the Council to find that the grading does not comply with the plan originally approved by the County. If grading were in compliance, addition of the deck would exceed lot coverage. Neither the current grading nor the deck should be approved.

Phil Farrar of Montara asked if the water tank at the rear of the house is counted in the lot coverage calculation. There are many inconsistencies between the permit application and the actual facts of this project.

Ethan Miller, the project homeowner stated that the grading is not yet complete. The current conditions are midway between two versions set out on two different sets of

plans. He will revert to a previously approved plan that extends the contour line of the fill farther into the yard. He moved in 6" deep of fill, if that. He will add retaining walls and soften the decks with lattices and vegetation. He will do his best to address his neighbors' concerns.

Karen asked if Mr. Miller has developed a drainage plan as yet. His answer was no. He wants to wait for County approval.

Lucille Farrar, the neighbor on 7<sup>th</sup> St. whose property is located behind the project said that the pump is inadequate to remove all of the water.

Leonard Woren suggested consulting the topographical maps from 10 years ago to ascertain the original elevations. Chuck answered that there are photographs of the property before the alteration.

April commented that the project seemed somewhat suspicious with so many different sets of plans and confusion over approvals and denials of the decks. An efficient drainage plan must be devised. Moving the water off into another neighborhood is not a solution to the problem. Ric stated that the decks should not be allowed. Sandy commended the amount of preparation that had gone into the presentation by the Planning and Zoning Committee and the appellants. Fundamental issues in the case involve 1) counter level approvals which attempt to rectify previous mistakes made by planning staff 2) moving drainage problems rather than solving them, 3) need for clarification of natural grade versus existing grade. The retaining wall scheme seems acceptable.

Chuck comments that in the regulations, "the ground" refers to the natural grade in all zoning districts except those in the MidCoast. The P and Z Committee would have recommended the elimination of the decks had they been part of the project when it was originally reviewed. The decks should not be excepted from the lot coverage calculation. The neighbors should explore a gravity feed drainage system if it does not negatively affect 7<sup>th</sup> St.

Karen stated that the environmental document was misleading, the decks should not be encouraged, the grading and the house are out of scale with the topography of the adjoining lot, the drainage must be addressed, the Planning Commission can condition any approval of the project.

**Ric moved and Karen seconded a motion for the Council to write a letter to the Planning Commission stating these recommendations:**

1. Due to the grading and the current property conditions, the decks should not be approved.

2. The issue of the water tank and its affect on lot coverage needs clarification.
3. There is no substantive evidence that the grading is within 18" of the natural grade.
4. Decks extending within 17 feet of the rear neighbor are intrusive.
5. Height measurements should be taken from the back of the house close to the approximation of natural grade and the remaining fill on the site should be minimized.
6. Work with the neighbors to develop a gravity feed system towards 7<sup>th</sup> St., taking into account the downstream impacts.
7. Encourage the construction of retaining walls at the back and sides of the property.
8. Enforce the proposal to move the water tank.
9. Ensure that the future projects are properly noticed and referred to the MCC for review.

The motion passed unanimously. Either Chuck or Karen will attend the Planning Commission on behalf of the Council.

8b. Princeton Citizens' Advisory Committee's Responses to the LCP Update "Outcomes Report": Jenny Loft, Secretary and Julian McCurrach, President of the PCAC were present. On march 11 the PCAC reviewed the Outcomes Report developed by Project Planner George Bergman. They are in agreement with the staff proposals for Tasks 5,8,9,10,11,13,14. In Task 8 they support the addition of five new permitted uses in the Waterfront District. In Task 9 they support reducing the Airport Overlay Zone now. For Task 11 there is support for no cap on residential units in the Waterfront zone. A review of existing policies is needed. How are the Caretakers' Quarters allocated? Should the square footage allowed for these quarters be increased from 750 to 1000? Should residence in these quarters continue to be tied to business ownership or employment by the business located within the building?

PCAC supports the concept of fast-tracking the Tasks that directly relate to Princeton. They request that a PCAC member sit on Design Review for commercial projects. PCAC will forward comments on projects to the MCC as well as the County. Leonard Woren recommended that the AO Zone remain as it is until current airport safety standards have been completed.

8d. Participation on CUSD Site Selection and other Committees: This item was taken out of order in deference to those waiting to speak regarding it. CUSD Board members Jolanda Schreurs and Dwight Wilson were present.

Dwight began by saying he would like to develop a working relationship with the MCC and that there are issues of common concern other than the middle school site selection. Jolanda suggested developing processes for dealing with issues. There is not a single site selection committee. There need to be discussions about where interests are, not where our boundaries are. Jolanda commented that 10:00 pm is not the best time to be attempting this.

Dwight explained that the current meetings with Half Moon Bay City Council members are exploring potential sites that would then be brought forward in a public meeting. Conversations (with the MCC) are too often a debate situation. Park issues and basic education issues are of common interest.

**Sandy moved that Kathryn and Karen participate in one or two informal meetings with Jolanda and Dwight to discuss issues of common concern with the expectation that MCC representatives will ultimately be included in the joint meetings between CUSD and the City to discuss possible sites for the middle school. If Kathryn is unwilling to participate, Sandy, as Chair, will appoint another MCC member.**

April seconded the motion and it passed unanimously.

8c. MidCoast Local Coastal Program Review Update: Leonard Woren suggested that the Council ask for the opinions expressed by elected officials at workshops be reported separately from the rest of those in attendance. Sandy announced that George Bergman has chosen May 22 or May 27 for the data review committee meeting.

### **Adjournment**

The meeting was adjourned at 11:00 pm.

Respectfully submitted by Secretary April Vargas