

Planning & Zoning Committee of the MidCoast Community Council

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Fax: 5 Pages

To: Damon DiDonato

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re: PLN2000-00399 - Coastal Development Permit, Coastside Design Review, & Use Permit for a 1441 sf. addition to existing house & studio & new detached garage on a 10,600 sf parcel on Sea Cliff Court (west of Highway 1) in Montara. APN 036-046-270.

Damon:

At our meeting of 3/7/01 the Planning & Zoning Committee of the MidCoast Community Council reviewed the above reference application. Property owner Dianne Burr and project Contractor Mark Stegmaier were in attendance. We had the following comments:

1. We have become aware of the dispute that exists concerning the boundaries of the subject parcel and the property immediately to the north. I was explained to us that the County usually considers these disputes to be outside of the consideration of Planning & Building when a survey is submitted and deemed "technically proper." But we would recommend the County not take this position, in this case or in others.

The surveys in dispute show a discrepancy of up to 5 feet (or possibly more) along the eastern side of the subject property. Aside from the issue of on whose property the existing concrete wall in this area resides, it will also affect the calculations for the area needed for setbacks from the abandoned ROW of Pacific Ave. & the size of any parking area along the eastern side of the property. And in this case, the boundaries of part of the County Right-of-Way would also be in dispute – specifically the easement originally granted to the County for the parcel at the intersection area of Seacliff Ct. and what was once Pacific Avenue.

With a project where property boundaries are in dispute, the County will be required to make findings for approval that rely upon the known ownership of land in terms of responsibility for, and location of, any new development. We fear that these findings could be made in error, and cause excessive hardship and expenses to the property owners involved, if subsequent investigation and legal action should show that these findings were based on an inaccurate or misleading survey. The County should take the responsibility to ascertain that information of this sort is correct and verified before proceeding with any decisions on development.

We also noted a discrepancy on the depiction of the property lines in the plans as submitted: the elevations for the project prepared by the applicant's architect show the 8" masonry wall on the north side of the project to be within the subject parcel, while the Turnrose Survey dated 5/24/00 that was sent to us shows it to be outside the parcel.

2. Regarding the requested setback exception for this application, the Committee has reconsidered its original position. At the time of our first review, the project was presented as fronting towards Hwy 1, with Seacliff Ct. as the side. The County has since made the determination that the front of the parcel is on the south side, along Seacliff Ct. After studying the underlying subdivision pattern of the property and considering the existing arrangement of the driveway entrance from Seacliff as well as the existing parcel under different ownership between this property and Hwy 1, the committee agrees with the County's determination.

With that in consideration, we noted that neither the proposed second floor addition nor the proposed entry-way that would tie the two houses together would be in conformance to the front yard setback requirement, and that now both existing houses do not conform to this setback. Although a case can be made for the existing buildings being as close to the street as they are, the committee felt that the extension of this encroachment into the setback at the 2nd story level was contrary to the design and planning principles to maintain an "open area feel" to our community's streets by keeping structures, especially those at the 2nd story level, significantly setback from the street. In the case of the proposed addition, it should be noted that the small building that is now the second unit was originally constructed as a garage, which one could argue has some rationale for being close to the street. That rationale was lost with the conversion of the building to residential use, and the addition of a second residential level to this structure only worsens the situation. It was also noted that all the other houses on Seacliff Ct. appear to be in conformance, or very nearly so, with this setback requirement.

3. In tours of the site and the ongoing remodeling, the committee was impressed with the level of design and craftsmanship of the work being done. But we found the proposed design for the 2nd level addition and the new entry way to be intrusive and non-conforming to the scale, character and topography of the area, particularly in the manner in which the large, almost windowless 2-story addition is presented toward the highway and Seacliff Ct.

The topography of the land slopes gently back toward the edge of the bluffs, with the ocean visible behind it. The existing buildings on this lot and the lands to the north reflect this coastal terrace feel, with the houses sitting low on the bluff top with a visual sense of the ocean and the sky beyond. The houses to the south are constructed on a steeper sloping bluff top, so that they drop down from the sight lines quickly.

The proposed addition would present an abrupt wall that is out of character to this area, disruptive to the views from the Highway and the surrounding areas, and in

conflict with the topography of the parcel. To illustrate the effect, the committee prepared some quick photo-simulations (attached.)

The committee recommended that consideration be given to expanding the house more on the 1st floor level, as there is quite a bit of lot coverage that is available, and that any 2nd floor addition be minimized in area and setback as much as possible into the lot to at least the required setbacks if not further and help maintain a compatibility with the terrain, minimize the blocking of views and light, and avoid any blank wall effect.

4. The small house at the southeastern corner of the parcel is currently designated as a legal second-unit. Part of the proposed design's purpose, as presented to us, is to tie the two houses together into one residence. If any final approved design for this property maintains that purpose, the 2nd unit designation should be removed from that part of the structure. If the purpose is to retain a legal 2nd unit, then the permit application process should be structured to designate this an improvement on an existing 2nd unit.

Neighbors of the project have expressed concern about this becoming a multiple unit complex. As proposed, the project could, with minor interior modifications, be reconfigured into three separate units: 1 in the main house, a 2nd on the first floor of the small house and a third on the proposed second level.

To minimize this possibility, the committee recommends that any final design be configured to eliminate separate entrances, open up connecting areas between the two existing structures, and remove extraneous utility hookups and any extra venting or other facilities that would allow easy conversion to multi-unit use.

5. The committee would like it verified that there is sufficient water pressure, water hookups and sewer hookups for this project as currently configured and as proposed. Testing in the area by Citizens Utilities Water has shown significant pressure drops during normal water useage: there is concern from the neighbors that 4 fully functional baths and a washer/dryer hookup could cause excessive load on system whose pressure is already suspect.

Local residents have pointed out that the area is lacking in the required fire hydrant capacity, and that the project should be conditioned on their installation and the verification of sufficient pressure for operation.

6. The committee is concerned with the way that a piece of the original proposal (the new stairway on the north side of the existing main house) was moved from this new application to an existing building permit. The arguments have been made that this is a minor addition on its own that has a minimal effect, and that it will take too long to wait for the new permits as this project is expected to be appealed. This convenience to the applicant is not rationale enough for expanding an existing permit - the precedent of allowing new development additions to existing permits constitutes piecemealing

expansion that circumvents the established regulatory procedures for development in the County and especially in the Coastal Zone.

This addition was not part of the earlier building permits, was not considered in light of those original permits, and it is not being considered in light of the new additions as proposed. If construction of this addition has not already proceeded to the point at which it is irreversible, we recommend that this part of the project be returned to the process of the new application.

7. As proposed, the project does not meet the covered parking requirements for a 2 or 3 bedroom (depending on how the indicated studio is used) residence. The proposed garage is only for one vehicle.

The applicants have indicated that parking is available on the eastern portion of the parcel, at the end of the driveway outside the wall of the residence. The committee would like it verified that there is the room for such parking there while allowing full access to the proposed garage. As the eastern edge of this area is part of the survey dispute mentioned above, it should be determined exactly how much space is available. We would also like verification as to whether this type of parking (if feasible) is adequately equivalent to the required covered parking, and if the development of permanent uncovered parking is an allowed use of the abandoned Pacific Ave. ROW.

The committee would also like to see the final design for the proposed garage, as well as any other development on this parcel, be sound and vibration insulated from the concrete wall along the north side of the property. This wall is also the southern wall of the residence to the north, and is structurally connected to the east wall of the subject parcel. Any activity on this structure (such as the opening and closing of the existing entrance gate, or a garage door and the entrance and exit of vehicles) reverberates strongly into the neighboring residence.

With the above outstanding issues, the committee cannot recommend approval of this project at this time without further redesign and review. We request that these issues be resolved before allowing this project to move forward, and that the complete text of this letter be included in any staff report if this project goes to hearing. Thank you for your help, and please keep us informed of any further developments, redesigns, hearings, approvals or appeals concerning this application.



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attachments: photo-simulations of proposed project.

