



COUNTY OF SAN MATEO
Inter-Departmental Correspondence
Planning and Building



Date: June 11, 2012
Board Meeting Date: June 26, 2012
Special Notice / Hearing: 300 Feet
Vote Required: Majority

To: Honorable Board of Supervisors

From: Jim Eggemeyer, Community Development Director

Subject: EXECUTIVE SUMMARY: Public hearing to consider an appeal of the Planning Commission's decision to uphold the approval of a Coastal Development Permit and Design Review, and certification of a Negative Declaration, to construct a new 2,203 sq. ft. single-family residence plus a 373 sq. ft. attached two-car garage, on an existing 8,000 sq. ft. undeveloped parcel. The property is located on an undeveloped portion of Magellan Avenue, which will be extended, in the unincorporated Miramar area of San Mateo County. No trees are proposed for removal. This project is appealable to the California Coastal Commission.

RECOMMENDATION:

Deny the appeal and uphold the Planning Commission's decision to approve the Coastal Development Permit and Design Review, and certify the Negative Declaration, based on the required findings and subject to the conditions of approval listed in Attachment A.

BACKGROUND:

Proposal: The applicant is requesting approval of a proposed design for a new 2,203 sq. ft. single-family residence, plus a 373 sq. ft. attached two-car garage, on an existing 8,000 sq. ft. legal non-conforming parcel where 10,000 sq. ft. is otherwise the minimum parcel size. Magellan Avenue is undeveloped at this location and will be extended approximately 85 feet to provide access to the new home.

Setting: The subject property is located on an unimproved portion of Magellan Avenue, west of existing residential structures. Highway 1 is located approximately 220 feet west of the property. An intermittent creek meanders along the northwest side of the parcel, just east of Highway 1. The Pacific Ocean is approximately 1,000 feet west of the property.

DISCUSSION:

The appellant is requesting that the Planning Commission's decision to approve the project be reversed, or that the project be redesigned to: (a) eliminate excessive crawl space and fill; (b) step the home down the slope; (c) lower the street extension and garage elevation; (d) eliminate the observation deck; and (e) reconfigure the roof lines, all in an effort to protect public and private views. In support of this position, the appellant cites a number of issues/objections that fall into three general categories:

1. Applicable Policies and Regulations – the appellant claims that a number of County policies or regulations were either not applied to this project or were applied incorrectly.
2. Height and Views – the appellant states that the height of the proposed home has not been adequately limited and additional alterations should be required to preserve ocean views from neighboring homes and public roads to the east.
3. Other Design Issues: Grading and Façade Articulation – the appellant states that the proposed home does not conform to the natural topography and has a “boxy” appearance.

Staff concludes that the issues raised by the appellant do not warrant reconsideration of the project approval or the imposition of revisions to the project, such as those specifically requested above.

As detailed further in the staff report, the Coastside Design Review Committee (CDRC), the Zoning Hearing Officer (ZHO), and the Planning Commission all applied the correct design standards in finding the project to be in compliance. The proposed home is a low-profile design appropriate for a moderately sloping parcel that minimizes grading, and adequately preserves views of the ocean, in compliance with design standards. The underfloor areas and fill proposed for the project are not excessive and are largely required to create level floors and comply with building code requirements. There is no compelling regulatory reason for the County to require further lowering of the road and the home, and to do so would put a priority on view preservation from private property and secondary streets, while potentially jeopardizing other significant coastal resources, including the primary views from Highway 1. Specifically, the adjacent riparian corridor and the large Cypress tree at the end of Magellan which screen the home from Highway 1 could be negatively impacted by the greater ground disturbance and increased stormwater runoff associated with more extensive excavation. The proposed design approved by the Planning Commission, without additional unnecessary alterations, on balance is most protective of all the significant coastal resources at stake.

With regard to the appellant's request to eliminate the proposed observation deck and reconfigure the roofs, the majority of the Planning Commissioners felt that the observation deck added architectural interest to the exterior façade and was an appropriate amenity for the occupants of the home, allowing ocean views to be retained, when/if adjacent vacant lots westward of the subject site are developed in the future. Likewise,

the varied roof angles are an important design feature for this contemporary style home, helping to reduce the apparent mass of the structure, in compliance with design standards.

Finally, as detailed further in the staff report, the project complies with all other applicable policies in the County General Plan, Local Coastal Program and Zoning Regulations. Appropriate mitigation measures and conditions of approval are included in Attachment A of this report.

County Counsel has reviewed and approved the materials as to form.

The approval of the Coastal Development Permit and Design Review, and certification of the Negative Declaration, to construct a new single-family residence contributes to the 2025 Shared Vision outcome of a Livable Community by promoting and enhancing good design, site relationships and other aesthetic considerations (General Plan Policy 4.14), and by best protecting views from public viewpoints and other significant coastal resources on the parcel (LCP Policy 8.5).

FISCAL IMPACT:

None.