

ATTACHMENT A

Planning & Building Department

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Please reply to: James A. Castañeda
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February 11, 2010

Mr. Dennis Thomas
San Mateo Real Estate & Construction
1777 Borel Place, Suite 330
San Mateo, CA 94402

PROJECT FILE

Mr. John O'Rourke
29 San Francisco Street
Brisbane, CA 94005

Dear Mr. Thomas and Mr. O'Rourke:

Subject: REVISED LETTER OF DECISION
File Number: PLN2002-00517
Location: Bel Aire Road and Ascension Drive, San Mateo
APN's: 041-111-130,-160,-270,-280,-320, -360

On February 10, 2010 the Planning Commission approved the minutes of the December 9, 2009 meeting, with regard to PLN2002-00517, to more precisely express the analysis of the project by the Commission. These revisions do not change the Planning Commission's recommendation, or the appeal period for the project. These modifications have been added to the original decision letter and are identified in underlined italics below.

On December 9, 2009, the San Mateo County Planning Commission considered a Major Subdivision, pursuant to Section 7010 of the County Subdivision Ordinance and the State Subdivision Map Act, a Grading Permit, pursuant Section 8600 of the San Mateo County Ordinance Code, and certification of a Final Environmental Impact Report (FEIR), pursuant to the California Environmental Quality Act (CEQA), for the proposed Ascension Heights Subdivision located in the unincorporated San Mateo Highlands area of San Mateo County. The project includes the subdivision of the 13.25-acre subject site into 27 legal parcels for development of 25 single-family dwellings, a proposed conservation area (lot A), and "tot-lot" (lot B), which includes a main private access road, and an Emergency Vehicle Access road to provide additional fire access

After receiving answers to questions from staff and the applicant, the Commissioners expressed various concerns that had not been overcome or answered by the information on which a decision must be made. Primary among these were Commissioner Bomberger's and Slocum's concern that the project as proposed was requesting the creation of new subdivision for lots that did not appear to conform with General Plan Policy 15.20.b. (Wherever possible, avoid construction on steeply sloping areas (generally above 30%), which had been shown to be a significant impact under the DEIR. The Commissioners, including Commissioner Wong, expressed a related concern regarding geotechnical and drainage/erosion impacts from building over a 5-year period on the proposed lots. Commissioner Slocum also expressed concerns about General Plan provisions regarding visual impacts in scenic corridors, which could be seen as resulting from building numerous 3-story buildings of over 36 feet in total height on the proposed lots on the steep south facing slope.

Based on information provided by staff and evidence presented at the hearing, the Planning Commission denied (4-0) The following:

1. A resolution certifying the Final Environmental Impact Report (FEIR) as complete, correct and adequate and prepared in accordance with CEQA.
2. A resolution adopting a Statement of Overriding Considerations.
3. A resolution adopting the Mitigation Monitoring Report and the Statement of Findings and Facts in Support of Findings.
4. The vesting tentative map for a major subdivision, the grading permit, and the removal of four significant trees by making the findings and adopting the conditions of approval as set forth in Attachment A.

The Planning Commission's motion also directed the applicant to meet with the community to seek a design that does not build on the steep south facing slope of the site and directed staff to assist as appropriate.

In addition, to provide guidance to the applicant to aid in any further efforts to modify the proposal, the Planning Commission encouraged the applicant to: 1) provide more moderate-sized housing, 2) address the concerns about avoiding building on the steep south facing slope, and 3) develop a new design that could minimize negative impacts.

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Commissioner Slocum distributed an illustrative drawing depicting a potential approach to a redesign that would appear to avoid the significant impacts identified in the Draft EIR and address many of the remaining concerns expressed by the community by avoiding development and new roads with retaining walls on the steep south facing slope but yet allow for development of approximately 18 – 19 homes on more modest sized lots on the flatter areas of the site. (See attached.); and Commissioner Dworetzky expressed concern that there appeared not to have been any recent outreach to or collaboration with the surrounding community by the applicant.

Any interested party aggrieved by the determination of the Planning Commission has the right of appeal to the Board of Supervisors within ten (10) business days from such date of determination. The appeal period for this matter will end at **5:00 p.m. on December 23, 2009.**

If you have questions regarding this matter, please contact the Project Planner listed on page one.

Sincerely,



Rosario Fernandez
Planning Commission Secretary
Pcd1209T_ascension(Revdenial).doc

Enclosure: Gail Slocum Illustrative Variation on DEIR

cc: Department of Public Works
Building Inspection Section
Gerard Ozanne, M.D.
Angela Stricklzy
Robert Stricklzy
Craig Nishizaki
Douglas Heiton
Donald Nagle
Clayton Nagle
Harris Dubrow

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Mr. John O'Rourke
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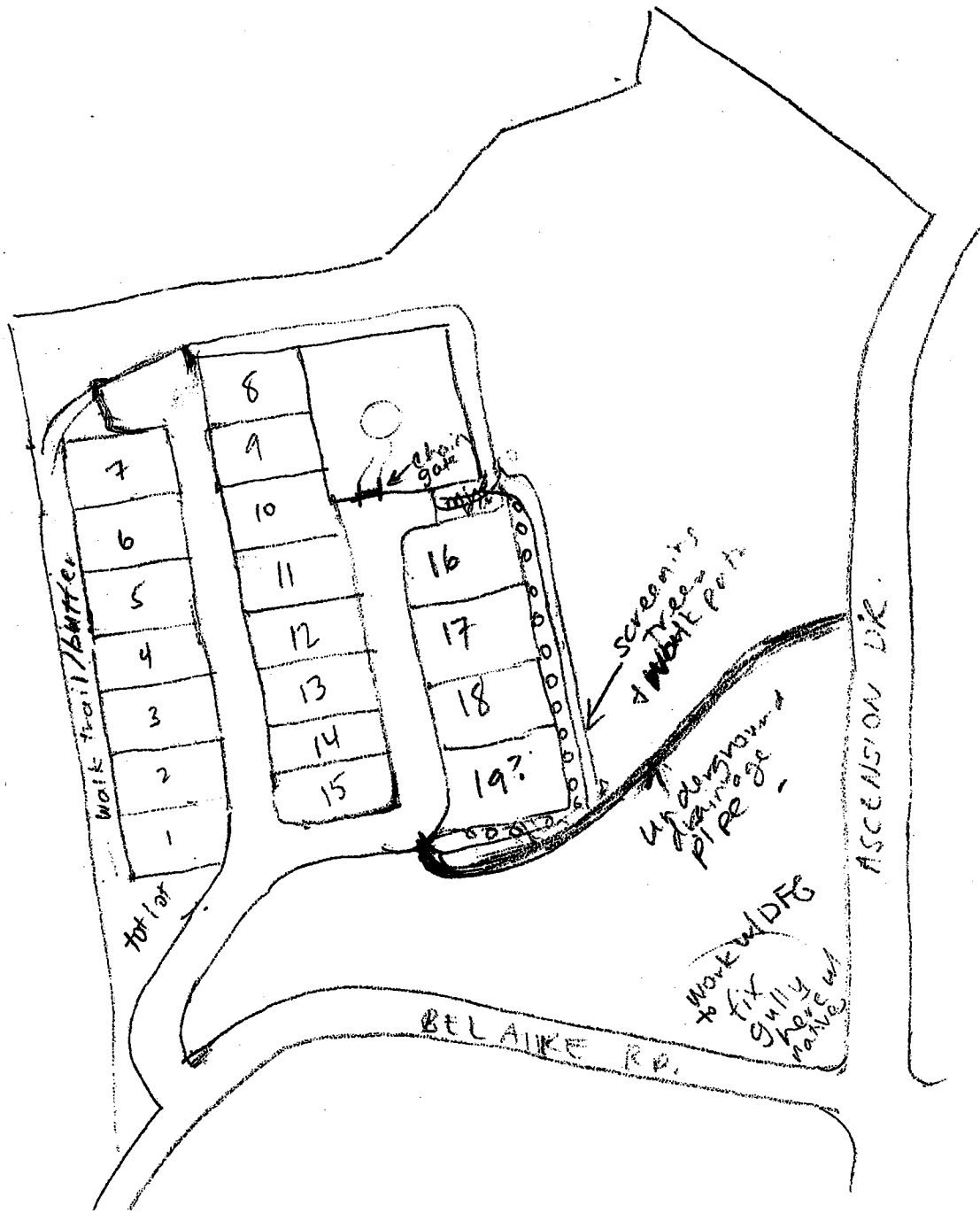
Pat Dubrow
Gilma Walker
Caron and Noam Tabb
Marilyn Haithcox
Pat Dubrow
Ara Jabaghourian
Carol McGraw
Dr. Robert Snow
Russ Wright
Ted Glasgow
Suzanne Kennedy
Sam Naifeh
Terence Day
Steve Simpson
Michael Hann
Bob Dobel
Eugene Ciranni
Alissa Reindel
Michele Pilgrim
Barbara Mikulis
T. Jack Foster
Stelon Delorenzi
Carol Henton
Rosemarie Thomas
John Shroyer
Wendy Z. Browne
Kim Ricket
Frank Shissler
George Mitroff
Peter B. Pitkin
Gary Ernst
Kirk McGowan
Scott Miller
Anastassia Nagle
Robert Snow
Ted Sayre
Barbara Bailey

FILE COPY

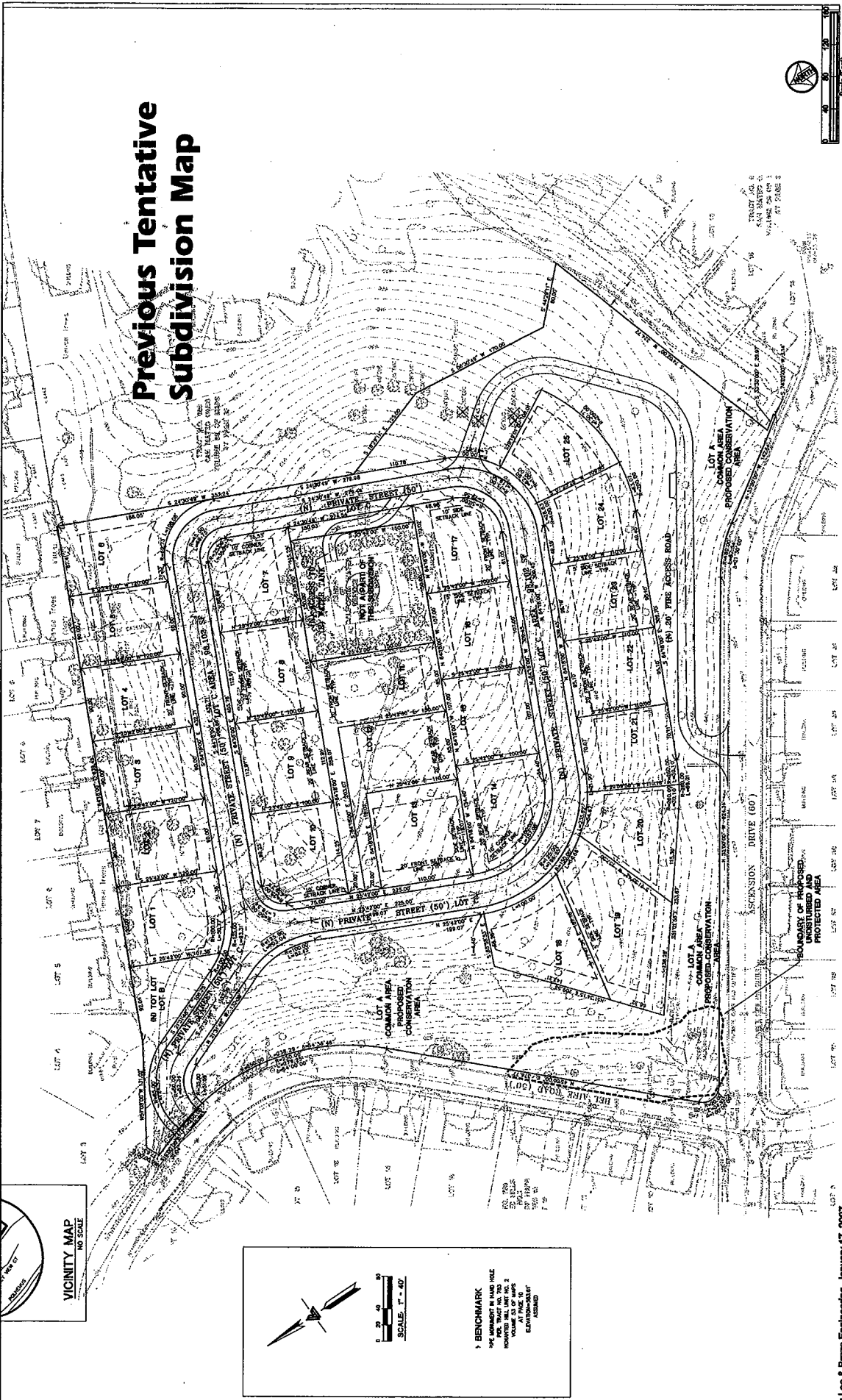
ILLUSTRATIVE VARIATION ON DEIR ALT. B -- Gail Slocum 12/9/09

Still allows ~18 SFD units, but (per DEIR) is superior to Proposed Project because:

- No "scenic impact (no building on the steep South slope face)
- Far less impervious surface (~1/2, with no EVA) less drainage/retaining wall issues
- Far less chance of slope failure in major earthquake (EIR points to south side)
- Far less air quality/grading/erosion impact because significantly less soil removal
- Far less or no biological/sensitive plant & species habitat impact



Previous Tentative Subdivision Map



Lee & Brzes Engineering, January 17, 2007.

Figure III-12
Vesting Tentative Map

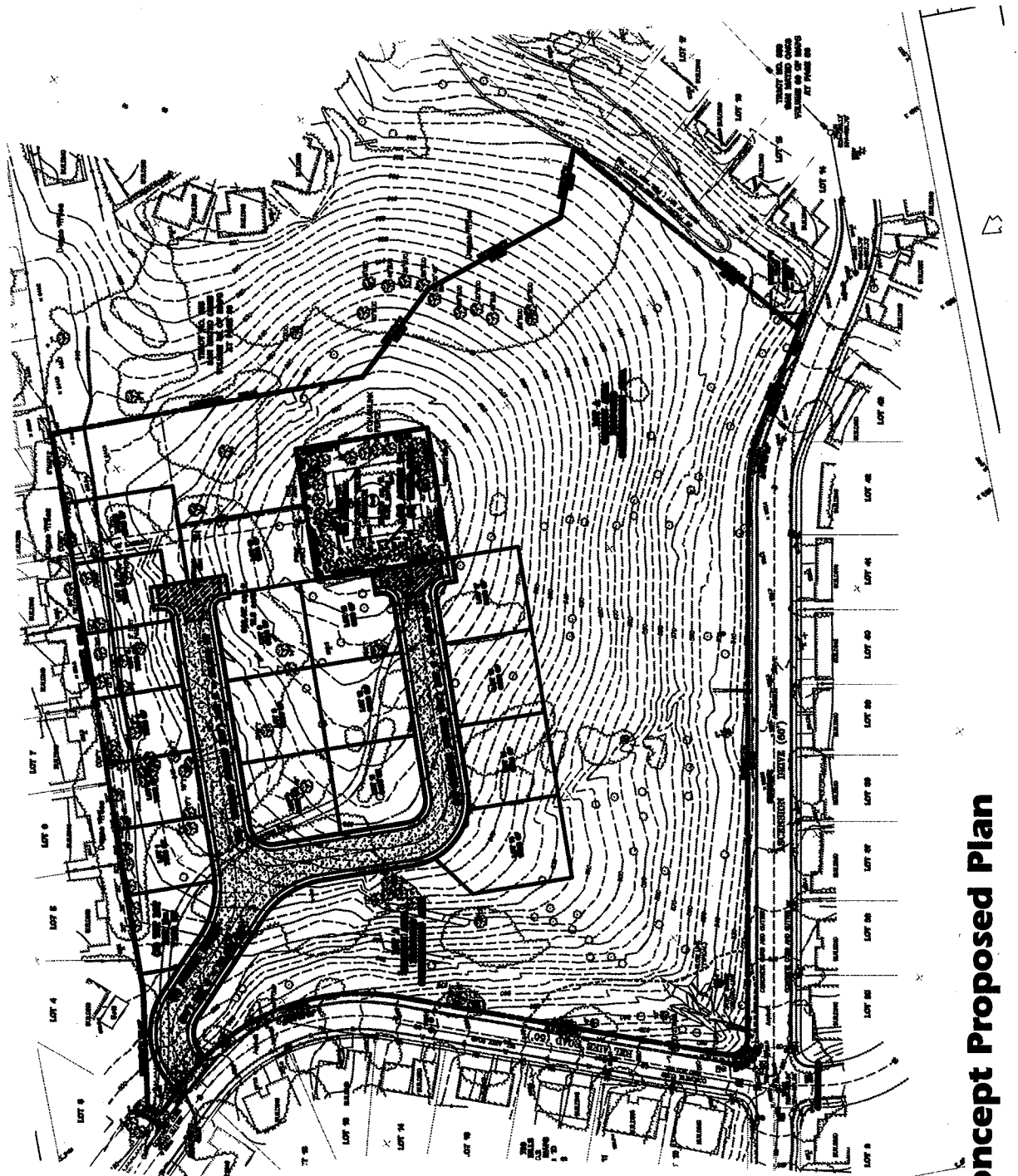


DATE: 08/27/09
 DRAWN BY: [illegible]
 CHECKED BY: [illegible]
 PROJECT: [illegible]

ASCENSION HEIGHTS
 SUBDIVISION MAP
 SAN MATEO, CALIFORNIA

EXISTING TERRAIN
 SUBDIVISION MAP
 LOT LAYOUT PLAN

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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Concept Proposed Plan

San Mateo County Board of Supervisors' Meeting

Owner/Applicant: O'Rourke/San Mateo Real Estate & Construction

File Numbers: PLN 2002-00517

Attachment: C