



Item No. 17 Town of Atherton

CITY COUNCIL STAFF REPORT – PUBLIC HEARING

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: LISA COSTA SANDERS, TOWN PLANNER

DATE: JULY 20, 2016

**SUBJECT: CONDITIONAL EXCEPTION TO THE SUBDIVISION ORDINANCE
FOR A LOT LINE ADJUSTMENT – 279 PARK LANE AND 60
SANTIAGO AVENUE**

RECOMMENDATION

The Planning Commission recommends that the City Council conduct the public hearing and approve the request for a conditional exception to the Subdivision Ordinance for a Lot Line Adjustment at 279 Park Lane and 60 Santiago Avenue in Atherton based on the findings listed below:

1. There are special circumstances or conditions affecting the property;
2. The exception is necessary for the preservation and enjoyment of a substantial property right of the applicant;
3. The granting of the exception will not be detrimental to the public welfare or injurious to other property in the territory in which the property is located;
4. The granting of the exception will not violate the requirements, goals, policies, or spirit of the law.

BACKGROUND

The property at 279 Park Lane (Lands of SFB6, LLC) is an existing 2.52 acre interior parcel bounded on all sides by other residential parcels. A new house is currently being constructed on the parcel. The parcel has frontage on Park Lane through two “access areas” or strips of land; one approximately 40 feet wide on the northwest side of the property and a second approximately 20 feet wide on the southwest side of the property. A driveway is located in the 40-foot wide access area and a pedestrian walkway is proposed to be constructed in the 20 foot wide access area.

The parcel also has frontage on Santiago Avenue through an “access area” approximately 20 feet wide along the northeast side of the property. This access area is undeveloped with a number of large redwood trees growing along its length. A 10-foot wide sanitary sewer easement, including

a sewer line, encumbers a portion of the access area close to Santiago Avenue. Another 10-foot wide public utility easement encumbers the northeast side of the easement. Immediately adjacent and to the northwest, there is another access area approximately 30 feet wide which contains a driveway leading to the home at 50 Santiago Avenue.

The property at 60 Santiago Avenue (Lands of Seiler) is an existing 1.0-acre parcel with 175 feet of frontage along Santiago Avenue.

The applicants are proposing a Lot Line Adjustment involving the transfers listed below.

1. Transfer a narrow strip of land (width varying from 2.18 feet to 2.57 feet) approximately 175 feet in length and containing $409 \pm$ square feet along the rear property line of the Lands of Seiler to the Lands of SFB6, LLC.
2. Transfer a narrow tapered strip of land (width varying from 0 feet to 3.32 feet) approximately 253.43 feet in length and containing $409 \pm$ square feet along the northeast side property line of the access area leading to Santiago Avenue from the Lands of SFB6, LLC to Lands of Seiler.

The resulting parcels would continue to comply with the Atherton minimum lot size requirements; 60 Santiago Avenue (Lands of Seiler) would still contain 1.0 acre and 279 Park Lane (Lands of SFB6, LLC) would still contain 2.52 acres.

The Planning Commission, at its June 22, 2016 meeting conducted the public hearing and voted to recommend the City Council approve the conditional exception to the subdivision ordinance for the lot line adjustment.

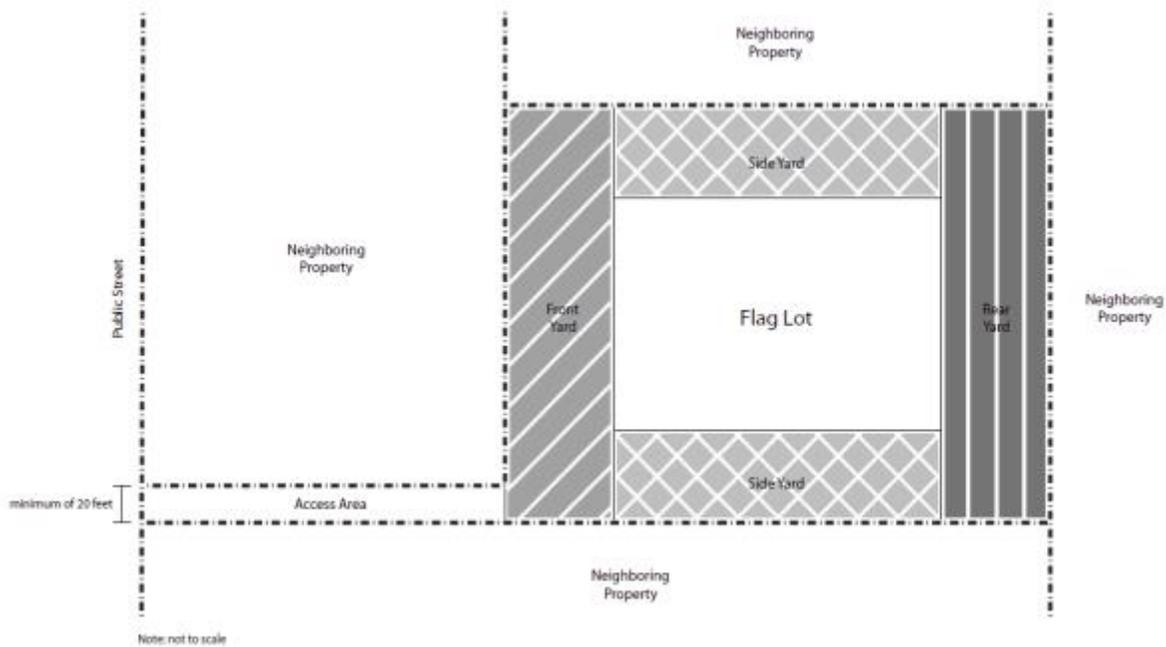
ANALYSIS

Atherton Municipal Code Section 17.60.020 (Zoning Ordinance) cited below defines the term “flag lot” and requires a minimum width of 20 feet for the access area. The requirement for a 20-foot minimum width access area is based on the Menlo Park Fire Protection District’s minimum driveway width standard of 16 feet. The Town’s 20-foot requirement provides for a landscaping and maintenance strip 2 feet wide on each side of the access area. Often this landscape strip is used to accommodate entry columns to support an entry gate. Two feet is the minimum width to accommodate an entry column.

“Lot, flag” means a lot having access to a street by means of a private driveway or parcel of land (known as the access area) not otherwise meeting the requirements of this title for lot frontage. Width of the access area shall be measured at right angles to the side line of the access area.

See figure 17.60.020-6 (Flag Lot).

Figure 17.60.020-6 Flag Lot



t

The applicant's proposal would reduce the width of the access area from Santiago Avenue from 20 feet to 16.68 feet at the Santiago Avenue right-of-way line.

In order for the City Council to approve the request, the applicant would need to demonstrate there are unusual circumstances or conditions affecting the property. AMC Section 16.36.020 cited below specifies the circumstance under which the Planning Commission and City Council may approve an exception.

“Exceptions shall be granted only upon a finding that the approval will secure substantially the objectives of the regulations or requirements to which the exceptions are requested, shall protect the public health, safety, convenience, and the general welfare and shall be consistent with and implement the policies and objectives of the general plan. Any approval of exceptions may be made upon such conditions as are deemed necessary to secure such compliance.

Exceptions shall be granted only upon making the following findings:

1. There are special circumstances or conditions affecting the property;
2. The exception is necessary for the preservation and enjoyment of a substantial property right of the applicant;
3. The granting of the exception will not be detrimental to the public welfare or injurious to other property in the territory in which the property is located;
4. The granting of the exception will not violate the requirements, goals, policies, or spirit of the law.

The applicant has provided a written statement dated May 23, 2016 related to any unusual circumstances or conditions that would justify granting of the exception. In the statement the applicant acknowledges that the access area from Santiago Avenue will become too narrow to accommodate a future driveway. He notes, however that the Santiago Avenue access area constitutes a third access area to 279 Park Lane. The Park Lane property already has two legal accesses from Park Lane and a third access would be unnecessary. The property owner has agreed to record a covenant against the property prohibiting any future development to rely on the Santiago Avenue access strip for primary site access. It was noted at the Planning Commission meeting that the two property owners wish to adjust the property line to align with the historic location of the shared fence. The fence is off-set from the property line to preserve trees.

The Planning Commission found the 279 Park Lane property to be of a unique configuration with three access strips. The Commission also noted that the requested lot line adjustment would preserve heritage trees, would resolve historic property ownership/fence, would not be detrimental and is in the spirit of the Municipal Code.

POLICY ISSUES

The request for the conditional exception to the subdivision ordinance should be considered specific for this property and is not precedent setting.

FISCAL IMPACT

The applicants pay for all costs covering the processing of this application.

ENVIRONMENTAL IMPACT

This project has been determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15305 Minor Alterations in Land Use Limitation including lot line adjustments and setback variances not resulting in the creations of any new parcel.

PUBLIC NOTICE

Public notification was achieved by posting the City Council agenda, with this agenda item being listed, at least 72 hours prior to the meeting in print and electronically. Information about the project is also disseminated via the Town's electronic News Flash and Atherton Online. There are approximately 1,200 subscribers to the Town's electronic News Flash publications. Subscribers include residents as well as stakeholders – to include, but not limited to, media outlets, school districts, Menlo Park Fire District, service providers (water, power and sewer), and regional elected officials.

Notice was also provided pursuant to the Town's Public Hearing provisions, which includes mailing to all property owners within 500' of the subject site and posting at Town bulletin boards at least 10 days prior to the public hearing.

FORMAL MOTION

I move that the City Council approve the conditional exception to the subdivision ordinance for a lot line adjustment at 279 Park Lane and 60 Santiago Avenue in Atherton based on the findings listed in the staff report and subject to the conditions listed in the conditional exception certificate.

ATTACHMENTS

1. Conditional Exception Certificate
2. Lot Line Adjustment Plans prepared by Lea & Braze Engineering, Inc., 10/30/15
3. Legal Descriptions for Lot Line Adjustment, Exhibits A, C, E and G, prepared by Lea & Braze Engineering, Inc., received 1/14/16
4. Letter from Jim Toby, Lea & Braze Engineering, Inc., to Neal Martin, Atherton Planning Department, *Subject: 279 Park Lane, Atherton, Proposal for Lot Line Adjustment, Lea & Braze Job #:2140979*, May 23, 2016



Town of Atherton
Planning Department
91 Ashfield Road
Atherton, California 94027
Phone: (650) 752-0544
Fax: (650) 614-1224

TOWN OF ATHERTON
CITY COUNCIL

CONDITIONAL EXCEPTION TO THE SUBDIVISION ORDINANCE
FOR A LOT LNE ADJUSTMENT

THIS IS TO CERTIFY THAT the Atherton City Council at a regular meeting thereof, held on Wednesday, July 20, 2016 did grant a Conditional Exception to the Subdivision Ordinance for a Lot Line Adjustment at 279 Park Lane and 60 Santiago pursuant to Atherton Municipal Code Sections 17.60 and 16.36 in Atherton (Assessor's Parcel Numbers 070-342-220, 070-342-260 and 070-342-110). The Permit was approved subject to the following condition:

1. The applicant shall record a restrictive covenant prohibiting any future development at 279 Park Lane to rely on the Santiago Avenue access strip for primary site access. The restrictive covenant shall be recorded prior to the recordation of the lot line adjustment.

Lisa Costa Sanders
Town Planner

Effective Date: _____
Atherton, CA

AGREEMENT

This Agreement is made by and between SFB6 LLC, a Delaware limited liability company ("SFB6"), owner of the property commonly known as 279 Park Lane, Atherton, California ("SFB6 Property"), and Ruth F. Sailer, Trustee of The Sailer Trust w/t/a dated March 15, 1995, as amended ("Sailer"), owner of the property commonly known as 80 Santiago Avenue, Atherton, California ("Sailer Property").

RECITALS:

- A. SFB6 recently acquired the SFB6 Property and after obtaining a survey of the SFB6 Property discovered that the common fence separating the SFB6 Property from the Sailer Property is encroaching several feet onto the Sailer Property along the Southerly property line for a distance of 175 feet along the common property line, for a total of approximately 442 square feet ("Encroachment Area").
- B. SFB6 would like to retain use of the Encroachment Area and has proposed an exchange of equal square footage of the panhandle portion of the SFB6 Property along the Westerly property line of the Sailer Property ("Exchange Area") to Sailer in exchange for the Encroachment Area.
- C. The purpose of this Agreement is to memorialize the terms and provisions of the agreement to exchange property between Sailer and SFB6.

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

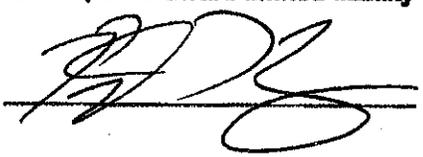
1. The parties agree to effectuate an exchange of property whereby (a) Sailer will convey to SFB6 the Encroachment Area as shown on Exhibit A consisting of approximately 442 square feet area on the SFB6 side of the common fence separating the Sailer Property and the SFB6 Property and (b) SFB6 will convey to Sailer the Exchange Area as shown on Exhibit A consisting of an equal amount (approximately 442 square feet) of the panhandle portion of the SFB6 Property running adjacent to the Westerly property line of the Sailer Property out to Santiago Avenue (subject to retention of a 5 foot sanitary sewer easement for the existing sanitary sewer line crossing a portion of the Exchange Area for the benefit of the SFB6 Property).
2. The exchange will be accomplished through a lot line adjustment to be prepared by SFB6's engineer/surveyor, subject to approval by the Town of Atherton, all at SFB6's cost and expense.
3. Sailer will cooperate with SFB6 to effectuate such exchange by signing such applications, authorizations, deeds and other documents as may be reasonably necessary to complete the lot line adjustment and exchange at no cost or expense to Sailer.
4. SFB6 will remove the existing fence on the Westerly property line of the Sailer Property and the common fence separating the two properties and will construct a new fence of essentially the same design and quality as the existing fence between the Chambers'

property and the SFB6 Property along common property line and the relocated Western property line of the Seller Property to separate the panhandle portion of the SFB6 Property from the Seller Property at SFB6's sole cost and expense.

5. Upon completion of the lot line adjustment and exchange it is understood and agreed that both the Seller and the SFB6 Properties will consist of the same square footage as they contained prior to the lot line adjustment and exchange.
6. Upon execution of this Agreement, SFB6 will proceed with the necessary steps to complete the lot line adjustment and exchange in a reasonably expeditious manner. To the extent surveyors, engineers or contractors require access to the fenced area of the Seller Property to perform any work required by this Agreement, SFB6 or its representative shall provide Seller reasonable advance notice of any such entry.
7. This Agreement contains the entire agreement of the parties with respect to the exchange of properties and lot line adjustment as contemplated herein or previously discussed by the parties and replaces and supersedes any other or prior agreements or understandings. This Agreement may only be amended by written amendment executed by the parties.
8. This Agreement may be executed in counterpart and copies transmitted by facsimile or PDF copies transmitted by email shall suffice as originals and shall be binding when executed by both parties.
9. It is understood that this Agreement was prepared by William L. McClure of Jorgenson, Siegel, McClure & Fiegel, LLP, on behalf of both parties to this Agreement at the request of SFB6 at its cost and expense. Both parties hereby waive any potential conflict of interest regarding such joint representation.

June __, 2015

SFB6 LLC, a Delaware limited liability company

By: 

~~June 17~~
July 17, 2015

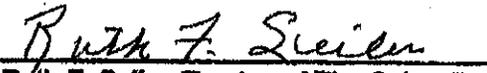

Ruth F. Seiler, Trustee of The Seller Trust
u/t/a dated March 15, 1995, as amended

Exhibit A

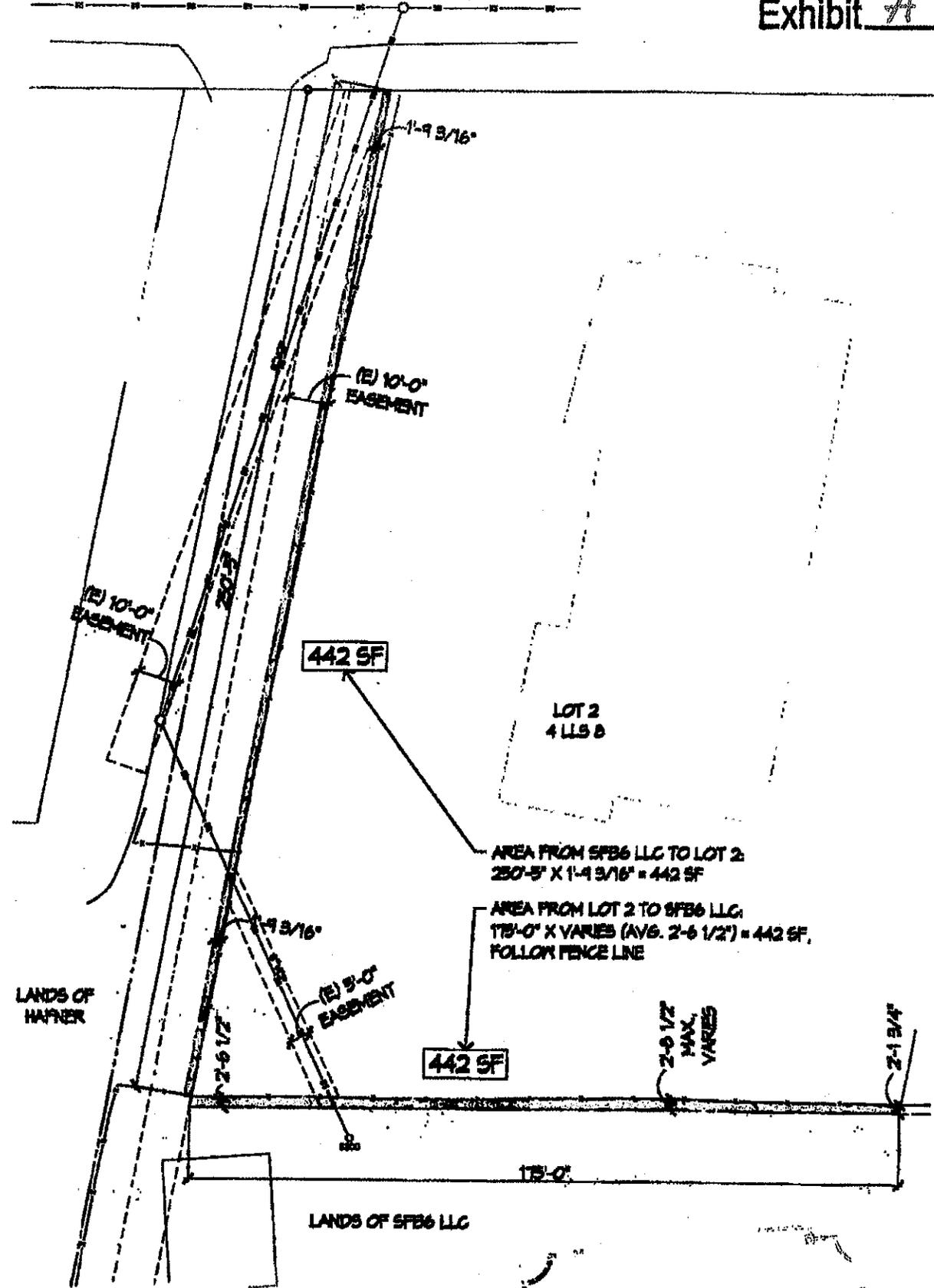


EXHIBIT "A"
LEGAL DESCRIPTION FOR
LOT LINE ADJUSTMENT (PARCEL A)
278 PARK LANE, ATHERTON, CALIFORNIA

All that certain real property, situate in the Town of Atherton, County of San Mateo, State of California, being a portion of the Lands of SFB6 LLC as described in that certain Grant Deed, filed in the office of the County Recorder of San Mateo County on May 22, 2014 as Document Number 2014-044648 and a portion of the Lands of Seiler as described in that certain Grant Deed, filed in the office of the County Recorder of San Mateo County on May 11, 2006 as Document Number 2006-070714, all as shown on Exhibit "B" made a part hereof, more particularly described as follows:

Beginning at the most southerly corner of Parcel 2, as said parcel is shown on that certain Parcel Map filed August 1, 1975 in Book 28 of Parcel Maps at Page 42 in the office of the Recorder of San Mateo County, said point also being on the northerly right-of-way of Park Lane, 40 feet wide as said Lane is shown on said Parcel Map, thence along the said Lands of SFB6 the following 10 courses:

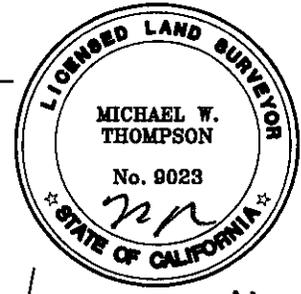
1. North 65°46'00" West, 20.26 feet along said right of way;
2. leaving last said right of way North 33°27'00" East, 210.42 feet;
3. North 65°46'00" West, 348.19 feet;
4. South 33°24'59" West, 220.80 feet to said Park Avenue right of way;
5. along last said right of way North 68°28'00" West, 8.55 feet;
6. North 78°02'00" West, 33.99 feet;
7. leaving last said right of way North 33°24'59" East, 353.75 feet;
8. North 63°45'57" West, 20.45 feet;
9. North 36°19'00" East, 345.84 feet to a point on the southerly right of way of Santiago Avenue, 40 feet wide, as said right of way is shown on said Parcel Map;
10. along said right of way South 63°52'00" East, 17.00 feet; thence leaving last said right of way South 35°34'01" West, 249.86 feet; thence South 63°44'32" East, 174.93 feet to a point on the southeasterly line of said Lands of Seiler; thence along said line South 36°19'00" West, 2.18 feet to a point on the northerly boundary of the said Lands of SFB6 LLC; thence along said Lands the following 6 courses:
 1. South 63°52'00" East, 175.00 feet;
 2. North 36°19'00" East, 79.44 feet;
 3. South 19°40'53" East, 80.48 feet;
 4. South 33°30'00" West, 104.27 feet;
 5. North 65°24'00" West, 16.36 feet;
 6. South 33°27'00" West, 331.73 feet to the **Point of Beginning**.

Containing 2.52 acres, more or less.

END OF DESCRIPTION



SANTIAGO AVENUE (40')



S63°52'00"E
17.00'

LANDS OF HAFNER

S35°34'01"W
345.84'
249.86'

LOT LINE TO BE REMOVED
LANDS OF SEILER
DOC.
2006-070714
APN:
070-342-110

LOT 3
4 LLS 8

S36°19'00"W
2.18'
S63°44'32"E
174.93'
175.00'
S63°52'00"E

N36°19'00"E
79.44'
S19°40'53"E
80.48'

LOT LINE TO BE REMOVED

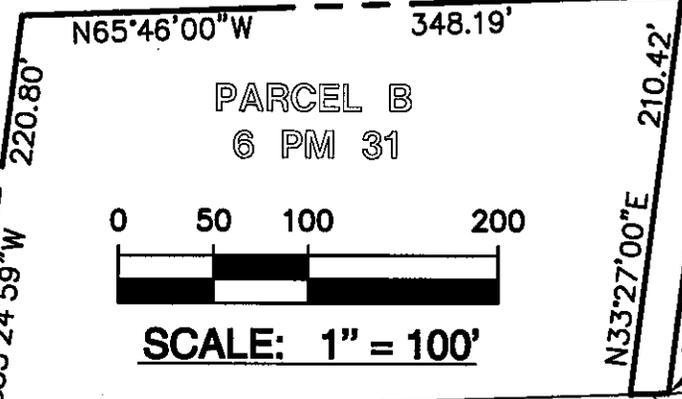
LANDS OF SFB6 LLC
PARCEL A DOC. 2014-044648
109,642 SQ.FT. APN: 070-342-220,
2.52 ACRES -260

N65°24'00"W
16.36'
39 LLS 48

N63°45'57"W
20.45'

LOT 4
55 MAPS 14

N33°24'59"E
353.75'



PARCEL B
6 PM 31

36 LLS 66

POINT OF BEGINNING

PARK LANE (40')

N78°02'00"W
33.99'

N68°28'00"W
8.55'

N65°46'00"W
20.26'



LEA & BRAZE ENGINEERING, INC.

CIVIL ENGINEERS • LAND SURVEYORS
BAY AREA REGION
2495 INDUSTRIAL PKWY WEST
HAYWARD, CALIFORNIA 94545
(P) (510) 887-4088
(F) (510) 887-3019
WWW.LEABRAZE.COM
SACRAMENTO REGION
3017 DOUGLAS BLVD, # 300
ROSEVILLE, CA 95661
(P) (916)966-1338
(F) (916)797-7363

EXHIBIT "B"
PLAT TO ACCOMPANY LEGAL DESCRIPTION
FOR LOT LINE ADJUSTMENT (PARCEL A)
278 PARK LANE
ATHERTON, CALIFORNIA
SAN MATEO COUNTY

APN: 070-342-220, -260 JOB NO 2140605

DRAWN BY: RM

SEPTEMBER 2015

EXHIBIT "C"
LEGAL DESCRIPTION FOR
LOT LINE ADJUSTMENT (PARCEL B)
60 SANTIAGO AVENUE, ATHERTON, CALIFORNIA

All that certain real property, situate in the Town of Atherton, County of San Mateo, State of California, being a portion of the Lands of Seiler as described in that certain Grant Deed, filed in the office of the County Recorder of San Mateo County on May 11, 2006 as Document Number 2006-070714 and a portion of the Lands of SFB6 LLC as described in that certain Grant Deed, filed in the office of the County Recorder of San Mateo County on May 22, 2014 as Document Number 2014-044648 and, all as shown on Exhibit "D" made a part hereof, more particularly described as follows:

Beginning at the northeasterly corner of said Lands of Seiler, said point also being on the southerly right of way of Santiago Avenue, 40 feet wide, thence leaving last said right of way and along the southeasterly line of said Lands of Seiler South 36°19'00" West, 250.82 feet; thence leaving said line North 63°44'32" West, 174.93 feet; thence North 35°34'01" East, 249.86 feet to a point on the northerly right of way of said Santiago Avenue; thence along said right of way South 63°52'00" East, 178.32 feet to the **Point of Beginning**.

Containing 1.00 acres, more or less.

END OF DESCRIPTION



1-12-16

SANTIAGO AVENUE (40')

POINT OF BEGINNING



MICHAEL W. THOMPSON

No. 9023

MW

STATE OF CALIFORNIA

1-12-16

S63°52'00"E
178.32'

LANDS OF SEILER
DOC.

2006-070714

APN:

070-342-110

PARCEL B

43,578 SQ.FT.

1.00 ACRES

N63°44'32"W

174.93'

LOT LINE TO BE REMOVED

LOT 3
4 LLS 8

249.86'
N35°34'01"E

S36°19'00"W
250.82'

LANDS OF HAFNER

LANDS OF SFB6 LLC

DOC. 2014-044648

APN: 070-342-220,

-260

39 LLS 48

LOT 4
55 MAPS 14

PARCEL B
6 PM 31

36 LLS 66

0 50 100 200



SCALE: 1" = 100'

PARK LANE (40')



LEA & BRAZE ENGINEERING, INC.

CIVIL ENGINEERS • LAND SURVEYORS

BAY AREA REGION
2495 INDUSTRIAL PKWY WEST
HAYWARD, CALIFORNIA 94545
(P) (510) 887-4086
(F) (510) 887-3019

SACRAMENTO REGION
3017 DOUGLAS BLVD, # 300
ROSEVILLE, CA 95661
(P) (916) 966-1338
(F) (916) 797-7363

WWW.LEABRAZE.COM

EXHIBIT "D"

PLAT TO ACCOMPANY LEGAL DESCRIPTION
FOR LOT LINE ADJUSTMENT (PARCEL B)

60 SANTIAGO AVENUE
ATHERTON, CALIFORNIA
SAN MATEO COUNTY

APN: 070-342-110

JOB NO 2140605

DRAWN BY: RM

SEPTEMBER 2015

EXHIBIT "E"
LEGAL DESCRIPTION FOR
TRANSFER TO SFB6
278 PARK LANE, ATHERTON, CALIFORNIA

All that certain real property, situate in the Town of Atherton, County of San Mateo, State of California, being a portion of the Lands of Seiler as described in that certain Grant Deed, filed in the office of the County Recorder of San Mateo County on May 11, 2006 as Document Number 2006-070714, all as shown on Exhibit "F" made a part hereof, more particularly described as follows:

Commencing at the northeasterly corner of said Lands of Seiler, said point also being on the southerly right of way of Santiago Avenue, 40 feet wide; thence leaving last said right of way and along the southeasterly line of said Lands of Seiler South 36°19'00" West, 250.82 feet to the **Point of Beginning**; thence continuing along said line South 36°19'00" West, 2.18 feet; thence along the southwesterly line of said Lands North 63°52'00" West, 175.00 feet; thence along the northwesterly line of said Lands North 36°19'00" East, 2.57 feet; thence leaving said line South 63°44'32" East, 174.93 feet to the **Point of Beginning**.

Containing 409 square feet, more or less.

END OF DESCRIPTION



1-12-16

SANTIAGO AVENUE (40')

POINT OF COMMENCEMENT



1-12-16

LOT 3
4 LLS 8

LANDS OF SEILER
DOC. 2006-070714
APN: 070-342-110

TRANSFER
TO SFB6
409± SQ.FT.

POINT OF BEGINNING

N36°19'00"E
2.57'

S63°44'32"E

174.93'

N63°52'00"W

175.00'

S36°19'00"W
2.18'

LANDS OF SFB6 LLC
DOC. 2014-044648

APN: 070-342-220, -260



SCALE: 1" = 50'



LEA & BRAZE ENGINEERING, INC.

CIVIL ENGINEERS • LAND SURVEYORS

BAY AREA REGION
2495 INDUSTRIAL PKWY WEST
HAYWARD, CALIFORNIA 94545
(P) (510) 887-4086
(F) (510) 887-3019

SACRAMENTO REGION
3017 DOUGLAS BLVD, # 300
ROSEVILLE, CA 95661
(P) (916)966-1338
(F) (916)797-7363

WWW.LEABRAZE.COM

EXHIBIT "F"
PLAT TO ACCOMPANY LEGAL DESCRIPTION
FOR TRANSFER TO SFB6
278 PARK LANE
ATHERTON, CALIFORNIA
SAN MATEO COUNTY

APN: 070-342-220, -260

JOB NO 2140605

DRAWN BY: RM

SEPTEMBER 2015

EXHIBIT "G"
LEGAL DESCRIPTION FOR
TRANSFER TO SEILER
60 SANTIAGO AVENUE, ATHERTON, CALIFORNIA

All that certain real property, situate in the Town of Atherton, County of San Mateo, State of California, being a portion of the Lands of SFB6 LLC as described in that certain Grant Deed, filed in the office of the County Recorder of San Mateo County on May 22, 2014 as Document Number 2014-044648, all as shown on Exhibit "H" made a part hereof, more particularly described as follows:

Beginning at the northeasterly corner of Parcel A as shown on that certain Parcel Map, filed for record on October 11, 1968 in Book 6 of Parcel Maps at Page 31 in the office of the County Recorder of San Mateo County, said point also being on the southerly right of way of Santiago Avenue, 40 feet wide; thence leaving said right of way and along a southeasterly line of the lands of SFB6 LLC and the northwesterly line of the Lands of Seiler as described in that certain Grant Deed, filed in the office of the County Recorder of San Mateo County on May 11, 2006 as Document Number 2006-070714, South 36°19'00" West, 253.43 feet; thence leaving said lines North 35°34'01" East, 249.86 feet to a point on the said southerly right of way; thence South 63°52'00" East, 3.32 feet to the **Point of Beginning**.

Containing 409 square feet, more or less.

END OF DESCRIPTION



1-12-16

SANTIAGO AVENUE (40')

S63°52'00"E
3.32'

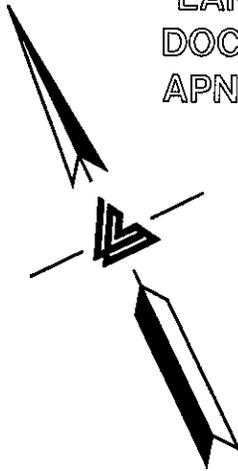
POINT OF
BEGINNING

TRANSFER
TO SEILER
409± SQ.FT.

253.43'
249.86'

LANDS OF SEILER
DOC. 2006-070714
APN: 070-342-110

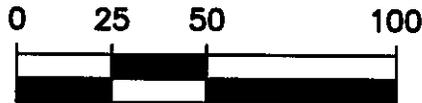
N35°34'01"E
S36°19'00"W



1-12-16

LOT 3
4 LLS 8

LANDS OF SFB6 LLC
DOC. 2014-044648
APN: 070-342-220, -260



SCALE: 1" = 50'



LEA & BRAZE ENGINEERING, INC.

CIVIL ENGINEERS • LAND SURVEYORS

BAY AREA REGION
2485 INDUSTRIAL PKWY WEST
HAYWARD, CALIFORNIA 94545
(P) (510) 887-4086
(F) (510) 887-3019

SACRAMENTO REGION
3017 DOUGLAS BLVD, # 300
ROSEVILLE, CA 95661
(P) (916) 966-1338
(F) (916) 797-7363

WWW.LEABRAZE.COM

EXHIBIT "H"
PLAT TO ACCOMPANY LEGAL DESCRIPTION
FOR TRANSFER TO SEILER
60 SANTIAGO AVENUE
ATHERTON, CALIFORNIA
SAN MATEO COUNTY

APN: 070-342-110

JOB NO 2140605

DRAWN BY: RM

SEPTEMBER 2015



LEA & BRAZE ENGINEERING, INC.
CIVIL ENGINEERS | LAND SURVEYORS

Main Office:
2495 Industrial Pkwy. West
Hayward, CA 94545
Ph: 510.887.4086
Fx: 510.887.3019

Sacramento Region:
3017 Douglas Blvd., Ste. 300
Roseville, CA 95661
Ph: 916.966.1338
Fx: 916.797.7363

May 23, 2016

Neal Martin
Planning Department
Town of Atherton
91 Ashfield Road
Atherton CA 94027

**Subject: 279 Park Lane, Atherton
Proposal for Lot Line Adjustment
Lea & Braze Job #: 2140979**

Dear Mr. Martin,

Please accept this letter as our response to the questions and concerns raised for the proposed lot line adjustment between 279 Park Dr and 60 Santiago. As you know the site currently has triple access to a public street (two on Park Lane and one on Santiago). Currently only one access is constructed that connects the flag lot to Park Lane. The flag portion in question, leading to Santiago, is not currently used and our understanding that this area has never been used for access. This lot is unique in that it is a flag lot and has three portions that connect to a public street.

We understand that the Town's concern is that the third flag portion of the lot, leading to Santiago Ave. will become too narrow to accommodate a future driveway according to the Town standards. We agree that this would be the case, but would like to point out that the site already has two legal accesses to Park Lane and that a third access would be unnecessary. This area going to Santiago has some very significant trees that would be undesirable to remove, both from the Town's point of view and all the property owners adjacent to these trees.

We see no other need for access. As part of our due diligence we approached Menlo Park Fire Protection District who indicated they do not need or desire this access as we already have the two others. The only current use is for utilities and as such, we are proposing to keep the width and location of the easements intact and only move the lot line.



LEA & BRAZE ENGINEERING, INC.
CIVIL ENGINEERS | LAND SURVEYORS

Main Office:
2495 Industrial Pkwy. West
Hayward, CA 94545
Ph: 510.887.4086
Fx: 510.887.3019

Sacramento Region:
3017 Douglas Blvd., Ste. 300
Roseville, CA 95661
Ph: 916.966.1338
Fx: 916.797.7363

Given that the site already has two additional legal sized accesses to the property, we do not see the need for the third access. To help ease the concerns of the Town, we are proposing to record a covenant against the property to prohibit any future driveway construction in the area of the lot line adjustment. There should never be the need for access and as such we ask that along with the recordation of a covenant restricting this land's future use, you find the reasoning to support the proposed lot line adjustment and give a positive recommendation to the Board.

Please let me know if you have any questions.

Sincerely,

Jim Toby, P.E., P.L.S.
Principal

