



BRANAGH*

January 15, 2018

VIA EMAIL

Alameda City Hall
Community Development Department
2263 Santa Clara Avenue, Room 190
Alameda, CA 94501
Attn: Andrew Thomas, Assistant Community Development Director and City Planner

Re: Murphy Trust Lot Line Adjustment – PLN18-0564

Dear Mr. Thomas:

This letter is sent on behalf of Madlyn Murphy, as Trustee of the Murphy Trust dated April 8, 1996 ("Mrs. Murphy"), Bella Vista Development Company ("BVDC"), and Branagh Development, Inc. ("Branagh") in connection with the Lot Line Adjustment Application referenced above (the "Lot Line Adjustment").

Ms. Murphy owns certain property in Alameda extending from St. Margaret Court and Janis Circle southwest to Broadway and Santa Clara Avenue. The property in question is comprised of two legal parcels referred to herein as "Parcel A" (APN 070-0156-021) and "Parcel B" (APN 070-0156-044-4). The parcels as currently configured (pre- Lot Line Adjustment) are shown on the Lot Line Adjustment Sheet attached hereto as Exhibit 1. As currently configured, Parcel A includes one single-family home and Parcel B includes a mix of single-family, duplex, and multi-family units in 13 separate buildings surrounding a center tennis court area.

The Murphy family, as longtime Alameda residents, have owned the Parcel A and Parcel B properties for many years. However, Ed Murphy, Mrs. Murphy's husband, passed away in September of 2017 and Mrs. Murphy, who is 87 years old, would like fewer property management responsibilities. To that end, the Murphy family would like to retain three of the Parcel B buildings, being 2606 and 2610 St. Margaret Court and 2618, 2620, and 2622 Janis Circle (which includes Mrs. Murphy's current residence) (collectively, the "Retained Homes")¹ and sell the balance of Parcel B, together with Parcel A, to BVDC and Branagh or their affiliates (the "Proposed Sale").

In order for Mrs. Murphy to accomplish the Proposed Sale, BVDC and Branagh have retained, on behalf of Mrs. Murphy, Carlson, Barbee & Gibson, Inc. to process the Lot Line Adjustment to adjust the boundary line of Parcel A to include all of current Parcel B other than the Retained Homes. As adjusted, new Parcel A would include 1.29 acres containing 22 residential units in 11 buildings and the existing tennis court area and new

¹ Mrs. Murphy also owns two parcels at the southwestern corner of Broadway and Santa Clara Avenue (1500 and 1506 Broadway), which two parcels are not included in the subject Lot Line Adjustment.

Parcel B would contain the three Retained Homes on .28 acres. The parcels as re-configured (post- Lot Line Adjustment) are shown on the Lot Line Adjustment Sheet attached hereto as Exhibit 1.

Following the submittal of the Lot Line Adjustment application, it was brought to our attention that the City of Alameda's subdivision regulations include a provision prohibiting "interior lots having double frontage." See Alameda Municipal Code Section 30-84.8(e). Though the terms "interior lots" and "double frontage" are not defined in Alameda's municipal code, the new Parcel B to be retained by Mrs. Murphy would have frontage on both St. Margaret Court and Janis Circle. However, for the reasons set forth below, we do not believe Section 30-84.8(e) applies to the Lot Line Adjustment.

- Existing Parcel B already has frontage on four streets – St. Margaret Court, Janis Circle, Broadway and Santa Clara Avenue. New Parcel B would only have frontage on St. Margaret Court and Janis Circle. No new interior double frontage or nonconformance is being created with such parcel as new Parcel B encompasses three existing homes and does not incorporate any new street frontage. Accordingly, no public detriment would arise from what amounts to essentially a "paper" change without any substantive change to existing conditions.
- If Mrs. Murphy ever desires to sell any of three Retained Homes individually, a parcel map would be required which will eliminate the double frontage on Parcel B.
- Though the balance of current Parcel B to be sold to BVDC/Branagh (as the reconfigured Parcel A) will continue to have frontage on both Broadway and Santa Clara Avenue, such double frontage is not new and will now be a temporary condition as BVDC/Branagh intend to subdivide such parcel and develop four (4) single family homes on the current tennis court area. In addition to the creation of one or more lots for the redevelopment of the tennis court area, such subdivision is intended to get each existing building on new Parcel A onto its own legal parcel, including the creation of private yards for each of the single-family homes. Additionally, such subdivision, a conceptual map of which is attached hereto as Exhibit 2, will eliminate any remaining double frontage.

Given the foregoing, we respectfully request approval of the Lot Line Adjustment and further believe no public purpose would be served by denying it. Please let us know if we can provide any further information.

Sincerely,

BRANAGH DEVELOPMENT, INC.



Stefan Schnitzler

Attachments

RECEIVED

DEC 20 2018

PLANNING PERMIT APPLICATION

Community Development • Planning Division
2263 Santa Clara Ave., Rm. 190 Alameda, CA 94501-4477
510.747.6805 • TDD: 510.522.7538 • alamedaca.govProject Address: 2607 SANTA CLARA AVE APN: 070-0156-021Property on the Alameda Historical Buildings Study List? No Yes - Designation: _____Property subject to a Business/Homeowners Association? No Yes - Association Name: _____

Check all applicable permits: (* indicates supplemental forms/materials required)

- | | | |
|--|---|---|
| <input type="checkbox"/> Accessory Dwelling Unit* | <input type="checkbox"/> General Plan Amendment* | <input type="checkbox"/> Subdivision* |
| <input type="checkbox"/> Certificate of Approval* | <input type="checkbox"/> Planned Development/Amendment* | <input type="checkbox"/> Use Permit* |
| <input type="checkbox"/> Density Bonus Application* | <input type="checkbox"/> Preliminary Review Application | <input type="checkbox"/> Variance* |
| <input type="checkbox"/> Design Review* | <input type="checkbox"/> Rezoning* | <input type="checkbox"/> Zoning Letter/Compliance Determination |
| <input type="checkbox"/> Development Plan/Amendment* | <input type="checkbox"/> Sign Permit * | <input checked="" type="checkbox"/> Other: <u>LOT LINE ADJUSTMENT</u> |

Project Description: (attach additional sheets if necessary) LOT LINE ADJUSTMENT OF 2
EXISTING PARCELSProperty Owner(s): MADLYN MURPHY, TRUSTEE OF THE MURPHY TRUSTAddress: 2607 SANTA CLARA AVE City: ALAMEDA State: CA Zip: 94501Email: matt @ bellavistaland Phone: 415-536-8776 (mobile): 415-536-8776Applicant(s): (if different from owner) ANGELO OBERTELLO - CARLSON, BARBEE + GIBSONAddress: 2633 CAMPO RAMON STE 300 City: SAN RAMON State: CA Zip: 94563Email: aobertello @ cbandg.com Phone: 925-866-0322 (mobile): 925-963-0597Hazardous Materials: Pursuant to CA Gov't Code Section 56962.5 regarding notifying the City of hazardous waste and/or hazardous substance sites, the project site: ☐ IS / ☐ IS NOT (check one) included on any of the hazardous waste or substances lists consolidated by the State of California. If on a list, provide the following information:

Reg. ID #: _____ Problem: _____ Date of List: _____

Fee Refunds shall be issued to: ☐ OWNER ☒ APPLICANT ☐ OTHER (provide contact information below)Name: SAME AS ABOVE Address: _____

Phone: _____ Email: _____

BOTH SIGNATURES REQUIRED BELOW

Property Owner: I hereby certify under penalty of perjury, that I am the owner of record of the property described herein and that I consent to the action requested herein. If I am not the applicant, I hereby authorize the applicant stated above to act on my behalf and take all actions necessary for the processing, issuance and acceptance of this permit and any and all standard and special conditions that may be imposed. Further, I hereby authorize the City of Alameda employees and officers to enter upon the subject property as necessary to inspect the premises and process this application.

X

Property Owner(s) Signature [REQUIRED]

Date

Property Owner or Applicant: I hereby certify that I have read this application form and that information in this application and all the exhibits are complete, true and correct. I understand that any misstatement or omission of the requested information or of any information subsequently requested may be grounds for rejecting the application, deeming the application incomplete, denying the application, suspending or revoking a permit issued on the basis of these or subsequent representation, or for the seeking of such other and further relief as may seem proper to the City of Alameda. For applications subject to a time and materials charge, I hereby agree to pay the City of Alameda all incurred costs for staff time and materials associated with review and processing of this application, even if the application is withdrawn or not approved. I understand that one or more deposits may be required to cover the cost noted herein at such time as required by the Community Development Director to ensure there are adequate funds to cover anticipated time and material costs. I expressly acknowledge and agree that failure to pay a written invoice for additional funds within 14 days of date of invoice shall constitute the applicant's withdrawal of the application. I further acknowledge that some application fees are non-refundable and payment does not guarantee approval of the application.

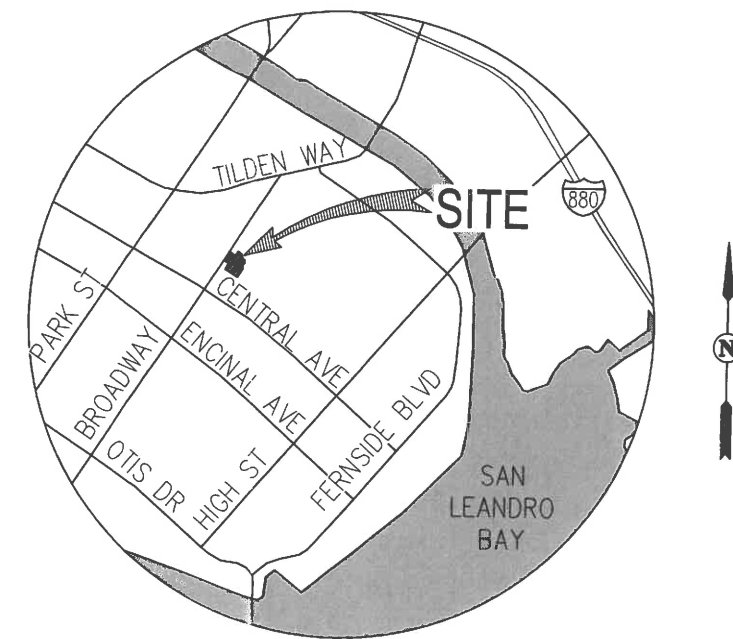
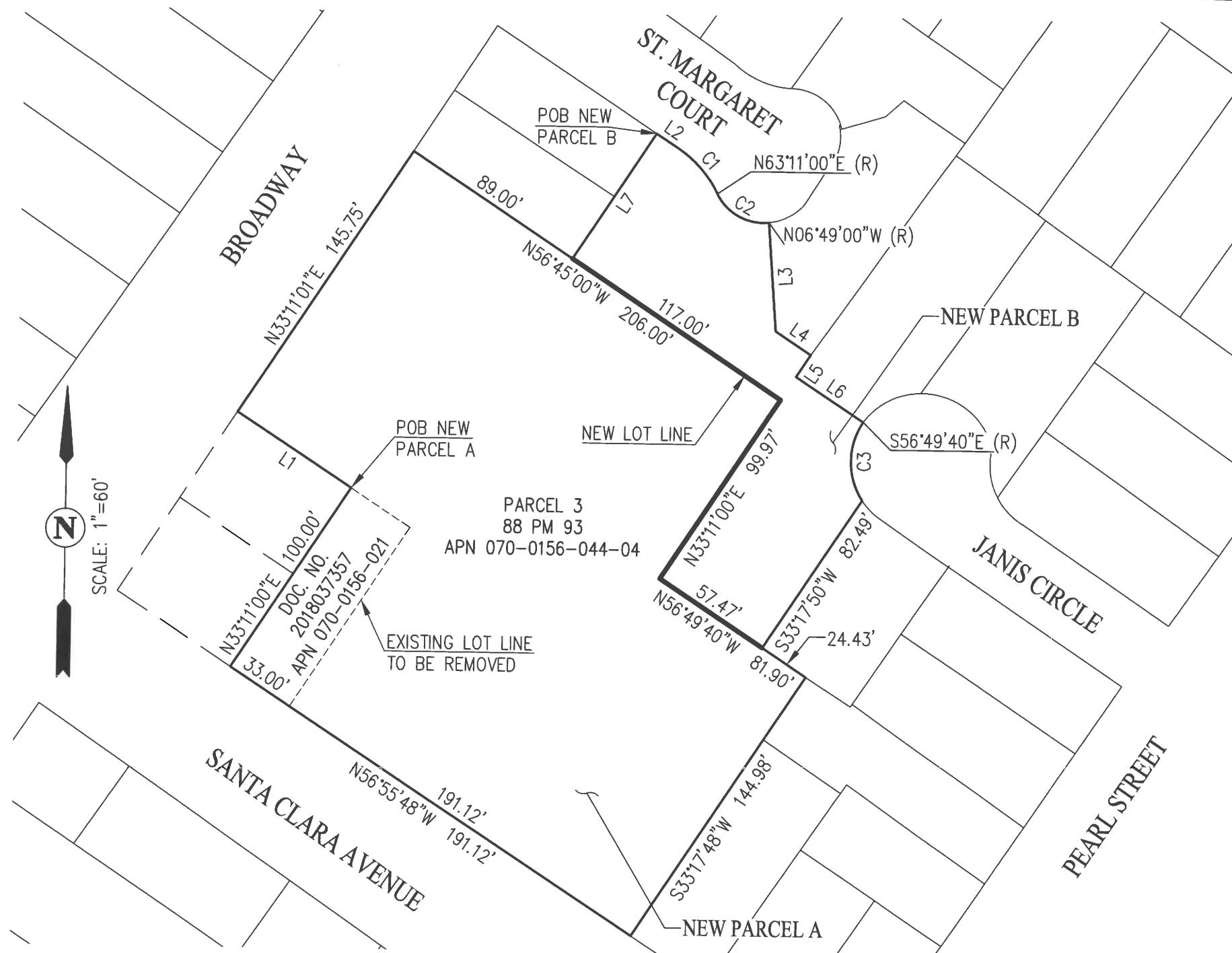
X

Owner/Applicant Signature [REQUIRED]

Date

FOR OFFICE USE ONLY

File #: PLN18-0564 Date Received: 12-20-18 Received By: YBZoning: R-5-PD GP: MDR



VICINITY MAP

NOT TO SCALE

LEGEND

=====	EXISTING LOT LINES
=====	NEW LOT LINE
-----	LOT LINE TO BE REMOVED
POB	POINT OF BEGINNING
(R)	RADIAL
(T)	TOTAL



AREA SUMMARY TABLE			
OLD PARCELS	AREA	NEW PARCELS	AREA
PARCEL A	0.08 AC±	NEW PARCEL A	1.29 AC±
PARCEL B	1.49 AC±	NEW PARCEL B	0.28 AC±

AS OWNER: MADLYN K. MURPHY, TRUSTEE OF THE MURPHY TRUST

ADDRESS: 2618 JANIS CIRCLE, ALAMEDA, CA, 94501

BY: _____

NAME: _____

TITLE: _____

THIS DOCUMENT IS BASED UPON RECORD
INFORMATION AND DOES NOT RESOLVE ANY
DISCREPANCIES BETWEEN RECORD DIMENSIONS.



SAN RAMON (925) 866-0322
SACRAMENTO (916) 375-1877
WWW.CBANDG.COM

CIVIL ENGINEERS ■ SURVEYORS ■ PLANNERS

EXHIBIT A

LOT LINE ADJUSTMENT MAP

COMMON LINES OF PARCEL 3 AS SHOWN AND SO DESIGNATED ON "PARCEL MAP NO. 1776" FILED IN BOOK 88 OF PARCEL MAPS AT PAGE 93, AND THAT PARCEL OF LAND DESCRIBED IN CORRECTION DEED 2018037357, ALAMEDA COUNTY OFFICIAL RECORDS.

FOR: MADLYN K. MURPHY, TRUSTEE OF THE MURPHY TRUST

DRAWN: MHW

DATE: DECEMBER 17, 2018

SHEET 1 OF 2

CITY PLANNER

DATE _____

CITY ENGINEER

DATE _____

LINE TABLE		
NO	BEARING	LENGTH
L1	N56°55'48"W	63.50'
L2	S56°49'00"E	11.83'
L3	S04°23'30"E	50.60'
L4	S56°49'00"E	19.72'
L5	S33°11'00"W	12.15'
L6	S56°49'40"E	37.63'
L7	N33°11'00"E	69.85'

(R)

CURVE TABLE			
NO	RADIUS	DELTA	LENGTH
C1	54.34'	30°00'00"	28.45'
C2	24.00'	70°00'00"	29.32'
C3	33.00'	66°48'00"	38.47'

EXHIBIT A

LOT LINE ADJUSTMENT MAP

COMMON LINES OF PARCEL 3 AS SHOWN AND SO DESIGNATED ON "PARCEL MAP NO. 1776" FILED IN BOOK 88 OF PARCEL MAPS AT PAGE 93, AND THAT PARCEL OF LAND DESCRIBED IN CORRECTION DEED 2018037357, ALAMEDA COUNTY OFFICIAL RECORDS.

FOR: MADLYN K. MURPHY, TRUSTEE OF THE MURPHY TRUST

DRAWN: MHW

DATE: DECEMBER 17, 2018

SHEET 2 OF 2

CITY PLANNER

DATE

CITY ENGINEER

DATE



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SACRAMENTO (916) 375-1877
WWW.CBANDG.COM

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EXHIBIT B
LEGAL DESCRIPTION
NEW PARCEL - PARCEL A
LOT LINE ADJUSTMENT

REAL PROPERTY SITUATE IN THE CITY OF ALAMEDA, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF PARCEL 3, AS SAID PARCEL IS SHOWN AND SO DESIGNATED ON "PARCEL MAP NO. 1776", RECORDED JANUARY 15, 1976 AND FILED IN BOOK 88 OF PARCEL MAPS, AT PAGE 93, AND ALL OF THAT PARCEL OF LAND AS DESCRIBED IN THE CORRECTION DEED RECORDED FEBRUARY 22, 2018 AS DOCUMENT NUMBER 2018037357, BOTH ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE MOST NORTHERLY CORNER OF SAID PARCEL OF LAND (2018037357), SAID POINT BEING ALSO A POINT ON THE EXTERIOR BOUNDARY OF SAID PARCEL 3;

THENCE, FROM SAID POINT OF BEGINNING, ALONG SAID EXTERIOR BOUNDARY OF PARCEL 3 THE FOLLOWING THREE (3) COURSES:

- 1) NORTH 56°55'48" WEST, 63.50 FEET,
- 2) NORTH 33°11'01" EAST, 145.75 FEET,
- 3) SOUTH 56°45'00" EAST, 89.00 FEET;

THENCE, CONTINUING ALONG THE PROJECTION OF THE LAST MENTIONED COURSE, SOUTH 56°45'00" EAST, 117.00 FEET;

THENCE, SOUTH 33°11'00" WEST, 99.97 FEET;

THENCE, SOUTH 56°49'40" EAST, 57.47 FEET TO A POINT ON SAID EXTERIOR BOUNDARY OF PARCEL 3;

THENCE, ALONG SAID EXTERIOR BOUNDARY OF PARCEL THREE THE FOLLOWING THREE (3) COURSES:

- 1) SOUTH 56°49'40" EAST, 24.43 FEET,
- 2) SOUTH 33°17'48" WEST, 144.98 FEET,
- 3) NORTH 56°55'48" WEST, 191.12 FEET TO THE MOST SOUTHERN CORNER OF SAID PARCEL OF LAND (2018037357);

THENCE, ALONG THE SOUTHWEST LINE OF SAID PARCEL, NORTH 56°55'48" WEST, 33.00 FEET TO THE MOST WESTERN CORNER OF SAID PARCEL;

THENCE, ALONG THE NORTHWEST LINE OF SAID PARCEL, NORTH 33°11'00" EAST, 100.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 56,067 SQUARE FEET OR 1.29 ACRES OF LAND, MORE OR LESS.

ATTACHED HERETO IS EXHIBIT A, A PLAT TO ACCOMPANY LEGAL DESCRIPTION,
AND BY THIS REFERENCE MADE A PART HEREOF.

END OF DESCRIPTION

PRELIMINARY

MARK H. WEHBER, P.L.S.

L.S. NO. 7960

DECEMBER 17, 2018
JOB NO. 2964-000

**EXHIBIT B
LEGAL DESCRIPTION
NEW PARCEL - PARCEL B
LOT LINE ADJUSTMENT**

REAL PROPERTY SITUATE IN THE CITY OF ALAMEDA, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF PARCEL 3, AS SAID PARCEL IS SHOWN AND SO DESIGNATED ON "PARCEL MAP NO. 1776", RECORDED JANUARY 15, 1976 AND FILED IN BOOK 88 OF PARCEL MAPS, AT PAGE 93, IN THE OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERN LINE OF SAID PARCEL 3, SAID POINT BEING ALSO ON THE SOUTHWESTERN RIGHT OF WAY LINE OF SAINT MARGARET COURT, AS SAID COURT IS SHOWN AND SO DESIGNATED ON SAID PARCEL MAP, AND ALSO BEING THE NORTHERLY TERMINUS OF THAT COURSE SHOWN AS N33°11'E 69.85' ON SHEET 3 OF SAID PARCEL MAP;

THENCE, FROM SAID POINT OF BEGINNING, ALONG SAID NORTHERN LINE OF PARCEL 3 THE FOLLOWING NINE (9) COURSES:

- 1) SOUTH 56°49'00" EAST, 11.83 FEET,
- 2) ALONG THE ARC OF A TANGENT 54.34 FOOT RADIUS CURVE TO THE RIGHT, THROUGH A CENTRAL ANGLE OF 30°00'00", AN ARC DISTANCE OF 28.45 FEET,
- 3) ALONG THE ARC OF A REVERSE 24.00 FOOT RADIUS CURVE, THROUGH A CENTRAL ANGLE OF 70°00'00", AN ARC DISTANCE OF 29.32 FEET,
- 4) SOUTH 04°23'30" EAST, 50.60 FEET,
- 5) SOUTH 56°49'00" EAST, 19.72 FEET,
- 6) SOUTH 33°11'00" WEST, 12.15 FEET,
- 7) SOUTH 56°49'40" EAST, 37.63 FEET,
- 8) ALONG THE ARC OF A NON-TANGENT 33.00 FOOT RADIUS CURVE TO THE LEFT, FROM WHICH THE CENTER OF SAID CURVE BEARS SOUTH 56°49'40" EAST, THROUGH A CENTRAL ANGLE OF 66°48'00", AN ARC DISTANCE OF 38.47 FEET,
- 9) SOUTH 33°17'50" WEST, 82.49 FEET;

THENCE, NORTH 56°49'40" WEST, 57.47 FEET;

THENCE, NORTH 33°11'00" EAST, 99.97 FEET;

THENCE, NORTH 56°45'00" WEST, 117.00 FEET TO SAID NORTHERN LINE OF PARCEL 3;

THENCE, ALONG SAID NORTHERN LINE, NORTH 33°11'00" EAST, 69.85 FEET TO THE POINT OF BEGINNING.

CONTAINING 12,270 SQUARE FEET OR 0.28 ACRES OF LAND, MORE OR LESS.

ATTACHED HERETO IS EXHIBIT A, A PLAT TO ACCOMPANY LEGAL DESCRIPTION,
AND BY THIS REFERENCE MADE A PART HEREOF.

END OF DESCRIPTION

PRELIMINARY

MARK H. WEHBER, P.L.S.

L.S. NO. 7960

DECEMBER 17, 2018
JOB NO. 2964-000

**EXHIBIT C
LEGAL DESCRIPTION
EXISTING PARCEL - PARCEL 3, PARCEL MAP NO. 1776
LOT LINE ADJUSTMENT**

REAL PROPERTY SITUATE IN THE CITY OF ALAMEDA, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING ALL OF PARCEL 3, AS SAID PARCEL IS SHOWN AND SO DESIGNATED ON "PARCEL MAP NO. 1776", RECORDED JANUARY 15, 1976 AND FILED IN BOOK 88 OF PARCEL MAPS, AT PAGE 93, IN THE OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY.

ATTACHED HERETO IS EXHIBIT A, A PLAT TO ACCOMPANY LEGAL DESCRIPTION, AND BY THIS REFERENCE MADE A PART HEREOF.

END OF DESCRIPTION

PRELIMINARY

MARK H. WEHBER, P.L.S.
L.S. NO. 7960

DECEMBER 17, 2018
JOB NO. 2964-000

**EXHIBIT C
LEGAL DESCRIPTION
EXISTING PARCEL - DOCUMENT NO. 2018037357
LOT LINE ADJUSTMENT**

REAL PROPERTY SITUATE IN THE CITY OF ALAMEDA, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING ALL OF THAT PARCEL OF LAND AS DESCRIBED IN THE CORRECTION DEED RECORDED FEBRUARY 22, 2018 AS DOCUMENT NUMBER 2018037357, ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF ALAMEDA COUNTY.

ATTACHED HERETO IS EXHIBIT A, A PLAT TO ACCOMPANY LEGAL DESCRIPTION, AND BY THIS REFERENCE MADE A PART HEREOF.

END OF DESCRIPTION

PRELIMINARY

MARK H. WEHBER, P.L.S.
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