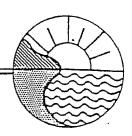
# AGENDA

# Planning Commission - City of Pacifica



DATE:

Tuesday, January 19, 2010

LOCATION:

Council Chambers, 2212 Beach Boulevard

TIME:

7:00 PM

**ROLL CALL:** 

SALUTE TO FLAG:

ADMINISTRATIVE BUSINESS:

Approval of Order of Agenda

Approval of Minutes: January 4, 2010

Designation of Liaison to City Council Meeting of: January 25, 2010

**CONSENT ITEMS:** 

#### **PUBLIC HEARINGS:**

1. CDP-322-10

**COASTAL DEVELOPMENT PERMIT**, filed by the applicant, Brian O'Flynn, on behalf of the owner, Jeremiah Clifford, to enclose decks and stairs and add a roof deck at 2117 Beach Boulevard, Pacifica (APN 016-182-220). Recommended CEQA status: Exempt. *Proposed Action:* Approval as conditioned

#### OTHER AGENDA ITEMS:

#### **COMMUNICATIONS:**

**Commission Communications:** 

Staff Communications:

**Oral Communications:** 

This portion of the agenda is available to the public to address the Planning Commission on any issue within the subject matter jurisdiction of the Commission that is not on the agenda. The time allowed for any speaker will be three minutes.

#### **ADJOURNMENT**

Anyone aggrieved by the action of the Planning Commission has 10 calendar days to appeal the decision in writing to the City Council. If any of the above actions are challenged in court, issues which may be raised are limited to those raised at the public hearing or in written correspondence delivered to the City at, or prior to, the public hearing. Judicial review of any City administrative decision may be had only if a petition is filed with the court not later than the 90th day following the date upon which the decision becomes final. Judicial review of environmental determinations may be subject to a shorter time period for litigation, in certain cases 30 days following the date of final decision.

The City of Pacifica will provide special assistance for disabled citizens upon at least 24-hour advance notice to the City Manager's office (738-7301). If you need sign language assistance or written material printed in a larger font or taped, advance notice is necessary. All meeting rooms are accessible to the disabled.

NOTE: Off-street parking is allowed by permit for attendance at official public meetings. Vehicles parked without permits are subject to citation. You should obtain a permit from the rack in the lobby and place it on the dashboard of your vehicle in such a manner as is visible to law enforcement personnel.

# STAFF REPORT

### PLANNING COMMISSION-CITY OF PACIFICA

**DATE:** January 19, 2009

ITEM: 1

# PROJECT SUMMARY/RECOMMENDATION AND FINDINGS

Notice of Public Hearing was published in The Pacifica Tribune on January 6, 2010 33 surrounding property owners and 12 residents were notified by mail.

APPLICANT/

Brian O'Flynn

AGENT:

2061 Beach Boulevard #1

Pacifica, CA 94044

**OWNERS:** Jeremiah Clifford

FILE:

5 Salada Avenue Pacifica, CA 94044

CDP-322-10

LOCATION: 2117 Beach Boulevard

APN: 016-182-220

**PROJECT DESCRIPTION:** Remodel existing apartment building, enclose existing decks and stairs, and add new decks, including a roof deck with a new roof access door.

General Plan:

HDR (High Density Residential)

Zoning:

R-3 (Multiple Family Residential)

RECOMMENDED

Exempt Section 15301 (e)

**CEQA STATUS:** 

ADDITIONAL REQUIRED

**APPROVALS:** 

None

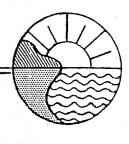
RECOMMENDED

**ACTION:** 

Approval as conditioned

PREPARED BY:

Lily Lim, Planning Intern



#### **ZONING STANDARDS CONFORMANCE:**

<b>Standards</b>	Min./Max.	<b>Existing</b>	Proposed
Lot Size:	5,000 s.f. (min.)	5,668 s.f	No Change
Width	50'	63 s.f.	No Change
Depth	N/A	90 s.f.	No Change
Building Height	35' (max.)	26'3"	34'
Building Coverage	60% of lot area	2,292 s.f.	No Change
-	(max.)	(40%)	_
Landscape	20% of lot area	609 s.f.	1,224 s.f
-	(min.)	(11%)	(22%)
Setbacks:			
Front	15'	24'5"	9***
Rear	20'	20'	No Change
Side	5'	5'	No Change

<sup>\*\*</sup> Projections may encroach 6' into any front or rear lot line.

# PROJECT SUMMARY

#### A. STAFF NOTES:

- 1. Existing Site Conditions: The subject property is a 5,668 square foot lot located in the West Sharp Park neighborhood. The topography of the lot and the surrounding area is relatively flat. Adjacent properties include a four unit apartment complex to the south, vacant parcels to the north and east and the Pacific Ocean to the West. The apartment complex to the south is approximately 26 feet in height. Currently, the existing four unit complex is 26 feet 3 inches in height with 3,345 square feet of floor area and 4 carports. The four unit complex consists of two single bedroom units, two double bedroom units, two storage rooms, a utility room, a laundry room and numerous decks.
- 2. <u>Project Description</u>: The applicant is proposing to enclose the existing stairways and add an office and deck to the two single bedroom units and add a deck and master bathroom to the two double bedroom units. A roof deck is also proposed for one of the double bedroom units. The project also includes two ocean front decks and converting an existing storage room into an exercise room. The addition would increase the amount of floor area by 1,107 square feet resulting in a total floor area of 4,452 square feet.
- **3.** General Plan, Zoning, and Surrounding Land Use: The property is designated as High Density Residential under the General Plan and has R-3 (Multiple Family Residential District) and CZ (Costal Zone) zoning classifications. Parcels to the east, north and south are also zoned R-3/CZ, and have a General Plan designation of High Density Residential.

- **4.** <u>Municipal Code and Regulatory Standards</u>: The project requires a Coastal Development Permit as described in Section 9-4.4303 of the Pacifica Municipal Code because the addition will result in a structure that exceeds two stories.
- **5.** <u>Coastal Development Permit</u>: Section 9-4.4304(k) of the Municipal Code allows the Planning Commission to issue a Coastal Development Permit based on the findings specified below:
  - 1. The proposed development is in conformity with the City's certified Local Coastal Program.
  - 2. Where the Coastal Development Permit is issued for a development between the nearest public road and the shoreline, the development is in conformity with the public recreation policies of Chapter 3 of the California Coastal Act.
- **6.** <u>California Environmental Quality Act</u>: Staff recommends that the Planning Commission find this project is exempt from CEQA pursuant to Section 15301 (e) of the California Environmental Quality Act which states:
- "Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of an existing use.
- "(e) Additions to existing structures provided that the addition will not result in an increase of more than:
- ...(2) 10,000 square feet if:
- (A) The project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and
- (B) The area in which the project is located is not environmentally sensitive."

The proposed addition to the four unit apartment complex is less than 10,000 square feet. The subject lot is located in an area where all public services and facilities are available to allow for the maximum development permissible in the General Plan. Further, it is not located in an environmentally sensitive area.

### 7. Staff Analysis

<u>Coastal Development Permit</u>: The City's Local Coastal Program Land Use Plan specifically states that all development should be visually compatible with the character or surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. Design and

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scale should be compatible with surrounding development; this will be discussed in the Design section below.

The project is not located between the beach and the nearest public road, thus, it will not impact the public recreation policies of Chapter 3 of the Coastal Act. Staff believes that the project is consistent with the overall intent of the City's Local Coastal Program Land Use Plan as well as the public recreation policies of the California Coastal Act.

<u>Design</u>: The proposed roof deck will only be accessible by "Unit 3" and is approximately 376 square feet. A majority of the roof will remain unchanged. The overall height of the building will increase by 8 feet, resulting in a total height of 34 feet. Because some of the adjacent parcels are vacant, the proposed roof deck maybe more visually prominent than it would be if surrounded by development; however, the addition will enhance the overall appearance of the existing structure. In addition to the vacant parcels, a mixture of one and two story single family homes are within the vicinity of the apartment complex. Coastal views from the surrounding homes should not be affected due to the scale and bulk of the proposed roof deck. Specifically, the single story homes in the area are surrounded by two story homes.

Currently, the building has a flat façade as well as a flat roof. The four unit apartment complex to the south has similar architecture. The City's Design Guidelines specifically state that single flat surfaces on a building facade should be avoided. Adding the roof deck will help the existing façade and roof look less flat. Additionally, the proposed project also includes enclosing the rear stairway and two west facing decks. Presently, each unit has an east facing deck. The applicant proposes to enclose the stairway and create additional living space for each unit. The living space will consist of a master bathroom and an office. Additionally, a deck/sunroom is also proposed in the same area. Enclosing the existing stairway will not encroach into the existing 20 foot setback.

The proposed roof deck will not tower over the existing development in the area nor will it appear to be bulky. According to the City's Design Guidelines, development should be broken up by combining horizontal and vertical elements which project or are recessed from the basic building shape. Adding the roof deck and west facing decks will break up the building and add more architectural features. Furthermore, the City's Design Guidelines also state that development should enhance visual quality in visually degraded areas. Because both four unit apartment complexes have a flat roof and a flat façade, adding the roof deck and west facing decks will enhance the appearance of the subject property. Although the roof deck will be visible from public right-of-ways and neighboring properties, it will not create a negative visual impact because of its size.

8. <u>Summary</u>: Staff believes that the proposed project will improve the existing structure and enhance the overall appearance of the neighborhood. The proposed roof deck and west facing decks help break up the existing flat façade of the four unit apartment complex. The proposed roof deck will not create a negative visual impact due to its size. Overall, the improvements being proposed to the structure will enhance the building and the surrounding neighborhood.

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Staff believes that findings can be made to grant a Coastal Development Permit; therefore staff recommends approval of this project.

# **RECOMMENDATION AND FINDINGS**

# B. RECOMMENDATION:

Staff recommends that the Planning Commission approve Coastal Development Permit, CDP-322-10, subject to the following conditions:

### Planning Department:

- 1. Development shall be substantially in accord with the plans entitled "2117 Beach Boulevard, Pacifica, California, 94044," consisting of seven (7) sheets dated 6-20-09 except as modified by the following conditions.
- 2. The applicant shall submit a final landscape plan for approval by the Planning Director prior to the issuance of a building permit. The landscape plan shall show each type, size, and location of plant materials. Landscaping materials included on the plan shall be coastal compatible, drought tolerant and shall be predominantly native. Of this native plant requirement, the species shall be historically or currently present at site or similar sites with the same conditions. All landscaping shall be completed consistent with the final landscape plans prior to occupancy. In addition, the landscaping shall be maintained and shall be designed to incorporate efficient irrigation to reduce runoff, promote surface filtration, and minimize the use of fertilizers, herbicides, and pesticides. Landscaping on the site shall be adequately maintained and replaced when necessary as determined by the Planning Director.
- 3. All trash and recycling materials, if stored outdoors, shall be fully contained and screened from public view within the proposed enclosure to the Planning Director's satisfaction. The enclosure design shall be consistent with the adjacent and/or surrounding building materials, and shall be sufficient in size to contain all trash and recycling materials, as may be recommended by Coastside Scavenger.
- 4. The applicant shall clearly indicate compliance with all conditions of approval on the plans and/or provide written explanations to the Planning Director's satisfaction prior to approval of a building permit.
- 5. The applicant shall hereby agree to indemnify, defend and hold harmless the City, its Council, Planning Commission, advisory boards, officers, employees, consultants and agents (hereinafter "City") from any claim, action or proceeding (hereinafter "Proceeding") brought against the City to attack, set aside, void or annul the City's actions regarding any development or land use permit, application, license, denial, approval or authorization, including, but not limited to, variances, use permits, developments plans, specific plans, general plan amendments, zoning amendments,

approvals and certifications pursuant to the California Environmental Quality Act, and /or any mitigation monitoring program, or brought against the City due to actions or omissions in any way connected to the applicant's project. This indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and costs of suit, attorneys fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, City, and /or parties initiating or bringing such Proceeding. If the applicant is required to defend the City as set forth above, the City shall retain the right to select the counsel who shall defend the City.

# **Engineering Department:**

- 6. All recorded survey points, monuments, railroad spikes, pins, cross cuts on top of sidewalks and tags on top of culvert headwalls or end walls whether within private property or public right-of-way shall be protected and preserved. If survey point/s are altered, removed or destroyed, the applicant shall be responsible for obtaining the services of a licensed surveyor or qualified Civil Engineer to restore or replace the survey points and record the required map prior to completion of the building permit.
- 7. Add a note on the Site Plan that says, "Existing curb, sidewalk or street adjacent to property frontage that is damaged or displaced shall be repaired or replaced even if damage or displacement occurred prior to any work performed for this project."
- 8. Add a note on the Site Plan that says, "Any damage to improvements within the city right-of-way or to any private property, whether adjacent to subject property or not, that is determined by the City Engineer to have resulted from construction activities related to this project shall be repaired or replaced as directed by the City Engineer."
- 9. Construction shall be in conformance with the San Mateo Countywide Storm Water Pollution Prevention Program. Best Management Practices shall be implemented.
- 10. Add a note on the Site Plan that says, "There shall be no major structural encroachment into the public right-of-way."
- 11. No Debris box or equipment shed is allowed in the street or sidewalk.

# **Waterwater Division of Public Works:**

12. The applicant shall provide a video of the sewer lateral line. Depending upon the condition of the existing sewer line, if there are any visible signs of leakage, the applicant shall replace parts or the whole sewer line to current specification and codes to the satisfaction of the City Engineer.

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# **Fire Department:**

- 13. Smoke detectors required per CBC.
- 14. Clearly visible address identification is required.

### C. FINDINGS:

1. Findings for Approval of a Coastal Development Permit: The Planning Commission finds that the proposal to remodel an existing apartment building, enclose existing decks and stairs, and add new decks, including a roof deck with a new roof access door will not be detrimental to the health, safety, and welfare of the persons residing or working in the neighborhood or the general welfare of the City. The Commission finds that the proposal is consistent with the applicable provisions of the General Plan and other applicable laws of the City. Specifically, the Commission finds that the project meets all Zoning Code requirements and complies with the applicable provisions of the Design Guidelines.

#### **COMMISSION ACTION**

### D. MOTION FOR APPROVAL:

Move that the Planning Commission find the project exempt from CEQA, and APPROVE Coastal Development Permit, CDP-322-10 subject to conditions 1 through 14 and adopt findings contained in the January 19, 2010 staff report, and incorporate all maps and testimony into the record by reference.

#### Attachments:

- a. Land Use and Zoning Exhibit
- b. Site Plans (Commission Only)