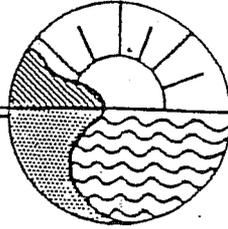


# AGENDA



## Planning Commission – City of Pacifica

DATE: June 15, 2009  
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: May 18, 2009

Designation of Liaison to City Council Meeting of: June 22, 2009

CONSENT ITEMS:

1. UP-963-06 EXTENSION OF PERMITS for construction of a single-family residence with an attached garage at 200  
PSD-755-06 Berendos Avenue, Pacifica (APN 022-330-150) Proposed Action: Grant extension request  
PV-491-07  
PE-146-08

PUBLIC HEARINGS:

2. PSD-776-09 SITE DEVELOPMENT PERMIT, filed by the agent, John Powers, on behalf of the owner, Steve Fairbairn, to construct a third story addition that exceeds the height limit on a substandard lot at 420 Bancroft Avenue, Pacifica (APN 009-123-540). Recommended CEQA status: Exempt. Proposed action: Approval as conditioned

OTHER AGENDA ITEMS:

3. SP-129-02 EXTENSION OF PERMITS for the construction of a single-family residence on the southeast portion of Gypsy  
PV-458-02 Hill Road (APN 016-421-060) Proposed Action: Grant extension request
4. ADOPTION OF RESOLUTION Recommending Approval of the Palmetto Avenue Streetscape Plan

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.***

# City of Pacifica

## MEMORANDUM

**DATE:** June 15, 2009

**TO:** Planning Commission

**FROM:** Kathryn Farbstein  
Assistant Planner 

**SUBJECT:** Agenda Item No. 1: Request to Extend Site Development Permit, PSD-753-06, Parking Exception, PE-146-08, Variance, PV-491-07 and Use Permit, UP-960-06 for One Year at 200 Berendos Avenue (APN 022-330-150)

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On June 2, 2008, the Planning Commission approved a Parking Exception, Site Development Permit, Variance and Use Permit to construct a two-story single family dwelling of approximately 2,700 square feet with an attached two-car garage of approximately 500 square feet on a one acre vacant lot. Details of the project are contained in the attached agenda memo, minutes and grant letter from the Planning Commission meeting. The applicant is required to obtain a building permit and start construction within one year from the Planning Commission approval of the project. Planning permit approval was due to expire on June 13, 2009.

On June 3, 2009, the applicant submitted a request for a one-year extension of the planning permits and the extension request is attached. According to the applicant's statement, the property owner is attempting to obtain financing for the proposed dwelling and it is taking longer than anticipated due to the economic downturn.

Extension requests are not unusual and are generally granted unless there have been significant changes in conditions or circumstances affecting the property or area. In staff's opinion, no changes have occurred that would indicate the extension should not be granted. Therefore, staff recommends that the Commission grant the extension for one year.

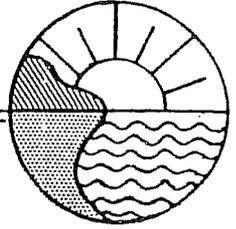
### COMMISSION ACTION

Move that the Planning Commission **EXTEND** PSD-753-06, PE-146-08, PV-491-07 and UP-960-06 for the dwelling at 200 Berendos Avenue for one year to June 13, 2010.

### Attachments:

1. Letter from Applicant Dated June 3, 2009 (Reduced)
2. Agenda Memo and Minutes from Planning Commission Meeting June 2, 2008
3. Letter with Conditions of Approval Dated June 13, 2008

# STAFF REPORT



PLANNING COMMISSION - CITY OF PACIFICA

**DATE:** June 15, 2009

**ITEM:** 2

## PROJECT SUMMARY/RECOMMENDATION AND FINDINGS

Notice of Public Hearing was published in the Pacifica Tribune on June 3, 2009 and 48 surrounding property owners were notified by mail.

**FILE:** PSD-776-09

**APPLICANT and OWNER:** Steve Fairbairn, 420 Bancroft Way, Pacifica, Ca 94044

**AGENT:** John Powers, Architect, Pier 33 N., San Francisco, CA 94111

**LOCATION:** 420 Bancroft Way

**APN:** 009-123-540

**PROJECT DESCRIPTION:** The applicant proposes to add a third story to an existing two story dwelling on a substandard corner lot.

General Plan: Low Density Residential  
Zoning: R-1 (Single Family Residential District)

**RECOMMENDED CEQA STATUS:** Exempt Section 15301(e)

**ADDITIONAL REQUIRED APPROVALS:** None

**RECOMMENDED ACTION:** Approval as conditioned

**PREPARED BY:** Kathryn Farbstein, Assistant Planner

***ZONING STANDARDS CONFORMANCE:***

<u>Standards</u>	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>
Lot Size	5,000 sf	4,823 sf	No Change
Coverage	40% max.	26%	28%
FAR	55%	36%	49%
Height for Building	20' as a parallel plane	20'	30'*
Height for Garage	15 feet maximum	Unknown	15 feet
Landscaping	20% min.	40%	No Change
Setbacks			
-Front yard	20'	22'	No Change
-Garage	10'	15'	16'(at new location)
-Interior side	3.7'	5'	No Change
-Rear	20'	20'	No Change
Parking	2 car garage	2 car garage	No Change

\*Approval of a Site Development Permit to exceed height limit requested.

**PROJECT SUMMARY**

**A. STAFF NOTES:**

**1. Project Description:** The applicant proposes to add a third story addition to an existing single family dwelling on a 4,823 square foot substandard lot, which is 4% or 177 square feet smaller than a standard lot of 5,000 square feet. The third story addition will exceed the height threshold for a substandard lot because currently, portions of the existing house exceed the height limit and at the maximum, the proposed third story will be 10 feet above the height limit established as a parallel plan 20 feet above existing grade. The subject site is located on the southeast corner of Bancroft Way and Farallon Avenue, and the average cross slope along the length of the property is 25%. The applicant has provided additional information in the attached letters and color samples (see Attachment b and c).

The applicant also proposes to remodel portions of the existing dwelling, but no Planning permits are required for the remodeling.

**2. General Plan, Zoning, and Surrounding Land Use:** The General Plan designation is Low Density Residential for the subject site and the surrounding properties. The properties to the north, west and south have the same R-1 zoning designation but the property to the east has a PD designation (see Attachment a). The East Edgemar and Fairmount neighborhoods primarily contain multi-level single-family dwellings on sloped lots.

**3. Municipal Code and Regulatory Standards:** Section 9-4.3002 (a) of the Zoning Code pertaining to nonconforming lots states that any new structure on a substandard lot that needs a building permit shall require approval of a Site Development Permit, unless the R-1 standards for

lot coverage and landscaping are met, and all the additional development standards for substandard lots regarding setbacks, FAR, height and other items listed in this section are met. In this case, the proposal exceeds the height threshold established by a parallel plane of 20 feet above existing grade as described in Section 9-4.3002 2 (ii) because the third story addition is 30 feet above the existing grade. However, the overall height of the project does not exceed 35 feet, which is the height limit for structures on standard lots. It should be noted that Section 9-2704 6 (b) allows reduced garage setbacks for steeply sloped lots that exceed 25% slope in the front half of the lot. The slope of the front half of the lot is approximately 30%; and therefore, the 20 foot setback normally required for a garage may be reduced to as little as 10 feet although the applicant is proposing a setback of 16 feet.

**4. Site Development Permit Findings:** Pursuant to Section 9-4.3204, a Site Development Permit cannot be issued if the Commission makes any of the following findings that the project would have one or more of the briefly summarized following negative impacts:

- a. Potential traffic hazards
- b. Parking accessibility problems
- c. Insufficient landscape areas
- d. Restricted light and air on the property or other surrounding properties
- e. Improvement of a commercial or industrial structure is substantially detrimental to an adjacent residential district
- f. Excessive damage to the natural environment
- g. Insufficient site and structural design variety
- h. Proposal is inconsistent with the Design Guidelines
- i. Proposal is inconsistent with the General Plan or other applicable laws of the City

**5. CEQA Recommendation:** Staff recommends that the Commission find the proposed addition categorical exempt from CEQA based on the following section of the California Environmental Quality Act:

#### **15301. Existing Facilities**

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:

(1) 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less;

The project consists of an addition of approximately 600 square feet to an existing dwelling of approximately 1,700 square feet. The increase in living area is 35%, which is less than the 50% limitation listed above.

## **6. Analysis:**

Site Development Permit – The project will improve a hazardous or inconvenient vehicular traffic pattern because as part of this project, the driveway and garage location will be removed from Bancroft Way and placed onto Farallon Avenue. Bancroft Way is an alley that is more narrow and steeper than Farallon Avenue, making the garage relocation an improvement to vehicular access. Approximately 40% of the site will be landscaped with the current landscaping being updated to reflect new requirements regarding native and drought tolerant plants. In addition, the trees on the neighbor's property along the property line to the south (away from Bancroft Way) will be maintained as existing and no excavation will take place near the dripline of any of the large trees. The third story addition will not unreasonably restrict light and air on the subject site or adjacent properties because two sides of the subject site are street frontages. Additionally, the property to the south (with the trees) has a higher roofline than the project while the adjacent dwelling to the west has a greater separation of approximately 30 feet and is set at a lower elevation on the hillside. Staff concludes that neither adjacent dwelling will experience a significant decrease in light and air if the project is constructed as proposed.

This is a residential project; therefore, Section 9-4.3204 a (5) of the Zoning Ordinance for development of commercial or industrial structures does not apply. No natural features will be damaged or destroyed for this project because, as stated previously, the property has been developed with a single family residence and the existing trees on the neighboring property will be maintained and not disturbed. As described in the applicant's letter, the existing structure is a plain older building, and the project will result in a building that has a more updated and modern design with the additions fully integrated into the new structure. The proposal will contain sufficient design variety to create visual interest in the dwelling. Section 9-4.3204 a (8) of the Zoning Ordinance regarding the project's consistency with the Design Guidelines will be discussed under a separate heading below. Finally, the remodel and addition to an existing dwelling is consistent with the General Plan which has designated this area as Low Density Development for single-family residences.

Design Guidelines and Farallon Avenue - This subject site is adjacent to Farallon Avenue; thus, the additional design requirements for projects along Farallon Avenue would apply. The applicant has satisfied most of the requirements as specified in the Guidelines. For example, the total square footage of the living area for the project is 2,351 square feet which is 99 square feet less than the Guidelines that specify a maximum living area of 2,450 square feet. The mass of the building is broken up with the use of a varied roofline that creates unusual shapes and provides visual interest. The front setback to the garage for the new third story is slightly offset from the adjacent neighbor to the south. The proposed decks are cantilevered as encouraged by the Design Guidelines. The design of the west façade opposite Farallon Avenue is attractive with setbacks for a portion of the structure and decks that project out forming an interesting elevation when viewed by the downhill neighbor.

**7. Summary:** In light of the foregoing, staff recommends that the Planning Commission approve the Site Development Permit, PSD-776-09 to allow the single-family third story addition to exceed the height threshold of the parallel plane 20 feet above existing grade for nonconforming lots by 10 feet, for a total of 30 feet. In staff's opinion, there are sufficient findings to approve the permit for this project because it allows an older plain building to be transformed into a more modern and attractive structure with a varied roofline, projections such as decks to break up the façades and large picture windows to take advantage of the ocean views.

## **RECOMMENDATION AND FINDINGS**

### **B. RECOMMENDATION:**

Staff recommends that the Planning Commission **APPROVE** PSD-776-09 to allow a third story addition that exceeds the height limit to a single-family dwelling on a nonconforming lot at 420 Bancroft Way, subject to the following conditions:

#### **Planning Department**

1. Development shall be substantially in accord with the plans entitled "A Residential Remodel and Addition for Steve and Jiam Fairbairn," consisting of twelve (12) full size sheets, dated September 2008 except as modified by the following conditions.
2. Prior to the issuance of a building permit, the applicant shall submit information on exterior finishes, including colors and materials, subject to approval of the Planning Director.
3. 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 and one 15-gallon tree shall be planted in the front yard setback. 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.
4. 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.

5. All transformers, HVAC units, backflow preventors and other ground-mounted utility equipment shall be shown on the landscape and irrigation plans and shall be located out of public view and/or adequately screened through the use or combination of walls or fencing, berming, painting, and/or landscaping, to the satisfaction of the Planning Director.
6. Applicant shall submit a roof plan with spot elevations showing the location of all roof equipment including vents, stacks and skylights, prior to building permit issuance. All roof equipment shall be screened to the Planning Director's satisfaction.
7. All vents, gutters, downspouts, flashing, and conduits shall be painted to match the colors of adjacent building surfaces. In addition, any mechanical or other equipment such as HVAC attached to or protruding from the building shall be appropriately housed and/or screened to the Planning Director's satisfaction.
8. Roof drains shall discharge and drain away from the building foundation to an unpaved area wherever possible.
9. A forfeitable cash deposit of \$5,000 shall be submitted prior to the issuance of a building permit. The deposit shall be for mitigation of the City's costs for enforcement, inspection, and remedy of any violations of the approved construction-parking plan and as forfeiture upon the failure of compliance. If the cash deposit is depleted, the Planning Director as a condition of continued construction may require an additional deposit.
10. All outstanding and applicable fees associated with the processing of this project shall be paid prior to the issuance of a building permit.
11. A detailed on-site exterior lighting plan shall be submitted for review and approval by the Planning Director prior to issuance of building permits. Said plan shall indicate fixture design, illumination (photometric plan), location, height, and method of shielding. Lighting shall be directed away from adjacent properties to avoid adverse affects thereto. Building lighting shall be architecturally integrated with the building style, materials and colors, and shall be designed to minimize glare. Fixture locations, where applicable, shall be shown on all building elevations.
12. 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.

13. 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.

#### **Wastewater Division of Public Works**

14. The applicant shall replace the sewer lateral from the structure to the main sewer due to root intrusion, offsets, broken pipe, and leaking joints to the satisfaction of the City Engineer.
15. No wastewater (including equipment cleaning wash water, vehicle wash water, cooling water, air conditioner condensate, and floor cleaning wash water) shall be discharged to the storm drain system, the street or gutter. New storm drain inlets shall be protected from being blocked by large debris to the Public Work Director's satisfaction.

#### **Engineering Division of Public Works**

16. 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.
17. Applicant shall overlay existing asphalt with minimum 2 inch AC to street centerline across entire property frontage along Bancroft Ave.
18. Applicant shall install new sidewalk, curb and gutter from the adjacent property along Farallon Avenue per City Standards 100 and 101A. Show location and dimensions on the Site plan.
19. New driveway approach ramp shall be per City standard 100 and 102. Show location and dimensions on the Site plan.
20. All new and proposed utilities shall be shown on the site plan and shall be installed underground.

21. 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."
22. 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."
23. Construction shall be in conformance with the San Mateo Countywide Storm Water Pollution Prevention Program. The applicant shall implement Best Management Practices during all phases of construction for the project.
24. An Encroachment Permit must be obtained for all work within the City right-of-way. All proposed improvements within the City right-of-way shall be constructed per City Standards.

**C. FINDINGS:**

1. **Findings for Approval of the Site Development Permit:** The Planning Commission finds that the size, location, and intensity of the project will not create a hazardous or inconvenient vehicular or pedestrian traffic pattern, compared with the general character and intensity of the neighborhood; that sufficient landscaped areas have been provided; that the new structure will not unreasonably restrict or cut out light and air on the property and on other property in the neighborhood, nor will it hinder or discourage the appropriate development and use of land and buildings in the neighborhood or impair the value thereof; that the project is not substantially detrimental to the character or value of the adjacent R district and existing dwellings; that the proposal will not excessively damage or destroy natural features of the site; that the design of the project is compatible with other development in the neighborhood, thereby making it consistent with the City's adopted Design Guidelines; and that the project is consistent with the General Plan, and other applicable laws of the City. Specifically, the Planning Commission finds that the third story addition for the existing single-family dwelling is compatible with a neighborhood that contains multi-level dwellings, that the design including varied rooflines, and deck projections has sufficient design variety and an older plain building will be transformed into a more modern and distinctive structure.

**D. MOTION FOR APPROVAL:**

Move that the Planning Commission find that the project is exempt from CEQA, and **APPROVE** PSD-776-09, subject to conditions 1 through 24, based on findings contained within the June 15, 2009 staff report and incorporate all maps, documents, and testimony into the record by reference.

Attachments: (Planning Commission only)

- a. Land Use and Zoning Exhibit
- b. Letter from Applicant Dated March 25, 2009
- c. Color Samples from Applicant
- d. Plans and Elevations ( 12 pages – full size plans)

# CITY OF PACIFICA

## AGENDA MEMO

**DATE:** June 15, 2009

**TO:** Planning Commission

**FROM:** Lee Diaz, Associate Planner *LD*

**SUBJECT:** Agenda Item No 3: Extension of a Specific Plan and Variance for the construction of a single-family residence on the southeast portion of Gypsy Hill Road (APN 016-421-060).

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On December 1, 2008, the Planning Commission considered a six (6) month extension of a Specific Plan and Variance for the construction of the single family residence on Gypsy Hill. The applicant required additional time to respond to plan check comments. Attached are the minutes of the December 1, 2008 Planning Commission meeting.

The permits were to expire on May 25, 2009. The applicant was unable to satisfactorily respond to the plan check comments by the expiration date. On May 22, 2009 the City received an extension request from the applicants to allow sufficient time to address the plan check comments. According to the applicants, the responses required significant adjustments to the building plans from their consulting engineers. This is the applicant's seventh (7<sup>th</sup>) extension request. Staff is recommending that the applicant be granted three (3) months to address the plan check comments.

### COMMISSION ACTION REQUESTED

Move that the Planning Commission **EXTEND** SP-129-02 and PV-458-02 to August 25, 2009.

#### Attachment:

1. Planning Commission Minutes, 12/01/08
2. Letter from Applicants, dated 05/18/09

## CITY OF PACIFICA AGENDA MEMO

**DATE:** June 15, 2009

**TO:** Planning Commission

**FROM:** Lee Diaz, Associate Planner

**SUBJECT:** Item No. 4: **Adoption of Resolution Recommending Approval of the Palmetto Avenue Streetscape Plan**

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Over the last two years, the City in conjunction with the West Sharp Park Advisory Committee (WSPAC) had been working with a consultant to develop a Streetscape Plan along Palmetto Avenue. The focus is the area along Palmetto Avenue bordered by Paloma Avenue on the north and Clarendon Avenue on the south.

WSPAC met regularly and conducted considerable research, including interviews with local business people and residents, to arrive at a new vision for West Sharp Park. The Committee provided valuable input to the Planning Department in the revitalization of Palmetto Avenue. On January 31, 2009 the Streetscape Plan was also presented to the community in a public forum. It received a very positive response.

The Streetscape Plan will be a first visual step towards yielding an attractive, pedestrian-friendly neighborhood in West Sharp. It's also important to note that the plan is conducive to potential improvement of the area.

The Palmetto Streetscape Plan (see attached) includes a rendering of recommended improvements such as landscaping, trees, resource recovery containers, planters, signage, lighting, water fountains, bicycle racks, parking improvements, utility under-grounding, pedestrian friendly space and transit furnishings. Potential focal points on the street such as mid-block plazas are also identified as part of the Plan. Additionally, building facade and design guidelines are part of the Streetscape Plan. However, staff is working on those design guidelines separately. They will be presented at a future meeting.

**Consideration for Palmetto Streetscape Plan**

**June 15, 2009**

**Page 2 of 2**

The Palmetto Avenue Streetscape Plan is being presented to the Planning Commission for consideration and for adoption of a resolution recommending that the City Council approve the plan. The recommendation will then be forwarded to the City Council.

The proposed project is a Streetscape Plan that would not only enhance Palmetto Avenue visually and economically but also environmentally. It will also provide a more livable, more attractive neighborhood.

**COMMISSION ACTION REQUESTED**

Move that the Planning Commission **ADOPT** the resolution next in order recommending that the City Council **APPROVE** the Palmetto Streetscape Plan.

Attachments:

1. Planning Commission Resolution Recommending City Council Approval of Streetscape Plan
2. Streetscape Plan