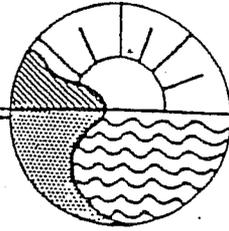


AGENDA



Planning Commission – City of Pacifica

DATE: Monday, November 16, 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: October 19, 2009.

Designation of Liaison to City Council Meeting of: November 23, 2009

CONSENT ITEMS:

PUBLIC HEARINGS:

- 1 UP-008-09 USE PERMIT, filed by the agent, Fred Musser, on behalf of the applicant, T-Mobile West Corporation, and the owner, North Coast County Water District, to install a new wireless communications facility with a monotree, six antennas, and one equipment enclosure at the Alvarado Water Tank between Sheila Lane and Alvarado Avenue, Pacifica (APN 023-311-010). Recommended CEQA status: Exempt. Proposed Action: Continue to January 4, 2010 (Continued from October 19, 2009)
- 2 UP-009-09 USE PERMIT, filed by the agent, Fred Musser, on behalf of the applicant, T-Mobile West Corporation, and the owners, April Schneider and Mathew Farley, to install a new wireless communications facility with a monotree, six antennas, and one equipment enclosure at 650 Cape Breton Drive, Pacifica (APN 022-320-200). Recommended CEQA status: Exempt. Proposed Action: Continue to January 4, 2010 (Continued from October 19, 2009)
- 3 CDP-320-09 COASTAL DEVELOPMENT PERMIT, filed by the agent, David Hirzel, on behalf of the applicant/owner Brendan Murphy, to construct a third story addition to an existing single family residence at 210 Sterling Avenue, Pacifica (APN 023-038-260). The project is located in the Coastal Zone. Recommended CEQA status: Exempt. Proposed Action: Approval as conditioned.

OTHER AGENDA ITEMS:

- 4 UP-978-07 EXTENSION OF PERMITS for the construction of one single-family residence with a second residential unit south of Fassler Avenue and east of Roberts Road (APN: 022-150-030) Proposed Action: Grant extension request.
PSD-763-07

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

AGENDA MEMO

DATE: November 16, 2009

TO: Planning Commission

FROM: Lily Lim, Planning Intern *w*

SUBJECT: **Agenda Item No. 1:** Use Permit, UP-008-09 to install a monotree with six antennas, one Global Positioning System (GPS) antenna and one equipment cabinet enclosure at a new wireless communications facility at the Alvarado Water Tank on Sheila Lane, Pacifica (APN – 023-311-010).

On October 19, 2009, the Planning Commission continued consideration of Use Permit, UP-008-09 to install a monotree with six antennas, one GPS antenna and one equipment cabinet enclosure at a new wireless communications facility at the Alvarado Water Tank on Sheila Lane. During the hearing, the Commission heard testimony from concerned neighbors and requested that the applicant explore alternatives to the proposed location of the monotree. The applicant has been working with staff to address the Commission's concerns but has yet to submit revised plans. Therefore, a continuance to the Planning Commission meeting on January 4, 2010 is requested.

COMMISSION ACTION REQUESTED

Move that the Planning Commission **CONTINUE** UP-008-09 to the Planning Commission meeting on January 4, 2010, with the public hearing open.

CITY OF PACIFICA

AGENDA MEMO

DATE: November 16, 2009

TO: Planning Commission

FROM: Lily Lim, Planning Intern 

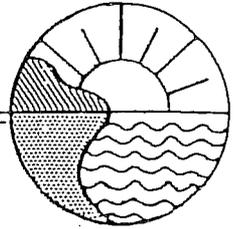
SUBJECT: **Agenda Item No. 2:** Use Permit, UP-009-09 to install a monotree with six antennas, one Global Positioning System (GPS) antenna and one equipment cabinet enclosure at a new wireless communications facility at 650 Cape Breton Drive, Pacifica (APN – 022-320-200).

On October 19, 2009, the Planning Commission continued consideration of Use Permit, UP-009-09 to install a monotree with six antennas, one GPS antenna and one equipment cabinet enclosure at a new wireless communications facility at 650 Cape Breton Drive. During the hearing, the Commission heard testimony from concerned citizens and requested that the applicant return with additional information regarding the visual impacts of the proposed monotree. The applicant has been working with staff to address the Commission's concerns but has yet to submit revised plans. Therefore, a continuance to the Planning Commission meeting on January 4, 2010 is requested.

COMMISSION ACTION REQUESTED

Move that the Planning Commission **CONTINUE** UP-009-09 to the Planning Commission meeting on January 4, 2010, with the public hearing open.

STAFF REPORT



PLANNING COMMISSION-CITY OF PACIFICA

DATE: November 16, 2009

ITEM: 3

PROJECT SUMMARY/RECOMMENDATION AND FINDINGS

Notice of Public Hearing was published in The Pacifica Tribune on November 4, 2009. 60 surrounding property owners and 14 residents were notified by mail.

FILE: CDP-320-09

APPLICANT /OWNER: Brendan Murphy
210 Sterling Avenue
Pacifica, CA 94044

AGENT: David Hirzel
P.O. Box 1808
Pacifica, CA 94044

LOCATION: 210 Sterling Avenue

APN: 023-038-260

PROJECT DESCRIPTION: construct a 366 square foot third story addition to an existing single family residence.

GENERAL PLAN: Low Density Residential

ZONING: R-1 (Single-Family Residential)/ CZ (Coastal Zone)

RECOMMENDED CEQA STATUS: Exempt Section 15301 (e)

ADDITIONAL REQUIRED APPROVALS: None.

RECOMMENDED ACTION: Approval as conditioned.

PREPARED BY: Christina Horrisberger

ZONING STANDARDS CONFORMANCE:

<u>Standards</u>	<u>Min./Max.</u>	<u>Existing</u>	<u>Proposed</u>
Lot Size	5,000 s.f.	5,000 s.f.	No Change
Coverage	40%	29%	No Change
Height	35' Max.	32'3"	33'
Landscaping	20%	32%	No Change
Setbacks			
-front yard	15'	50'	50'
-side (west)	5'	9'	9'
-side (east)	5'	5'	5'
-front deck (side & front setbacks)	4', 9'	NA	5', >40'

PROJECT SUMMARY

A. STAFF NOTES:

1. Project Description: The applicant is proposing to remodel and construct a 366 square foot third story addition to an existing 2,078 square foot single family residence. The 5,000 square foot sloped property is currently developed with a three story residence and a detached 2-car garage. The first story of the existing residence consists of a bedroom, family room, bathroom and utility room. There is also a large "subarea" located at the rear of the bottom floor. The second, main, level of the home includes a large common area with a den, living room and dining area. A kitchen, bathroom and laundry room are also located on this level of the residence. Two bedrooms and a bathroom make up the third (top) floor of the residence. Decking is located to the front and rear of the structure, on the second floor, and a rear deck is located on the third floor. The structure is equipped with a shed style roof that slopes downward toward the front, creating a high ceiling over the living room.

The proposed addition would take advantage of the high ceiling over the living room by raising the roof and walls to create a larger third story. The addition would add 366 square feet of living area and add less than a foot to the height of the building. The roof type would be changed from a shed to a peaked roof and a small deck would be constructed at the front of the residence on the third floor. The interior of the residence would also be remodeled and reconfigured. The first floor bedroom would be replaced with an entry way and stairs leading up to the main level of the residence. The remainder of the first floor would not be reconfigured. The second floor of the home would be remodeled to accommodate a large living room and kitchen. A laundry room and bathroom would still be located on this floor. On the third floor of the structure a master bedroom with a walk-in closet, master bathroom and deck would be constructed. One of the existing bedrooms would be converted into an office, while the other existing bedroom and bathroom would remain. There would be no increase in the number of bedrooms. All of the existing spiral staircases in the home would be replaced with traditional stairs to provide easier

and safer internal connectivity. New exterior building materials would match existing materials and colors.

There are two Heritage trees located within the project area. An arborist's report (see attached) was submitted and indicates the trees will require some trimming to remove diseased limbs and to accommodate the project. The project is not expected to impact the root system of the trees. As a condition of project approval, all recommendations set forth in the arborists report would have to be followed.

2. General Plan, Zoning, and Surrounding Land Use: The General Plan designation for the subject property is Low Density Residential and the zoning classification is R-1/CZ (Single-Family Residential / Coastal Zone). The surrounding properties on all sides have the same General Plan and Zoning designations. These properties are developed with a mix of two and three story single family residences on sloped lots.

3. Municipal Code and Regulatory Standards: Because the addition would result in an increase of more than 10% in floor area and includes a third story, and the project is located in the appeals area of the Coastal Zone, approval of a Coastal Development Permit is required. The project complies with all Municipal Code and regulatory standards for an addition on an R-1 zoned lot.

4. Coastal Development Permit: 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.

5. California Environmental Quality Act: The Planning Commission may find the project 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:

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

(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.”

6. Analysis:

Coastal Development Permit: The proposed project appears to be in conformity with the City’s certified Local Coastal Program and with the public recreation policies of Chapter 3 of the California Coastal Act. Specifically, the proposed structure would fit in with the surrounding neighborhood, would not impact views from public roads or trails or impede beach access, and a geotechnical report indicating that the site is suitable for the proposed development has been submitted. The geotechnical report is attached for the Commission’s review.

CEQA: The proposal is for an addition to an existing single family residence that will not increase the floor area by more than 50% or 10,000 square feet. The subject lot is not located in an environmentally sensitive area.

Design: The Design Guidelines encourage designs that complement the positive aspects of surrounding neighborhoods in terms of height, bulk, style and materials. The current mix of homes in the Pedro Point neighborhood includes an assortment of architectural styles, of various sizes, that utilize a variety of materials including wood, stucco and shingle siding. Most are over one story and are equipped with large windows and decking. The more attractive homes in the area blend with the streetscape, are comparable in scale to neighboring homes and include architectural detailing and design elements to provide visual interest. Many include varied setbacks that minimize the visual impacts of massing and bulkiness, and help structures blend in with the uneven topography of the neighborhood. Further, the Design Guidelines discourage flat facades and encourage vertical and horizontal building recessions and projections. Lastly, the Guidelines encourage use of landscaping to soften the appearance of buildings.

The existing residence is located on a steep, uphill lot and the shed roof follows the upward sloping topography. The proposed design would fill in an under utilized portion of the top floor without expanding the footprint of the building, but would eliminate the sloped roof. The applicant is proposing to setback a portion of the addition by two feet and add a deck that would project forward by two feet. The result would be a 4 foot deep deck across two-thirds of the building frontage where the master bedroom would be located. The roof line over the master bedroom and bathroom is varied and provides visual interest. Horizontal siding is also proposed to help draw the eye across the structure, reducing vertical aspects of the building, and the proposed peaked roof would slope downward toward the edges of the building. Staff believes that the aforementioned design features will help the structure to blend with the surrounding

hillside, while allowing the applicant to maximize living area and not expand building coverage. The subject site is not on a ridge and views would not be notably altered by the proposed project because the height of the building would be increased by less than a foot and the expanse of roof would not be enlarged. The view from downslope would be slightly altered by the addition because the front of the building would change. However, staff believes the proposed façade would blend with the neighborhood, in terms of style, size, colors and materials, and not be as noticeable as some of the neighboring structures which include tall and/or flat facades and bright colors in some cases. Additionally, the surrounding neighborhood is currently developed with a mix of multi-story homes, on steep lots, with an array of design styles. Thus, the proposed project design would not be out of character with the residences in the surrounding area. Lastly, the bulk, massing and any potential for a linear design feel would be broken up by the deck and setback to the proposed addition. Overall, the project appears to satisfy the pertinent elements of the Design Guidelines and is consistent with the existing neighborhood development.

7. **Conclusion:** Staff believes that the project would be compatible with the surrounding neighborhood, satisfies all City requirements and is consistent with the Design Guidelines. In addition, the findings can be made to grant the Coastal Development Permit.

RECOMMENDATION AND FINDINGS

B. RECOMMENDATION:

Staff recommends that the Planning Commission find that the project is exempt from CEQA and approve the Coastal Development Permit (CDP-320-09) for the proposed addition at an existing single family residence at 210 Sterling, subject to the following conditions:

Planning Department:

1. Development shall be substantially in accord with the plans, consisting of nine (9) sheets, received by the City on September 23, 2009 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 and drought-tolerant. Native plants shall be incorporated whenever possible. 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. 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.

4. 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.
5. 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.
6. A detailed on-site exterior lighting plan shall be submitted for review and approval by the Planning Director prior to the issuance of a building permit. Said plan shall indicate fixture design, illumination, location, height, and method of shielding so as not to adversely affect adjacent properties. Lighting shall be directed away from adjacent residences. Buffering techniques to reduce light and glare impacts to residences shall be required. Building lighting shall be architecturally integrated with the building style, materials and colors and shall be designed to minimize glare. Show fixture locations, where applicable on all building elevations.
7. All outstanding and applicable fees associated with the processing of this project shall be paid prior to the issuance of a building permit.
8. 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.
9. 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.
10. Roof drains shall discharge and drain away from the building foundation to an unpaved area wherever possible.

11. All recommendations identified in the arborist's report shall be implemented as specified in the arborist's report.
12. All recommendations identified in the Geotechnical Investigation report shall be implemented as specified in the report.
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 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.
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.

Building Division:

16. 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.

Engineering Division of Public Works:

17. 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 any point is 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 point(s) and record the required map prior to completion of the building permit.
18. Applicant shall overlay existing asphalt with minimum 2 inch AC the whole street width across entire property frontage.
19. 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.

20. 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.”
21. 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.”
22. No debris box or equipment shed is allowed in the street or sidewalk.
23. Prior to issuance of a building permit, a sidewalk agreement, for unimproved streets, requiring the installation of a sidewalk if and when Sterling Avenue is improved, must be signed.

C. FINDINGS:

1. **Findings for Approval of Coastal Development Permit:** The Planning Commission finds that the proposed addition at 210 Sterling, as conditioned, is in conformity with the City’s Local Coastal Program and Public Recreation Policies of Chapter 3 of the California Coastal Act. Specifically, the design and scale of the project are compatible with the surroundings in the Pedro Point neighborhood. The project will not have negative visual impacts, negatively impact access to existing coastal recreation facilities, increase the demand for additional facilities or negatively affect any existing oceanfront land or other coastal area suitable for recreational use. The proposal will not have significant adverse effects, either individually or cumulatively, on coastal resources. Because the site is located entirely within a residential zone, no commercial activities will be impacted.

COMMISSION ACTION

D. MOTION FOR APPROVAL:

Move that the Planning Commission find the project exempt from CEQA, **APPROVE** Coastal Development Permit CDP-320-09 subject to conditions 1 through 23 and adopt findings contained in the November 16, 2009 staff report, and incorporate all maps and testimony into the record by reference.

Attachments:

- a. Land Use and Zoning Exhibit
- b. Photos
- c. Arborist’s Report
- d. Geotechnical Investigation Report
- e. Project narrative from applicant
- f. Plans and Elevations (Planning Commission only)

CITY OF PACIFICA

AGENDA MEMO

DATE: November 16, 2009

TO: Planning Commission

FROM: Lee Diaz, Associate Planner

SUBJECT: Agenda Item No. 4: Extension of Use Permit and Site Development Permit for the construction of one single-family residence with a second residential unit south of Fassler Avenue and east of Roberts Road (APN: 022-150-030)

On October 15, 2007, the Planning Commission conditionally approved a Use Permit and Site Development Permit for the development of one-single family home with a second residential unit on the south side of Fassler Avenue east of Roberts Road. The project was part of the Harmony @ One 14 lot subdivision that was also approved by the Planning Commission and City Council. Details of the proposal are contained in the attached staff reported dated October 15, 2007. Also attached are the minutes of the Planning Commission meeting.

The subject permits were due to expire on November 26, 2008. At the request of the applicant, the Planning Commission granted a one (1) year extension of the permits on October 6, 2008. According to the applicant, the road that would provide access to their subject property has not yet been constructed.

The Use Permit and Site Development Permit were due to expire on November 26, 2009. On October 23, 2009 staff received the attached extension request. This is the applicant's second extension request. The applicant is requesting the permit extension because the road that would provide access to their subject property has still not been constructed.

Extension requests are not unusual and are generally granted unless there have been significant changes in conditions or circumstances affecting the project or area. There have not been any changes that would indicate that the extension should not be granted.

COMMISSION ACTION REQUESTED

Move that the Planning Commission **EXTEND** UP-978-07 and PSD-763-07 to November 26, 2010.

Attachments:

1. Letter from Applicant, 10/23/09
2. Planning Commission Staff Report, 10/15/07 (without attachments)
3. Planning Commission Minutes, 10/15/07
4. Land Use and Zoning Exhibit