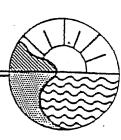
AGENDA

Planning Commission - City of Pacifica



DATE:

Monday, November 15, 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: October 18, 2010

Designation of Liaison to City Council Meeting of: November 22, 2010

CONSENT ITEMS:

PUBLIC HEARINGS:

UP-016-10

USE PERMIT, filed by the applicant, Clearwire, to install 3 roof-mounted panel antennas, 3 microwave antennas and related mechanical equipment at an existing wireless communications facility at 451 Oceana Boulevard, Pacifica (APN 009-141-280). Recommended CEQA status: Exempt. Proposed Action: Approval as conditioned (Continued from October 18, 2010)

2. CDP-326-10

PSD-781-10 PV-506-10

PE-156-10

COASTAL DEVELOPMENT PERMIT, SITE DEVELOPMENT PERMIT, VARIANCE and PARKING EXCEPTION, filed by the applicant, Peter Rockwell, on behalf of the owner, Jenny Chau, to demolish an existing dwelling and construct a new three story single-family dwelling at 43 Birch Lane, Pacifica (APN 016-

294-520); Recommended CEQA status: Exempt. Proposed Action: Continue to December 6, 2010 (Continued

from October 18, 2010)

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.

CITY OF PACIFICA AGENDA MEMO

DATE:

November 15, 2010

TO:

Planning Commission

FROM:

Christina Horrisberger, Assistant Planner

SUBJECT: Agenda Item No. 1: Use Permit, UP-016-10, to install 3 roof-mounted panel antennas, 3 microwave antennas and related mechanical equipment at an existing wireless communications facility at 451 Oceana Boulevard, Pacifica (APN 009-141-280).

On October 18, 2010 the Planning Commission continued consideration of Use Permit, UP-016-10, to install a new wireless communications facility, including 3 roof-mounted panel antennas, 3 microwave antennas and related mechanical equipment at an existing Ace Hardware store that accommodates an existing wireless communications facility. During the hearing the Commission expressed concern about the adequacy of the applicant's exploration of alternate facility locations. In addition, some commissioners expressed concern that the subject site may not be suitable for collocation of wireless facilities, given the surrounding land uses. The October 18, 2010 staff report and meeting minutes are attached.

The applicant has since submitted additional information concerning the site analysis and reasons why sites, other than that proposed for the facility location, were rejected. The narrative submitted by the applicant is attached. In summary, other sites that would have met the applicant's needs, in terms of signal coverage, did not meet the City's requirements concerning visual impacts. Specifically, one of the findings that must be made in order to grant the use permit is: "That the information submitted proves that a feasible alternate site that would result in fewer visual impacts does not provide reasonable signal coverage." Of the sites explored, the subject site would result in the fewest visual impacts, while meeting the applicant's coverage objectives. In particular, no modifications to the building exterior would be needed to provide full concealment of the facility. The project would continue to satisfy all other necessary findings. Specifically, no interference with local television or radio broadcasts is anticipated, the facility meets all City regulations and the project is not expected to be detrimental to the health, safety or welfare of persons residing or working in the surrounding neighborhood.

As for whether the subject property is appropriate for collocation of the wireless facility under consideration, staff would reiterate that the project meets all City requirements. In addition federal standards related to radio frequency emissions associated with the proposed facility, combined with the existing facility, would be met; the cumulative emissions at ground level would be 1.1% of the federal limit, while at a typical second story elevation, the cumulative emissions would be 4.4% of the applicable limit. The City Attorney has previously advised the

Commission as to its limitations in considering RF emissions. The Pacifica Municipal Code allows for wireless communications antennas in any zoning district, provided the findings can made to approve necessary permit, and permit approval is granted.

In addition to the above concerns expressed by the Commission, inquiries were also made concerning the adequacy of noticing for this project. At the October 18, 2010 meeting staff confirmed that all noticing requirements had been met and the Commission acknowledged that they could not require additional noticing because there is no City regulation that requires it, and the applicant had acted in good faith when addressing City regulations. However, it should be noted that the applicant has posted a notice, including a brief project description, of the November 15, 2010 Planning Commission meeting at the subject property. Also, the Pacifica School District has requested a copy of the public notice and acknowledged that they had received the original notice.

In conclusion, staff believes that the proposed project meets all of the necessary requirements to grant the requested permit. Staff also believes that the applicant has addressed the Commission's expressed concerns about exploration of alternative facility locations. The applicant has also addressed concerns about noticing, although this was not required.

COMMISSION ACTION

Move that the Planning Commission find that the project is exempt from CEQA, **APPROVE** UP-016-10, subject to conditions 1-6 contained in the October 18, 2010 staff report, adopt the findings contained in the October 18, 2010 staff report, and that all maps, documents and testimony be incorporated into the record by reference.

Attachments:

- a. October 18, 2010 staff report with attachments
- b. October 18, 2010 Planning Commission meeting minutes.
- c. Alternative Site Analysis received by the City on November 8, 2010
- d. Plans

City of Pacifica

Agenda Memo

DATE:

November 15, 2010

TO:

Planning Commission

FROM:

Kathryn Farbstein

Assistant Planner

SUBJECT:

Agenda Item No. 2: Demolish Existing Dwelling and Replace with a New Single-Family Dwelling on a Substandard Lot at 43 Birch Lane, Site Development Permit, PSD-781-10, Variance, PV-506-10; Parking Exception, PE-156-10 and Coastal Development Permit, CDP-326-10,

(APN 016-294-520)

The Planning Commission continued this item from the October 18, 2010 meeting in order to allow the applicant to respond to issues raised by the Planning Commission. The applicant has requested additional time to prepare revisions and has asked for a further continuance to December 6, 2010.

COMMISSION ACTION

Move that the Planning Commission **CONTINUE** PSD-781-10, PV-506-10, PE-156-10 and CDP-326-10 to December 6, 2010, with the public hearing open.