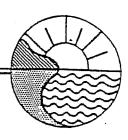
AGENDA

Planning Commission - City of Pacifica



DATE:

Monday, August 2, 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: July 19, 2010

Designation of Liaison to City Council Meeting of: August 9, 2010

CONSENT ITEMS:

1. PSD-771-08

EXTENSION OF PERMITS for the construction of a three-story commercial development at 270 Rockaway

UP-990-08

CDP-303-08

Beach Avenue (APN: 022-024-230 & -240) <u>Proposed Action:</u> Grant extension request

2. SP-144-08

EXTENSION OF PERMIT for the construction of 29 condominium residential units known as "The Prospects", a subterranean parking garage, and other amenities at 801 Fassler Avenue (APN 022-083-020 & 030) <u>Proposed</u>

Action: Grant extension request

PUBLIC HEARINGS:

3. UP-012-10

PV-504-10

USE PERMIT and VARIANCE, filed by the agent, Zon Architects, on behalf of the applicant, T-Mobile West Corporation, and the owner, North Coast County Water District, to install a new wireless facility including a monopole with three antennas and equipment cabinets at 4700 Fassler Avenue, Pacifica (APN 022-150-370). Recommended CEQA status: Exempt. <u>Proposed Action:</u> Approval as conditioned (Continued from July 19, 2010)

OTHER AGENDA ITEMS:

4.

CONSIDERATION of **RECOMMENDATION** that City Council Direct Staff to Begin the Process of Amending the Zoning and General Plan/Local Coastal Land Use Plan for Northern Palmetto Avenue

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:

August 2, 2010

TO:

Planning Commission

FROM:

Lee Diaz, Associate Planner

SUBJECT:

Agenda Item No. 1: Extension of Site Development Permit, Use Permit and Coastal Development Permit for the construction of three-story commercial development at 270 Rockaway Beach Avenue (APN: 022-024-230 & -240)

On May 19, 2008, the Planning Commission recommended City Council/Redevelopment Agency approval of the requested permits including an amendment to the Rockaway Beach Specific Plan to allow office activity, and a waiver of Specific Plan requirements regarding parking and Floor Area Ratio (F.A.R.), for the construction of a commercial building at the 270 Rockaway Beach Avenue. The Commission fully supported the proposal and members of the community also spoke in favor of this project during the proceedings. The Planning Commission staff report and minutes are attached. The City Council/Redevelopment Agency also approved the requested permits including the amendment to the Rockaway Specific Plan on July 14, 2008. It should also be noted that approval of an amendment to the Local Coastal Program Land Use Plan to allow office activity was required by the Coastal Commission. The Coastal Commission approved the amendment on August 12, 2009.

The subject permits were due to expire on August 12, 2010. On July 10, 2010, staff received the attached extension request, dated July 13, 2010 from Bank of America who has acquired the property. This is the applicant's first extension request. The applicant is in the process of offering the property for sale.

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** PSD-771-08, UP-990-08 and CDP-303-08 to August 12, 2011.

- 1. Letter from Applicant, 07/13/10
- 2. Planning Commission Staff Report, 05/19/08 (without attachments)
- 3. Planning Commission Minutes, 05/19/08
- 4. Land Use and Zoning Exhibit

CITY OF PACIFICA AGENDA MEMO

DATE: Au

August 2, 2010

TO:

Planning Commission

FROM:

Kathryn Farbstein, Assistant Planner

SUBJECT: Agenda Item No. 2: Extension of Specific Plan, SP-144-08 to construct 29

condominium residential units known as "The Prospects", a subterranean parking garage, and other amenities at 801 Fassler Avenue, Pacifica, (APN 022-083-020 &

030).

On August 20, 2007, the Planning Commission certified the EIR, and adopted the Mitigation Monitoring and Reporting Plan and CEQA findings for the project known as "The Prospects" at 801 Fassler Avenue. In addition, the Planning Commission approved the Transfer of Residential Development Rights (TDR) to allow transfer of 28 units from the easterly portion of the site with a General Plan designation of Low Density Residential to the westerly portion of the lot with a General Plan designation of Open Space Residential.

On August 18, 2008, the Planning Commission conditionally approved a Specific Plan and Tentative Subdivision Map for the second phase of the project. Details of the project are contained in the attached staff report dated August 18, 2008. Also attached are the minutes and the grant letter with conditions of approval from the Planning Commission meeting. Additional information is available upon request. The applicant is required to obtain a building permit and start construction within two years of the approval date from the Planning Commission.

The permits are due to expire on September 2, 2010. On July 26, 2010, staff received the attached extension request. This is the applicant's first request for an extension. According to the applicant's statement, he is requesting additional time to obtain financing for the project. In a recent phone conversation with staff, the applicant requested a two year extension for the Planning permits.

The Governor signed AB 333 in March of 2010 which automatically extended the life of the existing Tentative Maps with approvals that have not expired by July 15, 2009 and that will expire before January 1, 2012. The extension is for two years as stated in Government Code Section 66452.22. However, the Specific Plan permit must also be extended and staff believes that a two year extension is reasonable in this case because the two year extension for the Tentative Subdivision Map has been granted by the Governor.

801 Fassler Avenue – Planning Commission Memo August 2, 2010 Page 2 of 2

It is not unusual for the applicant to request an extension for approved permits. Extensions are generally granted unless there have been significant changes in the conditions or circumstances affecting the property or area. Staff believes that no changes have occurred and is therefore recommending that the Commission grant the extension for two years.

COMMISSION ACTION REQUESTED

Move that the Planning Commission **EXTEND** SP-144-08 to September 2, 2012.

- a. Letter from Applicant Dated July 26, 2010
- b. Staff Report and Planning Commission Meeting Minutes from August 18, 2008
- c. Grant Letter with Conditions of Approval Dated September 2, 2008

CITY OF PACIFICA AGENDA MEMO

DATE:

August 2, 2010

TO:

Planning Commission

FROM:

Christina Horrisberger, Assistant Planner

SUBJECT: Agenda Item No. 3: Use Permit, UP-012-10, and Variance, PV-504-10, to install a new wireless communications facility, including a new monopole, 3 new antennas and related equipment, at 4700 Fassler Avenue, Pacifica (APN 022-150-370).

On June 7, 2010 the Planning Commission continued consideration of Use Permit, UP-012-10, and Variance, PV-504-10, to install a new wireless communications facility, including a new monopole, 6 new antennas and related equipment, at 4700 Fassler Avenue. During the hearing the Commission expressed concern about visual impacts associated with the project and requested that the applicant return with additional information regarding facility screening. The Commission also asked for more information concerning dimensions of existing structures located on the subject property. On July 19, 2010 this item was again continued, at the applicant's request, to allow more time for submission of a revised proposal.

The applicant has since submitted revised plans. Specific revisions include the addition of two (2) fifteen gallon evergreen trees southwest of the proposed facility and a five gallon ceanothus shrub northeast of the facility. According to information provided by the applicant, the evergreen trees would reach approximately 25 feet in height at maturity to partially screen the proposed 35 foot monopole. The ceanothus shrub is intended to screen the equipment located at ground level. In addition, the applicant has reduced the number of proposed antennas from six (6) to three (3), and proposed an alternate method of mounting the antennas to minimize the use of support structures and reduce any visual impacts associated with the antennas. The plans have also been modified to show more details about existing structures located on the property. A project description detailing project revisions was provided by the applicant and is attached. The applicant has also submitted revised photo simulations to illustrate how the revised project would appear from various vantage points.

Staff believes that the applicant has addressed the Commission's concerns by providing additional landscaping to screen the facility and including additional details concerning the existing water tanks on the plans. Accordingly, staff continues to recommend approval of the project, but suggests adding a condition of project approval to address the proposed landscaping, as follows:

5. 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 plan prior to final building permit approval. 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.

COMMISSION ACTION

Move that the Planning Commission find that the project is exempt from CEQA, **APPROVE** UP-012-10 and PV-504-10, subject to conditions 1-4 contained in the June 7, 2010 staff report and additional condition 5 contained in the August 2, 2010 agenda memo, adopt the findings contained in the June 7, 2010 staff report, and that all maps, documents and testimony be incorporated into the record by reference.

- a. June 7, 2010 staff report with attachments a-f.
- b. June 7, 2010 Planning Commission meeting minutes.
- c. Revised project description dated July 17, 2010
- d. Revised photo-simulations
- e. Revised Plans
- f. Letter from neighbor submitted at June 7, 2010 Planning Commission meeting
- g. Petition submitted at June 7, 2010 Planning Commission meeting

CITY OF PACIFICA

MEMORANDUM

DATE:

August 2, 2010

TO:

Planning Commission

FROM:

Michael Crabtree, Planning Director

SUBJECT:

Agenda Item No. 4: Consideration of Recommendation that City Council Direct Staff to Begin the Process of Amending the Zoning and General Plan/Local Coastal Land Use Plan

for Northern Palmetto Avenue

On March 1, 2010 and July 6, 2010, the Planning Commission held study sessions to discuss the possibility of changing the zoning and land use narrative for properties along Northern Palmetto Avenue (aka Northern Commercial Area). Memos from those meetings are attached. At both study sessions, the Commission expressed an interest in initiating a change to the zoning of the subject area from C-3 (Service Commercial) to C-1 (Neighborhood Commercial), and amending the General Plan/Local Coastal Land Use Plan (GP/LUP) narrative for the area to encourage visitor-serving commercial uses and preclude any new light industrial type uses (see attached March 1, 2010 memo for the exact language of the GP/LUP). The Commission agreed that existing uses should be allowed to continue, but that any new uses would have to comply with the new zoning and GP/LUP language. The Commission majority also indicated that the loss of C-3 zoned land was not a primary concern. Accordingly, staff has prepared the motion below for Commission consideration.

Although initiation of the amendment process will require multiple public hearings, tonight's item is not a public hearing and public notice is not required. However, in keeping with the Commission's desire to encourage as much public input as possible, notice of tonight's agenda item was sent to all owners of property that would be subject to the proposed zoning and GP/LUP amendments. Staff was subsequently contacted by several property owners, all of whom expressed concern over the proposed amendments. Some of the items of concern included impacts on property values, incompatibility of existing structures with non C-3 uses (i.e. the inability to reuse existing buildings for C-1 uses), and the need to identify additional areas in the City for C-3 uses. Some of these property owners may be in attendance at tonight's meeting to address the Commission.

COMMISSION ACTION

Move that the Planning Commission recommend that the City Council direct staff to begin the process to change the zoning of the Northern Palmetto Avenue area from C-3 (Service Commercial) to C-1 (Neighborhood Commercial), and amend the General Plan/Local Coastal Land Use Plan narrative for the area to encourage visitor-serving commercial uses and preclude any new light industrial type uses.

- 1. Map "Northern Palmetto Area of Proposed Rezoning"
- 2. Commission Study Session Memos, March 1, 2010 and July 6, 2010