



Scenic Pacifica

Incorporated Nov. 22, 1957

PLANNING COMMISSION Agenda

DATE: Tuesday, September 8, 2015
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 20 and August 3, 2015

Designation of Liaison to City Council Meeting

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.

CONSENT ITEMS:

- 1. CDP-336-13** EXTENSION OF PERMIT, filed by Neil Kopping, to construct a 400 square foot addition to an existing three story dwelling at 111 Kent Road (APN 023-032-070) Proposed Action: Grant one year extension
- 2. SUB-211-06, UP-965-06, and PSD-757-06** EXTENSION OF PERMIT, filed by Simon Weng, to construct a three-story building consisting of approximately 10,575 square feet of subterranean garage area and nine (9) condominium residential units with three levels of living area totaling approximately 18,768 square feet at 1567 Beach Boulevard (016-011-190) Proposed Action: Grant one year extension

PUBLIC HEARING: None

CONSIDERATION ITEM:

- 3.** Planning Permit Process presentation (Part 2, oral presentation)

COMMUNICATIONS:

Commission Communications:

Staff Communications:

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 persons with disabilities upon 24 hours advance notice to the City Manager's office at (650) 738-7301, including requests for sign language assistance, written material printed in a larger font, or audio recordings of written material. All meeting rooms are accessible to persons with disabilities.

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

STAFF REPORT

DATE: September 8, 2015

TO: Planning Commission

FROM: Kathryn Farbstein, Assistant Planner

SUBJECT: Agenda Item No. 1: Extension of Coastal Development Permit, CDP-336-13 to construct 400 square foot addition to existing three-story single family residence at 111 Kent Road (APN 023-032-070).

On August 4, 2014, the Planning Commission approved Coastal Development Permit, CDP-336-13 to construct a 400 square foot addition to an existing dwelling. In the Coastal Zone appeal area two appeal periods must lapse before the Planning Commission's action is final, appeal to City Council and appeal to the Coastal Commission. In this case, both periods lapsed with no appeal, therefore; the Planning Commission action to approve the project became final on September 2, 2014. The approval letter is attached along with Resolution No. 900, the staff report, and Planning Commission meeting minutes.

On August 27, 2015, the new owner, Neil Kopping submitted a letter request (attached) to extend the deadline one year to September 2, 2016.

It is not unusual for the applicant to request an extension for an approved permit. 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 Coastal Development Permit, CDP-336-13, for one year as requested by the applicant.

COMMISSION ACTION REQUESTED

Move that the Planning Commission **EXTEND** Coastal Development Permit, CDP-336-13 expiration date to September 2, 2016.

Attachment:

- a. Letter request from Applicant dated August 27, 2015
- b. Approval letter dated September 2, 2014
- c. Resolution No. 900 with conditions of approval
- d. Staff report
- e. Meeting minutes from August 4, 2014

August 27, 2015

Kathryn Farbstein
City of Pacifica

Kathryn,

I am writing to request an extension on permit approval for our house remodel project at 111 Kent Road in Pacifica. The Coastal Commission design approval was given to the previous owners and we took the project over well into the time allotted for getting permits approved. The deadline is coming up and we now find that we need more time to get the layout and engineering correct. The extension fee has been paid in full. We are requesting another year to finish the permitting process.

regards,


Neil Kopping

Neil & Britt Kopping
111 Kent Road.
Pacifica, CA 94044
ph: 415-522-5906



Scenic Pacifica
Incorporated Nov. 22, 1957

September 2, 2014

Jeffrey Mathison
111 Kent Road
Pacifica, CA 94044

Re: Coastal Development Permit, CDP-336-13, for Proposed Single-Family Addition at 111 Kent Road (APN 023-032-070)

Dear Jeffrey:

This letter will serve as notice that on August 4, 2014 the Planning Commission **APPROVED** the above referenced Coastal Development Permit. Staff notified the Coastal Commission on August 15, 2014 of the final local action. Thus, all appeal periods have ended and no appeal was filed.

The permit is approved based on the findings, and subject to the conditions, contained in Resolution No. 900, which I already emailed to you on August 19, 2014. If you have any questions, please contact me at (650) 738-7341.

Sincerely,

Kathryn Farbstein
Assistant Planner

CC: Building Division
Engineering Division
NCFA
Project File

EXPIRATION DATE: September 2, 2015

The Coastal Development Permit, CDP-336-13 will expire on the above date unless a building permit has been issued, and construction has started and is being diligently pursued toward completion.

THIS IS NOT A BULDING PERMIT

MAYOR
Mary Ann Nihart

MAYOR PRO TEM
Karen Ervin

COUNCIL
Sue Digre
Mike O'Neill
Len Stone

Approval Letter

RESOLUTION NO. 900

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PACIFICA APPROVING COASTAL DEVELOPMENT PERMIT (CDP-336-13) SUBJECT TO CONDITIONS AT 111 KENT ROAD.

Initiated by: Jeffrey Mathison, Owner and Applicant

WHEREAS, an application has been submitted to add approximately 400 square feet of living area to an existing three story single-family dwelling at 111 Kent Road; and

WHEREAS, the Planning Commission has determined the project is exempt from the California Environmental Quality Act Class 3 per Section 15301 Class 1 (e); and

WHEREAS, the project requires approval of a Coastal Development Permit because it is more than a 10% increase in floor area within the Coastal Zone; and

WHEREAS, the project is in conformity with the City's certified Local Coastal Program in that the single-family dwelling is a permitted use at this particular location and the proposed additions comply with the development standards; and

WHEREAS, the project is in conformity with the public recreation policies of Chapter 3 of the California Coastal Act in that the project is maintaining coastal access; and

WHEREAS, the project is not between the nearest public road and the shoreline due to the public street Blackburn Terrace being located between the project site and the ocean; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Pacifica does hereby approve the Coastal Development Permit, CDP-336-13 subject to conditions of approval attached in Exhibit A.

* * * * *

Passed and adopted at a regular meeting of the Planning Commission of the City of Pacifica, California, held on the 4th day of August 2014.

AYES, Commissioners: Brown, Cooper, Vaterlaus, Gordon, and Campbell

NOES, Commissioners:

ABSENT, Commissioners: Evans and Nibbelin

ABSTAIN, Commissioners:

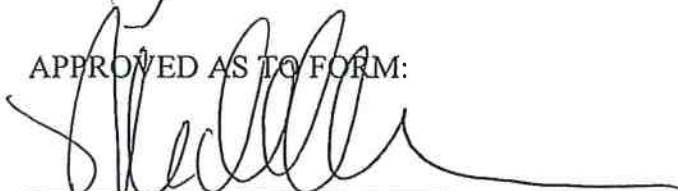
 8/18/14
Mike Brown, Chair

ATTEST:



George White, Planning Director

APPROVED AS TO FORM:



Michelle Kenyon, City Attorney

Exhibit A

Conditions of Approval for 111 Kent Road Planning Commission Meeting August 4, 2014

Planning Department

1. Development shall be substantially in accord with the plans entitled "Jeff and Jenny Mathison, 111 Kent Road," consisting of fourteen (14) sheets, received May 7, 2014 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. All recommendations identified in the Tree Protection Plan shall be implemented as specified by the arborist.
4. 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. 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.
5. All trash and recycling materials, if stored outdoors, shall be fully contained and screened from public view within the proposed enclosure. 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 Recology of the Coast. Trash enclosure and dumpster areas shall be covered and protected from roof and surface drainage. If water cannot be diverted from these areas, self-contained drainage systems that drain to sand filters shall be installed. The property owner/homeowner's association shall inspect and clean the filters as needed. Applicant shall provide construction details for the enclosure for review and approval by the Planning Director, prior to building permit issuance.
6. 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.

7. 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.
8. 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.
9. Roof drains shall discharge and drain away from the building foundation to an unpaved area wherever possible.
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 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.
12. As a condition of the Coastal Development Permit, CDP-336-13, the applicant shall 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, but excluding any approvals governed by California Government Code Section 66474.9. 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.

Engineering Division of Public Works

14. Construction shall be in conformance with the San Mateo Countywide Storm Water Pollution Prevention Program. Best Management Practices shall be implemented.
15. Applicant shall overlay existing asphalt with minimum 2 inch AC to street centerline across entire property frontage.
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. No debris box or equipment shed is allowed in the street or sidewalk.
18. 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."
19. 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."
20. 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.
21. A sidewalk agreement must be signed for unimproved streets.



Scenic Pacifica
Incorporated Nov. 22,
1957

PLANNING COMMISSION
Staff Report

DATE: August 4, 2014

ITEM: 1

PROJECT SUMMARY/RECOMMENDATION AND FINDINGS

Notice of Public Hearing was published in the Pacifica Tribune on July 23, 2014 and 35 surrounding property owners and tenants were notified by mail.

FILE: CDP-336-13

APPLICANT and OWNER: Jeffrey Mathison, 111 Kent Road, Pacifica, CA 94044

LOCATION: 111 Kent Road (APN 023-032-070)

PROJECT DESCRIPTION: Construct an addition of 400 square feet to an existing three story, single-family residence in Pedro Point.

General Plan: Low Density Residential
Zoning: R-1/CZ (Single-Family Residential/Coastal Zone)

RECOMMENDED CEQA STATUS: Exempt Section 15301 Class 1 (e)

ADDITIONAL REQUIRED APPROVALS: None. Appealable to the City Council and Coastal Commission.

RECOMMENDED ACTION: Approval with conditions.

PREPARED BY: Kathryn Farbstein, Assistant Planner

ZONING STANDARDS CONFORMANCE:

| <u>Standards</u> | <u>Required</u> | <u>Proposed</u> |
|-------------------------|----------------------|-----------------------|
| Lot Size | 5,000 sf | 5,591 |
| Coverage | 40% max. | 25% |
| Height | 35' max. | 32' approximately |
| Landscaping | 20% min. | 25% |
| Setbacks | | |
| -Front yard | 15' | 15' |
| -Garage | 20' | 20' |
| -Interior side | 5' | 9' |
| -Street side | 10' | 10' |
| -Rear | 20' | 20'+ |
| -Deck Projection | 9' | 9' |
| Parking | 2 car garage | 2 car attached garage |
| Garage Inner Dimensions | 18' wide by 19' deep | 21' wide by 25' deep |

PROJECT SUMMARY

1. Project Description: In February of 2013, the applicant submitted a Coastal Development Permit application which I determined incomplete within a month. In May of 2014, the applicant resubmitted the requested information and the project which was determined to be complete on June 5, 2014. Although staff was prepared to bring this project forward for Planning Commission review in July, the applicant requested the August 4th meeting date due to a family vacation.

The applicant is proposing to add 91 square feet to the first floor for a new entry to the house. Approximately 100 square feet of enclosed stairway is proposed for the second floor. Conversion of approximately 80 square feet of deck into a den and a new bathroom of 135 square feet are proposed for the third floor. The total addition of enclosed area is approximately 400 square feet. An entry porch of approximately 50 feet and a second floor deck of 400 square feet are included in this project.

2. General Plan, Zoning, and Surrounding Land Use: The General Plan designation for the subject site is Low Density Residential and the same designation applies to all the surrounding properties. The project site and surrounding lots have a zoning classification of R-1/CZ. The properties in the area have been developed with multi-story single-family residential homes.

3. Municipal Code: Section 9-4.4303 (a) of the Zoning Code requires additions that exceed 10% of the existing floor area in the Coastal Zone appeal area obtain approval of a Coastal Development Permit. The subject site is west of Highway 1 which is within the Coastal Zone,

and also, within the appeal area. The 400 square foot addition is represents a 26% increase in floor area; thus approval of a Coastal Development Permit is necessary.

4. CEQA Recommendation: Staff recommends that the Planning Commission find the project exempt from CEQA per Section 15301 Class 1 (e) which states:

Section 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; or

Proposed is construction of a 400 square foot addition to an existing single-family dwelling of 1,500 square feet. The proposed addition is an increase of less than 30% of the floor area of the existing dwelling which is the type of construction that is exempt from CEQA as stated above.

5. Coastal Development Permit: Section 9-4304(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. Staff Analysis:

Coastal Development Permit – The Coastal Program regulates new development in the Coastal Zone to ensure that additions such as this one are compatible with the neighborhood, coastal views are preserved and appropriate landscaping is encouraged. The applicant is proposing an addition to an existing single-family dwelling within the Pedro Point neighborhood comprised of single family dwellings. The addition is less than a 30% increase in square footage and once

the project is complete, the total square footage of living area will be less than 2,000 square feet.

The house exists as a three story dwelling although the third story will be expanded. The third story addition will be less than 10 feet in width which will minimize the impacts to the neighbors across the street at 103 Kent Road. No public view areas will be affected. The City has no provision for the protection of private views but this project already exists as a three story dwelling and will not exceed the height limit.

The subject site is not located between the nearest public road and the shoreline; therefore, the public recreation policies of Chapter 3 do not apply.

Design – In the Conclusion section regarding Community Scale and Design of the Local Coastal Program (page. C-106), new development within the appeal zone that requires discretionary review must also undergo design review. Design review is necessary to assure attractive, appropriate development and factors such as architectural style, scale, site use, materials and landscaping shall be considered. The Pedro Point neighborhood lacks a unifying theme; however, common elements are maximization of views through the use of large windows and decks, and distinctive designs in terms of style, color and use of materials. In this case, there are several architectural elements that add visual interest to the proposed building. The dwelling has a varied roofline and a large deck added on the second floor. Hardi plank siding is proposed for the upper floors and stucco on the ground level to add visual interest.

The proposed additions to the existing residence are consistent with the City's Design Guidelines. The elevations indicate that the new additions on each floor will enhance the design of the building as well as provide more usable space for the owner.

Arborist's Report - The applicant provided an arborist's report (see Attachment d) to discuss the impacts of the proposed addition to the three heritage trees on site. A tree protection plan has been identified on the second page of the report. A condition of approval requiring that the applicant comply with the tree protection plan has been incorporated as condition #3.

6. Summary: Staff believes, as conditioned, the project satisfies all the Zoning Code development standards and it is consistent with the Design Guidelines. The existing dwelling is consistent with the R-1 zoning and the addition complies with all the development standards. Several architectural features such as the varied roofline, different siding materials and second story deck, add visual interest to the street view of the dwelling. Thus, staff recommends approval of the project subject to the conditions in Exhibit A of the Resolution.

COMMISSION ACTION

MOTION FOR APPROVAL:

Move that the Planning Commission find that the project is exempt from CEQA; APPROVE Coastal Development Permit, CDP-336-13 by ADOPTING the attached resolution for the proposed addition to a single-family dwelling at 111 Kent Road, including conditions of approval in Exhibit A; and incorporate all maps and testimony into the record by reference.

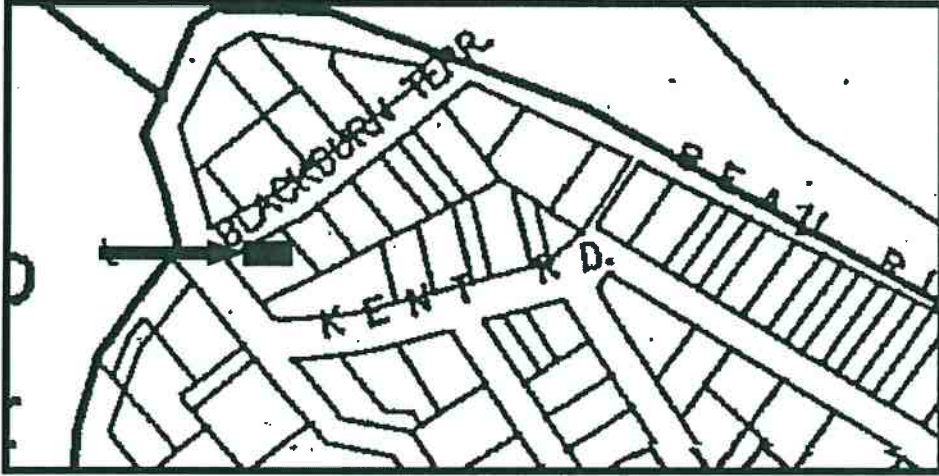
Attachments:

- a. Land Use and Zoning Exhibit
- b. Resolution for Coastal Development Permit
- c. Exhibit A for Resolution – Conditions of Approval
- d. Arborist Report
- e. Plans and Colored Elevation (Planning Commission only)

Zoning & Land Use Exhibit
City of Pacifica
Planning & Economic Development Department

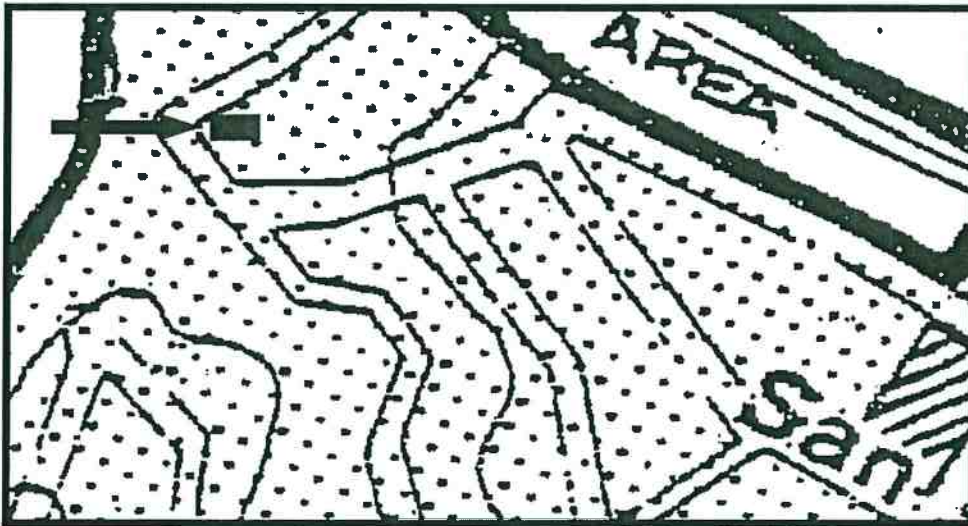
General Plan Diagram


Neighborhood: Pedro Point
Land Use Designation: Low Density Residential



Zoning Map Diagram

Existing Zoning District: R-1/CZ (Single-Family Residential- District/Coastal Zone)



North Arrow 
Maps Not to Scale

Attachment a

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PACIFICA APPROVING COASTAL DEVELOPMENT PERMIT (CDP-336-13) SUBJECT TO CONDITIONS AT 111 KENT ROAD.

Initiated by: Jeffrey Mathison, Owner and Applicant

WHEREAS, an application has been submitted to add approximately 400 square feet of living area to an existing three story single-family dwelling at 111 Kent Road; and

WHEREAS, the Planning Commission has determined the project is exempt from the California Environmental Quality Act Class 3 per Section 15301 Class 1 (e); and

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WHEREAS, the project is not between the nearest public road and the shoreline due to the public street Blackburn Terrace being located between the project site and the ocean; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Pacifica does hereby approve the Coastal Development Permit, CDP-336-13 subject to conditions of approval attached in Exhibit A.

Attachment b

* * * * *

Passed and adopted at a regular meeting of the Planning Commission of the City of Pacifica, California, held on the 4th day of August 2014.

AYES, Commissioners:

NOES, Commissioners:

ABSENT, Commissioners:

ABSTAIN, Commissioners:

Mike Brown, Chair

ATTEST:

George White, Planning Director

APPROVED AS TO FORM:

Michelle Kenyon, City Attorney

Exhibit A

Conditions of Approval for 111 Kent Road Planning Commission Meeting August 4, 2014

Planning Department

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Engineering Division of Public Works

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21. A sidewalk agreement must be signed for unimproved streets.



RECEIVED
MAY 16 2014
City of Pacifica

FRED JUNGBLUTH

Certified Arborist

215 Stanley Ave.
Pacifica, CA 94044
650-359-0734

April 16, 2014

Planning Department
Town of Pacifica
1800 Francisco Blvd.
Pacifica, CA 94044

To: Town Arborist

From: Fred Jungbluth, ISA Certified Arborist WC5203

I have inspected the sight of the proposed house remodel at the Mathison Residence at 111 Kent Street, Pacifica, California. My survey of the property found that there are three trees that have heritage status. I have included a sight plan that shows the size and location of the trees. Tree 1: Monterey Cypress, *Cupressus macrocarpa* with a diameter of 40 inches at 48 inches above grade and approximate height of 40 feet. Tree 2: Monterey Cypress, *Cupressus macrocarpa* with a diameter of 60 inches at 48 inches above grade and approximate height of 45 feet. Tree 3: Monterey Cypress, *Cupressus macrocarpa* with a diameter of 60 inches at 48 inches above grade and approximate height of 40 feet.

My review of the plans for the project showed clearly that the new construction is outside the root zone/drip line of the two trees in the front yard, Trees number 2 and 3. These trees will not be harmed at all by the construction.

In the back yard there is a proposed deck and the pier footings for the deck do enter into the root zone of Tree number 1. The damage to the roots will be minimized because only a few small wholes will be dug inside the root zone. A linear footing would be far more damaging.

I do not think the trees will be harmed by the construction for the home remodel.

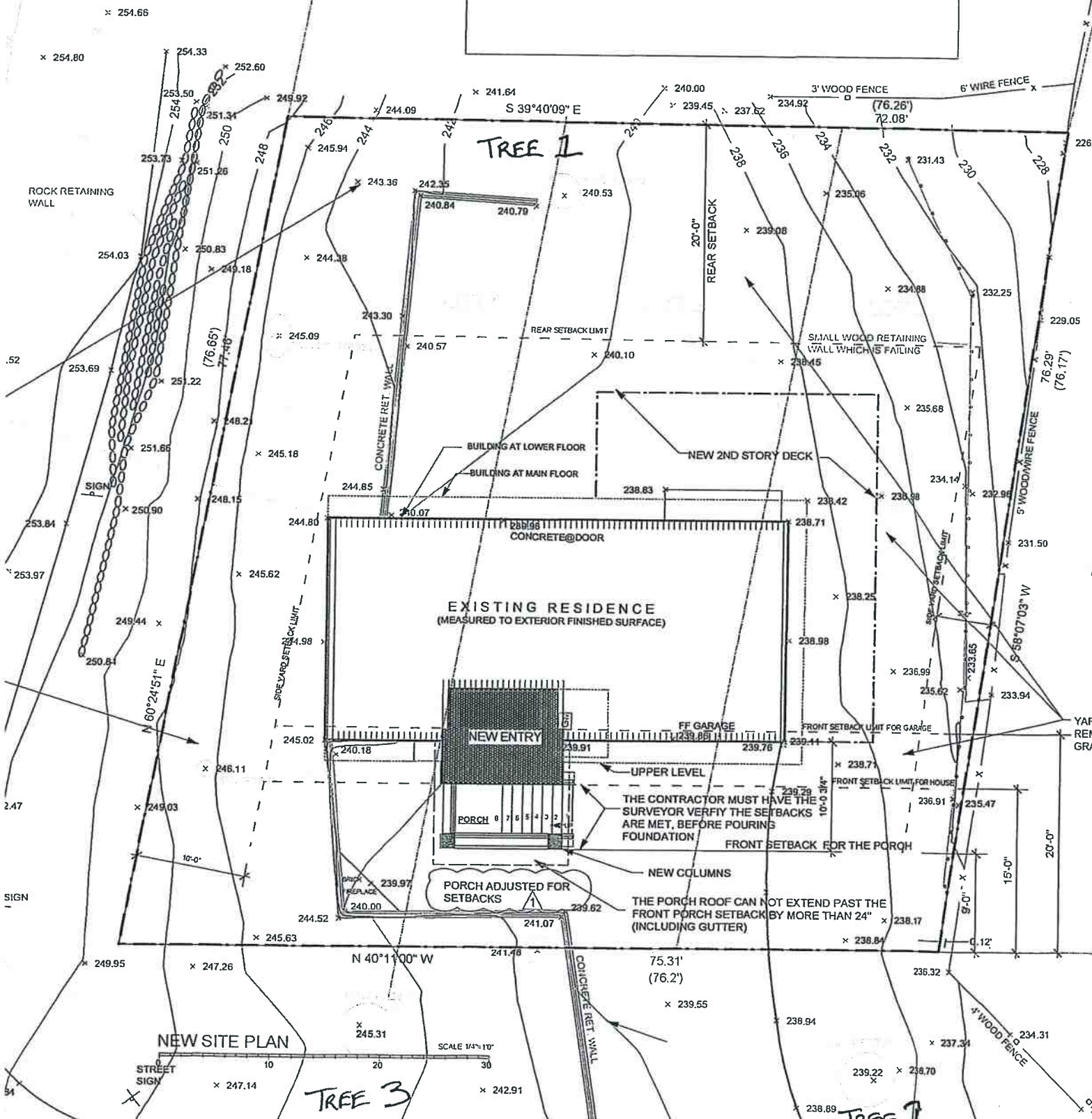
Sincerely,


Fred Jungbluth

Attachment d

TREE #1 MONTEREY CYPRESS 40 INCH DIAM.
 TREE #2 MONTEREY CYPRESS 60 INCH DIAM.
 TREE #3 MONTEREY CYPRESS 60 INCH DIAM.

BLOCK #
 SAN PEDRO VESTAGE
 BLOCK # 11111
 LOT 3



NEW SITE PLAN

SCALE 1/4" = 10'

STREET SIGN

TREE 3

TREE 2



Scenic Pacifica
Incorporated Nov. 22, 1957

PLANNING COMMISSION Minutes

DATE: August 4, 2014
LOCATION: Council Chambers, 2212 Beach Boulevard

CHAIR BROWN CALLED THE MEETING TO ORDER AT 7:00 pm.

ROLL CALL:

Present: Cooper, Vaterlaus, Gordon, Campbell (late) and Chair Brown
Absent: Evans and Nibbelin

SALUTE TO FLAG

ADMINISTRATIVE BUSINESS:

Approval of Order of Agenda:

Moved by Gordon, seconded by Cooper. Motion passed 4-0-3

Approval of Minutes:

July 21 Minutes:

Moved by Vaterlaus, seconded by Cooper. Motion passed 4-0-3.

April 7 Minutes:

Moved by Cooper, seconded by Vaterlaus. Motion passed 4-0-2-1 (Gordon abstained).

Designation of Liaison to City Council Meeting:

None

PUBLIC HEARINGS:

Assistant Planner Kathryn Farbstein presented the staff report for the following:

1. **CDP-336-14** COASTAL DEVELOPMENT PERMIT, CDP-336-13, filed by the applicant/owner, Jeffrey Mathison, to construct approximately 400 square foot addition to an existing 3-story single-family residence of approximately 1,500 square feet at 111 Kent Road (APN 023-032-070). Recommended CEQA status: Exempt Proposed Action: Approved as conditioned.

Applicant Jeffrey Mathison spoke about his project.

Public Hearing: No speakers.

Move that the Planning Commission find that the project is exempt from CEQA; APPROVE Coastal Development Permit, CDP-336-13 by ADOPTING the resolution for the proposed addition to a single-family dwelling at 111 Kent Road, including conditions of approval in Exhibit A; and incorporate all maps and testimony into the record by reference.

Moved by Gordon, seconded by Campbell. Motion passed 5-0-2.

COMMUNICATIONS:

Commission Communications: None

Staff Communications: None

Oral Communications: None

ADJOURNMENT:

Motion to adjourn at 7:15 pm. Moved by Vaterlaus, seconded by Cooper. Motion passed 5-0-2.

CITY OF PACIFICA

STAFF REPORT

DATE: September 8, 2015

TO: Planning Commission

FROM: Turhan Sonmez, Contract Planner

SUBJECT: Agenda Item No. 2: Extension of Tentative (Condominium) Subdivision Map, Use Permit, and Site Development Permit, for the construction of 9 condominiums at 1567 Beach Boulevard, Pacifica (APN: 016-011-190)

On May 14, 2007, the City Council, on appeal, conditionally approved a Tentative (Condominium) Subdivision Map, Use Permit, Site Development Permit, and Coastal Development Permit for the development of a vacant parcel with a nine (9) unit three-story condominium building with a subterranean garage at 1567 Beach Boulevard. The Coastal Development Permit was appealed to the California Coastal Commission. The Coastal Commission approved the project on March 7, 2008. The Planning Department issued an official approval letter for the project on October 13, 2010 (final approval date). On September 6, 2011 the Planning Commission approved a one year extension of the above referenced permits. On October 1, 2012 the Planning Commission approved a second one year permit extension and on September 16, 2013 a third extension request was approved.

The Use Permit and Site Development Permit were due to expire on October 7, 2014. The California Coastal Commission extended the Coastal Development Permit to March 7, 2015. The Tentative (Condominium) Subdivision Map would have originally expired 24-months after its approval. The Tentative (Condominium) Map was extended to 2010 by operation of law due to the enactment of Government Code Section 66452.21 by the California Legislature in 2008. On July 11, 2011, California Code Section 66452.23 extended the life of the existing Tentative (Condominium) Map by an additional 24 months.

The applicant's Use Permit, Site Development Permit, and Tentative (Condominium) Map would have expired on October 7, 2014, but on September 5, 2014 staff received a fourth extension request and the Planning Commission approved an extension of the permits until October 7, 2015. Additionally, the California Coastal Commission extended the Coastal Development Permit to March 7, 2016.

On July 7, 2015 staff received the attached extension request by the owner of the property. This is the fifth extension request. The applicant is requesting the permit extension because additional time is needed to complete the building permit approval process. The Permittee has submitted for building permit plan check four (4) times, the last time being July 13, 2015. Progress has been made toward completing the

building permit approval process in the past year, and the Permittee expects to complete the process within the year or in early 2016.

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 in conditions or circumstances affecting the project or area.

COMMISSION ACTION REQUESTED

Move that the Planning Commission **EXTEND** SUB-211-06, UP-965-06, and PSD-757-06, to October 7, 2016.

Attachment:

- a. Letter from Applicant
- b. Approval letter dated October 13, 2010 with conditions of approval
- c. Resolution No. 19-2007 approving Mitigated Negative Declaration
- d. Staff report
- e. Approved plans

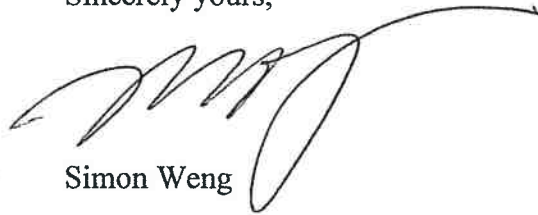
Simon Weng
Pinkstone LLC
P.O.Box 505
Brisbane, CA 94005
July 7, 2015

City of Pacifica
Dept of Planning and Building

To whom it may concern,

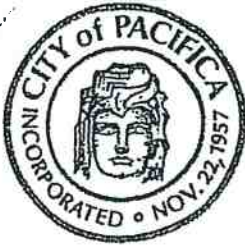
My name is Simon Weng, Pinkstone LLC, I 'd like to apply for permit extension for 9 units condo projects for "1567 beach blvd" while the design is still in process.

Sincerely yours,



Simon Weng

RECEIVED
AUG 03 2015
City of Pacifica



PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT

CITY HALL • 170 Santa Maria Avenue • Pacifica, CA 94044 • (650) 738-7341 • Fax (650) 359-5807

Scenic Pacifica

Conditions of Project Approval

October 13, 2010

Susan L. Chase
Golden Bear Mortgage & Investment Company
1201 Solano Avenue #202
Albany, CA 94706

Re: CDP-275-06, PSD-757-06, UP-965-06, AND SUB-211-06 -- Construction of a nine (9) unit three-story condominium building with a subterranean garage at 1567 Beach Boulevard, Pacifica, CA (APN: 016-011-190)

Dear Ms. Chase:

The Planning Commission of the City of Pacifica, at their regular meeting of October 16, 2006 APPROVED a Coastal Development Permit, Site Development Permit, Use Permit and Tentative (Condominium) Subdivision Map, and the City Council, on appeal, at their regular meeting of May 14, 2007, APPROVED the above mentioned permits for the above referenced project. The California Coastal Commission, on appeal, approved the Coastal Development Permit on March 7, 2008 with a minor modification to the project which involves raising the crest of the driveway on the applicant's property to elevation 27 feet (MSL).

These permits are approved subject to the following conditions:

Planning Department:

1. Development shall be substantially in accord with the Plans titled "NEW CONSTRUCTION OF 9 UNIT CONDOMINIUM BUILDING, 1567 BEACH BLVD., PACIFICA, CA," consisting of fifteen (15) sheets received April 11, 2007.
2. As a condition of the Tentative (Condominium) Map, the subdivider shall defend, indemnify, and hold harmless the City of Pacifica and its agents, officers, and employees from any claim, action, or proceeding against the City of Pacifica and its agents, officers, or employees to attack, set aside, void, or annul approval of subdivision, SUB-211-06. Pursuant to this condition, the City of Pacifica shall promptly notify the subdivider of any claim, action, or proceeding regarding the subdivision, and the City of Pacifica shall cooperate fully in the defense of such claim, action, or proceeding.

3. As a condition of the Coastal Development Permit, Site Development Permit and Use Permit, 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.
4. Intentionally Deleted
5. Prior to the issuance of a building permit, the applicant shall submit information on exterior finishing, including colors and materials, subject to approval by the Planning Director.
6. All project-related easements shall be to the satisfaction of the City Engineer, Planning Director and City Attorney, and shall be recorded prior to or concurrent with the Final Map.
7. Trash enclosures and dumpster areas must be covered and protected from roof and surface drainage. If water cannot be diverted from the areas, self-contained drainage systems that drain to sand filters shall be installed. The property owner/homeowner's association shall inspect and clean the filters as need.
8. The applicant shall submit a final landscape plan for approval by the City Planner prior to the issuance of a building permit. All landscaping shall be maintained and shall be designed with efficient irrigation practices to reduce runoff, promote surface filtration, and minimize the use of fertilizers, herbicides and pesticides. The landscape plan shall show each type, size and location of plant materials. The landscaping shall be installed prior to occupancy. Landscaping materials included on the plan shall be appropriate to site specific characteristics such as soil type, topography, climate, amount of timing of sunlight, prevailing winds, rainfall, air movement, patterns of land use, ecological consistency and plant interactions to ensure successful establishment. All landscaping on the site shall be adequately maintained and replaced when necessary as determined by the Planning Director.

9. All transformers, HVAC units, and 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 concrete or masonry walls, berming, painting and landscaping, to the satisfaction of the Planning Director.
10. Wastewater from vehicle and equipment washing operations shall not be discharged to the storm drain system.
11. Roof drains shall discharge and drain way from the building foundation to an unpaved area wherever practicable.
12. Declaration of Covenants, Conditions & Restrictions (CC&Rs). Prior to issuance of a building permit, the developer/owner shall prepare and record with the San Mateo County Recorder's Office a Declaration of Covenants, Conditions & Restrictions and Equitable Servitude's which shall run with the land and be binding on all future owners and occupants of each of the residential units within the subject property and their successors, heirs and assigns, and shall be approved as to form and content by the City Attorney and Planning Director, which accomplishes the following:
 - a) The Declaration shall be binding upon each of the owners of each of the residential units on the subject property and their heirs, successors and assigns.
 - b) There shall be a Homeowners Association to manage the project. The Declaration shall specify that the Homeowners Association shall be responsible for the repair, maintenance and replacement of the building exteriors, exterior lighting, common areas, utility areas within common areas, parking, landscaping and building signage, sanitary sewer, and private storm drain, and other features. Maintenance of the private storm drain shall be the responsibility of the applicant and property owners.
 - c) The Declaration shall establish standards and guidelines for the maintenance, repair and replacement, where applicable, of all building exteriors, exterior lighting, parking, landscaping, signage, sanitary sewer, private storm drain and other features and utility facilities within common areas, to the satisfaction of the City of Pacifica. Maintenance of the private storm drain shall be the responsibility of the applicant and property owners.
 - d) The Declaration shall establish a mechanism for placing assessments against the owners of all residential units within the subject property for the purpose of financing the maintenance, repair and replacement of the building exteriors, common areas, parking, landscaping and building signage. The assessments shall be apportioned in an equitable manner.
 - e) The assessments shall be made, work shall be contracted for, and funds shall be disbursed by such person ("Agent") as may be delegated from time to time, by the Homeowners Association. The project owner shall act as the Agent as

long as the project owner owns at least two of the units on the subject property.

- f) Any assessment not paid when due shall become a lien against the unit of the nonpaying owner, which lien may be foreclosed by the Agent.
- g) Communications. Each owner is responsible for, and shall agree to, furnish to each new tenant a copy of the CC&Rs prior to execution of a lease or purchase agreement for each unit.
- h) The Declaration shall establish procedures for designating a project "Manager," if different than the "Agent," who shall at all times be responsible for security and/or maintenance of the overall project. At all times the Manager shall provide his/her name and current phone number to the Planning Director, including any changes thereto.
- i) The Declaration shall include a provision that the provisions relating to this condition 11 shall not be amended without prior approval in writing from the City of Pacifica.
- j) The Declaration shall specify that the owners of each of the residential units on the subject property shall comply with all other applicable conditions of approval for the project.
- k) The Declaration shall name the City of Pacifica as a third party beneficiary with the right (but not the obligation) to enforce the provisions required to be included in the CC&Rs.

13. The property owner(s) shall keep the property in a clean and sanitary condition at all times.

14. All outstanding and applicable fees associated with the processing of this project shall be paid prior to the issuance of a building permit.

15. 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.

16. The applicant shall comply with all Mitigation Measures and implement the Mitigation, Monitoring and Reporting Program adopted as part of the Mitigated Negative Declaration (MDR) and attached to the Resolution Certifying the MDR. Prior to the Final Map approval, the project must demonstrate compliance with all mitigation measures or provide evidence ensuring that any future requirements of the mitigation measures will be met in accordance with the Mitigation, Monitoring and Reporting Program.

17. No building permit shall be issued until a Growth Management Ordinance allocation for each of the new residential units has been granted.
18. Increased storm water runoff shall be minimized by the applicant through the use of on-site detention facilities to the maximum extent feasible as determined by the Planning Director and City Engineer.

Public Works Department/Engineering Division:

19. 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.
20. Applicant shall install stainless steel railing to match existing railing on the seawall along the proposed elevated road as deemed necessary by the Director of Public Works or the City Engineer.
21. Applicant must submit a revised Tentative Map that has the signature and stamp of a qualified licensed surveyor or engineer.
22. Applicant shall submit a final map for the proposed condominium residential project. All required monumentation shall be shown on the map and set prior to recordation of the map.
23. Applicant shall enter into a Subdivision Improvement Agreement with the City of Pacifica to construct all on-site and off-site improvements, as depicted on the approved Tentative (Condominium) Map and any conditions imposed on this project, prior to approval of the final map.
24. Applicant shall submit design plans and necessary reports and engineering calculations for the construction of all on-site and off-site improvements, and they must be approved by the Director of Public Works or the City Engineer prior to the execution of the Subdivision Improvement Agreement. All plans, reports and calculations shall be signed and stamped by a qualified professional. The improvement plans shall include a topographic survey performed by a licensed surveyor. Construction of these improvements shall be to the satisfaction of the Director of Public Works or the City Engineer.
25. Should the applicant desire to record the final map prior to completion and acceptance of improvements, a bond in an amount determined by the Director of Public Works or the City Engineer shall be provided. The bond maybe in the form of cash, instrument of credit or surety bond.

26. Applicant shall maintain all on-site and off-site improvements constructed and modified for this project and shall enter into a Maintenance Agreement with the City prior to Final Map approval.
27. Applicant shall dedicate a Public Utility Easement for all utilities, including sanitary sewer and storm drain. This easement shall be a minimum 15 feet wide when feasible as determined by the City Engineer.
28. Applicant shall dedicate a Private Storm Drainage Easement for the proposed storm drain system. This system shall be privately maintained and must be designed for a 100-year storm and to the satisfaction of the Director of Public Works or the City Engineer.
29. Applicant shall dedicate a Public Access Easement and Emergency Vehicle Access Easement for the sidewalk and cul-de-sac that lie outside the public right-of-way.
30. 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.
31. Applicant shall grind a minimum of 2 inches of the existing Asphalt Concrete along Beach Blvd from Paloma Avenue to Bella Vista and replace in kind.
32. Applicant shall construct a standard curb ramp at each corner of Paloma Avenue and Beach Boulevard.
33. An Encroachment Permit shall be obtained for all work within City right-of-way. All proposed improvements within City right-of-way shall be constructed per City Standards.

Fire Department

34. The City's geotechnical consultant must evaluate design plans for the road leading into the building to ensure cliff side stability.
35. Since the cul-de-sac is not a full 66' in diameter, the entire cul-de-sac shall be red curbed and signs shall be installed stating "No Parking or Stopping – Fire Lane," to the satisfaction of the Fire Department.
36. A fire hydrant is shown on the south side of the building, half way into the building. This fire hydrant shall be relocated to the corner of Beach Boulevard and Paloma Avenue. The fire hydrant at the north side of the building shall remain as proposed.

Building Department

37. 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.

Wastewater Division of Public Works

38. 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 to current specifications and codes to satisfaction of the City Engineer.
39. No wastewater (including equipment cleaning wash water, vehicle wash water, cooling water, air conditioner condensate, and floor cleaning wash water) shall be discharged into the storm drain system.
40. The applicant shall install and maintain in functioning condition a grease interceptor at the proposed drainage inlet.
41. The design of all site improvements including any roadways, driveways and retaining walls, shall be submitted to the City for approval and peer review. The peer review shall insure that the improvements (1) will not cause any erosion, (2) will not result in flooding of any properties, (3) will not adversely surcharge, overstress or reduce the effectiveness or integrity of the existing sea wall, and (4) will not divert any additional water to neighboring properties.
42. The applicant shall install and maintain a 6-Inch Sanitary Sewer Lateral and a 6-Inch Sanitary Sewer Cleanout that will be located within the site's northern property line.
43. The applicant shall install concrete pavement for the proposed road along the property frontage.

Miscellaneous

44. A large private play area on the northern and eastern side of the project shall be designed to avoid any significant environmental impacts to accommodate the children from the nine (9) unit condominium complex and shall be clearly defined on the plans, prior to approval of the building permit.

45. A streetlight shall be installed in front of the nine (9) unit condominium complex and shall be designed to the satisfaction of the Planning Director.
46. Prior to the approval of the Subdivision Improvement Agreement, or, if no Subdivision Improvement Agreement is required, prior to final map, the applicant shall submit documentary proof of title for any property on which the project is located, subject to review by the City Attorney and the City Engineer

Notice

Pursuant to Government Code section 66020(d), the City hereby provides you with written notice that the above-described dedications, reservations and/or other exactions have been imposed on the approval of Coastal Development Permit, CDP-275-06, Site Development Permit, PSD-757-06, Use Permit, UP-965-06, and Tentative (Condominium) Subdivision Map, SUB-211-06. The 90-day period in which you may protest the above-described dedications, reservations and/or other exactions has begun. If you fail to protest the above-described dedications, reservations and/or other exactions pursuant to Government Code section 66020, you may be legally barred from filing a legal challenge. Any challenge may also be barred by other applicable provisions of law.

When you apply for a building permit, compliance with all conditions of approval should be indicated on the plans. If you have any questions, please call me at (650) 738-7341.

Sincerely,



Michael Crabtree
Planning Director

Attachment: MMRP

cc: Project File
Cecilia Quick, City Attorney
County Assessors/Building/Engineering
CHRON File

EXPIRATION DATES:

The Site Development Permit and User Permit will expire on **October 7, 2011** unless a building permit has been issued and construction started on the site and diligently pursued toward completion.

The Coastal Development Permit will expire on **March 7, 2011**.

The Tentative (Condominium) Subdivision Map will expire on **March 7, 2012** unless a final map has been approved and recorded with the County of San Mateo.

PLEASE NOTE THIS IS NOT A BUILDING PERMIT

RESOLUTION NO. 19-2007

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFICA
ADOPTING THE MITIGATED NEGATIVE DECLARATION AND ADOPTING
THE MITIGATION MONITORING AND REPORTING PROGRAM FOR A
NINE (9) UNIT CONDOMINIUM DEVELOPMENT AT 1567 BEACH
BOULEVARD (APN 016-011-190)**

Initiated: Bill Riddle of Best Design and Construction, on behalf of Pacifica Beach LLC

WHEREAS, an application has been submitted to develop a 17,962 square foot vacant parcel with a nine (9) unit condominium project on property classified R-3/CZ, Multiple-Family Residential within the Coastal Zone Combining District; and

WHEREAS, an appeal was filed on October 24, 2006 of the October 16, 2006 Planning Commission decision to approve the Coastal Development Permit, Site Development Permit, Use Permit, and Tentative (condominium) Subdivision Map; and

WHEREAS, said application includes a Coastal Development Permit, Site Development Permit, Use Permit, and Tentative (Condominium) Subdivision Map, for the construction of a nine (9) unit condominium project on the subject site; and

WHEREAS, the Mitigated Negative Declaration for the subject project consists of the Initial Study dated August 9, 2006, and the Mitigation Monitoring and Reporting Program attached as Exhibit "A", and the Planning Commission staff report and minutes of October 16, 2006; and

WHEREAS, a Mitigated Negative Declaration has been prepared, publicized, and reviewed in accordance with applicable law and, together with the City Council Agenda Summary Report of January 22, 2007, including Findings and Conditions of Approval contained within the Planning Commission staff report of October 16, 2006, constitutes an adequate, accurate, objective, and complete Mitigated Negative Declaration in accordance with the requirements of the California Environmental Quality Act (CEQA) and the State CEQA guidelines;

WHEREAS, the City Council held duly noticed public hearings on January 22, 2007, April 23, 2007 and May 14, 2007 to consider the Mitigated Negative Declaration, Coastal Development Permit, Site Development Permit, Use Permit, and Tentative (Condominium) Subdivision Map prior to taking action on the proposed project; and

WHEREAS, detailed plans, the Mitigated Negative Declaration, additional information and record of the proceedings regarding action on the subject project are available for public review in the Planning and Economic Development Department, 1800 Francisco Boulevard, Pacifica; and

WHEREAS, the City Council has independently reviewed and analyzed the Mitigated Negative Declaration and considered the information contained therein prior to adopting the Mitigated Negative Declaration; and

WHEREAS, the information and analysis contained in the Mitigated Negative Declaration reflect the City's independent judgment as to the environmental consequences of the proposed project; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Pacifica finds that on the basis of the whole record before it there is no substantial evidence that the proposed project, as conditioned, will have a significant effect on the environment and that the Mitigated Negative Declaration reflects the City Council's independent judgment and analysis.

BE IT FURTHER RESOLVED, that the City Council of the City of Pacifica finds that the changes made to the flood protection improvements and to the drainage system for the garage will more effectively reduce potential significant impacts identified in the Mitigated Negative Declaration and will not themselves result in any significant environmental impacts.

BE IT FURTHER RESOLVED, that the City Council of the City of Pacifica does hereby adopt the Mitigated Negative Declaration for the nine (9) unit condominium project located at 1567 Beach Boulevard.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Pacifica, California, held on May 14, 2007 by the following vote of the members thereof:

AYES, Councilmembers: Lancelle, Hinton, Vreeland & DeJarnatt

NOES, Councilmembers: None

ABSENT, Councilmembers: None

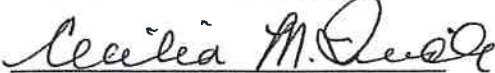
ABSTAIN, Councilmembers: Digre


Pete DeJarnatt, Mayor

ATTEST:

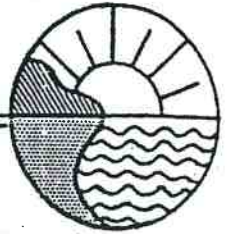

Kathy O'Connell, City Clerk

APPROVED AS TO FORM:


Cecilia Quick, City Attorney

STAFF REPORT

PLANNING COMMISSION-CITY OF PACIFICA



DATE: October 16, 2006

ITEM: 2

PROJECT SUMMARY/RECOMMENDATION AND FINDINGS

Notice of public hearing was published in the Pacifica Tribune on October 4, 2006 and 46 surrounding property owners and 54 residents were notified by mail.

FILE: CDP-275-06
PSD-757-06
UP-965-06
SUB-211-06

APPLICANT: William L. Riddle
Best Design & Construction
100 Old County Road, Ste 100 C
Brisbane, CA 94005

OWNER: Pacifica Beach LLC
428 Broadway
Millbrae, CA 94030

LOCATION: 1567 Beach Boulevard (APN: 016-011-190)

PROJECT DESCRIPTION: Construction of 9 Condominium Residential Units.

General plan: High Density Residential
Zoning: R-3/CZ, Multi-Family Residential/Coastal Zone

CEQA STATUS: Negative Declaration prepared and recommended for adoption.

ADDITIONAL REQUIRED APPROVALS: None

RECOMMENDED ACTION: Approval, as conditioned

R-3 STANDARDS CONFORMANCE AND ARTICLE 24 CLUSTER HOME REQUIREMENTS:

| Standards | Required | Existing | Proposed |
|---------------------|-------------------|-----------------|-----------------------|
| Lot Area | 5,000 s.f. | 17,962 s.f. | No Change |
| Lot Width | 50' | 102.5' | No Change |
| Bldg. Height | 35' (max.) | N/A | 34'-10" |
| Lot Coverage | 60% | N/A | 58.9% |
| Landscaping | 20% | N/A | 22% |
| Useable Open Space: | | | |
| -single family | 450 s.f. per unit | N/A | 467 s.f. per unit |
| Private Open Space | 150 s.f. per unit | N/A | 150 s.f. – 1,735 s.f. |
| Bldg. Setbacks: | | | |
| -Front (west): | 15' | N/A | 20' |
| -garage | 20' | N/A | 20' |
| -side (north) | 5' | N/A | 5' |
| -Side (south) | 5' | N/A | 5' |
| -rear (east) | 20' | N/A | 20' |
| Parking: | | | |
| -multi-family | 18 | N/A | 18 |
| -guest Parking | 2 | N/A | 3 |

PROJECT SUMMARY

DISCUSSION

1. Project Description/Background: The applicant proposes to develop the subject property with a three-story building consisting of approximately 10,575 square feet of subterranean garage area and nine (9) condominium residential units with three levels of living area totaling approximately 18,768 square feet. Each condominium would contain 3 bedrooms with 2-1/2 baths. Building height would be approximately 34 feet 10 inches. The total living area of the residential units would range between 2,011 to 2,269 square feet. There will be 4,211 square feet of common and private open space. The subterranean garage would provide twenty-one (21) garage parking spaces; two for each unit and three guest spaces. Storage area for each residential unit will also be provided within the garage area. Access to parking area would be provided via a 20-foot wide driveway off Beach Boulevard. The entrance to the garage would be located on the north side of the building. Retaining walls are also being proposed along the west and east sides of the driveway. The retaining wall west of the driveway would be 0.5 to 1.2 feet high above grade. The plans also show the height of the retaining wall east of the driveway to be 3.8 to 6.5 feet in height. They would all comply with the City's height regulations pertaining to retaining walls. The proposal also includes 3,915 square feet of on-site landscaping which meets the minimum requirement of the Zoning Ordinance. The applicant is also proposing to landscape 603 square feet of public right-of-way located along the north side of the subject site.

An encroachment permit would be required to allow landscaping on City right-of-way. Space for a fire truck turnaround would also be provided as required by the Fire Department in the front area of the proposed building. A portion of the turnaround would be located within the front property boundaries of the subject site. No on-street parking would be allowed within the turnaround area. Currently, there is no existing on-street parking within this area. Therefore, no on-street parking would be affected by the turnaround. In addition, the Fire Department will not allow vehicles to pick up and drop off passengers within the turnaround area.

The proposed plans call for an increase of the local seawall directly in front of the subject site from 23.7 feet to 27 feet to protect Beach Boulevard and the proposed below-grade garage from wave overtopping. The road (Beach Boulevard) in front of the proposed development is required to be improved to accommodate the fire turn around and access to the garage. This portion of the road would be elevated and aligned with the seawall improvements. Thus, there would be virtually no visible changes to the existing seawall due to the road alignment.

Each unit would be owned separately, with maintenance of the building and common areas regulated by a property homeowners association.

The site originally consisted of seven lots. The lots were merged into one 17,962 square foot lot in 1985 under the City's Merger Ordinance. The subject property is relatively flat and is located on the north end of Beach Boulevard in the West Sharp Park neighborhood. The site directly fronts the Pacific Ocean and is partially covered with ice plant, small shrubs and non-heritage trees. The vacant site was originally developed with a two-story single family residence, and a two-car detached garage. The residence was demolished approximately two years ago. The detached garage remains on the site.

On July 18, 2005, the Planning Commission held a study session and reviewed an earlier version of the currently proposed 9 unit condominium residential project.

2. Zoning, General Plan, Local Coastal Land Use Plan, and Surrounding Land Uses: The property is zoned R-3, Multi-Family Residential and is located within the Coastal Zone Combining District. The General Plan and Local Coastal Land Use Plan designation for the subject property is High Density Residential. The General Plan and Local Coastal Land Use Plan establish a maximum density of 16 to 21 dwelling units per acre. The size of the lot is 17,962 square feet which would permit a total of 8.6 dwelling units. The R-3 zoning also requires a minimum lot area of 2,075 square feet per unit. Section 9-4.2312 of the Municipal Code allows rounding when calculating density. Therefore, a total of 9 units would be permitted.

The subject property fronts the Pacific Ocean on the west side. Other surrounding uses include single-family residences to the north, four-plex, single-family, duplex, and triplex residential structures to the south, and a large 3-story 71 unit apartment complex to the east. Further west is the City's Wastewater Treatment Plant, which is the subject of an ongoing reuse study. The construction of nine (9) condominium residential units would be consistent with the General

Plan, Local Coastal Land Use Plan, zoning designation, Design Guidelines, and surrounding land use.

3. Design Guidelines: Based on the existing plans, the project is consistent with the applicable provisions of the City's Design Guidelines regarding infill development. Current compliance with the Design Guidelines includes sufficient architectural detail for cohesiveness, visual relief and variety. The three-story building would incorporate variety in the type of materials and rooflines while maintaining a cohesive style that would be compatible with the existing mixed development in the West Sharp Park neighborhood. In addition, every residential unit will have private courtyards and/or balconies and sufficient common and private open space. Proposed exterior features include steeped pitch roofs with dormers, slate tile roofing, stucco exterior walls and river stone facing on the first level. The front area also seems to employ some interesting architectural elements that give it visual interest. The project will be sufficiently landscaped along Beach Boulevard and north of the proposed building, meeting City standards and adding interest to the streetscape.

4. Municipal Code and Regulatory Standards: The nine (9) condominium residential unit development meets the applicable zoning ordinance regulations for multi-family residential and clustered development including minimum lot area per dwelling unit, site coverage, front setbacks, sideyard setbacks, rear setbacks, parking, landscaping, open space, private open space, storage space, and structure height.

In terms of parking, a total of 20 parking spaces would be required by the Zoning Code for the proposed residential use and a total of 21 parking spaces would be provided. Multi-family residential projects with two or more bedrooms require two parking spaces. Nine of these parking spaces must be in a garage or carport. In addition, one space to accommodate guest parking must be provided for every four (4) units.

As shown on the site plan, the applicant is proposing a total of 16 full size parking spaces including a handicapped space and 5 compact spaces (18 residential spaces and, 3 guest parking spaces). Therefore, the project complies with the required on-site parking requirements. Further, the City's Design Guidelines state that "the visual impact of parking areas should be minimized when appropriate to the site by locating parking areas to the rear or side of the property, rather than along the frontages." The proposed off-street parking would all be located inside a garage and would have minimal visual impacts. In addition, the garage entrance will be located on the north side of the building further enhancing the front area.

5. Use Permit: Pursuant to the provisions of the Zoning Code, the Commission may grant a Use Permit only upon making all of the following findings:

1. That the establishment, maintenance, or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety and welfare of the persons residing or working in the neighborhood or to the

general welfare of the City.

2. That the use or building applied for is consistent with the applicable provisions of the General Plan and other applicable laws of the City and, where applicable, the Local Coastal Plan.
3. Where applicable, that the use or building applied for is consistent with the City's adopted Design Guidelines.

Staff believes that the proposed building containing a total of nine (9) condominium residential units will not, under the circumstances of the particular case, be detrimental to the health, safety and welfare of the persons residing or working in the neighborhood or to the general welfare of the City; and that the use is consistent with the City's adopted Design Guidelines, applicable provisions of the General Plan, Local Coastal Use Plan, and other applicable laws of the City. Staff also believes that the project, as conditioned, will be compatible with the character of the surrounding land use, and will not affect traffic circulation in the area or obstruct light normally enjoyed by the adjacent properties.

6. Site Development Permit: Pursuant to Section 9-4.3204 of the Zoning Code, a Site Development Permit shall not be issued if the Commission makes any of the findings regarding potential traffic hazards, parking accessibility problems, insufficiently landscaped areas, the restriction of light and air on the property or other properties in the area, the creation of a substantial detriment to an adjacent residential district, damage to the natural environment, and insufficient site and structural design variety. In addition, the proposed development must be consistent with the City's Design Guidelines, General Plan, Zoning Code and other applicable laws of the City. Staff believes that the design is consistent with the character of the surrounding mixed neighborhood; that it will not create inconvenient traffic patterns, and the proposal will not restrict light or air to surrounding buildings or discourage additional development in the area. Additionally, the proposal would enhance the design variety of the area and will not affect the surrounding natural environment.

7. Coastal Development Permit: Section 9-4304 (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; and
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.

Staff believes that the proposed building containing nine (9) condominium residential units is in conformity with the City's Local Coastal Program, and public recreation policies of Chapter 3 of the California Coastal Act. The project is located on an infill site, surrounded predominately by residential development. The project is consistent in scale compared to surrounding areas and will have limited, if any, visual consequences. Additionally, staff believes that the project will not negatively impact any access to existing coastal recreation facilities, nor will it increase the demand for additional facilities or negatively affect any existing oceanfront land or other coastal area suitable for recreational use.

8. Environmental Review (CEQA): A Mitigated Draft Negative Declaration has been prepared and circulated. The Draft Mitigated Negative Declaration was available for public review and comment for 30 days, beginning August 9, 2006, and ending September 8, 2006. No comments were received. Based on the findings of the Initial Study including the attached mitigation monitoring program, as prepared for the project, it has been determined that the project could have a significant impact upon the environment regarding Geology and Soils, Hydrology and Water Quality, and Aesthetics (visual), but with implementation of the proposed and agreed-upon mitigation measures the potential impacts will be avoided or reduced to insignificant levels. It has also been determined that the project will not have a significant adverse affect upon wildlife resources or the habitat upon which wildlife depends, either individually or cumulatively. Therefore, a Mitigated Negative Declaration has been prepared and attached for adoption (see attachment b & c). Below is a discussion of the three major issues addressed in the Negative Declaration: geology and soils, hydrology and water quality, and aesthetics.

Geology and Soils - The applicant submitted a supplemental geotechnical report and coastal hazard studies for the project site. The supplemental geotechnical report augments a previous geotechnical investigation prepared for the subject site. These reports were also peer reviewed by the City's geotechnical consultant. According to the supplemental geotechnical report, there have been no reported occurrences of permanent ground deformation in the site area during major, historic earthquakes. Based on the studies performed for the site, it was determined that liquefaction at the site to be low. Given a low liquefaction potential, the supplemental geotechnical report concludes that the risk is also low for lateral spreading or earthquake-induced landsliding of the bluff affecting the site.

Moreover, all proposed development on the site would be constructed according to Uniform Building Code requirements and based upon the observed geologic conditions of the site. The project is an infill site, surrounded by existing roads and other development.

As such, the Project is feasible from a geotechnical standpoint. Any significant impact to Geology and Soils would be reduced below the level of significance with implementation of the recommended mitigation measures listed in the Mitigation Monitoring Program:

Hydrology and Water Quality - The project involves construction of housing within the 100-year flood zone. The site is also adjacent to areas of 100-year coastal flood with velocity (wave

action); base flood elevations and flood hazard areas. A Tsunami hazard evaluation was performed by Skelly Engineering for the subject site on October 31, 2005. According to the plans, the site is fronted by a quarry stone revetment and is about 30 feet above Mean Sea Level. In light of recent events, Skelly Engineering examined tsunami damage in southern Thailand. Areas behind even low height seawalls experienced far less damage than unprotected areas. Structures built to a reasonable building code (UBC) did not experience damage as significant as poorly constructed structures. Skelly Engineering concluded that since the proposed development is designed to code (UBC), is protected by a quarry stone revetment, and is over 25 feet above sea level it is reasonably safe from tsunami hazards. A peer review of the Skelly Engineering Tsunami hazard evaluation was performed by the City's Geotechnical consultant, Cotton Shires and Associates on November 18, 2005. Cotton, Shires and Associates were satisfied with the tsunami analysis performed by Skelly Engineering.

Seawall

A coastal hazard study for the subject site was also performed by Skelly Engineering in May 2004. According to Skelly Engineering, the Beach Boulevard revetment and wall system is severely overtopped at elevations of about +23 feet MSL. The overtopping occurs on average a few times per year. The wave driven water coming over the top of the wall is observed to be between 1 to +2 feet in height. This would dictate that the revetment/seawall system needs to be at least to +25 feet MSL in height to provide full protection to below-grade garage and the site.

As a result, the applicant modified the proposed plans to increase the existing seawall directly in front of the subject site from 23.7 feet to 27 feet such that the proposed below-grade garage will be more protected from wave overtopping. The entrance to the garage was also shifted from Beach Boulevard to the north side of the building. As mentioned earlier, the road (Beach Boulevard) in front of the proposed development is required to be improved to accommodate the fire turn around and access to the garage. This portion of the road will be raised and aligned with the proposed seawall height extension. Both the road and seawall would be at the same elevation. As a result, the modified seawall would look visually the same as the existing seawall. As such, no aesthetic impacts would result by raising the existing seawall. However, staff is recommending a condition of approval that the final design of the seawall be reviewed and approved by the Planning Director and Public Works Director.

On April 13, 2006, the City's geotechnical consultant reviewed the revised plans. They were still concerned that although the potential for overtopping of the seawall will be reduced, the potential for temporary flooding of the garage remains as indicated on the project plans. Additional discussion of potential for flooding at the subject site was provided by the applicant's engineer. As currently designed, the proposed project meets the current standards for coastal engineering and the current standards and guidelines for mitigation of coastal hazards. The project also conforms to FEMA standards and guidelines for coastal development. Under rare (extreme design) conditions the garage area of the proposed development may be subject to some flooding. However, due to the elevation of the shore protection fronting the site, the setback of

the development from the shoreline, the orientation of the garage entrance, the drainage within the garage, and the flood management plan, the likelihood that water will enter the garage is relatively small. Any water that does enter the garage will be evacuated by a pumping system. This analysis from Skelly Engineering was reviewed by the City's geotechnical consultant, Cotton, Shires and Associates and the City's Engineering Division of Public Works. All parties accepted the discussion from Skelly Engineering regarding flooding hazards.

The proposed project is located well above the beach level. The finished floor of the garage is at elevation +21.5 MSL. In addition, the wave runup will have to travel over the top of the new shore protection at elevation +27 feet MSL. With respect to drainage of the proposed garage, the proposed sump pump would remove standing water and drain it to the City sanitary sewer. The garage floor would be sloped toward the center to help confine standing water in that area. If the sum pump is unable to keep up with the water for any period, the sloped garage floor would help lift the parked automobiles out of any temporary standing water. Additionally, the concrete of the garage floor is proposed to have a textured no-slip finish to avoid slip and fall hazards from standing water. The CC&R's will also require that all other storage be off the ground.

Additionally, Coastal Act Policy 26 (a) states that new development shall minimize risks to life and property in areas of high geologic, flood and fire hazard. In this case, the proposed seawall height extension would minimize risks to life and property that is located in a flood zone by protecting the existing road (Beach Boulevard) and the proposed below-grade garage from wave overtopping.

Further, Coastal Act Policy 26 (b) states that new development shall assure stability and structural integrity and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. The project involves an increase in height to an existing seawall by 3.3 feet. No natural landforms would be altered along the bluff area. The increase in height of the seawall is necessary to protect the road (Beach Boulevard) and the new structure from wave action.

California Coastal Commission staff was contacted on August 1, 2006 regarding the proposed increase in height of the seawall. Staff stated that they have little concern over the proposed height extension of an existing seawall, especially because the subject property opposite the seawall is an infill site.

Once the final design for the project has been determined, Cotton, Shires and Associates recommends that the design be reviewed by Skelly Engineering for compliance with their May 2004 report and for suggestion of possible design features to minimize or eliminate adverse impact due to waver overtopping. As a mitigation measure, the applicant would be required to submit final plans to Skelly Engineering for review to the satisfaction of the City Engineer and will also be required to be peer reviewed by the City's geotechnical consultant.

Aesthetics - There are specific scenic vistas designated in the Pacifica General Plan along Highway 1, but none are located within the project site. The project is not located near a designated state scenic highway nor is it visible from Highway 1.

Additionally, Coastal Act Policy No. 24 requires that "the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to, and along, the ocean and scenic coastal areas, to minimize the alteration of natural landforms, to be visually compatible with the character of surrounding areas, and where feasible, to restore and enhance visual quality of visually degraded areas." The project may impair or eliminate private coastal views from nearby existing residential structures, in much the same way that the view of others further inland is altered by the presence of those homes. The project aesthetic impacts are considered less than significant because the general public view is not appreciably affected and because the alteration of private views is consistent with the effect of development in urban Pacifica.

Immediately adjacent is a two-story apartment complex south of the site and two and one story single-family residential structures north of the site. A large three story 71 unit apartment building exists to the rear (east) of the subject site. While the City's Design Guidelines encourage avoidance of negative impacts to such views, private views are not protected by any City ordinances.

The future construction of nine (9) residential units would include indoor lighting, and outdoor lighting for safety purposes, that would be visible from a distance. As a mitigation measure, outdoor lighting would need to be designed to minimize glare and spillover to surrounding properties. Regarding daytime glare, the future construction of nine (9) condominium units will be required to use non-mirrored glass to minimize daytime glare as a mitigation measure.

5. Staff Analysis: Based upon the above discussion, staff believes the findings necessary to grant the Coastal Development Permit, Site Development Permit, Use Permit, and Tentative (Condominium) Subdivision Map for the proposed project can be made, and has determined that the proposal is consistent with the General Plan, Local Coastal Plan and other applicable policy documents. For example, the goals of the Housing Element of the General Plan state in part:

- Strive to provide a decent home and satisfying environment for each resident; and,
- Protect the social mix, variety, and fundamental character of each neighborhood by providing for the safety and welfare of all residents equally.

Staff believes that the proposal preserves and enhances the mix of uses in the area, and provides additional housing opportunities in the area. The proposal will not disturb the existing neighborhood character. The subject property is surrounded by existing single family residential structures to the north, four-plex, single-family, duplex, and triplex residential structures to the south, and a large three-story apartment complex containing 71 units directed to the rear of the

property. The proposal does not appear to be out of character with the existing mix of land uses. A multi-residential development appears to be consistent with the types of future uses anticipated in the area and with the residential nature of the neighborhood.

Additionally, the West Sharp Park district policy in the Land Use Element further states that the City should “protect and continue the low and moderate income housing which provides the unique character and social mix of the neighborhood.”

The project contains nine (9) condominium residential units that are designed in an attached configuration that is considered to be more affordable than single-family homes on single-family lots. The proposed 9 units would be developed at a high density, which is higher than the low-density developments throughout West Sharp Park. These higher density homes would add to the median priced housing stock of the city in conformance with this Coastal Act Policy and would not threaten the low and moderate income housing which provides the unique character and social mix of the neighborhood.

RECOMMENDATIONS AND FINDINGS

B. Recommendation:

Staff recommends that the Planning Commission APPROVE Coastal Development Permit (CDP-275-06), Site Development Permit (PSD-757-06), Use Permit, (UP-965-06) and Tentative (Condominium) Map (SUB-211-06), to allow the construction of nine (9) condominium residential units at 1567 Beach Boulevard (APN 016-011-190), subject to the following conditions:

Planning Department:

1. Development shall be substantially in accord with the Plans titled “NEW CONSTRUCTION OF 9 UNIT CONDOMINIUM BUILDING, 1567 BEACH BLVD., PACIFICA, CA,” consisting of fifteen (15) sheets revised on 01/2006.
2. As a condition of the Tentative (Condominium) Map, the subdivider shall defend, indemnify, and hold harmless the City of Pacifica and its agents, officers, and employees from any claim, action, or proceeding against the City of Pacifica and its agents, officers, or employees to attack, set aside, void, or annul approval of subdivision, SUB-211-06. Pursuant to this condition, the City of Pacifica shall promptly notify the subdivider of any claim, action, or proceeding regarding the subdivision, and the City of Pacifica shall cooperate fully in the defense of such claim, action, or proceeding.
3. As a condition of the Coastal Development Permit, Site Development Permit and Use Permit, 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.

4. The final design of the seawall shall be reviewed by and subject to the approval of the Planning Director and Public Works Director.
5. Prior to the issuance of a building permit, the applicant shall submit information on exterior finishing, including colors and materials, subject to approval by the Planning Director.
6. All project-related easements shall be to the satisfaction of the City Engineer, Planning Director and City Attorney, and shall be recorded prior to or concurrent with the Final Map.
7. Trash enclosures and dumpster areas must be covered and protected from roof and surface drainage. If water cannot be diverted from the areas, self-contained drainage systems that drain to sand filters shall be installed. The property owner/homeowner's association shall inspect and clean the filters as need.
8. The applicant shall submit a final landscape plan for approval by the City Planner prior to the issuance of a building permit. All landscaping shall be maintained and shall be designed with efficient irrigation practices to reduce runoff, promote surface filtration, and minimize the use of fertilizers, herbicides and pesticides. The landscape plan shall show each type, size and location of plant materials. The landscaping shall be installed prior to occupancy. Landscaping materials included on the plan shall be appropriate to site specific characteristics such as soil type, topography, climate, amount of timing of sunlight, prevailing winds, rainfall, air movement, patterns of land use, ecological consistency and plant interactions to ensure successful establishment. All landscaping on the site shall be adequately maintained and replaced when necessary as determined by the Planning Director.
9. All transformers, HVAC units, and 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 concrete or masonry walls, berming, painting and landscaping, to the satisfaction of the Planning Director.
10. Wastewater from vehicle and equipment washing operations shall not be discharged to the

storm drain system.

11. Roof drains shall discharge and drain way from the building foundation to an unpaved area wherever practicable.
12. Declaration of Covenants, Conditions & Restrictions (CC&Rs). Prior to issuance of a building permit, the developer/owner shall prepare and record with the San Mateo County Recorder's Office a Declaration of Covenants, Conditions & Restrictions and Equitable Servitude's which shall run with the land and be binding on all future owners and occupants of each of the residential units within the subject property and their successors, heirs and assigns, and shall be approved as to form and content by the City Attorney and Planning Director, which accomplishes the following:
 - a) The Declaration shall be binding upon each of the owners of each of the residential units on the subject property and their heirs, successors and assigns.
 - b) There shall be a Homeowners Association to manage the project. The Declaration shall specify that the Homeowners Association shall be responsible for the repair, maintenance and replacement of the building exteriors, exterior lighting, common areas, utility areas within common areas, parking, landscaping and building signage, sanitary sewer, and private storm drain, and other features. Maintenance of the private storm drain shall be the responsibility of the applicant and property owners.
 - c) The Declaration shall establish standards and guidelines for the maintenance, repair and replacement, where applicable, of all building exteriors, exterior lighting, parking, landscaping, signage, sanitary sewer, private storm drain and other features and utility facilities within common areas, to the satisfaction of the City of Pacifica. Maintenance of the private storm drain shall be the responsibility of the applicant and property owners.
 - d) The Declaration shall establish a mechanism for placing assessments against the owners of all residential units within the subject property for the purpose of financing the maintenance, repair and replacement of the building exteriors, common areas, parking, landscaping and building signage. The assessments shall be apportioned in an equitable manner.
 - e) The assessments shall be made, work shall be contracted for, and funds shall be disbursed by such person ("Agent") as may be delegated from time to time, by the Homeowners Association. The project owner shall act as the Agent as long as the project owner owns at least two of the units on the subject property.
 - f) Any assessment not paid when due shall become a lien against the unit of the nonpaying owner, which lien may be foreclosed by the Agent.
 - g) Communications. Each owner is responsible for, and shall agree to, furnish to each new tenant a copy of the CC&Rs prior to execution of a lease or purchase agreement for each unit.
 - h) The Declaration shall establish procedures for designating a project "Manager," if different than the "Agent," who shall at all times be responsible for security and/or

maintenance of the overall project. At all times the Manager shall provide his/her name and current phone number to the Planning Director, including any changes thereto.

- i) The Declaration shall include a provision that the provisions relating to this condition 11 shall not be amended without prior approval in writing from the City of Pacifica.
 - j) The Declaration shall specify that the owners of each of the residential units on the subject property shall comply with all other applicable conditions of approval for the project.
 - k) The Declaration shall name the City of Pacifica as a third party beneficiary with the right (but not the obligation) to enforce the provisions required to be included in the CC&Rs.
13. The property owner(s) shall keep the property in a clean and sanitary condition at all times.
14. All outstanding and applicable fees associated with the processing of this project shall be paid prior to the issuance of a building permit.
15. 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.
16. The applicant shall comply with all Mitigation Measures and implement the Mitigation, Monitoring and Reporting Program adopted as part of the Mitigated Negative Declaration (MDR) and attached to the Resolution Certifying the MDR. Prior to the Final Map approval, the project must demonstrate compliance with all mitigation measures or provide evidence ensuring that any future requirements of the mitigation measures will be met in accordance with the Mitigation, Monitoring and Reporting Program.
17. No building permit shall be issued until a Growth Management Ordinance allocation for each of the new residential units has been granted.
18. Increase storm water runoff shall minimize through the use of on-site detention facilities to the maximum extent feasible as determined by the Planning Director and City Engineer.
- Public Works Department/Engineering Division:
19. 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.

20. Applicant shall install stainless steel railing to match existing along the proposed wall addition to the existing seawall.
21. Applicant must submit a revised Tentative Map that has the signature and stamp of a qualified licensed surveyor or engineer.
22. Applicant shall submit a final map for the proposed condominium residential project. All required monumentation shall be shown on the map and set prior to recordation of the map.
23. Applicant shall enter into a Subdivision Improvement Agreement with the City of Pacifica to construct all on-site and off-site improvements, as depicted on the approved Tentative (Condominium) Map and any conditions imposed on this project, prior to approval of the final map.
24. Applicant shall submit design plans and necessary reports and engineering calculations for the construction of all on-site and off-site improvements, and they must be approved by the Director of Public Works or the City Engineer prior to the execution of the Subdivision Improvement Agreement. All plans, reports and calculations shall be signed and stamped by a qualified professional. The improvement plans shall include a topographic survey performed by a licensed surveyor. Construction of these improvements shall be to the satisfaction of the Director of Public Works or the City Engineer.
25. Should the applicant desire to record the final map prior to completion and acceptance of improvements, a bond in an amount determined by the Director of Public Works or the City Engineer shall be provided. The bond maybe in the form of cash, instrument of credit or surety bond.
26. Applicant shall maintain all on-site and off-site improvements constructed and modified for this project and shall enter into a Maintenance Agreement with the City prior to Final Map approval.
27. Applicant shall dedicate a Public Utility Easement for all utilities, including sanitary sewer, that lie outside the public right-of-way.
28. Applicant shall dedicate a Private Storm Drainage Easement for the proposed storm drain system. This system shall be privately maintained and must be designed for a 100-year storm and to the satisfaction of the Director of Public Works or the City Engineer.

29. Applicant shall dedicate a Public Access Easement and Emergency Vehicle Access Easement for the sidewalk and cul-de-sac that lie outside the public right-of-way.
30. 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.
31. Applicant shall grind a minimum of 2 inches of the existing Asphalt Concrete along Beach Blvd from Paloma Avenue to Bella Vista and replace in kind.
32. Applicant shall construct a standard curb ramp at each corner of Paloma Avenue and Beach Boulevard.
33. An Encroachment Permit shall be obtained for all work within City right-of-way. All proposed improvements within City right-of-way shall be constructed per City Standards.

Fire Department

34. The City's geotechnical consultant must evaluate design plans for the road leading into the building to ensure cliff side stability..
35. Since the cul-de-sac is not a full 66' in diameter, the entire cul-de-sac shall be red curbed and signs shall be installed stating "No Parking or Stopping – Fire Lane," to the satisfaction of the Fire Department.
36. A fire hydrant is shown on the south side of the building, half way into the building. This fire hydrant shall be relocated to the corner of Beach Boulevard and Paloma Avenue. The fire hydrant at the north side of the building shall remain as proposed.

Building Department

37. 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.

Wastewater Division of Public Works

38. 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 to current specifications and codes to satisfaction of the City Engineer.

39. No wastewater (including equipment cleaning wash water, vehicle wash water, cooling water, air conditioner condensate, and floor cleaning wash water) shall be discharged into the storm drain system.

C. **FINDINGS:**

1. **Adoption of Mitigated Negative Declaration:** The Planning Commission finds that on the basis of the Mitigated Negative Declaration and the whole record before it, that there is no substantial evidence that the proposed project, as conditioned, will have any significant adverse impacts on the environment. The Commission also finds that the Mitigated Negative Declaration reflects the Commission's independent judgment and analysis.

2. **Findings for Tentative (Condominium) Map:** The Planning Commission finds that the proposed Tentative (Condominium) Map and design and improvements of the proposed condominium subdivision, as conditioned, are consistent with the applicable portions of the General Plan, Local Coastal Program Land Use Plan, and Zoning Ordinance. In addition, the Commission finds that the site is physically suitable for the type and density of development, no substantial environmental damage will be caused by the project, and no public health problems will result from development of the subject parcel. The property is an infill site surrounded by existing residential development.

3. **Findings of Approval for Site Development Permit:** The Planning Commission determines that the proposed nine (9) unit condominium residential development, as conditioned, is consistent with the General Plan, Local Coastal Program Land Use Plan, Zoning Ordinance and applicable City laws. Specifically, the location, size and intensity of the proposed condominium project, including design, is consistent with the character of the surrounding neighborhood; and the proposal will not restrict light or air to surrounding buildings or discourage additional residential development in the area. Adequate landscaping would be provided on the site. The proposal enhances the design variety of the area and would not impact traffic patterns in the vicinity. The Commission also finds that, as conditioned, the proposal is consistent with the applicable provisions of the City's Design Guidelines.

4. **Findings for Approval of a Use Permit:** The Planning Commission finds that the proposed nine (9) unit condominium development will not, under the circumstances of the particular case, be detrimental to the health, safety and welfare of the persons residing or working in the neighborhood or to the general welfare of the City; and that the use is consistent with the City's adopted Design Guidelines, applicable provisions of the General Plan, Design Guidelines, and other applicable laws of the City. In particular, the Commission finds that the project, as conditioned, will be compatible with the character of the surrounding land use, and will not affect traffic circulation in the area. The Commission further finds that the proposal will not obstruct light normally enjoyed by the adjacent properties, and the quality of building design and materials is equal to or greater than that of the surrounding development.

5. Findings for Approval of Coastal Development Permit: The Planning Commission finds that the proposed nine (9) unit condominium residential development is, as conditioned, in conformity with the City's Local Coastal Program, and Public recreation policies of Chapter 3 of the California Coastal Act. In particular, the proposal is located on an infill site, surrounded predominately by residential development. The project is consistent in scale compared to surrounding areas and will have limited, if any, visual consequences. The project will not negatively impact any access to existing coastal recreation facilities, nor will it 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 cumulative, on coastal resources. Additionally, the proposed condominium development would provide necessary housing opportunities in the area.

COMMISSION ACTION

D. MOTION FOR APPROVAL:

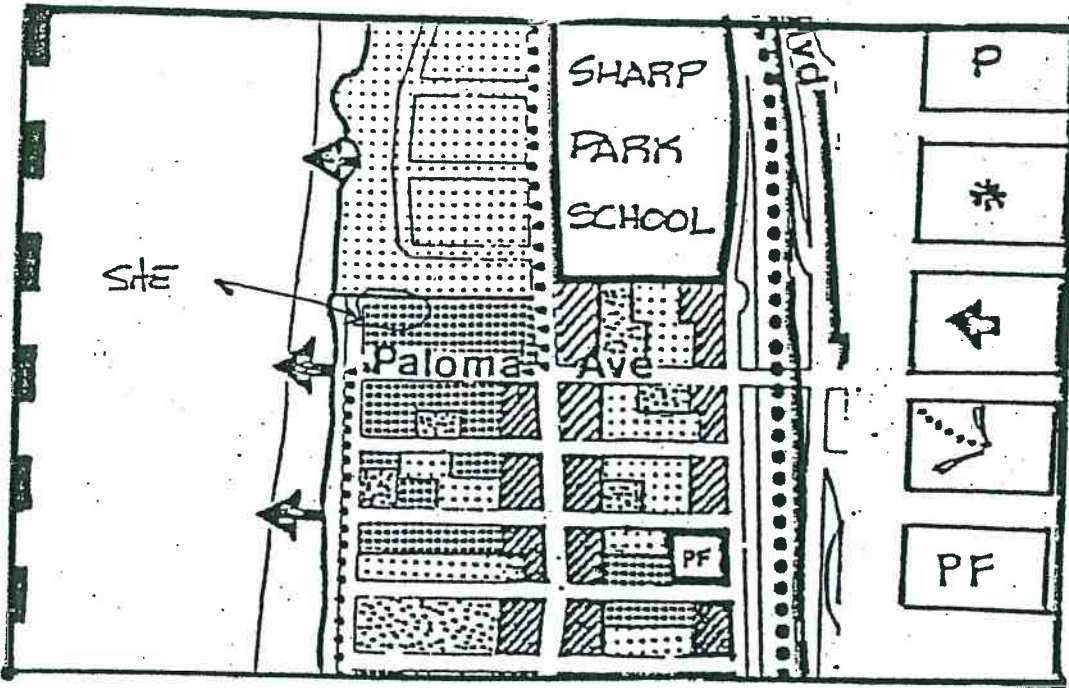
Move that the Planning Commission **ADOPT** the attached resolutions next in order entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PACIFICA ADOPTING THE MITIGATED NEGATIVE DECLARATION FOR A NINE (9) UNIT CONDOMINIUM DEVELOPMENT AT 1567 BEACH BOULEVARD (APN 016-011-190)," and **APPROVE**, CDP-275-06, PSD-757-06, UP-965-06, and SUB-211-06, subject to conditions one (1) through thirty-nine (39), and adopt the findings contained in the October 16, 2006 staff report and incorporate all maps and testimony into the record by reference.

Attachments:

- a. Land Use and Zoning Exhibit
- b. Mitigated Negative Declaration
- c. Resolution (Adoption of Mitigated Negative Declaration) and Mitigation, Monitoring and Reporting Plan
- d. Conceptual Plans (Planning Commission only)

General Plan Diagram

Existing Designation: **High Density Residential**



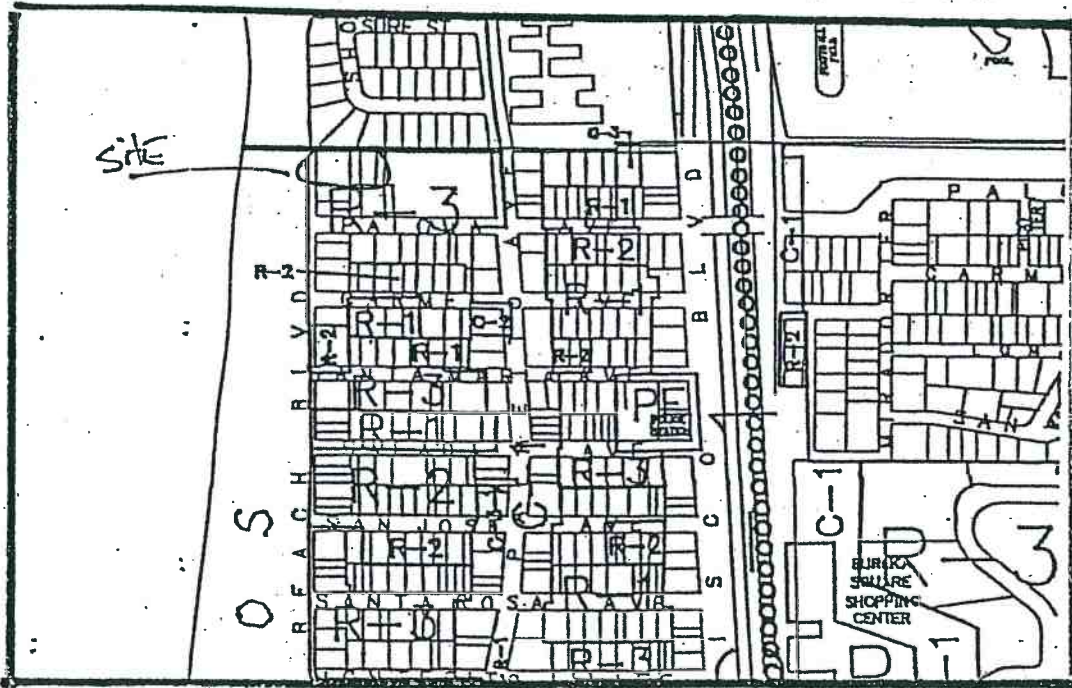
Legend

- VERY LOW DENSITY RESIDENTIAL
- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- HIGH DENSITY RESIDENTIAL
- MIXED USE/ HIGH DENSITY/ COMM.
- COMMERCIAL
- GENERAL COMMERCIAL
- OPEN SPACE RESIDENTIAL
- GREENBELT
- PROMINENT ROSELINE
- SPECIAL AREA
- MARSH
- OPEN SPACE / PUBLIC FACILITY
- PROPOSED PARKING
- NEIGHBORHOOD PARK
- DEVELOPED / PROPOSED BEACH ACCESS
- NORTH-SOUTH CITY TRAIL
- PUBLIC FACILITY
- UTILITIES
- AGRICULTURE
- DUNES
- FIRE STATION

Neighborhood: **WEST SHARP PARK**

Zoning Map Diagram

Existing Classification: **R-3, Multiple-Family Residential**



Legend

ZONING DISTRICTS

- R-1 Single-Family Residential
- R-2 Two-Family Residential
- R-3 Multiple-Family Residential
- R-3-1 Multiple-Family Residential
- R-3-G Multiple-Family Residential Garc
- R-5 High Rise Apartment
- C-1 Neighborhood Commercial
- C-1-A Commercial Apartment
- C-2 Community Commercial
- C-3 Service Commercial
- C-4 Professional Office
- C-5 Commercial Recreation
- M-1 Controlled Manufacturing
- M-2 Industrial
- P Parking
- A Agricultural
- B-1 Lot Size Overlay
- P-F Public Facilities
- P-D Planned Development
- R-M Resource Management
- O-S Open Space
- R-3/L.D. Multiple-Family/Low Density Residential
- R-1-H Single-Family Residential Hillside
- CZ Coastal Zone Combining District
- SA Special Area Combining District
- HPD Hillside Preservation District

- + Requires Vote to Rezone
- X Vote Required for Residential Develop

ATTACHMENT 2



LAND USE & ZONING EXHIBIT

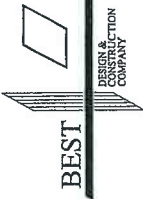
City of Pacifica

Planning & Economic Development Department



NORTH

Scale:
N.T.S.



HEAD OFFICE
15000 COUNTY ROAD 1, SUITE 100
SAN FRANCISCO, CA 94134
TEL: 415-435-1528 FAX: 415-435-1516

FOR SITE PERMIT
APPLICATION

**NEW CONSTRUCTION
OF 9 UNIT
CONDOMINIUM
BUILDING**

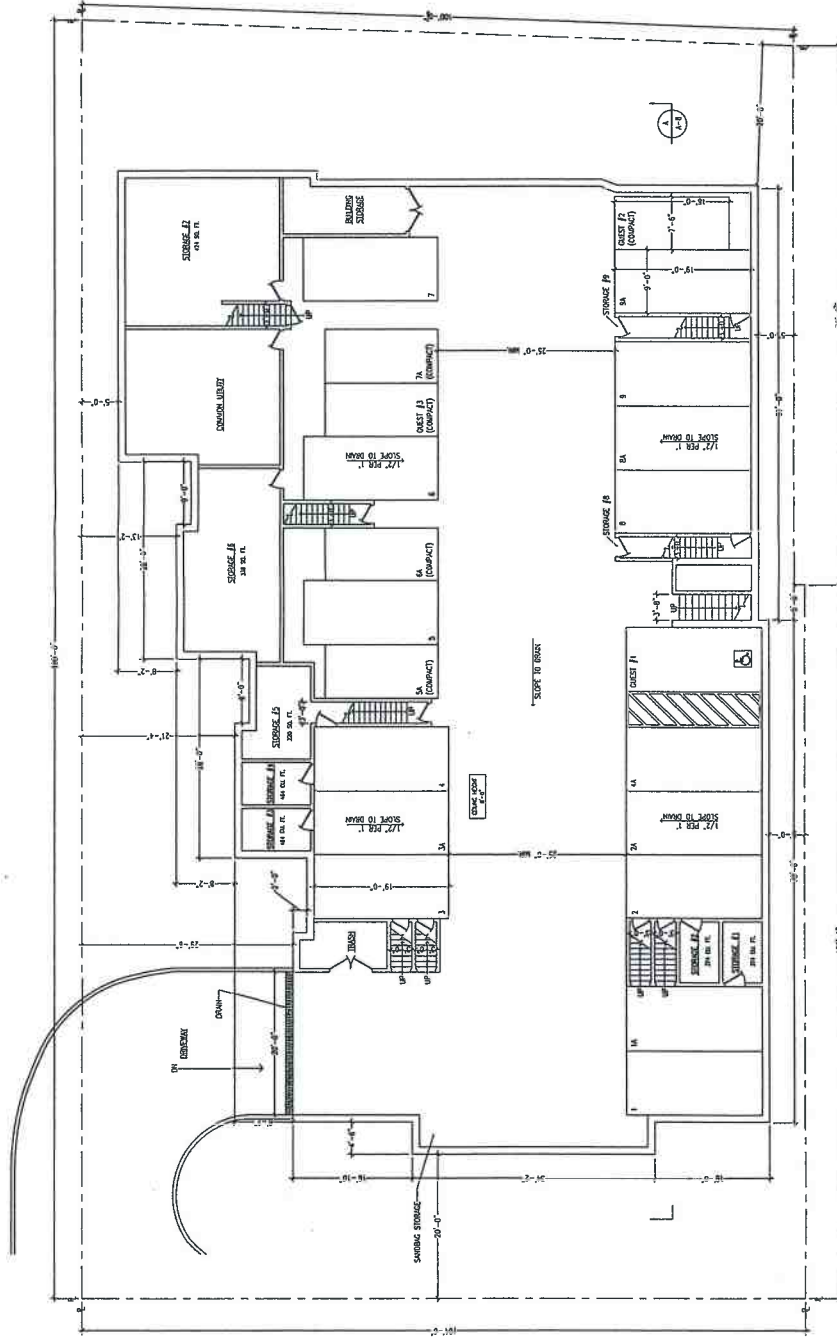
1687 BEACH BLVD.,
PACIFICA, CA

| DATE | REVISION |
|---------|------------------------|
| 10/2004 | SUBMIT FOR SITE PERMIT |
| 12/2004 | REVISION |
| 05/2005 | REVISION |
| 12/2005 | REVISION |

DATE: 01/2004
SCALE: AS NOTED
DRAWN BY: JCL
PROJ. NO.: 2041788
DRAWING TITLE

PROPOSED FLOOR PLAN

SHEET NO. **A-2**
2 OF 8 SHEETS



PROPOSED GARAGE PLAN
SCALE: 1/8"=1'-0"

WALL LEGEND:
——— WALL



BEST DESIGN & CONSTRUCTION COMPANY
 1800A Avenue of the Americas
 18th Floor
 San Francisco, CA 94103
 Tel: 415.774.2200 Fax: 415.774.2206

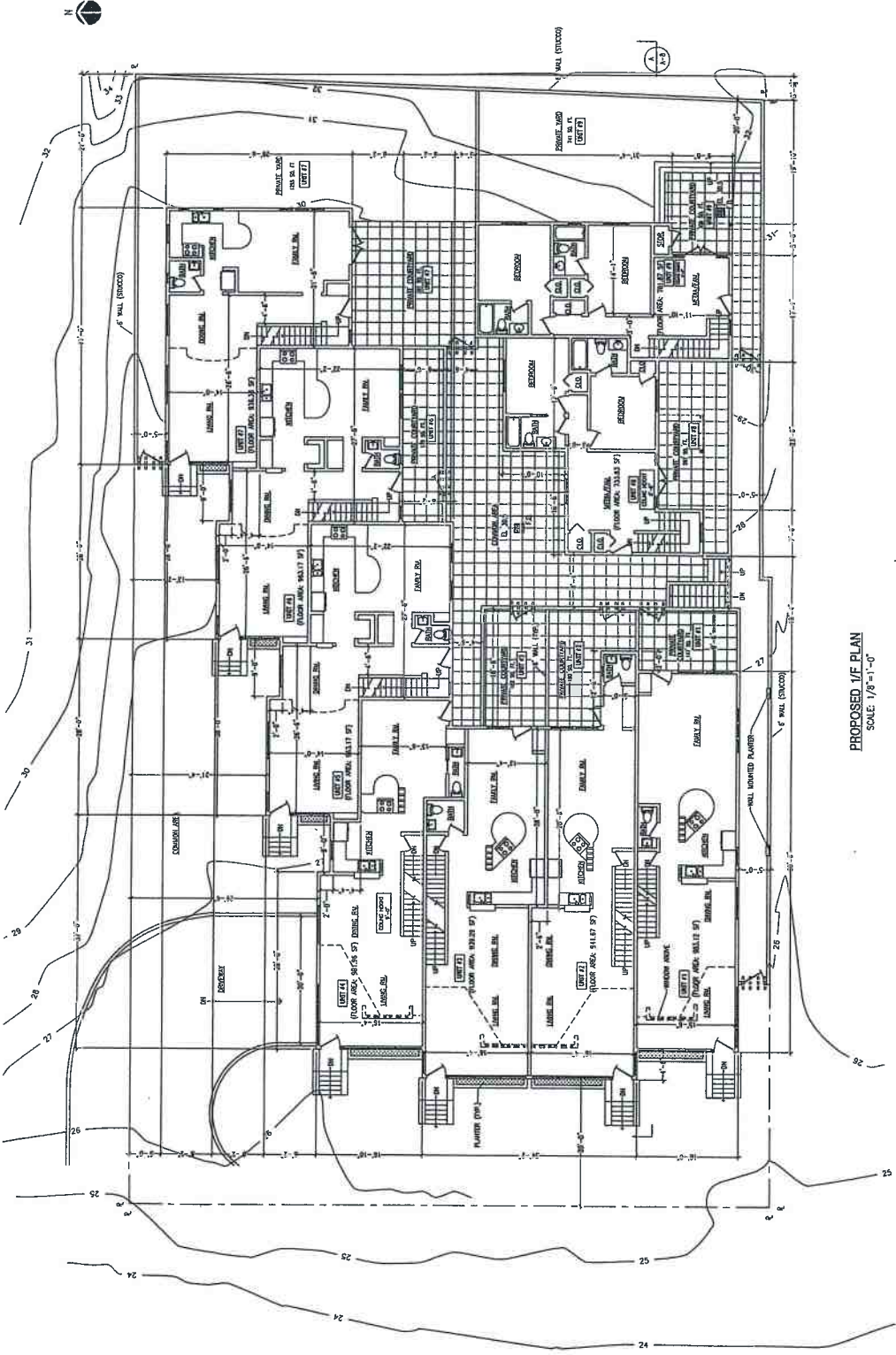
FOR SITE PERMIT APPLICATION

NEW CONSTRUCTION OF 9 UNIT CONDOMINIUM BUILDING
 1687 BEACH BLVD., PACIFICA, CA

| DATE | REVISION |
|---------|------------------------|
| 10/2004 | SUBMIT FOR SITE PERMIT |
| 07/2005 | REVISION |
| 05/2005 | REVISION |
| 12/2005 | REVISION |

| | |
|----------------|---------------------|
| DATE: | 01/2004 |
| SCALE: | AS NOTED |
| DRAWN BY: | ACL |
| PROJ. NO.: | 2041788 |
| DRAWING TITLE: | PROPOSED FLOOR PLAN |

SHEET NO. **A-3**
 3 OF 8 SHEETS



PROPOSED 1/2 PLAN
 SCALE: 1/8"=1'-0"

WALL LEGEND:
 WALL



MAIN OFFICE
 15000 Central Expressway, Suite 100, #4005
 Fremont, CA 94538
 Tel: 415-253-1232 Fax: 415-253-4416
 SAN JOSE OFFICE
 2000 Alameda Avenue, Suite 100
 San Jose, CA 95126
 Tel: 415-253-2828 Fax: 415-253-4476

FOR SITE PERMIT APPLICATION

NEW CONSTRUCTION
 OF 9 UNIT
 CONDOMINIUM
 BUILDING

1687 BEACH BLVD.,
 PACIFICA, CA

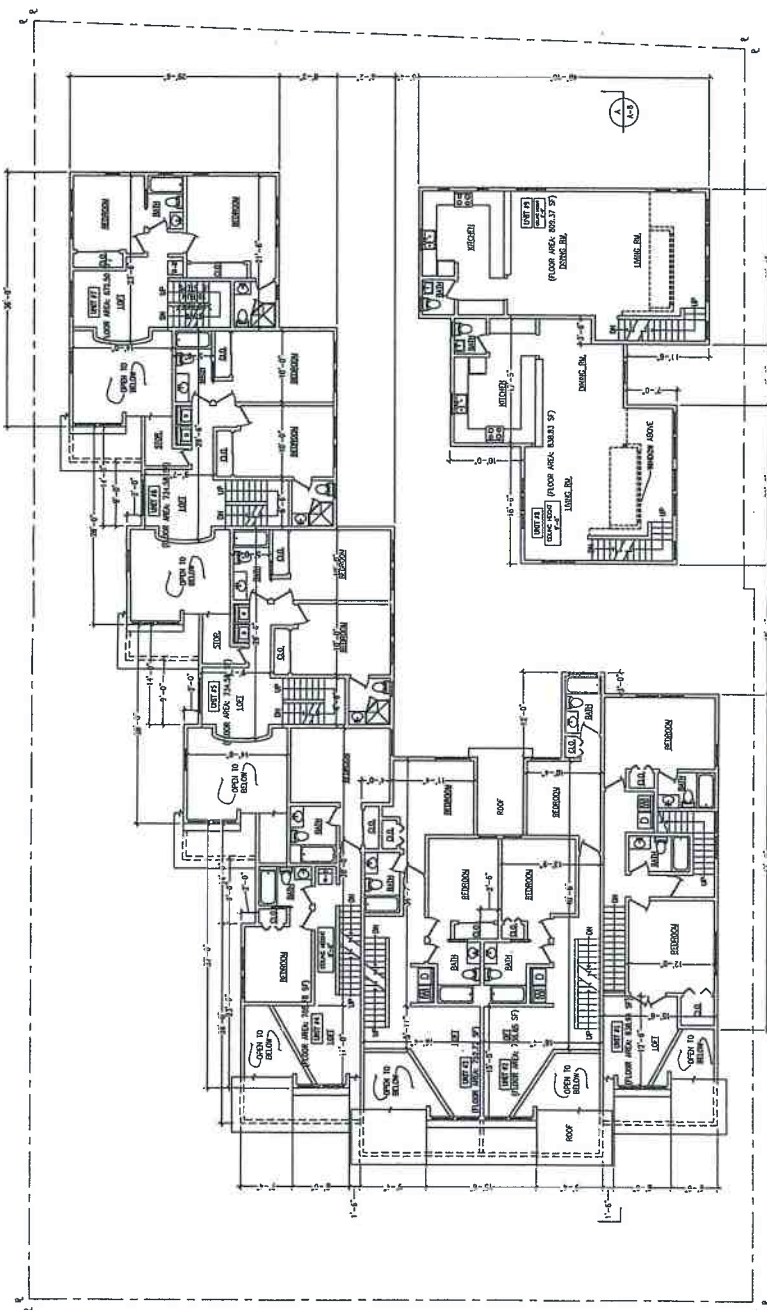
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| 12/2004 | △ REVISION |
| 01/2005 | △ REVISION |
| 08/2005 | △ REVISION |

DATE: 01/2004
 SCALE: AS NOTED
 DRAWN BY: JCL
 PROJ. NO.: 2041788

DRAWING TITLE

PROPOSED FLOOR PLAN

SHEET NO.
A-4
 4 OF 8 SHEETS



WALL LEGEND:
 ——— WALL

PROPOSED 2/F PLAN
 SCALE: 1/8"=1'-0"



MAIN OFFICE
 180 COLLETON AVENUE, SUITE 100, WOODS
 BRIDGE, CA 94062-1125 TEL: 415-326-4144
 SAN JOSE OFFICE
 2000 COUNTRY CENTER DRIVE, SUITE 100
 SAN JOSE, CA 95128 TEL: 415-326-4144
 TEL: 415-326-4144 FAX: 415-326-4146

FOR SITE PERMIT APPLICATION

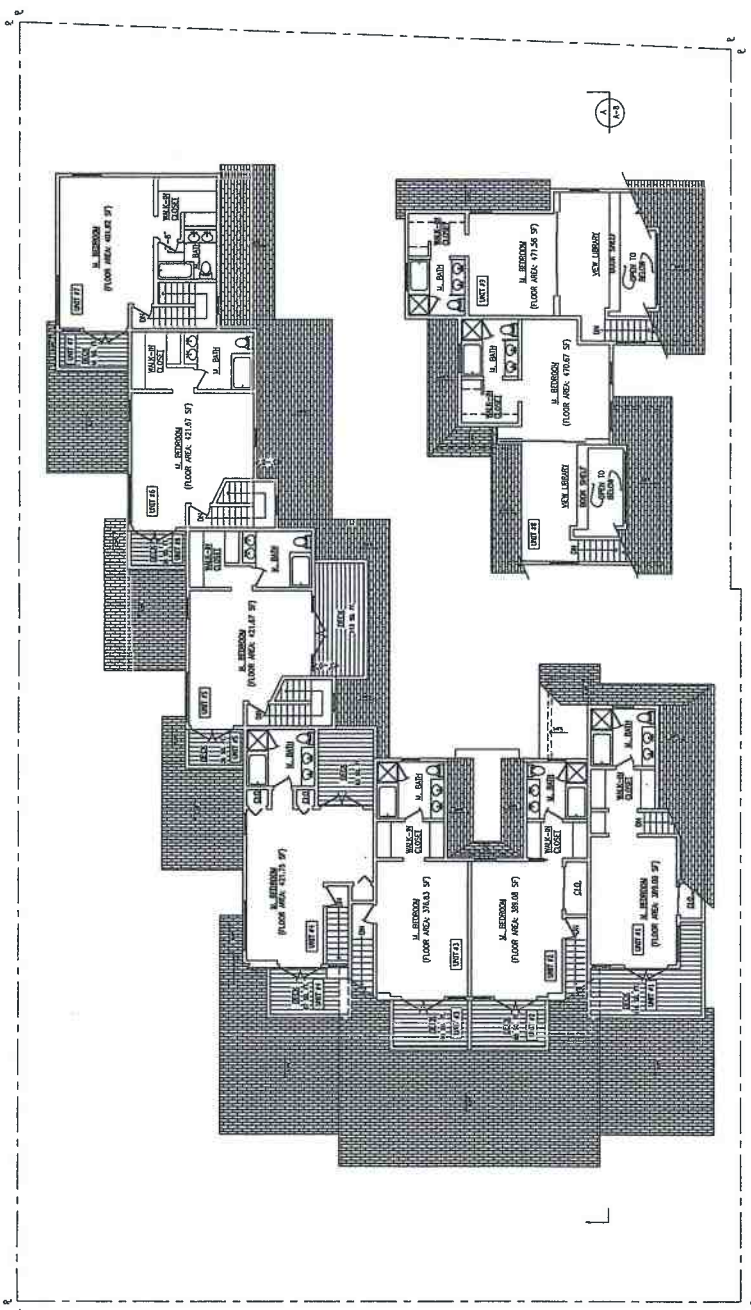
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 1587 BEACH BLVD., PACIFICA, CA

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|---------|------------------------|
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| 01/2005 | △ REVISION |
| 03/2005 | △ REVISION |
| 10/2005 | △ REVISION |

DATE: 01/2004
 SCALE: AS NOTED
 DRAWN BY: JCL
 PROJ. NO.: 204178B

DRAWING TITLE
PROPOSED FLOOR PLAN

SHEET NO. **A-5**
 5 OF 8 SHEETS



PROPOSED 3/F PLAN
 SCALE: 1/8"=1'-0"

WALL LEGEND:
 ——— WALL



1500 CALIFORNIA STREET, SUITE 1000
 SAN FRANCISCO, CA 94109
 TEL: 415-774-1133 FAX: 415-774-1141

FOR SITE PERMIT APPLICATION

NEW CONSTRUCTION OF 9 UNIT CONDOMINIUM BUILDING

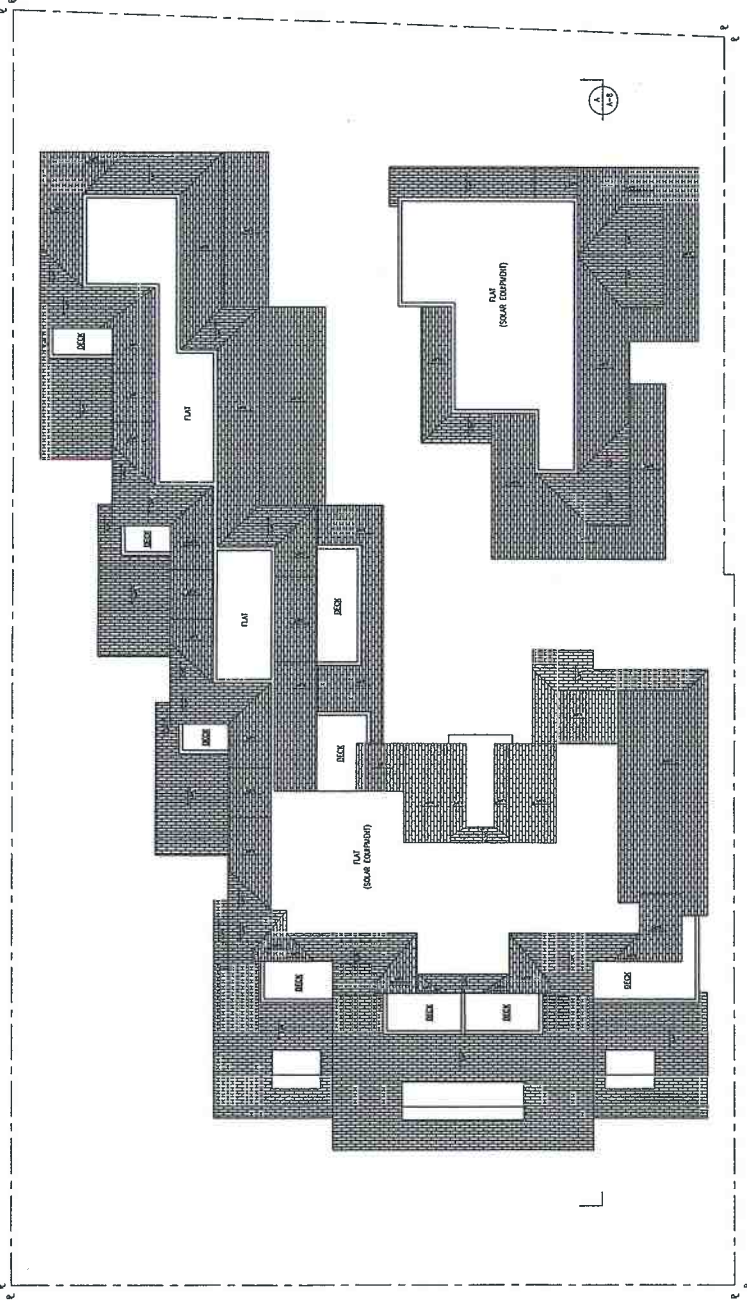
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| 08/2005 | REVISION |

DATE: 01/2004
 SCALE: AS NOTED
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 PROJ. NO.: 2041788

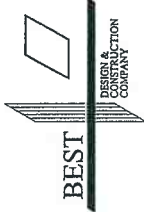
DRAWING TITLE
PROPOSED FLOOR PLAN

SHEET NO. **A-6**
 6 OF 8 SHEETS



PROPOSED ROOF PLAN
 SCALE: 1/8"=1'-0"

WALL LEGEND:
 WALL



MAIN OFFICE:
 100 CALIFORNIA STREET, SUITE 200
 SAN FRANCISCO, CALIFORNIA 94111
 TEL: (415) 398-2008 FAX: (415) 398-1000
 SAN FRANCISCO BRANCH OFFICE:
 200 BROADWAY, SUITE 100
 SAN FRANCISCO, CALIFORNIA 94133
 TEL: (415) 398-2008 FAX: (415) 398-1000

FOR SITE PERMIT APPLICATION

NEW CONSTRUCTION OF 9 UNIT CONDO

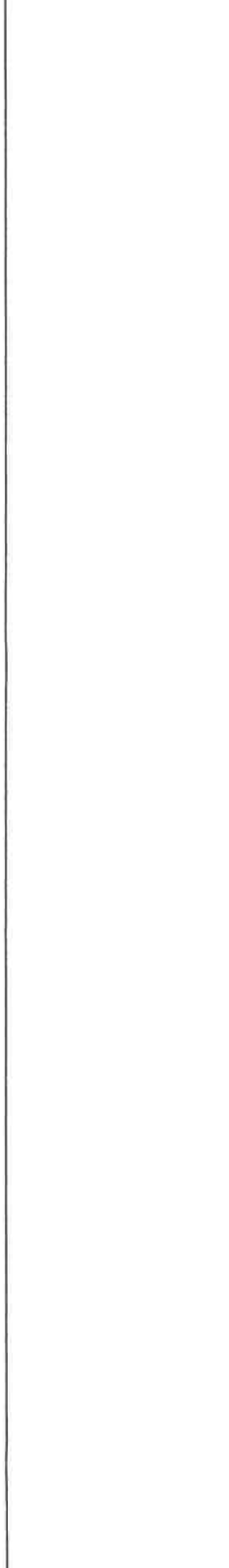
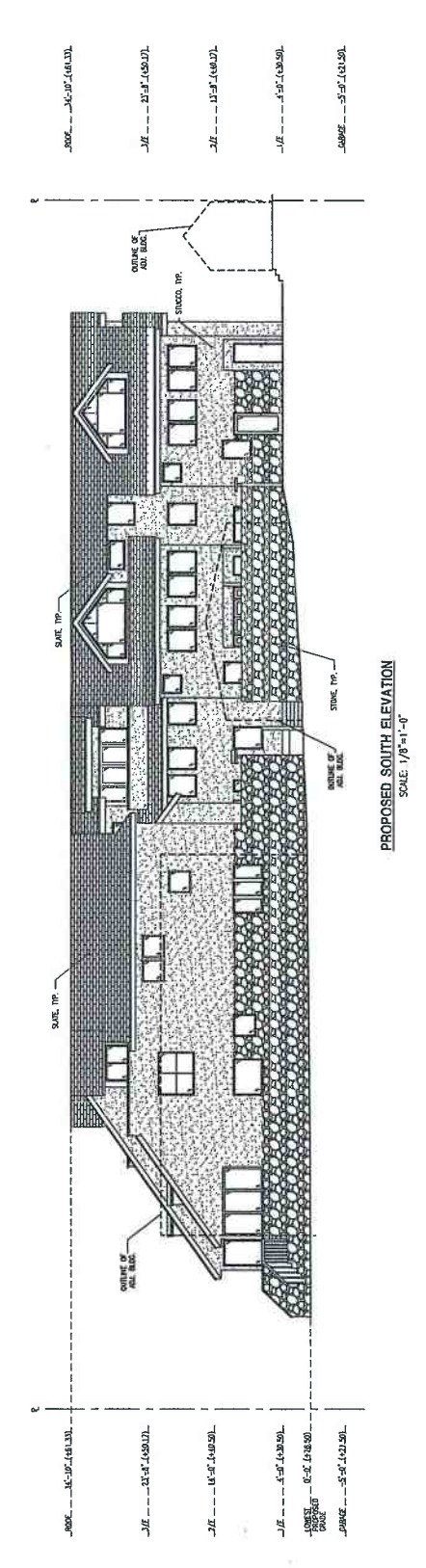
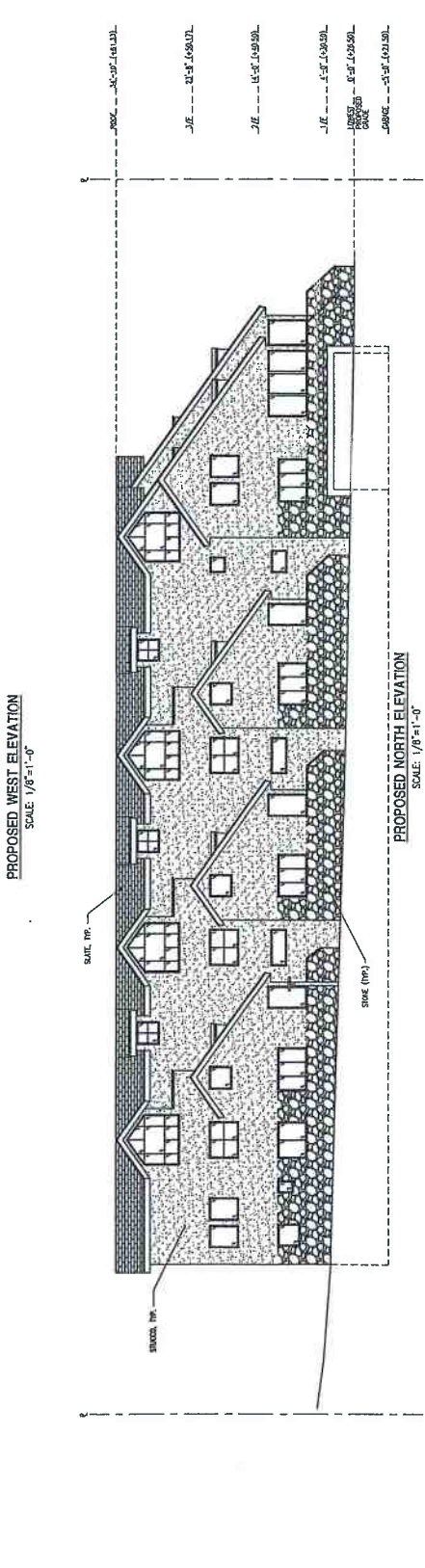
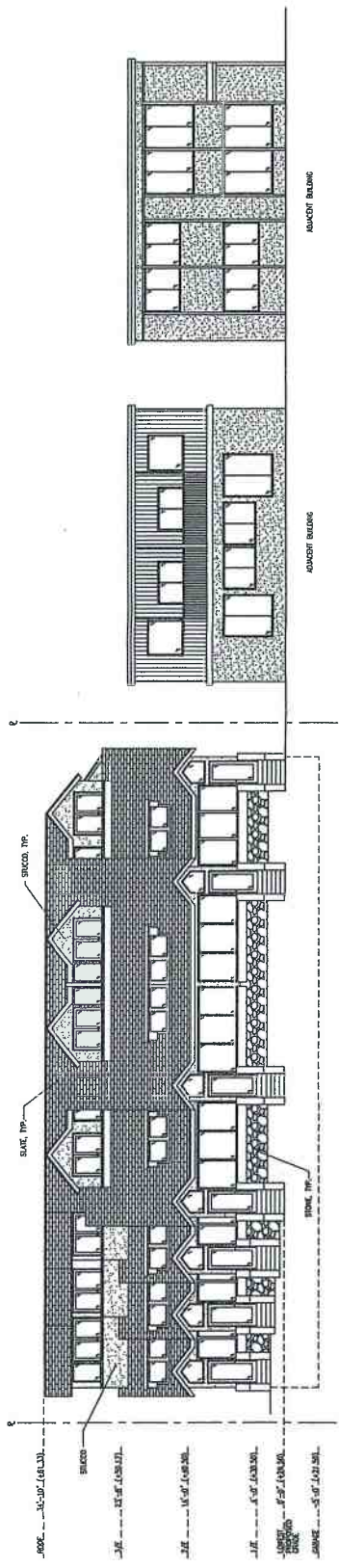
1687 BEACH BLVD., PACIFICA, CA

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| 07/2005 | REVISION |
| 05/2005 | REVISION |
| 10/2005 | REVISION |

DATE: 01/2004
 SCALE: AS NOTED
 DRAWN BY: AEL
 PROJ. NO.: 2041788

PROPOSED ELEVATIONS

SHEET NO. **A-7**
 7 OF 8 SHEETS





MAIN OFFICE
 18000 W. 10TH AVENUE
 SUITE 100
 DENVER, CO 80242
 TEL: 303.751.1000
 FAX: 303.751.1001
 WWW.BEST-DC.COM

FOR SITE PERMIT APPLICATION

NEW CONSTRUCTION OF 9 UNIT CONDO

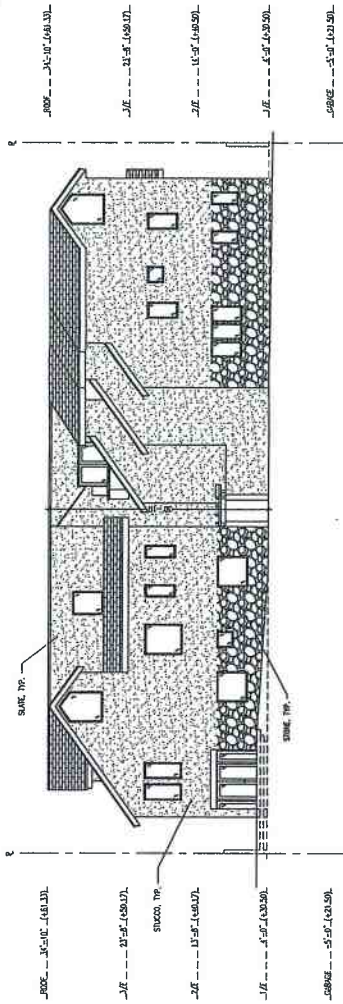
1807 BEACH BLVD., PACIFICA, CA

| DATE | REVISION |
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| 05/2005 | REVISION |
| 10/2005 | REVISION |

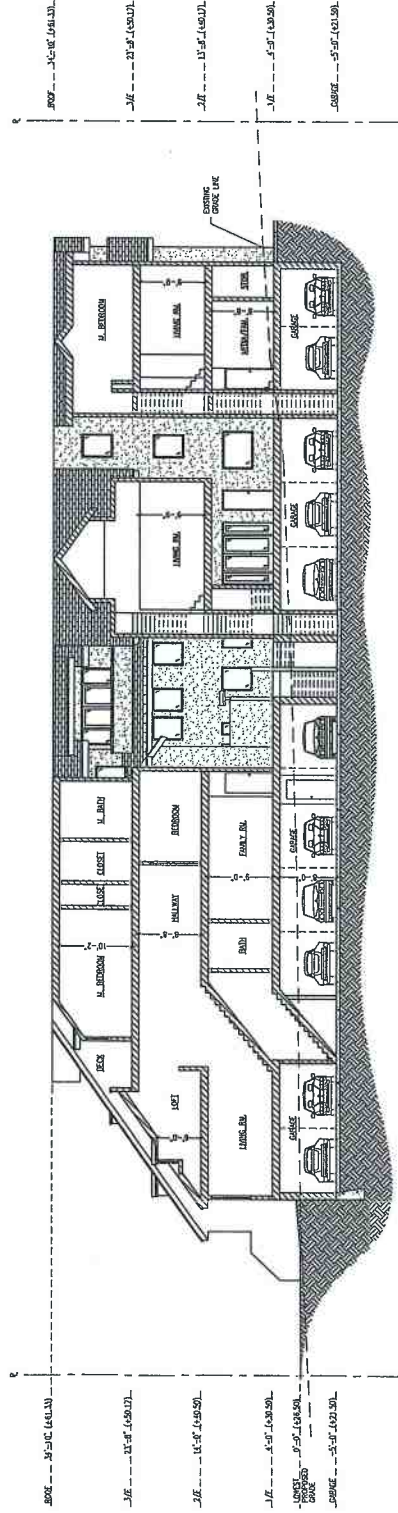
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 DRAWING TITLE

PROPOSED ELEVATION
PROPOSED SECTIONS

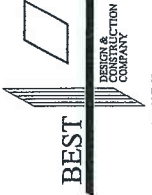
SHEET NO. **A-8**
 8 OF 8 SHEETS



PROPOSED EAST ELEVATION
SCALE: 1/8"=1'-0"



PROPOSED SECTION
SCALE: 1/8"=1'-0"



1600 CITY CENTER DRIVE, SUITE 1000
 SAN FRANCISCO, CALIFORNIA 94103
 TEL 415.774.1233 FAX 415.774.1236
 TEL 415.774.1237 FAX 415.774.1238

FOR SITE PERMIT APPLICATION

NEW CONSTRUCTION OF 9 UNIT CONDOMINIUM BUILDING

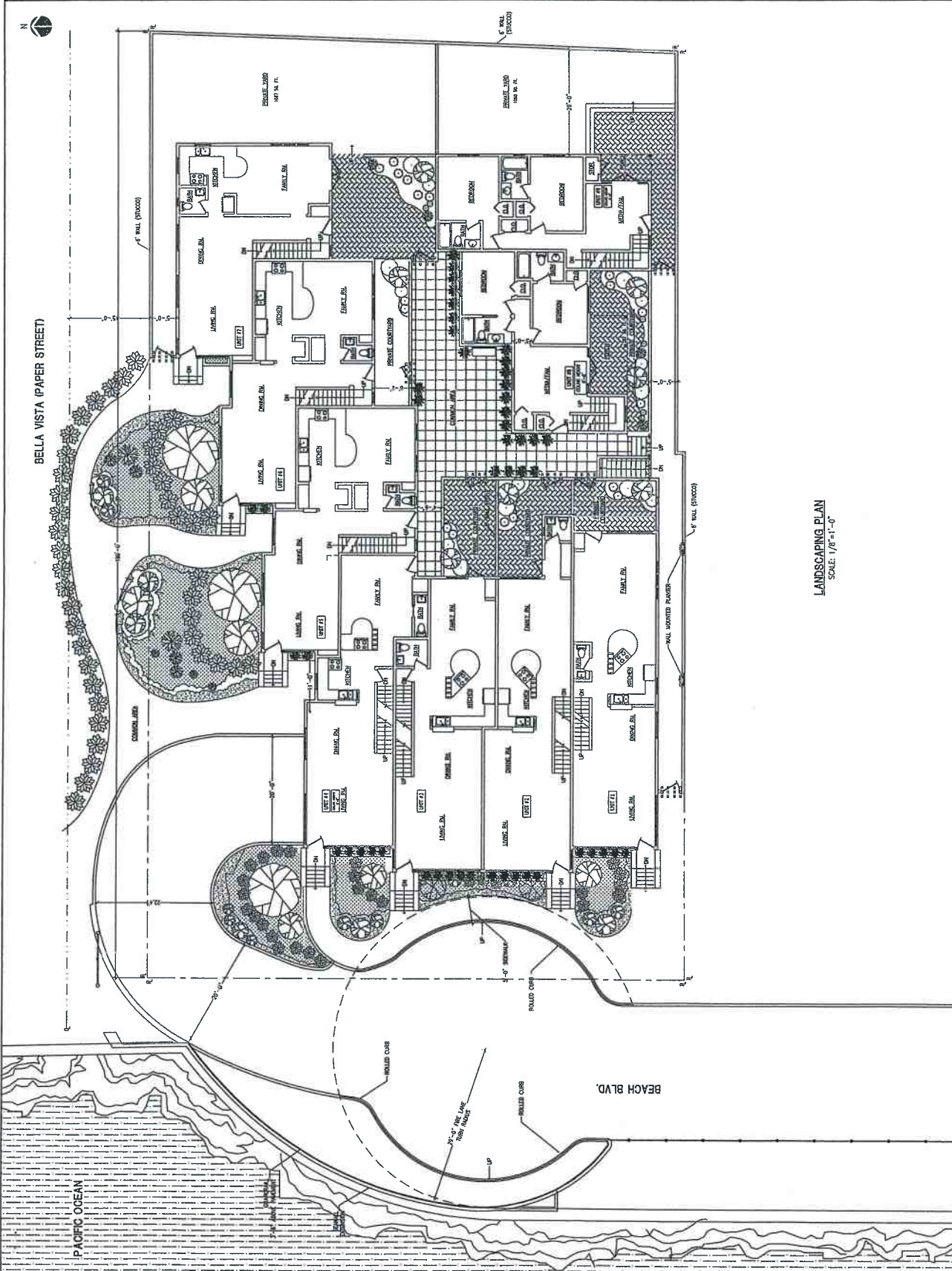
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| DATE | REVISION |
|---------|------------------------|
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| 01/2005 | REVISION |
| 06/2005 | REVISION |
| 01/2006 | REVISION |

DATE: 01/2004
 SCALE: AS NOTED
 DRAWN BY: ACL
 PROJ. NO.: 204178B

DRAWING TITLE
LANDSCAPING PLAN

SHEET NO. **L-1**
 1 OF 1 SHEET



LANDSCAPING PLAN
 SCALE: 1/8"=1'-0"