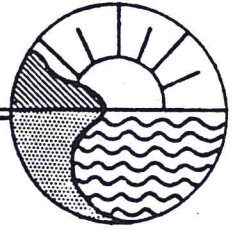


AGENDA



Planning Commission – City of Pacifica

DATE: February 19, 2013
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: February 4, 2013

Designation of Liaison to City Council Meeting of: February 25, 2013

CONSENT ITEMS:

None

PUBLIC HEARINGS:

1. PSD-783-12
UP-026-12
CDP-335-12
PE-157-12
Proposed is construction of a mixed use project with three buildings that have a total commercial area of approximately 1,700 square feet and three apartments on the upper floors. Approval of a Site Development Permit, PSD-783-12, Use Permit, UP-026-12, Coastal Development Permit, CDP-335-12 and Parking Exception, PE-157-12 are necessary. The commercial space in the ground floor of each building is approximately 600 square feet. The building in front is proposed as two stories with an apartment unit of approximately 600 square feet, and the two buildings in the rear of the lot will be three stories with each containing an apartment unit of approximately 1,300 square feet. (APN: 022-027-010 & 020) Proposed Action: Approve project.

CONSIDERATION ITEM:

None

COMMUNICATIONS:

Commission Communications:

Staff Communications:

Oral Communications:

This portion of the agenda is available to the public to address the Planning Commission on any issue within the subject matter jurisdiction of the Commission that is not on the agenda. The time allowed for any speaker will be three minutes.

ADJOURNMENT

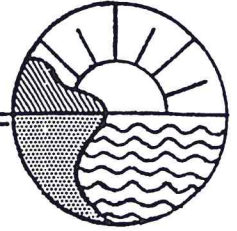
Anyone aggrieved by the action of the Planning Commission has 10 calendar days to appeal the decision in writing to the City Council. If any of the above actions are challenged in court, issues which may be raised are limited to those raised at the public hearing or in written correspondence delivered to the City at, or prior to, the public hearing. Judicial review of any City administrative decision may be had only if a petition is filed with the court not later than the 90th day following the date upon which the decision becomes final. Judicial review of environmental determinations may be subject to a shorter time period for litigation, in certain cases 30 days following the date of final decision.

The City of Pacifica will provide special assistance for disabled citizens upon at least 24-hour advance notice to the City Manager's office (738-7301). If you need sign language assistance or written material printed in a larger font or taped, advance notice is necessary. All meeting rooms are accessible to the disabled.

NOTE: Off-street parking is allowed by permit for attendance at official public meetings. Vehicles parked without permits are subject to citation. You should obtain a permit from the rack in the lobby and place it on the dashboard of your vehicle in such a manner as is visible to law enforcement personnel.

STAFF REPORT

PLANNING COMMISSION-CITY OF PACIFICA



DATE: February 19, 2013

ITEM: 1

PROJECT SUMMARY/RECOMMENDATION AND FINDINGS

Notice of Public Hearing was published in the Pacifica Tribune on February 6, 2013 and 36 surrounding property owners and tenants were notified by mail.

FILE: PSD-783-12
UP-026-12
CDP-335-12
PE-157-12

APPLICANT: Jim Miller, Oculus Architecture & Design, 1501 Powell Street, Studio L, Emeryville, CA 94608

OWNER: Steve Baldwin, LVB, LVC, 1008 N. Humboldt, San Mateo, CA 94401

LOCATION: 411 Dondee Way (APN 022-027-010 & 020)

PROJECT DESCRIPTION: Proposed is construction of a mixed use project with three buildings that have a total commercial area of approximately 1,700 square feet and three apartments on the upper floors. Approval of a Site Development Permit, PSD-783-12, Use Permit, UP-026-12, Coastal Development Permit, CDP-335-12 and Parking Exception, PE-157-12 are necessary. The commercial space in the ground floor of each building is approximately 600 square feet. The building in front is proposed as two stories with an apartment unit of approximately 600 square feet, and the two buildings in the rear of the lot will be three stories with each containing an apartment unit of approximately 1,300 square feet.

General Plan: Commercial

Zoning: C-1/CZ/Rockaway Beach Specific Plan (Neighborhood Commercial/Coastal Zone)

RECOMMENDED CEQA STATUS: Exempt Section 15332 In-Fill Development Projects

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

RECOMMENDED ACTION: Approval as conditioned.

PREPARED BY: Kathryn Farbstein, Assistant Planner

ZONING STANDARDS CONFORMANCE:

<u>Mixed Use Project</u>	<u>Max/Min</u>	<u>Proposed</u>
Lot Size	5,000 sq. ft.	5,000 sq. ft.
Minimum Lot Width	50'	50'
Height	35'	34'
Landscape Area	10%	10%
FAR	65%	97%*

<u>Parking</u>	<u>Max/Min</u>	<u>Proposed</u>
Commercial - Number of Spaces (includes 1 handicapped space)	6	2
Residential - Number of Spaces	5	3
Total Number of Parking Spaces	11	5**

Notes:

*Specific Plan waiver to exceed FAR is requested.

**Parking Exception approval needed and Parking in-lieu fees will be paid for the 6 spaces.

PROJECT SUMMARY

A. STAFF NOTES:

1. Background: The subject site is located within the Rockaway Beach Specific Plan area and within the former Redevelopment Area. The Redevelopment Agency was dissolved on February 1, 2011. The City Council adopted Resolution No. 02-2013 on January 28, 2013 clarifying the process for land use decisions within the Rockaway Beach Specific Plan Area now that the Redevelopment Agency has been dissolved. As specified in the Resolution, all land use related plans and functions of the former Redevelopment Agency, including the collection and expenditure of parking in-lieu fees will be processed in the same manner as Planning permits that have been processed outside the boundaries of the Rockaway Beach Specific Plan area in the City of Pacifica. The Planning Commission is now the final decision maker on entitlements within the Specific Plan area. In addition, the parking in-lieu fees can be collected for projects within the Rockaway Beach Specific Plan area that do not provide enough on-site parking spaces and the City has the authority to utilize those in-lieu parking fees to provide nearby parking.

2. Project Description: The applicant is proposing the construction of three buildings on the subject site. The building in front (west unit as identified on site plan) and closest to Dondee Way is proposed as two stories whereas the two buildings at the back of the property (identified as the north and south units on the site plan) will be three stories. Although the two buildings at the rear of the subject site appear to be separate structures, they are attached by a stairwell and deck covering a storage area on the ground floor. Each of the buildings will contain approximately 600 square feet of ground floor commercial space. The west unit will contain approximately 600 square feet for a one bedroom residential unit while the north and south units will contain two bedroom units of approximately 1,300 square feet. Five on-site parking spaces

are proposed, including one van accessible handicapped parking space and the applicant is proposing to pay the in-lieu parking fee for the six additional spaces that are required. The south and north units each have a private balcony of approximately 40 square feet and a shared entry deck approximately 110 square feet in size. The front (west) unit does not contain any private balcony or deck space. All the units both commercial and residential have large view windows facing west. The two buildings at the rear of the property are offset because the unit identified as north is setback seven feet off the property line while the south unit has no setback from the rear property line. The front building has a second story overhang of approximately 40 square feet on the south elevation and this area contains the kitchen. The two rear buildings also have second story overhangs containing the balconies and living area with the third story overhang containing a portion of a bathroom.

The proposed materials for the exterior of the buildings consist of a membrane roof system, painted fiber reinforced cement panel rainscreen siding and painted fiber reinforced cement board siding. Although an anodized aluminum window system, aluminum frame sliding glass doors and metal fascia panels to match the window system are proposed on the plans, the owner would prefer to use vinyl window and door systems. The balconies will have painted steel guardrail frame with galvanized metal panel infill.

3. General Plan, Zoning, and Surrounding Land Use: The General Plan designation is Commercial and zoning classification is C-1/CZ/Rockaway Beach Specific Plan (Neighborhood Commercial/Coastal Zone). The subject site is surrounded by properties that have the same Commercial General Plan designation and C-1 zoning designation. The properties to the west have been developed with single-family residences, the properties to the north and south have been developed with apartments and the properties to the east have been developed with mixed use commercial.

4. Municipal Code: The proposed mixed use project is consistent with the zoning of the site. In Section 9.4.1001 (b) (11) of the Municipal Code, dwellings are allowed in the same building above commercial space upon approval of a use permit. The number of dwelling units is limited to 1 unit per 2,000 square feet, and pursuant to PMC Section 9-4.2312 which permits rounding up when calculating number of units (density), up to three units are allowed on this 5,000 square foot site. A Site Development Permit is necessary for the proposed mixed use project in a commercial zone and a Coastal Development Permit is required for new development located within the Coastal Zone. Approval of a Parking Exception is necessary to allow a reduction of six parking spaces on-site by utilizing the in-lieu parking fee and to allow one more compact space than is permitted by PMC Section 9-4.2817 (b).

Additionally, the Specific Plan establishes overall objectives addressing land use and development, parking, and the physical appearance and design of buildings. The Plan also provides independent development standards for the former Redevelopment Area and augments existing provisions of the Zoning Code. These regulations are designed to implement the General Plan's goals to develop the visitor-serving potential of the area. A waiver from the

Specific Plan requirements is also necessary to allow the project to exceed the 65% FAR requirement.

5. CEQA Recommendation: Staff is recommending that this project be exempt from CEQA as allowed in Section 15332 as restated below:

15332. In-Fill Development Projects.

Class 32 consists of projects characterized as in-fill development meeting the conditions described in this section.

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- (c) The project site has no value as habitat for endangered, rare or threatened species.
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- (e) The site can be adequately served by all required utilities and public services.

This exemption pertains to projects that are considered in-fill development projects. In this case, the project is consistent with the General Plan designation and Zoning Code, the project occurs within the City of Pacifica in an urbanized area, the subject site at 5,000 square feet is substantially less than five acres and the site can be served by existing utilities and public services. The site is completely surrounded by developed area, including similar mixed use projects.

6. Entitlements Requested: The applicant is requesting approval of the following Planning permits.

a. Site Development Permit - Pursuant to Section 9-4.3204, a Site Development Permit can only be issued if the Planning Commission makes the following findings:

- 1) No potential traffic hazards
- 2) Adequate parking accessibility
- 3) Sufficient landscape areas
- 4) Maintain enough light and air for surrounding properties
- 5) No detrimental impact to adjacent residential uses
- 6) Protection of natural environment
- 7) Site and structural design variety, and
- 8) Development consistent with the Design Guidelines, General Plan, Local Coastal Plan or other applicable laws.

b. Use Permit - The Planning Commission may only grant approval of a Use Permit when all the following findings are made:

- 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; and
- 3) Where applicable, that the use or building applied for is consistent with the City's adopted Design Guidelines.

c. Coastal Development Permit - Section 9-4304(k) of the Municipal Code allows the Planning Commission to issue a Coastal Development Permit based on these two findings:

- 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.

d. Parking Exception - A Parking Exception may only be granted if the Planning Commission finds that the establishment, maintenance, and conducting of off-street parking facilities as proposed are as nearly in compliance with the Code requirements as are reasonably possible. In this case, approval of a Parking Exception to allow parking in-lieu fees to cover the six off-site parking spaces and to allow two compact parking spaces instead of one compact space is necessary.

7. Staff Analysis:

Site Development Permit – The proposed project will not create traffic hazards or parking accessibility problems because the public street system is in place and the project meets all the requirements for parking upon approval of the Parking Exception. A van accessible handicapped parking space is also proposed within the parking area. Landscaping proposed will be 10% of the lot area as required and will include a bench for public use. The project will not restrict light and air on the property or other surrounding properties because one building is proposed in front and two attached buildings are proposed in the rear which results in a decrease in the overall massing of the project. More light and air is created in the middle of the subject site and around the proposed buildings. The proposed project is similar to the surrounding development that has both residential and commercial components; and therefore, the project will not cause a substantial detriment to adjacent residential developments. The subject site is surrounded by

development; therefore, it is considered an in-fill project. Finally, the project is well designed, it will improve the appearance of this neighborhood and it is consistent with the all the applicable laws of the City as will be discussed later in this report.

Use Permit – Staff believes that the proposed use will blend in well with the commercial uses and residential uses already existing along Dondee Way. The commercial portion of the building will accommodate visitor serving use that will bring customers to the area that may visit other commercial enterprises in the neighborhood. The establishment of the mixed use project on the subject site will not be detrimental to the health, safety, and welfare of the persons residing and working in the neighborhood in that the building will provide three apartment units for residential use and three commercial spaces for visitor serving commercial use. The project is consistent with the General Plan, Rockaway Beach Specific Plan and other applicable regulations of the City. The Design Guidelines indicate that façades of commercial buildings should be enhanced by the use of recesses, projections, and other details. The applicant has designed two of the commercial spaces to be recessed and all the commercial spaces to have large view windows to add visual interest.

Coastal Development Permit – The mixed use project is proposed within a commercial area, and therefore, complies with Coastal Act Policy #23 that states new development shall be located within or contiguous to an existing developed area that is able to accommodate it. There is a mix of commercial and residential uses within close proximity to the site. Single-family homes exist to the west across from the subject site, and businesses such as Rock'n Robs Restaurant and Pacific Java are located south of the site at Rockaway Beach Plaza (450 Dondee Way). The proposed commercial space is limited to visitor serving commercial uses as required by the Local Coastal Plan. The mixed use project is located in an area with commercial and residential uses that can support visitor serving commercial activities and three apartment units at the site which is the type of development that was envisioned for this West Rockaway Beach neighborhood in the Specific Plan.

During staff's review of this project, information was sent to the Coastal Commission for their input. Staff had several discussions with the Coastal Commission regarding the project, which appear to have reassured the Coastal Commission staff at this time. However, the Coastal Commission will be notified with the final action on this project and the Coastal Commission can appeal the Planning Commission's decision.

Parking Exception – As discussed previously, five on-site parking spaces are proposed for the project but the commercial space and the five bedrooms in the apartments require a total of eleven on-site parking spaces. However, Resolution No. 17-86 allows an in-lieu fee to be paid for each parking space that cannot be provided on-site in the Rockaway Beach Specific Plan area. Resolution 02-2013 adopted by the City Council last month clarifies that although the Redevelopment Agency has been dissolved, the parking in-lieu fee program is still in effect. Thus, staff recommends that the applicant be required to pay the in-lieu parking fee for the six additional spaces required.

Specific Plan Requirements – The Specific Plan has additional requirements regarding land use, physical design of the buildings and intensity of development in terms of FAR. For example, in the West Rockaway Beach planning area, two height standards are specified. Two stories are permitted outright; however, three stories may be permitted if a finding can be made that such height: (1) will not restrict coastal view potential from Highway 1 more than a two-story structure; and (2) will provide an increase in public open space over and above that which would have normally been provided.

At the present time, existing vegetation and buildings preclude most coastal views from Highway 1 as it parallels the West Rockaway Beach planning area. The elevation of Highway 1 is much higher than the subject site and several large buildings are located between Highway 1 and the subject site. The primary view from the highway is of the commercial businesses located along Old County Road. The ocean is not visible from this particular viewpoint. No coastal views would be restricted from Highway 1. Additionally, the proposed building would not be taller than the other existing buildings in the vicinity. The applicant has submitted an explanation (see item #6 in applicant's letter Attachment b) and photos (see Attachment c) that show the view of the ocean from Highway 1 is already blocked and will not be negatively impacted by the proposed project.

The proposed building design is consistent in scale, massing and height with that of the immediately surrounding buildings such as the mixed use buildings to the east that front onto Old County Road. The massing of the project is further broken up by proposing three buildings on the subject site instead of one much larger building and enhanced by the use of projections, recesses and architectural details which provide relief and variety. Additionally, the proposed buildings incorporate architectural elements such as projections and large view windows from some of the adjacent buildings. In terms of public open space, the project would provide an increase in public open space over and above that which would have normally been provided. A public bench and landscaping areas would be provided for general public outdoor use in front of the two buildings at the rear of the site.

The Specific Plan permits a maximum floor area to lot area ratio (FAR) of 65% for this area. In comparison the applicant proposes 97%, which would require a waiver to the Specific Plan requirements. A waiver is permitted upon establishing the necessary findings, as contained at the end of this report, and which relate to the public health, safety and welfare, and overall Specific Plan objectives. Considering that the project, in terms of proposed use and design, is consistent with the Specific Plan objectives and the site is constrained due to its size and location, staff considers the waiver reasonable. The overall goal of the Specific Plan is to stimulate and attract quality private investment in this area thereby improving the City's economic health and tax base while strengthening the overall image and attractiveness of the area. The proposal would create visitor serving commercial space which should help stimulate the economic health and tax base of the City. Other projects in the Redevelopment Area that have exceeded the 65% FAR limitation such as the Holiday Inn Express (166%), Pacific Motor Inn (103%), 400 Old County

Road (111%), 446 Old County Road (129%), and 225 Rockaway Beach (130%) were all granted FAR waivers.

The new construction will be required to comply with the City's adopted Green Building Ordinance and LEED Gold certification will be required prior to occupancy. The applicant has provided a list of green building features that will be incorporated into the project (see Attachment d).

8. Summary: In staff's opinion, the mixed use project will blend well with the commercial and residential development already existing in the neighborhood, it will not negatively impact the adjacent residential uses or the surrounding neighborhood, and it is consistent with all applicable City regulations. In addition, the proposed design adds visual interest, and has sufficient variety in shape and use of materials to create attractive buildings. Thus, findings can be made to approve the Site Development Permit, Use Permit, Coastal Development Permit, Parking Exception and waive the Specific Plan requirement for FAR.

RECOMMENDATION, CONDITIONS OF APPROVAL AND FINDINGS

B. RECOMMENDATION:

Staff recommends that the Planning Commission **APPROVE** PSD-783-12, UP-026-12, CDP-335-12, PE-157-12 and Specific Plan waiver for a mixed use project at 411 Dondee Way, subject to the conditions listed below.

C. CONDITIONS OF APPROVAL

Planning

1. Development shall be substantially in accord with the plans entitled "New Mixed Use Development at 411 Dondee Way," consisting of eleven (11) sheets, dated January 15, 2013 except as modified by the following conditions.
2. Prior to the issuance of a building permit, the applicant shall submit information on exterior finishes, including colors and materials, subject to approval of the Planning Director.
3. The applicant shall submit a final landscape plan for approval by the Planning Director prior to the issuance of a building permit. The landscape plan shall show each type, size, and location of plant materials. 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.

4. Adequate, accessible, and convenient Recycling Areas shall be provided within the development. The dimensions of Recycling Areas shall be adequate to accommodate receptacles sufficient to meet the recycling needs of the Development Project. An adequate number of bins or containers shall be provided in Recycling Areas to allow for the collection and loading of recyclable materials generated by the Development Project. Recycling Areas shall be designed to be architecturally compatible with nearby structures and with the existing topography and vegetation. Recycling areas shall provide unobstructed access for collection vehicles and personnel. A sign clearly identifying all recycling and solid waste collection and loading areas and the materials accepted therein shall be posted adjacent to all points of direct access to Recycling Areas. Areas adjacent to Recycling Areas shall be adequately protected from any adverse impacts associated with Recycling Areas by means of measures such as adequate separation, fencing and landscaping. Recycling Areas shall be located so they are at least as convenient for those persons who deposit, collect, and load the recyclable materials placed therein as the locations where solid waste is collected and loaded. Whenever feasible, areas for collecting and loading recyclable materials shall be located adjacent to the solid waste collection areas.
5. All transformers, HVAC units, backflow preventors and other ground-mounted utility equipment shall be shown on the landscape and irrigation plans and shall be located out of public view and/or adequately screened through the use or combination of walls or fencing, berming, painting, and/or landscaping, to the satisfaction of the Planning Director.
6. Applicant shall submit a roof plan with spot elevations showing the location of all roof equipment including vents, stacks and skylights, prior to building permit issuance. All roof equipment shall be screened to the Planning Director's satisfaction.
7. All vents, gutters, downspouts, flashing, and conduits shall be painted to match the colors of adjacent building surfaces. In addition, any mechanical or other equipment such as HVAC attached to or protruding from the building shall be appropriately housed and/or screened to the Planning Director's satisfaction.
8. Roof drains shall discharge and drain away from the building foundation to an unpaved area wherever possible.
9. All outstanding and applicable fees associated with the processing of this project shall be paid prior to the issuance of a building permit.

10. 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.
11. 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.
12. 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.
13. Prior to the issuance of a building permit, the applicant/developer shall pay an in-lieu parking fee for the continued development of centralized parking in the Rockaway Beach Redevelopment Area. This fee shall be calculated at the rate of \$3,000 per space for the six spaces required, but not provided on site, equivalent to \$18,000.

Wastewater Division of Public Works

14. No wastewater (including equipment cleaning wash water, vehicle wash water, cooling water, air conditioner condensate, and floor cleaning wash water) shall be discharged to the storm drain system, the street or gutter.
15. The applicant shall provide a video of the sewer lateral line. Depending upon the condition of the existing sewer line, if there are any visible signs of leakage, the applicant

shall replace parts or the whole sewer line to current specification and codes to the satisfaction of the City Engineer.

Fire Department

16. Fire sprinkler test water shall be drained into the sanitary sewer system, landscaped area or other approved location by the Fire Department to avoid discharge of the test water into the storm drain system.

Building Department

17. Roof drains shall discharge and drain away from the building foundation to an unpaved area whenever practical to the Building Official's satisfaction.

Engineering Division of Public Works

18. Construction shall be in conformance with the San Mateo Countywide Storm Water Pollution Prevention Program. Best Management Practices shall be implemented.
19. Applicant shall overlay existing asphalt with minimum 2 inch AC whole street width across entire property frontage.
20. New driveway shall be per City standards.
21. 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.
22. No debris box or equipment shed is allowed in the street or sidewalk.
23. 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."
24. 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."

25. Upon submittal of plans for building permit, applicant shall submit a Drainage Plan to include all existing and proposed drainage improvements at the project site. Drainage improvements shall show how runoff from the property will be directed to the new drainage facilities. Applicant shall submit hydrology calculations based on 100-year storm, and determine the impact of this development to the existing city system. All drainage improvements and upgrades to mitigate any impact to the existing system shall be installed to the satisfaction of the City Engineer.
26. 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.

D. FINDINGS:

1. **Findings for Approval of the Site Development Permit:** The Planning Commission finds that the size, location, and intensity of the mixed use development will not create a hazardous or inconvenient vehicular or pedestrian traffic pattern, taking into account the proposed use as compared with the general character and intensity of the neighborhood; that sufficient landscaped areas have been provided; that the new structure will not unreasonably restrict or cut out light and air on the property and on other property in the neighborhood, nor will it hinder or discourage the appropriate development and use of land and buildings in the neighborhood or impair the value thereof; that the mixed use project is not substantially detrimental to the character or value of the adjacent existing dwellings; that the new buildings will not excessively damage or destroy natural features of the site; that the design of the project is compatible with other development in the neighborhood, thereby making it consistent with the City's adopted Design Guidelines; and that the project is consistent with the General Plan, Local Coastal Plan, Rockaway Beach Specific Plan and other applicable regulations of the City. Specifically, the Planning Commission finds that the project is a blend of commercial and residential use that is compatible with a mixed use neighborhood, and that the modern design including projections, recesses and large view windows has sufficient design variety.
2. **Findings for Approval of the Use Permit:** The Planning Commission determines that the proposed mixed use development, as conditioned, is an appropriate use for the site. Specifically, the establishment, maintenance, or operation of the building applied for will not, under the circumstances of this 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. The Commission further finds that the request is consistent with the City's adopted Design Guidelines. In particular, the proposed use is a ground floor commercial spaces with three units above that will be compatible with the West Rockaway Beach neighborhood that contains a mixture of residential uses and commercial activities nearby.

3. **Findings of Approval of the Coastal Development Permit:** The Planning Commission finds that the proposed project, as conditioned, is in conformity with the City's Local Coastal Program and Public Recreation policies of Chapter 3 of the California Coastal Act. Specifically, the design and scale of the project is compatible with the surroundings in the West Rockaway Beach neighborhood. 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.
4. **Findings of Approval of the Parking Exception:** The Planning Commission finds that the number of proposed on-site parking spaces is as nearly in compliance with the Code requirements as is reasonably possible. In this particular case, five on-site parking spaces will provide sufficient parking for the commercial space and the residential units because the parking in-lieu fee program is provided by the City to enhance the centralized public parking areas in the Rockaway Beach Specific Plan area. In addition, there are two public parking lots nearby. The City parking lot approximately 120 feet away along Dondee Way and the public beach parking lot is approximately 3 blocks away.
5. **Findings of Approval of a Specific Plan Waiver:** The Planning Commission finds that the proposed mixed use development is consistent with the overall Rockaway Specific Plan objectives and promotes the goals and purposes contained therein. In particular, the proposal will establish visitor serving commercial space in the area and is consistent with previously approved projects. The Commission also finds the increase in FAR for the project will not increase the parking need beyond the project's means nor for that of surrounding businesses.

COMMISSION ACTION

E. MOTION TO APPROVE:

Move that the Planning Commission find that the project is exempt from CEQA and **APPROVE** PSD-783-12, UP-026-12, CDP-268-12, PE-157-12 and Specific Plan waiver, subject to conditions 1 through 26, based on the findings contained within the February 19, 2013 staff report and all maps, documents, and testimony be incorporated herein by reference.

Attachments:

- a. Land Use and Zoning Exhibit
- b. Applicant's Statement in Letter Dated January 15, 2013
- c. Photos of Project Site as Viewed from Highway 1
- d. Green Building Ordinance Information Sheet from Applicant
- e. Plans and Elevations (Planning Commission only)