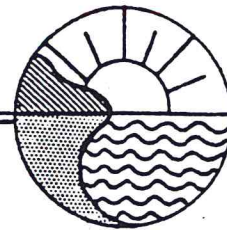


AGENDA



Planning Commission – City of Pacifica

DATE: December 17, 2012
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: November 5, 2012
Designation of Liaison to City Council Meeting of:

CONSENT ITEMS:

PUBLIC HEARINGS:

CONSIDERATION ITEMS:

- 1. UP-978-07
PSD-763-07** **EXTENSION OF PERMITS** for the construction of one single-family residence with a second residential unit south of Fassler Avenue east of Roberts Road (APN: 022 -150-030). Proposed Action: Grant extension request.
- 2. PSD-730-04** **EXTENSION OF PERMITS** for the construction of a single-family residence on the south side of Oddstad Way and Troglia Terrace (APN: 022 -071-210 & -240). Proposed Action: Grant extension request.
- 3. CC-05-08
PE-148-08
UP-987-08
SUB-216-08** **EXTENSION OF PERMITS** to convert 170 existing apartment units into condominium units at 435 Gateway Drive (APN 009-540-110, 120, 130, 140,150, 160 and 170) Proposed Action: Grant extension request.

OTHER AGENDA ITEMS: ELECTION OF OFFICERS

COMMUNICATIONS:

Commission Communications:

Staff Communications:

Oral Communications:

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

ADJOURNMENT

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

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

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

CITY OF PACIFICA

AGENDA MEMO

DATE: December 17, 2012

TO: Planning Commission

FROM: Lee Diaz, Associate Planner

SUBJECT: Agenda Item No.1 : Extension of Use Permit and Site Development Permit for the construction of one single-family residence with a second residential unit south of Fassler Avenue and east of Roberts Road (APN: 022-150-030)

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

The subject permits were due to expire on November 26, 2008. At the request of the applicant, the Planning Commission granted a one (1) year extension of the permits on October 6, 2008. The road that would provide access to the subject property had not been constructed. On November 16, 2009 the Commission approved a second extension of the permits because the access road had yet not been constructed. On December 6, 2010 the Planning Commission approved a third extension request because the access road had not been constructed. A fourth extension was also approved on December 3, 2011 for the same reasons mentioned above.

The Use Permit and Site Development Permit were due to expire on December 3, 2012. On October 30, 2012 staff received the attached extension request. This is the applicant's fifth extension request. The applicant is requesting the permit extension because the road that would provide access to their subject property has still not been constructed.

Extension requests are not unusual and are generally granted unless there have been significant changes in conditions or circumstances affecting the project or area. There have not been any changes that would indicate that the extension should not be granted. Because this is the applicant's fourth extension request, this item is presented as a consideration item.

COMMISSION ACTION REQUESTED

Move that the Planning Commission **EXTEND** UP-978-07 and PSD-763-07 to December 3, 2013.

Attachment:

1. Letter from Applicant, 10/29/12

CITY OF PACIFICA

AGENDA MEMO

DATE: December 17, 2012

TO: Planning Commission

FROM: Lee Diaz, Associate Planner

SUBJECT: Agenda Item No. 2 : Extension of Site Development Permit for the construction of a three-story single-family residence at the southwest portion of Oddstad Way and Troglia Terrace (APN 022-071-210 & -240).

The Planning Commission approved an amendment to a Site Development Permit on November 20, 2006 for the construction of a three-story single-family residence on a 33,750 square foot vacant lot located at the southwest portion of Oddstad Way and Troglia Terrace in the Rockaway Beach neighborhood. The amendment to the Site Development Permit was due to a discrepancy between the originally approved topography map and the new topographic survey prepared by the applicant. The original application for the Site Development Permit was by a different property owner.

The amended Site Development Permit was due to expire on November 20, 2007. At the request of the applicant, the Planning Commission granted a one (1) year extension for the Site Development Permit on December 17, 2007. At that time, the final documents for the building permit were still being reviewed by the Planning and Building Department. On December 1, 2008 the Commission considered a second extension request but voted (7-0) to continue the extension request for a public hearing. The applicant had requested the extension due to problems obtaining a home loan. Some of the Commission members had questions about the history of the project and others had concerns about the road maintenance agreement that was required as a condition of approval. On January 5, 2009 the Commission held a public hearing and approved the second extension of the Site Development Permit. At the applicants request the Commission approved a third extension on December 7, 2009. On December 6, 2010 a fourth extension was approved by the Commission. A fifth extension request was approved by the Commission on January 17, 2012. However, some of the Commissioners were hesitant to approve the extension. They raised concerns about the proposed roadway, environmental review, issues raised by a neighbor such as increased erosion and traffic.

The City does not have a limit on the number of extensions that can be approved. In the past, the Commission has approved multiple extension requests. For example, the two single-family

residential projects on Gypsy Hill were each granted seven extension requests. As with the properties on Gypsy Hill, no changes in conditions or circumstances affecting the project or area were found that would justify the extension request to be denied.

The last extension was approved on January 17, 2012. On November 21, 2012 staff received the attached extension request. This is the project's sixth extension request. The applicant is requesting the permit extension because he is in the process of obtaining a financial loan. The building permit is ready to be issued once all required fees are paid to the City.

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

COMMISSION ACTION REQUESTED

Move that the Planning Commission **EXTEND** PSD-730-04 to January 17, 2014.

Attachment:

1. Letter from Applicant, received 11/21/12

CITY OF PACIFICA

AGENDA MEMO

DATE: December 17, 2012

TO: Planning Commission

FROM: Kathryn Farbstein, Assistant Planner

SUBJECT: Agenda Item No. 3: Extension of Condominium Conversion, CC-05-08, Parking Exception, PE-148-08, Tentative Map, SUB-216-08 and Use Permit, UP-987-08, to Convert an Existing Apartment Complex into Condominiums at 435 Gateway Drive (APN 009-540-110, 120, 130, 140, 150, 160 and 170).

On December 15, 2008, the Planning Commission approved the Condominium Conversion, Parking Exception, Tentative Condominium Map and Use Permit to convert a 170 unit existing apartment complex into individually owned condominium units at 435 Gateway Drive. Attached is the staff report, Planning Commission meeting minutes and the grant letter with the conditions of approval.

The permits were due to expire on December 31, 2010. On November 24, 2010, the applicant submitted an extension request for a year to December 31, 2011 and the Planning Commission granted the extension request for one year on December 6, 2010. On November 18, 2011, the applicant requested a second extension request for one year due to unavoidable construction costs and the Commission granted the extension to December 31, 2012.

On December 3, 2012, the applicant requested a third extension as stated in the attached Attachment "a" because the applicant has not complied with all the conditions of approval yet.

It is not unusual for the applicant to request an extension for approved permits. Extensions are generally granted unless there have been significant changes in the conditions or circumstances affecting the property or area. Staff believes that no changes have occurred and is therefore recommending that the Commission grant the extensions for the Condominium Conversion, Parking Exception and Use Permit for one year as requested by the applicant.

COMMISSION ACTION REQUESTED

Move that the Planning Commission **EXTEND** CC-05-08, PE-148-08, SUB-216-08 and UP-987-08 to December 31, 2012.

Attachment:

- a. Letter from Applicant Dated December 3, 2012