AGENDA

Planning Commission – City of Pacifica

DATE: January 18, 2011

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: December 6, 2010

Designation of Liaison to City Council Meeting of: January 24, 2011

PUBLIC HEARINGS:

1. **Amendment to CDP-301-08** — **AMENDMENT to COASTAL DEVELOPMENT PERMIT,** filed by the owners, Richard Clark and Richard Faust, to lower the floor level of an existing two story dwelling of 1,500 square feet of floor area and insert a new floor level of approximately 800 square feet to create a three story dwelling at 260 Stanley Avenue, Pacifica (APN 023-019-220). Recommended CEQA status: Exempt. *Proposed Action*: Approval as conditioned.

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: January 18, 2011

ITEM: 1

PROJECT SUMMARY/RECOMMENDATION AND FINDINGS

Notice of Public Hearing was published in the Pacifica Tribune on January 5, 2011. 37 surrounding property owners and residents were notified by mail.

FILE: Amendment to CDP-301-08

APPLICANT & OWNERS: Richard Clark and Richard Faust, 160 Avenue, Pacifica CA 94044

AGENT: Brian Brinkman, 648 Navarre Drive, Pacifica, CA 94044

LOCATION: 260 Stanley Avenue (APN 023-019-220)

PROJECT DESCRIPTION: The applicant is proposing to amend a previously approved Coastal Development Permit which was to add a third story on top of an existing dwelling. The property owners are now proposing to lower the existing level of the building and add another floor level of approximately 800 square feet without raising the current level of the roofline.

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

CEQA STATUS: Exempt Section 15301 Class 1 (e)

ADDITIONAL REQUIRED APPROVALS: None. The project is appealable to the City Council and California Coastal Commission.

RECOMMENDED ACTION: Approval

PREPARED BY: Kathryn Farbstein, Assistant Planner

R-1 ZONING STANDARDS CONFORMANCE:

Standards	Required	Existing	Proposed
Lot Size	5,000 sf	5,000 sf	5,000 sf
Coverage	40% max.	33%	No Change
Height	35' max.	26'	30'
Landscaping	20% min.	49%	43%
Setbacks			
-Front Projection Stairway	9'	12'	9'
-Front yard	15'	17'	No Change
-Garage	20'	17'	No Change
-Interior side	5'	5.5'	No Change
-Rear	20'	29'	No Change
Parking	2 car garage	2 car garage	No Change
-Dimensions	18'w X 19'd Interior	26'w X 26' d Interior	18'w X 22'd Interior

PROJECT SUMMARY

A. STAFF NOTES:

1. Background: On July 7, 2008, the Planning Commission approved Coastal Development Permit, CDP-301-08 to construct a third story addition of approximately 1,000 square feet to an existing single family dwelling of approximately 1,500 square feet (see Attachments b, c, d and e). The existing dwelling has an attached two-car garage of approximately 800 square feet. On July 2, 2009, the Planning Director granted a one year extension of the CDP to July 15, 2010. Another extension of the CDP was granted by the Planning Director on July 7, 2010, which extended the deadline to obtain building permits to July 15, 2011. Thus, the previously granted Coastal Development Permit, 301-08 is still current; however, plan check was not started on the approved project due to the proposed amendment.

2. Project Description: The applicant is now proposing to lower the existing garage floor by approximately 3 feet and create a new floor area between the garage level and the existing upper floor because the property owners believe that this is a cheaper alternative and it will not impact the uphill neighbors. The existing height of the roofline in relation to the surrounding buildings would not change because instead of adding another level to the top of dwelling as previously approved, the current proposal is to lower the base of the building without changing the location of the existing top floor. In effect, the building would be transformed from a two story to a three story dwelling by lowering the first floor level and creating a new floor.

The new ground floor level of approximately 600 square feet would contain a two car garage, a new furnace and water heater, and an interior stairway to the upper floor. The new second level

(middle level as identified on the plans) of approximately 800 square feet would contain two bedrooms, a bathroom, and a family room/den area. There would not be exterior access proposed on the second level, and access to this floor would be from the garage level and the third level. The new third level (upper floor as identified on the plans) of approximately 1,500 would be remodeled but essentially contain the same uses which are two bedrooms, two bathrooms, kitchen, living room, deck and a covered entry porch. The building is proposed to be 30 feet in height due to lowering the first floor and the base of the existing stairway will be modified to provide access to the top level.

The existing siding on the front façade will be removed and replaced with shingle siding on the third (top) level, and vertical siding on the second level. The existing stucco on the ground level on the front façade and the other elevations will remain the same. The existing concrete stairs will be replaced with a new concrete stairway to the top floor. Galvanized steel and metal cables or similar materials will be used for the stairway and deck railings. New large windows will be added to all elevations except the rear (south) elevation.

3. 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.

4. Municipal Code and Regulatory Standards: As shown in the table above, the project complies with all Municipal Code and regulatory standards for an addition to a single-family dwelling on an R-1 zoned lot. Because the proposed project is located within the appeal area of the Coastal Zone (CZ), approval of a Coastal Development Permit (CDP) is also necessary.

5. CEQA Recommendation: Staff recommends that the Commission find the proposed addition categorical exempt from CEQA based on the following section of the California Environmental Quality Act:

> **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:

(2) 10,000 square feet if:
(A) The project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and
(B) The area in which the project is located is not environmentally sensitive.

The proposed addition of 800 square feet for this proposal is significantly lower than the 10,000 square feet allowed, and both (A) and (B) can be satisfied. The project is located in an established residential neighborhood where all public services and facilities are available but not within an environmentally sensitive area, which satisfies both item (A) and (B) above. In staff's opinion, the project results in a negligible expansion of use in that a single-family dwelling would increase from approximately 1,500 square feet of living area to 2,300 square feet of living area.

6. Coastal Development Permit Regulations and Findings: The Coastal Development regulations apply to all new development within the Coastal Zone to address a variety of special conditions as described in Zoning Code Section 9-4.400. In this case, the standards that apply to the proposed development are intended to protect the scale and character of existing neighborhoods, and to ensure geotechnical suitability for all development. A design level geotechnical report will be required during plan check by the Building Official per California Building Code 1802.2.7 that includes information regarding geologic conditions, potential landslide conditions and their implications for future development, potential ground shaking and earth movement effects on seismic forces, and commonly accepted geotechnical standards. In addition, a grading and drainage plan will be reviewed and approved as part of the plan check submittal.

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 shoreline, the development is in conformity with the public recreation policies of Chapter 3 of the California Coastal Act.

7. Staff Analysis:

Coastal Development Permit - The City of Pacifica's Local Coastal Program indicates that infill residential development should be located in close proximity to existing development (Coastal Act Policy #23), it should be designed and scaled for compatibility of surrounding uses (Coastal Act Policy #24), and it should provide replacement plantings as needed (Coastal Act Policy #26a). The subject site is located between two developed properties and within a neighborhood of similarly developed properties with single-family homes predominant. The project will be

three stories in height, and many dwellings along Stanley Avenue and the Pedro Point neighborhood are also three-story buildings.

Another concern of the Local Coastal Program is the preservation of the coastal view and vegetation. In this case, the views are to the north towards Pacifica State Beach, over Stanley Avenue. No public view areas will be affected. However, during review of the previous submittal, uphill neighbors expressed concerns about their views being negatively impacted. In the proposed amended version of the project, the existing roofline will remain unchanged; and therefore, the view for the uphill neighbors will not be impacted at all.

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 Plan Conclusions section of the Local Coastal Program regarding Community Scale and Design (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 Design Guidelines state that new construction should take into account the adjacent existing structures in terms of views, privacy and solar access (I A 2 page 3), and that hillside development has the potential to block or impair established views from existing development but it is possible for buildings to be designed with low profiles (II A 3 page 11). In this case, as described above, the view for the uphill neighbors will not change. In staff's opinion, the applicant is proposing to improve the most visible façade of an older single-family residence by applying new siding, windows on three of the elevations and new railings along the decks and stairs to add visual interest. Thus, staff is able to recommend adoption of the finding that the project is consistent with the Adopted Design Guidelines.

Heritage Trees – As discussed in the previous review of the project, the property to the northwest (268 Stanley) includes one heritage tree located along the side boundary line of the subject site. The canopy from this 50 inch diameter Monterey Pine extends over the property line and within the development area for the project. Therefore, staff required that the applicant provide the attached arborist report (Attachment f). The arborist had several recommendations for protection of the neighbor's heritage tree. Thus, a condition of approval to implement the arborist's recommendations is provided.

8. Summary: In staff's opinion, the project satisfies all the Zoning Code development standards and it is consistent with the Adopted Design Guidelines. The proposed addition is consistent with other three story buildings in the Pedro Point neighborhood; and the addition will not impact the views for the uphill neighbors. Thus, staff believes that the findings necessary to approve the project can be made.

RECOMMENDATION AND FINDINGS

B. RECOMMENDATION:

Staff recommends that the Planning Commission **APPROVE** CDP-301-08 to lower the existing dwelling and add a new floor at 260 Stanley Avenue, subject to the following conditions:

Planning Department

1. Development shall be substantially in accord with the plans entitled "Clark/Faust Remodel/Addition," consisting of nine (9) sheets, dated November 17, 2010 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. Of this native plant requirement, the species shall be historically or currently present at site or similar sites with the same conditions. All landscaping shall be completed consistent with the final landscape 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. All trash and recycling materials, if stored outdoors, shall be fully contained and screened from public view within the proposed enclosure to the Planning Director's satisfaction. 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.

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. All recommendations identified in the arborist's report shall be implemented as specified in the arborist's report.

12. The applicant shall 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, 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.

Wastewater Division of Public Works

14. 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.

15. 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. New storm drain inlets shall be protected from being blocked by large debris to the Public Work Director's satisfaction.

Engineering Division of Public Works

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. Construction shall be in conformance with the San Mateo Countywide Storm Water Pollution Prevention Program. Best Management Practices shall be implemented.

18. Applicant shall overlay existing asphalt with minimum 2 inch AC the whole street width across entire property frontage.

19. No debris box or equipment shed is allowed in the street or sidewalk.

20. 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."

21. 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."

22. 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.

23. A sidewalk agreement must be signed for unimproved streets to the satisfaction of the City Engineer.

C. FINDINGS:

1. **Findings for Approval of Coastal Development Permit:** The Planning Commission finds that the proposed addition to the single-family dwelling conforms to the Local Coastal Program. Specifically, the project as designed and conditioned will be compatible with the surrounding properties in Pedro Point and the lot will be landscaped in an appropriate manner. The project will not block any public coastal views nor will it block the uphill neighbor's views or sunlight. The project has distinctive architectural features such as a variety of siding materials, and new windows and deck railings that will create visual interest in the structure.

COMMISSION ACTION

D. MOTION TO APPROVE:

Move that the Planning Commission find that the project is exempt from CEQA and **APPROVE** the Amendment to CDP-301-08, subject to conditions 1 through 23, based on the findings contained within the January 18, 2011 staff report and all maps, documents, and testimony be incorporated herein by reference.

Attachments:

a. Land Use and Zoning Exhibit
b. Reduced Plans for Approved CDP-301-08
c. June 2, 2008 Planning Commission Staff Report and Minutes
d. July 7, 2008 Planning Commission Agenda and Minutes
e. Grant Letter Dated July 18, 2008
f. Tree Assessment and Protection Plan
g. Plans and Elevations (Planning Commission only)