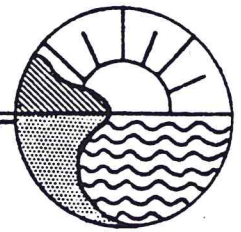


AGENDA



Planning Commission – City of Pacifica

DATE: November 21, 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: October 17, 2011

Designation of Liaison to City Council Meeting of: November 28, 2011

CONSENT ITEMS:

None

PUBLIC HEARINGS:

1. GPA-86-09
PSD-779-09
UP-011-09
S-108-09

GENERAL PLAN AMENDMENT, SITE DEVELOPMENT PERMIT, USE PERMIT and SIGN PERMIT, filed by Ken Winters of WDM Marketing Consultants, LLC, applicant, on behalf of the owner, Cabot Sheley, for a proposed assisted living center at 721 Oddstad Blvd. (APN 023-593-160), just behind an existing single-family dwelling addressed as 725 Oddstad Blvd. CEQA status: EIR prepared. Proposed Action: 1) Certify the EIR, 2) Approve the Site Development Permit, Use Permit and Sign Permit; and 3) Recommend Approval to the City Council of the General Plan Amendment (This item was moved from the November 7th Planning Commission meeting due to a lack of quorum.)
2. UP-020-11

USE PERMIT, filed by the agent, Chris Coones, on behalf of the applicant, AT&T, to install four wireless antennas at 685 Manor (APN 009-360-040). CEQA status: Exempt. Proposed Action: Continue to the December 5, 2011 Planning Commission meeting pursuant to the applicant's request.

OTHER AGENDA ITEMS:

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.

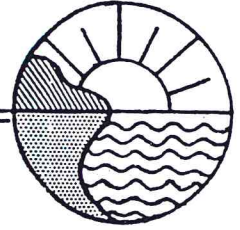
ADJOURNMENT

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: November 21, 2011

ITEM NO: 1

PROJECT SUMMARY/RECOMMENDATION AND FINDINGS

Notice of public hearing and Final EIR was mailed to property owners and other interested people on October 27, 2011. Notice of Completion of the Final EIR was published and filed with the State Clearinghouse as required by CEQA.

FILE: GPA-86-09
PSD-779-09
UP-011-09
S-108-09

APPLICANT: Ken Winters, WDM Marketing, LLC, 840 Faxon Ave., San Francisco, CA 94112

PROPERTY OWNER: Cabot Sheley, 1419 Rosita Road, Pacifica, CA 94044

LOCATION: 721 Oddstad Blvd. (APN 023-593-160)

PROJECT DESCRIPTION: Construction of a three-story 96 unit Assisted Living Center and other amenities at 721 Oddstad Blvd. The project consists of 3 buildings and underground parking with San Pedro Creek bordering two sides of the property.

General Plan

Current – Agricultural

Proposed – Commercial

Zoning

Current – C-1 (Neighborhood Commercial)

Proposed – No Change

CEQA STATUS: A Draft Environmental Impact Report (EIR) has been prepared and circulated starting May 18, 2011, and the public comment period expired on July 5, 2011. On June 20th, the City held a public hearing to take comments on the Draft EIR. A Final EIR that included responses to the comments received was completed and available for public review on October 27, 2011. A notice of the Final EIR's availability was sent out to property owners in the project area and to individuals who submitted comments on the Draft EIR.

ADDITIONAL REQUIRED APPROVALS: City Council approval of General Plan Amendment.

RECOMMENDED ACTION: 1) Certify the EIR; 2) Approve the Site Development Permit, Use Permit and Sign Permit; and 3) Recommend approval of the General Plan Amendment to the City Council.

Prepared By: Kathryn Farbstein, Assistant Planner

Zoning Conformance Standards:

<u>Project</u>	<u>Max/Min</u>	<u>Existing</u>	<u>Proposed</u>
Minimum Lot Size	5,000 sf	2 acres approx.	No Change
Lot Width	50'	111' approx.	No Change
Height	35'	N/A	33' approx.
Landscape	10%	N/A	51%
Parking		N/A	
Sec. 9-4.2818 (b) (2) 1 space per 300 sf of common area	25 spaces	N/A	26 spaces
Sec. 9-4.2818 (f) (6) 1 space per 3 beds	32 spaces	N/A	32 spaces
Sec. 9-4.2818 (c) (3) 1 space per 300 sf of administration area	6	N/A	7
Total Parking Spaces Required	63	N/A	70

PROJECT SUMMARY

A. STAFF NOTES:

1. Background: There are no other existing or proposed assisted living facilities in the City of Pacifica although nursing homes and senior apartments currently exist within City limits. When the proposed Assisted Living Center on the subject site was first presented to staff several years ago, staff encouraged the applicant to participate in a study session to obtain preliminary feedback from the Planning Commission. Due to the complexity of the project, three study sessions were conducted for this proposal. The first study session before the Planning Commission occurred on April 6, 2009. At the time, the applicant was proposing 111 units on the site; however, by the second study session on May 4, 2009, the number of units had been reduced by 14% to 96 units. The third study session was a joint session conducted before members of the Planning Commission and City Council. Preliminary feedback was given to the applicant during all three study sessions and the topics covered included protecting San Pedro Creek along the borders of the site, the density of the project and other concerns.

The applicant submitted a Planning Application on October 7, 2009. The project was routed to other departments for comments and the North County Fire Authority comments resulted in a partial redesign of the project to better accommodate emergency access. On July 30, 2010, the project was determined complete and the environmental review process started.

The Draft EIR was completed and then made available for public comment from May 18 until July 5, 2011. On June 20, 2011, the Planning Commission conducted a public hearing to obtain comments on the adequacy of the Draft EIR from members of the public as well as the Commission. Staff report and minutes of the meeting are attached. 19 members of the public, including the Planning Commissioners and one outside agency responded with comments on the project. One comment from the San Bruno Mountain Watch group was received on August 29, 2011 after the public comment deadline passed. This comment is attached as Attachment d and staff will be responding separately to the issues raised in the letter because the responses could not be included in the Final EIR. The Final EIR was completed and available for public review on October 27, 2011.

2. Site Description: The subject site of approximately 2 acres is located at 721 Oddstad Blvd. behind an existing single-family dwelling addressed as 725 Oddstad Blvd. The property was formerly utilized as a farm and then was converted into a commercial nursery; however, the nursery has been out of operation for several years and the buildings on site, including a warehouse, barn and greenhouse, are no longer used. Additional information on the site description is contained in the Draft EIR and in the plans (see Attachment i).

3. Project Summary: The proposed project consists of the construction and long-term operation of an assisted living complex. The Assisted Living Center would be a residential care option for individuals who typically can no longer live independently. Assisted living provides or coordinates oversight and services to meet the residents' individualized scheduled and unscheduled needs. The Assisted Living Center will contain amenities for the occupants such as a common dining area, spa, gym, roof and deck gardens, and raised planters for residents to use. Services such as housekeeping, medication management, personal laundry services and transportation will be provided for trips to medical facilities and other locations. A registered nurse will be available on site and 24 hour security for the facility will be provided.

The proposed project includes 96 units, 42 of which would be one bedroom units and 54 of which would be studios. Based on information provided by the applicant, the one bedroom units can potentially house two residents, making the maximum possible occupancy of the complex 140 residents. The proposed project's three three-story buildings would reach a maximum height of 33 feet and were designed in a stepped pattern following the natural grade of the existing lot so that the lobby would be 12 feet lower than the adjacent Park Mall and five feet lower than Oddstad Blvd. The proposed Assisted Living Center includes approximately 55,000 square feet of development above ground and approximately 17,000 square feet below ground for the parking area. Approximately 4,000 cubic yards of soil would be removed from the subject site during grading.

Access to the site is provided by a 20 foot private roadway from Oddstad Blvd. which loops around the first building. Access to the underground parking below building number two is also

provided from the loop roadway and a fire truck turnaround is designed into the entrance of the underground parking area. Additional information on the proposed project, including maps, is contained in the Draft EIR.

4. General Plan, Zoning, and Surrounding Land Use: The General Plan designation of the site is Agricultural. The proposed project includes amending the General Plan to change the land use designation to Commercial in order to permit the development of a 96 unit Assisted Living Center on the site. The zoning of the site is C-1 (Neighborhood Commercial). The C-1 designation allows a variety of uses including retail, service commercial, special care facility and offices which conflict with the current General Plan designation of agricultural. However, the previous farm and nursery use was consistent with the General Plan designation.

The Park Mall Shopping Center forms the boundary to the northeast/east and a neighborhood of single-family residences is located to southwest/west of the subject site, including the residences along Toledo Court, some of which have back yards that abut the subject site. The north and middle forks of the San Pedro Creek forms two boundaries of the subject site. A portion of the subject site fronts onto Oddstad Blvd. and a single-family dwelling addressed as 725 Oddstad Blvd. exists between the subject site and Oddstad Blvd.

The City of Pacifica complied with Government Code Section 65352.3 which requires consultation with Native American Tribes. The Draft EIR on page IV H-5 of the Cultural Resources section contains the discussion the Native American consultation.

5. Municipal Code and Regulatory Standards: As discussed previously, a General Plan Amendment to change the designation from Agriculture to Commercial is required to allow the proposed Assisted Living Center. The current zoning of C-1 (Neighborhood Commercial) does allow special care facilities as listed in the Pacifica Municipal Code (PMC) Section 9-4.1001 (b) (7) as a conditionally permitted use. PMC Section 9-4.273.1 defines special care facility as “a State-authorized certified or licensed family care home, foster home or group home serving mentally disordered or otherwise handicapped persons, dependent and neglected children, or elderly persons on a twenty four (24) hour-per-day basis.” An Assisted Living Center, licensed by the State, is considered a special care facility and a Use Permit is required. A Site Development Permit is required for all new construction in a Commercial District as stated in PMC Section 9-4.3201 (a); and therefore, this project includes a request for approval of a Site Development Permit. The proposed freestanding monument style sign (see Attachment e) at the driveway entrance requires approval of a Sign Permit as stated in PMC Section 9-4.2906 (b)

6. Environmental Review: A Draft EIR was prepared by the City’s environmental consultant, WRA, Environmental Consultants and circulated for public comments. The EIR serves as the environmental document for all of the discretionary actions associated with the development of the proposed project. A copy of the Draft EIR has been previously distributed for Commission consideration. The Planning Commission also held a public hearing on June 20, 2011 to allow the

Planning Commission to take public testimony on the adequacy of the Draft EIR for the proposed project. The hearing also provided an opportunity for the Planning Commission members to comment on the Draft EIR. The Final EIR responds to the written comments received and the oral comments made by members of the public and the Planning Commission during the public hearing on the Draft EIR. The Final EIR was available to the public on October 27, 2011, and everyone who provided a written comment was notified of its availability as well as the public hearing to review the project. The Final EIR was also provided to the Planning Commission.

The following highlights some of the issues addressed in the EIR, all of which can be found in Section IV. Environmental Impact Analysis in the Draft EIR:

a) Aesthetics – Section B. Aesthetics of the Draft EIR concludes that the proposed project would not have a substantial adverse effect on a scenic vista and it would not substantially damage a scenic resource. In addition, the project would not substantially degrade the visual character or quality of the site and its surroundings, nor would the project create a new source of substantial light and glare. Cumulative impacts would be less than significant and no mitigation measures have been identified.

b) Biological Resources – The information presented in Draft EIR in Section C. Biological Resources is based on several site surveys by WRA and the Biological Evaluation for the project prepared by Live Oak Associates, Inc. (included as Appendix D in the Draft EIR). Previously, the site had been farmed and used as a nursery with several buildings remaining. The north and middle forks of the San Pedro Creek border the site and both channels are considered to be an urban creek system. Six mitigation measures have been identified to reduce the impacts to biological resources. In response to the comments and after more research conducted by the environmental consultant, additional information has been added to this Section and Mitigation Measure Bio-4. On July 11, 2011, WRA biologists conducted a final wetland assessment and found no wetlands in the ruderal field. In addition, WRA determined that the development of the project and restoration of San Pedro Creek is not subject to the Army Corp of Engineers jurisdiction; and therefore, mitigation measure BIO-2 is no longer needed. The EIR concludes that with the mitigation proposed in the Draft EIR and as revised in the Final EIR, potential impacts to the special-status species, sensitive natural communities including both creek channels and wildlife habitat and movement opportunities would be less than significant.

c) Geology and Soils - While the proposed project could expose people or structures to strong seismic ground shaking and could result in landslides or soil instability, the Draft EIR proposes numerous mitigation measures (see Section D. Geology and Soils) to ensure these impacts will not be significant. The proposed project must be designed to follow seismic design criteria in the most recent Uniform Building Code to reduce the potential adverse effects of strong seismic ground shaking. All geotechnical review of the project will occur to ensure the stability of the project improvements. In addition, the applicant

must submit the project grading plans and design plans to the City for review and approval, including peer review as necessary. The implementation of the mitigation measures discussed in the EIR will ensure that all geological/geotechnical impacts are reduced to a less-than-significant level.

d) Cultural Resources – The Initial Study indicated that the site does not contain a structure or resource of historical significance as defined by CEQA. Although it is believed that no human remains have been found on the site, it is possible that unknown resources could be found during project construction, especially during ground disturbing activities such as grading and excavating. One of the mitigation measures as described in Section H. Cultural Resources of the Draft EIR would require archeologist over-sight to ensure that no culturally significant resources are disturbed. Thus, the EIR concludes that the potential impacts would be less than significant with implementation of the mitigation measures.

e) Hydrology and Water Quality – The Draft EIR in Section E. Hydrology and Water Quality reviewed potential impacts of the proposed project in terms of surface water hydrology and quality, drainage and for stormwater runoff during and after construction, and protection of the two forks of the San Pedro Creek. Implementation of the mitigation measures will ensure that stormwater runoff from the project is managed as required by State and Federal law, that a drainage plan is prepared for the development, and the post-construction stormwater treatment measures such as the use of permeable pavers and graywater for landscaping are maintained for the life of the project. Thus, the EIR concludes that the project with implementation of the three mitigation measures will have a less than significant impact.

f) Transportation and Traffic – In response to Caltrans's comments regarding the LOS at the three intersections along Highway 1 initially determined in the Draft EIR, a traffic addendum was completed by RKH, Civil and Transportation Engineering (applicant's traffic consultant) and peer reviewed by Hexagon Transportation Consultants (traffic consultant selected by environmental consultant, WRA) in the Final EIR. It was determined that the original existing Level of Service (LOS) contained in the Draft EIR (see Section F. Transportation and Traffic) was low because the traffic count taken in July of 2009 did not include traffic generated by schools being in operation. Another more recent count was taken while school was in session in March of 2011; this count was used in the Final EIR to demonstrate the existing LOS which has increased B and C to mostly LOS E. The March 2011 LOS count is more consistent with the LOS determined in a recent Caltrans study for the Calera Parkway (Highway 1) widening project. The new traffic study addendum concludes that the addition of project traffic to the roadway system will not result in any significant impacts to the studied intersections and this conclusion has also been confirmed by Hexagon.

g) Air Quality – The impacts to air quality created by the project have been analyzed in a

separate report prepared by Illingworth & Rodkin, Inc. and the analysis was included as Appendix C in the Draft EIR. In Section G of the Draft EIR, all the issues associated with air quality have been addressed such as the different types of air pollutants, stationary and mobile sources of air pollutants, toxic air contaminants and the relevant regulations. One mitigation measure was identified to reduce the air quality impacts during demolition of the existing structures and construction of the new buildings. No cumulative impacts were found. With implementation of Mitigation Measure AIR-1, air quality impacts related to the grading and construction emissions would be less than significant.

h) Hazards and Hazardous Materials – Section I. Hazards and Hazardous Materials of the Draft EIR considers potential risks associated with hazards and hazardous materials resulting from the proposed development of the Assisted Living Center. The analysis included review of the environmental setting, sensitive receptors nearby, wildlife fire hazards and the regulations from various agencies. Four mitigation measures were identified to reduce hazards and hazardous impacts associated with the project. No cumulative impacts were identified and with implementation of the mitigation measures, overall hazards and hazardous materials impacts as a result of the project would be less than significant.

i) Noise – A Noise Assessment Report was prepared by Illingworth & Rodkin as stated in Section J. Noise of the Draft EIR and was included as Appendix H. Information regarding the nearby sensitive receptors, existing conditions and the regulatory settings was presented and analyzed. One mitigation measure was identified that would reduce the noise impacts during construction. No cumulative impacts related to noise were found and after mitigation, construction noise impacts associated with the project would be less than significant.

j) Alternatives - Three alternatives to the project are considered in the Draft EIR. They are as follows:

- The **No Project Alternative A** assumes that the site will remain undeveloped.
- The **Reduced Density Project Alternative B** assumes the project would be a two building alternative with the originally proposed building #1 being eliminated and replaced with landscaping to further screen the project from off-site views. The total number of units would be 78 under this alternative.
- The **Reduced Height Project Alternative C** assumes the project site would be developed with three buildings where the third floor in each building would be removed to further remove the project's less than significant aesthetics impacts and the project would consist of 62 units.

Although Alternative C has been selected as the environmentally superior alternative, the project as proposed with three floors and 96 units would not result in any significant and unavoidable environmental impacts. The applicant has indicated that the Alternatives are not economically viable due to the reduction in size of the project.

In conclusion, the EIR found that there are no significant environmental impacts. After a thorough analysis by the environmental consultant, all the environmental impacts identified have less than significant impacts with adoption of the EIR's proposed mitigation measures. The Final EIR containing responses to all the comments received has been distributed to the Planning Commission; it is available to the public upon request and it is in the Sanchez library and on the City's website.

7. Response to San Bruno Mountain Watch Comment Letter: As mentioned previously, staff received a letter from David Schooley of San Bruno Mountain Watch regarding the proposed Assisted Living Center (see Attachment d). However, the letter arrived almost two months after the deadline for the Draft EIR comment period. Therefore, the letter and the three issues raised in the letter have not been included in the Final EIR but those issues will be addressed here in the staff report.

The commenter from the San Bruno Mountain Watch group explains that he had just found out about the Assisted Living Center and based on issues that had come up during construction near creeks on San Bruno Mountain, the commenter had concerns about the same issues occurring for this project. The commenter recommended that as much open space as possible be preserved for the native plants and animals near the creeks on the subject site. In response, similar to response B3-1 in the Final EIR, Section IV C of the Draft EIR has detailed discussions of all the impacts to the biological resources on the site as a result of the project. Mitigation measures have been provided to ensure that the impacts to the creek area are not significant and to protect the biological resources that exist on the site or may exist on the site. In response to second comment regarding other locations within the City of Pacifica that are better suited to this development, the applicant does not own another site within the City limits that could accommodate this project. This issue is addressed in further detail in the B4-1 response of the Final EIR. Finally, the commenter from San Bruno Mountain Watch expressed concerns that the applicant implementing all the mitigation measures for the project. However, a Mitigation Monitoring Program lists all the required mitigation measures and the responsible parties for implementing those measures. As required by CEQA, all the mitigation measures will be fully implemented and monitored by City staff.

8. Entitlements Requested: As part of this project, a General Plan Amendment is proposed as allowed by PMC Section 9-4.3502 of the Code. The project cannot be approved unless the City Council approves the General Plan Amendment.

Site Development Permit - Pursuant to PMC Section 9-4.3204 (a), a Site Development Permit cannot be issued if the Commission makes any of the following findings that the project would

have one or more of the briefly summarized following negative impacts:

1. Potential traffic hazards
2. Parking accessibility problems
3. Insufficient landscape areas
4. Restricted light and air on the property or other surrounding properties
5. Creation of a substantial detriment to an adjacent residential district
6. Excessive damage to the natural environment
7. Insufficient site and structural design variety
8. Inconsistency of the proposed development and the City's adopted Design Guidelines; or
9. Inconsistency of the proposed development and the City's General Plan, Local Coastal Plan, or other applicable laws of the City.

Use Permit - The Planning Commission shall grant approval of a Use Permit to allow residential use on the subject site when all of the following findings as listed in PMC 9-4.3303 are made:

- a. 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;
- b. 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
- c. Where applicable, that the use or building applied for is consistent with the City's adopted Design Guidelines.

Sign Permit - As mentioned previously, all freestanding signs require review and approval of the Planning Commission. In PMC Section 9-4.4.2906 (b) the following findings are required for approval of a freestanding sign as proposed:

1. A freestanding sign is necessary for the business or businesses located on the premises to achieve a reasonable degree of identification; and
2. The sign is consistent with the intent and provisions of Article 29 concerning signs; and
3. The sign does not exceed the square footage set forth in subsection (3) of subsection (a) of this section which is 90 square feet; and
4. The sign does not exceed a height of twenty (20') feet above the sidewalk or paved area over which it is erected.

9. Analysis:

General Plan Amendment -The General Plan current designation of Agriculture was consistent with the previous uses of the site as a farm and nursery but those types of uses are no longer viable for

the site; and therefore, the property has remained vacant for several years. Amending the General Plan designation to Commercial results in a General Plan designation that is consistent with the Zoning classification of C-1 (Neighborhood Commercial). The San Pedro Creek and the vegetation within the creek bed act as a buffer for the adjacent single-family dwellings with the R-1 zoning designation. Staff considers the proposed use as a primarily a commercial use being more similar to a hotel operation than an apartment unit. However, with 96 units proposed, there are elements of a residential use in the Assisted Living Center. Therefore, the proposed Assisted Living Center located between the Park Mall Shopping Center, a commercial use and the single-family dwellings along Toledo Court is an appropriate transitional use. In staff's opinion, amending the General Plan Designation to Commercial is the best alternative for the subject site.

The City of Pacifica is undergoing a General Plan Update. All three General Plan Alternatives propose that the subject site be reclassified as Mixed Use; however, the General Plan update process is not complete. The current General Plan designation of Agriculture is still in effect for the subject site. The General Plan designation of Commercial that is proposed for the development of the site does allow both commercial and residential uses similar to the proposed Mixed Use designation as recommended by the General Plan update. Although the Assisted Living Center is considered by staff as a commercial use, there is strong residential component in that a total of 96 studios and one-bedroom units will be occupied by seniors and people with disabilities. In staff's opinion, the proposed Assisted Living Center would be consistent with the new designation of Mixed Use as proposed by the General Plan update.

Site Development Permit – The proposed development of an Assisted Living Center has been reviewed by City staff in the Engineering Division, Building Department, Wastewater Division and the North County Fire Authority. In addition, traffic related issues have been analyzed by RKH, Civil and Transportation Engineering, and peer reviewed by Hexagon Transportation Consultants. The project was revised several times to eliminate any potential traffic hazards or parking accessibility problems. Half the site is landscaped and the creek beds will be protected; therefore, sufficient landscaped area is proposed for the Assisted Living Center. The project will not restrict light and air on the subject site because approximately 23% of the site is covered and the remaining area has driveway and parking areas, pathways, landscaping or open space for the creeks and channels. Light and glare will not negatively impact surrounding properties because the buildings are at least 150 feet from the residential buildings along Toledo Court, 70 feet from the closest residential building at 725 Oddstad Blvd. and 50 feet from the commercial buildings in Park Mall. The project will not create a substantial detriment to an adjacent residential neighborhood nor will it excessively damage the natural environment because the EIR concludes that there are no significant environmental impacts that result from the development of the Assisted Living Center. The three buildings proposed for the Assisted Living Center are well designed and have sufficient structural design variety due to the varied shapes of the structures, different rooflines and balconies as suggested by the Design Guidelines; thus, the project is consistent with the Design Guidelines. Upon approval by the City Council of the General Plan Amendment, the project would be consistent with the General Plan. The project is consistent with the current C-1 zoning and satisfies

all the development standards. However, the subject site is not within the Coastal Zone; and therefore the requirements in the Local Coastal Plan do not apply.

Use Permit – The establishment, maintenance, or operation of the uses and the buildings 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 in that all the environmental impacts have been analyzed and mitigation measures identified to ensure that the project does not have a significant effect on the environment. If the City Council approves the General Plan Amendment, the uses and the buildings applied for are consistent with the applicable provisions of the General Plan and other applicable laws of the City because although the proposed use is commercial and consistent with the Zoning, the General Plan designation of Agriculture is not consistent but would be changed to Commercial as part of this project. The uses and buildings applied for are consistent with the Design Guidelines in that elements from surrounding residential properties such as balconies and peaked rooflines are incorporated into the project. In addition, different siding treatment such as horizontal planks and stone veneer, trellis features above some balconies and shutters to enhance the window treatment add visual interest to the facades as recommended by the Design Guidelines.

Sign Permit - The applicant is proposing to construct a freestanding fence at the driveway entrance to the subject site. The fence consists of four decorative pillars five feet in height and stucco covered panels in between that are four feet in height as shown on Attachment e. Light fixtures above each of the pillars will extend the height of the fence approximately one foot. In between the pillars, the panels of the fence will be covered in stucco and one of the panels will contain the signage for the site. The proposed signage is approximately 20 square feet and the allowed signage is up to 90 square feet. The signage is sufficient to provide identification for the proposed Assisted Living Center and the proposed lighting is subdued enough to prevent disruption to the adjacent properties, especially the single-family dwelling at 725 Oddstad Blvd. Thus, staff believes that the signage as proposed is appropriate for the use and the location.

10. Summary: Based upon the above discussion, staff believes the findings necessary to grant the General Plan Amendment, the Site Development Permit, the Use Permit and the Sign Permit can be made and has determined that the proposal, as conditioned, is consistent with the Design Guidelines, and will be consistent with the General Plan if the Council approves the General Plan Amendment. The project will also be consistent with the PMC as recommended by the Planning Commission. This project is compatible with the adjacent commercial uses in Park Mall, the senior apartments across Oddstad Blvd., and there is sufficient buffer created by the creek beds including the vegetation between the proposed use and the single-family dwellings along Toledo Court. In staff's opinion, this project does not appear out of character with the surrounding community. In addition, an EIR has been prepared that concludes all potential environmental impacts have been reduced to a level of insignificance through appropriate mitigation measures.

RECOMMENDATION AND FINDINGS

B. Recommendation:

Staff recommends that the Planning Commission 1) ADOPT the attached Resolution recommending certifying the Final EIR, adopting the Mitigation Monitoring Program, and adopting the CEQA findings for the Assisted Living Center of 96 units; 2) APPROVAL of the Site Development Permit (PSD-779-09), Use Permit (UP-011-09) and Sign Permit (S-108-09); and 3) RECOMMEND APPROVAL of the General Plan Amendment (GPA-86-09).

Planning Department

1. Development shall be substantially in accord with the plans entitled “Oddstad Assisted Living Center,” consisting of forty (40) sheets, dated June 22, 2010 except as modified by the following conditions.
2. The Planning Commission approvals of the Site Development Permit, Use Permit and Sign Permit are contingent upon the City Council granting approval of the General Plan Amendment.
3. The applicant shall comply with all mitigation measures identified in the Mitigation Monitoring Program.
4. Prior to building permit issuance, the owner shall work with staff to record conditions of project approval on the title of the property.
5. 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.
6. 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.
7. The final landscape plan shall demonstrate compliance with the State of California Model Water Efficient Landscape Ordinance (California Code of Regulations Title 23. Waters,

Division 2. Department of Water Resources, Chapter 2.7) prior to the issuance of a building permit.

8. 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.
9. 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 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.
10. 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.
11. 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.

12. 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.
13. Roof drains shall discharge and drain away from the building foundation to an unpaved area wherever possible. All water runoff that is not directed into landscaped areas shall be filtered or otherwise treated to remove pollutants prior to entering the storm drain system, using a system approved by the City Engineer. The applicant shall maintain the filter or other system in good working order to the satisfaction of the City Engineer and shall allow inspections of the system by City staff as needed. The filtering system shall be approved prior to building permit issuance.
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 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.
16. 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.

17. 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

18. 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

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. The following notes will be required to be on the plans:
 - Construction working hours shall not extend beyond 7 a.m. to 6 p.m., Monday through Friday, without specific written permission from the City of Pacifica (PMC 8-1.08).
 - Roadways shall be maintained clear of construction materials and debris at all times. Daily road cleanup will be enforced.
 - 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.
 - 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.
 - All street improvements shall be constructed in accordance with the City of Pacifica specifications and will be subject to inspection and approval by the City.
 - There shall be no major structural encroachment into the public right-of-way.
21. An encroachment permit shall be required for all work within City Right-of-Way. All proposed improvements within the City right-of-way shall be constructed per City Standards.

22. 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. The applicant shall attach to all plan sets a copy of the San Mateo County Stormwater Pollution Prevention construction sheet. Copies can be obtained at the City's Planning Department.
23. Applicant shall overlay existing asphalt with minimum 2 inch AC for the full street width across the entire width of the property frontage along Oddstad Boulevard.
24. All storm drain inlets shall be stenciled: "NO DUMPING, DRAINS TO CREEK."

C. FINDINGS:

1. Findings to Recommend Approval of the Site Development Permit: The Planning Commission finds that the proposed Assisted Living Center will not create potential traffic hazards, parking accessibility problems, insufficient landscape areas, nor restrict light and air on the subject site or other surrounding properties. In addition, the proposed Assisted Living Center will not cause a substantial detriment to an adjacent residential district, will not cause excessive damage to the natural environment and will not result in insufficient site and structural design variety. In particular, City staff and professional traffic engineers through the environmental review process have reviewed the project and determined that there are no potential traffic hazards and no parking accessibility issues. The parking as proposed is consistent with the development standards for number, location and size of parking spaces. As described previously, half the subject site is landscaped. With only 23% of the site covered by the buildings, most of the site is open to allow sufficient light and air on the site, and the Assisted Living Center does not block light and air on adjacent properties because the closest residential structure is more than 70 feet away. The EIR has concluded that the project will not cause a substantial detriment to the adjacent residential district and after implementation of the mitigation measures, the project will not cause significant environmental impacts. Finally, the buildings have been well designed with varied rooflines, balconies, window treatments and different sidings to create visual interest; therefore, there is sufficient site and structural design variety as required in the Design Guidelines. Upon approval of the General Plan Amendment by the Council, the project will be consistent with the General Plan. Currently, the project is consistent with the C-1 zoning designation, the development standards and all applicable laws of the City. However, the subject site is not within the Coastal Zone; and therefore, the Local Coastal Program requirements do not apply.

2. Findings to Recommend Approval of the Use Permit: The Planning Commission finds that the establishment, maintenance, or operation of the uses and the buildings 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 in that all the environmental impacts have been analyzed and mitigation measures identified to ensure that the project does not have a significant effect on the environment. The uses and the buildings applied

for are consistent with the applicable provisions of the General Plan, upon approval by the Council, and other applicable laws of the City because although the proposed use is commercial and consistent with the Zoning, the General Plan designation of Agriculture is not consistent but would be changed to Commercial as part of this project which would be consistent with the current zoning and similar to the proposed General Plan update use. Finally, the uses and buildings applied for are consistent with the Design Guidelines in that elements from surrounding residential properties such as balconies and peaked rooflines are incorporated into the project.

3. Findings to Recommend Approval of the Sign Permit: The Planning Commission finds that a freestanding sign is necessary for the Assisted Living Center to achieve a reasonable degree of identification in that the proposed monument style signage at the entrance to the site is sufficient to provide identification for the project. The sign is consistent with the intent and provisions of Article 29 concerning signs and the sign does not exceed the square footage set forth in subsection (3) of subsection (a) of this section which is 90 square feet. The sign does not exceed a height of twenty (20') feet above the sidewalk or paved area over which it is erected. Finally, the proposed lighting is subdued enough to prevent disruption to the adjacent properties, especially the single-family dwelling at 725 Oddstad Blvd. Thus, the signage as proposed is appropriate for the use and the location.

COMMISSION ACTION

Staff has provided a motion below for the Planning Commission to: 1) Certify the EIR, 2) Approve the Site Development Permit, Use Permit and Sign Permit; and 3) Recommend approval of the General Plan Amendment to the City Council. If the Planning Commission cannot certify the EIR, then the Planning permits cannot be approved and the Commission cannot support the General Plan Amendment. Thus, if the EIR is not certified, the project must be denied by the Planning Commission. A condition of approval is recommended that the Planning permits cannot be approved until the City Council approves the General Plan Amendment. Based on the EIR that concluded there were no significant environmental impacts and staff's analysis of the project as detailed previously, a motion for approval is provided below.

D. MOTION FOR APPROVAL

Move that the Planning Commission ADOPT the attached resolutions: (1) CERTIFYING the Environmental Impact Report, Adopting the Mitigation Monitoring Program, and Adopting the CEQA Findings, (2) APPROVING the Site Development Permit, Use Permit and Sign Permit; and 3) RECOMMENDING approval of the General Plan Amendment for the Assisted Living Center at 721 Oddstad Boulevard.

ATTACHMENTS:

Planning Commission Only:

- a. Draft EIR (previously distributed May 18, 2011)
- b. Final EIR (previously distributed October 27, 2011)
- c. Staff Report for Draft EIR and Planning Commission Meeting Minutes for June 20, 2011
- d. San Bruno Mountain Watch comment letter received August 29, 2011
- e. Monument Sign Detail
- f. P.C. Resolution to Certify the EIR, Adopt Mitigation Monitoring Program and Adopt CEQA Findings
- g. P.C. Resolution for General Plan Amendment
- h. P.C. Resolution Approving Site Development Permit, Use Permit and Sign Permit
- i. Set of Plans (Rolled)

CITY OF PACIFICA

AGENDA MEMO

DATE: November 21, 2011

TO: Planning Commission

FROM: Christina Horrisberger, Assistant Planner *CH*

SUBJECT: **Agenda Item No. 2:** Use Permit, UP-020-11, to install four wireless antennas at 685 Manor (APN 009-360-040)

The above referenced Use Permit was scheduled for review by the Planning Commission at their regularly scheduled meeting of November 21, 2011. On November 9, 2011, after consideration of potential scheduling conflicts with the November 21, 2011 meeting, the applicant requested that the Commission continue review of the project to their December 5, 2011 meeting. Project related materials will be included with the December 5, 2011 agenda packet.

COMMISSION ACTION REQUESTED

Move that the Planning Commission **CONTINUE** UP-020-11 to the Planning Commission meeting of December 5, 2011, with the public hearing open.

Gibbs, Tina

From: Horrisberger, Christina
Sent: Wednesday, November 09, 2011 11:29 AM
To: White, George; Gibbs, Tina
Subject: FW: 11/21/11 PC Meeting--Pacifica
See forwarded message.

Christina

From: Chris Coones [mailto:chriscoones@forzatelecom.com]
Sent: Wednesday, November 09, 2011 10:54 AM
To: Horrisberger, Christina
Cc: Chris Coones
Subject: Re: 11/21/11 PC Meeting--Pacifica

Christina,

I wanted to request on behalf of ATT that our item be continued to the 5th of December. I understand that other items on the agenda in the City of Pacifica are putting a greater demand on staffs time. From our conversations It seems that by moving to the 5th we will have a better chance of having our item heard without being continued. This is important to us due to the need to have RF available to interpret their Analysis. Let me know if you have any questions, or what we need to do to make that happen.

Thanks,

Chris

Chris Coones Jr.
Project Manager
ForzaTelecom
1330 North Broadway Ste. 202
Walnut Creek, CA 94596
m: 916.716.1416
f: 925.407.8263

Email: chriscoones@forzatelecom.com
iChat: chriscoones (AIM)
www.forzatelecom.com

From: <horrisbergerc@ci.pacifica.ca.us>
Date: Mon, 7 Nov 2011 10:49:25 -0800
To: Chris Coones <chriscoones@forzatelecom.com>
Subject: 11/21/11 PC Meeting--Pacifica

Just a head's up—tonight's PC meeting was cancelled due to lack of a quorum. Consequently, everything on the agenda is moved to the next meeting. That meeting may go late.

Christina Horrisberger
Assistant Planner
[mailto: horrisbergerc@ci.pacifica.ca.us](mailto:horrisbergerc@ci.pacifica.ca.us)

City of Pacifica
Planning & Economic Development Department
1800 Francisco Blvd.
Pacifica, CA 94044
(650) 738-7341
www.cityofpacifica.org

11/10/2011