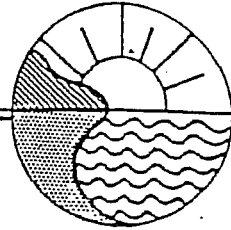


AGENDA



Planning Commission – City of Pacifica

DATE: Monday, February 1, 2010
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: January 19, 2010

Designation of Liaison to City Council Meeting of: February 8, 2010

CONSENT ITEMS:

PUBLIC HEARINGS:

1. CDP-290-07 AMENDMENT to COASTAL DEVELOPMENT PERMIT, filed by Brian Brinkman, agent, on behalf of the owner, Terry Walsh, for revisions to a previously approved three story single-family dwelling currently under construction at 1327 Livingston Avenue, Pacifica (APN 023-017-470). The property is located in the Coastal Zone. Recommended CEQA status: Exempt. Proposed Action: Approval as conditioned

OTHER AGENDA ITEMS:

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.

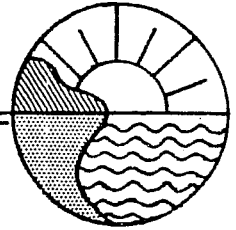
ADJOURNMENT

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 1, 2010

ITEM: 1

PROJECT SUMMARY/RECOMMENDATION AND FINDINGS

Notice of Public Hearing was published in the Pacifica Tribune on January 20, 2010. 63 surrounding property owners and tenants were notified by mail.

FILE: Amendment to
CDP-290-07

APPLICANT & OWNER: Terry Walsh, 490 Carmel Avenue, Pacifica CA 94044

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

LOCATION: 1327 Livingston Avenue (APN 023-017-470)

PROJECT DESCRIPTION: Proposing a revised design for a three-story single family dwelling currently under construction.

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

CEQA STATUS: Exempt Section 15303(a)

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

RECOMMENDED ACTION: Approval with conditions.

PREPARED BY: Kathryn Farbstein, Assistant Planner

R-1 ZONING STANDARDS CONFORMANCE:

<u>Standards</u>	<u>Required</u>	<u>Previously Approved</u>	<u>Proposed Redesign</u>
Lot Size	5,000 sf	No Change	No Change
Coverage	40% max.	31%	32%
Height	35' max.	35'	33'
Landscaping	20% min.	30%	44%
Setbacks			
-Front yard	15'	37'	34'
-Garage	20'	40'	40'
-Interior side	5'	5'	5'
-Rear	20'	20'	20'
Parking	2 car garage	2 (separate single-car spaces)	2 (separate single-car spaces)
	18' wide by 19' deep	10.5' by 20' and 9' by 29'	9' by 22' and 10' by 29'

PROJECT SUMMARY

A. STAFF NOTES:

1. Background: On September 17, 2007, the Planning Commission approved a three story dwelling of approximately 3,000 square feet on the subject site under a different ownership (see the attached staff report, reduced plans, meeting minutes and conditions of approval). A building permit was issued to construct the dwelling and work started on the site. However, on December 21, 2009, an application was filed to amend the Planning permit because the new owner wanted to revise the design. The proposed changes are substantial and staff determined that approval of an Amendment to the Coastal Development Permit is necessary. All construction work on the site has been halted until the Planning Commission makes a decision on the revised design and a revision to the plans is approved by the Building Official.

2. Project Description: The applicant is proposing a three story dwelling of approximately 2,700 square feet, which is a reduction in size of 12% (the previously approved project contained approximately 3,000 square feet of floor area). The basic configuration of the first and second floor is substantially the same with some minor changes such as adding the mechanical room and adding decks on the northern elevation, and changing the front stairway. A major revision is the reduction in size of the floor area of the third (upper) level by approximately 300 square feet or 31%. However, a deck has been added to replace the portion of living area on the upper level. The applicant has provided a statement describing some of the changes and the reasons for making those changes (see Attachment b).

The proposed lower or first level will contain approximately 900 square feet of floor area and 300 square feet of attached garage/mechanical room space. This is a decrease of approximately

20 square feet of floor area from the previously approved project. The ground floor area consists of 3 bedrooms and two bathrooms. A detached garage with work space at the rear of the lot is proposed. This configuration is similar to the original project; however, the attached garage area has been increased by 50 square feet for the mechanical room and the detached garage has been increased by approximately 100 square feet for the work space. As shown in the Zoning Standards Conformance chart above, the lot coverage increases slightly from 31% to 32% even though the floor area decreases because both the attached and detached garage areas increase in size.

The proposed second or main level is approximately 1,200 square feet and only decreases in floor area by about 10 square feet from the previously approved project. This floor contains an open kitchen and dining area, bathroom, den, sitting area, deck and porch. The wraparound deck and porch area is approximately 360 square feet (note this is not listed on the Project Information table on the front page of the plans).

The proposed third or upper level has been greatly redesigned. The size of the floor area has been reduced from approximately 900 square feet to 600 square feet and a deck of approximately 600 square feet has been added but again not listed on the Project Information table. As described previously, this results in the upper level being reduced in size by almost one third.

The most notable change is in the design of the dwelling, which originally featured peaked roofs, a five sided tower element and a dormer. It has now been changed to a more contemporary style, discussed below. In addition, the overall height has been lowered from 35 feet to 33 feet.

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 a new single-family dwelling on an R-1 zoned lot, with the revision to the rear yard deck. Because the proposed project is located within the appeal area of the Coastal Zone (CZ), a Coastal Development Permit (CDP) is also necessary.

5. CEQA Recommendation: Construction of a single-family residence is categorically exempt per Section 15303 (a) of CEQA from environmental review as stated below:

- (a) One single-family residence, or a second dwelling unit in a residential zone. In urbanized areas, up to three single-family residences may be constructed or converted under this exemption.

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 within the Coastal Zone as described in Zoning Code Section 9-4.400. In this case,

the standards that apply to the proposed development are to protect the scale and character of existing neighborhoods, to ensure geotechnical suitability for all development, and to provide adequate drainage and appropriate grading. A geotechnical survey or report is required 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 prepared by a licensed engineer shall be submitted and approved by the City Engineer.

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 #23), and it should provide replacement plantings as needed (Coastal Act Policy #26a). The subject site is located between two developed properties and in a neighborhood of similarly developed properties with single-family homes predominant. The project will be three stories in height and more than 9 other houses on Livingston are also three-story homes. Staff is recommending a condition of approval requiring submittal of a landscape plan prior to building permit issuance because the plants surrounding the building will help soften the appearance of the structure and reduce the overall massing of the dwelling. Staff believes that the proposal meets the overall intent of the Local Coastal Program in that many of the nearby lots have been developed with similarly-sized residences, and the proposed design is compatible with the site and neighborhood that will be discussed further in the following section of this report.

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. No public view areas will be affected. Additionally, the proposed dwelling would not block the views of any building placed above it due to the slope of the surrounding area. Because the site is located on a hillside, additional measures in the previously mentioned recommended landscaping condition of approval are required to prevent erosion. In addition, these measures will help reduce polluted stormwater runoff as encouraged in the San Mateo Countywide Water Pollution Prevention Program. As stated in the recommended condition of approval, staff will review the proposed vegetation as described in the required landscape plan to ensure that all the plants will be coastal compatible and drought resistant.

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 regarding Community Scale and Design section of the Local Coastal Program (page C-106), new development within the appeal zone that requires discretionary review must also undergo design review. Design review is necessary to assure attractive, appropriate development and factors such as architectural style, scale, site use, materials and landscaping shall be considered. The Pedro Point neighborhood lacks a unifying theme; however, common elements are maximization of views through the use of large windows and decks, and distinctive designs in terms of style, color and use of materials.

The previously approved project included a distinctive five sided tower element jutting out from the second story to take advantage of views of the ocean and Pacifica State Beach, three prominent arches at the front entrance and a varied roofline including cross gables and a dormer. However, although the footprint of the building is relatively unchanged, the design of the building is completely different in the current proposal. The applicant is now proposing a contemporary style with stucco siding, a varied roofline of shed and very low pitched roofs of tar and gravel, and no architectural features such as the tower element, arches or dormers. Another difference is that larger decks have been added to the north and west facing elevations to better capture views of the ocean and Pacifica State Beach. The siding materials proposed for the redesigned project are reclaimed wood, stucco, concrete and metal posts with steel cables for the deck railings.

In Attachment b, the applicant commits to incorporating green building features such as a smaller building (third floor reduced in size by approximately one third), an open interior design with fewer materials utilized, high flyash content concrete, reclaimed wood for the siding and more efficient radiant heating. Because the applicant has listed these items in his statement, these features are considered part of the proposed project.

The Design Guidelines encourage designs that complement the positive aspects of surrounding neighborhoods in terms of height, bulk, style and materials. The current mix of homes in the Pedro Point neighborhood includes an assortment of architectural styles, of various sizes, that utilize a variety of materials including wood, stucco and shingle siding. Most are over one story and are equipped with large windows and decking. The more attractive homes in the area blend with the streetscape, are comparable in scale to neighboring homes and include architectural detailing and design elements to provide visual interest. Many include varied setbacks that minimize visual impacts of massing and bulkiness, and help structures blend in with the uneven topography of the neighborhood.

The proposed redesign for the previously approved dwelling is still consistent with the City's Design Guidelines as described above. The redesign of the dwelling with the lowered roofline and reduced third level helps to reduce the mass of the structure from the previously approved project. Large decks have been added to capture ocean views and different siding materials have been used to add visual interest. As described previously, the third floor setback had been reduced and creates a varied setback. The addition of appropriate landscaping should further

reduce the visual mass of the residence. The proposed redesign is distinctive and has some features in common with other dwellings in the neighborhood such as large decks, view windows, stucco siding and a porch.

8. Summary: In light of the foregoing, staff recommends that the Planning Commission approve an Amendment to CDP-290-07 for 1327 Livingston Avenue. As conditioned, staff believes that the revised single-family dwelling is well designed, aesthetically pleasing and is appropriate for the neighborhood. Specifically, the revised design of the dwelling, including reduced third story, new decks with cable railings and a varied roofline, creates a visually interesting contemporary building and further reduces the overall massing of the structure from the previously approved project. Staff believes that the project as conditioned satisfies all the Code requirements and it is consistent with the Design Guidelines. In addition, the findings can be made to grant the Amendment to the Coastal Development Permit. Thus, staff recommends approval of the project subject to the conditions listed below.

RECOMMENDATION AND FINDINGS

B. RECOMMENDATION:

Staff recommends that the Planning Commission **APPROVE** the Amendment to Coastal Development Permit CDP-290-07 for the revised design of the dwelling at 1327 Livingston Avenue, subject to the following conditions:

Planning Department:

1. Development shall be substantially in accord with the plans entitled "1375 Livingston Avenue," consisting of eight (8) sheets, dated December 17, 2009 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. 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 Coastside Scavenger. Trash enclosure and dumpster areas shall be covered and protected from roof and surface drainage. Applicant shall provide construction details for the enclosure for review and approval by the Planning Director, prior to building permit issuance.
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 issuance of building permits. Said plan shall indicate fixture design, illumination (photometric plan), location, height, and method of shielding. Lighting shall be directed away from adjacent properties to avoid adverse affects thereto. Building lighting shall be architecturally integrated with the building style, materials and colors, and shall be designed to minimize glare. Fixture locations, where applicable, shall be shown on all building elevations.
11. 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.
12. The applicant shall hereby agree to indemnify, defend and hold harmless the City, its Council, Planning Commission, advisory boards, officers, employees, consultants and agents (hereinafter "City") from any claim, action or proceeding (hereinafter "Proceeding") brought against the City to attack, set aside, void or annul the City's

actions regarding any development or land use permit, application, license, denial, approval or authorization, including, but not limited to, variances, use permits, developments plans, specific plans, general plan amendments, zoning amendments, approvals and certifications pursuant to the California Environmental Quality Act, and /or any mitigation monitoring program, or brought against the City due to actions or omissions in any way connected to the applicant's project. This indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and costs of suit, attorneys fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, City, and /or parties initiating or bringing such Proceeding. If the applicant is required to defend the City as set forth above, the City shall retain the right to select the counsel who shall defend the City.

Wastewater Division of Public Works

13. 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.
14. All site drainage shall not drain unto adjacent properties and it shall drain into a drainage system approved by the City Engineer. Prior to building permit issuance, the applicant shall specify on a Site Plan the ultimate discharge point in accordance with City regulations.

Building Department

15. 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.

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. No debris box or equipment shed is allowed in the street or sidewalk.
18. An Encroachment Permit shall 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. These improvements shall include but not be limited to: new sidewalk, curb and gutter, sewer lateral, driveway approach ramp, waterline and A.C. overlay.

C. FINDINGS:

1. Findings for Approval of Coastal Development Permit: The Planning Commission finds that the proposed 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 or private coastal views. The project has distinctive contemporary features such as decks with metal posts and cable railings, varied shed and flat rooflines and interesting siding materials such as reclaimed wood siding and stucco which will create visual interest in the structure. The third level has been greatly reduced; thus, reducing the overall mass of the building. Finally, green building practices are incorporated into the project.

COMMISSION ACTION

D. MOTION FOR APPROVAL:

Move that the Planning Commission find that the project is exempt from CEQA and APPROVE the Amendment to CDP-290-07 subject to conditions 1 through 18, and adopt findings contained within the February 1, 2010 staff report, and incorporate all maps and testimony into the record by reference.

Attachments:

- a. Land Use and Zoning Exhibit
- b. Applicant's Statement Dated December 21, 2009
- c. Staff Report Dated September 17, 2007
- d. Approved Reduced Set of Plans Dated July 26, 2007
- e. Planning Commission Meeting Minutes from September 17, 2007
- f. Grant Letter Dated September 28, 2007
- g. Colored Perspective (8 ½ by 11 inches), Full Size Plans and Elevations (Planning Commission only)