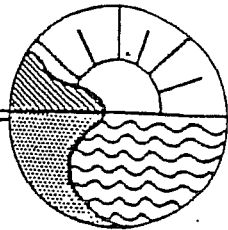


AGENDA



Planning Commission – City of Pacifica

DATE: Monday, May 4, 2009
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: April 20, 2009

Designation of Liaison to City Council Meeting of: May 11, 2009

CONSENT ITEMS:

PUBLIC HEARINGS:

1. PSD-775-09 SITE DEVELOPMENT PERMIT, filed by the owner, John Curley, to add a two car detached garage with swing type parking at 436 Rockaway Beach Avenue, Pacifica (APN 022-035-270). Recommended CEQA status: Exempt. Proposed Action: Approval as conditioned
2. CDP-314-09 COASTAL DEVELOPMENT PERMIT and USE PERMIT, filed by the agent and applicant, Scott Revard, on behalf of the owner, Sand Hill Property Company, to construct a new wireless communications facility with a roof top microwave dish at 5550 Coast Highway, Pacifica (APN 023-072-070). The project is located in the Coastal Zone. Recommended CEQA status: Exempt. Proposed Action: Approval as conditioned
UP-001-09

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.

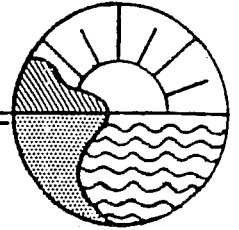
ADJOURNMENT

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: May 4, 2009

ITEM: 2

PROJECT SUMMARY/RECOMMENDATION AND FINDINGS

Notice of Public Hearing was published in
The Pacifica Tribune on April 22, 2009.
21 surrounding property owners and 4
residents were notified by mail.

FILE: CDP-314-09
UP-001-09

APPLICANT: Metro PCS
1080 Marina Village 4th Floor
Alameda, CA 94501

AGENT: Scott Revard
1080 Marina Village 4th Floor
Alameda, CA 94501

OWNERS: Sand Hill Property Company
489 S. Camino Real
San Mateo, CA 94402

LOCATION: 5550 Coast Highway

APN: 023-072-070

PROJECT DESCRIPTION: Construct a new wireless communications facility with
one (1) roof top microwave dish and related equipment.

General Plan: Commercial

Zoning: C-2 (Community Commercial District)/CZ (Coastal Zone)

**RECOMMENDED
CEQA STATUS:** Exempt Section 15301 (b)

**ADDITIONAL
REQUIRED
APPROVALS:** None

**RECOMMENDED
ACTION:** Approval as conditioned

PREPARED BY: Lily Lim, Planning Intern

ZONING STANDARDS CONFORMANCE:

<u>Standards</u>	<u>Min./Max.</u>	<u>Existing</u>	<u>Proposed</u>
Antenna Height	7' above highest point of roof (max.)	N/A	3'8"

PROJECT SUMMARY

A. STAFF NOTES:

1. **Background:** On May 7, 2007, the Planning Commission approved this project. However the applicant did not obtain for a building permit before the approved permits expired, and is therefore reapplying for permit approval.

1. **Existing Site Conditions:** The subject site is a flat one and a half acre lot located in the Pedro Point neighborhood of Pacifica. Currently, there is an existing strip mall with a few local businesses and a vacant space which was formerly known as the Pacific Athletic Center (PAC). Currently, there are four (4) existing Cingular Wireless antennas and related equipment on the roof of the former PAC. The four existing antennas are located on two approximately nine (9) foot tall monopoles. In addition, an existing MetroPCS light pole antenna is also located on the property along the side of the vacant retail space. All related MetroPCS equipment is existing and is located behind a chain linked fence beside the light pole antenna.

2. **Project Description:** The applicant is proposing to install a new wireless communications facility with a microwave dish antenna and related equipment on the roof of the former PAC. The dish antenna will be two inches in diameter and will be completely screened by a three foot high, three foot wide antenna screen. Because the dish antenna will be located on the slope of the roof, a pad eight inches in height will be set underneath the antenna screen. The total height of the antenna screen and pad will be three feet eight inches.

The proposed equipment is a half inch coax route on the roof leading to the existing equipment cabinets next to the existing light pole antenna. No new equipment cabinets are proposed; therefore no work will be done within the equipment area other than installing the new coax cables.

The purpose of the microwave dish antenna at this particular location is to provide telephone service to another MetroPCS site on Montara Peak which does not have an independent telephone service capability.

3. **General Plan, Zoning, and Surrounding Land Use:** The property is designated as Commercial under the General Plan, has a C-2 (Community Commercial District) zoning classifications, and is located in the appeals area of the Coastal Zone. The site is surrounded by a Commercial Recreation District to the north and west, Controlled Manufacturing District and

Neighborhood Commercial District to the east, and Community Commercial District to the south of the property. To the north of the property is Pacifica State Beach as well as the San Pedro Creek. A large vacant lot is to the west and Highway 1 is to the east of the property. There are other commercial businesses as well as the entry way to the residential neighborhood known as Pedro Point to the south.

4. Municipal Code and Regulatory Standards: MetroPCS is a public utility regulated by the Federal Communications Commission (FCC) and the California Public Utilities Commission (CPUC). A Use Permit is required for all major roof-mounted antennas in all zoning districts. The project also requires a Coastal Development Permit because the project is located in the Coastal Zone and is neither exempted nor excluded from Coastal Permit Requirements.

5. Coastal Development Permit: Section 9-4.4304(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.
- a. Where the Coastal Development Permit is issued for a development between the nearest public road and the shoreline, the development is in conformity with the public recreation policies of Chapter 3 of the California Coastal Act.

The Local Coastal Program Land Use Plan states, "Views of the coast and coastal panorama from public roadways shall be protected by limiting the height and mass of permitted structures." The proposed dish antenna will be three feet in width and three feet eight inches in height and therefore coastal views will not be obstructed. The proposed antenna will be lower in height than the existing pole antennas on the roof. The antenna and coax cables have been screened to the maximum extent feasible. Coastal access will also be unaffected since the proposed project is contained to the building.

6. Use Permit: The Planning Commission shall grant approval of a Use Permit for a wireless communications facility only when all of the following findings are satisfied:

- 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.
- D. That the project will not cause localized interference with reception of area television or radio broadcasts or other signal transmission or reception.
- E. That the information submitted proves that a feasible alternate site that would result in

fewer visual impacts does not provide reasonable signal coverage.

- F. That the application meets all applicable requirements of Section 9.4.2608 of the Pacifica Municipal Code.

Pursuant to the Pacifica Municipal Code, a Use Permit is required for all wireless communication antennas that are roof mounted. The proposal to install one (1) wireless communications microwave antenna will require a Use Permit because it will be located on the roof.

According to the RF report the applicant has submitted, the cumulative RF exposure levels for all existing antennas and the proposed microwave dish is .42% of the maximum public exposure limit. The applicant has also submitted a letter from the RF engineer. The exposure levels for the microwave antenna will always be lower than the maximum permissible RF level. The letter from the RF engineer is attached. It is noted in the letter that the applicant will post a sign warning all maintenance personnel to stay at least 10 feet away from the antenna. The proposal has complied with the Design Guidelines and standards set forth in the Municipal Code. It does not appear that the antennas will interfere with the reception of signal transmission or reception in the area. No alternative sites could have minimized visual impacts further than the current proposal because it was located here specifically to provide service to Montara Peak.

7. Design: The Design-Related Standards specify that “all wireless communications facilities shall be screened to the fullest extent possible and located to minimize visibility from surrounding areas and rights-of-way.” Further, “the use of colors and facility designs shall be compatible with surrounding buildings and/or uses in the area or those likely to exist in the area and shall prevent the facility from dominating the surrounding area.”

The roof of the current structure is white with white sky lights. The proposed antenna screen will match the sky lights, existing antennas and poles on the roof. The rear of the property is lined with trees; therefore the antennas will not block any coastal views because they are below the height of the existing trees. Because no new equipment area is proposed, the proposed coax cables will run along the rooftop down to the existing equipment cabinet which has been screened to the maximum extent feasible by a six foot chain linked fence. The existing equipment cabinet cannot be seen from Highway 1 because the area is located on the west side of the building. The antenna screen will have minimal impacts from Highway 1; however, it will be lower in height than the existing antennas and poles and will also match the color of the existing roof.

Photo simulations have been submitted projecting the proposed microwave dish antenna and antenna screen.

8. Previous Approval: On May 7, 2007, the Commission approved a Coastal Development Permit and Use Permit for MetroPCS to install a dish antenna with an antenna screen at 5550 Coast Highway. During the hearing, the Commission was concerned about why the applicant chose to install a dish antenna rather than adding to their existing antennas. The applicant stated that the antennas were used for cellular phone calls whereas the dish antenna would be used for

land line telephone calls. The dish antenna would send waves to a point in Montara Peak; therefore commingling the antennas was not an option. Minutes from the May 7, 2007 meeting are attached.

9. California Environmental Quality Act: Staff recommends that the Planning Commission find this project is exempt from CEQA pursuant to the following sections 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.

Examples include but are not limited to:

(b) Existing facilities of both investor and publicly-owned utilities used to provide electric power, natural gas, sewerage, or other public utility services.”

The proposed panel antennas will be a utility extension; furthermore, the proposed dish antenna will be lower in height than the existing monopoles and will not require an additional equipment area. Additionally, there are existing antennas, monopoles, and an equipment area at the project location. All existing equipment areas have minimal visual impacts. The proposed antenna will not have a significant visual impact.

10. Conclusion: Based on the information the applicant has provided, it appears that the installation of a roof mounted microwave dish antenna at this location would not be detrimental to the health, safety and welfare of those residing or working in the neighborhood. The new antennas would have a minimal visual impact on the site and from other viewpoints in the City. The antenna screen which will cover the dish antenna will match the color of the roof as well as the existing monopoles, antennas, and roof sky lights. Additionally, there is no new equipment area proposed and the proposed coax cables will be connected to an existing screened equipment cabinet; therefore, there will be no visual impact for both pedestrian and vehicle traffic. Furthermore, the project is consistent with the City's Design-Related Standards for wireless communications facilities. Staff believes that the findings for a Coastal Development Permit and Use Permit can be made.

RECOMMENDATION AND FINDINGS

B. RECOMMENDATION:

Staff recommends that the Planning Commission approve Coastal Development Permit, CDP-314-09 and Use Permit, UP-001-09, subject to the following conditions:

Planning Department:

1. Development shall be substantially in accord with the plans entitled “Montara Peak Microwave, SF15700B, 5550 Coast Highway Pacifica, CA, 94044” consisting of four (4) sheets dated February 25, 2009 except as modified by the following conditions.
2. 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.
3. 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, any mitigation monitoring program, and/or other activities relating to this 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.

C. FINDINGS:

1. Findings for Approval of a Site Development Permit: The Planning Commission finds that the proposal to install a roof mounted microwave dish antenna is in conformity with the City’s Local Coastal Program and Public Recreation Policies of Chapter 3 of the California Coastal Act. The proposed project would not obstruct coastal views from public roadways, furthermore, the proposed project would not affect coastal access.

2. Findings for Approval of a Use Permit: The Planning Commission finds that the proposal to install a roof mounted microwave dish antenna would not be detrimental to the health, safety, and welfare of the persons residing or working in the neighborhood or the general welfare of the City. The Commission finds that the proposal is consistent with the applicable provisions of the General Plan and other applicable laws of the City. Specifically, the Commission finds that the project meets all Zoning Code requirements and complies with the applicable provisions of the Design Guidelines.

COMMISSION ACTION

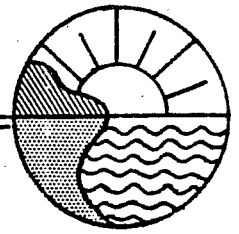
D. MOTION FOR APPROVAL:

Move that the Planning Commission find the project exempt from CEQA, and **APPROVE** Coastal Development Permit, CDP-314-09 and Use Permit, UP-001-09, subject to conditions 1 through 4 and adopt findings contained in the May 4, 2009 staff report, and incorporate all maps and testimony into the record by reference.

Attachments:

- a. Land Use and Zoning Exhibit
- b. Site Plans (Commission Only)
- c. Photo Simulations

STAFF REPORT



PLANNING COMMISSION-CITY OF PACIFICA

DATE: May 4, 2009

ITEM: 1

PROJECT SUMMARY/RECOMMENDATION AND FINDINGS

Notice of Public Hearing was published in
The Pacifica Tribune on April 22, 2009.
64 surrounding property owners were
notified by mail.

FILE: PSD-775-09

OWNER/ John Curley
APPLICANT: 436 Rockaway Beach Avenue
Pacifica, CA 94044

LOCATION: 436 Rockaway Beach Avenue

APN: 022-035-270

PROJECT DESCRIPTION: Convert existing one car garage into living space and
construct a new two car detached garage with swing type parking.

General Plan: LDR (Low Density Residential)

Zoning: R-1 (Single Family Residential)

RECOMMENDED Exempt Section 15303 (e)
CEQA STATUS:

ADDITIONAL
REQUIRED
APPROVALS: None

RECOMMENDED
ACTION: Approval as conditioned

PREPARED BY: Lily Lim, Planning Intern

ZONING STANDARDS CONFORMANCE:

<u>Standards</u>	<u>Min./Max.</u>	<u>Existing</u>	<u>Proposed</u>
Detached Garage:			
Size	N/A	N/A	380 s.f.
Setbacks:			
Front	10' (min.)	N/A	10'
Side	5' (min.)	N/A	5'
Building	5' (min.)	N/A	6'
Back Up Area:	25' (min.)	N/A	25'
Parking Spaces	2 total (min.)	1	2

PROJECT SUMMARY

A. STAFF NOTES:

1. Existing Site Conditions: The subject site is a flat 5,510 square foot lot located in the Rockaway neighborhood of Pacifica. An existing 1,043 square foot house with a 245 square foot attached one car garage currently occupies the site. The existing single story home has two bedrooms, one bathroom, a living room, dining room, kitchen and a one car garage. The site is surrounded by single family residences to the north, west, south and east of the property.

2. Project Description: The applicant is proposing to convert the existing one car garage into a master bedroom with a walk-in closet and a bathroom. Additionally, part of the existing garage will be converted into a kitchen pantry. The applicant proposes to replace the one car garage with a two car detached garage that will have swing type parking and will be located on the north east portion of the parcel. The proposed garage will be 12 feet in height and have an area of 380 square feet. In addition, a bay window is proposed on the north side of the detached garage.

The proposed garage will be beneath a Heritage Tree dripline; however the applicant has submitted an arborist report with a tree protection plan. This is discussed further under the Design section below.

3. General Plan, Zoning, and Surrounding Land Use: The property is designated as LDR (Low Density Residential) under the General Plan and has R-1 (Single Family Residential District) zoning classifications. Properties to the north, west, south, and east also have a General Plan designation of LDR (Low Density Residential) and an R-1(Single Family Residential District) zoning classification).

4. Municipal Code and Regulatory Standards: The project requires a Site Development Permit as described in Section 9-4.2709 of the Pacifica Municipal Code because the proposed garage will encroach into the required front yard setback.

5. Site Development Permit: A site development permit cannot be issued unless the Planning Commission makes the following findings that apply to this project:

- a. The location, size and intensity of the proposal will not create a hazardous or inconvenient vehicular or pedestrian traffic pattern.
- b. The off-street parking areas are accessible and will not create a hazardous or inconvenient condition to adjacent and surrounding uses.
- c. There is sufficient landscaping for the site.
- d. The proposal will not unreasonably restrict light or air on the property or other property in the neighborhood, nor discourage appropriate development or use of land in the area.
- e. The proposed development will not damage natural features on the site.
- f. There is sufficient design variety.
- g. The proposal is consistent with the Design Guidelines, General Plan and other applicable laws of the City.

According to Section 9-4.2709 of the Pacifica Municipal Code, a garage with swing type parking can be approved administratively if the front yard setback is greater than 15 feet; however, the required setback may be reduced to 10 feet with approval of a Site Development Permit. The proposed garage will have a 10 foot setback necessitating a Site Development Permit. A 5 foot side setback and a 25 foot back up clearance for the swing type parking is also proposed for the detached garage.

6. Design: The Design Guidelines suggest that visual impacts of parking areas should be minimized by locating parking areas to the rear or side of the property, rather than along street frontages. The location of the proposed detached garage is located along the street frontage; however, because of the swing type parking, the garage doors are not facing the street. A bay window will front the street and create the appearance of living space rather than a garage. The front of the house faces north, while the proposed garage door faces east. From the street elevation, no garage can be seen because the existing garage will be converted into living space.

In addition to visual impacts, other important aspects of the Design Guidelines are scale and compatibility. This subject property is located in between a single story home on the east side and a two story home on the west side. It appears that the proposed detached garage is similar in height to the single story home on the east side and the garage height on the west side. The existing house on the subject property is also a single story home and the proposed detached garage does not exceed the height of the existing home.

A new 240 square foot landscaped area is proposed for the front yard along with pavers in the driveway. The landscaped area consists of low growing drought tolerant shrubs and ground cover. A landscape strip is also proposed along the west side of the property. Over 2,000 square feet of landscaping remain in the rear yard. Staff believes that the project is consistent with the overall intent of the Design Guidelines. Furthermore, the proposed project complements the neighborhood as well as enhances the overall streetscape.

As previously mentioned, the proposed garage will be within a dripline of a Heritage Tree. The applicant has submitted an arborist report with a tree protection plan. According to the arborist report, the tree is in a moderate state of health. The arborist believes that the tree can be protected and preserved with the guidelines stated in the tree protection plan.

7. California Environmental Quality Act: Staff recommends that the Planning Commission find this project is exempt from CEQA pursuant to the following sections of the California Environmental Quality Act:

15303. New Construction or Conversion of Small Structures: Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel.

Examples include but are not limited to:

(e) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.

The proposed project is a detached garage in a residential zone and is therefore exempt from CEQA.

8. Conclusion: Staff believes that the proposed project is compatible with the neighborhood and enhances the overall streetscape. The design of the detached garage with the bay window helps add character to the property without having a massive garage door fronting the street. In addition, the proposed detached garage adds dimension to the home and increases the amount of off-street parking. Staff believes that findings can be made to grant a Site Development Permit; therefore staff recommends approval of this project.

RECOMMENDATION AND FINDINGS

B. RECOMMENDATION:

Staff recommends that the Planning Commission approve Site Development Permit, PSD-775-09, subject to the following conditions:

Planning Department:

1. Development shall be substantially in accord with the plans entitled "Curley Residence, 436 Rockaway Beach Ave., Pacifica, California, 94044, APN 022035270" consisting of five (5) sheets dated February 5, 2009 except as modified by the following conditions.
2. 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.

3. The applicant shall comply with all protection guidelines in the Heritage Tree protection plan.
4. 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.
5. 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.

Engineering Department:

6. Applicant shall overlay existing asphalt pavement with minimum 2 inch AC to street centerline across entire property frontage.
7. Applicant shall continue existing sidewalk, curb, and gutter from adjacent property and install a driveway approach ramp per City standards 100, 101A and 102.
8. Applicant shall install a decompose granite walkway per City standard 101B with AC Curb from the driveway to the southern property line.

9. 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.”
10. 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.”
11. Construction shall be in conformance with the San Mateo Countywide Storm Water Pollution Prevention Program. Best Management Practices shall be implemented.
12. 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.

C. FINDINGS:

1. Findings for Approval of a Site Development Permit: The Planning Commission finds that the location size and intensity of the proposal to convert existing one car garage into living space and construct a detached two car garage with swing type parking would not create a hazardous or inconvenient vehicular or pedestrian traffic pattern. The Commission finds that the off-street parking areas are accessible and will not create a hazardous or inconvenient condition to adjacent and surrounding uses. In addition, the Commission finds that the proposal has sufficient landscaping, design variety and will not unreasonably restrict light or air on the property or other property in the neighborhood, nor discourage appropriate development or use of land in the area. Specifically, the Commission finds that the project is consistent with the General Plan, meets all Zoning Code requirements and complies with the applicable provisions of the Design Guidelines.

COMMISSION ACTION

D. MOTION FOR APPROVAL:

Move that the Planning Commission find the project exempt from CEQA, and **APPROVE** Site Development Permit, PSD775-09, subject to conditions 1 through 12 and adopt findings contained in the May 4, 2009 staff report, and incorporate all maps and testimony into the record by reference.

Attachments:

- a. Land Use and Zoning Exhibit
- b. Site Plans (Commission Only)