AGENDA

Planning Commission – City of Pacifica

DATE: July 6, 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: June 15, 2009

Designation of Liaison to City Council Meeting of: July 13, 2009

CONSENT ITEMS:

PUBLIC HEARINGS:

1. DP-72-09, SP-146-09, RZ-190-09 — **DEVELOPMENT PLAN, SPECIFIC PLAN, and REZONING,** filed by the owner and applicant, Emil Kolev, to construct a single-family dwelling and detached second unit on a six acre vacant lot at 1585 Perez Drive (APN 023-291-020). Recommended CEQA status: A Draft Initial Study/Mitigated Negative Declaration has been prepared stating that, with mitigation, the project will have no adverse effect on the environment. *Proposed action:* Approval as conditioned

OTHER AGENDA ITEMS:

2. UP-963-06, PSD-755-06, PV-491-07, PE-146-08 — **EXTENSION OF PERMITS** for construction of a single-family residence with an attached garage at 200 Berendos Avenue, Pacifica (APN 022-330-150) *Proposed Action:* Grant extension request (Continued from June 15, 2009)

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: July 6, 2009

ITEM: 1

PROJECT SUMMARY/RECOMMENDATION AND FINDINGS

Notice of Public Hearing was published in the Pacifica Tribune on June 24, 2009 and 18 surrounding property owners were notified by mail.

FILE: RZ-190-09
DP-72-09
SP-146-09

APPLICANT and OWNER: Emil Kolev, 10344 El Prado Way, Apt. B, Cupertino, CA 95014

LOCATION: 1585 Perez Drive (APN 023-291-020)

PROJECT DESCRIPTION: Construct three-story single-family dwelling of approximately 3,600 square feet of floor area over a garage/basement area of 1,000 square feet and a detached second unit with 750 square feet of floor area over 1,100 square feet of garage/basement area on a six acre vacant lot.

General Plan: Very Low Residential/Open Space Residential
Zoning: P-D/HPD (Planned Development/Hillside Preservation District)

RECOMMENDED CEQA STATUS: Draft Initial Study/Mitigated Negative Declaration has been prepared stating that with mitigation, project will have no significant adverse effect on the environment.

ADDITIONAL REQUIRED APPROVALS: City Council approval of Development Plan and Rezoning.

RECOMMENDED ACTION: Approval as conditioned.

PREPARED BY: Kathryn Farbstein, Assistant Planner

***ZONING STANDARDS CONFORMANCE*:**

Zoning Conformance Standards:

Single-Family Dwelling	**Max/Min**	**Existing**	**Proposed**
Lot Size (P-D)	5 acres	6.3 acres	No Change
Maximum Allowable Site Coverage (HPD)	16% (43,826 sf)		3% (8,250 sf)*
Lot Width	50'	150' approx.	No Change
Lot Coverage (with second unit)	40%	N/a	1%
Front Setback	15'	N/a	28'
Rear Setback	20'	N/a	850'
Side Setback	5'	N/a	42'
Height	35'	N/a	35'
Landscape (Including Natural Vegetation)	20%	N/a	98%
Parking Spaces	2 car garage & 2 uncovered spaces	N/a	3 garage spaces plus 2 uncovered spaces
Distance from Parking to Units	100 feet maximum	N/a	80 feet at greatest distance between primary dwelling and guest parking
Second Unit			
Front Setback	15'	N/a	130'
Rear Setback	20'	N/a	819'
Side Setback	5'	N/a	45'
Height	35'	N/a	24'
Parking	One space	N/a	One garage space
Size of Second Unit	750 square feet	N/a	750 square feet
Bedroom	One bedroom max.	N/a	One bedroom

* Land coverage control calculation in the HPD zone was determined by the applicant (see Attachment f).

PROJECT SUMMARY

A. STAFF NOTES:

1. Project Description: Proposed is the construction of a three story dwelling and a detached second unit on a 6.3 acre vacant parcel. The primary dwelling would have garage/basement area of 1,000 square feet including one parking space, a second level of 2,200 square feet of floor area and the third level is 1,400 square feet of floor area. The third floor is currently designed as unfinished attic space but can be converted into floor area in the future. The total floor area for the primary unit is 3,600 square feet. The second unit has garage/basement area of 1,100 square feet including three parking spaces and a second story of 750 square feet of floor area. In addition, two uncovered parking spaces for guests are proposed on the site.

The only access is across a seasonal creek which is located along the front property line of the subject site. The applicant is proposing to put in a 4 foot diameter culvert with a driveway on top to provide vehicular access to the site.

The materials proposed for the main dwelling would be slate tile roof, stucco siding and stone façade for the lower portion of the structure and the retaining walls. The color scheme is beige for the walls, white trim and a green roof. A wrought iron railing is also proposed. The second dwelling will utilize some of the same materials and the same color scheme.

The applicant has provided project descriptions and other information regarding the proposal. Attached is a narrative written by the applicant and titled "Applicant Supporting Information" (see Attachment d). In addition, another narrative to supplement the Environmental Information form and called "Environmental Setting" is provided by the applicant and attached as Attachment e.

2. General Plan, Zoning, and Surrounding Land Use: The General Plan designation (as shown on Attachment a) for the subject property is Very Low Residential and Open Space Residential, although the developed area will be contained within the Very Low Residential portion of the property. The Very Low Density Residential designation is an average of one-half to 5 acres per unit and the Open Space Residential designation is more than 5 acres per unit. This project is considered one dwelling (primary unit) with a second (accessory) unit; therefore, the project is consistent with both General Plan designations because it results in one primary unit proposed on a 6.3 acre lot. The General Plan designation is the same to the north and south, with Low Density Residential to the east of the subject site. The property to the west of the subject site is located within unincorporated San Mateo County.

The Zoning Classification is P-D/HPD (Planned Development/Hillside Preservation District) as shown in Attachment a. The zoning designation is the same for the subject site (P-D/HPD) as the properties to the north and south. The properties to the west of the subject site are zoned R-1 (Single Family Residential). The surrounding properties are developed with multi-story single family dwellings.

Both the General Plan and Zoning designations would allow development of a single-family dwelling with a second unit on the subject site. However, approval of a rezoning is necessary to allow the P-D to be rezoned to a P-D with a Development Plan featuring single-family dwelling and a second unit as proposed.

3. Municipal Code: Section 9-4.2204 (b) states that the regulations for area, coverage, density, yards, parking, height and open ground area for the P-D users shall be guided by the regulations most similar in nature and function to the proposed use. Staff has determined that the R-1 development standards would apply to the subject site because it is located in a neighborhood of single-family dwellings. In addition, Section 9-2205 (a) requires that simultaneously with an application for a rezoning to P-D, a Development Plan must be submitted and approved. Section 9-4.2208 also requires approval of a Specific Plan for a P-D/HPD zoned lot prior to issuance of a building permit. In this case, the applicant is seeking approval of a Rezoning, Development Plan and Specific plan to construct a single-family dwelling with a detached second unit on the subject site.

4. Development Plan: The Planning Commission, after a public hearing, may recommend approval of a Development Plan to the City Council if the following findings are met:

(a) The project can be substantially completed within the time schedule submitted by the applicant;
(b) Each unit of the development, as well as the total development, can exist as an independent development capable of creating an environment of sustained desirability and stability or adequate assurance that such objective will be attained;
(c) The land uses proposed will not be detrimental to the present or potential surrounding uses but will have a beneficial effect which would not be achieved through other districts;
(d) The streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic, and increased densities will not generate traffic in such amounts as to overload the street network outside the P-D District;
(e) Any proposed commercial development can be justified economically at the location proposed and will provide adequate commercial facilities for the area;
(f) Any exception from the standard district requirement is warranted by the design of the project and amenities incorporated into the development plan;
(g) The area surrounding the development can be planned and zoned in coordination and substantial compatibility with the proposed development, and the P-D District uses proposed are in conformance with the General Plan and, where applicable, the Local Coastal Plan, or that changes in the General Plan or Local Coastal Plan are justified;
(h) The project is consistent with the City's adopted Design Guidelines; and
(i) The project is consistent with the City's General Plan.

5. Specific Plan: The Commission shall approve a specific plan only upon making the following findings:

(a) That the specific plan is consistent with the approved development plan; and

(b) That the specific plan is consistent with the City's adopted Design Guidelines.

6. CEQA Recommendation: An Initial Study/Mitigated Negative Declaration (IS/MND) was prepared by Michael Brandman Associates (MBA) and made available to the public for comments from May 20 through June 18, 2009 (see Attachment b). Through the State Clearinghouse process, State agencies were notified of the project and given a chance to comment. In addition, the United States Fish and Wildlife Service, U.S. Army Corp of Engineers and Golden Gate National Recreational Area were notified of the project directly by staff; however, no agencies provided comments on the project. The project was presented to the Open Space Committee but no comments from the Committee were received. One Planning Commissioner and two members of the public (including one from the applicant) submitted comments in response to the IS/MND. These comments and responses provided by MBA are included in the staff report as Attachment c.

7. Staff Analysis:

Development Plan – The first two findings regarding phasing of construction (a) and construction of independent units (b) that are necessary to approve a Development Plan do not apply in this case because a single-family dwelling and second unit are proposed instead of a larger development that would include many residential units to be built in phases. The third finding (c) stating that the proposed land use will not be detrimental to the existing or potential land uses in the neighborhood can be satisfied because the existing neighborhood contains single-family dwellings and the proposal consists of a single-family dwelling. It should be noted that second units are allowed by the Zoning Code to be placed in R-1 (Single-Family Residential) zones and the P-D zoning designation of this site is most similar in nature to the R-1 designation. The streets within the neighborhood are adequate to support the increase in traffic due to the project (d) because the streets were originally designed to support single-family residential use in this area. However, findings regarding commercial development (e) and an exception from the standard district requirement (f) do not apply because it is a residential project that complies with all the development standards for construction of a single-family dwelling and second unit. The area around the project has been developed with other single-family dwellings similar to the project and the project is consistent with the General Plan as stated previously; therefore, the findings listed in (g) and (i) have been satisfied. The finding regarding consistency with the Design Guidelines (h) will be addressed below in the Design section.

Specific Plan – The proposal is consistent with the Development Plan in that the applicant is applying for approval to construct a single-family dwelling and a second unit at the same time. The project's consistency with the Design Guidelines will be discussed below.

Design –The Design Guidelines recommend that new structures are in character with the existing buildings, details are used to create a sense of human scale, and materials are compatible throughout the design. The proposed building design which contains both two stories for the second unit and three stories for the primary dwelling is in character with the neighborhood in that many of the residences in the surrounding area are also two and three story dwellings. The proposed dwelling and second unit also have stucco siding, an emphasized entryway with a porch and peaked roofs with dormers, which is similar to many nearby dwellings. Details such as the

dormers and the varied roofline create a sense of human scale. Both buildings are designed to fit the topography of the property because the project is located towards the front of the subject site and across the lot where the property has the least amount of slope in order to minimize the amount of excavation necessary.

Environmental Review – Staff determined that environmental review was necessary for this project because the creek located across the front of the subject site had to be disturbed in order to provide access to the site. The applicant proposed a culvert to allow water to flow along the creek bed while allowing a driveway to be constructed that would support vehicles entering and exiting the site. The environmental review process ensured that all appropriate mitigation measures were identified and incorporated into the project.

The IS/MND, even with the minor changes in response to the comments, concludes that the project will not have a significant adverse impact to the environment due to the mitigation measures as specified in the Mitigation Monitoring and Reporting Program (MMRP) (see Attachment e). All the environmental issues such as biological impacts, drainage issues and impacts to habitat area have been reviewed and addressed in the IS/MND.

Mitigation measure Bio-1 required that a plant survey be conducted during the months of May and June to ascertain whether any sensitive plant species were located on the site. The applicant hired a biologist to conduct the plant survey and prepare a report which was completed on June 12, 2009 (see Attachment g). The biologist confirmed that no rare plants were discovered within the study area. Because this mitigation measure is incorporated into the IS/MND, it cannot be eliminated from the MMRP at this point but staff can confirm at a later date that the mitigation measure is complete if the project is approved.

8. Summary: In staff's opinion, the proposed single-family dwelling and a detached second unit on a 6.3 acre vacant lot is an appropriate use for the site. The IS/MND has determined that the environmental impacts can be mitigated. The mitigation measures are listed in the MMRP and must be implemented at various stages of the project. Thus, findings can be made to adopt the IS/MND and approve the Rezoning, Development Plan and Specific Plan. Staff believes that the project is compatible with the existing neighborhood and has provided a motion to approve the project.

RECOMMENDATION AND FINDINGS

B. RECOMMENDATION:

Staff recommends that the Planning Commission **ADOPT** the MND, including the Mitigation Monitoring and Reporting Program, and **APPROVE** RZ-190-09, DP-72-09, and SP-146-09, for a single-family dwelling and detached second unit at 1585 Perez Drive, subject to the following conditions:

Planning Department

1. Development shall be substantially in accord with the plans entitled "Kolev Residence," consisting of sixteen (16) sheets, dated December 2008, except as modified by the following conditions.

2. The applicant shall comply with all mitigation measures identified in the Mitigation Monitoring and Reporting Program prepared by Michael Brandman Associates, the environmental consultant.

3. 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.

4. 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 and drought tolerant. Native plants shall be incorporated whenever possible. 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. Construction of a perimeter fence around the property shall not be allowed without prior written approval from the Planning Director, who may refer the matter to the Planning Commission for consideration if deemed appropriate.

5. All trash and recycling materials, if stored outdoors, shall be fully contained and screened from public view within the proposed enclosure to the Planning Director's satisfaction. The enclosure design shall be consistent with the adjacent and/or surrounding building materials, and shall be sufficient in size to contain all trash and recycling materials, as may be recommended by Coastside Scavenger.

6. 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.

7. 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.

8. 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.

9. Roof drains shall discharge and drain away from the building foundation to an unpaved area wherever possible.

10. All outstanding and applicable fees associated with the processing of this project shall be paid prior to the issuance of a building permit.

11. 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.

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.

Engineering Division of Public Works

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

15. 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.

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

17. Driveway approach shall be per City standard 100 and 102.

18. 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."

19. 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."

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

21. 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.
22. The applicant shall install a sanitary sewer cleanout inside the property line. The lateral line shall not directly connect to the existing manhole but instead connect to the mainline down slope of the existing manhole.

23. 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.

C. FINDINGS:

1. **Findings for Approval of the Development Plan**: The Planning Commission finds that the proposed land use is consistent with the General Plan, Design Guidelines and other applicable laws of the City. In addition, the proposed development will not be detrimental to the present or potential surrounding land uses but will have a beneficial effect which would not be achieved through other districts. The Planning Commission further finds that the proposed single-family dwelling and second unit are compatible with the surrounding neighborhood which consists of multi-storied single-family dwellings. The area surrounding

the development can thus be planned and zoned in coordination and substantial compatibility with the proposed development.

2. **Findings for Approval of the Specific Plan:** The Planning Commission finds that the Specific Plan is consistent with the Development Plan to construct a single-family dwelling and a second unit as proposed. In addition, the Commission finds that the project is consistent with the Design Guidelines in that architectural elements such as the prominent entrances with porches, stucco siding and dormers on the roof are similar to features found on other nearby homes.

COMMISSION ACTION

D. MOTIONS:

Move that the Planning Commission **ADOPT** the Resolution for the Initial Study/Mitigated Negative Declaration including the Mitigation Monitoring and Reporting Program; **APPROVE** the Rezoning Resolution, and **APPROVE** DP-72-09, and SP-146-09, subject to conditions 1 through 23, based on the findings contained within the July 6, 2009 staff report and all maps, documents, and testimony be incorporated herein by reference.

Attachments for Planning Commission Only

a. Land Use and Zoning Exhibit
b. PC Resolution for MND including MMRP
c. PC Resolution for Rezoning
d. CC Ordinance for Rezoning
e. Draft Initial Study/Mitigated Negative Declaration Dated May 20, 2009 (Previously Distributed)
f. Administrative Final Initial Study/Mitigated Negative Declaration Dated June 19, 2009
g. Application Supporting Information Written by Applicant
h. Environmental Setting Written by Applicant
i. Land Coverage Control Calculation Provided by Applicant
j. Plant Survey by TRA Dated June 12, 2009
k. Plans and Elevations

CITY OF PACIFICA

MEMORANDUM

DATE: July 6, 2009

TO: Planning Commission

FROM: Kathryn Farbstein
Assistant Planner

SUBJECT: Agenda Item No. 2: Request to Extend Site Development Permit, PSD-753-06, Parking Exception, PE-146-08, Variance, PV-491-07 and Use Permit, UP-960-06 for One Year at 200 Berendos Avenue (APN 022-330-150)

On June 15, 2009, the Planning Commission reviewed a request to extend approval of the Planning permits to construct a single-family dwelling on 200 Berendos Avenue. The Commission continued the item to tonight's meeting for consideration. Minutes of the meeting are attached.

A letter from the City Attorney regarding the status of possible outstanding authorizations from United States Fish and Wildlife Service (USFWS) or Department of Fish and Game (DF&G) for the project (See Attachment #1) was submitted by a concerned citizen during the last Commission meeting. A majority of the Commissioners decided that additional time was needed to review the contents of the City Attorney's letter.

In the attached Resolution No. 843 (see Attachment #2), Mitigation Measure #8 states that: "The applicant shall consult with and obtain any necessary authorizations from USFWS and DF&G prior to building permit issuance." The process established by USFWS is that if an applicant is going to "take" or harm an endangered species during the course of completing a development project, the USFWS allows the applicant to obtain an incidental take permit, which gives the applicant immunity should an endangered species be harmed or killed during construction. In this case, thirteen biological mitigation measures were approved by the Planning Commission and will be implemented by the applicant in order to avoid harming either the California red-legged frog (CRLF) or the San Francisco garter snake (SFGS). In addition, the applicant and staff consulted the USFWS on numerous occasions regarding protecting the wildlife within the creek bed and surrounding area. Therefore, a take permit does not give any additional environmental protection because with implementation of all the mitigation measures, no endangered species in the area will be harmed. Obtaining an incidental take permit from the USFWS is discretionary by the applicant and the Planning Commission cannot mandate that the applicant obtain a take permit. The City Attorney's letter confirms that Mitigation Measure #8 has been satisfied when

she states "While I agree that no consultation or incidental take is "legally required", if your client chooses to proceed without an incidental take permit, he does so at his own risk." In summary, the incidental take permit was established by USFWS to protect an applicant completing a development project that would harm an endangered species. However, an incidental take permit is not necessary in this case because mitigation measures have been approved that will protect any endangered species in the area. The presence or absence of an incidental take permit has no bearing on the protection of an endangered species nor does it change the nature of the project or effect environmental protections that are in place.

As previously mentioned, extension requests are not unusual and are generally granted unless there have been significant changes in conditions or circumstances affecting the property or area. In staff's opinion, no changes have occurred that would indicate the extension should not be granted. Therefore, staff recommends that the Commission grant the extension for one year.

COMMISSION ACTION

Move that the Planning Commission **EXTEND** PSD-753-06, PE-146-08, PV-491-07 and UP-960-06 for the dwelling at 200 Berendos Avenue for one year to June 13, 2010.

Attachments:

1. Draft Minutes from Planning Commission Meeting June 15, 2009
2. Letter from Cecilia Quick, City Attorney Dated October 10, 2008
3. Resolution No. 843