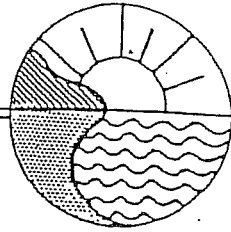


AGENDA



Planning Commission – City of Pacifica

DATE: July 20, 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: July 6, 2009

Designation of Liaison to City Council Meeting of: July 27, 2009

CONSENT ITEMS:

PUBLIC HEARINGS:

- 1 DP-72-09 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. (Continued from July 6, 2009)
SP-146-09
RZ-190-09
- 2 CDP-317-09 COASTAL DEVELOPMENT PERMIT, filed by the applicant, Giuseppe Sircana, on behalf of the owner, Edith P. Heidrick, to add a third story to an existing single family residence at 1344 Grand Avenue (APN 023-017-310). The project is located in the Coastal Zone. Recommended CEQA status: Exempt. Proposed Action: Approval as conditioned.
- 3 CDP-318-09 COASTAL DEVELOPMENT PERMIT and USE PERMIT, filed by the applicant, Michael Josepher, on behalf of the owner, Hong Chen to provide outdoor seating and convert an existing retail restaurant to a restaurant at 5430 Coast Highway, Pacifica (APN 023-072-060). The project is located in the Coastal Zone. Recommended CEQA status: Exempt. Proposed Action: Approval as conditioned.
UP-004-09
- 4 SP-138-05 AMENDMENT TO SPECIFIC PLAN, filed by the applicant/owner, Joseph Fare, to legalize modifications to a previously approved single family residence at 477 Farallon Avenue (APN 009-510-420). Recommended CEQA status: Exempt. Proposed Action: Approval as conditioned.
- 5 HLD-06-09 HISTORIC LANDMARK DESIGNATION, filed by the applicant, City of Pacifica, to designate Sharp Park Golf Course as an Historic Landmark (APN's 016-430-020 & 016-441-020) Recommended CEQA status: Exempt. Proposed Action: Adopt resolution recommending Historic Landmark designation.

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.

CITY OF PACIFICA

MEMORANDUM

DATE: July 20, 2009

TO: Planning Commission

FROM: Kathryn Farbstein 
Assistant Planner

SUBJECT: Agenda Item No. 1: Development Plan, DP-72-09, Specific Plan, SP-146-09 and Rezoning, RZ-190-09 to Construct a Single-Family Dwelling and Second Unit on a Six Acre Vacant Lot at 1585 Perez Drive (APN 023-291-020)

On July 6, 2009, the Planning Commission reviewed a proposal to construct a single-family dwelling and detached second unit on a vacant 6.3 acre lot located at 1585 Perez Drive. Because access to the property must be taken across a creek, an Initial Study/Mitigated Negative Declaration was completed by the City's environmental consultant. Members of the Commission expressed concerns about putting a culvert across the creek and requested that the applicant provide more information. The Commission continued the item with the public hearing open to tonight's meeting to provide time for the applicant to submit additional information. Draft minutes of the meeting are attached.

Information Provided by Applicant – The applicant provided a packet of documents with maps and information about culverts and bridges plus the agency approval letters from the Department of Fish and Game and US Army Corp of Engineers (see Attachment b). Included in the information provided by the applicant are some aerial photos and other visual illustrations of the creeks and culverts in the area as requested by the Planning Commission. Additional email correspondence is included from other agencies such as the Regional Water Quality Control Board.

Bridge or Culvert Over Creek- Attached is a letter report prepared by Grant Gruber of Michael Brandman Associates, the City's environmental consultant regarding the advantages and disadvantages of construction a bridge and culvert over the creek. Mr. Gruber reviewed various sources such as the Caltrans Highway Design Manual, the Culvert Criteria for Fish Passage adopted by the California Department of Fish and Game and the Washington Department of Fish and Wildlife Design of Road Culverts for Fish Passage. In addition, the consultant considered other related topics such as regulatory approvals, future potential for stream crossings, and cumulative stream velocity impacts. The report concludes that in this particular case, a culvert is the appropriate method for providing access across the creek.

Surrounding Uses – One of the Commissioners requested information about the surrounding uses. The property directly to the northwest is within the City limits and has a Zoning designation of A/B-5/HPD which would allow a single-family dwelling and a second unit with approval of a Use Permit and Site Development Permit. This lot is approximately 7.6 acres in size. The property to the northeast and south of the subject site are within the County of San Mateo unincorporated area. The property to the north is zoned RM for Resource Management and the allowed density is 1 unit per 5 acres. The property to the south is owned by the State of California and was intended to be used as the Highway 1 bypass that has been replaced by tunnel at Devil's Slide. As staff previously mentioned, these areas are very remote and with limited if any access to public streets.

Revisions to Documents – Two conditions of approval have been changed as requested by Commission members (see Attachment g). The second sentence in condition #4 for landscaping has been added to address concerns regarding maintaining the privacy of the neighbors. In condition #9, the second sentence has been added to address concerns about protecting the creek and the City's storm water system from contamination. The two proposed Planning Commission resolutions and the City Council ordinance have been revised to reflect the appropriate date (see Attachments d, e and f).

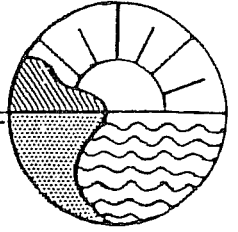
COMMISSION ACTION

Move that the Planning Commission **ADOPT** the Resolution adopting the Initial Study/Mitigated Negative Declaration including the Mitigation Monitoring and Reporting Program; **APPROVE** the Resolution recommending rezoning of the property, 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 from July 6th and July 20th be incorporated herein by reference.

Attachments:

- a. Draft Minutes from Planning Commission Meeting July 6, 2009
- b. Visual Information Regarding Culverts and Agency Approvals Provided by Applicant Dated July 11, 2009
- c. Report by Grant Gruber of MBA
- d. PC Resolution for MND including MMRP
- e. PC Resolution for Rezoning
- f. CC Ordinance for Rezoning
- g. Revised Conditions of Approval

STAFF REPORT



PLANNING COMMISSION - CITY OF PACIFICA

DATE: July 20, 2009

ITEM: 2

PROJECT SUMMARY/RECOMMENDATION AND FINDINGS

Notice of Public Hearing was published in
The Pacifica Tribune on July 8, 2009.
56 surrounding property owners and 2
residents were notified by mail.

FILE: CDP-317-09

APPLICANT/
AGENT: Giuseppe Sircana
151 Central Avenue #6
San Francisco, CA 94117

OWNERS: Edith P. Heidrick
1344 Grand Avenue
Pacifica, CA 94044

LOCATION: 1344 Grand Avenue

APN: 023-017-310

PROJECT DESCRIPTION: Addition of a 3rd story on an existing two story single family residence.

General Plan: LDR (Low Density Residential)

Zoning: R-1 (Single Family Residential)

RECOMMENDED
CEQA STATUS: Exempt Section 15301 (e)

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>
Lot Size:	5,000 s.f. (min.)	5,000 s.f	No Change
Width	N/A	50 s.f.	No Change
Depth	N/A	100 s.f.	No Change
Building Height	35' (max.)	20'6"	29'3"
Building Coverage	40% of lot area (max.)	1,398 s.f. (28%)	No Change
Landscape	20% of lot area (min.)	1,701 s.f. (34%)	No Change
Garage Dimensions:			
Width	18' (min.)	21'4"	18'1"
Depth	19' (min.)	21'10"	No Change
Spaces	2	2	No Change

PROJECT SUMMARY

A. STAFF NOTES:

1. **Existing Site Conditions:** The subject property is a 5,000 square foot lot located in the Pedro Point neighborhood. There is an upslope of 14.5% along Grand Avenue. Adjacent properties include two story homes on the north, south, and east sides. Both homes on the north and south sides of the property are approximately 23 feet in height. The existing structure is 20 feet 6 inches in height with 2,277 square feet of floor area and a 487 square foot garage. The two story home currently has three bedrooms, three bathrooms, a kitchen, a living room, a two car garage, three storage rooms and a westward facing deck.

2. **Project Description:** The applicant is proposing to construct an 800 square foot third story on the existing two story home. The addition includes a partial third floor consisting of a bedroom, bathroom, walk-in closet and four balconies. An elevator is proposed in the garage, which would allow access to both the second and third story of the home. The addition would increase the total amount of floor area to 3,077, resulting in a total square footage of 3,564. No new building coverage is proposed.

3. **General Plan, Zoning, and Surrounding Land Use:** The property is designated as Low Density Residential under the General Plan and has R-1 (Single Family Residential District) and CZ (Costal Zone) zoning classifications. Single family homes to the east, west, north and south are also zoned R-1/CZ, and have a General Plan designations of Low Density Residential.

4. **Municipal Code and Regulatory Standards:** The project requires a Coastal Development Permit as described in Section 9-4.4303 of the Pacifica Municipal Code because the addition will result in a structure that exceeds two stories.

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.
2. 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.

6. California Environmental Quality Act: Staff recommends that the Planning Commission find this project is exempt from CEQA pursuant to Section 15301 (e) of the California Environmental Quality Act which states:

"Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of an existing use.

"(e) Additions to existing structures provided that the addition will not result in an increase of more than:

...(2) 10,000 square feet if:

(A) The project is in an area where all public services and facilities are available to allow for maximum development permissible in the General Plan and

(B) The area in which the project is located is not environmentally sensitive."

The proposal addition to the single family residence is less than 10,000 square feet. The subject lot is located in an area where all public services and facilities are available to allow for the maximum development permissible in the General Plan. Further, it is not located in an environmentally sensitive area.

7. Staff Analysis

Coastal Development Permit: The City's Local Coastal Program Land Use Plan specifically states that all new development should be attractive and compatible yet subordinate to the surroundings and topography. Design and scale should complement and enhance the positive aspects of the neighborhood; this will be discussed further in the Design section below.

The project is not located between the beach and the nearest public road, thus, it will not impact the public recreation policies of Chapter 3 of the Coastal Act. Staff believes that the project is

consistent with the overall intent of the City's Local Coastal Program Land Use Plan as well as the public recreation policies of the California Coastal Act.

Design: The proposed partial third story is designed to complement the existing two story home as well as the surrounding structures within its vicinity. Because there is an uphill slope, the height of the third story will be 15 feet greater than the structure to the north and 1 foot greater than the structure to the south. The applicant proposed a partial third story so the views from the homes on top of Pedro Point would not be obstructed. There may be a slight visual impact for the adjacent home to the south due to the upslope of the street; however there will be no visual impact for the home to the north. Given the orientation of the residence, it does not appear that the proposed addition will impact light on adjacent neighbors. Additionally, because of the distance from neighboring structures, it does not appear that the addition will impact air for adjacent properties. Furthermore, the third story will be partially visible from the bottom of the slope; however, architectural details have been added to the northern side to make the home aesthetically pleasing from all sides. Multiple windows of various shapes and a balcony with French doors give the north wall an appealing appearance.

Because the elevator is located on the north east corner of the home, the architect was unable to set back the entire third story. A portion of the third floor is set back approximately 2 feet to help break up the façade. Additionally, three balconies with planter boxes will project from the third story. The existing first and second floor of the home is primarily flat; however, the applicant has chosen to add planter boxes to both windows on the second floor to offset the existing flat façade. Furthermore, the proposed project is consistent with Pacifica's Design Guidelines.

8. **Summary:** Staff believes that the proposed addition complements the surrounding homes and will enhance the overall appearance of the neighborhood. The setback and the planters help to break up the existing flat façade, while the windows and balconies add character to the home. Although the proposed addition will be greater in height than the home located to the north, the natural slope of Grand Avenue will provide seamless transition between the subject property and the homes as the street continues south. Staff believes that findings can be made to grant a Coastal Development Permit; therefore staff recommends approval of this project.

RECOMMENDATION AND FINDINGS

B. RECOMMENDATION:

Staff recommends that the Planning Commission approve Coastal Development Permit, CDP-317-09, subject to the following conditions:

Planning Department:

1. Development shall be substantially in accord with the plans entitled "Third Story Addition, 1344 Grand Avenue, Pacifica, California, 94044," consisting of eight (8) sheets dated 5/15/09 except as modified by the following conditions.

2. 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.
3. 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.
4. 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:

5. Applicant shall overlay existing asphalt with minimum 2 inch AC to street centerline across entire property frontage.
6. All existing cracked and broken sidewalk across entire property frontage shall be replaced per City Standards 100 and 101A. Show location and dimensions on the Site Plan.
7. 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."
8. 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."

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

Waterwater Division of Public Works

11. The applicant shall provide a video of the sewer lateral line. Depending upon the condition of the existing sewer line, if there are any visible signs of leakage, the applicant shall replace parts or the whole sewer line to current specification and codes to the satisfaction of the City Engineer.

C. FINDINGS:

1. Findings for Approval of a Coastal Development Permit: The Planning Commission finds that the proposal to construct a third story on an existing two story single family residence will 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

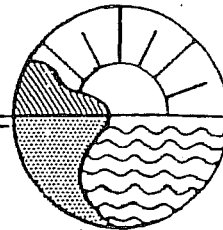
D. MOTION FOR APPROVAL:

Move that the Planning Commission find the project exempt from CEQA, and **APPROVE** Coastal Development Permit, CDP-317-09 subject to conditions 1 through 11 and adopt findings contained in the July 20, 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. Photos from Applicant

STAFF REPORT



PLANNING COMMISSION - CITY OF PACIFICA

DATE: July 20, 2009

ITEM: 3

PROJECT SUMMARY/RECOMMENDATION AND FINDINGS

Notice of Public Hearing was published in The Pacifica Tribune on July 8, 2009. 10 surrounding property owners and 2 residents were notified by mail.

FILE: CDP-318-09
UP-004-09

APPLICANT/
AGENT: Michael Josepher
5430 Coast Highway
Pacifica, CA 94044

OWNERS: Hong Chen
102 Scarsborough
Los Altos, CA 95032

LOCATION: 5430 Coast Highway

APN: 023-072-060

PROJECT DESCRIPTION: Convert from retail restaurant to restaurant and provide outdoor seating in the front and rear of the property.

General Plan: Commercial

Zoning: C-2 (Community Commercial)

RECOMMENDED
CEQA STATUS: Exempt Section 15303 (c)

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>
Parking Spaces	84 (min.)	139	No Change

PROJECT SUMMARY

A. STAFF NOTES:

- 1. Existing Site Conditions:** The subject property is a shopping center located in the Pedro Point neighborhood. The site is primarily flat and is located to the west of San Pedro Avenue. Seven different businesses and 139 parking spaces occupy the shopping center. Adjacent properties include the former Pacific Athletic Center, Linda Mar Shopping Center, and several vacant properties.
- 2. Project Description:** The applicant is proposing to add additional seating to convert the existing retail restaurant into a restaurant. Currently, there are 15 seats in the customer area of the business. The applicant is proposing to add one table to the exterior of the business and a maximum of 21 seats in the outdoor rear yard area. Additionally, an employee work area located in the rear yard with storage and a cooler is proposed.
- 3. General Plan, Zoning, and Surrounding Land Use:** The property is designated as Commercial under the General Plan and has C-2 (Community Commercial District) and CZ (Costal Zone) zoning classifications. Properties to the west and north are vacant, while the property to the south is occupied by a vacant structure and Linda Mar Shopping Center is to the east.
- 4. Municipal Code and Regulatory Standards:** The project requires a Coastal Development Permit as described in Section 9-4.4303 of the Pacifica Municipal Code because the proposed project will intensify the use of the current business by going from a retail restaurant to a restaurant. According to the Pacifica Municipal Code, a “retail restaurant” is defined as, “an eating establishment that serves food primarily for consumption off-site, has less than or equal to one seat per one hundred fifty square feet gross leasable floor area, and is located in a commercial space having less than or equal to 2,00 square feet gross leasable floor area.” The Code also defines “restaurant” as “an eating establishment that sells food primarily for consumption on-site and has more than one seat per one hundred fifty square feet gross leasable floor area.” The proposed outdoor use will require a Use Permit per Section 9-4.2308 which states, “all commercial and industrial uses conducted in any C or M District must be conducted entirely within an enclosed structure unless a permit is obtained, as set forth in Article 33 of this chapter, except as otherwise provided in this section.” Intensifying the current use by increasing the amount of customer seating and providing an outdoor seating area will necessitate the need for a Coastal Development Permit and a Use Permit.

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.
2. 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.

6. Use Permit: The Planning Commission shall grant approval of a Use Permit only when all of the following findings are made:

1. 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;
2. 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
3. Where applicable, that the use or building applied for is consistent with the City's adopted Design Guidelines.

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:

(c) A store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 2500 square feet in floor area. In urbanized areas, the exemption also applies to up to four such commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.

The proposed project is a conversion of use from a retail restaurant to a restaurant and an addition of an outdoor use and is therefore exempt from CEQA.

8. Staff Analysis

Coastal Development Permit: The City's Local Land Use Plan encourages commercial uses in the Pedro Point district that are coastal related and/or visitor serving. Specifically, the uses along San Pedro Avenue could be used to attract visitors and provide neighborhood retail needs. The proposed use will enhance the appearance of the area by the addition of a table outside of the storefront. Although a majority of the tables are located in the rear yard area, it may attract additional visitors by offering outdoor seating.

Because the project is creating additional customer seating, the existing parking lot must also be able to accommodate the additional vehicles. Currently, the parking lot has over 130 parking spaces. The amount of parking required to accommodate all of the businesses, including the proposed seating, is approximately 84 parking spaces.

The project site is located between the shoreline and the nearest public road; therefore it must conform with the public recreation policies of the California Coastal Act. Public access is provided in various places along the Pacifica coast, including three access points in the Pedro Point/Shelter Cove neighborhood. Staff believes that the project is consistent with the overall intent of the City's Local Coastal Program Land Use Plan as well as the public recreation policies of the California Coastal Act.

Use Permit: A Use Permit is required for conducting a use outside of an enclosed structure. Currently, there are 15 indoor seats; however, the proposed use will provide 21 outdoor seats in the rear, 15 indoor seats and 2 outdoor seats in the front. The 21 seats in the rear yard will be screened by the existing building and are not visible from the Highway. There are single family residences located more than 200 feet away from the project site; therefore it does appear that the homes will be impacted by any noise generated by the outdoor use. Additionally, the outdoor table with two seats in the front of the business will be located against the window and will not block the entrance. The proposed table is 2 feet in depth. Currently, there is a 7 foot sidewalk outside of the business; therefore, a 5 foot path remains for pedestrian access.

It does not appear that the establishment, maintenance, or operation of the use or building applied for would, 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. Lastly, the use or building applied for is consistent with the applicable provisions of the City's adopted Design Guidelines and other applicable laws of the City.

Design: The proposed project will not change the aesthetics of the storefront other than the addition of one table. Most of the tables will be located in the rear yard area of the business and will be screened by the existing building. The addition of one table to the storefront area will create an inviting appearance for potential customers.

Although each business has its own rear yard space, there is no fence between Extreme Pizza and the smoke shop to the north. According to the plans, a gate is proposed along the rear fence; however, both the Building Department and Fire Department have concluded that the existing

gate located on the Smoke Shop lease area will be sufficient. The gate will be used for means of egress during an emergency.

Staff believes that the project is consistent with the intent of the City's Design Guidelines.

9. Summary: Staff believes that the proposed project will enhance the shopping center at Pedro Point by providing outdoor seating in the front and rear of the business. The use is visitor serving and will attract potential customers with the proposed table outside of the storefront. Additionally, most tables will be located in the rear of the business and will not create a visual impact on those traveling on Highway 1 or create undue noise that will impact surrounding land uses. Staff believes that findings can be made to grant a Coastal Development Permit and a Use Permit; therefore staff recommends approval of this project.

RECOMMENDATION AND FINDINGS

B. RECOMMENDATION:

Staff recommends that the Planning Commission approve Coastal Development Permit, CDP-318-09 and Use Permit, UP-004-09, subject to the following conditions:

Planning Department:

1. Development shall be substantially in accord with the plans entitled "5400-5520 Coast Highway, Pacifica, Ca, Parking Requirements," consisting of five (5) sheets dated June 26, 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 use applied for must be located entirely on the Extreme Pizza lease area at all times.
4. 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.

Police Department:

5. Alcoholic beverages served by the business shall remain on site at all times.

Building Department:

6. Provide illuminated exit signs with battery backed-up egress lights at all exits.
7. Provide emergency egress lighting (battery backed-up) equal to 1 foot candle at floor level, along the exit path leading to all required exits.

C. FINDINGS:

1. **Findings for Approval of a Coastal Development Permit:** The Planning Commission finds that the proposal to intensify the current use by converting a retail restaurant to a restaurant and adding additional outdoor seating 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.

2. **Findings for Approval of a Use Permit:** The Planning Commission finds that the establishment, maintenance, or operation of the proposed outdoor use would not under and circumstances of the particular case, be detrimental to the health, safety, and welfare of the persons residing or the persons working in the neighborhood or to the general welfare of the City. Lastly, the use applied for is consistent with the applicable provisions of the City's adopted Design Guidelines and other applicable laws of the City.

COMMISSION ACTION

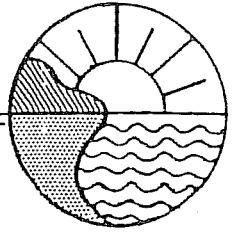
D. MOTION FOR APPROVAL:

Move that the Planning Commission find the project exempt from CEQA, and **APPROVE** Coastal Development Permit, CDP-318-09 and Use Permit, UP-004-09 subject to conditions 1 through 8 and adopt findings contained in the July 20, 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. Photos from Applicant

STAFF REPORT



PLANNING COMMISSION-CITY OF PACIFICA

DATE: July 20, 2009

ITEM: 4

PROJECT SUMMARY/RECOMMENDATION AND FINDINGS

Notice of Public Hearing was published in the Pacifica Tribune on July 8, 2009 and 60 surrounding property owners were notified by mail.

FILE: Amend SP-138-05

APPLICANT AND OWNER: Joseph Fare, 895 Cabot Court, San Carlos, CA 94070

LOCATION: 477 Farallon Avenue

PROJECT DESCRIPTION: Proposal to legalize modifications to a previously approved single family residence.

General Plan: Low Density Residential
Zoning: P-D (Planned Development District)

CEQA STATUS: Exempt Section 15303 (a)

ADDITIONAL REQUIRED APPROVALS: None.

RECOMMENDED ACTION: Approval as conditioned.

PREPARED BY: Christina Horrisberger

ZONING STANDARDS CONFORMANCE:

<u>Standards</u>	<u>Required</u>	<u>Proposed</u>
Lot Size	5,000 sf	7,911 sf
Coverage	40% max	35%
Height	35' max	35'
Landscaping	20% min	39%
Setbacks		
-front yard	15' min	20'
-side yard (both interior)	5'	10.5' and >10'
-rear	20'	23'
Parking	2 car garage	3 car garage

PROJECT SUMMARY

A. STAFF NOTES:

1. Background: On June 20, 2005 the Planning Commission approved SP-138-05 to construct a 3-story, 3-bedroom, 3-bathroom, single-family dwelling with 2,450 square feet of living area, a 1,225 square foot basement storage area and a 920 square foot, 3-car garage. More details are contained in the attached June 20, 2005 Planning Commission staff report and meeting minutes. A building permit was subsequently issued and the applicant began constructing the home. During a routine building inspection it was noted by the City's inspector that the construction completed to that point did not adhere to the approved plans. After conferring with Planning staff, a stop work order was issued and the applicant was directed to contact Planning staff in order to obtain information about the options available for legalizing the deviations from the approved plans. The applicant was informed by staff that the structure could be modified to conform to the approved plans or, if it was not desirable to modify the structure, an amendment to the originally approved plans could be requested. The applicant opted to request an amendment to the approved plans for the home.

The most substantial deviation was visible from Farallon Avenue on the west (front) and south sides of the property. Specifically, the bottom floor of the approved 3-story home consisted of a 1,225 square foot basement and an on-grade patio on the north side of the home. As approved, the basement was to be partially above ground on the west side of the building and fully exposed on a small portion of the south side of the building, near the front of the structure. Instead, the home was constructed with the basement floor fully above ground on the west side of the building, mostly above ground on the south side and the on-grade patio was constructed atop a large retaining wall that faces Farallon Avenue. The retaining wall was not part of the approved plan. This caused the overall height of the home to exceed the 35 foot height limit and created a large expanse of flat wall on the lowest level of the home, facing Farallon Avenue. A small utility room was also added at the southwest

corner of the home, underneath the basement. According to the applicant, the modifications were due to unanticipated grading issues related to the driveway. In addition to changes to the front of the home, the roof of the garage at the rear of home was modified. Because a higher retaining wall was needed as a result of the additional grading, and the approved garage roof would have been much lower than the wall, adhering to the approved plan would have resulted in a large expanse of bare retaining wall over the garage. This would have been visible to persons inside the home and, eventually, to those using Channing Way to access properties (that are currently undeveloped) behind the subject lot. The applicant contacted Planning staff to inquire about this issue before the modifications to the front of the building were discovered by Building staff. It was determined that elevating the roof could result in added floor area (in the form of a second story over the garage) and this would not be desirable given the City's guidelines restricting floor area on Farallon Avenue. The applicant instead proposed a roof deck atop the garage. This change was deemed minor and was consistent with the City's Design Guidelines. Accordingly, staff was prepared to administratively approve this particular modification as allowed in Section 9-4.2213 of the Pacifica Municipal Code. However; the issues related to the front of the building arose before revised plans for the roof deck could be submitted and the deck is now part of the currently proposed amendment. The building footprint, setbacks, amount of landscaping and parking configuration are unchanged.

2. Project Description: After reviewing the City's adopted Design Guidelines and conferring with staff at length, the applicant submitted revised plans. In order to not exceed the City's 35 foot height limit and minimize the visual impacts of the increased overall building height, the applicant is proposing to install a series of low retaining walls at the front of the building. A retaining wall is also proposed at the south side of the structure near the front corner. The walls would be filled with earth and landscaped, thereby raising the grade around the home where the modifications resulted in excess building height. Because the front wall now extends further northward due to the change in elevation between the front yard and the patio, a trellis adorned with a decorative planting is proposed against the north portion of the front wall. A vertical planting is also proposed at the front of the building where the utility room was added and resulted in slightly more wall space. The utility room would be converted into a portion of the planter at the southwest corner of the home, but an alcove in the retaining wall is still proposed in order to accommodate electrical equipment. In addition, windows facing Farallon Avenue were incorporated into the design, on the first floor, in order to further break up the expanse of wall at the front of the building. The conversion of the garage roof to a deck and the raised rear retaining wall are also part of the proposed project. The originally approved rear wall was slightly over nine feet tall and the wall, as constructed, is 18 feet tall at its highest point. This portion of the home is not visible from Farallon Avenue, but would be visible from Channing Way once it is improved.

3. General Plan, Zoning, and Surrounding Land Use: The General Plan designation for the subject property is Low Density Residential and the zoning classification is Planned Development (P-D). The properties surrounding the subject site have the same General Plan

designation. The properties on either side and to the rear of the subject site have the same zoning designation. All the surrounding properties are developed predominantly with multi-level single-family homes. The construction of a three-story single-family home on this site would be consistent with the General Plan, zoning designation and the surrounding land use.

4. Municipal Code and Regulatory Standards: The Zoning Regulations state that the development standards for the construction in a P-D district shall conform with the standards set forth for the zoning district most similar in nature to the proposed development. In this situation, the proposed project is most similar in nature to development permitted in an R-1 (Single-Family Residential) Zoning district. The project, as proposed, satisfies all the development standards as specified for an R-1 zoned property.

5. Specific Plan: Section 9-4.2208 of the Municipal Code states that all new development within a P-D (Planned Development) Zoning District shall require Specific Plan approval by the Planning Commission. Section 9-4.2209 states that the Commission shall approve a Specific Plan 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. California Environmental Quality Act: The Planning Commission may find the project exempt from CEQA pursuant to Section 15303 (a): "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 of this exemption include, but are not limited to:

- (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."

7. Analysis:

Specific Plan – The project consists of a revised plan for a single-family dwelling on a lot that is consistent with the development plan because the neighborhood contains many multi-story single-family dwellings. Therefore, finding (a), as stated in the previous section of the staff report, is satisfied. Finding (b) requires that the proposal be consistent with the Design Guidelines, which is discussed below.

Design Guidelines - The City's Design Guidelines suggest minimizing site grading and retaining walls, and using decks as open space areas. In addition, the Guidelines for Farallon Avenue recommend limiting living area to 2,450 square feet exclusive of the garage, encouraging new construction to follow the upward slope by having the upper levels stepped back 8 feet, and suggest that horizontal and vertical elements be used to break up the mass of the building. The Design Guidelines also specify landscaping as an important aspect of site design.

The overall design of the home was described in detail in the attached June 20, 2005 staff report. The modifications to the building mainly pertain to the guidelines concerning grading, retaining walls, living area and open space areas. More excavation than what was originally proposed has already taken place at the property. As a result the structure sits lower on the lot than planned. This created the need for a higher rear retaining wall; the wall is part of the foundation and provides the rear garage wall. This portion of the home is not visible from Farallon Avenue, but would be visible from Channing Way. The garage and roof deck above it would be directly adjacent to the wall and the deck would be surrounded by a 3.5 foot stucco railing. The railing would reach a maximum height of roughly 16.5 feet and would largely obscure exposed portions of the wall from view. Staff thinks that cascading plantings above the wall would soften the appearance of the topmost 1.5 feet of it. A condition of approval requiring such plantings has been included. The front portion of the home also sits lower than planned and, as a consequence, more wall area is exposed at the front of the home. A retaining wall facing Farallon Avenue was needed to install the patio. At the southwest corner of the building, a small utility room was added below the basement floor. This created a partial fourth floor at the front of the building furthering the amount of wall visible from the street. Plantings, as shown on the attached rendering and described below in more detail, can be used to soften the appearance of the walls. The windows added to the bottom level of the home would also soften the appearance of the lower wall.

The height of the building from the lowest point at finished grade to the topmost point of the roof is roughly 43-44 feet, when 33 feet 9 inches was approved. In order to lessen the visual impact of the exterior wall and to meet the City's height limit, the applicant has proposed a series of low retaining walls at the front of the building and a taller single wall at the south side of the building near the front corner. The walls would serve as planters allowing the finished grade to be raised. This reduces the overall building height of the structure, as defined by the Pacifica Municipal Code, to 35 feet, which is 1 foot 3 inches over what was approved by the Planning Commission. Normally staff would discourage this type of grading and encourage minimal changes to site topography. However; in this case a large amount of excavation has already taken place and adding back some of the removed dirt would help to reestablish some of the elevation that was removed. It would also lessen the amount of exposed wall surface. The tiered retaining walls would each be 3 feet tall and function as planters to create a pleasing visual effect. This type of landscape design is not inconsistent with other homes in the area and would fit with the overall streetscape. A trellis and vertical plantings are proposed toward the edges of the building to soften the visual impact of the

more exposed lower level wall, and more windows have also been added for this reason. The south side retaining wall is roughly 9 feet high. It would contain plantings and plantings would be placed in front of it to soften its appearance. If approved, staff would recommend placement of cascading plantings within the planter, in addition to vertical plantings, to further soften the appearance of the south wall. A condition of approval to this affect has been added. Also, an alcove to house electrical equipment is proposed on the south retaining wall. Staff recommends that the applicant cover the alcove with a decorative door that latches and complements the overall building design. A condition of approval to this affect has also been added.

The added utility room would be closed off in order to allow for the grade change and also to minimize the amount of floor area included in the proposal. The Design Guidelines specifically address "living space, exclusive of the garage," and state that it should not exceed 2,450 square feet. The approved basement was not previously considered living space. This space was approved at 1,225 square feet to allow for storage and the living space was approved at 2,450 square feet. The home would still include 2,450 square feet of living space but the storage area (previously the basement) is now roughly 1,130 square feet. The lower level storage area would no longer be considered a basement. The City's definition states that a basement is "partly underground and having at least one-half (1/2) of its height above grade." The lowest level is fully underground on one side but fully exposed on two sides. Although the approved storage area is no longer considered a basement, it is still proposed to serve the same function as what was approved. However, it should be noted that there is now a 427 square foot crawl space to the rear of the storage area that may also be useful for storage. This was not included in the original proposal and is a result of the site grading/excavation that took place. Staff did not initially support approval of the basement storage area as part of the original proposal, but the Commission disagreed. Since the proposed function of the space is unchanged, staff believes that the storage area, even though it no longer a basement, is consistent with the original approval as it relates to the use of the property.

Although the proposed amendment includes more grading/excavation and adding retaining walls, staff believes that the overall appearance of the finished home would still fit with the neighborhood. The only wall that is both high and visible from the street could be softened with appropriate landscaping. Since the excavation and most of the grading has already taken place, and the building is more than halfway constructed, requiring the applicant to adhere to the original proposal may actually necessitate more earth moving activities. This would be inconsistent with the Design Guidelines. Adding earth (walled planters) to the front and south sides of the building may be less intrusive and adhere more closely to the Design Guidelines, while providing a solution to the negative visual impacts that were created by changing the building design. Also, since there is a large side setback between the home to the south (which would be 7 feet lower at its highest point than the subject home), and the neighboring lot to the north is at a higher elevation, the increased height of the subject home should not be out of scale with the neighborhood. Concerning open space, more open space would be added

to the rear of the home by converting the garage roof into a deck. This area is away from the street and the change would adhere to the Design Guidelines.

Design Alternative – It may be possible for the applicant to lower the roof of the home or remove the top floor. This would reduce the need for additional grading and eliminate any concern about exceeding the amount of living space recommended in the Design Guidelines, while bringing the home closer to the originally approved height. It should be noted that the Design Guidelines for Farallon Avenue recommend that upper stories be stepped back by 8 feet. In this case a portion of the top floor is setback more than 12 feet to provide a balcony. This satisfies both the setback and open space guidelines. The main floor of the home is setback 8 feet from the lower (storage area) floor, but the storage area and constructed recycle room wall do not include varied front setbacks. The recycle room would be partially buried on the street side, but fully exposed on the south side. Eliminating the third floor may also eliminate the roof deck over the garage, leaving the north patio and front deck to provide open space for the home. Pursuing this design alternative would necessitate reconfiguration of the floor plan. Altering the top floor was discussed with the applicant when the modifications to the building were initially brought to Planning staff's attention, but the applicant did not wish to pursue this redesign option at that time.

CEQA - The Commission previously found that this project was exempt from CEQA pursuant to the above referenced section. The proposed changes to the project would still be consistent with the exemption, because no change to the use of the property is proposed.

Geotechnical Issues - The applicant submitted a geotechnical report as part of the original application. The report stated that the proposed building was suitable for the site. In light of the modifications, staff requested an updated statement from a geotechnical professional. The applicant submitted an addendum to the original report stating that the modifications to the building would not create any problems from a geotechnical standpoint.

8. Summary: Although the home, as constructed to date, would not meet the Design Guidelines or satisfy the findings needed to grant an amendment to the approved Specific Plan, staff believes that the home, with further modification as proposed by the applicant and with conditions recommended by staff, would be attractive and similar to what was originally approved. Further, it appears that the home would blend with the existing streetscape on Farallon Avenue. Also, although the entire project, if completed in its current form, would not meet the specific guidelines relating to minimizing site grading and retaining walls, the project moving forward from this point, as modified and conditioned, would minimize the need for additional earth moving when compared to the option of further modifying the home to adhere to the original approval. Reducing the building height by altering the top floor would eliminate the need for further grading, but would lessen the amount of open space provided and could result in a less attractive building facade.

RECOMMENDATION AND FINDINGS

B. RECOMMENDATION:

Staff recommends that the Planning Commission approve the amendment to Specific Plan SP-138-05 for the modifications to the previously approved single family residence at 477 Farallon Avenue, subject to the following conditions:

Planning Department:

1. Development shall be substantially in accord with the plans entitled "Plans Prepared for Joe Fare," consisting of six (6) sheets, received by the City on April 13, 2009, except as modified by the following conditions.
2. The conditions of the originally approved project shall be met.
3. 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.
4. 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.
5. 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.
6. 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.
7. Landscaping, maintained in a flourishing manner, at the front of the building shall include the vertical elements shown on the color renderings submitted with the plans.
 - a. Cascading and vertical plantings shall be incorporated into the raised planter on the south side of building, subject to review and approval of the Planning Director.

- b. The lowest level of the home. Labeled "Storage Area" on the plans shall not be converted to living space unless approval is sought from, and granted by, the Planning Commission.
 - c. The electrical equipment alcove shown on the south side of the building shall be covered with a decorative door that latches and complements the overall building design, subject to review and approval of the Planning Director.
 - d. Cascading plantings, maintained in a flourishing manner, shall be installed above the rear retaining wall, subject to review and approval of the Planning Director.
8. 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.
9. 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.

Building Division

10. 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

11. 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. **Specific Plan:** The Planning Commission finds that the modifications to an approved single-family residence at 477 Farallon Avenue are consistent with the approved Development Plan. Specifically, all zoning standards of development for the R-1 District such as site coverage, building setbacks, and structure height are met by the project. As conditioned, the design and landscaping will be sufficient to meet the City's adopted Design Guidelines, the General Plan and all applicable City Codes.

COMMISSION ACTION

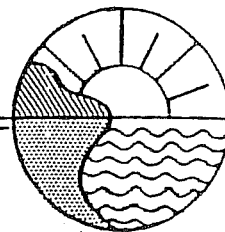
D. MOTION FOR APPROVAL:

Move that the Planning Commission **APPROVE** amendment to Specific Plan SP-138-05 subject to conditions 1 through 11 and adopt findings contained in the July 20, 2009 staff report, and incorporate all maps and testimony into the record by reference.

Attachments:

- a. Land Use and Zoning Exhibit
- b. Streetscape Rendering
- c. Streetscape Photo
- d. Geotechnical Report And Update
- e. June 20, 2005 Planning Commission Staff Report, Minutes, Grant Letter & Approved Plans (reduced size)
- f. Plans and Elevations (Planning Commission only)

STAFF REPORT



PLANNING COMMISSION-CITY OF PACIFICA

DATE: July 20, 2009

ITEM: 5

PROJECT SUMMARY / RECOMMENDATIONS AND FINDINGS

Notice of public hearing was published in the Pacifica Tribune on July 8, 2009, and 195 surrounding property owners were notified by mail.

FILE: HLD-06-09

APPLICANT: City of Pacifica
170 Santa Maria Avenue
Pacifica, CA 94404

LOCATION: Sharp Park Golf Course (APN's 016-430-020 & 016-441-020)

PROJECT DESCRIPTION: Designate Sharp Park Golf Course as an Historic Landmark

General Plan Park
Zoning P-F+ (Public Facilities with vote required to rezone), and HPD (Hillside Preservation District)

CEQA STATUS: Exempt per Section 15061(b)(3)

ADDITIONAL REQUIRED APPROVALS: City Council approval of Historical Landmark Designation

RECOMMENDED ACTION: Recommend Approval of Proposed Designation

Prepared by: Michael Crabtree, Planning Director

ZONING STANDARDS CONFORMANCE:

N/A

PROJECT SUMMARY

A. STAFF NOTES:

1. **Background:** On May 26, 2009, the City Council adopted the attached resolution initiating historic landmark designation of the Sharp Park Golf Course. Per Title 9, Chapter 7 of the Pacifica Municipal Code, the Council may initiate such designation and the Planning Commission may recommend that the City Council approve, disapprove, or modify the proposed designation. The City Council then must review the proposal and consider adoption of an ordinance designating the site an Historic Landmark.
2. **Project Description:** The Golf Course is part of two larger properties that also comprise the former Rifle Range, Archery Range, and other open space areas. The Golf Course is the only part of the properties that is proposed for historic landmark designation. The Golf Course is identified in the Pacifica General Plan as an Historic Site, but has not been formally designated a landmark. The Sharp Park Golf Course Club House was formally designated an Historic Landmark in 1987.
3. **General Plan, Zoning, and Surrounding Land Uses:** The General Plan designation of the Golf Course is Park, and the zoning is P-F+ (Public Facilities) and HPD (Hillside Preservation District). The + after the P-F designation means that a public vote is required to rezone the property. The HPD designation is on that portion of the Course to the east side of the highway. (See attached zoning exhibit). The portion of the Golf Course west of Highway 1 is within the Coastal Zone, but the proposed Historic Landmark designation does not require a Coastal Development Permit and is not appealable to the Coastal Commission.

The Golf Course is bounded on the east by publicly owned open space and to the west by the Pacific Ocean. Land uses to the south are residential, while to the north is a mixture of open space, residential, and commercial uses.

The Golf Course is discussed in the City's General Plan and on page C-41 of the Local Coastal Plan as follows:

"A deed restriction ensures continued public ownership of the highly scenic golf course, designed and built under the direction of John McLaren. The golf course and entire Sharp Park area, including the portion to the east, drains into what remains of the old Laguna Salada, now a freshwater marsh. A 50 foot berm protects the golf course and marsh from intrusion of salt water and humans, and ensures perpetuation of the freshwater marsh habitat which supports one of the largest known San Francisco garter snake habitats. This is also one of the few snake habitats located on public property. The San Francisco garter snake is on Federal and State Endangered Species lists. Its protection is the responsibility of the California Department of Fish and Game.

The outlet of the marsh is on the south end of the golf course and is currently crossed by surf fishermen wishing to use the adjacent beach frontage. In the past, the City and County of San Francisco regularly dredged the marsh to maintain its depth to protect the golf course from flooding. Since about 1940 this practice has been discontinued on a regular basis and the marsh has been silting. Poorly timed dredging could be hazardous to the garter snake.

Because of the sensitivity of the habitat, the need for dredging and berm protection, and the need to protect the snake population, the California Department of Fish and Game should undertake management of the garter snake habitat. Alterations in the operations of the golf course should be consistent with the requirements of the Department of Fish and Game. The criteria identified for the protection of the garter snake and its habitat and the continuation of the golf course use are consistent with the following policies of the Coastal Act: 30210 (Maximum Public Access), 30221 (Reserve Coastal Areas), 30231 (Habitats), 30233 (Dredging), 30240 (Sensitive Habitats), and 30251 (Scenic Resources)."

4. **Historic Landmark Designation:** The process for designating an historic landmark is set forth in the City's Historic Preservation Ordinance (see attached). Sec. 9-7.201 of the ordinance contains the criteria to be considered prior making such a designation. Although the proposed site need only meet one of the criteria, it meets several, as discussed below.

(a) It exemplifies or reflects a significant element of the City's cultural, social, economic, political, aesthetic, engineering, architectural, geological, or archaeological history

The Sharp Park Golf Course is clearly a significant element of the City's social and economic fabric. It has been and continues to be used regularly by local groups and individuals (often for various fundraising purposes) and draws tourists from out of the area. The Course adds to the aesthetics of the City by virtue of its lush natural areas and wetlands habitat. Architecturally, the Course is a jewel, one of the rarest golf course designs in the country – a links course designed by world renowned golf course architect Alister MacKenzie.

(b) It has special aesthetic or artistic interest or value due to elements of design, detail, material, or craftsmanship which represent a significant innovation in architectural or engineering style

Sharp Park Golf Course is a links course designed to emulate a traditional Scottish golf course. For example, the course is built along the ocean and the soil is sandy and drains easily under normal circumstances. The course is laid out naturally. Greens and fairways flow with natural depressions and deviations in the topography, while keeping slopes in the fairways and greens. Native grasses are used in the rough and multiple bunkers exist. The course routes out and back from the club house. As mentioned above, the course is one of the rarest in the country and was designed by Alister MacKenzie, who also designed the Augusta National Golf Club, which hosts the prestigious Masters Golf Tournament each year.

(c) It is identified with historic persons or events significant in local, State, or national history

Alister MacKenzie, whose credentials are summarized below, designed the Sharp Park Golf Course. Construction began in 1929, under the direction of John McClaren. The grand opening occurred on April 16, 1932.

(d) It embodies distinctive architectural characteristics of a style, type, period, or method of construction or is a valuable example of the use of indigenous materials or craftsmanship

As noted above, Sharp Park Golf Course was designed as a “links course”. A links golf course, sometimes referred to as a seaside links, is the oldest style of golf course, and was first developed in Scotland. The word comes from the Scots language and refers to an area of coastal sand dunes, and sometimes to open parkland. Such courses are rare in the United States but have a distinctive in terms of type and style.

(e) It is representative of a type of building which was once common and is now rare

This criterion does not apply.

(f) It is representative of the notable work of a master builder, designer, or architect

As noted above, Sharp Park Golf Course was designed by Alister MacKenzie. Wikipedia states, “*In association with Harry Shapland Colt and Charles Alison, (MacKenzie) formed the London firm of Colt, MacKenzie & Alison. Alister wrote in one of his architecture books: “the chief object of every golf course architect worth his salt is to imitate the beauties of nature [and presumably also the hazards] so closely as to make his work indistinguishable from nature itself.”*

MacKenzie worked in an era before large scale earth moving became a major factor in golf course construction, and his designs are notable for their sensitivity to the nature of the original site. He is admired for producing holes that offer an ideal balance of risk and reward, and for designing golf courses that challenge yet also accommodate players with a range of skills.

In the 1920s he moved permanently to the United States; where he carried out his most notable work, although he continued to design courses outside that country as well. Today, he is remembered as the designer of some of the world’s finest courses, among them Century Country Club (Purchase, New York), Augusta National Golf Club (Augusta, Georgia), Cypress Point Club (Monterey Peninsula, California), Royal Melbourne Golf Club (Melbourne, Australia), Pasatiempo Golf Club (Santa Cruz, California), Crystal Downs Country Club (Ann Arbor, Michigan), Lahinch Gold Course (Ireland), and Meadow Club (Fairfax, California).”

(g) It is a part of or related to a square, park, or other distinctive area and should be developed or preserved according to a plan based on an historic, cultural, or architectural motif.

Sharp Park Golf Course is part of Sharp Park, an open space area noted not only for the golf course feature, but for its open space attributes (including Laguna Salada) and as habitat to endangered species. The golf course is discussed in the City’s Local Coastal Plan (cited above) and is also identified as site No. 19 in the City’s Historic Preservation Element.

Based on the above, the Golf Course meets 6 or the 7 criteria contained in the City's Historic Preservation ordinance, while it is necessary to satisfy only one of the criteria to be eligible for Historic Landmark designation.

Golf Historian Bo Links will be in attendance at the meeting to give a presentation on the historical significance of Sharp Park Golf Course. A hard copy of his presentation is attached.

5. **Historic Preservation Permits:** After a site or structure is designated as an Historic Landmark, an Historic Preservation Permit is required in order to demolish, alter, or relocate the structure or site, or any portion thereof. Such a permit is also required to construct, place, alter, or relocate any exterior sign, lighting, fence, parking area, or any other structure or pertinent feature on a landmark or landmark site. An Historic Preservation Permit requires approval by the Planning Commission at a public hearing. Complete details of the permit process are contained in the attached Historic Preservation Ordinance.

As the Commission is aware, the Golf Course, which with the rest of the Sharp Park property is owned by the City and County of San Francisco, has recently been the subject of much discussion and speculation regarding its future disposition. Designating the Golf Course an Historic Landmark would not preclude any of the various scenarios that have been postulated, but issuance of an Historic Preservation Permit may be necessary if there is any significant alteration to the Course, relocation of holes, etc. It should be noted that the City and County of San Francisco has taken the position that it is exempt from Pacifica's local land use regulations.

6. **Pacifica Historical Society:** The Municipal Code requires that notice be sent to the Pacifica Historical Society (PHS) when an application for historic designation is received. The PHS may then comment on the proposed designation. Notice has been sent to the PHS as required, but no comments have been received to date.

7. **California Environmental Quality Act:** Staff recommends that the Planning Commission find this project exempt from CEQA pursuant to Section 15061(b)(3) which states:

"15061. Review for Exemption

(b) A project is exempt from CEQA if:

(3) The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA."

In this case it can be seen with certainty that the proposed Historic Landmark designation will have no impact on the environment.

8. **Conclusion:** Based upon its historical significance as discussed above, staff believes the Sharp Park Golf Course is clearly qualified for Historic Landmark status.

RECOMMENDATION

B. RECOMMENDATION:

Staff recommends that the Planning Commission recommend that the City Council designate Sharp Park Golf Course as an Historical Landmark.

COMMISSION ACTION

C. MOTION FOR APPROVAL

Move that the Planning Commission find that the project is exempt from CEQA and ADOPT the attached resolution entitled “A Resolution of the Planning Commission of the City of Pacifica Recommending Designation of Sharp Park Golf Course as an Historical Landmark”.

Attachments:

1. City Council Resolution Initiating Historic Designation process
2. Planning Commission Resolution Recommending Historic Designation with attachments
3. General Plan Historic Sites Map
4. Historic Preservation Ordinance
5. “Sharp Park – The Case for Historical Status”