

RESOLUTION NO. 2023-004

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PACIFICA APPROVING SPECIFIC PLAN SP-178-22 (FILE NO. 2022-020), SUBJECT TO CONDITIONS, TO ALTER THE FRONT ENTRY OF AN EXISTING TOWNHOUSE, RECONSTRUCT A 252-SQUARE FOOT SUNROOM (SOLARIUM) INTO A FAMILY ROOM, AND REMODEL OF INTERIOR SPACE IN THE P-D/HPD (PLANNED DEVELOPMENT/HILLSIDE PRESERVATION DISTRICT) AT 223 ROBERTS ROAD (APN 022-120-180), AND FINDING THAT THE PROJECT IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

Initiated by: Stuart Grunow ("Applicant")

WHEREAS, an application has been submitted for the reconfigure front entry of existing townhouse, reconstruct a 252 square foot sunroom (solarium) into a family room, and remodel interior space in the P-D/HPD (Planned Development/Hillside Preservation District) at 223 Roberts Road (APN 022-120-180) ("Project"); and

WHEREAS, the Project requires approval of a specific plan pursuant to PMC sec. 9-4.2213 *et seq.* to reconstruct the solarium into a family room and remodel the interior space; and

WHEREAS, the Planning Commission of the City of Pacifica did hold a duly noticed public hearing on February 6, 2023, at which time it considered all oral and documentary evidence presented, and incorporated all testimony and documents into the record by reference.

NOW, THEREFORE BE IT RESOLVED by the Planning Commission of the City of Pacifica as follows:

1. The above recitals are true and correct and material to this Resolution.
2. In making its findings, the Planning Commission relied upon and hereby incorporates by reference all correspondence, staff reports, and other related materials.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica does hereby make the following findings pertaining to Specific Plan SP-178-22:

That the specific plan is consistent with the approved development plan.

In 1980, the City Council adopted Ordinance No. 274-C.S. to approve a Development Plan (DP-28-79), which would permit 10 residential condominium units on the 2.05 acre parcel. The summarized standards of the Development Plan include the following:

1. Use of the 2.05 acre property shall be limited to the development of 10 residential condominium units and activities and facilities appurtenant thereto. A Specific Plan shall be approved for the residential units.
2. Development shall be controlled by the Land Coverage Control, described in PMC sec. 9-4.2257.
3. Vehicular circulation shall include ingress and egress from Roberts Road at points described in the approved Specific Plans.

The Project's consistency with each of the above standards are detailed below.

1. Development of 10 residential units. The broader project site includes 9 residential condominium units on the 2.05 acre parcel. In the 1980 approval of Specific Plan (SP-28-80), the Planning Commission found that the 9-unit residential development was consistent with the Development Plan because the basic use and calculated land coverage of the site did not change. The Project would have no impact on the Planning Commission's prior findings as this project would not change the basic use, or land coverage of the site as further discussed below in the Land Coverage Control discussion, below.
2. Land Coverage Control. As discussed in Section A of the staff report, the 2.05 acre site received a Variance (PV-316-89) to exceed the maximum allowable site coverage for the site pursuant to the land coverage control provisions of PMC sec. 9-4.2257 by 8 percent (0.05 acres). Per the PMC the maximum allowable site coverage shall include all areas of the site occupied or covered by buildings, pavement and grading. The 6 sf area that would be enclosed as a result of the reconfiguration of the front entry is already paved and graded area, which is captured in the site coverage calculation in the 1989 amendment to the Specific Plan (SP-68-89). Additionally, the 1989 staff report for the Variance details that the City considered the coverage of the existing decks as part of the site coverage calculation. Therefore, the area of the existing solarium, which was a deck at the time the 1989 variance was issued, was counted in the coverage calculation of the site. The reconfiguration of the front entry and the reconstruction of the solarium into an addition of the building would have no impact on the existing coverage calculation.
3. Vehicular circulation. The proposed project would have no impact on the vehicular circulation for ingress and egress from Roberts Road.

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

The City has adopted Design Guidelines which are intended to accomplish the following purposes:

- Ensure at least a minimum standard of design through the application of consistent policies.
- Encourage new construction which exceeds minimum standards and discourage construction which falls short of those standards.
- Provide a framework for review and evaluation of design proposals.
- Implement applicable General Plan and Local Coastal Plan goals and policies.
- Expedite and facilitate the planning permit process.
- Provide direction for design and redesign of projects.

The Design Guidelines are advisory in nature and, unlike zoning, do not contain explicit standards for determining strict compliance. Rather, they address significant elements of project design that, when balanced overall, result in the best possible site layout and building architecture for a project. An applicant may propose a project which complies with some but not all guidelines and the Planning Commission may still find the project consistent with the Design Guidelines. It is up to the Commission's discretion to determine the appropriate balance and relative priority of the guidelines for a particular project when considering whether a project has achieved Design Guidelines consistency.

A. Building Design

- a. *Design: The style and design of the new buildings should be in character with that of the surrounding neighborhood. Additions to an existing structure should also retain and be consistent with the positive architectural features of the original structure.*
- b. *Scale: An important aspect of design and compatibility is scale. A development can be out of scale with its surroundings due to its relative height, bulk, mass, or density. A structure which is out of scale with its site and neighborhood threatens the integrity of the overall streetscape, and residential projects, particularly single-family dwelling which are much larger than neighboring structures are therefore discouraged.*
- c. *Materials: Compatibility of materials is an essential ingredient in design quality. Consistency and congruity of materials and design elements on individual structures is also important.*
- d. *Consistency: There should be architectural consistency among all building elevations.*

(a) The Project will include adding exterior walls and a roof on the existing sunroom. The reconstruction of the sunroom is consistent with the design style of the existing townhome and the surrounding subdivision. For these reasons, the proposed project would be consistent with this Design Guideline.

(b) The Project will add walls and roofing to the existing sunroom attached to the townhome. The proposed project is subordinate to the primary building on the site and that it is constructed at an appropriate scale relative to the project site. For these reasons, the proposed project would be consistent with this Design Guideline.

(c) The proposed changes to the existing sunroom will involve enclosing the area with siding and roofing consistent with the current materials of the existing townhouse. This will include the same siding and the use of 3 tab asphalt shingles to match the existing. All exterior wood siding and trim shall be fully primed and finish to match the existing townhome's exterior. For these reasons, the proposed project would be consistent with this Design Guideline.

(d) The proposed height of the reconstructed sunroom is 7'-8", which is consistent with the existing townhome's main floor.

In the Planning Commission's assessment, as conditioned, the proposed improvements at the site are consistent with the City's adopted Design Guidelines.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica hereby approves alteration of the front entry of an existing townhouse, reconstruction of a 252-square foot sunroom (solarium) into a family room, and remodel of interior space in the P-D/HPD (Planned Development/Hillside Preservation District) at 233 Roberts Road (APN 022-120-180), subject to conditions of approval included as Exhibit A to this resolution.

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Reconfigure Front Entry of existing Townhouse and Reconstruction of Solarium

File No. 2022-020: 233 Roberts Road (APN 022-120-180)

February 6, 2023

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Passed and adopted at a regular meeting of the Planning Commission of the City of Pacifica, California, held on the 6th day of February, 2023.

AYES, Commissioners: Ferguson, Goodwin, Hauser, Berman, Leal, Wright

NOES, Commissioners: None

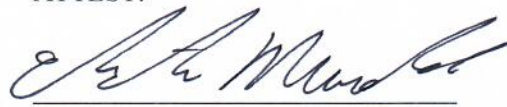
ABSENT, Commissioners: None

ABSTAIN, Commissioners: None

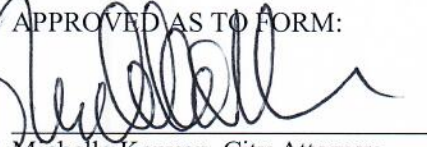


Lauren Berman, Chair

ATTEST:



Christian Murdock, Planning Director

APPROVED AS TO FORM:


Michelle Kenyon, City Attorney

Exhibit A

Conditions of Approval: Specific Plan SP 178-22 to alter the front entry of an existing townhouse, reconstruct a 252-square foot sunroom (solarium) into a family room, and remodel interior space in the P-D/HPD (Planned Development/Hillside Preservation District) at 223 Roberts Road (APN 022-120-180).

Planning Commission Meeting of February 6, 2023

Planning Division of the Planning Department

1. Development shall be substantially in accord with the plans entitled "Lum Residence" received by the City of Pacifica, dated September 14, 2022, except as modified by the following conditions.
2. The approval or approvals is/are valid for a period of two years from the date of final determination. If the use or uses approved is/are not established within such period of time, the approval(s) shall expire unless Applicant submits a written request for an extension and applicable fee prior to the expiration date, and the Planning Director approves the extension request as provided below. The Planning Director may administratively grant a single, one year extension provided, in the Planning Director's sole discretion, the circumstances considered during the initial Project approval have not materially changed. Otherwise, the Planning Commission shall consider a request for a single, one year extension. In the event of litigation filed to overturn the City's determination on the approval or approvals, the Planning Director may toll the expiration of the approval or approvals during the pendency of such litigation.
3. The approval letter issued by the City and all conditions of approval attached thereto shall be included as plan sheets within all plan sets submitted to the City as part of any building permit application.
4. Landscaping on the site shall be adequately maintained in a healthful condition and replaced when necessary by the property owner.
5. All trash and recycling materials, if stored outdoors, shall be fully contained, and screened from public view within an approved enclosure. The enclosure design shall be consistent with the adjacent and/or surrounding building materials and shall be sufficient in size to contain all trash and recycling materials, as may be recommended by Recology of the Coast. Trash enclosure and dumpster areas shall be covered and protected from roof and surface drainage. Prior to the issuance of a building permit, Applicant shall provide construction details of any required enclosure for review and approval by the Planning Director.
6. Prior to issuance of a building permit, Applicant shall clearly indicate compliance with all conditions of approval on the plans and/or provide written explanations to the Planning Director's satisfaction.
7. Applicant/Property Owner shall always keep the property in a clean and sanitary condition, maintain its site in a fashion that does not constitute a public nuisance and that does not violate any provision of the Pacifica Municipal Code.
8. All outstanding and applicable fees associated with the processing of this project shall be paid prior to the issuance of a building permit.

9. The Applicant shall 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 ("Challenge"). City may, but is not obligated to, defend such Challenge as City, in its sole discretion, determines appropriate, all at Applicant's sole cost and expense. This indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and costs of suit, attorney's 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. Per Government Code Section 66474.9, the City shall promptly notify Applicant of any Proceeding and shall cooperate fully in the defense.

Condition added by Planning Commission on February 6, 2023

10. Prior to issuance of a building permit, the Building Official shall review the change in loads placed on the foundation system as a result of the conversion of the solarium to a permanent addition to ensure any necessary structural improvements are included to achieve compliance with the California Building Code.

* * * END OF CONDITIONS* * *