



Scenic Pacifica

Incorporated Nov. 22, 1957

PLANNING COMMISSION Agenda

DATE: September 6, 2016
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: August 15, 2016

Designation of Liaison to City Council Meeting: None

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.

CONSENT ITEMS: None

CONTINUED PUBLIC HEARING:

- CDP-365-16
PE-168-16** **COASTAL DEVELOPMENT PERMIT CDP-365-16, and PARKING EXCEPTION PE-168-16**, filed by applicant and co-owner Christian Bogeberg, for the addition of a third garage space and bedroom above; conversion of an existing utility space into a half-bathroom and laundry room; and the expansion of the master bedroom of an existing two-story residence located at 252 Stanley Avenue (APN 023-019-210) in Pacifica. The project site is located within the Coastal Zone, and the application was filed on February 22, 2016. Recommended California Environmental Quality Act (CEQA) status: Class 1 Categorical Exemption, Section 15301(e).
Recommended Action: Approve as conditioned.

NEW PUBLIC HEARINGS:

- CDP-366-16** **COASTAL DEVELOPMENT PERMIT CDP-366-16**, filed by co-applicants Kathy Kellerman of the Pacifica Land Trust and Samuel Herzberg of the San Mateo County Parks Department, to perform grading and landscaping activities on an approximately 640 linear foot segment of the Middle Ridge Trail on an approximately 32-acre parcel (APN 023-730-020) owned by the State of California and located in the Pedro Point Headlands. Recommended California Environmental Quality Act (CEQA) status: Mitigated Negative Declaration (MND).
Recommended Action: Continue the application to the Planning Commission meeting of October 17, 2016.
- PSD-790-14
PV-513-14
PE-160-15** **AMENDMENT OF PSD-790-14, PV-513-14, and PE-160-15**, filed by applicants David Blackman and Mike O'Connell, to construct a single three-story, 3,169 square foot apartment building comprised of four dwelling units on the top two floors and an attached ground floor garage at 4009 Palmetto Avenue (APN: 009-402-270) in Pacifica. Recommended California Environmental Quality Act (CEQA) status: Class 3 Categorical Exemption, Section 15303(b).
Recommended Action: Approve as conditioned.

CONSIDERATION ITEMS: None

COMMUNICATIONS:

Commission Communications:

Staff Communications:

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 persons with disabilities upon 24 hours advance notice to the City Manager's office at (650) 738-7301, including requests for sign language assistance, written material printed in a larger font, or audio recordings of written material. All meeting rooms are accessible to persons with disabilities.

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.



Scenic Pacifica
Incorporated Nov. 22, 1957

PLANNING COMMISSION Staff Report

DATE: September 6, 2016

FILE: CDP-365-16
PE-168-16

ITEM: 1

PUBLIC NOTICE: Notice of Public Hearing was published in the San Mateo County Times on July 8, 2016, and mailed to 138 surrounding property owners and occupants. The Planning Commission continued the public hearing to August 1, 2016, at its regular meeting of July 18, 2016. At the August 1, 2016 meeting, the Planning Commission continued the public hearing to September 6, 2016.

APPLICANT: Brian Brinkman
648 Navarre Drive
Pacifica, CA 94044
(650) 922-7993

OWNER: Christian and Ralph Bogeberg
252 Stanley Avenue
Pacifica, CA 94044

PROJECT LOCATION: 252 Stanley Avenue (APN 023-019-210) – Pedro Point

PROJECT DESCRIPTION: Expand an existing two car garage and living space above with a third garage stall and a bedroom above to create a garage stall and bedroom for a second residential unit (SRU); expand a master bedroom; and add a half-bathroom and laundry room to an existing three-story residence located at 252 Stanley Avenue. The proposed project includes the expansion of 1,778-square feet (sq. ft.) of total living area to 2,031 sq. ft. of living area for a total increase of 253 sq. ft.

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

RECOMMENDED CEQA STATUS: Class 1 Categorical Exemption, Section 15301(e).

ADDITIONAL REQUIRED APPROVALS: None. Subject to appeal to the City Council and California Coastal Commission.

RECOMMENDED ACTION: Approve as conditioned.

PREPARED BY: Bonny O'Connor, Assistant Planner

PROJECT SUMMARY, RECOMMENDATION, AND FINDINGS

Table 1. Zoning Standard Conformance

<u>Major Standards</u>	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>
Lot Size	5,000 sq. ft. min	5,000 sq. ft. ¹	No change
Lot Coverage	40% max	30%	35%
Dwelling Unit Size	850 sq. ft. min	1,778 sq. ft.	2,031 sq. ft.
Building Height	35'-0" max	37'-1"	No change ²
Landscaping	20% min	52%	44%
Setbacks³			
<i>Front (structure)</i>	15'-0" min	8'-2"	15'-0" ^{4,5}
<i>Front (garage)</i>	10'-0" min ⁶	8'-2"	11'-9" ⁵
<i>Side</i>	5'-0" min	7'-5" (east) 10'-0" (west)	5'-2" (east) 9'-5" (west)
Parking	2 covered spaces (18' X 19')	2 garage spaces (21' X 19')	3 garage spaces (31' X 19')
Notes:			
<ol style="list-style-type: none"> Plan sheets show the lot dimensions at 49.90 feet by 99.83 feet; however the dimensions on the San Pedro Terrace By-the-Sea subdivision map for the property confirms the parcel dimensions to be 50 feet by 100 feet (5,000 sq. ft. total). The proposed additions would not extend the nonconformity of the existing structure's height. The addition of the garage and the second story bedroom would be 20 feet high. The uppermost point of the third story addition would be 30 feet high. Rear setback is not shown on the plans; however, this information is not applicable to the proposed development. After implementation of Condition of Approval No. 2 The proposed setback applies to the addition only. The existing structure front setback of 8'-2" would remain. As allowed by PMC Section 9-4.2704(b) based on a site's slope. 			

PROJECT SUMMARY

1. General Plan, Zoning, and Surrounding Land Uses

The subject site's General Plan land use designation is Low Density Residential (LDR). The LDR land use designation permits residential development at an average density of three to nine units per acre. The subject site's location is within the R-1 (Single-Family Residential) and CZ (Coastal Zone Combining) zoning districts. Land uses surrounding the project site consist of single-family residences in the R-1/CZ zoning districts. Most are two- and three-story structures built on a hill sloping upwards away from the coast of the Pacific Ocean.

2. Project Description

The proposed project involves two footprint additions to an existing three-story, lawful nonconforming residence at 252 Stanley Avenue. The existing structure is lawful nonconforming because it does not comply with the front setback requirement for the ground-level garage and second-story living area,

which must be 10 feet in accordance with PMC Section 9-4.2704(b) based on the site's slope and 15 feet in accordance with PMC Section 9-4.402(d), respectively. Both setbacks are currently constructed at 8'-2".

The first footprint addition would be a 66 sq. ft. expansion to the third floor master bedroom on the right (west) side of the structure towards its rear. The second footprint addition would occur on the ground and second floor and would expand the existing two-car garage and living space above to create a garage stall and bedroom for a Second Residential Unit (SRU). Replacement of the exterior siding of the building is also proposed as part of the project. The components of the project are further described below.

The applicant had originally proposed to remove five Heritage Trees in conjunction with this project. However, the severely-degraded condition of these trees and the safety concerns they presented led the owner to apply for a Heritage Tree Permit for removal of the trees in June 2016. The City approved the Permit and the property owner has since removed the trees.

Third Floor Addition

The addition to the third floor includes expanding the existing master bedroom. The expansion would project towards the right (west) side lot line, which would not encroach into the side yard setback. In addition, the master bedroom closet would be enlarged, and the staircase leading up to a loft above the master bedroom would be replaced with a pull-down ladder. The proposed project also includes the conversion of an existing utility space, behind the kitchen, into a half-bathroom and laundry room.

Ground and Second Floor Addition

The proposed addition at the front of the structure involves the ground floor and second story. This addition would allow for the owner to create a legal SRU¹. At ground level, the project would expand the existing two-car garage to the left (east) to create a third garage parking stall for the SRU. The new garage addition would have an 11'-9" front setback, more than the 10 foot setback allowed by PMC Section 9-4.2704(b) due to the site's slope (the typical front setback for a garage must be 20 feet). At the second story, the project would add new floor area to create a bedroom and laundry room for the SRU. The front setback to the second-story living area proposed by the applicant was 11'-9", which is 3'-3" less than the 15 feet required by the R-1 zoning standards. Staff has included Condition of Approval No. 2 to require compliance with the front setback requirement.

Excavation would be necessary to provide room for the ground floor addition. Retaining walls would be constructed along the left (east) and rear (south) sides of the new garage stall. The driveway widening would also require a retaining wall in the front yard that would extend into the public right-of-way. The portions of the retaining wall in the public right-of-way would require issuance of an encroachment permit by the City Engineer prior to construction.

¹ A previous property owner converted a permitted living room addition (circa 1992) into a SRU by performing interior alterations without a building permit including closing off a doorway to the main unit, and installing a kitchen. Additionally, the property does not provide the parking necessary for the existing SRU. Therefore, the existing SRU is unlawful under zoning and Residential Code (i.e. Building Code) standards. The SRU has been in use for approximately 10 years.

Staff suggested to the applicant that in order to increase the safety and functionality of the proposed driveway to the new garage stall, that the applicant develop a separate driveway to the new garage stall, which would extend straight to the street and maintain a width of 10 feet. A landscaping strip would separate the two driveways for aesthetics and zoning compliance. Staff has proposed to limit the height of landscaping in this planter to three feet to ensure unobstructed lines-of-sight when backing out from each driveway. The applicant has agreed to this proposed revision, which is noted in Condition of Approval No. 3.

On-street parking considerations are related to the design of the off-street parking facilities, namely the design and placement of the driveway. PMC Section 9-4.2813(f) requires residential driveways for lots with 40 feet of lot frontage or more to be designed to provide one on street parking space. The existing double driveway is centered within the 50 foot lot frontage, leaving approximately 15 feet on each side of the driveway. The parking standards set forth in PMC Sec. 9-4.2817(c) requires 20 feet in length for an end of row parallel parking space, therefore the existing driveway does not meet Section 9-4.2813(f). Incorporation of Condition of Approval No. 3 would increase the existing non conformity, by reducing the available lot frontage east of the driveway an additional 10 feet. A parking exception would be necessary for the enlargement of the non conformity.

The total length between the east edge of the project sites' current driveway and the west edge of the property to the east (260 Stanley) driveway is 33 feet. Therefore, the current distance between the two driveways only adequately allows for one parking space. The total driveway width of the separate driveway would be greater than what was originally proposed by the applicant. However, at the staff suggested width of 10 feet, the distance for on street parking between the project site driveway and the property to the east driveway would be 23 feet, which would remain to provide adequate space for the one existing on-street parking space.

Façade Alterations

The existing exterior dark stained wood siding would be replaced with horizontal fiber cement siding. The new siding would be painted to better fit with the surrounding homes.

3. Municipal Code

Staff's analysis of the Pacifica Municipal Code (PMC) identified two discretionary permits required prior to building permit issuance, including a coastal development permit (CDP) and a parking exception (PE).

Coastal Development Permit: PMC section 9.4.4303(a) states that a CDP is required for development in the Coastal Zone. Because the addition of 253 square feet to the existing 1,778 square-foot single-family residential structure exceeds the 10 percent increase in floor area threshold for categorical exclusion of developments in the Appeal Zone of the Coastal Zone (PMC section 9-4.4303(h)(2)), therefore, the project requires approval of a CDP prior to issuance of a building permit.

- ***Coastal Development Permit CDP-365-16:*** The Planning Commission must make two findings in order to approve a CDP application [PMC Sec. 9-4.4304(k)]:

- i. The proposed development is in conformity with the City's certified Local Coastal Program; and
- ii. Where the Coastal Development Permit is issued for any 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.

Parking Exception: The Planning Commission is able to grant parking exceptions where practical difficulties and unusual hardship prevent the application of the parking provisions. The development, as conditioned, would increase the non conformity of the existing driveway design in relation to available on street parking (PMC Section 9-4.2813(f)), but would provide relief to the non-conforming on-site parking by providing a dedicated space for the second unit.

- **Parking Exception:** The Commission may grant exceptions to the provisions of the parking article based on the following finding:
 - i. That the establishment, maintenance, and/or conducting of the off-street parking facilities as proposed are as nearly in compliance with the requirements set forth in this article as are reasonably possible.

Previous Staff Analysis: Staff's analysis previously identified two additional discretionary permits requiring consideration by the Planning Commission. The first, a variance, was required because the applicant's proposal did not comply with the front setback requirement for the front addition at the second story. The applicant has since agreed to increase the setback for this portion of the addition to 15 feet to comply with the setback requirement, and staff has also included a condition of approval to require the revision.

The second discretionary permit was a site development permit for the SRU and the previous continuances of the public hearings on this application were required to allow staff additional time to analyze the City's SRU standards. Staff found that the legalization of the SRU is a ministerial action, in accordance with State law, and action by the Planning Commission is not required.

4. Required Findings

- A. In order to approve the subject Coastal Development Permit (CDP-365-16), the Planning Commission must make the two findings required by PMC Section 9-4.4304(k). The following discussion supports the Commission's findings in this regard.
 - i. *The proposed development is in conformity with the City's certified Local Coastal Program.*

Discussion: The City's certified Local Coastal Program includes a Local Coastal Land Use Plan (LCLUP) that contains policies to further the City's coastal planning activities. The proposed project is consistent with the relevant policy, as discussed below.

- Coastal Act Policy No. 2: Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not

limited to, the use of dry sand and rock coastal beaches to the first line of terrestrial vegetation.

The proposed project would not interfere with the public's right of access to the sea. The proposed project is located on Stanley Avenue approximately 900 feet (0.17 mile) from the nearest coastal access. Substantial urban development and several streets are located between the project site and the sea. Additionally, the project would result in three off-street garage parking spaces, thus reducing the potential for the project to crowd nearby streets with additional on-street parking which might interfere with the public's access to this coastal area. Therefore, the project would not impact or otherwise interfere with the public's right of access to the sea.

- Coastal Act Policy No. 23: New development, except as otherwise provided in this policy, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it would not have significant adverse effects, either individually or cumulatively, on coastal resources... [the remainder of this policy pertains to major land divisions other than condominiums and to visitor-serving facilities, neither of which are part of the proposed development.]

The new development proposed with this project is located within an existing developed area. The surrounding neighborhood is a substantially developed suburban neighborhood with subdivided lots, most of which have already been developed with residential units. Moreover, the very small scale of the development – an addition of 253 sq. ft. – has no potential to overwhelm public services or result in any related adverse impacts. Therefore, development would not occur outside of existing developed areas.

Because the proposed project would be located in an existing area substantially developed with residential units, would be setback approximately 900 feet (0.17 mile) from the sea, would add additional off-street parking, and is very small in scale, substantial evidence exists to support a Planning Commission finding that the proposed development is in conformity with the City's certified Local Coastal Program.

- Coastal Act Policy No. 24: The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alternative of natural landforms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. [The remainder of this policy pertains to land designated as scenic the California Coastline Preservation and Recreation Plan, which does not apply to the project site].

As discussed above under Coastal Act Policy No. 23, the surrounding neighborhood is a substantially developed suburban neighborhood with subdivided lots, most of which

have already been developed with residential units. The very small scale of the development – an addition of 253 sq. ft. – has no potential to overwhelm the general scenic or visual quality of the area. The development would include new façade throughout the entire structure, which would improve the visual integrations of the residence with the surrounding structures as nearby residence have similar cement siding. The proposed landform alterations to accommodate the third garage stall would also be small in scale and would not visually degrade the area.

- ii. *Where the Coastal Development Permit is issued for any 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.*

Discussion: The project site is not located between the nearest public road (Shoreside Drive) and the shoreline; therefore, this Coastal Development Permit finding does not apply in this case.

B. The Planning Commission may grant parking exception PE-160-15 based on the following finding:

- i. *That the establishment, maintenance, and/or conducting of the off-street parking facilities as proposed are as nearly in compliance with the requirements set forth in this article as are reasonably possible.*

Discussion: As discussed above under the Ground Floor and Second Floor Addition heading, PMC Section 9-4.2813(f) requires residential driveways for lots with 40 feet of lot frontage or more to be designed to provide one on street parking space. The existing double driveway is centered within the 50 foot lot frontage, leaving approximately 15 feet on each side of the driveway. The parking standards set forth in PMC Sec. 9-4.2817(c) requires 20 feet in length for an end of row parallel parking space, therefore the existing driveway does not meet Section 9-4.2813(f). The total length between the east edge of the project sites' current driveway and the west edge of the property to the east (260 Stanley) driveway is 33 feet. Therefore, the current distance between the two driveways only adequately allows for one parking space. With the addition of the additional driveway, the distance between the two driveways would be reduced by 10 feet, resulting in 23 feet between the new driveway at 252 Stanley Avenue and the driveway at 260 Stanley Avenue, which would remain to provide adequate space for one parking space.

Although the proposed development would increase the non conformity of the existing driveway design at the project site, the development of a new driveway and garage stall at 252 Stanley would increase the available off-street parking without decreasing the existing available on street parking. Therefore the proposed development is as nearly in compliance with the requirements on street parking requirements.

5. CEQA Recommendation

Staff analysis of the proposed project supports a Planning Commission finding that it qualifies for a categorical exemption from the California Environmental Quality Act (CEQA). The project qualifies as a

Class 1 exemption under CEQA Guidelines Section 15301(e)(1), as described below, applies to the project:

15301. Existing Facilities

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

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

(1) 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less.

In this case, the project involves a 253-sq. ft. addition to an existing 1,778 sq. ft. single-family residence and second residential unit (a 14 percent increase). Therefore, the project is exempt from further analysis under CEQA.

Additionally, none of the exceptions to application of a categorical exemption in Section 15300.2 of the CEQA Guidelines apply, as described below.

- Sec. 15300.2(a): There is no evidence in the record that the project will impact an environmental resource of hazardous or critical concern in an area designated, precisely mapped, and officially adopted pursuant to law by federal, State, or local agencies. The project site is located within a substantially developed residential neighborhood and is not located in a sensitive environmental area. Therefore, it would not have a significant impact on the environment.
- Sec. 15300.2(b): There is no evidence in the record that successive projects of the same type in the area would have a significant environmental impact. The project involves a 253-sq. ft. addition to an existing single-family residence within a substantially developed residential neighborhood and would not have a significant impact on the environment either alone or cumulatively with other projects in the vicinity.
- Sec. 15300.2(c): There is no evidence in the record of any possibility that the project would have a significant effect on the environment due to unusual circumstances. The project site is zoned for residential use and consists of an existing single-family residence and no habitat value. Therefore, there are no unusual circumstances applicable to the project.
- Sec. 15300.2(d) through (f): The project is not proposed near a scenic highway, does not involve a current or former hazardous waste site, and, does not affect any historical resources. Therefore, the provisions of subsections (d) through (f) are not applicable to this project.

Because the project is consistent with the requirements for a Class 1 exemption and none of the exceptions to applying an exemption in Section 15300.2 apply; therefore, there is substantial evidence in the record to support a finding that the project is categorically exempt from CEQA.

6. Staff Analysis

The proposed project would result in a positive improvement to the existing residence. The addition to the third floor would create a more spacious living space to the master bedroom and efficient use of the existing utility space. The addition to the ground and second floor would create the elements needed to adequately support a SRU.

In addition, the proposed project would result in a positive improvement to the neighborhood. Despite site constraints due to the configuration of the existing building, the applicant has proposed to create a third garage stall to provide adequate off-street parking, which would be a benefit to the neighborhood.

The project as proposed by the applicant does require modification in staff's opinion in order to render the project compliant with zoning standards and to gain staff's recommendation of approval. Of note, the project must be revised to comply with the front setback of 15 feet at the second story of the front addition. The applicant has indicated to staff that he supports the revision. Also, a redesign of the driveway, which would result in a separate and adequately sized driveway to the third garage stall, would improve the safety and the functionality of the driveway without sacrificing any existing on street parking. Staff has included conditions of approval to address these items.

COMMISSION ACTION

MOTION FOR APPROVAL:

Move that the Planning Commission finds the project is exempt from the California Environmental Quality Act; **APPROVES** Coastal Development Permit CDP-365-16 and PE-168-16 to allow an addition to an existing single-family residence by adopting the attached resolution, including conditions of approval in Attachment C; and, incorporates all maps and testimony into the record by reference.

Attachments:

- A. Land Use and Zoning Exhibit
- B. Proposed Project Plans for 252 Stanley Avenue
- C. Draft Resolution and Conditions of Approval

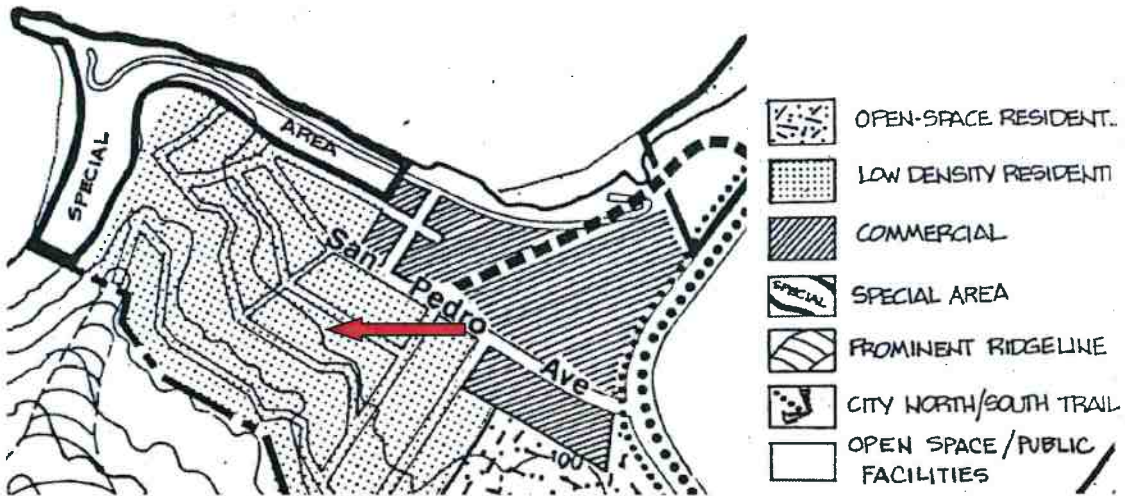
Land Use & Zoning Exhibit

City of Pacifica Planning Department

General Plan Diagram

Neighborhood: Pedro Point

Land Use Designation: Low Density Residential



Zoning Map Diagram

Zoning District: R-1/CZ (Single-Family Residential/Coastal Zone)



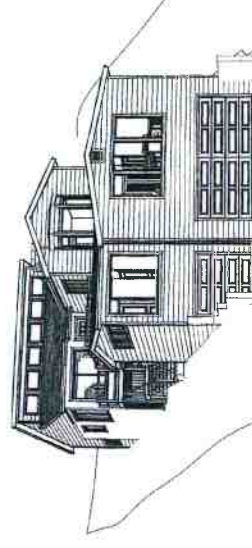
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 (650) 922-7993

ABBREVIATIONS	PROJECT SCOPE	SYMBOLS	PROJECT INFORMATION	DRAWING INDEX
@ NUMBER A/B NUMBER AC AIR CONDITIONER AFF ABOVE FINISHED FLOOR APPROX APPROXIMATE AS ABOVE SLAB BLOG BLOCK BLK BLOCK BOCK BACKING BOT BOTTOM CAB CABINET CB CATCH BASIN CC CEMENTitious CLS CEMENT MASONRY UNIT CLT CEMENT LUMBER UNIT COU CONCRETE COLUMN CONC CONCRETE CONT CONTINUOUS CONY CONCRETE DBL DOUBLE DEPT DEPARTMENT DEG DEGREE DGS DRAINAGE DIM DIMENSION DN DOWN DS DRAINAGE DW DISHWASHER DWG DRAWING (E) EXISTING ELEC ELECTRICAL ELEV ELEVATION EQPT EQUIPMENT EXT EXTERIOR FAU FORCED AIR UNIT FAR FLOOR AREA RATIO FAY FLOOR AREA YIELD FF FINISHED FLOOR FN FINISH FOOR FLOOR FOUND FOUNDATION FP FLOOR PLATE FTG FOOTING FURN FURNACE GAS GAS GAV GALVANIZED GC GENERAL CONTRACTOR GD GENERAL DISPOSAL GR GRADE GYP GYPSUM BOARD HC HANDICAP HD HARDWOOD HT HEIGHT HOR HORIZONTAL HRZ HORIZONTAL HOUR HOUR INT INTERIOR JOINT JOINT/TRENCH JNT JOINT LAM LINEN LAM LINEN LAV LAVATORY LGH LIGHT LIGH LIGHTING LUM LUMEN MECH MECHANICAL MFR MANUFACTURE MIN MINIMUM MIN MINIMUM MIS MISCELLANEOUS MISC MISCELLANEOUS MOUNT MOUNTING MET METAL N NORTH NA NOT AVAILABLE N/A NOT APPLICABLE NOM NON-METAL NR NON-RATED NSF NET SQUARE FEET NTS NET TO SOLE OVA OVERALL OC ON CENTER O/C OVERHEAD CABLE OFF OFFICE OPNG OPENING OS OVERHEAD OH OVERHEAD OFFS OPPOSITE PL PLATE OR PROPERTY LINE PLWD PLYWOOD FT FT R RADIUS RAG RETURN AIR GRILLE REF REINFORCED REIN REINFORCED OR REINFORCEMENT REQ REQUIRED RFB RADIANT HEATING BOILER RM ROOM ROOF ROOF ROW RIGHT OF WAY S SOUTH SB SETBACK SCHED SCHEDULE SFC SQUARE FEET OR SQUARE FOOT SH SHOWER HEAD SHW SHOWER SHWR SHOWER SHTG SHEATHING SIM SIMILAR SMT SCHEDULE SPAC SPECIFICATION SQ SQUARE STL STEEL STOR STORAGE STRUCT STRUCTURAL SUBFLR SUBFLOOR SW SHEAR WALL SWM STORM WATER T TONGUE AND GROOVE T & G TONGUE AND GROOVE T&G TONGUE AND GROOVE T&G TONGUE AND GROOVE THK THICK THK THICK TO TOP OF TOP OF CLUB TOP OF PLATE TOP OF SUBFLR TOP OF WALL TRENCH TV TELEVISION TYP TYPICAL UNO UNNOTED OTHERWISE VERTICAL VERT VERTICAL W WEST, WASH, OR WATER WC WATER CLOSET WD WOOD WH WATER HEATER WHI WIDTH WIND WINDOW WINDO WINDOW W/O WITHOUT W/O WITHOUT WR WATER RESISTANT WT WEIGHT	ADDITION OF 3RD GARAGE PARKING SPACE AND GARAGE SPACE SMALL EXPANSION OF MASTER BEDROOM AND CONVERSION OF PART OF UTILITY SPACE INTO (N) 1/2 BATH AND LAUNDRY ROOMS, AT (E) 3-STORY HOME PROJECT COMMON ADDRESS: 252 STANLEY AVENUE PACIFICA, CA 94044 ASSESSOR'S PARCEL NUMBER: 023-016-210 ZONING: R-1 SINGLE FAMILY RESIDENTIAL BUILDING CODE DATA TYPE OF OCCUPANCY: R3U CONSTRUCTION TYPE: NB BEARING AND NON-BEARING WALLS (LESS THAN 8 FROM OPENINGS NOT PERMITTED LESS THAN 3 FROM PROPERTY LINE NUMBER OF STORIES: 3 ALL WORK TO CONFORM TO 2013 CBC, CBC-CFC, AND 2013 CALIFORNIA ENERGY CODE, AND 2013 CBC-C	SECTION CUT DETAIL NUMBER SHEET ON WHICH IT OCCURS DETAIL NUMBER SHEET ON WHICH IT OCCURS REVISION CLOUD REVISION NUMBER GRIDLINE IDENTIFICATION DIMENSION INDICATION SHOWER HEAD	LOT SIZE 5,000 SF (E) LOT COVERAGE 1,513 SF / 5,000 SF = 30.26% (N) LOT COVERAGE 1,764 SF / 5,000 SF = 35.28% (E) HARDCAPPED AREA 4899 SF (N) HARDCAPPED AREA ± 1,079 SF (E) LANDSCAPED / NATURALLY VEGETATED AREA 32,288 SF / 5,000 SF = 64.58% (N) LANDSCAPED / NATURALLY VEGETATED AREA 32,205 SF / 5,000 SF = 64.41% (E) TOTAL IMPERVIOUS SURFACE 42,412 SF / 5,000 SF = 84.82% (N) TOTAL IMPERVIOUS SURFACE 32,795 SF / 5,000 SF = 65.59% (E) 1ST FLOOR LIVING AREA 786 SF (CONDITIONED) (E) 2ND FLOOR LIVING AREA 1,072 SF (CONDITIONED) (E) 3RD FLOOR LIVING AREA 1,778 SF (CONDITIONED) (E) TOTAL LIVING AREA 0 SF (CONDITIONED) (N) 1ST FLOOR LIVING AREA 265 SF (CONDITIONED) (N) 2ND FLOOR LIVING AREA 427 SF (CONDITIONED) (N) 3RD FLOOR LIVING AREA 2,031 SF (UN-CONDITIONED) (N) TOTAL LIVING AREA 2,457 SF (UN-CONDITIONED) (N) TOTAL LIVING AREA 1,464 SF (CONDITIONED) (N) TOTAL LIVING AREA 427 SF (CONDITIONED) (N) TOTAL LIVING AREA ADDED 2,031 SF - 1,778 SF = 253 SF ADDED (E) 2-CAR GARAGE (TO REMAIN) 437 SF (UN-CONDITIONED) (N) 1-CAR GARAGE 201 SF (UN-CONDITIONED) (E) 3RD FLOOR DECK 201 SF (UN-CONDITIONED)	ARCHITECTURAL TITLE SHEET A0.1 EXISTING TOPOGRAPHIC SURVEY A0.2 EXISTING AND NEW 1ST FLOOR PLANS A0.3 EXISTING AND NEW 2ND FLOOR PLANS A0.4 EXISTING AND NEW 3RD FLOOR PLANS A1.1 EXISTING AND NEW LEFT ELEVATIONS A1.2 EXISTING AND NEW RIGHT ELEVATIONS A1.3 EXISTING AND NEW RIGHT ELEVATIONS

PROJECT DIRECTORY												
<table border="1"> <thead> <tr> <th>SERVICE</th> <th>COMPANY</th> <th>CONTACT</th> <th>TELEPHONE</th> </tr> </thead> <tbody> <tr> <td>APPLICANT OWNER</td> <td>BRAN BRINKMAN DRAFTING & DESIGN</td> <td>RALPH BOGEBERG</td> <td>(650) 922-1100</td> </tr> <tr> <td>DRAFTING / DESIGN</td> <td>BRAN BRINKMAN DRAFTING & DESIGN</td> <td>BRIAN BRINKMAN</td> <td>(650) 922-7993</td> </tr> </tbody> </table>	SERVICE	COMPANY	CONTACT	TELEPHONE	APPLICANT OWNER	BRAN BRINKMAN DRAFTING & DESIGN	RALPH BOGEBERG	(650) 922-1100	DRAFTING / DESIGN	BRAN BRINKMAN DRAFTING & DESIGN	BRIAN BRINKMAN	(650) 922-7993
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APPLICANT OWNER	BRAN BRINKMAN DRAFTING & DESIGN	RALPH BOGEBERG	(650) 922-1100									
DRAFTING / DESIGN	BRAN BRINKMAN DRAFTING & DESIGN	BRIAN BRINKMAN	(650) 922-7993									

PROJECT NOTES
 * FIRE BRINKMAN IS NOT A PART OF THIS PROJECT (NOT REQUIRED). NO FIRE SUPPRESSION SYSTEM CURRENTLY EXISTS AT THE HOME



PROJECT NAME:
**ADDITION AND REMODEL:
 BOGEBERG RESIDENCE**

PROJECT ADDRESS:
**252 STANLEY AVENUE
 PACIFICA, CA 94044**

PROJECT SCOPE:
 MISC. SMALL ADDITIONS AND PARTIAL REMODEL AND LEGALIZATION OF 2ND UNIT

REV DATE DESCRIPTION
 1 04/07/16
 0 02/16/16 PRELIMINARY DRAWING SET
 1 04/07/16 PLANNING REVIEW COMMENTS

SHEET TITLE:
TITLE SHEET

SHEET:
A0.0

CALGREEN CONSTRUCTION REQUIREMENTS

EXISTING PLUMBING LOCATED WITHIN THE HOUSE THAT DID NOT MEET THE COMPLIANT FLOW RATES SHALL BE REPLACED, PER THE FOLLOWING:

- WATER CLOSETS WITH A FLOW RATE IN EXCESS OF 1.6 GPF SHALL BE REPLACED WITH WATER CLOSETS WITH A MAX FLOW RATE OF 1.6 GPF.
- LAVATORY AND BATH ROOMS SHALL BE REPLACED WITH LAVATORY AND BATH ROOMS WITH A MAX FLOW RATE OF 1.5 GPM (1.8 GPM FOR CALIFORNIA SECTION 4.10.1).
- CONTRACTOR SHALL PROVIDE, AT THE TIME OF FINAL INSPECTION, AN OPERATION AND MAINTENANCE MANUAL TO THE OWNER ON OCCUPANT ADDRESSING ITEMS 1 THROUGH 10 IN CALIFORNIA SECTION 4.10.1.
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THE SITE TO RECYCLE OR SALVAGE, TO THE BUILDING DEPARTMENT, THE FOLLOWING INFORMATION SHALL BE PROVIDED IN THE PLAN:

- IDENTIFY THE EXTENSION FACILITIES TO BE USED.
- SPECIFY IF MATERIALS WILL BE SORTED ON SITE OR AWAYED FOR TRANSPORTATION.
- IDENTIFY THE EXTENSION FACILITIES TO BE USED.
- SPECIFY THAT THE AMOUNT OF MATERIAL DIRECTED USE TO BE CALCULATED BY WEIGHT OR VOLUME.
- IDENTIFY THE EXTENSION FACILITIES TO BE USED.
- PROTECT LUMBER, STAIRS AND ROOFING, ELECTRICAL CABLES, AND CONDUITS AT EXTERIOR WALLS AGAINST THE PASSAGE OF RODENTS.
- PROTECT LUMBER, STAIRS AND ROOFING, ELECTRICAL CABLES, AND CONDUITS AT EXTERIOR WALLS AGAINST THE PASSAGE OF RODENTS.
- PROTECT LUMBER, STAIRS AND ROOFING, ELECTRICAL CABLES, AND CONDUITS AT EXTERIOR WALLS AGAINST THE PASSAGE OF RODENTS.
- PROTECT LUMBER, STAIRS AND ROOFING, ELECTRICAL CABLES, AND CONDUITS AT EXTERIOR WALLS AGAINST THE PASSAGE OF RODENTS.

PROVIDED:

- ALL AND CEMENT SYSTEMS SHALL BE COMPLIANT WITH LOCAL CODES.
- MINIMUM OF 6" OF POLYMER CONCRETE SHALL BE USED TO PROTECT ALL EXTERIOR WALLS WITH LOW VOLATILE ORGANIC COMPOUND (VOC) FINISHES.
- INITIAL CALLOUTS SHALL BE MADE AT THE TIME OF CONSTRUCTION.
- CHECK MOISTURE CONTENT OF BUILDING MATERIALS WITH WALLS AND FLOOR FINISHES BEFORE INSTALLATION.
- INITIAL CALLOUTS SHALL BE MADE AT THE TIME OF CONSTRUCTION.
- INITIAL CALLOUTS SHALL BE MADE AT THE TIME OF CONSTRUCTION.
- DOCT SYSTEMS SHALL BE USED, DESIGNED, AND COMPART SELECTED PER SECTION 4.301.2. HVAC SYSTEM INSTALLERS MUST BE TRAINED AND CERTIFIED AND SPECIAL INSPECTORS EMPLOYED BY THE ENFORCING AGENCY MUST BE QUALIFIED.



REV	DATE	DESCRIPTION
0	02/16/16	PRELIMINARY DRAWING SET
1	04/07/16	PLANNING REVIEW COMMENTS

PROJECT NAME:
ADDITION AND REMODEL:
BOGGERG RESIDENCE
PROJECT ADDRESS:
252 STANLEY AVENUE
PACIFICA, CA 94044

SHEET TITLE:
EXISTING SITE
PHOTOS

PROJECT NAME:
ADDITION AND REMODEL:
BOGGERG RESIDENCE
PROJECT ADDRESS:
252 STANLEY AVENUE
PACIFICA, CA 94044

SHEET:
A0.1



VIEW OF EXISTING HOMES AT
252 STANLEY AVENUE AND
260 STANLEY AVENUE



VIEW OF EXISTING HOMES AT
252 STANLEY AVENUE AND
240 STANLEY AVENUE



VIEW OF EXISTING HOUSE
LOOKING WEST FROM
STANLEY AVENUE

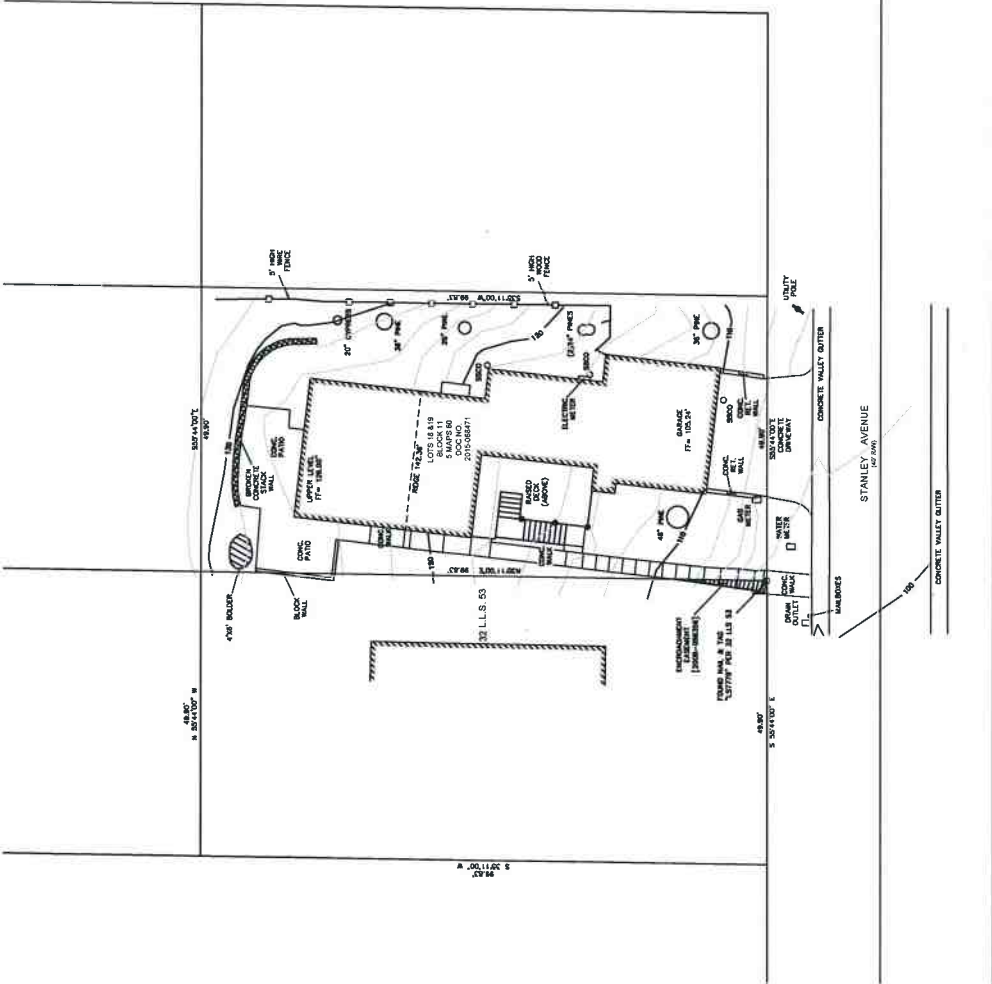


VIEW OF AREA OF PROPOSED
GARAGE/BEDROOM ADDITION
AND (E) TREE TO BE REMOVED

Sheet	
Project	
Plan	
Scale	
Date	
Drawn	
Checked	
Reviewed	

TOPOGRAPHIC SURVEY OF
 252 STANLEY AVENUE, PACIFICA, CA 94044
 (DOCUMENT NO. 2015-068471, APN 023-019-210)

SAVIER P. MCALLEE LAND SURVEYING
 421 WOODBINE DRIVE
 SOUTH SAN FRANCISCO, CA 94060
 805/708-2423



DATE: _____

SAVIER P. MCALLEE
 LAND SURVEYOR, LS 8486
 (SINCE 1984-2013)

FOR INFORMATION ONLY
 THIS PLAN IS NOT TO BE USED FOR CONSTRUCTION OR AS EVIDENCE IN COURT WITHOUT THE SIGNATURE OF THE SURVEYOR.

THE SURVEYOR'S OFFICE IS NOT RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.



A1.1

SHEET:

PROPOSED SITE PLAN

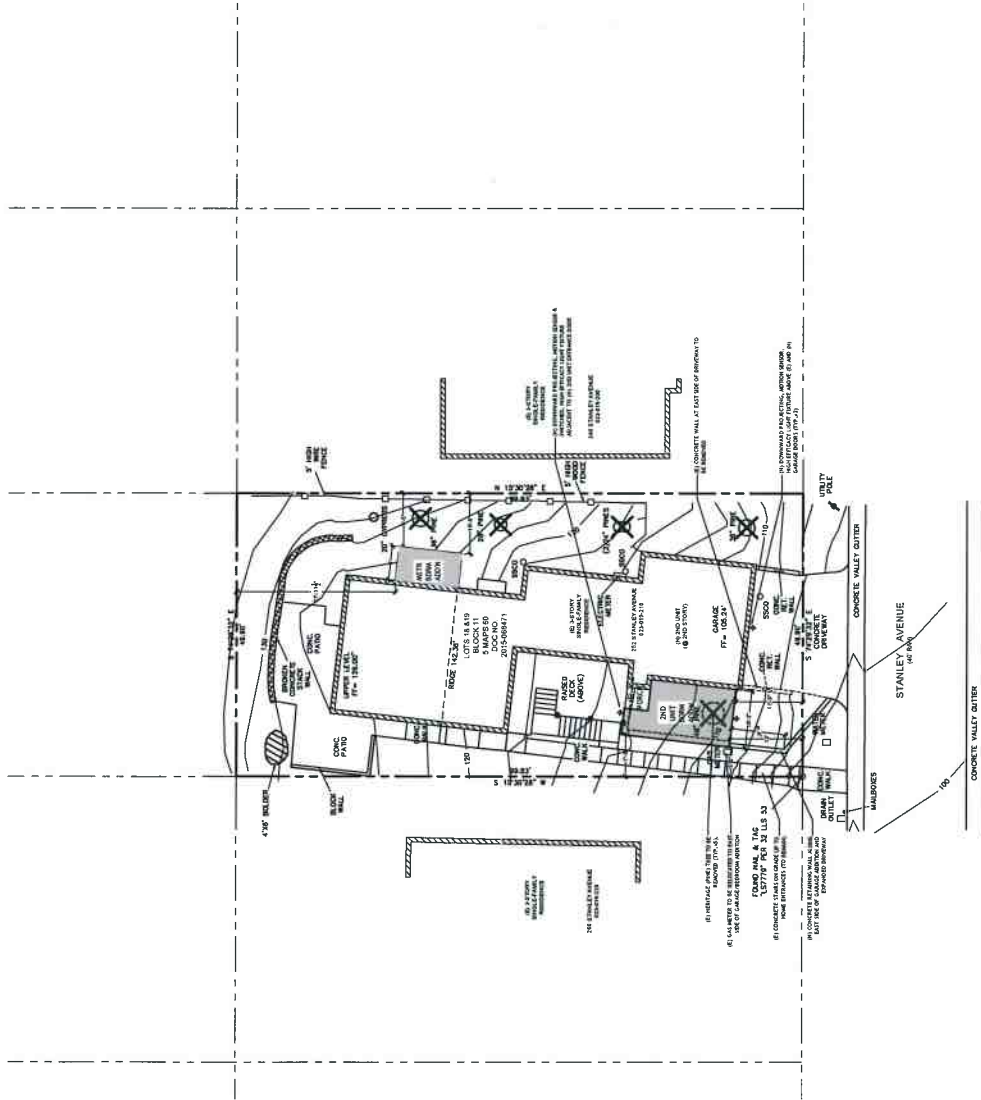
PROJECT NAME: ADDITION AND REMODEL BOGGERG RESIDENCE
PROJECT ADDRESS: 252 STANLEY AVENUE PACIFICA, CA 94044

PROJECT SCORE
MISC. SMALL ADDITIONS AND PARTIAL REMODEL AND LEGALIZATION OF 2ND UNIT

REV	DATE	DESCRIPTION
0	02/16/16	PRELIMINARY DRAWING SET
1	04/07/16	PLANNING REVIEW COMMENTS



BRIAN BRINKMAN
DRAFTING & DESIGN
469 NORTON DR/14
PACIFICA, CA 94044
(650) 922-7993



2 PROPOSED SITE PLAN
SCALE: 1" = 16'-0"

B

BRIAN BENJAMIN
DRAWING & DESIGN

640 Newport Drive
Pasadena, CA 91044
(650) 922-7983

REV	DATE	DESCRIPTION
0	02/16/16	PRELIMINARY DRAWING SET
1	04/07/16	PLANNING REVIEW COMMENTS

PROJECT SCOPE:
MISC. SMALL ADDITIONS AND
PARTIAL REMODEL, AND
LEGALIZATION OF 2ND UNIT

PROJECT NAME:
ADDITION AND REMODEL
BOGGERG RESIDENCE

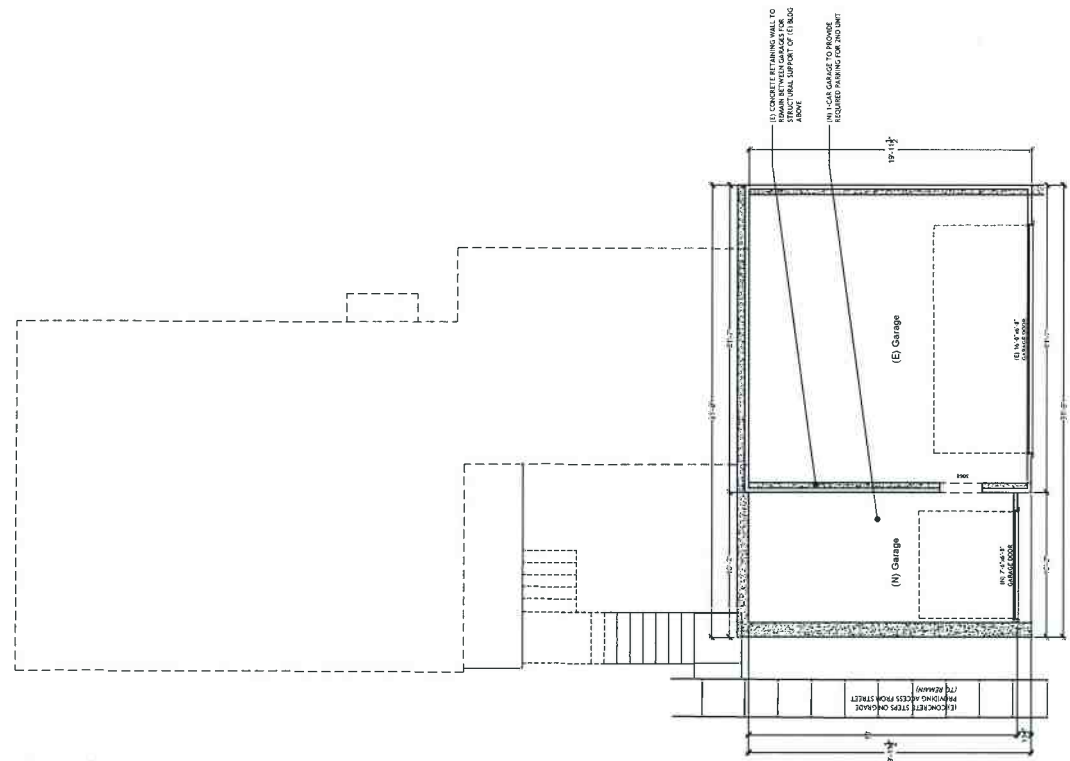
PROJECT ADDRESS:
252 STANLEY AVENUE
PASADENA, CA 91044

SHEET TITLE:
EXISTING AND
NEW 1ST
FLOOR PLANS

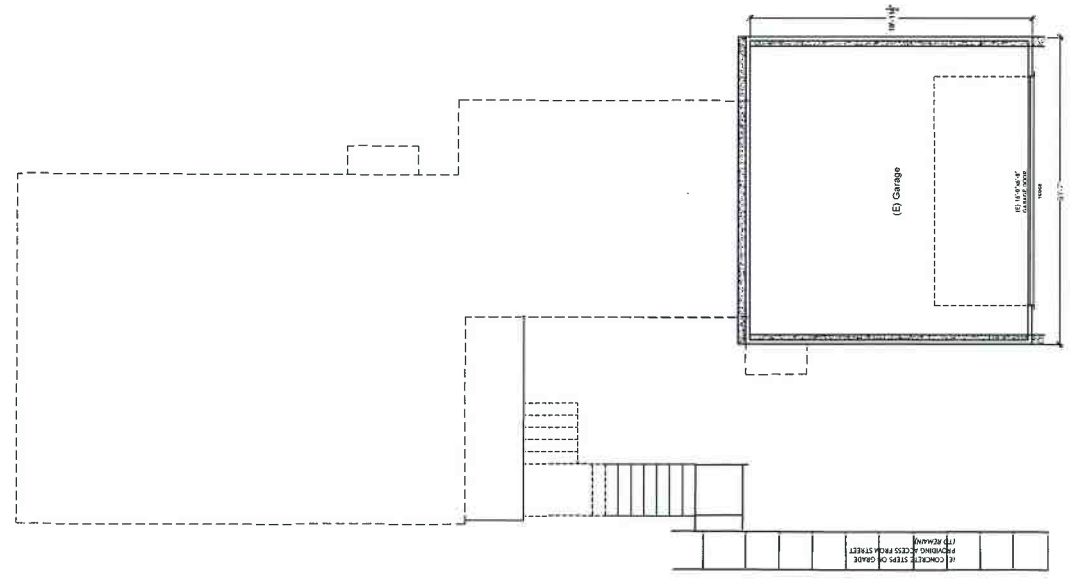
SHEET:
A2.1

WALL LEGEND

	EXISTING WALL TO BE REMOVED
	EXISTING WALL OR DECK RAILING TO REMAIN
	PROPOSED STUD WALL
	PROPOSED 42" HIGH STUD WALL
	EXISTING / PROPOSED CONCRETE WALL



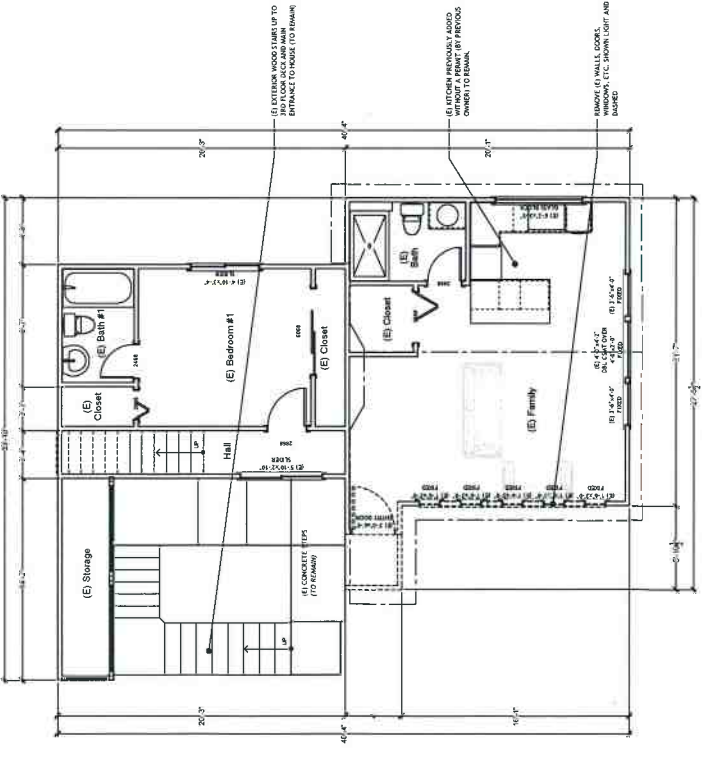
2
A2.1
NEW 1ST FLOOR PLAN
SCALE: 1/8" = 1'-0"



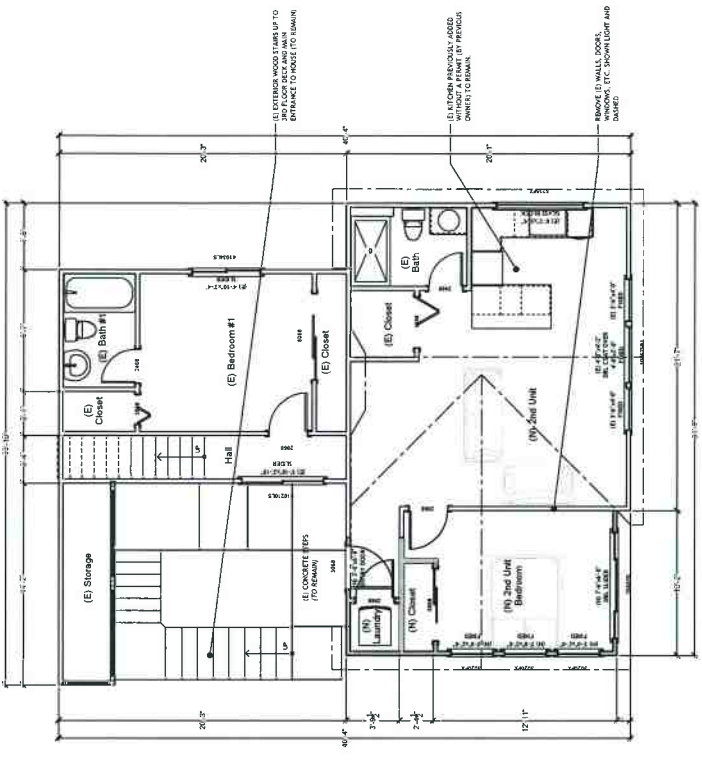
1
A2.1
EXISTING 1ST FLOOR PLAN
SCALE: 1/8" = 1'-0"

WALL LEGEND

---	EXISTING WALL TO BE REMOVED
- - - - -	EXISTING WALL OR DECK RAILING TO REMAIN
----	PROPOSED STUD WALL
	PROPOSED 4" HIGH STUD WALL
▤▤▤▤▤	EXISTING / PROPOSED CONCRETE WALL



1
EXISTING 2ND FLOOR PLAN
SCALE: 1/4" = 1'-0"



2
NEW 2ND FLOOR PLAN
SCALE: 1/4" = 1'-0"

REV	DATE	DESCRIPTION
0	02/16/16	PRELIMINARY DRAWINGS SET
1	04/07/16	PLANNING REVIEW COMMENTS



BRIAN BRINKMAN
DRAFTING & DESIGN
616 NARBOR DRIVE
PACIFICA, CA 94044
(650) 922-7893

PROJECT NAME: ADDITION AND REMODEL BOGGERG RESIDENCE
PROJECT ADDRESS: 252 STANLEY AVENUE PACIFICA, CA 94044
PROJECT SCORE: MISC. SMALL ADDITIONS AND PARTIAL REMODEL AND LEGALIZATION OF 2ND UNIT
SHEET TITLE: EXISTING AND NEW 2ND FLOOR PLANS
SHEET: A2.2

REV	DATE	DESCRIPTION
0	02/16/18	PRELIMINARY DRAWINGS SET
1	04/07/18	PLANNING REVIEW COMMENTS

PROJECT SCOPE
 MISC. SMALL ADDITIONS AND
 PARTIAL REMODEL AND
 LEGALIZATION OF 2ND UNIT

PROJECT NAME
 ADDITION AND REMODEL
 BOEGERG RESIDENCE

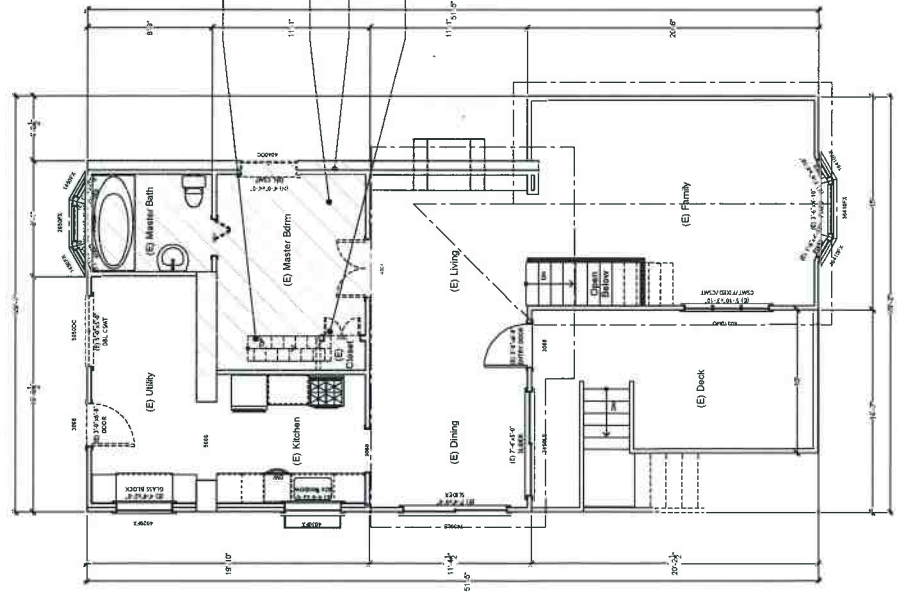
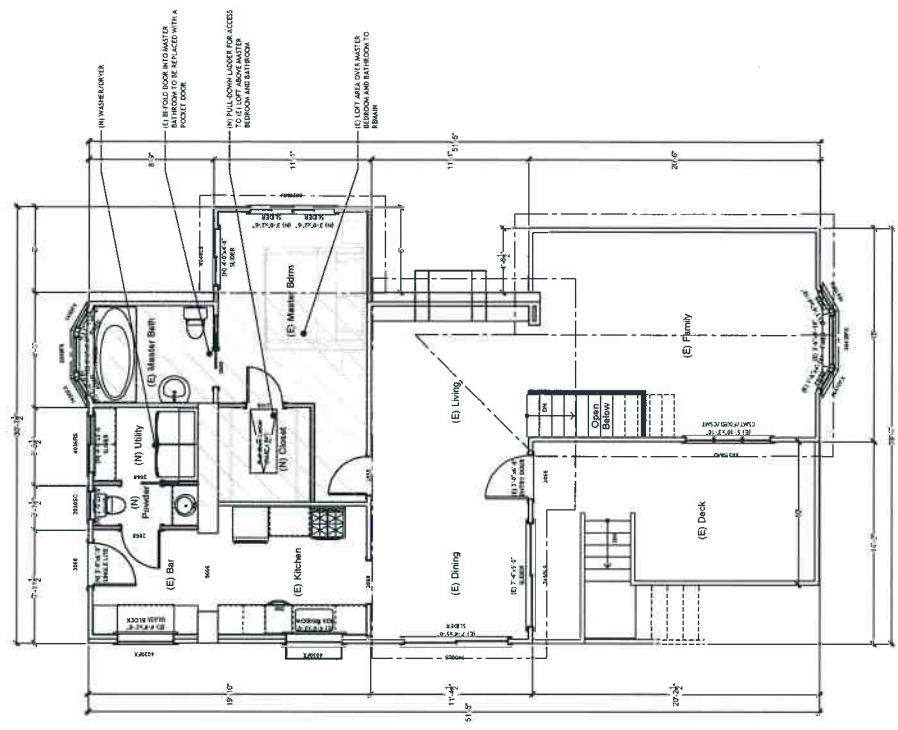
PROJECT ADDRESS
 252 STANLEY AVENUE
 PACIFICA, CA 94044

SHEET TITLE
 EXISTING AND
 NEW 3RD
 FLOOR PLANS

SHEET
A2.3

WALL LEGEND

	EXISTING WALL TO BE REMOVED
	EXISTING WALL OR DECK RAILING TO REMAIN
	PROPOSED STUD WALL
	EXISTING / PROPOSED CONCRETE WALL



1
 EXISTING 3RD FLOOR PLAN
 SCALE: 1/8" = 1'-0"

2
 NEW 3RD FLOOR PLAN
 SCALE: 1/8" = 1'-0"

REV	DATE	DESCRIPTION
1	04/07/16	PLANNING REVIEW COMMENTS
0	02/18/16	PRELIMINARY DRAWING SET

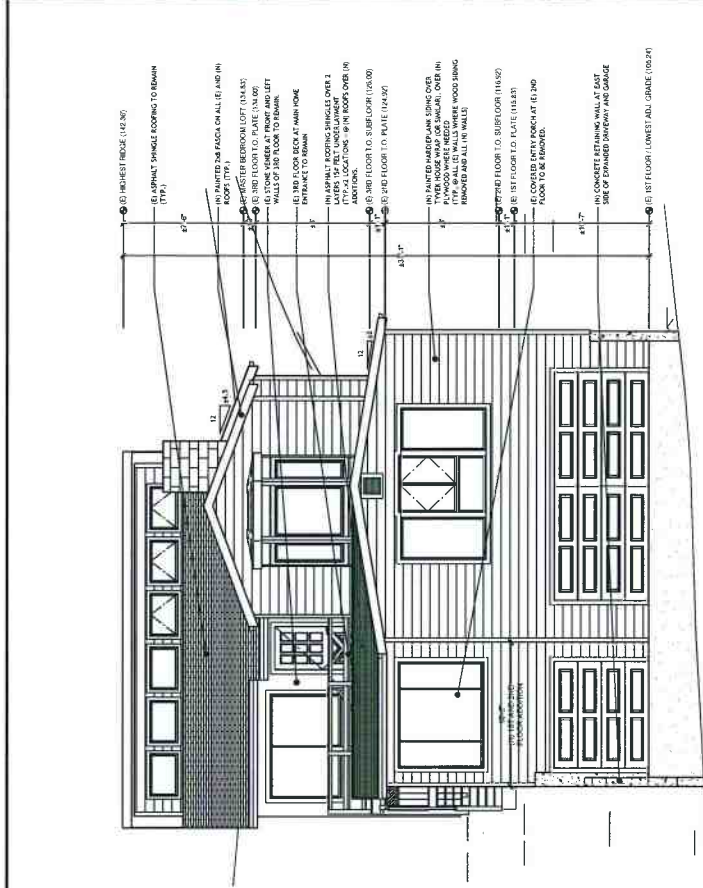
PROJECT NAME:
ADDITON AND REMODEL
BOGGERG RESIDENCE

PROJECT ADDRESS:
252 STANLEY AVENUE
PACIFICA, CA 94044

PROJECT SCORE:
MISC. SMALL ADDITIONS AND
PARTIAL REMODEL AND
LEGALIZATION OF 2ND UNIT

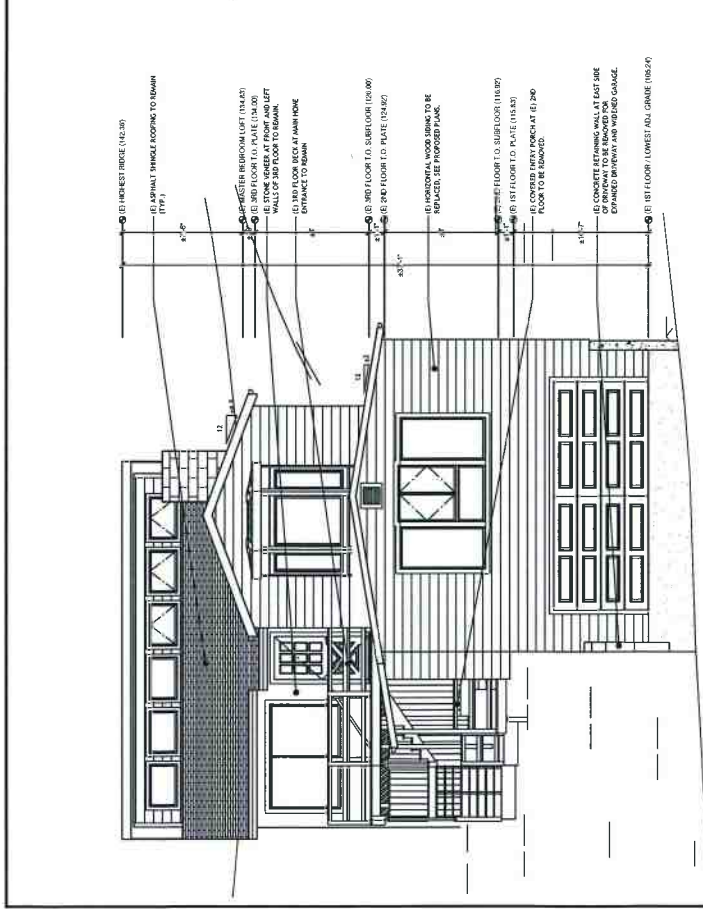
SHEET TITLE:
EXISTING AND
NEW FRONT
AND REAR
ELEVATIONS

SHEET:
A3.1



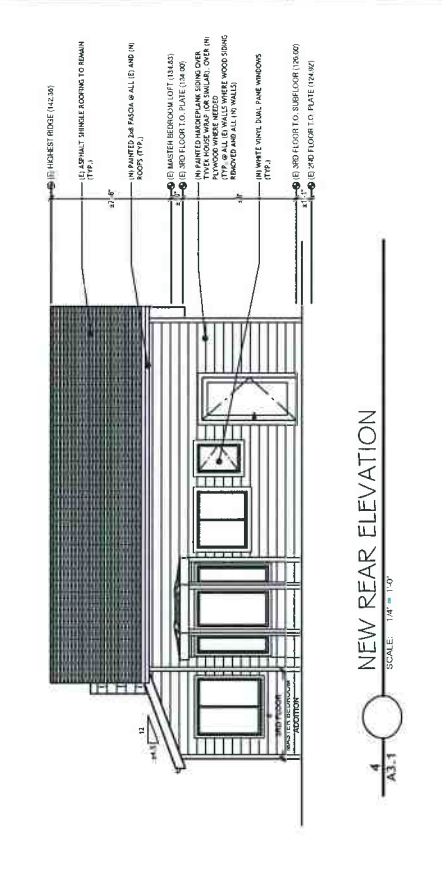
1
A3.1
SCALE: 1/4" = 1'-0"

EXISTING FRONT ELEVATION



2
A3.1
SCALE: 1/4" = 1'-0"

NEW FRONT ELEVATION



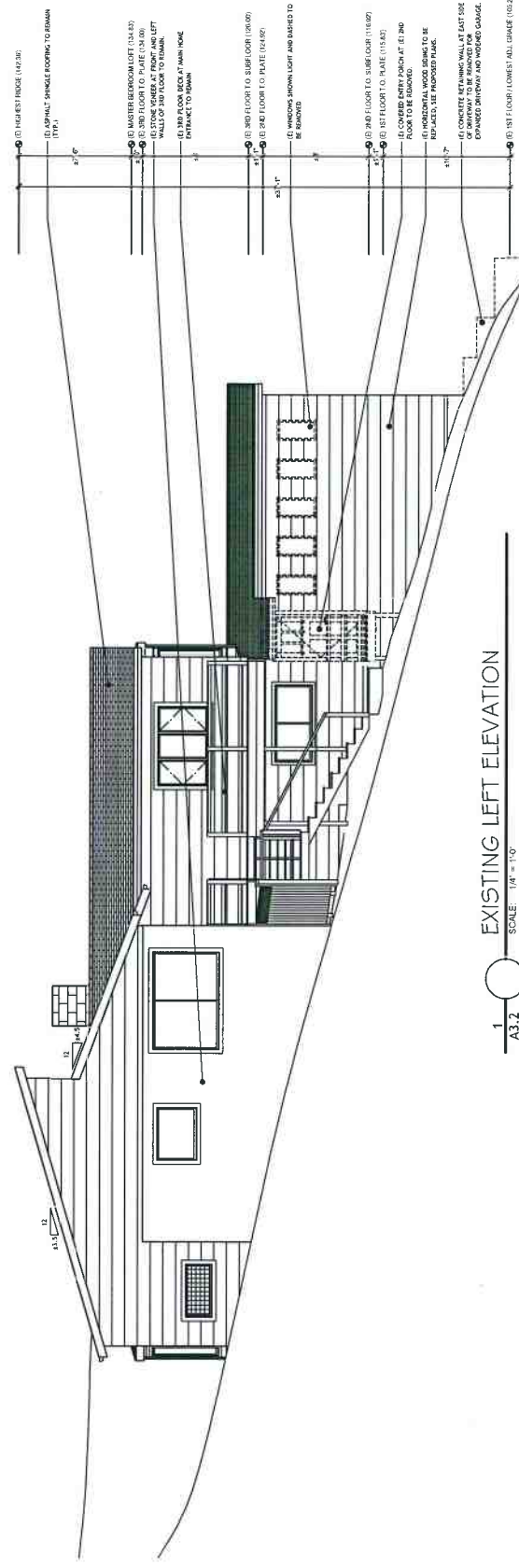
3
A3.1
SCALE: 1/4" = 1'-0"

EXISTING REAR ELEVATION

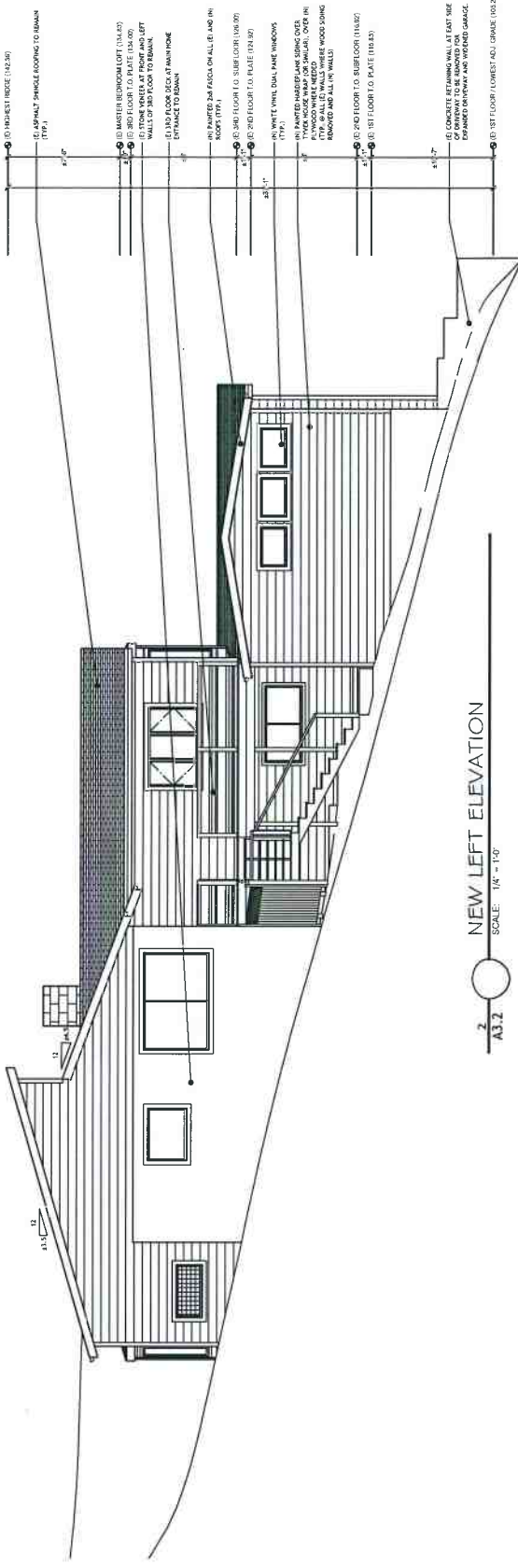


4
A3.1
SCALE: 1/4" = 1'-0"

NEW REAR ELEVATION



1
A3.2
SCALE: 1/4" = 1'-0"



2
A3.2
SCALE: 1/4" = 1'-0"

REV	DATE	DESCRIPTION
0	02/16/16	PRELIMINARY DRAWINGS SET
1	04/07/16	PLANNING REVIEW COMMENTS

B
BRYAN BRINKMAN
DRAFTING & DESIGN
448 N. WILSON AVENUE
PACIFICA, CA 94044
(650) 922-7350

PROJECT SCORE:
MISC. SMALL ADDITIONS AND
PARTIAL REMODEL, AND
LEGALIZATION OF 2ND UNIT

PROJECT NAME:
ADDITION AND REMODEL:
BOGGERG AND RESIDENCE
252 STANLEY AVENUE
PACIFICA, CA 94044

SHEET TITLE:
EXISTING AND
NEW LEFT
ELEVATIONS

SHEET:
A3.2

REV	DATE	DESCRIPTION
0	02/16/16	PRELIMINARY DRAWING SET
1	04/07/16	PLANNING REVIEW COMMENTS

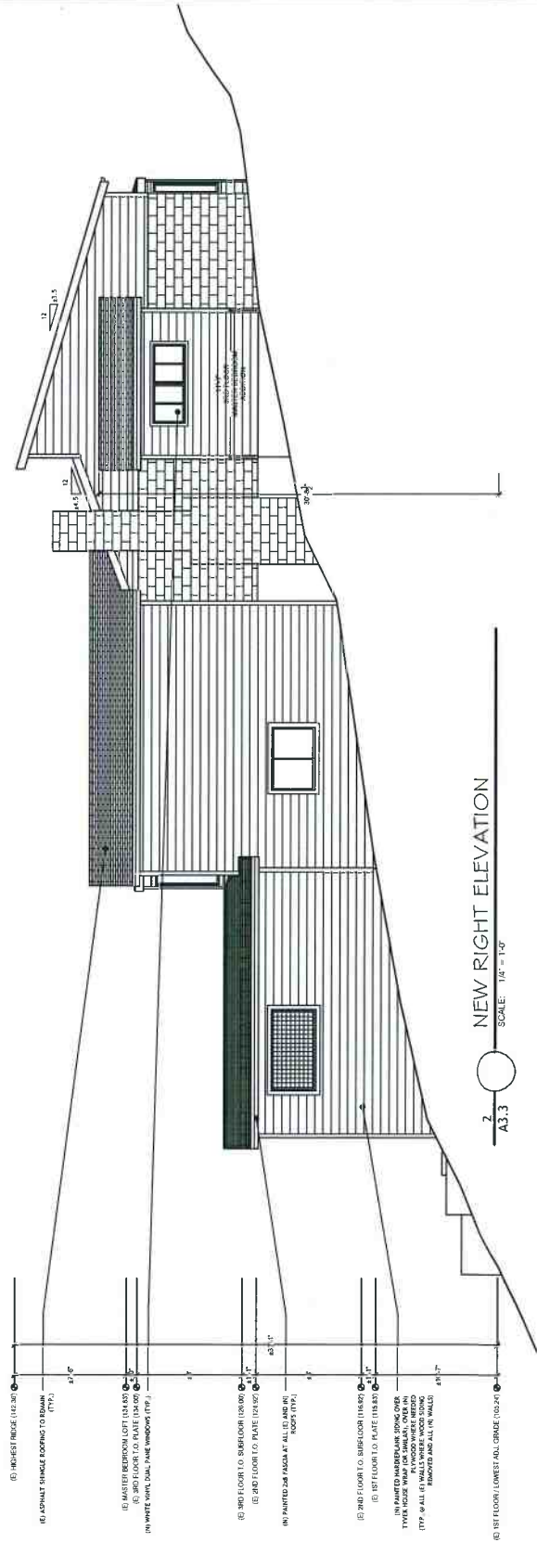
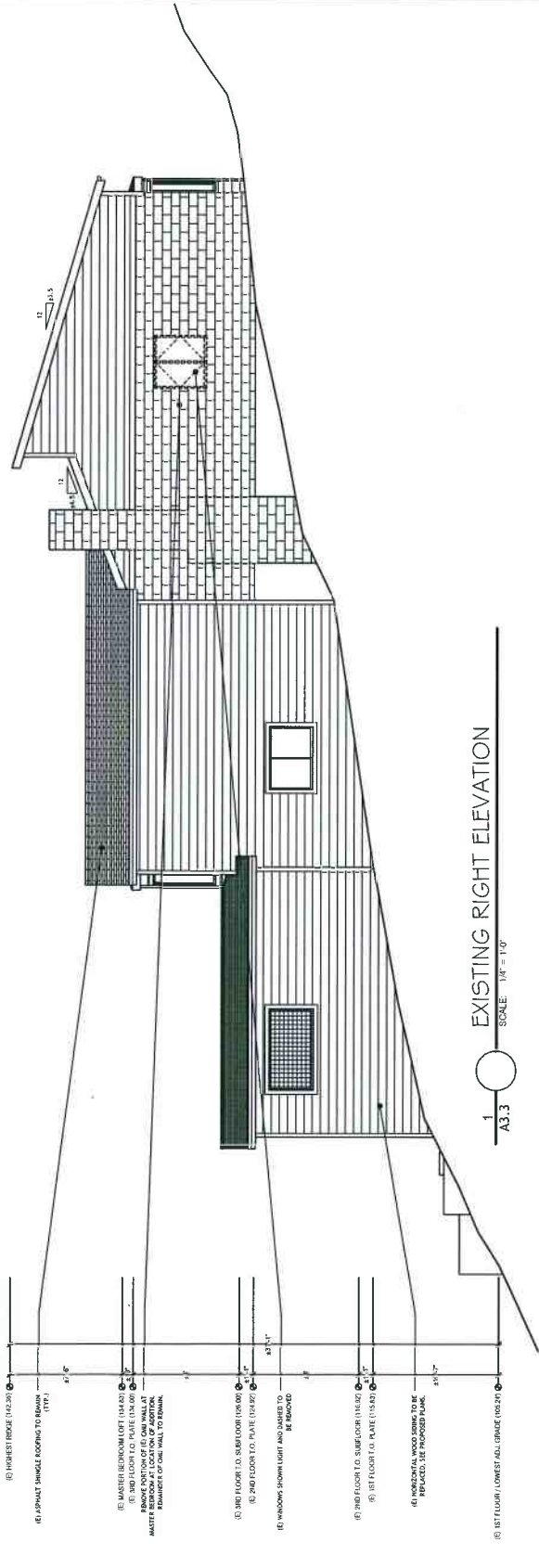
PROJECT SCOPE:
 MISC. SMALL ADDITIONS AND
 PARTIAL REMODEL AND
 LEGALIZATION OF 2ND UNIT

PROJECT NAME:
 ADDITION AND REMODEL
 BOGGERG RESIDENCE

PROJECT ADDRESS:
 252 STANLEY AVENUE
 PACIFICA, CA 94044

SHEET TITLE:
 EXISTING AND
 NEW RIGHT
 ELEVATIONS

SHEET:
A3.3



RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PACIFICA APPROVING COASTAL DEVELOPMENT PERMIT CDP-365-16 AND PARKING EXCEPTION PE-168-16 SUBJECT TO CONDITIONS, FOR ADDITION TO AN EXISTING THREE-STORY SINGLE-FAMILY DWELLING AT 252 STANLEY AVENUE (APN 023-019-210), AND FINDING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

Initiated by: Brian Brinkman (“Applicant”).

WHEREAS, an application has been submitted to construct an addition of a third garage space and bedroom above for a second residential unit, and convert a utility space into a half-bathroom and laundry room, and expand a master bedroom of the primary unit in an existing three-story residence located at 252 Stanley Avenue (APN 023-019-210); and

WHEREAS, the project requires approval of a Coastal Development Permit because the project involves development within the Coastal Zone; and, the project does not qualify as a category of excluded development; and

WHEREAS, the project requires approval of a Parking Exception because the project increasing a non conformity of on street parking; and

WHEREAS, the Planning Commission of the City of Pacifica did hold a duly noticed public hearing on July 18, 2016, at which time the Planning Commission granted the Planning Department their requested continuance to the August 1, 2016, Planning Commission meeting; and

WHEREAS, the Planning Commission of the City of Pacifica did hold a continued public hearing on August 1, 2016, at which time the Planning Commission granted the Planning Department their requested continuance to the September 6, 2016, Planning Commission meeting; and

WHEREAS, the Planning Commission of the City of Pacifica did hold a continued public hearing on September 6, 2016, 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.

3. The Project is categorically exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines 15301 (14 Cal. Code Regs. §15301) and therefore directs staff to file a Notice of Exemption for the Project.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica does hereby make the following findings pertaining to Coastal Development Permit CDP-365-16 for development within the Coastal Zone:

1. The proposed development is in conformity with the City's certified Local Coastal Program.

The City's certified Local Coastal Program includes a Local Coastal Land Use Plan (LCLUP) that contains policies to further the City's coastal planning activities. The proposed project is consistent with the relevant policy, as discussed below.

- ***Coastal Act Policy No. 2:*** *Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rock coastal beaches to the first line of terrestrial vegetation.*

The proposed project would not interfere with the public's right of access to the sea. The proposed project is located on Stanley Avenue approximately 900 feet (0.17 mile) from the nearest coastal access. Substantial urban development and several streets are located between the project site and the sea. Additionally, the project would result in three off-street garage parking spaces, thus reducing the potential for the project to crowd nearby streets with additional on-street parking which might interfere with the public's access to this coastal area. Therefore, the project would not impact or otherwise interfere with the public's right of access to the sea.

- ***Coastal Act Policy No. 23:*** *New development, except as otherwise provided in this policy, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it would not have significant adverse effects, either individually or cumulatively, on coastal resources... [the remainder of this policy pertains to major land divisions other than condominiums and to visitor-serving facilities, neither of which are part of the proposed development.]*

The new development proposed with this project is located within an existing developed area. The surrounding neighborhood is a substantially developed suburban neighborhood with subdivided lots, most of which have already been developed with residential units. Moreover, the very small scale of the development – an addition of 253 sq. ft. – has no potential to overwhelm public services or result in any related

adverse impacts. Therefore, development would not occur outside of existing developed areas.

Because the proposed project would be located in an existing area substantially developed with residential units, would be setback approximately 900 feet (0.17 mile) from the sea, would add additional off-street parking, and is very small in scale, substantial evidence exists to support a Planning Commission finding that the proposed development is in conformity with the City's certified Local Coastal Program.

- ***Coastal Act Policy No. 24:*** *The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alternative of natural landforms, to be visually compatible with the character of surrounding areas, and , where feasible, to restore and enhance visual quality in visually degraded areas. [The remainder of this policy pertains to land designated as scenic the California Coastline Preservation and Recreation Plan, which does not apply to the project site].*

As discussed above under Coastal Act Policy No. 23, the surrounding neighborhood is a substantially developed suburban neighborhood with subdivided lots, most of which have already been developed with residential units. The very small scale of the development – an addition of 253 sq. ft. – has no potential to overwhelm the general scenic or visual quality of the area. The development would include new façade throughout the entire structure, which would improve the visual integrations of the residence with the surrounding structures as nearby residence have similar cement siding. The proposed landform alterations to accommodate the third garage stall would also be small in scale and would not visually degrade the area.

2. Where the Coastal Development Permit is issued for any development between the nearest public road and the shoreline, the development is in conformity with the public recreation policies of Chapter 3 of the California Coastal Act.

The project site is not located between the nearest public road (Shoreside Drive) and the shoreline; therefore, this Coastal Development Permit finding does not apply in this case.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica does hereby make the following findings pertaining to Parking Exception PE-168-16 for increasing the non conformity of on street parking:

1. That the establishment, maintenance, and/or conducting of the off-street parking facilities as proposed are as nearly in compliance with the requirements set forth in this article as are reasonably possible.

As discussed above under Ground Floor and Second Floor Addition, PMC Section 9-4.2813(f) requires residential driveways for lot with 40 feet of lot frontage or more to be designed to provide one on street parking space. The existing double driveway is centered within the 50 foot lot frontage, leaving approximately 15 feet on each side of the driveway. The parking standards set forth in PMC Sec. 9-4.2817(c) requires 20 feet in length for an end of row parallel parking space, therefore the existing driveway does not meet Section 9-4.2813(f). The total length between the east edge of the project sites' current driveway and the west edge of the property to the east (260 Stanley) driveway is 33 feet. Therefore, the current distance between the two driveways only adequately allows for one parking space. With the addition of the additional driveway, the distance between the two driveways would be reduced by 10 feet, resulting in 23 feet between the new driveway at 252 Stanley Avenue and the driveway at 260 Stanley Avenue, which would remain to provide adequate space for one parking space.

Although the proposed development would increase the non conformity of the existing driveway design at the project site, the development of a new driveway and garage stall at 252 Stanley would increase the available off-street parking without decreasing the existing available on street parking. Therefore the proposed development is as nearly in compliance with the requirements on street parking requirements.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica does hereby make the following findings pertaining to the project:

1. That the project is exempt from CEQA as a Class 1 exemption provided in Section 15303 of the CEQA Guidelines. Section 15301 states in pertinent part as follows:

15301. Existing Facilities

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

- (e) Additions to existing structures provided that the addition will not result in an increase of more than:
 - (1) 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less.

In this case, the project involves a 253-sq. ft. addition to an existing single-family residence. Therefore, the project is exempt from further analysis under CEQA.

2. Additionally, none of the exceptions to application of a categorical exemption in Section 15300.2 of the CEQA Guidelines apply, as described below.
 - A. Sec. 15300.2(a): There is no evidence in the record that the project will impact an environmental resource of hazardous or critical concern in an area designated, precisely mapped, and officially adopted pursuant to law by federal, State, or local agencies. The project site is located within a substantially developed residential neighborhood and is not located in a sensitive environmental area. Therefore, it would not have a significant impact on the environment.
 - B. Sec. 15300.2(b): There is no evidence in the record that successive projects of the same type in the area would have a significant environmental impact. The project involves a 253-sq. ft. addition to an existing single-family residence within a substantially developed residential neighborhood and would not have a significant impact on the environment either alone or cumulatively with other projects in the vicinity.
 - C. Sec. 15300.2(c): There is no evidence in the record of any possibility that the project would have a significant effect on the environment due to unusual circumstances. The project site is zoned for residential use and consists of an existing single-family residence and no habitat value. Therefore, there are no unusual circumstances applicable to the project.
 - D. Sec. 15300.2(d) through (f): The project is not proposed near a scenic highway, does not involve a current or former hazardous waste site, and, does not affect any historical resources. Therefore, the provisions of subsections (d) through (f) are not applicable to this project.
3. Because the project is consistent with the requirements for a Class 1 exemption and none of the exceptions to applying an exemption in Section 15300.2 apply; therefore, there is substantial evidence in the record to support a finding that the project is categorically exempt from CEQA.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica does hereby approve Coastal Development Permit CDP-365-16 and PE-168-16 to construct the addition of a third garage space and bedroom above for the second residential unit, and convert a utility space into a half-bathroom and laundry room, and expand of the master bedroom of the primary unit in an existing three-story residence located at 252 Stanley Avenue (APN 023-019-210), subject to conditions of approval included as Exhibit A to this resolution.

* * * * *

assed and adopted at a regular meeting of the Planning Commission of the City of Pacifica, California, held on the 6th day of September 2016.

AYES, Commissioners:

NOES, Commissioners:

ABSENT, Commissioners:

ABSTAIN, Commissioners:

Josh Gordon, Chair

ATTEST:

APPROVED AS TO FORM:

Tina Wehrmeister, Planning Director

Michelle Kenyon, City Attorney

Exhibit A

Conditions of Approval: Coastal Development Permit CDP-365-16 and Parking Exception PE-168-16 to construct the addition of a third garage space and bedroom above for the second residential unit, and convert a utility space into a half-bathroom and laundry room, and expand of the master bedroom of the primary unit in an existing three-story residence located at 252 Stanley Avenue (APN 023-019-210)

Planning Commission Meeting of September 6, 2016

Planning Division of the Planning Department

1. Development shall be substantially in accord with the plans entitled “Addition and Remodel: Bogeberg Residence 252 Stanley Avenue, Pacifica, Ca” dated April 7, 2016, and stamped received by the City of Pacifica on April 22, 2016, except as modified by the following conditions.
2. Prior to issuance of a building permit, Applicant shall redesign the proposed second-story bedroom addition for the second residential unit at the front of the residence to comply with the R-1 zone’s 15 foot front setback standard contained in Pacifica Municipal Code Section 9-4.402(d).
3. Prior to issuance of a building permit, Applicant shall redesign the proposed driveway to new garage stall as a separate driveway, which would extend straight to the street and maintain a width of 10 feet. The property owner shall install and maintain a landscaped strip not less than 2 feet in width between the driveways, extending continuously from the garage to the front property line. Landscaping installed in this landscaped buffer shall not exceed three feet in height. Staff has proposed to limit the height of landscaping in this planter to three feet to ensure unobstructed lines-of-sight when backing out from each driveway.
4. The coastal development permit approval is valid for a period of one year 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 or Planning Commission 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.
5. Ministerial approval of the second residential unit shall not be finalized until the Applicant obtains a building permit for and passes final inspection of the unpermitted renovations that created the second unit, including without limitation the partition wall,

- kitchen, restroom, entry door, and electrical and plumbing connections thereto. The building permit may be obtained for a standalone project to legalize the unpermitted construction, or in conjunction with an overall building permit for the addition project.
6. Occupancy of the second unit is prohibited until the final inspection described in Condition No. 5 is successfully completed.
 7. Prior to the issuance of a building permit, Applicant shall submit information on exterior finishes, including colors and materials, subject to approval of the Planning Director.
 8. At all times, Applicant shall maintain this site in a fashion that does not constitute a public nuisance and that does not violate any provision of the Pacifica Municipal Code.
 9. All outstanding and applicable fees associated with the processing of this project shall be paid prior to the issuance of a building permit.
 10. 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.
 11. 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, but excluding any approvals governed by California Government Code Section 66474.9. 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.
 12. Prior to issuance of a building permit, Applicant shall submit a final landscape plan for approval by the Planning Director. The landscape plan shall show each type, size, and location of plant materials, as well as the irrigation system. Landscaping materials included on the plan shall be coastal compatible, drought tolerant and shall be predominantly native, and shall include an appropriate mix of trees, shrubs, and other plantings to soften the expanded structure. All landscaping shall be completed consistent with the final landscape plans prior to occupancy. In addition, the landscaping shall be maintained as shown on the landscape plan and shall be designed to incorporate efficient

irrigation to reduce runoff, promote surface filtration, and minimize the use of fertilizers, herbicides, and pesticides. Landscaping on the site shall be adequately maintained in a healthful condition and replaced when necessary as determined by the Planning Director.

13. Prior to issuing a grading permit, the City shall require the project applicant to demonstrate that the design and construction of the project is consistent with the recommendations and conclusions of the Geotechnical Investigation and Drainage Analysis prepared for the project.
14. Applicant shall obtain an encroachment permit from the City Engineer prior to construction of any improvements, including retaining walls, within the public right-of-way. In the event Applicant is unable to obtain an encroachment permit for such improvements, the Applicant shall submit an application to the Planning Department to for review and approval of a revision to its application.

Building Division of the Planning Department

15. The project requires review and approval of a building permit by the Building Official. Applicant shall apply for and receive approval of a building permit prior to commencing any construction activity.

Engineering Division of Public Works Department

17. Construction shall be in conformance with the San Mateo Countywide Storm Water Pollution Prevention Program. Best Management Practices shall be implemented.
18. Applicant shall grind and overlay existing asphalt with minimum 2 inch AC to the limits of all utility connection or to street centerline whichever is greater across entire property frontage along Stanley Avenue. All pavement markings and markers shall be replaced in kind.
19. 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.
20. No debris box or equipment shed is allowed in the street or sidewalk. Roadways shall be maintained clear of construction materials and debris, especially mud and dirt tracked, onto Stanley Avenue. Dust control and daily road cleanup will be strictly enforced.

21. 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."
22. 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."
23. Upon submittal of plans for building permit, applicant shall submit a Drainage Plan to include all existing and proposed drainage improvements at the project site. Drainage improvements shall show how runoff from the property will be directed. All drainage improvements shall include but not limited to swales, concrete gutters, pipes, inlets and headwalls (if needed) and shall be design and constructed to the satisfaction of the City Engineer. All site drainage shall be discharged unto the street.
24. Prior to approval of the Building Permit, applicant shall provide an erosion control plan.
25. A traffic control plan shall be submitted for review by the City Engineer. Lane closures shall be requested 72 hours in advance of schedule and coordinated with Pacifica Police and Fire Departments. Through traffic shall be maintained at all times along Stanley Avenue.
26. A City of Pacifica Encroachment Permit shall be obtained for all work undertaken in the public right-of-way. All work shall be done in accordance with City Standards, Standard Specifications for Public Works Construction (Green Book) or Caltrans Standard Specifications, Pacifica Municipal Code, Administrative Policies and to the satisfaction of the City Engineer or his designee and shall be completed prior issuance of the Certificate of Occupancy. Permit fees shall be determined per the current adopted fee schedule at the time of permit issuance.

END



Scenic Pacifica
Incorporated Nov. 22, 1957

PLANNING COMMISSION Staff Report

DATE: September 6, 2016

ITEM: 2

SUBJECT: Proposed continuance of Coastal Development Permit CDP-366-16, filed by co-applicants Kathy Kellerman of the Pacifica Land Trust and Samuel Herzberg of the San Mateo County Parks Department, to perform grading and landscaping activities on an approximately 640 linear foot segment of the Middle Ridge Trail on an approximately 32-acre parcel (APN 023-730-020) owned by the State of California and located in the Pedro Point Headlands.

DISCUSSION

On August 30, 2016, Kathy Kellerman (“Applicant”) informed Planning Department staff that the plans submitted with her application no longer reflected the work proposed for the Middle Ridge Trail within the City of Pacifica. As a result, staff requires updated application materials to aid its analysis of the proposed changes. Due to the limited time between the Applicant’s notification to staff and the agenda packet publication deadline on Friday, September 2, 2016, staff was unable to update its analysis prior to the September 6 public hearing.

Staff shared with the Applicant the time constraints and the infeasibility of preparing a new project analysis and recommendation in such a short time span. In response, the Applicant requested a continuance of the public hearing to the Planning Commission’s regular meeting on Monday, October 17, 2016.

RECOMMENDED COMMISSION ACTION

Motion to continue Coastal Development Permit CDP-366-16 to the Planning Commission meeting of October 17, 2016.



Scenic Pacifica
Incorporated Nov. 22, 1957

CITY OF PACIFICA
Planning, Building, and Code Enforcement
1800 Francisco Blvd. • Pacifica, California 94044-2506
(650) 738-7341 • www.cityofpacifica.org

MAYOR
Sue Digre

MAYOR PRO TEM
Mike O'Neill

COUNCIL
Karen Ervin
Mary Ann Nihart
John Keener

DATE: September 6, 2016

ITEM: 3

FILE: AMEND PSD-790-14
AMEND PV-513-14
AMEND PE-160-15

PUBLIC NOTICE: Notice of Public Hearing was published in Pacifica Tribune on August 24, 2016, and mailed to 60 surrounding property owners and occupants.

APPLICANTS/OWNERS: David Blackman & Mike O'Connell
375 Keith Avenue
Pacifica, CA 94044
650-766-6316

LOCATION: 4009 Palmetto Avenue (APN: 009-402-270)

PROJECT DESCRIPTION: Amend approval of construction of four detached studio apartments and a four stall carport to construction of a three-story, 3,169 square foot apartment building comprised of four dwelling units on the top two floors and an attached ground floor garage.

General Plan: Medium Density Residential

Zoning: R-3-G/CZ (Multiple Family Residential Garden District/ Coastal Zone Combining District)

CEQA STATUS: Class 3 Categorical Exemption, Section 15303(b)

ADDITIONAL REQUIRED APPROVALS: None. Subject to appeal to the City Council

RECOMMENDED ACTION: Approval as conditioned.

PREPARED BY: Bonny O'Connor, Assistant Planner

ZONING STANDARDS CONFORMANCE:

TABLE 1

<u>Standards</u>	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>
Lot Size	7,500 sf min	18,411 sf	No Change
Lot Size per Dwelling	2,300 sf min	N/A	4,603 sf
Lot Width	60 ft. min	179 ft.	No Change
Lot Coverage	50 % max	0 %	21%
Dwelling Unit Size			
Apartment 1 & 3	600 sf min	N/A	1170 sf
Apartment 2 & 4	800 sf min	N/A	1140 sf
Building Height	35 ft. max	N/A	35 ft.
Landscaping	25 % min	100 %	78 %
Dwelling Setbacks			
Front	15 ft.	N/A	15 ft.
Garage	20 ft.	N/A	20 ft.
Side	5 ft.	N/A	North: 5 ft. South: 94.5 ft.
Rear	20 ft.	N/A	20 ft.
Projection Setbacks¹			
Front	9 ft.	N/A	9.8 ft. to deck
Side	4 ft.	N/A	North: 2.5 ft. to deck ² South: 87 ft. to on grade patio
Rear	14 ft.	N/A	14 ft. to outdoor stairway beyond 30in above grade
Usable Open Space	450 sf per unit	N/A	462.75 sf per unit
Parking	7 spaces ³ , four of which need to be onsite and covered.	N/A	7 spaces, five of which are onsite and covered.
Guest Parking	1 space	N/A	1 space

Notes:

ft. – feet

max – maximum

min – minimum

sf – square feet

1. PMC Section 9-4.2703

2. Variance requested

3. Per PMC Section 9-4.2118(a)(2), 1.5 parking spaces per 1 bedroom unit and 2 parking spaces per 2 bedroom unit.

A. STAFF NOTES

1. Background

On April 6, 2015, the Planning Commission approved, with conditions, Site Development Permit PSD-790-14, Coastal Development Permit CDP-347-14, Variance PV-513-14¹, and Parking Exception PE-160-15 for the applicants' proposed development of four detached studio apartments and carport on the project site (Resolution Nos. 914, 915, 916, and 917 respectively). Variance PV-513-14 reduced the required minimum usable open space per unit from 450 square feet to 200 square feet. Parking Exception PE-160-15 allowed for one unenclosed guest parking space within the front setback.

On April 15, 2015 an appeal was filed by the public to the City Council in opposition to the Planning Commission's action. On June 22, 2015, the City Council, denied the appeals and upheld the Planning Commission's conditional approvals of PSD-790-14, CDP-347-14, PV-513-14, and PE-160-15 (Resolution No. 20-2015). On July 10, 2015, an appeal was filed by the public to the California Coastal Commission (CCC) in opposition to the local decision of CDP-347-14.

On April 13, 2016, the CCC approved a redesigned development project (Application No. A-2-PAC-15-0046; Attachment D), with conditions. The proposed development is the CCC approved design, with the exception of the proposed turnaround space along the driveway.

2. General Plan, Zoning, and Surrounding Land Uses

The site is zoned R-3-G/CZ, (Multiple-Family Residential Garden/Coastal Zone Combining District), which allows multi-family residential with a minimum lot area of 2,300 square feet per unit. The size of the lot is 18,411 square feet (sf), which would allow a total of 8 dwelling units. The CZ zone supplements the underlying zoning district (R-3-G) with additional standards.

The project site's General Plan land use designation is Medium Density Residential (MDR). The General Plan establishes a density of 10 to 15 dwelling units per acre. The project site is 0.42 acre therefore the density for the project site is four to six units. The proposed four-unit apartment building is consistent with the use type and density allowed within the MDR land use designation. In addressing the project site, the General Plan and Local Coastal Land Use Plan narratives state:

The other vacant land (+/-5 acres) in this neighborhood is on the east side of Palmetto Avenue, south of the existing condominiums. This land is moderately sloping to level, and is partially covered with bluff scrub vegetation, a portion of which has been disturbed by excessive foot and bike traffic, resulting in some erosion. Geologically, the land is much more stable than the bluff area across Palmetto to the west, and it is also significantly below the grade of Coast Highway. Proper drainage improvements and prompt revegetation of exposed areas will be necessary should this land be developed in order to prevent erosion of the neighboring condominiums. Medium Density Residential use is recommended for this land and will contribute to the medium price housing stock in the

¹ The proposed PV-513-14 allowed for four detached studio apartments to have a dwelling space 50 sf less than the 450 sf minimum and a reduction of the needed usable open space from 450 sf per unit to 200 sf per unit. The Planning Commission approved the reduction of usable open space, but denied the reduction of dwelling space.

neighborhood. The proposed land use designation and planning criteria for development of the site are consistent with Sections 30253 (2) (Geologic Stability), and 30250 (Concentrate Development).²

Land uses surrounding the project site mostly consists of vacant land. Asphalt remnants are located within the former Edgemar Road easement/right-of-way along the southern edge of the lot. The closest development to the proposed project is Pacific View Villas located approximately 200 feet southwest from the project site. Highway 1 is approximately is located approximately 215 feet southeast of the project site. Pacific Point Condominiums is located approximately 450 feet northeast.

3. Project Description

a. Project Site

The project site is located at 4009 Palmetto Avenue in the Fairmont West neighborhood. The project site is a vacant, triangular shaped lot, approximately 18,411 sf in size. A large portion of the southern edge of the lot is located within the former Edgemar Road easement/right-of-way. The project site is bounded on the west by Palmetto Avenue, on the north by a vacant property known as “the bowl” and to the east and south by vacant property known as “the fish.” Further east from the project site is Highway 1 and further north is the Pacific Point Condominiums. The topography of the site slopes from southeast to northwest at approximately 5 percent.

A preliminary geologic site review was conducted on August 23, 2014 by Earth Investigations Consultants for the subject property. It was concluded that the site is not constrained by geologic hazards, such as landslides and fault rapture. It was also concluded that the potential for liquefaction is considered low. As a result of coordination with the CCC, the applicant’s had GeoForensic Inc. performed subsequent reviews of the project site and prepared reports in July and October 2015 and January 2016 addressing the geologic stability of the site. The three memos support the findings that with their recommendations that there is no immediate concern for geologic instability at the project site as a result of erosion or drainage. Therefore, from an engineering geologic standpoint, the site is considered suitable for the proposed residential development.

On August 13, 2014 Toyon Consultants conducted a site visit to assess the presence/absence of sensitive habitat areas. No rare or especially valuable species or habitat was observed during the site visit. In addition, no evidence of wetland hydrology appeared to be present on the site. It was concluded that the lot proposed to be developed does not qualify as either an “Environmentally Sensitive Habitat Area or as a Wetland. In response to a request from the California Coastal Commission, the applicants hired Toyon Consultants to perform single parameter wetland delineation. Toyon Consultants concluded in their July 29, 2015 report that using the one parameter definition of a wetland, a willow (*S. lasiolepis*) patch located in the road easement along the front lot line, does qualify as sensitive habitat as defined in the Local Coastal Land Use Plan. The CCC conditioned as part of the CDP approval that the proposed development would occur outside of a 50 ft. buffer around the willow patch.

There is a heritage tree located on the adjacent property to the north of the project site, near the shared property line with the project site. The dripline of the heritage tree occurs within the proposed development area. The applicants would need to obtain a Heritage Tree Permit prior to constructing within the dripline of the tree.

² City of Pacifica. 1980. Local Coastal Land Use Plan. As amended August 1992. Page C-22.

Pedestrian facilities are not provided along Palmetto on either side of the street in the immediate vicinity of the project site. As discussed during the City Council hearing for the previous project design on June 22, 2015, the City Council supported development on the project site with the condition that a sidewalk would be constructed along the frontage of the property once the "Bowl" property (APN 009-402-260) is developed. In support of the City Council's resolution 20-2015, Condition of Approval No. 15 has been incorporated to require the applicant to install sidewalks along the frontage of their property once the "Bowl" property is developed.

b. Multi-family Residence

The applicants have proposed construction of a three-story, 3,169 square foot apartment building comprised of four dwelling units on the top two floors and an attached ground floor garage. The garage would contain five full sized, covered parking spaces and one compact covered parking space. Storage space for the units would be placed within the southern bump-out in the garage. Additionally, two full sized, uncovered parking spaces would be provided on the rear side of the structure, which would be accessible through the garage. Pacifica Municipal Code (PMC) Section 9-4.2808 does not allow vehicles to be parked within the require yard. The two uncovered parking spaces would be located within the rear yard; therefore, a parking exception would be necessary for the parking spaces on the rear side of the structure.

Access to the garage would be provided by a 22-foot wide, pervious driveway to the front lot line and a 26-foot wide concrete pavement driveway from the front lot line to Palmetto Avenue. On the south side of the driveway, just before the entrance the garage, a small driveway extension would be provided to allow cars located in the eastern parking spots to turn around (Attachment F). The maximum width of a double driveway is 20 feet (PMC Section 9-4.2813(c)(4)), therefore the parking exception would be necessary for the width of the driveway as well.

The second floor would contain Apartments #1 and #2. Apartment #1 would be a one-bedroom, two-bath unit (1170 sf floor area). Apartment #2 would be a two-bedroom, two-bath unit (1140 sf floor area). The third floor would contain Apartments #3 and #4. Apartment #3 would be located above Apartment #1 and have the same floor plan as Apartment #1. Apartment #4 would be located above Apartment #2 and would have the same floor plan as Apartment #2. In addition, all of the apartments would contain a kitchen, laundry room, and multiple closets.

The slope of the site would require cut and the construction of retaining walls and structure walls built into the slope to support the structure. The height of the retaining walls when measured from the higher adjacent ground level, as described in the Pacifica Municipal Code Section 9-4.2502, would range from 0 to 6 feet. When measured from the lower adjacent ground level, the retaining walls would range from 0 to 16 feet.

c. Shared Patios and Stairways

Due to topography of the site, the exterior porch on the southeast side of the second floor would be on grade. The second floor patio (831 sf) would provide access to Apartments #1 and #2 on the second floor. A patio located on the southeast side of the third floor (340 sf) would provide access to Apartments #3 and #4. Exterior stairs connecting the garage to the second floor patio would be on grade and would be located 7.5 feet from the rear lot line. The exterior stairs connecting the second and third floor patios would be generally be located 14 feet from the rear lot line, with the exception of the first step and landing of the stairway (less

than 30 inches above grade), which would be 12.5 feet from the rear lot line. PMC Section 9-4.2703 requires that outside stairways not project closer than 6 feet into the rear setback, which would be 14 feet from the rear lot line. Projections less than 30 inches above grade can be located within required setbacks (PMC Section 9-4.2703).

d. Private Decks

Each apartment unit has its own private deck. Each deck varies in size and shape. Table 2 details the size square footage of each private deck. PMC Section 9-4.2703 requires that decks not project closer than 1 foot into a side setback or 6 feet into a front setback, which would be 4 feet and 9 feet from the side and front lot lines, respectively. The “L” shaped deck off of Apartment 1 has the greatest projection on the west and north elevations of the structure. The deck off of Apartment 1 would be located 2.5 feet from the north side lot line and 9.8 feet from the front lot line. Additionally the deck off of Apartment 3 would project towards the north side lot line and would be 2.66 feet from the north side lot line. Projections towards the north side lot line would exceed the standards of PMC Section 9-4.2703 and would require an approval of a variance. No private decks project towards the south side or rear lot lines.

TABLE 2

	<u>Required Open Space</u>	<u>Open Space Provided by Private Decks</u>	<u>Remaining Open Space Necessary Per Unit</u>
Apartment 1	450 sf	175 sf	275 sf
Apartment 2	450 sf	137 sf	313 sf
Apartment 3	450 sf	90 sf	360 sf
Apartment 4	450 sf	278 sf	172 sf
Total of Remaining Open Space Necessary			1120 sf
Open Space provided by Shared Patios			1171 sf
Excess Open Space Provided			51 sf
Excess Open Space Provided to Each Unit			12.75 sf
Note: sf – square feet			

e. Landscaping

The applicants would remove invasive ice plant on the property and replace it with native California coastal scrub species, including California sage brush, California lilac, coyote brush, and California aster. One-hundred, 1-gallon plants of each species would be planted. The applicants would plant six coastal live oak trees per plan sheet C3.01 (the applicants confirmed this to be correct due to the inconsistency shown on plan sheet C7.01). The landscaping is inherently water efficient and no irrigation is proposed for the property.

f. Alternative Garage Design

The Building Official has received determinations from three California Access Specialist (CASp) certified inspectors that the structure must meet Van Accessible parking requirements, which would require one of the covered spaces to be 12 feet wide with a 5 foot wide loading area on the passenger side. The Building Official has offered the applicants to secure the services of their own CASp inspector to provide an outline of the site conditions and how they determined that they would be exempt from providing the Van Accessible parking

space within the garage (or on-site). The applicants have provided two potential redesigns for the garage in the event that the resolution to the Van Accessible parking requirements does determined that the space is necessary (Attachment E). Both redesigned garages provides the 12 foot wide Van Accessible space and the associated 5 foot wide loading space on the passenger side, in addition to all of the parking spaces required under PMC. Redesigned garage Option A would relocate the on-grade stairs that connect the garage to the first floor from the east side of the south side of the structure. As a result the southern wall on the garage level would have a small bump out in front of the Van Accessible space. Redesigned garage Option B would reduce the size of all of the parking spaces along the southern wall to 8'-6", which is less than the required standard size stall (9') but more than a compact size stall (7'-6"). Additionally, Option B would move the wall along the east side of the on-grade stairs 2'-4" towards the rear of the property.

4. Municipal Code

The applicant's proposal requires four approvals under the PMC, including a coastal development permit (CDP), site development permit (PSD), variance (PV) and a parking exception (PE). Development within the CZ district requires a CDP (PMC 9-4.4303(a)). The project requires a Coastal Development Permit because (i) project includes development with the CZ District (PMC Sec. 9-4.4303(a)); and, (ii) the project does not qualify for an exemption or excluded development (PMC Sec. 9-4.4303(h) and (i)). As further discussed in section 1, the CCC conditionally approved the CDP application for the proposed project with conditions requiring the construction of a the single three-story, 3,169 square foot apartment building comprised of four dwelling units on the top two floors and an attached ground floor garage. No further action by the City of Pacifica or the Planning Commission is necessary for the CDP issuance.

PMC Section 9-4.3201 (a) requires any new construction within R-3-G zoning district to obtain a PSD. The approval of PSD-790-14 needs to be amended to address the current proposed development. The site development permit shall not be issued if the Commission makes any of the following findings (PMC Sec. 9-4.3204):

- (1) That the location, size, and intensity of the proposed operation will create a hazardous or inconvenient vehicular or pedestrian traffic pattern, taking into account the proposed use as compared with the general character and intensity of the neighborhood;
- (2) That the accessibility of off-street parking areas and the relation of parking areas with respect to traffic on adjacent streets will create a hazardous or inconvenient condition to adjacent or surrounding uses;
- (3) That insufficient landscaped areas have been reserved for the purposes of separating or screening service and storage areas from the street and adjoining building sites, breaking up large expanses of paved areas, and separating or screening parking lots from the street and adjoining building areas from paved areas to provide access from buildings to open areas;
- (4) That the proposed development, as set forth on the plans, will unreasonably restrict or cut out light and air on the property and on other property in the neighborhood, or will hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof;
- (5) That the improvement of any commercial or industrial structure, as shown on the elevations as submitted, is substantially detrimental to the character or value of an adjacent R District area;

- (6) That the proposed development will excessively damage or destroy natural features, including trees, shrubs, creeks, and rocks, and the natural grade of the site, except as provided in the subdivision regulations as set forth in Chapter 1 of Title 10 of this Code;
- (7) That there is insufficient variety in the design of the structure and grounds to avoid monotony in the external appearance;
- (8) That the proposed development is inconsistent with the City's adopted Design Guidelines; or
- (9) That the proposed development is inconsistent with the General Plan, Local Coastal Plan, or other applicable laws of the City.

The Planning Commission is able to issue variances where practical difficulties or unnecessary hardships prevent the strict application of certain provisions. The approval of PV-513-14³ needs to be amended to address the current proposed development. The proposed development does not meet the required side setback on the north side of the development. The Commission shall grant a variance only when all of the following findings are made:

- (1) That because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the provisions of this chapter deprives such property of privileges enjoyed by other property in the vicinity and under an identical zoning classification;
- (2) That the granting of such variance will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the subject property and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in the area;
- (3) Where applicable, that the application is consistent with the City's adopted Design Guidelines; and
- (4) If located in the Coastal Zone, that the application is consistent with the applicable provisions of the Local Coastal Plan.

The Planning Commission is able to grant parking exceptions where practical difficulties and unusual hardship prevent the application of the parking provisions. The approval of PE-160-15⁴ needs to be amended to address the current proposed development. The proposed development would use the require rear yard for parking (Section 9-4.2808). Additionally, the proposed width of the driveway would exceed the allowed maximum

³ The previously approved PV-513-14 allowed a reduction of the needed usable open space from 450 sf per unit to 200 sf. per unit. The project now proposes the required usable open space per unit. This element of the variance is no longer necessary.

⁴ The previously approved PE-160-15 was to allow for one unenclosed guest parking space within the front setback. Parking is no longer proposed in the front setback. This element of the parking exception is no longer necessary

width by 2 to 6 feet (PMC Section 9-4.2813(c)(4)). The Commission may grant exceptions to the provisions of the parking article based on the following finding:

- (1) That the establishment, maintenance, and/or conducting of the off-street parking facilities as proposed are as nearly in compliance with the requirements set forth in this article as are reasonably possible.

5. Required Findings

- a. Site Development Permit. In order to approve the amendment of site development permit PSD-790-14, the Planning Commission must not make any of the nine findings required by PMC Sections 9-4.3204(a). The following discussion supports the Commission's findings in this regard.

- i. That the location, size, and intensity of the proposed operation will create a hazardous or inconvenient vehicular or pedestrian traffic pattern, taking into account the proposed use as compared with the general character and intensity of the neighborhood;*

Discussion: The size and intensity of the proposed operation would not create a hazardous or inconvenient vehicular or pedestrian traffic pattern because the site is located in a multi-family residential district and the development would provide a driveway and all of the required off-street parking which would prevent residents and visitors from having to park on the street. The development would provide a driveway adequate for motorists use while waiting to enter and exit the structure. The driveway would provide a turnaround location to allow for all traffic, particularly the cars parked in the most eastern parking spots, to egress in a forward fashion.

The proposed development is located in an area that does not provide pedestrian facilities along the street. Condition of Approval No. 15 would require the applicants to install a sidewalk along the front lot line of the property once the adjacent properties to the north are developed. In the meantime, parking availability on the street is abundant and visitors would be able to park wherever they are most comfortable parking and exiting their vehicle in relation to the passing traffic.

- ii. That the accessibility of off-street parking areas and the relation of parking areas with respect to traffic on adjacent streets will create a hazardous or inconvenient condition to adjacent or surrounding uses;*

Discussion: As discussed above under section A.5.a.i, the development would provide a driveway and all of the required off-street parking which would prevent residents and visitors from having to park on the street. The development would provide a driveway adequate for motorists use while waiting to enter and exit the structure. The driveway would provide a turnaround location to allow for all traffic, particularly the cars parked in the most eastern parking spots, to egress in a forward fashion.

- iii. That insufficient landscaped areas have been reserved for the purposes of separating or screening service and storage areas from the street and adjoining building sites, breaking up large expanses of paved areas, and separating or screening parking lots from the street and adjoining building areas from paved areas to provide access from buildings to open areas;*

Discussion: Sufficient landscaped areas are provided around building and throughout the subject site that are available. No storage areas or large expanses of paved areas are proposed other than the required driveway. Each of the units would have private deck area and access to landscaping around the units. As shown in Table 1, 78 percent of the lot would be landscaped.

- iv. *That the proposed development, as set forth on the plans, will unreasonably restrict or cut out light and air on the property and on other property in the neighborhood, or will hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof;*

Discussion: The private decks off of Apartment #1 and #3 would project 1.5 feet beyond the require setback on the north side. This exceedance of the setback would not restrict light or air on the project site or adjacent properties, or discourage the appropriate development and use or values of land and buildings in the neighborhood. The remaining portions of the proposed project would meet all setback requirements.

- v. *That the improvement of any commercial or industrial structure, as shown on the elevations as submitted, is substantially detrimental to the character or value of an adjacent R District area;*

Discussion: The proposed development does not include any commercial or industrial structure. Therefore, this finding is not applicable to the subject project.

- vi. *That the proposed development will excessively damage or destroy natural features, including trees, shrubs, creeks, and rocks, and the natural grade of the site, except as provided in the subdivision regulations as set forth in Chapter 1 of Title 10 of this Code;*

Discussion: Without adequate review and approval by the City, two project elements could result in damage or destruction of natural features. First, grading at the site would reduce or eliminate some sloped areas to allow construction of the structure and driveway. The grading would result in construction of retaining walls. However, the approximately 15 percent slope in question is not visually prominent within the surrounding area. Second, unregulated removal of Heritage Trees can damage or destroy natural features in a neighborhood. However, the permit process in place for consideration of Heritage Tree removal ensures that such removal would not result in damage or destruction of natural features unless justified to preserve the health and safety of nearby property owners and occupants. The property adjacent to the north of the project site has a heritage tree with a dripline within the proposed development area. A Heritage Tree permit would be required for development with the dripline of the heritage tree.

Because the City would review grading plans to ensure slope stability, because on-site grading does not involve prominent or scenic slopes, and because the City would review Heritage Tree removal permit for the site based on a site inspection to determine tree health and proposed project is designed to avoid the identified wetland near the front of the property, therefore, the project would not result in excessive damage or destruction of natural features.

- vii. *That there is insufficient variety in the design of the structure and grounds to avoid monotony*

in the external appearance;

Discussion: The applicants would use various exterior materials throughout the building, including cedar shingles and siding, concrete, stucco, and stone tiles. Architectural features such as roof lines, decks and patios provide interesting and varying projections to the front and south side elevations of the building. The materials would be various earth and natural tones that change with the types of materials proposed.

The proposed landscaping would maintain the existing topography within the 50-foot buffer and would provide a mix of four different plant species, in addition to the planting of six coastal live oak trees. There is sufficient variety in the design of the structure and grounds to avoid monotony in the external appearance.

viii. *That the proposed development is inconsistent with the City's adopted Design Guidelines; or*

Discussion: 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.

Staff's assessment of the project is that the proposed improvements at the site are consistent with the City's adopted Design Guidelines. Major areas of project consistency with the Design Guidelines include the following (Design Guidelines guidance followed by staff discussion):

Site Planning: *Locate site improvement such as buildings and walkways to take advantage of desirable site features. Buildings should be oriented to capitalize on views of hills and ocean. Site improvements should be designed to work with the site features. Lot grading should be minimized and disruption of natural features such as trees, ground forms, rocks, and water courses should be avoided.*

Discussion: Each apartment would have full ocean view out of the windows on the western elevation of the building and partial ocean views out of the windows on the

northern or southern side elevations. Grading would be limited to the area necessary for the structure and its impact on natural features is further discussed under A.5.a.vi.

Parking: *The visual impact of parking areas should be minimized when appropriate to the site by locating parking areas to rear or side of the property, rather than along street frontages.*

Discussion: Parking would be placed within a ground floor garage or in an extended parking area in the rear of the property. A garage door and retaining wall would block public view of parking areas.

Scale. *Scale is the measure of the relationship of the relative overall size of the one structure with one or more other structures. A development can be out of scale with its surroundings due to its relative height, bulk, mass, or density.*

Discussion: Comparable structures in the area are limited to the three-story Pacific Point condominiums, which are located uphill from the proposed structure, and Pacific View Villas which are located southwest of the proposed project on Palmetto and located on a downhill slope. Pacific Point does not provide a good comparison due to the distance and from the proposed project and the different vantage point. Although the Pacific View Villas includes two and three story buildings, due to the down sloping lot, the profile of the buildings appear much smaller and do not serve as an adequate comparison for the project site. Without any comparable structures, the proposed project would not be out of scale with its surroundings. The proposed project meets the height, coverage, and density standards with its zoning and land use designation.

Details. *Use architectural features and details to help create a sense of human scale. Wall insets, balconies, window projections, etc., are examples of building elements which may help reduce the scale of larger buildings.*

Discussion: The proposed project would incorporate a variety of architectural details along the front, north and south elevations visible from Palmetto Avenue to create a sense of human scale. Balconies throughout the front elevation and details simulating rooflines above the windows on the second floor of the front elevation break up the total height of the proposed structure. Stairs and the shared patios on the south elevation create horizontal lines to break up the height of the building. Additionally, the exterior material of the structure would vary between cedar shingles, stucco, cedar siding, stone, and concrete, which support the human scale to the building.

Consistency. *There should be architectural consistency among all building elevations. All elevations need not be identical, but a sense of overall design continuity must occur.*

Discussion: The front elevation of the proposed structure would include the most architectural details; however the remaining elevations would include some architectural detail that provide consistency throughout the exterior of the building. The north and south elevations would include patios and railings that wrap around from the front elevation. The style of the windows on the north, south, and east elevations are similar to the style of the smaller windows on the front elevation (Apartments #2 and #3).

As supported by the discussions provided above, the proposed project would not be inconsistent with the City of Pacifica's adopted Design Guidelines.

- ix. *That the proposed development is inconsistent with the General Plan, Local Coastal Plan, or other applicable laws of the City.*

Discussion: The proposed project would be consistent with the City of Pacifica's General Plan and other applicable laws of the City, as described in more detail throughout this document. The development has already obtained its Coastal Development Permit, which concludes that it is consistent with the Local Coastal Plan. The project also complies with all zoning standards and all other PMC requirements, with the exception of the proposed variance and parking exception.

- b. Variance. In order to approve the amendment of variance PV-513-14, the Planning Commission must make all of the following findings:

- i. *That because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the provisions of this chapter deprives such property of privileges enjoyed by other property in the vicinity and under an identical zoning classification;*

Discussion: The property is nearly an isosceles triangular shaped lot that has side lot lines that converge towards the rear of the property. The overlay of the Edgemar Road easement that runs along the south side of the property reduces the site to an irregular shaped area with a rear lot line that is significantly closer to the front lot line. A willow (*S. lasiolepis*) patch located in the road easement along the front lot line qualifies as sensitive habitat as defined in the Local Coastal Land Use Plan. The CCC conditioned as part of the CDP approval that the proposed development would occur outside of a 50 ft. buffer around the willow patch, which prevents development within most of the west and south portions of the lot. As a result, the development is condensed to the northern side of the lot.

The only developed property zoned R-3-G/CZ is the Dollaradio facility across the street. Other properties in similar zoning districts, including R-3 are not typically burden with so many development restrictions that reduce the amount of developable land to just one area of the property. Without the variance Apartment #3 would have approximately 35 less square feet in their private deck resulting in a 55 square foot deck, and Apartment #1 would have approximately 32 less square feet in their private deck, resulting in a 143 square foot deck. Additionally, without the variance, the private deck off of Apartment #1 would include a 1 foot wide deck on the north elevation, which would result in an approximately 11.5 foot long portion of the deck that would be 1 foot wide. This portion of the deck would not provide any practical open space area and would only provide an aesthetic benefit. The variance would provide two of the units with private open space.

- ii. *That the granting of such variance will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the subject property and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in the area;*

Discussion: The variance would allow the private decks off of Apartments #1 and #3 to project 1.5 feet beyond the allowed north side setback. The variance would provide the residents of Apartment #1 and Apartment #3 with private open space as well as provide the proposed structure with architectural details that create interest on the front and north elevations of the building.

The property to the north of the project site is a vacant, 5,400 sf, nonconforming lot that is also in the R-3-G zoning district. The encroachment of the private decks 1.5 feet into the setback would not materially adversely affect the health or safety of persons residing on the project site or possible future neighbors at the adjacent property or materially affect the value or development potential of the neighboring property.

- iii. *Where applicable, that the application is consistent with the City's adopted Design Guidelines; and*

Discussion: As discussed under section A.5.a.viii, the proposed project is consistent with the City's adopted Design Guidelines.

- iv. *If located in the Coastal Zone, that the application is consistent with the applicable provisions of the Local Coastal Plan.*

Discussion: The development has already obtained its Coastal Development Permit, which concludes that it is consistent with the Local Coastal Plan.

- c. **Parking Exception.** The Planning Commission may grant an amendment to parking exception PE-160-15 based on the following finding:

- i. *That the establishment, maintenance, and/or conducting of the off-street parking facilities as proposed are as nearly in compliance with the requirements set forth in this article as are reasonably possible.*

Discussion: The proposed development includes a parking within the require rear yard space outside of the (PMC Section 9-4.2808). The parking facilities are nearly in compliance with the requirements of the code as the garage, which is limited in size due to the development restrictions on the property, is utilized to the fullest extent for parking. Additionally, the multiple development restrictions do not provide for alternative onsite parking locations. Without the approval of this parking exception, the development would not provide the necessary parking spaces needed to be in compliance with the PMC.

The proposed development also includes a driveway proposed to be a 22-foot wide, pervious driveway to the front lot line and a 26-foot wide concrete pavement driveway from the front lot line to Palmetto Avenue. The applicants proposed a wider driveway to accommodate three point turns on site to prevent motorist from having to back onto Palmetto Ave. The driveway facilities are nearly in compliance with the requirements of the code as the driveway would have to accommodate vehicle maneuvers not typical performed on a standard driveway. Without the approval of this parking exception, the development would not provide the necessary space to allow motorists to orient their vehicles into a forward fashion while exiting the site. Condition of Approval No. 4 would

require the applicants to post “No Parking” signs along the driveway to ensure that the additional width is not used for parking.

6. CEQA Recommendation

Staff analysis of the proposed project supports a Planning Commission finding that it qualifies for a categorical exemption from the California Environmental Quality Act (CEQA). The project qualifies as a Class 3 exemption provided in Section 15303 of the CEQA Guidelines (New Construction or Conversion of Small Structures). Section 15303 states in part:

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:

(b) A duplex or similar multi-family residential structure, totaling no more than four dwelling units. In urbanized areas, this exemption applies to apartments, duplexes and similar structures designed for not more than six dwelling units.

The subject proposal to construct a four unit apartment building fits within the scope of a Class 3 categorical exemption. Specifically, the project (1) includes four units; (2) is located within the R-3-G zoning district in an area where the approved development plan authorizes multiple unit residences; and, (3) would be undertaken within an urbanized area. All areas within the City Limits of the City of Pacifica qualify as an urbanized area for the purposes of CEQA pursuant Public Resources Code Section 21071 because (1) Pacifica is an incorporated city; (2) Pacifica had a population of 37,234 persons as of the 2010 U.S. Census; and, (3) the population of Pacifica combined with the contiguous incorporated city of Daly City (population 101,123 persons as of the 2010 U.S. Census) equals at least 100,000 persons.

Additionally, none of the exceptions to application of a categorical exemption in Section 15300.2 of the CEQA Guidelines apply, as described below.

- Sec. 15300.2(a): There is no evidence in the record that the project would impact an environmental resource of hazardous or critical concern in an area designated, precisely mapped, and officially adopted pursuant to law by federal, State, or local agencies.
- Sec. 15300.2(b): There is no evidence in the record that cumulative projects of the same type would occur within the same place to create a significant cumulative impact.
- Sec. 15300.2(c): The presence of an Arroyo willow, which the CCC considers to be a wetland under a one parameter survey, is not an unusual circumstance. The California Native Plant Society, describes the Arroyo willow as “an abundant and widespread native tree or shrub that grows in northern, southern and central California” and identifies Pacifica as within its natural range⁵. Additionally, based on staff’s personal observations, Arroyo willows are common in Pacifica, particularly in the San Pedro

⁵ California Native Plant Society. 2016. Arroyo Willow. Website: [http://calscape.org/Salix-lasiiolepis-\(Arroyo-Willow\)?srchcr=sc57c996a34e156](http://calscape.org/Salix-lasiiolepis-(Arroyo-Willow)?srchcr=sc57c996a34e156). Accessed September 2, 2016.

Valley area⁶. Therefore, the presence of the Arroyo willow on site would not be considered an unusual circumstance.

- Sec. 15300.2(d) through (f): The project is not proposed near an officially designated scenic highway, does not involve a current or former hazardous waste site, and, does not affect any historical resources. Therefore, the provisions of subsections (d) through (f) are not applicable to this project.

Because the project is consistent with the requirements for a Class 3 exemption and none of the exceptions to applying an exemption in Section 15300.2 apply; therefore, there is substantial evidence in the record to support a finding that the project is categorically exempt from CEQA.

7. Staff Analysis

The numerous development restrictions on the site, including the CCC 50 ft. sensitive area buffer and the Edgemar road easement, are the dominant factors driving the design choices for the project. The limited space and area available for development pushed the development to the north side of the irregularly shaped lot. Although, the proposed development would require a variance for setback encroachments by private decks and a parking exception for parking within the required rear yard, the proposed development, as conditioned, would meet the remaining zoning standards. Given the circumstances, the applicants have proposed a project that has balanced many competing regulations and design imperatives.

8. Summary

Staff has determined that, as conditioned, the project would satisfy all zoning regulations and applicable development standards, and would be consistent with the General Plan. The project would result in a new four unit multi-family residence that is, on balance, is consistent with the City's adopted Design Guidelines. The high-quality design of the proposed development sets a positive baseline for the largely undeveloped neighborhood, which future developments would have to meet or exceed. The project would provide adequately designed housing to the city, while still preserving and restoring environmentally sensitive areas. Thus, staff recommends approval of the project subject to the conditions in Exhibit B of the Resolution.

B. COMMISSION ACTION

MOTION FOR APPROVAL:

Move that the Planning Commission find the project is exempt from the California Environmental Quality Act; **APPROVE** amendment to Site Development Permit PSD-790-14; Variance PV-513-14; and Parking Exception PE-160-15 by adopting the attached resolution, including conditions of approval in Exhibit B; and, incorporate all maps and testimony into the record by reference.

Attachments:

- A. Land Use and Zoning Exhibit
- B. Draft Resolution and Conditions for Site Development Permit, Variance, and Parking Exception Approval
- C. Site Plan, Floor Plan, Elevations, and Landscape Plan

⁶ San Pedro Creek Watershed Coalition. 2016. Plants. Website: <http://www.pedrocreek.org/plants.html>. Accessed September 2, 2016.

- D. California Coastal Commission Notice of Intent to Issue a Permit (Application No. A-2-PAC-15-0046)
- E. Alternative Garage Design
- F. Three point turn template
- G. City of Pacifica Planning Commission Agenda, Staff Report, and Meeting Minutes for April 6, 2015

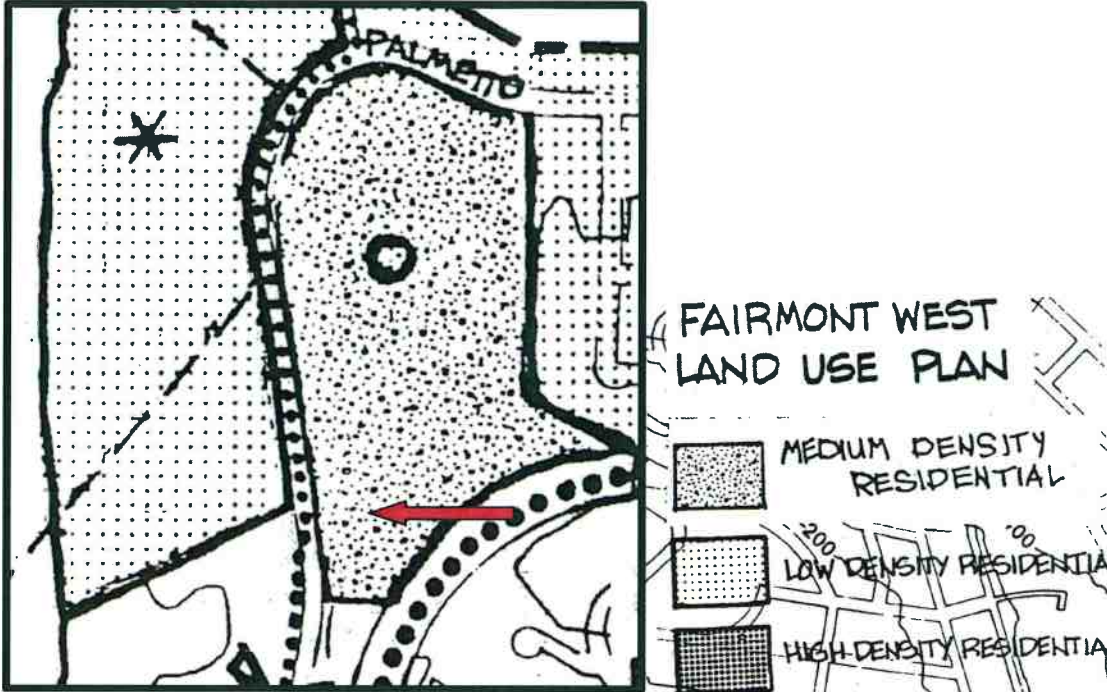
Land Use & Zoning Exhibit

City of Pacifica Planning Department

General Plan Diagram

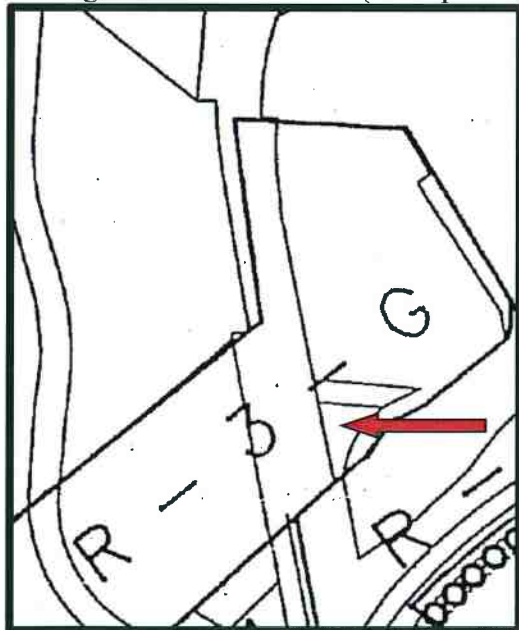
Neighborhood: Fairmont

Land Use Designation: Medium Density Residential



Zoning Map Diagram

Zoning District: R-3-G/CZ (Multiple Family Residential Garden District/Coastal Zone)



RESOLUTION NO _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PACIFICA APPROVING AMENDMENT TO SITE DEVELOPMENT PERMIT PSD-790-14; VARIANCE PV-513-14 AND PARKING EXCEPTION PE-160-15, SUBJECT TO CONDITIONS, FOR A FOUR UNIT APARTMENT BUILDING AT 4009 PALMETTO AVENUE (APN 009-402-270), AND FINDING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA).

Initiated by: David Blackman and Mike O'Connell ("Applicant").

WHEREAS, the Planning Commission approved, with conditions, Site Development Permit PSD-790-14, Coastal Development Permit CDP-347-14, Variance PV-513-14, and Parking Exception PE-160-15 for the applicant's proposed development of four detached studio apartments and carport on the project site (Resolution Nos. 914, 915, 916, and 917 respectively) at a regularly scheduled Planning Commission meeting on April 6, 2015; and

WHEREAS, an appeal was filed by the public to the City Council in opposition to the Planning Commission's action on April 15, 2015; and

WHEREAS, the City Council denied the appeals and upheld the Planning Commission's conditional approvals of PSD-790-14, CDP-347-14, PV-513-14, and PE-160-15 (Resolution No. 20-2015) on June 22, 2015; and

WHEREAS, an appeal was filed by the public to the California Coastal Commission (CCC) in opposition to the local decision of CDP-347-14 on July 10, 2015; and

WHEREAS, the applicant provided additional information and redesigned the development to the three-story, four-unit apartment building and the CCC approved with conditions, the revised development on April 13, 2016 (Application No. A-2-PAC-15-0046); and

WHEREAS, consistent with the CCC approval, an application has been submitted to amend Site Development Permit PSD-790-14, Variance PV-513-14, and Parking Exception PE-160-15 to construct a three-story, 3,169 square foot apartment building comprised of four dwelling units on the top two floors and an attached ground floor garage at 4009 Palmetto Avenue (APN: 009-402-270); and

WHEREAS, the project requires a Site Development Permit because the project includes new development within the R-3-G (Multiple Family Residential Garden District) zoning district; and

WHEREAS, the project requires a Variance because the project includes private decks that encroach into the side setback beyond the allowed distance stated in PMC Section 9-4.2703; and

WHEREAS, the project requires a Parking Exception because the project includes parking in the required rear yard (PMC Section 9-4.2808) and a driveway that exceeds the allowable width per PMC Section 9-4.2813(c)(4); and

WHEREAS, the Planning Commission of the City of Pacifica did hold a duly noticed public hearing on September 6, 2016 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.
3. The Project is categorically exempt from the requirements of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines 15303(b) (14 Cal. Code Regs. §15301) and therefore directs staff to file a Notice of Exemption for the Project.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica does hereby not make the following findings pertaining to Site Development Permit PSD-790-14 for new construction within the R-3-G zoning district:

- a. Site Development Permit. In order to approve the amendment of site development permit PSD-790-14, the Planning Commission must not make any of the nine findings required by PMC Sections 9-4.3204(a). The following discussion supports the Commission’s findings in this regard.
 - i. *That the location, size, and intensity of the proposed operation will create a hazardous or inconvenient vehicular or pedestrian traffic pattern, taking into account the proposed use as compared with the general character and intensity of the neighborhood;*

Discussion: The size and intensity of the proposed operation would not create a hazardous or inconvenient vehicular or pedestrian traffic pattern because the site is located in a multi-family residential district and the development would provide a driveway and all of the required off-street parking which would prevent residents and visitors from having to park on the street. The development would provide a driveway adequate for motorists use while waiting to enter and exit the structure. The driveway would provide a turnaround location to allow for all traffic, particularly the cars parked in the most eastern parking spots, to egress in a forward fashion.

The proposed development is located in an area that does not provide pedestrian facilities along the street. Condition of Approval No. 15 would require the applicant to install a sidewalk along the front lot line of the property once the adjacent properties to the north are developed. In the meantime, parking availability on the street is abundant and visitors would be able to park wherever they are most comfortable parking and exiting their vehicle in relation to the passing traffic.

- ii. *That the accessibility of off-street parking areas and the relation of parking areas with respect to traffic on adjacent streets will create a hazardous or inconvenient condition to adjacent or surrounding uses;*

Discussion: As discussed above, the development would provide a driveway and all of the required off-street parking which would prevent residents and visitors from having to park on the street. The development would provide a driveway adequate for motorists use while waiting to enter and exit the structure. The driveway would provide a turnaround location to allow for all traffic, particularly the cars parked in the most eastern parking spots, to egress in a forward fashion.

- iii. *That insufficient landscaped areas have been reserved for the purposes of separating or screening service and storage areas from the street and adjoining building sites, breaking up large expanses of paved areas, and separating or screening parking lots from the street and adjoining building areas from paved areas to provide access from buildings to open areas;*

Discussion: Sufficient landscaped areas are provided around building and throughout the subject site that are available. No storage areas or large expanses of paved areas are proposed other than the required driveway. Each of the units will have private deck area and access to landscaping around the units. A total of 78 percent of the lot would be landscaped.

- iv. *That the proposed development, as set forth on the plans, will unreasonably restrict or cut out light and air on the property and on other property in the neighborhood, or will hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof;*

Discussion: The private decks off of Apartment #1 and #3 would project 1.5 feet beyond the require setback on the north side. This exceedance of the setback would not restrict light or air on the project site or adjacent properties, or discourage the appropriate development and use or values of land and buildings in the neighborhood. The remaining portions of the proposed project would meet all setback requirements.

- v. *That the improvement of any commercial or industrial structure, as shown on the elevations as submitted, is substantially detrimental to the character or value of an adjacent R District area;*

Discussion: The proposed development would not include any commercial or industrial structure. Therefore, this finding is not applicable to the subject project.

- vi. *That the proposed development will excessively damage or destroy natural features, including trees, shrubs, creeks, and rocks, and the natural grade of the site, except as provided in the subdivision regulations as set forth in Chapter 1 of Title 10 of this Code;*

Discussion: Without adequate review and approval by the City, two project elements could result in damage or destruction of natural features. First, grading at the site would reduce or eliminate some sloped areas to allow construction of the structure and driveway. The grading would result in construction of retaining walls. However, the approximately 15 percent slope in question is not visually prominent within the surrounding area. Second, unregulated removal of Heritage Trees can damage or destroy natural features in a neighborhood. However, the permit process in place for consideration of Heritage Tree removal ensures that such removal would not result in

damage or destruction of natural features unless justified to preserve the health and safety of nearby property owners and occupants. The property adjacent to the north of the project site has a heritage tree with a dripline within the proposed development area. A Heritage Tree permit would be required for development with the dripline of the heritage tree.

Because the City would review grading plans to ensure slope stability, because on-site grading does not involve prominent or scenic slopes, and because the City would review Heritage Tree removal permit for the site based on a site inspection to determine tree health and proposed project is designed to avoid the identified wetland near the front of the property, therefore, the project would not result in excessive damage or destruction of natural features.

- vii. *That there is insufficient variety in the design of the structure and grounds to avoid monotony in the external appearance;*

Discussion: The applicant is proposing the use of various exterior materials throughout the building, including cedar shingles and siding, concrete, stucco, and stone tiles. Architectural features such as roof lines, decks and patios provide interesting and varying projections to the front the south side elevations to the building. The materials would be various earth and natural tones that change with the types of materials proposed.

The proposed landscaping would maintain the existing topography within the willow 50-foot buffer and would provide a mix of four different plant species, in addition to the planting of six coastal live oak trees. There is sufficient variety in the design of the structure and grounds to avoid monotony in the external appearance.

- viii. *That the proposed development is inconsistent with the City's adopted Design Guidelines;
or*

Discussion: Staff's assessment of the project is that the proposed improvements at the site are consistent with the City's adopted Design Guidelines. Major areas of project consistency with the Design Guidelines include the following (Design Guidelines guidance followed by staff discussion):

Site Planning: *Locate site improvement such as buildings and walkways to take advantage of desirable site features. Buildings should be oriented to capitalize on views of hills and ocean. Site improvements should be designed to work with the site features. Lot grading should be minimized and disruption of natural features such as trees, ground forms, rocks, and water courses should be avoided.*

Discussion: Each apartment would have full ocean view out of the windows on the western elevation of the building and partial ocean views out of the windows on the northern or southern side elevations. Grading would be limited to the area necessary for the structure and its impact on natural features is further discussed above under a.vi.

Parking: *The visual impact of parking areas should be minimized when appropriate to the site by locating parking areas to rear or side of the property, rather than along*

street frontages.

Discussion: Parking would be placed within a ground floor garage or in an extended parking area in the rear of the property. A garage door and retaining wall would block public view of parking areas.

Scale. Scale is the measure of the relationship of the relative overall size of the one structure with one or more other structures. A development can be out of scale with its surroundings due to its relative height, bulk, mass, or density.

Discussion: Comparable structures in the area are limited to the three-story Pacific Point condominiums, which are located uphill from the proposed structure, and Pacific View Villas which are located southwest of the proposed project on Palmetto and located on a downhill slope. Pacific Point does not provide a good comparison due to the distance and from the proposed project and the different vantage point. Although the Pacific View Villas includes two and three story buildings, due to the down sloping lot, the profile of the buildings appear much smaller and do not serve as an adequate comparison for the project site. Without any comparable structures, the proposed project would not be out of scale with its surroundings. The proposed project meets the height, coverage, and density standards with its zoning and land use designation.

Details. Use architectural features and details to help create a sense of human scale. Wall insets, balconies, window projections, etc., are examples of building elements which may help reduce the scale of larger buildings.

Discussion: The proposed project would incorporate a variety of architectural details along the front, north and south elevations visible from Palmetto Avenue to create a sense of human scale. Balconies throughout the front elevation and details simulating rooflines above the windows on the second floor of the front elevation break up the total height of the proposed structure. Stairs and the shared patios on the south elevation create horizontal lines to break up the height of the building. Additionally, the exterior material of the structure would vary between cedar shingles, stucco, cedar siding, stone, and concrete, which support the human scale to the building.

Consistency. There should be architectural consistency among all building elevations. All elevations need not be identical, but a sense of overall design continuity must occur.

Discussion: The front elevation of the proposed structure would include the most architectural details; however the remaining elevations would include some architectural detail that provide consistency throughout the exterior of the building. The north and south elevations would include patios and railings that wrap around from the front elevation. The style of the windows on the north, south, and east elevations are similar to the style of the smaller windows on the front elevation (Apartments #2 and #3).

As supported by the discussions provided above, the proposed project would not be inconsistent with the City of Pacifica's adopted Design Guidelines.

- ix. *That the proposed development is inconsistent with the General Plan, Local Coastal Plan, or other applicable laws of the City.*

Discussion: The proposed project would be consistent with the City of Pacifica's General Plan and other applicable laws of the City, as described in more detail throughout this document. The development has already obtained its Coastal Development Permit, which concludes that it is consistent with the Local Coastal Plan. The project also complies with all zoning standards and all other PMC requirements, with the exception of the proposed variance and parking exception.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica does hereby make the following findings pertaining to Variance PV-513-14 for the encroachment of private decks within the side setback.

- i. *That because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the provisions of this chapter deprives such property of privileges enjoyed by other property in the vicinity and under an identical zoning classification;*

Discussion: The property is nearly an isosceles triangular shaped lot that has side lot lines that converge towards the rear of the property. The overlay of the Edgemar Road easement that runs along the south side of the property reduces the site to an irregular shaped area with a rear lot line that is significantly closer to the front lot line. A willow (*S. Iasirolepis*) patch located in the road easement along the front lot line qualifies as sensitive habitat as defined in the Local Coastal Land Use Plan. The CCC conditioned as part of the CDP approval that the proposed development would occur outside of a 50 ft. buffer around the willow patch, which prevents development within most of the west and south portions of the lot. As a result, the development is condensed to the northern side of the lot.

The only developed property zoned R-3-G/CZ is the Dollaradio facility across the street. Other properties in similar zoning districts, including R-3 are not typically burden with so many development restrictions that reduce the amount of developable land to just one area of the property. Without the variance Apartment #3 would have approximately 35 less square feet in their private deck resulting in a 55 square foot deck, and Apartment #1 would have approximately 32 less square feet in their private deck, resulting in a 143 square foot deck. Additionally, without the variance, the private deck off of Apartment #1 would include a 1 foot wide deck on the north elevation, which would result in an approximately 11.5 foot long portion of the deck that would be 1 foot wide. This portion of the deck would not provide any practical open space area and would only provide an aesthetic benefit. The variance would provide two of the units with private open space.

- ii. *That the granting of such variance will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the subject property and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in the area;*

Discussion: The variance would allow the private decks off of Apartments #1 and #3 to project 1.5 feet beyond the allowed north side setback. The variance would provide the residents of Apartment #1 and Apartment #3 with private open space as well as provide the proposed structure with architectural details that create interest on the front and north elevations of the building.

The property to the north of the project site is a vacant, 5,400 sf, nonconforming lot that is also in the R-3-G zoning district. The encroachment of the private decks 1.5 feet into the setback would not materially adversely affect the health or safety of persons residing on the project site or possible future neighbors at the adjacent property or materially affect the value or development potential of the neighboring property.

- iii. *Where applicable, that the application is consistent with the City's adopted Design Guidelines; and*

Discussion: As discussed under Section above, the proposed project is consistent with the City's adopted Design Guidelines.

- iv. *If located in the Coastal Zone, that the application is consistent with the applicable provisions of the Local Coastal Plan.*

Discussion: The development has already obtained its Coastal Development Permit, which concludes that it is consistent with the Local Coastal Plan.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica does hereby make the following findings pertaining to Parking Exception PE-160-15 for parking in the rear setback and a driveway width that exceeds 20 feet:

- i. *That the establishment, maintenance, and/or conducting of the off-street parking facilities as proposed are as nearly in compliance with the requirements set forth in this article as are reasonably possible.*

Discussion: The proposed development includes parking within the rear yard (PMC Section 9-4.2808). The parking facilities are nearly in compliance with the requirements of the code as the garage, which is limited in size due to the development restrictions on the property, is utilized to the fullest extent for parking. Additionally, the multiple development restrictions do not provide for alternative onsite parking locations. Without the approval of this parking exception, the development would not provide the necessary parking spaces needed to be in compliance with the PMC.

The proposed development also includes a driveway proposed to be a 22-foot wide, pervious driveway to the front lot line and a 26-foot wide concrete pavement driveway from the front lot line to Palmetto Avenue. The applicant proposed a wider driveway to accommodate three point turns on site to prevent motorist from having to back onto Palmetto Ave. The driveway facilities are nearly in compliance with the requirements of the code as the driveway would have to accommodate vehicle maneuvers not typical performed on a standard driveway. Without the approval of this parking exception, the

development would not provide the necessary space to allow motorists to orient their vehicles into a forward fashion while exiting the site. Condition of Approval No. 4 would require the applicant to post “No Parking” signs along the driveway to ensure that the additional width is not used for parking.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica does hereby make the following findings pertaining to the project:

1. That the project is exempt from CEQA as a Class 3 exemption provided in Section 15303 of the CEQA Guidelines. Section 15303 states in part:

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 of this exemption include but are not limited to:

- (b) A duplex or similar multi-family residential structure, totaling no more than four dwelling units. In urbanized areas, this exemption applies to apartments, duplexes and similar structures designed for not more than six dwelling units.

In this case, the project involves construction of a four unit apartment building. All areas within the City Limits of the City of Pacifica qualify as an urbanized area for the purposes of CEQA pursuant Public Resources Code Section 21071 because (1) Pacifica is an incorporated city; (2) Pacifica had a population of 37,234 persons as of the 2010 U.S. Census; and, (3) the population of Pacifica combined with the contiguous incorporated city of Daly City (population 101,123 persons as of the 2010 U.S. Census) equals at least 100,000 persons. Therefore, the project is exempt from further analysis under CEQA.

Additionally, none of the exceptions to application of a categorical exemption in Section 15300.2 of the CEQA Guidelines apply, as described below.

- Sec. 15300.2(a): There is no evidence in the record that the project would impact an environmental resource of hazardous or critical concern in an area designated, precisely mapped, and officially adopted pursuant to law by federal, State, or local agencies.
- Sec. 15300.2(b): There is no evidence in the record that cumulative projects of the same type would occur within the same place to create a significant cumulative impact.
- Sec. 15300.2(c): The presence of an Arroyo willow, which the CCC considers to be a wetland under a one parameter survey, is not an unusual circumstance. The California Native Plant Society, describes the Arroyo willow as “an abundant and widespread native tree or shrub that grows in northern, southern and central California” and identifies Pacifica as within its natural range. Additionally, based on staff’s personal observations, Arroyo willows are

common in Pacifica, particularly in the San Pedro Valley area. Therefore, the presence of the Arroyo willow on site would not be considered an unusual circumstance.

- Sec. 15300.2(d) through (f): The project is not proposed near an officially designated scenic highway, does not involve a current or former hazardous waste site, and, does not affect any historical resources. Therefore, the provisions of subsections (d) through (f) are not applicable to this project.

Because the project is consistent with the requirements for a Class 3 exemption and none of the exceptions to applying an exemption in Section 15300.2 apply; therefore, there is substantial evidence in the record to support a finding that the project is categorically exempt from CEQA.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of Pacifica does hereby approve Site Development Permit PSD-790-14, Variance PV-513-14, and Parking Exception PE-160-15 to construct a three-story, 3,169 square foot apartment building comprised of four dwelling units on the top two floors and an attached ground floor garage at 4009 Palmetto Avenue (APN: 009-402-270), subject to conditions of approval included as Exhibit A to this resolution.

* * * * *

Passed and adopted at a regular meeting of the Planning Commission of the City of Pacifica, California, held on the 6th day of September 2016.

AYES, Commissioner:

NOES, Commissioner:

ABSENT, Commissioner:

ABSTAIN, Commissioner:

Josh Gordon, Chair

ATTEST:

APPROVED AS TO FORM:

Tina Wehrmeister, Planning Director

Michelle Kenyon, City Attorney

Exhibit A

CONDITIONS OF APPROVAL: SITE DEVELOPMENT PERMIT PSD-790-14; VARIANCE PV-513-14 AND PARKING EXCEPTION PE-160-15, SUBJECT TO CONDITIONS, FOR A FOUR UNIT APARTMENT BUILDING AT 4009 PALMETTO AVENUE (APN 009-402-270)

Planning Commission Meeting of September 6, 2016

Planning Division of the Planning Department

1. Development shall be substantially in accord with the plans entitled "Ocean Shore Apt. 4000 Palmetto, Pacifica, CA," dated June 15, 2016, except as modified by the following conditions.
2. The site development permit and variance permit approval is valid for a period of one year 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 or Planning Commission 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.
3. The applicant shall incorporate the three-point turn area revision shown in Attachment F of the September 6, 2016 Staff Report to the Planning Commission into the design of the development.
4. Prior to occupancy, the applicant shall post "No Parking" signs along the driveway. The applicant shall post signs along the driveway directing motorists to not back on Palmetto Avenue when egressing the property.
5. All outstanding and applicable fees associated with the processing of this project shall be paid prior to the issuance of a building permit.
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. The Applicant shall obtain a Heritage Tree Permit prior to any construction within the dripline of a heritage tree as defined in PMC Section 4-12.02.
8. Roof drains shall discharge and drain away from the building foundation to an unpaved area wherever possible.
9. No wastewater (including equipment cleaning wash water, vehicle wash water, cooling water, air conditioner condensate, and floor cleaning washwater) shall be discharged to the storm drain system, the street, or gutter.
10. The property owner(s) shall keep the property in a clean and sanitary condition at all times.

11. All required stormwater controls for development shall be met by the proposal.
12. Prior to issuance of building permit, the applicant shall incorporate into the building permit plans all the recommendations listed in the Engineering Geologic Site Review prepared by Earth Investigation Consultants on August 23, 2014, including but not limited to detailed, design level geotechnical investigation.
13. 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, but excluding any approvals governed by California Government Code Section 66474.9. 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.

Building Division of the Planning Department

14. The project requires review and approval of a building permit by the Building Official. Applicant shall apply for and receive approval of a building permit prior to commencing any construction activity.

Engineering Division of Public Works Department

15. Property Owner shall, at his/her sole expense, construct a sidewalk along the entire property frontage of the property subject to this approval (APN 009-402-270) per City of Pacifica standard drawings and specifications, and to the satisfaction of the City Engineer. Prior to commencement of any work require by this condition of approval, Owner shall apply for an encroachment permit with Engineering Division and pay all fees and bond costs associated with any work within the right-of-way. This obligation to construct a sidewalk may be deferred through a Deferred Sidewalk Installation Agreement, which shall be approved by the City Attorney and executed, notarized and recorded on the Property by the Applicant/Owner prior to issuance of a building permit for any work at the project subject to this approval (APN 009-402-270). The Deferred Sidewalk Installation Agreement may condition sidewalk construction on final inspection conducted by any City inspector of any future development at the adjacent "Bowl" site (APN 009-402-260).
16. Construction shall be in conformance with the San Mateo Countywide Storm Water Pollution Prevention Program. Best Management Practices shall be implemented, and the construction BMPs plans sheet from the Countywide program shall be included in the project plans.
17. Roadways shall be maintained clear of construction materials, equipment, storage, and debris, especially mud and dirt tracked onto Palmetto Avenue. Dust control and daily road cleanup will be

- strictly enforced. A properly signed no-parking zone may be established during normal working hours only.
18. Existing curb, sidewalk or other street improvements adjacent to the property frontage that are damaged or displaced shall be repaired or replaced as determined by the City Engineer even if damage or displacement occurred prior to any work performed for this project.
 19. 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 occupancy of the first unit.
 20. Applicant shall submit to Engineering Division the construction plans and necessary reports and engineering calculations for all on-site and off-site improvements to the satisfaction of the City Engineer. Such plans and reports shall include but are not limited to:
 - a. an accurate survey plan, showing:
 - i. survey marks and identifying the reference marks or monuments used to establish the property lines;
 - ii. property lines labeled with bearings and distances;
 - iii. edge of public right-of-way;
 - iv. any easements on the subject property
 - b. a site plan, showing:
 - i. the whole width of right-of-way of Palmetto Avenue, including existing and proposed improvements such as, but not limited to, pavement overlay, under-sidewalk drain, driveway approach, sidewalk, curb & gutter, existing underground utilities and trenches for proposed connections, boxes for underground utility connections and meters, existing power poles and any ground-mounted equipment, street monuments, any street markings and signage;
 - ii. the slope of Palmetto Avenue at the centerline;
 - iii. adjacent driveways within 25' of the property lines
 - iv. any existing fences, and any structures on adjacent properties within 10' of the property lines.
 - c. All plans and reports must be signed and stamped by a California licensed professional.
 - d. All site improvements including utilities and connections to existing mains must be designed according to the City Standards and to the satisfaction of the City Engineer.
 21. An Encroachment Permit must be obtained for all work within public right-of-way. All proposed improvements within public right-of-way shall be constructed per City Standards.
 22. No private structures, including but not limited to walls or curbs, fences, mailboxes, or stairs shall encroach into the public right-of-way.
 23. All utilities shall be installed underground.
 24. All proposed sanitary sewer system and storm drain system elements, including detention facilities, shall be privately maintained up to their connections to the existing mains.

25. The driveway approach must be ADA compliant with no more than 2% cross slope for a width of at least 48 inches.
26. The existing street pavement shall be cold-planed (ground) to a depth of 2" across the entire frontage of the property and out to the centerline of Palmetto Avenue, or to the extent of the longest utility trench if beyond the centerline, and an overlay of Caltrans specification ½" Type 'A' hot mix asphalt concrete shall be placed. If, in the opinion of the City Engineer, damage to the pavement during construction is more extensive, a larger area may have to be ground & overlaid.
27. A registered professional shall provide hydrology calculations based on a 100-year storm for the project to determine the size of all proposed storm drain facilities and the impact on the existing system (storm drains, creeks, and waterways). If the calculations reveal that the city system would be negatively impacted, those impacts shall be mitigated to the satisfaction of the City Engineer.

Wastewater Department

28. Prior to issuance of a building permit, Applicant shall provide location of and size of sewer lateral appurtenances and city standard and specifications.

North County Fire Authority

29. Fire Sprinklers are required are required per PMC.
30. Applicant shall submit on a separate permit, or in conjunction with fire sprinkler submittal, underground supply mains. The plans shall be submitted to North Coast County Water District and approved by them prior to issuance of building permit.
31. Applicant shall provide a fire alarm detection system in compliance with 2013 CFC Chapter 9 section 907.
32. Applicant shall provide a horn/strobe on the address side of the building in compliance with 2013 CFC Chapter 9, section 903.4 to 903.4.2.
33. Applicant shall install clearly visible, illuminated address identification in compliance with 2013 CFC Chapter 5, Section 505.1 and 2.
34. Applicant shall provide a fire flow report from North Coast County Water District showing a flow in compliance with Table B105.
35. Applicant shall provide fire hydrants with hydrant location and spacing per 2013 CFC Appendix C Table C105.1 as determined by fire-flow of the building.
36. Applicant shall provide fire apparatus access requirements per 2013 CFC Appendix D for fire apparatus access requirements and extend to within 50 ft. of at least one exterior door that provides access to the interior of the building and to within 150 ft. of all portions of the building on the first floor. Surface to be all weather asphalt or concrete to comply with 2013 CFC Appendix D section D102.1 (reference standard NFPA 5000-7.1.5.2.2.1).
37. Applicant shall not begin construction without approved plans and a permit onsite at all times.

38. Applicant shall comply with Fire Apparatus Access per 2013 CFC Chapter 5 Fire Service Features, 501.4 for Fire Apparatus Access Roads and Water supply.
39. Applicant shall provide fire extinguishers as required in 2013 CFC Portable Fire Extinguishers 906.1 for the occupancy of the building.
40. Applicant shall conform to 2013 CFC Chapter 33 sections 3301 through 3317 regarding fire safety during construction.

END

Ocean Shore Apartments

Project Information

Project Description:

New residential building on an existing vacant lot in Pacifica, CA. Wood framed, three stories, 4 apts, 2/1 one bedroom, 1/1 one bedroom, 31 / studio with a common rest room.

Project Address:

4000 Palmetto Ave Pacifica, CA

Designer:

DB Construction Inc., 375 North Ave Pacifica, CA

Engineer:

Mike O'Connell Design Pacifica, CA

Code Notes

Type of Occupancy:

R2 / U

Construction Type:

VB

Number of Stories:

3

Work to conform to:

2019 UPC, CBC, CBC, CPC, UMC, UBC, 2019 Eureka code, 2019 CAB.

Data

Zoning / General Plan:

RSO - Multi-family residential / Coastal Zone / Medium Density Residential

Number of units:

4 units min. / 6 unit max. per Coastal S / General Plan

Lot Size:

15,411 sq.ft. existing
4,600 sq.ft. per unit

Foot Print:

Building 2454 sq.ft. (15%)
Handicap accessible (one unit - stairs)
15'4" sq.ft. (8%)
Landscaping 11,356 sq.ft. (75%)

Setbacks:

Front (West) = 15'
Rear (East) = 64'
Side (North) = 9'
Total Side Setback = 2.5'
15' min. required
20' min. required
5' min. required
4' min. required / Various required

Apt 1 & 3 size

1 bedroom / 2 bath Apt - 1170 sq.ft. living

Apt 2 & 4 size

2 bedroom / 2 bath Apt - 1470 sq.ft. living

Total Living Space:

4620 sq.ft.

Building Height:

30 ft.

Parking

2 / one bedroom apt. require 2.2 = 4
2 / one bedroom apt. require 2.15 = 5
street parking = 1
5 total parking spots proposed
5 min. required



Vicinity Map



Drawing Index

- A1 Cover and Data
- A2 General Floorplan
- A3 2nd Floor Apts 1&2
- A4 3rd Floor Apts 2&4
- A5 Elevations



No.	Description	Date

Ocean Shore Apt. 4000 Palmetto Pacifica, CA	
Project Number	Cover
Date	June 16, 2019
Drawn by	Author
Checked by	Checked
A1	



No.	Description	Date

Ocean Shore Apt.
4000 Palmetto
Pacifica, CA

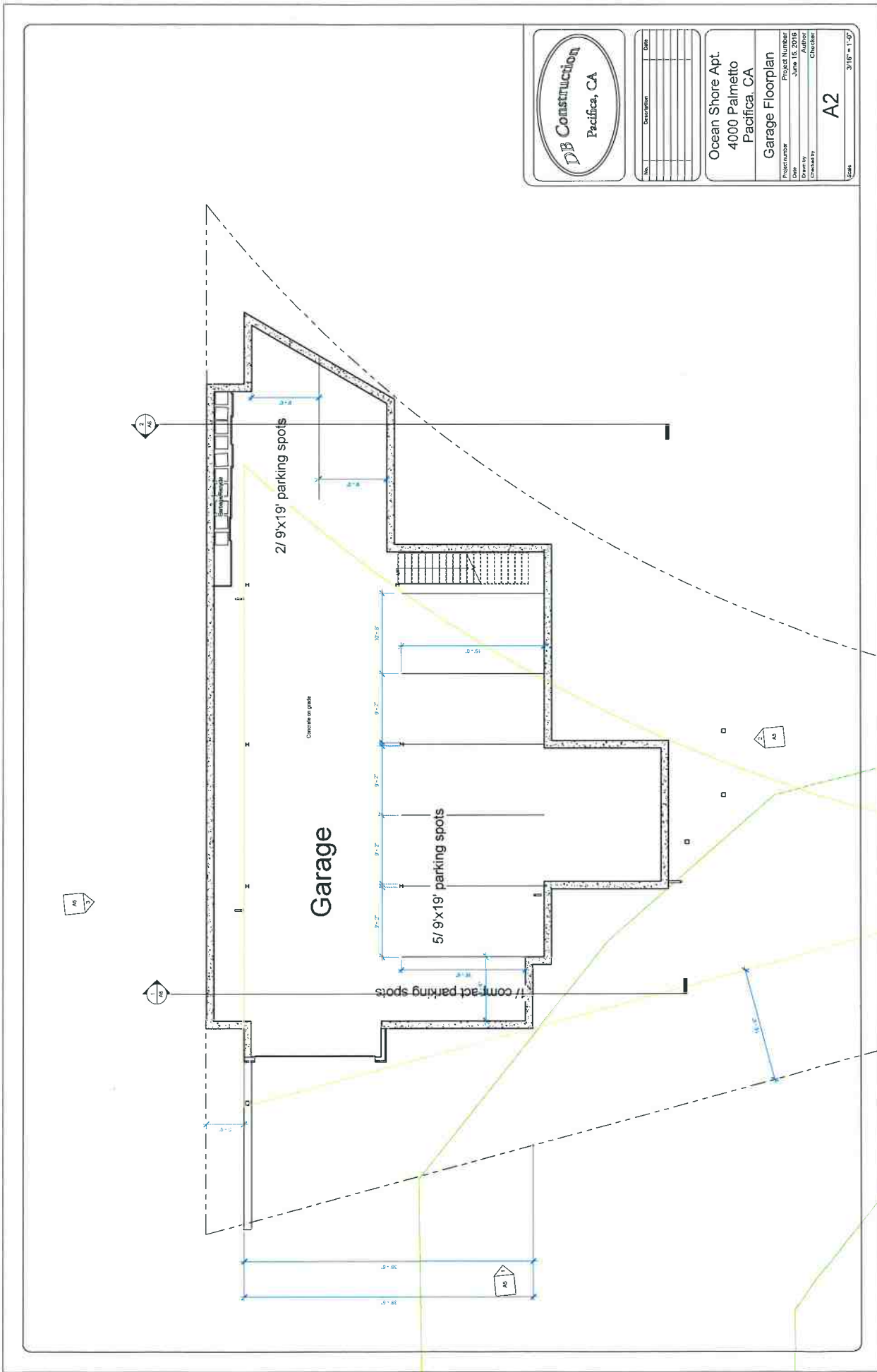
Garage Floorplan

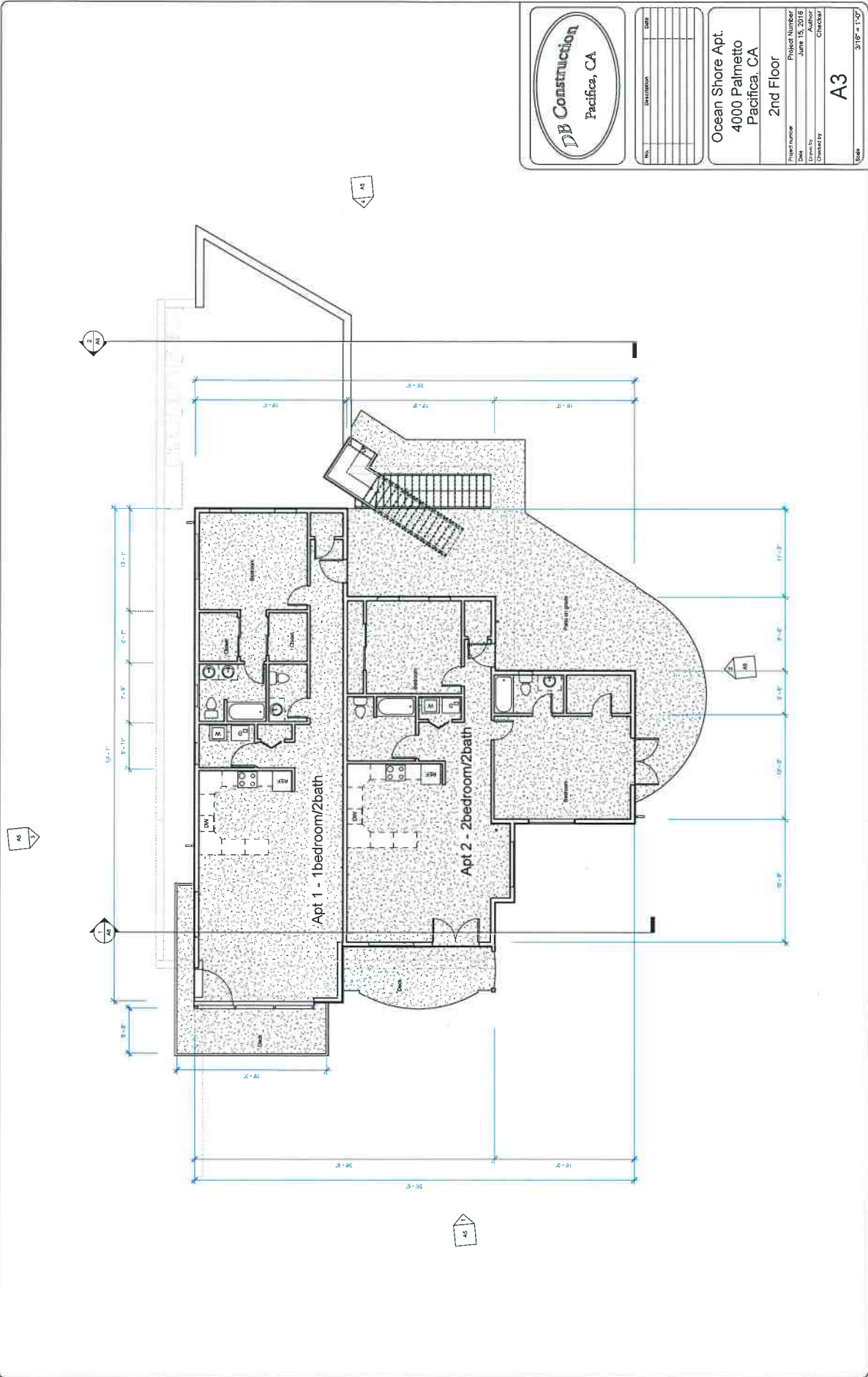
Project Number
June 15, 2018

Date
Author
Checked by
Checker

A2

Scale
3/16" = 1'-0"





No.	Description	Date

Ocean Shore Apt.
 4000 Palmetto
 Pacifica, CA
 2nd Floor

Project Number
 June 15, 2016
 Author
 Checked by
 Checker

A3

Scale
 3/16" = 1'-0"

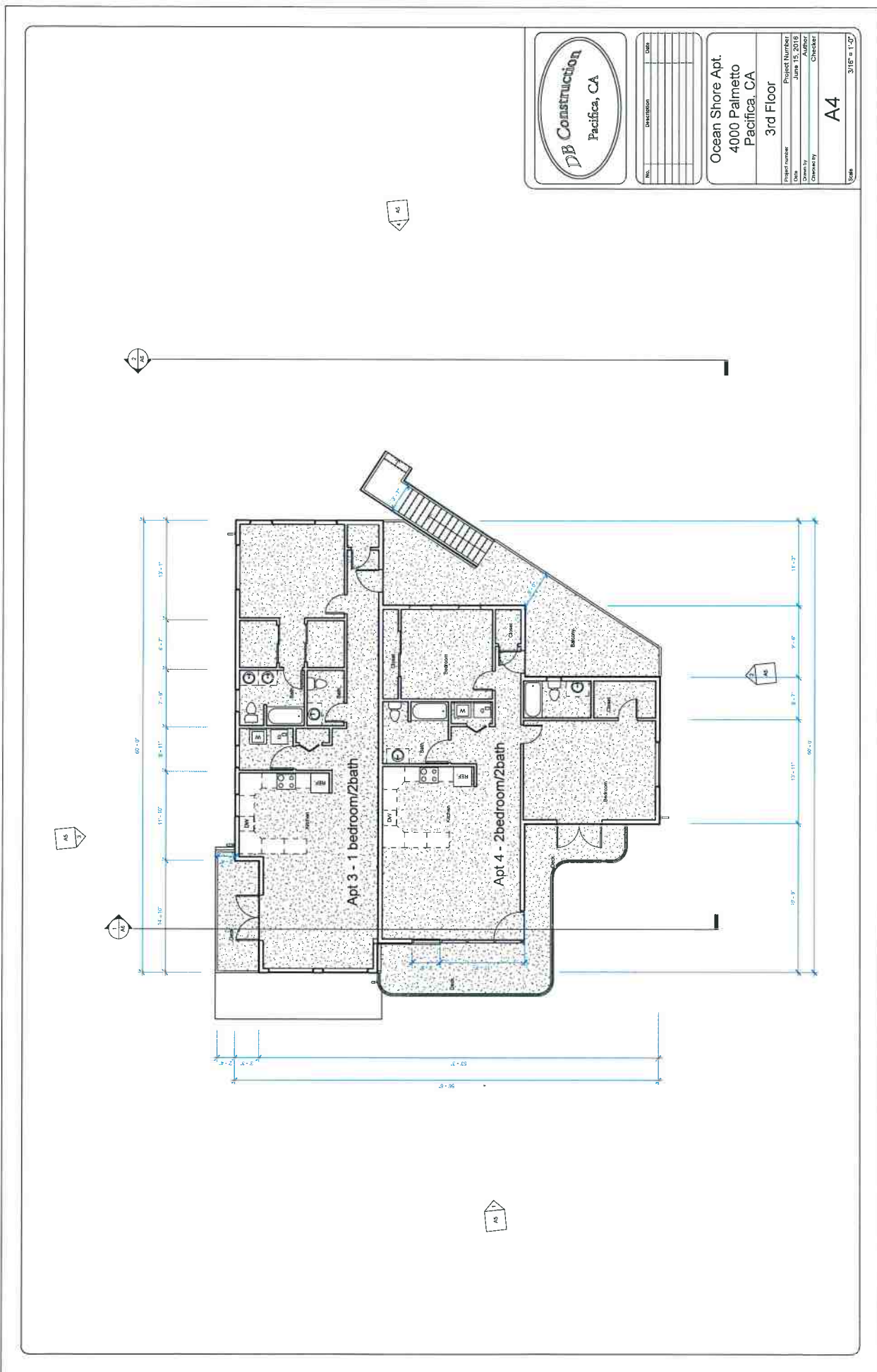


No.	Description	Date

Ocean Shore Apt.
4000 Palmetto
Pacifica, CA
3rd Floor

Project Number
June 15, 2018
Drawn by
Checked by
Author
Checker

Scale
3/16" = 1'-0"

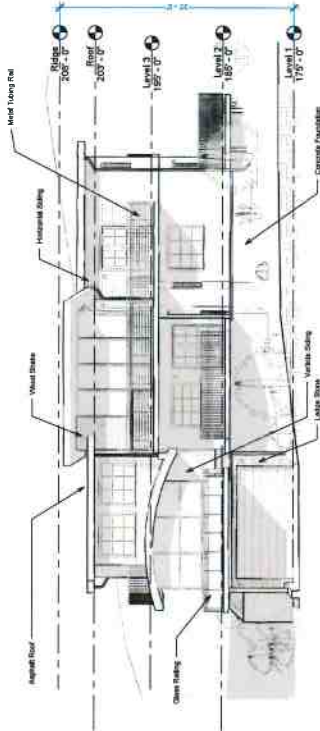


No.	Description	Date

Ocean Shore Apt.
4000 Palmetto
Pacifica, CA
3rd Floor

Project Number
June 15, 2018
Drawn by
Checked by
Author
Checker

Scale
3/16" = 1'-0"



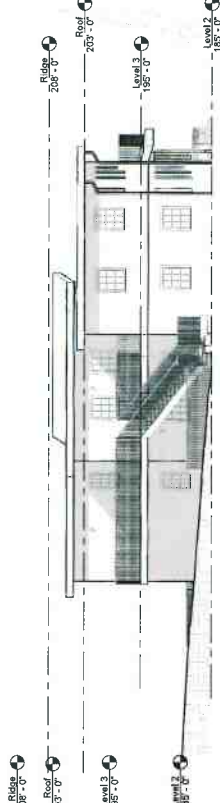
① West
1/8" = 1'-0"



② South
1/8" = 1'-0"



③ North
1/8" = 1'-0"



④ East
1/8" = 1'-0"



No.	Description	Date

Ocean Shore Apt.
4000 Palmetto
Pacifica, CA

Elevations

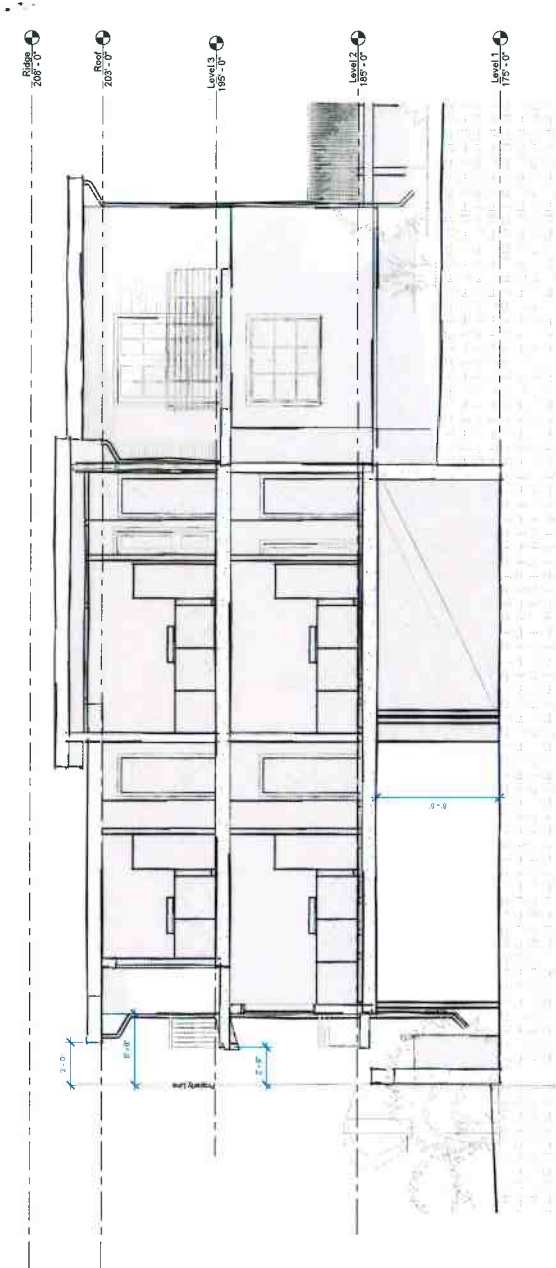
Project Number
June 15, 2018

Drawn by
Blackburn

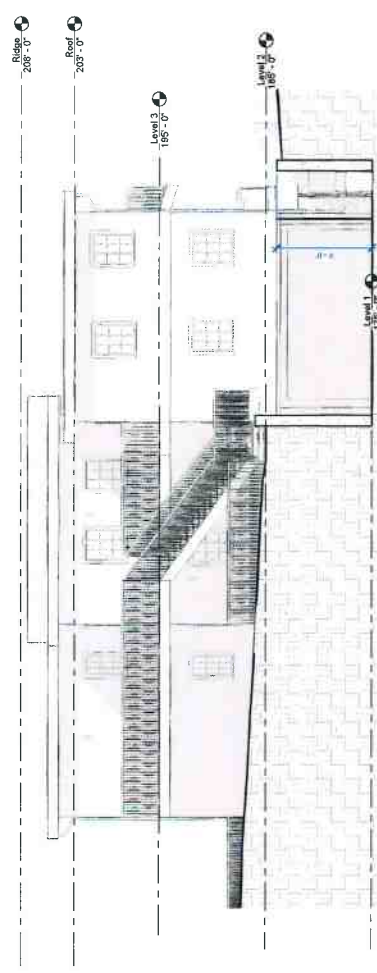
Checked by

Scale
1/8" = 1'-0"

A5



① Subgrade
1/4" = 1'-0"



② Rear Parking
3/16" = 1'-0"

No.	Description	Date

Ocean Shore Apt.
4000 Palmetto
Pacifica, CA

Sections

Project Number	June 15, 2016
Drawn by	Author
Checked by	Checker

A6

Scale: As Indicated

SCHEMATIC IMPROVEMENT PLANS 4551, 4555, 4559, 4561 PALMETTO AVENUE CITY OF PACIFICA, SAN MATEO COUNTY, CALIFORNIA

SHEET INDEX

- C1.01 TITLE SHEET
- C1.02 EXISTING CONDITIONS
- C1.03 GRADING, DRAINAGE, AND UTILITY PLAN
- C1.04 EROSION CONTROL PLAN
- C1.05 EROSION CONTROL DETAILS
- C1.06 LANDSCAPE PLAN

OWNER / DEVELOPER:

OCEAN SHORE APARTMENTS, LLC

BENCHMARK:

BENCHMARK STATEMENT:
ELEVATIONS SHOWN HEREON ARE BASED UPON AN ASSUMED BENCHMARK.

BASIS OF BEARING:

BASES OF BEARING STATEMENT:
ALL BEARING MEASUREMENTS IN PALMETTO AVENUE PER 18 U.S.C. 31-6



LOCATION MAP
N.T.S.

ENGINEER'S STATEMENT:

THESE PLANS HAVE BEEN PREPARED BY ME, OR UNDER MY DIRECTION,
IN ACCORDANCE WITH STANDARD ENGINEERING PRACTICES.



MICHAEL A. O'DONNELL, P.E. 75811

DATE

**IMPROVEMENT PLANS
TITLE SHEET**

Revisions: _____

Approved: _____

900 ROSITA ROAD
PACIFICA, CA 94044
650.303.0495

DEVELOPMENT INFORMATION

TYPE OF DEVELOPMENT: RESIDENTIAL - MULTIPLE FAMILY RESIDENTIAL / MULTIFAMILY
PRESENT USE OF PROJECT: VACANT LAND
IMPROVEMENT STANDARDS: SAN MATEO COUNTY LOCAL ORDINANCES
DOMESTIC WATER SYSTEM: NORTH COAST COUNTY WATER DISTRICT
SEWERAGE SYSTEM: PACIFIC GAS & ELECTRIC
GAS & ELECTRIC: AT&T
TELLEPHONE: PER FIRM, AREA IS SUBJECT TO MINIMAL INUNDATION DURING THE 100 YEAR EVENT
DRAINAGE COURSE: BASED ON ASSUMED BENCHMARK
CONTIGUOUS INTERVALS: R3-G
EARTHWORK: R3-G (NO CHANGE)
PROPOSED ZONING: R3-G (NO CHANGE)
PROJECT COMMON ADDRESS: 4551, 4555, 4559, 4561 PALMETTO AVENUE
ASSESSOR'S PARCEL NUMBER: 009-402-270

ESTIMATED EARTHWORK

CUT 900 CY
FILL 900 CY
NET 0

PROJECT DESCRIPTION

CONSTRUCT 4 SINGLE STORY STUDIO APARTMENT HOMES.

SYMBOL LEGEND

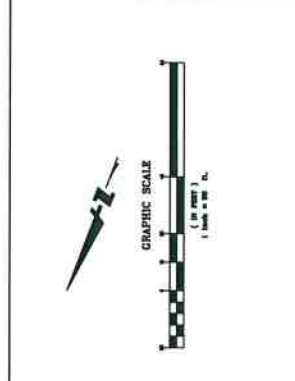
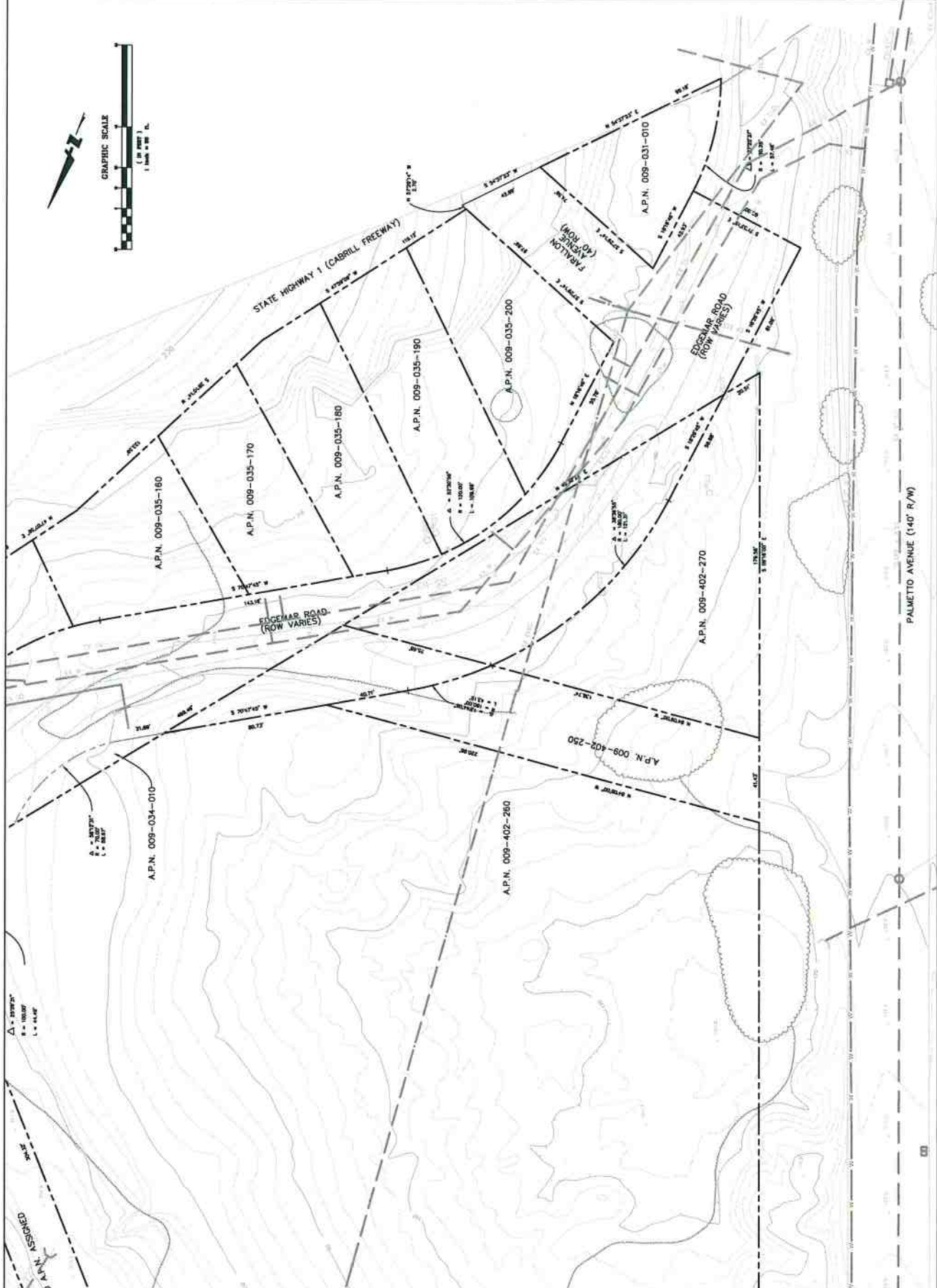
SYMBOL	DESCRIPTION
MIN	MINIMUM
MON	MONUMENT
NO	NUMBER
NW	NON-TOTAL WATER
OH	OVERHEAD
OH	OVERHEAD
PA	PAVING
PAL	PARKING LINE
PAE	PUBLIC ACCESS EASEMENT
PC	POINT OF COMPOUND CURVATURE
PC	POINT OF TANGENCY
PCC	POINT OF CROSSING CURVATURE
PIC	POINT OF INTERSECTION
PP	PROPOSED
P/P/PROP	PROPOSED
PVC	POLYVINYL CHLORIDE PIPE
PVC	POLYVINYL CHLORIDE PIPE
RCP	REINFORCED CONCRETE PIPE
RCP	REINFORCED CONCRETE PIPE
R/W	RIGHT OF WAY
R/W	RIGHT OF WAY
R/W	RECLAIMED WATER
SD	STORM DRAIN
SD	STORM DRAIN
S/E	SANITARY SEWER EASEMENT
S/E	STREET LIGHT
S/E	STREET LIGHT
S/EM	SANITARY SEWER FORCE MAIN
S/EM	SANITARY SEWER PUMP STATION
S/SH	SANITARY SEWER MANHOLE
S/SH	SANITARY SEWER MANHOLE
S/S	SIDEWALK
TB	TEMPORARY BENCHMARK
TB	TEMPORARY BENCHMARK
TP	TOP OF PAVEMENT
TP	TOP OF GRADE
TP	TYPICAL SLOPE
TP	TYPICAL SLOPE
W	WATER
W	WATER
W	WATER BOOSTER PUMP STATION
W	WATER BOOSTER PUMP STATION
W	WATER METER
W	WATER METER
W	WATER SURFACE ELEVATION



PROPERTY OWNER: OCEAN SHORE APARTMENTS, LLC
CITY OF PACIFICA, SAN MATEO COUNTY
BLK 4551, 4555, 4559, 4561 PALMETTO AVENUE
PACIFICA, CA 94044

DATE: 6/15/18
SCALE: AS SHOWN
DRAWN: MO
JOB NO: 2018-022

C1.01
SHEET



NO. ANK ASSIGNED

Δ = 100'±
 □ = 75'±
 ○ = 50'±

STATE HIGHWAY 1 (CABRILL FREEWAY)

EDGEHAR ROAD (ROW VARIES)

FALCON (NOW RINGING) ROAD

EDGEHAR ROAD (ROW VARIES)

PALMETTO AVENUE (140' R/W)

A.P.N. 009-035-160

A.P.N. 009-035-170

A.P.N. 009-035-180

A.P.N. 009-035-190

A.P.N. 009-035-200

A.P.N. 009-402-250

A.P.N. 009-402-270

A.P.N. 009-034-010

A.P.N. 009-034-010

A.P.N. 009-034-010

A.P.N. 009-034-010

A.P.N. 009-034-010

A.P.N. 009-034-010

A.P.N. 009-034-010

A.P.N. 009-034-010

A.P.N. 009-034-010

A.P.N. 009-034-010

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A.P.N. 009-034-010

A.P.N. 009-034-010

A.P.N. 009-034-010

A.P.N. 009-034-010

A.P.N. 009-034-010

A.P.N. 009-034-010

A.P.N. 009-034-010

SOE/MATIC IMPROVEMENT PLANS
 CITY OF PACIFIC, SAN MATEO COUNTY
 BASE OF RECORD: RECORDS IN PALMETTO AVENUE PER 18 LLS 3-8
 PROPERTY OWNER: OCEAN SHORE APARTMENTS, LLC
 PACIFIC, CA 94044

DATE: 6.15.16
 SCALE: 1" = 20'
 DRAWN: HQ
 JOB NO: 2014-022
 SHEET

EXISTING CONDITIONS

ROUND HOUSE INDUSTRIES, INC.
 900 ROSITA ROAD
 PACIFICA, CA 94044
 650.303.0495

C2.01

ROUND HOUSE INDUSTRIES, INC.
 900 ROSITA ROAD
 PACIFICA, CA 94044
 650.303.0495

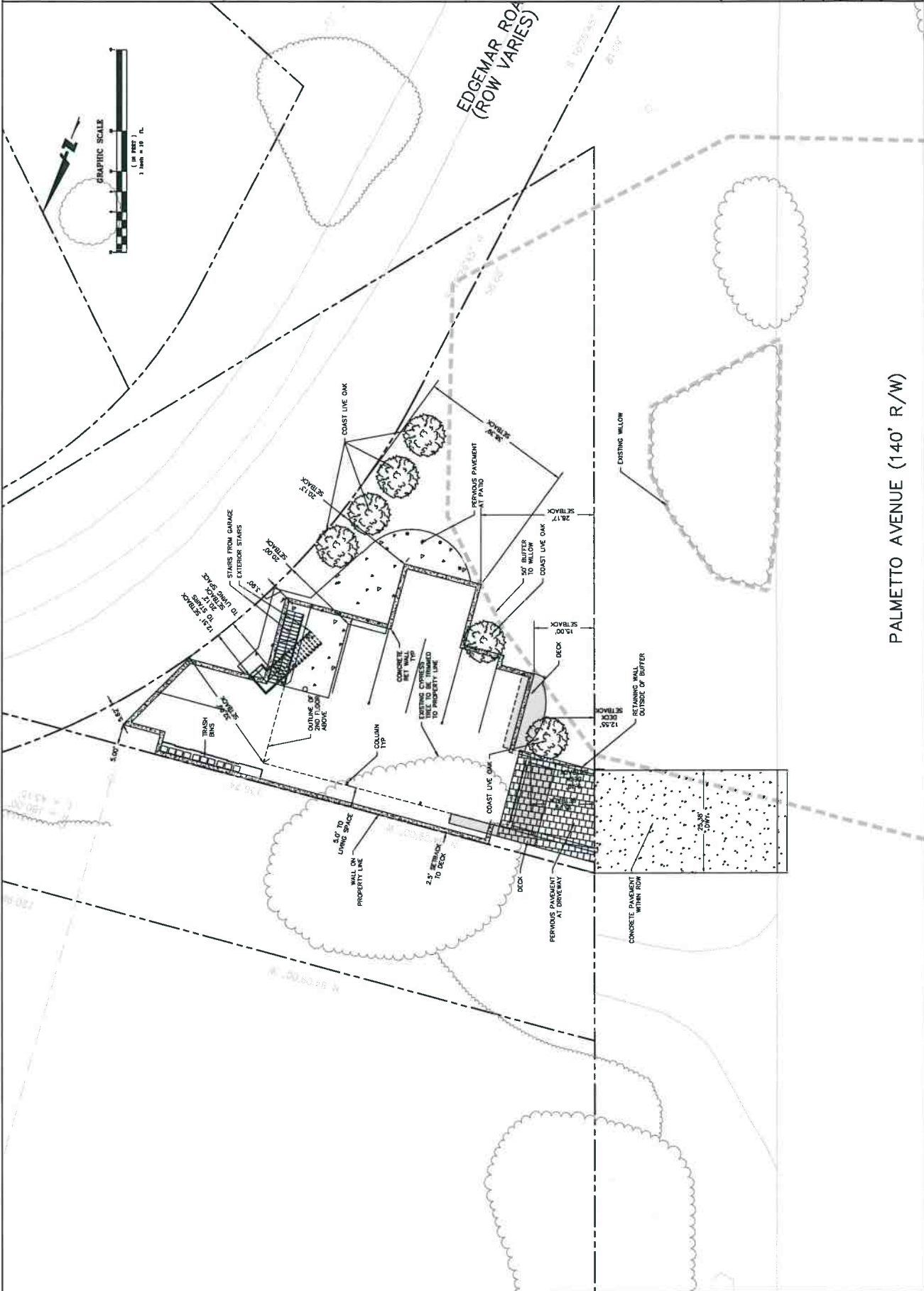
No.	Revisions
	Approved

SITE PLAN

SOEVIATC IMPROVEMENT PLANS
 BASIS OF BEARINGS, MONUMENTS IN PALMETTO AVENUE PER 18 115 3-B
 4511 4504 4509 4501 PALMETTO AVENUE
 CITY OF PACIFICA, SAN MATEO COUNTY
 PROPERTY OWNER: OCEAN SHORE APARTMENTS, LLC
 375 NORTH AVENUE
 PACIFICA, CA 94044

DATE: 6.15.16
 SCALE: 1" = 10'
 DRAWING NO: 140
 SHEET NO: 2014-022

C3.01



PALMETTO AVENUE (140' R/W)

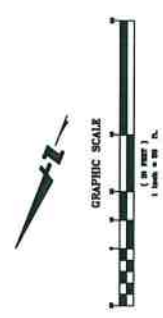
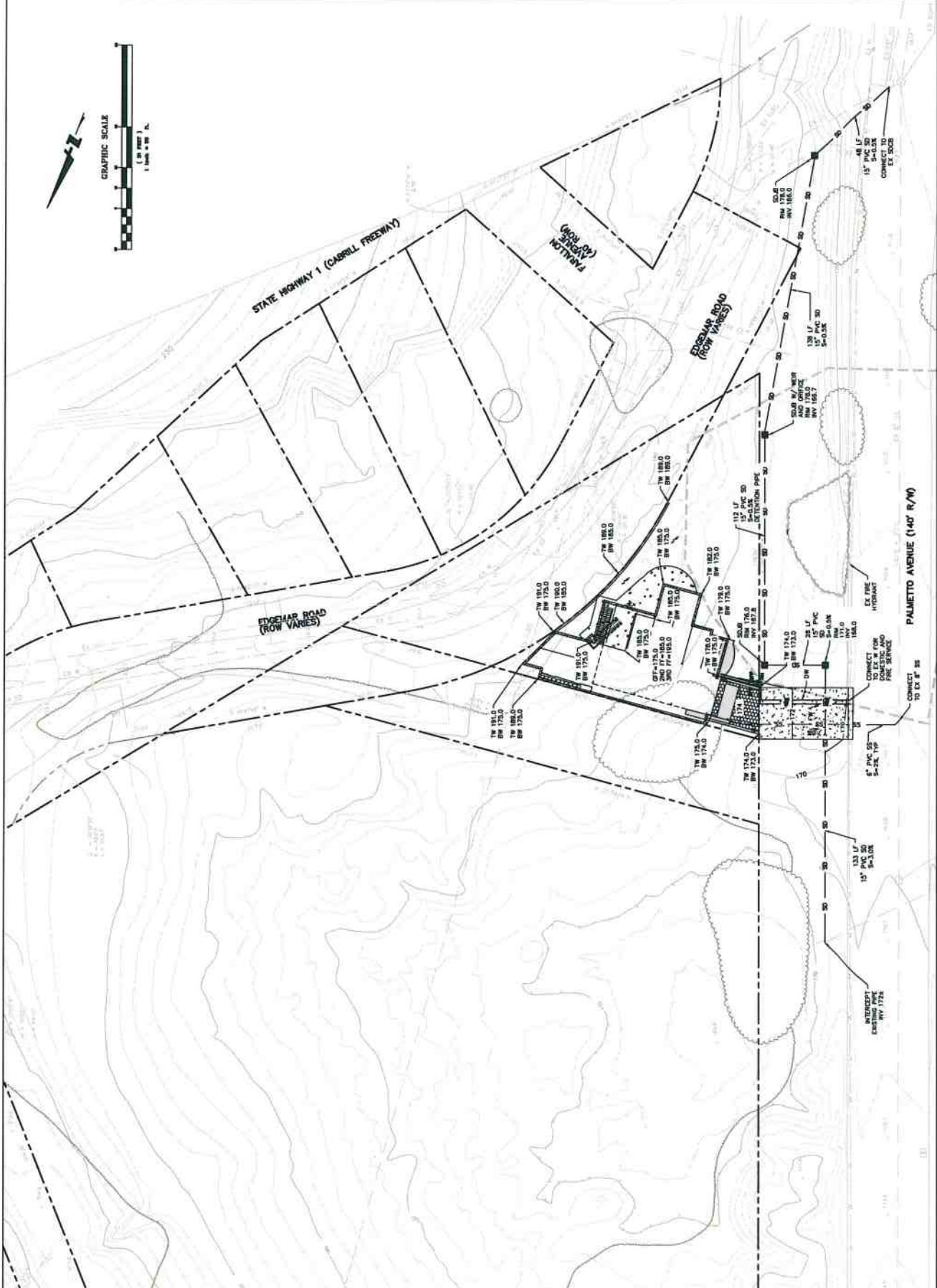
ROUND HOUSE INDUSTRIES, INC.
 900 ROSITA ROAD
 PACIFICA, CA 94044
 650.303.0495

**GRADING, DRAINAGE,
 AND UTILITY PLAN**
 Approved

No. _____
 Revisions _____
 PROPERTY OWNER: OCEAN SHORE APARTMENTS, LLC
 375 KETH AVENUE
 PACIFICA, CA 94044
 CITY OF PACIFICA, SAN MATEO COUNTY
 BASIS OF DESIGN: EXISTING CONDITIONS IN PALMETTO AVENUE PER 18 ILS 3-B
 SCHEMATIC IMPROVEMENT PLANS

DATE: 6.13.16
 SCALE: 1"=20'
 DRAWN: MO
 JOB NO: 2014-022
 SHEET

C4.01





SCHEMATIC IMPROVEMENT PLANS
 4501 4503 4505 4501 PALMETTO AVENUE
 BOARD OF SUPERVISORS, MEMBERSHIP IN PALMETTO AVENUE PER ILS 3-B
 CITY OF PACIFICA, SAN MATEO COUNTY
 PROPERTY OWNER: OCEAN SHORE APARTMENTS, LLC
 275 KETH AVENUE
 PACIFICA, CA 94044

SIGHT TRIANGLES

No.	Revisions
	Approved

MIKE O'CONNELL, P.E.
 900 ROSITA ROAD
 PACIFICA, CA 94044
 650.303.0495

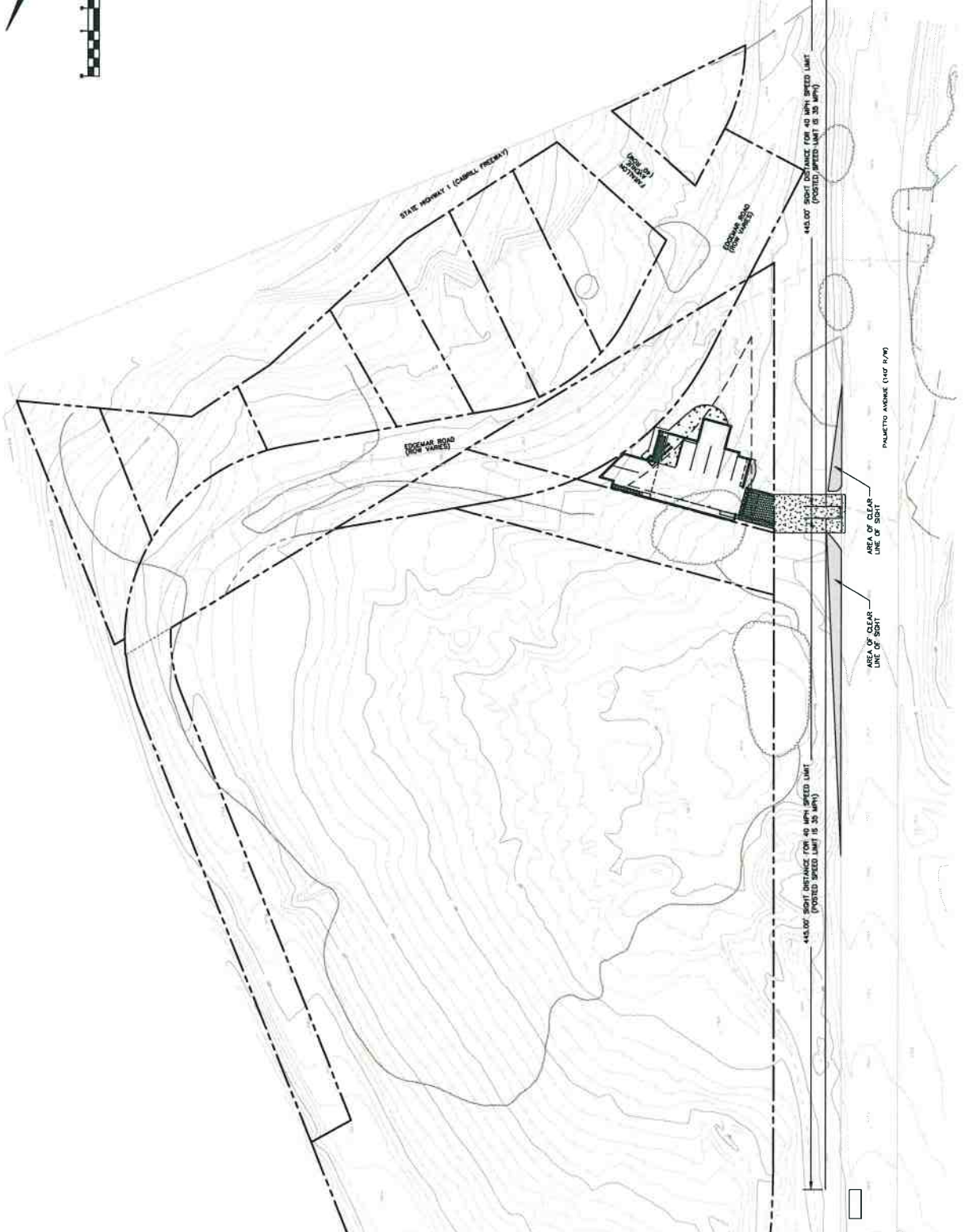
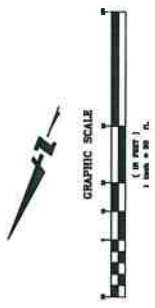
C5.01

DATE: 12/26/15

SCALE: 1" = 30'

JOB NO: 2014-022

NO





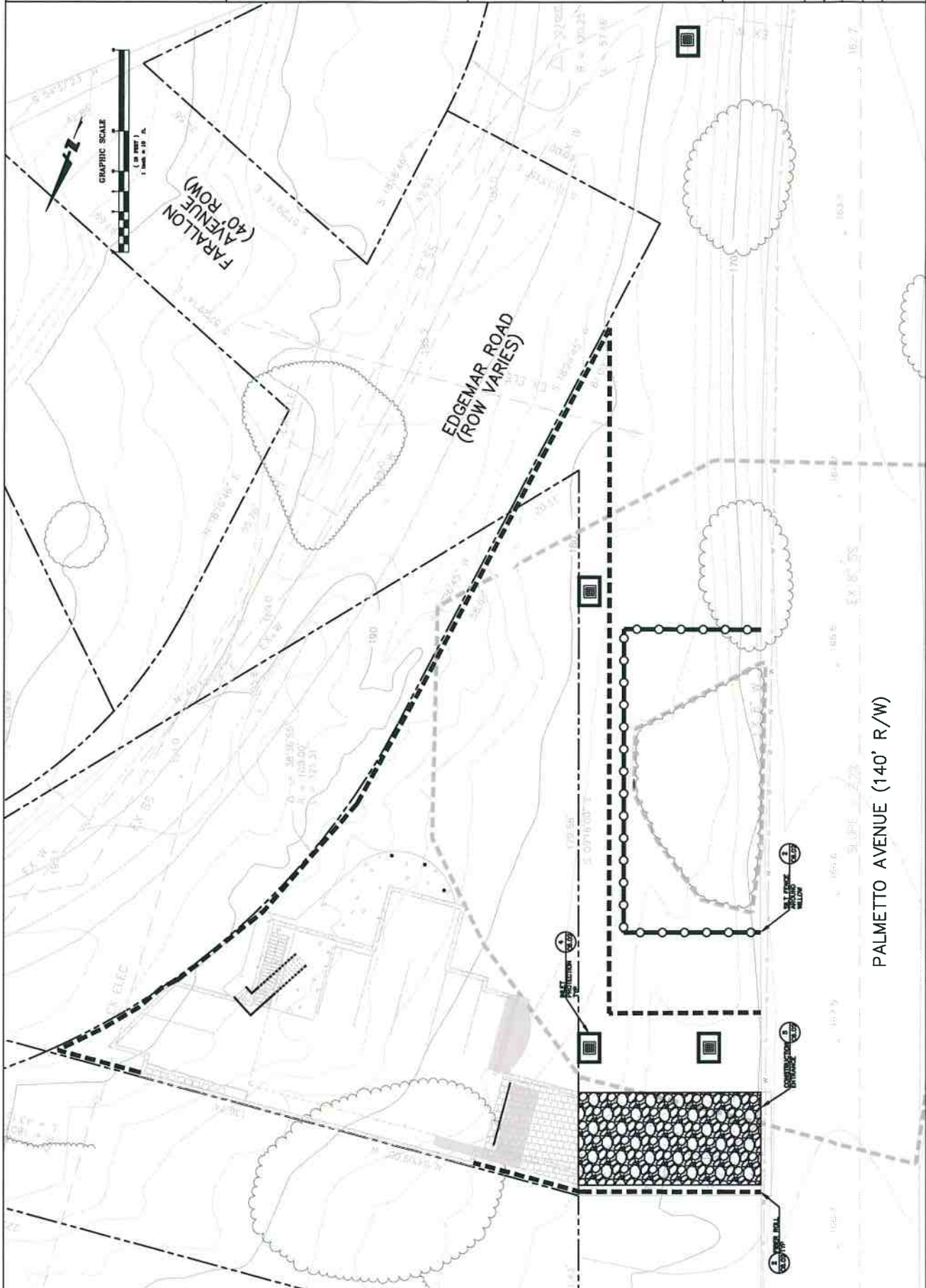
DATE: 6/15/14
 SCALE: 1" = 10'
 DRAWN: MD
 APPR: MD
 SHEET NO.: 2014-022

C6.01
 SHEET

SCHEMATIC IMPROVEMENT PLANS
 451, 455, 459, 461 PALMETTO AVENUE
 CITY OF PACIFICA, SAN MATEO COUNTY
 PROPERTY OWNER: OCEAN SHORE APARTMENTS, LLC
 375 KETHN AVENUE
 PACIFICA, CA 94044

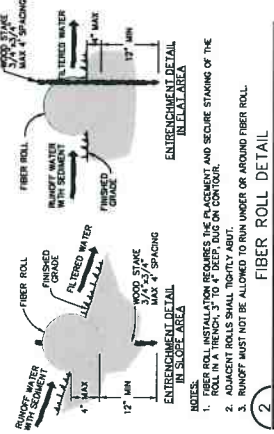
NO. _____
 REVISIONS _____
 APPROVED _____

EROSION CONTROL PLAN
ROUND HOUSE INDUSTRIES, INC.
900 ROSITA ROAD
PACIFICA, CA 94044
650.303.0495

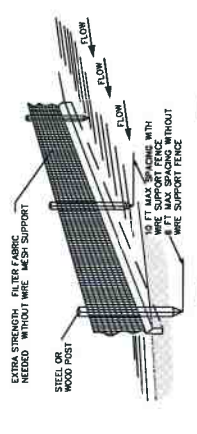


EROSION & SEDIMENT CONTROL NOTES

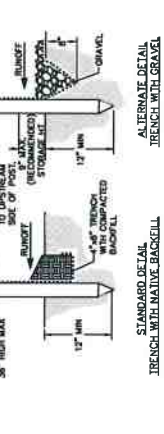
1. ALL EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION AND UNTIL THE SITE IS RESTORED TO ORIGINAL OR BETTER CONDITION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING THE SILT FENCE ROLL, SAND BARR, AND SILT TRAP. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING THE SILT FENCE ROLL, SAND BARR, AND SILT TRAP. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING THE SILT FENCE ROLL, SAND BARR, AND SILT TRAP.
2. THE CONTRACTOR SHALL MAINTAIN ALL EROSION CONTROL MEASURES FOR ANY AND ALL DAMAGES TO PUBLIC AND/OR PRIVATELY OWNED AND MAINTAINED ROADS CAUSED BY THE CONTRACTOR'S GRADING OR ANY MATERIAL SPILLED ON ANY PUBLIC ROAD AT THE END OF EACH WORKING DAY.
3. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION AND UNTIL THE SITE IS RESTORED TO ORIGINAL OR BETTER CONDITION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING THE SILT FENCE ROLL, SAND BARR, AND SILT TRAP.
4. DURING THE RAINY SEASON, ALL PAVED AREAS ARE TO BE KEPT CLEAR OF ALL DEBRIS AND MATERIAL. THE CONTRACTOR SHALL MAINTAIN PAVED AREAS AS CLEAN AS POSSIBLE.
5. THE CONTRACTOR SHALL MAINTAIN ALL EROSION CONTROL MEASURES FOR ANY AND ALL DAMAGES TO PUBLIC AND/OR PRIVATELY OWNED AND MAINTAINED ROADS CAUSED BY THE CONTRACTOR'S GRADING OR ANY MATERIAL SPILLED ON ANY PUBLIC ROAD AT THE END OF EACH WORKING DAY.
6. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION AND UNTIL THE SITE IS RESTORED TO ORIGINAL OR BETTER CONDITION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING THE SILT FENCE ROLL, SAND BARR, AND SILT TRAP.
7. THE CONTRACTOR SHALL MAINTAIN ALL EROSION CONTROL MEASURES FOR ANY AND ALL DAMAGES TO PUBLIC AND/OR PRIVATELY OWNED AND MAINTAINED ROADS CAUSED BY THE CONTRACTOR'S GRADING OR ANY MATERIAL SPILLED ON ANY PUBLIC ROAD AT THE END OF EACH WORKING DAY.
8. THE CONTRACTOR SHALL MAINTAIN ALL EROSION CONTROL MEASURES FOR ANY AND ALL DAMAGES TO PUBLIC AND/OR PRIVATELY OWNED AND MAINTAINED ROADS CAUSED BY THE CONTRACTOR'S GRADING OR ANY MATERIAL SPILLED ON ANY PUBLIC ROAD AT THE END OF EACH WORKING DAY.
9. THE CONTRACTOR SHALL MAINTAIN ALL EROSION CONTROL MEASURES FOR ANY AND ALL DAMAGES TO PUBLIC AND/OR PRIVATELY OWNED AND MAINTAINED ROADS CAUSED BY THE CONTRACTOR'S GRADING OR ANY MATERIAL SPILLED ON ANY PUBLIC ROAD AT THE END OF EACH WORKING DAY.
10. ALL EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION AND UNTIL THE SITE IS RESTORED TO ORIGINAL OR BETTER CONDITION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING THE SILT FENCE ROLL, SAND BARR, AND SILT TRAP.
11. DURING PERIODS WHEN STORMS ARE NOT FORECASTED - THE STORM DRAIN SYSTEM SHALL BE MAINTAINED CLEAR OF ALL DEBRIS AND MATERIAL. THE CONTRACTOR SHALL MAINTAIN THE STORM DRAIN SYSTEM AS CLEAN AS POSSIBLE.
12. OPEN SPACE AREAS ARE TO BE PLANTED BY SEPTEMBER 15, IF THE CONTRACTOR IS NOT COMPLETED BY THAT DATE. THE CONTRACTOR SHALL MAINTAIN ALL EROSION CONTROL MEASURES FOR ANY AND ALL DAMAGES TO PUBLIC AND/OR PRIVATELY OWNED AND MAINTAINED ROADS CAUSED BY THE CONTRACTOR'S GRADING OR ANY MATERIAL SPILLED ON ANY PUBLIC ROAD AT THE END OF EACH WORKING DAY.
13. THE CONTRACTOR SHALL MAINTAIN ALL EROSION CONTROL MEASURES FOR ANY AND ALL DAMAGES TO PUBLIC AND/OR PRIVATELY OWNED AND MAINTAINED ROADS CAUSED BY THE CONTRACTOR'S GRADING OR ANY MATERIAL SPILLED ON ANY PUBLIC ROAD AT THE END OF EACH WORKING DAY.
14. THE CONTRACTOR SHALL MAINTAIN ALL EROSION CONTROL MEASURES FOR ANY AND ALL DAMAGES TO PUBLIC AND/OR PRIVATELY OWNED AND MAINTAINED ROADS CAUSED BY THE CONTRACTOR'S GRADING OR ANY MATERIAL SPILLED ON ANY PUBLIC ROAD AT THE END OF EACH WORKING DAY.



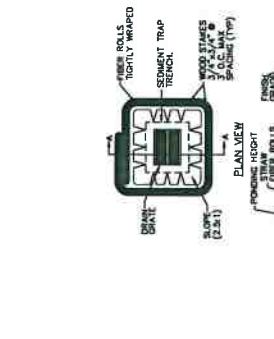
2 - FIBER ROLL DETAIL
NTS



3 - STANDARD DETAIL
NTS



4 - ALTERNATE DETAIL
NTS



5 - SEDIMENT BARRIER
NTS



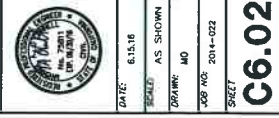
6 - STABILIZED CONSTRUCTION ENTRANCE
NTS

650.303.0495
PACIFICA, CA 94044
900 ROSITA ROAD
ROUND HOUSE INDUSTRIES, INC.

No.	Revisions
	Approved

PROPERTY OWNER: OCEAN SHORE APARTMENTS, LLC
PACIFICA, CA 94044
CITY OF PACIFICA, SAN MATEO COUNTY
8100 S. BAYVIEW, BIRMINGHAM, AL 35206
1500 PALMISTO AVENUE PER 18 U.S. 3-B

DATE: 6.15.18
SCALE: AS SHOWN
DRAWN: MO
JOB NO: 2018-022
SHEET: C6.02



EROSION CONTROL NOTES

NTS

1 - SILT FENCE
NTS

2 - SEDIMENT BARRIER
NTS

3 - STABILIZED CONSTRUCTION ENTRANCE
NTS

4 - SEDIMENT BARRIER
NTS

5 - STABILIZED CONSTRUCTION ENTRANCE
NTS

650.303.0495
 900 ROSITA ROAD
 PACIFICA, CA 94044
 ROUND HOUSE INDUSTRIES, INC.

No.	Revision	Approved

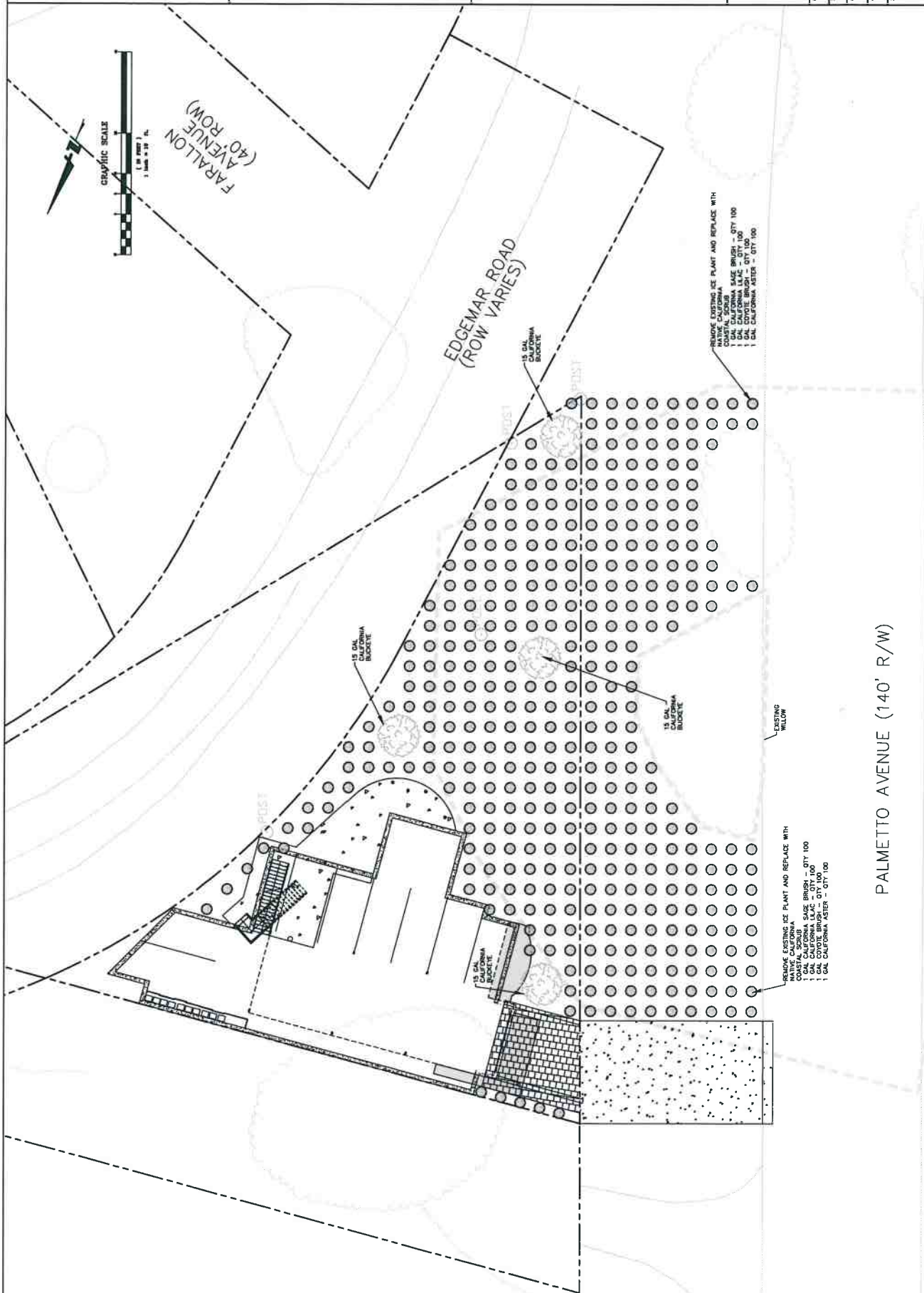
LANDSCAPE PLAN

PROPERTY OWNER: OCEAN SHORE APARTMENTS, LLC
 375 KETH AVENUE
 PACIFICA, CA 94044

SCHMATIC IMPROVEMENT PLANS
 CITY OF PACIFICA, SAN MATEO COUNTY
 4511 45TH AVE. 4501 PALMETTO AVENUE PER 18 ULS 3-B
 SITE OF SERVICES: RIVERSIDE IN PACIFIC PALMETTO AVENUE



DATE: 6.15.16
 SCALE: 1"=10'
 DRAWN: MO
 JOB NO: 2014-022
 SHEET: **C7.01**



CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
45 FREMONT STREET, SUITE 2000
SAN FRANCISCO, CALIFORNIA 94105-2219
PH (415) 904-5260 OR (415) 904-5200 FAX (415) 904-5400
WWW.COASTAL.CA.GOV



Page 1

May 4, 2016

Permit Application No.: A-2-PAC-15-0046

NOTICE OF INTENT TO ISSUE PERMIT

(Upon satisfaction of special conditions)

THE SOLE PURPOSE OF THIS NOTICE IS TO INFORM THE APPLICANT OF THE STEPS NECESSARY TO OBTAIN A VALID AND EFFECTIVE COASTAL DEVELOPMENT PERMIT ("CDP"). A Coastal Development Permit for the development described below has been approved but is not yet effective. Development on the site cannot commence until the CDP is effective. In order for the CDP to be effective, Commission staff must issue the CDP to the applicant, and the applicant must sign and return the CDP. **Commission staff cannot issue the CDP until the applicant has fulfilled each of the "prior to issuance" Special Conditions.** A list of all the Special Conditions for this permit is attached.

The Commission's approval of the CDP is valid for two years from the date of approval. To prevent expiration of the CDP, you must fulfill the "prior to issuance" Special Conditions, obtain and sign the CDP, and commence development within two years of the approval date specified below. You may apply for an extension of the permit pursuant to the Commission's regulations at Cal. Code Regs. title 14, section 13169.

On **April 13, 2016**, the California Coastal Commission approved Coastal Development Permit No. **A-2-PAC-15-0046** requested by **David Blackman and Mike O'Connell** subject to the attached conditions, for development consisting of: **construction of a single three-story 3,169 square foot apartment building comprised of four dwelling units on the top two floors and an attached ground floor garage** more specifically described in the application filed in the Commission offices. **Commission staff will not issue the CDP until the "prior to issuance" special conditions have been satisfied.**

The development is within the coastal zone at **4000 block of Palmetto Avenue in the City of Pacifica, San Mateo County (APN 009-402-270)**

If you have any questions regarding how to fulfill the "prior to issuance" Special Conditions for CDP No. A-2-PAC-15-0046, please contact the Coastal Program Analyst identified below.

Sincerely,

John Ainsworth

ATTACHMENT D

May 4, 2016

Permit Application No.: A-2-PAC-15-0046

NOTICE OF INTENT TO ISSUE PERMIT

(Upon satisfaction of special conditions)

Acting Executive Director

Patrick Foster
Coastal Program Analyst

ACKNOWLEDGMENT

The undersigned permittee acknowledges receipt of this Notice and fully understands its contents, including all conditions imposed.

Date	Permittee

Please sign and return one copy of this form to the Commission office at the above address.

STANDARD CONDITIONS

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, then permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission and affidavit accepting all terms and conditions of the permit.
5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

NOTICE OF INTENT TO ISSUE PERMIT

(Upon satisfaction of special conditions)

SPECIAL CONDITIONS:

NOTE: IF THE **SPECIAL CONDITIONS** REQUIRE THAT DOCUMENT(S) BE RECORDED WITH THE COUNTY RECORDER, YOU WILL RECEIVE THE LEGAL FORMS TO COMPLETE (WITH INSTRUCTIONS). IF YOU HAVE ANY QUESTIONS, PLEASE CALL THE DISTRICT OFFICE.

This permit is granted subject to the following special conditions of approval:

1. **Revised Project Plans.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Applicant shall submit two full size sets of Revised Project Plans to the Executive Director for review and approval. The Revised Project Plans shall be substantially in conformance with the proposed project plans (**Exhibit 12**) except that they shall be revised and supplemented to comply with the following requirements:
 - a. **Aesthetics.** The project shall be sited and designed, including through cutting it into the slope, to limit its visibility in the Palmetto Avenue/Highway One viewshed, and to otherwise reflect a rural coastal theme (such as simple and utilitarian lines and materials, including use of board and bats, stone veneer, corrugated metal, corten steel, and muted earth tone colors). The plans shall clearly identify all measures that will be applied to ensure such design aesthetic is achieved, including with respect to the driveway, and all other project elements within the Palmetto Avenue/Highway One viewshed (including but not limited to walkways, paved areas, railings, lighting, and decorative landscaping). The driveway shall be colored or shall make use of other materials necessary to achieve compliance with this condition, and the driveway entrance on Palmetto Avenue shall be designed to avoid or, if infeasible to avoid, minimize above ground elements (such as pillars) and to ensure all allowed elements emphasize a rustic coastal aesthetic. At a minimum, the plans shall clearly identify all such project elements, and all materials and finishes to be used to achieve such design aesthetic (including but not limited to through site plans and elevations, materials palettes and representative photos, and product brochures).
 - b. **Low Impact Development.** In order to prevent runoff and other environmental impacts, permeable material shall be used in lieu of standard concrete for construction of the driveway, outdoor patio, and all walkways. This may include the use of permeable concrete or stone pavers, open-cell concrete blocks, porous pavement, or other pervious material that allows water to drain and percolate into the soil below. The portion of the proposed driveway within the City of Pacifica's right-of-way shall be constructed with all-weather pervious paving acceptable to the City of Pacifica's Engineering Division and the North Coast County Fire Authority, and shall meet all relevant requirements of the California Fire Code, including access and load-bearing requirements at Appendix D, Section D102.1 (2013).
 - c. **Utilities.** All utilities shall be installed underground.

NOTICE OF INTENT TO ISSUE PERMIT

(Upon satisfaction of special conditions)

- d. Landscaping and Irrigation.** Outside decorative landscaping shall be limited to drought tolerant species, and outside irrigation shall be limited to drip or microspray systems.
- e. Landscape Screening.** Revised Plans shall include a landscape screening component that is designed to most effectively screen the residence and driveway from the Palmetto Avenue/Highway One viewshed. Such landscape screening shall utilize native, drought tolerant and non-invasive plant species complementary with the mix of native habitats in the project vicinity. The landscape screening component shall include detailed information regarding species, sizes, and planting locations for all vegetation planted to screen the residence and driveway, and shall specify cut heights to ensure that such landscaping over time does not grow so tall as to impact any views from Highway One.
- f. Exterior Lighting.** All exterior lights, including any lights attached to the outside of the buildings, shall be the minimum necessary for the safe ingress, egress, and use of the structures, shall be sited and designed to minimize their impact on views along Palmetto Avenue, shall be low-wattage, non-reflective, and shielded, shall utilize timers to minimize nighttime lighting, and shall have a directional cast downward such that no light will shine within the wetland habitat area and additional restoration area, as shown in **Exhibit 14**.
- g. Post-Construction BMPs.** Best Management Practices (BMPs) shall be used to prevent the entry of polluted stormwater runoff into coastal waters and wetlands post construction, including use of relevant BMPs as detailed in the current California Storm Water Quality Management Handbooks (currently available at <https://www.casqa.org/resources/bmp-handbooks>). All BMPs shall be operated, monitored, and maintained for the life of the project.

All requirements above and all requirements of the approved Revised Project Plans shall be enforceable components of this CDP. The Permittees shall undertake development in accordance with the approved Revised Project Plans.

- 2. Habitat Restoration Plan for the Wetlands Buffer Conservation Area.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Applicant shall submit two sets of a Habitat Restoration Plan for the wetlands buffer conservation area to the Executive Director for review and approval. The Plan shall at a minimum include:
 - a. Restoration Area.** A detailed site plan of the on-site restoration area with habitat acreages identified, including but not limited to identification of the wetlands delineation as submitted by the Applicants to the Executive Director, dated July 29, 2015, identification of the 50-foot buffer surrounding the wetlands as generally described and shown by **Exhibit 14** attached to this staff report, and identification of where signage required by **Special Condition 2.e** will be placed.
 - b. Baseline.** An ecological assessment of the current condition of the restoration area.
 - c. Success Criteria.** Goals, objectives, and performance standards for successful restoration.

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(Upon satisfaction of special conditions)

- d. **Restoration Methods.** The final design and construction methods that will be used to ensure the restoration plan achieves the defined goals, objectives, and performance standards. Such methods shall include, at a minimum, removal of invasive vegetation, such as ice plant, and restoration with native coastal scrub.
- e. **Signage.** Provisions requiring the Permittee to place at least one interpretive sign that discourages pedestrian, canine, and other human-controlled use of or entry to the delineated wetlands. The sign shall also specify that no development is allowed within the wetland buffer area, and that this area is suitable only for passive recreation. The sign shall be of a size consistent with the City of Pacifica's sign requirements for public recreational areas, and shall be placed at a conspicuous location visible to tenants and visitors, situated in the vicinity of any amenities (such as a bench) installed along the outside edge of the buffer area. The Plan shall include the intended location and text of the sign to ensure it adequately identifies the extent of the wetland and buffer, as well as a sample mock-up of the materials and coloring planned for the sign to ensure it blends effectively with the surrounding natural landscape and overall character of the development.
- f. **Non-Native Species Management.** The Plan shall indicate that non-native species will be controlled within the restoration area.
- g. **Monitoring and Maintenance.** Provisions for monitoring and maintenance, including a schedule, maintenance activities, a quantitative sampling plan, fixed photographic points, interim success criteria, final success criteria for native and non-native vegetative cover, biodiversity and wetland hydrology, and a description of the method by which success will be evaluated.
- h. **Reporting.** Provision for submitting, for the review and approval by the Executive Director, monitoring reports prepared by a qualified specialist that assess whether the restoration is in conformance with the approved plan, beginning the first year after initiation of implementation of the plan, and annually for at least five years. Final monitoring for success will take place no sooner than 3 years following the end of all remediation and maintenance activities other than weeding. If the final report indicates that the restoration project has been unsuccessful, in part or in whole, based on the approved success criteria, the Permittee shall within 90 days submit two sets of a revised or supplemental restoration program for the review and approval of the Executive Director. The revised or supplemental restoration program shall be processed as an amendment to the CDP unless the Executive Director determines that no CDP amendment is legally required. The program shall be prepared by a qualified specialist, and shall be designed to compensate for those portions of the original restoration that did not meet the approved plan's success criteria.

All requirements above, and all requirements of the approved Habitat Restoration Plan, shall be enforceable components of this CDP. The Permittees shall undertake all development in accordance with the approved Habitat Restoration Plan.

- 3. **Future Development Restriction.** This CDP is only for the development described in CDP No. A-2-PAC-15-0046. Pursuant to Title 14 California Code of Regulations Section 13250(b)(6), the

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exemptions otherwise provided in Public Resources Code Section 30610(a) shall not apply to the development governed by CDP No. A-2-PAC-15-0046. Accordingly, any future development associated with the residential project authorized by this CDP, including but not limited to repair and maintenance identified as requiring a CDP in Public Resources Section 30610(d) and Title 14 California Code of Regulations Sections 13252(a)-(b), shall require an amendment to CDP No. A-2-PAC-15-0046 or shall require a separate CDP.

4. **Construction Plan.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Applicants shall submit two copies of a Construction Plan to the Executive Director for review and approval. The Construction Plan shall, at a minimum, include the following:
 - a. **Construction Areas.** The Construction Plan shall identify the specific location of all construction areas, all staging areas, and all construction access corridors in site plan view. All such areas within which construction activities or staging are to take place shall be minimized to the extent feasible, in order to have the least impact on public access and coastal resources, including by using inland areas on the subject property for staging and storing construction equipment and materials as feasible. Construction, including but not limited to construction activities and materials and equipment storage, is prohibited outside of the defined construction, staging, and storage areas.
 - b. **Construction Methods and Timing.** The plan shall specify the construction methods to be used, including all methods to be used to keep the construction areas separated from wetland habitat. All work shall take place during daylight hours and lighting of wetland habitat is prohibited. From March 1 to July 1, the Permittee shall avoid construction on land on and adjacent to wetland habitat and otherwise avoid impacts, such as loud noise, that may affect nesting birds. If nesting birds are found during preconstruction surveys, a qualified biologist shall establish a 300-foot buffer (500 feet for raptors) within which no construction can take place. The established buffer(s) shall remain in effect until the young have fledged or the nest has been abandoned as confirmed by the qualified biologist.
 - c. **BMPs.** The plan shall identify the type and location of all erosion control/water quality best management practices (BMPs) that will be implemented during construction to protect coastal water quality, including the following: (a) silt fences, straw wattles, or equivalent apparatus, shall be installed at the perimeter of the construction site to prevent construction-related runoff or sediment discharge; (b) all construction equipment shall be inspected and maintained at an off-site location to prevent leaks and spills of hazardous materials at the project site; (c) the construction site shall maintain good construction housekeeping controls and procedures (e.g., clean up all leaks, drips, and other spills immediately; keep materials covered and out of the rain, including covering exposed piles of soil and wastes; dispose of all wastes properly, place trash receptacles on site for that purpose, and cover open trash receptacles during wet weather; remove all construction debris from the site); and (d) all erosion and sediment controls shall be in place prior to the commencement of construction as well as at the end of each work day.
 - d. **Construction Site Documents.** The plan shall provide that a copy of the signed CDP and the approved Construction Plan be maintained in a conspicuous location at the construction job

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site at all times, and that the CDP and the approved Construction Plan are available for public review on request. All persons involved with the construction shall be briefed on the content and meaning of the CDP and the approved Construction Plan, and the public review requirements applicable to them, prior to commencement of construction.

- e. **Construction Coordinator.** The plan shall provide that a construction coordinator be available 24 hours a day for the public to contact during construction should questions arise regarding the construction. Contact information for the coordinator, including a mailing address, e-mail address, and phone number shall be conspicuously posted at the job site in a place that is visible from public viewing areas, along with information that the construction coordinator should be contacted in the case of any questions regarding the construction. The construction coordinator shall record the name, phone number, and nature of all complaints received regarding the construction, and shall investigate complaints and take remedial action, if necessary, within 72 hours of receipt of the complaint or inquiry.
- f. **Restoration.** All areas impacted by construction activities shall be restored to their pre-construction condition or better within 72 hours of completion of construction.
- g. **Notification.** The Permittees shall notify planning staff of the Coastal Commission's North Central Coast District Office at least 3 working days in advance of commencement of construction, and immediately upon completion of construction.

Minor adjustments to the above construction requirements may be allowed by the Executive Director if such adjustments: (1) are deemed reasonable and necessary; and (2) do not adversely impact coastal resources. All requirements above and all requirements of the approved Construction Plan shall be enforceable components of this CDP. The Permittees shall undertake construction in accordance with the approved Construction Plan.

- 5. **Post-Construction Site Drainage and Erosion Management Plan.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittees shall submit, for the Executive Director's review and approval, a Site Drainage and Erosion Management Plan, including a drainage and erosion analysis of the proposed project site, prepared by a Registered Civil Engineer. The Permittees shall submit two copies of the Plan to the Executive Director and the Plan shall, at a minimum include the following:
 - a. A drainage and erosion analysis consisting of a written narrative and scaled plans. The flow of storm water onto, over, and off of the property shall be detailed on the plan and shall include adjacent lands as appropriate to clearly depict the pattern of flow. The analysis shall detail the measures necessary to certify adequate drainage and erosion control on the site. Post-development flows and velocities shall not exceed those that existed in the pre-developed state. Recommended measures, including future practices, shall be designed and submitted to the Executive Director for review and approval.
 - b. Provisions for all landscaping to be properly maintained and designed with efficient irrigation practices to reduce runoff, promote surface filtration and minimize the use of fertilizers, herbicides and pesticides that can contribute to runoff pollution.

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- c. Provisions prohibiting the discharge of anything other than rainwater into the streets and storm drains, and requirements to seal all floor drains or piping that carry wastewater to storm drains.
 - d. Provisions requiring roof downspout systems from all structures to be designed to drain to a designated infiltration area or landscaped sections of the property.
6. **Landscape Screening Report.** Within two years of the commencement of construction, the Permittees shall submit, for the review and approval of the Executive Director, a landscape screening report prepared by a qualified specialist that certifies the landscape screening is in compliance with the requirements of **Special Condition 1**. If the landscape screening report indicates the landscaping is not in conformance with or has failed to meet the performance standards specified in **Special Condition 1**, the Permittees shall submit a revised or supplemental landscape screening plan for the review and approval of the Executive Director. The revised/supplemental landscape screening plan must be prepared by a qualified specialist, and shall specify measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan.
7. **Coastal Hazards Response.** By acceptance of this CDP, the Permittees acknowledge and agree, on behalf of themselves and all successors and assigns, that:
 - a. **Coastal Hazards.** The site is subject to coastal hazards including but not limited to episodic and long-term shoreline retreat and coastal erosion, high seas, ocean waves, storms, tsunamis, tidal scour, coastal flooding, and their interaction.
 - b. **Permit Intent.** The intent of this CDP is to allow for the approved project to be constructed and used consistently with the terms and conditions of this CDP for only as long as the development remains safe for occupancy and use, without additional substantive measures beyond ordinary repair or maintenance to protect the development from coastal hazards.
 - c. **No Future Shoreline Protective Device.** No additional protective structures, including but not limited to additional or augmented piers (including additional pier elevation) or retaining walls, shall be constructed to protect the development approved pursuant to CDP A-2-PAC-15-0046, including, but not limited to, residential areas or other development associated with this CDP, in the event that the approved development is threatened with damage or destruction from waves, erosion, storm conditions, bluff retreat, landslides, ground subsidence, or other natural hazards in the future. By acceptance of this CDP, the Permittees hereby waive, on behalf of themselves and all successors and assigns, any rights to construct such devices that may exist under Public Resources Code Section 30235, and agree that no portion of the approved development may be considered an "existing" structure for purposes of Section 30235, and that new development shall in no way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs, per LCP Policy Number 26.

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- d. Obligation to Provide Access.** In the event that coastal hazards eliminate access to the site due to the degradation and eventual failure of Palmetto Avenue as a viable roadway, the Permittees agree that, if necessary as determined by the City of Pacifica, to provide for construction of a substitute private road, allowing for effective ingress and egress from the site. The Permittees shall apply for a new CDP or an amendment to this CDP in order to conduct any such development related to realignment or construction of an access road, unless the Executive Director determines that a permit or amendment is not legally required.
- e. Future Removal of Development.** The Permittees shall remove or relocate, in part or in whole, the development authorized by this CDP, including, but not limited to, the residential building and other development authorized under this CDP, when any government agency orders removal of the development due to imminent coastal hazards in the future or when the development becomes imminently threatened by coastal hazards. Development associated with removal or relocation of the residential building or other development authorized by this CDP shall require an amendment to this CDP. In the event that portions of the development fall to the water or ground before they are removed, the Permittee shall remove all recoverable debris associated with the development from the ocean, intertidal areas, and wetlands, and lawfully dispose of the material in an approved disposal site. Such removal activities shall require an amendment to this CDP.
- 8. Coastal Hazards Risk.** By acceptance of this CDP, the Permittees acknowledge and agree, on behalf of themselves and all successors and assigns:

 - a. Assume Risks.** To assume the risks to the Permittees and the property that is the subject of this CDP of injury and damage from coastal hazards in connection with this permitted development;
 - b. Waive Liability.** To unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such coastal hazards;
 - c. Indemnification.** To indemnify and hold harmless the Coastal Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such coastal hazards; and
 - d. Permittees Responsible.** That any adverse effects to property caused by the permitted development shall be fully the responsibility of the Permittees.
- 9. Deed Restriction.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Permittees shall submit to the Executive Director for review and approval documentation demonstrating that the Permittees have executed and recorded against the parcel(s) governed by this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized

NOTICE OF INTENT TO ISSUE PERMIT

(Upon satisfaction of special conditions)

development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the special conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the property. The deed restriction shall include a legal description of the entire parcel or parcels governed by this permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes, or any part, modification, or amendment thereof, remains in existence on or with respect to the subject property.

10. Wetlands and Buffer Conservation Area

- a. No development, as defined in section 30106 of the Coastal Act shall occur in the wetlands or the wetlands 50-foot buffer area as generally shown in **Exhibit 14** except for
 - i) restoration activities and placement of signage consistent with the Habitat Restoration Plan, approved pursuant to **Special Condition 2** of this permit;

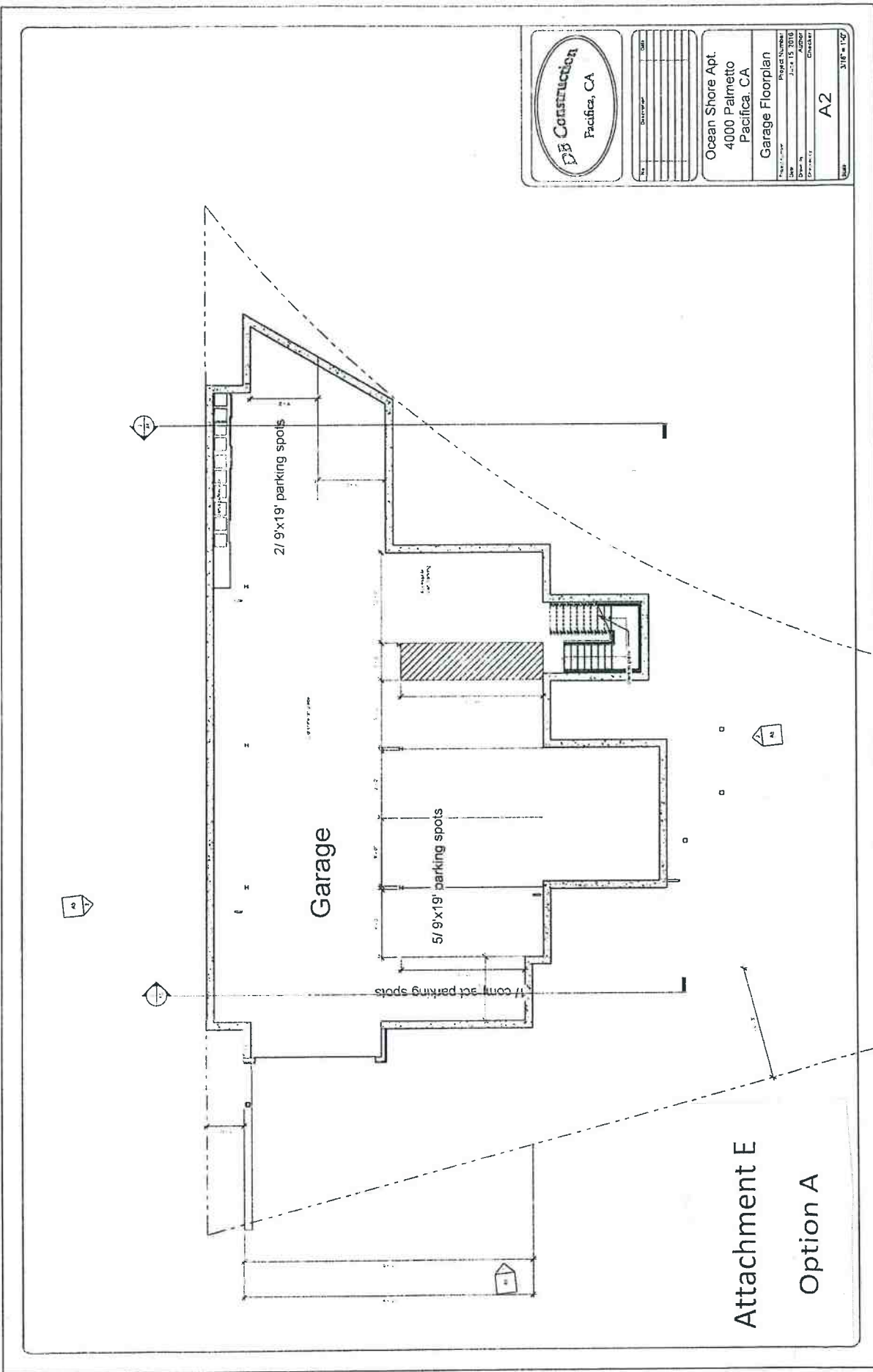
AND

- ii) if approved pursuant to an amendment to this permit, or a new coastal development permit, activities consistent with restoration or realignment of the City of Pacifica's right-of-way associated with Palmetto Avenue located on the subject property.
- b. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall execute and record a deed restriction document in a form and content acceptable to the Executive Director for the purpose of conserving the wetlands and 50-foot wetland buffer area generally shown on **Exhibit 14** of the staff report. The recorded document shall include a legal description of the applicant's entire legal parcel and an exhibit consisting of a formal metes and bounds legal description and a corresponding graphic depiction prepared by a licensed surveyor based on an onsite on the ground survey of the wetlands and 50-foot wetland buffer conservation area. The recorded document shall also reflect that development in the wetlands and 50-foot wetland buffer conservation area is restricted as set forth in this permit condition.
- c. The deed restriction shall be recorded free of prior liens and encumbrances which the Executive Director determines may affect the interest being conveyed. The deed restriction shall run with the land in favor of the People of the State of California, binding all successors and assignees, in perpetuity.



NO.	DATE	DESCRIPTION

Ocean Shore Apt.
4000 Palmetto
Pacific, CA
Garage Floorplan
Project Number: _____
Date: 11-15-2010
Scale: _____
Sheet: A2
Sheet of 107



Attachment E
Option A



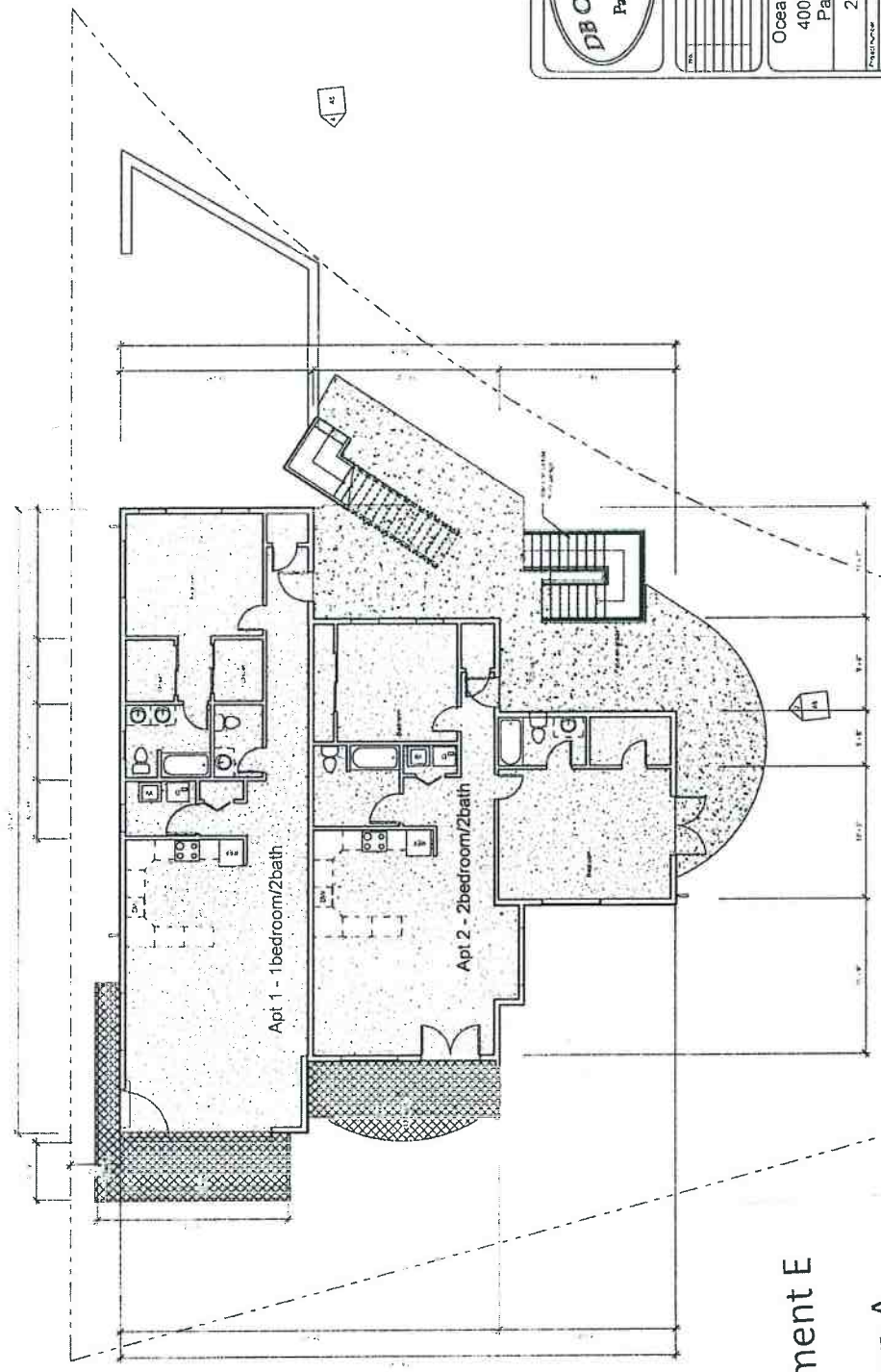
NO.	DESCRIPTION	DATE

Ocean Shore Apt
4000 Palmetto
Pacifica, CA
2nd Floor

PROJECT NO.	PROJECT NAME

DATE	BY

Checked By: A3
Scale: 3/16" = 1'-0"



Attachment E
Option A



NO.	DESCRIPTION	DATE

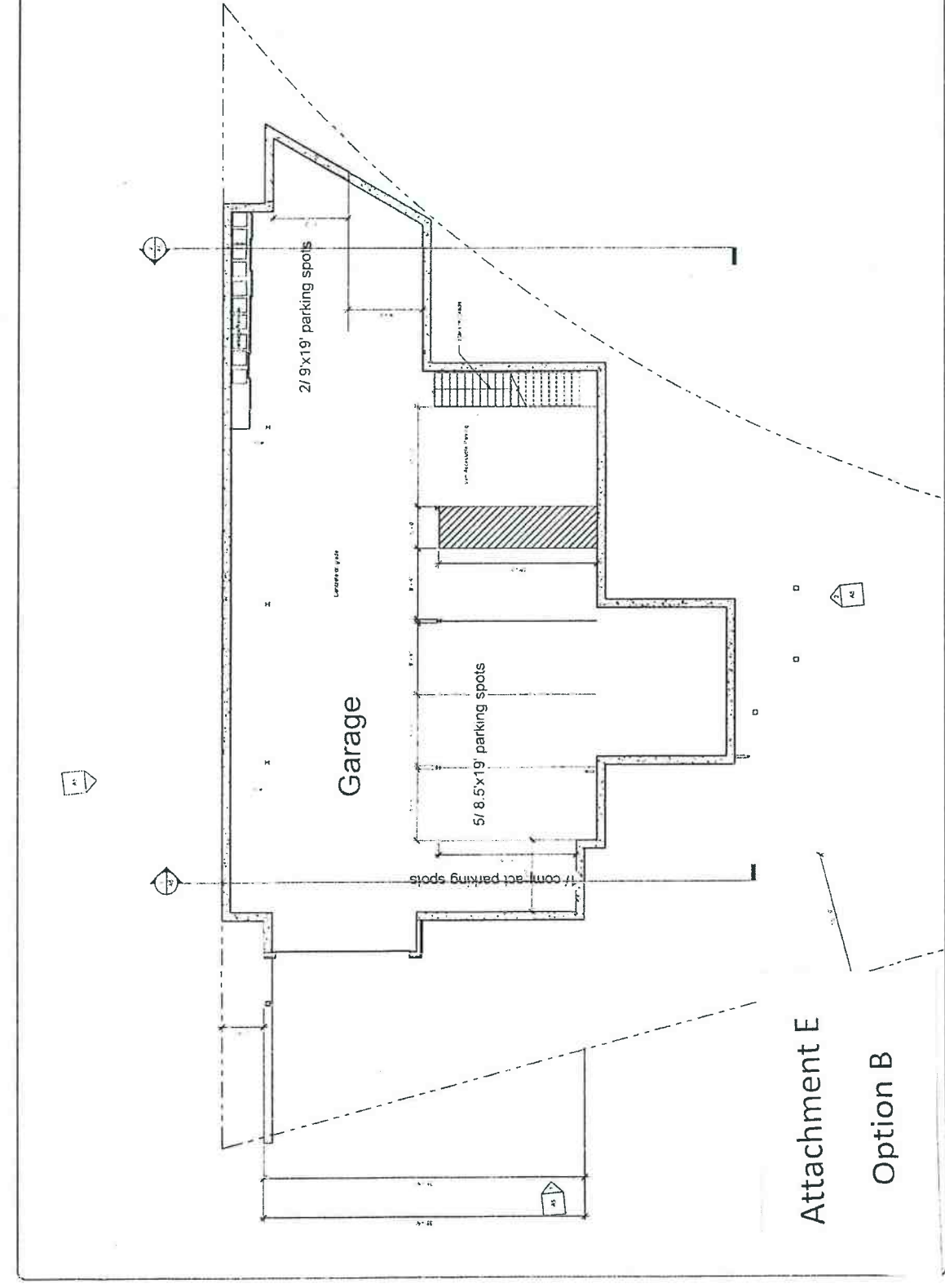
Ocean Shore Apt.
4000 Palmetto
Pacifica, CA

Garage Floorplan

Drawn by: [Name]
Date: 15 JUN 18
Checked by: [Name]

A2

Scale: 3/16" = 1'-0"

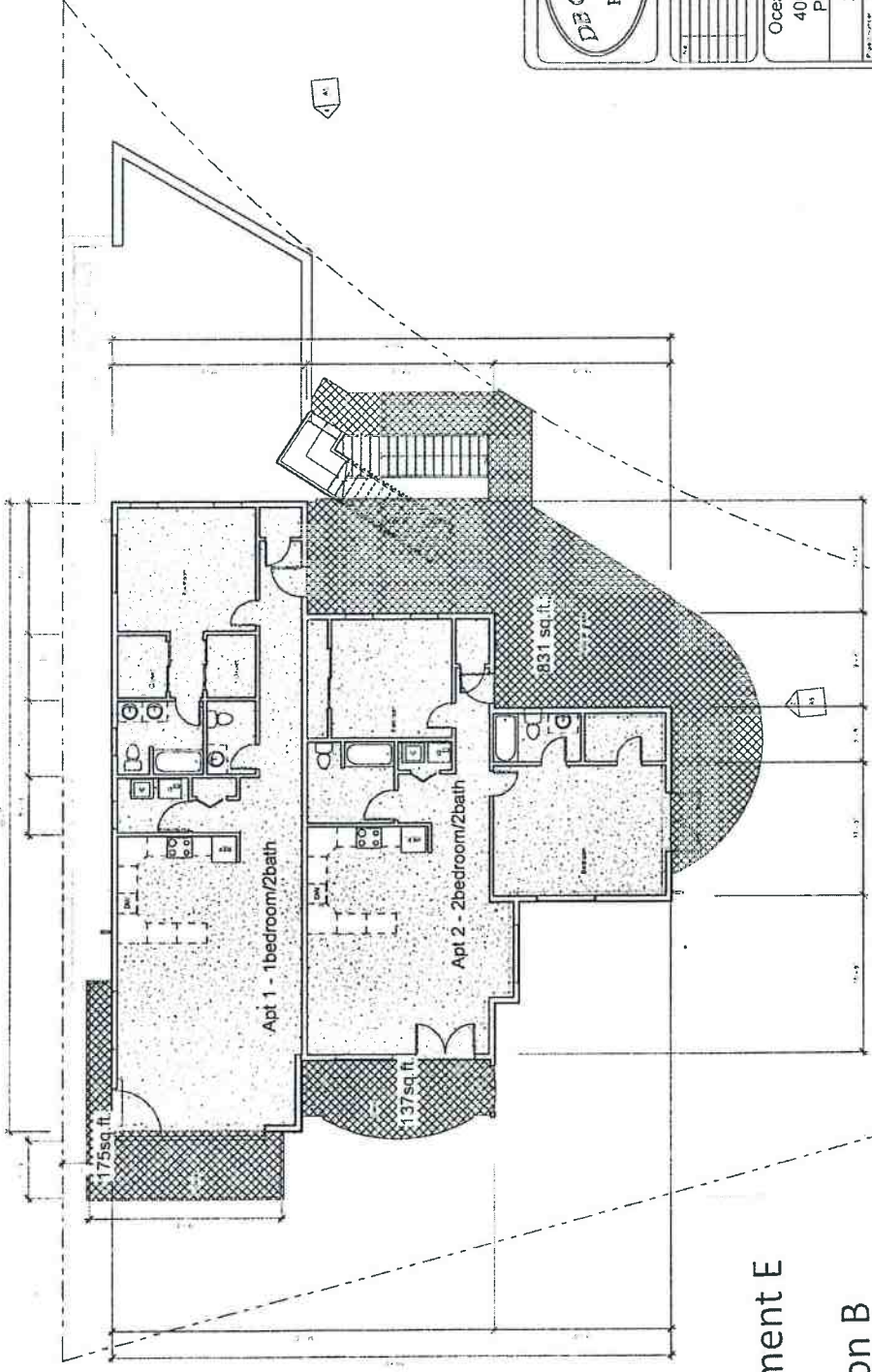


Attachment E
Option B

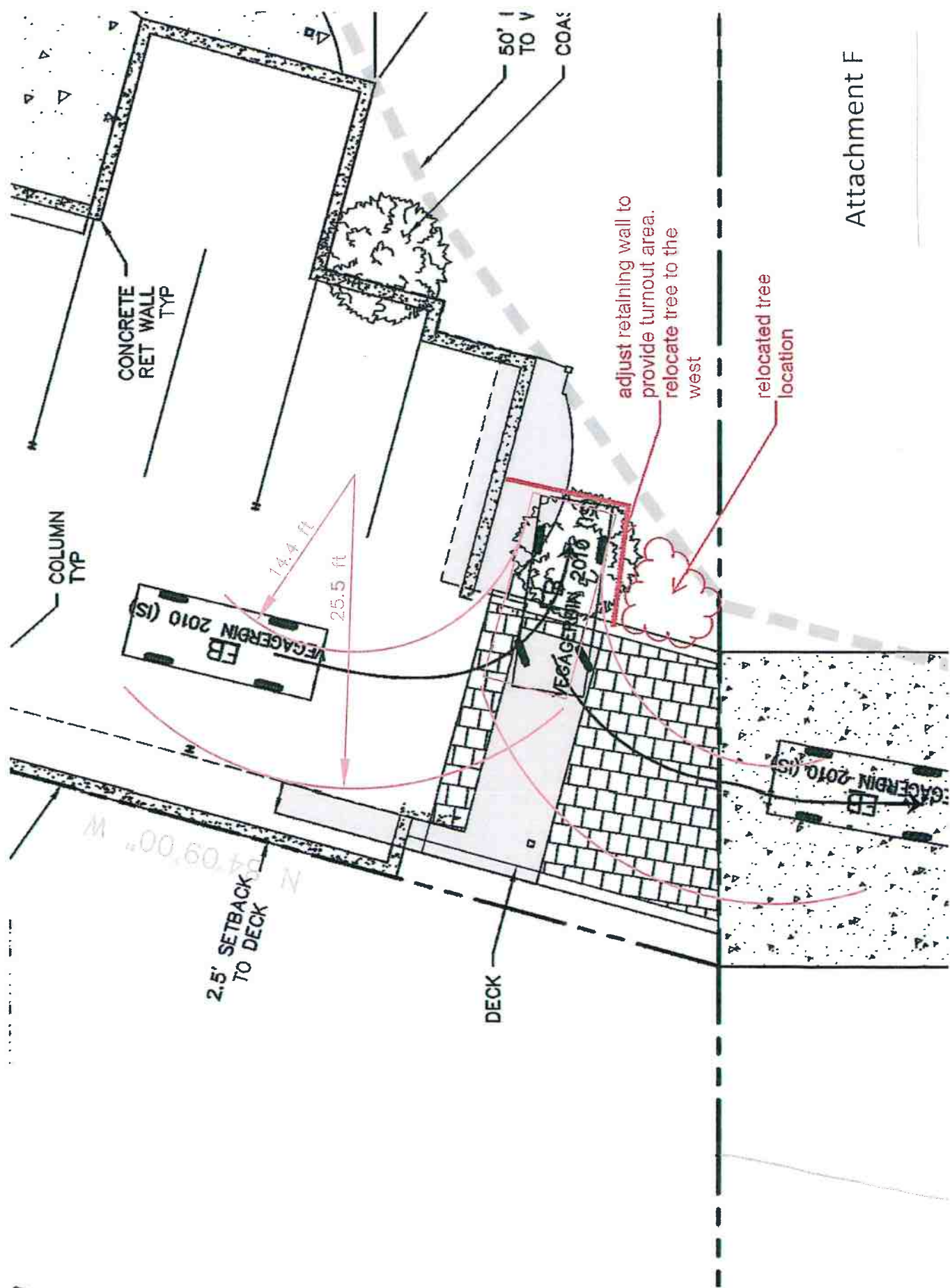


NO.	DESCRIPTION	DATE

Ocean Shore Apt.
 4000 Palmetto
 Pacifica, CA
 2nd Floor
 Project Number
 Date: June 15, 2018
 Drawn By: A3
 Checked By:
 Name: A3



Attachment E
 Option B



Attachment F

ATTACHMENT F



Scenic Pacifica
Incorporated Nov. 22, 1957

PLANNING COMMISSION Agenda

DATE: April 6, 2015
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: March 16, 2015

Designation of Liaison to City Council Meeting

CONSENT ITEMS:

1. CDP-338-13 **EXTENSION OF PERMITS** for the expansion of an existing 38-room Holiday Inn Express including an addition of 44 guest rooms and 2,010 square feet of retail space at 519 Nick Gust Way, Pacifica (APN 022-024-250 & -270 & -280). Proposed Action: Grant one (1) year extension
PSD-784-13
UP-028-13
PV-509-13

PUBLIC HEARINGS:

2. SP-151-15 **SPECIFIC PLAN, SP-151-15**, filed by Javier M. Chavarria agent for the applicant/property owner, Sonora Shores III, LLC, to construct a 4,238± square foot two story single-family residence on Lot 2 which is part of the development known as Harmony @ 1 located at Fassler and Roberts Road (APN 022-150-460). Proposed Action: Approve as conditioned.
3. PSD-790-14 **SITE DEVELOPMENT PERMIT, PSD-790-14, COASTAL DEVELOPMENT PERMIT, CDP-347-14, VARIANCE, PV-513-14, AND PARKING EXCEPTION, PE-160-15**, filed by David Blackman and Mike O'Connell, property owners, to construct four (4) detached studio apartments on a vacant 18,411 square foot parcel located at the 4000 block of Palmetto Avenue (APN: 009-402-270). The property is zoned R-3-G, Multiple-Family Residential Garden. The project is located in the Coastal Zone. Recommended CEQA status: Exempt. Proposed Action: Approve as conditioned.

CONSIDERATION ITEM:

None

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

ATTACHMENT G

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.



Scenic Pacifica
Incorporated Nov. 22, 1957

PLANNING COMMISSION Staff Report

DATE: April 6, 2015

ITEM: 3

PROJECT SUMMARY/RECOMMENDATION AND FINDINGS

Notice of public hearing was published in the Pacifica Tribune on March 26, 2015 and 18 surrounding property owners were notified by mail.

FILE: PSD-790-14
CDP-347-14
PV-513-14
PE-160-15

**APPLICANT/
OWNERS:**

David Blackman & Mike O'Connell
375 Keith Avenue
Pacifica, CA 94044

LOCATION:

4000 Block of Palmetto Avenue (APN: 009-402-270)

**PROJECT
DESCRIPTION:**

Construction of four detached studio apartments and four stall carport

General Plan: Medium Density Residential

Zoning: R-3-G/CZ, Multiple-Family Residential Garden /Coastal Zone

CEQA STATUS: Exempt: Section 15303 (b)

ADDITIONAL REQUIRED APPROVALS: None. Appealable to the City Council

RECOMMENDED ACTION: Approval, as conditioned.

PREPARED BY: Lee Diaz, Associate Planner

STANDARDS CONFORMANCE:

<u>Standards</u>	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>
Lot Area:	7,500 s.f. (min.)	18,411 s.f.	No Change
Min. lot area per dwelling	2,300 s.f.	N/A	4,602.75 s.f. per dwelling
Min. dwelling size	450 s.f.	N/A	400 s.f.*
Bldg. Height:	35' (max.)	N/A	22'
Lot Coverage (bldgs):	50% (max.)	N/A	18%
Bldg. Setbacks:			
-Front (west):	15'	N/A	15'
-sides (north & south):	5'	N/A	5'/64'
-rear (east):	20'	N/A	118'
Deck Side yard setback	4'	N/A	3'*
Landscaping:	25% (min.)	N/A	71%
Min. Useable Open Space	450 s.f. per unit	N/A	200 s.f.*
Parking:	4 spaces (min.)	N/A	4 spaces
Guest Parking	1 space	N/A	1 space**

*Variance requested.

**Parking Exception required because the parking space is within the front yard setback

PROJECT SUMMARY

A. STAFF NOTES:

1. Site Description: The project site is located on the 4000 block of Palmetto Avenue in the Fairmont West neighborhood. The triangular shaped vacant site is approximately 18,411 square feet. The majority of the site is covered with coastal scrub. A large portion of the former Edgemar Road easement/right-of-way runs through the south side of the property. The topography of the site slopes from east to west at an average of approximately 20%. The site is bounded on the west by Palmetto Avenue and on the north by the property known as “the bowl,” and to the east and south by vacant property known as “the fish.” Further east on the bluff above the site is Highway 1, single-family homes, and the Pacifica Point Condominiums.

2. Project Summary: The proposed project is the construction of four detached studio apartments with outdoor deck area. The apartments would be constructed on a raised concrete podium deck. A detached carport to accommodate four on-site parking spaces is also being proposed on the southeast of the lot. Additionally, an unenclosed guest parking space is being proposed on the southwest portion of the lot, within the required front yard setback.

Each of the studio apartments is proposed to have approximately 400 square feet of gross floor area. The overall building height of each studio apartment would be 22 feet. The height of the carport would be approximately 12 feet.

Exterior materials for the studio apartments would include a living roofs, softwood clapboard siding, soda lime glass, stone veneer, and shingles. The proposal also includes preserving and/or

restoring the majority of the existing natural landscaping which mostly consists of drought tolerant coastal scrub.

Each of the dwelling units will contain approximately 150 square feet of private deck area and a 50 square foot front porch. Access to the parking area would be provided via a 20-foot wide driveway off Palmetto Avenue and through a 10 foot wide driveway that runs along the front area of the property.

A retaining wall is also being proposed along the front of the property on the southwest portion of the property. The retaining wall would be approximately 3.4 feet high above grade. The fence height regulations allow a maximum of 3 feet in height within the front yard setback. When there is a difference in the ground level on opposite sides of a retaining wall or fence, height is measured from the higher ground level. A condition of approval would require that the retaining wall does not exceed 3 feet in height.

Required Permits: The proposal would require a Site Development Permit, Coastal Development Permit, Variance, and Parking Exception.

3. Zoning, General Plan, Coastal Plan, and Surrounding Land Uses: The site is zoned R-3-G/CZ, Multiple Family Residential Garden/Coastal Zoning District which allows multi-family residential with a minimum lot area of 2,300 square feet per unit. The size of the lot is .42 acres which would permit a total of 8 dwelling units.

The General Plan and Local Coastal Land Use Plan designation of the site is Medium Density Residential. The General Plan establishes a maximum density of 10 to 15 dwelling units per acre, equivalent to 4 to 6 units for the subject site. In addressing the project site, the General Plan and Local Coastal Land Use Plan narratives state:

"The other vacant land (+/-5 acres) in this neighborhood is on the east side of Palmetto Avenue, south of the existing condominiums. This land is moderately sloping to level, and is partially covered with bluff scrub vegetation, a portion of which has been disturbed by excessive foot and bike traffic, resulting in some erosion. Geologically, the land is much more stable than the bluff area across Palmetto to the west, and it is also significantly below the grade of Coast Highway. Proper drainage improvements and prompt revegetation of exposed areas will be necessary should this land be developed in order to prevent erosion of the neighboring condominiums. Medium Density Residential use is recommended for this land and will contribute to the medium price housing stock in the neighborhood. The proposed land use designation and planning criteria for development of the site are consistent with Sections 30253 (2) (Geologic Stability), and 30250 (Concentrate Development)."

The applicants are proposing to preserve and/or restore the existing drought tolerant coastal scrub vegetation that covers the majority of the site. In terms of drainage, the applicants are proposing to install a bioretention area of approximately 350 square feet. The bioretention area would provide 350 cubic feet of stormwater storage. Stormwater will be conveyed from the overflow drain/bioretention area via a 12-inch storm drain pipe that would connect to the existing

catch basin 140 feet south of the property. The subject site would have a medium density consistent with the General Plan, Local Coastal Land Use Plan and Zoning. Additionally, a preliminary geologic site review was conducted on August 23, 2014 by Earth Investigations Consultants for the subject property. It was concluded that the site is not constrained by geologic hazards, such as landslides and fault rapture. It was also concluded that the potential for liquefaction is considered low. Therefore, from an engineering geologic standpoint, the site is considered suitable for the proposed residential development. It is recommended, however, that a design-level geotechnical investigation is completed once the proposed development plan has been established. A condition of approval will require that the applicant comply with the recommendation by Earth Investigations Consultants.

Further, on August 13, 2014 Toyon Environmental Planning and Ecological Solutions consultants conducted a site visit to assess the presence/absence of sensitive habitat areas. No rare or especially valuable species or habitat was observed during the site visit. In addition, no evidence of wetland hydrology appeared to be present on the site. It was concluded that the lot proposed to be developed does not qualify as either an “Environmentally Sensitive Habitat Area or as a Wetland.”

4. Municipal Code: The proposal would meet the majority of the development regulations. However, the proposal would not meet the minimum development standards for dwelling size. Each studio apartment is proposed to have approximately 400 square feet of gross floor area. Section 9-4.2313 (b) (1) of the Pacifica Municipal Code requires studios to contain a minimum of 450 square feet of gross floor area. A Variance would be required to allow the dwelling units to contain less than 450 square feet of gross floor area. Each of the studio apartments is also required to provide a minimum of 450 square feet of usable open space, per Section (-4.702 (h) of the Municipal Code. Each dwelling unit will contain approximately 150 square feet of private deck area and a 50 square foot front porch. Approval of a Variance would be required to allow each unit to provide less than 450 square feet of usable open space. Additionally, the deck of the studio apartment located to the rear of the property closer to the northern property line would be situated 3 feet from the side yard. Section 9-4.2703 of the Municipal Code requires that decks 30 inches above grade must be 4 feet away from the side yard. A condition of approval will require that the deck be 4 feet away from the side yard. Further, a Parking Exception would be required to allow the proposed guest unenclosed parking space to be located within the required 15 foot front yard setback. According to Section 9-4.2808 (a) of the Municipal Code, no required yard space in any residential district shall be used for parking.

5. Design: According to the City's Design Guidelines, "variety is a key ingredient in the appearance of multi-unit development. Developments which feature a series of identical structures that are visually monotonous are not acceptable. Building design should also incorporate variety in the type of materials, colors, and heights while maintaining a cohesive style." The proposed studio apartments have been designed to prevent them from looking identical and visually monotonous. Although, the height of each unit would be 22 feet, the elevation of each unit would vary visually breaking up the height of each unit. There are several architectural elements that also add visual interest to the proposed studio apartments and are visually compatible with the character of the surrounding area. Each residential unit would be

constructed on a raised concrete podium deck and feature living roofs, large windows and deck areas with views of the Pacific Ocean. However, no public or private views to the surf line and the ocean beyond will be affected by the proposed development. A variety of exterior materials are proposed which include softwood clapboard siding, shingles, soda lime glass, and stone veneer which add visual interest. Although the design elements are different for each studio, they would maintain a cohesive style. Staff believes that the development's small scale and size, use of living roofs, preservation and/or restoration of the existing natural landscaping would minimize the visual impacts of the development.

6. CEQA Recommendation: Staff recommends that the Planning Commission find the project exempt from CEQA per section 15303 Class 3 (b) which states:

Section 15303. New Construction or Conversion of Small Structures. Class 3 consists of construction and location of limited number 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 number of structures described in this section are the maximum allowable on any legal parcel. Examples of this exemption include but are not limited to:

(b) A duplex or similar multi-family residential structure totaling no more than four dwelling units. In urbanized areas, this exemption applies to apartments, duplexes, and similar structures designed for not more than six dwelling units.

The construction of four (4) studio apartments is consistent with this exemption. The project site is within an urbanized area that permits not more than six dwelling units.

7. Site Development Permit: Pursuant to Section 9-4.3204 of the Zoning Code, a Site Development Permit shall not be issued if the Commission makes any of the findings regarding potential traffic patterns, parking accessibility problems, insufficiently landscaped areas, the restriction of light and air on the property or other properties in the area, the creation of a substantial detriment to an adjacent residential district, damage to the natural environment, and insufficient site and structural design variety. In addition, the proposed development must be consistent with the City's Design Guidelines, General Plan, Zoning Code and other applicable laws of the City. Staff believes that the design is consistent with the character of the surrounding neighborhood; that it will not create inconvenient traffic patterns or parking accessibility problems, adequate landscaping will be provided, and the proposal will not restrict light or air to surrounding buildings or discourage additional development in the area. The proposal will enhance the design variety and will not affect the surrounding natural environment. Each of the studio apartments is proposed to have approximately 400 square feet of gross floor area with an overall building height of 22 feet. Exterior materials would include living roofs, softwood clapboard siding, soda lime glass, stone veneer, and shingles. The proposal also includes preserving and/or restoring the majority of the existing natural landscaping which mostly consists of drought tolerant coastal scrub. Additionally, staff believes that the proposed construction of four (4) detached studio apartments, as conditioned, would be consistent with the General Plan, Local Coastal Land Use Plan, Zoning Code and, and other applicable laws of the

City. The development's small scale and size is appropriate for the area and to the R-3-G, Multiple Family Residential Garden Zoning and Medium Density Zoning Designations.

8. Coastal Development Permit: Section 9-4304 (k) of the Municipal Code allows the Planning Commission to issue a Coastal Development Permit based on the findings specified below:

1. The proposed development is in conformity with the City's certified Local Coastal Program; and
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.

Staff believes that the proposed development of four (4) detached studio apartments is in conformity with the City's Local Coastal Program, and public recreation policies of Chapter 3 of the California Coastal Act. The development's small size and scale is appropriate for the site, is compatible with nearby areas and will have limited, if any, visual consequences. Additionally, staff believes that the project will not negatively impact any access to existing coastal recreation facilities, nor will it increase the demand for additional facilities or negatively affect any existing oceanfront land or other coastal area suitable for recreational use. It should also be noted that the project site is outside of the Coastal Commission appeals area.

9. Variance: The Code allows the Planning Commission to grant a Variance to development regulations when the following findings are made:

- a. That because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the provisions of the Zoning Code deprives such property of privileges enjoyed by other property in the vicinity and under an identical zoning classification;
- b. That the granting of the variance will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the subject property and will not, under the circumstances of the particular improvements in the area; and
- c. Where applicable, the application is consistent with the City's adopted Design Guidelines.
- d. If located in the Coastal Zone, that the application is consistent with the applicable provisions of the Local Coastal Plan.

On the basis of such findings, the Commission may grant, conditionally grant, or deny the application for a Variance.

Staff believes that the topography of the property which slopes from east to west together with the triangular shape of the lot, and the former Edgemar Road “Easement/Right-Of-Way that runs through the south side of the property limits development of the site consisted with adopted standards. The minimum dwelling unit standards require that studio apartments contain a minimum of 450 square feet of gross floor area and provide a minimum of 450 square feet of useable open space per unit. In this case, each unit will provide 400 square feet of gross floor area and approximately 200 square feet of useable open space (150 square foot deck and 50 square foot porch).

Staff believes that granting the Variance will not, under the circumstances of the subject case, materially affect adversely the health or safety of persons residing in the neighborhood of the subject property and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in the area. By allowing a decrease in the minimum gross floor area and useable open space would not affect the health or safety of persons residing or working in the neighborhood. Staff believes that the physical constrains of the property limits practical development of the site. In addition, the applicants are proposing a small scale development which is more appropriate for the site.

The proposed construction of four (4) detached studio apartments is consistent with the City’s Design Guidelines. The style, design and materials proposed would prevent the studio apartments from looking identical and visually monotonous. There are several architectural elements that would add visual interest to the proposed buildings and be visually compatible with the character of the surrounding area. Each unit would be constructed on a raised concrete podium deck and feature living roofs, large windows and deck areas. The height of each unit would be 22 feet, however, the elevation of each unit varies visually breaking up the height of each unit. No public or private views would be affected by the proposed development. Additionally, the development’s small scale and size, use of living roofs and preservation and/or restoration of existing natural landscaping minimizes the visual impacts of the development.

10. Parking Exception: An unenclosed guest parking space is proposed within the required 15 foot front yard setback. Section 9-4.2808 (a) provides that no required yard space shall be used for parking in any residential district.

The Municipal Code states that the Planning Commission may grant exceptions to the parking requirements in the event of practical difficulties and unusual hardship. Findings need to be made that the parking facilities, as proposed, are as nearly in compliance with the requirements of the Code as is reasonably possible. Staff believes that parking facilities, as proposed, are nearly in compliance with the requirements of the Code as is reasonable possible. All the required on-site parking is being provided by the project. Staff believes that the topography which slopes from east to west, the triangular shape of the lot, and the former Edgemar Road “Easement/Right-Of-Way that runs through the south side of the property creates practical difficulties and unusual hardship to locate the unenclosed guest parking elsewhere on the property.

Further, the City’s Design Guidelines state that “the visual impact of parking areas should be minimized when appropriate to the site by locating parking areas to the rear or side of the property, rather than along the frontages.” The proposed carport and unenclosed guest parking space would be located on the front of the property. A condition of approval would require that the parking areas be screened with landscaping to minimize any visual impacts.

11. Summary: Staff, believes that the proposed construction of four (4) studio apartments, as conditioned, would be consistent with the City’s Design Guidelines, General Plan, Local Coastal Land Use Plan, Zoning Code and, and other applicable laws of the City. The small scale and size of the proposed studio apartments is appropriate for the area and to the R-3-G, Multiple Family Residential Garden Zoning and Medium Density Zoning Designations.

Each unit would be constructed on a raised concrete podium deck with living roofs, large windows and deck areas. The studios would be clustered toward the front of the property with views of the Pacific Ocean. No public or private views to the surf line and the ocean beyond will be affected. A variety of exterior materials are proposed which include softwood clapboard siding, shingles, soda lime glass, and stone veneer which add visual interest. The development’s small scale and size, use of living roofs and preservation and/or restoration of existing natural landscaping would further minimize the visual impacts of the development.

Staff also believes the proposal does not appear out of character with the existing mix of land uses. The design quality and attractiveness is equal to or greater than surrounding development.

COMMISSION ACTION

MOTION FOR APPROVAL:

Move that the Planning Commission find that the project is exempt from CEQA; **APPROVE** Site Development Permit, PSD-790-14, Coastal Development Permit, CDP-347-14, Variance, PV-513-13, and Parking Exception, PE-160-15, subject to the conditions of approval in Exhibit A and incorporate all maps and testimony into the record by reference, and **ADOPT** the following resolutions:

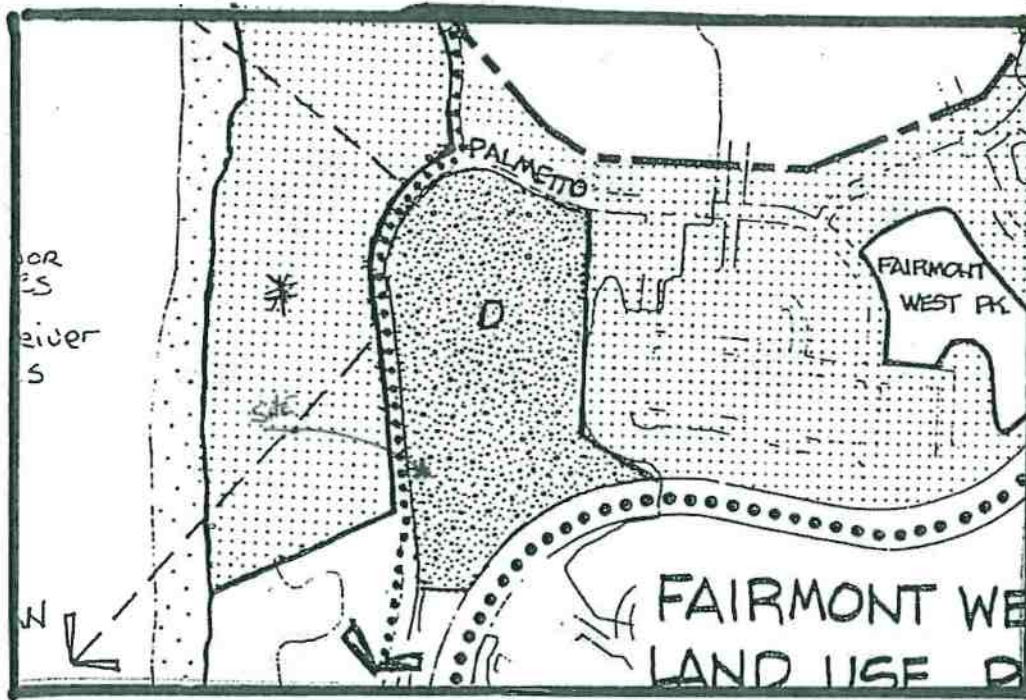
- P.C. Resolution for Site Development Permit
- P.C. Resolution for Coastal Development Permit
- P.C. Resolution for Variance
- P.C. Resolution for Parking Exception

ATTACHMENTS:

- a. Location Map
- b. P.C. Resolution (Site Development Permit)
- c. P.C. Resolution (Coastal Development Permit)
- d. P.C. Resolution (Variance)
- e. P.C. Resolution (Parking Exemption)
- f. Exhibit A for Resolutions – Conditions of Approval
- g. Conceptual Plans

General Plan Diagram

Existing Land Use: Medium Density Residential

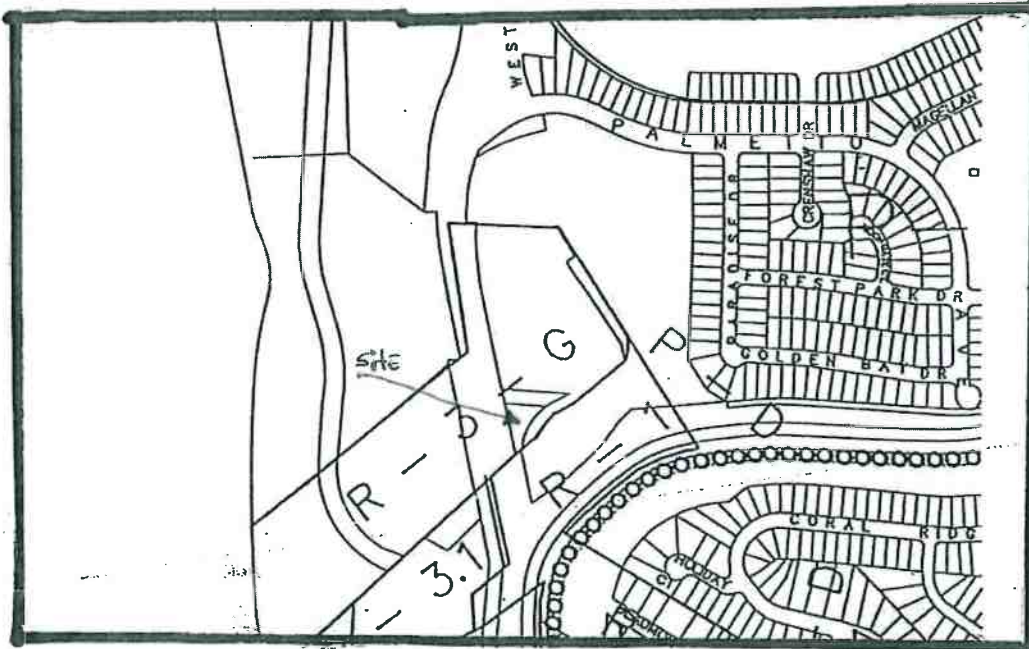


Neighborhood: Fairmont West

- ### Legend
- VERY LOW DENSITY RESIDENTIAL
 - LOW DENSITY RESIDENTIAL
 - MEDIUM DENSITY RESIDENTIAL
 - HIGH DENSITY RESIDENTIAL
 - MIXED USE: HIGH DENSITY/COMM.
 - COMMERCIAL
 - GENERAL COMMERCIAL
 - OPEN SPACE RESIDENTIAL
 - GREENBELT
 - PROMINENT BOUNDARY
 - SPECIAL AREA
 - MARSH
 - OPEN SPACE / PUBLIC FACILITY
 - PROPOSED PARKING
 - NEIGHBORHOOD PARK
 - DEVELOPED / PROPOSED BEACH ACCESS
 - NORTH-SOUTH CITY TRAIL
 - PUBLIC FACILITY
 - UTILITIES
 - AGRICULTURE
 - CHURCH
 - FIRE STATION

Zoning Map Diagram

Existing Zoning: R-3-G, Multiple Family Residential Garden



- ### Legend
- #### ZONING DISTRICTS
- R-1 Single-Family Residential
 - R-2 Two-Family Residential
 - R-3 Multiple-Family Residential
 - R-3.1 Multiple-Family Residential
 - R-3-G Multiple-Family Residential Garden
 - R-5 High Rise Apartment
 - C-1 Neighborhood Commercial
 - C-1-A Commercial Apartment
 - C-2 Community Commercial
 - C-3 Service Commercial
 - O Professional Office
 - C-R Commercial Recreation
 - M-1 Controlled Manufacturing
 - M-2 Industrial
 - P Parking
 - A Agricultural
 - B Lot Size Overlay
 - P-F Public Facilities
 - P-D Planned Development
 - R-M Resource Management
 - O-S Open Space
 - R-3/L.D. Multiple-Family/Low Density Residential
 - R-1-H Single-Family Residential Hillside
 - CZ Coastal Zone Combining District
 - SA Special Area Combining District
 - HPD Hillside Preservation District
- + Requires Vote to Rezone
X Vote Required for Residential Development

LAND USE AND ZONING EXHIBIT
 City of Pacifica
 Community & Economic Development Department

NORTH

Scale:
N.T.S.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PACIFICA APPROVING SITE DEVELOPMENT PERMIT (PSD-790-14), FOR THE CONSTRUCTION OF FOUR DETACHED STUDIO APARTMENTS AND CARPORT AT THE 4000 BLOCK OF PALMETTO AVENUE (APN 009-402-270), SUBJECT TO CONDITIONS

Initiated by: David Blackman & Michael O'Connell

WHEREAS, an application has been submitted to construct four (4) detached apartments and carport on a 18,411 square foot parcel located at the 4000 block of Palmetto Avenue (APN 0209-402-270) on property classified R-3-G/-CZ, Multiple-Family Residential Garden District within the Coastal Zone Combining District; and

WHEREAS, a noticed of public hearing to consider the proposed development to all property owners located within 300 feet radius of the project site was sent via US Mail on March 26, 2015; and

WHEREAS, the Planning Commission has determined that the project is exempt from California Environmental Quality Act per section 15303 Class 3 (b) which states: Class 3 consists of construction and location of limited number of new, small facilities or A duplex or similar multi-family residential structure totaling no more than four dwelling units. In urbanized areas, this exemption applies to apartments, duplexes, and similar structures designed for not more than six dwelling units. The project site is a within an urban area and consists of four studio apartment consistent with this exemption; and

WHEREAS, the proposal will not create inconvenient traffic patterns or parking accessibility problems; and

WHEREAS, the proposal will provide adequate landscaping, in that the majority of the existing natural landscaping which consists of coastal scrub will be preserved and/or restored; and

WHEREAS, the proposed construction of four detached studios and carport will not restrict light or air on the property or other properties in the area, or discourage additional development in the area. The small scale and size of the development will have little or no impact on the property or other property in the area; and

WHEREAS, the Planning Commission finds that the proposal will enhance the design variety and will not affect the surrounding natural environment; and

WHEREAS, the Planning Commission finds that the proposed construction of four studio apartments with a carport would be consistent with the City's Design Guidelines, Local Coastal Land Use Plan, and Zoning Code. Each residential unit would be constructed on a raised concrete podium deck and feature living roofs, large windows and deck areas. A variety of exterior materials are proposed which include softwood clapboard siding, shingles, soda lime glass, and stone veneer which add visual interest; and

WHEREAS, the proposed site is physically suitable for the type and density of development, the proposed project will cause no substantial environmental damage, and no public health problems will result from development of the subject parcels; and

WHEREAS, the proposed development is compatible with the surrounding neighborhood, which is bounded by Palmetto Avenue on the west, by vacant property known as "the bowl" on the north, and to the east and south by vacant property known as "the fish," and further east on the bluff above the site by Highway 1, single-family homes and multi-family residential; and

WHEREAS, the proposed development will not be detrimental to the present or potential surrounding land uses; and

WHEREAS, the existing streets in the area of the proposed Project are adequate to carry anticipated traffic related to the Project, and the traffic generation from the four studio apartments will not create a hazardous or inconvenient vehicular or pedestrian traffic pattern; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Pacifica does hereby approve the Site Development Permit, subject to conditions of approval attached in Exhibit A.

* * * * *

Passed and adopted at a regular meeting of the Planning Commission of the City of Pacifica, California, held on the 6th day of April 2015.

AYES, Commissioners:

NOES, Commissioners:

ABSENT, Commissioners:

ABSTAIN, Commissioners:

Mike Brown, Chair

ATTEST:

Tina Wehrmeister, Planning Director

APPROVED AS TO FORM:

Michelle Kenyon, City Attorney

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PACIFICA APPROVING COASTAL DEVELOPMENT PERMIT (CDP-347-14), FOR THE CONSTRUCTION OF FOUR DETACHED STUDIO APARTMENTS AND CARPORT AT THE 4000 BLOCK OF PALMETTO AVENFUE, SUBJECT TO CONDITIONS

Initiated by: David Blackman & Michael O'Connell

WHEREAS, an application has been submitted to construct four (4) detached apartments and carport on a 18,411 square foot parcel located at the 4000 block of Palmetto Avenue (APN 0209-402-270) on property classified R-3-G/-CZ, Multiple-Family Residential Garden District within the Coastal Zone Combining District; and

WHEREAS, a noticed of public hearing to consider the proposed development to all property owners located within 300 feet radius of the project site was sent via US Mail on March 26, 2015; and

WHEREAS, the Planning Commission has determined that the project is exempt from California Environmental Quality Act per section 15303 Class 3 (b) which states: Class 3 consists of construction and location of limited number of new, small facilities or A duplex or similar multi-family residential structure totaling no more than four dwelling units. In urbanized areas, this exemption applies to apartments, duplexes, and similar structures designed for not more than six dwelling units. The project site is a within an urban area and consists of four studio apartment consistent with this exemption; and

WHEREAS, the project is in conformity with the City's certified Local Coastal Program in that multi-family residential is permitted at this particular location and as conditioned, the proposed construction of four studio detached apartments with a carport comply with the development standards; and

WHEREAS, the proposed construction of four detached studio apartments and carport is in conformity with the public recreation policies of Chapter 3 of the California Coastal Act. The project which is located east of Palmetto Avenue will not negatively impact any access to existing coastal recreational facilities, nor will it increase demand for additional facilities or negatively affect any exiting oceanfront land or other coastal area suitable for recreational use; and

WHEREAS, the proposed site is physically suitable for the type and density of development, the proposed project will cause no substantial environmental damage, and no public health problems will result from development of the subject parcels; and

WHEREAS, the proposed development is compatible with the surrounding neighborhood, which is bounded by Palmetto Avenue on the west, by vacant property known as "the bowl" on the north, and to the east and south by vacant property known as

“the fish,” and further east on the bluff above the site by Highway 1, single-family, and multi-family residential; and

WHEREAS, the proposed small size and scale development will not be detrimental to the present or potential surrounding land uses; and

WHEREAS, the existing streets in the area of the proposed Project are adequate to carry anticipated traffic related to the Project, and the estimated traffic generation from the construction of four studio apartments will not create a hazardous or inconvenient vehicular or pedestrian traffic pattern; and

WHEREAS, the proposed development will not be detrimental to the present or potential surrounding land uses; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Pacifica does hereby approve the Coastal Development Permit, subject to conditions of approval attached in Exhibit A.

* * * * *

Passed and adopted at a regular meeting of the Planning Commission of the City of Pacifica, California, held on the 6th day of April 2015.

AYES, Commissioners:

NOES, Commissioners:

ABSENT, Commissioners:

ABSTAIN, Commissioners:

Mike Brown, Chair

ATTEST:

Tina Wehrmeister, Planning Director

APPROVED AS TO FORM:

Michelle Kenyon, City Attorney

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PACIFICA APPROVING VARIANCE (PV-513-14), FOR THE CONSTRUCTION OF FOUR DETACHED STUDIO APARTMENT AND CARPORT AT THE 4000 BLOCK OF PALMETTO AVENUE (APN 009-402-270), SUBJECT TO CONDITIONS

Initiated by: David Blackman & Michael O'Connell

WHEREAS, an application has been submitted to construct four (4) detached apartments and carport on a 18,411 square foot parcel located at the 4000 block of Palmetto Avenue (APN 0209-402-270) on property classified R-3-G/-CZ, Multiple-Family Residential Garden District within the Coastal Zone Combining District; and

WHEREAS, a noticed of public hearing to consider the proposed development to all property owners located within 300 feet radius of the project site was sent via US Mail on March 26, 2015; and

WHEREAS, the Planning Commission has determined that the project is exempt from California Environmental Quality Act per section 15303 Class 3 (b) which states: Class 3 consists of construction and location of limited number of new, small facilities or A duplex or similar multi-family residential structure totaling no more than four dwelling units. In urbanized areas, this exemption applies to apartments, duplexes, and similar structures designed for not more than six dwelling units. The project site is a within an urban area and consists of four studio apartment consistent with this exemption; and

WHEREAS, Section 9-4.2313 (b) (1) of the Pacifica Municipal Code requires that studio apartments contain a minimum of 450 square feet of gross floor area and Section 9-4.702 (h) requires a minimum of 450 square feet of useable open space per unit. Each unit will provide 400 square feet of gross floor area and approximately 200 square feet of useable open space (150 square foot deck and 50 square foot porch); and

WHEREAS, because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the provisions of the Zoning Code deprives such property of privileges enjoyed by other property in the vicinity and under an identical zoning classification; the topography of the property slopes from east to west, the lot has a triangular shape, and a large portion of the former Edgemar Road "Easement/Right-Of-Way runs through the south side of the property which limits practical development of the site; and

WHEREAS, the granting of the variance will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the subject property and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in the area; and

WHEREAS, the construction of four studio apartments and carport is consistent with the City's adopted Design Guidelines. The style, design and materials proposed would prevent the studio apartments from looking identical and visually monotonous. There are several architectural elements that would add visual interest to the proposed buildings and be visually compatible with the character of the surrounding area. Each unit would be constructed on a raised concrete podium deck and feature living roofs, large windows and deck areas. The elevation of each unit would vary visually breaking up the height of each unit, and the development's small scale and size, use of living roofs and preservation and/or restoration of existing natural landscaping would minimize the visual impacts of the development.; and

WHEREAS, the proposed construction of four studio apartments is consistent with the applicable provisions of the Local Coastal Plan; and

WHEREAS, the proposed site is physically suitable for the type and density of development, the proposed project will cause no substantial environmental damage, and no public health problems will result from development of the subject parcels. The development's small scale and size is appropriate for the site and to the Zoning and General Plan designations; and

WHEREAS, the proposed development is compatible with the surrounding neighborhood, which is bounded by Palmetto Avenue on the west, by vacant property known as "the bowl" on the north, and to the east and south by vacant property known as "the fish," and further east on the bluff above the site by Highway 1, single-family, and multi-family residential; and

WHEREAS, the proposed development will not be detrimental to the present or potential surrounding land uses; and

WHEREAS, the existing streets in the area of the proposed Project are adequate to carry anticipated traffic related to the Project, and the estimated traffic generation from the construction of four studio apartments will not create a hazardous or inconvenient vehicular or pedestrian traffic pattern; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Pacifica does hereby approve the Variance, subject to conditions of approval attached in Exhibit A.

* * * * *

Passed and adopted at a regular meeting of the Planning Commission of the City of Pacifica, California, held on the 6th day of April 2015.

AYES, Commissioners:

NOES, Commissioners:

ABSENT, Commissioners:

ABSTAIN, Commissioners:

Mike Brown, Chair

ATTEST:

Tina Wehrmeister, Planning Director

APPROVED AS TO FORM:

Michelle Kenyon, City Attorney

RESOLUTION NO.

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
PACIFICA APPROVING PARKING EXCEPTION (PE-160-15), FOR THE
CONSTRUCTION OF FOUR DETACHED STUDIO APRTMENTS AND
CARPORT AT THE 4000 BLOCK OF PALMETTO AVENUE (APN 009-402-270),
SUBJECT TO CONDITIONS**

Initiated by: David Blackman & Michael O'Connell

WHEREAS, an application has been submitted to construct four (4) detached apartments and carport on a 18,411 square foot parcel located at the 4000 block of Palmetto Avenue (APN 0209-402-270) on property classified R-3-G/-CZ, Multiple-Family Residential Garden District within the Coastal Zone Combining District; and

WHEREAS, a noticed of public hearing to consider the proposed development to all property owners located within 300 feet radius of the project site was sent via US Mail on March 26, 2015; and

WHEREAS, the Planning Commission has determined that the project is exempt from California Environmental Quality Act per section 15303 Class 3 (b) which states: Class 3 consists of construction and location of limited number of new, small facilities or A duplex or similar multi-family residential structure totaling no more than four dwelling units. In urbanized areas, this exemption applies to apartments, duplexes, and similar structures designed for not more than six dwelling units. The project site is a within an urban area and consists of four studio apartment consistent with this exemption; and

WHEREAS, Section 9-4.2808 (a) of the Pacifica Municipal Code states that in any residential district, no required yard space shall be used for parking. One unenclosed guest parking space is proposed within the required 15 foot front yard setback; and

WHEREAS, the Planning Commission may grant exceptions to the parking requirements in the event of practical difficulties and unusual hardship; the topography which slopes from east to west, the triangular shape of the lot, and the former Edgemar Road "Easement/Right-Of-Way that runs through the south side of the property creates practical difficulties and unusual hardship to locate the unenclosed guest parking elsewhere on the property; and

WHEREAS, the establishment, maintenance, and/or conducting of the off-street parking facilities as proposed are as nearly in compliance with the requirements as is reasonably possible. Staff believes that parking facilities, as proposed, are nearly in compliance with the requirements of the Code as is reasonable possible. All the required on-site parking is being provided by the project; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Pacifica does hereby approve the Variance, subject to conditions of approval attached in Exhibit A.

* * * * *

Passed and adopted at a regular meeting of the Planning Commission of the City of Pacifica, California, held on the 6th day of April 2015.

AYES, Commissioners:

NOES, Commissioners:

ABSENT, Commissioners:

ABSTAIN, Commissioners:

Mike Brown, Chair

ATTEST:

Tina Wehrmeister, Planning Director

APPROVED AS TO FORM:

Michelle Kenyon, City Attorney

Exhibit A

Conditions of Approval for the Construction of Four (4)
Detached Studio Apartments and Carport at the
4000 Block of Palmetto Avenue
(APN 009-402-270)
Planning Commission Meeting April 6, 2015

Planning Department

1. Development shall be substantially in accord with the plans entitled "SCHEMATIC IMPROVEMENT PLANS 451, 4555, 4559, 4561 PALMETTO AVENUE CITY OF PACIFICA, SAN MATEO COUNTY, CALIFORNIA," consisting of seven (7) sheets, RECEIVED JAN 05 2015, except as modified by the following conditions.
2. Prior to the issuance of a building permit, the applicant shall submit information on roofing material, exterior finishes, including colors and materials, subject to approval of the Planning Director.
3. No retaining walls and/or other barriers in excess of 3 feet in height shall be constructed within the front yard setback.
4. The deck, if 30 inches or above grade, of the studio apartment located to the rear of the property closer to the northern property line shall be 4 feet away from the side yard.
5. The carport and unenclosed guest parking space shall be screened to the maximum extent feasible with native landscaping.
6. All paving area shall be permeable to the maximum extent feasible.
7. All trash and recycling materials, if stored outdoors, shall be fully contained and screened from public view within the proposed enclosure. The enclosure design shall be consistent with the adjacent and/or surrounding building materials, and shall be sufficient in size to contain all trash and recycling materials, as may be recommended by Recology of the Coast. Trash enclosure and dumpster areas shall be covered and protected from roof and surface drainage. If water cannot be diverted from these areas, self-contained drainage systems that drain to sand filters shall be installed. The property owner/homeowner's association shall inspect and clean the filters as needed. Applicant shall provide construction details for the enclosure for review and approval by the Planning Director, prior to building permit issuance.
8. 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

**4000 Block of Palmetto Avenue
Conditions of Approval for Construction of four (4) detached Studio Apartments
April 6, 2015**

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- 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.
9. Roof drains shall discharge and drain away from the building foundation to an unpaved area wherever possible.
 10. All **outstanding** and applicable fees associated with the processing of this project shall be paid prior to the issuance of a building permit.
 11. A detailed on-site exterior lighting plan shall be submitted for review and **approval** by the Planning Director prior to the issuance of a building permit. Said plan shall indicate fixture design, illumination, location, height, and method of shielding so as not to adversely affect adjacent properties. Lighting shall be directed away from adjacent property. Buffering techniques to reduce light and glare impacts to residences shall be required. Building lighting shall be architecturally integrated with the building style, materials and colors and shall be designed to minimize glare. Show fixture locations, where applicable, on all building elevations.
 12. 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, but excluding any approvals governed by California Government Code Section 66474.9. 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.
 13. 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.

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14. The applicant/developer shall incorporate into the building permit plans all the recommendations listed in the Engineering Geologic Site Review for the proposed four (4) detached studio apartments prepared by Earth Investigations Consultants, on August 23, 2015.
15. All required stormwater controls for development shall be met by the proposal.
16. Building permit drawings and subsequent construction shall substantially conform to the approved planning application drawings. Any modifications shall be reviewed by the Planning Director, who shall determine whether the modifications require additional approval.
17. No wastewater (including equipment cleaning wash water, vehicle wash water, cooling water, air conditioner condensate, and floor cleaning washwater) shall be discharged to the storm drain system, the street or gutter.
18. The property owner(s) shall keep the property in a clean and sanitary condition at all times.

Engineering Department

19. Construction shall be in conformance with the San Mateo Countywide Storm Water Pollution Prevention Program. Best Management Practices shall be implemented.
20. Roadways shall be maintained clear of construction materials and debris, especially mud and dirt tracked, onto Palmetto Avenue. Dust control and daily road cleanup will be strictly enforced.
21. 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 occupancy of the first unit.
22. All proposed sanitary sewer system and storm drain system up to their connection to the existing mains shall be privately maintained.

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23. Existing curb, sidewalk or other street improvements adjacent to the property frontage that is damaged or displaced shall be repaired or replaced as deemed by the City Engineer even if damage or displacement occurred prior to any work performed for this project.
24. Applicant shall overlay existing asphalt with minimum 2 inch AC to the limits of all utility connection or whole street width across entire property frontage along Palmetto Avenue. All pavement markings and markers shall be replaced in kind.
25. Proposed new improvements within existing ROW shall be privately maintained and will require a Maintenance Agreement to be recorded.
26. Landscaping shall consist of pure native plants and to the satisfaction of the City Engineer.
27. An erosion control plan prior shall be submitted to the issuance of a building permit.
28. 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.

MINUTES

**CITY OF PACIFICA
PLANNING COMMISSION
COUNCIL CHAMBERS
2212 BEACH BOULEVARD**

April 6, 2015

7:00 p.m.

Acting Chair Gordon called the meeting to order at 7:01 p.m.

ROLL CALL: Present: Commissioners Vaterlaus, Evans, Cooper, Campbell, and Vice Chair Gordon
Absent: Commissioner Nibbelin and Chair Brown

SALUTE TO FLAG: Led by Commissioner Cooper

STAFF PRESENT: Planning Director Wehrmeister
Associate Planner Diaz

APPROVAL OF ORDER OF AGENDA Commissioner Cooper moved approval of the Order of Agenda; Commissioner Vaterlaus seconded the motion.

The motion carried **5-0**.

Ayes: Commissioners Vaterlaus, Evans, Cooper, Campbell and Vice Chair Gordon

Noes: None

**APPROVAL OF MINUTES:
MARCH 16, 2015** No quorum

DESIGNATION OF LIAISON TO CITY COUNCIL MEETING:

None.

CONSENT ITEMS:

1. **CDP-338-13 EXTENSION OF PERMITS for the expansion of an existing
PSD-784-13 38-room Holiday Inn Express including an addition of 44 guest
UP-028-13 rooms and 2,010 square feet of retail space at 519 Nick Gust
PV-509-13 Way, Pacifica (APN 022-024-250 & -270 & -280).**

Commissioner Vaterlaus moved that the Planning Commission **EXTEND** CDP-338-13, PSD-784-13, UP-028-13 and PV-509-13 to March 13, 2016; Commissioner Cooper seconded the motion.

The motion carried **5-0**.

Ayes: Commissioners Vaterlaus, Evans, Cooper, Campbell and
 Vice Chair Gordon

Noes: None

PUBLIC HEARINGS:

2. SP-151-15 **SPECIFIC PLAN, SP-151-15, filed by Javier M. Chavarria, Agent for the applicant/property owner, Sonora Shores, III, LLC, to construct a 4,238+ square foot two-story, single-family residence on Lot 2, which is part of the development known as Harmony @ 1, located at Fassler and Roberts Road (APN: 022-150-460).**

Assoc. Planner Diaz presented the staff report.

Commissioner Cooper referred to Attachment A, and assumed that all the conditions were the same as previously approved by the Commission.

Assoc. Planner Diaz responded affirmatively.

Javier Chavarria of JC Engineering stated that he had pictures to help them visualize it better. He then described the process, mentioning that the project was ten years in the making, and he was there for final approval to start building the first home in 2015. He explained their goals in raising the standards for green building, including solar and electric car charger. He explained the various upgrades from the originally approved design, and stated that this was a design that will make Pacifica proud of the improvements they are making to the town.

Commissioner Campbell stated that he was on the Commission when they approved the project and was happy to see it come back. He commended him on meeting what they sought for the project when approved in 2007. He asked clarification of how the LEED standard certification was going to work.

Mr. Chavarria explained that the ordinance read that the building can be either LEED certified or have 100 green points. They were choosing the green point architecture, which was easier and less expensive to manage but does not lower the bar. He asserted that every element needed to be gold certified was incorporated in the home, but their system is more manageable and will save \$30,000-40,000 in documentation and paperwork but not be a lesser quality.

Commissioner Cooper stated that he was excited as it has been a long time. He had a concern about one overhead light that he thought attracts rather than blends into the landscaping.

Mr. Chavarria explained that it was the person preparing the renderings trying to get cute. He stated that none of the homes are going to have any isolated light poles. All the lighting will be low pollution, downward oriented. The only lights on poles will be the ones on street, already approved.

Commissioner Cooper appreciated the photos from other communities showing all the green grass, and how he had blended in natural landscaping in this design to avoid that and take pride in Pacifica's landscape. He mentioned a neighbor who was putting in a grey water system to use as landscaping. He acknowledged that it was not required, but he thought it was a very interesting idea.

Commissioner Evans referred to the LEED certification, and he stated that the papers they received restated the points necessary to achieve a LEED gold certification with platinum when possible. He thought he heard that he was not attaining the certificate but qualifying for it.

Mr. Chavarria responded affirmatively.

Commissioner Evans stated that, with LEED, people will check and keep track of the points, and he asked who would be doing that on this project.

Mr. Chavarria stated that it would be an independent qualified green rated consultant.

Commissioner Evans responded that he wanted to find out who would assure that the goals were met.

Mr. Chavarria understood and reiterated that there would be an independent rater.

Planning Director Wehrmeister stated that, at the applicant's expense, staff will be engaging a qualified rater who will be reviewing the building plans to make sure everything is as conditioned.

Assoc. Planner Diaz added that it was a condition of approval.

Commissioner Vaterlaus was glad to see the project coming forward. She referred to mention of aluminum windows on the coast but she felt they were a negative thing. She asked if it was part of the green standards to put in aluminum windows instead of more sustainable vinyl wood.

Mr. Chavarria stated that there are "aluminum" windows and there are "aluminum" windows. He explained that higher quality windows were more durable with a stronger type of aluminum and better in preventing draft, just a better product.

Commissioner Campbell referred to Commissioner Cooper's remark on the gray water system. He thought all homes are required to have a gray water system according to the approvals.

Mr. Chavarria responded affirmatively.

Vice Chair Gordon opened the Public Hearing.

Neal Schwartz, Pacifica, stated that he represented the developer. He was with Coldwell Banker and the realtor. He is also the president of the homeowners' association. He stated that this developer, besides the project, wants to give back to the community and is helping to bring to Pacifica the Assisted Living Center that the city needs so badly. They were closing escrow on that the following week and are planning to build that.

Kevin Russell, 100 Juanita, stated that his parents moved to Pacifica in 1970. He is the owner of Center Construction and is contracted to do the current infrastructure. He worked hard to get that contract and he was assured that he has a contract to build the house. He is a local and he has hired local subs as much as possible to build the infrastructure and will continue to do so on the house. He added that Center Construction has done quite a few green building projects over the

years and have qualified staff who know how to do green building, and everything in the home meets the highest standard of anything they have built.

Courtney Conlon, Pacifica, stated that she representing herself as a proud Pacifican for the past 38 years. She stated that she has invested in this community with three generations living in Pacifica. She stated that she has been walking up “Broccoli Hill” for years, and when she heard about this project, she thought this would help put Pacifica on the map. She has seen a lot of beautiful homes build in Pacifica but she felt the Harmony @ 1 project just looked amazing and she wholeheartedly supported it for additional tax revenue for the city, increased exposure to create synergy and hopefully will appeal to members of biotech and tech companies. She also felt it will help increase customers to our businesses and services. She asked that we move forward and not go back and forth stopping this amazing project for Pacifica. She urged that the commissioners approve this environmentally conscientious project.

Mr. Schwartz stated that he negotiated with Tesla and Tesla had almost okayed putting their battery pack system into every home, and with solar and the battery pack, most of the houses will not be in the grid.

Mr. Chavarria thanked everyone who participated and especially staff in the wonderful job of guiding and helping them to be where they are.

Vice Chair Gordon closed the Public Hearing.

Commissioner Campbell stated that he may be the only commissioner who voted for this project the first time around and was glad to have done so. He stated that, if you look at the conditions of approval, they did a good job of meeting what the Commission and Council was looking for in 2007. He stated that he had one item of concern, LEED certification, and he would like to hear from the commissioners or the planning department. He stated that with the original approval there was public interest and a lot of study sessions, and one of the big items was how they were going to get a green certified project on the hillside that would be a showcase for the community. He stated that the thinking was that LEED certification was the way to go. He mentioned that the letter of commitment at that time was to require integration of LEED standards into the project based on professional advice from a LEED certified expert to achieve the highest level of LEED certification. He thought it was made clear that the developer of each home would get a LEED certification and beyond to gold or higher, but LEED certification would be obtained with a LEED expert to confirm it. He was concerned and wanted to understand why they can't stay with the LEED certification standard agreed to in 2007.

Planning Director Wehrmeister understood that, at the time the project was approved, there wasn't a green building ordinance in the city and the Planning Commission decided, as proposed by the applicant, to establish a LEED certification condition as a requirement of the project. Subsequent to that, there was a green building ordinance adopted with language for an option of LEED certification or certain points on the green building standard. Following that, California adopted the green building ordinance, which she felt lead to an evolution of green building code requirements since 2007. Staff felt that the intent was being met, but they respect his recollection of the approval requirements and the Commission can clarify the requirement. She thought they could add a condition for this project and the remaining homes on the lots to require a LEED certification.

Commissioner Campbell thanked her.

Vice Chair Gordon thanked her for that clarification as well.

Commissioner Evans thought this was a wonderful plan. He stated that he was on the Open Space Committee when the Harmony @ 1 projected was presented to them. He was impressed by what he saw. He felt it was a wonderful project and will confirm that Pacifica is an equal or a step ahead of everyone else. He felt it was a great project. He would feel a little bit better if it were a certification. He stated that they were presenting this as a showcase, and he understood what staff was saying that things have changed. He thought it was a big thing then, and still was, but he was not going to condemn it for not having it. He agreed with Commissioner Campbell about having the certification but he could be swayed.

Commissioner Cooper acknowledged that the city was going to confirm the points earned from the green building and the developer would be doing the same thing. He assumed there would be a final report on how many points they obtain.

Planning Director Wehrmeister stated that the plan was to have an additional layer of building plan check and she envisioned giving the LEED or green point certifier a copy of the table that staff created and that person would specify how each condition was met.

Commissioner Cooper assumed there would be proper backup on the report that the green person will be doing.

Planning Director Wehrmeister expected that the person would reference the plan sheet and any additional inspections required in the field.

Vice Chair Gordon asked what the practical difference was in proceeding as the applicant wants with a point standard versus formal certification.

Planning Director Wehrmeister stated that she did not have green building technical expertise. She understands that LEED is a more expensive process to get the certification. As a result, she stated that some public facilities build to a LEED standard but don't formally get the LEED certificate due to cost. She suggested that the applicant might be able to clarify the difference between them.

Mr. Chavarria stated that the main reason they deviated from that, even if they do LEED, they still have to comply with the California green building code and have to go through the green point system. They reviewed the code to see if doing LEED would relieve them from complying with the aspects of the code. He stated that the bottom line was that LEED in 2007 was the only game in town. It has evolved to be more oriented towards commercial buildings and larger developments but green points have been adopted for residential because they were more manageable and the guidelines are easier to follow. He assured them that, by going green and not LEED, they were not giving up anything on the buildings, just a layer of bureaucracy and a layer of expense. He stated that the thought may be that, with the prices of the homes, the developers will be making a lot of money. He added that it has been a very expensive process. He referred to the requirements, and just on biological monitoring, they have more than \$200,000 now. He stated that they have taken every single environmental requirement seriously and they weren't trying to deviate but wanted to put the money in the quality of the homes where it should be.

Commissioner Vaterlaus referred to the green point check list in the package, and as pointed out by Mr. Chavarria, the standard was at 100 and they were at 152 on the checklist and she thought they have exceeded what was required in the green point rating. She was comfortable with the green point over the LEED.

Commissioner Campbell commented that, in San Francisco, you see a lot of commercial buildings rated as LEED. He then referred to Mr. Chavarria's comment that LEED was more geared toward commercial than residential, and asked staff's input on that.

Planning Director Wehrmeister stated that there is now a residential certification, but when first created, LEED was a commercial system.

Commissioner Campbell concluded that they have a residential now.

Planning Director Wehrmeister responded affirmatively.

Commissioner Campbell explained that he was questioning this because they had a letter of commitment that they would have the LEED certification and hours of city time went into the condition in 2007, and he didn't want to do a disservice to the public who spent time getting this particular item passed and had a commitment made, so he officially asked the applicant if they would reconsider getting the LEED certification. He thought, if you meet the LEED, you can meet the green building check list.

Mr. Chavarria stated that, if the Commission feels that the LEED is the way to go, they were not going to stop the project for that. He reiterated that green building is not a disservice to the community. He stated that they were more than willing to establish a condition similar to what was done with the Husson's residence recently that they will do what was comparable to the requirements of a LEED certification following the requirements of green points and can present to staff the LEED certification list without going through the specific process. He stated that they may be willing to obtain plain LEED certification but they were going substantially further with the green points.

Vice Chair Gordon stated that he didn't follow the last part.

Mr. Chavarria explained that their green point rating of 152 points was probably going to be better than a LEED gold or equal, however trying to achieve LEED gold creates a substantial amount of work. He thought that, if they have green points and LEED certification, it would be a good compromise that establishes that the building has some LEED certification but still complying with what the code was asking which was the green points.

Planning Director Wehrmeister thought the compromise that the applicant was proposing was that the home be constructed and be reviewed by the plan checker to a LEED standard but that the actual certification process not be required. She suggested that a condition be added that the project construct the home on Lot 2 to LEED gold standards and at least obtain a green point rating of 152. She thought they would be achieving what the Commission originally set out to do with the project.

Commissioner Campbell stated that he was comfortable with this, but asked in what way the city would verify the LEED standard.

Planning Director Wehrmeister stated that, under the conditions of approval, staff was required to hire the expertise that can do the plan check on these homes at the applicant's expense. Assuming that the project is approved at this meeting, that is the next to do item to get someone contracted to ensure both green point rating and LEED Gold standard are met.

Assoc. Planner Diaz added that there was a condition of approval that talks about hiring a certified building professional to look at all those standards.

Commissioner Cooper assumed that the amount of points in the base was 100 points for the green building code's standards.

Planning Director Wehrmeister responded affirmatively, adding that she used 152 which was what they came in with, to ensure that they don't go backwards.

Commissioner Cooper stated that the standard was set at 100 points and it seemed to increase that standard seemed a little onerous at this point since the development was approved at 100, and they were talking about whether there was a certification. Coming from public buildings, San Francisco builds to a silver standard all the time and we are currently going for gold and platinum for some terminal projects. He agreed that the process was very expensive. His perspective is that he wants to see the building conform to that standard because that was what it was for, to design to a standard that helps the environment and helps the landscape, codes. He felt having certification is a secondary concern. He didn't want to make it any more onerous than it already is for the builder. He personally felt the standards have been set within the approval and he didn't think there was any need to do any modifications.

Commissioner Campbell stated that he liked the idea of this condition of requiring the certification because they did have that commitment back in 2007 and he felt it was important to honor those types of commitments when making approvals. Referring to it being onerous, he didn't agree with that, adding that the conditions of approval in place since 2007 were known to everyone, including the new owner when they purchased the property. They weren't adding any burden over what was approved in 2007. He also thought they were backtracking by not requiring the certification which was fine, because he thought getting the certification was more form over substance in some instances, and he agreed on that point.

Commissioner Cooper stated that the standard in the documents was 100 points and they were currently saying it was 150 now. He assumed that was different than what was in the document.

Planning Director Wehrmeister agreed, adding that she was using what the applicant submitted for this particular home. She agreed that it didn't need to go above 100.

Commissioner Cooper concluded that the document says 100 points and he didn't want to make it more onerous than what the current document says.

Vice Chair Gordon thought that the compromise on the table was that they were going to require de facto LEED certification without actually having to go through getting the certification itself.

Planning Director Wehrmeister stated that it was for the Commission to decide. She clarified that she was trying to summarize the conversation that she was hearing which was adding a condition

to this specific plan that the project construct the home on Lot 2 to LEED gold standards and achieve at least 100 points on the green point rating system.

Vice Chair Gordon asked Commissioner Campbell how that sounded.

Commissioner Campbell thought it sounded good, and he thanked Commissioner Cooper for clarifying the point on the 100-point rating. He was good with that.

Commissioner Evans was also fine with the new condition. He understood the progression of the LEED certification process, more for professional buildings and business and he didn't want to put any more effort. He thought it was a wonderful thing that they were getting local home town contractors and he applauds him for that. He imagines local contractors will want to take a lot of pride in this.

Commissioner Cooper moved that the Planning Commission **APPROVE** Specific Plan SP-151-15 by **ADOPTING** the attached resolution for the proposed construction of a single-family residence on Lot 2 which is part of the **Harmony @ 1 development**; and incorporate all maps and testimony into the record by reference **with an additional condition** that:

1. The home on Lot 2 shall be constructed to LEED Gold standard and achieve at least 100 points on the Green Point Rating System.

Commissioner Campbell seconded the motion.

The motion carried 5-0.

Ayes: Commissioners Vaterlaus, Evans, Cooper, Campbell and
Vice Chair Gordon
Noes: None

3. **PSD-790-14 SITE DEVELOPMENT PERMIT, PSD-790-14, COASTAL
 CDP-347-14 DEVELOPMENT PERMIT, CDP-347-14, VARIANCE,
 PV-513-14 PV-513-14 AND PARKING EXCEPTION, PE-160-15,
 PE-160-15 filed by David Blackman and Mike O'Connell, property owners,
 to construct four (4) detached studio apartments on a vacant
 18,411 square foot parcel located at the 4000 block of Palmetto
 Avenue (APN: 009-402-270). The property is zoned R-3-G,
 Multiple-Family Residential Garden. The project is located in
 the Coastal Zone. Recommended CEQA status: Exempt.**

Planning Director Wehrmeister presented the staff report.

Vice Chair Gordon asked clarification that they had two separate motions that she was recommending was first, granting all the variances and second, granting the parking exception variance but not the other two variances.

Planning Director Wehrmeister stated that, for the parking exception, within the code, there were provisions to grant an exception and that was not truly a variance. The supplemental staff report that was provided at this meeting would only eliminate the variances and provides a condition that would require the units and the usable lot area to meet the code standard. As she mentioned, she thought the applicant will provide some additional analysis regarding that issue.

Vice Chair Gordon mentioned that they usually get the staff report a week in advance and they were able to read the material and study it, but he thought there was probably a lot of last minute exchanges between the applicant and Planning Department and they received some content that they just received and are digesting.

Commissioner Cooper referred to the CEQA exemption and recommendation and the provision referenced, reading a portion of Item B, and stated that this was four detached studio apartments, and he was curious why that was put in as the exception and whether there was some other reference.

Assoc. Planner Diaz explained that, if you read further, it says "in urbanized areas, this exemption applies to apartments, duplexes and similar structures designed for not more than six dwelling units."

Commissioner Evans referred to having just received this material and asked that they break it down because he was feeling lost.

Assoc. Planner Diaz stated that the large attachment was not about this project but a project known as the Bowl that was considered by the Commission, City Council and Coastal Commission many years ago.

Commissioner Evans stated that he saw the same address and wanted to check on that. He assumed he should disregard it.

Planning Director Wehrmeister stated that it was attached to a comment letter.

Assoc. Planner Diaz stated that Mr. Bohner's attached those documents to his letter.

Commissioner Evans stated that, as mentioned by Vice Chair Gordon, they received a lot of additional information at the last minute and he was moving very cautiously.

The public hearing was opened.

Mr. Blackman asked, if he could hand out copies. He then mentioned growing up in the neighborhood above this project and remembered the graded field. He and his co-owner, Mike O'Connell, were lifetime residents of Pacifica. He stated that the proposed unit were not for sale and would hopefully allow their kids to raise their families here. He reached out to the condominium association when they started the project, and they seemed receptive to the small concept with living roofs and he hoped they still were. The concerns the neighbors have was no project or opening the door for the Fish & Bowl. He clarified they were not opening the doors and were not adding any infrastructure, adding that the Bowl still has the same environmental constraints from ten years ago. He explained their decision in proposing four units with one story and living roofs which were not required by the city. He got the letter from Hal Bohner, a neighbor, and he met with him and he thought they had similar goals. He didn't think Mr. Bohner understood when he was protesting the variance and can hopefully answer his present position. He explained his thinking as they came to a decision on the scope of the project. He clarified that his project was not near the Bowl project and was not impacting anything, stating that the biologist was present to answer any questions. He tried to meet with all the condominium owners and be transparent.

Vice Chair Gordon stated that one of the issues was the minimum requirement of 450 square feet and they went to 400 but stated were willing to go up to 450. He asked him what the pros and cons were between 400 and 450.

Mr. Blackman stated that it wasn't a deal breaker. He didn't get that precise, and thought it was 417. He thought, if he added between 4 and 5 inches around the whole building he can get to the 450. He thought it was a mistake on quick reactions by Mr. Bohner but he could speak for himself regarding thinking that the variance should not be supported. He was shocked that he was asked to go bigger than he wanted. He stated that, to get the outdoor living space, they could grade the backyard and put lawn which he was opposed to, but will do it to simplify the process. The other option was to take the carport and not making it a living roof, and make it a roof deck. He added that his whole goal was to tread lightly. He didn't want the condominiums to see him from above. He was getting pushed away from his goal but they were okay to go to 450.

Vice Chair Gordon stated that the other variance was for the useable open space, and he asked if his rationale for wanting to go under was minimum disruption to the outdoor area.

Mr. Blackman responded affirmatively. He referred to the pictures, stating that all the projects were on podium decks so the coastal scrub can grow below it. He stated that the easiest project would have been similar to the existing condos but that wasn't what they wanted to do by taking the cheap route.

Vice Chair Gordon mentioned staff talking about utilizing the top of a car port.

Mr. Blackman stated that two suggestions that came up was to accommodate the extra outdoor space they need was about 1,000 square feet shy and one choice would be to put the lawn behind the units and the other choice was to take the car port and not have it sloped, make it flat, take the

living roof component off, making it more visible to the condominiums and make it a usable roof deck. He didn't think there was any need, but he understood where they were with the variance and a lot of push came from Mr. Bohner not having enough time to digest the project. He hopes he can speak for himself. If it was an issue on the variance, they can make that happen.

Commissioner Cooper thought it was a unique concept, adding that he hasn't seen a lot of them being built. He had a concern over converting the roof to a useable space. He thought it was asking for trouble as far as falling off the roof. He asked how they plan to keep people from falling off the roof.

Mr. Blackman asked if he was asking whether it stays as proposed.

Commissioner Cooper responded affirmatively.

Mr. Blackman didn't have any intention of people climbing on the roof. He mentioned that he has none, but he was willing to take any input from the commissioners if they want him to put some protective devices.

Commissioner Cooper stated that it was his only question, as he answered his question about the square footage. He still has a concern over the zoning issue.

Vice Chair Gordon opened the Public Hearing.

Caroline Henter, 5007 Palmetto, stated that she had questions relating to cars. She referred to access parking and safety. She wondered how residents of the development will get their cars to it from Palmetto and what the parking will be for the residents and guests. She also asked how workers and emergency crews will get to the development.

Vice Chair Gordon explained that there is no Q&A with the public but they can speak, ask questions and, at the end, the applicant has an opportunity to respond. They wait until **everyone** has spoken.

Mary Shapiro, 5003 Palmetto, stated that she was making observations on the staff report since she didn't know the format process. She was confused about them being studio apartments, as she thought the definition was that there was no bedroom, but the plans have a resting area with a closet. She was confused about the difference between a studio and a one-bedroom unit and whether it impacts the variance rules. She referred to a discrepancy where the size of the lot would permit a total of 8 dwellings, and below that, it mentions the equivalent of 4-6 units for the subject site. She didn't appreciate the context in understanding the differences and its **ramifications regarding zoning**. She mentioned a large ravine across the road developed from water, and she thought the drainage issue was important once you change the current land use. She didn't have access to the environmental and ecological reports or the other report attached. She didn't think of Pacifica as an urbanized area, especially the northern end, and she felt there was an issue of whether that applies. She was concerned about the potential traffic patterns. She looked at it, and thought there were likely to be two people living in those units and only one car per unit with one guest spot concerned her. She was concerned about whether the zoning would allow the units being used as Airbnb with people coming in and out rather than rentals for longer periods and the light pollution which she didn't think had been addressed in the report.

David Hirzel, 5009 Palmetto, stated that he previously lived in Moss Beach and is a residential building designer and he thinks about how residences are constructed. He was also aware of coastal erosion at the bluff tops. He questioned the suitability of this parcel development from a geological standpoint. He thought the encroachment of the ravine suggests an underlying weakness of the overall structure. He thought they have addressed it somewhat, but the ravine suggests an underlying weakness as well as the failure of the geology on Esplanade and Lands End. He mentioned a concern regarding unconnected drill piers tend to settle differentially and the building was going to have unlevel floors. He also mentioned that some of the fixes at the sea wall near Esplanade and Lands End in recent years did not address all of the issues. He questioned the suitability of development from a planning standpoint because of the variances and exceptions requested, stating that he felt it usually was a detriment to the neighborhood and community and should be looked at carefully. He referred to the storm water retention basin and he understood that rain water that falls upon a given piece of property after development has to be entirely retained upon that property and cannot be diverted into public drainage.

Jim Schenkel, 503 Palmetto, stated that he was involved with the Fish & Bowl proceedings in the past, and thought this applicant was suffering from the delayed effects of that earlier and unpleasant proceeding. He stated that they were all out because the last time was not a pleasant experience for anyone. He thought this applicant has done a good job. He understood that you can't build something completely invisible but he seemed to be sensitive to the idea that he was going to reduce it as much as possible and he applauds him for that. He then stated that the project was exempt from CEQA. Looking at Class 3B, he thought this was on the edge of whether it was small or not, and agreed with Ms. Shapiro that it isn't urban infill but an area about to be cracked open by development that has not occurred before. He gets that this is not part of the Fish & Bowl but he felt it could open the door to wider development in the area and he has questions about that. He then referred to Section 15300.2 and stated he was concerned about cumulative impact because, if this is permitted, it is more likely that the Fish and then Bowl will be developed. He also thought the location was particularly sensitive, and he didn't think they could use a categorical exemption when a reasonable possibility may have a significant effect on the environment due to unusual circumstances, mentioning that the premise that there are no wetlands there cannot be judged four years into a historical drought. He referred to staff's position that it fell outside the Coastal Commission's area, but they disagreed with that in 2005 or 2006 and he felt it should be considered in this application. He urged that they find it is not exempt from CEQA and an environmental impact report should be prepared.

Steve Rhodes, 5009 Palmetto, stated that he would like them to cast a no vote as he felt the project would destroy the natural habitat in the area and destabilize the geological areas around them. He asked that they examine this and ask themselves if this is in the best interest of Pacifica.

William Trichon, 5017 Palmetto, stated that he felt this was a done deal, and that staff feels the project should proceed but he urged the Commission to think of the big picture. He mentioned the problems with the Fish and Bowl and that they admitted that it will be hard to build on this spot, and he questioned why on this site because of all the small problems that, when added up, seem like their too much, mentioning all the variances, parking, etc. He felt they must maintain their environmental standards, including the loss of native habitat. He referred to the experts determining there were no wetlands in the area, which he thought might be because of the present drought, since the EIR for the Fish & Bowl confirmed that the adjacent properties did include wetlands. He agreed that they needed rental property but concluded that, because one can build

someplace doesn't mean that one should build there. He asked that they keep the Fish & Bowl as is because it is a treasure.

Victor Carmichael, 5005 Palmetto, asked why at this location. When talking to Mr. Blackman, it seemed a low key, minimalist project that was tolerable but it has a cumulative impact. He referred to the geological and hydrological problems that kept the area undeveloped, as well as community resistance. He stated that the past owner wanted it to be open space but, when she passed, her heirs put it on the market. He felt it was a miracle that we still had it, being a jewel. He thought the ravine would advance and they would ultimately need the project's location to realign the road. He also thought the footprint encroached on the city right-of-way. He also mentioned that there was not enough parking, and they will have to use Palmetto for parking, thus creating a parking hazard. He also didn't know how the heritage trees will survive. He then referred to the Coastal Commission's objections to the Fish's sensitive habitat and he felt this project was even closer to that area than the Bowl. He also felt it didn't make sense not to have an EIR on this.

Hal Bohner, Pacifica, referred to the process, then apologized for the Commission getting copies of the material he sent to the staff so late, but explained that the staff report was not made public until the previous Thursday when he then submitted his letter and material. He asked that it be emailed to them, but it was not given to them until this meeting. He was a bit angry that they were told they didn't need to look at it since it was a record with the Coastal Commission of an adjacent project and this project was in the middle of that previous project. He stated that it had information relevant to this project. He referred to the Coastal Commission's CEQA guidelines which he felt was directly relevant to this project which he felt required an EIR.

Skye Parker, Pacifica, stated that he was a designer and draftsman and attested to the taste of Dave Blackman. He felt he built some of the nicest houses in Pacifica.

Vice Chair Gordon closed the Public Hearing.

Mr. Blackman stated that he did his best to take notes. He stated that the urbanized definition of CEQA was taking the population of Pacifica and two neighboring cities, and if they are over 100,000, the entire city is an urban area. He explained that it was a technicality, not what it looked like. He stated that the comment that he was building in the public right-of-way and he stated that it was not true. He referred to one question of the general plan versus the zoning, which were slightly different. He thought staff might be able to answer that better. He stated that he was asked to do more parking and make the units bigger. He was shocked to be asked to do more and he was trying to tread lightly. He met the zoning requirements for the parking. He referred to pier settling and the engineer would answer that, adding that he didn't think it would be a problem. He referred to the cumulative impact, and stated that you can't add all the projects, even if they were neighboring projects. He stated that they had a bridge on Pedro Point rebuilt and they dredged the creek and tore up the habitat and that didn't require an EIR, adding that an EIR was a profound requirement, and costs \$80,000-\$100,000. He referred to the wetlands and drought, and they looked at all the work done, including the report Hal Bohner presented, and his biologist reviewed it, and he stated that he can answer any questions. He asserted that it was exempt from CEQA. He mentioned again that he could have built a six-unit building three stories tall and still been exempt from CEQA. He stated that there was no habitat that he was harming. He got everyone's sentiment, which he concluded was that they would like it to stay the way it is. He stated that it didn't seem fair, adding that he wished a lot of people would tear their house down and leave. He referred to the drainage, stating that they were 400 feet back from the coastal

bluffs and right now the Coastal Commission and Pacifica stated that it comes back at 2 feet a year and they were supposed to have 100 year life, and at that rate, they have 200 year life. He then referred to the ravine and stated that it was a man made phenomenon, which was drainage put in 1930 because Palmetto used to be Highway 56 and they put a pipe across to drain the Bowl. He stated that, if they look at the geological report, and stated that it hasn't moved in 50 years, because it was a man made phenomenon by a pipe that the city may or may not know is theirs to manage. He stated, if they want to correct or make it better, it was possible, but the drainage they are putting in was going to alleviate a lot of the water going down that ravine and we were benefitting the ravine. He stated that, since the Palmetto right-of-way used to be Highway 56, there was a lot of room to move Palmetto over. They have designed the project for at least 100 years. He understood people's concern about what was going on around the cliffs at Esplanade, but that was not the phenomenon where they are located.

Vice Chair Gordon referred to items on the table such as whether the project was exempt from CEQA and whether an EIR is required. He asked if they were in staff's purview or the Commission's purview.

Planning Director Wehrmeister stated that, in taking an action on the project, they would be confirming staff's recommendation that this is a project exempt from CEQA. She stated that, if they are not comfortable with that, they can direct staff to bring back further facts for their consideration, such as case law on how this exemption has been interpreted by the courts. She thought the applicant has already provided the biological analysis but the item can be continued if the Commission would like more information.

Commissioner Cooper thought it was a wonderful design, adding that he had not seen a design like this before in preserving the landscaping, living roofs, and he thought it was an interesting project. He did have some concerns. He thought the concern for the drainage was of genuine concern, the bluffs being there, where the runoff is going to be for the parking and drainage. He also wanted to mention that the community and the Commission have been involved in a lot of the affordable housing in the area and lack of it. He stated that these are very small units and would not rent for very much, although he wasn't sure about that. He thought there might be an opportunity for some affordability within Pacifica for having such a small unit. He agreed with everyone that parking is always a concern, but they could have four units with blacktop everywhere and then they have no landscape so it was a give and take of what was adequate for the unit. He stated that, if you have ten people visiting in an apartment of 450 square feet, he didn't think there was going to be very much place for someone to stand. There will always be an issue of whether it is adequate and does it meet the guidelines of the city, which is the same concern here. He was concerned about the Airbnb use which he thinks is an interesting concept. He didn't know if the city actually has a restriction for Airbnb use for these types of units, mentioning that it has an effect on the people in the area about knowing where to park and the traffic patterns. He thought the structural uses are important but he thought there were ways around a lot of those settlement issues. He thought the condition for increases the size of the units to 450 sq. feet to meet the minimum size is of concern. He thought it was a nice concession for Mr. Blackman to offer to meet the zoning requirement; however, he still had some issues with the zoning requirements. He didn't consider it a single building but four individual buildings. As he listened to the discussion, but he thought there were issues with putting four detached structures on a property and calling it an apartment. He would like clarification on that. He thought there was a lot of information presented. He was interested in what had happened in the past but was not familiar with it at this time.

Commissioner Campbell appreciated the comments that this project was not the Fish & Bowl. It was before he was on the Commission and referred to one speaker mentioning that it was an unpleasant experience. He has a feeling that this project may be shadowed by that experience. He stated that, on looking at the project, this seemed to be the least amount of development that could occur on the site. He thought the design was nice. He didn't have too much issue with its cumulative effects. He understood the argument that it could open the door to Fish & Bowl development but this is just a separate parcel. He thought the CEQA issue was interesting as to whether they make the call about whether an EIR was required or not. He mentioned that the Supreme Court of California did come out on March 2 with a significant decision regarding this very exemption of 15303, Berkeley Hillside Preservation, which gave the city more latitude by cutting back on the exceptions to the exemption. He doubted whether an EIR would be required after that decision. He liked the fact that they came in under the maximum which was rare. He thought it was something for the adjoining landowners to look to.

Commissioner Vaterlaus agreed that it was not the Fish & Bowl. It was a separate parcel and should not be considered the same as the Fish & Bowl. She stated that the General Plan says he can build 4-6 units and these units are so much better than a three-story apartment building he could have built there with parking underneath that would not have blended in with the environment. She also mentioned that it was important that, even without a view ordinance, he considered the view of the neighbors. She felt they were much more desirable than they could have been. She thought it looked like a good project. She stated that the four parking spots were in the code and they only interpret the code so it doesn't have a variance.

Commissioner Evans stated that, after listening to everyone, he agreed that it was not the Fish & Bowl. He lived in the Pacific Point condos for ten years above him. He was against the Fish & Bowl back then and is now, but this is elevation is over the Bowl by quite a few feet. He stated that there are no trees on the project land. He asked Mr. Blackman asked what kind of paving he was looking at for the driveway.

Mr. Blackman stated that he had a few things to ask and thought it would muddy the waters. They were talking about making a pervious surface and eliminating the storm drain. He was also toying with the idea that he didn't want the sidewalk, and was a default by Engineering. He would rather skip the sidewalk. He also noticed that there were no ADA ramps on Drake Blvd. or where the sidewalk ends across the street and above and he wanted to make a concession and keep it rural where he was and he will spend his resources making ADA compliance on the rest of Palmetto. He thought there was enough on the plate and he will be quiet. He was thinking of further ideas to make the project more desirable to him and be less treading on the earth.

Commissioner Evans thought they would leave it to staff regarding sidewalks. He was interested in what he was thinking about permeable or blacktop.

Assoc. Planner Diaz stated that one of the conditions of approval is that all paving area shall be permeable to the maximum extent feasible.

Commissioner Evans stated that he walked the small piece of property with Mr. Blackman. He understood the idea of looking down at roof tops was not an idea he liked. He thought this was very ingenious to be looking down at growing roofs. This is about as invisible as you can get with buildings. The trees were between his property and Pacific Point which was a plus. He liked the idea of keeping as natural a surface as possible, mentioning that the sage growing

beneath the house was ingenious. He thought the parking was a concern. He mentioned that the plan said there was 445 sq. feet on both sides, and he thought it was in the middle between the two. He was comfortable with that with only four units. He applauded him for going smaller because they usually have complaints that it is too big. Going smaller saves land, materials, etc. He likes the project and understands it is a sensitive area but separate from the Fish & Bowl. What they decide can only be what is in front of them.

Vice Chair Gordon stated that they were only able to evaluate a project based on the four corners of the project. It wasn't fair to the applicant or process to base the project on another project and they weren't permitted to do it. He acknowledged concern by the public about endangered habitat and geological suitability and stated that there was a geotechnical report, a biologist report and he can't substitute his opinion for experts who have looked at the area and offered their opinion. He has to defer to the experts and say the parcel is suitable for the project. He mentioned one speaker who talked about Mr. Blackman asking for so many variances and it's a bad thing. He thought they have to look beyond the variances and ask why. He stated that, in a lot of the situations, he was asking for a variance to minimize the impact on the property and that's to be encouraged. He has no problem with the variances. He then referred to mention of new projects in town built by Mr. Blackman that were some of the nicest ones, and he agreed. He didn't always agree with him, but he felt this was very nice looking. He was in favor of the project but he has concerns that there was a lot of information dumped on them, not by fault of the public or staff, but just happened. They haven't had a lot of time to digest some of the information. He question whether some of the information regarding the Fish & Bowl should come into consideration here, but he was sensitive to shooting blind but didn't know how to address it. Referring to CEQA, he stated that he worked at a big law firm and they would have junior associates spend days analyzing the problem and giving them a report, but they don't have that luxury. He also would not say staff is wrong with so little time to study it.

Commissioner Vaterlaus referred to mention of rent control and Airbnb, and stated that they did not have rent control. She stated that there are many units in Pacifica that are vacation rental by owner and Airbnb.

Planning Director Wehrmeister stated that there is a separate use category for boarding house in the code. That is not what Mr. Blackman is applying for and would require a use permit. She heard that Airbnb was becoming more common.

Commissioner Cooper agreed with the commissioners that there were only certain things that the Planning Commission could decide, and his concerns regarding Airbnb, etc., were not in front of them but merely comments for future consideration by both Planning and Council. He thought it was important to bring those concepts to the public's attention. He stated that they rely upon staff for the determination of exceptions within CEQA, but they don't have a law staff to consult. It was a concern of his, but he has to defer to staff to make sure that they have done their homework and made proper recommendations.

Planning Director Wehrmeister stated that, they did run the comment letter by the City attorneys who were not concerned with staff's determination that it was exempt from CEQA.

Vice Chair Gordon assumed it was vetted and analyzed by their contract attorney.

Planning Director Wehrmeister responded affirmatively.

Commissioner Evans stated that, when something comes before them and they look at how it fits into the neighborhood, that is a big issue. He thought the idea of very small, minimal number of units being there, if it is built, is a statement to begin what should be there, if anything. He stated that we are in a small town around a large urban area, but we have to fit in with what the codes say. He stated that they do have the option of looking at what the neighborhood looks like when things are brought before them. He thought it was a good idea to have a very small development with very small units to say that was what they want, not the large three-story, six-unit apartment houses.

Commissioner Campbell reiterated that they were not there to second guess the biological and traffic opinions. He stated that one of the main points of the hearings was to allow the public supplement the administrative record prepared by staff with their own documents and opinions on the conclusions by staff on legal, biological analyses, etc., with a right of appeal. He felt that he has enough and heard enough to actually make a personal decision on the project, based on size and scope. He was almost ready to make a motion but would like consensus to not waste one.

Vice Chair Gordon thought there was one thing they should hash out before moving to a motion stage. He asked if the project was 400 square feet of living space. He acknowledged that the applicant was willing to go to 450, and he thought they should hash that out first before going to a motion.

Commissioner Cooper believed that there was a reason for the code being 450 square feet. He felt it was a minor concession for Mr. Blackman if he is willing to make it, but he thought they should ask him officially if he was willing to do that before they make a motion.

Planning Director Wehrmeister asked about the useable outdoor space.

Commissioner Cooper thought they were inviting an improper use of the top of a garage by allowing useable space on top of that carport and he would grant the exception for not having that additional space.

Vice Chair Gordon asked if he was in favor of the variance as is.

Commissioner Cooper responded affirmatively, but added that he would like to hear what everyone else has to say.

Vice Chair Gordon thought that each commissioner can have a chance to opine on these discrete issues, whether to grant the variance for the outdoor space being under the 450.

Commissioner Cooper stated that the outdoor space was a different variance. The variance for the 450 was that he increase the size of the units from 400 to 450 square feet and allow the variance for the outdoor useable.

Vice Chair Gordon stated that there were two discrete issues, the indoor and outdoor. He asked Mr. Blackman if he would be willing to make the concession to go up to 450 on the indoor.

Mr. Blackman stated that he was willing to go either way on either variance. Going to 450 won't affect the neighborhood that much, but losing the living roof over the carport or putting lawn in the back was going to make a pretty impact for the views above, and he would like to avoid

having him have more outdoor space. He stated that it was based on the topography, size, location, but that was his preference. He could go either way on either one of them, but two solutions he has for the outdoor living space is lawn or some type of useable space in the back, and they are saying it needs to be graded for the slope or putting a roof deck over the carport. Either would be breaking what he was trying to do in not impacting the view of the neighbors above. He would like both but would like the outdoor one at the least to be a good neighbor.

Vice Chair Gordon referred to the variance for the indoor space, he asked what his compelling reason. He asked if it was just how the plans were drawn up.

Mr. Blackman stated that he was serious. He has a house he rents in Pedro Point that was about 700 square feet and, before he had his fourth child, they had three girls and lived in 600 square feet and he was fine. He mentioned that a friend who lives in San Francisco just bought a 250 square foot by choice, and could afford anything. There were units down to 200 square feet in San Francisco. When stated that the code was put in during the 1980s, and he thinks it is obsolete and doesn't meet today's requirements.

Vice Chair Gordon asked what the difference was in square feet.

Mr. Blackman stated that, trying today to get the exact number, he didn't know if you were counting exterior plywood, exterior siding, but he believes it is 417 now. To get to 450, he thinks he has to expand the walls 4-5 inches around the whole thing. It was fairly negligible but bigger than he wants it to be, but he was fine with it.

Vice Chair Gordon thought it made sense for each to opine on those issues.

Commissioner Evans asked if there was a problem granting the variance for 400 square foot house instead of 450. He knows it's in the code, but they've never come upon forcing someone to make a bigger house. He feels it is fundamentally wrong. He wants to hear the idea, as he didn't see a problem in granting the variance for the size of the house.

Planning Director Wehrmeister stated that there were two issues, what the code says and the variance issue. The code says 450 and they can talk about. She stated that everything seems to be getting smaller in terms of rental units. But, that was what they have now and to grant a variance they have to make the findings under the code. Finding #1 in the staff report is what the Commission would need to focus on. Staff has provided them information but if there was anything else they feel is applicable to making the finding requirement, she stated that they could put in into the record and make it a part of the motion.

Vice Chair Gordon stated that they have a couple of moving parts.

Commissioner Vaterlaus thought as few variances as possible would be increasing the size of the dwelling to 450 but eliminating the outdoor space requirement to keep it in good visual perspective for the neighbors.

Vice Chair Gordon assumed she was against the variance on the indoor space and in favor of the variance in the outdoor space.

Commissioner Evans stated that he has no problem with the variance for the outdoor space. He didn't want growing grass. He felt we have to get away from grass. They have a beautiful area around there and a lot of land so he has no problem in the variance for that. He was having a difficult time requiring someone to make their house bigger. He felt it was not right, but he will go with the majority.

Commissioner Cooper stated that he had nothing further to say.

Vice Chair Gordon stated that he was trying to get a consensus in crafting a motion that reflects their consensus.

Commissioner Cooper agreed to not allowing the variance for the size of the unit and allowing the variance for the outdoor use.

Commissioner Campbell stated that he would grant both variances but he will go with the will of the Commission to get the deal done.

Vice Chair Gordon stated he was fine with the variance on the outdoor and didn't have a strong preference on the indoor. He would go either way. He thought it would be a cleaner project from a process standpoint if there was no variance on the indoor space but he didn't have a strong preference.

Commissioner Cooper moved that the Planning Commission find that the project is exempt from CEQA; **APPROVE** Site Development Permit, PSD-790-14, Coastal Development Permit, CDP-347-14, Variance, PV-513-13, and Parking Exception, PE-160-15, subject to the conditions of approval in Exhibit A, with an amendment to include a condition of approval requiring that each of the four (4) studio apartments shall be expanded to meet the minimum dwelling size of 450 square feet and incorporate all maps and testimony into the record by reference, and **ADOPT** the Resolution for Site Development Permit, Resolution for Coastal Development Permit, Resolution for Variance, with an amendment only approving the Variance for the 200 square feet of useable open space per unit, and deleting reference to the Variance for the 400 square foot minimum gross floor area of each studio apartment, and Resolution for Parking Exception; Commissioner Campbell seconded the motion.

The motion carried 5-0.

Ayes: Commissioners Vaterlaus, Evans, Cooper, Campbell and
Vice Chair Gordon

Noes: None

CONSIDERATION:

None.

COMMISSION COMMUNICATIONS:

None.

STAFF COMMUNICATIONS:

Planning Director Wehrmeister brought to their attention that, in their packet, there was an ethics primer prepared in part by the City's contract law firm and one thing to highlight was that, if they decide to meet with applicants that have projects that are going to be coming before the Planning Commission, it was fine but it should be a one-way communication, as they will ultimately be making a decision on the project. She also addressed the comments about the packet and materials received. She explained that part of what the department was trying to do was get projects before the Commission in a timely manner. They try to get things wrapped up as soon as possible, but they may be getting more packets in the future on Thursday and not a whole week ahead of the meeting. She stated that it was not unusual for contentious projects to have comments submitted at 4:55 on the day of the hearing, adding that it was not what happened in this situation. She stated that, in this case, they need to improve the process for getting supplemental items to the Commission quickly. She stated the project pipeline list is on the website and hopefully this make things more transparent. Those interested in development will hopefully continue to go to these sources and see what's coming before Commission and talk to staff earlier, rather than later. They do need to make sure they get the city-issued email addresses. They may have received a memo or not. They have to begin communicating with them **through** those email addresses and, if they get something electronically on a Thursday or Friday **afternoon** they can email it right out to them.

ORAL COMMUNICATIONS:

Skylar Parker, Pacifica, thanked them for the curb cutouts that they put in. He thought the city has a long way to go as far as trying to make it accessible. He stated that there were a few curb cutouts on the top of Paloma that he would like to draw their attention to. There is no curb cutout at the top of the sidewalk going up Paloma near the high school.

Vice Chair Gordon asked if he had a cross street.

Mr. Parker stated that the cross street would be the driveway going into Oceana High School. He stated that, if he gets on the sidewalk at the bottom and goes all the way to the top, he can't get off. He stated that, if you go all the way around to the front of the high school, there was no way to get out. He stated that it doesn't make much sense. He has to go in the street. On top of that, it was a high school and he didn't know if there were kids in wheelchairs who go to high school there, but if that gate is closed, they can't get into the neighborhood. He stated that it would be an awesome place for him to walk his dog.

Planning Director Wehrmeister stated that she will bring that to the attention of the Public Works Director.

Mr. Blackman stated that he was giving kudos back to Skye who taught him to use the software for the renderings. He stated that he would like to consider that with Palmetto. He stated that the engineering department didn't know how to be flexible with the sidewalks. They just think they need to go in, and there was no real code. He has another project, but they refer back to Planning as the ones making these sidewalks and Planning are thinking their making the sidewalks. He acknowledged that a lot of times, the sidewalks are good, but he would like to figure out how they can make that better negotiable because there were times when he would rather put his resources in sidewalks that would accommodate people. He stated that it was a big deal on Drake and Palmetto. It was a major shopping center and it doesn't have ADA accessibility on the sidewalks. He didn't know what he was asking for at this moment, but he was letting them be aware that Engineering keeps thinking Planning are making the decisions and Planning was thinking Engineering was making the decisions.

ADJOURNMENT:

There being no further business for discussion, Commissioner Vaterlaus moved to adjourn the meeting at 9:34 p.m.; Commissioner Cooper seconded the motion.

The motion carried **5-0**.

Ayes: Commissioners Evans, Cooper, Campbell, Vaterlaus and
Vice Chair Gordon
Noes: None

Respectfully submitted,

Barbara Medina
Public Meeting Stenographer

APPROVED:

Planning Director Wehrmeister