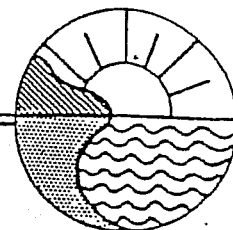


AGENDA



Planning Commission – City of Pacifica

DATE: Monday, November 17, 2008
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: November 3, 2008

Designation of Liaison to City Council Meeting of: November 24, 2008

CONSENT ITEMS:

PUBLIC HEARINGS:

1. UP-994-08
PV-494-08
PSD-773-08
USE PERMIT, VARIANCE, and SITE DEVELOPMENT PERMIT, filed by the agent, Leah Hernikl, on behalf of the applicant, Metro PCS, to install a new wireless communication facility, including a 40 foot tall flagpole with 3 panel antennas and related equipment, at 1220 Linda Mar Blvd., Pacifica (APN: 023-281-130). Recommended CEQA status: Exempt. Proposed Action: Continue to December 1, 2008 (Continued from October 20, 2008)
2. UP-996-08
PV-495-08
CDP-309-08
USE PERMIT, VARIANCE, and COASTAL DEVELOPMENT PERMIT, filed by the agent, Mark Bucciarelli, on behalf of the owner, Karl Seagren, to add a second and third story to an existing single-family residence at 61 Elder Lane, Pacifica (APN 016-315-190). The project is located in the Coastal Zone. Recommended CEQA status: Exempt. Proposed Action: Continue for redesign
3. CDP-302-08
UP-988-08
PE-151-08
COASTAL DEVELOPMENT PERMIT, USE PERMIT, and PARKING EXCEPTION, filed by the agent, Brian Brinkman, on behalf of the owner, Pete Lommori to construct a single-family unit next to an existing dwelling at 134 Paloma Avenue, Pacifica (APN 016-022-040). The project is located in the Coastal Zone. Recommended CEQA status: Exempt. Proposed Action: Continue for redesign
4. TA-98-08
ADOPTION OF RESOLUTION RECOMMENDING ADOPTION OF ORDINANCE REQUIRING A SITE DEVELOPMENT PERMIT FOR SINGLE-FAMILY DWELLINGS OVER A CERTAIN SIZE. The proposed ordinance would require the City's Planning Commission to approve a Site Development Permit prior to issuance of a building permit for new construction of a single-family dwelling greater than a certain floor area, or a structural alteration to an existing single-family dwelling greater than a certain floor area, on lots of standard size (5,000 square feet) or larger. Recommended CEQA status: A Draft Negative Declaration has been prepared stating that the project will have no adverse effect on the environment. Proposed Action: Adopt resolution

OTHER AGENDA ITEMS:

5. SP-121-01
PV-431-01
EXTENSION OF PERMITS for the construction of a single-family residence on the northwest portion of Gypsy Hill Road (APN 016-421-120). Proposed Action: Grant three month extension

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.

CITY OF PACIFICA

AGENDA MEMO

DATE: November 17, 2008

TO: Planning Commission

FROM: Christina Horrisberger, Assistant Planner

SUBJECT: Agenda Item No. 1: Continuance of Use Permit, UP-994-08, Variance, PV-494-08, and Site Development Permit, PSD-773-08, to install a new wireless communication facility, including a 40 foot tall flagpole with 3 panel antennas and related equipment, at 1220 Linda Mar Blvd. (APN: 023-281-130).

On October 20, 2008 the Planning Commission continued consideration of Use Permit, UP-994-08, Variance, PV-494-08, and Site Development Permit, PSD-773-08, to install a new wireless communication facility, including a 40 foot tall flagpole with 3 panel antennas and related equipment, at the Pacifica Center for the Arts. At the hearing the Commission asked the applicant to provide an explanation of why Metro PCS was unable to secure a lease with the Linda Mar Fire Station, to meet with tenants of Pacifica Center for the Arts to address their concerns and to prepare better renderings of the equipment enclosure.

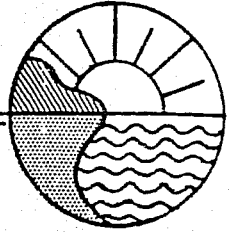
The applicant has notified staff that the inquiry about the Linda Fire Station site is still being investigated. Also, a meeting with the tenants has been scheduled but not taken place yet. Therefore, a continuance to the Planning Commission meeting on December 1, 2008 is requested.

COMMISSION ACTION

MOTION FOR CONTINUANCE:

Move that the Planning Commission **CONTINUE** consideration of UP-994-08, PV-494-08, and PSD-773-08 to the next Planning Commission meeting on Monday, December 1, 2008, with the public hearing open.

STAFF REPORT



PLANNING COMMISSION-CITY OF PACIFICA

DATE: November 17, 2008

ITEM: 2

PROJECT SUMMARY/RECOMMENDATION AND FINDINGS

Notice of Public Hearing was published in The Pacifica Tribune on November 5, 2008. 39 surrounding property owners and 7 residents were notified by mail.

FILE: UP-996-08
PV-495-08
CDP-309-08

**APPLICANT/
OWNER:** Karl & Tiffany Seagren
61 Elder Lane
Pacifica, CA 94044

AGENT: Mark Bucciarelli
58 Fairlawn Avenue
Daly City, CA 94015

LOCATION: 61 Elder Lane (APN – 016-315-190)

PROJECT DESCRIPTION: Proposal to construct a new second and third floor at an existing nonconforming single-family residence at 61 Elder Lane, Pacifica, CA (APN – 016-315-190)

General Plan: Medium Density Residential

Zoning: R-2 (Two-Family Residential)/CZ (Coastal Zone)

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

**ADDITIONAL
REQUIRED
APPROVALS:** None

**RECOMMENDED
ACTION:** Continue for redesign

PREPARED BY: Lily Lim, Planning Intern

ZONING STANDARDS CONFORMANCE:

<u>Standards</u>	<u>Min./Max.</u>	<u>Existing</u>	<u>Proposed</u>
Lot Size	5,000 sq. ft. (Min.)	2,750 sq. ft.	No Change
Lot Width	50 ft.	50 ft.	No Change
Lot Depth	100 ft. (Min.)	55 ft.	No Change
Building Height	35 ft. (Max.)	13 ft.	35 ft.
Building Coverage	≤ 50%	38.2%	43%
Landscape	≥ 20%	6.7%	26%
Setbacks:			
Front	15 ft.	15 ft.	15 ft.
Garage	20 ft.	N/A	15 ft.
West Side	5 ft.	3 in.	No Change
East Side	5 ft.	11 ft. 3 in.	6 ft. 3 in.
Rear	20 ft.	12 ft. 5 in.	No Change
Deck Setbacks:			
Front	9 ft.	N/A	11 ft.
West Side	4 ft.	N/A	5 ft.
Parking Spaces	2	0	1
Driveway Width	10 ft.	N/A	10 ft.

PROJECT SUMMARY

A. STAFF NOTES:

1. Existing Site Conditions: The subject property is a 2,750 square foot nonconforming lot located on a small cul-de-sac known as Elder Lane. Adjacent properties include a single story home, two story homes, and a multi-family residence. The existing structure is 13 feet in height with 1,051 square feet of living space. The single-story home currently has three bedrooms, two bathrooms, a kitchen, and a living room. There is currently no off-street parking in the form of a garage. An existing shed is located in the southeast side of the lot adjacent to a spa, and to the southwest is a redwood patio. The western wall of the existing residence is located 3 inches from the property line.

There are three adjacent properties, two of which are two stories, approximately 27 feet in height, and a single story residence approximately 17 feet in height. The two story homes sit on the west and south side of the project site, while the single story residence is on the east side.

2. Project Description: The applicant proposes to add a second and third story to a single family residence on the 2,750 square foot nonconforming lot. The proposal also includes adding an attached one-car garage on the east side and a second floor cantilevered deck over the front yard.

The proposed project would extend the east wall of the existing single family residence outward by 5 feet while maintaining the required side setback. The first floor will be remodeled to include a great room, kitchen, dining room, half bath, storage/utility room, as well as the one car garage. All three of the existing bedrooms will be relocated to the second floor along with two bathrooms, laundry room, and deck that cantilevers over the front yard. The third floor is an off-set bonus room with two westward facing decks and an eastward facing deck. The existing spa and redwood patio located in the rear yard will remain unchanged.

3. General Plan, Zoning, and Surrounding Land Use: The General Plan designation for the subject property is Medium Density Residential, the zoning classification is R-2/CZ (Two Family Residential/Coastal Zone), and is located within the California Coastal Commission Appeals area in the Coastal Zone. The site is surrounded by single-family residences on the east, south, and west sides, and a multi-family residence to the north.

4. Municipal Code and Regulatory Standards: The project requires a Coastal Development Permit as described in Section 9-4.4303(i)(2)(ii) because a third story addition is greater than 10% and all zoning standards have not been met. A Use Permit is also required as set forth in Section 9-4.3002(c)(2)(i) because a physical change which would increase the extent of the nonconforming south wall at the existing single family residence is proposed. Additionally, a Variance will be required pursuant to Section 9-4.3401 of the Municipal Code to address the new attached garage which does not meet setback requirements. Due to the scope of the project, a Parking Exception will not be needed since no new bedrooms will be added.

5. Coastal Development Permit: Section 9-4.4304(k) of the Municipal Code allows the Planning Commission to issue a Coastal Development Permit based on the findings specified below:

1. The proposed development is in conformity with the City's certified Local Coastal Program.
2. Where the Coastal Development Permit is issued for a development between the nearest public road and the shoreline, the development is in conformity with the public recreation policies of Chapter 3 of the California Coastal Act.

The Community Scale and Design section of the City's certified Local Coastal Program Land Use Plan (LUP) states that design review is required for all discretionary permit approvals in the appeals area of the Coastal Zone. It also states that development should be attractive, appropriate and "compatible yet subordinate" to shoreline topography and that architectural style, scale and site use should be considered. Furthermore, small, older homes shall be preserved and replacement should be at compatible densities and scale.

The project is not located between the beach and the nearest public road, thus, it will not impact the public recreation policies of Chapter 3 of the Coastal Act. However, staff believes that the scale of the proposed project is not compatible with the surrounding area. The single story residence will be dwarfed by the addition of the third story. The design of the proposed project

should be compatible in density and scale to adjacent buildings. This issue will be discussed further under the Design section below.

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

1. That the establishment, maintenance, or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, and welfare of the persons residing or working in the neighborhood or to the general welfare of the City;
2. That the use or building applied for is consistent with the applicable provisions of the General Plan and other applicable laws of the City and, where applicable, the local Coastal Plan; and
3. Where applicable, that the use or building applied for is consistent with the City's adopted Design Guidelines.

Approval of a Use Permit is required because the project proposes a physical change which would increase the extent of the nonconforming south wall at the existing single family residence. The required rear setback is 20 feet, however, the current structure is 12 feet from the rear property line. The proposed addition will create a storage/utility area on the first floor. 40 square feet of the proposed storage/utility area will encroach into the required 20 feet rear yard setback.

Currently, there is an existing detached storage shed in the rear yard. The applicant plans to demolish the existing detached storage shed and replace it with landscaping.

It does not appear that the establishment, maintenance, or operation of the use or building applied for would, under the circumstances of the particular case, be detrimental to the health, safety, and welfare of the persons residing or working in the neighborhood or to the general welfare of the City. Lastly, the use or building applied for is consistent with the applicable provisions of the City's adopted Design Guidelines and other applicable laws of the City.

7. Variance: The Planning 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 circumstances of the particular case, be materially detrimental to the public welfare or injurious to the property or improvements in the area;
3. Where applicable, that the application is consistent with the Design Guidelines.

A Variance is required for this project in order to permit the proposed attached garage to encroach 5 feet into the front setback. The new attached garage will be 15 feet from the front lot line, while a 20 foot setback is required. The size of the lot is about 45% smaller than the 5,000 square foot standard lot. The new attached garage will be aligned with the existing living area. Encroaching into the front setback would allow for a one car garage and a storage/utility room in the rear. Since the lot lacks depth, it is not feasible for the garage to have a 20' front setback. Requiring the garage to conform to the required setbacks would cause it to encroach into the rear setback.

Staff believes that the size and shape of the lot creates a special circumstance where the strict application of Code requirements would deprive the property owner of privileges enjoyed by other property owners in the vicinity and under an identical zoning classification. Approving the variance would allow the property owners to park in their garage rather than on the street. Further, staff believes that the proposed garage would 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 circumstances of the particular case, be materially detrimental to the public welfare or injurious to the property or improvements in the area. Lastly, staff feels that the proposal of the attached garage is consistent with the City's Design Guidelines.

8. Design: The Design Guidelines specifically address development on substandard lots and provide direction for the height and bulk of buildings. Because substandard lots are smaller than many other lots in the City, it is acknowledged that development may need to be vertical in order to provide sufficient living space, and that structures could appear massive and overwhelming with respect to lot size and neighboring structures. Moreover, the Guidelines suggest breaking up massing by avoiding flat facades and breaking up vertical elements by recessing them. The Guidelines also recognize that less lot area may mean less building and a substandard lot may not support the same size house as a standard lot, and that the overall size of residences may need to be reduced.

The Design Guidelines discourage new structures that tower over existing development, stating that it should be avoided whenever feasible. The proposed 35 foot structure will be taller than the adjacent properties. The height of the structure would cause it to tower over the adjacent homes. In addition, it may block natural sunlight to adjacent properties. The Design Guidelines recommend avoidance of designs that negatively impact neighbors' sunlight and/or privacy.

It is possible that eliminating the third floor family room addition may tone down the towering effect of the proposed structure. The proposed project would better fit the neighborhood if the third floor bonus room was eliminated. Additionally, it would allow more sunlight into the adjacent properties. The Design Guidelines advise that radical changes may be unacceptable to the residents and provide a jarring contrast to existing development.

Although the characteristics mentioned above are inconsistent with the Design Guidelines, there are certain aspects of the project that are consistent. The off-set design of the third story is

situated in such a way that reduces the visual bulk of the structure. Furthermore, the color of the structure and pitch of the roof complement those surrounding the property.

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

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

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

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

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

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

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

10. Conclusion: Staff believes that the project design could be improved to minimize impacts of possible sunlight blockage and the possibility of a towering appearance in relation to neighboring properties. Also, the scale of the house does not seem to be compatible with those bordering the property. Staff believes that the proposed project could be redesigned to be more consistent with the Design Guidelines, and thus be more compatible with the neighborhood.

Based on the above, staff is recommending a continuance to allow the applicant to address design issues.

B. RECOMMENDATION:

Staff recommends that the Planning Commission **CONTINUE** Use Permit (UP-996-08), Variance (PV-495-08) and Coastal Development Permit (CDP-309-08) to construct a new second and third floor at an existing nonconforming single-family residence on a nonconforming lot at 61 Elder Lane to the December 1, 2008 meeting.

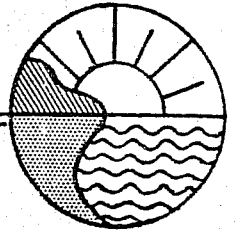
D. MOTION TO CONTINUE:

Move that the Planning Commission **CONTINUE** UP-996-08), PV-495-08 CDP-309-08 for further consideration, and/or adoption of findings for approval or denial, to the next meeting on December 1, 2008.

Attachments:

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

STAFF REPORT



PLANNING COMMISSION-CITY OF PACIFICA

DATE: November 17, 2008

ITEM: 3

PROJECT SUMMARY/RECOMMENDATION AND FINDINGS

Notice of Public Hearing was published in the Pacifica Tribune on November 5, 2008. 87 surrounding property owners and residents were notified by mail.

FILE: CDP-302-08
PE-151-08
UP-988-08

OWNER & APPLICANT: Pete Lommori, 1367 Linda Mar Center, Pacifica CA 94044

AGENT: Brian Brinkman, 648 Navarre Drive, Pacifica, Ca 94044

LOCATION: 134 Paloma Avenue (APN 016-022-040)

PROJECT DESCRIPTION: Construct a single family dwelling of approximately 1,000 square feet over a two car garage with two tandem spaces of approximately 900 square feet on a lot with an existing one-story single-family dwelling of approximately 1,700 square feet.

General Plan: Medium Density Residential
Zoning: R-2 (Two-Family Residential)/CZ (Coastal Zone)

CEQA STATUS: Exempt Section 15303(a)

ADDITIONAL REQUIRED APPROVALS: None. The project is appealable to the City Council.

RECOMMENDED ACTION: Continuance for redesign.

PREPARED BY: Kathryn Farbstein, Assistant Planner

R-1 ZONING STANDARDS CONFORMANCE:

<u>Standards</u>	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>
Lot Size	5,000 sf	6,750 sf	No Change
Coverage	50% max.	25%	34%
Height	35' max.	21'	24'
Landscaping	20% min.	39%	28%
Setbacks			
-Front yard	15'	29'	15'
-Garage	20'	65'	20'
-Interior side	5'	5.5'	5'
-Rear	20'	20'	20'
Parking	4 car garage	2 car garage	4 spaces, two of which are tandem
-Dimensions	18' wide by 19' deep	18' wide by 19' deep	18' wide by 19' deep and 16' wide by 26' deep

PROJECT SUMMARY

A. STAFF NOTES:

1. Project Description: The project consists of a new two-story single family dwelling of approximately 1,000 square feet with a two car garage with two additional tandem spaces of approximately 900 square feet to be constructed on a lot that already contains a single-family dwelling. The existing detached two car garage at the rear of the property will be removed. The two car garage will include two tandem parking spaces as proposed by the applicant.

Concerned neighbors submitted a letter and two emails which are included as Attachment c.

2. General Plan, Zoning, and Surrounding Land Use: The General Plan designation for the subject site is Medium Density Residential and the same designation applies to the properties to the north and east. The properties to the west and south have a General Plan designation of Low Density Residential. The project site and surrounding lots to the north and east have a Zoning classification of R-2/CZ, while the adjacent properties to the south and west have a Zoning classification of R-1/CZ. The residential properties within the block have been developed with mostly one story single-family dwellings on smaller lots.

3. Municipal Code and Regulatory Standards: As shown in the table above, the project complies with all Municipal Code and regulatory standards for a new single-family dwelling on an R-2 zoned lot, except that tandem parking is proposed. A Use Permit is necessary to allow more than one main building since this project would result in two detached single-family dwellings or two main buildings. Because the proposed project is located within the Coastal

Zone (CZ) and requires other discretionary approvals, a Coastal Development Permit (CDP) is also necessary. Approval of a Parking Exception is necessary to allow tandem parking.

4. CEQA Recommendation: Construction of a single-family residence is categorically exempt per Section 15303 (a) of CEQA from environmental review as stated below:

(a) One single-family residence, or a second dwelling unit in a residential zone. In urbanized areas, up to three single-family residences may be constructed or converted under this exemption.

In this case, the property is located within an urbanized area and the two single family dwellings (one existing and one proposed) would not exceed the three single-family residences allowed to be exempt from CEQA.

5. Coastal Development Permit Regulations and Findings: The Coastal Development regulations apply to all new development within the Coastal Zone to address a variety of special conditions within the Coastal Zone as described in Zoning Code Section 9-4.400. In this case, the standards that apply to the proposed development are to protect the scale and character of existing neighborhoods, to ensure geotechnical suitability for all development, and to provide adequate drainage and appropriate grading.

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

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

- A. That the establishment, maintenance, or operation of the use or building applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, and welfare of the persons residing or working in the neighborhood or to the general welfare of the City;
- B. That the use of building applied for is consistent with the applicable provisions of the General Plan and other applicable laws of the City and, where applicable, the Local Coastal Plan; and
- C. Where applicable, that the use or building applied for is consistent with the City's adopted Design Guidelines.

7. Parking Exception Findings: The existing two car garage will be removed and replaced with a two car garage with two additional tandem spaces. Tandem parking is not allowed by Section

9-4.2813 (a) of the Municipal Code which states that “All required off-street parking spaces shall be non-tandem.” In addition, the width of the access to the two rear parking spaces is reduced to 16 feet and the minimum dimension required is 18 feet. However, a Parking Exception can be granted if the Planning Commission finds that the establishment, maintenance, and conducting of off-street parking facilities as proposed are as nearly in compliance with the Code requirements as are reasonably possible.

8. Staff Analysis:

Coastal Development Permit - The City of Pacifica’s Local Coastal Program indicates that infill residential development should be located in close proximity to existing development, and it should be designed and scaled for compatibility of surrounding uses (Coastal Act Policy #23). On page C-106 of the Local Coastal Program Land Use Plan, it states that “In West Sharp Park, design review shall be required for new development and major remodeling (more than 50%) that is subject to discretionary review.” Therefore, the new development proposed in this project consisting of a single-family dwelling over a two car garage with two tandem spaces must also undergo design review and this issue will be discussed further in this report. The proposed dwelling would be located on a larger lot with an existing single-family dwelling and with 13 other single-family dwellings in the neighborhood, placed on smaller lots; therefore, the project is in close proximity to existing development.

The project will be designed with appropriate drainage and with minimal grading needed because the site has little slope. Because it is an infill site with an existing dwelling, the site appears to be geotechnically suitable for development. However, during the plan check phase of the project, as is standard with all projects, the Building Official will determine if further geotechnical information is needed, and will ensure that any recommendations from the geotechnical report and peer review geotechnical consultants will be implemented.

The subject site is not located between the nearest public road and the shoreline; therefore, the public recreation policies of Chapter 3 do not apply.

Use Permit – If this project were completed, two main buildings would exist on the subject site. One building would contain the existing single-family building and the other main building would contain the proposed single-family dwelling above a garage. Thus, two separate main buildings on one lot require approval of a Use Permit. If the proposed new dwelling were attached to the existing dwelling, it would be considered a two-family dwelling and approval of a Use Permit would not be necessary.

As listed previously in the staff report, there are three findings to satisfy in order to warrant approval of a Use Permit. The first finding states that the use of the building should not be detrimental to the neighborhood or the welfare of the City. In this case, the proposed single-family dwelling will not be detrimental to the neighborhood or the welfare of the City because the neighborhood primarily consists of single-family dwellings. The use of the building is also consistent with the General Plan, the Local Coastal Plan and other applicable laws of the City due to the proposal being allowed by the General Plan and Zoning designation as shown on

Attachment A. Staff will address whether the project is consistent with the development regulations under the “Parking Exception” section discussed later in this report. The final finding to be addressed is whether the use or building applied for is consistent with the City’s adopted Design Guidelines. Staff will discuss this issue in the section entitled “Design” of this staff report.

Parking Exception – Each dwelling is required to have a two-car garage with an interior dimension of 18 feet in width and 19 feet in depth. The existing two car garage met this requirement but has to be removed in order to construct the proposed unit. In a previous submittal, the applicant proposed having a four car garage with access from the front (north) and rear (south) side of the building. Staff requested that the applicant provide a parking study to ensure that access to the rear parking spaces would be usable. The parking study prepared by RKH (see Attachment b) determined that the rear parking spaces would not be accessible and the traffic engineer recommended that tandem parking be utilized instead. The applicant submitted the final version of the garage parking spaces with a two car garage and two tandem spaces.

As discussed previously, tandem parking is not allowed by the Municipal Code. In addition, the width of the proposed tandem parking is 16 feet to accommodate the stairway and 18 feet is required. The narrow opening of 16 feet may create inadequate space with tandem parking to maneuver cars into the rear spaces. Both of these inadequacies can be allowed upon approval of a Parking Exception. However, in staff’s opinion, there are other ways to design the building to either provide more usable parking spaces or to provide at least 18 feet in width for the parking spaces.

During a recent site inspection, staff noticed that a boat and a car parked outside of the existing two car garage and the boat was blocking access to the garage. If a boat will be parked on the site, adequate space needs to be provided by the applicant to accommodate all the vehicles that will be parked on the site. The applicant has not provided a parking space for the boat with this project.

Design – The subject site is located between two developed properties and in a neighborhood of developed properties with single-family homes predominant. Commercial businesses are located at either end of the block of Paloma Avenue because both Palmetto Avenue and Francisco Boulevard are zoned for Neighborhood Commercial activities. Three of the commercial businesses have two stories and two of the four commercial businesses are mixed use buildings with apartments above. One of the residential buildings has three apartment units. Of the 15 residential properties along the block, two of the dwellings or 13% have 2 stories, including the apartment unit.

The plans indicate that the existing dwelling on the subject site is a one-story building although due to its height of 21 feet, and the two cupolas facing the street and located on the upper portion of the structure, it resembles a two-story building. The two-story building as proposed is not consistent with most of the one-story dwellings in the neighborhood. The applicant could redesign the building to setback the upper floor instead of cantilevering both the north (street) and south elevations, which tends to make a building appear more massive. (It should be noted

that any residence in the building must retain a minimum of 850 square feet which is the minimum size for a single-family dwelling.)

Another option would be to provide a dwelling over a two-car garage and provide one open space for parking somewhere on the subject site. The dwelling could contain living area on the ground and upper level, reducing the bulky and awkward appearance of the proposed building, which is top heavy. Other design options may be available if the garage is reduced in size.

In response to staff's comments on a previous submittal, the applicant returned with the current proposal that includes a cupola, corbels and lap siding on a portion of the proposed building that is similar to the lap siding placed on the existing dwelling in an attempt to provide more architectural details and create visual interest. However, the overall shape and the rooflines of the proposed dwelling unit is not in character with the existing dwelling and the other residences in the neighborhood. The Design Guidelines state that "the style and design of new buildings should be in character with that of the surrounding neighborhood." The Guidelines further describe how new buildings should be in scale with surrounding buildings. In this case, the proposed dwelling is out of scale with the neighborhood because it is a two story structure and the upper floor overhangs the ground level making it appear top heavy. The neighborhood is filled with small cottages typically found in beach communities and this project is not compatible. In staff's opinion, this project is inconsistent with the Design Guidelines.

9. Summary: Based on the analysis above, staff believes that the findings necessary to approve the Coastal Development Permit, CDP-301-08, Use Permit, UP-988-08 and Parking Exception, PE-151-08 cannot be made. The design is incompatible with the existing dwelling and the predominantly one-story single-family dwellings along the block, and the tandem parking spaces do not satisfy the minimum requirements for the size of parking spaces. Other design options are available to redesign the dwelling and the parking area. Therefore, staff recommends a continuance to allow the applicant to redesign the project as directed by the Planning Commission, and to prepare findings for denial or approval.

RECOMMENDATION AND FINDINGS

B. RECOMMENDATION:

Staff recommends that the Planning Commission **CONTINUE** Coastal Development Permit, CDP-302-08, Use Permit, UP-988-08 and Parking Exception, PE-151-08 for the proposed dwelling at 134 Paloma Avenue.

COMMISSION ACTION

D. MOTION FOR CONTINUANCE:

Move that the Planning Commission **CONTINUE** consideration of CDP-302-08, UP-988-08 and PE-151-08 to construct a dwelling unit over a garage at 134 Paloma Avenue to the meeting on January 5, 2009 to redesign the project and preparation of findings for denial or approval.

Attachments:

- a. Land Use and Zoning Exhibit
- b. Parking Study by Richard K. Hopper of RKH , Civil Engineering and Transportation Planning Dated July 18, 2008
- c. Letter and Two Emails from Concerned Neighbors
- d. Plans and Elevations (Planning Commission only)

CITY OF PACIFICA

MEMORANDUM

DATE: November 17, 2008

TO: Planning Commission

FROM: Michael Crabtree, Planning Director 

SUBJECT: **Agenda Item No. 4:** Adoption of Resolution Recommending Adoption of an Ordinance Requiring Planning Commission Review of Homes Over a Certain Size

Background - In January 2008, in accordance with a recommendation from the Planning Commission, the City Council directed staff to begin the process of preparing an ordinance for adoption that would require Planning Commission review of new homes or home additions over a certain size. Prior to making its recommendation to the Council, the Commission had researched other cities' approaches to regulating large homes (variously referred to as "Mega Homes", "Monster Homes", or "McMansions"), and spent considerable time weighing various options. The final language of the proposed ordinance is attached hereto, along with the Commission resolution recommending Council adoption of the ordinance.

Proposed Ordinance - The proposed ordinance is explained in detail in the attached Planning Commission memo dated December 17, 2007. In summary, the proposed ordinance starts with a cap of 3,000 s.f. of living area for a 5,000 s.f. lot, or an FAR (floor area ratio) of 60%. A new home that exceeds that amount, or an addition to an existing home that causes it to exceed that amount, would trigger a requirement for Planning Commission review and approval of a Site Development Permit at a public hearing. (Substandard lots, or lots smaller than 5,000 s.f., are already governed by an FAR formula in the Nonconforming Lot section of the Zoning Code.) The Commission agreed with staff that the findings required for a Site Development Permit would give the Commission the ability to adequately address any concerns associated with larger homes. See the attached Planning Commission memo for a list of the findings.

For lots that are larger than 5,000 s.f., a formula has been developed to give "credit" or a "bonus" amount of living area that would be allowed before the Commission review requirement becomes effective. All garage area in excess of 800 s.f. will be counted as living area; garage area up to 800 s.f. would not be included in the living area formula. See the table on page 2 in the attached Commission memo for examples of how the formula would apply to lots of various sizes. The ordinance also contains a provision requiring the erection of story poles at least fifteen (15) days prior to the Planning Commission hearing date.

The 3,000 s.f. threshold for the formula was chosen because the Planning Commission felt that average-size or near-average-size houses should not be subject to the proposed ordinance. The Planning Commission subcommittee established to explore the issue found, through review of permit records, that the average size of a new house on a standard size lot was around 2500 s.f., and the consensus was that the "trigger" level should begin modestly higher than the 2500 s.f. average. After considering various thresholds, the subcommittee felt that a threshold of 3000 s.f., or about 20% larger than the average new house, would be more effective. This applies to houses on standard-sized lots (5000 s.f.).

Environmental Review – A Draft Negative Declaration has been prepared Declaration stating that the project will have no adverse effect on the environment. A copy of the Negative Declaration along with the Initial Study is attached. The Negative Declaration/Initial Study was circulated for public review beginning June 18, 2008. The comment period ended on July 18, 2008. No comments were received.

COMMISSION ACTION

Move that the Planning Commission ADOPT the attached resolution approving the Negative Declaration and ADOPT the attached resolution entitled, "A Resolution of the Planning Commission of the City of Pacifica Recommending Amendments to Chapter 4 of Title 9 of the Pacifica Municipal Code to require a Site Development Permit for Single-Family Dwellings over a Certain Size".

Attachments:


1. Proposed Resolution Approving Negative Declaration
2. Negative Declaration/Initial Study
3. Proposed Resolution with Attached Ordinance
4. Planning Commission Memo, 12/17/07

CITY OF PACIFICA

AGENDA MEMO

DATE: November 17, 2008

TO: Planning Commission

FROM: Lee Diaz, Associate Planner 

SUBJECT: Agenda Item No. 5: Extension of a Specific Plan and Variance for the construction of a single-family residence on the northwest portion of Gypsy Hill Road (APN 016-421-120).

On August 18, 2008, the Planning Commission considered a six (6) month extension of a Specific Plan and Variance that were due to expire on July 22, 2008 for the construction of a single-family residence on Gypsy Hill. This is the applicant's sixth (6th) extension request. The Commission was concerned that after six (6) years that were still outstanding issues. One of the major issues was the height of the residence. The building plans were showing the residence at a height of 31 feet, where the approved height is 22 feet, 5 inches. After much deliberation, the Commission decided to extent the permits to three (3) months provided the applicant demonstrated progress obtaining the building permit. If the applicant demonstrated progress then another three (3) months would be granted. Attached are the minutes of the August 18, 2008 Planning Commission meeting.

Although completion of the building permit process has been slow over the past six (6) years, the applicant is currently making progress addressing all the outstanding issues associated with the building permit review process. He has addressed all of Planning's concerns. In particular, the height of the residence has been modified to 22 feet, 5 inches. The applicant is currently addressing plan check items from the Building and Wastewater Departments.

COMMISSION ACTION REQUESTED

Move that the Planning Commission **EXTEND** SP-121-01 and PV-431-01 to February 22, 2009.

Attachments:

1. Planning Commission Minutes, 08/18/08