# AGENDA

# Planning Commission - City of Pacifica

DATE:

Monday, November 3, 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: October 20, 2008

Designation of Liaison to City Council Meeting of: November 10, 2008

**CONSENT ITEMS:** 

#### PUBLIC HEARINGS:

CDP-305-08

COASTAL DEVELOPMENT PERMIT, filed by the agent, Brian Brinkman, on behalf of the applicant, Andy Anderson, and owners, Larry and Sandra Anderson, to demolish an existing 2,150 square foot single family home and replace it with a new 4,300 square foot home, and raise the existing detached garage at 103 Essex Way Pacifica, CA (APN 023-036-190). The project is located in the Coastal Zone. Recommended CEQA status: Exempt. *Proposed Action*: Continue for redesign (Continued from October 20, 2008)

#### OTHER AGENDA ITEMS:

#### **COMMUNICATIONS:**

**Commission Communications:** 

Staff Communications:

**Oral Communications:** 

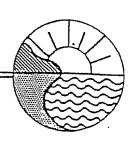
This portion of the agenda is available to the public to address the Planning Commission on any issue within the subject matter jurisdiction of the Commission that is not on the agenda. The time allowed for any speaker will be three minutes.

#### **ADJOURNMENT**

Anyone aggrieved by the action of the Planning Commission has 10 calendar days to appeal the decision in writing to the City Council. If any of the above actions are challenged in court, issues which may be raised are limited to those raised at the public hearing or in written correspondence delivered to the City at, or prior to, the public hearing. Judicial review of any City administrative decision may be had only if a petition is filed with the court not later than the 90th day following the date upon which the decision becomes final. Judicial review of environmental determinations may be subject to a shorter time period for litigation, in certain cases 30 days following the date of final decision.

The City of Pacifica will provide special assistance for disabled citizens upon at least 24-hour advance notice to the City Manager's office (738-7301). If you need sign language assistance or written material printed in a larger font or taped, advance notice is necessary. All meeting rooms are accessible to the disabled.

NOTE: Off-street parking is allowed by permit for attendance at official public meetings. Vehicles parked without permits are subject to citation. You should obtain a permit from the rack in the lobby and place it on the dashboard of your vehicle in such a manner as is visible to law enforcement personnel.



# CITY OF PACIFICA AGENDA MEMO

DATE:

November 3, 2008

TO:

Planning Commission

FROM:

Christina Horrisberger, Assistant Planner

**SUBJECT:** Agenda Item No. 1: Continuance of Coastal Development Permit, CDP-305-08, to demolish an existing 2,157 square foot home and replace it with a new 4,263 square foot home on a raised grade, and raise the existing detached garage by 7 feet at 103 Essex Way (APN 023-036-190).

On September 15, 2008 the Planning Commission continued consideration of Coastal Development Permit, CDP-305-08, to demolish an existing 2,157 square foot home and replace it with a new 4,315 square foot home on a raised grade, and raise the existing detached garage by 7 feet. At the hearing the Commission expressed concern that the project was not consistent with several elements of the Design Guidelines. On October 6, 2008 the Commission reviewed a revised proposal. The modified project addressed many of the Commission's concerns, however, some concerns were still outstanding. Specifically, the applicant had improved energy and water efficiency, broken up the large retaining wall, modified the roofline, revised the proposed landscaping and provided illustrative renderings. The applicant had not provided a professionally prepared light study, broken the massing and bulkiness of the building by providing varied setbacks, modified the structure to be appropriately scaled for the lot and neighborhood or addressed the Design Guideline/Local Coastal Land Use Plan (LUP) objective that development should be subordinate to topography. Additionally, it was suggested that a rain garden be incorporated into the design to offset drainage impacts of the retaining wall. The Commission continued consideration of the requested permit a second time to give the applicant the opportunity to further modify the proposed design of the home. The applicant was unable to submit a revised proposal in time for the October 20, 2008 meeting and review of the project was again continued. However, at the meeting a commissioner reiterated concern about the project's nonconformance with specific elements of the Design Guidelines and LUP. These related to scale appropriateness, relating structures to natural features and landforms, minimizing excavation and retaining walls and limiting the height and mass of structures in coastal areas. The applicant was made aware of this and has submitted a revised proposal for the Commissions' review.

The revised design includes a new 4 foot deep eave over the deck that wraps around the "main level" (second floor) of the structure on the Essex Way and Kent Road frontages. In addition, the top floor has been set back by one foot on the portion of the building to the west of the front door. This has decreased the size of the top floor by 52 square feet. The stucco and wood siding

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has also been reconfigured to provide a more varied appearance. These are the only changes noted by staff. The Design Guideline/LUP objective that development should be subordinate to topography has not been addressed and no light study was submitted. Landscaping is planned around the base of the retaining wall but it is unclear whether it would function as a rain garden.

The addition of the eave, variation of the siding and small setback do provide more visual interest to the structure. However, these changes do little to break up the massing and bulkiness of the building. Further, these changes do not address the concern expressed by several Commissioners that the structure is out of scale with the lot and the neighborhood. The proposed basement, overall building height and retaining walls are still part of the design. The applicant has not modified the design to work with the topography, minimize earth moving or eliminate the necessity for large retaining walls. The bulk, massing, raised grade and proposed height all contribute to the home not blending with the existing topography.

Staff does not believe that the revised proposal meets the Design Guidelines, LUP objectives or fully addresses the Commission's concerns. Accordingly, staff is recommending a further continuance to provide the applicant with the opportunity to meet the objectives of the Design Guidelines. However, findings for approval are provided in case the Commission believes that their concerns have been fully addressed and wishes to approve the project. In the event that the Commission wishes to deny the requested permit, findings for denial could be presented at the next Planning Commission meeting on November 17, 2008.

Should the Commission approve the project, the following conditions are recommended:

# **Planning Department:**

- 1. Development shall be substantially in accord with the plans entitled "Anderson Residence Teardown/rebuild," consisting of seventeen (17) sheets, dated October 21, 2008 except as modified by the following conditions.
- 2. The applicant shall submit a final landscape plan for approval by the Planning Director prior to the issuance of a building permit. The landscape plan shall show each type, size and location of plant materials. Landscaping materials included on the plan shall be coastal compatible and drought-tolerant. Native plants shall be incorporated whenever possible. All landscaping shall be completed consistent with the final landscape plans prior to occupancy. In addition, the landscaping shall be maintained and shall be designed to incorporate efficient irrigation to reduce runoff, promote surface filtration and minimize the use of fertilizers, herbicides and pesticides. Landscaping on the site shall be adequately maintained and replaced when necessary as determined by the Planning Director.

- 3. Prior to the issuance of a building permit, the applicant shall submit information on exterior finishes, including colors and materials, subject to approval of the Planning Director.
- 4. All transformers, HVAC units, backflow preventors and other ground-mounted utility equipment shall be shown on the landscape and irrigation plans and shall be located out of public view and/or adequately screened through the use or combination of walls or fencing, berming, painting, and/or landscaping, to the satisfaction of the Planning Director.
- 5. All outstanding and applicable fees associated with the processing of this project shall be paid prior to the issuance of a building permit.
- 6. All vents, gutters, downspouts, flashing and conduits shall be painted to match the colors of adjacent building surfaces. In addition, any mechanical or other equipment such as HVAC attached to or protruding from the building shall be appropriately housed and/or screened to the Planning Director's satisfaction.
- 7. Roof drains shall discharge and drain away from the building foundation to an unpaved area wherever possible.
- 8. All trash and recycling materials, if stored outdoors, shall be fully contained and screened from public view within the proposed enclosure to the Planning Director's satisfaction. The enclosure design shall be consistent with the adjacent and/or surrounding building materials, and shall be sufficient in size to contain all trash and recycling materials, as may be recommended by Coastside Scavenger.
- 9. All recommendations identified in the arborist's report shall be implemented as specified in the arborist's report.
- 10. The applicant shall hereby agree to indemnify, defend and hold harmless the City, its Council, Planning Commission, advisory boards, officers, employees, consultants and agents (hereinafter "City") from any claim, action or proceeding (hereinafter "Proceeding") brought against the City to attack, set aside, void or annul the City's actions regarding any development or land use permit, application, license, denial, approval or authorization, including, but not limited to, variances, use permits, developments plans, specific plans, general plan amendments, zoning amendments, approvals and certifications pursuant to the California Environmental Quality Act, and /or any mitigation monitoring program, or brought against the City due to actions or omissions in any way connected to the applicant's project. This indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and costs of suit, attorneys fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, City, and /or parties

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initiating or bringing such Proceeding. If the applicant is required to defend the City as set forth above, the City shall retain the right to select the counsel who shall defend the City.

#### **Wastewater Division**

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

#### **Engineering Division**

- 12. Construction shall be in conformance with the San Mateo Countywide Storm Water Pollution Prevention Program. Best Management Practices shall be implemented.
- 13. 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.
- 14. In lieu of overlay existing asphalt to street centerline across entire property frontage, applicant shall overlay existing asphalt with minimum 2 inch AC the whole street width across entire property frontage along Essex Way.
- 15. 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."
- 16. 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."
- 17. A sidewalk agreement must be signed for unimproved streets.
- 18. No debris box or equipment shed is allowed in the street or sidewalk.
- 19. 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.

#### **Building Department**

20. Construction shall be in conformance with the San Mateo Countywide Storm Water Pollution Prevention Program. The applicant shall implement Best Management Practices during all phases of construction for the project.

# **FINDINGS**

1. Findings for Approval of Coastal Development Permit: The Planning Commission finds that the proposed home at 103 Essex Way, as conditioned, is in conformity with the City's Local Coastal Program and Public Recreation Policies of Chapter 3 of the California Coastal Act. Specifically, the design and scale of the project are compatible with the surroundings in the Pedro Point neighborhood and it will not have negative visual impacts or negatively impact 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. The proposal will not have significant adverse effects, either individually or cumulatively, on coastal resources. Because the site is located entirely within a residential zone, no commercial activities will be impacted.

# **COMMISSION ACTION**

# **MOTION FOR CONTINUANCE:**

Move that the Planning Commission **CONTINUE** consideration of CDP-305-08 to the next Planning Commission meeting on November 17, 2008 for further revisions or adoption of findings for denial.

#### OR

# **MOTION FOR APPROVAL:**

Move that the Planning Commission find the project exempt from CEQA, APPROVE Coastal Development Permit, CDP-305-08, subject to conditions 1 through 20 and adopt findings contained in the November 3, 2008 staff report, and incorporate all maps and testimony into the record by reference.

#### Attachments:

- a. Illustrative renderings (Planning Commission only)
- b. October 20, 2008 Staff Report (Draft Minutes provided separately)
- c. October 6, 2008 Staff Report and Draft Minutes
- d. September 15, 2008 Staff Report and Minutes
- e. Plans and Elevations (Planning Commission and City Council only)