

# CITY OF PACIFICA CITY COUNCIL AGENDA

MAYOR PETE DEJARNATT  
MAYOR PRO TEM JIM VREELAND  
COUNCILMEMBER CALVIN HINTON  
COUNCILMEMBER JULIE LANCELLE  
COUNCILMEMBER SUE DIGRE

CITY COUNCIL CHAMBERS  
2212 BEACH BOULEVARD  
PACIFICA, CALIFORNIA 94044

**April 23, 2007**

[www.cityofpacifica.org](http://www.cityofpacifica.org)

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## 7:00 p.m. REGULAR COUNCIL MEETING

Call to Order

Roll Call

Salute to the Flag led by Councilmember Lancelle

Commission Liaisons: Commissioner Thomas Clifford

Chamber of Commerce Liaison: None

Closed Session Report: None

### CONSENT CALENDAR

**In a single motion, the City Council will consider and act upon Items 1 through 7.**

1. Approval of disbursements dated 09/08/06 to 04/13/07 in the amount of \$990,654.30. Regular and quick checks numbered 81527, 81540, 81546 to 81550, 81567 to 81570, 81572, 81574, 81598, 81606 to 81610, 115776 to 115784, and 115786 to 115945 (**Proposed action:** approve)
2. Approval of Minutes of Regular City Council Meeting of April 9, 2007 (**Proposed action:** approve)
3. Review and Approval of Resolution Authorizing Continued Participation in the City/County Association of Governments of San Mateo County (C/CAG) and Approval of the Joint Powers Agreement (**Proposed action:** approve resolution authorizing continued participation in the City/County Association of Governments of San Mateo County (C/CAG) and approval of the Joint Powers Agreement)
4. Correction of Legal Description of Existing Easement and the Corrective Grant Deed Over the City of Pacifica's Cattle Hill Property in Favor of North Coast County Water District for the Fassler Avenue Tank Site (**Proposed action:** approve the correction of the existing legal description of easement over the City of Pacifica's Cattle Hill property in favor of North Coast County Water District for the Fassler Avenue Tank Site; approve the corrective grant deed and authorize the City Manager to execute any and all documents associated with the dedication of the easement)
5. Adoption of Administrative Policy Regarding Building Permits for City Projects (**Proposed action:** move that the City Council adopt the attached Administrative Policy regarding building permits for City projects)
6. Resolution Authorizing Disposal of Certain Obsolete City Documents and Papers (**Proposed action:** approve proposed resolution entitled "A Resolution of the City Council of the City of Pacifica Authorizing Disposal of Certain Obsolete City Documents and Papers")
7. Update on Farmers' Market (**Proposed action:** information only)

**SPECIAL PRESENTATION**

- ❖ Proclamation – Open Space Preservation Award
- ❖ Proclamation – West Nile Virus and Mosquito and Vector Awareness Week
- ❖ Proclamation – Declaring Pacifica A Relay for Life Community

**COUNCIL COMMUNICATIONS**

The purpose of Council Communications is for Councilmembers to inform each other of items of potential interest to other Councilmembers, such as interagency meetings. Each councilmember is allotted three minutes.

**ORAL COMMUNICATIONS**

This portion of the Agenda is available for the public to address the City Council on any issue that is not on the Agenda. A maximum time of three minutes will be allowed for any speaker.

**PUBLIC HEARING**

During public hearings, an applicant or their agent and appellants have ten minutes for their opening presentation and three minutes for rebuttal before the public hearing is closed. Members of the public are limited to three minutes.

8. Appeal of Planning Commission Approval of Coastal Development Permit, CDP-275-06, Site Development Permit, PSD-757-06, Use Permit, UP-965-06, and Tentative (Condominium) Subdivision Map, SUB-211-06, to Develop Property Located at 1567 Beach Boulevard (APN 016-011-190) with Nine (9) Condominium Units (**Proposed action:** 1) **move** that the City Council **ADOPT** the attached resolution next in order entitled “A Resolution of the City Council of the City of Pacifica Adopting the Mitigated Negative Declaration and Adopting the Mitigation Monitoring and Reporting Program for a Nine (9) Unit Condominium Development at 1567 Beach Boulevard (APN 016-011-190)”; 2) **move** that the City Council **DENY** the October 24, 2006 appeal by Patrick Rentsch, and approve the Coastal Development Permit, CDP-275-06, Site Development Permit, PSD-757-06, Use Permit, UP 965-06, and Tentative (Condominium) Subdivision Map, SUB-211-06, to construct a three-story building consisting of nine (9) condominium units at 1567 Beach Boulevard, subject to conditions one (1) through thirty-nine (39) and additional conditions of approval and modification and deletion of conditions of approval and based upon findings contained in the October 16, 2006 Planning Commission staff report and based on the January 22, 2007 and April 23, 2007 City Council Agenda Summary Reports, and incorporate all maps and testimony into the record by reference)

**CONSIDERATION**

None.

**ADJOURNMENT**

\* \* \* \* \*

**NOTICE:** If you challenge a city’s zoning, planning or other decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council 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 90<sup>th</sup> 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.

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*The Pacifica Municipal Code is available on line at the City’s website ([www.cityofpacifica.org](http://www.cityofpacifica.org)); at the website, scroll down to find the Link.*

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- Governor Arnold Schwarzenegger, State Capitol Building, Sacramento CA 95814 (916) 445-2841
- State Senator Leland Yee, 400 So. El Camino Real, Ste. 630, San Mateo, CA 94402 (650) 340-8840
- Assemblymember Gene Mullin, 1528 So. El Camino Real, Ste 302, San Mateo CA 94402 (650) 341-4319
- Congressman Tom Lantos, 400 So. El Camino Real, Ste 410, San Mateo CA 94402 (650) 342-0300
- Senator Barbara Boxer, 1700 Montgomery Street, Ste 240, San Francisco CA 94111 (415) 403-0100
- Senator Dianne Feinstein, #1 Post Street, Ste 2450, San Francisco CA 94104 (415) 393-0710

CITY OF PACIFICA  
CITY COUNCIL AGENDA SUMMARY REPORT

April 23, 2007

AGENDA ITEM NO. 3

**SUBJECT:**

Review and approval of Resolution authorizing continued participation in the City/ County Association of Governments of San Mateo County (C/CAG) and approval of the Joint Powers Agreement

**ORIGINATED BY:**

Human Resources Department

**DISCUSSION:**

C/CAG was founded in 1991 and renewed in 1995, 1999, and 2003. The current Joint Powers Agreement that provides C/CAG its legal basis is in effect until 12/1/07. Therefore, it is necessary to review C/CAG and consider reauthorization. All the Cities and the County are currently members of C/CAG. The City of Pacifica approved participation and the Joint Powers Agreement in 2003.

**C/CAG Role:**

The role of C/CAG is to:

Provide a forum for all agencies to work together on common issues:

Transportation	Solid Waste
NPDES	Airport Land Use Commission
Abandoned Vehicle Abatement	Legislation

Educate and elevate the decision making of local elected officials and technical professional staffs to include/ address countywide concerns in their local decisions.

Develop a consensus on the common issues of concern to the general public, solutions, and applicable funding recommendations/ priorities.

Act as Program Manager for Congestion Management Plan (CMA) Transportation funds (state and federal) and Air Quality funds (AB434/TFCA).

**C/CAG Performance:**

C/CAG programs are mandated, or bring in revenue to San Mateo County, or provide a cost savings through Countywide implementation. See the attached C/CAG Accomplishments/ Analysis/ Programs. C/CAG has had very significant accomplishments including the Congestion Relief Plan, AB 1546 C/CAG DMV Fee (Only County in State), Subregional RHNA Process (Only subregion in the State) and the Transit Oriented Development Incentive Program. Numerous County, Regional, State and National awards have been received. The C/CAG FY 06-07 **Budget member dues/ fees (\$2,024,645) are leveraged 3.9 times for total revenue and 14.3 times for controlled transportation funds.** Utilization of two direct staff and contract staff for the remaining tasks has minimized the staffing necessary to meet the program requirements. This staffing approach enables C/CAG to meet the program requirements in a cost-effective manner. Most of the C/CAG programs are mandates that must be performed. It is likely that the cost for the City of Pacifica to perform the mandates provided by C/CAG would be significantly higher than the annual fee of \$99,031. As a member of C/CAG the City of Pacifica has had a voice in programming over \$100M in transportation funds.

**C/CAG Benefits:**

Benefits of C/CAG to the member agencies includes:

Provide a **forum to share ideas and solutions** among agencies for common issues.

Enable all agencies to have a **vote in the distribution of State and Federal Transportation funds (\$70-80M every two years)** allocated to San Mateo County.

**Transportation funding provided to Cities and County.** Provide support to assist agencies in getting and maintaining funds.

Provide cost-effective programs to **assist member agencies in meeting mandates.**

Provide active **intergovernmental support for San Mateo County** and the member agencies in the Region.

**Provide additional information to agency staff** on the system wide transportation impacts of proposed developments such that better local decisions can be made.

**Lobbyist support in Sacramento.**

Provide proactive advocacy **at the State level to provide additional funding** such as AB 1546 and to preserve City/ County revenue

#### Joint Powers Agreement:

The agreement proposed is essentially identical to the one adopted by the City of Pacifica in 2003. The proposed Joint Powers Agreement is attached. To assist in the review of the document changes are shown in bold below and in italics in the agreement. Key changes in the Joint Powers Agreement other than numbering or typographical include:

- 1- Section 12. dates changed to reflect reauthorization:  
"Effective Date/ Termination Date. This agreement shall be effective on **July 1, 2007**, or upon its execution by the County and by at least eleven (11) cities representing the majority of the population of the County, whichever is later. This agreement shall automatically terminate on **December 1, 2011**, unless renewed in writing by the County and by at least eleven (11) cities containing a majority of the population of the County. Upon such termination, the provisions of Sections 10 and 11 apply."
- 2- Section 17. Fixed Self-Insured Retention limit.  
Insurance. The County shall add C/CAG to its existing excess liability insurance coverage and shall maintain such coverage in full force and effect during the life of this agreement. Said excess liability insurance coverage **includes a** ~~has a~~ \$250,000 self-insured retention by the County. Unless the Board of Directors decides otherwise, County shall provide for the defense of any claims or litigation within the **amount of the \$250,000** self-insured retention. Legal representation by the County will ordinarily be provided by the Office of the County Counsel. Any out-of-pocket expenses or loss, by way of judgment or settlement, arising out of the operation of this agreement, within the limits of the County's \$250,000 self-insured retention shall be shared by the parties in accordance with the formula set forth in Section 6. Expenses shall not include salaries or office expenses of any county employees, including any attorneys from the Office of the County Counsel.
- 3- Section 24. Added to reflect a new legislated program.  
**AB 1546 Transportation/ Environmental Vehicle Registration Fee Program. C/CAG shall serve as the overall program manager for the San Mateo County Transportation/ Environmental Program which programs up to a \$4 motor vehicle fee in accordance with Chapter 2.65 (commencing with Section 65089.11) to Division 1 of Title 7 of the Government Code and Section 9250.5 of the Vehicle Code.**

**FISCAL IMPACT:**

The City of Pacifica has been a member of C/CAG and pays an annual fee of:

General Fund Assessment - \$13,376

Gas Tax Assessment - \$20,913

Congestion Relief \$64,742

Subtotal w/out NPDES \$99,031

NPDES Basic \$45,183

NPDES Ext. \$36,196

NPDES Total \$81,379

Total w/NPDES Total \$180,410.

The FY 07/08 annual fee for the City of Pacifica will be \$180,410 and will be incorporated into the upcoming budget.

**DOCUMENTS ATTACHMENT:**

C/CAG Accomplishments/ Analysis/ Program

Joint Powers Agreement: Continuing Establishment of the City/ County Association of Governments - Revised March 2007

Approved Member Assessment

**COUNCIL ACTION REQUESTED:**

Review and approval of Resolution authorizing continued participation in the City/ County Association of Governments of San Mateo County (C/CAG) and approval of the Joint Powers Agreement.

CITY OF PACIFICA  
COUNCIL AGENDA SUMMARY REPORT  
APRIL 23, 2007

**Agenda Item No. 4**

**SUBJECT:**

Correction of Legal Description of Existing Easement and the Corrective Grant Deed over the City of Pacifica's Cattle Hill Property in Favor of North Coast County Water District for the Fassler Avenue Tank Site

**ORIGINATED BY:**

Engineering Division  
Department of Public Works

**BACKGROUND/DISCUSSION:**

The City of Pacifica owns a 245-acre parcel at the end of Fassler Avenue known as Cattle Hill Property. Within the said property are existing improvements owned and maintained by North Coast County Water District (NCCWD). These improvements include, amongst others, a water tank and an access route for maintenance. Unfortunately, surveying errors occurred during the original construction of these improvements decades ago. These errors resulted in portions of these improvements being constructed beyond the limits of NCCWD's property and easement areas.

As the City of Pacifica is now in the final stages of transferring the Cattle Hill Property to Golden Gate National Recreation Area (GGNRA), the National Park Service (NPS) is requiring that all these surveying errors be rectified prior to the completion of the transfer. City staff and NCCWD staff are currently working together to rectify these errors. In fact, the process has already begun with the approval of the Lot Line Adjustment between the City and NCCWD by the City Council during its meeting of March 12, 2007. The City now needs to correct this legal description of the existing easement to NCCWD to cover the portion of their maintenance access route that went beyond their existing easement. The correction of this easement will complete the process of rectifying the surveying errors and will move the transfer of the Cattle Hill property to GGNRA closer to reality.

Staff recommends the approval of the corrected legal description of easement over the City of Pacifica's Cattle Hill property in favor of North Coast County Water District for the Fassler Avenue Tank Site.

**FISCAL IMPACT:**

There is no fiscal impact associated with this correction of the existing easement.

**DOCUMENTS ATTACHED:**

1. Legal Description of Easement Area (Exhibit A).
2. Corrective Grant Deed

**COUNCIL ACTION REQUESTED:**

Approve the Correction of the Legal Description of Existing Easement over the City of Pacifica's Cattle Hill property in favor of North Coast County Water District for the Fassler Avenue Tank Site; approve the corrective Grant Deed and authorize the City Manager to execute any and all documents associated with the dedication of the easement.



CITY OF PACIFICA  
COUNCIL AGENDA SUMMARY REPORT  
April 23, 2007

**Agenda Item No. 5**

**SUBJECT:**

Adoption of Administrative Policy Regarding Building Permits for City Projects

**ORIGINATED BY:**

Planning and Economic Development Department

**DISCUSSION:**

In the past there has been some confusion regarding the building permit process regarding projects that are carried out by the City. Therefore, staff has prepared the attached administrative policy to help ensure that the permit process is clear to all. In summary, the proposed policy clarifies what projects require a building permit, specifies the limited instances where the City is exempt from the permit requirement, and details the process for obtaining the necessary permit. The proposed policy does not conflict with any requirements of the California Building Code.

**FISCAL IMPACT:**

None. The City does not charge itself building permit fees.

**ATTACHMENTS:**

- a. Administrative Policy Regarding Building Permits for City Projects

**COUNCIL ACTION REQUESTED:**

Move that the City Council ADOPT the attached Administrative Policy Regarding Building Permits for City Projects.

**CITY OF PACIFICA  
CITY COUNCIL AGENDA SUMMARY REPORT**

**April 23, 2007**

**AGENDA ITEM NO. 6**

**SUBJECT:**

Resolution authorizing disposal of certain obsolete City documents and papers

**ORIGINATED BY:**

City Attorney

**DISCUSSION:**

It is provided under Government Code Section 34090 that disposal of certain records may be authorized by the resolution of the City Council. Retention schedules are defined by law and the City's administrative policies, and the City Attorney has reviewed the statutes concerning disposal of records and has determined that it is legally appropriate to dispose of the records itemized on the attached requests from departments.

**FISCAL IMPACT:**

None

**ATTACHMENTS:**

Proposed Resolution with Exhibit A: Requests from departments for disposal of certain records.

**COUNCIL ACTION REQUESTED:**

Approve proposed resolution entitled "A Resolution of the City Council of the City of Pacifica Authorizing Disposal of Certain Obsolete City Documents and Papers."

**CITY OF PACIFICA**  
**COUNCIL AGENDA SUMMARY REPORT**  
April 23, 2007

**Agenda Item No. 7**

**SUBJECT:**

Update on Farmers' Market

**ORIGINATED BY:**

Finance Department and Planning Department

**DISCUSSION:**

Council requested an update after the Planning Commission review. On Monday, April 16<sup>th</sup>, the Planning Commission approved the proposed Farmers Market to be located along Old County Road. The Market is set to begin operation in May.

**FISCAL IMPACTS:**

None—information only

**ATTACHMENTS:**

None

**COUNCIL ACTION REQUESTED:**

None. Information only.

CITY OF PACIFICA  
COUNCIL AGENDA SUMMARY REPORT  
APRIL 23, 2007

AGENDA ITEM NO. 8

**SUBJECT:**

Appeal of Planning Commission Approval of Coastal Development Permit, CDP-275-06, Site Development Permit, PSD-757-06, Use Permit, UP-965-06, and Tentative (Condominium) Subdivision Map, SUB-211-06, to develop property located at 1567 Beach Boulevard (APN 016-011-190) with nine (9) condominium units.

**ORIGINATED BY:**

Planning and Economic Development Department

**DISCUSSION:**

On January 22, 2007, the City Council conducted a public hearing to consider an appeal of planning permits and certification of a Mitigated Negative Declaration for the construction of a three story residential condominium development consisting of approximately 10,575 square feet of subterranean garage area and nine (9) residential units with three levels of living area totaling approximately 18,768 square feet at 1567 Beach Boulevard in the West Sharp Park neighborhood. The City Council Agenda Summary Report and minutes of that meeting are also attached.

After considering testimony presented at the public hearing, the Council voted to continue the item to February 26, 2007. Specifically, the Council requested that the City's geotechnical consultant develop a scope of work for a peer review of the design of the flood protection improvements along Beach Boulevard to ensure the improvements are designed so that they do not result in any significant impacts. In addition, the Council requested that the applicant address the boundary dispute along the northern portion of the subject property known as Bella Vista. Staff was unable to obtain the necessary information to address Council request on February 26, 2007 and requested a 30-day continuance on both February 26, and March 26, 2007.

The information requested by Council that addresses the proposed flood protection improvements and boundary dispute has been obtained and is discussed below:

**Flood Protection Improvements:**

To provide full protection for the proposed below-grade garage from wave overtopping the original plans called for an increase of the local seawall directly in front of the subject site from 23.7 feet to 27 feet. The proposed improvements were peer reviewed by the City's geotechnical consultant, Cotton, Shires and Associates.

The revised plans submitted by the applicant clarify that the Project will not alter the seawall directly in front of the subject site or change the existing shore protection. In order to provide the necessary protection from the waves, the flood protection improvements involve raising Beach Boulevard about two (2') feet near the northwest corner of the subject site bringing Beach Boulevard to a height of 27+/- feet MSL (Mean Sea Level) at its highest point to protect the proposed garage from flooding and building a retaining wall to accommodate the northern portion of the proposed elevated road. The retaining wall which is part of the elevation of Beach Boulevard will be built as a separate structure *from the existing seawall* starting approximately 15 feet northwest of the proposed fire turnaround and will have a maximum height of 2 feet.

On March 22, 2007 Skelly Engineering, an experienced coastal engineer, provided additional discussion of the proposed project and flood protection improvements, wave run-up reflection and garage flooding for the proposed project. Mr. Skelly concluded that the project and proposed flood protection improvements can be designed so that they will not adversely affect the neighborhood properties or revetment, Beach Boulevard, Beach Boulevard seawall, or the hydrological and geological conditions of the area.

According to Skelly Engineering, Beach Boulevard would ascend northward from the subject property line to the crown in the driveway area. The driveway would be crowned so that wave overtopping has to run uphill from any point of the seawall. Waves that overtop the seawall on the southern portion of the site would need to ascend the driveway and then make the turn to descend into the garage. The proposed sidewalk and curb along Beach Boulevard fronting the proposed building would route the water downhill and into the City's storm drain system. In addition, the garage entrance would be located within the area where Beach Boulevard is proposed to be raised at its highest elevation. Finally, a trench drain is proposed at the entrance of the garage to intercept water before it enters the garage. The drain would have the capacity to move a volume of water equal to the volume of the garage in two hours. One of the mitigation measures that was recommended by the applicant's coastal engineer to collect water from the garage during wave run up activity was to install a sump pump. The project applicant's engineer, however, is proposing a gravity drain at the entrance of the parking garage area by using an 18-inch diameter pipe that would discharge through an exiting, nearby storm drain discharge headwall at the beach. The applicant's engineer feels that the gravity flow drainage is a better solution than the sump pump that was recommended as a mitigation measure. As a condition of approval staff will also require that the applicant install a grease interceptor at the proposed drainage inlet.

As requested by Council, the scope of work for peer review of the flood protection improvements will ensure the improvements are designed so that they do not result in any significant impacts shall be as follows:

"The design of all site improvements including any roadways, driveways and retaining walls, shall be submitted to the City for approval and peer review. The peer review shall insure that the improvements (1) will not cause any erosion, (2) will not result in flooding of any properties, (3) will not adversely surcharge, overstress or reduce the effectiveness or integrity of the existing sea wall, and (4) will not divert any additional water to neighboring properties."

**Northern Property Boundary:**

The applicant has relocated the proposed driveway including the proposed landscaping entirely on his property so that no part of it is on land shown on the 1953 subdivision map submitted by the neighbor immediately to the north. The 1953 map shows that all but 7.8 feet of the 25-foot Bella Vista dedication declined by the County on the applicant's 1906/07 subdivision maps was assumed by the Shoreview subdivision to the north of the subject property.

However, the neighbor to the north still contends that the project is still on disputed property. She claims that the City deeded her home's former owner property at the northern end of Beach Boulevard. Specifically, she believes that when the prior owner of her property entered with the City into a "Temporary License, Release and Agreement Regarding Emergency Repairs" in 1998, the City deeded property of the project site to her. The purpose of this agreement was to allow the City access to her property and other owner's property on Shoreview Avenue to repair the revetment that had failed in the winter rains of 1997 and 1998. The City did not transfer any interest in this property to this property owner or any prior property owners. The City Attorney sent a letter to this property owner on March 12, 2007 clarifying the City's role in the ownership of the disputed property (see attached). It should be noted that the agenda summary report of January 22, 2007 incorrectly identified Bella Vista as a public right-of-way. City records do not show Bella Vista as a City right-of-way.

Other modifications made to address concerns raised by the public include moving the garage/recycling area from the northwest part of the garage to the mid section of the building facing south with exterior access. The applicant discussed the relocation of the garage/recycling area with Coastside Scavengers and the immediate neighbor who found it acceptable. Planters have also been added on the west side of Beach Boulevard per the appellant's request to further prevent parking near the seawall. The planters will be maintained by the applicant.

**Conditions of Approval:**

Staff is recommending additional conditions of approval, modifications to conditions of approval and a deletion of a condition of approval as listed below.

40. The applicant shall install and maintain in functioning condition a grease interceptor at the proposed drainage inlet.
41. The design of all site improvements including any roadways, driveways and retaining walls, shall be submitted to the City for approval and peer review. The peer review shall insure that the improvements (1) will not cause any erosion, (2) will not result in flooding of any properties, (3) will not adversely surcharge, overstress or reduce the effectiveness or integrity of the existing sea wall, and (4) will not divert any additional water to neighboring properties.
42. The applicant shall install and maintain a 6-Inch Sanitary Sewer Lateral and a 6-Inch Sanitary Sewer Cleanout that will be located within the site's northern property line.
43. The applicant shall install concrete pavement for the proposed road along the property frontage.

Modify the following Condition of Approval:

1. Development shall be substantially in accord with the Plans titled "NEW CONSTRUCTION OF 9 UNIT CONDOMINIUM BUILDING, 1567 BEACH BLVD., PACIFICA, CA," consisting of fifteen (15) sheets received April 11, 2007.
20. Applicant shall install stainless steel railing to match the existing railing on the seawall along the proposed elevated road as deemed necessary by the Director of Public Works or the City Engineer.
27. Applicant shall dedicate a Public Utility Easement for all existing utilities, including sanitary sewer and storm drain. This easement shall be a minimum 15 ft wide when feasible as determined by the City Engineer.
18. Increased storm water runoff shall be minimized by the applicant through the use of on-site detention facilities to the maximum extent feasible as determined by the Planning Director and City Engineer.

Delete the following Condition of Approval:

- ~~4. The final design of the seawall shall be reviewed by and subject to the approval of the Planning Director and Public Works Director.~~

**FISCAL IMPACT:**

None

**ATTACHMENTS:**

- a. January 22, 2007 Council Agenda Summary Report (with October 16, 2006 Planning Commission Staff Report only)
- b. City Council Minutes, January 22, 2007
- c. Letter from the City Attorney, March 12, 2007
- d. Mitigated Negative Declaration
- e. Resolution (Adoption of Mitigated Negative Declaration) and Mitigation, Monitoring and Reporting Plan
- f. Conceptual Plans

**COUNCIL ACTION REQUESTED:**

**Motion to Adopt Resolution Adopting Mitigated Negative Declaration**

1. **Move** that the City Council **ADOPT** the attached resolution next in order entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFICA ADOPTING THE MITIGATED NEGATIVE DECLARATION AND ADOPTING THE MITIGATION MONITORING AND REPORTING PROGRAM FOR A NINE (9) UNIT CONDOMINIUM DEVELOPMENT AT 1567 BEACH BOULEVARD (APN 016-011-190)."

Motion to Deny Appeal

2. **Move** that the City Council **DENY** the October 24, 2006 appeal by Patrick Rentsch, and approve the Coastal Development Permit, CDP-275-06, Site Development Permit, PSD-757-06, Use Permit, UP-965-06, and Tentative (Condominium) Subdivision Map, SUB-211-06, to construct a three-story building consisting of nine (9) condominium units at 1567 Beach Boulevard, subject to conditions one (1) through thirty-nine (39) and additional conditions of approval and modification and deletion of conditions of approval and based upon findings contained in the October 16, 2006 Planning Commission staff report and based on the January 22, 2007 and April 23, 2007 City Council Agenda Summary Reports, and incorporate all maps and testimony into the record by reference.