

CALIFORNIA COASTAL COMMISSION

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**Th15a****Important Hearing Procedure Note:**

This is a substantial issue only hearing. Public testimony will be taken only on the question whether the appeal raises a substantial issue. Generally and at the discretion of the Chair, testimony is limited to 3 minutes total per side. Please plan your testimony accordingly.

Appeal Filed:	9/4/2013
49 th Day:	Waived
Staff:	S.Rexing - SF
Staff Report:	2/21/2014
Hearing Date:	3/13/2014

APPEAL STAFF REPORT SUBSTANTIAL ISSUE DETERMINATION

Appeal Number:	A-2-PAC-13-0237
Applicant:	Holiday Inn Express, N.D. Patel
Appellant:	Todd Bray
Local Decision:	Approved with conditions by the Pacifica Planning Commission (Local Permit Number: CDP-338-13)
Project Location:	519 Nick Gust Way, Pacifica, San Mateo County (APN(s) 022-024-250, 022-024-270, and 022-024280)
Project Description:	Expansion of an existing 38-room Holiday Inn Express including an addition of 44 guest rooms and 2,010 square feet of retail space
Staff Recommendation:	No Substantial Issue

SUMMARY OF STAFF RECOMMENDATION

The Pacifica Planning Commission approved a coastal development permit (CDP) to allow 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, located west of Highway 1 in the West Rockaway Beach area, at the southwest corner of Rockaway Beach Avenue and Old County Road, in

Pacifica. The approved expansion would span both the southern and northern extent of the parcel on which the hotel is currently located, and be up to 51 feet in height at its tallest point.

The Appellant contends that the approved project is inconsistent with the Pacifica LCP, including because the project: 1) is a 41-51 foot high box-like structure with no quaint coastal appeal which will intimidate beach goers; 2) encroaches on Rockaway Creek; and finally, 3) does not address Coastal Commission staff concerns previously expressed in a letter from May 6, 2013 to the City that the project lacks a sufficient raised foundation to place the development out of the FEMA floodplain. Please see **Exhibit 5** for the full appeal document.

After reviewing the local record, Commission staff recommends that the Commission finds that the appeal of the approved project does not raise a substantial issue with respect to the project's conformance with the Pacifica LCP because as conditioned, the approved development: (1) does not destruct existing views to the sea and fits the three story and height exceptions that apply to this area; 2) does not necessitate an additional buffer because the development of new buildings is approved to remain within the current footprint of the existing buildings and would therefore have little additional biological impact on the creek; and 3) has finished floor elevations well above worst case flooding scenarios, including tsunamis and 100 year floods with maximum wave run up and maximum sea level rise, and is founded on a pile/pier foundation that will mitigate any impacts from potential flooding or bank erosion consistent with the hazards policies of the LCP.

As a result, staff recommends that the Commission determine that the appeal contentions do not raise a substantial LCP conformance issue, and that the Commission decline to take jurisdiction over the CDP for this project. The single motion necessary to implement this recommendation is found on page 4 below.

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EXHIBITS

- Exhibit 1 – Project Location Maps
- Exhibit 2 – Approved Project Design
- Exhibit 3 – City’s Final Local Action Notice
- Exhibit 4 – Appeal of Pacifica’s CDP Decision and May 6, 2013 Coastal Commission Staff
 Letter Appeal References
- Exhibit 5 – Correspondence

I. MOTION AND RESOLUTION

*Staff recommends that the Commission determines that **no substantial issue** exists with respect to the grounds on which the appeal was filed. A finding of no substantial issue would mean that the Commission will not hear the application de novo and that the local action will become final and effective. To implement this recommendation, staff recommends a **YES** vote on the following motion. Passage of this motion will result in a finding of No Substantial Issue and the local action will become final and effective. The motion passes only by affirmative vote of a majority of the Commissioners present.*

***Motion:** I move that the Commission determines that Appeal Number A-2-PAC-13-0237 raises **no substantial issue** with respect to the grounds on which the appeal has been filed under Section 30603. I recommend a **yes** vote.*

***Resolution:** The Commission finds that Appeal Number A-2-PAC-13-0237 does not present a substantial issue with respect to the grounds on which the appeal has been filed under Section 30603 of the Coastal Act regarding consistency with the Certified Local Coastal Plan and/or the public access and recreation policies of the Coastal Act.*

II. FINDINGS AND DECLARATIONS

The Commission finds and declares as follows:

A. PROJECT LOCATION AND DESCRIPTION

On August 29, 2013, the City of Pacifica Planning Commission approved the expansion of an existing 38-room Holiday Inn Express hotel which would add 44 guest rooms for a total of 72 rooms, 2,010 square feet of retail space and expand the existing on-site parking garage. Two existing guest rooms would be relocated within the existing building to allow access to the new addition on the north side of building. Other improvements would be added including a meeting room, great room, fitness area, storage facilities and new bathrooms. The subject property is located west of Highway 1 in West Rockaway Beach, at the southwest corner of Rockaway Beach Avenue and Old County Road, in Pacifica (**Exhibit 1**).

One aspect of the approved expansion would occur on the northern side of the existing 38-room hotel along Old County Road and Rockaway Beach Avenue. This expansion area would accommodate the parking garage, retail space and 36 new guest rooms. A vacant building, which occupies the northern portion of the site, would be demolished in order to make room for the hotel addition, parking garage and commercial/retail space. The northern addition would be three-stories in height with the garage (including storage areas), stairways and commercial retail space on the first floor, 17 new guest rooms and the fitness area on the second floor, and new guest rooms on the third floor.

The approved project would expand the southern side of the existing building with a second three-story addition. Currently, the southern portion of the site is occupied by an existing, abandoned two-story single family residence which also would be demolished to accommodate 8

new guest rooms (four new rooms each on the second and third floors) and other improvements such as a great room, meeting area, three bathrooms, a pantry and storage area on the first floor.

The approved expansions would add a total of 35,617 square feet of hotel and retail space area plus 8,405 square feet of garage area. Currently, the existing hotel is 41 feet high and the approved expansion would add areas of three stories and 44 feet 7 inch heights to the north and south of the existing buildings. An “aesthetic” tower is also approved on the corner of Rockaway Beach and Old County Road with a height of 50 feet, 3 inches. Finally, a new deck area totaling 539 square feet, with an additional 936 square feet of landscaping, is approved on the ground level of the southwest side of the building. Outdoor benches are approved in the landscaped area along Old County Road. Access to the parking area would be provided by way of an existing 25 foot wide driveway off of Old County Road and Nick Gust Way. See **Exhibits 1 and 2** for the site and approved project plans.

The existing Holiday Inn Express is located within the Rockaway Beach area where the Rockaway Beach Specific Plan (Specific Plan), part of the City of Pacifica’s Local Coastal Program (LCP) land use plan, applies. The City adopted the Specific Plan in 1986 in order to connect development proposals to the constructs of the City’s LCP. The overall objectives of the Specific Plan address how to approach land use and development, traffic circulation and parking and the physical appearance of buildings, as well as provide specific development standards that apply in the Rockaway area that are augmented from the existing standards of the zoning code. The Specific Plan regulations are designed to implement the goals of the General Plan and the LCP, as well as develop visitor-serving and commercial potential in the area. The zoning designation for the Rockaway Beach area is C-1/CZ (Neighborhood Commercial/Coastal Zone Combining District) and the Specific Plan designation for this particular property is Visitor Commercial allowing such uses as restaurants, motels, hotels, lodging houses and specialty shops associated with such uses. Surrounding uses include other hotels to the west, Rockaway Creek to the south, Highway 1 right-of-way to the east and residential and commercial uses to the north.

Pacifica CDP Approval

On August 29, 2013, the City of Pacifica Planning Commission approved coastal development permit (CDP) 338-13 for the approved project. The City’s notice of final local action was received in the Coastal Commission’s North Central Coast District office on September 3, 2013 (**Exhibit 3**). The Coastal Commission’s ten-working day appeal period for this action began on September 4, 2012 and concluded at 5 pm on September 17, 2013. A resident of Pacifica filed a timely appeal of the Planning Commission’s CDP decision on September 4, 2013 (see below and see **Exhibit 4**).

B. APPEAL PROCEDURES

Coastal Act Section 30603 provides for the appeal to the Coastal Commission of certain CDP decisions in jurisdictions with certified LCPs. The following categories of local CDP decisions are appealable: (a) approval of CDPs for development that is located (1) between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance, (2) on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, or stream,

or within 300 feet of the top of the seaward face of any coastal bluff, and (3) in a sensitive coastal resource area if the allegation on appeal is that the development is not in conformity with the implementing actions of the certified LCP; or (b) for counties, approval of CDPs for development that is not designated as the principal permitted use under the LCP. In addition, any local action (approval or denial) on a CDP for a major public works project (including a publicly financed recreational facility and/or a special district development) or an energy facility is appealable to the Commission. This project is appealable pursuant to 30601 (a) (1) because the approved development would be located between the sea and the first public road paralleling the sea and within 300 feet of the mean high tide line of the sea in an area where there is no beach.

The grounds for appeal under Section 30603 are limited to allegations that the development does not conform to the certified LCP or to the public access policies of the Coastal Act. Section 30625(b) of the Coastal Act requires the Commission to conduct a de novo CDP hearing on an appealed project unless a majority of the Commission finds that “no substantial issue” is raised by such allegations.¹ Under Section 30604(b), if the Commission conducts a de novo hearing and ultimately approves a CDP for a project, the Commission must find that the approved development is in conformity with the certified LCP. If a CDP is approved for a project that is located between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone, Section 30604(c) also requires an additional specific finding that the development is in conformity with the public access and recreation policies of Chapter 3 of the Coastal Act. This project is located between the nearest public road and the sea, and thus the additional public access and recreation finding is needed if the Commission were to approve the project following a de novo hearing.

The only persons qualified to testify before the Commission on the substantial issue question are the Applicant, persons who made their views known before the local government (or their representatives), and the local government. Testimony from other persons regarding substantial issue must be submitted in writing. Any person may testify during the de novo CDP determination stage of an appeal.

C. SUMMARY OF APPEAL CONTENTIONS

The Appellant contends that the approved project is inconsistent with the Pacifica LCP, including because the project: 1) is a 41- to almost 51 foot high box-like structure with no quaint coastal appeal which will intimidate beach goers; 2) encroaches on Rockaway Creek; and finally, 3) does not address Coastal Commission staff concerns previously expressed in a letter dated

¹ The term “substantial issue” is not defined in the Coastal Act or in its implementing regulations. In previous decisions on appeals, the Commission has generally been guided by the following factors in making substantial issue determinations: the degree of factual and legal support for the local government’s decision; the extent and scope of the development as approved or denied by the local government; the significance of the coastal resources affected by the decision; the precedential value of the local government’s decision for future interpretations of its LCP; and, whether the appeal raises only local issues as opposed to those of regional or statewide significance. Even when the Commission chooses not to hear an appeal, appellants nevertheless may obtain judicial review of a local government’s CDP decision by filing a petition for a writ of mandate pursuant to the Code of Civil Procedure, Section 1094.5. In this case, for the reasons discussed further below, the Commission exercises its discretion and determines that the development approved by the City does not raise a substantial issue with regard to the Appellants’ contentions.

May 6, 2013 to the City including that the project lacks a sufficient raised foundation to place the development out of the FEMA floodplain. Please see **Exhibit 4** for the full appeal document.

D. SUBSTANTIAL ISSUE DETERMINATION

Visual Impacts

The following Local Coastal Program (LCP) policies and standards require maintenance of coastal views and that new development is consistent in size, height and mass with existing development within the City's Coastal Zone. The standards specific to the Rockaway Beach Specific Plan govern development heights and intensity in the Rockaway Beach area:

LCP Policy C-101:

New development within the viewshed shall not destruct the views to the sea from public roads, trails and vista points...and views of the...coastal panorama from public roadways shall be protected by limiting the height and mass of permitted structures as well as clustering structures to be unobtrusive and visually compatible with landforms.

LCP Policy C-103:

Commercial development shall continue to provide for neighborhood and coastal needs, but expansion and intensification should be consistent in size, height, mass and area with existing development.

Rockaway Beach Specific Plan Section 3.3:

The City's maximum height is 35 feet. For the West Rockaway Beach planning area, two height standards are specified...three stories shall be permitted if a finding can be made that such height: 1) will not restrict coastal view potential from Highway 1 more than would a two-story structure; and 2) will provide an increase in public open space over and above that which would have normally been provided. Building height should be varied to help maintain an appropriate scale for the neighborhood.

Zoning Code 9-4.1002:

*Development regulations in the C-1 District shall be as follows:
...(e) Maximum height: thirty-five (35') feet.*

The Appellant contends the approved development is a 41-51 foot high, box-like structure, with no quaint coastal appeal, that will intimidate beach-goers. City of Pacifica LCP Policy C-101 requires that new development such as this, which is in the coastal viewshed, "shall not destruct the views to the sea from public roads, trails and vista points...and views of the...coastal panorama from public roadways shall be protected by limiting the height and mass of permitted structures as well as clustering structures to be unobtrusive and visually compatible with landforms." LCP Policy C-103 requires that commercial development expansion and intensification that provides for coastal needs should be consistent in size, height, mass and area with existing development.

Section 3.3 of the Rockaway Beach Specific Plan and Section 9-4.1002 of the C-1 neighborhood zoning allow maximum building heights up to 35 feet for two story development. The height of

the existing hotel building is 41 feet and the new expansion would result in a 3 story building with a maximum height of 44 feet 7 inches. Therefore, a height variance is required and the City's LCP specific findings for three story development as outlined in the Section 3.3.2 must also be met.

In order for the City to approve a height variance, the following findings must be made: 1) 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; 2) 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; 3) where applicable, 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. Further, the Rockaway Beach Specific Plan, Section 3.3 states that, buildings are allowed to be 3 stories if a finding can be made that "such height will not restrict 'coastal view potential' from Highway 1 more than would a two-story structure and will provide an increase in public open space over and above that which would have normally been provided."

Regarding the necessary variance findings, the City of Pacifica first found that the site is constrained because of its location on a property that is bordered by a creek on one side and roadways on the other three sides, and because it is small and unusually shaped which constrains the ability of the Applicant to expand the existing hotel. The City also found, consistent with the first variance requirement, that other developments in the Rockaway Beach area exceed the maximum building heights. Second, the City found that an increase in height would not materially affect the persons residing or working in the neighborhood because the expansion of the existing hotel is an overall improvement to the site from the existing conditions which include an abandoned single family home on the southern side and an empty commercial building on the northern side, consistent with the second variance requirement. Third, the City found that the approved hotel expansion is compatible with the existing hotel and surrounding area and is consistent with the City's Design Guidelines. Specifically, the expansion as approved will use materials that are consistent in style, design, scale and materials with the existing building and not unlike what exists in the Rockaway area. A condition of the City's approval requires that prior to issuance of the building permit the applicant will submit information regarding exterior finishes, including colors and materials, subject to approval by the Planning Director. The City also found the approved gables and tower, which would go up to a height of 50 feet 3 inches, would add important architectural features to the building, and will be similar to a tower that exists across Rockaway Avenue and to the north in the Rockaway Beach area, consistent with the third variance requirement. In addition, regarding projections that may block or obstruct views, a condition of the City's approval requires that prior to issuance of the building permit the applicant must submit a roof plan showing all location of roof equipment such as vents, stacks and skylights, subject to the Planning Director's satisfaction. With regard to the fourth variance finding, as discussed further below, the City found the approved development to be consistent with the applicable policies of the Local Coastal Program that relate to visual resources, biological resources and hazards and conditioned its approval to assure the approved development fits with existing surrounding developments, including with regard to

roof equipment. Therefore, there is significant factual and legal support for the City approval of a height variance.

With respect to the project's consistency with the applicable portions of the City's LCP, the City determined that the expansion would not obstruct any existing views from Highway 1, consistent with LCP Policy C-101. As stated above, the City determined that the approved expansion is consistent with existing development because the expansion will be similar in style, design, scale and materials with the existing building and not unlike what exists in the Rockaway area, consistent with LCP Policy C-103. Further, with regard to the Rockaway Beach Specific Plan Section 3.3 height exception, the City of Pacifica found that the application could be approved because the approved expansion would not reduce coastal views any more than would a two-story building because the current two-story structure on the northern portion of the site already impacts ocean views and most existing public views from Highway 1, as it parallels the West Rockaway Beach Area, are impeded by existing buildings and vegetation. As the City states, the elevation of Highway 1 increases as it progresses to the south, opening up a sliver of a blue water view and a view of the beach headlands which can be seen while traveling through the intersection of Highway 1 and Rockaway Ave. Though the approved expansion would block a sliver of an existing blue water view, it is not a substantial blue water view and it can only be seen as a flash when traveling south along Highway 1. Additionally, since the approved project also proposes public open space (where there is currently none) in the form of benches that are proposed along a landscaped area fronting Old Country Road, the City found the project consistent with the second requirement of the Rockaway Beach Specific Plan Section 3.3.

The City's findings are supported by evidence because the existing development and vegetation in the West Rockaway area already blocks the majority of coastal vistas in the immediate vicinity and because of the relatively flat topography of this particular intersection. This is true for the bulk of the property except on that southern edge, where the vegetation breaks and views of the coast open up for a flash blue water view from Highway 1. Just south of the southern edge of the Holiday Inn Express parcel is the existing single family residence approved for demolition and redevelopment as part of the approved three story hotel. Extending the hotel development south to the creek where the existing single family residence is located would reduce that sliver blue water view corridor. However, this view reduction would not be significant as the existing view is already severely limited and can only be seen for a short flash while driving through the intersection. Therefore, this development does not destruct existing views to the sea and fits the three story exception that applies to this area because it does not restrict coastal views any more than a two-story would and would open up public space that currently does not exist onsite. Therefore, for all of the above reasons, the Commission finds that the appeal of the City's approval does not raise a substantial issue of conformity with LCP Policies C-101, C-103 and Rockaway Beach Specific Plan Section 3.3.

Biological Resources

The following LCP policy requires the protection of biological resources and the maintenance of minimum buffers with regard to creeks in the coastal zone, unless such a buffer is designated as unnecessary to protect the habitat:

LCP Policy C-99:

Riparian vegetation along all intermittent and year-round creeks shall be protected, enhanced and restored where feasible...buffer zones should be identified by environmental study and should be adequate to protect habitat areas associated with the creek...As a general rule a buffer of at least 100 feet measured from the outward edge of riparian vegetation would be appropriate unless such a width is determined as unnecessary to protect the habitat.

The Appellant contends that the development encroaches on Rockaway Creek. Rockaway Creek is a perennial stream that runs along the southern side of the property and eventually drains through a culvert to the sea. The new deck and patio area approved would be within 2 feet 7 inches of the top of the creek bank. A flow-through planter is also approved in this area to treat runoff. The expansion of the actual hotel would “remain within the footprint of the abandoned to-be-demolished single family residence” and would be approximately 3 feet from the creek bank.

Situating the deck development within approximately 2.5 feet of the creek bank and the hotel expansion within 3 feet of the creek bank has the potential to adversely impact Rockaway Creek and its associated habitat. A biological report was prepared for the project by Live Oak Associates. The report found that since the development of new buildings is approved to remain within the current footprint of the existing buildings (current hotel and the to-be-destroyed single family residence), the approved expansion poses no harm to the creek habitat. Regardless, LCP Policy C-99 states “riparian vegetation along all intermittent and year-round creeks shall be protected, enhanced and restored where feasible...buffer zones should be identified by environmental study and should be adequate to protect habitat areas associated with the creek...As a general rule a buffer of at least 100 feet measured from the outward edge of riparian vegetation is often utilized unless such a width is determined as unnecessary to protect the habitat.”

LCP Policy C-99 requires that an environmental study be conducted to identify adequate buffers to protect riparian vegetation associated with creeks. The environmental study conducted for the hotel expansion proposes that no such buffer is needed to protect existing habitat areas associated with the creek since the approved expansion is remaining within the footprint of the buildings that currently exist on the property. The City found that because the habitat of Rockaway Creek is degraded in this location and that the approved expansion’s buildings would not encroach further onto the creek than the existing buildings, the impacts to the creek are not significant enough to necessitate creating a larger buffer than what is approved. Further, the City included mitigation measures as part of their approval to further prevent any potential impacts to the creek during construction including Best Management Practices and directing construction site lighting away from the creek whenever possible.

Commission Staff biologist, Dr. John Dixon assessed the biological impacts of the approved development in light of the biological report submitted to the City and agreed with the City that the approved development would have little additional biological impact. LCP Policy C-99 generally calls for a buffer of at least 100 feet unless such a width is determined as unnecessary to protect the habitat. Both the biological assessment performed for the development and

Commission Staff's assessment of the biological resources present on the site provide support for the City's approval. Therefore, and taking into account the conditions of approval for the approved project which include best management practices to control run-off to the creek as well as lighting constraints to prevent impacts to surrounding habitats, the Commission finds the appeal of the approved development raises no substantial issue of conformity with LCP Policy C-99.

Hazards

The following LCP and policies require applicants to avoid developing in designated FEMA flood zones:

LCP Policy C-99:

Development in designated flood plain areas (see General Plan, Geotechnical Hazards Map, page 154), shall be designed to meet the HUD criteria for development in flood plains.

The Appellant contends that the approved project does not address concerns raised in a Coastal Commission letter sent to the City dated May 6, 2013 regarding the project and that the approved development lacks a raised foundation area sufficient to raise it out of the FEMA flood plain, inconsistent with the LCP hazard policies.

The Federal Emergency Management Agency (FEMA) maps Rockaway Creek, which runs along the southern edge of the property, in a flood zone "A" area which designates "areas with a 1% annual chance of flooding and a 26% chance of flooding over the life of a 30-year mortgage." A 1% annual chance of flooding equates to a 100-year flood. LCP Policy C-99 states "development in designated flood plain areas shall be designed to meet the HUD criteria for development in flood plains." HUD criteria require that development be 1) elevated out of flood levels and 2) cannot exacerbate flooding to surrounding areas. The City determined that because this creek zone has no historical base flood elevation, the creek is generally understood to stay within its banks, the approved development is "generally open on the ground floor", waters in flood events would "not be prevented from flowing out to lower elevations" and the new structures would be supported on structural concrete piles the new development is "likely to survive flood or sea level rise." Further, as conditioned, the approved project would be required to incorporate the recommendations of the geotechnical investigation into the final building permit plans, which include that the development minimize grading, that the new floor slabs not rely on the ground for support and that the additions be constructed using a drilled, reinforced concrete pier foundation.

During its review of the appeal, Commission Staff asked the Applicant to explore additional coastal hazard scenarios and their impacts to the approved development and the surrounding areas including a 100-year storm event, at high tide, taking into account projected sea level rise, as well as a range of sea level rise scenarios that can be expected to occur over the project's economic life, based on the projections from the Ocean Protection Council Guidance.² Further, the Applicant was asked to consider a situation where the culvert at Rockaway Creek is not freely flowing and would not serve to retard coastal wave uprush run-up by way of the creek and how this situation would impact the approved bankside development, by running up Rockaway

² http://www.opc.ca.gov/webmaster/ftp/pdf/docs/2013_SLR_Guidance_Update_FINAL1.pdf

Creek and overtopping the banks, rather than by propagating from the tide line and over the parking area.

In response to these requests, the Applicant provided a geotechnical report which states the approved development's lowest finished floor elevations would be above elevation +25 feet NGVD29. These finished floor elevations are well above the highest recorded water level plus 5.5 feet of sea level rise, which comes out to be about +11.3 feet NGVD29. Further, the report found that worst case wave event (including a tsunami) corrected for a future sea level rise of 5.5 feet would result in a maximum wave run-up elevation of about +18 feet NGVD29 at the mouth of the creek. The maximum bore height propagating up the creek would be about 1.4 feet with no water flowing out in the creek. The creek bed is more than 7 feet below the lowest finished floor adjacent to the approved addition and the creek out flow would retard any incoming wave bore from propagating up the creek. Finally, the report found that the impact of tsunami run up that may reach the site is mitigated by the development setback from the shoreline, the elevation of the improvements, and the use of pile/pier foundation design.

Commission Staff coastal engineer, Lesley Ewing, and geologist, Dr. Mark Johnsson, agree with the analysis and conclusions from the above described geotechnical report and with the assertion that no additional mitigation measures are necessary beyond the approved project to account for coastal hazards to the approved development and that new shoreline protection will likely not be required to protect the structures over the approved 100 year life of the development. In addition, this analysis confirms that the structure would be elevated out of flood levels and would not exacerbate flooding to surrounding areas consistent with the HUD criteria. Therefore, the Commission finds that the appeal of the approved development does not raise a substantial issue of conformity of the approved development with LCP Policy C-99 which requires that development in flood plains be designed to meet the HUD criteria for development in such areas.

E. CONCLUSION

When considering a project that has been appealed to it, the Commission must first determine whether the appeal of the approved development raises a substantial issue of LCP conformity, such that the Commission should assert jurisdiction over a de novo CDP for such development. As described above, the Commission has been guided in its decision of whether the issues raised in a given case are "substantial" by the following five factors: the degree of factual and legal support for the local government's decision; the extent and scope of the development as approved or denied by the local government; the significance of the coastal resources affected by the decision; the precedential value of the local government's decision for future interpretations of its LCP; and, whether the appeal raises only local issues as opposed to those of regional or statewide significance. In this case, these five factors, considered together, support a conclusion that this project does not raise a substantial issue of LCP conformance.

First, the City had a high degree of legal and factual support for its decision. As described above, the appeal contentions relate to the project's consistency with various policies of the City's certified LCP. The City's approval appropriately considers the LCP's requirements with respect to these issue areas and the approved project's conditions and required mitigations are designed to assure LCP consistency. Thus, there is adequate factual and legal support for the City's decision.

Second, the extent and scope of the approved development fits the scope and size of surrounding development in the Rockaway Beach area. The project is an expansion of an already existing hotel that will add additional rooms, in an area where several other large hotels already exist and an area that prioritizes commercial, visitor-serving uses.

Third, the significance of the coastal resources affected by the project is not high. The approved project expands an already-existing, visitor-serving use in an area zoned for such uses. The coastal view impacts from the approved expansion will not be significant, the development of new buildings is approved to remain within the current footprint of the existing buildings and would therefore have little additional biological impact on the creek, and the approved development is designed and conditioned in such a way as to avoid significant impacts from coastal flooding and/or erosion.

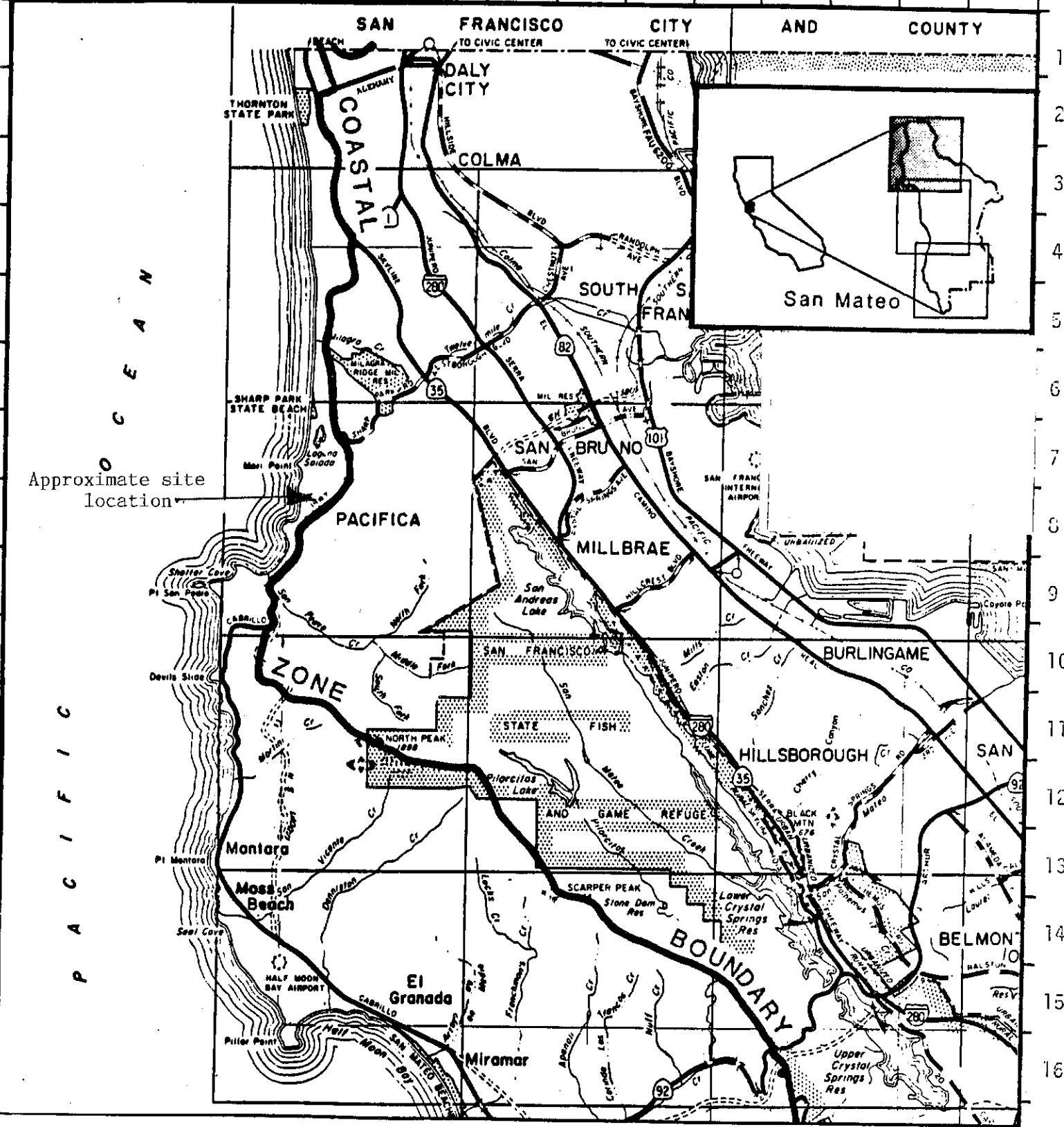
Fourth, the approved project does not present an adverse precedent for future interpretations of its LCP and is consistent with the goals and policies of the LCP, specifically the Rockaway Beach Area Specific Plan, by providing significant visitor-serving and commercial uses in the area while simultaneously fitting with the surrounding existing development. Because as previously stated the City properly considered the applicable LCP and IP policies and standards, including the standards of the Rockaway Specific Plan, the project is not expected to set an adverse precedent for future interpretation of the certified LCP.

Finally, the City's approved project raises only local issues as opposed to those of regional or statewide significance. Based on the scale of the project, the lack of any significant coastal resources impacts and the absence of any significant legal issue of interpretation or LCP application, the appeal filed for this development presents essentially a local issue.

Based on the foregoing, including when all five substantial factors are weighed together, the appeal contentions do not raise a substantial LCP conformance issue and thus the Commission declines to take jurisdiction over the CDP application for this project.

A B C D E F G H I J K L M N O

SAN FRANCISCO CITY AND COUNTY



Approximate site location

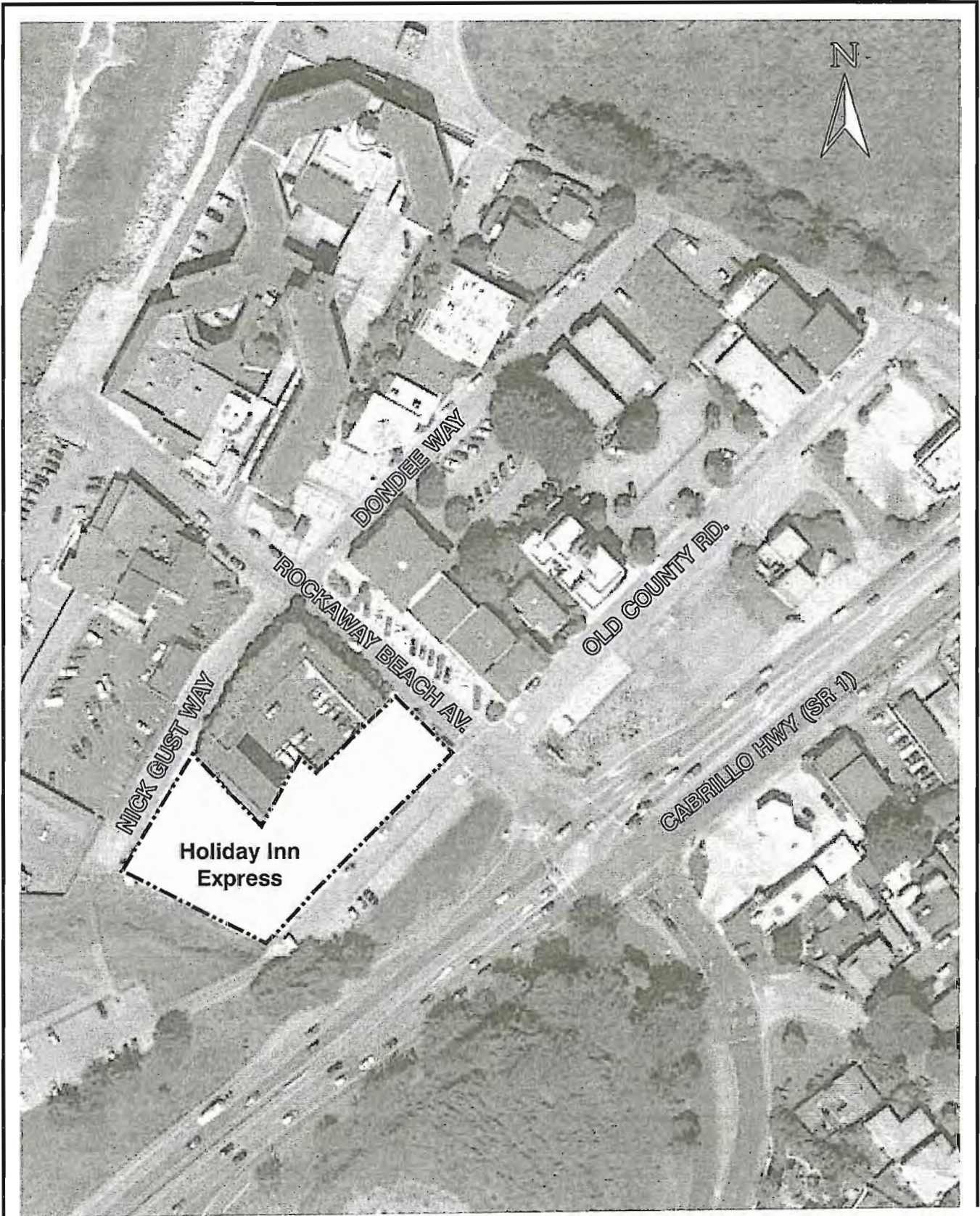


LOCATION MAP



A-2m PAC-13-0237





HOLIDAY INN EXPRESS PACIFICA ADDITION

519 NICK GUST WAY, PACIFICA, CA 94044

RECEIVED
AUG 16 2012
City of Pacifica



CONTACT DIRECTORY

OWNER: NVI RANI, INC.
519 NICK GUST WAY
PACIFICA, CA 94044

CONTACT: N.D. PATEL
(650) 692-3434

LANDSCAPE ARCHITECT: KLA LANDSCAPE ARCHITECTURE
151 N. NORLIN ST.
SONORA, CA 95370

CONTACT: TOM HOLLOWAY
(209) 532-2856

BIOLOGIST: LIVE OAK ASSOCIATES, INC.
6840 VIA DEL ORO SUITE 220
SAN JOSE, CA 95119

CONTACT: MELISSA DENENA
(408) 476-6827

CONTACT: RYS ARCHITECTS, INC.
10 MONTEREY BLVD.
SAN FRANCISCO, CA 94131

CONTACT: ROBERT SAUVAGEAU
(415) 841-9090

J.C. ENGINEERING
225 ROCKAWAY BEACH AVE. #400
PACIFICA, CA 94044

CONTACT: JAVIER CHAVARRIA
(650) 355-0615

TRAFFIC ENGINEER: RKH CIVIL & TRANSPORTATION ENGR
837 COLUMBA LANE
FOSTER CITY, CA 94404

CONTACT: RICHARD HOPPER
(650) 212-0837

SOILS ENGINEER: MICHELUCCI & ASSOCIATES, INC.
1801 MURCHISON DR SUITE 88
BURLINGAME, CA 94010

CONTACT: JOSEPH MICHELUCCI
(650) 692-0163

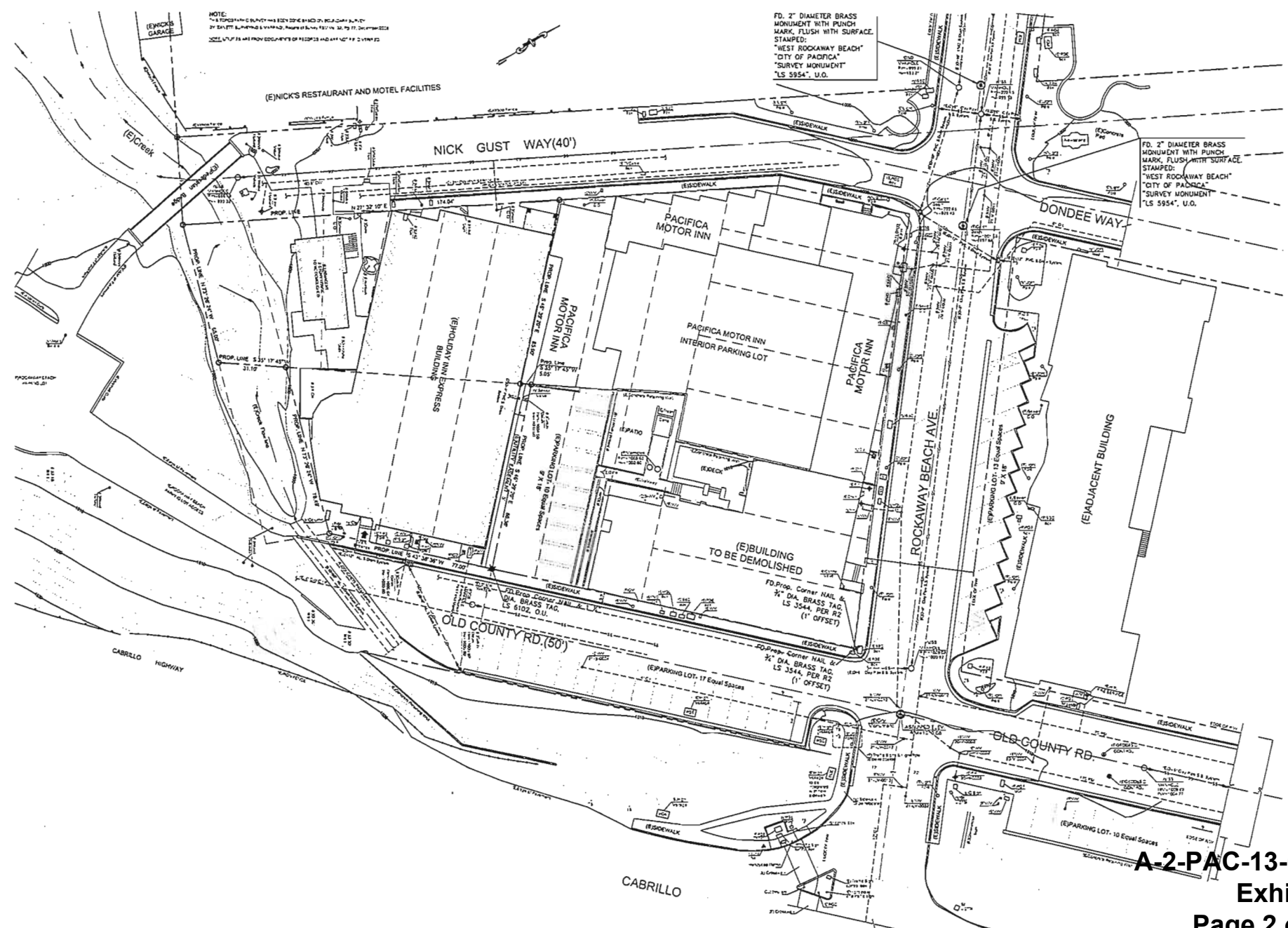
SHEET INDEX

T1 TITLE SHEET
C1 TOPOGRAPHIC SURVEY
C2 TENTATIVE MAP
C3 SITE PLAN
C4 GRADING PLAN
C5 DRAINAGE & UTILITIES
C6 DETAILS
C7 NEW INTERSECTION WORK
A1 ARCHITECTURAL SITE PLAN
A2 FIRST FLOOR PLAN & LANDSCAPE PLAN
A3 SECOND FLOOR PLAN & ROOF PLANTING PLAN
A4 THIRD FLOOR PLAN
A5 ROOF PLAN
A6.1 GUEST ROOM PLANS
A6.2 GUEST ROOM PLANS
A7.1 EXTERIOR ELEVATIONS
A7.2 EXTERIOR ELEVATIONS
A8 CANOPY DETAILS
A9 RENDERED STREET ELEVATIONS
A10 SITE SECTIONS
A11 MASSING STUDIES
A12 PHOTO SIMULATION

A-2-PAC-13-0237

Exhibit 2





NOTE:
 THIS TOPOGRAPHIC SURVEY WAS FIELD RECORDED BY REG. SURV. J. R. ...
 ...

FD. 2" DIAMETER BRASS MONUMENT WITH PUNCH MARK, FLUSH WITH SURFACE. STAMPED: "WEST ROCKAWAY BEACH" "CITY OF PACIFICA" "SURVEY MONUMENT" "LS 5954", U.O.

FD. 2" DIAMETER BRASS MONUMENT WITH PUNCH MARK, FLUSH WITH SURFACE. STAMPED: "WEST ROCKAWAY BEACH" "CITY OF PACIFICA" "SURVEY MONUMENT" "LS 5954", U.O.

J C ENGINEERING

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CIVIL AND STRUCTURAL ENGINEERS

REMARKS:

HOLIDAY INN EXPRESS
 OLD COUNTY RD. - ROCKAWAY
 PACIFICA, CA 94044
 APN : 022 - 024 - 270

Sheet:

TOPOGRAPHIC SURVEY & DEMOLITION PLAN

DATE	ISSUED FOR
09/30/11	PLANNING
11/01/11	PLANNING
01/02/12	PLANNING
08/07/12	PLANNING
09/27/12	PLANNING
10/01/12	PLANNING

A-2-PAC-13-0237

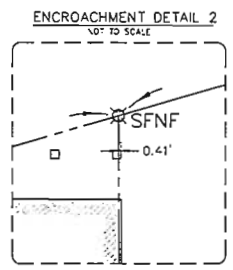
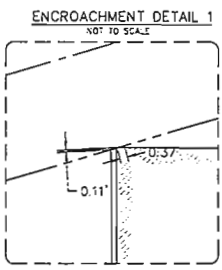
Exhibit 2

Page 2 of 22

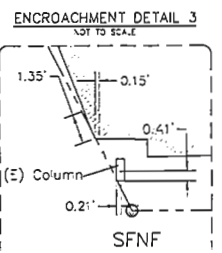
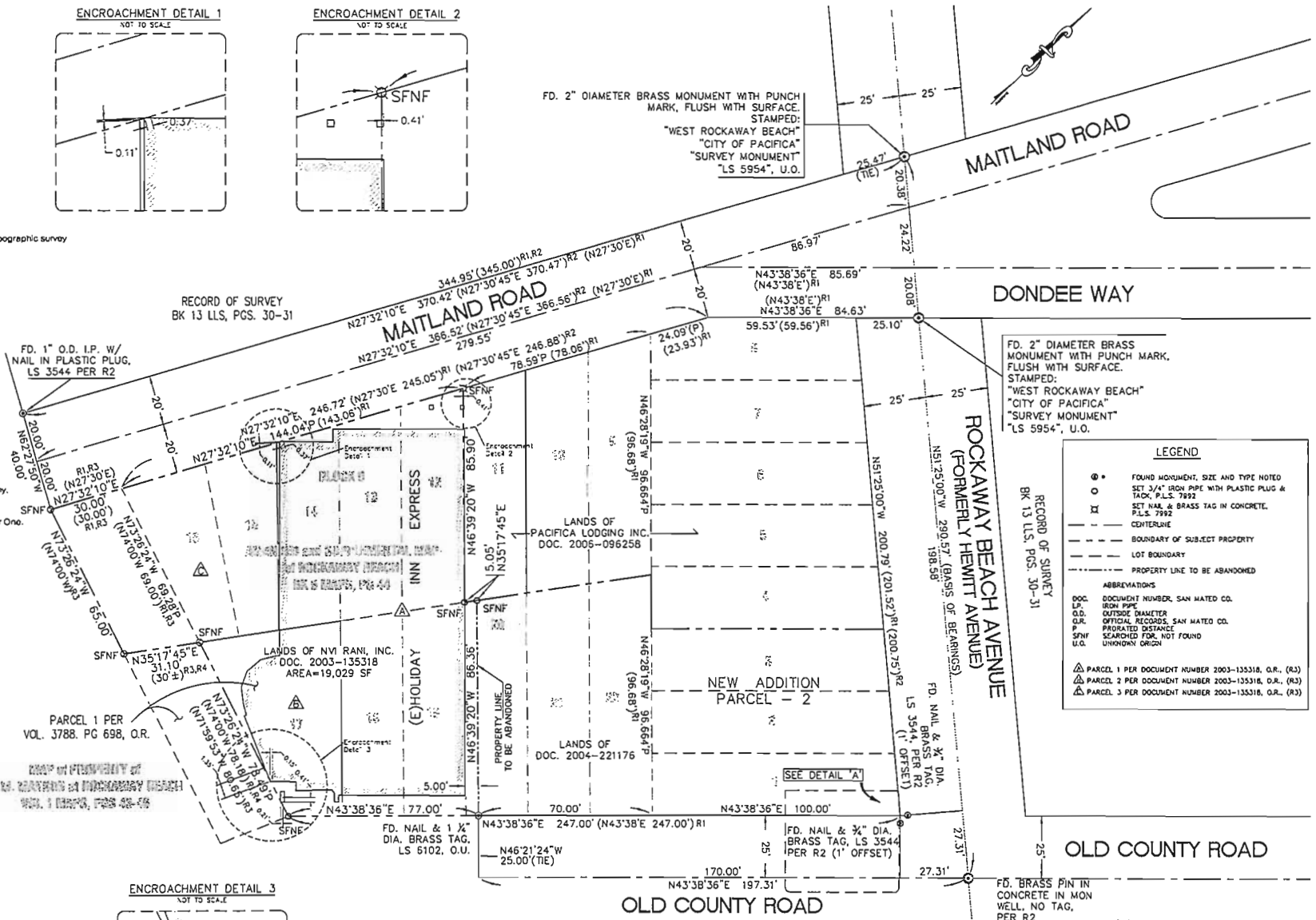
R:
 IC:
 181 Way, Rockaway Beach
 94044
 434
 SURVEY BY:
 JFC
 Structural Engineering
 Rockaway Beach #400
 94044
 615
 SURVEY BY:
 JFC
 PLS-7992
 ATLM:
 monument
 Rockaway Beach Av
 Maitland Rd, as shown on attached topographic survey
 elevation RIM=1010.08 B.M.

D USE:
 NING:

North Coast County Water District.
 City of Pacifica.
 City of Pacifica Gas & Electric Company.
 City of Pacifica Gas & Electric Company.
 E: SBC, Verizon Wireless, Cellular One.
 TCI Cablevision.
 CJECT
 cel 1 = 19,029.34 Sq.Ft.
 cel 2 = 13,674.55 Sq.Ft.
 area = 32,703.89 Sq.Ft.



RECORD OF SURVEY
 BK 13 LLS, PGS. 30-31



F BEARINGS
 SHOWN UPON THE HEREIN MAP ARE BASED
 UNADJUSTED CENTERLINE OF ROCKAWAY BEACH
 (WHELY HEWITT AVENUE) AS SHOWN ON THE
 2, 7-ADJUSTED AND SUPPLEMENTAL MAP OF
 EACH, FILED FOR RECORD IN MAP BOOK 5,
 SAN MATEO COUNTY RECORDER'S OFFICE,
 AS NORTH S12300' WEST HEREON.

RECORDED RECORD DATA
 ORDS, SAN MATEO COUNTY
 ADJUSTED AND SUPPLEMENTAL MAP OF ROCKAWAY
 BEACH, MAP BOOK 5, PAGE 44
 RECORD OF SURVEY, BOOK 13 LLS, PAGES 30-31
 DATE RECORDED 2/01/13 11:11 A.M. P.C.

LOT MERGER PLAN
 SCALE 1" = 20'-0"

THIS DRAWING IS HALF-SIZE 18" x 12".
 THE SCALE IS HALF OF WHAT IS

RECORD OF SURVEY
 BK 13 LLS, PGS. 30-31

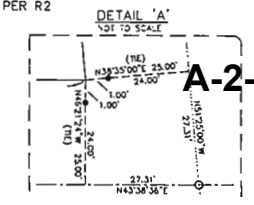
LEGEND

- FOUND MONUMENT, SIZE AND TYPE NOTED
- SET 3/4" IRON PIPE WITH PLASTIC PLUG & TAG, P.L.S. 7992
- ⊠ SET NAIL & BRASS TAG IN CONCRETE, P.L.S. 7992
- CENTERLINE
- - - BOUNDARY OF SUBJECT PROPERTY
- - - LOT BOUNDARY
- - - PROPERTY LINE TO BE ABANDONED

ABBREVIATIONS

- DOC. DOCUMENT NUMBER, SAN MATEO CO.
- D.P. IRON PIPE
- O.D. OUTSIDE DIAMETER
- O.R. OFFICIAL RECORDS, SAN MATEO CO.
- P.D. PROPORTIONED DISTANCE
- S.F.N.F. SEARCHED FOR, NOT FOUND
- U.O. UNKNOWN ORIGIN

- △ PARCEL 1 PER DOCUMENT NUMBER 2003-135318, O.R. (83)
- △ PARCEL 2 PER DOCUMENT NUMBER 2003-135318, O.R. (83)
- △ PARCEL 3 PER DOCUMENT NUMBER 2003-135318, O.R. (83)



J C
 ENGINEERING

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CIVIL AND STRUCTURAL ENGINEERS

REMARKS:

HOLIDAY INN EXPRESS
 OLD COUNTY RD. - ROCKAWAY
 PACIFICA, CA 94044
 APN : 022 - 024 - 270

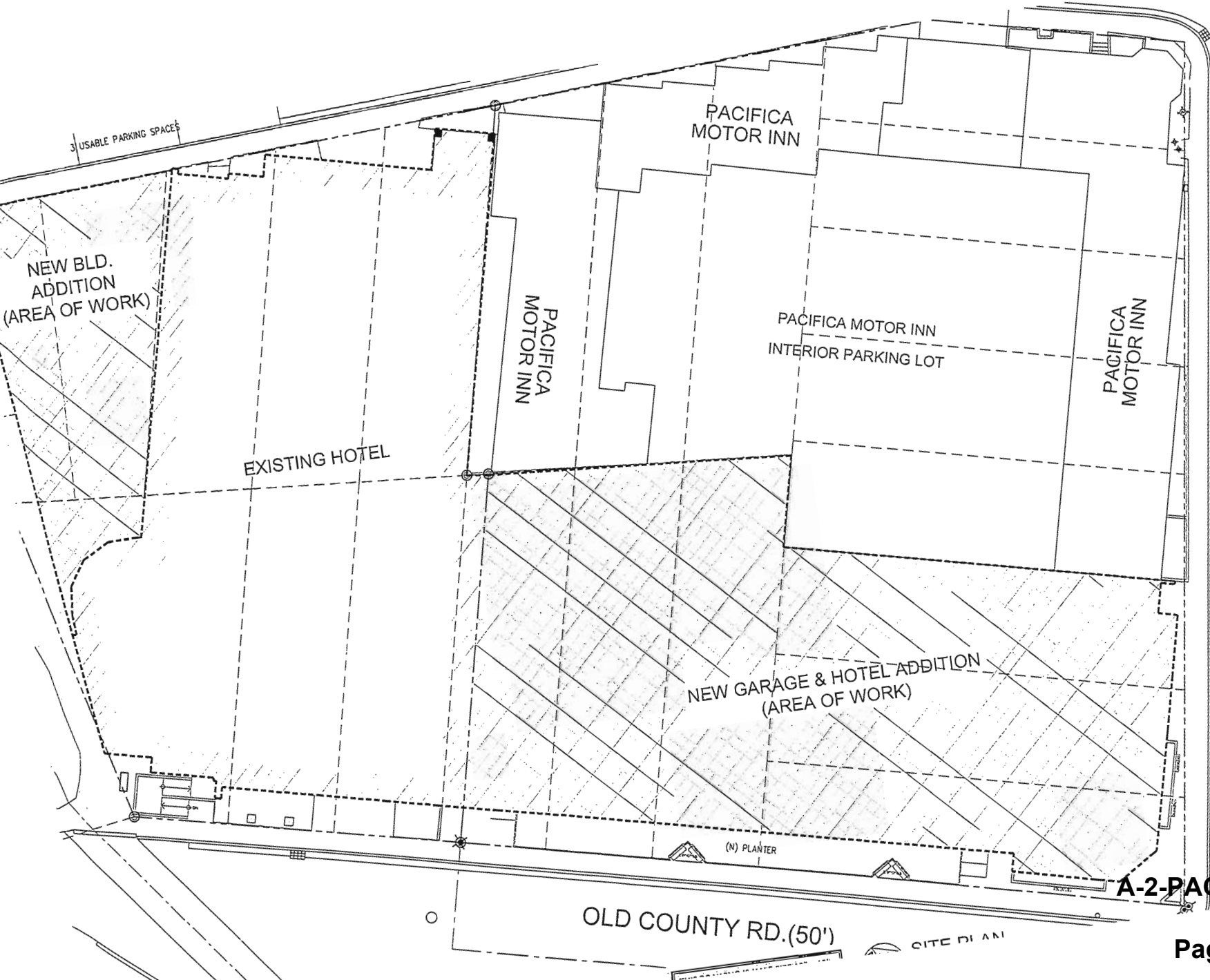
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LOT MERGER PLAN

DATE	ISSUED FOR
09/30/11	PLANNING
07/11/11	PLANNING
07/12/11	PLANNING
08/07/12	PLANNING
09/09/12	PLANNING
10/09/12	PLANNING

Drawn by:

A-2-PAC-13-0237
 Exhibit 2
 Page 3 of 22



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REMARKS:

HOLIDAY INN EXPRESS
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PACIFICA, CA 94044
APN : 022 - 024 - 270

ROCKWAY BEACH AVE.

Sheet: SITE PLAN

DATE	ISSUED FOR
09/30/11	PLANNING
10/28/11	PLANNING
03/01/12	PLANNING
08/07/12	PLANNING
09/24/12	PLANNING
10/10/12	PLANNING

Drawn by:

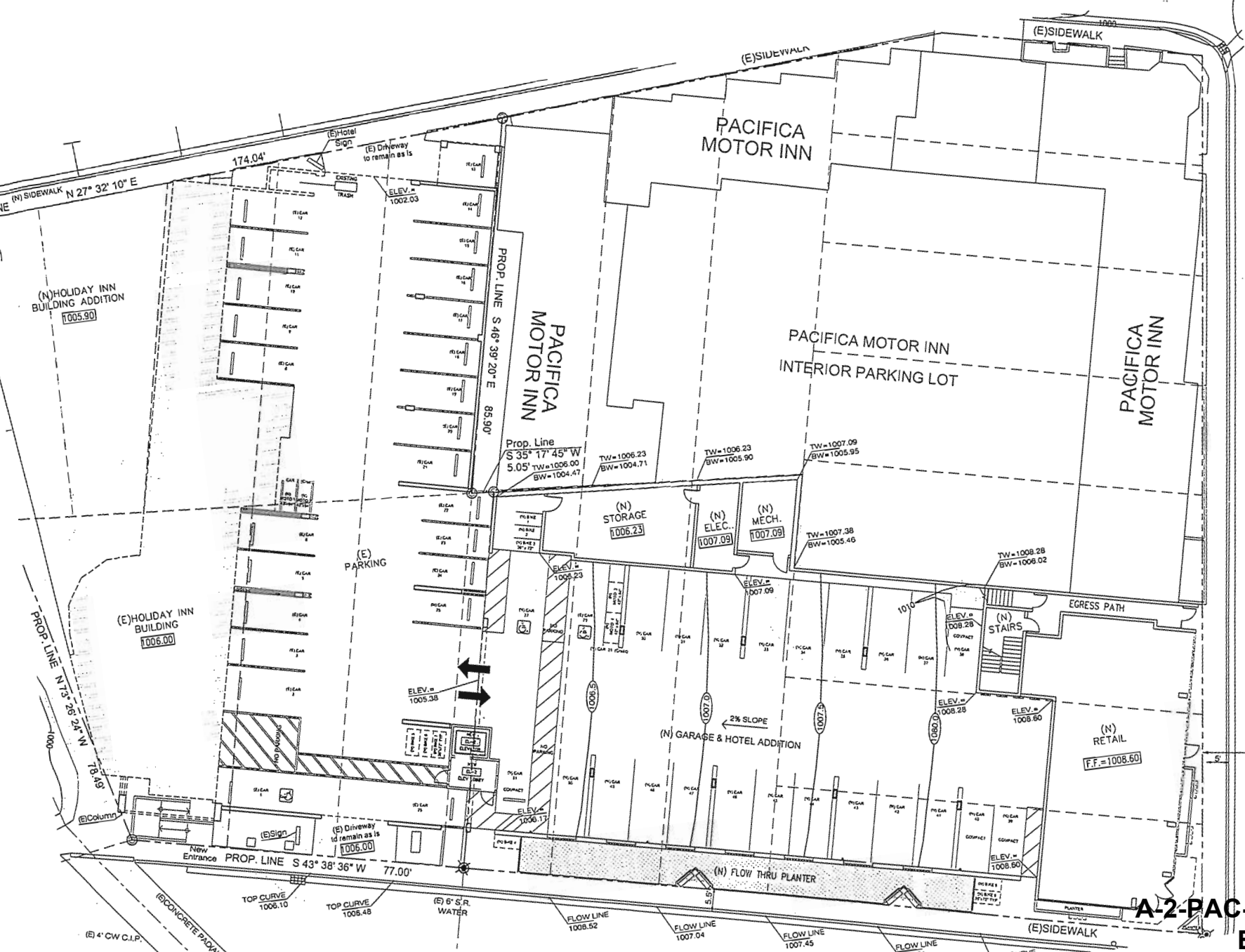
A-2-PAC-13-0237

Exhibit 2

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OLD COUNTY RD. (50')

SITE PLAN



J C
ENGINEERING

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CIVIL AND STRUCTURAL ENGINEERS

REMARKS:

ROCKAWAY BEACH AVE

HOLIDAY INN EXPRESS
OLD COUNTY RD. - ROCKAWAY
PACIFICA, CA 94044
APN : 022 - 024 - 270

Sheet: GRADING PLAN

DATE	ISSUED FOR
09/30/11	PLANNING
10/28/11	PLANNING
03/30/12	PLANNING
08/07/12	PLANNING
09/24/12	PLANNING
10/10/12	PLANNING

Drawn by:

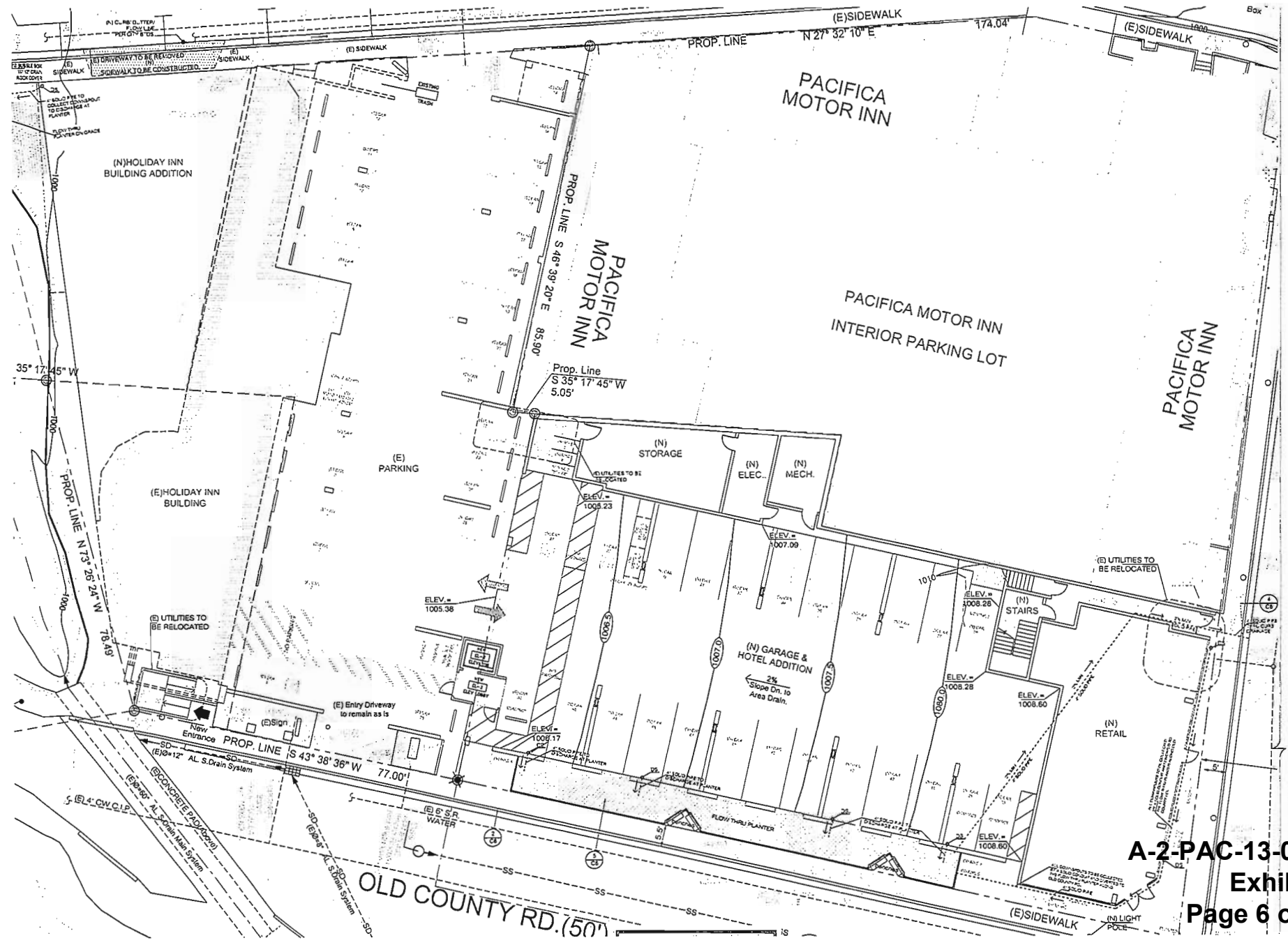
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Exhibit 2

Page 5 of 22

OLD COUNTY RD. (50')

THIS DRAWING IS HALF-SIZE 18" x 12".
THE SPECIFIC DATE OF WHAT IS.



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REMARKS:

HOLIDAY INN EXPRESS
OLD COUNTY RD. - ROCKAWAY
PACIFICA, CA 94044
APN : 022 - 024 - 270

Sheet:
DRAINAGE & UTILITIES

DATE	ISSUED FOR
09/30/11	PLANNING
10/12/11	PLANNING
08/07/12	PLANNING
09/27/12	PLANNING
10/10/12	PLANNING

A-2-PAC-13-0237

Exhibit 2

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Drawn by:

IMPORTANT NOTES

0 GRADING AND WALL CONSTRUCTION. VERIFY SITE LAYOUT WITH UTILITY DRAWINGS. IF DISCREPANCIES ARE FOUND CONTACT THE ENGINEER FOR A CLARIFICATION PRIOR TO STARTING ANY WORK.

1. EQUIPMENT SHALL BE PLACED USING A "SHEEPFOOT" ROLLER IN UNIFORM VERTICAL LIFTS NOT EXCEEDING 8" IN UNCOMPACTED THICKNESS. EACH LIFT BE MOISTURE CONDITIONED AND MIXED THOROUGHLY. AREAS TO BE GRADED SHALL BE PREPARED BY REMOVING VEGETATION, TOPSOIL, NON-PRODUCTIVE FILL OR ANY UNSUITABLE MATERIAL AS TERMINATED BY THE SOILS REPORT ON THE FIELD. ALL FILL AREAS SHALL BE COMPACTED TO 90% ASTM D 1557-84 FILL EXCEEDING 3" IN THICKNESS SHALL BE SUBGRADED. A 3 REPORT SHALL BE SUBMITTED TO THE COUNTY BY THE SOILS ENGINEER AND THE RESULTS OF THE COMPACTION TEST SHALL ALSO BE SUBMITTED. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE MEASURES TO PREVENT EROSION ON FRESHLY GRADED AREAS DURING CONSTRUCTION, AND UNTIL SUCH TIME AS PERMANENT DRAINAGE AND CONTROL MEASURES HAVE BEEN INSTALLED.

0 INSTALLING FINAL PAVEMENT OR GROUND CONCRETE, BASE AND CURB AND GUTTER SHALL BE APPROVED BY ENGINEER.

1. Before site the contractor shall thoroughly examine the site and satisfy himself that the conditions under which the work is to be performed. The contractor shall verify that the site is suitable for the work and shall be responsible for the correctness of it. The contractor alone is responsible for job site safety. If the contractor is to be held responsible for any injury or damage to persons or property, it shall be the responsibility of the contractor to take all necessary precautions to prevent such injury or damage.

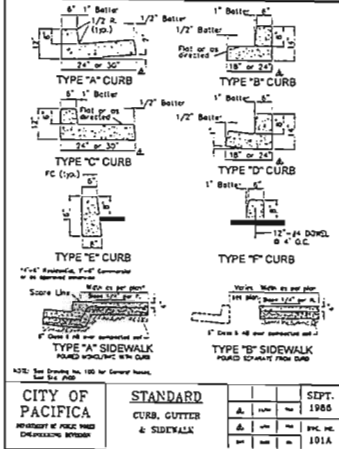
2. INSPECTIONS
 All construction shall be inspected by Design Civil Engineer.
 All inspections by the Building and Engineering Department of the City of Pacifica require a permit.
 All operations by soils engineer shall be filed for file operation and plan drawing.

3. SITE NOTES
 a. Any cutting or filling the site shall be stripped to a sufficient depth to remove all weeds, roots and other vegetation. The stripped material shall either be removed from the site or stockpiled for reuse later as topsoil, but none of the stripped material shall be used for engineering fill. Where trees are removed, the soil loosened and the site shall be over-excavated at least to the bottom of the root system.
 b. All inspections require 24 hours notice.
 c. Construction working hours shall not extend beyond 7 a.m. to 6 p.m. Monday through Friday without specific written permission from the City of Pacifica.
 d. All operations shall be maintained clear of construction materials and debris at all times. Clean up will be enforced.
 e. Control measures shall be implemented as necessary.
 f. Utilities shall be installed underground.
 g. All utility and runoff drainage piping shall be kept entirely separated from all subsurface systems.
 h. Contractor or owner shall contact the building division (650-738-7344) 24 hours prior to any drainage system components or pouring any concrete drainage pipe.
 i. All curbs, sidewalks or streets adjacent to property that is damaged or displaced shall be repaired or replaced even if the damage or displacement occurred prior to any work on this project.
 j. Any damage to improvements within the city right of way or to any private property, or adjacent to subject property or not, that is determined by City Engineers to be caused by construction activities related to this project, shall be repaired or replaced as directed by the City Engineer.
 k. Improvements shall be constructed according to the City of Pacifica specifications and subject to inspection and approval by the City.
 l. Contractor or owner shall contact the wastewater division 24 hours prior to any of the following activities: backfilling, trenching, pavement restoration, tap, pipe installation or any other sewage work.
 m. All sewer connections, street trenching and driveway construction shall be made in accordance with the City of Pacifica Standards.
 n. All surface water shall be diverted away from foundations slope grading at least 2%.

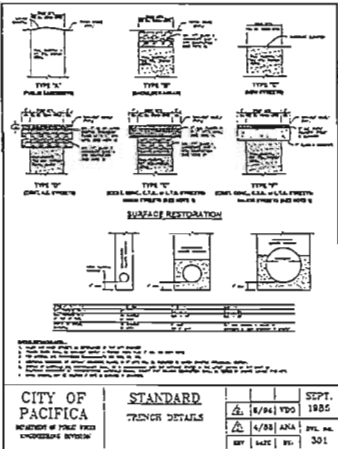
4. FOR STORM WATER POLLUTION PREVENTION
 a. Prevent the discharge of all potential pollutants, including solid waste, concrete, petroleum products, chemicals, wash water or sediment and non storm water discharges to storm drains and watercourses.
 b. Clearing, grading or maintaining vehicles on site except in designated areas in runoff in contained and treated.
 c. Handle and dispose of construction materials and wastes properly, so as to prevent their contact with storm water.
 d. Implement control or erosion to remove sediment from dewatering effluent to clearing limits, easements, setbacks, sensitive or critical areas, buffer zones, and drainage courses with field markers.
 e. Adjacent properties and undisturbed areas from construction impacts using line buffer strips, sediment barriers, filters, dikes mulching or other appropriate measures.
 f. Restrict earth and clearing activities only during dry weather.
 g. Use time and application of pesticides and fertilizers to prevent polluted runoff.
 h. Establish access routes to stabilize designated access points.
 i. Use tracking dirt or other materials off site, clean off site-paved areas and jobs using dry sweeping methods.

1. Subgrade shall be compacted to at least 90% within construction to the top 4 inches.
2. Where subsurface material is encountered, the City Engineer may require remedial work to be done, including, but not limited to, placing a layer of crushed rock under the concrete surface.
3. Utilities subject for pipes or materials shall be filed as approved graphic material.
4. Fills shall be placed in layers not exceeding 8 inches in thickness before compaction.
5. Existing concrete shall be removed or expansion or modified plane joints or in-situ.
6. Sawcuts shall be at least 1/2" deep.
7. The sawcut joints or planes will be protected in the interim with the written approval of the City Engineer.
8. New street shall be constructed to meet and color.
9. Subgrade shall be generally 2" below existing or planned street.
10. Concrete shall be 5000 psi and shall not be less than 3000 psi unless approved by the City Engineer.
11. Concrete shall have a slump of not more than 4 inches.
12. The subgrade shall be well drained at the purchase of the City Engineer.
13. 12 inch thick expansion joints shall be placed on both sides of delivery apparatus, curb and sidewalk, except joints used at 20 feet or more. See Standard 110.
14. 12 inch deep expansion joints shall be placed as described in the Standard Specifications or as directed by the City Engineer. See Standard 110.
15. No concrete shall be placed until the City Engineer has inspected and approved forms and subgrade.
16. All expansion joints shall be finished with 1/2" thick rubber seal.
17. All rebar shall be lap welded.
18. Curb, sidewalk and driveway appurtenances shall be finished within 3 days after pouring.
19. Forms shall not be very close to the dimensions by more than 1/2" inch. Forms shall meet grade unless otherwise specified. See Standard 105A.
20. Unless otherwise specified on the plans, concrete shall be cured by means of the approved membrane method.
21. All sidewalks (concrete) adjacent to curbs shall be Type "A" (except residential - see curb) and concrete shall be finished with a broom.
22. New base material (Class D) shall be placed under the curb, gutter and sidewalk. The base shall be finished 4 inches in thickness and compacted to 95% relative compaction.
23. Sewers, manholes and vaults 12 inches or larger shall be installed as per standard or as directed by the City Engineer.

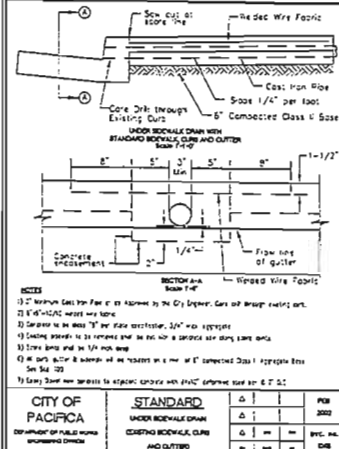
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REVISION OF PUBLIC WORKS DEPARTMENT SYSTEM	CURB, GUTTER, SIDEWALK AND SIDEWALK NOTES	100



CITY OF PACIFICA	STANDARD	SEPT. 1985
REVISION OF PUBLIC WORKS DEPARTMENT SYSTEM	CURB, GUTTER & SIDEWALK	101A



CITY OF PACIFICA	STANDARD	SEPT. 1985
REVISION OF PUBLIC WORKS DEPARTMENT SYSTEM	TRENCH DETAILS	301



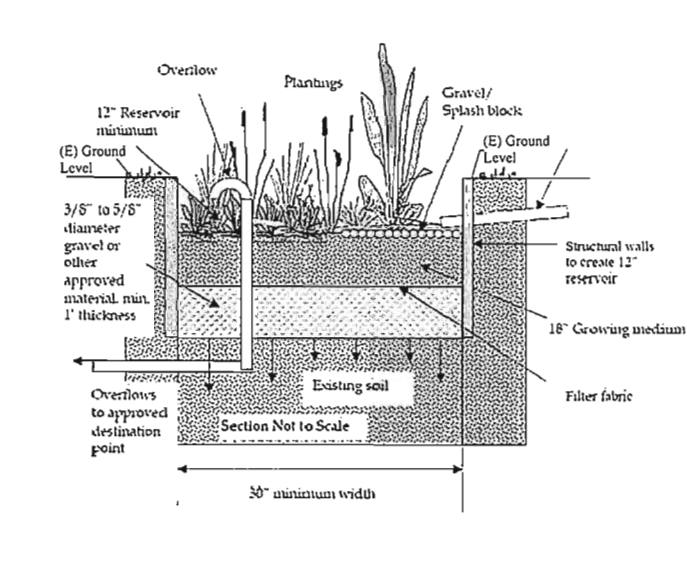
CITY OF PACIFICA	STANDARD	SEP 2002
REVISION OF PUBLIC WORKS DEPARTMENT SYSTEM	CONCRETE CURB AND GUTTER	302

1 NOTES NTS

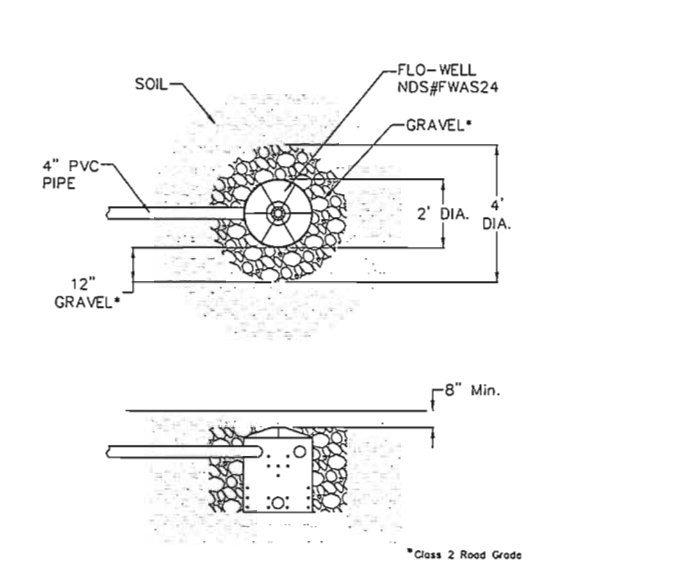
2 CURB-GUTTER & SIDEWALK DETAIL NTS

3 TRENCH DETAIL NTS

4 TRENCH DETAIL NTS



5 FLOW THRU PLANTER DETAIL NTS



6 DISSIPATION SYSTEM DETAIL NTS

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 225 ROCKAWAY BEACH AVE. No 400
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 CIVIL AND STRUCTURAL ENGINEERS
 REGISTERED

HOLIDAY INN EXPRESS
 OLD COUNTY RD. - ROCKAWAY
 PACIFICA, CA 94044
 APN - 022 - 024 - 270

Sheet: DETAILS

DATE	ISSUED FOR
08/20/11	PLANNING
10/28/11	PLANNING
03/30/12	PLANNING
08/06/12	PLANNING
10/10/12	PLANNING

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CIVIL AND STRUCTURAL ENGINEERS

REMARKS:

HOLIDAY INN EXPRESS
OLD COUNTY RD. - ROCKAWAY
PACIFICA, CA 94044
APN : 022 - 024 - 270

Sheet:

(N) INTERSECTION

DATE	ISSUED FOR
09/30/11	PLANNING
10/27/11	PLANNING
03/12/12	PLANNING
08/07/12	PLANNING
09/27/12	PLANNING
10/17/12	PLANNING

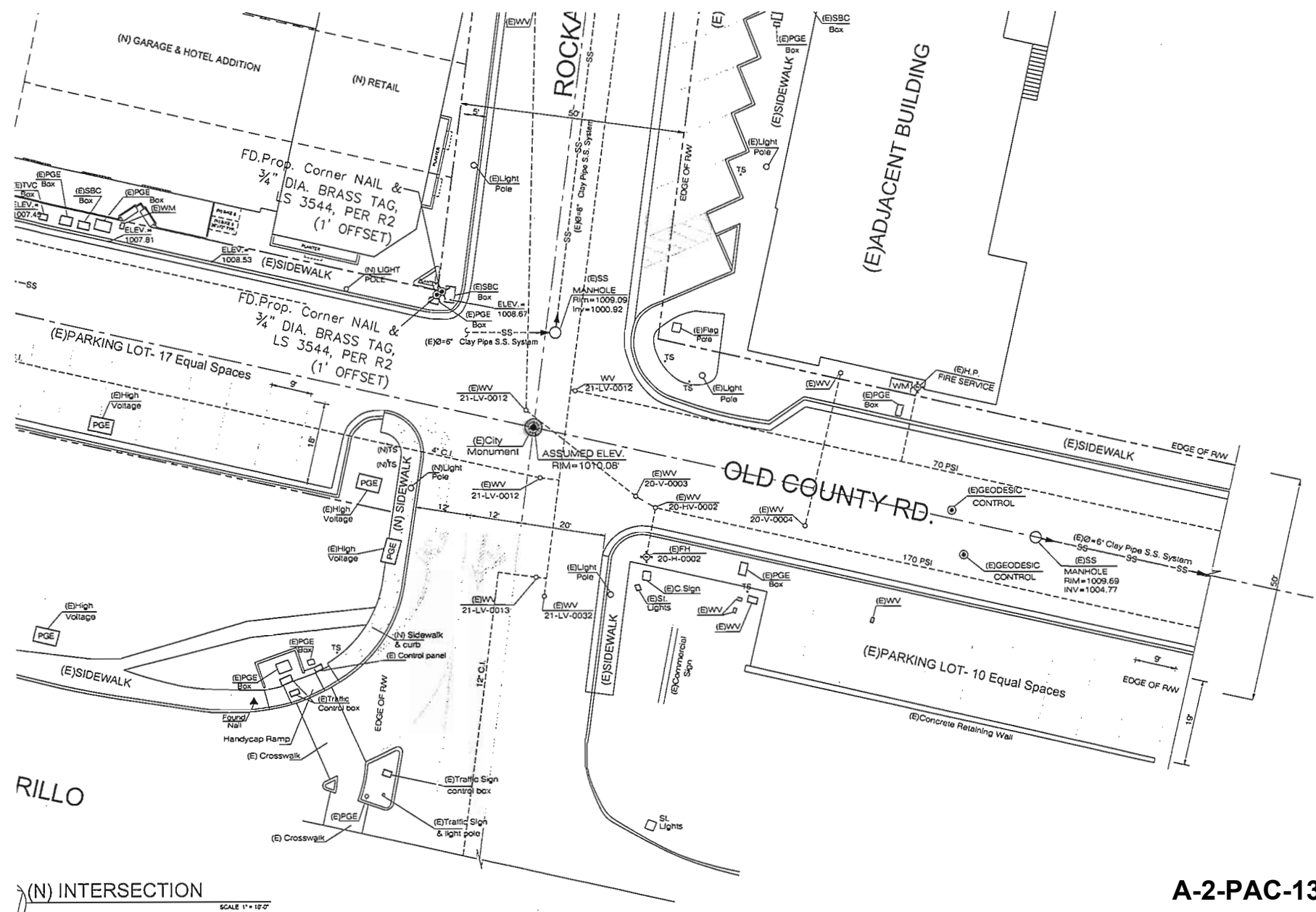
A-2-PAC-13-023

Exhibit 2

Page 8 of 22

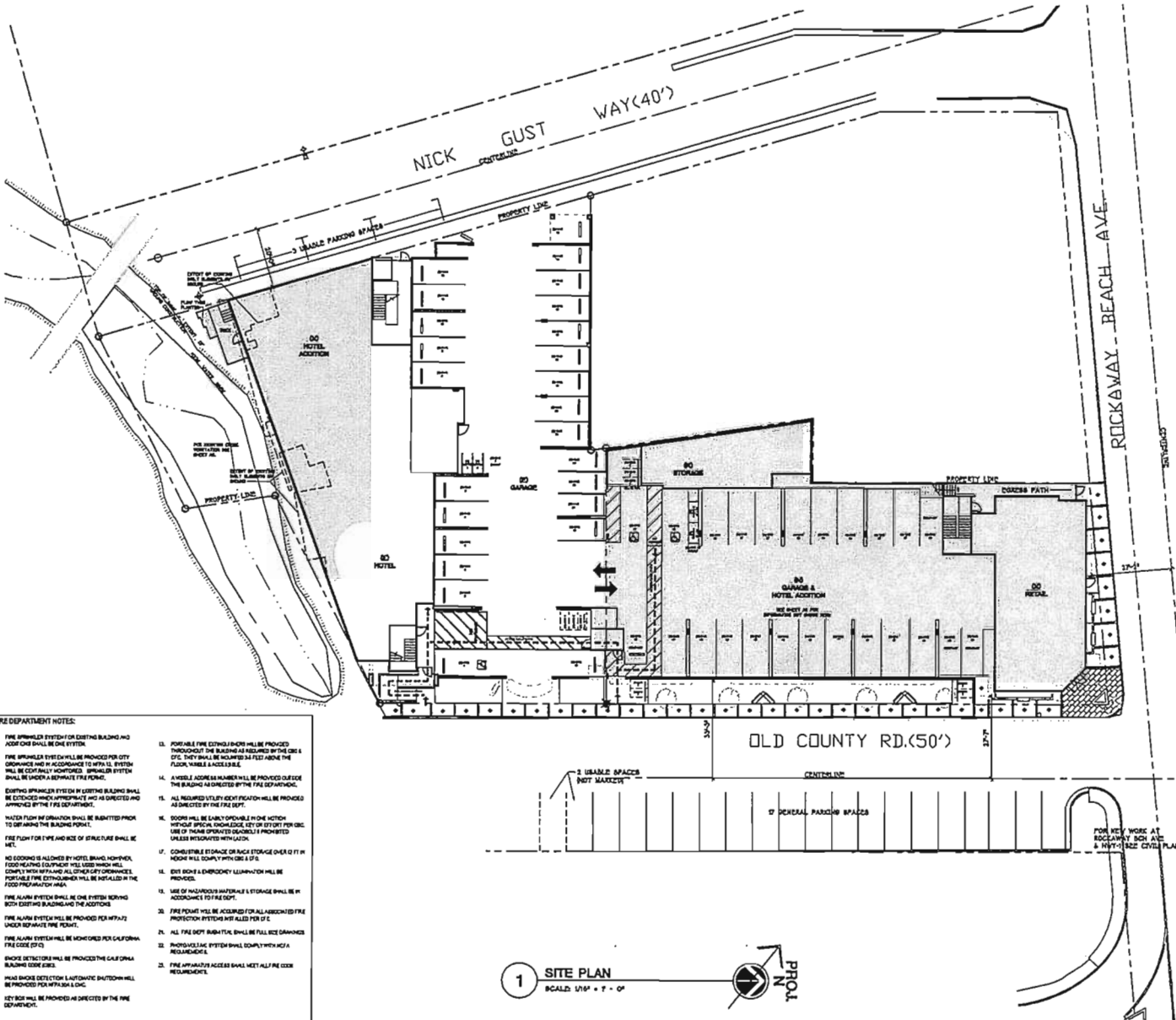
THIS DRAWING IS HALF-SIZE 18" x 12"

Drawn by:



(N) INTERSECTION

SCALE 1" = 10' 0"



PROJECT DATA

A.P.N. #: 022-024-272 (EXISTING HOTEL)
022-024-281 (110 ROCKAWAY BEACH AVE)

DESCRIPTION: SITE: COMBINE EXISTING HOTEL SITE WITH NEWLY ACQUIRED ADJACENT SITE INTO ONE PROPERTY. DEMOLISH EXISTING RESIDENTIAL STRUCTURE NEAR CORNER TO ALLOW NEW ADDITION. DEMOLISH EXISTING COMMERCE BLOCK IN NORTH 1/4 PROPERTY TO ALLOW NEW ADDITION & LANDSCAPING. EXISTING ON-OR-DECK LANDSCAPING TO REMAIN & BE PROTECTED DURING CONSTRUCTION.

EXISTING HOTEL: DEMOLITION OF HIGH CEILING SPACE ABOVE EXISTING BREAKFAST ROOM TO 1 GUESTROOM 200 P.F.R. BALANCE 1 EXISTING 20 P.F.R. GUESTROOM. CONVERSION OF PARKING SPACES TO HOTEL SPACE & MOTORCYCLE PARKING. CREATE 1 EXISTING PARKING SPACES FOR NEW DRIVEWAY INTO NEW PARKING GARAGE.

PROPOSED ADDITION: ADDITION OF 8 UPPER FLOOR GUEST ROOMS, BREAKFAST ROOM, 140 P.F.R. SPACE & BACKUP HOTEL RECEPTION.

PROPOSED DECK AND DRIVE: ADDITION OF 38 UPPER FLOOR GUEST ROOMS, GROUND FLOOR RETAIL & PARKING GARAGE.

SITE AREA

	AREA	EXISTING COVERAGE	PROPOSED COVERAGE	LANDSCAPE AREA
EXISTING HOTEL SITE	19,030 S.F.	14,664	15,539	3,491
ADJACENT SITE	13,874 S.F.	12,052	12,738	826
PROPOSED COMBINED SITE	32,704 S.F.	26,716	28,277	4,317
		81.7 %	85.5 %	13.5 %

BUILDING AREA EXCLUDE PARKING/LANDSCAPE AREAS UNLESS INDICATED

FLOOR	EXISTING	NEW	PARKING AREAS	15,915 SF.
FIRST FLOOR	3,149	5,575 HOTEL, 2,010 RETAIL		
SECOND FLOOR	10,112	14,224		
THIRD FLOOR	10,577	13,868		
TOTAL	23,638	33,617		
BUILDING TOTAL	50,455 SQ. FT.		FLOOR AREA RATIO	50,455 / 32,704 = 1.52

PARKING CALCULATIONS

EXISTING PARKING TO DRIVEWAY	EXISTING PARKING CONVERTED TO HOTEL SPACE	CREDIT FOR 4 MOTORCYCLES	NEW PARKING	GRAND TOTAL PROVIDED
31	-3	+2	+24	51

PARKING REQUIRED:

HOTEL ROOMS	HOTEL STAFF	RETAIL SPACE	REQUIRED	PROVIDED	EXISTING APPROVED IN-LIEU PARKING	ADDITIONAL IN-LIEU PARKING REQUESTED	BIKE/PARKING PROVIDED (10%)
82	1	7	90	51	5	34	19

ROOM MIX & CALCULATIONS

ACCESSIBLE ROOMS	SUITE ROOMS (E)	TRIPLE ROOM (E)	DBL. QUEEN ROOM (E)	TRIPLE ROOM (N)	DOUBLE QUEEN ROOM (N)	SUITE ROOM (N)	ACCESSIBLE ROOM	TOTAL
2	15	8	12	15	20	7	3	82

EXISTING GUESTROOM COUNT: 38 ROOMS
EXISTING GUESTROOM REMOVED TO ALLOW ACCESS TO ADDITION: - 2 ROOMS
EXISTING GUESTROOM REPLACED WITH SPACE WITHIN (E) BLDG: + 2 ROOMS
NEW GUESTROOM ADDED: 44 ROOMS
PROPOSED GUESTROOM COUNT: 82 ROOMS

ALLOWABLE AREA CALCULATIONS - PER CBC 2010 (SPRINKLER + FRONTAGE INCREASE)

CONSTRUCTION	OCCUPANCY TYPE	ALLOWABLE / MAXIMUM UNLIMITED S.F.	MAXIMUM / NOT USED
GARAGE	TYPE A / S-2	UNLIMITED S.F.	38,928 S.F.*
HOTEL	TYPE A / R-1	12,000 S.F.	38,928 S.F.*

FIRST FLOOR: GARAGE (OLD + NEW) 15,915 S.F., HOTEL (OLD + NEW) 10,622 S.F.
SECOND FLOOR: HOTEL (EXIST'G + NEW) 24,338 S.F.
THIRD FLOOR: HOTEL (EXIST'G + NEW) 24,335 S.F.

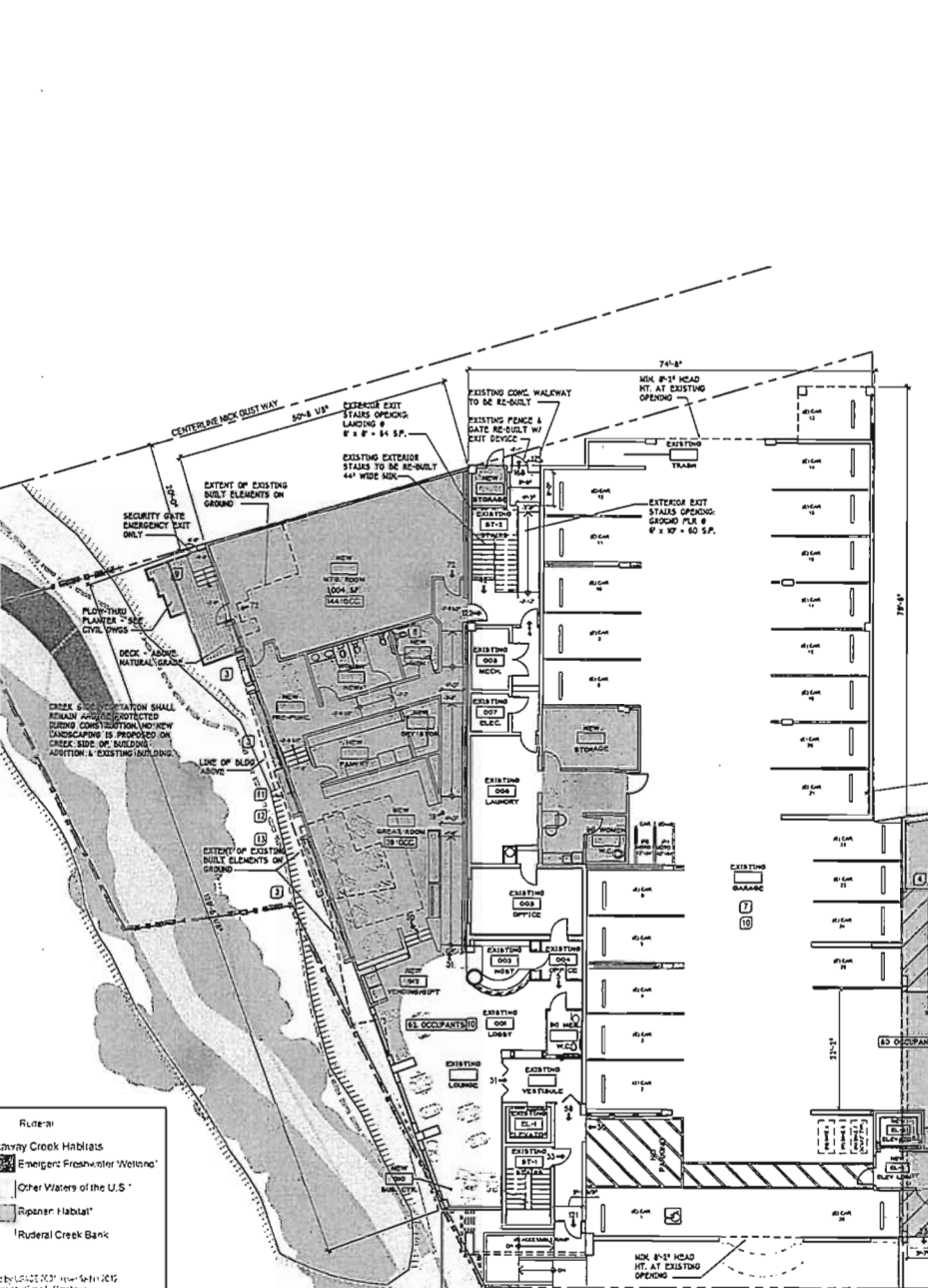
MIXED OCCUPANCY RATIO:

FLOOR	15,915 / 10,622 = 1.50	15,915 / 10,622 = 1.50	15,915 / 10,622 = 1.50
1ST FLR	10,622 / 38,928 = .272	15,915 / 38,928 = .409	0 = .000
2ND FLR	24,338 / 38,928 = .625	0 = .000	0 = .000
3RD FLR	24,335 / 38,928 = .625	0 = .000	0 = .000

AGGREGATE SIAL 1.524 < 2.0 OK PER CBC 506.5.2

- FIRE DEPARTMENT NOTES:**
- FIRE SPRINKLER SYSTEM FOR EXISTING BUILDING AND ADDITION SHALL BE ONE SYSTEM.
 - FIRE SPRINKLER SYSTEM SHALL BE PROVIDED FOR CITY ORDINANCE AND IN ACCORDANCE TO A.P.A. 15.1. SYSTEM SHALL BE COMPLETELY AUTOMATIC. SPRINKLER SYSTEM SHALL BE UNDER A SEPARATE FIRE PERMIT.
 - EXISTING SPRINKLER SYSTEM IN EXISTING BUILDING SHALL BE EXTENDED TO NEW ADDITION AND AS DIRECTED AND APPROVED BY THE FIRE DEPARTMENT.
 - WATER FLOW FOR SPRINKLER SHALL BE SUBMITTED PRIOR TO OBTAINING THE BUILDING PERMIT.
 - FIRE FLOW FOR LIFE AND SIZE OF STRUCTURE SHALL BE MET.
 - NO EXPOSURE IS ALLOWED BY HOTEL BRAND. HIGH-PRESSURE, FOOD-REMOVING EQUIPMENT SHALL BE USED WHICH WILL COMPLY WITH A.P.A. AND ALL OTHER CITY ORDINANCES. PORTABLE FIRE EXTINGUISHERS SHALL BE INSTALLED IN THE FOOD PREPARATION AREA.
 - FIRE ALARM SYSTEM SHALL BE ONE SYSTEM SERVING BOTH EXISTING BUILDING AND THE ADDITION.
 - FIRE ALARM SYSTEM SHALL BE PROVIDED FOR A.P.A. 15.2 UNDER SEPARATE FIRE PERMIT.
 - FIRE ALARM SYSTEM SHALL BE MONITORED PER CALIFORNIA FIRE CODE (CFC).
 - SMOKE DETECTORS SHALL BE PROVIDED FOR CALIFORNIA BUILDING CODE (CBC).
 - WALL SMOKE DETECTOR LAUNCHING BUTTONS SHALL BE PROVIDED FOR A.P.A. 15.1.0.1.0.
 - KEY BOXES SHALL BE PROVIDED AS DIRECTED BY THE FIRE DEPARTMENT.
 - PORTABLE FIRE EXTINGUISHERS SHALL BE PROVIDED THROUGHOUT THE BUILDING AS REQUIRED BY THE CBC & CFC. THEY SHALL BE MAINTAINED IN FULL CHARGE ABOVE THE FLOOR, VISIBLE & ACCESSIBLE.
 - A VISIBLE ADDRESS NUMBER SHALL BE PROVIDED OUTSIDE THE BUILDING AS DIRECTED BY THE FIRE DEPARTMENT.
 - ALL REQUIRED UTILITY CONNECTIONS SHALL BE PROVIDED AS DIRECTED BY THE FIRE DEPT.
 - DOORS SHALL BE SELF-CLOSING FOR THE SECTION WITHOUT SPECIAL CODE. SEVEN FEET SIX INCH CLEARANCE SHALL BE PROVIDED FOR ALL DOORS.
 - CONVERTIBLE STORAGE OR BUCKLE STORAGE OVER 6 FT IN HEIGHT SHALL COMPLY WITH CBC & CFC.
 - EXIT SIGNS & EMERGENCY ILLUMINATION SHALL BE PROVIDED.
 - USE OF HAZARDOUS MATERIALS & STORAGE SHALL BE IN ACCORDANCE TO FIRE DEPT.
 - FIRE PERMIT WILL BE REQUIRED FOR ALL UNLICENSED FIRE PROTECTION SYSTEMS AND ALL FIRE DEPARTMENTS.
 - ALL FIRE DEPT. SUBMITTALS SHALL BE FULL SIZE DRAWINGS.
 - PHOTOVOLTAIC SYSTEM SHALL COMPLY WITH A.P.A. REQUIREMENTS.
 - FIRE APPROVED ACCESS SHALL MEET ALL FIRE CODE REQUIREMENTS.

1 SITE PLAN
SCALE: 1/8" = 1' - 0"



- ### GREEN BUILDING KEYNOTES
- NEW PLANTERS & BEDDINGS
 - NEW WATER EFFICIENT LANDSCAPING & IRRIGATION
 - NEW MOWERS W/ SHADING DEVICE TO MAINTAIN LIGHT & VIEWS
 - BI-CYCLE STORAGE (CHANGING ROOM INSIDE HOTEL)
 - GENERAL PARKING W/ ELECTRIC CHARGING STATION
 - DECATIGATED PARKING FUEL EFFICIENT CAR W/ ELECTRIC CHARGING STATION
 - ALL PARKING SPACES PROVIDED UNDER COVER OF BUILDING
 - LOW FLOW PLUMBING FEATURES
 - DECK TO MANAGE USE OF LIGHT & VIEWS
 - EXISTING HOTEL TO REMAIN & RE-USED
 - EXTERIOR & INTERIOR MATERIALS W/ 10% RECYCLED CONTENT
 - 10% OF EXTERIOR & INTERIOR MATERIALS FROM NEARBY REGIONAL SOURCE
 - WOOD FRAMED ELEMENTS TO BE F.S.C. CERTIFIED

PRELIMINARY PROPOSED GREEN BUILDING FEATURES Based on LEED for NEW CONSTRUCTION 2009

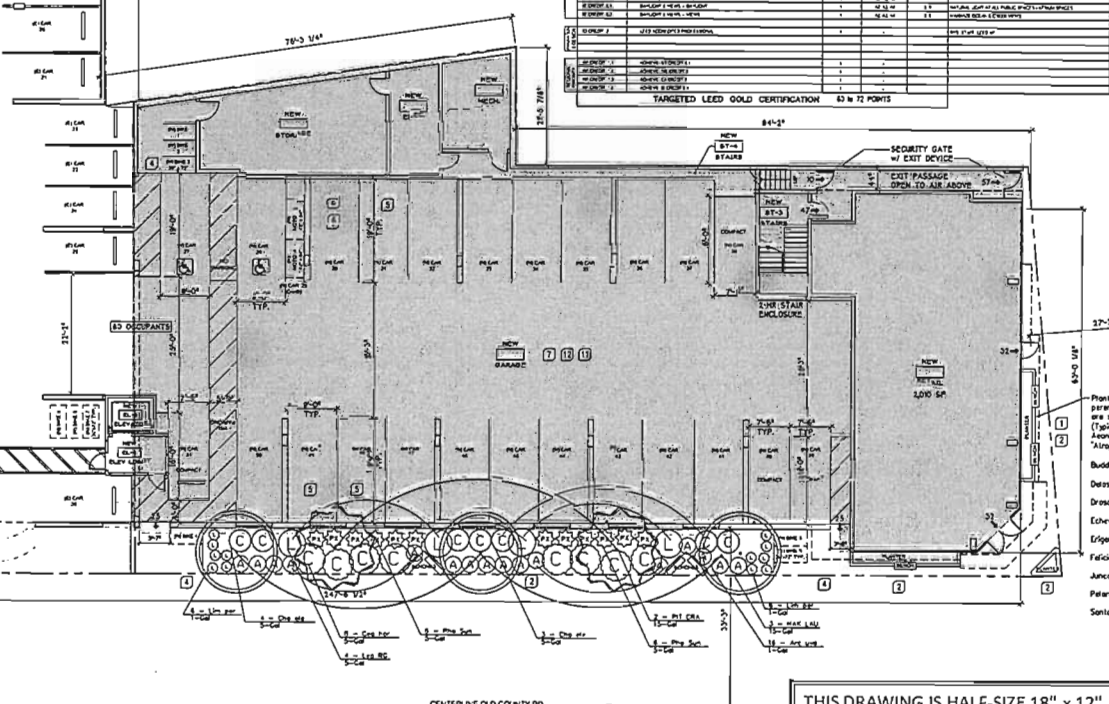
PRIN. SYSTEMS	MEASURE DESCRIPTION	EXEMPTION	EXEMPTION REASON	POINTS
ENVIRONMENTAL QUALITY	EQ-1.1	CONSTRUCTION WASTE MANAGEMENT	EXEMPTION	1
	EQ-1.2	CONSTRUCTION WATER EFFICIENCY	EXEMPTION	1
	EQ-1.3	WASTE REDUCTION FROM AIR	EXEMPTION	1
	EQ-1.4	WASTE REDUCTION FROM MATERIALS	EXEMPTION	1
	EQ-1.5	WASTE REDUCTION FROM OPERATIONS	EXEMPTION	1
	EQ-1.6	WASTE REDUCTION FROM OPERATIONS	EXEMPTION	1
	EQ-1.7	WASTE REDUCTION FROM OPERATIONS	EXEMPTION	1
	EQ-1.8	WASTE REDUCTION FROM OPERATIONS	EXEMPTION	1
	EQ-1.9	WASTE REDUCTION FROM OPERATIONS	EXEMPTION	1
	EQ-1.10	WASTE REDUCTION FROM OPERATIONS	EXEMPTION	1
ENERGY & ENVIRONMENT	EE-1.1	ENERGY EFFICIENT BUILDINGS	EXEMPTION	1
	EE-1.2	ENERGY EFFICIENT BUILDINGS	EXEMPTION	1
	EE-1.3	ENERGY EFFICIENT BUILDINGS	EXEMPTION	1
	EE-1.4	ENERGY EFFICIENT BUILDINGS	EXEMPTION	1
	EE-1.5	ENERGY EFFICIENT BUILDINGS	EXEMPTION	1
	EE-1.6	ENERGY EFFICIENT BUILDINGS	EXEMPTION	1
	EE-1.7	ENERGY EFFICIENT BUILDINGS	EXEMPTION	1
	EE-1.8	ENERGY EFFICIENT BUILDINGS	EXEMPTION	1
	EE-1.9	ENERGY EFFICIENT BUILDINGS	EXEMPTION	1
	EE-1.10	ENERGY EFFICIENT BUILDINGS	EXEMPTION	1
WATER EFFICIENCY	WE-1.1	WATER EFFICIENT BUILDINGS	EXEMPTION	1
	WE-1.2	WATER EFFICIENT BUILDINGS	EXEMPTION	1
	WE-1.3	WATER EFFICIENT BUILDINGS	EXEMPTION	1
	WE-1.4	WATER EFFICIENT BUILDINGS	EXEMPTION	1
	WE-1.5	WATER EFFICIENT BUILDINGS	EXEMPTION	1
	WE-1.6	WATER EFFICIENT BUILDINGS	EXEMPTION	1
	WE-1.7	WATER EFFICIENT BUILDINGS	EXEMPTION	1
	WE-1.8	WATER EFFICIENT BUILDINGS	EXEMPTION	1
	WE-1.9	WATER EFFICIENT BUILDINGS	EXEMPTION	1
	WE-1.10	WATER EFFICIENT BUILDINGS	EXEMPTION	1
INDOOR ENVIRONMENTAL QUALITY	IEQ-1.1	INDOOR AIR QUALITY	EXEMPTION	1
	IEQ-1.2	INDOOR AIR QUALITY	EXEMPTION	1
	IEQ-1.3	INDOOR AIR QUALITY	EXEMPTION	1
	IEQ-1.4	INDOOR AIR QUALITY	EXEMPTION	1
	IEQ-1.5	INDOOR AIR QUALITY	EXEMPTION	1
	IEQ-1.6	INDOOR AIR QUALITY	EXEMPTION	1
	IEQ-1.7	INDOOR AIR QUALITY	EXEMPTION	1
	IEQ-1.8	INDOOR AIR QUALITY	EXEMPTION	1
	IEQ-1.9	INDOOR AIR QUALITY	EXEMPTION	1
	IEQ-1.10	INDOOR AIR QUALITY	EXEMPTION	1
MATERIALS & RESOURCES	MR-1.1	MATERIALS & RESOURCES	EXEMPTION	1
	MR-1.2	MATERIALS & RESOURCES	EXEMPTION	1
	MR-1.3	MATERIALS & RESOURCES	EXEMPTION	1
	MR-1.4	MATERIALS & RESOURCES	EXEMPTION	1
	MR-1.5	MATERIALS & RESOURCES	EXEMPTION	1
	MR-1.6	MATERIALS & RESOURCES	EXEMPTION	1
	MR-1.7	MATERIALS & RESOURCES	EXEMPTION	1
	MR-1.8	MATERIALS & RESOURCES	EXEMPTION	1
	MR-1.9	MATERIALS & RESOURCES	EXEMPTION	1
	MR-1.10	MATERIALS & RESOURCES	EXEMPTION	1

TARGETED LEED CERTIFICATION: GOLD IN 72 POINTS

- Rules:
- Gray Creek Habitats
 - Emergers Freshwater Wetland
 - Other Waters of the U.S.
 - Riparian Habitat
 - Ruderal Creek Bank

PLANTING LEGEND

Trees	Common Name	Quantity	Size	Water Use
HA1	Scientific Name			
HA1 LAU	Hebe laurina	3	15-Gal	Low
HA1 CRA	Pittosporum crassifolium	2	15-Gal	Medium
Shrubs				
Arc uva	Arctostaphylos uva-ursi	16	1-Gal	Low
Cae hor	Ceanothus griseus horizontalis	8	5-Gal	Medium
Cop rub	Corydalis sp.	7	5-Gal	Low
Leo RC	Leptospermum scoparium 'Ruby Glow'	4	5-Gal	Low
Lim per	Limonium perlati	12	1-Gal	Low
Pho Sun	Phormium tenax 'Sundowner'	12	5-Gal	Low



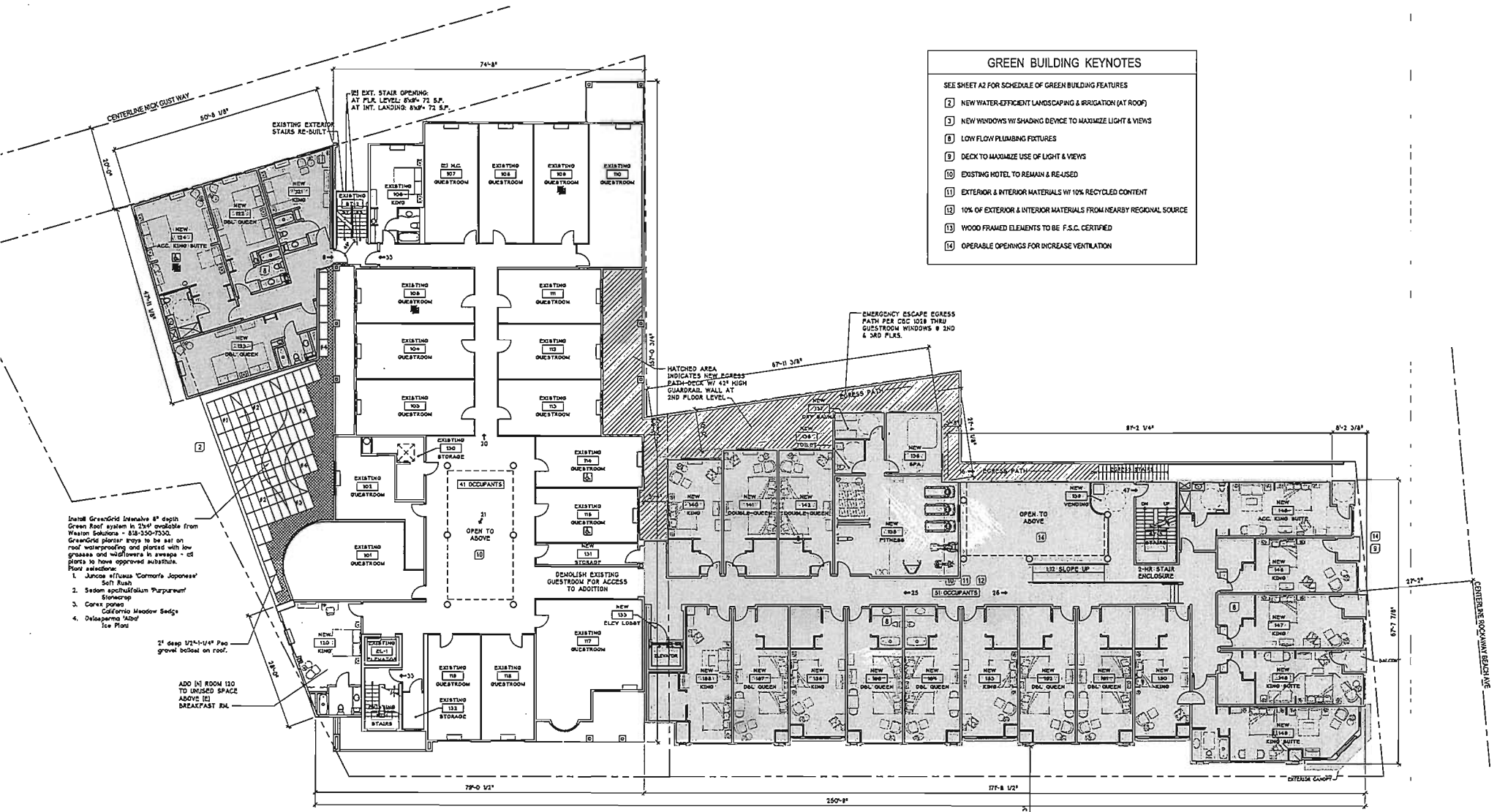
1 FIRST FLOOR PLAN & LANDSCAPE PLAN
SCALE: 3/32" = 1' - 0"

THIS DRAWING IS HALF-SIZE 18" x 12".
THE SCALE IS HALF OF WHAT IS
SHOWN IN THE TITLE BLOCK

SHR A2-PAC13-0237
Exhibit 2
Page 10 of 22
DATE: DIVISION: RYS PROJ. NO.: 10101



GREEN BUILDING KEYNOTES	
SEE SHEET A2 FOR SCHEDULE OF GREEN BUILDING FEATURES	
2	NEW WATER-EFFICIENT LANDSCAPING & IRRIGATION (AT ROOF)
3	NEW WINDOWS W/ SHADING DEVICE TO MAXIMIZE LIGHT & VIEWS
8	LOW FLOW PLUMBING FIXTURES
9	DECK TO MAXIMIZE USE OF LIGHT & VIEWS
10	EXISTING HOTEL TO REMAIN & RE-USED
11	EXTERIOR & INTERIOR MATERIALS W/ 10% RECYCLED CONTENT
12	10% OF EXTERIOR & INTERIOR MATERIALS FROM NEARBY REGIONAL SOURCE
13	WOOD FRAMED ELEMENTS TO BE F.S.C. CERTIFIED
14	OPERABLE OPENINGS FOR INCREASE VENTILATION



- Install GreenGrid intensive 8" depth Green Roof system in 25% available from Weston Solutions - 818-350-7330. GreenGrid planter trays to be set on roof waterproofing and planted with low grasses and wildflowers in areas - all plants to have approved substrate. Plant selection:
1. Juncea strausii 'Common Japanese' Soft Rush
 2. Sedum spectabile 'Purple Heart' Stonecrop
 3. Carex poana California Meadow Sedge
 4. Dasylirion 'Albol' Ice Plant

2" deep 1/2"-1/4" Pao gravel ballast on roof.

ADD IN ROOM 110 TO UNDEVELOPED SPACE ABOVE RE1 BREAKFAST RM.

1 SECOND FLOOR PLAN
SCALE: 3/32" = 1' - 0"



A-2-PAC-13-0237

Exhibit 2

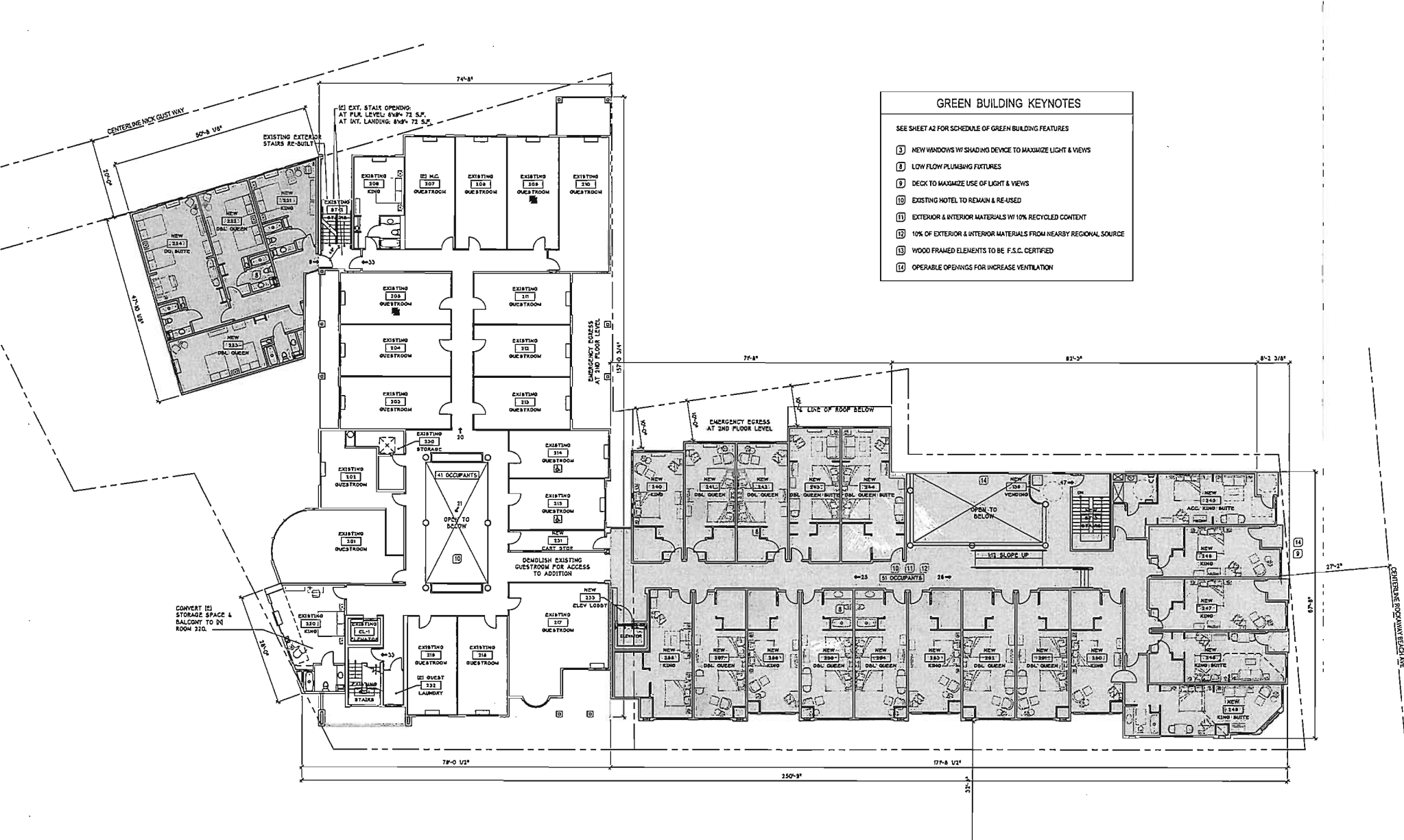
Page 11 of 22

A3

PLANNING SUBMITTAL

07/21/12





- GREEN BUILDING KEYNOTES**
- SEE SHEET A2 FOR SCHEDULE OF GREEN BUILDING FEATURES
- 1 NEW WINDOWS W/ SHADING DEVICE TO MAXIMIZE LIGHT & VIEWS
 - 2 LOW FLOW PLUMBING FIXTURES
 - 3 DECK TO MAXIMIZE USE OF LIGHT & VIEWS
 - 10 EXISTING HOTEL TO REMAIN & RE-USED
 - 11 EXTERIOR & INTERIOR MATERIALS W/ 10% RECYCLED CONTENT
 - 12 10% OF EXTERIOR & INTERIOR MATERIALS FROM NEARBY REGIONAL SOURCE
 - 13 WOOD FRAMED ELEMENTS TO BE F.S.C. CERTIFIED
 - 14 OPERABLE OPENINGS FOR INCREASE VENTILATION

1 THIRD FLOOR PLAN
SCALE: 3/32" = 1' - 0"



A-2-PAC-13-0237

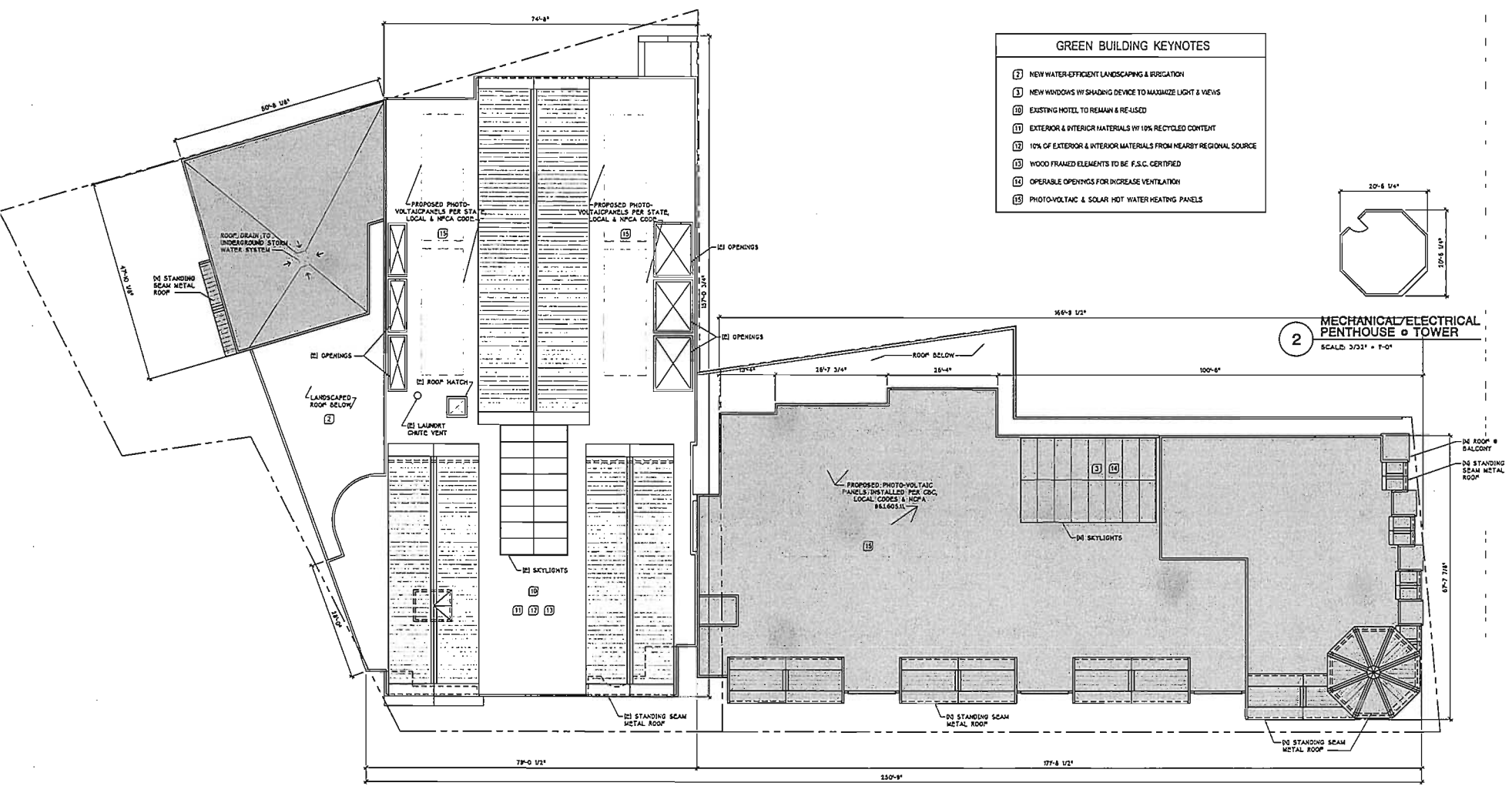
Exhibit 2

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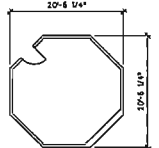
A4

PLANNING SUBMITTAL 07/23/12





- GREEN BUILDING KEYNOTES**
- 17 NEW WATER-EFFICIENT LANDSCAPING & IRRIGATION
 - 18 NEW WINDOWS W/ SHADING DEVICE TO MAXIMIZE LIGHT & VIEWS
 - 19 EXISTING HOTEL TO REMAIN & RE-USED
 - 10 EXTERIOR & INTERIOR MATERIALS W/ 10% RECYCLED CONTENT
 - 11 10% OF EXTERIOR & INTERIOR MATERIALS FROM NEARBY REGIONAL SOURCE
 - 12 WOOD FRAMED ELEMENTS TO BE F.S.C. CERTIFIED
 - 13 OPERABLE OPENINGS FOR INCREASE VENTILATION
 - 14 PHOTO-VOLTAIC & SOLAR HOT WATER HEATING PANELS



2 MECHANICAL/ELECTRICAL PENTHOUSE & TOWER
SCALE: 3/32" = 1'-0"

1 ROOF PLAN
SCALE: 3/32" = 1'-0"



THIS DRAWING IS HALF-SIZE 18" x 12".
THE SCALE IS HALF OF WHAT IS
SHOWN ON THIS DRAWING.

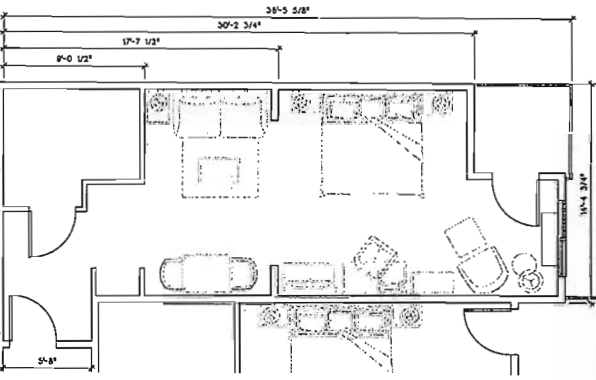
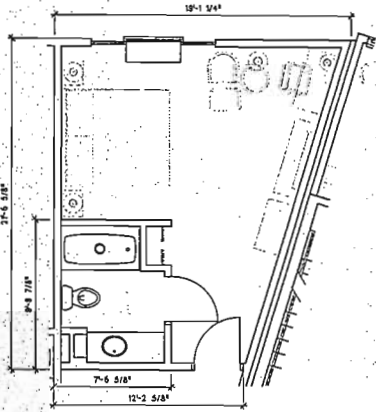
A-2-PAC-13-0237

SHR **Exhibit 25**

PLANNING SUBMITTAL 10/15/12

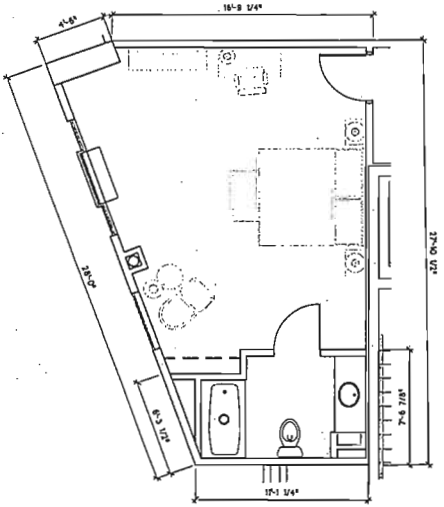
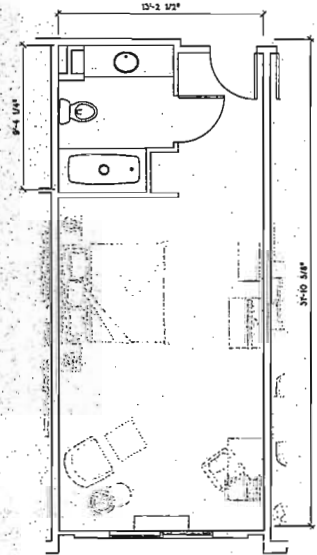
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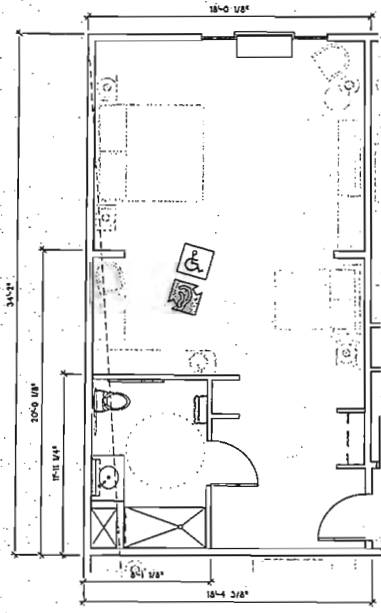
1 ENLARGED KING PLAN
SCALE: 1/4" = 1' - 0" ROOMS: 121 & 221

2 ENLARGED KING SUITE PLAN
SCALE: 1/4" = 1' - 0" ROOMS: 145, 148, 245 & 248



3 ENLARGED KING PLAN
SCALE: 1/4" = 1' - 0" ROOMS: 140, 141, 142, 146, 147, 150, 153, 156, 240, 241, 243, 244, 246, 247, 250, 253 & 256

4 ENLARGED KING PLAN
SCALE: 1/4" = 1' - 0" ROOMS: 120 & 220



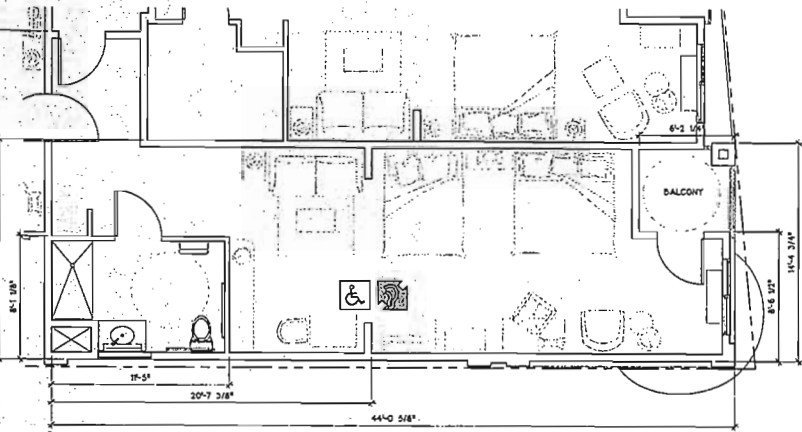
5 ENLARGED ACC. KING SUITE PLAN
SCALE: 1/4" = 1' - 0" ROOM: 124

A-2-PAC-13-0237

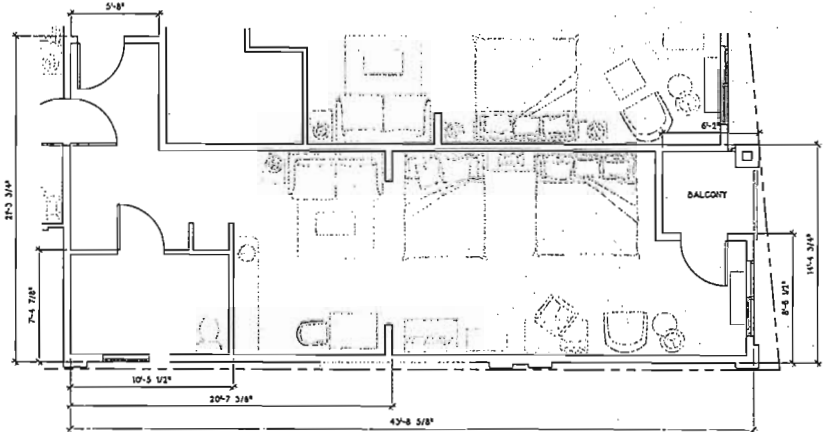
Exhibit 2 A6.1

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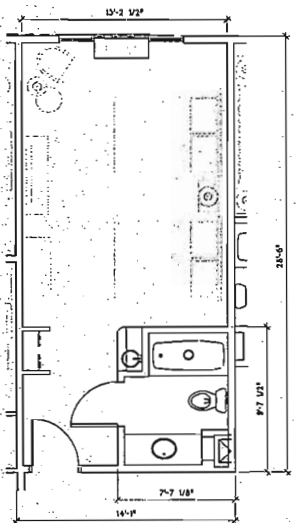




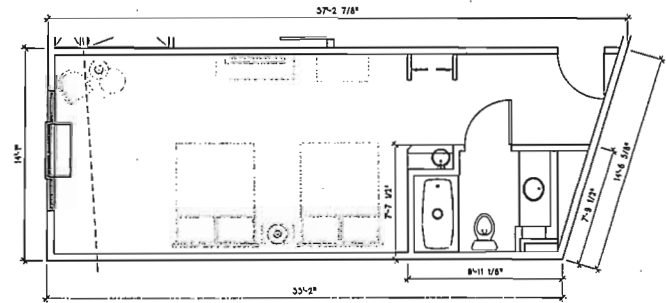
1 ENLARGED ACC. DOUBLE QUEEN / KING SUITE PLAN
SCALE: 1/4" = 1' - 0" ROOM: 149



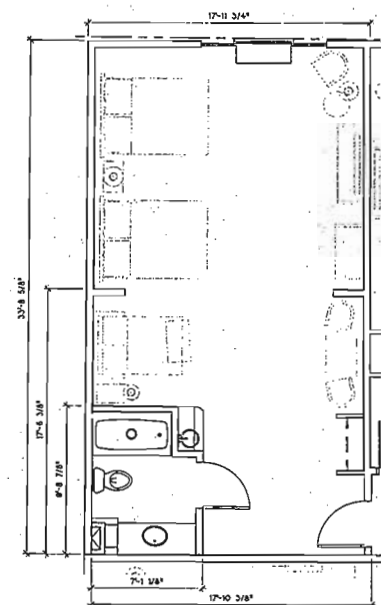
2 ENLARGED DOUBLE QUEEN / KING SUITE PLAN
SCALE: 1/4" = 1' - 0" ROOM: 248



3 ENLARGED DOUBLE QUEEN PLAN
SCALE: 1/4" = 1' - 0" ROOMS: 122, 151, 152, 154, 155, 157, 158, 222, 251, 252, 254, 254, 255, 257 & 258



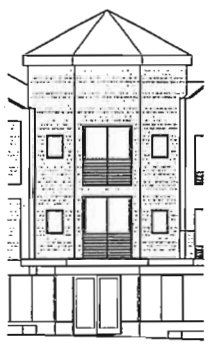
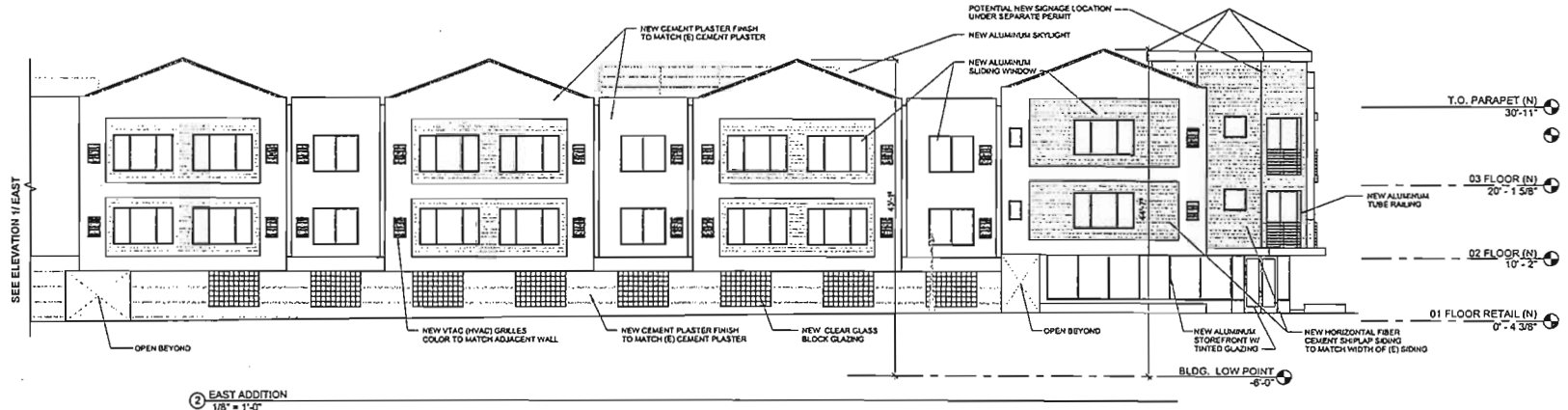
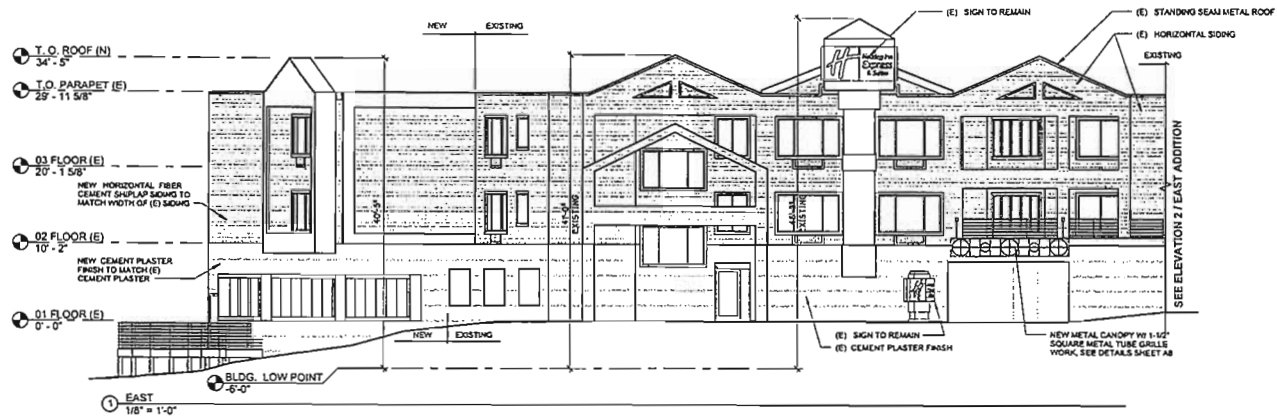
4 ENLARGED DOUBLE QUEEN PLAN
SCALE: 1/4" = 1' - 0" ROOMS: 123 & 223



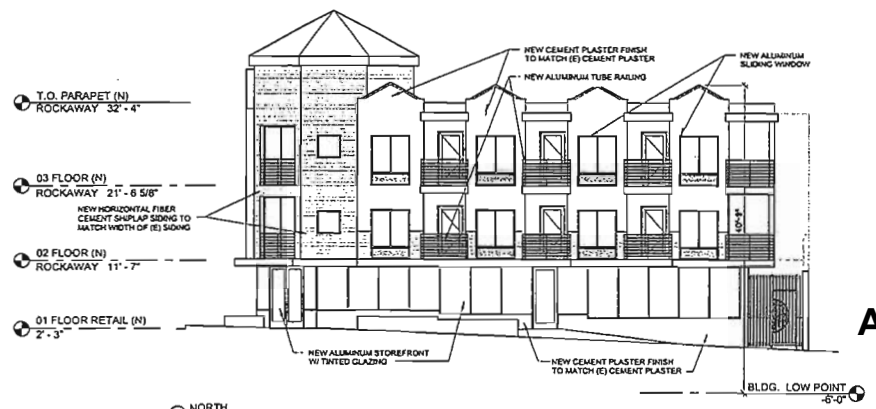
5 ENLARGED DOUBLE QUEEN PLAN
SCALE: 1/4" = 1' - 0" ROOM: 224

A-2-PAC-13-0237

Exhibit 2



3 TOWER ANGLED VIEW
1/8" = 1'-0"



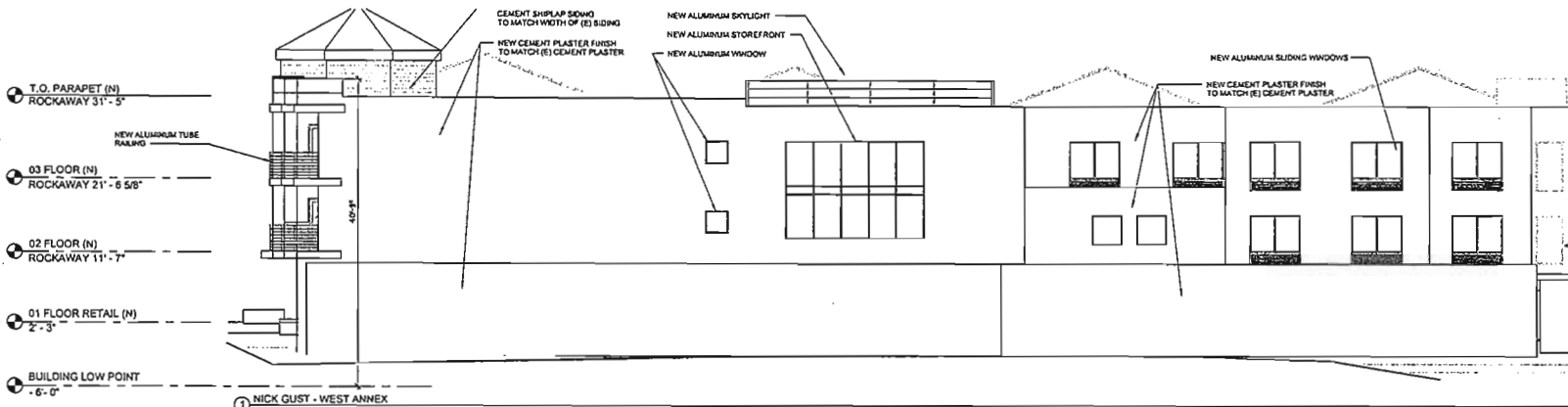
4 NORTH
1/8" = 1'-0"

A-2-PAC-13-0237

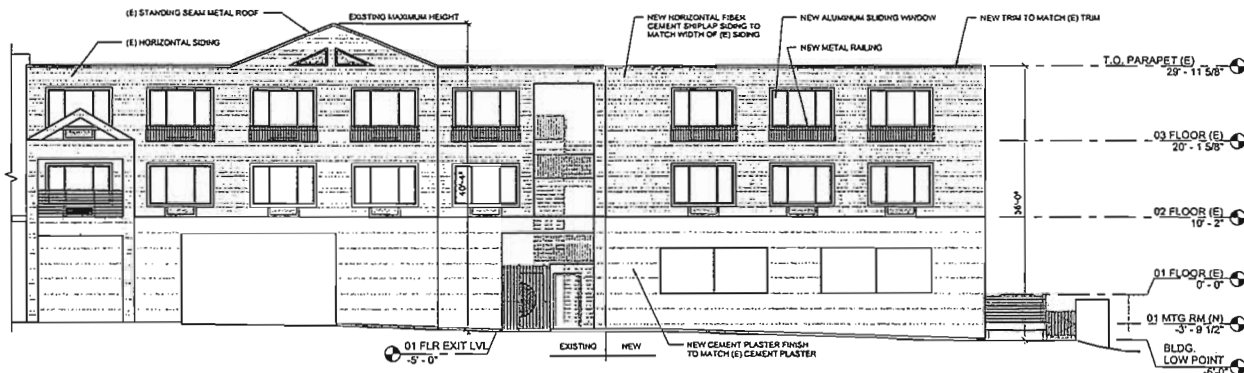
Exhibit 2

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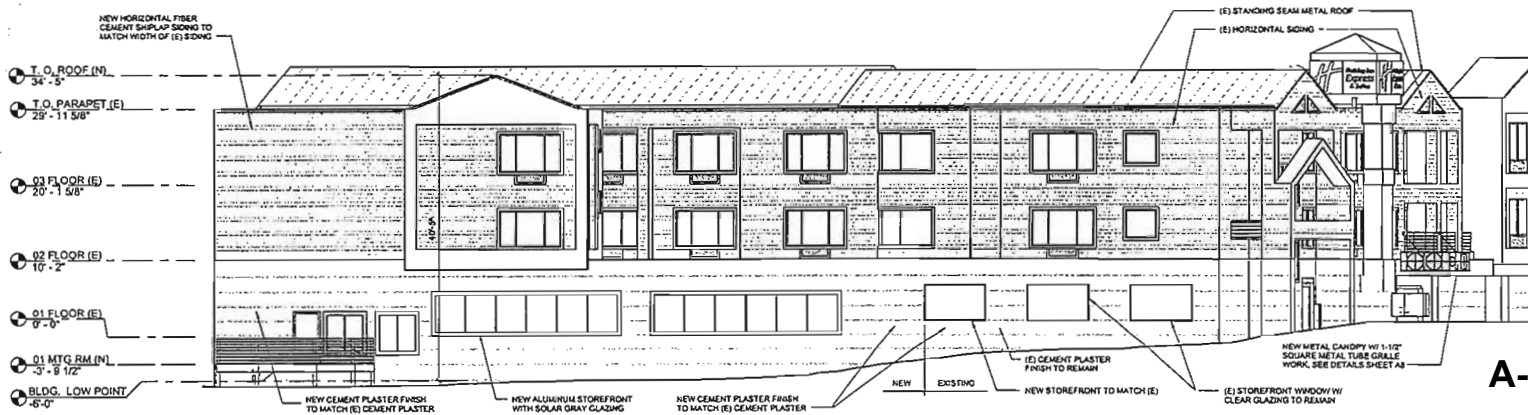
SHEET NO. A7.1



1 NICK GUST - WEST ANNEX
1/8" = 1'-0"



2 NICK GUST - WEST
1/8" = 1'-0"



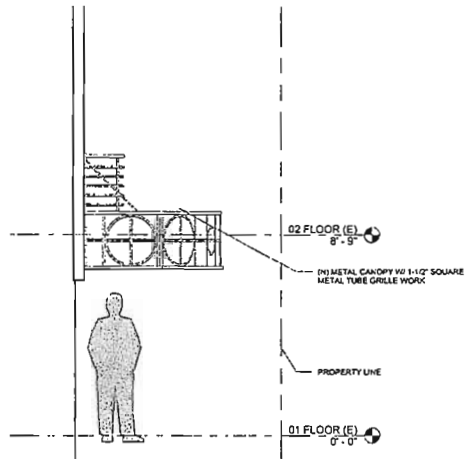
3 CREEK ADDITION - SOUTH
1/8" = 1'-0"

A-2-PAC-13-0237

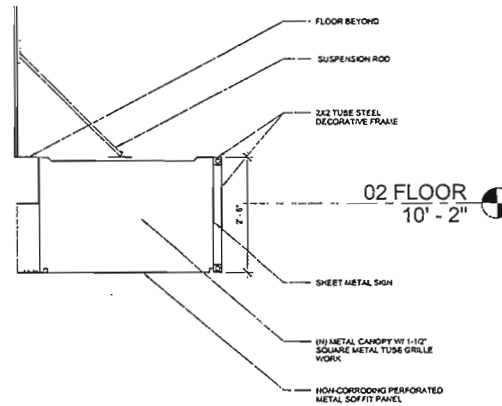
Exhibit 2

Page 17 of 22 A7.2

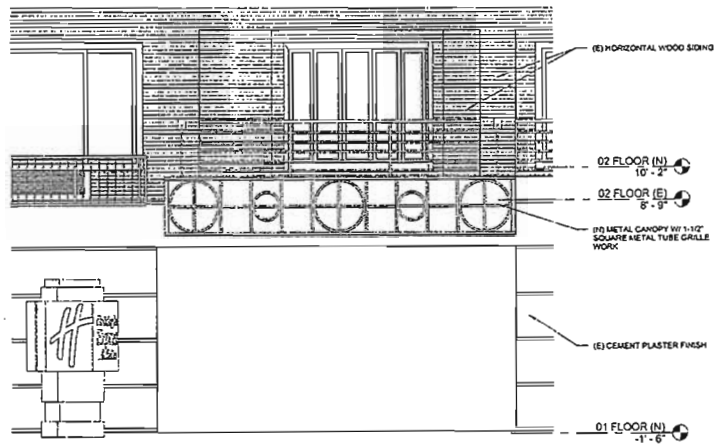
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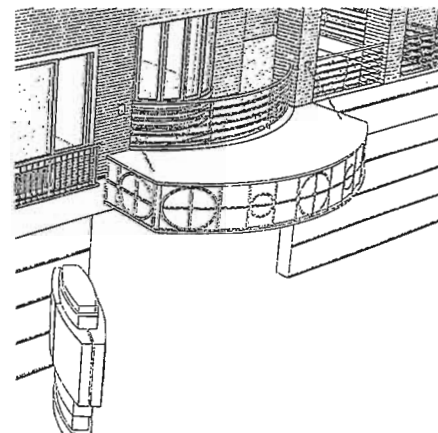
1 ENLARGED CANOPY SECTION
3/8" = 1'-0"



2 CANOPY DETAIL
3/4" = 1'-0"



3 ENLARGED CANOPY ELEVATION
3/8" = 1'-0"



4 CANOPY PERSPECTIVE





2 CREEK SIDE ELEVATION
SCALE: 1/16" = 1' - 0"



1 ROCKAWAY BEACH AVE ELEVATION
SCALE: 1/16" = 1' - 0"



3 OLD COUNTY ROAD ELEVATION
SCALE: 1/16" = 1' - 0"



4 NICK GUST WAY ELEVATION
SCALE: 1/16" = 1' - 0"

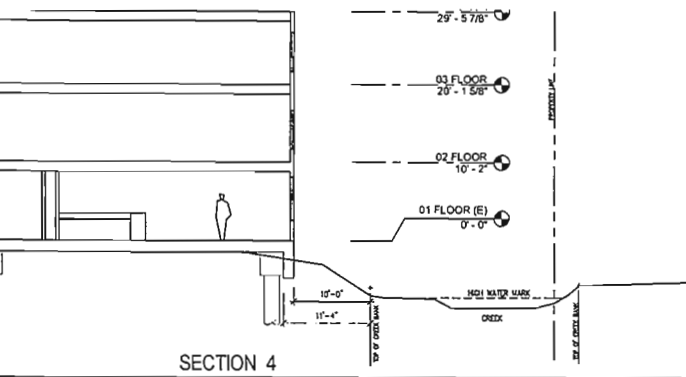
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THE SCALE IS HALF OF WHAT IS
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A-2-PAC-13-0237

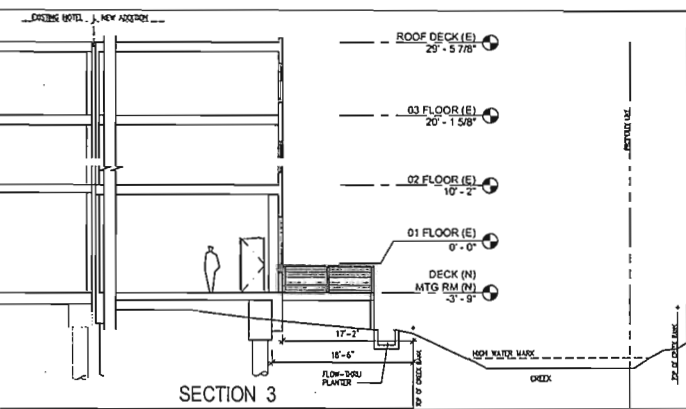
SH...
Exhibit 2

PLANNING SUBMITTAL 10/15/12
Page 19 of 22

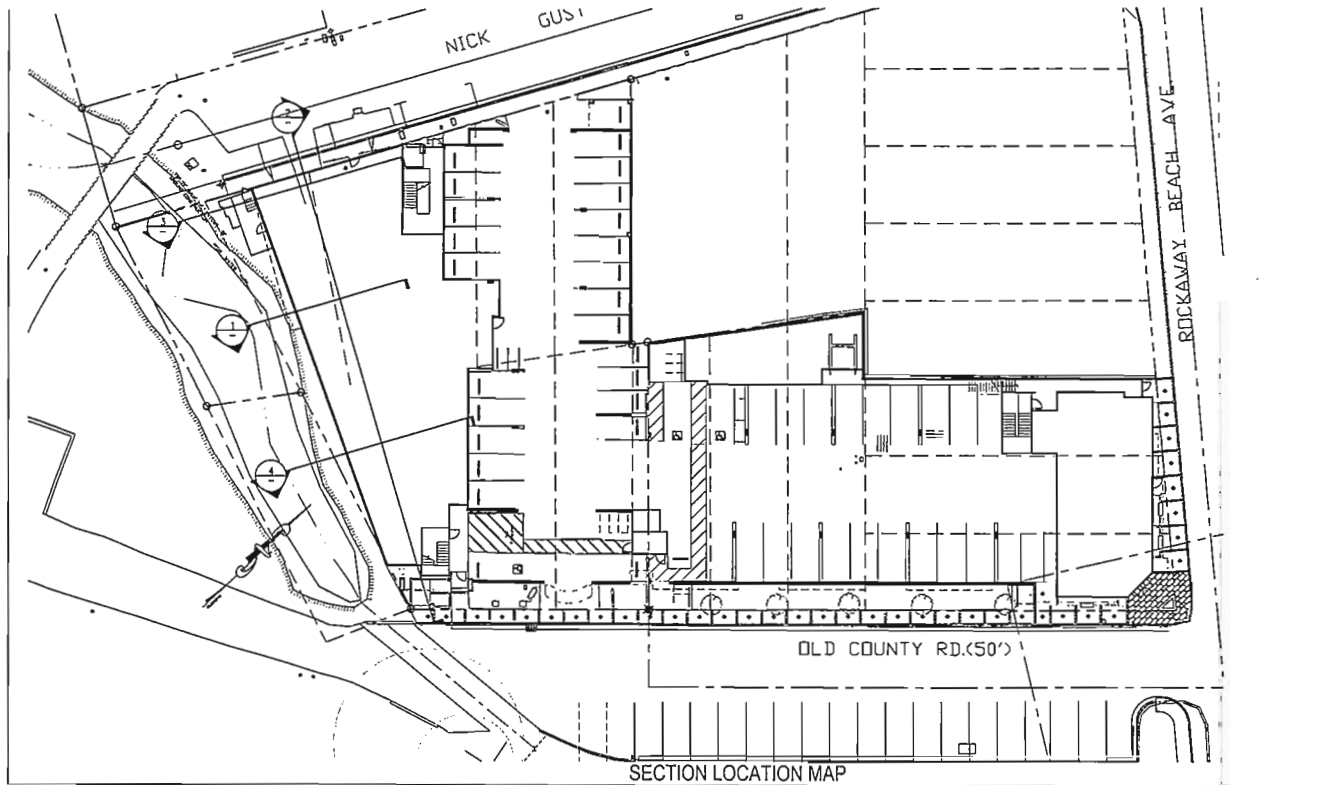




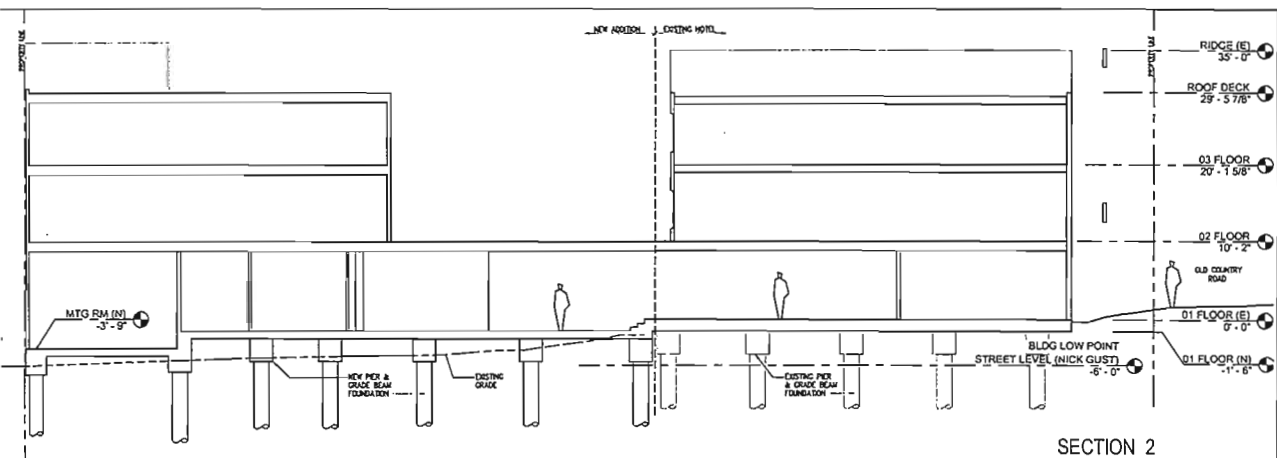
SECTION 4



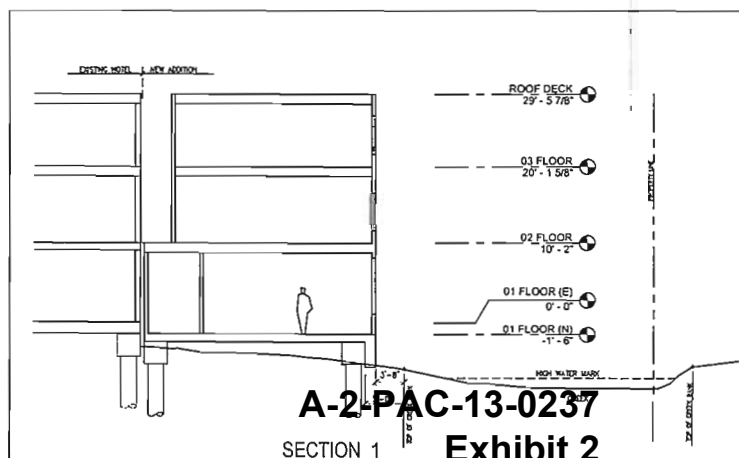
SECTION 3



SECTION LOCATION MAP



SECTION 2

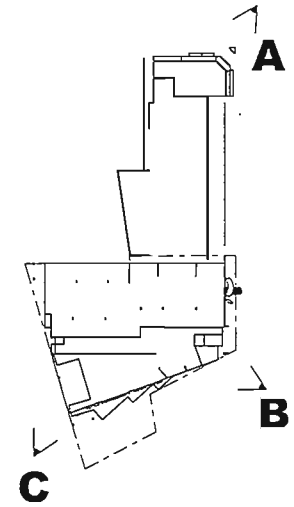


SECTION 1

A-2-PAC-13-0237
Exhibit 2



① MASSING - COUNTRY MASSING - OLD COUNTY ROAD & ROCKAWAY BEACH AVE
12" = 1'-0"



② MASSING - CAMERA LEGEND OLD COUNTRY
1" = 50'-0"



③ MASSING - From NICK GUST WAY at CREEK
12" = 1'-0"



④ Massing view from Creek
12" = 1'-0"

A-2-PAC-13-0237

Exhibit 2

SHEET NO. A11

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PLANNING SUBMITTAL 07/23/13





1 LOOKING SOUTH from HIGHWAY ONE
SCALE: NO SCALE



2 LOOKING NORTH from the HILL ACROSS HIGHWAY ONE
SCALE: NO SCALE



3 LOOKING WEST from FASSLER AVENUE
SCALE: NO SCALE

A-2-PAC-13-0237

Exhibit 2

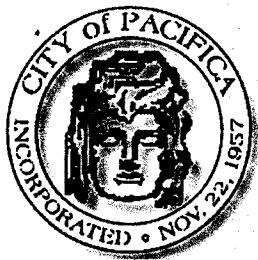
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A12

PLANNING SUBMITTAL

07/23/12





Scenic Pacifica

PLANNING DEPARTMENT
Planning • Building • Code Enforcement

CITY HALL • 170 Santa Maria Avenue • Pacifica, CA 94044 • (650)738-7341 • Fax (650)359-5807

RECEIVED
SEP 03 2013

NOTICE OF FINAL LOCAL ACTION

FINAL LOCAL
ACTION NOTICE

COASTAL COMMISSION

August 30, 2013

Attn: Coastal Planner
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

VIA CERTIFIED MAIL

REFERENCE # _____

RE: COASTAL DEVELOPMENT PERMIT # (CDP-138-13)
Expansion of an existing Holiday Inn Express Hotel at 519 Nick Gust Way, Pacifica (APN: 022-024-250, & 270 & -280)

Pursuant to Coastal Act Section 30603(d), Coastal Commission Regulations Section 13571, and Pacifica Zoning Code Section 9-4.4304(n), this notice will serve to confirm that the City of Pacifica approved the above-referenced Coastal Development Permit, and to furnish the following additional information:

APPLICANT NAME/ADDRESS: N.D. Patel, 519 Nick Gust Way, Pacifica, CA 94044

PROJECT DESCRIPTION: The proposed project is the expansion of an existing 38-room Holiday Inn Express. A total of 44 guest rooms and 2,010 square feet of retail space would be added to the existing building. The existing 8,500 square foot parking garage would also be expanded to provide 24 additional parking spaces, 3 bicycles parking spaces and 2 motorcycle parking spaces. Other improvements/additions include a meeting room, great room, fitness area, storage facilities and new bathrooms. The overall height of the proposed addition would be approximately 44 feet, 7 inches. For aesthetic purposes, a tower on the corner of Rockaway Beach and Old County Road with an overall height of 50 feet, 3 inches is also featured.

DECISION: The subject permit was approved by the City of Pacifica Planning Commission on August 19, 2013, based on the attached required findings contained and adopted in the August 19, 2013 Planning Commission staff report and resolution.

APPEAL PROCEDURES: The appeals process may involve the following:

- LOCAL The local appeal period ended on August 29, 2013, and no appeal was filed; or,
- The permit was appealed to and decided by the City Council, exhausting the local appeals process.
- STATE The project IS within the Appeals Zone and the permit IS appealable to the State of California Coastal Commission if the appeal is made in writing to the Coastal Commission within 10 working days from the next business day following the date of receipt of this notice by the Executive Director of the Commission. For additional information, contact the California Coastal Commission @ 45 Fremont, Suite 2000, San Francisco, CA 94105-2219 (415) 904-5260; or,
- The project is NOT in the Appeals Zone and the permit is NOT appealable to the Coastal Commission.

Additional information may be obtained by contacting the Pacifica Planning Department at 1800 Francisco Boulevard, Pacifica, (650) 738-7341.

George White
Planning Director

Attachments: Letter of Approval with conditions Staff Report(s)
Model Doc/Coastal/NOA

Path of Portola 1769 • San Francisco Bay Discovery Site



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FINAL LOCAL
ACTION NOTICE

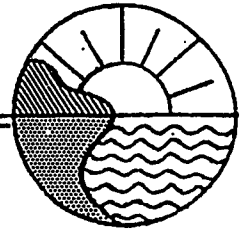
REFERENCE # 2-PAC-13-0613

A-2-PAC-13-0237

APPEAL PERIOD 9/11/13 - 9/17/13

Exhibit 3

STAFF REPORT



PLANNING COMMISSION-CITY OF PACIFICA

DATE: August 19, 2013

ITEM: 1

PROJECT SUMMARY/RECOMMENDATION AND FINDINGS

Notice of public hearing was published in the Pacifica Tribune on August 7, 2013 and 16 surrounding property owners and interested agencies were notified by mail.

FILE: PSD-784-13
UP-028-13
CDP-338-13
PV-509-13

APPLICANT/ OWNER:

N.D. Patel
519 Nick Gust Way
Pacifica, CA 94044

LOCATION:

519 Nick Gust Way (APN: 022-024-250 & -270 & -280)

PROJECT

DESCRIPTION:

Expansion of an existing 38-room Holiday Inn Express.

General Plan: Commercial

Zoning: C-1/CZ, Neighborhood Commercial/Coastal
Zone

CEQA STATUS: A Mitigated Negative Declaration has been prepared for adoption

ADDITIONAL REQUIRED APPROVALS: None

RECOMMENDED ACTION: Approval, as conditioned.

PREPARED BY: Lee Diaz, Associate Planner

A-2-PAC-13-0237

Exhibit 3

Page 2 of 30

STANDARDS CONFORMANCE:

<u>Standards</u>	<u>Required</u>	<u>Existing</u>	<u>Proposed</u>
Lot Area:	10,000 s.f. (min.)	32,704 s.f.	No Change
FAR	65% (max.)	166%	182%*
Bldg. Height:	35' (max.)	N/A	44' 7"
Lot Coverage (bldgs):	N/A	81.7%	86.5%
Bldg. Setbacks:			
-Front (east):	N/A	N/A	18'-5"
-sides (north & south):	N/A	N/A	5'/6.5'
-rear (west):	N/A	N/A	5'-7"
Landscaping:	10% (min.)	11.87%	13.5%
Parking:	51 spaces (min.)	34 spaces	24 spaces*

*Specific Plan waiver of FAR and parking requirements requested.

PROJECT SUMMARY

A. STAFF NOTES:

1. **Site Description:** The subject property is located on the west side of Highway 1, at the southwest corner of Rockaway Beach Avenue and Old County Road. The property consists of three parcels totaling 32,704 square feet of lot area. No heritage trees are located on the site. The site currently contains a 38-room hotel, a vacant two-story building with related parking that once served as a restaurant, a vacant two-story residential structure and a large deck. The vacant buildings and large deck will be demolished to make room for the hotel expansion, parking garage and retail space. The Planning Commission recommended approval of the existing 38 room hotel on December 16, 1996. Approval of a height variance and a waiver of Specific Plan development provisions regarding parking and floor area ratio (FAR) was also recommended by the Planning Commission. On January 13, 1997 the City Council approved the plans including the variance, parking and FAR waiver. The parking waiver was for 4 parking spaces and the waiver for the FAR was 166% where 65% is the maximum permitted. The original approval did not include the 13,674 square foot lot which currently contains the vacant two-story commercial structure that was used a restaurant. The applicant recently acquired that portion of the property to expand the hotel. It should be noted that at the time the original hotel was approved, the Planning Commission made recommendations on permits within their purview to the Redevelopment Agency for final approval. The City Council served as the Redevelopment Agency. Since there is no longer a Redevelopment Agency the final approvals are now granted by the Planning Commission.

On May 19, 2008 the Planning Commission recommended approval of a three-story commercial (retail/office) building with subterranean parking on the 13,764 square foot site. On July 14, 2008, the City Council approved the requested permits which included an amendment to the Rockaway Beach Specific Plan to allow office activity, and a waiver of Specific Plan requirements regarding parking and floor area ratio (FAR.). The parking waiver was for 26 on-site parking spaces and the FAR waiver was for 138%. The developer never pursued

construction of the project. The 26 parking waiver expired with this project and is not counted toward the current proposal.

2. Project Summary: The proposed project is the expansion of an existing 38-room Holiday Inn Express. A total of 44 guest rooms and 2,010 square feet of retail space would be added to the existing building. The existing 8,500 square foot parking garage would also be expanded to provide 24 additional parking spaces, 3 bicycles parking spaces and 2 motorcycle parking spaces. Two exiting guest rooms will be relocated within the existing building to allow access to the new addition on the north side of the building. Other improvements/additions include a meeting room, great room, fitness area, storage facilities and new bathrooms.

The north side of the existing hotel along Old County Road and Rockaway Beach Avenue would be expanded to accommodate the parking garage, retail space and 36 new guest rooms. As mentioned above, a vacant building with related parking that once housed the Horizons Grill Restaurant occupies the northern portion of the site. It will be demolished to make room for the hotel addition, parking garage and commercial/retail space. The three-story addition consists of the garage including storage area and stairways and commercial retail area on the first floor. The second floor would contain 17 new guest rooms, and fitness area. The third story would have 19 new guest rooms.

The expansion on the south side would also feature three stories of building area. This portion of the property is currently occupied by an existing two-story single-family residence that would be demolished to accommodate 8 new guest rooms and other improvements. The ground level would provide a great room, meeting area, three bathrooms, pantry area, and storage areas. The proposed second and third floor plans would contain 4 new guest rooms on each floor. The proposed expansion on both the north and south sides of the existing building will total approximately 35,617 square feet plus 8,405 square feet of garage area. The overall height of the proposed addition would be approximately 44 feet, 7 inches, whereas the height of the existing building is approximately 41 feet. For aesthetic purposes, a tower on the corner of Rockaway Beach and Old County Road with an overall height of 50 feet, 3 inches is also featured.

Additionally, there will be 539 square feet of new deck area on the southwest side of the building and 936 square feet of additional landscaping. Outdoor benches within the proposed landscaped area along Old County Road will also be provided for the public. Access to parking area would be provided via a 25-foot wide driveway off Old County Road and Nick Gust Way.

The applicant included preliminary green building features such as exterior and interior materials with 10% recycled contents, new water efficient landscaping and irrigation, water efficient fixtures, wood framed elements to be F.S.C. certified, etc. A LEED certification would also be required by the City Ordinance during the building permit process.

Required Permits: Pursuant to the Rockaway Beach Specific Plan, all new development proposals require a Use Permit, Site Development Permit and Coastal Development Permit. In addition to these permits the project also includes a height variance, a waiver of the Specific Plan's development regulations regarding Floor Area Ratio (FAR) and minimum on-site parking.

3. Specific Plan, General Plan, Coastal Plan, Zoning, and Surrounding Land Uses: The City Council adopted the Rockaway Beach Specific Plan on February 24, 1986 to provide a bridge between the Local Coastal Land Use Plan and development proposals. The Specific Plan combines zoning regulations, capital improvement programs, and development standards which seek to stimulate and attract private investment in the area.

The Rockaway Beach Specific Plan establishes overall objectives addressing land use and development, traffic circulation and parking, and the physical appearance and design of buildings. The Plan also provides independent development standards for the Rockaway Beach Specific Plan Area and augments existing standards provided in the Zoning Code. These regulations are designed to implement the General Plan's goals and develop the visitor-serving commercial potential of the area.

The General Plan/Local Coastal Program Land Use Plan designation for the entire Rockaway Beach area is Commercial. The Zoning designation of the site is C-1/CZ (Neighborhood Commercial/Coastal Zone Combining District). Both the General Plan and the Local Coastal Land Use Plan encourage the development of visitor-serving commercial uses. The Specific Plan land use designation for the property is Visitor Commercial. The allowable uses for the Visitor Commercial designation include restaurants, motels, hotels, lodging houses and specialty shops associated with these uses. Other permitted uses include sports or athletic facilities, cultural centers, museums and other similar activities.

The land uses in the Rockaway Beach Specific Plan include a preference for developments that provide public recreation opportunities. Although the proposal does not include a dedication of land for public recreation, the hotel will provide needed visitor-serving commercial uses in the area. According to the Rockaway Beach Specific Plan, visitor-serving commercial uses which upgrade the physical character of the area should be encouraged. In addition, exiting housing which precludes successful visitor serving land uses should be eliminated. The proposal includes the removal of an abandoned single-family dwelling and a vacant commercial building that has been unoccupied for the last 10 years.

Surrounding uses include hotels to the west, Rockaway Creek to the south, Highway right-of-way to the east, and a combination of commercial and residential uses to the north.

4. Municipal Code and Design Guidelines: The proposal meets most of the development standards for the C-1 (Neighborhood Commercial) Zoning District. No minimum setbacks are required in the C-1 zone unless established as part of the Site Development Permit. However, a variance is required for the overall height of the proposed expansion which would be approximately 44 feet, 7 inches, where the maximum height permitted is 35 feet. The height of the existing hotel is 41 feet.

a) Building Use and Site Design: As discussed above, the proposed expansion will consist of three stories with a maximum height of 44 feet 7 inches. A tower element that reaches 50 feet 3 inches would also be featured for visual interest. Retail space and parking would be featured on

the first floor, and 44 new guest rooms on the second and third floors, for approximately 35,617 square feet of gross floor area, exclusive of the 8,405 square foot 24 new car garage. The proposed project would remove a portion of the existing building, a vacant single-family residence, an existing deck and a vacant two-story structure. The proposed project would remain almost entirely within the current development footprint. The second and third floors would cantilever over the first by approximately 3 feet, which are still within the current footprint. Only a small patio and a flow-through planter would be constructed outside of the current development footprint.

Coastal Act Policy No. 24 requires that “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 alteration of natural landforms, to be visually compatible with the character of surrounding areas, and where feasible, to restore and enhance visual quality of visually degraded areas.” The project may impair or eliminate private coastal views from nearby existing residential structures, in much the same way that the view of others further inland is altered by the presence of those homes. Furthermore, the alteration of private views is consistent with the effect of development in urban Pacifica and is consistent with the General Plan.

The City’s maximum building height is 35 feet. The Rockaway Beach Specific Plan indicates that buildings two stories in height are permitted; however, three stories may be permitted if a finding can be made that such height will not restrict “coastal view potential” from Highway 1 more than would a two-story structure and will provide an increase in public open space over and above that which would have normally been provided. The proposed maximum height of the building is 44 feet 7 inches. Because the north side of the parcel rises slightly in elevation, the proposed overall height of the building would be higher than the existing hotel as measured at the finished grade, between the lowest point on the site to the topmost point of the roof. A Variance has been requested to allow the increase in building height.

Staff has reviewed the ocean view corridor from Highway 1 and concludes that the applicant’s proposal to construct three-stories on the subject site would not reduce the coastal view more than would a two-story building on the site. The existing vacant two-story structure located on the north portion of the site already affects the ocean views. Additionally, the reduction of height to 35 feet would eliminate one story or the off-street parking area, or would eliminate the gables, an important architectural feature of the building. The existing vegetation and buildings preclude most coastal views from Highway 1 as it parallels the West Rockaway Beach planning area. The elevation of Highway 1 increases as it progresses to the south, thereby opening up limited view of the headlands property and the beach through the Rockaway Beach neighborhood. The primary view from the highway is of the beach and headlands and can be seen from the highway immediately south of the developed portion of the Rockaway Beach neighborhood. The ocean is not visible from this particular viewpoint. Public open space will be provided as part of the development. Benches along the proposed landscaped area fronting Old County Road will be provided to the public. Currently, there is no public space on the subject site. The Rockaway Beach area also has abundant open space less than a block from the site, including a public plaza, an ocean promenade, beach area, and hiking trails.

The proposed design is consistent in scale, massing and height with that of the existing 3-story Holiday Inn Express and with the 3-story Pacifica Motor Inn that abut the site on the south and west sides. The proposal would not substantially degrade the visual character or quality of the site and its surroundings. Proposed exterior features include gable roofs, standing metal roofing, cement plaster siding, cement shiplap siding and trim to match existing exterior finishes. The project will be sufficiently landscaped, meeting City standards and adding interest to the streetscape.

For aesthetic purposes, a tower on the corner of Rockaway Beach and Old County is also featured. The tower will peak at a height of 50 feet 3 inches. Under section 9-4.2501 of the Zoning Ordinance, cupolas, flagpoles, monuments, parapet walls, gas storage holders, water tanks, church steeples and similar structures and mechanical appurtenances are allowed to exceed the height limits with approval of a Site Development Permit. The additional height would not adversely affect scenic vistas. The project would not block scenic vistas from publicly accessible areas or from other existing development. Further, the project is not highly visible from Linda Mar and Pedro Point neighborhoods. The project is mainly visible from a small portion of Highway 1 and from small segments of Fassler, Rockaway Beach Avenue and Roberts Road. On December 15, 2003 the Planning Commission approved a tower element at 446 Old County Road that reaches a height of 54 feet.

b) Intensity: The Specific Plan permits a maximum floor area to lot area ratio (FAR) of 65% for this area. The original hotel was granted a FAR waiver for 166%. The lot was only 19,030 square feet when the original hotel was approved. The lot is now 32,704 square feet. The expansion together with the existing hotel would amount to an FAR of 182%. A waiver is permitted upon establishing the necessary findings, as contained at the end of this report, and which relate to the public health, safety and welfare, and overall Specific Plan objectives. Considering that the project, in terms of proposed use and design, is consistent with the Specific Plan objectives and the site is constrained due to its size, and location, staff considers the waiver reasonable. The overall goal of the Specific Plan is to stimulate and attract quality private investment in this area thereby improving the City's economic health and tax base while strengthening the overall image and attractiveness of the area. The proposal would provide 44 additional hotel rooms and 2,010 square feet of retail space which should help stimulate the economic health and tax base of the City. Other projects in the Redevelopment Area, Pacific Motor Inn (103%), 400 Old County Road (111%), 446 Old County Road (129%), and 225 Rockaway Beach (130%), were all granted FAR waivers.

c) Parking: The City Council previously discussed the matter of parking in the West Rockaway Beach area in March and April 1998. According to the City Council, it was found that sufficient parking is available, and any existing parking problems are most likely related to the lack of conveniently located centralized spaces rather than total quantity. Other projects in the Rockaway Beach Area, 400 and 420 Old County Road were granted parking waivers. 400 Old County Road was granted a parking waiver for 29 spaces in May 1998 and 420 Old County was granted a waiver for 4 spaces in March 2002. Additionally, a parking waiver for 6 spaces was recently approved by the Planning Commission on February 19, 2013 for a mixed-use project at

411 Dondee Way.

On December 16, 1996 the Planning Commission also recommended approval of a waiver for 4 on-site parking spaces for the original proposal which provided parking for 34 spaces where 38 parking spaces were required. On January 13, 1997 the City Council approved the parking waiver.

The proposed expansion requires a total of 51 (44 for the guest rooms and 7 for the retail space) on-site parking spaces. Per Rockaway Beach Specific Plan standards, one space per guest room and one space per 300 square feet of gross leasable area for retail are required.

As a result of the expansion, 9 parking spaces would be eliminated from the existing 34-car parking garage. One of those spaces would be converted to provide parking for 2 motorcycle spaces. The parking ordinance allows credit for 1 parking space omitted for each 2 motorcycle spaces provided. The proposed expansion will provide 24 additional parking spaces (18 standard spaces, 2 handicapped and 4 compact spaces) and 2 additional motorcycle spaces. The applicant is allowed an additional credit for 1 parking space for providing the 2 additional motorcycle spaces. Additionally, 9 bicycle parking spaces would also be provided. The total amount of parking that will be provided would be 49 spaces and 4 motorcycle spaces. Therefore, the proposal would require a parking waiver for 34 parking spaces.

An ordinance adopted by the City Council in 1986 allows an in-lieu fee to be paid for each parking space that cannot be provided on-site in the West Rockaway Beach Area. In order to assist in development activities, the in-lieu parking fee payment allows the use of public parking in considering parking requirements on private property. These fees will be used to further reduce any parking impacts by the eventual construction of an additional parking facility. Currently, the fee is set at \$3,000 per space for a total of \$102,000 that will be required to be paid prior to the issuance of the building permit if the project is approved. Findings for approval of the waiver of the parking requirements are contained at the end of this report.

A parking analysis was also done by RKH Civil and Transportation Engineering taking into consideration that the peak parking demands for the individual uses do not all occur at the same time of the day and that the retail and restaurant uses will "capture" a percentage of demand from on-site and existing near-by uses. The analysis indicates a peak parking demand of 75 spaces at full occupancy. The development would be providing 49 vehicles and 4 motorcycle spaces on-site spaces. A parking survey of the Rockaway Beach area was performed on a Friday and Saturday which are typically the busiest days for non-business hotel parking demands. It was recognized that parking occupancy will vary from day to day, seasonally, and during times of unusual events. However, it was determined that there is adequate on-street parking available to accommodate overflow parking from the hotel. The unmet demand would be accommodated in other existing public parking facilities in the West Rockaway area, and on Old County Road directly across from the subject site 17 existing spaces would also be available. The beach south parking lot located adjacent to the site contains 59 parking spaces. The City parking lot on Old County Road is located one block from the site and provides 58 spaces.

The proposed project would also be located directly south from a Farmer's Market that operates from May to November on Wednesday afternoons from 2:30 PM to 6:30 PM. The actual location of the Farmer's Market is between 446 Old County Road and the entrance to the City-owned parking lot. The peak parking demand typically occurs during the late evening through the early morning hours with a second short peak occurring at checkout/check-in time around 11:00 AM. Because the peak parking demand for the project will not occur during the hours of the Farmer's Market, the project will not significantly impact parking demand during the hours of the Farmers Market.

5. 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. Additionally, staff believes that the proposed hotel expansion would be consistent with the City's Design Guidelines, General Plan, Local Coastal Land Use Plan, Zoning Code and uses permitted under the proposed Specific Plan amendment, and other applicable laws of the City. According to the Rockaway Beach Specific Plan, visitor-serving commercial uses which upgrade the physical character of the area should be encouraged. In addition, the existing vacant house, which precludes successful visitor serving land uses, will be eliminated. The proposal includes the removal of a vacant single-family dwelling and a vacant commercial building that has been unoccupied for the last 10 years.

6. Use Permit: Pursuant to the provisions of the Zoning Code, the Commission may grant a use permit only upon making all of the following findings:

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.
3. Where applicable, that the use or building applied for is consistent with the City's adopted Design Guidelines.

Staff believes that the proposed hotel expansion 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; and that the use is consistent with the City's adopted Design Guidelines, applicable provisions of the General Plan, Rockaway Beach Specific Plan, Local Coastal Plan, and other applicable laws of the City. Staff also believes that the project, as conditioned, will be compatible with the character of the surrounding land use, and will not affect traffic circulation in the area. The proposal will also not obstruct light or reduce views normally enjoyed by the adjacent properties.

7. **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 location and surroundings of the property limits the ability to expand the existing hotel. The site is small, unusually shaped, bordered by three roadways, a creek, and existing development limiting practical development of the site. According to the Rockaway Beach Specific Plan, the three-story building may be approved if the "coastal view potential" is not reduced more than a two-story building. Staff has determined that the three-story addition would not eliminate a significant amount of view more than the two-story building that exists on the site. Because the north side of the parcel rises slightly in elevation, the proposed overall height of the building would be higher than the existing hotel as measured at the finished grade, between the lowest point on the site to the topmost point of the roof.

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 an increase in the maximum height limit, it would not affect the health or safety of

persons residing or working in the neighborhood. The proposed hotel expansion is compatible with the existing hotel and is an overall improvement to the site from its existing conditions.

The proposed hotel expansion is consistent with the City's Design Guidelines, where applicable. The style, design and materials proposed are consistent with the exiting building and are not unlike what is existing in the area, and the building is not out of scale with the neighborhood. In addition, the gables and tower are important architectural features. The coastal view potential is not further eliminated as a three-story building more than a two-story building, thereby meeting the criteria set forth in the Specific Plan. Further, the articulation of wall planes on the building facades create more architectural interest than single-plane walls. This reduces the overall massing of the structure, and reduces the visual impact of the building height.

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 hotel expansion is in conformity with the City's Local Coastal Program, and public recreation policies of Chapter 3 of the California Coastal Act. The project is located on an infill site, surrounded predominately by a mix of commercial and residential development. The project is consistent in scale compared to surrounding 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.

9. Environmental Review (CEQA): A Mitigated Draft Negative Declaration has been prepared and circulated. The Draft Mitigated Negative Declaration was available for public review and comment for 30 days, beginning March 1, 2008, and ending April 18, 2008. Two comments were received and are discussed further below. Based on the findings of the Initial Study including the attached mitigation monitoring program, as prepared for the project, it has been determined that the project could have a significant impact upon the environment regarding Biological Resources, Cultural Resources, Hydrology and Water Quality, and Noise, but with implementation of the proposed mitigation measures the potential impacts will be avoided or reduced to insignificant levels. It has also been determined that the project will not have a significant adverse affect upon wildlife resources or the habitat upon which wildlife depends, either individually or cumulatively. Therefore, a Mitigated Negative Declaration has been prepared and attached for adoption (see attachment a & b). Below is a brief discussion of the some pertinent issues addressed in the Mitigated Negative Declaration: Biological Resources,

Hydrology and Water Quality, Noise, and Traffic:

Biological Resources - Live Oak Associates, Inc. prepared a biological assessment of the project site. The subject property includes two main habitat types, developed/ruderal and urban creek. The developed/ruderal habitat is described as presently disturbed land, and urban creek is described as a natural occurring creek flowing through an urban environment. The project area outside of the creek corridor is currently developed or ruderal. This portion of the project area comprises of the existing hotel with an attached deck, a vacant two-story residential structure. Vegetation is very minimal in these areas. The majority of the area is dominated by low-growing non-native herbaceous vegetation. Species on the site include wild oats, ripgut, Italian ryegrass, soft chess, Italian thistle, cheeseweed mallow, dwarf mallow, wild radish, white stemmed filaree, agapanthus, burclover, scarlet pimpernel, bristly ox tongue, and calla lily. No heritage trees are located on the site.

Rockaway Creek is a small perennial creek comprised of a single stream and drainage from the surrounding hill which drains through a channel scoured annually by winter rains through the urbanized Rockaway neighborhood and under Highway 1 via an extended culvert before ultimately flowing into the Pacific Ocean at Rockaway Beach. In the vicinity of the site, Rockaway Creek is generally clean of garbage debris and herbaceous plants flourish. Biotic values for the reach of Rockaway Creek associated with the site are low, offering minimal canopy cover and an understory comprised mainly of a mixture of native and non-native herbaceous plants and vines, with dense low vegetation within the channel. A portion of the channel occurs within the subject property boundary.

Landscaped plants include sandhill sage, hibiscus, rosemary, and calla lily. Minimal overstory canopy is provided by one small arroyo will on the opposite bank from the site, a culvert along the upstream boundary of the site and a footbridge along the downstream boundary. Naturally growing vegetation include annual bluegrass, agapanthus, black mustard, poison hemlock, white stemmed filaree, sweet fennel, white ramping fumitory, English ivy, smooth cat's ear, cheeseweed mallow, dwarf mallow, burclover, watercress, sour grass, bristly ox tongue, Himalayan blackberry, California blackberry, curly dock, German ivy, solanum, nasturtium, and stinging nettle.

Riparian systems serve as dispersal corridors and islands of habitat for an estimated 83% of amphibians and 40% of reptiles in California (Brode and Bury 1984). Healthy riparian systems offer a diversity of vegetative layers and as such these habitats tend to support a diverse array of native wildlife as well as provide movement corridors for some animal species between other habitat types. For this reason, riparian habitats tend to possess high biotic value. However, the reach of Rockaway Creek associated with the project offers only low value habitat for wildlife due to a general lack of structural diversity and woody plants, the extended culvert acting as a barrier to upstream movement that crosses Highway 1, abundant predators such as raccoons and feral cats, and commercial buildings existing under the drip line or within 10 feet of top of the bank both on site and upstream.

The existing development along the southern portion of the site is situated approximately three

feet from the top of the creek bank. As mentioned earlier, the proposed project would remain within the current development footprint. The only encroachment on the creek proposed is in the location of a small patio and flow-through planter on the southwestern corner of the site. The patio and flow-through planter box would be constructed in the ruderal habitat outside of the current development footprint. The flow-through planter would be approximately 5 feet 8 inches from the top of the bank of the creek and the deck would be approximately 2 feet 7 inches from the top of the bank. Flow-through planters are designed to detain and treat runoff without allowing seepage into the underlying soil. Pollutants are removed as the runoff passes through the soil layer and is collected in an underlying layer of gravel or drain rock. A pipe underdrain will be directed to a storm drain and an overflow inlet conveys flows that exceed the capacity of the planter. The flow-through planter box is being installed per the requirements of Provision C-3 of the San Mateo Countywide Water Pollution Prevention Program (STOPPP). Live Oak Associates, Inc. determined that the encroachment of the deck and flow through planter would not pose any significant impacts to the creek. The purpose of the flow-through planter as a water quality featured planted with native vegetation adapted to creek or wet conditions offset this very minor encroachment according to Live Oak Associates, Inc.

According to the biological evaluation, the vacant building to the north provides suitable roosting habitat for the pallid bat and big free-tailed bat, as well as more common bat species protected by the California Fish and Game Code. Mitigation measures will require that the applicant implement to ensure that mortality to special status bats from future ground disturbances is avoided.

The site is not located within a federally protected wetland. No known unique, rare, or endangered species are known to inhabit the site nor is the development location expected to change the diversity of any animals or species in the area. The site location is not a known animal migratory route, riparian habitat, or sensitive natural community, nor will the project have an effect on any such places. Because this is a previously developed site with no heritage trees, the project does not conflict with any local policies protecting biological resources. The project is not included in any adopted Habitat Conservation Plan, Natural Community Plan or any other approved conservation plan. No significant impact on Biological Resources would occur from the Project if the following mitigation measures recommended by the August 11, 2012 biological evaluation for "Holiday Inn Express Expansion Project, 519 Nick Gust Way" are implemented.

1. A detailed bat survey should be conducted to determine if bats are roosting or breeding in the onsite buildings prior to demolition. A qualified bat specialist will look for individuals, guano, staining, and vocalization by direct observation and potential waiting for nighttime emergence. The survey should be conducted during the time of year when bats are active, between April 1 and September 15. If demolition is planned within this timeframe, the survey should be conducted within 30 days of demolition. An initial survey could be conducted to provide early warning if bats are present, but a follow-up survey will be necessary within 30 days. If demolition is planning outside of this timeframe (September 16 through March 31), the survey should be conducted in September prior to demolition. If no bats are observed to be roosting or breeding in these structures, then no further action would be required, and demolition can proceed.

2. If a non-breeding bat colony is found in the structures to be demolished, the individuals should be humanely evicted via the partial dismantlement of the buildings prior to demolition under the direction of a qualified bat specialist to ensure that no harm or “take” would occur to any bats as a result of demolition activities. If a maternity colony is detected in the buildings, then a construction-free buffer should be established around the structure and remain in place until it has been that the nursery is no longer active. Demolition should preferably be done between March 1 and April 15 or August 15 and October 15 to avoid interfering with an active nursery.
3. Measures taken during construction activities should include placing construction fencing along the creek to ensure that construction activities do not inadvertently impact these areas. The project will also be required to follow all Best Management Practices.
4. To minimize the impacts of light and glare entering the creek corridor, lighting should be avoided at the edge of the creek corridor. All lighting on the property should be directed away from the creek corridor whenever possible. Any lighting for pathways on the property should be bollard-type lighting (lights that are low to the ground and do not create much glare).

Hydrology and Water Quality - The project will result in covering and/or compacting land that was previously developed with a smaller commercial building on the north side and a residential unit on the south side. The subject site is almost entirely covered with concrete and asphalt, except for some small planting areas along the south, west and north side of the existing building. Because the project will be creating or replacing over 10,000 square feet of impervious surface, it is subject to Provision C.3 of the San Mateo Countywide Stormwater Pollution Prevention Program (STOPPP) which requires that existing stormwater runoff levels be maintained by incorporating site design and source control measures as well as storm water treatment Best Management Practices to protect water quality.

Further, all project grading would take place in the dry season to minimize immediate erosion/siltation effects. Nonetheless, erosion/siltation controls would be required during the construction process. San Mateo County Storm Water Pollution Best Management Practices (BMPs) such as straw mulch, silt fences, sediment basins or traps and/or other measures would be employed during construction as part of the project which would protect water quality in the nearby ocean.

The project is not anticipated to violate any water quality standards or waste discharge requirements. The project is required to be in compliance with Provision C-3 of the San Mateo Countywide STOPPP. The Municipal waste discharge requirements are satisfied because staff from the Wastewater Division of the Public Works Department have reviewed the project and indicated that the sewer connection for the expansion is feasible. Given compliance with all state and local requirements, the project and the proposed mitigation measures, no other impacts are anticipated that would substantially degrade water quality.

The project will be connected to existing improved drainage facilities which include curbs, gutters and storm drains that eventually reach the ocean. The streets and storm drain currently accommodate surface drainage and the additional drainage created by the development would be minimal. According to Wastewater Department staff, the project will not result in additional stormwater runoff that will exceed the capacity of the existing storm water drainage systems. The project will also be required to maintain existing stormwater runoff levels pursuant to Provision C.3 of the San Mateo Countywide STOPPP. Flow-through planters have been incorporated into the proposed site design and will be installed along a portion of the expansion that faces Old County Road and on the southwest corner of the proposed expansion. The entire project site except for the new landscaping will be paved and drainage will not result in substantial erosion or siltation on- or off-site nor will it increase the rate or amount of surface runoff in a manner which will result in flooding on- or off-site.

Noise - The expansion of the existing hotel would represent a new source of noise in the area. However, the anticipated noise is expected to be minimal and consistent with existing noise levels in the surrounding neighborhood. Thus, the project will not result in exposure or generation of noise in excess of applicable standards. Moreover, there will be no ground borne noise or vibrations. Although there will be no permanent increase in ambient noise levels, there will be a temporary increase due to construction. Noise will occur during project construction, as with all new construction projects, resulting in increased exterior noise levels within the project vicinity. The hotel guests staying at the existing hotel would be affected by the construction noise. The construction noise, however, would be short-term. According to the owner of the Holiday Inn Express, there is no actual time when the guests are typically in their rooms. Checkout time, however, is at 12:00 p.m. The City of Pacifica's Noise Ordinance regulates construction activities for any project for which a building permit is required within the City of Pacifica. The construction hours are 7:00 a.m. to 7:00 p.m. on Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturdays and Sundays.

Traffic: RKH Civil and Transportation Engineering prepared a Traffic Impact Analysis for the Old County Commercial Development. This report was peer reviewed by Hexagon Transportation Consultants. The study area included three intersections on State Route 1 (Route 1 and Crespi Drive, Route 1 and Fassler Avenue/Rockaway Beach and Route 1, Reina Del Mar Avenue). Four scenarios have been developed and analyzed in this study. These include existing conditions, background conditions, project conditions and near-term cumulative conditions. The Traffic Impact Analysis also describes LOS (Levels of Service) categories which describe traffic flow conditions and range from A through F, with LOS A describing the best, free-flowing traffic conditions and LOS E and F describing unstable and/or forced traffic conditions, limited operating speeds and/or maneuverability and the occurrence of stoppages and/or delays. In the case of a LOS F the delay would be 60 seconds or more. The City of Pacifica currently considers intersections operating at a LOS E or F to be unacceptable. The City of Pacifica concludes that a project has a significant traffic impact for signalized intersections in Pacifica, if for any peak hour:

- The level of service at the intersection degrades from an acceptable LOS D or better under background conditions to an unacceptable LOS E or F under project conditions, or

- The intersection is already operating at an unacceptable LOS E and the addition of project traffic causes both the critical-movement delay at the intersection to increase by two (2) or more seconds and the demand-to-capacity ratio (V/C) to increase by more than 0.010, or
- The intersection is already operating at an unacceptable LOS F and the addition of project traffic causes both the critical-movement delay at the intersection to increase by one (1) or more seconds and the demand-to-capacity ratio to increase by more than 0.010.

The existing conditions on Route 1 are such that during AM (7-9AM) and PM (4-6PM) peak hours on an average weekday, motorists are faced with heavy traffic and congestion. Two intersections; the intersection at Reina Del Mar Avenue and Route 1 and the intersection at Fassler Avenue and Route 1, are particularly congested and currently operate at unacceptable Levels of Service during at least one peak hour period. During AM peak hours both of the above referenced intersections operate at LOS E which is considered unacceptable. During PM peak hours the Route 1/Fassler Avenue/Rockaway Beach and Route 1/Reina Del Mar Avenue intersections operate at LOS C, which is acceptable. Route 1 and Crespi Drive intersection currently operates at LOS B in the AM peak hours and LOS A during the PM peak hours which is acceptable.

The AM peak hour delays are related to northbound traffic and the PM peak hour delays affect southbound traffic. The project is expected to generate 29 additional vehicle trips during AM peak period and 26 new vehicle trips during the PM peak period. Project generated traffic will create a significant impact at the intersection of Route 1 and Fassler Avenue/Rockaway Beach Avenue during the morning street peak hour. However, modifying the Rockaway Beach Avenue approach to Route 1 to provide a separate right-turn lane and a separate left-through lane will mitigate the impact the project added traffic will have on the intersection during the morning street peak hours. The project adds minimally to the delay at the other two intersections. Both the RKH Draft Traffic Study and the Hexagon peer review of the traffic study concluded that the project with the recommended modification at Rockaway Beach Avenue approach to Route 1 would not have a significant adverse project or cumulative traffic impact because the project would increase delays only minimally at the study intersections and would result in delay and volume-to-capacity ratio increases that fall below the thresholds of significance. Therefore, based on the City's level of service standard and thresholds of significance, the project would not cause a significant impact on traffic at these intersections.

Additionally, based on its knowledge of traffic patterns near the project site, including the non-signalized intersection at Old County Road and Rockaway Beach Avenue, the Pacifica Engineering Department concluded that the project would not result in any safety hazards or significant traffic impacts on such roads or intersections.

On May 6, 2013 the City received comments from the California Coastal Commission and Ken and Steve Aronovsky on the Mitigated Negative Declaration.

The California Coastal Commission has concerns with respect to biological resources and potential hazards, in light of the project's proximity to the creek and wetlands on the southern side of the property. The Coastal Commission feels that an appropriate buffer zone between the creek and the proposed development does not appear to comply with the City of Pacifica Local Coastal Policy C-99 which requires buffer zones along creeks. As a general rule a buffer of at least 100 feet measured from the outward edge of riparian vegetation would be appropriate. Additionally, the Coastal Commission stated that an analysis of potential on-site public recreational access opportunities such as beach access and coastal trailhead should be explored. The Coastal Commission is further concerned with future sea level rise and/or increase storm surge into the creek, which may lead to flooding of the proposed site.

Staff response to Coastal Commission comments:

The area of the proposed southerly addition adjacent to the creek has had previous development over the years. Remnants of various structures are still evident on the ground. These are shown on the plans demarcated by dashed line with notation. While plants and perhaps small animals and insects can certainly appear in this area, they are not likely to stay since the property owner must perform repeated maintenance activities as is needed in the currently facility. Maintenance range from removal of debris as a result of high wind events and occasional overflow of the creek. Furthermore, it would seem that since there has already been a long history of built structures on this north side of the creek all the way to the edge of the ocean, there really isn't a long continuous area of natural habitat this is likely to foster a more lasting community of floral and fauna. The application of the 100-foot buffer retroactively in this area does not appear to serve the spirit of its original intention. Additionally, Coastal Policy C-99 also says that "buffer zones should be identified by environmental study and should be adequate to protect identified habitat areas associated with the creek or riparian vegetation from impacts of development or use on adjacent land." The applicant's biological consultant, Live Oaks Associates Inc., in a report dated May 28, 2013 and July 14, 2013 analyzed the development near the creek and determined that the development including the encroachment of the small deck and flow-through planter would not create any significant impacts to the creek.

In terms of potential on-site public recreational access opportunities such as beach access and coastal trailhead, public open space will be provided as part of the development. Benches along the proposed landscaped area fronting Old County Road will be provided to the public. Currently, there is no public space on the subject site only a dilapidated vacant building that has been vacant for over 10 years. The West Rockaway Beach area also has abundant recreational opportunities and open space located less than a block from the site, including a public plaza, an ocean promenade, beach area, and hiking trails. The site is physically bounded by sidewalks, streets, pedestrian bridge and a dedicated park. The applicant is proposing to improve the current depilated state of this block which would encourage the public to frequent these local recreational amenities that currently exist in the area.

With regards to potential hazards, these natural events will occur no matter how the development is constructed. The proposed southerly addition relieves that general area from potential scouring of the lands above the northern bank of the ever changing flow-line of the creek. The

proposed structure, held by piles and structural floors, serves to compact the soil and help encapsulate it from onrush waters.

FEMA flood maps indicate that the creek is under flood zone A. This zone has no historical data for base flood elevation although it is generally understood to stay within its banks. The proposed addition will be at least well above a freeboard of 12 inches. According to FEMA published maps, the proposed project is located outside the 100-year storm base plane area. Since the existing and proposed addition is generally open on the ground floor, waters in a rare flood event would not be prevented from flowing out to lower elevations (of which most of the area, including the creek and ocean is further down than the subject site). Additionally, since the existing structure is, and the new structure will be, supported on structural concrete piles and slab construction, it is the most likely to survive flood or sea level rise than conventionally founded building.

Staff response to Ken and Steve Aronovsky's comments:

Ken and Steve Aronovsky are concerned with the generation of excessive ground borne vibration and ground borne noise levels. They believe that the intense vibration of the ground caused by the movement of heavy machinery involved in the related construction activities could destabilize the existing land/soil and buildings in the vicinity, potentially placing the existing Holiday Inn Express, 290 Rockaway Beach, and other nearby buildings in jeopardy. They also believe that the existing Holiday Inn Express building and the building at 290 Rockaway Beach Avenue are situated on poorly compacted fill soil just a few hundred feet from the cliff above the ocean potentially placing the cliff in jeopardy of subsidence and collapse. They feel that significant vibration caused by the movement of heavy machinery could cause an earthquake like shaking effect of the very precarious poorly compacted soil and all buildings situated on this unstable soil.

They also believe that the loud noise and vibration from the heavy machinery will cause a distraction and a dangerous driving environment for the thousands of vehicles driving through the Rockaway Beach Avenue intersection on Highway 1.

Additionally, they state that it is very difficult to enter Rockaway Beach Avenue from Old County Road to access to Highway 1 because of the "very little roadway." They believe that the increase in vehicles coming from the Holiday Inn Express will cause a traffic "Catastrophe" and vehicle accidents, and a dangerous turning situation on Rockaway Beach Ave.

Staff response to Ken and Steve Aronovsky's comments:

The construction of a building is regulated by the International Code Council (ICC), and California Building Codes, which minimize seismic safety risks associated with commercial construction in a seismically active area. Geotechnical engineers are also required by building codes to be employed prior to and during the design of the structure and during construction to alleviate any soil related problems associated with the building under construction and the existing buildings immediately adjacent to the building under construction.

The subject site is generally flat and surrounded by existing roads and other commercial development. Rockaway Creek is located to the southwest of the existing hotel. Moreover, all proposed development on the site would be constructed according to ICC code requirements and based upon the observed geologic conditions of the site.

Furthermore, the applicant submitted a geotechnical report, which concluded that the site is suitable for the proposed construction and would not result in significant geological impacts, provided the recommendations presented in the geotechnical report are incorporated in the project design and construction. The most critical geotechnical items include the foundation type to be constructed and the existing surface soil, which along the creek side of the building consists of poorly compacted fill. In addition, some minor settlement and lateral movement has occurred adjacent to the existing creek; however, it is anticipated that the planned improvements will be founded upon piers that extend well below this depth. By following the recommendations of the geotechnical report as part of the project, no significant geological impacts will occur. A condition of approval will require that the applicant comply with all of the recommendations listed in the geotechnical report.

In terms of noise generated by the construction equipment, the noise from construction equipment is no louder than the traffic related noise already emanating from vehicles traveling on Highway 1. Noise will occur during project construction, as with all new construction projects, resulting in increased exterior noise levels within the project vicinity. The construction noise, however, would be short-term. The City of Pacifica's Noise Ordinance regulates construction activities for any project for which a building permit is required within the City of Pacifica. The construction hours are 7:00 a.m. to 7:00 p.m. on Monday through Friday, and 9:00 a.m. to 5:00 p.m. on Saturdays and Sundays. Given the temporary nature of the noise, the limitation on the hours of construction and the implementation of mitigation measures (compressors and other small stationary equipment will be shielded and equipment exhaust will face away from noise-sensitive buildings and regular equipment maintenance and mufflers will be required on all construction equipment to control noise), the potential noise impact associated with construction would be less than significant levels.

With regard to comments on the project's traffic impacts, a traffic impact analysis was prepared as part of the environmental review of this project. It is also discussed earlier in the staff report. RKH Civil and Transportation Engineering prepared a Traffic Impact Analysis for the proposal. This report was peer reviewed by Hexagon Transportation Consultants. The study area included three intersections on State Route 1 (Route 1 and Crespi Drive, Route 1 and Fassler Avenue/Rockaway Beach and Route 1, and Reina Del Mar Avenue).

The existing conditions on Route 1 are such that during AM (7-9AM) and PM (4-6PM) peak hours on an average weekday, motorists are faced with heavy traffic and congestion. Two intersections; the intersection at Reina Del Mar Avenue and Route 1 and the intersection at Fassler Avenue and Route 1, are particularly congested and currently operate at unacceptable Levels of Service during at least one peak hour period. During AM peak hours both of the above referenced intersections operate at LOS E which is considered unacceptable. During PM peak

hours the Route 1/Fassler Avenue/Rockaway Beach Avenue, and Route 1/Reina Del Mar Avenue intersections operate at LOS C, which is acceptable. Route 1 and Crespi Drive intersection currently operates at LOS B in the AM peak hours and LOS A during the PM peak hours which is acceptable.

The AM peak hour delays are related to northbound traffic and the PM peak hour delays affect southbound traffic. The project is expected to generate 29 additional vehicle trips during AM peak period and 26 new vehicle trips during the PM peak period. Project generated traffic will create a significant impact at the intersection of Route 1 and Fassler Avenue/Rockaway Beach Avenue during the morning street peak hour. However, modifying the Rockaway Beach Avenue approach to Route 1 to provide a separate right-turn lane and a separate left-through lane will mitigate the impact the project added traffic will have on the intersection during the morning street peak hours. The project adds minimally to the delay at the other two intersections. Both the RKH Draft Traffic Study and the Hexagon peer review of the traffic study concluded that the project with the recommended modification at Rockaway Beach Avenue approach to Route 1 would not have a significant adverse project or cumulative traffic impact because the project would increase delays only minimally at the study intersections and would result in delay and volume-to-capacity ratio increases that fall below the thresholds of significance. Therefore, based on the City's level of service standard and thresholds of significance, the project would not cause a significant impact on traffic at these intersections.

10. Summary: Staff considers the proposed hotel expansion to be consistent with the overall plan objectives defined in the Rockaway Beach Specific Plan. Specifically, the project expands additional visitor-serving, hotel/commercial activity as part of an integrated development pattern. The overall goal of the Specific Plan is to stimulate and attract quality private investment in this area thereby improving the City's economic health and tax base while strengthening the overall image and attractiveness of the area. The proposal includes the removal of a dilapidated vacant single-family dwelling and a vacant commercial building that has been unoccupied for the last 10 years, thereby substantially improving the area.

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. Additionally, the height and size of the building will not diminish any views from the Highway 1 corridor.

RECOMMENDATIONS AND FINDINGS

B. Recommendation:

Staff recommends that the Planning Commission ADOPT the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and APPROVE the Site Development Permit (PSD-784-13), Use Permit (UP-028-13), Coastal Development Permit (CDP-338-13), Variance, (PV-509-13), and waiver of Specific Plan development provisions regarding parking and Floor Area Ratio (FAR), for the expansion of the Holiday Inn Express located at 519 Nick Gust Way, subject to the following conditions:

Planning Department:

1. Development shall be substantially in accord with the Plans titled "HOLIDAY INN EXPRESS PACIFICA ADDITION, 519 NICK GUST WAY, PACIFICA, CA, 94044 consisting of twenty-two (22) sheets, revised on 07-12-13.
2. The three parcels (022-024-250 & -270 & -280) shall be merged into one parcel prior to the approval of the building permit.
3. Prior to the issuance of a building permit, the applicant/developer shall pay an in-lieu parking fee for the continued development of centralized parking in the West Rockaway Beach Area. This fee shall be calculated at the rate of \$3,000 per space for the 34 spaces required, but not provided on site, equivalent to \$102,000.
4. Prior to the issuance of a building permit, the applicant/developer shall submit information on exterior finishing, including colors and materials, subject to approval by the Planning Director.
5. The applicant shall incorporate into the building permit plans all the recommendations listed in the geotechnical investigation for the proposed three story commercial building prepared by Michelucci & Associates, Inc., dated December 30, 2011.
6. The applicant shall incorporate into the building permit plans all the recommendations listed in the Traffic Study for the proposed three story hotel expansion prepared by RKH Civil and Transportation Engineering., revised on October 15, 2012.
7. All improvements to the State right-of-way shall require an encroachment permit from Caltrans.
8. Best Management Practices (BMPs) such as straw mulch, silt fences, sediment basins or traps and/or other measures shall be employed during construction to control erosion/siltation.
9. 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 buildings. 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.
10. Adequate, accessible, and convenient Recycling Areas shall be provided within the development. The dimensions of Recycling Areas shall be adequate to accommodate receptacles sufficient to meet the recycling needs of the Development Project. An adequate

number of bins or containers shall be provided in Recycling Areas to allow for the collection and loading of recyclable materials generated by the Development Project. Recycling Areas shall be designed to be architecturally compatible with nearby structures and with the existing topography and vegetation. Recycling areas shall provide unobstructed access for collection vehicles and personnel. A sign clearly identifying all recycling and solid waste collection and loading areas and the materials accepted therein shall be posted adjacent to all points of direct access to Recycling Areas. Areas adjacent to Recycling Areas shall be adequately protected from any adverse impacts associated with Recycling Areas by means of measures such as adequate separation, fencing and landscaping. Recycling Areas shall be located so they are at least as convenient for those persons who deposit, collect, and load the recyclable materials placed therein as the locations where solid waste is collected and loaded. Whenever feasible, areas for collecting and loading recyclable materials shall be located adjacent to the solid waste collection areas.

11. 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. 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 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.
12. The applicant/developer shall submit a final landscape plan for approval by the Planning Director prior to the issuance of a building permit. All landscaping shall be maintained and shall be designed with efficient irrigation practices to reduce runoff, promote surface filtration, and minimize the use of fertilizers, herbicides and pesticides. The landscape plan shall show each type, size and location of plant materials. The landscaping shall be installed prior to occupancy. Landscaping materials included on the plan shall be appropriate to site specific characteristics such as soil type, topography, climate, amount of timing of sunlight, prevailing winds, rainfall, air movement, patterns of land use, ecological consistency and plant interactions to ensure successful establishment. Landscaping shall incorporate native plants. All landscaping on the site shall be adequately maintained and replaced when necessary as determined by the Planning Director.
13. 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.
14. 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 by the Planning Commission.

15. 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 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.
16. Applicant shall submit a roof plan with spot elevations showing the location of all roof equipment including vents, stacks and skylights, prior to building permit issuance. All roof equipment shall be screened to the Planning Director's satisfaction.
17. The applicant shall comply with all Mitigation Measures and implement the Mitigation, Monitoring and Reporting Program adopted as part of the Mitigated Negative Declaration and attached to the Resolution adopting the Mitigated Negative Declaration. Prior to building permit approval, the project applicant must demonstrate compliance with all mitigation measures or provide evidence ensuring that any future requirements of the mitigation measures will be met in accordance with the MMRP.
18. The following BMP controls shall be implemented at the construction site:
 - Water all active construction areas at least twice daily and more often during windy periods; active areas adjacent to existing land uses shall be kept damp at all times, or shall be treated with non-toxic stabilizers or dust palliatives;
 - Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard;
 - Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas at construction site;
 - Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites; water sweepers shall vacuum up excess water to avoid runoff-related impacts to water quality;
 - Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets;

- Apply non-toxic soil stabilizers to inactive construction areas;
 - Enclose, cover, water twice daily, or apply non-toxic soil binders to expose stockpiles (dirt, sand, etc.);
 - Limit traffic speeds on unpaved roads to 15 mph;
 - Install sandbags or other erosion control measures to prevent silt runoff to public roadways;
 - Replant vegetation in disturbed areas as quickly as possible;
 - Install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site; and
 - Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph.
19. 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.
20. No wastewater (including equipment cleaning wash water, vehicle wash water, cooling water, air conditioner condensate, and floor cleaning washwater) shall be discharged to the creek, storm drain system, the street or gutter.
21. All outstanding and applicable fees associated with the processing of this project shall be paid prior to the issuance of a building permit.
22. The property owner(s) shall keep the property in a clean and sanitary condition at all times.

Fire Department:

23. Fire sprinkler system shall be "one-system."
24. Fire alarm system shall be "one-system."
25. Photovoltaic system shall comply with NCFR requirements.
26. Fire apparatus access shall meet all fire code requirements.
27. Fire flow for type and size of structure shall be met.

Public Works Department/Engineering Division:

28. All proposed utility laterals shall be underground.
29. Applicant shall install curb ramps at the intersection of Rockaway Beach Avenue and Old County Road and at the end of Nick Gust Way.
30. Applicant shall install restripe the crosswalk at the intersection of Rockaway Beach Avenue and Old County Road.
31. Applicant shall install a new sidewalk, curb and gutter t the end of Nick Gust Way.
32. Drainage for the proposed planters shall connect to the existing storm drain inlet along Old County Road.
33. Applicant shall install a new streetlight at the end of Nick Gust Way.
34. Construction shall be in conformance with the San Mateo Countywide Storm Water Pollution Prevention Program. Best Management Practices shall be implemented.
35. An Encroachment Permit must be obtained for all work within City right-of-way. All proposed improvements within City right-of-way shall be constructed per City Standards.
36. Applicant shall overlay existing asphalt with minimum 2 inch AC the whole street width across the entire property frontage along Nick Gust Way and to the centerline of Rockaway Beach and Old County Road.
37. 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.

C. FINDINGS:

1. Findings for Adoption of Mitigated Negative Declaration: The Planning Commission finds that on the basis of the Mitigated Negative Declaration and the whole record before it, that there is no substantial evidence that the proposed project, as conditioned, will have any significant adverse impacts on the environment provided mitigation measures contained in the Mitigation Monitoring and Reporting Program are incorporated. The Commission also finds that the Mitigated Negative Declaration reflects the Commission's independent judgment and analysis.

2. Findings of Approval for Site Development Permit: The Planning Commission determines that the proposed hotel/commercial expansion as conditioned, is consistent with the General

Plan, Local Coastal Plan, Municipal Zoning Code, Rockaway Beach Specific Plan, and other applicable City laws. Specifically, the location, size and intensity of the proposed hotel expansion, including design, is consistent with the character of the surrounding neighborhood; and the proposal will not restrict light or air to surrounding buildings or discourage additional residential development in the area. The proposal enhances the design variety of the area and would not impact traffic patterns in the vicinity or create parking accessibility problems. Sufficient landscaping and public open space areas would also be provided. The Commission also finds that, as conditioned, the proposal is consistent with the applicable provisions of the City's Design Guidelines for coastal, infill and commercial development. The Commission further finds that the proposed development, as conditioned, is consistent with the City's Design Guidelines, General Plan, Zoning Code and other applicable laws of the City.

The Planning Commission also determines that the decorative tower that would extend beyond the roofline of the three story hotel development would enhance the positive characteristics of the building and of the surrounding neighborhood mix. The Commission further finds that the proposed tower extension is consistent with the City's Design Guidelines, General Plan, Zoning Code and other applicable laws of the City:

3. Findings for Approval of a Use Permit: The Planning Commission finds that the proposed hotel expansion 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; and that the use is consistent with the City's adopted Design Guidelines, applicable provisions of the General Plan, Local Coastal Plan, Rockaway Beach Specific Plan, Design Guidelines, and other applicable laws of the City. In particular, the Commission finds that the project, as conditioned, will be compatible with the character of the surrounding land use, and will not affect traffic circulation in the area. The Commission further finds that the proposal will not obstruct light or reduce views normally enjoyed by the adjacent properties, and the quality of building design and materials is equal to or greater than that of the surrounding development.

4. Findings for Approval of Coastal Development Permit: The Planning Commission finds that the proposed hotel expansion is, as conditioned, in conformity with the City's Local Coastal Program, and Public recreation policies of Chapter 3 of the California Coastal Act. In particular, the proposal is located on an infill site, surrounded by existing development including commercial, residential and mixed uses. The project is consistent in scale compared to surrounding areas and will have limited, if any, visual consequences. 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. The proposal will not have significant adverse effects, either individually or cumulative, on coastal resources.

5. Findings for Specific Plan Waiver (Parking and Floor Area Ratio): The Planning Commission finds that the project as proposed 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. In addition, the Commission finds that the proposed hotel expansion is consistent with overall Rockaway Specific Plan objectives and promotes the goals and purposes contained therein. In particular, the proposal will establish visitor serving uses in the area and is consistent with previously approved projects. The Commission also finds that parking needs for the project are adequately provided, given existing parking supply and demand, and proposed conditions including required contribution of in-lieu fees. Further, two public parking lots and 17 public parking spaces exist near the site. The beach south parking lot is located adjacent to the site and contains 59 parking spaces. The City parking lot on Old County Road is located one block from the site and provides 58 spaces. The 17 parking spaces are located directly across the site on Old County Road. In addition, the Commission finds that the increase in FAR for the project will not increase the parking beyond the project's means nor for that of surrounding businesses.

6. Findings for a Variance: The Commission finds that, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of Zoning Ordinance provisions deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. The special circumstances that apply to the property are: 1). The site is small, rises slightly in elevation, unusually shaped, bordered by three roadways, a creek, and existing development subsequently limiting practical development of the site;. 2). According to the Rockaway Beach Specific Plan, the three-story buildings may be approved if the "coastal view potential" is not reduced more than a two-story building. Staff has determined that the three-story addition would not eliminate a significant amount of view more than the two-story building that exists on the site; 3). There are developments in the Rockaway Beach area that exceed the maximum building height permitted; the proposed hotel expansion would be consistent with previously approved developments in the vicinity.

The Commission finds 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. The Planning Commission finds that the subject site, by allowing an increase in the maximum height limit, would not affect the health or safety of persons residing or working in the neighborhood. The proposed hotel expansion is compatible with the existing hotel and is an overall improvement to the site from its existing conditions.

The Commission finds that the proposed hotel expansion is consistent with the City's Design Guidelines, where applicable. The style, design and materials proposed are consistent with the existing building and are not unlike what is existing in the area, and the building is not out of scale with the neighborhood. In addition, the gables and tower are important architectural features. The coastal view potential is not further eliminated as a three-story building more than a two-story building, thereby meeting the criteria set forth in the Specific Plan. Further, the Commission finds that articulation of wall planes on the building facades create more architectural interest than single-plane walls. This reduces the overall massing of the structure, and reduces the visual impact of the building height.

COMMISSION ACTION

D. MOTION FOR APPROVAL:

1. Move that the Planning Commission **ADOPT** the attached resolution adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan for the expansion of the Holiday Inn Express attached as an exhibit.
2. Move that the Planning Commission **APPROVE** PSD-784-13, UP-028-13, CDP-338-13, PV-509-13, and waiver of Specific Plan development provisions regarding parking and Floor Area Ratio (FAR), subject to conditions one (1) through thirty-seven (37) and adopt the findings contained in the August 19, 2013 staff report 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 Use Permit
 - P.C. Resolution for Coastal Development Permit
 - P.C. Resolution for Variance

ATTACHMENTS:

- a. Initial Study/Mitigated Negative Declaration
- b. Letter from California Coastal Commission, dated May 6, 2013
- c. Letter via email from Ken & Steve Aronovsky, dated May 5, 2013
- d. Resolution (Adopting Mitigated Negative Declaration and Mitigation, Monitoring and Reporting Plan)
- e. P.C. Resolution (Site Development Permit)
- f. P.C. Resolution (Use Permit)
- g. P.C. Resolution (Coastal Development Permit)
- h. P.C. Resolution (Variance)
- i. Conceptual Plans (Planning Commission only)

RESOLUTION NO. 882

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
PACIFICA APPROVING COASTAL DEVELOPMENT PERMIT (CDP-338-13),
FOR THE EXPANSION OF THE HOLIDAY INN EXPRESS AT 519 NICK GUST
WAY, SUBJECT TO CONDITIONS**

Initiated by: N.D. Patel

WHEREAS, an application has been submitted to expand an existing 38-room Holiday Inn Express with 44 rooms, 2,010 square feet of commercial space and additional parking on a 32,704 square foot parcel on property classified C-1/CZ, Neighborhood Commercial within the Coastal Zone Combining District; and

WHEREAS, the Planning Commission has adopted a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the expansion of the Holiday Inn Express; and

WHEREAS, the Planning Commission has approved a Specific Plan waiver for parking and floor area ratio; and

WHEREAS, the proposed hotel expansion is in conformity with the City's certified Local Coastal Program; and

WHEREAS, the proposed hotel expansion is in conformity with the public recreation policies of Chapter 3 of the California Coastal Act; 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 site is surrounded by other pre-existing commercial and multi-family residential development, and the development will be compatible with the surrounding neighborhood, which consists of hotels to the west, highway right-of-way to the east, and a combination of commercial and residential uses to the north; 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 expansion of the hotel will not create a hazardous or inconvenient vehicular or pedestrian traffic pattern.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Pacifica does hereby approve the Coastal Development Permit, subject to

A-2-PAC-13-0237

Exhibit 3

Page 29 of 30

conditions of approval incorporated into the August 19, 2013 Planning Commission Staff Report.

* * * * *

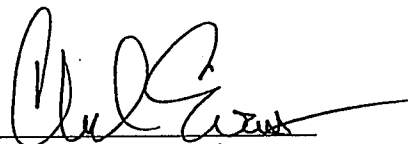
Passed and adopted at a regular meeting of the Planning Commission of the City of Pacifica, California, held on the 19th day of August 2013.

AYES, Commissioners: Gordon, Campbell, Brown, Cooper, Nibbelin, and Evans

NOES, Commissioners: None

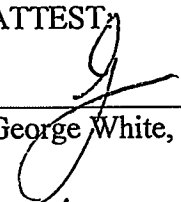
ABSENT, Commissioners: None

ABSTAIN, Commissioners: Vaterlaus



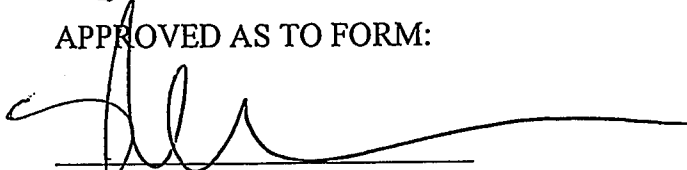
Chuck Evans, Chair

ATTEST:



George White, Planning Director

APPROVED AS TO FORM:



Michelle Kenyon, City Attorney

ATT: STEPHANIE REXING

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060-4508
VOICE AND TDD (831) 427-4863
FAX (831) 427-4877



APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name: Todd M. Bray
Mailing Address: 468 Donaldson
City: Pacifica Zip Code: 94044 Phone: 650-355-6788

SECTION II. Decision Being Appealed

1. Name of local/port government:

City of Pacifica

2. Brief description of development being appealed:

Expansion of Holiday Inn Express at 519 Nick Gust Way, Pacifica CA, Mitigated Negative Declaration, 41' high box like structure with no quaint coastal appeal that will take away visitor serving parking from the public areas in leui of providing enough on site parking, encroachment on the Rockaway Creek and the development lacks a raised foundation area to place it about the FEMA flood plain

3. Development's location (street address, assessor's parcel no., cross street, etc.):

Holiday Inn Express at 519 Nick Gust Way, Pacifica CA, 94044

4. Description of decision being appealed (check one.):

- Approval; no special conditions *ONE OF THREE TROTS*
- Approval with special conditions:
- Denial

RECEIVED

AUG 27 2013

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

<u>TO BE COMPLETED BY COMMISSION:</u>	
APPEAL NO:	<u>A-2-PAC-13-0237</u>
DATE FILED:	<u>9/4/13</u>
DISTRICT:	<u>North Central</u>

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):

- Planning Director/Zoning Administrator
- City Council/Board of Supervisors
- Planning Commission
- Other

6. Date of local government's decision: 8/19/2013

7. Local government's file number (if any): N/A

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

N.D. Patel, address N/A

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

(1) N/A

(2) N/A

(3) N/A

(4) N/A

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

SECTION IV. Reasons Supporting This Appeal

PLEASE NOTE:

- Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section.
- State briefly **your reasons for this appeal**. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)
- This need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

A letter sent by CCC staff dated 5/6/2013 was very explicit in CCC staffs expectations for improvements to the project as proposed, none of which were addressed in the final project heard by the Planning Commission, which approved a LCP CDP for the project.

I don't want to stop the project just have it scaled back to conform to the Coastal Act, which seems to have been ignored by our local Pacifica planning process.

The project as approved is box like, intimidating to beach goers as it resembles a prison complete with guard towers on all corners, it has a wedge of structure built directly on the creek and there is a sacrificial 1200 square feet of "visitor serving retail space," on the bottom floor at the corner of Rockaway Blvd and Old County Road

THE TOWER WILL BE AN ASTOUNDING 51' HIGH!

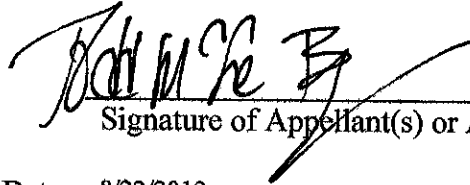
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APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 4)

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

Todd McCune Bray



Signature of Appellant(s) or Authorized Agent

Date: 8/22/2013

Note: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby
authorize

_____ to act as my/our representative and to bind me/us in all matters concerning this appeal.

Signature of Appellant(s)

Date: _____

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AND NORTH CENTRAL COAST DISTRICT OFFICES
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (831) 427-4863
FAX: (831) 427-4877
WEB: WWW.COASTAL.CA.GOV



May 6, 2013

George White
Planning Director
City of Pacifica
1800 Francisco Blvd.
Pacifica, CA 94044

Subject: *Comments on Intent to Adopt a Mitigated Negative Declaration for the Expansion of the Holiday Inn Express at 519 Nick Gust Way, Pacifica, CA*

Dear Mr. White:

Thank you for the opportunity to comment on the Mitigated Negative Declaration (MND) for the proposed expansion of the Holiday Inn Express in Pacifica. The following comments are similar to those made in an April 2012 email from Commission Planner Karen Geisler (attached) in response to the Development Review Coordination report for this project. In that email Ms. Geisler stated that “while the Commission is supportive of visitor-serving commercial development and this project meets these criteria,” Ms. Geisler also raised concerns regarding the proposed project and biological resources, visual resources, hazards and public access. While it seems concerns with visual resources and parking have been adequately assessed (i.e. the project adds visual articulation and interest to the expansion, will be shorter than the Pacifica Motor Inn, will not block views from publicly accessible areas and will comply with Pacifica’s in-lieu fee ordinance with respect to parking impacts), Commission staff continues to have concerns with respect to biological resources and potential hazards, in light of the project’s proximity to the creek and wetlands on the southern side of the property. Additionally, the analysis of potential on-site public recreational access opportunities such as beach access and coastal trailhead should be explored.

The proposed project would be located adjacent to Rockaway Creek, which is a perennial creek that contains native riparian vegetation. The MND states that the existing to-be-demolished residence on the south side of the property is situated approximately three feet from the top of the creek bank and that the proposed expansion of the hotel would remain in that same footprint and that “encroachment on the creek” is proposed “in the location of the small patio and flow-through planter on the southwestern corner of the site.” The proposed planter would be 5 to 8 inches from the top of the creek bank and the deck would be 2 feet, 7 inches from the top of the bank. However, City of Pacifica LCP Policy C-99 requires adequate buffer zones between creeks and proposed development, and specifically states:

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Exhibit 4
Page 5 of 7

Riparian vegetation along all intermittent and year-round creeks shall be protected, enhanced and restored where feasible. Buffer zones along creeks shall be required. These buffer zones should be identified by environmental study and should be adequate to protect identified habitat areas associated with the creek or riparian vegetation from impacts of development or use on adjacent land. As a general rule a buffer of at least 100 feet measured from the outward edge of riparian vegetation would be appropriate...

Development in designated flood plain areas shall be designed to meet the HUD criteria for development in flood plains...


This policy requires that riparian corridors be protected, enhanced and restored where feasible, and also generally requires a buffer zone of at least 100 feet from the outward edge of riparian vegetation. The proposed project includes a buffer zone of less than three feet between the proposed development and the top of the creek bank. This distance does not seem adequate to ensure enhancement, restoration, and protection of Rockaway Creek., and this aspect of the project does not appear to comply with LCP Policy C-99.

In addition to the concerns with biological resources, this project's close association with Rockaway Creek raises flood concerns with regard to future sea level rise and/or increased storm surge into the creek, which may lead to flooding of the proposed project site. According to the MND, the subject site is located within the FEMA-designated Zone B flood zone and "may be subject to 100 or 500 year flooding." LCP Policy C-99 states that, "development in designated flood plain areas shall be designed to meet HUD criteria for development in flood plains." Though the reference to HUD is outdated, FEMA now requires that development in designated floodplains be at a minimum grade above flood levels (to be determined through consultation with FEMA but usually 1-2 feet above flood levels), and also requires that such development not aggravate flooding in surrounding areas. It is not clear that the proposed project meets FEMA requirements with respect to flood levels. Thus, additional flood analyses should be done to illustrate the amount of flooding that is expected to take place under various scenarios taking into account expected sea level rise and concomitant storm surge up the creek.

Finally, in terms of public recreational access opportunities onsite, the MND states that project would neither generate nor create any need for additional recreational opportunities or facilities within the City. In order to uphold the LCP policies that "protect, maintain and where feasible enhance and restore the overall quality of the Coastal Zone environment", to "maximize public access to and along the coast and to "assure priority for coastal-dependent over other development on the coast," the proposed hotel expansion project should explore opportunities to create and or enhance the public's ability to access and enjoy the coast.

If you have any questions regarding these comments or wish to discuss the project further, please contact me at 415-597-5894.

Sincerely,



Stephanie Rexing Coastal Planner

Attachment: April 30, 2012 email from Karen Geisler

Rexing, Stephanie@Coastal

From: Radha Patel <obsidian.pacifica@gmail.com>
Sent: Tuesday, October 22, 2013 11:08 AM
To: Rexing, Stephanie@Coastal
Cc: natu patel
Subject: Coastal Commission Appeal: ****Time Sensitive****

Dear Ms. Rexing,

My name is Radha and I am one of the owners of the Holiday Inn Express & Suites in Pacifica. I meant to write to you much earlier but have been ill with a bronchial infection. I am doing better now.

I am writing about a situation that came about last month in regards to the expansion of our property on Rockaway Beach, as you may be aware. Local resident Mr. Todd Bray filed a appeal to the Coastal Commission in September (last month), after the expansion was approved by all governmental and regulatory bodies, after more than 5 years of detailed scrutiny.

All of the public agencies, including the Coastal Commission, the Fire Department, City Planners, Fish & Game and Corp of Engineers conducted strict assessments and instructed modifications and changes to meet safety, public, commerce, and environmental guidelines. Moreover, all of these assessments, modifications and approvals were done in the public eye (including coverage by the local media) with periodic hearings at City Council meetings for the last 5 years. In August, after meeting all public interests and standards, the expansion of the Hotel was approved.

I must emphasize that the interest of the ownership has always been in accordance with public interest, environmental responsibility, community benefit and economic development for the City of Pacifica.

Mr. Bray's complaints include aesthetic displeasure of the plan, parking concerns and concerns about the environment. Unfortunately, with the exception of the first reason which is relative, the other objections by Mr. Bray are ultimately unfounded.

Mr. Bray has demonstrated a history of vitriolic and erratic protests of other publicly approved projects. So far, his opposition to our development is not rooted in any rational, definitive argument/data that supports his assertion. The public had their opportunity to voice concerns for 5 years and Mr. Bray's actions are detrimental to our business and the community at large.

A colleague, Mr. Frank Vella wrote a letter in response to Mr. Bray's appeal on September 18, last month to Victor Spano, from the Pacifica City Council, City Clerk, Kathy O'Connell, and Courtney Conlon from the Pacifica Chamber of Commerce to request an official recommendation letter in support of the approved expansion of the Hotel. I will follow up on this with the Chamber and Council.

I am writing to ask you to please respond to my concern about what seems to be an unfounded and untimely appeal to the Coastal Commission by Mr. Bray.

If there is anything you or the Pacifica Coastal Commission can do to help us navigate through this situation, please let me know at your earliest convenience.

Thank you for your time.

Sincerely,
Radha Patel,
650-303-2300 (mobile)

--

Ms. Radha Patel, CEO
NVI RANI, Incorporated

A-2-PAC-13-0237
Exhibit 5
Page 1 of 5

Victor A. Spano
284 Sunshine Drive
Pacifica, CA 94044
(650) 219-8038

October 22, 2013

RECEIVED

California Coastal Commission
c/o Ms. Rexing
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

OCT 25 2013

CALIFORNIA
COASTAL COMMISSION

Re: Pacifica Holiday Inn Express Expansion (Appeal)

Dear Chair Shallenberger and Commissioners:

I am writing you in support of the approval (via denial of the present appeal by Mr. Todd Bray)...of the proposed expansion of the Pacifica Rockaway Beach Holiday Inn Express.

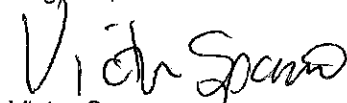
I am a concerned resident of the City of Pacifica and Pacifica Chamber of Commerce member with no business or ownership interest in the project.

In my view, the proposed expansion will enhance public access and offer visitors and local residents better opportunities to view and enjoy Rockaway Cove, the Pacific Ocean and other coastal resources. The environmentally sustainable design of the project incorporates design and operational elements which nearly meet, meet and / or exceed LEED certification.

New permanent jobs will be created by this project, as well as jobs generated during the construction process. New and needed Transient Occupancy Tax (TOT) revenues will be generated for the City of Pacifica's General Fund, as well as new sales and property tax revenues.

The project enjoys the complete support of Pacifica's City Council, the San Mateo County Convention and Visitors Bureau, Chamber of Commerce and business and residential neighbors. Local representatives from the California State Senate and Assembly, as well as the San Mateo County Board of Supervisors have expressed support for the project. The expansion project will improve a blighted corner that is prominent and visible from Route 1, Coast Highway with an outstanding architectural design which will blend in well with the surrounding neighborhood. I have known the proponents to be excellent operators of hospitality properties. Their properties are always maintained in supreme condition, with great regard for their surroundings, neighbors and the environment.... and I will expect no less of them in their continuing operation of the property upon the completion of this expansion.

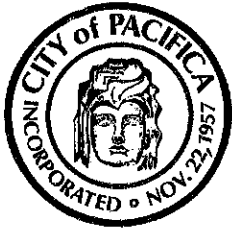
Regards,



Victor Spano
Pacifica Resident, Member of Pacifica Chamber of Commerce

Cc: Rahda Patel, NVI Rani, Inc.

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Exhibit 5
Page 2 of 5



Scenic Pacifica

CITY HALL

170 Santa Maria Avenue • Pacifica, California 94044-2506
www.cityofpacifica.org

MAYOR
Len Stone

MAYOR PRO TEM
Mary Ann Nihart

COUNCIL
Sue Digre
Karen Ervin
Mike O'Neill

RECEIVED

OCT 31 2013

CALIFORNIA
COASTAL COMMISSION

CITY MANAGER'S OFFICE
TEL. (650) 738-7301
FAX (650) 359-6038

CITY ATTORNEY
TEL. (650) 738-7409
FAX (650) 359-8947

CITY CLERK
TEL. (650) 738-7307
FAX (650) 359-6038

CITY COUNCIL
TEL. (650) 738-7301
FAX (650) 359-6038

FINANCE
TEL. (650) 738-7392
FAX (650) 738-7411

FIRE ADMINISTRATION
TEL. (650) 991-8138
FAX (650) 991-8090

HUMAN RESOURCES
TEL. (650) 738-7303
FAX (650) 359-6038

PARKS, BEACHES & RECREATION
TEL. (650) 738-7381
FAX (650) 738-2165

PLANNING
TEL. (650) 738-7341
FAX (650) 359-5807

- **Building**
TEL. (650) 738-7344
- **Code Enforcement**
TEL. (650) 738-7341

POLICE DEPARTMENT
TEL. (650) 738-7314
FAX (650) 355-1172

PUBLIC WORKS
TEL. (650) 738-3760
FAX (650) 738-9747

- **Engineering**
TEL. (650) 738-3767
FAX (650) 738-3003
- **Field Services**
TEL. (650) 738-3760
FAX (650) 738-9747

October 28, 2013

California Coastal Commission
C/O Stephanie Rexing, Coastal Planner
North Central Coast District
45 Fremont, Suite 2000
San Francisco, CA 94105-2219

**Re: Holiday Inn Express Expansion Project, 519 Nick Gust Way, Pacifica, CA
APN: 022-024-250, &-280)**

Dear Ms. Rexing:

I am writing on behalf of the City of Pacifica City Council to express our full support of the above referenced Holiday Inn Express expansion project. Although the Council was not required to review the project, we ask that the decision of the Planning Commission to approve the Coastal Development Permit for the project be upheld.

The City of Pacifica believes that the expansion of the Holiday Inn Express will provide much needed visitor-serving commercial uses in the area and will generate some tax revenue to the City. Both the General Plan and the Local Coastal Land Use Plan encourage the development of visitor-serving commercial uses. According to the Rockaway Beach Specific Plan, visitor-serving commercial uses which upgrade the physical character of the area should be encouraged. The proposal includes the removal of an abandoned single-family dwelling and a vacant commercial building that has been unoccupied for the last 10 years. The overall goal of the Specific Plan is to stimulate and attract quality private investment in this area thereby improving the City's economic health and tax base while strengthening the overall image and attractiveness of the area. The expansion of the hotel is consistent with the overall plan objectives of the Specific Plan. Specifically, the project expands additional visitor-serving, hotel/commercial activity as part of an integrated development pattern, thereby, encouraging more tourism to Rockaway Beach.

Additionally, findings were made by the Planning Commission that the proposed hotel expansion is in conformity with the City's certified Local Coastal Program, the public recreation policies of Chapter 3 of the California Coastal Act, the proposed site is physically suitable for the type and density of development, and the proposed project will cause no substantial environmental damage, and no public health problems will result from development of the subject parcels. Further, the proposed site is surrounded by other pre-existing commercial and multi-family residential development, and the development will be compatible with the surrounding neighborhood, which consists of hotels to the west, highway right-of-way to the east, and a combination of commercial and residential uses to the north.

On behalf of the City of Pacifica City Council, I respectfully request that the California Coastal Commission support the Holiday Inn Express expansion project and further, for the convenience of the applicant and City staff, schedule the appeal for the December 2013 meeting in San Francisco.

Sincerely,

Len Stone
Mayor

A-2-PAC-13-0237

Exhibit 5

Page 3 of 5



PACIFICA

CHAMBER *of* COMMERCE
& VISITOR CENTER
A Pretty Cool Place

November 5, 2013

California Coastal Commission
C/O Stephanie Rexing, Coastal Planner
North Central Coast District
California Coastal Commission
45 Fremont, Suites 1900 and 2000
San Francisco, CA 94105-2219

RECEIVED

NOV 07 2013

CALIFORNIA
COASTAL COMMISSION

Re: Holiday Inn Express Expansion Project, 519 Nick Gust Way, Pacifica, CA (APN: 022-024-250, &-280)

Dear Ms. Rexing:

On behalf of the Pacifica Chamber of Commerce Board of Directors, I am writing to express our full support of the above referenced Holiday Inn Express & Suites expansion project in Rockaway Beach.

The Pacifica Chamber of Commerce Board firmly believes that the expansion of the Holiday Inn Express will provide more visitor-serving uses in the Rockaway Beach area. As referenced in both the Local Coastal Land Use Plan along with the General Plan, each encourages the development of more visitor-serving commercial uses. Furthermore, according to the Rockaway Beach Specific Plan, the expansion of this project would upgrade the physical character of this highly desirable visitor-serving area, specifically upon the removal of an abandoned single-family dwelling and a vacant commercial building that has been an eye-sore and unoccupied for the last 10 years.

The proposed expansion of the Holiday Inn Express & Suites will enable more people to partake in the numerous outdoor recreational activities that Pacifica provides – surfing, fishing, hiking our extensive coastal trails, walking along the coastal bluffs or just sitting by the ocean, all while taking in the incredible vistas from the numerous vantage points of the ocean that hugs our coastline. With this project so close in proximity to the Pacific Ocean, there will be greater beach access for more people to enjoy including those that are handicapped and/or in wheelchairs. This will in turn provide more visitors the opportunity to enjoy the plethora of outdoor recreational activities that beckons people to Pacifica.

Lastly, if possible, we respectfully request that this project be placed on the December 11, 2013 agenda as it will be held in San Francisco. This will provide more representation from members of the Pacifica Chamber of Commerce and from the City of Pacifica along with the stakeholders of this project. However, whenever and wherever this project is placed on the Coastal Commission's calendar, we will be there to garner our support of this project.

On behalf of the Pacifica Chamber of Commerce Board of Directors, we respectfully request that the California Coastal Commission support the Holiday Inn Express expansion project.

Sincerely,

Courtney Conlon, CEO
Pacifica Chamber of Commerce

Cc: Pacifica Chamber of Commerce Board of Directors

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225 Rockaway Beach Ave. Suite #1 · Pacifica, CA 94044

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Exhibit 5

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San Mateo County Association of REALTORS®

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NOV 22 2013

November 20, 2013

California Coastal Commission
ATTN: Stephanie Rexing
North Central Coast District
45 Fremont Street, #1900-2000
San Francisco, CA 94105

RE: Holiday Inn Expansion Project in Pacifica

Ms. Rexing;

The San Mateo County Association of REALTORS® (SAMCAR) is a 2,700 member professional organization representing home buyers and sellers, private property rights, and real estate professionals in San Mateo County. We are writing to lend our full support to the growing chorus of groups and individuals backing the Holiday Inn Express expansion project. These are the facts:

- >The proposal meets every regulatory mandate from the Coastal Commission.
- >Per the Pacific General Plan, the proposal encourages the development of visitor-serving commercial uses.
- >Per the Local Coastal Land Use Plan, the proposal encourages the development of visitor-serving commercial uses.
- >Per the Rockaway Beach Specific Plan, the proposal encourages visitor-serving commercial uses which upgrade the physical character of the area.
- >The proposed hotel expansion is in conformity with the Public Recreation Policies of Chapter 3 of the California Coastal Act
- >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 proposed site is surrounded by other pre-existing commercial and multi-family residential development, so obviously, the project will be compatible with the surrounding neighborhood.

In addition, knowing the Coastal Commission's support for local economic development plans, the overall goal of the Specific Plan is to stimulate and attract quality private investment in this area to improve Pacifica's economic health and tax base.

On behalf of the San Mateo County Association of REALTORS®, we urge you to reject the complaints of a disgruntled few and uphold the decision of the city's Planning Commission to approve the Coastal Development Permit.

Respectfully,

Paul Stewart
Government Affairs Director
San Mateo County Association of REALTORS®

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Exhibit 5