

## MINUTES

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

February 16, 2016

6:00 p.m.

There was no closed session due to lack of a quorum.

Commissioner Evans opened study session at 6:41 p.m., following arrival of Commissioner Cooper.

- 1. Discussion of policy options related to development on parcels Designated Very Low Density Residential (VLDR). The Majority of the study area is located in the Rockaway Neighborhood, along the northern and southern boundaries of Rockaway Valley in Pacifica.**

Asst. Planner Farbstein presented the staff report.

Commissioner Evans asked what staff wants from the Commission, suggesting they open to public comments and go from there.

Planning Director Wehrmeister explained that they were asking the Commission to hear public comments. They also wanted Commission feedback on general plan policies.

Commissioner Evans asked clarification that where they mention the new General Plan policies, those were the ones they wanted the Commission to look at.

Planning Director Wehrmeister responded affirmatively, clarifying that it was the discussion on pages 4 and 5.

Commissioner Evans opened public comments.

Chaya Gordon, Pacifica, stated that she lives on Rockaway Beach Avenue. She felt it was critical to respect the General Plan in effect, mentioning that it has the very low density residential designation. She added that the zoning codes must conform to an adopted General Plan and the 1980 General Plan was presently in effect in Pacifica. She referred to a conflict in 1992 with a zoning designation that did not follow the General Plan. She did not see any reason why it cannot be resolved to conform to the General Plan. She also thought they needed to consider what makes Pacifica what Pacifica is. She pointed out that the first thing is the ocean, but the other defining characteristic of Pacifica was our beautiful coastal hillsides, which was what caused her to move to Pacifica. She felt it was important to preserve the natural areas in Pacifica because, if we don't preserve them, do we want Pacifica to look like Daly City or places in Southern California where they have not followed laws and were tied up in litigation for years and wound up with a mess and building on hillsides? She stated that Hillside Preservation was formed for good reasons, and referred to the paper streets on both sides of Rockaway Beach Avenue. She stated that it was extremely unstable land at the bottom of hillsides, extreme wetland with no infrastructure and that causes her to believe that it should not be built up. She stated that chipping away at that not only affects those who live closest to it but everyone in Pacifica. She felt, in

order to preserve the characteristics while conforming with the General Plan, that they should take that into consideration.

Ron Maykel, Pacifica, stated that Ms. Gordon did a great job. He added that he has lived in that neighborhood for a long time, with several instances where someone tried to subdivide the lots in question and someone tried to overturn a deed restriction. He felt they needed to be consistent. He agreed with Ms. Gordon that Rockaway Beach Avenue is extremely substandard and is falling apart. He stated that they have infill houses in the area where the street was so much worse because of the heavy equipment. He asked that they be consistent because it wouldn't be fair to those who were denied the chance to subdivide and they should stick to the General Plan with low density of half an acre per residence.

Tom Clifford, Pacifica, stated that they should stay with the very low density. He stated that, with a lot of less than one half acre, they should keep it to one house. He also thought they should look at the size of the houses, suggesting that they look at the mega home ordinance and start with the low number, which he thought was 1,750 sq. feet plus a garage. He also felt that the roads that will be built should be full size roads, mentioning that the present roads were little more than paved paths. He stated that there was enough room to get one car down through the center with cars parked on both sides, mentioning working in that area now and every day he has to pull over for someone going the other direction. He thought they should stick to standard roads. He also felt it was obvious that Oddstad Way was going to have to be started from one end or the other and be completed. He thought that presently they have an Oakland fire like situation because, with the fire trucks coming in, people will not be able to get out because of the bad roads and he felt the new roads must be built in the interest of public safety.

Bill Bray, Pacifica, stated he has lived in Rockaway Beach for 23 years. They chose Rockaway Beach because of the open space and ocean, all the issues of concern by those present now. He was concerned that, if these proposed buildings are approved for development, it will be the tip of the iceberg and will open up the flood gates. He stated that the General Plan provides for very low density on a half acre as being reasonable. He felt the owners would not lose money but to undermine the General Plan in favor of making this one mistake better will compound the issue. He did not think that was a viable solution for solving this problem. He urged them to stay with the General Plan which was there for a reason. He thought all those present agreed with that.

Kevin Casey, Pacifica, stated his home was the big yellow house on Oddstad and he has been watching this happen around him. He mentioned that a few years ago a bulldozer knocked out one of the tributaries leading into the side creek that flows into Rockaway Creek, adding that we have had a lot of rain this winter and the creek was still dry because the tributary's been messed up and water was not flowing in there anymore. He was worried about the lots on the south side absorbing all the extra water, which was where they planned to build the two homes. He also referred to the fire safety issue mentioned by Mr. Clifford, stating it was what happened when they had a fire a year ago and the fire trucks were trying to come in and people were trying to get out. He agreed with everything that has been said and reiterated that they must stick with the General Plan.

Shirley Fulqui, Pacifica, stated that she was the wife of the applicant for 50 and 60 Oddstad Way. She acknowledged that this study session was not to be specifically about their application. She added that this issue was raised during the end of their application and has already impacted them significantly. She stated that they were not clear on how this study session can further impact

their application. She stated that she plans to set aside their application and speak strictly from a landowner's perspective. She asked them to acknowledge the 25-year mistake by the city and consider the situation to which this has put landowners and their families. She was looking for discussions on fair policies that would appease neighborhood concerns but allow applicants and their families to live in decent sized homes. She stated they would support the staff report's recommendations regarding storm water collection, vegetation management and establishment of native trees post construction but not intentions to reduce building mass as in extreme reductions as she has heard outside the study session. She referred to the issue of one exit, and pointed out that Reina del Mar was more heavily populated and also provides only one exit. She referred to comments about keeping the General Plan as is, and stated that it does have a statement referring to land use maps not being meant to be specific yet their application was stalled because of their placement on the map. She added that it also mentions the map was only intended to show the predominant use and their application was only for two homes and does not change the predominant use of that area. She acknowledged that it was a daunting task for the Commission to clean up this mess, but even with the delays, she still had faith that they will come up with a fair solution. She pointed out that previous homes have been approved and built with the same situation. She also stressed that their own application had nothing to do with the bulldozer problem mentioned.

Deni Asnis, Pacifica, stated that she lives on Rockaway and was urging them to stick with the General Plan and stay with the very low density. She stressed that the area did not have the infrastructure, such as roads and sewers, to support the additional houses, and has been told there will never be resources to fix the roads, so she didn't believe they can consider adding housing. She supports all the concerns mentioned by previous speakers other than Ms. Fulqui. She felt this development plan will only compound mistakes, and not fix it. She urged that they stick with the General Plan and stay with very low density.

Tony Dominski, Pacifica, stated that the change in the world with increased population was making cities look at new planning ways of higher density. He thought that was good in certain areas, but bad in other areas. He stated that they have a General Plan and he didn't think they could legally ignore that plan. He added that there was a mix up and the people wanting to develop the lots were misinformed that it wasn't very low density. He questioned if there was a possible lawsuit if they don't let them do it but, if they do let them do it, there is also a possible lawsuit. He thought it was a dilemma. He also acknowledged that they have a lot going for the property they bought, but the plan was there and the map shows that it was very low density. He thought they knew what that was and there was a problem, but he agreed with the other speakers and felt they have to stay the course and keep the General Plan. He thought it was in the General Plan for a reason and, if it was going to be changed, it has to go through the correct process.

Ellen Ron, Pacifica, stated that she was asking them to consider two points relating to any development in Rockaway valley. She mentioned the development in the area since she bought her home 38 years ago, but the street was always small and substandard and, even with development, has not been improved. She stated that it was not originally designed to carry a lot of traffic but does now, including continual delivery trucks. She stated that they park on the street making it difficult to get in and out and when they had the fire, it was difficult for them to get out. She believed that any development on Oddstad Way needs to have a proper street as mentioned, and not feed more people onto Rockaway. She mentioned major rain storms in 1982 when Linda Mar flooded and children died on Oddstad Boulevard, and they received evacuation

notice because the hillsides were unstable. She concluded that, since the hills are so unstable, any building in the area has to be carefully engineered to prevent anything like that happening.

Marianne Willett, Pacifica, stated she has lived in Rockaway Beach since 1968 and has seen a lot of what the previous speaker mentioned. She mentioned that there was a lot of building then, but they weren't under the pressure now that almost every lot is already filled. She felt the sewer system was already maxed out and she felt standardization was the answer. They need to go with the plan and stop giving variances and making excuses. She stated that the property that the dirt was dumped on was hers. She stated the dirt was moved and stopped right before the property mentioned and went up and dumped on her site. She got in touch with Planning who came out, took pictures, issued a stop order, and to date, no one has repaired the damage done behind her home and no record that her complaint was ever made. She concluded that she didn't have a lot of faith in the way things are run with a lot of leeway. She mentioned that, following the fire, the residents had a meeting because of their concern that they couldn't get out. She concluded that they didn't need more homes to create more problems.

Andrea Aiello, Pacifica, stated that she has lived on Rockaway Beach for 30 years and was present to urge them not to support or consider an amendment to the General Plan. She understood that mistakes were made by the Planning Department. She understood the new Planning Director has a lot of trouble because previous staff never dealt with the fact that there were zoning problems and a conflict between zoning and the General Plan. She stated that there was a reason why the General Plan has those limits with low density. She stated that, if they amend the General Plan, they were talking about 79 parcels that could potentially be built in Rockaway Valley. She also referred to the intense fire in January when everyone east of Bayview was evacuated, and it was very difficult to get out. She stated it was scary as they were in a drought, and another fire could happen. They were talking about 79 more households with more cars and they can't handle it. She didn't want the residents to suffer because 20 years ago the Planning Department didn't do their job. She asked that they not amend the General Plan and change the zoning code and move on.

Chris Coppola, Pacifica, referred to those who have lived in Rockaway Beach for a long time. She owns two lots and she was clear that they were very low density from the early days of owning the property and knew that she could not build on those lots. Her problem was that the General Plan has sometimes been meaningless in the behavior of some officials in the city and that worries her. She referred to the staff report stating "recently become aware ..." and stated that it troubles her. She stated that they have been talking about this since April 14. She stated that they have had meetings with the City Manager and Planning staff, asking them how they cannot build on their land in the same area and size and others are building on theirs. She stated that the only thing new was the new Planning Director and she thanked her for getting them to this night. She referred to the Open Space Committee, acknowledging that they had no official power, but stated that the property owners received two notices from them in 1995 and 1996 and both notices talked about the environmental value of their land. She found it hard to understand how this was overlooked in two recent decisions, allowing a flag lot to be made which took three unbuildable lots but said in their decision that there was no conflict between the zoning and the General Plan and the decision to allow the lot mentioned to be completed with a letter saying that it did follow both the zoning and the General Plan. She felt they needed a plan that limits growth to be completed before anything else can be built on that land or they wind up with one after another.

Joanne Wilson, Pacifica, thanked them for this study session. She didn't think it was in the public interest to invalidate the provisions of a General Plan because of the mistakes of officials, even if made more than 25 years ago. She stated that, while the 1980 General Plan graphics are less than stellar, she thought the intention was clear that, to keep densities low, the minimal size of a parcel should be a half acre. She stated that the R1 zoning would allow a lot of only 5,000 square feet and if the 79 parcels mentioned followed the R1 zoning, it would result in 3 and 4 times what was intended by the 1980 General Plan. She thought it was a problem and she didn't think there was an easy fix. She was open to trying to resolve this through new policies in the updated General Plan provided 4 conditions are met; achieve the same results as established very low density residential designated areas to avoid or minimize adverse effects from soils and geologic problems, visual impacts and public safety hazards as limited emergency access and high potential for grassfires and ensure that development does not exceed the carrying capacity of existing infrastructure, particularly the sewer systems and roads; no loophole in terms of timing as no interim period between the adoption of the updated General Plan with this new policy and the implementation of the new policy, and no new development allowed in the very low density residential designated areas unless it conforms to all elements of the existing General Plan and accompanied by specific building guidelines and controls for parcels in the areas with adequate resources, time and community participation as part of the process. She added that she also sent her comments via email.

Dan Beatty, Pacifica, stated that he has been on Copeland Street for four years. He stated that the home was built in 1991 on a substandard lot, mentioning that the back of his property goes to wild space. He stated that he has several concerns with the plan. He stated that they have significant storm water runoff issues, mentioning a neighbor's home tagged during the last El Nino due to the amount of water flowing down the hill into his front yard. He stated that his foundation was being undermined by soil slippage from the hillside. He stated that he has dug a french drain behind three properties by hand and it has failed to control the amount of water coming down that hill so far this year. He has issues with storm drainage. He stated that, if you planned to build behind his property, they need at least a 20-foot corridor between properties with a concrete drain that drains down to the creek otherwise water will continue to undermine the soil and continue to slip. He also has issues with the black top from his concrete driveway to where it meets the road which is being saturated and when it gets very wet, it sinks and cracks and falls to pieces. He has had the city investigate the damage to the road in front of his home and they said there was nothing they can do and it was up to him to pay someone to straighten out his property problem. He also was concerned about the wildlife behind his house. They have deer that sleep under the cedar tree behind his neighbor's home, gray fox, raccoon, coyotes, red-tailed hawk and great-horned owl. He stated that, if they develop those properties, they have to consider the impact on the natural environment, leaving the trees that belong there in place and removing the dangerous eucalyptus trees existing there currently and take steps to prevent soil runoff from fouling the creek and eventually the north end of Rockaway Beach.

Dan Stegink, Pacifica, was urging them to direct staff to abandon pursuit of waving or amending sub half acre VLDR parcels. He had hoped Commissioners Gordon and Campbell would be present so he could use the term slippery slope. He read from the packet regarding the fact that the existing and proposed General Plan do not contain policies to address development on VLDR lots that do not meet density standards. He felt this issue should be addressed comprehensively rather than on a lot by lot basis as applications are submitted. He mentioned that, in doing what other counties have done, changing the 79 lots density from VLDR to LDR, that would become 316 new units. He referred to the sewer system, stating that it was operating about one-third their

original promised capacity. He also mentioned that there were issues with the roads and lack of analysis regarding accommodating full buildout of the area. He mentioned that, in 1973, former Mayor Gust fought a garbage dump that was going in on Rockaway Beach. He stated that eventually the dump moved to Muscle Rock transfer station and they finally got rid of it the last month. He concluded that the fact that they didn't know what was going on was far-fetched, stating that the General Plan was a timeless document. He urged them to abandon pursuit of waving or amending the sub-acre VLDR restrictions.

Ahna Dominski, Pacifica, stated she lives on Rockaway Beach, stating that she and her husband bought their house in 1989 because the land near them was designated very low density. They loved that. They did their homework before they bought it, studying the General Plan, so they knew what they could or could not build. She thought that those who came up with the 1980 General Plan had great foresight to designate some areas as very low density when there was so much land available in Pacifica at that time. She felt that they took into account all the possibilities of multiple cars, heavy traffic, etc., and she asked that they honor the early planners and stick to the plan.

Commissioner Evans closed public comments.

Planning Director Wehrmeister provided more clarification to the issue from which they hoped to get feedback from the Planning Commission. She stated that if the inconsistency with the zoning was the only issue, it would be relatively easy to come back with a zoning amendment, but the issue was that it was an area that was subdivided in the early 1900s, and these lots are preexisting at a substandard size to what the General Plan requires. Staff was hoping to get some guidance and direction on development standards for the preexisting lots. She stated that any lot already larger than a half-acre cannot be subdivided now under the General Plan to make smaller lots, but they were dealing with preexisting substandard lots.

Commissioner Nibbelin assumed she was referring to all preexisting lots less than half an acre.

Planning Director Wehrmeister responded affirmatively.

Assistant City Attorney Visick stated that several speakers urged that the city leave things as it is currently, but the dilemma and what staff was trying to accomplish through the study session was that there was a constitutional issue if they forbid any economically feasible development on those lots. He stated that the issue becomes how to allow development on those lots. If there was no comprehensive plan for how to do that, each application that comes along will submit their own proposed General Plan amendment as to that specific lot and the city would take it one piece at a time. He stated that was the reason for a broader strategy, including the issues raised by the public such as infrastructure. He stated that those issues do not tend to get solved when you take these one lot at a time.

Commissioner Nibbelin thought he heard a lot of educational and enlightening comments. He would not be inclined to suggest jettisoning the very low density residential General Plan designation. He thought they should be looking at a way to very specifically and surgically address whatever constitutional or legal issues with which they would be dealing to avoid a taking. He recognized that the VLDR was established with some specific purposes and goals in mind. He thought they had helpful comments about some ways they could move forward, such as limiting the size of certain residences allowed on substandard lots and what would need to be

considered in whatever standards they consider, including insuring adequate infrastructure to assure that the public safety hazards, etc. are addressed. He would be in favor of staff focusing on that rather than making any wholesale change to the General Plan, at least with respect to that designation.

Commissioner Cooper stated that they spoke about economically, legally developing a parcel. He asked for a more detailed explanation of what it entails. He stated that, besides housing, those parcels are valuable, and could be used for an offset.

Assistant City Attorney Visick thought the most succinct way to put it was that the city cannot, without paying for the land, put onto private owners the responsibility to provide open space. He could offer more nuance but he thought that was the nub of the issue, to the degree that these parcels cannot be developed at all at this point, and that was constitutionally problematic.

Commissioner Vaterlaus asked if a lot of these lots have been merged into other lots or are they all individual lots.

Asst. Planner Farbstein stated that, in the mid-80s, there were many mergers done, and since that time, there have been additional mergers. She stated that the 79 lots she came up with included going through their merger records and some lots have been combined and some haven't. She stated that the 79 lots was an approximate figure based on checking into the mergers.

Commissioner Evans stated that, if the city did nothing about changing the General Plan coding for that area, he understood from their attorney that they were condemning anyone from building on substandard lots. He asked if that was a correct conclusion.

Assistant City Attorney Visick stated that, if the city does nothing, the expected course of action is that each property owner who wishes to develop their lot would seek a General Plan amendment, but it was very unlikely to be globally. It was likely that each one will bring to them an individual General Plan amendment asking to redesignate the density on their land to be something other than what it was and would allow them to build on it. The Planning Commission and Council would see each of them one at a time, rather than looking at them as a larger strategy.

Commissioner Nibbelin reiterated that he thought there was value to dealing with this in a unified whole. He mentioned one speaker mentioning that they have to have some process in place or they will be dealing with this case after case and he thought that puts them in a worse place in serving the broader interests rather than having good well thought out long term planning. He felt doing nothing would lead to worse results than thinking through what they were trying to achieve so things will come in context rather than ad hoc.

Commissioner Cooper stated that he was concerned that, if they take action and are too restrictive, they put the city in a predicament. He thought that was the flipside of the coin in doing something that was incorrect and would cause this to be put into open space and condemning the land. He felt it does need to be addressed rather than ignore it. He did not have a viable plan answer but he thought they needed to look at it and not do it one at a time.

Commissioner Evans agreed that this was just a preliminary discussion as they are not going to take any action at this time other than give staff their brilliant thoughts which he felt he lacked

now. He agreed that there have been mistakes made in the past. He understood that, but he was someone who believes that, if there was law written, they should follow it. If anything, he thought they should boost up what they have written to where it is easier to follow. He finds it easier if it is black and white, and he knows everything isn't black and white. He thought about whether they can improve that. As mentioned by some speakers, the land was divided in the early 1900s, and they had no idea what it would be like. They know what it is like now, and he has a real problem in adding more headache to an already existing infrastructure that cannot support what it has currently. He mentioned that he has been in that area many times, and he knew the roads were inadequate and the sewer was inadequate, and he agreed that they should look deeply into that situation before they decide anything.

Commissioner Cooper stated that he was the owner of a piece of property in a location that has an undeveloped street. The restriction on the parcel was that he cannot build until he improves the whole street. He rhetorically asked if that was unfair, concluding that it was not really. If he really wanted to develop it, he could take the cost and develop that parcel. He stated that collectively, the neighborhood may come in and do something, but in listening to the speakers, he would agree that putting more burden on the infrastructure was asking for more issues. He acknowledged that they were individual lots. The subdivided lots are less than the designation of the parcel. He didn't want to prevent people from utilizing their land as they intended, but looking at the greater aspect, that area was difficult. He felt safety concerns were on his top priority list.

Commissioner Vaterlaus stated that, on looking at the maps, all the roads are 40 feet wide but Rockaway Beach is not 40 feet wide. She asked if it was that people have encroached after years and years and they keep coming further into the road. She asked if people who live on the street were actually taking property or not. She stated that all the additional roads showed that they are 40 feet wide. She thought they have so many issues. People own properties, and they can't take away their abilities, and she was at a loss.

Commissioner Nibbelin thanked the staff for a good report on this which helped him. He stated that the items listed on page 5 of 5 of the report are useful in terms of work they might do going forward, and it was consistent with some of the comments from the speakers. He thought they should be part of an analysis he would like to see come back, if they are going to get a proposal with respect to the specific issue identified, similar to reduction of building mass and other impacts such as native trees, etc. He felt that all those issues being dealt with in a policy would be useful to him in looking at a change in the General Plan to deal with the sub half-acre lots.

Planning Director Wehrmeister stated that they did get off to a late start and staff was concerned that there may have been people present at 6:00 who had to leave and did not have an opportunity to address the Planning Commission. She also mentioned that they had two Planning Commissioners not present, and it sounded like they were getting some direction from them but they could place this on the agenda for the 7<sup>th</sup> and people who commented at this time would be welcome to comment again and anyone who may have had to leave would have an opportunity to address the Commission. They would hopefully have two more Planning Commissioners and they will be able to drill down a little bit further, given the direction and comments received at this meeting and provide additional information for the Planning Commission.

Councilmember Evans thought it was fine.



Commissioner Nibbelin stated that he liked Commissioner Vaterlaus' opinion on how wide the streets are and what was going on in that area as far as the current width and was there encroachment by local residents. He thought it would be helpful in making an overall determination for that area.

Commissioner Evans agreed, adding that this was very loose. He knows they want guidance from the Commission, but he felt at a loss after reading it. He wasn't quite sure what ideas they wanted from the Commission. He agreed it would help, if they had a few more bodies and minds and relooked at it. He also liked the idea from Commissioner Cooper in getting more detail in what was in existence now. He thought, without knowing what was out there, he can't make a decision on anything.

Commissioner Nibbelin thought an interesting comment they heard was from a gentleman who owns one of the homes on a substandard lots and he was having drainage issues. He asked how they address that in the future, how they addressed this policy to ensure that doesn't happen again to really reiterate the builders' responsibility to take care of those issues if they are going to develop a sub-lot.

Commissioner Evans felt their number 1 job was to ensure the safety of all of the residents and decisions cannot be made lightly and he agrees. He thanked everyone for coming. He appreciated their waiting.

Commissioner Evans called for a five-minute recess.

Chair Campbell called the regular meeting to order at 7:47 p.m.

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

**SALUTE TO FLAG:** Led by Commissioner Evans

**STAFF PRESENT:** Planning Director Wehrmeister  
Assoc. Planner Murdock  
Assist. Planner Farbstein  
Deputy Fire Chief Johnson  
Assistant City Attorney Visick

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

The motion carried **5-0**.

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

**APPROVAL OF** Commissioner Evans moved approval of minutes of

**MINUTES:  
JANUARY 19, 2016  
AND FEBRUARY 1, 2016**

January 19, 2016; Commissioner Vaterlaus seconded the motion.

The motion carried **5-0**.

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

Commissioner Evans moved approval of minutes of February 1, 2016; Commissioner Cooper seconded the motion.

The motion carried **4-0**.

Ayes: Commissioners Vaterlaus, Evans, Cooper, and Chair Campbell  
Noes: None  
Abstain: Commissioner Nibbelin

**DESIGNATION OF LIAISON TO CITY COUNCIL MEETING OF FEBRUARY 22, 2016:**

Planning Director Wehrmeister stated that they have one appeal being heard for the Coastal Development Permit for the demolition of 320 Esplanade.

Chair Campbell volunteered.

Assistant City Attorney Visick stated that they didn't have a quorum for the closed session and there was nothing to report.

**ORAL COMMUNICATIONS:**

Tom Clifford, Pacifica, stated he was checking to see if they had any updates from staff in terms of his comments and questions he sent to them. He stated that, if they have had, he asked if they could tell him what they think about the questions and comments he sent.

Dan Stegink, Pacifica, stated that they talked about adding renters within 300 feet to those who were noticed and the Planning Director stated that it would not be a significant additional burden. He stated that ten months later, they had homeowners who received five different notice to this meeting and an average of three letters were received, with two addressed to previous APNs and everyone got an occupant letter but still no renters. He asked if they could get some notification from Planning that they received a code complaint, what the disposition was, such as too busy to address it or found it without merit. He finally referred to Phase 1 overview of the planning process in August with a power point and two months later they had Phase 2 of overview of the planning process. He referred to a non-appealable administrative decision with the Grocery Outlet sign. He asked how that sign ended up so huge on that building, stating that it does not meet code.

**CONSENT ITEMS:**

None.

**PUBLIC HEARINGS:**

- 2. PSD-792-15                      SITE DEVELOPMENT PERMIT PSD-762-15, COASTAL  
CDP-349-15                      DEVELOPMENT PERMIT CDP-349-15, SUBDIVISION SUB-  
SUB-225-15                      225-16 and SIGN PERMIT S-113-15 filed by David Blackman,  
S-113-15                      agent for property owner David Colt, to construct four detached  
motel rooms in conjunction with a one lot subdivision on a  
vacant lot at 500 San Pedro Avenue (APN 023-073-190) in  
Pacifica. The project site is located within the Coastal Zone.  
Recommended CEQA status: Categorical Exemption, CEQA  
Guidelines Sections 15303 and 15315.**

Commissioner Nibbelin stated that this was a continued item, and he wasn't present for the initial consideration, but he has reviewed the staff reports and read the minutes and he feels like he has enough of a background to meaningfully participate and he intends to participate even though he wasn't present when originally presented.

Asst. Planner Farbstein presented the staff report.

David Blackman, agent, stated that he thought they have worked out all the bugs with which he had problems. He stated that Planning Director Wehrmeister was wonderful in helping him through this, along with Asst. Planner Farbstein. He apologized to Deputy Fire Chief Johnson, stating that sometimes he was a little harsh and sometimes a lot is personal and he thought they worked everything out really nice. He stated he would wait to see if they have any questions. He thought it was an incredibly awesome project. It was small and they came up with the least amount of traffic. He thought it will be an asset to Pacifica.

Chair Campbell opened public comment.

Tom Clifford, Pacifica, stated that, if they have worked out all the bugs, he had nothing to say but good things about the project. He felt it was a good project and should go forward.

Chair Campbell closed public comment.

Commissioner Evans stated that, after reading through it and going through the previous meeting, he commended the applicant and the Fire Chief for excellent work in working things out. He thought they could have gotten there last time, but he wanted to be sure it was down in writing and everyone was happy with everything. He stated that it addressed all his concerns, with road width, percentage of grade, turnaround issue.

Commissioner Cooper agreed, and thought it was great that they had a builder who was willing to work with the city. He acknowledged that he gets frustrated once in a while with the process, but in this case, he was uncomfortable at the last meeting that they hadn't worked out the safety

concerns. He stated that they mentioned before that safety was their primary concern for the residents. He asked Deputy Fire Chief Johnson if he had any concerns about the application.

Deputy Fire Chief Johnson stated that he had none. They were fine with what was there.

Commissioner Cooper appreciated that he came twice.

Chair Campbell also thanked Deputy Fire Chief Johnson's efforts for coming out. He thought it looked like the issues they had about the fire code have been addressed.

Commissioner Cooper moved that the Planning Commission find that the project is exempt from CEQA; **APPROVE** Site Development Permit PSD 792-15, Coastal Development Permit CDP-349-15, Subdivision SUB-225-25 and Sign Permit S-113-15 by **ADOPTING** the attached resolution for the proposed four unit detached motel and one lot subdivision at 500 San Pedro Avenue, including conditions of approval in Exhibit A; and incorporate all maps and testimony into the record by reference; Commissioner Vaterlaus seconded the motion.

The motion carried 5-0.

Ayes: Commissioners Vaterlaus, Evans, Cooper, Nibbelin and  
Chair Campbell

Noes:

Chair Campbell declared that anyone aggrieved by the action of the Planning Commission has ten (10) calendar days to appeal the decision in writing to the City Council.

#### **COMMISSION COMMUNICATIONS:**

Commissioner Cooper stated that he attended the City Council meeting in regard to the appeal for the AT&T towers. He stated that it was a long discussion but a very good discussion with the same issues the Commission brought up and were well discussed. It ended up passing.

#### **STAFF COMMUNICATIONS:**

None.

#### **ADJOURNMENT:**

There being no further business for discussion, Commissioner Vaterlaus moved to adjourn the meeting at 8:03 p.m.; Commissioner Nibbelin seconded the motion.

The motion carried 5-0.

Ayes: Commissioners Vaterlaus, Evans, Cooper, Nibbelin and  
Chair Campbell

Noes: None

Respectfully submitted,

Barbara Medina  
Public Meeting Stenographer

APPROVED:

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Planning Director Wehrmeister