

MINUTES

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

February 6, 2017

7:00 p.m.

Chair Gordon called the meeting to order at 7:01 p.m.

ROLL CALL: Present: Commissioners Baringer, Evans, Nibbelin, Clifford, Cooper and Chair Gordon
Absent: Commissioner Campbell

SALUTE TO FLAG: Led by Commissioner Cooper

STAFF PRESENT: Planning Director Wehrmeister
Asst. City Attorney Visick
Asst. Planner O'Connor
Public Works Director Ocampo
Deputy Director of Public Works Sun
Asst. Plant Manager Aguilar

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

The motion carried **6-0**.

Ayes: Commissioners Baringer, Evans, Nibbelin, Clifford, Cooper and Chair Gordon
Noes: None

APPROVAL OF MINUTES: JANUARY 17, 2017 Commissioner Clifford moved approval of minutes of January 17, 2017; Commissioner Evans seconded the motion.

The motion carried **5-0-1**.

Ayes: Commissioners Baringer, Evans, Clifford, Cooper and Chair Gordon
Noes: None
Abstain: Commissioner Nibbelin

DESIGNATION OF LIAISON TO CITY COUNCIL MEETING OF FEBRUARY 13, 2017:

Planning Director Wehrmeister stated that they would not need a liaison.

ORAL COMMUNICATIONS:

None

PUBLIC HEARINGS:

- 1, PSD-757-06 SITE DEVELOPMENT PERMIT PSD-757-06; USE
UP-965-06 PERMIT UP-965-06; TENTATIVE SUBDIVISION MAP
SUB-211-06 (CONDOMINIUM) SUB-211-06, filed by Shaohong “Simon”
Weng, Pinkstone LLC, to extend the expiration date of permits
for the construction of nine condominiums located at 1567
Beach Boulevard (APN 016-011-190).**

Planning Director Wehrmeister presented the staff report.

Vice Chair Nibbelin moved that the Planning Commission continue the item to March 20, 2017; Commissioner Clifford seconded the motion.

The motion carried **6-0**.

Ayes: Commissioners Baringer, Evans, Nibbelin, Clifford,
Cooper and Chair Gordon
Noes: None

- 2, CDP-375-16 COASTAL DEVELOPMENT PERMIT CDP-375-16, filed
by applicant, Jo Ann Cullom of California Department of
Transportation District 4, to replace the existing pedestrian
overcrossing between Francisco Blvd., at San Jose Ave. and
Eureka Square Shopping Center with a new pedestrian
overcrossing. The new crossing incorporates longer ramps to
meet American with Disabilities Acts’ ramp slope
requirements. Recommended CEQA status: Class 2
Categorical Exemption, Section 15302.**

Asst. Planner O’Connor presented the staff report.

Commissioner Clifford referred to the statement that the overpass would use materials less susceptible to corrosion from the marine ambient environment, and he asked if that was different from the materials already used in the existing overpass and, if not, what the differences are.

Daniel Palmer, applicant, explained what the materials would be including painting.

Commissioner Clifford stated that he had brought this concern to the Council and he was pleased to have it before them.

Mr. Palmer stated that they were also glad to be addressing the problem.

Commissioner Cooper stated that he was part of the Devil's Slide tunnel project and he stated that the painted surfaces didn't seem to withhold the marine environment, adding that everything has been galvanized or had an epoxy coating on it and he didn't see painting having a long term effect as it starts to rust after a couple of years. He stated that he was also concerned about the crosswalks, especially with the elderly, and asked if there was money available to put in lighting strips, such as the imbedded lights he sees in San Bruno or Burlingame.

Tanzeeba Kishwar, applicant, stated that, at this time, they only have the flashing lights, but she stated that she can look into it with the project manager. Regarding the paint, she stated that they will have maintenance performed by CalTrans, and the fencing will not be the usual chain link fencing, but architectural fencing.

Commissioner Cooper stated that, in the informational package, it looked like regular fencing.

Ms. Kishwar assured him it would not be standard fencing.

Commissioner Cooper asked if they would use galvanized fencing, rather than painted fencing and an option with the clips, adding that it was usually the clips that wear out as this environment was harsh.

Ms. Kishwar stated that it is done by their landscaping people, who have been talking about their options. She stated that she will convey his thoughts to them and they can look into it.

Commissioner Evans stated that he was confused, mentioning that they said that the new sidewalk would be 20 feet north of the old crosswalk on the Oceana side.

Asst. Planner O'Connor clarified that it was 20 feet north of the new Oceana side entrance.

Commissioner Evans mentioned that the construction was 82 feet north of the old one and the current crosswalk was south of the old one and he concluded that there was going to be a large difference from where the crosswalk was now.

Ms. Kishwar stated that she didn't know which plan he had, but she showed him the plan which she had. She then explained that they will discard the current crosswalk which was after the touchdown of the existing one and the new one will be 20 feet north of the new touchdown. She stated that they will upgrade the ramp on both sides of the new crosswalk and added that the crosswalk will be north of the existing bus stop.

Commissioner Evans was looking for clarification of where they were in relationship to the bus stop, adding that he understood there will be new sidewalks which he thought will be west side of Oceana.

Ms. Kishwar responded affirmatively.

Commissioner Baringer asked if the city has looked into the traffic complications of relocating the crosswalks and if the city was okay with that.

Public Works Dir. Ocampo stated that he worked with project manager, Mohammad Suleiman, on this, explaining that it is a mid-block crosswalk across the two streets, Oceana and Francisco. They also asked them to locate it further from the entrance to the shopping center on Oceana and closer to the bus stop and he explained that it would be easier for people in wheelchairs to safely access the stores rather than have to negotiate the inclines of the shopping center driveway. He then referred to the comment made about the lighted crosswalk, stating he talked to the project manager and he was surprised that it didn't have both the flashing signs and the in-ground light. He stated that, when they asked for the city's standards, he gave them the sample from the Walgreens crosswalk which was a combination of both, adding that they can feel free to add that as a condition.

Commissioner Baringer agreed that the intersection needs to be adjusted so that everyone knows that people will be crossing there and he thought it was important to protect the pedestrians. He then asked if the city was able to impose restrictions regarding the times construction was allowed, when construction would create a lane closure or a traffic impediment to hours when it will be less intrusive to the traffic situation or whether they have already had this discussion with CalTrans.

Planning Director Wehrmeister stated that there was a condition to coordinate it.

Commissioner Baringer stated that he saw the condition but he wasn't sure what it meant.

Planning Director Wehrmeister stated that if he was asking if it would be with city staff, she stated that it would be, as they obviously didn't want lane closures during commute hours.

Commissioner Baringer concluded that they would, mentioning some of the possible situations where they would propose options, and he asked if CalTrans was okay with that.

Public Works Dir. Ocampo stated that they would be working closely with the state on that.

Chair Gordon added that when a lane on Highway 1 was closed it can create a traffic backup for miles, and he was not comfortable with the language in Condition 18.

Ms. Kishwar stated that they have a lane closure chart prepared by their traffic highway opps, and there was never a lane closure during rush hours, but always waited until 10:00 p.m. or later and they picked up the cones usually by 5:00 a.m., and on the weekends, possibly 9:00 a.m.

Chair Gordon asked if she was saying that CalTrans will never close a lane during commute hours while construction was being done.

Ms. Kishwar reiterated that she was saying that it would not be closed during commute hours.

Chair Gordon explained that he was talking about possibly 6:30 to 9:30 in the morning.

Ms. Kishwar confirmed that they would not close during the commute hours, but added that they do have different criteria for closing lanes on Highway 1 and Highway 101.

Chair Gordon asked confirmation that it was a policy about when they close lanes which they put into their charts.

Ms. Kishwar responded affirmatively.

Planning Director Wehrmeister stated that she was sure CalTrans would not have any objection to adding an extra sentence to condition 18 that there would not be any lane closures during evening or morning rush hours.

Vice Chair Nibbelin asked legal assurance that they have the ability to impose that kind of a condition on the state.

Asst. City Attorney Visick asked if he was referring to the condition on lane closures during commute hours.

Vice Chair Nibbelin reiterated that he was talking about no closures between 6:30 and 9:30 a.m. and 6:00 and 7:00 p.m.

Asst. City Attorney Visick stated that it was his understanding that the condition was driven by the construction of the pedestrian overpass and not by conditions the city was exerting over the highway.

Vice Chair Nibbelin asked whether, in the course of construction of this project, the city, in approving the CDP, can impose that kind of condition.

Asst. City Attorney Visick stated that he did not see a problem in imposing that condition, especially if CalTrans was expressing agreement with it.

Vice Chair Nibbelin referred to the shuttle, which he thought was a good idea, and was asking for the specifics, such as whether it would be operating from where the original overpass was and if they did a study to see what the service will look like.

Asst. Planner O'Connor stated that she hoped they would have an idea of what they will be proposing, but they don't have that level of detail yet.

Vice Chair Nibbelin asked if CalTrans had any details on that yet.

Ms. Kishwar gave a tentative idea of what the service will be like, adding that it will remain with CalTrans and the city to work things out.

Vice Chair Nibbelin asked what their time frame may be on the operation, such as hourly, half hour, etc.

Ms. Kishwar stated that the specific details will have the time schedules, pickup and dropoff locations, etc.

Vice Chair Nibbelin concluded it was undefined at this point.

Ms. Kishwar agreed, but added that they have used this kind of shuttle service for many other projects.

Commissioner Cooper asked staff who reviews the architectural plans as they come in to approve what it will ultimately look like. He specifically asked if they approve after receiving the plans or if they have to accept what CalTrans submits.

Planning Director Wehrmeister stated that, regarding the aesthetic design, they have been working closely with Engineering.

Commissioner Cooper asked confirmation that it has been taken care of.

Public Works Dir. Ocampo stated that there were four options submitted, and they were reviewed by the executive team and the City Manager.

Commissioner Cooper explained that the shuttle service was the priciest part of the construction and the cost will depend on when they want to run the services. He thought just running it during peak times, including school hours, was more cost efficient than running it 24/7.

Vice Chair Nibbelin stated that he didn't have any preference, but just wanted to have some idea about the times.

Commissioner Cooper referred to the lighting, stating that he saw three lights on the overpass, and he asked if that was sufficient or whether they haven't finalized the specifics yet, mentioning the three locations.

Ms. Kishwar stated that they have nine lights, then showed him the plans.

Commissioner Cooper stated that he was talking about the section over the highway and the plan he saw had three, but then he asked if four were sufficient.

Ms. Kishwar explained how their lighting specialist did the studies to determine where lighting was needed.

Commissioner Cooper asked if it was always just on one side of the crossing and not on both.

Ms. Kishwar stated that it depended on the coverage and the brightness of the lights, adding that the specialist worked with the architect and they came up with the locations based on coverage.

Commissioner Cooper stated that he was okay with it if the engineer was comfortable with the amount of lighting.

Public Works Dir. Ocampo stated that the pedestrian crossings were narrow compared to the vehicular ones, and the proposed lighting was okay as it was for pedestrians only.

Commissioner Cooper asked if the light poles were cast iron or aluminum, adding that he brought that up because of a similar project where the salt water and Pidgeon poo didn't mix very well with the aluminum but did better with cast iron.

Chair Gordon explained that, since they have had a lot of discussion, it was up to the applicants if they wanted to give a presentation or move on.

Mr. Palmer stated that they would move on.

Chair Gordon opened the Public Hearing and, seeing no one, closed the Public Hearing.

Vice Chair Nibbelin stated, that following review of the staff report which was well done and input from the state representatives, he was prepared with the additional language suggested for condition 18 to limit the hours of construction. He didn't recall the specific hours mentioned and would defer to his colleagues on that.

Commissioner Evans stated that he liked the design and thought it would be a wonderful addition to the city. He stated that he would also like to add a condition for putting lighted markers on the street, mentioning that the one in the Manor area, which was put in followed a pedestrian getting hit, was very good. He stated that he would also be in agreement with the added condition for the lane closure times.

Commissioner Cooper stated that he was fine with it, and was ready to make a motion.

Commissioner Cooper moved that the Planning Commission finds the project is exempt from the California Environmental Quality Act; APPROVE Coastal Development Permit CDP-375-16; by adopting the resolution included as Attachment A to the staff report, including conditions of approval in Exhibit A to the resolution with modifications on Condition 18 that closure of SR1 would not occur during the morning or evening commute hours, and inclusion of Item 20 of an in roadway light system or similar to be included in each crosswalk; and incorporate all maps and testimony into the record by reference.

Chair Gordon asked confirmation that he mentioned morning and evening commute hours in the additional condition.

Commissioner Cooper responded affirmatively.

Commissioner Clifford seconded the motion.

The motion carried **6-0**.

Ayes: Commissioners Baringer, Evans, Nibbelin, Clifford,
Cooper and Chair Gordon
Noes: None

**3, UP-080-16
PSD-816-16**

USE PERMIT UP-080-16 AND SITE DEVELOPMENT PERMIT PSD-816-16, filed by the City of Pacifica to construct a 2.1-million-gallon capacity equalization (EQ) basin, a 10-foot tall motor control center building, ventilation and odor-control system, and a cleaning system within the EQ basin at 540 Crespi Drive in Pacifica. The Project would also include construction of two diversion structures to passively divert excess flows from the existing Linda Mar and Arguello sanitary sewer lines and transport the flow via a conveyance pipeline to the EQ basin during storm events and an affluent conveyance pipeline routing flows to the existing Crespi Drive sanitary sewer line and Linda Mar Blvd. Pump Station. Recommended California Environmental Quality Act (CEQA) status: Adopt a Final Mitigated Negative Declaration/Initial Study.

Asst. Planner O'Connor stated that the staff report will start with a presentation from the city's consulting project manager with a description of the project, etc., and she will conclude the presentation with a summarization of the findings. She then introduced Public Works Dir. Ocampo and Gene Barry with 4Leaf.

Public Works Dir. Ocampo introduced the members of the project team, Asst. Plant Superintendent Manager Maria Aguilar, Wastewater Deputy Dir. Louis Sun, the city's

project biologist, Ms. Peterson, Alice Hale who prepared the CEQA document, Jeff Tarantino from Freyer and Laureta and Project Mgr. Gene Barry.

Gene Barry, 4Leaf consulting manager, then gave his portion of the presentation of the staff report.

Jeff Tarantino, Freyer and Laureta, continued with the presentation of the staff report.

Gene Barry continued with the presentation of the staff report.

Asst. Planner O'Connor then finalized the presentation of the staff report.

Commissioner Clifford concluded that the site would be dewatered to do the construction of the basin and, in light of the millennium tower fiasco, he stated that he was curious and concerned about what will happen to the structures adjacent to the retention basin when they are dewatering it. He didn't think the community center or skate park were built with the idea that the site would be dewatered at a later date.

Jeff Tarantino stated that the way they will be building the tank is that they will build a slurry wall 17 feet below the bottom of the excavation to serve as a cutoff wall giving more specifics. He stated that the next step was the excavation and during that time they will be doing the dewatering within the interior of the slurry wall and will not allow the contractor to do any dewatering outside the slurry wall to prevent impacting surrounding ground water levels. They will also be installing monitoring for construction, with a piezometer to monitor ground water levels, and inclinometers outside the excavation to allow them to measure any land movement during the excavation and the contractor will develop a response plan that will outline steps to determine how to stop further damage if ground movement is detected. He stated that they will also be putting tilt meters on the community center and the skate park to monitor ground shifting due to excavation.

Vice Chair Nibbelin asked the city attorney if it was standard for the city to secure discretionary permits from itself for a city project, explaining that he was not talking about a CDP imposed by state law.

Asst. City Attorney Visick stated that it might appear unusual, but it was customarily done and that it was his understanding the City has done this for several other projects recently, such as the demolition on Esplanade, and the projects are evaluated under the same criteria.

Commissioner Evans stated that he used to work for East Bay MUD and they used to put in ponds as they dumped into the Bay and got fined, so he knows they need it. He asked where it goes if it fills up.

Mr. Tarantino stated that the basin was designed to operate passively to fill and the size of the basin was determined in the 2011 master plan prepared by RMC. RMC developed the hydraulic model for the cease and desist order and RMC used it to determine the

capacity of the basin. For the design storm event, the basin capacity was determined to be 2.1 million gallons. He stated that, in the event there was a larger than design storm event, they will see overflows in the same locations they see today, such as Linda Mar by Safeway or the bottom of Arguello.

Commissioner Evans asked why this location was picked over the front parking lot location of the community center.

Public Works Dir. Ocampo explained that the front parking lot is owned by the State of California and Pacifica is leasing it from them.

Commissioner Evans asked if it was the entire lot.

Public Works Dir. Ocampo responded affirmatively.

Chair Gordon mentioned that there was a fair amount of anxiety in the community about odors from this project, mentioning the wastewater facility in Vallemar where you can smell it on a bad day. He assumed that when the engineers created the plan, they had a plan for dealing with the odors but it wasn't airtight. He asked them to address the concern in layman's terms how this situation was different and mention the game plan.

Mr. Tarantino stated that the water conveyed to the basin will not be raw sewage, only used during times of significant inflow and infiltration and will be diluted sewage. The odor control system has two intake vents on one side of the basin and a blower on the opposite side of the basin that will draw air out of the basin, drawing in clean air from the vents and push the air through a granulated activated carbon or common material that absorbs the hydrogen sulfide gasses. He reiterated that it was not raw wastewater, the basin will not be used daily and the basin will be washed after every use. He stated that the odor control system will operate 24 hours a day when the basin is being used until the operators have cleaned it, removed any buildup and it was safe to turn off the system.

Commissioner Cooper mentioned that San Francisco has a combined sewer storm drain system all over the city to handle storm water and wastewater, and put it in a basin and wait to process it. He referred to mention that they can pump 30 hours, and they have residual flows and regular flows, and he asked how long they would expect the basin to be full following a big storm.

Mr. Tarantino stated that they didn't have a specific time frame of when it would be held, as they will be contingent on a lot of factors. He stated that once the basin was filled, the water will be stored until flows have subsided at the plant and there was capacity at the Linda Mar pump station to pump out the basin, most likely several days before it was drained.

Commissioner Cooper asked if they have done any calculations on how long it would be before the basin was completely empty.

Mr. Tarantino stated that, if completely full, they would turn on all four pumps and it would be drained in 30 hours.

Commissioner Cooper stated that they weren't going to turn four pumps on. He stated that it would have residual flows, and the pumps were designed to drain it in 30 hours, but the plant can't take that much water.

Mr. Tarantino stated that the concept to wait until there was capacity at the plant so that, if you turn all four pumps on, you could. He stated that the operators will have flexibility as, if they see they have room in the plant and they want to turn two pumps on, they can, and with two pumps running it would take 60 hours to drain.

Commissioner Cooper asked what the plant capacity was now at the wastewater treatment plant and the current inflows.

Wastewater Deputy Dir. Louis Sun stated that currently they can sustain about 15-16 mgd.

Commissioner Cooper asked what they currently have during a storm operation as it was obviously full and what was their regular capacity. He asked if they were processing 15 mgd every day.

Wastewater Deputy Dir. Luis Sun stated that the current average daily flow was about 4 mgd.

Commissioner Cooper concluded they have plenty capacity.

Public Works Dir. Ocampo stated that, on a regular day, the plant processes 4 MGD, and during peak flows, as in the middle of a storm, they can accommodate up to 21 MGD, but he added that it is not sustainable at that level. He stated that during the last storms, the City had SSO's. He stated that out of the three events they had, the total amount of SSO's incurred was roughly about 8% of the capacity of the EQ basin that they propose. He stated that if they have the Equalization Basin, they will not have those three SSOs that they have experienced and no toilet paper will be floating on the street as everything will drain into it. He stated that they will have the ability to store it temporarily and, when the flow to the plant drops to a manageable level, they will start pumping right away. He stated that, after they pump it and everything is fine, they will start cleaning up the basin.

Commissioner Cooper stated that was what San Francisco does in their basins. He then asked for a rough estimate, in an event, of what percentage of it was storm water versus sanitary. He assumed almost all of it was storm water and they have an infiltration of some sanitary that they have to get rid of.

Mr. Tarantino stated that it was hard to tell and he can't give a specific number, but it was best described as heavily diluted wastewater.

Commissioner Cooper stated that he looks at where the sewer and storm drains are going, and he thought that the most disruptive portion of the construction was in people's streets. He asked if they have an idea of how many linear feet they will shut down at a time in sections or will they open up the whole thing at once.

Mr. Barry stated that the typical methods they will use from the Linda Mar station to Anza will be cut and cover, and trenching. He stated that it will typically depend on production of the contractor, but they can assume around 100 feet a day. He stated that they are estimating about four months for the pipeline construction. He stated that, at the end of each day, each section of trench will be covered with either trench plate and cutback placed around to secure it or it will be backfilled and restored at that time.

Commissioner Cooper assumed they will leave numbers for the residents to call.

Mr. Barry stated that they will have a full time construction manager and inspector on site, one in the basin and one in the pipeline, who will be available to address concerns and make sure the contractor wasn't blocking anyone's driveways at the end of the day and make sure all site accesses are restored to driveways.

Commissioner Cooper mentioned that one concern he had was that there are a lot of children in the neighborhoods and they were interested in the construction commitments, and he asked if they have a representative on site to ensure they don't go near the excavation.

Mr. Barry stated that they will have exclusion zones set up in the area in which they are working with full time presence.

Commissioner Cooper asked what their working hours will be in the neighborhoods.

Mr. Barry stated that it will be 8:00 a.m. until 4:00 p.m.

Commissioner Cooper asked if they had those restrictions.

Mr. Barry stated that they have restrictions for when they will be able to off haul material.

Commissioner Cooper stated that he was in that area when they had the big floods. He drove his car through the neighborhoods, with 4-5 feet of water on the ground. He asked if the elevation of that tank was higher than the floodplain where you won't flood the tank because of an influx in the area.

Mr. Tarantino stated that the FEMA flood elevation was about elevation 14, and the top of the tank was slightly below that at 12 ½. He stated that they looked at ways to try to raise the top of the tank and it wasn't possible.

Commissioner Cooper assumed it wasn't feasible. He then referred to the comments on odor control, and he asked if he was using the same system that the wastewater treatment plant was using as their secondary. He thought there was some enzyme we have that people normally don't have in digesters. He asked if he should be concerned as a citizen that he will smell the odor at the skate park.

Mr. Tarantino stated that the odor control system at the skate park will be different than what was at the plant, and he didn't think he should be concerned.

Commissioner Clifford stated that he was moving to when the basin is installed and functioning, and he asked how noisy it will be for the neighborhood, mentioning the four 10 horse power pumps, two horse water dewatering pump, the fans for ventilation.

Mr. Tarantino stated that the four 10 horse power and two dewatering pumps will be located inside the tank about 45 feet below grade and the pumps will not be audible. He stated that the one blower for the odor control has been part of a noise study and it was determined that, once you get to the property line, the noise levels will essentially be ambient. He stated that they have provisions to add a sound barrier around it in the event it was noisy when operational.

Commissioner Clifford asked for the actual dB number.

Mr. Tarantino stated that he did not know that number off the top of his head but he can get that to him for the blower.

Commissioner Clifford stated that, during a storm they have had power failures, and he saw that there was an allowance for a backup system, but it wasn't on site. He asked where it was to get it to the basin in time, mentioning highway closing.

Mr. Tarantino stated that, in terms of the backup generator location, he would look to staff. He first wanted to state that the basin does not require any power to function and provide wet weather storage, and the filling of the basin will be passive by gravity and does not require any power whatsoever. He stated that the only time they require power was to dewater the basin.

Wastewater Deputy Dir. Louis Sun stated that they have a portable generator at the Linda Mar pump station which can be used.

Commissioner Clifford concluded that it was in the area.

Chair Gordon asked if Commissioner Baringer had to recuse himself.

Asst. City Attorney Visick responded that he did.

Chair Gordon noted that for the record.

Chair Gordon opened the Public Hearing.

Lori B, Pacifica, stated that, as a resident of Linda Mar, she was worried about the project, the noise and smell, as well as the sinking of their homes. She stated that the water runs underneath the houses and it has to be pumped out on a regular basis. She was worried about the wetlands and the senior housing. She stated that our taxes were going up. She asked what the cost of the project was. She mentioned that San Mateo was having the same project and they put a hold on it because of the issues that the project was too close to housing. She was also worried about the value of their houses decreasing, and questioned whether it will be harder for them to sell their houses. She stated that she would like a bigger pump at Linda Mar to pull out the debris and clean it faster. She would like it put on hold and look into more aspects of this as, once the project starts, there was no turning back.

Erin Macias, Pacifica, stated that, as a resident of Linda Mar, she objected to the sewage tank. She stated that they don't have a core sample and thought that a 17 foot barrier was completely arbitrary. She stated that the parcel and adjoining one are wetlands habitats as defined by the EPA, and any effort to dewater, fill or excavate without permits was a violation of Section 504 of the Clean Water Act. She stated that the city's acknowledgement of the existence of Lake Matilda was entered into the Planning minutes on November 7, 2016. She stated that the site under discussion was a gas station and auto dismantler and activity at this adjoining parcel or 540 Crespi may activate the flow of a plume should contaminants exist. She supported the construction at 570 but she does not support the construction of the basin. She stated that the basin project was a change in use which requires an EIR. She felt this was a due diligence issue and failure to conduct one was a CEQA violation, based on substantial environmental evidence for which she presented photos of willows and wetlands. She felt there was sufficient evidence to mandate an EIR on this site. She also had a photo of the riparian corridor used by deer, foxes, etc. She stated that a motor would create a sound vibration disturbing these creatures and possibly push them towards the freeway. She added that the community center was also the home to the Pacifica skate park and a preschool. She felt that the aspects of the project proposed were negligent and opened the city up to litigation because it was a nuisance situated in an area frequented by teens. She felt the project permanently devalues the homes in the neighborhood, subjecting the city to additional litigation. She asked how placing this basin on a second site instead of at the Linda Mar pump station remotely made sense, mentioning two sets of staff in an emergency situation, double the maintenance and the broadening of odors across Linda Mar Valley instead of concentrating them at one site. She felt they have not exhausted affordable and more feasible options. She didn't see data to prove that it will mitigate the SSOs, mentioned that he stated that they don't have the numbers. She was not in agreement and challenged the negative mitigated declaration that we do not need an EIR. She stated that they must prioritize the issue and do a core sample.

Ariel Macias, Pacifica, stated that she lives in Linda Mar and likes to skate at the skate park. She objected to the sewage basin because, like the one at the beach, she felt it will affect the air quality at the park, and she felt it will be a nuisance in general. She thought

teenagers might try to climb or vandalize the structures and it would cause multiple problems. She stated that the wetlands surrounding the skate park will be threatened, as well as frogs, birds and animals put at risk. She thought, if it leaks or overflows, the entire skate park, wetlands and community center could be contaminated and the health of the animals, adults and children could be at risk. She thought there was also a possibility that, if these things occurred, the sewage could back up through the bowl drains in the skate park. She asked that they reconsider the plan.

Nicole Larson, Pacifica, stated that she has a bachelor's degree in coastal management and one thing that was always taught to them was that it was very important to involve the public. She stated that we are important stakeholders in this, adding that she lives within a quarter mile of this proposed development and she did not know anything about this until a few days ago when someone was handing out flyers at Cabrillo Elementary School. She believed the public comment period snuck up upon them at Christmas time so no one would have a chance to comment on this and the public was sufficiently informed and the comments they received are indicative of the response they would have gotten from the Linda Mar residents had they been properly informed. She added that we already have two locations that smell on certain days and which are known by everyone in Pacifica, and now they are proposing a third place within a mile of the same other two. She stated that the sewage treatment plant and the Linda Mar pump station are located very close to the beach, and she felt this was Pacifica's main economic draw. She asked why we would risk adding yet a third odor. She did not believe that they have done sufficient environmental impact reports, and she has not seen any data. She feels that everything about the project needs a lot more work before they have even seen the public outcry when people realize what they have tried to do to them behind their backs. She agreed that we need some place to put any overflow. She thought wetlands did a great job and now they were talking about further draining wetlands and putting this close to her children's school, where they will be going for 13 years. She stated that, if they think this won't affect Cabrillo Elementary, they have to explain a lot more about how the odor containment system works. She stated that we already have two stinky places near Highway 1. She didn't believe this report bears true evidence that what they were proposing would control the odors.

William Booth, Pacifica, stated that he was a resident on Anza and he had a wonderful hedge and back gate that opens up to the wetland behind his house. He stated that he walks that wetland every day with his dogs and he felt this project jeopardizes his enjoyment of that space and everyone who enjoys the public goods in which we have invested, mentioning the community center, playground and skate park, and he felt to jeopardize the efficacy of these public goods was silly. He felt that an incomplete and insufficient EIR has been conducted. He stated that a mitigated declaration was not appropriate, given how extreme the construction was. He felt a 90-foot deep hole, 80 feet from houses with old foundations from the 1950s will not bode well for the builder. He felt they need to understand what their digging into before they go about it. He stated that he has seen a total lack of figures supporting this project. He stated that they were working off of figures from an engineering and consulting firm from 2011 that was no longer on this project. He stated that new studies and new figures need to be conducted if

we are to believe that this was the correct option. He stated that he lost his second car in two years to flooding on Anza, and he felt this project does nothing for flooding and was an absolute insult to those in the bottom of the valley to do a near \$20 million project without addressing any sort of flooding. He stated that they have no legal guarantee that it will not be used to store waste long term. He asked what happens if they need the excess capacity and flow and it fills the basin up all the time. He stated that it would not be 3-4 times a year but all the time. He asked why we would spend this amount of money if we only use it 3 or 4 times a year. He thought the money could better be used to fix the existing infrastructure and not expand the already expensive amount of maintenance we have to do in the city. He felt the city was facing a maintenance crisis. He felt they were great at responding to emergencies, but maintenance was something he didn't see getting done. He suggested they put this money towards fixing our existing problems.

Sheila Harmon, Pacifica, stated that she was a Linda Mar resident. She had a few points of concern and mentioned the odors, stating that the other two plants had plans of odor control as well, but they stink, and she didn't think there was any way around that long term. She agreed that the beauty of Pacifica was what draws people and why we love it. She stated that this was right in front of the ocean and the wetlands and she also takes her dogs for a walk in the wetlands. She mentioned a previous presentation where they mentioned that they will teach the construction workers how to identify the local frogs and birds, and relocate them. She felt it was physically impossible that they will not be harmed. She also believes that the lack of information to the community concerns her. She stated that a lot of their neighbors had no idea that this project was going on. She stated that they received a letter in the mail around the holidays, but she threw hers away not knowing. She felt it was alarming that no one knew that this project was going on. She stated that the neighbors who did know about it thought the facility will fix the flooding. She thought not everyone fully understood the terminology used in the letters or presentation about what the project was. She stated that, without proof that this will fix any problems for the long term, she agreed that long term solutions and maintenance should be taken into account as opposed to putting another sewage facility in. She asked whether the 2.1 million gallons was sufficient. She felt it was a very expensive and permanent solution, but they didn't know if it would fix anything long term. She stated that there were maintenance issues and she questioned what the cost would be if it failed or if there was a crack. She felt other options should have been presented and there should have been more of a discussion with the community.

Michelle Garcia, Pacifica stated that she was a resident on Corona, and was almost finished building her house. She heard about this on Facebook, and it was disconcerting to her. She stated that, when driving through Vallemar, the smell was awful. She commented that, if she is sitting out on her deck of a new house, there was a possibility that was what she was going smell. She stated that there were also ten houses at Harmony @ One, and they are not being sold. She stated that all that infrastructure was put in and now they were going to put something in that might jeopardize that. She stated that property values of everyone in Pacifica could go down. She stated that, when the treatment plant was in Manor, you couldn't give those houses away. She stated that

people in Vallemar probably couldn't give those houses away either and now they were going to do that to Linda Mar. She felt the public was not notified. She found out on Facebook and she did her best to get that out there. She stated that she didn't get a letter but she can look down on where it was going to be built. She stated that the residents have mortgages and they are trying to keep up the value of their homes, and she felt they have to take that into consideration. She understood that something needs to be done, but she felt they have to look at the big picture. She stated that her husband grew up in Pacifica, and when they came back, she didn't want to leave because it was a beautiful place with beautiful people and she asked them to not take it away from them.

Stephanie Benoit, Pacifica, stated she was a resident on Linda Mar Blvd., along the creek and she was concerned about the water shed. She stated that this was part of Lake Matilda. She stated that a lot of that was landfill. She stated that her husband has been in Pacifica for 60 years and remembers when it was a pond. She was concerned about what this was going to do to the structures and what it will do to the entire area. She was also concerned about what they do to the creek and how it will be affected. She stated that she was a volunteer at the senior center and parked at the park and ride. She stated that it was often crowded, and she questioned what will happen to the seniors when they shut down that parking lot. She stated that they won't have enough parking and she felt they need to consider that. She stated that there was no place to park on the street. She stated that a lot of times there was only 1-2 places left when she arrives, and she felt the seniors will be up a creek and she wondered what they will do. She acknowledged that that was not the subject matter under discussion and she didn't expect an answer. She did feel that was a strong issue, besides the smell, adding that she wasn't going to repeat everything everyone said.

Chair Gordon closed the Public Hearing.

Chair Gordon stated that this was now the chance for the city and consultants to coordinate on responding to the issues raised by the public.

Mr. Barry stated that they appreciated all the comments and takes them to heart. He stated that they try to incorporate in the design. He stated that he will try to address most of the comments as they were part of their presentation. He stated that the project was needed because they have to reduce or eliminate SSO's in the system by January 2019, as required by the water board CDO. He referred to the concerns related to ground water impacting the surrounding vegetative areas, and stated that, as Jeff Tarantino described in the presentation, they didn't believe they will impact local ground water elevations because the construction methods they will be using were isolating where they will be excavating and will not have impact of local ground water elevations. He stated that the basin itself was located within the footprint of the parking lot. They were not infringing upon the other areas surrounding the vegetative areas. He stated that they understood and heard the comments about the odor issues, and he stressed that the basin was different from the wastewater treatment plant. They will have deluded storm water that will be diverted to the basin, stored temporarily and after each use it will be drained and cleaned by city maintenance staff.

Mr. Tarantino stated that the design criteria used for the basin was sized for the ten-year 24-hour storm event, a common storm event used for basins in these types of facilities. He stated it was similar to the magnitude of the January 2008 event that was highlighted in the beginning of the presentation. He stated that they did a geotechnical investigation at the site, mentioning what they did, and stated that they had a good understanding of what the soil conditions are and it influenced the decision to use a slurry wall for a cutoff and shoring system versus a CLSM wall or other methods. He stated that, in terms of odor, the system was designed to remove odors. He stated that it will be monitored long term and they will be able to change out the activated carbon when they start to see that hydrogen sulfide breakthrough was occurring. He stated that noise levels will be monitored from the blower and noise barrier can be added in the future if necessary. He stated that, for the short term impacts on parking, they will work with the city to provide parking, if possible, in the Crespi lot for volunteers.

Chair Gordon asked if they had any further responses to comments.

Planning Director Wehrmeister thought they were ready to bring it back to the Commission.

Chair Gordon stated that, if there were questions for the applicant, they can do that.

Commissioner Clifford stated that he had a couple of questions that came out of public comment and the applicant's followup statements. He asked what percentage of the sanitary sewer system subject to the I/I has been replaced already, adding that they have been working on having that done.

Public Works Dir. Ocampo stated that he would try to respond, adding that he has just been assigned this department for the last six months. He stated that they have replaced the sewer main at the lower Linda Mar area which is the Anza and Balboa area, where they have a lot of sewer overflows happening. He stated that they are currently working on the project to do Pedro Point and the upper Linda Mar area. He stated that more importantly, their maintenance efforts towards removing the roots and any material that would clog the system has been very extensive. He stated that this is part of the Cease and Desist Order. He stated that they added four more people under the collection system that not only does public information activities, but also reach out to commercial businesses, including restaurants, for their FOG. They have a crew that periodically clears the sewer mainlines by routing and another crew that inspects the lines. He stated that all of these are helping to address the SSOs together with the projects he mentioned that they have done so far.

Commissioner Clifford stated that, on top of that, there was the process where somebody buys a home or sells a home or a remodel project of \$50,000.

Public Works Dir. Ocampo stated that he was correct that part of that was the point of sale and property owners are required to inspect the laterals. He stated that the work he

described earlier was just the projects wastewater does within the mains. He stated that a lot of the I&Is happen within the laterals, owned and are the responsibility of the property owner, and was difficult for the city to control because of being privately owned. He stated that they have done a couple of things at the point of sale, and annually the plant sets aside \$50,000 each year for any property owner who wants to replace their sewer lateral can get a grant of up to \$1,000 to replace their sewer laterals with the caveat that they don't sell the house for the next two years.

Commissioner Clifford asked if he had any idea of the percentage where they started and where they are now in terms of fixing the source of the problem.

Public Works Dir. Ocampo stated that the source of the problem was multifold. He didn't want to guess, but he knew that, for this year, when they let out the \$50,000, it was already exhausted by now. He stated that he can give him the information, mentioning that Brian Martinez was the manager for the collection system and he will be able to provide him the information and he will forward to him. He stated that he didn't want to mention a number and later find that it was incorrect.

Commissioner Clifford appreciated that, stating that he wanted the public to know that the city was working on a solution that includes this retention basin and was also a solution of the root problem.

Public Works Dir. Ocampo stated that he was correct, adding that clearing out the root infiltration was one of their biggest things as they create the blockage.

Commissioner Clifford stated that, in terms of the parking, he would suggest setting aside reserve free parking in the existing CalTrans paid parking lot at the front of the community center for the seniors.

Public Works Dir. Ocampo added that, as part of the project, they anticipated that patrons of the community center will be parking at the Crespi site. He stated that everyone who does business with the community center was not going to be charged the parking fee.

Commissioner Clifford stated that he said reserved because the parking lot does fill up fairly quickly and, if they had reserved sites for the community center versus first come first serve, it might work better for the seniors who use the center.

Public Works Dir. Ocampo stated that they will work closely with PB&R Dir. Perez who handles that. He stated that they met with him and Supervisor Jim Lange for the needs of the seniors and the patrons of the community center.

Vice Chair Nibbelin stated that he heard a few comments of the concerns on public outreach. He was curious as to what was sent out, when it was sent out, etc.

Asst. Planner O'Connor stated that the staff report included a table.

Vice Chair Nibbelin stated that it was on page 16.

Asst. Planner O'Connor stated that it revolved around the public outreach associated with the CEQA review and, for this meeting, they did their standard 300 foot buffer of the project area and newspaper noticing in the Pacifica Tribune ten days prior to the meeting.

Planning Director Wehrmeister stated that she wanted to provide Ms. Aguilar or Public Works Dir. Ocampo the opportunity to talk about how much public outreach has been done to date. There was additional public outreach when the City Council was selecting the site and educating themselves and the public about the project itself.

Vice Chair Nibbelin thought it was in 2015 when the site was selected.

Asst. Plant Superintendent Aguilar stated that the first public meeting was held in August 2013 when they were trying to educate the public on different locations to which the city was looking for the basin.

Vice Chair Nibbelin concluded that it was before the City Council.

Asst. Plant Manager Aguilar responded affirmatively. She added that there was a Council meeting for public input in March 2015.

Vice Chair Nibbelin stated that he heard valid concerns regarding a lot of odor emanating from existing facilities, and he also heard about the abatement system for the proposed project. He wanted to be clear on the difference in this project and the system to be used versus the systems in place that apparently aren't reaching the same standards being discussed on this project. He asked if they could elucidate the differences.

Mr. Tarantino stated that the existing odor control system at the plant was a biological system with wood chips, etc., and it has living organisms that are supposed to absorb the odor. He stated that they were taking a different approach on this project. They looked at a biological system for this site, but they were concerned that, because of the infrequent use of the system, they would have a hard time keeping the biology active and they chose to go with a mechanical system with a carbon based absorption that was commonly used in infrequent odor generating activities.

Vice Chair Nibbelin mentioned that the requirement under the CDO and under a consent decree was that they really deal with the situation involving SSOs based on a lack of capacity. He asked what the consequences were for the city if they don't hit the January 2019 deadline as articulated in the CDO.

Asst. City Attorney Visick responded that he understood the immediate consequences are financial, fairly steep depending on the length of the violation. He stated that, if the problem was persistent and went on for some time, and they weren't very close to having a solution in hand, he would be concerned that they could be more severe. He stated that the January 2019 deadline was a hard deadline that the city does need to try to observe.

Commissioner Evans stated that the last question was part of his question, and referring to the last discharge, he asked confirmation that the city was fined.

Asst. City Attorney Visick deferred to the Public Works Director for a specific answer.

Public Works Dir. Ocampo asked clarification on what he was referring to when they got fined.

Commissioner Evans asked, when the city discharged accidentally, whether the city received a fine from some agency on that.

Public Works Dir. Ocampo responded affirmatively, explaining that it was part of our permitting system, and the city is required to not have a sanitary sewer overflow or avoid having that. He stated that, because of the seriousness, as presented by Mr. Barry earlier of the series of sanitary sewer overflows during early 2000 that triggered the Cease and Desist Order to be issued to the city's wastewater collection system. He stated that, as a result, they were required to construct infrastructure that would avoid it from happening again, particularly with the deadline of January 2019.

Commissioner Evans asked if there was no money that they had to pay for that.

Public Works Dir. Ocampo stated that there was, and he asked Asst. Plant Superintendent Aguilar to explain how much it was.

Wastewater Deputy Dir. Louis Sun stated that back in 2008 the city was fined \$2.1 million and after that, they were fined an additional amount.

Asst. Plant Superintendent Aguilar stated that the \$2.1 million was the original fee during the CDO and the city was able to ask for supplemental environmental project, the sewer lateral replacement and it took away \$840,000 of that \$2.1 million and they used the \$840,000 for the sewer lateral program.

Commissioner Evans doubted that it would happen again.

Asst. Plant Superintendent Aguilar hoped it would not.

Commissioner Evans referred to one speaker's comment about pipes under existing houses. He thought all the pipes were going to be under the street.

Public Works Dir. Ocampo explained that there is an easement between two homes where they have to bore underneath and lay the piping.

Commissioner Evans concluded that all the lines were basically under the street or the easement which already existed.

Public Works Dir. Ocampo responded affirmatively.

Commissioner Evans concluded that there was nothing going under homes.

Public Works Dir. Ocampo reiterated that it would be in the side yard for those homes.

Chair Gordon referred to the question asked by one speaker as to why the SSOs and the issues could not be addressed from the existing infrastructure such as the Linda Mar pump station, and he asked for an explanation.

Public Works Dir. Ocampo asked if he was referring to locating the tank on the Linda Mar pump station site.

Chair Gordon stated that he was referring to that or a place where there were already facilities. He stated that this was a brand new site and he asked them to address why they can't use a site that was already in existence with some infrastructure where the impact to the neighborhood was not so abrupt.

Public Works Dir. Ocampo stated that they are putting in a holding tank, and not a treatment facility. He stated that Mr. Barry explained that this was diluted water as a lot of it is storm water. He stated that the issue of infiltration and inflow was the leading cause of this, as there was too much water coming in to the system. He stated that it is not only diluted, but it isn't going to stay inside the tank for a long time, but just hold it until everything dies down, including the amount of inflow into the plant and allow it to be pumped into the pump station. He stated that at Linda Mar, it is a pump station where sewer is pushed up the hill as it goes into the treatment plant. He stated that, at the Linda Mar pump station there is no treatment facility, but merely a pump station. He stated that the issues, if they were to set this up, is the location, size and the need to go through the Coastal Commission to secure the permit, they may not be able to secure the permit in a timely manner and meet the requirement of the CDO.

Chair Gordon asked if he was saying that it was physically possible to place the basin at the Linda Mar pump station but there were hurdles that are daunting.

Public Works Dir. Ocampo stated that was one reason, and he was not 100% sure, but it would be very tight because of the limited space they have there.

Chair Gordon referred to comments that an EIR was more appropriate as opposed to a negative declaration.

Asst. City Attorney Visick stated that a decision about whether or not to prepare an EIR was a legal question. He stated that there either was or was not substantial evidence in the record showing that there may be a potential environmental impact. If not, they don't prepare an EIR and if there was, you do. He stated that he was not aware of substantial evidence in the record showing that this project could cause a significant environmental impact after the mitigation measures incorporated into the mitigated negative declaration

are implemented. He concluded that the city's only course of action for the project environmental review was therefore to prepare a mitigated negative declaration and not an EIR. He stated that there was a section of the public resources code that says explicitly that public controversy alone without that evidentiary backing was not a justification for preparing an EIR.

Commissioner Clifford asked the consultant if it was possible to design the air filtration system so it could have additional backup systems added to it if the result was not sufficient.

Mr. Barry stated that, if he was understanding the question, it was that they chose a certain size for the treatment system, and if not adequate, could they add additional treatment capacity. He stated that they could add additional capacity, but they believe the system was the adequate size.

Commissioner Clifford concluded that it could be an option if needed.

Mr. Barry responded affirmatively.

Commissioner Evans asked what the actual depth was that they will be digging.

Mr. Tarantino stated that the actual excavation depth will be approximately 50 feet below existing grade, specifically that they will dig down 50 feet, pour a five-foot plug, come up, pour a two-foot slab and then the actual working volume will be about 27 feet in depth and the last 12 feet will be used for the catwalk and the roof structure.

Commissioner Evans concluded that the maximum depth that they will be reaching will be more or less 50 feet from the parking lot surface.

Mr. Tarantino agreed, adding that there was mention of a 90-foot excavation depth in the first concept of the conceptual report prepared RMC which proposed a cylindrical tank but to obtain the capacity they would have to excavate down to 90 feet.

Commissioner Cooper asked if anyone explored the alternative of increasing the size of the dam or the pipe. He mentioned that a lot of agencies used the diameter of the pipe as part of their water storage so they increase it to the point where they could do a run at 1,000 feet and get the same capacity.

Mr. Tarantino stated that they didn't, adding that it would be a fairly substantial pipe size.

Public Works Dir. Ocampo asked if he was saying using the existing mains they have.

Commissioner Cooper stated that he was saying to replace the mains and put a larger diameter pipe in, such as 24 inch versus 40 inch pipe, the capacity would be huge and they wouldn't have to build a basin and use the pipes as their storage.

Public Works Dir, Ocampo stated that, to come up with 2.1 million gallons, he didn't think they have enough mains to double in size. He added that they would alter the elevation and flow once they increase the size of the pipe.

Commissioner Cooper concluded that he meant in that single point as that was where the flow was as the passive systems entails and that would be the location where it was needed.

Public Works Dir. Ocampo agreed.

Vice Chair Nibbelin thought a lot of important points were raised, but this was not something that has been rushed through. City staff and consultants have spent a lot of time thinking about it, and it has been to City Council a few times with a lot of work done to identify the site. He acknowledged that it will be an impact for somebody, but in his view, staff has worked hard to mitigate to the full extent possible. He also acknowledged that they didn't have a lot of time left to get the project done, given the contract, construction schedule. He stated that the consequences of not having it done are potentially dire. He was in support of the project, although he recognizes the concerns. He stated that he was prepared to make a motion to approve the project.

Commissioner Evans stated that he was not in favor of the project, but they need something. He reiterated that East Bay MUD had put in a huge facility at the Oakport facility but they have a large area. He stated that they had an area that was totally industrial by the Bay and Pacifica does not have that or any area that would suffice other than what has been identified. He mentioned that the front of the parking lot was owned by the state. He thought the Linda Mar pumping plant would be a perfect spot, but he agreed that they involve the Coastal Commission and you will be in for a long haul. He stated that the other location was the park and ride across from Safeway. He stated that it was a great location but they were switching from the houses on Anza to the houses behind the park and ride. He felt there was no perfect situation. He wished they didn't have to do this, but they have to do something. He wished someone could come up with a magic pill. He stated that they had a lot of brilliant minds and he agreed that they needed to do something. He was torn but the bottom line was that they have to have it.

Commissioner Cooper stated that the odor was probably one of the biggest concerns that the residents have. He thought they all agree that they need capacity, and they need the facility as they can't discharge any sewage into the ocean which was a greater environmental problem than this. He didn't think this would create an environmental problem as he felt they had taken the precautions. He was familiar with the methods they are using as they have been used in past projects and they haven't had any problems with settling adjacent buildings and this was probably the best way to go. He looked to see if the basin was pile supported, because this was a big swimming pool, and if you empty the swimming pool, it will lift up. With piles, it will be supported and probably the best arrangement. He felt they spent a lot of time on this. He wished he could do something with the odor such as put a contingency into the contract that says, if there was a problem, there was money reserved to do something about it, mentioning being burned

on the wastewater treatment plant as far as the system working which has affected a lot of people. He thought, if they built it and then they moved here and didn't know it was here, and they had taken all the precautions, they would be wondering where the basin was. He stated that these basins are done everywhere. He stated that there was a basin underneath the Colma Bart Station parking lot for this purpose. He concluded that these are needed. He wished he could get more comfort with the noise and smell, and that was the comments he heard all the time. He appreciated the student who talked about it, as she uses the skate park, and that was where he was going to hear when his kids are using the skate park.

Chair Gordon thought Commissioner Evans nailed it. He has misgivings about the site location but "the train left the station." He thought the site that made the most sense was No. 4, but it doesn't sound like it was feasible to do. He stated that smarter minds than he had looked at the situation and decided that wasn't the right site. He concluded that it has to be done so he will be voting for the project.

Commissioner Clifford stated that he was going to reluctantly second the motion, but was still concerned about the smell, but he has heard that the system can be designed in such a way to add additional capacity for filtering.

Vice Chair Nibbelin stated that he had stated that he would make a motion in favor, and he wanted to be clear that he was talking about the motion on pages 17 and 18 of the staff report. He stated that he can read it if it made matters clearer for everyone present.

Commissioner Nibbelin move that the Planning Commission certify and adopt the Final Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, pursuant to the California Environmental Quality Act and APPROVE Use Permit UP-080-16 and Site Development Permit PSD-816-16; by adopting the resolution included as Attachment B to the staff report, including conditions of approval in Exhibit A to the resolution; and incorporate all maps and testimony into the record by reference; Commissioner Clifford seconded the motion.

The motion carried **5-0-1**.

Ayes: Commissioners Evans, Nibbelin, Clifford, Cooper
and Chair Gordon
Noes: None
Absent: Commissioner Baringer

Chair Gordon 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.

CONSIDERATION:

4. Annual Report to the City Council.

Planning Director Wehrmeister presented the staff report.

Commissioners confirmed that they will all be able to be present at the Council meeting on February 27.

Commissioner Cooper stated that, because staff works hard and do a lot of presentations and a lot of work, he felt they should put a positive spine saying the good job they do, etc. He stated that, in 2014, they barely did anything with not many permit applications. He felt they worked hard. He commended Commissioner Evans on his attendance record.

Chair Gordon suggested that they put the building permits more prominently, maybe starting with that.

Planning Director Wehrmeister stated that she would do that.

COMMISSION COMMUNICATIONS:

None

STAFF COMMUNICATIONS:

Planning Director Wehrmeister stated that, in addition to the February 27 Council meeting, she wanted to bring up a few dates. She stated that the next regular meeting of the Planning Commission was on Tuesday, February 21, due to the President's Day holiday. She stated that they will be having a study session on accessory dwelling unit regulations.

Chair Gordon asked if she said they had a meeting on both February 21 and 27.

Planning Director Wehrmeister stated that she can give them an email. She reiterated that February 21 was the Planning Commission regular meeting, moved to Tuesday due to the holiday, and February 27 was a Council meeting but the Planning Commission will be giving their annual report. She added that March 6 was their regular meeting date, but instead of holding a regular Planning Commission meeting, they will be holding a joint session with the City Council to receive information and provide direction on marijuana regulations. She referred to her email addressing wanting to start a more user friendly agenda management application on line. They were working out the kinks and will continue to post both the old version and the new version until they get them worked out. She stated that most of them preferred the hard copy of the agenda and they will continue to give them that as well. She stated that one position on the Commission was open for application.

ADJOURNMENT:

There being no further business for discussion, Commissioner Cooper moved to adjourn the meeting at 9:15 p.m.; Vice Chair Nibbelin seconded the motion.

The motion carried **6-0**.

Ayes: Commissioners Baringer, Evans, Nibbelin, Clifford,
Cooper and Chair Gordon
Noes: None

Respectfully submitted,

Barbara Medina
Public Meeting Stenographer

APPROVED:

Planning Director Wehrmeister