

MINUTES

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

February 1, 2016

7:00 p.m.

Chair Campbell called the meeting to order at 7:10 p.m.

ROLL CALL: Present: Commissioners Vaterlaus, Evans, Gordon, Cooper and Chair Campbell

Absent: Commissioner Nibbelin

SALUTE TO FLAG: Led by Commissioner Evans

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

CLOSED SESSION REPORT: Assistant City Attorney Visick stated that there was no reportable action.

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

The motion carried **5-0**.

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

Noes: None

DESIGNATION OF LIAISON TO CITY COUNCIL MEETING OF JANUARY 8, 2016:

Planning Director Wehrmeister stated that there was none needed except for Commissioner Cooper who was already selected to attend the February 8, 2016, Council meeting.

ORAL COMMUNICATIONS:

Sarah Schwartz, Pacifica, stated she was strongly in support of Pacifica joining the Community Choice Energy Program because it was an important program for everyone who cares about our environment. She encouraged them to do everything possible to meet our greenhouse goal and stated that it was very important to her, her friends and community members.

Allison Callow, Pacifica, stated she was also in support of Community Choice Energy, and as a younger member of the community, she encouraged that Pacifica opt into the Community Choice in San Mateo County.

CONSENT ITEMS: None.

PUBLIC HEARINGS:

- 1. SP-154-15
PSD-800-15** **SPECIFIC PLAN SP-154-15 and SITE DEVELOPMENT PERMIT PSD-800-15, filed by Brian Pung, agent for property owners Elaine and Alina Woo, to construct a new 3,469 square feet, three-story single-family residence on a vacant 5,216 square foot lot at 325 Beaumont Boulevard (APN 009-037-460) in Pacifica. Recommended California Environmental Quality Act (CEQA) status: Categorical Exemption, CEQA Guidelines Section 15303.**

Assoc. Planner Murdock presented the staff report.

Commissioner Cooper stated that he looked at the plan and thought it was a relatively large home. He asked if they looked at the drainage and water runoff from the upper deck, etc. and how it is put back into the system or whether it is thrown in the street.

Assoc. Planner Murdock responded that, at this conceptual stage of the project, it was not common for staff to perform a detailed analysis of that aspect of a project. He stated that this project was not subject to the C.3 provisions of the City's Municipal Regional Permit for stormwater control and they will be allowed to discharge into the City's stormwater system, subject to detailed review by Building Division staff as part of building permit approval.

Brian Pung, applicant and owner, stated that he and his fiance own the property and it will be their first home after their marriage. He stated that he has been working with the architect and was on board with the design and materials and he will also be building the house with his father-in-law as they are both contractors in the Bay Area. He then introduced his architect.

Kirk Tang, project designer, clarified that he is not a licensed architect but a designer. He then explained that the project was approximately 200 square feet less than what was approved in 2007. In a slide presentation, he compared their project to neighboring houses. He then went back several slides at the request of Commissioner Cooper, explaining that the building in question was behind their lot and on top of them. He then pointed out the specifics that helped minimize the impact of the project on the site, adding that it will be a modern home with aluminum windows, large openings for view and they will work with the Building Department on any draining issues. He concluded that it was very similar to the neighboring residences.

Commissioner Cooper referred to the patio color. He noted that the color plans showed a light surface and he was concerned about a potential glare from the sun into the neighbors above.

Mr. Tang stated that he didn't think they have determined the color of the balconies yet.

Commissioner Cooper referred to some landscape trees behind the property, expressing concern about the height of the trees eventually blocking the view of another neighbor or getting in the

way of that view and he cautioned them on what trees they plant. He added that the Director would probably include that in the final approval of the plans.

Mr. Tang stated that he wasn't sure of the elevation difference between the proposed project and the neighbors, but they weren't planning to plant redwoods.

Commissioner Cooper mentioned that the Commission discussed the permeable paving a lot, and he was aware that it was a larger home. He liked the design for the neighborhood but he was concerned with runoff and having as much water as possible get into the soil and he thought the permeable paving would be an option he would like to see.

Commissioner Evans referred to the example for retaining walls, and he asked if they were planning on using the pressed concrete look in the wall with the color as shown.

Mr. Pung stated the retaining wall surface would be concrete.

Commissioner Evans was referring to the stone look.

Mr. Pung stated that they can determine that when they start the project.

Commissioner Evans stated that he just wanted to state that it looks nice compared to a flat cinderblock wall. He then stated that he didn't see any location for garbage/recycle/compost cans, mentioning that he was concerned about having them sitting outside on sidewalks or driveways and wondered if they had a location in the plan.

Mr. Pung stated that, behind the stairwell to the first floor, there was a hidden courtyard.

Commissioner Evans assumed it was behind the wooden fence.

Mr. Pung responded affirmatively.

Chair Campbell opened the Public Hearing.

Rebecca Johnson, 329 Beaumont Blvd., stated that she and her husband were residents in the adjacent property to the proposed structure. She stated that her concern and questions are around the actual construction. She asked, if approved, when would the construction begin and what would be the estimated duration of the construction, and especially the hours of construction. She stated that she mentioned this because she had a personal experience in San Francisco where they lived next door to a construction site where building was going on for 18 months, 7 days a week, 7:00 a.m. to 7:00 p.m., and it was very difficult for all of the neighbors. She stated that it was important, and if approved, she would like the hours preferably during the week only and reasonable hours. She stated that she and her husband work full time, as do the other neighbors and they would like peace and quiet for quality of life. She referred to mention in the staff report and by others that it was considered a mega home at 66.5% of the lot. She stated that was a concern for her and she hoped it was tasteful and doesn't block views, light, etc. Her last concern was information she received from a local contractor that there have been many failed projects on this site, including one in the hill which has become an eyesore, and her question was whether the due diligence was done to assure them that this project will not be half way done and left abandoned.

Mr. Pung stated, concerning hours, they typically start around 8:30 or 9:00 a.m. and end at 6:00 p.m., Monday through Saturday, depending on the time allowed on the plans. He added that, on the last project, they had neighbors telling them that they didn't make any noise at all. He thought that it should not be longer than 8-10 months. He stated that they were a crew of three and they will try to make the least noise possible.

Mr. Tang referred to the height and size, reiterating that the floor ratio was smaller than what was previously approved by the Planning Commission. He stated that the height was under what was allowed in the zoning code.

Mr. Pung stated that he and his father-in-law were adamant about the project. They love the view and neighborhood and this was for him and his fiance to start a family and they were going to try to get it done as soon as possible.

Chair Campbell closed the Public Hearing.

Commissioner Cooper asked what the restrictions for construction were in Pacifica.

Assoc. Planner Murdock stated that, as adopted in the Building Code, the construction hours were 7:00 a.m. to 7:00 p.m., Monday through Friday and 9:00 a.m. to 5:00 p.m. on Saturdays and Sundays. He stated that there is no exclusion for federal holidays.

Commissioner Cooper assumed that there was no construction on Sunday.

Assoc. Planner Murdock reiterated that it was allowed from 9:00 a.m. to 5:00 p.m. on Sundays.

Commissioner Cooper asked if there was anything preventing them from restricting the hours for a particular project for neighbors.

Assoc. Planner Murdock stated that there was not in his opinion.

Mr. Pung was aware of the restrictions on Monday through Saturday, but they didn't work on Sundays at all as it was their rest day.

Commissioner Cooper asked him if he would have a problem if he put a restriction on their permit.

Mr. Pung asked him to repeat the question.

Commissioner Cooper again asked if he would have a problem if he put a restriction on the approval.

Mr. Pung stated not for Sundays, but they do work Saturdays.

Commissioner Gordon thought it was a challenging lot because of the steep grade and he was impressed with the design and what they did with it. He asked staff to walk them through the analysis when the so-called mega home ordinance is triggered and how they applied it to this project.

Assoc. Planner Murdock referred to the municipal code for site development permits, and the requirements for certain districts to automatically undergo review of a site development. He stated that the last section of the permit provisions states that a home that exceeds the size provided in the formula in the code must undergo review of a site development permit. The formula says that homes on a 5,000 square foot lot that are greater than 2,800 square feet and increase from there. He stated that this lot exceeded that default allocation and triggered the requirement. He stated that there was no unique analysis provided but reverts to the standard site development permit findings which they had analyzed because of the non-conforming lot construction. In effect, they went through the same analysis that requires them to determine the scale of the project and whether it was compatible with the neighborhood. They performed that analysis and just gave additional consideration. He stated that it was their opinion that the home was not out of character or out of scale even though it was a “mega home.” He referred to the speaker mentioning the coverage of the project being upward of 60%, and believed she was referring to the floor area ratio. He stated that the lot coverage was quite a bit less than that, proposed at 31% which was 9% below the zoning allowance and within the height, setbacks, etc. From the objective standards, the house was not out of scale with the regulations in the neighborhood. He stated that, looking at the design, etc., relative to the nearby properties, it was staff’s opinion that it was in character and in scale.

Planning Director Wehrmeister pointed out that it wasn’t that the home size was not allowed or larger than what was allowed, but that it triggers the site development permit.

Commissioner Gordon thanked them for the explanation, and he agreed with everything said in terms of the house being compatible with the neighborhood. He thought it was a nice addition.

Commissioner Cooper stated that, if he were to put restrictions, the two he would put are no construction work on Sundays and selections on the approval of the Planning Director of trees no greater than 30 or 40 feet. He asked if any of them had a problem with that.

Chair Campbell didn’t, adding that it seemed reasonable restrictions. He also echoed Commissioner Gordon’s thoughts on compatibility with the neighborhood. He also appreciated the explanation of the mega home ordinance. He was inclined to vote in favor of the project with the conditions proposed by Commissioner Cooper.

Commissioner Evans also thought it was a very nice design. He stated that he knows that area because he drives through it, and he thought it will nicely match the rest of the homes in the area. He felt they were challenging lots because of the steepness. He thought they did a nice job of sitting it into the hill. He stated that the only concern he had would be how much outtake of materials they will have, although he didn’t think it would be an over abundant amount from what he read. He liked the design very much.

Commissioner Vaterlaus agreed, adding that the design looks better than a lot of the houses on the street and she felt it fits perfectly. She didn’t think it was too large for the property and would vote yes.

Commissioner Cooper thanked the neighbors for coming as it adds an important element to coming in front of the Planning Commission and making her thoughts known.

Commissioner Cooper moved that the Planning Commission find the project is exempt from the California Environmental Quality Act; **APPROVE** Specific Plan SP-154-15 and Site Development Permit PSD-800-15 by adopting the attached resolution, including conditions of approval in Exhibit A with the additional conditions of no construction work to occur on Sundays and selection of the landscape trees to the satisfaction of the Planning Director with trees no greater than 40 feet; and incorporate all maps and testimony into the record by reference.

Commissioner Gordon liked the additional conditions, but he had a question about the trees. He thought, if the intent was not to block the views of the neighbors, he was uncomfortable with a specific foot restriction because, depending on where the trees are planted such as lower or higher, it renders a specificity regarding feet to be kind of difficult. He stated that he would be more in favor of a condition that stated their concern about not planting trees with the potential to obstruct the views of the neighbors and at the discretion of the Planning Director.

Assoc. Planner Murdock stated that it was a broad statement in terms of blocking the view. He thought it would be helpful to understand if it was from ground level or a second story viewing deck or rooftop deck, because blocking the view of someone sitting on a patio in the back yard is very different than someone in an upper level of the residence.

Commissioner Gordon stated that they opened this can of worms, and he asked what they want to do.

Commissioner Cooper withdrew his motion and would make an alternate motion.

Commissioner Cooper moved that the Planning Commission find the project is exempt from the California Environmental Quality Act; **APPROVE** Specific Plan SP-154-15 and Site Development Permit PSD-800-15 by adopting the attached resolution, including conditions of approval in Exhibit A with the additional conditions of no construction work to occur on Sundays and selection of the landscape trees subject to the approval of the Planning Director with the intent not to block views of the neighbor; and incorporate all maps and testimony into the record by reference.

Commissioner Vaterlaus stated that he just indicated that you couldn't block their view could be so far reaching and probably needs to be more specific than less.

Commissioner Gordon stated that was his same thought.

Commissioner Cooper asked if he had a suggestion.

Commissioner Gordon asked Assoc. Planner Murdock if he had a suggestion.

Commissioner Cooper stated that he would withdraw his motion until they decide on what the restriction should be.

Assoc. Planner Murdock stated that the impression of a blocked view was wide reaching for many neighbors and he felt there were two issues, the question of at what point above ground level are they seeking to preserve a view if such a view exists, and for which properties. He stated that views have an interesting way of bubbling up from a nook and cranny of some house five blocks away, given the unique topography of the neighborhood and limiting it to certain

properties such as adjacent or abutting properties would be helpful and an understanding of the degree to which they were seeking to preserve the views, whether at ground level, second story, rooftop deck, etc. He stated that there are multiple levels to these homes, given the unique topography. He stated that more specificity would be helpful.

Commissioner Gordon stated that he would be in favor of taking out the condition.

Commissioner Cooper stated that, if he was correct on looking at the plans, there was an elevation on the plans and the elevation of the ground level of trees was around 151. He stated that his concern was that the trees behind the property are going to grow very large up to 100 feet. He stated that, if they feel comfortable saying no trees planted shall exceed 151 plus 30, and selection of trees would be conducive to no greater than 180 feet above ground level.

Commissioner Gordon concluded that he was creating a maximum tree height.

Commissioner Cooper responded affirmatively, adding that he would hate to see eucalyptus to be planted and grow 300 feet tall.

Commissioner Gordon stated he was okay with that.

Commissioner Cooper asked if Commissioner Vaterlaus would be open to that.

Commissioner Vaterlaus stated that we don't have a view ordinance so trees are an issue everywhere because people want trees and they don't want them to block their view. She stated that, on this case, she would accede.

Commissioner Cooper moved that the Planning Commission find the project is exempt from the California Environmental Quality Act; **APPROVE** Specific Plan SP-154-15 and Site Development Permit PSD-800-15 by adopting the attached resolution, including conditions of approval in Exhibit A with the additional condition of approval of no construction work to occur on Sundays and second condition of approval requiring selection of trees to the satisfaction of the Planning Director with the intent not to exceed 180 feet above sea level in total height when selecting the trees; and incorporate all maps and testimony into the record by reference; Commissioner Gordon seconded the motion.

The motion carried 5-0.

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

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.

2. **PSD-792-15
CDP-349-15
SUB-225-15
S-113-15** **SITE DEVELOPMENT PERMIT PSD-792-15, COASTAL DEVELOPMENT PERMIT CDP-349-15, SUBDIVISION SUB-225-15 and SIGN PERMIT S-113-15, filed by David Blackman, 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 Section 15303 and 15315.**

Asst. Planner Farbstein presented the staff report.

Commissioner Cooper referred to access for the Fire Department, and he asked if there was any restriction for no parking in the driveway at any time or can they put it in. He also thought that, with such a development, there was usually a “want” for guest parking, and he asked what her thoughts were when going through that.

Asst. Planner Farbstein referred to the parking along the driveway and she did not believe it was addressed, but Deputy Fire Chief Richard Johnson from the Fire Department could better answer that. She thought the parking satisfied code requirements.

Assoc. Planner Murdock stated that Article 28 establishes the parking requirement for hotels, motels and inns, that being one parking space for each unit or lodging room plus an additional parking space for office or manager’s quarters. He stated that there are 4 one-room units which generates a parking requirement of four spaces. Since it is an unmanaged property with no manager’s quarters, there are no additional parking requirements and the application was compliant based on the Municipal Code.

Chair Campbell asked about whether it encompasses cleaning crews.

Assoc. Planner Murdock stated that it was up to the Commission’s interpretation but there was no explicit requirement for that. He stated that they believed the cleaning services will be provided by a third-party contract service and the applicant has determined that it would occur when a unit was vacant and not generate an on-site parking requirement. He added that it was not something staff was concerned about, in terms of parking demand, given the infrequency and limited duration of such an on-site parking requirement.

Commissioner Evans referred to Fire Department restrictions, and asked if someone could explain the two explanations of driveway grade requirements.

Asst. Planner Farbstein thought Deputy Fire Chief Johnson could explain in more detail, but they are typically limited to 10% grade but can go as much as 15% grade, but only at the discretion of the Fire Chief, and they may have to put in different kinds of paving surfaces or what seems reasonable to ensure that emergency vehicles will be able to access the 15% grade.

Commissioner Evans stated that he understood the reasoning, but he stated that it says 10% and then said that it can be 15%.

Asst. Planner Farbstein stated that it can go up to 15%.

Commissioner Evans asked what that discretion would look like.

Deputy Fire Chief Johnson stated that the code says 10% and if the applicant wishes to appeal and ask for a greater grade up to 15%, they would consider alternate surfaces if possible. He stated that the same situation happened at Harmony at One and they had alternate surfaces and textures to meet the requirements. He then referred to the parking issue, stating that the parking was dealt with in the prior access. It specifies that there are parking restrictions when fire access width is 20 feet or less, meaning there is no parking on either side. With 26 feet width, you can park on one side and over 26 feet in width that you can park on both sides. He thought this was a 20-foot wide access and there would be no parking on either side.

Chair Campbell asked if it was normal to appeal this and go to 15% before or after they see these types of plans. He wondered if it was because of the grading and what could occur later that they were not looking at now.

Asst. Planner Farbstein stated that the applicant will have a chance to speak, but she thought there were numerous meetings between staff and the applicant, including Deputy Fire Chief Johnson, but they weren't able to come to an agreement. She stated that they presented to the Planning Commission with conditions they felt necessary.

Commissioner Cooper stated that he would like to look at provision 40, a 50% exemption from the 1,500 gallons per minute standard and he was curious about why there was an exemption.

Deputy Fire Chief Johnson stated it was because, when you have fire sprinklers in a building, the code allows them to discount the fire flow requirements, adding that it was different for residential than commercial and they are allowed to discount.

Commissioner Gordon referred to the Fire Department compliance plan submitted by the applicant, stating that it appears to have been reviewed by the Fire Department but it was not approved by them.

Deputy Fire Chief Johnson responded affirmatively.

Commissioner Gordon asked what was objectionable about the plan.

Deputy Fire Chief Johnson stated that it has to be 20-feet wide for the full length of the roadway up to the top.

Commissioner Gordon asked that he repeat it.

Deputy Fire Chief Johnson reiterated that it must be 20-feet wide for the full length of the roadway up to the top.

Commissioner Gordon stated that, according to the plan, it looked like it was 20-feet wide.

Deputy Fire Chief Johnson asked if it was all the way up, stating that grades 10% or 12% or less all the way.

Commissioner Gordon stated that the width looked like 20 feet but obviously the applicant can comment on that, and the grade looks like it was 12% up to the first 60 feet.

Deputy Fire Chief Johnson acknowledged that, and asked what it goes to.

Commissioner Gordon stated that it doesn't say.

Commissioner Cooper thought it goes up to 13%.

Deputy Fire Chief Johnson stated that there was also a requirement for turnaround.

Commissioner Gordon asked if they see a grade after the first 60 feet.

Commissioner Cooper mentioned C401.

Commissioner Gordon asked what Commissioner Cooper was saying.

Commissioner Cooper stated that it looks like it goes 15, 10, 15 and 13, if he was looking at the plans correctly. He thought the applicant would have to comply with the alternate paving surface if he went for approval and the Fire Chief decided that, if going beyond 10%, he will need to do some other things, such as paving with slats.

Deputy Fire Chief Johnson stated that he was correct.

Chair Campbell referred to his mention of a turnaround and asked if it was objectionable on the current plan.

Deputy Fire Chief Johnson didn't think it was shown on the current plan, but it was a requirement of the code for a deadend that long.

Chair Campbell asked if a new grade is chosen, the staff report says additional grading for the driveway and new retaining walls along the driveway may be necessary to satisfy the CFC requirements. He asked if they have those plans for the new retaining walls before them, asking if that was an alternate.

Asst. Planner Farbstein stated that they did not because they were not able to predict the size of the retaining walls, the amount of grading necessary, and they were not able to provide that information or have the applicant provide it.

Chair Campbell asked if they have an outward ballpark range of how tall the retaining walls could be or how they look.

Asst. Planner Farbstein responded that they did not. She thought it depended on what kind of fire access is provided, turnaround, etc., whatever is needed. She stated that there was also the grading issue. Right now the grade at the top was 13% and it looks like it goes down to 15% at the street level. She stated, if that was changed, that could affect the size of the retaining walls. She didn't believe any retaining walls were proposed, but until they have the exact grades of what the road will be and what fire improvements will be needed at the top for emergency access, they

were unable to provide information about what the retaining walls will look like or if they are necessary. She added that they just wanted to alert the Commission that there was that potential.

Commissioner Cooper thought the retaining wall was a pavement issue for him and he was concerned about the turnaround. He asked Deputy Fire Chief Johnson to explain about the turnaround that would be required in a deadend street.

Deputy Fire Chief Johnson stated that a court would be acceptable in this case but a T or Y might work where they can do a three-point turnaround.

Commissioner Cooper asked what the dimensions would be.

Deputy Fire Chief Johnson stated that, if it was in line with the roadway, you would need a 60-foot wide turnaround from the far side of the roadway to the end of the turnout. The roads were already 20 feet so it would be an additional 40 feet to be squeezed in.

Asst. Planner Farbstein stated that the lot does expand towards the rear. She thought, at the front, it was 59 but it was 98 feet in width at the rear.

David Blackman, agent, stated that they have some stressful nights when he was present, but he thought this might be a good one. He started with the good things of the project, stating that he wanted to do something truly visitor-serving, explaining that most people who take commercial property with zero setbacks were allowed to go 35 feet high and build a unit for every 2,000 square feet. In this situation, it would be like a 4-unit apartment building which has been the case in Pacifica. He stated that he wanted to do something visitor-serving, Pacifica would benefit with transient occupancy tax, tread lightly on the earth, and this project complies 100% with the Fire Code. He was hoping that the Planning Director and Assoc. Planner will back him up on this. He stated that staff has been phenomenal with the project and it was handed over to Asst. Planner Farbstein and she was doing her best to get up to speed. He stated that, on July 28, they met and agreed it met the Fire Code. He understood it was tough for staff to go against other staff, and he will respect Assoc. Planner Murdock if he does not want to stand up on this one. He stated that he recorded the entire conversation. He stated that he will go through every code to show that this meets the Fire Code. He was super frustrated that this came out Friday when he came a week previously to ask if there was any problem with the Fire Department and there was none and this came Friday. He stated that the staff report was inaccurate and it has nothing to do with Asst. Planner Farbstein. He felt he has been blindsided and why he emailed everyone on Friday to see if they can go over it. He stated that he made a packet with the Fire Code and he can easily explain it all, but he wants to do the light side and deal with the neighbors about the management. He would love to get the neighbors to talk about it and hear their concerns. He stated he was doing the most minimal traffic impact he can do. He stated that this was an ownership of Dave Colt, himself and Ella Patel. He stated that they were owners of it and will operate it. He stated that she has been successful with doing AirBnB in town which was not management on site. He understands he has ten minutes but he was hoping they let him come back and work through the Fire Code and solve the problem.

Ella Patel, business partner, stated that a year and a half ago she managed a couple of properties at Pedro Point and realized that people love to come to town, with the serenity of the water. She stated that they have had people from around the world on business, and to bike and hike. She stated she and Dave wanted to make Pacifica a location of choice and they thought it was perfect

for the entry way into the Pedro Point Headlands. She stated that she was passionate about the project. She felt it was a huge benefit for the town and the visitors and feels the recreation of what we live every day. She stated that it also takes her to the root of what she loves to do. She referred to their self-managed plan and stated that all hotels are making an automatic check in process. They were researching how to do this but they would never compromise the safety of the community and they welcome those.

Mr. Blackman stated that he hoped they invited him to work through the codes with the Fire Department.

Chair Campbell referred to the 20-foot driveway, mentioned that parking and traffic was an issue in that area, and asked what they will do to keep someone from parking on both sides of that driveway.

Mr. Blackman stated that the fire access road has to be within 150 feet of the back of the last building and the fire access road on this property only goes up 60 feet and was what was agreed upon on July 28. He stated that they have parking above that. He stated that these are tiny units, mentioning that the whole motel was 1,800 and these are 400-500 square feet. They were the size of a garage and were for someone to show up with one car. He mentioned that they are doing the cleaning at this time but if they get bigger, maybe a company will take care of that.

Chair Campbell agreed about the cleaning crew aspect. He was concerned about people coming from out of town, coming to the beach, deciding to park on that driveway. He asked if they can red curb it or have signs that say they can't park there.

Mr. Blackman stated that, in the fire access road, the first 60 feet should be red to keep it clear for the Fire Department. Beyond that, they will do their best and it would be like anyone parking in someone's driveway. He thought it was a civil matter that can be solved. He thought the minimum parking was trying to make as much vegetation and not grade the hill. He stated that there was very little dirt going in and out of that hill. He was trying to work with the hill, mentioning all the buildings elevated in the front with vegetation underneath them. He stated that it was not over parked because they were trying to tread lightly on the earth.

Chair Campbell didn't think they would go through the Fire Code now, but they will have questions and get them back up in deliberations.

Commissioner Gordon asked if they should wait to talk about the Fire Code issues until deliberations or now, as his questions were regarding the codes.

Chair Campbell asked staff where they thought that discussion should happen between them and the applicant.

Planning Director Wehrmeister suggested that they hear from the public first and have the discussion afterwards.

Commissioner Cooper stated that he thought this was a wonderful use of the property and he likes the building. He stated that, the way the buildings were laid out, he thought they could put a turnaround on the property by relocating the space on the top of the map for the parking. He didn't think he understood the Fire Department issues and wasn't a fire engineer to make those

decisions. He thought it would be up to the Planning Department and Deputy Fire Chief, but he asked if he looked at other options or was this something he just got.

Mr. Blackman stated that the engineers and Building Department were there and they worked it all out. He stated that the biggest problem with the cul-de-sac was that the numbers changed. The document they were given was 96 feet and it just changed to 60 feet and a much more doable thing. He stated that the other component was that he was asking for 2% grade on the turnaround at the meeting and to go 60 feet at a 2% grade would be a tremendous amount of grading and retaining walls. He stated that there was no need for it and the goal was to not terrorize the hillside. He stated that Assoc. Planner Murdock was concerned about the Fire Department's request which was why he was talked into the meeting, which was a meeting with 6-7 staff members at \$200/hour and they came to the conclusion that the turnaround didn't need to be done and the massive amount of retaining walls would be a complete redesign. That was why Assoc. Planner Murdock said they needed the meeting on July 28, and then he said he was blind-sided Friday. He stated that it was looked at and it would be a complete redesign and was not required by code or any means and not needed.

Commissioner Cooper stated that he wasn't an engineer, but the Deputy Fire Chief was indicating that a different type of pavement may be acceptable in lieu of retaining walls. He asked if there was room for a turnaround at the end of the cul-de-sac if they were to move the top parking space.

Mr. Blackman stated that the hill drops off to the East. He stated that they could move the buildings down, but he did not have the space with parking. They could completely scrap this and go for a redesign. He stated that they would have to do a tremendous amount of things to make the cul-de-sac happen, putting retaining walls at the top of the property and a lot above for which they need to provide an easement. Engineering wanted them not to talk about that at this time but just stay focused on this property. He stated that the amount of grading and damage to hill to make something not required by code was astronomical, but if they want to start over, they can but he wasn't interested in starting over for something that was not required.

Commissioner Cooper asked if there was an issue to increase the easement to get the additional space on the top of the hill.

Mr. Blackman asked him to repeat his question.

Commissioner Cooper asked, on looking at the top of the hill, if there would be an issue with increasing the lot. He stated that part of the hearing was for the subdivision of this lot and he asked if getting additional land at the end of this lot to construct something the Fire Department would need was an option.

Mr. Blackman stated that he didn't know if he understood the question and asked him to repeat it again.

Commissioner Cooper referred to getting an easement to go further up the hill. He thought the adjacent lot was owned by the same property owner.

Mr. Blackman didn't see how that solved anything, but he thought he was asking him to acquire an easement to drive further up the hill.

Commissioner Cooper stated that he was attempting to look at the lot which was a lot being subdivided into two. He asked staff for confirmation of that fact.

Asst. Planner Farbstein responded affirmatively.

Commissioner Cooper stated that he was looking at that and moving the property line up to accommodate a fire turnaround at the top of the property without having to redesign anything.

Mr. Blackman understood what he was saying, specifically that he was asking if they can expand the separation of the two lots and put a cul-de-sac further up on the hill.

Commissioner Cooper responded affirmatively.

Mr. Blackman stated that he would like to hear what the parameters are, and then he could tell him what kind of grading and retaining walls and what disaster that might look like. He didn't understand the reason, but agreed that they could do that.

Chair Campbell opened the Public Hearing.

Julie Lancelle, Pacifica, stated that she was speaking in support of the project. She thought it looked like an excellent, unusual and unique kind of way of serving visitors to Pacifica. She was taken aback by the process. She stated that what she was hearing from the applicant was disappointing to her, that they have gone through a process of trying to create something she thought was interesting and she senses that the process up to this point has a surprise at the end. She feels sad and disappointed about that. She stated that she was beyond the position where she could even make a suggestion. She felt it looked like a good and interesting project. She has seen what Dave Blackman has done before, and he has built some standout buildings and houses in this community and she was sorry to see him so frustrated and having to make changes. She respected the Fire Department and their needs but she was putting it in perspective of what it was, which was for small vacation houses. She concluded that she wanted to express support and hoped it works out well.

Dina Miceletti, Pacifica, stated that she was originally going to speak about some quality of life concerns she had, but after hearing the Deputy Fire Chief, she was going to start with the safety issue. She stated that her experience with fire personnel was that they were not wild and crazy people looking to cause other people misery but here to protect us and themselves in the event of a fire. She stated that they were talking about an issue that had caused the fire chief to come and voice his concerns. She stated that it affects a position on the point that was literally at the foot of their only access in Pedro Point. She stated that, if there was a fire, this was their only way out and when she hears the fire chief express his concerns about safety, she takes them seriously, more important than quality of life, and listening to what they have to say that concerns them. She didn't know what the concern was as they didn't get the plans. She understood the developer was upset but they have been hearing about the project for a while and they just had the full set of plans given to the residents. She stated that the proposal was interesting. She stated that, if it was an actual bed-and-breakfast, managed by on-site residents, she thought it might be viable, but they were talking about an experiment in Pacifica of putting an unmanaged motel in the heart of a neighborhood with 200 plus houses, no one on-site to watch the guests and manage them. She didn't hear a word about security, alarms or compliance with codes. She didn't know what the applicant's experience was in running a motel but the fact that one person was associated with

AirBnB scares her because she lives in Pedro Point where they are surrounded by AirBnBs with one that looks into her bedroom that was consistently loud because of parties. They literally have one on Olympian that on Friday was going to have a pay for play orgy and the only reason it didn't happen was they were stupid enough to put the address on the internet and eagle-eyed Pedro Point residents saw it and stopped it. She stated that was what happened when you don't have management. She stated that they have other AirBnBs that are constant sources of irritation for the neighbors. She thought this was essentially an AirBnB. She would like to see a little more due diligence to ask questions about the applicant's experience managing a motel, what the security plans are, etc.

Samuel Casillas, Pacifica, thanked them for their hard work. He knew it was never easy. He agreed with the previous speaker. He stated that there was and continues to be a lot of confusion about the multiple zoning going on and they weren't sure what it was zoned for. He stated that it was also not compatible with the neighborhood and they were dropping a motel in the middle of a residential neighborhood. He thought, if they take into consideration what was currently there with the shopping center, all that was commercial. If they wanted to put something there, they should have a commercial store front and that takes care of the fire issue as well and sets up a lot of potential issues. He also thought this would set a precedent for future developers who are going to demand to be allowed to build more apartments and motels in the area. Those projects have been proposed in the past, mentioning several specifics. He also mentioned traffic concerns with no traffic mitigation. He was very concerned with the experiment of AirBnB. He stated that they have multiple houses owned by people who do not live there and, if they don't have anyone on top of it, they have issues. He then mentioned the Pedro Point Headlands above and, if something happens there, with a huge slide area there, the project was going to affect that. Then, he mentioned that below there was a flooding area. He stated that, if you go to that area during heavy rains, it was completely covered in water and flooded out, with no mitigation for that or how it affects the properties above in the Pedro Point Headlands. He didn't think this was exempt from CEQA and he thought a full EIR needs to be done for this. He thought this was mind boggling if they consider that across the street there was the Calson Field that was a federally designated wetland. He stated that all the runoff was going directly into that and they have to consider that when they look at that.

Brian O'Flynn, Pacifica, stated that he was impressed with the small scaled nature of the project, adding that the two builders, Dave and Dave, have a good reputation in town. He thought it was an interesting way to bring commercial development and the TOT tax which Pacifica needs. He thought the wave of the future will be smart phone access, etc., and tight control. He felt, if it meets the Fire Code, he thought it was at the 11th hour to bring up something new when a builder has put a lot of time and effort into working with the city's planning staff and codes. He felt it was a low impact type of development and a nice use of the site and he supports the project.

Chair Campbell closed the Public Hearing.

Ms. Patel referred to the concern mentioned regarding whether they had experience in managing motels. She explained that, when she was 10, her parents moved to the US, they bought a motel and restaurant and the family were everything, such as desk clerks, etc. She stated that they had lots of experience, mentioning that her uncle manages the Seabreeze Motel and her family has been motel owners for generations. She stated that they understand and are aware of safety concerns and welcome any input anyone has to help them. She asserted that it will not be mismanaged or have safety impacts as they plan on addressing all issues, including security. She

stated that the two owners have taken her under their wing. She stated that they did pay a bit of money to have that meeting, and for the fire issues to come up at the last minute was disheartening and disappointing. She asked that they take that into consideration and approve it.

Mr. Blackman referred to the storm runoff brought up by Sam Casillas, stating that he was going to talk about it now and speak to him after the meeting. He mentioned that there were different requirements in the County about storm water, and because the project was so small, they were exempt from that. He then mentioned that on the plans he did a whole bio-retention plan and the water runoff will be less than it is now. He asserted that he will take care of the storm drain system in front of the property, adding that it was analyzed and gone over with the engineering department. He assured them that it has been well thought out and going beyond what was required, adding that everything was minimal, such as traffic.

Chair Campbell thought it was a nice looking project, adding that the builder's work stands for itself in Pacifica. As far as management, he thought it looked like adequate management. He stated that the fire issue was a concern. He stated that the fact that it was raised at the 11th hour didn't mean much to him because, if it was a concern, it was a concern, and the last thing they want is to approve a project with outstanding fire concerns or emergency access concerns when a guest comes and accidentally burns down the hillside with the question addressed of what happened and who authorized an inadequate turn around or access. He stated that he was concerned and wanted to hear more from the Fire Chief and fellow commissioners, agreeing with Commissioner Cooper that they weren't fire engineers but he didn't want to run through the code and make a decision on the fly when dealing with public health and safety.

Deputy Fire Chief Johnson stated that these issues were on the table from day one and should not be a surprise to anyone. Referring to mention of the July meeting, he asked if Mr. Blackman had cited Fire Code 503.

Commissioner Cooper wasn't sure it was even pertinent.

Deputy Fire Chief Johnson stated that the point was that it was part of the international code but not part of the state or city Fire Code, so Fire Code 503 did not apply to this project. He stated that there should be minimum grading, and if he proposes a different surface, he thought they would be fine with what they have. He added that it did concern him about access going forward, but it was not for this development but for whoever develops later on. He stated that, if it was geographically impossible to build a turnaround, they can exempt it, but he thought they had the space to do it. He stated that he would not want to see him build a cul-de-sac either, because that was the most land intensive way of making a turn around when he has the ability for other options and other designs that he could make work in the space available with a minimal amount of additional grading if any. He concluded that he thought the project as designed will meet the grades with ultimate suggestion for surface. He referred to Harmony at One which has a similar situation where there is a different surface to allow a steeper grade. He stated that he didn't think there was anything that was insurmountable, adding that nothing should have been a surprise as he was told in July that 503 did not apply and was not part of the code.

Commissioner Gordon asked if he had a chance to see the plan that the agent submitted to the Commission.

Deputy Fire Chief Johnson stated that he saw a plan but was not sure if it is the one he submitted now. He thought he had a red line marked for fire access and the 60-foot was printed out. After looking at the plans, he concluded that he has seen that set of plans.

Commissioner Gordon asked if Deputy Fire Chief Johnson said the plans were acceptable to him with certain revisions.

Deputy Fire Chief Johnson stated that the grade would be acceptable with the addition of a different surface.

Commissioner Gordon asked what the different surface would be.

Deputy Fire Chief Johnson stated that it could be concrete, adding that at Harmony at One, they provided a grooved concrete surface for traction.

Commissioner Gordon understood that the applicant was upset about getting blind-sided but the Fire Chief was saying that he had notice. He stated that, for the Commission's purpose, that was a process issue and they have to figure out what was going to be acceptable for safety purposes. He also mentioned that they weren't fire experts but they were to facilitate in this awkward setting for a meeting of the minds between the builder and Fire Chief. He realized it would ideally have happened in a different context when they were all in the same room and go back and forth with ideas and proposals and he felt this was awkward where they have to ask the Fire Chief what works for him and then ask the builder if that works for him. He felt it was an awkward setting, but if that was what they have, they have to go with it. He suggested that the Fire Chief could facilitate this if he were to say what he needs to see for these plans to work for him and then go back to the builder to find how it works for him. He agreed that he didn't want to get in a position of having to interpret code on the fly.

Deputy Fire Chief Johnson agreed with him.

Chair Campbell stated that normally when they have to interpret codes was when they move to continue, as they don't like to interpret any codes on the fly, but especially fire and safety codes.

Commissioner Evans also agreed with the others that he liked the project and idea, was in a location that is unseen when you drive by it which he thought was a great idea. He saw the fire issue as the biggest problem, and he was still getting cross thoughts. He asked, if he changed the material to a cross groove driveway without a turnaround, whether that would be sufficient for approval from the Fire Department.

Deputy Fire Chief Johnson stated that, from the bottom to the top off San Pedro Avenue, if the grade above 10% was a different surface, such as a concrete grooved surface, that would be acceptable.

Commissioner Evans asked confirmation that it was acceptable without a turnaround.

Deputy Fire Chief Johnson stated that it would not be acceptable without a turnaround. He stated that the entire length was access for the Fire Department. He reiterated that code 503 does not apply, adding that only appendix D applies to this. He stated that it would be 20 feet all the way to the top and no parking on either side all the way to the top. He wasn't sure how far the

dimension was at the top driveway. But if the applicant proved it was physically impossible to build the turnaround, then the Fire Department can waive the turnaround requirement, but they would have to prove it was extremely impractical to build, such as \$2 million which would be very expensive.

Commissioner Evans concluded that he meant cost prohibitive.

Deputy Fire Chief Johnson responded affirmatively.

Commissioner Evans concluded that the 60-foot thing doesn't really mean anything then.

Deputy Fire Chief Johnson believed that was Mr. Blackman's interpretation of 503, which does not apply.

Commissioner Evans mentioned that he was not a code expert.

Deputy Fire Chief Johnson understood.

Commissioner Evans stated that they have to go by what was given to them now, and he concluded that they were getting conflicting reports. He was at a loss and agreed that they should not be going back and forth.

Commissioner Vaterlaus asked if the distance to the fire hydrant to the fire truck in Fire Plan 1.01 and the distance that they could fight the fire all the way up the hill was sufficient or not, with the distance to the fire hydrant and the distance of the fire hoses up the hill.

Deputy Fire Chief Johnson wondered about the distance of the fire hose up the hill, but added that the hydrant location was different, like apples and oranges.

Commissioner Vaterlaus asked that he repeat that.

Deputy Fire Chief Johnson stated that they were not the same requirements, but apples and oranges. He explained that one was the location of the fire hydrant has to be within a specific distance, which was set in code. He stated that the other was a condition of 150 feet that was 503 which he was citing but it was not applicable to this case.

Commissioner Cooper thanked the Deputy Fire Chief for coming out. He believed they were all there to get the best project they possibly can and insure that the public's safety is maintained at all times. He had several other issues. He felt the parking issue was a genuine concern because of the property behind it and where it was located. He thought preventing people from parking along the street was important. He found it difficult to believe that there was only going to be one parking space and, assuming that no one was going to have a guest within those four units or want to visit someone when they are here. He would expect that there would be additional people who would want to visit and additional parking space would be important to him. He also had an issue regarding trash and the storage of the trash on the property and how it was being dealt with on the curbs. He thought they were going to have trash bins and they need to be dealt with. He felt there needs to be a meeting of the minds and a recommendation before he was willing to vote on something. He apologized to Mr. Blackman because he felt like he went through this process, reached out and had a meeting of the minds with conditions of approval, but obviously there has

not been such. He reiterated that he would not feel comfortable on voting on this now because he didn't feel that there was enough information presented or worked out to a viable plan, which was a concern to him. He would be willing to make a motion to move the item to the next meeting to find a meeting of the minds and present something on which he can vote.

Chair Campbell thought there was a viable project here, almost, and he felt, if they can get the fire and parking issues resolved, as well as specificity on where the sign will be located, then they might be able to move the project forward, but right now he didn't feel he can make a decision on the fly on this because of public health and safety issues.

Commissioner Gordon stated that he was in full agreement with Commissioner Cooper. He was in favor of the project, adding that it was an awesome use of the area and the design was great. He agreed with whoever stated that the applicant's construction projects speak for themselves as they are the highest quality. He added that his issue is one raised by the neighbors and he felt it needed to be taken more seriously, specifically the management issue. He acknowledged that it was a unique model of remotely managed vacation rentals. He stated that, in the AirBnB context, it has proven controversial in many locations and has the potential, if not managed properly, to create problems in neighborhoods. He referred to an ordinance passed in San Francisco, adding that these are not problems that are coming out of thin air. He thought there was a lawsuit on one vacation rental in Pedro Point or near lawsuit because there was a lack of proper management for that vacation rental. He would like to see some kind of condition of approval where, if approved and it turns out that there was a pattern of complaints from the neighborhood that the planning director finds are substantiated, the project come before them again in a year. He has the utmost confidence that the applicant, with her experience in managing hotels, can handle this very well. He would like the ability to have some leverage to make sure it happens.

Commissioner Evans stated that they keep talking about AirBnB, and his understanding of AirBnB was an individual who owns a house decides to rent his house out and not have it labeled as a commercial rental. He stated that this is designated as a motel. It will have a sign out in front stating that it is a motel and that is not an AirBnB, and they will be paying TOT taxes. He thinks that is one of the biggest complaints about AirBnB was that they don't. He stated that was why San Francisco put an ordinance in to stop the non-taxing, adding that they can't get taxes if they don't know about it. He stated that, when he goes on vacation, he rents a cottage with the same idea of doing everything online and getting the code to the lockbox on the door and you have your house. He stated that, if there was a problem, there was a number to call management. He didn't see that as a problem and he didn't see the non-on-property management as an issue at all. He did see the Fire Code as the whole thing, adding that if he cannot put a turnaround up there, he didn't see why they can't give the exception on that. He stated that it never goes the 15% grade all the way up, and according to the rule, it cannot exceed 15%. He sees the turnaround as the biggest hangup. He didn't see the other things as a hangup. He stated that, regarding parking, every unit will have a number to call if someone is parked in the driveway.

Commissioner Vaterlaus liked the project. She thought the grooved concrete will solve the grade issue. She also thought moving of a fire hydrant seemed to be one of the issues. She can see that as cost prohibitive to move or add a fire hydrant. She agreed that the fire issues were of concern. She stated that she owns a vacation rental in Arizona and manages it from here. She stated that they have had one issue in two years and the neighbor called. They stopped the issue when someone was having a giant party. She didn't think the management of the property was an issue. She stated that she pays TOT tax. She felt it was a good use of a commercial zoned

property between two other commercial zonings. She thought we needed to work together on the fire issues.

Commissioner Gordon stated that his issue wasn't that there was going to be mismanagement. He stated that this was a new model and he was open to it. He stated that there is a house on Pedro Point that gets rented out a lot and has had a history of lots of parties. He thought the owner didn't address the issues properly and it was a sore issue. He stated that the issue was whether the neighborhood had a number to call if there are loud noises or disturbances, etc. He stated that was great if they did. The second issue was whether there was a proper response. If there was, then there was no problem. He wants the neighbors to feel like they have their back as well.

Chair Campbell stated that there was code enforcement and the police to call, but it might be worth exploring.

Commissioner Vaterlaus stated that you have other units and each of those people in those units have the owner's phone number because there could be any kind of problem with the property, such as the dishwasher stops working. She stated that, if one person is having a party, the one next door is going to call and complain. She felt it would manage itself.

Commissioner Cooper stated that you certainly could put a condition that they have their number on the sign in front for a place to contact management.

Chair Campbell thought they have movement towards a continuance. Everyone thinks it's a viable project with good people behind it. There is a fire issue, emergency vehicle access issue, parking issue and they have to think about red curbs up or, if a wider driveway, people can park. He would want to know where the sign will be going. He thought those were the big issues.

Commissioner Cooper asked staff if it was an option to continue or whether it is in front of them to vote yes or no.

Planning Director Wehrmeister responded that they have the option to continue.

Commissioner Cooper moved to continue this item until either the next meeting or until applicant and Planning Department can revise the plans in order to address the issues brought up today. He asked if that was a proper motion.

Planning Director Wehrmeister suggested that they continue to a date certain.

Chair Campbell stated that it may require hearing from the applicant.

Planning Director Wehrmeister stated that the next meeting was Tuesday, February 16, as the next regular Monday was a holiday.

Mr. Blackman thought they were making progress, possibly concrete, possibly not doing the turnaround. He did not think it was going to help that much, but if they want to take one of the units and put it as management, they can do that for a year or if staff thinks they have proved themselves, and then they can rent that one out. It will be less TOT tax for the city. He stated that he didn't want to add another building. He thought they were pretty close with the Fire

Department. He then referred to the Commission mentioning that they did not want to be deliberating about the Fire Code and mentioned that there was an appeals process. He stated that he can work this out with Mr. Johnson but he thought they might have gotten close to making this project work. He hoped they have the energy to work on this a little bit longer. He stated that another concern was parking, adding that he did not want to put more pavement but he has a spot at the top of the curve that, if they would like another parking spot, they can do that. He reiterated that they can also put an onsite manager for the first year or until staff feels that they have proven themselves. He stated that he has a rental in Pedro Point and no one has met his tenants. They are quiet and awesome. He stated that they are good managers of property. He has property in town and he wants the town to be awesome. They will do everything, and be immediately there if someone calls. It was their motel, their neighborhood. He will do anything. If they want onsite management, he didn't know if that will help because they will be there in a minute as they all live nearby.

Chair Campbell stated that they have had a motion and the process has to play out, but the points he was bringing up point to the fact that they probably need further offline discussion, because he didn't even know if the management process was within their purview. He stated that this all needs to be hashed out and come back to them. He stated that, as far as the motion of continuance on the table, they had a date given for a continuance.

Commissioner Cooper stated that it was February 16, the Tuesday after the holiday.

Chair Campbell acknowledged the date and asked Mr. Blackman if that was too soon.

Mr. Blackman stated that he can make anything happen at any moment. He has hashed it out, has no idea, and needs direction as to what he should be doing differently.

Chair Campbell stated that he would direct him to staff and the Fire Chief.

Mr. Blackman stated that this was the city's process, they know how they got there and he needs their help.

Planning Director Wehrmeister stated that she has some reactions to Mr. Blackman's comments.

Chair Campbell asked if the Commission can entertain comment from staff between the motions.

Asst. City Attorney Visick stated that they can debate in between the motions but they cannot take up another motion without disposing of the one on the table.

Planning Director Wehrmeister stated that, if she understood Mr. Blackman correctly, he would be willing to use alternative paving methods as discussed, willing to leave the condition regarding the turnaround as is and to continue to discuss the compliance with that condition with the Fire Chief and, if need be, he could use the appeals process to discuss it further. He would be willing to put in a manager's quarters, but she didn't know that staff has a strong feeling on that. She stated that she feels strongly that she didn't think staff should be the body that determines whether or not that management quarter needs to be included. She would suggest that there be four rooms as proposed and that this come back either six months or 12 months after it is operational for a review by the Planning Commission.

Chair Campbell stated that they would have to hear from the Fire Chief again, have the plans, have the grading, the roads. They haven't even talked about the red curbing, the traffic, the parking analysis. He thought it was a bit much to do this. He thought it sounds like they are very close and he didn't see a reason why they couldn't go until the 16th which is just two weeks, and get this resolved properly with a new staff report and a good set of plans.

Planning Director Wehrmeister agreed that they can do that, she was providing the Commission options.

Chair Campbell appreciated the effort. He stated that they have a motion on the table.

Commissioner Evans seconded the motion. He added that hopefully they will work it out.

Commissioner Gordon stated that he was out of step with them. He referred to being that close to working it out, and they have all the parties present.

Chair Campbell stated that there has been a motion and a second.

The motion carried **3-2**.

Ayes: Commissioners Evans, Cooper and Chair Campbell
Noes: Commissioners Vaterlaus and Gordon

CONSIDERATION:

None

COMMISSION COMMUNICATIONS:

None

STAFF COMMUNICATIONS:

Planning Director Wehrmeister stated that they were currently recruiting for a new assistant planner and they will hopefully get someone on fairly soon. She also mentioned that the City Council declared an emergency on January 25 and staff has been busy with regular business and supporting the City Manager and the emergency operation center. She also wanted Assoc. Planner Murdock to give them a little bit of background on the item mentioned by two speakers during public comments because it was something the City Council was taking up but she was not sure the Planning Commission has been as involved.

Assoc. Planner Murdock stated that the Planning Director was referring to Peninsula Clean Energy or Community Choice Aggregation and Community Choice Energy. He stated that several terms are used to describe the same thing, which is a mechanism allowed under state law for local governments to organize and collaborate in order to combine or aggregate the electrical usage demand of businesses and residents within their jurisdictions. He stated that the common formulation is for like-minded governments to create a joint powers authority to create a separate

entity which establishes and operates this Community Choice Aggregation program. He stated that, in San Mateo County, the county government, led by Supervisors Pine and Groom, has led this effort and all 20 cities and towns in the county have participated thus far in the advisory group. He stated that the county has established the JPA, Joint Powers Authority, and several cities have chosen to participate thus far. He stated that the City Council was scheduled at their next meeting to consider participation. He stated that, at a recent meeting, they had a presentation from County staff, asked questions and received information about the program. He stated that one of the stated purposes was to reduce greenhouse gas emissions by enabling a more responsive and focused electrical provider as some perceive it, more responsive perhaps than the incumbent utility, Pacific Gas & Electric. He stated that, by having that local control and a smaller and more nimble organization, they can respond to the community preferences in which Pacifica is likely to be supportive and responsive to that greenhouse gas reduction goal. He referenced another stated benefit which has been experienced and observed with the two major operating community choice aggregation programs in Marin County and Sonoma County as the ability to offer rate competitiveness. He stated that, by having that local control to set rates as well as selecting the power generation mix, they have been able to achieve substantial greenhouse gas emission reductions while also maintaining somewhat less expensive options for power for residents going up to slightly more expensive options for 100% renewable. He stated that those were two of the key benefits that the programs strive for and are able to obtain in the current energy market. He stated that there are a number of other ancillary benefits in other customized programs that the board of directors of such an agency can develop and implement. He stated that having that local control was one of the key takeaways, adding that it was yet to be seen if the city will choose to participate but the first real opportunity to provide an answer to that question will be at the next City Council meeting.

Chair Campbell asked if there was information on the city website regarding this at this time, or was there a recommendation where to look for more information.

Assoc. Planner Murdock stated that he hoped he gets this right, giving the website of peninsulacleanenergy.com. He stated that it was a specific program site established by the county which has taken the lead on most of the upfront consultant work in analysis for this effort. He added that you can also go to the County of San Mateo's office of sustainability website and, through that, you can link to the Peninsula Clean Energy site. He stated that most of the information and the details in the technical and feasibility study are available on those websites. He stated that there will be a staff report prepared by city staff outlining the key considerations for the city's participation which will be released ahead of the Council meeting.

Commissioner Cooper asked about the apartment complex they approved for the emergency demolition. He thought it was apparent that the whole bluff was eroding quite quickly. He asked what precautions they were taking to not further the problem and potentially pollute if it goes into the ocean.

Planning Director Wehrmeister stated that the remediation for that building part of what was taking some of the time. She stated that the building was tested for contaminants, and it has both asbestos and lead. She thought we were close to getting a contract together with a contractor who can remove those materials safely, then the regular demolition contractor can come in and demolish the remainder of the building.

Commissioner Cooper asked if they were getting anywhere near when the building was looking at tipping into the ocean and the assessment of someone safely getting in there and doing any work.

Planning Director Wehrmeister stated that was something the Building Official and the Public Works Director are talking about right now, as they want to ensure that all workers are safe.

ADJOURNMENT:

There being no further business for discussion, Commissioner Evans moved to adjourn the meeting at 9:09 p.m.; Commissioner Gordon seconded the motion.

The motion carried **5-0**.

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

Respectfully submitted,

Barbara Medina
Public Meeting Stenographer

APPROVED:

Planning Director Wehrmeister