

MINUTES

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

March 5, 2018

7:00 p.m.

Chair Nibbelin called the meeting to order at 7:00 p.m.

ROLL CALL: Present: Commissioners Kraske, Stegink, Gordon, Clifford and Chair Nibbelin
Absent: Commissioners Cooper and Campbell

SALUTE TO FLAG: Led by Commissioner Kraske

STAFF PRESENT: Planning Director Wehrmeister
Contract Planner Aggarwal

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

The motion carried **5-0**.

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

Chair Nibbelin stated that they had two sets of minutes to approve and asked if they wanted to approve them separately or collectively.

Commissioner Clifford stated he would be willing to approve them collectively.

APPROVAL OF MINUTES: FEBRUARY 5, 2018 and FEBRUARY 20, 2018 Commissioner Clifford moved approval of minutes of February 5, 2018 and February 20, 2018; Commissioner Stegink seconded the motion.

The motion carried **5-0**.

Ayes: Commissioners Kraske, Stegink, Gordon, Clifford and Chair Nibbelin
Noes: None

DESIGNATION OF LIAISON TO CITY COUNCIL MEETING OF MARCH 12, 2018:

Planning Director Wehrmeister apologized that the date didn't show up. She stated that the tentative hearing date for that appeal was April 9, adding that it was the same date as the tentative date for the annual report as well.

Chair Nibbelin stated that he will be there for that item anyway.

ORAL COMMUNICATIONS:

None.

CONSENT ITEMS:

None

CONSIDERATION:

1. N/A Planning Commission Annual Report for Calendar Year 2017.

Planning Director Wehrmeister presented the staff report.

Commissioner Stegink stated that he saw that contradiction in the attendance record and asked if he is correct in assuming that it wasn't a non-attendance but an absence record.

Planning Director Wehrmeister responded affirmatively.

Commissioner Stegink stated that was the only item under the heading, attendance record.

Chair Nibbelin saw the point that it was to highlight attendance and done by showing the percentage of absences. He thought it was clear to call it the attendance record, but he agreed that his point was a fair one and it might be useful to have a line or two to make it clear.

Commissioner Gordon thought it was pretty clear.

Commissioner Stegink thought it appeared that there were partial years calculated for certain commissioners but not other commissioners.

Planning Director Wehrmeister stated that it was trying to be fair based on when the commissioner was appointed and the percentage for those with an asterisk was the percentage of meetings that they could attend because of date of appointment. She stated that it would be unfair to calculate an entire year if you were appointed in August, for example.

Chair Nibbelin asked how it would be presented to City Council, such as whether there was something he needed to do.

Planning Director Wehrmeister stated that he needs to give the report. She stated that the report will be attached to the City Council's staff report and they will turn the information into a PowerPoint presentation, give it to him ahead of time, make any adjustments and have it ready for him on the evening of the presentation.

Chair Nibbelin concluded that he will have a chance to collaborate before the presentation.

Commissioner Clifford stated that he had one question. He stated that they did grant the permits for the new Highway 1 pedestrian over cross in Sharp Park, and asked if they have an update when they are actually going to start that project.

Planning Director Wehrmeister stated that they were getting encroachment permits from the Engineering Division and she thought they were going to begin within the next month or two.

Chair Nibbelin thanked her for the report which was concise and easy to follow.

PUBLIC HEARINGS:

- 2. UP-088-17** **Use Permit UP-088-17** for enclosure of a covered entry porch in the front yard to add approximately 94 square feet (sf) to an existing, two-story 2,154 sf residence, which expands an existing non-conformity in the required 15-foot front setback. The project also proposes landscaping and other additions on the first and second floors to the north side and a first floor addition to the rear. Entitlements are not required for the latter changes. Recommended CEQA Action: Class 1 and 4 Categorical Exemptions, CEQA Guidelines Sections 15301 and 15304.

Planning Director Wehrmeister re-introduced her colleague, Ranu Aggarwal, who is a contract planner from M Group. She stated that she has been present before but with a different Commission.

Contract Planner Aggarwal presented the staff report.

Commissioner Clifford understood that the existing front porch was also 2 feet, 7 inches from the setback.

Contract Planner Aggarwal responded affirmatively.

Commissioner Clifford concluded that, in closing it they were not increasing their bite out of the setback.

Contract Planner Aggarwal stated that they were not.

Commissioner Stegink stated that the letter from the public was so glowing that he wondered if staff attempted to determine that those people actually exist versus merely an email account.

Commissioner Gordon stated that he can verify that person exists as he knows her.

Planning Director Wehrmeister stated that she acknowledged the email.

Commissioner Stegink stated that he did check and that person exists, adding that it was a lovely little home.

Ellis Schiochet, applicant, stated he was the architect. He stated that the project was being heard for a use permit because of an encroachment that previously existed but it was a covered porch and they were planning on enclosing it. He stated that the nomenclature stating it was an increase in the non-conformity was debatable, explaining that it was ruled that because it was square footage of living area whereas before it wasn't living area. He stated that the outline of the house and space was already delineated by the perimeter of the building. He stated that they were also

asking for the site development permit because they have gone over the threshold by a couple of hundred square feet but the treatments of the architecture have been very carefully designed to enhance the architecture of the home and an improvement to the neighborhood. He brought copies of the renderings, showing the after look which was slightly different from the existing look, but he thought better. He didn't think it was noticeably different from the neighborhood except possibly that there was a little bit more depth of landscaping in the front of the house and better landscaping across the remainder of the property as they are proposing re-landscaping the entire property.

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

Commissioner Gordon stated that he was in favor of the application. He thought Commissioner Clifford raised a good point in that the encroachment wasn't being extended any further than it already was but just being enclosed. He thought it would provide nicer living space for the applicant. He was in favor of more landscaping which will result from this plan.

Commissioner Stegink stated that he visited the site but not the documents. He agreed that it was a minor extension. He was interested in how much extra the applicant paid to have a hearing on that issue versus merely having it passed internally.

Commissioner Stegink asked if the applicant's architect had an answer to that.

Mr. Schiochet stated that he didn't have the exact number at his fingertips, but he thought there was a deposit in excess of \$6,000 for the use permit plus the site development. He stated that it was debatable in his mind whether the use permit should be required or not. The ruling was that it is required.

Commissioner Clifford stated that it was a very tasteful change to the house. He thought it enhances it as well as the neighborhood and he will be voting for it.

Commissioner Gordon stated he was ready to make a motion.

Commissioner Gordon moved that the Planning Commission find the project is exempt from the California Environmental Quality Act; APPROVE Use Permit UP-088-17; by adopting the resolution included as Attachment B to the staff report including conditions of approval in Exhibit A of the resolution and incorporate all maps and testimony into the record by reference; Commissioner Stegink seconded the motion.

The motion carried **5-0**.

Ayes: Commissioners Kraske, Stegink, Gordon, Clifford and
Chair Nibbelin.

Noes: None

COMMISSION COMMUNICATIONS:

Commissioner Stegink was curious on how the progress on the marijuana applications is going.

Planning Director stated that they were in the midst of phase 2, when the applicants are required to submit the detailed security plans to the Police Department. She stated that there were at least

one or two that did not get approved out of phase 1 and at least one is being appealed and will be on an upcoming City Council agenda. She stated that the Police Department was the lead and she wasn't sure which agenda it would be part of, but very soon.

Commissioner Stegink concluded that it has been culled from 32 to 29.

Planning Director stated that it was about that number.

Commissioner Stegink asked if they have any idea how many ADUs have been added since two meetings ago.

Planning Director Wehrmeister stated that she didn't want to guess, and she will have to report back.

Commissioner Stegink referred to discussion of a homeowner's bill of rights and something that would expedite some family home remodels that are extremely simple, and he stated that this project, although was from before we were a city, seemed like a thing that could be expedited. He asked if there was any mechanism internally for Planning to expedite that without bringing it to a planning meeting.

Planning Director Wehrmeister stated that they would need to adjust some code language. She stated that, if they have direction to do that, there were plenty of areas where they can expedite some of the permits by adjusting the code language.

Commissioner Stegink asked if it would be in a manner that would save both the city and the applicant money.

Planning Director Wehrmeister responded affirmatively.

Chair Nibbelin stated that the vice chair has resigned from the Planning Commission, and he asked when they elect officers in the ordinary course.

Planning Director Wehrmeister stated that she was planning to give them an update on that subject. She stated that the reorganization occurs in April and at the end of March tentatively the Clerk will call for interviews for new commissioners and she was going to suggest that they wait for that and do a complete reorganization as they will be without a vice chair for a couple of meetings.

Chair Nibbelin stated that he can deal with the stress of it. He stated that it sounds like something is in the offing to adjust that.

Commissioner Kraske asked if they could provide an update on the General Plan.

Planning Director Wehrmeister stated that there have been other priorities that have come up ahead of the General Plan process. She stated that they were in the steps of taking the goal setting through the budget process and there will be a two-step process. She stated that they have heard feedback and gotten the Council's direction on Saturday and the staff executive team will go back and look at resources, budget and return with another go at goal setting and get Council's concurrence on what the city's priorities are for the next fiscal year.

Commissioner Stegink stated that approximately three minutes ago, when they asked if there was anything they could do to save both the city and the applicant's money, she said that there were a couple of regulations that would need to have control, and he asked, if they were looking to make that happen today, what would be the next step.

Planning Director Wehrmeister stated that they would need to go through the zoning ordinance with a clear direction of the goal. There were ordinances that create a lot of work that perhaps do not have a significant return at the end for the public and applicant. They would need to come back for some guidance from the Commission and the City Council as to the directions to amend the code.

Commissioner Stegink asked if Planning would vote on sending it to City Council and Council would change the law.

Planning Director Wehrmeister responded affirmatively.

Commissioner Stegink asked if that would typically require a study session.

Planning Director Wehrmeister stated that it would depend on the controversy or how significant the change would be.

Commissioner Gordon thought it was a great conversation to have and, to add institutional history, he stated that a couple of years ago when the Planning Director was George White, there was a move to take some agenda items away from the Commission and make them more over the counter and more administrative to streamline stuff. He stated that they would see stuff like this come through and there was a general impression from City Council that the pendulum swung too far in terms of removing stuff that, in hindsight, would have made sense for the Commission to be deliberating on because there were controversial nuggets that should have been deliberated. He thought the pendulum swung too far, got corrected and perhaps was going the other way. He just wanted to be clear that this was something on which they have gone back and forth.

Chair Nibbelin stated that even since his time on the Commission they have had some conversations about it and the notion of having a public forum for discussing things that might have a bit of controversy or things on which people may want to comment. He thought it was worthy of a conversation. He thought there are things, and he recalled some permit approval renewals that would come and he would wonder why they need to consider those things in a meeting. He reiterated that a lot is based on history.

Commissioner Stegink asked, based on Commissioner Nibbelin's comment, whether extending permit expiration from one year to one and a half reduce their workload.

Planning Director Wehrmeister stated that they did address that through conditions of approval and as long as there has been no substantive changes surrounding the approval, the Planning Commission through their conditions of approval said staff can extend it for another year but not more than the two years that is allowed under the Municipal Code. She stated that was something they were able to streamline through conditions of approval.

Commissioner Stegink stated, for the record, that he fully understands why this item came to this meeting because it had enough tiny little things that, if you had not seen the house and put them all together, it could go awry, because it was from before Pacifica was a city. He thought there were some things in unopposed single family home remodels under 50% square footage increase where cities in the United States issued permits in 30 days.

Planning Director Wehrmeister stated that it all depends on what the city would like to do. She stated that there were a lot of different methods, such as the city puts out a notice and if you don't hear anything it can be approved. She stated that there was much discussion that can be had.

Commissioner Stegink asked under what circumstances they pull in an outside vendor such as tonight.

Planning Director Wehrmeister asked under what circumstances.

Commissioner Stegink referred to pulling an outside vendor such as Ranu Aggarwal.

Planning Director Wehrmeister explained that they extended her company's contract, M Group, recently through the City Council because they needed to process permits faster and needed more people.

STAFF COMMUNICATIONS:

Planning Director Wehrmeister stated that there was nothing further.

ADJOURNMENT:

There being no further business for discussion, Commissioner Clifford moved to adjourn the meeting at 7:30 p.m.; Commissioner Stegink seconded the motion.

The motion carried **5-0**.

Ayes:	Commissioners Kraske, Stegink, Gordon, Clifford and Chair Nibbelin
Noes:	None

Respectfully submitted,

Barbara Medina
Public Meeting Stenographer

APPROVED:

Planning Director Wehrmeister