

MINUTES

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

June 17, 2019

7:00 p.m.

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

ROLL CALL: Present: Commissioners Berman, Rubinstein, Nibbelin, Kraske, Bigstycck and Chair Clifford
Absent: Commissioner Campbell

SALUTE TO FLAG: Led by Chair Clifford

STAFF PRESENT: Planning Director Wehrmeister
Sr. Planner Murdock
Mgmt. Analyst II Montemayor

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

The motion carried **6-0**.

Ayes: Commissioners Berman, Rubinstein, Nibbelin, Kraske, Bigstycck and Chair Clifford
Noes: None

APPROVAL OF MINUTES: MAY 6, 2019 MAY 20, 2019 Commissioner Nibbelin moved approval of minutes of May 6, 2019 and May 20, 2019; Commissioner Kraske seconded the motion.

The motion carried **6-0**.

Ayes: Commissioners Berman, Rubinstein, Nibbelin, Kraske, Bigstycck and Chair Clifford
Noes: None

DESIGNATION OF LIAISON TO CITY COUNCIL MEETING OF JUNE 24, 2019:

Planning Director Wehrmeister stated that they would need a liaison.

Commissioner Nibbelin stated he was happy to attend.

ORAL COMMUNICATIONS:

None

CONSENT ITEMS:

None

STUDY SESSION:

File No. 2019-002 – Study session to discuss development of a Three-level, mixed-use building consisting of ground floor Commercial and 12 dwelling units on the upper levels, on an Approximately 9,500 sf project site in the Pacific Manor Neighborhood. Recommended CEQA Action: N/A.

Planning Director Wehrmeister introduced Joshua Montemayor, Management Analyst who started in late 2018 and stated this was his first presentation.

Mgmt. Analyst II Montemayor presented the staff report.

Sr. Planner Murdock expanded on a couple of points in the staff report.

Commissioner Bigstyk stated that he wasn't sure about the general plan high density residential versus C1 zone and thought it was confusing and the point of this study session was whether they want it to be that and never mind what it already is.

Sr. Planner Murdock thought that it was probably correct. He stated that it was a mapping exercise to go from what they thought was high density residential to commercial. They found that the site was commercial already being that it was designated as mixed use from the General Plan amendment from 2007. He stated that the important issue was redefining what it means to be a commercial mixed use land use would require them to allow development in intensities that the city hasn't previously contemplated in the recent past, at least since the 1980 General Plan.

Commissioner Bigstyk thought he heard that there could be five residences in this moment. He asked if, without doing any alterations, the developer could have five residences and one commercial right now.

Mgmt. Analyst II Montemayor responded affirmatively.

Commissioner Bigstyk thought that they would then have to amend the General Plan if they allowed the 12 units.

Mgmt. Analyst II Montemayor responded affirmatively.

Commissioner Bigstyk assumed there was a General Plan "on the horizon."

Mgmt. Analyst II Montemayor responded affirmatively.

Commissioner Bigstyk thought best practice would be to go through the General Plan usage. Then, if they decide to go forward with the project, he asked if that would potentially be setting a precedent for how they want to look at future General Plan opportunities in the future or should it not consider how they might be looking at things in the future.

Planning Director Wehrmeister stated that it would set a precedent as the city would need to adopt land use regulations to accommodate the proposed density and either amending an existing land use designation and it would apply citywide to anything that shares that designation or they

would be creating a new designation that, even if this were the only parcel to have that land use designation, it was created and could be requested by other projects in the future to be redesignated.

Commissioner Bigstycyk thought it would be creating a new defined land use.

Planning Director Wehrmeister responded affirmatively.

Commissioner Bigstycyk thought, going forward, it would require a rezoning of any given area to apply that but there would already be an assigned zoning regulation on the books if they wanted to.

Sr. Planner Murdock stated that, expanding on what Planning Director Wehrmeister said, in the draft General Plan, there are two new land use designations contemplated in the draft General Plan that would get closer to this type of development but they have not thus far contemplated to be applied to this site, one being the mixed use neighborhood and the other the mixed use center designation and it would flip the city's practice on its head where it was bringing back a mixed use designation with an actual meaning and effect. He stated that the mixed use neighborhood definition would allow up to 26 units per acre and the mixed use center would allow up to 50 units per acre. He stated that they have already been defined and considered in the draft General Plan but he didn't think applying them to the site has been contemplated yet, so there would be a bit of planning and analysis required to do that. He stated that, in addressing his point, typically following a comprehensive General Plan update as they are working on now, significant comprehensive zoning update amendments would follow and would definitely be required in this case. He stated that the C1 and C2 zoning standards which allow mixed use have written into the zoning not more than one unit for 2,000 sq. feet. He concluded that waiting for the General Plan does not completely alleviate the problem, but it would allow them to make zoning amendments consistent with the General Plan. He concluded that they amend it now on a project ad hoc basis or they wait for the General Plan update to redesignate the site mixed use neighborhood or mixed use commercial. He stated that the zoning would still have to follow to allow more than one unit for 2,000 sq. feet.

Commissioner Bigstycyk asked, if they wait for the comprehensive General Plan update, how long the developer would be waiting to develop the property if they allowed it at that time.

Sr. Planner Murdock thought in the order of a couple of years. He stated that they hope to wrap up the General Plan update by early 2020 and significant work would be required to implement the various new procedures of the draft General Plan if adopted and would take a year or more.

Commissioner Bigstycyk asked what updated density was being requested in this instance.

Mgmt. Analyst II Montemayor stated that they were requesting a ratio of one dwelling for every 790 sq. feet based on the 12 units proposed.

Sr. Planner Murdock stated that it was a density of 55 units per acre.

Commissioner Bigstycyk thought that would be more than the proposed mixed use center.

Sr. Planner Murdock responded affirmatively.

Commissioner Bigstyk asked if the inclusionary component was 15% for eight units or more.

Sr. Planner Murdock responded affirmatively, adding that it was conceivable that, if it were to be redesignated a mixed use center, it would allow up to 50 units per acre density and it was conceivable that the project could reach 55 units per acre without creating a new General Plan designation. He stated that the applicant has expressed interest in pursuing a density bonus which was allowable under the city's land use regulations and allows them to go above the maximum density of the General Plan designation if you meet certain criteria such as higher percentages of affordability, 100% rental project, etc., and it was possible, if all criteria were met, to get to 55 units per acre if the site were designated mixed use center. He stated it was difficult to imagine getting to a mixed use center or standard commercial designation.

Commissioner Bigstyk referred to the density bonus and the inclusionary program which was 15% which would be 1.8 units, and he asked if it would round out if it was 1.5 or more.

Mgmt. Analyst II Montemayor responded affirmatively.

Commissioner Bigstyk then asked what the density bonus would look like in terms of affordable units.

Sr. Planner Murdock stated that it was a bit difficult to explain in simple terms. He stated that affordability for these types of programs was stratified by income level. He stated that they may have heard of 80% of median, 60% or 30%, and the terms were moderate, low income, very low, extremely low. He stated that the terminology in the ordinance doesn't always align exactly and they evolve and take different meanings over time. He stated that, if the current density bonus ordinance, that they were working to amend in the near to midterm future, provides 20% of the units for lower income households, they are entitled to a 25% density bonus and if you provide 10% of the total units for very low households you were entitled to the 25% density bonus. He stated that in one instance, they get a greater share of units at an affordable level and the standard BMR (below market rate) ordinance and in another instance they get fewer units but they are called deeper affordability and there was a higher subsidy for those units, as the lower income households can afford to live in them but fewer units have been set aside and there were tradeoffs on both sides of the equation.

Commissioner Bigstyk asked if the 20% was on top of the 15% that they presumably already have to do.

Sr. Planner Murdock asked him to repeat it.

Commissioner Bigstyk asked, if the 15% for the standard inclusionary program was in place, whether the 10% or 20% on top of the 15 or included in the 15%. He thought the 15% would be the 80%. He asked instead of 15% for extremely low or 20% would be moderate low or was that on top of the other 15%.

Sr. Planner Murdock didn't know if they will have an answer for him, stating that it doesn't have to be mutually exclusive when they look at the percentages of affordability and how they are required to be provided. He stated that, in the baseline of the BMR ordinance compared to the

density bonus ordinance, they could end up with both because of the way the proportions of the units need to be broken down. He didn't know if it was a simple answer.

Commissioner Bigstyk thought, if it was 10% on top of the 15%, it sounded like a full unit, then mentioned various scenarios. He asked him to describe the incentives are for the developer to do the density bonus.

Mgmt. Analyst II Montemayor stated that, for the developer, if they provide all rental housing they would be entitled to less parking and they wouldn't have to provide the entire parking amount. If it was an affordable project, the parking would be the same, and there would be reduction in the lot area and set back requirements and maximum percentage of lot coverage.

Sr. Planner Murdock stated that he laid out "incentives" as defined in the ordinance and he thought the common usage of the incentive was that the developers get more units to sell at market rate in most cases. He stated that was the financial incentive, but as used in the ordinance it was relief from other zoning requirements that in theory provide a financial ability to provide affordable housing units.

Commissioner Bigstyk thought more units are conceivably easier to build.

Sr. Planner Murdock thought so as requiring less land area, less parking, etc., and in many cases it can help the pro forma as far as development costs per unit which allows them to achieve the affordability as well as selling more units at market rate or renting more units at market rate provides that indirect financial incentive to subsidize the affordability.

Commissioner Bigstyk stated that he had a parking question but suggested that someone else wants to ask a question.

Commissioner Nibbelin stated that his question related to the parking. He thought someone may want to speak to the mechanics of how the parking would work. He was curious if there were other jurisdictions that dealt with this kind of a parking solution. He was curious if it was a significant issue or more of a drafting exercise. He thought it might be a reasonable thing for them to be looking at given the desire to maximize the use of parcels going forward and minimizing the grading, etc. He was curious what they have to say about that.

Mgmt. Analyst II Montemayor stated that they use stacked parking in San Francisco. He has not looked into any other jurisdiction in San Mateo County and it would be great to do after this meeting to explore other cities and get back to them. He stated that the architect has comments on that.

Commissioner Bigstyk referred to a parking exception and variance, and he asked if it was because we have never done this kind of parking before which is why there is the exception and variance. He thought it was the right amount of parking.

Sr. Planner Murdock stated that the parking exception most commonly come up in terms of number of spaces, but a parking exception can be sought for deviation from any number of parking standards. He stated that there were standards for materials, space of dimensions, etc., and any of them could trigger an applicant seeking relief through a parking exception. He stated that, in this case, the standards define parking by a ground space with certain dimensions. He

stated that, because the parking is not proposed on the ground in a two-dimensional way, it was staff's opinion the applicant would require a parking exception to authorize it.

Commissioner Bigstycyk thought Pacifica gets to think spatially.

Sr. Planner Murdock stated that there was another dimension to plan.

Commissioner Bigstycyk stated that he had mechanical questions similar to car matrix and the matrix trademark will be used in a different one he hasn't seen. He thought he would ask the applicant.

Chair Clifford stated that they approved a project with stack parking in 2007. He stated that it was the Prospects on Fassler and never got built. He didn't recall how much research was done. He was concerned about 14 feet taller than their height requirement but wasn't sure if it was a show stopper. He referred to the number of units and thought they will need a traffic analysis with that many cars in and out of that spot and across from a school and at an intersection where people are trying to get onto Oceana or the highway.

Sr. Planner Murdock stated that they were sensitive to the fact that to achieve these kinds of densities, whether applicant proposed density of 55 units per acre or as in the draft General Plan 50 or 26 units per acre in the two new designations. He stated that there was a need to include higher zoning height limits as part of the comprehensive zoning update and to achieve those increased unit densities was a departure from the history of planning in the community of a 35-foot building height limit and they will have to discuss and he thought staff's sense was that doing it was part of a comprehensive citywide planning process that makes more sense than breaking the mold on a project by project basis.

Planning Director Wehrmeister stated that she has information on Commissioner Bigstycyk's question. She stated that it was convoluted, but under the density bonus ordinance, there was an incentive for providing the inclusionary units on site, building them, not paying a fee or other options available.

Planning Director Wehrmeister stated that any residential development providing all the required inclusionary BMR units on site shall automatically qualify for the density bonus and an additional incentive available for an affordable housing project under Article 41 which was the density bonus article. She stated that the next sentence, "when determining if the residential development would qualify for a larger density bonus under Article 41, the on-site inclusionary below market rate units shall be counted in determining the percentage of units in the project that are affordable." She concluded that they are counted together and not additive.

Commissioner Bigstycyk concluded that, if they decide that 10% of the 15% was very low income, they were talking about two units at that point and they need a third to make it happen. He stated that, for the sake of the hypothetical, he will assume that the traditional moderate which he thought was 80% and they have 60% which is low and 30% which is very low. He stated that 60% would be 20%, and 30 would be 10. He stated that, if looking at the very low of 10%, that was 1.2 or 1 unit basically. He stated that the bottom line is 15% applies to two units and 10% covers one of those units and they were talking about a 30% and 80% if that was what the developer decides to do and would not need to do an additional unit at 10% and they were still talking about two units, not three.

Sr. Planner Murdock was not sure he could do the math on guaranteeing numbers of units by affordability at this time.

Commissioner Bigstycyk thought that, whichever direction they get to go, the 15% is swallowed in the direction they go and the benefit is it becomes more affordable, but not necessarily that there are more affordable units.

Planning Director Wehrmeister stated that, he might be saying the same thing, but she would like to point out that density bonuses apply to the overall project and there is the number of units required to be affordable. She stated that they will get a density bonus in the calculation of the number of units allowed and then they calculate what is required to be affordable based on what they are proposing.

Commissioner Bigstycyk asked her to repeat it.

Planning Director Wehrmeister stated that, if the development qualifies for a larger density bonus, the on-site inclusionary BMR units shall be counted in determining the percentage of units in that project that are affordable. She stated that, if the developer is asking to build more units, they have to provide more affordable units and this was saying that they get to count the inclusionary unit.

Sr. Planner Murdock added that you already have to provide under the standard BMR.

Planning Director Wehrmeister agreed, and even though it was already a requirement, in determining the density bonus, they get to count them.

Commissioner Bigstycyk stated that he was saying that they are already required to provide those two units and they don't necessarily have to provide more of them, but they might have to provide them at a lower cost than they might otherwise provide, but not necessarily provide more units.

Planning Director Wehrmeister stated that it depends on what bonus they are asking for.

Bryan Hu, Owner, stated that they purchased the land a year ago and they wanted to develop a project. He stated that he lives in the area and knows the area very well. He stated that he wants to develop something that is nice.

Marc Ojanen, Architect, stated that they were approached by the owners and it promised to be a challenging site and they would have the opportunity to address the housing crisis in a creative way. He stated that sites like this that are available can become a model for sensitive development. He stated that there are challenges with the parking and it is a major one in this case. They looked at stacked parking as an innovative approach and they were proposing a concrete podium with commercial and parking, minimal excavation and they will have a carmatrix system, stacking parking. Because the site is problematic because of its configuration, they looked at a courtyard technology where the units are organized around the center courtyard and configured to maximize the views toward the ocean and the surroundings and to maximize the amount of sunlight going into the building. He stated that he tried to articulate the building in a way that was sensitive to both residential neighborhood to the east and respond the

advancements of the ocean and the highway and what gives the building its character. It is unified by the broad overhangs that extend from the sides of the building together and integrate it with the neighborhood. They tried to stay within the 35 foot height limit. They saw an opportunity to use the roof as a space to the occupants of the building and they were proposing a roof garden to make that happen. They have had two stair towers that come up and an elevator. They have a guardrail for that space and it accounts for the additional building height. He stated that it was a minimal amount of mass. He stated that, in terms of parking technology, they looked at carmatrix systems with others on the market and there is always one space that is empty and controlled by a control panel or iPhone app that was appropriate in this case. They were proposing office use and residential. They had a traffic study that was done for the appropriateness of the system based on office and residential use. It was a favorable study. He stated that they feel they have addressed the major issues and it was a great opportunity to make a good project

Commissioner Nibbelin wanted to be sure he understood his statement. He asked if he indicated he was thinking office use was the appropriate use for the commercial component of the project.

Mr. Ojanen stated that they did and their reason was that it was driven by the parking ratio as an office has a lower parking requirement per square foot. Initially they wanted to get a brunch restaurant but it has a ratio five times greater for the parking. He stated that they tried to get a balance between how much parking is required for the residential use and pare down the commercial space to fill up the balance.

Commissioner Nibbelin concluded that the parking was driving the use.

Mr. Ojanen stated that it unfortunately was.

Commissioner Nibbelin stated that he touched on his other question and he wanted to make sure he understood his implications. He mentioned the notion of the deck on top of the building, and questioned how much that contributes to the height and what would be the impact of removing it in terms of overall height.

Mr. Ojanen stated that they could meet the height limit of 35 feet.

Commissioner Bigstyk stated that on dovetailing on the question about the business space being a commercial use for office space which he thought might be a question for staff. He asked, if it were approved, whether there could be a decision after the approval that it could be something other than office space or once it is office space, it is only office space.

Commissioner Bigstyk thought it was locked into office space. He asked if there was any idea in which direction they might be going in terms of affordable units. He noted he referred to this helping to address the housing crises and he asked if they have discussed how many units might be affordable and which categories.

Mr. Ojanen stated that they were open to discussion as they haven't gone into the specifics and they will talk with the developer as to what the comfort level was. He thought the goal was to maximize the number of units.

Mr. Hu stated that he didn't want to build units at 2,000 sq. feet in area. He wanted to build something smaller.

Commissioner Bigstycyk stated that his other question was about the parking. He mentioned that he referred to similar carmatrix and he asked if they have decided on the manufacturer. He was interested in this technology but hasn't seen it. He asked if they were considering models by other manufacturers.

Mr. Ojanen thought it was most likely to be carmatrix and there are some case studies on the website, two in Portland where they used this system. He thought there was another system in San Francisco. He stated that it was becoming more common in Europe, and there are parking systems in place

Commissioner Bigstycyk wants to make sure it works. He stated that for him it was fairly new technology that he was just becoming aware of it. He asked what would happen if there was no electricity or a mechanical failure. He asked how simple it was for someone to get their car at that point.

Mr. Ojanen shared his thoughts, and he thought they would vet more carefully as they move toward the product they choose and how robust their system is, as well as services.

Commissioner Bigstycyk concluded that they aren't sure which one they will go with or what happens in a worst case scenario.

Mr. Ojanen stated that, at this point, no.

Sr. Planner Murdock asked to expand on one of Commissioner Bigstycyk's questions. He referred to the approved uses as mentioned by Mgmt. Analyst II Montemayor, the project would require a use permit to have what staff thinks of as office use on the ground floor in the C1 zoning district. He stated that it wasn't as though they have to only pick one use, as it was possible to approve a menu of uses which they call a master use permit with a variety of uses that have been reviewed and vetted for the appropriateness of the use, hours, parking, etc., and the property owner could have some flexibility and have some variety of uses over time as needs change or markets or the neighborhood changes. He stated that, once the uses are determined and approved, they would be fixed with those uses unless the owner came back to amend that master use permit.

Commissioner Bigstycyk stated that he expressed specifically based on parking that was where the consideration wound up when it comes to the use of the commercial part of it. He asked, if it was easily accessible, whether he knew any other uses that might accommodate that parking scenario.

Sr. Planner Murdock thought the comparison was made to the city's restaurant parking standards which are very onerous and very intensive in terms of parking compared to the general office requirement which was one space per 300 sq. feet of floor area. He stated that standard was applicable to a number of different uses such as typical retail use was 1/300 and he was sure there were others equal to or less intensive than that parking standard which could be appropriate, such as banks, financials, insurance, social services. He stated that, if the owner was interested in other uses potentially being located on his property, there was the ability for the Commission to consider those and allow them to provide that flexibility he mentioned without running afoul of the total number of parking spaces needed. He stated that some of those uses may have different

operational characteristics even though the total number of spaces may be the same and may require different intensity or frequent trips. He stated that those were factors to consider in whether the stacked parking configuration and mechanism was appropriate to accommodate them.

Commissioner Bigstycyk was very interested and would like to see greater flexibility and like them to have the opportunity to be able to use it within the context of whatever fits best. He thought they cut themselves off on just the one use when they could have that many and would be more ideal. He asked if they deliberated over the course of this conversation or do they wait.

Chair Clifford said they deliberate more or less under the normal standards. He stated that he has a couple more lights and Commissioner Nibbelin wants to finish up with another question.

Commissioner Nibbelin stated that they have heard staff comment on the notion that this particular project would be better considered in conjunction after the completion of the citywide planning process as things that might happen with the General Plan, maybe the zoning that they implement may change the General Plan. They might look at things that might happen with the General Plan and the zoning they implement changes the General Plan. He was interested in the applicant's perspective on that position and the economics and feasibility of that from where they sit.

Mr. Ojanen thought it was understandable in terms of protocol.

Mr. Hu stated that he did a study on the history of the land before he purchased the land. He stated that they haven't done anything much in Pacifica. He stated that 20 years ago there was a gunshot at Safeway. He stated that in another five years or ten years, who knows what uses there will be. He stated that he lived in Daly City and a lot of people were coming from Pacifica to Daly City to restaurants, shopping, etc.

Commissioner Berman referred to the commercial space on the first floor and she appreciated that the owner can do what they choose on the first floor and the building in general. She stated that it sounded like he wants to contribute to the community and put in some type of café or something. She stated that, in the past, we have had parking variances. She thought staff can give input on the first floor where they have 9,500 sq. feet to work with. She stated that while a portion is office, she asked what the ratio was for parking for a café.

Mr. Ojanen stated that it would be one spot every 50 sq. feet of gross square area.

Commissioner Berman understood it was one spot for every 50 sq. feet of area.

Sr. Planner Murdock stated that it was for customer area with a slightly less amount for non-customer area, but it was a highly intensive parking requirement.

Commissioner Berman asked if there has been an exception in the past for off street parking for cafes.

Sr. Planner Murdock asked if she meant to allow on street parking.

Commissioner Berman stated that she meant on street parking to accommodate that and alleviate the need of adding parking in the garage.

Sr. Planner Murdock stated that he wasn't aware that they have strictly counted space for space one on street space to offset an off street space. He stated that, in his experience, the availability of on street parking has been a factor that the Commission weighed when considering parking exceptions and instances like on Palmetto and Pedro Point where there was shopping centers and commercial districts with available on street parking and it has factored into the Commission's thinking but there was no provision in the zoning to allow for that offsetting factor at this time.

Commissioner Berman thought it was a shame as she thought everyone would like to see some type of community involvement in the space. She assumed that they didn't have to figure it out now, but asked if that could be incorporated. She stated that, for neighborhood upgrade, there was mention of a traffic study and she was sure other utilities would have to be reviewed. She noted a good amount of overhead electrical and she thought this would come about in the site development permit once it comes, but she imagined the typical condition of undergrounding utilities on conflict with the new development would apply. She thought it looked like it goes over the site.

Sr. Planner Murdock stated that the city didn't have a general rule requirement to underground existing above ground utilities but they include a policy in the General Plan and a typical condition of approval to ensure all new utilities from the joint pole are installed underground. He stated that there will be no additional poles or overhead lines or utilities being installed. He thought there could be other reasons to cause undergrounding such as site line or disabled accessibility. He stated that, as a general matter and outside of certain areas, the city wasn't mandating undergrounding of utilities.

Commissioner Berman wondered if it was an opportunity for the nearby neighborhood to benefit from some upgraded utilities. She thought about maintenance with the commercial or café space, and she asked if the intent was to charge it in the rent or leasing.

Commissioner Berman was thinking if maintenance and upkeep was expensive, it would trickle down into everyone's rent which she didn't know if that was ideal. She referred to the visual consistency throughout the area, adding that she loved the modern look of the building was in now. She asked how the architect would try to fit that into a slightly outdated neighborhood and visualize.

Mr. Ojanen stated that it was another layer for the design concept. He stated that the intent of the building as renters was to show the general character when announcing and the application process will be flushed out and they will be looking at different materials and textures to make it fit into the context. Now it was a gesture to show the kind of scale and massing but it will be something in construction that they will want to keep it lightweight and transparent visually, clean and modern and they were looking at colors and material changes to warm it up. He stated that it does look very urban.

Commissioner Berman stated that was something commissioners could start thinking of in areas where new development comes to older neighborhoods or haven't had much new structure. She questioned whether they keep with the existing context which might be slightly outdated or do they start introducing a new look as they embark in a new General Plan. She thought that was

something to note. She then referred to privacy, stating that there was a lot of glass for the apartment units, and she asked what the plan was to maintain privacy for both the renters and the existing homes behind.

Mr. Ojanen started that both parties were willing to maximize the use from the apartments and the amount of light coming in. He stated that they looked at some shades for privacy screening and studying how the windows are orientated for the neighbors.

Commissioner Berman understood this was a study session and it was something she sees that they can think about for the future.

Commissioner Kraske stated that in regard to site location with a car wash to the north and it was a noisy site and he asked how they anticipate mediating that noise from the highway and the car wash.

Mr. Ojanen stated that, in terms of the highway noise, they looked at a robust insulation system to create a sound barrier. As far as the car wash, the vacuum cleaner was very loud, and the large percentage of the wall space at the car wash was a blank wall. He stated that they have an opening to the courtyard and they will try to create some sound baffle for screening along the edge so sound doesn't get through the courtyard. He stated that it was definitely a concern.

Commissioner Bigstycyk had a question probably for staff. He stated that with the mixed use center designation, that was 50 units per acre and with the density bonus the density was at least 55. He asked what the maximum density with the density bonus under the mixed use center designation.

Sr. Planner Murdock thought the theoretical maximum was 50% density bonus. Based on 50 units per acre under mixed use center, it could be 75 units per acre.

Chair Clifford asked if there would be any benefit in dropping the commercial and going with high density residential on the lot. He stated that they were talking about a zoning change, and he asked if there would be benefits or detractions in doing that.

Sr. Planner Murdock stated that they probably would want to study that area further to determine, in staff's opinion, the viability of commercial use and the role it could play in the neighborhood. He stated that having community access to certain commercial uses is a great benefit to a neighborhood and having a mixed use project could be very good. He didn't think an office only building was not an amenity to the neighborhood in terms of community retail access. He stated that community employment can be a benefit in terms of shortened commute and environmental benefits. He thought they would want to study further. He didn't know if the draft General Plan has a residential only designation that is considered at such densities as the mixed use center and mixed use neighborhood and it was something that may render the project infeasible or get them back to the creation of new land use designation problem that they were highlighting earlier.

Chair Clifford just wanted to get a sense of what might be possible on the site.

Chair Clifford opened public comments.

Samantha Hauser, Pacifica, stated that she lived less than 1/3 mile from the site and she thought the architecture was very conceptual and she thought it would fit into the style of the neighborhood, outdated as it is. She reminded everyone that we are in a housing crisis and that it was nice to see housing proposed on a site like this. She thought the commercial was great visibility from Highway 1 for some sort of neighborhood commercial and she thought there was an opportunity for commercial and residential parking spaces to be shared. She stated that their neighbor, Daly City, requires only 125 sq. feet for parking space for restaurants. She stated that she would love to see a traffic study from a CEQA standpoint. She stated that the people NextDoor are already talking and they probably could ameliorate some of their concerns. She stated that the neighborhood was terraced and if there was an opportunity for her house to look at a roof garden instead of mechanical equipment she would appreciate that.

Julian Clark, Pacifica, stated that he and his wife live in the nearest single family dwelling, about 120 feet away. They appreciate that the lot has been vacant for 20 years and it wasn't attractive to look at as well as the car wash. He stated that the parking is very tight. He stated that they have two cars and he usually has to park in front of his driveway to find a space and with a 24-hour car wash they don't have much space to accept new cars or cafes. He stated that they have a dozen restaurants, cafes and coffee shops within five minutes' walk from this location and he didn't see the benefit of that. He will see benefit to more accommodation and more affordable housing. He wasn't sure why they were outside of the regulations. He would love to see the project brought in line, specifically around density but also height. He stated that his view of the ocean was directly through this lot. He and his neighbors will lose the view of the ocean with this development. He stated that they will look forward to seeing how this develops.

Chair Clifford closed public comments.

He stated that there was no decision required but they will talk among themselves and the applicant. He stated that it was a study session and they aren't looked into anything.

Commissioner Bigstyk he had one last question. He didn't know if they needed to talk about CEQA at all but he was curious if they allowed for a higher density in this project would that complicate the process of CEQA or if it was standard.

Sr. Planner Murdock stated that it does have a bearing on the environmental review that would be performed. He stated that, with categorical exemptions, they try to screen projects for that as it was the simplest and a robust and defensible level of environmental review but most often it is only applicable to small projects. He stated that more and more they were seeing them bring forth projects proposed for a Class 32 in fill development categorical exemptions and projects on sites up to five acres can qualify for that but with several criteria that must be met, including consistency with the General Plan requirements, and in the sense that this would require a General Plan amendment, he questioned whether it would be a negative declaration or a mitigated negative declaration or require an environmental impact report and those were questions they were unable to answer at this time because they don't know what the project is in its totality and they haven't studied which potential affects could result from it. He thought there was a high likelihood that it would not be exempt from CEQA.

Commissioner Bigstyk thought with a ballpark range if not exempt from CEQA, how much extra time for the project would be allowed for the development.

Sr. Planner Murdock stated that it depends on the level of the environmental review and he didn't want to speculate at this point.

Commissioner Bigstycyk asked if it was up two years.

Sr. Planner Murdock stated that it would be up two years and more than a few months beyond that was hard to say.

Commissioner Bigstycyk referred to Commissioner Berman's point of the neighborhood and the look, and it occurred to him that it was something that was transitioning between a modern style building and he thought some middle ground would be appropriate so it was not completely different from the neighborhood but not exactly the same. He did think that is addressed before it gets to them.

Commissioner Berman stated that it sounded like they were talking about it.

Commissioner Bigstycyk stated that he already gave his feedback in terms of favoring the menu of options so that flexibility is there and what might fit in. He stated that he was fascinated by the prospect of this modern device addressing the parking concern but he was also very concerned that they don't know who's device is going in, what the ramifications of that device going wrong are and how they would address them if it did go wrong. He would be interested in it, as Steel, Inc. carmatrix was the one he could say he reviewed some videos and he can see that they have them in Portland, LA, etc. He assumed they were working well. He would be interested to see what issues they have had and how they addressed them. He stated that if it breaks down and someone needs to get their car but can't and they have to find a way to work where transit was not always an easy option. He thought it would be unfortunate if someone has to Uber to work every day when they have a perfectly good car that they can't get to. He stated that he doesn't know about it and it makes it hard for him to agree to do it. He was very interested in raising the density and a mixed use center model. He appreciated the difficulties in terms of amending it. He stated that the developer's architect mentioned the housing crisis and we need affordable housing. He qualifies as a lower income housing person and he appreciates that he doesn't have to worry about it, but he has been meditating over it personally for the last couple of years and he wasn't sure whether that was a consideration for him in the future. He was certain he wasn't the only person in Pacifica that gets to have that consideration in their mind every time they wake up. He stated that if 1 out of 37,000 living here has a shot at something affordable. He felt keeping it home was the immediate consideration. He stated that, while they are having the discussion of how to make it affordable and doable, that was the direction he favors. He was favoring going high residential with the incentives for making it affordable was what makes it higher density.

Commissioner Rubinstein doesn't believe in the higher density for this area or in general for Pacifica, stating that they might as well propose an 11-story building on this site. He stated that he doesn't even know what this building is and what they are doing.

Commissioner Nibbelin stated that he would keep it general since they weren't discussing any specific project at this juncture. Whether this project is realistic or not, he thought that greater density is something they have to consider in the future as it is a theme that they are looking at statewide in light of the need for some strategist to address housing shortages. He stated that whether it is overly aggressive for the site, he would think he would want more information and a more discreet project to address it. He stated that, on a conceptual level, he was open to the

concept of greater density for this site and other infill sites. He felt they have to be realistic about the infrastructure of a particular site and they were talking about other forms of infrastructure but he didn't think taking it off the table was appropriate, including this particular project. He thought, with commercial, they should be focused on this site and others as well, and the notion of office and he supposed there were some benefits that might come from that and he would be more in support of a project in terms of his biases but for neighborhood serving amenities. He was favorably inclined toward the projects that have some form of legal or natural affordability as a component. He felt it was a tradeoff of greater density in this example for more affordable housing, whether smaller and more of them, or legally deed restricted to require some amount of affordability and something they should be looking at as traffic is important and they have to study it carefully and it would be studied in the context of a bare minimum of a mitigated negative declaration and perhaps something more intensive than that. He was not prepared to say that this is a no go as a project. He would want more information about it. He wouldn't want a 9,000 sq. foot burdened by overly aggressive development but in the broader scheme of things as a community they are going to have to think through allowing more density for us to meet some of the needs.

Chair Clifford thanked Commissioner Nibbelin for weighing these out as he stated primarily his concerns also. He stated that one of the issues that staff has brought up is whether they say go and push forward now and do this or if they should wait until the General Plan update is actually in place. He stated that, if they are going to be talking more density and some big changes, he would like to see them come through the General Plan process first so they have community in all of this and not setting up a precedent and telling the community they have to take it. He preferred going through the General Plan process, get it nailed down and then have the applicant come back with his project and go through then and bring them a project that meets everyone's needs.

Commissioner Rubinstein could see setting a precedent with this project in the form of what they do as a major change.

Chair Clifford stated that they want the community to be more informed about the potential changes.

Commissioner Kraske stated that the tradeoff is that the lot is vacant for another two years.

Chair Clifford agreed that it is true.

Commissioner Bigstycck stated that was where he was coming from as he fully admits that he is hungry for more housing. He is also someone who traditionally is very vocal in the community and wants that community conversation and wants the full buy in. He was happy to acquiesce for the greater good but the hunger is still there because the crisis gets thrown around lightly even though it was constantly bombarding us. He stated that it was difficult for him to moderate his thoughts of what he believes to be best policy for the community as a whole and the hunger which he is constantly experiencing. He stated that with this specific project, height wise they could take off the roof and it would fit in, but at this point they are talking more about what is best for the community and less about this project specifically.

Chair Clifford stated that was what the applicant needs to hear, where they would like to see it when it comes back. He stated that if he came back with a project that fits within our current General Plan or needs some minor modifications within the General Plan, he would be willing to

hear that. If he wants to come back with a property that has 12 units or more, then he should wait until we have the General Plan out of the way. He wants to see the General Plan out of the way, adding that he has been working for that for quite a while.

Commissioner Nibbelin wanted to emphasize or dovetail or support the point Commissioner Kraske made that there are lost opportunities although waiting may be the appropriate thing to do in the totality of it if they were talking about what involves a significant increase in density or significant deviation from the current General Plan and rezoning standards. He thought it may be the appropriate thing to do, but there are costs that flow from that, both to the individual property owner and foregoing what could otherwise be there and they could put a project there now that was significantly less dense. He stated that cycle one reflects some of the economic and other benefits we give up by waiting.

Commissioner Bigstyk sympathizes with the owner having to wait, and you don't wait, he fully understands that and he thanks him for bringing the project in front of them because he personally thinks it is absolutely the direction in which we should be going to start addressing regional needs let alone Pacifica needs. He is hoping that he brings it back similarly in the future and he appreciates that either way.

Chair Clifford stated that staff and the applicant have heard them and they were ready to move on.

NEW PUBLIC HEARINGS:

- 2. SP-164-17** **File No. 2017-023 – Specific Plan SP-164-17** for construction of a single-family residence on a vacant 62,562 square foot lot in the P=D/HPD (Planned Development/Hillside Preservation District) Zoning districts known as Lot 2 of the Harmony @ 1 Subdivision. Recommended CEQA Action: N/A.

Chair Clifford asked why they want to continue this item.

Sr. Planner Murdock stated that it was at the applicant's request and he would rather not say more than that so as not to prejudice the application if and when it comes back. They hope to bring it back at the earliest possible opportunity. As soon as they receive the application materials inclusive of the applicant's revised application and have an opportunity to review them, they will be back at a public hearing before the Commission.

Commissioner Bigstyk asked what happens if they decide not to continue it.

Sr. Planner Murdock stated that they will have a public hearing without the applicant.

Commissioner Bigstyk moved to continue to a future meeting; seconded by Commissioner Nibbelin.

6-0

3, SP-170-19

File No. 2019-005 – Specific Plan SP-170-19 for construction of a 212 square foot (sf) first-story addition and a 720 (sf) second-story Addition to an existing 1,465 sf, one-story single-family residence on On a 4,200 sf lot located at 472 Lynbrook Drive (APN 009-555-230)
Recommended CEQA Action: Class 1 Categorical Exemption, CEQA Guidelines Section 15301.

Sr. Planner Murdock presented the staff report.

Chair Clifford stated that he was reading 427 and he thought he said 472.

Sr. Planner Murdock stated that it was 472 and it was a typo in the agenda.

Commissioner Bigstycyk was curious because the side of the road the house was on, as it was two stories all over the place but that side of the street is pretty much all one story and across the street it is all two stories and behind them He sees two stories. He was curious how that strip was one story and all the others are two stories. He asked if there was a reason for that.

Sr. Planner Murdock stated that they had no information to suggest why that decision was made and it was jarring in comparison to the rest of the neighborhood and he was sure there was a reason, possibly part of the original master development of the Fairmont subdivisions, but they have no information to indicate what that reason may have been.

Commissioner Berman thought it might be another typo or she is misinterpreting, but in the zoning standards it looks like the landscape area increased and she asked if it was supposed to decrease as it went from 41 to 46.

Sr. Planner Murdock thought the figures were reversed.

Commissioner Bigstycyk asked if they are going to take out that building in the back. That was the way he read it.

Sr. Planner Murdock stated that they are but he wasn't sure that building was 5% of the site area. He stated that he can dig deeper into the plans to be sure.

Commissioner Berman noted some typos.

Chito Valeros, applicant, stated that he did exactly the same house last year, same model, same square footage. He stated that his client was confused as to why they are going through this hearing since they already have it approved and it is exactly the same house. He stated that the design of the house is matching the existing house. They compromised the height of the house They came up with the conclusion that it has a smaller pitch. He stated that privacy wise, the HOA approved . He stated that all the setbacks are compliant.

Janet Ho, owner, stated that she moved into the house ten years ago and a lot of first time owners own these homes. She got married, had her first child. She loves the neighborhood. Her mother moved in to take care of the kids, and they are trying to work out a place for her at some point. She stated that the house is getting tight now and three rooms with one bathroom was just not

enough. She stated that the addition is more for more bathrooms for everyone and more family space to gather.

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

Commissioner Bigstyk referred to him saying he had basically did the exact same house, and asked if the floor plan was exactly the same but it was a different house or this was a house he did once before.

Mr. Valeros stated that it was a different address.

Commissioner Kraske moved that the Planning Commission FIND the project is exempt from the California Environmental Quality Act; APPROVE Specific Plan SP-170-19 by adopting the attached resolution, including conditions of approval in Exhibit A; and INCORPORATE all maps and testimony into the record by reference; Commissioner Rubinstein seconded the motion.

Commissioner Bigstyk asked why they were here if it has already been approved somewhere else and he thought the answer was because it was a substandard lot size.

Sr. Planner Murdock stated that there was no other way to answer that but that the planner who is no longer in the department overlooked a code requirement that based on the increase in floor area, the other project on Andover Drive should have come to the Planning Commission and this project was following the correct procedure.

Commissioner Bigstyk understood that the other project didn't come to the Commission. He feels it fits in with the neighborhood and likes the way it is setback.

The motion carried **6-0**.

Ayes: Commissioners Berman, Rubinstein, Nibbelin, Kraske,
Bigstyk and Chair Clifford

Noes: None

Chair Clifford 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:

None

COMMISSION COMMUNICATIONS:

Commissioner Kraske stated that he went to the Council meeting the previous Monday and there wasn't much discussion on the item.

STAFF COMMUNICATIONS:

Planning Director Wehrmeister stated that, on June 24, in addition to the appeal hearing, City Council will receive a Home for All report from Sr. Planner Murdock and his counterpart in Home for All from the county. She stated that they will be reporting and giving a summary of the successful two meetings they had in Pacifica. There were also written summaries of the meetings and both will be available soon, with the first meeting already on the website. She stated that on June 27, 6:00 p.m., at the Community Center, they will have the first outreach meeting regarding the General Plan, including light refreshments. She stated that the meeting of July 1, the same week as the 4th of July, was cancelled. She stated that the Marymount Subcommittee visit will be scheduled in early July.

Commissioner Bigstyk referred to the July 1 meeting being cancelled, and asked if there will only be one meeting in July.

Planning Director Wehrmeister responded affirmatively.

ADJOURNMENT:

There being no further business for discussion, Commissioner Nibbelin moved to adjourn the meeting at 8:47 p.m.; Commissioner Bigstyk seconded the motion.

The motion carried **6-0**.

Ayes: Commissioners Berman, Rubinstein, Nibbelin, Kraske,
Bigstyk and Chair Clifford

Noes: None

Respectfully submitted,

Barbara Medina
Public Meeting Stenographer

APPROVED:

Planning Director Wehrmeister