

**MINUTES**

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

May 2, 2022

7:00 p.m.

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

**ROLL CALL:** Present: Commissioners Domurat, Ferguson, Godwin, Hauser, Leal, Wright and Chair Berman  
Absent: Commissioner Hauser

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

**STAFF PRESENT:** Acting Planning Director Murdock  
Sr. Planner O'Connor

Chair Berman asked if there were any public comments for administrative business.

Sr. Planner O'Connor stated that there were none.

**APPROVAL OF ORDER OF AGENDA** Commissioner Wright moved approval of the Order of Agenda.

Commissioner Wright thanked for Chair Berman being present to lead them, as they had appointed her in absentia.

Chair Berman thanked him and welcomed him to the Commission. She then asked for a second motion.

Commissioner Godwin seconded the motion.

The motion carried **6-0**.

Ayes: Commissioners Domurat, Ferguson, Godwin, Leal, Wright and Chair Berman  
Noes: None

**APPROVAL OF MINUTES: APRIL 18, 2022** Commissioner Ferguson moved approval of the minutes of April 18, 2022; Commissioner Domurat seconded the motion.

The motion carried **6-0**.

Ayes: Commissioners Domurat, Ferguson, Godwin, Leal, Wright and Chair Berman  
Noes: None

**DESIGNATION OF LIAISON TO CITY COUNCIL MEETING OF MAY 9, 2022:**

Chair Berman stated that the items requiring a liaison are gross management ordinance introduction and 570 Crespi appeal. She asked staff for background.

Acting Planning Director Murdock stated that the growth management ordinance introduction was considered by Planning Commission and made a recommendation to Council to approve. The 570 Crespi item was a development project that Planning Commission approved and made recommendation of approval of several legislative items, i.e., development agreement, General Plan amendment and rezoning and a zoning text amendment. He stated that the project is a mixed use project with commercial and 19 residential units and public improvements and developer benefits through the development agreement and there has been an appeal filed on that item.

Chair Berman asked clarification that they could have one commissioner represent both items or two separate commissioners.

Acting Planning Director Murdock stated that she was correct.

Chair Berman asked if there was any volunteers, as they may not have been present for both items.

Commissioner Leal stated that he can attend that meeting for both items.

Chair Berman thanked him and didn't think anyone would question that and she appreciated his offer.

**ORAL COMMUNICATIONS:**

Sr. Planner O'Connor stated that there were no call-ins.

**CONSENT ITEMS:**

None

**PUBLIC HEARINGS:**

**Amend-SP-163-17**

**File No. 2017-007 – Consider a request to amend Condition of Approval No. 6 of Planning Commission Resolution No. 2019-014** to grant a one-year extension of the expiration date of Specific Plan SP-163-17, which authorized construction of a 2,560 square foot (sf), three-story, single-family dwelling on a 5,077-square foot undeveloped lot at TBD Farallon Avenue (APN 009-085-430)  
Recommended CEQA Action: Class 3 Categorical Exemption, CEQA Guidelines Section 15303.

Sr. Planner O'Connor presented the staff report.

Commissioner Ferguson asked if the extension was one year to begin work or one year to complete work.

Sr. Planner O'Connor stated it was one year to pull a building permit and establish the use.

Commissioner Domurat asked, for his education, has there been any kind of allowance or desire by Pacifica to allow some automatic extensions due to the fact that this was supposed to be exercised during the Covid time frame where a lot of things were delayed and he thought construction during that time would have been delayed as well as many other projects, and he didn't know if the city wanted to come up with something that wouldn't have to come to the Planning Commission if it was during the Covid time frame and they should give an automatic one-year extension.

Acting Planning Director Murdock stated that the possibility exists for Council to consider such a policy action, but at this point they have not. He stated that in his experience Covid was impactful in many ways but the ability to undertake construction projects has not been meaningfully impacted for applicants with whom he has engaged. He thought there were supply chains and other considerations that might affect the project once it is underway but very many applicants have been able to continue with projects with adjusting to the social distancing and other criteria required during various stages of the pandemic. Staff thinks the options that exist for administrative extension or to come back to the Planning Commission were allowed and have provided the flexibility as needed. He stated that state legislature has provided for 18 month extensions for various types of larger projects involving housing and all of those together have allowed applicants to proceed without great difficulty.

Chair Berman welcomed the applicant to speak and asked confirmation that he can save up to 3 minutes of his ten minutes to respond to public comment.

Acting Planning Director Murdock responded affirmatively.

Tom Podesta, applicant, apologized for a need for this hearing, explaining that, due to a personal health issue, he failed to obtain the building permit for his specific plan before the expiration date. He submitted the finished plan which was reviewed before the expiration date. He was applying planned corrections from that review, and explained that there was insufficient time for this to happen and he guaranteed that no further delays will occur.

Chair Berman asked if he would state his full name for the record.

He stated it was Thomas Steven Podesta.

Chair Berman asked if the Commission had any questions for the applicant.

Commissioner Godwin stated that it still looked like a good project to him, but he mentioned that what has changed since 2019 is the desirability of using natural gas in new housing construction.

Mr. Podesta stated that he could not understand what he was saying.

Commissioner Godwin asked if he could hear him.

Mr. Podesta asked if he asked his name.

Commissioner Godwin stated that they were obviously not communicating and asked if his mike was on.

Sr. Planner O'Connor stated that, if he wanted to say it in full, she would repeat it to him.

Commissioner Godwin thought the one thing that changes from 2019 is the desirability of building houses with natural gas. He stated that PG&E said they aren't interested in putting in any more natural gas infrastructure as the state has indicated that they are going to ban natural gas in building, referring to the war in Ukraine where people are dying from weapons funded largely from gas and oil exports from Russia. He asked if the applicant was interested in making this an all-electric house. He stated that when he looked at the plans, it appeared that they used both a gas water heater and gas heat.

Sr. Planner O'Connor repeated Commissioner Godwin's question.

Mr. Podesta stated that they will do all electric as natural gas would only be needed for the fireplace as everything else will be all-electric as he was for advanced technology.

Chair Berman opened the Public Hearing and there were no cards from the audience.

Sr. Planner O'Connor stated that there were no call-ins.

Chair Berman closed the Public Hearing, and if there are no more questions or comments, she would entertain a motion.

Commissioner Ferguson stated that he was not on the Commission when this project came out but he looked at the old Commission agenda and it seemed like a good project to him as nothing has changed and he is already in plan review and he was willing to make a motion.

Chair Berman stated that she thinks she is the only person currently on the Commission that was on the Commission for this item, and his take of the minutes is accurate as there were no concerns at the initial approval. She has no concerns with extending the expiration date.

Commissioner Ferguson moved that the Planning Commission FINDS the project is exempt from the California Environmental Quality Act; AMENDS Condition of Approval No. 6 of Resolution No. 2019-014 of the Planning Commission of the City of Pacifica in its entirety to provide that “The approval or approvals is/are valid until April 26, 2023. If the use or uses approved is/are not established within such period of time, the approval shall expire. In the event of litigation filed to overturn the City’s determination on the approval or approvals, the Planning Director may toll the expiration of the approval or approvals during the pendency of such litigation” by adopting the Resolution included as Attachment A to the staff report; and INCORPORATES all maps and testimony into the record by reference; Commissioner Leal seconded the motion.

The motion carried **6-0**.

Ayes: Commissioners Domurat, Ferguson, Godwin, Leal,  
Wright and Chair Berman

Noes: None

**CONSIDERATION:**

None

**COMMISSION COMMUNICATIONS:**

Chair Berman wanted to communicate to Commission an official welcome of Commissioner Wright. She was happy that he was here and she looked forward to getting to know him. She thanked the Commission for their kind words when she was absent at the last meeting. She was honored to be appointed Chair and congratulated for Commissioner Hauser for being Vice Chair.

**STAFF COMMUNICATIONS:**

Acting Planning Director Murdock stated there were no staff communications.

**ADJOURNMENT:**

There being no further business for discussion, Commissioner Leal moved to adjourn the meeting at 7:22 p.m.; Commissioner Godwin seconded the motion.

The motion carried **6-0**.

Ayes: Commissioners Domurat, Ferguson, Godwin, Leal,  
Wright and Vice Chair Berman  
Noes: None

Chair Berman 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, mentioning specifics.

Respectfully submitted,

Barbara Medina  
Public Meeting Stenographer

APPROVED:

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Acting Planning Director Murdock