

MINUTES

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

May 4, 2020

7:00 p.m.

Acting Chair Nibbelin called the meeting to order at 7:02 p.m.

Acting Chair Nibbelin explained the conditions of the meeting based on the shelter-in-place orders of the state and county.

ROLL CALL: Present: Commissioners Berman, Bigstyck, Godwin, Hauser, Leal and Acting Chair Nibbelin
Absent: Vice Chair Rubinstein

SALUTE TO FLAG: Led by Commissioner Berman

STAFF PRESENT: Planning Director Wehrmeister
Sr. Planner Murdock
Asst. City Attorney Sharma
Assoc. Planner O'Connor
Asst. Planner Gannon
Sr. Civil Engineer Donguines
Assoc. Civil Engineer Marquez
Asst. Superintendent Aguilar

APPROVAL OF ORDER OF AGENDA Commissioner Godwin moved approval of the Order of Agenda; Commissioner Berman seconded the motion.

The motion carried **6-0**.

Ayes: Commissioners Berman, Bigstyck, Godwin, Hauser, Leal and Acting Chair Nibbelin
Noes: None

Acting Chair Nibbelin asked commissioners to raise their hand to make a motion to facilitate the process. He then asked for direction from the Asst. City Attorney on the process of approving the minutes, dealing jointly or singly.

Asst. City Attorney Sharma stated that this item was to affirm that the meeting minutes are accurate and they do not need to have been present at the meeting as a commissioner in order to approve the item.

Acting Chair Nibbelin stated that he was inclined to take them as one motion unless staff has a concern about that or a commissioner has a comment on one and not the other and seeing no input, he asked for a motion to approve the minutes.

**APPROVAL OF
MINUTES:
MARCH 2, 2020
APRIL 20, 2020**

Commissioner Bigstyck moved approval of minutes of March 2, 2020 and April 20, 2020; Commissioner Berman seconded the motion.

The motion carried **6-0**.

Ayes: Commissioners Berman, Bigstyck, Godwin, Hauser,
Leal and Acting Chair Nibbelin
Noes: None

DESIGNATION OF LIAISON TO CITY COUNCIL MEETING OF MAY 11, 2020:

Acting Chair Nibbelin concluded that there was no need for a liaison to the Council meeting.

Planning Director Wehrmeister stated that he was correct.

ORAL COMMUNICATIONS:

None

CONSENT ITEMS:

None

NEW ITEMS:

- 1. Review of the 2020-2025 Capital Improvement Program (CIP) For Consistency with the General Plan and Local Coastal Land Use Plan (LCLUP).**
Recommended CEQA Action: Exempt under CEQA Guidelines Section 15378(b)(4).

Assoc. Planner O'Connor presented the staff report.

Commissioner Berman stated that it was interesting going through the items, and referred to the first item. She stated that she was confident that the methods the city and landscape management company will use for the urban forest and land vegetation item will be conscious of fire safety especially with the recent years of wild fires even within the Bay Area that the methods of planting will not be over densified and brush will be minimized, referring to several hillsides in the city that have dry brush. She asked Assoc. Planner O'Connor if she can explain how the city manages its vegetation and landscape management to be conscious of forest fires.

Assoc. Planner O'Connor stated that she didn't have that information but invited Assoc. Engr. Marquez or Sr. Engr. Donguines to respond to that question.

Assoc. Engr. Marquez stated that PW park staff work closely with fire staff to ensure that the local areas that have vegetation are managed properly, but they do not have a comprehensive plan in place on exactly how that is done and guidelines on how to do that, and that is what this project is trying to accomplish.

Commissioner Berman thought that was wonderful.

Commissioner Bigstyk referred to Commissioner Berman bringing up an instance where health and safety could be of concern which directly raises the question of its alignment with the General Plan or Local Coastal Plan, and he asked staff if there were examples of projects that have raised that alarm that they might be inconsistent or just looking to make sure that one element could be safety but it often does not come up.

Planning Director Wehrmeister stated that, because the CIP is drafted before it gets to the Planning Commission with the General Plan in mind, it is not often the case that there is a questionable project. She mentioned a concern a few years ago about a project in the CIP to widen Highway 1 as it was a project of concern in the community and some felt that was not consistent with the General Plan, adding that the project is no longer in the CIP and is not coming up as an issue this year or the last few years.

Acting Chair Nibbelin is thinking that the current CIP is assessed or analyzed against the existing Local Coastal Land Use Plan as opposed to the one they are currently working on for certification, and he was comfortable that the CIP was consistent with the General Plan and existing Local Coastal Plan but asked if there was anything on the current CIP list that might raise any issues with respect to the Local Coastal Program as they look at revising it.

Assoc. Planner O'Connor stated that she didn't have an answer for his question as the new LCP wasn't certified by the Coastal Commission and not in effect and that review didn't occur.

Acting Chair Nibbelin stated that he didn't expect it to be but was curious as to whether there was something that jumped out at her as being questionable.

Assoc. Planner O'Connor didn't think anything jumped out as being a concern for the future LCP.

Acting Chair Nibbelin asked if they had any public comments on this item.

Sr. Planner Murdock stated that they do not.

Acting Chair Nibbelin stated that absent any further discussion he would entertain a motion.

Commissioner Bigstyk moved that the Planning Commission adopt the resolution included in Attachment A that the proposed 2020-2025 Capital Improvement Program is consistent with the General Plan and Local Coast Land Use Plan; Commissioner Leal seconded the motion.

Sr. Planner Murdock took a verbal roll call.

The motion carried **6-0**.

Ayes: Commissioners Berman, Bigstyk, Godwin, Hauser,
Leal and Acting Chair Nibbelin.
Noes: None

NEW PUBLIC HEARINGS:

**2. PSD-788-14
Heritage Tree
Removal
Authorization**

File No. 2014-001 – Site Development Permit PSD-788-14 and Heritage Tree Removal Authorization for construction of a new three-story (two stories of residential area and one story of garage area), approximately 3,800-square foot (sf) single-family residence with attached 767-sf three-car garage and a new one-story 518-sf detached recreation room on an undeveloped 31,265-sf lot situated along the unimproved public right-of-way Oddstad Way, located approximately 275 feet southwest of the intersection of Rockaway Beach Avenue and Bayview Road (APNs 022-056-080, 022-056-090, 022-056-060 and 022-064-010).
Recommended CEQA Action: N/A.

Acting Chair Nibbelin stated that staff's recommendation was to continue this item to the May 18, 2020 meeting and he asked staff for further comment.

Sr. Planner Murdock presented a brief staff report asking for additional time to prepare the public hearing material.

Acting Chair Nibbelin asked Commissioner Godwin if his hand was up to make a comment.

Commissioner Godwin stated it was for the previous issue where he was going to second the motion.

Acting Chair Nibbelin asked if there was a way to delete the hands after they have called on people.

Sr. Planner Murdock stated that he was not sure if the chair had that function the way the Zoom meeting was setup as he is the meeting host and he has the ability to lower the hands and he did do it occasionally but he did not see Commissioner Godwin's hand. He asked commissioners to try and stay on top of their own raised hands and he would be a backup.

Commissioner Hauser asked that when this comes back, as the site was not accessible by view of the public, that ample imagery be provided for the benefit of the Commission and the public.

Sr. Planner Murdock stated that was on staff's mind to assure the best understanding that can be achieved without having physical access of site as in a lot of the in-fill development projects the Commission usually reviews.

Acting Chair Nibbelin thanked Commissioner Hauser and then stated that, if no further comments, he would entertain a motion to continue the item.

Commissioner Bigstyk moved that the Planning Commission continue the item to the Planning Commission meeting of May 18, 2020; Commissioner Hauser seconded the motion.

Sr. Planner Murdock took a verbal roll call.

The motion carried **6-0**.

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Ayes: Commissioners Berman, Bigstycck, Godwin, Hauser,
Leal and Acting Chair Nibbelin.

Noes: None

3. UP-102-18

File No. 2018-016 – Use Permit UP-102-18 for installation of a new Verizon wireless communication facility (WCF), comprised of a 2'-0" tall and 1'-0" diameter cylindrical antenna mounted on a 5'-0" pole extension atop an existing utility pole, and associated pole-mounted equipment, in the Redwood Way public right-of-way approximately 80 feet northeast of its intersection with Lerida Way, in the vicinity of 1307 Redwood Way (APN 023-551-510).
Recommended CEQA Action: N/A.

Acting Chair Nibbelin stated that staff's recommendation was to continue this item to the May 18, 2020 meeting and he asked staff for further comment.

Sr. Planner Murdock presented the brief staff report explaining why more time was needed, but stated that the applicant was present if they had any questions.

Acting Chair Nibbelin stated that he probably should have asked with the last item as well, but he asked if there were any public comments on this item.

Sr. Planner Murdock stated that there were no public comments on the prior item and no public comments on this item.

Acting Chair Nibbelin asked if there were comments or discussion or questions for Ms. Wang and not seeing any hands, he would entertain a motion to continue this item.

Commissioner Berman moved that the Planning Commission continue this item to the Planning Commission meeting of May 18, 2020; Commissioner Leal seconded the motion.

Sr. Planner Murdock took a vocal roll call.

The motion carried **6-0**.

Ayes: Commissioners Berman, Bigstycck, Godwin, Hauser,
Leal and Acting Chair Nibbelin
Noes: None

**4. PSD-843-19
CDP-409-19
UP-118-19
PE-185-19
S-131-19**

File No. 2019-025 – Site Development Permit PSD-843-19, Coastal Development Permit CDP-409-19; Use Permit UP-118-19; PE-185-19 and Sign Permit S-131-19, filed by San Pedro Valley LLC, for construction of a three-story mixed-use building consisting of ground floor commercial space and six residential apartments located at the north quadrant of the intersection of Kent Road and Danmann Avenue in the 1200 block of Danmann Avenue (APNs 023-013-010 and 023-013-020) .
Recommended CEQA Action: Class 3 Categorical Exemption, CEQA Guidelines Section 15303.

Commissioner Bigstyk stated that he had conversations with many people who lived in the area, adding that it didn't influence his decision at this meeting but, for the sake of full disclosure, he wanted to inform them that he had that conversation with the neighbors.

Acting Chair Nibbelin thanked him and stated it was noted.

Asst. Planner Gannon presented the staff report.

Commissioner Berman thanked staff for the report which she stated was very helpful. She referred to public parking, and understood it was required by the General Plan and looking at the essence of the requirement, she asked if staff thought the covered parking was more required so the residential parking can be separated from the commercial parking and an effort to keep residential parking stalls open and dedicated to the residence or the need for covered parking.

Asst. Planner Gannon stated that Sr. Planner and Planning Director could contribute, but she explained that the covered parking was a requirement for residential units with a garage or carport, whichever was feasible. In this instance, it was a mixed use but was providing residential uses and that covered parking carries over into this use. She stated that staff felt the project can provide the covered parking. She stated that they have not chosen to differentiate what would be commercial or residential parking for this lot, but she thought that would be their hope.

Commissioner Berman asked staff's opinion if the applicant provided designated uncovered residential stalls which she acknowledged that it wasn't exactly in line with the General Plan requirement but there would be designated residential stalls for the residents.

Sr. Planner Murdock thought part of the issue was that the standard was a zoning requirement and not a General Plan requirement and staff's perspective was that they have less discretion in terms of balancing the requirement with other aspects of the project and they felt it was a strict applicable standard unless they demonstrate a hardship or practical difficulty to qualify for an exception from the requirement. He reiterated that it was not a standard they assessed as having flexibility on balance with other requirements. He stated that, regarding designation of spaces and origin of the requirement, the city's current Municipal Code zoning standards do not have separate standards for mixed use developments and the standard Asst. Planner Gannon was alluding to was a regular residential parking standard that they applied to the residential component of the project and they applied commercial project standards to the commercial portion. He stated that they have the tension where on balance it would be better not to have covered parking and all parking would look the same and be equally inviting to all users of the project, but they have the zoning requirement which they need to apply to the project and

evaluate whether it is feasible or not, which staff has assessed that it is feasible. He stated that the applicant has not proposed to distinguish between the residential and commercial parking and staff would prefer to keep it that way if possible to ensure the best flexibility in utilizing all the spaces throughout the 24-hour period that the project would operate if approved. He explained that, when most people are able to resume commuting to work, there will times in the middle of the day when the commercial business may be open and having all 20 of the spaces available for commercial use might be desirable. He stated that, with the hours applicant has offered to restrict operation of the commercial to 6:00 p.m. closing, most of the spaces should be vacated or at least enough associated with residential should be available and convenient for the residential tenants. Staff thought the overall parking scheme as proposed by the applicant is desirable and meets the zoning standards with the exception of the covered parking.

Commissioner Berman concluded from the report that the covered stalls are still intended to be used for both commercial and residential but she didn't have the COA and asked if the COA specifically said "covered residential parking". She stated that there was language within the staff report saying that the covered stalls would welcome residential parking there and oppose commercial parking. She agreed with the flexibility that is free but she is trying to understand what staff believes is the best approach and if it should be required for the project.

Sr. Planner Murdock thought she was referring to staff's list of reasons cited by the applicant to justify the parking exception. He stated that the applicant expressed his experience with other mixed use projects that he has developed that providing covered parking discouraged use of the parking by commercial tenants. He thought that may be the case, however, the applicant has separately provided sufficient parking under the zoning for the commercial and the residential components. He thought, if the commercial component of the project did not utilize the residential parking available, it would still meet all the zoning requirements and exceed the zoning requirements by one space for the commercial parking requirement. He wasn't sure, from staff's perspective, that there was a problem with that discouraged use of the residential parking if that is true.

Commissioner Berman asked if the covered parking requirement was in the draft Local Coastal Land Use Plan.

Sr. Planner Murdock stated that this requirement is in the zoning, not in the current Local Coastal Land Use Plan and he did not believe that the draft of the Local Coastal Land Use Plan addresses covered parking requirements either. He stated that most often they would see that type of specific requirement stated in the zoning ordinance. He stated that they will have the opportunity to revisit and significantly revise zoning standards after adoption of the Local Coastal Land Use Plan and the General Plan later this year and it is a topic they definitely plan to revisit, i.e., appropriate parking standards for various types of development. At this time staff has explained that it is an applicable requirement to provide one covered parking space for residential use.

Commissioner Berman referred to a comment letter from the Coastal Commission in packet page 253 from Ms. Norton of the Coastal Commission. She wondered if staff could clarify the last paragraph of her request as it looks like the request is to not allow future bluff protection in this area, as Planning Commission and City Council have talked with community members about the need to protect our shoreline. She wondered if staff could speak to Ms. Norton's comment letter.

Sr. Planner Murdock thought several of the points made in that last paragraph do touch on various aspects of land use policy that are contained in the city's draft Local Coastal Land Use Plan, however, most of the points raised in the Coastal Commission comment letter in that last paragraph are not requirements that are currently in the city's 1980 Local Coastal Land Use Plan or elsewhere in the city's local coastal land use program. Staff has not identified a clear basis to impose the requirements in the fashion that the Coastal Commission has requested, adding that the applicant has voluntarily revised the project to incorporate many of those and it was an expression of the applicant's intent to abide by the Coastal Commission requests; however, with the exception of the first part of Point #1 about new development not requiring shoreline protection, that was the only item that staff has identified in the 1980 Local Coastal Land Use Plan that was currently in effect and would be applicable to the project. He stated that it didn't make sense to state all the aspects that are applicable now if the project is not currently requiring shore line protection. He stated that, as projected by the applicant's geotechnical engineer, it would not be likely to have a need for coastal armoring during the economic life of the project which was estimated at 100 years. He stated that the applicant and its team can dig deeper into that if the Commission was interested in it and they have prepared a geotechnical hazard assessment. He stated that, overall, they did not find a basis to impose the requirements that the Coastal Commission has asked in that paragraph.

Commissioner Hauser referred to one thing Commissioner Berman asked, stating that for that covered parking the staff report gives loose reference to what kind of aesthetic would be anticipated or desired if parking has to be covered, and she asked if staff could speak more on what is envisioned.

Asst. Planner Gannon stated that they would ask the applicant for as little amount of bulk, height and structure that they could provide as the preferable design and not add anything else to the structure. She stated that ultimately it would be up to the applicant as to what they would like to propose. The city didn't have any particular design guidelines or standards for what that covered parking needs to look like and it would be up to them. Staff would prefer to have it be the least obtrusive as possible.

Commissioner Hauser referred to land use, and asked approximately how long has this site held its current designation of commercial and C-1/CZ zoning.

Sr. Planner Murdock stated that he would like to supplement Asst. Planner Gannon's response to her last question. He referred to PDF page 225, packet page 212, and stated that the top drawing demonstrates a trellis feature between the two portions separating the roof line. He stated that is the design theme that staff has written into the condition of approval and they are trying to tie the architecture and design aesthetic of covered parking in with the current building architecture. He stated that another part of the aesthetic requirement relates to only providing six covered parking spaces along the eastern parking area which could result in a disjointed appearance and the applicant has the option of providing more than six covered spaces to insure continuity of that entire segment of the parking lot. He added that they don't have a strong basis that staff has identified to require all of those spaces to be covered spaces. He stated that the condition of approval is condition No. 18, which describes certain standards the Planning Director would compare against the applicant's covered parking proposal on packet page 204 which establishes minimum and maximum heights, adding that the architectural design of the covered car port parking spaces shall be consistent and compatible with the new building in terms of materials and colors and the proposed trellis between the apartment units is located along Danmann Avenue to

insure design guideline consistency and the final location, materials and design of the covered carport parking spaces shall be subject to review and approval by the Planning Director. He then referred to the other question she asked, stating that they don't have the full historical land use information available for this site but this designation has been in place since the 1980 Local Coastal Land Use Plan and was not a recent change. He stated that Council has proposed to keep this the same designation for the site in the draft Local Coastal Land Use Plan except that the designation would change to mixed use neighborhood which would allow up to 26 units per acre instead of 21.8 units per acre currently allowed under the commercial designation.

Commissioner Hauser stated that it was hard to tell on the land use and zoning exhibit because it was pixilated, and she asked if other adjacent properties were currently designated with the same land use designation or if this is a one lot designation.

Sr. Planner Murdock stated that most the Danmann Avenue corridor between San Pedro Avenue and Shelter Cove Road, a private street, is commercial designation with the exception on the northeast side of an area that has been rezoned to R-1. He stated that this is not a one off single site zoned in this fashion as the entire segment is indicated for essentially the same uses.

Commissioner Bigstyk asked if the parking spots will be perviously paved or impervious.

Sr. Planner Murdock referred to packet page 217, stating that the parking lot is proposed to be predominantly pervious paving. He stated on the left side of the drawing, spaces 3 and 13, and over to the right hand of the parking lot, it is proposed to be pervious paving. He stated that there was a segment to the left of spaces 3 and 13 that is proposed to be standard concrete.

Commissioner Bigstyk asked if the applicant was proposing to put a sidewalk in where there is none currently.

Asst. Planner Gannon responded affirmatively.

Commissioner Bigstyk asked if the sidewalk would start where the property line is and extend into the street or would the end of the sidewalk end where the property line currently is at the street.

Sr. Planner Murdock stated that the public right-of-way, as in many areas of the city, is actually wider than the built street width. He stated that what he sees that appears to be the property line at the paved street level is still public right-of-way and the sidewalk will be generally split by the utility pole closest to the corner of Danmann Avenue and the other part will be in some portion of the landscaped area along Kent Road. He stated that the applicant might be able to explain more about the design considerations for placement of the sidewalk.

Commissioner Bigstyk referred to the deed restriction on restaurants and fitness uses, and wanted to be sure he understood the explanations. He thought the reason behind no restaurants was a heightened requirement regarding C.3 stormwater treatment having to do with the way the flow of water goes and it would add this extra architectural development into designing the mechanics of it that we probably don't want to do at this time.

Asst. Planner Gannon stated that it was the applicant's decision to place the deed restriction on the property to exclude both restaurants and fitness studios, adding that the applicant can state the reason for including this in the deed restriction.

Commissioner Bigstyk appreciated the input and would ask the applicant about that and the fitness uses which was alluded to in the staff report, mentioning that comments were made previously by a Councilmember, which included other businesses and he was going to follow up as to whether it makes sense to further restrict or if that has to do with motives for restriction. He referred to the section of the building proposed as three stories, stating that his understanding was on the ground floor the front half was to be a continuation of commercial space but he wasn't sure what the back half of that space would be used for.

Sr. Planner Murdock stated that if he was referring to the area in the plans, it will be an outdoor patio area and is built into the hillside and the applicant has not proposed to excavate to turn that into floor area and the excavation would stop at that point and it would remain undisturbed.

Commissioner Bigstyk assumed the front half would be a continuation of the commercial use.

Sr. Planner Murdock stated that was his understanding.

Commissioner Bigstyk mentioned that when he was looking at the property, a gentleman approached him. He had very positive comments but did have a parking concern which has been addressed now. He also had a concern about infrastructure which he also addressed to the man's satisfaction, assuming he correctly understands it. While in favor of the development, he mentioned a sink hole at the intersection of Danmann and Kent in the middle of the street and pointed out some underground creek system or springs. He didn't understand what the reality was or how extensive the geotechnical assessment the applicant did was. He asked how aware the city was of any underground creek system and could it harm the construction which was the gentleman's concern.

Sr. Planner Murdock stated he has heard similar reports and the city is aware of it and he thought Public Works has taken steps to perform some type of repair to address that issue. He suggested that Director Wehrmeister might have additional information due to interaction with other department heads although he did not think it was a current issue of urgency to the city.

Planning Director Wehrmeister stated that she had not heard discussion by her colleagues at Public Works about this.

Sr. Planner Murdock concluded that it was not a high level emergency type situation in discovering an underground spring that would undermine public infrastructure. He stated that he has heard of the street maintenance crew having done some work to address that but seemed to be a minor concern.

Commissioner Bigstyk stated the man pointed out where there appears to be running water on the street currently and indicated to him that if not as fully assessed as possible it could be an issue down the road. He wanted to "bookmark" that and factor it in later.

Acting Chair Nibbelin stated that he heard a couple of times but he wanted to address the covered versus not covered residential parking. He stated that it was ultimately a determination of

whether the applicant has shown an unusual hardship or lack of feasibility with respect to the covered parking. He asked if that was generally the standard.

Sr. Planner Murdock responded affirmatively.

Acting Chair Nibbelin asked if the Commission had the discretion to weigh in on as to whether that threshold issue has been made.

Sr. Planner Murdock stated that it does, explaining that the Commission's obligation is to weigh all the evidence that is presented to them including the staff report which laid out the analysis of the facts as staff sees it. He thought the applicant intends to address the parking exception as part of his presentation and the Commission may be able to balance the factors differently and perceive practical difficulty or unusual hardship that staff did not see in its analysis of the project. He stated that, if that is the case, they would need to hear from the Commission on what factors constitute the practical difficulty or unusual hardship and staff would need to return to another meeting to write the findings to support the parking exception as it was not analyzed and written up in the draft resolution presented to the Commission.

Acting Chair Nibbelin asked if there was a history in the city to consider factors like unusual cost or financial feasibility, assuming a case was made that covered parking would affect the economics of the project.

Sr. Planner Murdock thought cost was most often not a factor when considering land use regulations but it does come into play if it would render an improvement not feasible but the applicant has not presented any evidence of that in this case. Staff acknowledged the additional cost to construct it, but it should have been known to the developer before pursuing the project. He stated that the requirement is disclosed and is of record in the city's municipal code and should have been factored into the decision to proceed with the project.

Acting Chair Nibbelin stated that, with respect to the city's inclusionary housing ordinance, there were six units here and he asked what the threshold was for invoking that ordinance.

Sr. Planner Murdock stated that it applies to projects with eight or more residential units and thereafter 15% of the units need to be below-market rate

Acting Chair Nibbelin concluded that there was no affordability hook and no proposal that any of these units be affordable.

Sr. Planner Murdock responded affirmatively.

Acting Chair Nibbelin invited the applicant to speak.

Mike O'Connell, applicant, stated that his partner, Mike Panesi is also present, as well as Brian Brinkman, architect, Chris Rogers, biologist, and Dan Dyckmann, geotechnical engineer and Shawn Pannello who represents the landowners. He stated that this project was on an oversize lot of 14,551 square feet and 100 feet wide on Kent and 150 feet in depth along Danmann. He stated that 19 parking spaces were required and they were providing 20 parking spaces. He stated that Pacifica didn't measure projects by floor area ratio for mixed use projects but they thought it would be important to highlight what it is for this project, a FAR of 0.62. He stated that there

was 3,360 square feet of commercial space on the first floor, and they were voluntarily imposing a deed restriction that would not allow restaurants and fitness uses, as those were very intense uses and they didn't feel it was appropriate commercial use on this site. He stated that they looked at alternative site plans that were more restaurant conducive and aligned more to the north to face the ocean but they felt it would not be as good a design as something more urban and oriented towards Danmann and were their primary motivations in voluntarily imposing those restrictions. He decided that their desired tenant is a local maker and they had discussions with Salt Water Bakery, and someone who makes things wholesale and open to the public to buy goods. He stated that they could walk by the frontage on the sidewalk and see what is going on and how they are making things. He stated that they have two studios, two one-bedroom and two one-bedroom with a loft. He stated that they don't hit the below market rate affordable requirement of the City's zoning regulations. He thought they could fit one more unit in but he said the studios are affordable by design because of their size. He stated that all units have dedicated storage and one reason they requested the exception for covered parking was that the units have a dedicated covered storage accessible from the exterior. They are trying to minimize the height with the project and did that by locating the driveway as high as they could on Kent which allowed them to step down the hillside with an internal retaining wall. He stated that they use stairs or an elevator to get from the parking level to the retail commercial space and they have to travel through the open parking area on the second floor down through the elevator or stairs and end up in the open commercial space. He stated that it forces the building to face Danmann which they preferred from all the site plans they studied as it creates an urban feel like downtown main street, adding that it didn't take advantage of the best views from the site because of the lower building placement and building shape, while the units where they developed the L-shaped structure will have better ocean views than the other units that face due east. He stated that they were using a bulb out to soften the corner and provide space for an accessible ramp and the bulb out also includes a storm water treatment planter in the public right-of-way and helps the city meet state mandated requirements for pollutants that are leaving the right-of-way. He pointed out that, on the western edge, there is a common open space area. The building is set back about 20 feet from the property and they were not building it to the property line. He stated that there was a gap where there is not a structure and is a passive landscape area that tenants will be able to use. He stated that, when they met with Planning, there were several site plans they were studying. He stated that they pushed the buildings as far north as they could and had it oriented to the north and was great for the ocean views. They had a preliminary discussion about having a restaurant space there, which would be cool with the views, but it would make the building taller because of locating it higher on the site and not directly off the street. He thought that the proposed design works and embraces some of the features of the old neighborhood as the older buildings on Danmann are close to the street on the west side. He stated that they are trying to work with the existing topography and locating the parking entrance as high as possible to reduce the retaining walls required. They were using the back of the commercial space and the retaining wall to provide the elevation difference. He stated that it was a contemporary building but they were trying to give a nod to the older buildings seen on the coast. They engaged a historical consultant and architect to evaluate this building in context with other buildings designated as historical buildings and he mentioned some of the older buildings. He pointed out how they broke down the mass as it is a long building along Danmann and they were using different materials for the siding and different windows. He pointed out how the corner would look and relate to the firehouse. They were trying to maximize the views in the northern portion of the building but doing it by building the third floor into the roof line.

Acting Chair Nibbelin asked him if he could wrap it up as they were at ten minutes.

Mr. O'Connell turned it over to Dan Dyckmann, the geotechnical engineer, for an overview of the bluff study.

Mr. Dyckmann stated that they discussed the various different maps published by the USGS as guidelines to help them understand when they need to look very carefully at something. He stated that they have a portion of the site that looks good and a portion in their area and something they need to look at. He stated that they did a site specific study and they looked at aerial photos going back to the 1950s. He stated that their report analysis went from 1955 to 2000 with available photos to measure historic erosion rates, and after that they get more into Google Earth photographs. His analysis for that time shows they had a bluff retreat rate between .1 foot and .35 foot per year. He stated that they were reasonably low rates in part because the angle of the bluff to oncoming waves was at an angle and they aren't taking a big hit from the ocean. They then took a look at the last 15-20 years and they found the rates went up a bit up to about .625 feet per year. They projected that and got 62.5 feet of retreat as would be expected in the next 100 years and whether likely stay at that rate is a guess based on global warming. They thought, if they use the rate from the last 15 years, it will be closer to what anyone would project with global warming. He referred to water on the street which he assumed was coming from the uphill north area, and thought it was likely rain water percolating down through the thin layer of upper soils and migrating downwards with a normal hillside. When it gets to the street, there is the cut for the street and where they intersect and close to the junction between soil and bedrock, the water is percolated through the soil, hits the bedrock, doesn't want to flow through it and flows on top of it and it emerges out onto the street. He didn't think they have a subterranean stream just natural ground water seeping out over the top of bedrock. He didn't see the sink hole in the street possibly because it was taken care of before they saw it. He stated that, when they get a sink hole, it is most likely due to pipe separations in the sanitary sewer line or storm sewer lines. He didn't notice anything enough to make a note of it.

Acting Chair Nibbelin reiterated that they were in excess of ten minutes and unless there is anything essential to add, he will bring it back. He asked if there was public comment, adding that they have looked at the emails they received prior to the meeting.

Sr. Planner Murdock stated that they received three public comments and he will read them.

Commissioner Berman asked if they will have an opportunity after public comments to ask applicant questions.

Acting Chair Nibbelin stated that he will bring them back after public comments and they will be able to take questions. He then opened the Public Hearing.

Sr. Planner Murdock stated that he will read the written comments up to the three minute time limit.

Dan Shugar, Pacifica, stated "Planning Commission: Our family, with a home on 249 Kent Road, strongly opposes the referenced project on Kent Road/Danmann corner. There are so many things wrong with this project for our neighborhood it is hard to begin. It does not meet requirements of Scale, Covered Parking, Setback, neighborhood fit. We have reviewed Mr. Casillas' concerns (below) and also agree with those. We are supportive of reasonable

development on this parcel, which could include one or two homes, or a reasonable mixed use project with appropriate setbacks. Please see image below, which shows most homes on Kent Road have a 50-60 ft setback, even garages have 10 ft setbacks. Do not allow this monstrosity to be constructed, please.” Sr. Planner Murdock stated that it includes a graphic that shows an aerial photo of the project site and adjacent development along Kent Road of single family residential development and heading to the west. It draws a line across certain parts of the site to demonstrate what the commenter believes is average residential setback as compared to the proposed setback of the development. The residential setback is considerably greater and the proposed setback is very small as noted in the staff report. The letter then forwards a comment letter from Sam Casillas which the Commission previously received.

Camille Keating, Pacifica, stated: “Dear council members and planning staff, As lifelong residents of Pedro Point, we are writing to convey our concerns to the proposed development on the 1200 block of Danmann (CDP-409-19, UP-118-19, PE-185-19 and S-131-19) The scale of the design is out of character for our small mostly residential neighborhood, and its density is inconsistent with the coastal charm of the area. Similarly to the newly erected commercial building on San Pedro Ave. though the design may seem visually pleasing on paper, or in a downtown area, in person, it is gargantuan in its relative size and feel to the adjacent homes, and detracts from the quaint coastal feel of the neighborhood. The Pedro Point area is known to be beyond max capacity for parking on any given day and apartments and commercial business of this size will generate overly burdensome traffic congestion in our narrow streets. Residents are already feeling diminished quality of life due to the influx of traffic and beachgoers, with lack of public parking, and nearby commercial spaces not providing adequate parking. This adds to a safety concern as there are minimal sidewalks on our streets and the additional buzzing of cars makes for unsafe pedestrian access. With only one entrance and exit to Pedro Point, the continued approval for large commercial and mixed use projects, and additional traffic puts our residents at risk in the case of evacuation. How will we handle this amount additional traffic exiting the Pedro Point area should there be an emergency? For these reasons we are not in favor of this addition to the neighborhood in its present proposal. Thank you for your time and energy in deciding what will continue to help the residents of Pacifica, as well as keep our city quaint coastal character” signed by Camille Keating and Jason Grochowski.

Sr. Planner Murdock stated that the next comment from Sam Casillas appears to be a supplement to his earlier written comment forwarded to the Commission.

Sam Casillas, Pacifica, stated: “Sorry, I forgot one attachment of a USGS research article.”

Sr. Planner Murdock stated that the attached article was from a publication, “Scientific Reports” with the heading “Dynamic flood modeling essential to assess the coastal impacts of climate change” and talks about certain research related to climate change. He stated that he was not able to summarize it adequately given its length of 13 pages, but it references certain models relating to sea level rise and shore line exposure.

Acting Chair Nibbelin stated that the applicant can respond to public comments but he asked that their response be brief.

Mr. O’Connell stated that their responses are covered by the staff report. He stated that they know the sidewalks and parking was important to the neighborhood and why they endeavored to exceed parking requirements and constructing new sidewalks as part of the project. He stated that

the reason for limited setback on Danmann is that it is similar to what was provided on Danmann between Kent and San Pedro on the same side of the street. He stated that the 50 foot setback of most houses on Kent are single family homes oriented toward the ocean and didn't align with this project.

Acting Chair Nibbelin closed the Public Hearing.

Commissioner Bigstycyk stated that, following up on the idea of water underneath, the gentleman was the one who built the property at 1267 Danmann with three different addresses on the one building, and he was offering feedback as he is also a homebuilder and was offering his thoughts as a professional courtesy and it might not be a bad idea to follow up with him if they find, on deliberation, that they don't think it might be substantial. He stated that they might want to check in with him as he is monitoring it closely and has noticed some sink holes that have formed as a result of this idea and strongly recommended that, as professional courtesy, he wanted to give that information to them. He then referred to the sidewalk and asked that they bring up the image where the property line was and he wanted to get a sense of where the sidewalk lines up. He asked if it begins where the cars were currently parked or further back into the hillside.

Sr. Planner Murdock asked him to clarify which graphic he was referring to. He stated that the applicant showed a graphic where the property line was outlined in purple.

Mr. O'Connell thought it was the last graphic from the bluff retreat image. He stated that the back of the sidewalk will be at the back of the property line and the property line is a few feet in from where the power pole is now, and they will go into the slope a little bit.

Commissioner Bigstycyk thought that it looked like there was green space that will be covered over by sidewalk.

Mr. O'Connell stated that he was correct.

Commissioner Bigstycyk asked if people will be able to park along that.

Mr. O'Connell stated that they would as there was still parking.

Commissioner Bigstycyk referred to no restaurants and fitness uses, and he thought they said it was mostly to keep the uses down in that space.

Mr. O'Connell responded affirmatively.

Commissioner Bigstycyk asked staff if it specified in the language that it was to be a visitor serving use or is that language not specified.

Asst. Planner Gannon stated that the property is zoned C-1 neighborhood commercial but because it was in the coastal zone, anything west of Highway 1 is required to be visitor serving.

Commissioner Bigstycyk stated, with that in mind, he recalls when Councilmember O'Neill was expressing his concerns about revenue generation for the city and they were already restricting restaurants and fitness uses from being there. He asked if it was appropriate to restrict something

like real estate use as it was not necessarily a visitor serving and won't bring the revenue to the city. He mentioned that he might be outside his scope.

Planning Director Wehrmeister stated that revenue generating and visitor serving could mean the same thing and they could be different. She stated that property owners are looking to a tenant, sometimes that analysis is very specific to the type of business going in there. She thought the code does contain some checks and balances and if it is a use that is not strictly listed as a visitor serving use in the code, there is a determination process they go through and she thought there has been one of them while Commissioner Bigstycyk has been on the Commission where they need to report to the Planning Commission on the decision and if they don't agree that it is not a visitor serving use there could be a full use permit process.

Commissioner Bigstycyk concluded that they are fairly confident that the process will ultimately bring out anything not visitor serving.

Planning Director Wehrmeister believes so as there has been quite a bit of conversation about this with Council and with every project they are getting better as to the interpretation of those codes and ordinances. She was open if Sr. Planner Murdock or Asst. Planner Gannon had anything to add.

Sr. Planner Murdock stated that the use determination process mentioned doesn't enable any uses not otherwise permitted under the zoning. He stated that, if they are familiar and comfortable with the range of uses that would be in the C-1 neighborhood commercial district to begin with then they aren't going to see anything beyond that in this location with the exception of visitor serving uses which are more broadly defined than other commercial uses in C-1 and that is a requirement of the Local Coastal program to allow those types of uses. He stated that by and large they are appropriate in the coastal setting. He added that the use permit determination process does require staff, as part of the process, to evaluate the balance of visitor serving uses in the vicinity. He stated that in this location, there are few functioning commercial uses, it would be a high bar in terms of evidence of the surrounding area to conclude that there are sufficient visitor serving uses that this particular use would not throw off the balance. He stated that in other places like Palmetto, etc., there are already a lot of visitor serving uses and it is an easier analysis. In this part of the Pedro Point neighborhood, there are not very many that would weigh into staff's analysis of a use permit determination.

Commissioner Bigstycyk concluded that staff will be analyzing whether or not it was a visitor serving use.

Sr. Planner Murdock agreed, adding that the city zoning says the only permitted use in the coastal zone in a C-1 or C-2 zone is a visitor serving use. He stated others may be allowed subject to the use permit determination but only if already a permitted or conditional use.

Commissioner Bigstycyk asked the applicant the motivation behind choosing gray for the color of the last chunk of the building and how different is the material used on the outside and will it wind up being that gray shade or is there a paint palette that determines that.

Mr. O'Connell stated that was the color that comes from the manufacturer and that was not going to rust in the weather, and a special hybrid of galvanized metal and aluminum that doesn't rust and the color is pre-finished and no painting involved.

Commissioner Bigstycck asked if it was possible to have a different color of that material or is it set on that color.

Mr. O'Connell stated that they had several options for colors with that material.

Commissioner Hauser stated that she had a lot of questions for the applicant and apologized. She asked if they have done any public outreach or community meetings as there were a lot of comments they received and she wanted to understand what their level of engagement was.

Mr. O'Connell stated that his partner, Mike Panesi, could speak on that, but they did not do any community meetings, but more of a one on one approach. He lives in the neighborhood and knows most of them and has been talking to the key players for a little bit. They also included their names and phone numbers on the noticing which is not typically what applicants do.

Mr. Panesi stated that he reached out to as many neighbors as he could personally and got mostly positive responses, a few on the fence and a few negative, but they didn't set up any meetings. He stated that they included their phone number and anybody in the neighborhood knows how to get ahold of him if they wanted to reach out. He felt that it has been around for a long time and he emailed it to various neighbors. He thought there were a lot of opposing letters but there were also a lot of people who live in the community and, based on the number of people who live there, it didn't get too negative of a response which he thought was because they talked to a lot of people.

Commissioner Hauser thought this was covered in his presentation, but she asked if the building was a mix of three stories and two, and the staff report called it three. She asked him what percentage was two stories.

Mr. O'Connell stated about two-thirds of it was two stories, mostly along Danmann and when they get to the end of Danmann, the transition is to the third floor which is basically a loft built into the roof.

Commissioner Hauser asked if there were many structures in the neighborhood that were two stories.

Mr. O'Connell stated that most of them are two. He stated that he has engineered a lot of houses for people in that neighborhood and almost every house has been three stories, as that was how they take advantage of the view.

Commissioner Hauser appreciated the renderings where they nestled the site into the Google Earth aerial image. She asked if the Firehouse across the street was the same height or higher than what they were proposing.

Mr. O'Connell stated that their three story element is a little higher than that. They didn't measure it, so he wasn't sure exactly how tall it is, but he thought it was around the same height as the residential buildings next to it.

Commissioner Hauser understood there were retaining walls about 4-5 feet tall along Kent. She asked what material they would be and how are they planning to address the aesthetics of the visible retaining walls.

Mr. O'Connell stated that they are concrete walls but they have a condition where they are using colored concrete or a material to the satisfaction of the Planning Director.

Commissioner Hauser concluded poured in place colored concrete, not concrete masonry units (CMU).

Mr. O'Connell responded affirmatively, stating that, like on the parking lot side and the corner of Danmann, there is a retaining wall for a section as you move up Kent which will include the brick façade.

Commissioner Hauser asked if she was correct that the staff report stated they were apartments and not for sale.

Mr. O'Connell stated that it was correct that they are for rent.

Commissioner Hauser asked if there was a maintenance plan, such as mentioning not having materials that rust and having long lasting materials, and what was the mechanism or maintenance if any.

Mr. O'Connell thought there was a standard condition of approval that requires that the project be kept up. He stated that he and Mr. Panesi were particular about their properties and, while they didn't say they would have it forever if approved but they will keep up their other properties in town.

Commissioner Hauser asked if they were planning on solar.

Mr. O'Connell thought the new code requires it and he didn't think it was a condition of approval. He wasn't sure if they would voluntarily put it in, but he thought they were under the new energy code which will require solar and limit the gas appliances.

Commissioner Hauser stated that meant the provision of panels, not just prewiring for solar.

Mr. O'Connell responded affirmatively.

Commissioner Hauser asked, if the joint poles are conditioned to be underground, whether he would be open to adding a second street tree in the landscape bulb out.

Mr. O'Connell stated that he was as long as it fits as he thought they have space for that, then he asked if she was talking about the one further down.

Commissioner Hauser stated it was the northward one. She stated that they have a strawberry tree in the south one.

Mr. O'Connell stated that he wasn't opposed to that, but they might want to consider that they eliminate the bulb out at that location as the only reason for the bulb out was to protect the joint

pole and it provides that much less parking if they keep it for the tree. He would like to have the tree but he knows parking is valuable to the neighborhood.

Commissioner Hauser referred to the strawberry tree, and stated that they drop a lot of fruit and asked if they would be open to changing that or provide the rationale for why they selected that type.

Mr. O'Connell stated that every strawberry tree he has seen does well in Pacifica. They drop fruit but seem to tolerate the salty air.

Commissioner Hauser stated that it looks like their top of plate on the ground floor is 11 foot 1 inch, and she asked if he was anticipating a 9 foot clear ceiling height in the commercial.

Mr. O'Connell stated that, if they decide to put a drop ceiling in, that would be the plan.

Commissioner Hauser concluded it was 2 feet from top of plate to top of ceiling. She asked if he feels that for uses he thinks would be desirable, that would be small for your space as most commercial ceilings are 12 feet.

Mr. O'Connell stated that they didn't envision it as that kind of commercial space. He stated that on their building at 535 San Pedro, which is the new building in the shopping center, has a 15 foot plate which was towards the national commercial tenant where they have very strict requirements and won't lease the building unless there is a minimum of clear width to the ceiling. He stated that they didn't think this was that type of commercial space. He stated that they have another mixed use building in Sharp Park that they built with 11 foot plates and one tenant dropped the ceiling down and another tenant left it up and had to expose mechanical. He stated that, for the type of tenant they envision, they think that's enough room.

Commissioner Hauser referred to vinyl windows, stating that she wasn't opposed to them, but she asked if he has a particular window brand line in mind and thinking about something with a little bit of a bevel or will it be like a style line with a flat vinyl window.

Mr. O'Connell thought there were different kinds of windows and they might be simpler Milgards or some of the simpler windows. He thought the windows on the ground floor were aesthetically driven. He asked Brian Brinkman if he could comment on that.

Mr Brian Brinkman stated that they anticipated the style liner or similar type line for the primary windows and the ground floor with the commercial space would likely be more of a commercial store front type window.

Commissioner Hauser asked if he was thinking of a metal storefront window system on the ground floor and style line on the second and third floors.

Mr. Brinkman responded affirmatively.

Commissioner Hauser referred to erosion control, and asked staff if there were special inspections while construction was going on that would be confirm Mr. Dyckmann's report says.

Sr. Planner Murdock stated that he wasn't a building official and he was not entirely sure that he can adequately answer this. He stated that in his experience he was not aware of special inspections. He stated that sometimes there are additional geotechnical reports submitted during the building permit process and they may have additional detail and sometimes additional borings. He stated that was something that might accompany the building permit review. He then stated he wanted to clarify two points. He stated that staff did not include a condition of approval in the recommended resolution addressing retaining wall finishes as their assessment was that the retaining wall materials as proposed were adequate and complimentary to the building design. He added that they do have a standard condition of approval that they could read into the record if the Commission felt that something other than the proposed concrete retaining walls were desirable. He then hoped the applicant can confirm his understanding of whether he is undergrounding the utility poles as that was not his understanding. He understood that utilities would be installed underground from existing above ground utility poles. He heard Commissioner Hauser refer to undergrounding of utility poles and installation of trees in their place. He asked if they could confirm that point.

Acting Chair Nibbelin stated that this might be a good time to get clarity with respect to the point he raised regarding the undergrounding. He asked if the applicant can speak to that.

Mr. O'Connell stated that he didn't hear the question.

Acting Chair Nibbelin asked Sr. Planner Murdock to restate the question.

Sr. Planner Murdock stated that there was a brief discussion of retaining wall finishes and standard condition, and Commissioner Hauser referenced undergrounding of the utility poles and he asked if they could clarify if that was part of their project.

Mr. O'Connell stated that it was not something they proposed, as he thought she was referring to a condition of approval.

Acting Chair Nibbelin asked for the clarification that it was not part of what has been proposed. He stated that they can save for deliberation whether they will want a condition of approval that speaks to the finishes on the retaining wall. He asked if Commissioner Hauser had asked all her questions.

Commissioner Hauser stated that it was but she would love clarification from Sr. Planner Murdock because she didn't see it in the plans, or just missed it, as to where those finishes are.

Sr. Planner Murdock thought they interpreted them from the renderings and elevations and were not featured prominently, but not something they took objection to.

Commissioner Berman referenced the nearby character of the neighborhood and specifically the Firehouse and knowing they had a historic review of the site and areas around the site such as the brick being used, she enjoyed the aesthetics of the proposed building, but she asked Mr. O'Connell if brick was recommended by the historical review of the site as complimenting the Firehouse. She wanted to be sure the brick didn't overpower the character of the Firehouse.

Mr. O'Connell thought the firehouse has T-111 siding on it now which is an outdated building material. He stated that they liked the brick because there were not any other brick buildings like

that in Pacifica and Pedro Point is a pretty eclectic neighborhood with a lot of different styles. They thought it fit in and the historical consultant did not take exception to that and thought the materials did fit in with the neighborhood because of a lot of different architecture there.

Commissioner Berman realized that they didn't know what tenant will occupy the commercial space but she wondered if their team has looked into the logistics of delivery service and where the loading or unloading would occur to confirm that it was not going to hinder either the parking lot on the property and residents, as well as local street parking. She didn't know if it would be off hours or if they considered it.

Mr. O'Connell stated that they have only considered it to the extent that they know smaller deliveries with vans and smaller trucks can access the parking lot. He stated that, if we get back to commuting and ten of the parking spaces are empty, they would be free to load there without disrupting the residential tenants otherwise loading would be from the street when available. He stated that, because it was not a restaurant tenant that would get a semi-truck delivery of goods every week, they were less concerned and it was going to be akin to the types of deliveries all the other people are out there now.

Commissioner Berman asked if, in his opinion, the local residents have any issues or complaints with that type of service or other commercial properties in the area and their delivery service on the street.

Mr. O'Connell stated that he hasn't heard of any complaints. He stated that the big one was Grocery Outlet as they get a big delivery but the semi-truck navigates that parking lot pretty well.

Commissioner Berman stated that in the letter to staff describing the project, they included language that related to the Coastal Commission's comment on not providing further coastal armoring or bluff remediation. She acknowledged that they included it in their letter, but she asked what his thoughts were on that and are there any concerns for the property and if it were sold to someone else in the future, maybe 100+ years down the line.

Mr. O'Connell thought it was a good question as this is becoming a more standard request or condition from the Coastal Commission. He stated that, if the property was sold, a savvy buyer recognizes the inherent risks of purchasing something close to the ocean and those are in place and something they are willing to impose on themselves because it provides the disclosure to potential buyers that there are hazards and they have done their analysis and didn't think it was an issue. He referred to it being like an earthquake disclaimer you get when you buy a house in California and that was their thought process behind being willing to include those conditions at this time.

Commissioner Leal stated that he had a question relating to security and the elevator and restrooms on the ground floor which appeared to have free access off the street. With its location in a commercial area and proximity to the coast, he asked what security measures would be in place other than lighting, particularly related to the restroom and elevator.

Mr. O'Connell stated that he wasn't versed in elevators but he thought there were ways to lock them out after close of business and they had internally envisioned some lock out or a key fob if they were going to use it after hours and a tenant is bringing something after hours and they can use that keycard to access the elevator but the general public would not.

Acting Chair Nibbelin wondered if the applicant wanted to give them their best case for the covered parking exception requested. He understood that staff recommended that it be denied and he wanted to hear the applicant's thinking on wanting the Commission to see it differently.

Mr. O'Connell stated that they felt the parking code was outdated. He didn't think it was a direct hardship but as Sr. Planner Murdock mentioned, when they get a chance, they might be revamping the entire code, not just the part about the covered parking but the parking requirements for different uses. They felt covered parking was not as important as it used to be as cars are not entirely made of metal and there was a lot of composite material and they don't need to park underneath or inside to keep the car in good condition. He stated that, if someone has a '68 Chevelle and they want to park it here, this was not the apartment for them. He stated that they were concerned that, if covered, are the commercial users going to want to park there or think it is not for them. He mentioned that it could be handled by signage but it could create confusion for commercial people and they didn't want it to turn into a commercial or retail place people don't want to go to because of confusing parking and it is a potential hardship for a commercial tenant. He stated that, if it becomes assigned, people tend to use it to store stuff or park their motorcycle there and park the car on the street, adding that was why they incorporated dedicated storage for each unit.

Acting Chair Nibbelin asked what is the incremental cost to adding the covered parking.

Mr. O'Connell thought it was about \$50,000 and was not a small amount but not a deal breaker.

Acting Chair Nibbelin thought staff has the legislative analysis correct but he tends to agree with Mr. O'Connell that, although correctly applied, he didn't know if they made a lot of sense, given the intent that the parking be available for everyone and not limited to residents per se and he didn't see the logic, but he wasn't sure that a hardship or infeasibility has been shown. He thought it was right for legislative analysis but probably exceeds their mandate.

Commissioner Bigstyk thought, during non-business hours, anyone in the neighborhood could still park in that spot, specifically in terms of the Firehouse where there are often gatherings when they aren't experiencing a pandemic and he thought, once we are through this, there will be many gatherings there. He asked if there was any reason why people at a gathering at the Firehouse could not use that parking space during off business hours.

Mr. O'Connell stated that there would not be any physical gate that would prevent them from doing that, adding that it wasn't something they offered as part of this application but it didn't mean that they were opposed to it. He stated that the Firehouse creates a parking issue and provides zero parking and a lot of people show up. He didn't want parking lots that sit half empty and he thought they could work something out on a neighborhood or community level and can be coordinated. If they have a big event, they can ask to have ten spots marked off for them. If it was okay with the commercial tenant, he didn't think it would be an issue with the applicants.

Commissioner Bigstyk thought that was one asset to the community that otherwise might not feel it was an asset and helping with parking would be a "feather in their cap".

Acting Chair Nibbelin stated that he didn't see any more questions and they might consider a motion.

Commissioner Bigstycyk stated that he has some opinions, not all in favor, and he wanted to voice his concerns as well as where this could be an asset to the community. He mentioned his experience of running into an acquaintance while visiting the site, and she mentioned that, while excavating, if they dig up the llamas that resided there, she was in favor of having the skulls should they find them as she is an avid animal lover and works with the zoo, so if they do, she would be happy if they could give them to her at 291 Shoreside Drive. He was discussing with her that her family will be staring at the largest chunk of the building. He thought it was a big enough project to safely say that it is much bigger than a lot in that area and the critique that has come about the fact that scale was an issue and it bears noting. He referred to the three stories that are gray, and he didn't like that it was three stories and the other thing he noticed was that he liked the color scheme of the bricks and give a more earth feel to it. He feels that his aesthetics is living with it, and the way he hits the huge gray thing and it goes from an organic feel to a nonorganic feel. He appreciated that aesthetics can be subjective, but his friend who will be staring at this was in agreement and that reinforced his thought process, if possible, for it to be a color other than gray. He looked at the other building by the shopping center with a gray section in the middle and it occurred to him that if it were more brown or going toward green he wouldn't be seeing a giant piece of charcoal in the middle between the field and the shopping center but reminded him of a tree and he would disregard it as being a giant gray box. He liked the idea of the loft, but looking at what it looks like in proportion to the rest of the neighborhood, he didn't like how big the building is. He thought, if it met with the other two stories, it might make it more digestible or if something as simple as the color scheme being changed to be more in alignment with the brick façade, he thought that would do a lot to give them a sense that it is more in scale with the rest of it. He stated that as he looks at it, there is a clash and it throws the scale off for him and he then favors the idea of bringing the height level down, but he thought the color change would do a lot to mitigate that for him.

Commissioner Berman stated that, touching off Commissioner Bigstycyk's comment and story, in regard to the skull, she asked staff to correct her if she is wrong, but she thought during construction if there are any remains found such as archaeological remains or bones, that pauses construction and a whole series of events happen rather than removing and gifting the skull.

Planning Director Wehrmeister stated that would likely be the case if the remains are human remains.

Commissioner Berman thought he might be able to tell his friend that so she doesn't get her hopes up. Referring to Commissioner Bigstycyk mentioning the gray siding, she didn't see too much of an issue with it, especially with the renderings that were helpful to visually see the scale. She stated that it was the opposite to his comment, as she questions the brick in context with the Firehouse but in general, she thought the design is very aesthetically pleasing, as others more suitable have advised that the brick would be well incorporated into the neighborhood and she was willing to accept that. She wondered what her fellow commissioners' thoughts were on the parking. She tends to agree with Acting Chair Nibbelin's comment as it seems that the covered parking, although required per the zoning, almost seems unnecessary. She agreed that, if there are car ports or covered parking in an area, it could be designed to be very welcoming to visitors of the commercial area or appear that it was meant for residential parking which would cause more parking issues throughout the site. She wondered about the commissioners' thoughts on that. She was inclined, if in their purview, to think of considering it a hindrance on the project to build it, but she understood it was a requirement according to the zoning.

Acting Chair Nibbelin apologized for being out of order but stated that he liked the approach of asking whether or not the incorporation of covered parking frustrates what they are trying to accomplish on this site with respect to parking. He stated that they have the covered parking because it is a requirement for the residential proponent of the mixed use. He thought it was almost at counter purposes with parking for the residents but they want it used during the day by the commercial and they are almost working in a conflicted way. He felt it was a frustration of what they are trying to accomplish on the site because of the covered parking requirement. He asked the applicants if they want to make another trip back here to enable staff to prepare a resolution with findings to support parking exception approval, or are prepared to live with it, given the probable need to go back and draft something and bring it back as opposed to moving forward with what they have.

Mr. O'Connell stated that they would prefer not to come back and discussed this with staff when the issue came up, and they both feel they can meet this requirement in a way that compliments the building and doesn't detract from it. They would like to move forward now and might want to come back years from now and apply for a parking exception and remove it because it's not working.

Acting Chair Nibbelin thanked him, adding that Commissioner Berman is on the right track and he was in support of her analysis of it. He stated that, in deference to applicant's desire to have the matter dealt with at this time, he would be inclined to let the matter go.

Planning Director Wehrmeister stated that they have been in session for two hours and 15 minutes, and she stated that if Acting Chair Nibbelin would like to entertain a 5-10 minute recess, it would allow staff to talk to legal counsel to see what their options are at this meeting and be able to provide some assistance for the Commission.

Acting Chair Nibbelin called a ten-minute recess and then reconvened.

Sr. Planner Murdock stated they extended the recess to allow staff to complete its discussion.

Planning Director Wehrmeister stated that they feel they are able to provide draft findings to go ahead and issue a parking exception for the covered parking if the Commission would like to do so, but they are not comfortable doing that at this current meeting, as drafting a condition is one thing but crafting the findings are another thing on the fly and they would like to bring it back to them. She thought that the applicant felt they would rather accept the requirement than to continue this item to a future hearing.

Acting Chair Nibbelin asked clarification that the applicant could bring the request for an exception back as a separate matter after getting the project entitled, assuming without the request for the waiver granted.

Planning Director Wehrmeister thought they could, but she thought there was not a mechanism to limit any second appeal or request, and they would have to open the entire matter rather than be very focused on this one issue.

Acting Chair Nibbelin concluded that an appeal in the future would not just be an appeal of the granting of the parking exception even if it was the only matter.

Planning Director Wehrmeister stated that it was her understanding that it would be revisions to this project as a whole.

Acting Chair Nibbelin stated that he was interested in the applicant's perspective of where they want to go, and the point was to avoid continuing the matter.

Mr. O'Connell stated that they would prefer not to continue the matter unless they want to discuss how they would make the findings. He agreed with staff that it was difficult to make this hardship finding and he wouldn't be comfortable saying to extend it without knowing how they can make those findings as there was still a possibility that they could do the analysis and not make the findings. He stated that they have obligations with the landowner to perform in certain timelines and extending this for the covered parking issue would probably not be in their best interest.

Acting Chair Nibbelin asked if he was willing to withdraw the request for the covered parking exception.

Mr. O'Connell stated consider it withdrawn.

Acting Chair Nibbelin asked Commissioner Berman if she was through with her questions when they took a recess.

Commissioner Berman stated she had one more, but it was not really a question and would not impact her decision, as she was inclined to be in favor of the project. She referred to her question on the Coastal Commission's request to effectively deny bluff protection in the future as well as almost accepting managed retreat for this property. She understands that the applicant has agreed to these requests and chose not to take issue with it, but she wanted to be sure that the Commission works with City Council to develop the Local Coastal Land Use Plan and they are looking at the projects with some foresight that, in the future, they will have a new Local Coastal Land Use Plan that very heavily takes the public's concern regarding managed retreat and coastal armoring. She wanted to bring it up and if anyone has anything more to say, she was happy to deliberate more but she thought it was a noteworthy tie to many conversations they have had in past meetings.

Commissioner Bigstyk stated that he had more comment, but thought Commissioner Hauser raised her hand before his.

Commissioner Hauser stated that she agreed with Commissioner Berman that the colors were not offensive to her, and she likes the design and the fact that the parking is hidden behind the building and the applicant took the effort and time to nestle the project and look at the surrounding scale. She appreciated the architect's recesses and different building planes and there is different massing of two and three stories rather than a monolithic three stories with a 35-foot height limit. She added that she wouldn't mind a different color if that was a sticking point for Commissioner Bigstyk, but she thought the height was appropriate especially with the monument mentality of some of the different elements across the street. She liked the fact that it was housing that was affordable by design and the sizing is appropriate to what Pacifica and the surrounding region needs. She thought the site, as it currently stands, is blighted and she thought fences are breaking down, structures in disrepair and they need to see some improvement. She

appreciated the large amount of glazing that the architect and applicant put on the building, and she thought they were all really good things. As a new commissioner, she wants to hear more about the erosion control as she has not had the benefit of being an active participant and she would defer to the other commissioners on that. She would be willing to support the project. She felt they were missing an opportunity to underground public joint poles which she thought a lot of cities do as a standard. She understands that it was cost intensive and maybe not something they can do in Pacifica, but she would like to look at that on future projects as they continue to move forward. She was not stuck on any of them, but would like to add the condition that Sr. Planner Murdock mentioned about the retaining wall finishes. She thought it was important for the neighbors on Kent that any retaining wall that was visible is done thoughtfully and with a material that has the approval of the Planning Director. She stated she would appreciate some sort of vinyl window. She thought, if they look at surrounding houses, there were a lot of recessed windows and instead of asking the applicant to do some sort of expensive framing for a recessed window, they do something like the next step window line like a Tuscany line is a very little added cost but will help. She stated that, if it is sandwiched between other lots, she would say that it wouldn't be visible and wouldn't matter but because they are an entire block she thought that level of detail is important. She stated that, with the conditions on the wall and window, she would be happy to move this forward.

Commissioner Bigstyk stated that he agreed with all the comments made but as someone who finds himself in the neighborhood from time to time, it was hard for him to get past the scale issue that he is perceiving as he is walking around. He stated that, in conversations with friends who were agreeing with him, part of what they were telling was that at the end of the day they could live with it, but with something as simple as changing the color in that last building, it was uncomfortable for him to give a yes vote to something that high because he believes that walking around it will be out of scale. He stated that, if that color were addressed, he could give it a yes vote, but to his sense of aesthetic it was all one thing and he thought it looks like a giant warehouse appended to the one thing, and it riles his sense of aesthetics. He stated, if that color could be addressed and better coordinated with something more earthy, he was willing to give it a yes vote.

Acting Chair Nibbelin thought they were fortunate to have the technical expertise that Commissioner Berman brings in and the architectural eye that Commissioner Hauser has brought to this. He appreciated the commentary on some of the aesthetics that are less obvious to him as he looks at things on paper. In deference to his colleague's comments, he would be in support of the project. He would be in favor of the retaining wall finish as conditioned. He was not clear on the need for the window condition, but in deference to Commissioner Hauser's perspective, he would be willing to support a motion that included that. He then referred to Commissioner Bigstyk's concerns about the color and he heard a more earth tone was articulated and he would support a motion to include each of those elements. He thought the project is a good one and he agreed that they are talking about housing that, although not technically and legally affordable by any deed restriction, is naturally designed to be affordable and is a great concern to the Commission and he felt this was a good way forward and he was in support of the project.

Planning Director Wehrmeister stated that she would address Commissioner Berman's comments on the Coastal Commission's comments and unpack them. She stated that Sr. Planner Murdock mentioned earlier that as a starting point, the city already in its 1980 General Plan has a statement that brand new construction should be developed and designed to not need protection within its design lines, which this project is doing. She referred to the Coastal Commission's comment that

this project with no future shoreline or bluff protection for this residence and the removal of the structure, in and when threatened, and the applicant's letter that the structure may be required to be modified if it becomes unsafe due to coastal hazards. She stated that they know bluff erosion doesn't target one particular parcel but is more of a neighborhood consideration. If this condition or request from the Coastal Commission isn't impacting the neighborhood's eligibility for protection, that is a bigger issue and bigger discussion to have if and when that happens. She stated that the other thing is that the city already has a duty and requirement under their authority to protect the health and safety and if this structure becomes a hazard for any reason, such as coastal erosion, etc., the city has abatement procedures regardless that they will be able to use in order to ensure that the building is moved to be made safe or removed. She didn't know if that was helpful, but she wanted to make those points.

Commissioner Berman stated that it was helpful. She stated that, because it was a large topic among the community, she wanted to discuss it.

Acting Chair Nibbelin didn't see any other hands and he wondered if there was an interest by any commissioners to pull together a motion.

Commissioner Berman was inclined to develop a motion. She didn't know if there was any flexibility they could incorporate into the conditions of approval, to address Commissioner Bigstyk's concerns with the three-story portion of the building. She asked staff if they had recommendations, adding that she was inclined to vote yes regardless but wanted to appreciate Commissioner Bigstyk's comments.

Commissioner Bigstyk appreciated that to the best of his understanding, the applicant would have to go back to the drawing board and rework some things. He stated that, if he were to bring down the third story, he thought they would have to continue this to a different time, and if he is correct, he wasn't willing to stymie it. He stated that, if there is a consensus that they can do something with the color to his aesthetic sensibility, that would mitigate that distance of scale. He felt the gray color calls out how big it is and it was already a large thing and he was inherently uncomfortable with it. He felt that, bringing that color into it, it was much more livable. He stated that it was difficult for him to cast a yes vote.

Acting Chair Nibbelin asked if he was thinking of a condition that might call for a green or earth tone color that is satisfactory to the planning director.

Commissioner Bigstyk responded affirmatively.

Acting Chair Nibbelin wondered how the applicant felt about a requirement like that.

Mr. O'Connell stated that their original submittal was a brown tone on the end, adding that he can't remember why it changed but the color has evolved a couple of times and they were fine with it.

Acting Chair Nibbelin asked how they describe the portion of the building they are talking about to which they are attaching this color scheme.

Mr. O'Connell stated he would describe it as the corrugated metal siding.

Sr. Planner Murdock stated that it was his assessment, and there were other ways to assess this issue, but he thought the more similar the corrugated siding color is, the more from a distance this building looks like one much larger building rather than the contrasting colors providing some visual break from a distance and getting some appearance like it is two smaller buildings. He stated that, to the extent of that consideration in terms of mass, he wanted to put it out as it factored into staff's assessment of the architecture.

Acting Chair Nibbelin asked if it was possible to have multiple colors that are earth tones or green that would avoid the massing concern expressed.

Sr. Planner Murdock thought it was possible, but he hasn't seen a full palette of colors that this material comes in or it could be painted if that was an option. He stated that most often he hears that painting corrugated materials is not the preferred treatment and seeing what the actual manufactured color palette is, they could try to find a color that balanced both viewpoints. He stated that, if they were not able to find something that convincingly accomplished that, they could default to what the applicant currently proposed.

Acting Chair Nibbelin thought they would be talking about a motion that involved corrugated metal siding color scheme that is satisfactory to the Planning Director in light of guidance from the Planning Commission at this meeting. He asked if that was clear enough to the Planning Director.

Planning Director Wehrmeister felt she was clear, adding that they need to draft the conditions carefully so that a couple of years in the future everyone will know what the Planning Commission's intention is and she would be more comfortable if it included some direction in terms of where the color is going, such as green, etc.

Acting Chair Nibbelin thought they were talking about a green or earth tone preference.

Commissioner Bigstyk stated that he looked at the mock up, and it wasn't that far off from a green and if it were a darker green that would be better to his sensibility. He explained that it looks like the warehouse thing is appended and it's a living space, and he was aiming for something more organic and blends in with the tree in the background. He likes the brick façade but whatever the color is that blends it more into the earth tones coming out of that corner. He stated that his sensibility is for something that feels more organic and less like a warehouse and will feel more like a home and blend it with natural surroundings to the point that it might bring down some of the scale issue that he thought was inherent to having something that size in the neighborhood. He felt that, height-wise, it was getting to a place where it was out of character with the rest of the neighborhood but if it integrates with the natural surroundings, that would take the edge off.

Planning Director Wehrmeister asked if she was correct to say that the color would be moving away from a slate gray to more like a dark hunter green.

Commissioner Bigstyk stated that sounded good.

Acting Chair Nibbelin stated that green to earth tone.

Commissioner Godwin asked if it would be simpler to choose two complimentary colors that are somewhat neutral and give the project or the Planning Director a little flexibility to finalize what those are based on what materials are available.

Acting Chair Nibbelin thanked him, adding that it was a reasonable point to create some flexibility for the Planning Director and figure out how to do that in a way that addresses Commissioner Bigstyk's concern and proposing a way in that direction.

Commissioner Hauser referred to what Sr. Planner Murdock said, and thought it was really important that, whatever color it is, it is factory finished so the wear isn't an issue. She asked if it would be acceptable to get the architect's opinion as to whether there is a color palette that doesn't work or isn't available in this material.

Acting Chair Nibbelin agreed, and asked Mr. Brinkman if he had something to say.

Mr. Brinkman stated that they got an array of samples from the manufacturer of different colors that it comes in and they tested and the dark gray was what they felt was most complimentary with not blending and matching too well with the existing building to provide that contrast they were looking for. He stated that there were other options they could look at. He didn't have the samples, but on the website there were colors that might be earthier toned and they can take a look at them.

Commissioner Berman stated that she would feel uncomfortable defining a specific color or shade, because she was not savvy in it. She would defer to the applicant's decision or Commissioner Hauser who has quite the eye, but she wouldn't feel comfortable limiting the applicant to a certain shade. She would rather just approve the project as-is because she likes it and it looks like it works and has already gone through a lot of vetting. She reiterated that she would like to steer clear of picking a color.

Commissioner Bigstyk stated that, as much as he would love to have the luxury of the color palette in front of him and discuss it, he was satisfied with the idea of leaving it to the Planning Director's satisfaction with the direction of something a little bit more earthy. He was feeling miserably from their perspective, but they had a lot of feedback about how out of scale with the neighborhood that this development is, and as someone who visits the neighborhood on at least a yearly basis or more, he gave his own aesthetic sense of what he is going to be staring at when he visits, let alone having to live with it. He stated that this was his last effort to try and address his sensibility of what might modulate the scale a little bit as whether or not the neighborhood's voice gets heard as loudly as they would hope it would be but now it isn't. He hoped that making this small gesture of trying to offset the scale a little bit in favor of bringing it down a notch, it might help the neighborhood live with it more than they are inclined to now. He was fine leaving it up to the Planning Director's satisfaction with that direction in mind as he has given enough feedback that he hoped they understood where he was going with it.

Acting Chair Nibbelin agreed with Commissioner Berman and would be satisfied with approving it as-is and he understood the reason for the current color scheme. He stated that his concern is that he didn't want a situation where they dictate something or provide direction and it turns out that it is infeasible. He felt Commissioner Hauser made the point that things are manufactured in a certain way and they prefer that it be a manufactured finish rather than something that has to be painted on. He stated that he wasn't at all savvy in this area and didn't know if there was a

manufactured finish available in a hunter green or some earth tone that would be along the lines they are discussing. He stated that, if they tied a feasibility aspect into it, he would want the project to go forward with the slight gray that they have rather than having to come back and be reconsidered because of some issue with the color. He stated that they have the opportunity to kick around all the elements to a good extent. He asked if there was anyone who would like to try and frame a motion. He stated he would be happy to do the groundwork for a motion and see how they feel about it.

Sr. Planner Murdock stated that, before they consider formulating a motion, there was a mention of condition of approval to address the retaining wall finishes. He stated he could read that with the Commission's reference and incorporate it or not.

Acting Chair Nibbelin suggested he read it now.

Sr. Planner Murdock stated that a condition that they have used on previous projects is as follows: All exposed retaining wall surfaces shall have a decorative finish which may include but shall not be limited to decorative block, stone veneer, colored and stamped concrete to the satisfaction of the Planning Director.

Acting Chair Nibbelin again asked if anyone wanted to take a crack at it or would they like him to put a motion out there.

Sr. Planner Murdock stated that they have some proposed language for staff to address the color.

Acting Chair Nibbelin asked that he share that with them as well.

Sr. Planner Murdock stated that they would propose a condition that reads: Applicant shall select a green tone or earth tone for the color of the corrugated metal siding portion of the project which would encourage the appearance of the visual breakup of the building mass to the satisfaction of the Planning Director.

Acting Chair Nibbelin asked Commissioner Hauser if the window condition was a factor as well.

Commissioner Hauser thought vinyl windows should be selected to incorporate a bevel or otherwise depth providing profile other than flat. She stated that was not how she would word it, but something that means that.

Acting Chair Nibbelin didn't know if she wanted to do anything with that.

Commissioner Hauser stated that was to address what he just asked her.

Acting Chair Nibbelin moved that the Planning Commission FINDS the project is exempt from the California Environmental Quality Act; APPROVES Site Development Permit PSD-843-19, Coastal Development Permit CDP-409-19, Use Permit UP-118-19 and Sign Permit S-131-19 incorporating the condition of approval regarding exposed retaining walls requiring a decorative finish as was read by Sr. Planner Murdock to the satisfaction of the Planning Director, requiring that the corrugated metal siding have a green tone or earth tone to the extent feasible and to the satisfaction of the Planning Director using the specific language that Sr. Planner Murdock shared a couple of moments ago and vinyl windows that provide a beveled or stepped profile along the

lines that Commissioner Hauser shared with the Commission; and DENIES Parking Exception PE-185-19, given that it has been withdrawn by the applicant, by adopting the resolution included as Attachment A to the staff report including conditions of approval in Exhibit A of the resolution with the additions identified a few moments ago and; INCORPORATES all maps and testimony into the record by reference.

Sr. Planner Murdock asked if Asst. City Attorney Sharma can offer some guidance on whether and how the motion and ultimate resolution which may be adopted defers to the parking exception and should it remain silent given that it has been withdrawn or should the Commission still adopt findings for denial.

Asst. City Attorney Sharma stated that it should remain silent now that it has been withdrawn.

Commissioner Hauser seconded the motion with the amendments that Asst. City Attorney Sharma made.

Sr. Planner Murdock took a verbal roll call.

The motion carried **6-0**.

Ayes: Commissioners Berman, Bigstyck, Godwin, Hauser,
Leal and Acting Chair Nibbelin

Noes: None

CONSIDERATION:

- | | |
|--|--|
| 5. SUB-224-14
SP-149-14
TDR-03-14
Heritage Tree
Removal
Authorization | File No. 2014-004 – Applicant request for extension of expiration date for Subdivision SUB-224-14, Specific Plan SP-149-14, Transfer of Development Rights TDR-03-14 and Heritage Tree Removal Authorization to construct a 24-unit residential condominium project at 801 Fassler Avenue (APNs 022-083-020 and 022-083-030). Recommended CEQA Action: N/A. |
|--|--|

Sr. Planner Murdock presented staff report.

Commissioner Bigstyk stated that it didn't look like the applicant is with them at this meeting.

Sr. Planner Murdock stated that he was correct, adding that he informed the applicant that it was not typical for them to come and speak about extension requests as it is a rather routine administrative item and the applicant decided not to attend.

Commissioner Bigstyk concluded that the applicant hasn't offered a specific term of extension.

Sr. Planner Murdock responded affirmatively, explaining that in the written request there was no term cited.

Commissioner Bigstyk stated that his only question for the applicant is whether they wish to reconsider or request something specific for them to consider.

Acting Chair Nibbelin asked if they had any public comments on this item.

Sr. Planner Murdock stated that we do not.

Commissioner Bigstyk moved that the Planning Commission extend SUB-224-14, Specific Plan SP-149-14, Transfer of Development Rights TDR-03-14 and Heritage Tree Removal Authorization by 18 months to establish a new expiration date of November 15, 2021; Commissioner Berman seconded the motion.

Sr. Planner Murdock took a verbal roll call.

The motion carried **6-0**.

Ayes:	Commissioners Berman, Bigstyk, Godwin, Hauser, Leal and Acting Chair Nibbelin
Noes:	None

COMMISSION COMMUNICATIONS:

Chair Nibbelin stated that they have new colleagues and they would ordinarily like to hear from them at the outset of the meeting and he was taking this opportunity to welcome them and he stated this could be a good time for them to say whatever they want to say, notwithstanding the late hour. He asked if he was pronouncing Commissioner Leal's name correctly.

Commissioner Leal stated that either one works and he responds to either one. He was happy to be part of the Commission. He stated that he previously served on the Economic Development and Library Advisory Committee and he thought Commissioner Bigstyk will be great on the LAC. He was looking forward to working with everyone on the Commission.

Commissioner Hauser stated that she was excited to be working with them. She thought they have done a wonderful job and she stated she also comes from the Economic Development Committee and served under Commissioner Leal when he was chair of the committee.

Commissioner Godwin was also happy to be serving on the Commission as it does important work. He spent a number of years doing contracting with government agencies and he realizes how complex these things can be.

Commissioner Bigstyk echoed the welcome to the new commissioners, stating that he knew some better than others. He felt they will be fun to work with and he looked forward to it. He then mentioned a friendly reminder as they go through the process of avoiding the Covid. He stated that they seem to be oscillating between getting a little lax or not, but wherever they are as they continue this journey, he asked for as much kindness as they can muster for each other. He stated that he was working in the service industry and he knows what it looks like when people are frustrated with their circumstance and it was hard to keep that in. He stated that some of them working with customers experience the brunt of that from a communal perspective and he felt the more they can muster their patience, kindness and compassion and as the powers that be suggest as our next steps to maintain our community to the best of their ability to fathom it and he asked that we rise to our better angels and the best of our capability. He thanked everyone in this community because on that side he is blessed and grateful to be living in this community.

Chair Nibbelin reiterated that they appreciate the work he and his colleagues are doing to ensure that we are able to consume the things we want to consume and need to consume to carry on.

STAFF COMMUNICATIONS:

Planning Director Wehrmeister stated that, keeping in line with Commissioner Bigstyk's comments, the latest health order authorized construction activity with some strict safety guidelines for worksites. She stated that they have shifted their service to the community to provide permit issuance, permit acceptance as they were already but also site inspections to the public. She stated that the office is still closed and Planning continues to do their work remotely. She stated that they will see what the next order says and continue to modify from there.

Chair Nibbelin stated that he is impressed by how they are able to carry on notwithstanding the challenges. He stated that they were now ready to adjourn.

ADJOURNMENT:

There being no further business for discussion, Commissioner Berman moved to adjourn the meeting at 10:21 p.m.; Commissioner Hauser seconded the motion.

Sr. Planner Murdock took a roll call.

The motion carried **6-0**.

Ayes:	Commissioners Berman, Bigstycck, Godwin, Hauser, Leal and Chair Nibbelin
Noes:	None

Respectfully submitted,

Barbara Medina
Public Meeting Stenographer

APPROVED:

Planning Director Wehrmeister