

**MINUTES**

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

July 15, 2019

7:00 p.m.

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

**ROLL CALL:**

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

**SALUTE TO FLAG:**

Led by Commissioner Nibbelin

**STAFF PRESENT:**

Planning Director Wehrmeister  
Sr. Planner Murdock  
Asst. City Attorney Sharma

**APPROVAL OF ORDER  
OF AGENDA**

Commissioner Nibbelin moved approval of the Order of Agenda; Commissioner Rubinstein seconded the motion.

The motion carried **6-0**.

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

**APPROVAL OF  
MINUTES:  
JUNE 17, 2019**

Commissioner Nibbelin moved approval of minutes of June 17, 2019; Commissioner Rubinstein seconded the motion.

The motion carried **6-0**.

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

**DESIGNATION OF LIAISON TO CITY COUNCIL MEETING OF AUGUST 12, 2019:**

Chair Clifford stated that they would not need a liaison.

**ORAL COMMUNICATIONS:**

None

**CONSENT ITEMS:**

None

**NEW PUBLIC HEARINGS:**

- 1. PSD-840-19**                      **File No. 2019-010 – Site Development Permit PSD-840-19** for construction of an 855 square foot (sf) second-story addition to an existing 1,752 sf, one-story single-family residence on a 5,120 sf nonconforming lot located at 206 Calaveras Avenue. (APN 018-131-050). Recommended CEQA Action: Class 1 Categorical Exemption, CEQA Guidelines Section 15301.

Sr. Planner Murdock presented the staff report.

Commissioner Bigstyk asked if they were analyzing accommodation of nonconformity of some sort.

Sr. Planner Murdock stated that it was correct as there are a number of different triggers to cause the Commission to need to review and issue permits for an addition and in this case it was because the lot is non-conforming to the zoning standards and less than 50 feet wide at the front setback line and that was the point of measurement for lot width.

Commissioner Bigstyk asked if, under circumstances where there are no glaring non-conformities, an addition might not come up to the Commission for review.

Sr. Planner Murdock responded affirmatively, adding that the vast majority of additions in Pacifica were allowed to be approved with building permit only.

Javier Chavarria, applicant, stated that the project was consistent with the neighborhood and meets about every zoning standard and because of a minor technicality of the code they were before the Commission. He stated that they have designed what is similar to what has been done in the neighborhood, adding that he has done two other additions in that area that have turned out nice. He stated that they talked to the neighbors before they finalized the details. He stated that the property owners were present and had letters of support from the neighbors. He felt the addition will be an enhancement to the neighborhood.

Commissioner Nibbelin stated that he didn't recall seeing the letters of support and asked if they were in the staff report or were brought by the property owner.

Sr. Planner Murdock stated that staff has not received a copy of the letters.

Commissioner Nibbelin thought it would be good to include in the record if that was what the applicant had intended.

Chair Clifford commented that for the lack of 4 ½ inches they were present and that was a small deviation.

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

Commissioner Nibbelin thought the staff report did a good job of laying out the issues at hand. He agreed that it was a very minor non-conformity and he thought they should just approve it.

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Commissioner Kraske moved that the Planning Commission FIND the project is exempt from the California Environmental Quality Act, APPROVE Site Development Permit PSD-840-19 by adopting the attached resolution, including conditions of approval in Exhibit A; and INCORPORATE all maps and testimony into the record by reference; Commissioner Bigstyk seconded the motion.

The motion carried **6-0**.

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

Noes: None

Chair Clifford declared that anyone aggrieved by the action of the Planning Commission has ten (10) calendar days to appeal the decision in writing to the City Council.

**2. GPA-97-19  
RZ-202-19  
PSD-818-17  
CDP-387-17  
UP-116-19  
PE-174-17**

**File No. 2017-021 – Amendment of the General Plan land use designation** from Medium Density Residential to High Density Residential, amendment of the zoning classification from R-2 (Two-Family Residential) to R-3 (Multiple-Family Residential), construction of a 1,398-square-foot (sf) two-story single-family residence on an existing 2,250-sf non-conforming lot, and exception from the two-car garage off-street parking standard for single-family residences by providing one uncovered off-street parking space, on a vacant lot known as Lot 37 of Block 1, Revised Map Salada Beach Subdivision (RSM 5/20) located on the south side of Salada Avenue approximately 325 feet west of the intersection of Palmetto Avenue and Salada Avenue (APN 016-050-400). Recommended CEQA Action: Class 3 Categorical Exemption, CEQA Guidelines Section 15303.

Sr. Planner Murdock presented the staff report.

Commissioner Bigstyk asked if it made sense to recommend that City Council rezone all four of the lots and whether it was considered and decided not to do that.

Sr. Planner Murdock agreed that a comprehensive approach to the area would be preferable but it takes staff resources as well as outreach in coordination with the property owners and when this project was presented it was only the one property owner who was interested in pursuing development and in light of that, staff didn't feel that they had the ability, direction, or resources to take on a very site specific planning process. He added that they are undertaking the Sharp Park specific plan process and they were aware of this and other vacant sites in Sharp Park should get a closer look to ensure that the land use regulations fit with the existing lot patten a well as the desired type and intensity of development in the neighborhood.

Commissioner Bigstyk stated that a lot of the houses on that street had one-car garages but he didn't see much discussion in the staff report regarding consideration of a one-car garage solution and he asked for staff comment on that.

Sr. Planner Murdock thought staff had assessed that any garage on a site so small would result in the garage dominating the design of the structure and many observers would reach that conclusion in looking at the existing homes in the neighborhood. He said staff observed that many people in the neighborhood aren't using their garages for parking and instead are using them to serve a storage function. Thus, providing ample storage with a shed and a secondary storage built into the side of the structure would result in sufficient storage needs — which otherwise would have been accommodated in the garage — and would allow for one car in the driveway and street parking for anyone's use rather than a second space for private use only.

Commissioner Nibbelin asked if any efforts were made to acquire one of the vacant lots on either side which may have made a less cramped and constrained project.

Sr. Planner Murdock said that project came in 2017 and they have spent considerable time working with the applicant to try to explore different design alternatives and outcomes for the site. He stated that this was the third design iteration the applicant has prepared and staff's opinion was it was the best outcome that could result on the site. He stated that they asked about

acquiring or swapping ownership for other sites to allow those to more easily be consolidated, shared driveway easements that could have allowed more efficient use of the site and in all those cases, the applicant explained why he felt it wasn't feasible, unable to reach an agreement or it would not result in significant improvement in the design of the project. He stated that, with staff's limitations to look at the project, they had no tools available to force or strongly incentivize that consolidation. He added that the applicant can elaborate on what conversations he had with adjacent owners.

Chair Clifford asked what the standard depth of the driveway was.

Sr. Planner Murdock stated that the standard driveway depth in any of the city's zoning districts of R1, R2 or R3 is 20 feet, which is an increased setback from the front property line to the face of the garage and greater what the typical front setback is to the building which was typically 15 feet and the extra five feet has been written for many years in the zoning standards to allow parking in the driveway for the full length of a vehicle. He stated that in this case staff had made sufficient accommodation of 18 feet for the front setback and complies with other dimensions.

Chair Clifford asked how they ensure they don't park a vehicle in the driveway that blocks the sidewalk, stating that there are vehicles bigger than 18 feet long.

Sr. Planner Murdock wasn't sure they could assure that and acknowledged that there are big vehicles but added that more of a front setback would result in less of a rear yard and could present complications with providing adequate storage space. He stated that applicant would need to give some consideration on how he may reconfigure the site and he thought it may technically be feasible if it was the Commission's interest to increase that from 18 to 20 feet without adversely impacting the project.

Chair Clifford asked if it was possible to make a condition of approval that they have a sign stating that no car larger than 18 feet park in the driveway.

Sr. Planner Murdock thought it may be possible but he thought it would be unusual and something he was not aware of being done before on such a project.

Chair Clifford thought this was an unusual project.

Sr. Planner Murdock thought it may be better to look at a site design measure increasing the front setback to give greater certainty but he didn't know how enforceable it would be to tell an owner he cannot have a vehicle beyond certain length.

Chair Clifford stated that he would not tell them they couldn't have a bigger vehicle but was saying if they had a bigger vehicle they couldn't park it in the driveway.

Sr. Planner Murdock understood it was an important distinction. He thought it would render the space empty at that point rather than increasing the front setback which may provide the greater assurance of getting the vehicle off the street, but they would have to consider that further.

Chair Clifford asked what the municipal code says about covering up the sidewalk in front of your house with your vehicle.

Sr. Planner Murdock stated that he didn't know the relevant municipal code provision but he imagined it would implicate an encroachment in the public right-of-way and would not be permissible.

Chair Clifford concluded that code enforcement or the police could enforce that if someone were troubled by having to walk around the car.

Sr. Planner Murdock stated that, assuming it was a violation which he cannot confirm now, he thought the police would enforce that because it was in the public right-of-way.

Brian Brinkman, co-applicant, stated that they have worked with Sr. Planner Murdock to come up with a design concept they felt was most beneficial to the neighborhood and met as many codes and ordinances as possible and contributed to the neighborhood architecturally. They worked with staff to get a feel what they thought would fit and be the most beneficial. He stated that, by eliminating the garage, they have created a front porch and yard that helps them connect to the community without losing any parking spaces. He acknowledged the comment that people use garages for storage and they built a functional storage in the back yard as well as space under the stairs for more storage. They felt they have created a nice home and the design should speak for itself.

Commissioner Bigstyk asked if he was planning on living in this residence.

Mr. Brinkman responded that he was not.

Commissioner Bigstyk stated that his parents did not use their garage for their car when he was a child and his mother told him that their car was very rusty. He asked if he was going to have contact with whomever lives in this home regarding the garage.

Michael Panesi, co-applicant, stated that he didn't want to answer that question. He stated that he lives in Pacifica and has cars he does not park in the garage. He stated that today they are different from what they were in the past. He stated that he knows neighbors who do not park in the garage and don't value their cars as they used to. He stated that it was a hard question to answer.

Commissioner Nibbelin asked if they made any efforts to engage in various options relating to acquiring an adjacent site to avoid the significant effort to change land use designations and build a project that is very site constrained. He stated that this wasn't suggestive of where he would land on deliberations.

Mr. Brinkman stated that there was discussion, but the property owners of adjacent sites had visions of developing their property and there was no opportunity for that.

Commissioner Berman asked if they have a buyer in mind or would lease it.

Mr. Brinkman stated that they don't have a buyer yet.

Commissioner Berman asked if they tend to develop for themselves for the future. She liked the model of the house and each side has a glass siding or large window. She asked what their plans were for privacy in the future if the adjacent owners plan on developing.

Mr. Brinkman stated that there was a covered porch at the second story.

Commissioner Berman concluded that it was all exterior.

Mr. Brinkman stated that it was a back but the two sides were open.

Commissioner Berman asked if it was a sun room.

Mr. Brinkman stated that it was like a sun room.

Chair Clifford opened the Public Hearing.

Tanya Tander, Pacifica, stated that she lives across the street from the proposed site. She stated that they have three adults and 16-year-old daughter who will be getting a car and parking on the street. Their son is 15 and they will be parking another car on the street. She stated that there is no parking on Salada on the weekend. She stated that the tourists are there on weekends and they have to park a few blocks away and she didn't see how one parking spot was going to be sufficient. She stated that they don't have enough parking on the street because of teenagers who will be getting cars and making the problem worse.

Kevin O'Rourke, Pacifica, stated he lives across the street from the project in a house with a one car garage with a driveway that is not long enough to put a car. He stated that one thing that would make him move out of the house was the parking situation. He stated that, if the parking gets worse, people will be moving the storage stuff to put a car in the garage. He stated that the lots were divided in 2017 and he thought it was odd that the owners were not in communication with each other and couldn't get something developed and the neighbors know what is happening with all four lots. He thought they were changing the zoning on just that one lot on the street which he didn't think made sense. He was okay with something going up that works for the neighborhood and does not make life worse but better with something small. He stated that the neighborhood has cottage type homes and he didn't consider this project a cottage home. He was okay with two stories, but preferred that it not be so close to the front. He stated that their previous proposal was more cottage like and had two parking spaces rather than one. He thought they should send them back to the drawing board and come back with something better but was not opposed to development.

Cindy Abbott, Pacifica, stated that she lives across from the proposed development and has never been reached out to by the developer since they have been working on this. She also asked that they send this back to be reworked. She referred to the city working on updates to the General Plan and Local Coastal Plan, plus the Sharp Park Specific Plan. She thought they should be completed prior to any rezoning changes or parking exemptions. She felt this project overbuilds a 3-bedroom house on a tiny 2,250 sq. foot lot and not leaving appropriate space for on-site parking. She referred to the staff report stating it could be developed without causing adverse neighborhood impacts, but does not seem to consider that it was four lots and if developed similarly with one parking spot it will be a big problem. She was concerned about the precedent that this project will set. She stated that they should not be approved piecemeal but an overall strategy during the specific plan process. She thought staff's statement regarding the proposed parking solution was contrived, explaining that multiple adults in a home will generate more than one trip a day. She also referred to staff's comment that other projects have been developed on

lots of the same size and she felt it was misleading because each of those projects had a garage and/or off site or on-site parking that allows for 2+ vehicles on site. She referred to mention of concerns regarding developing garages in front of homes and she stated that more than 75-80% of homes in Pacifica have garages in front of their properties and thought this concern was manufactured to provide an excuse for this exception. She referred to staff's statement that the off street parking proposed were nearly in compliance with requirements and she thought it was a false statement, adding that similar projects have been developed with garages and on and off street parking. She stated that there were problems with the development as proposed and how staff has addressed them. She stated that parking exceptions have recently been given for projects along Palmetto, Francisco and she felt they need to pause while the Sharp Park Specific Plan is in process to consider the impact to the entire area and stop giving parking exceptions that are exacerbating overcrowded situations.

Mike McCarthy, Pacifica, stated that he also lives in the neighborhood and he was shocked by the city and felt they were almost negligent because they had four lots that were supposed to be consolidated into two but never had an audit over four decades. He stated that the developers do beautiful work in Pacifica, but he was surprised that they didn't reach out to the community as others have prior to similar projects to do community building. He encouraged them to do that in the future but did acknowledge that they have also done some great work on their street. He was concerned about the long term vision for all four properties and was surprised at the city's suggestion of the specific plan for Sharp Park not being considered and how the four properties will be contributing to the look of the neighborhood. He was also concerned about the long term vision for parking for all four of those lots. He was also concerned about the appearance of the setback.

Sandra Gossman, Pacifica, stated that she supports her neighbors but was not here to talk about the parking. She was passionate about Salada, stating that Salada consists of cottages, not modern two-story homes. She was concerned that the builder does not intend to live but was an investment and was about money. She stated that they all work hard for their homes. She stated that her personal property on the corner is the biggest monstrosity of all of them, starting out as a one-bedroom cottage on the bottom. People who lived where it was hot would come to Pacifica on the train to cool off. Then someone built a second story to it and that was her property, but the rest of the Salada were all homes. She thought the garage situation was irrelevant. She stated that they all have one car garages and questioned how many people use their garage for storage. She stated that Salada was quaint and she didn't want to see it changed to be like a big monstrous house, adding that she would have more compassion if he was going to live there, but the rest live there and they don't want to change the vibe of their houses. She felt the parking situation and using the garage for storage was irrelevant, acknowledging that she was guilty of owning the biggest one on Salada.

Alex Bennett, Pacifica, referred to the staff report stating that this was a compromise, and he didn't think that was a good word to use because compromise is the idea of balancing two valid interests but he felt that was not what they have. He stated that, because of time, he would not go into detail regarding abuse of the parking situation, but stated that this one project will take two parking spaces. He stated that the floor plan indicates the house can be occupied by three couples and that will be like half a dozen cars on top of the two spots they are losing. He stated that they have an R2 zoned area which forbids building a single family dwelling on a lot of that size. He stated that the buyers who bought the property must have been aware of that and he felt that was their risk as developers in buying undeveloped property and were sweet talking or strong arming



the city to allow them to build anyway. He felt they should have thought of that when they bought it rather than ask residents to bend so they can have the privilege of building a house. He felt the city needed to address if they should be taking care of the people who live in the neighborhood or take care of someone wanting to “defecate” in their neighborhood with this structure.

Sheldon Licardy, Pacifica, stated that he lives next door in a one-bedroom, one-half bathroom, one-car garage and they have two cars and an RV which would not fit in the proposed project. He stated that his lot size was the same as this project.

David Beaumont, Pacifica, stated he was representing the three adjacent lot owners. He appreciated the feedback from the community which he felt was important to hear and he would be conveying that to the owners. He stated that this process has just begun within the past two weeks to form a collaborative approach. He stated that there were two owners of the remaining three properties. He stated that they have had a preliminary session with the city and got good direction from them. He stated that staff raised some issues of concern which they heard at this time and he was very pleased to hear about the parking matter because he perceived that as being a strong issue. He stated that he has gotten the owners of the three properties who have different desires and interests to collaborate to iron out the issues being raised by community members. He stated that two of the three homes will be occupied by them or family members.

Chair Clifford stated that he had another minute and the Commission can ask public speakers if they have any questions.

Mr. Beaumont stated that he has taken notes on what the community had to say and he will be conveying that at the preliminary conceptual design meeting and they will be taking a macro view of this. He had great respect for Mr. Panesi who built a terrific house. He stated that when he is involved in a project, he contacts sensitive community with outreach from the beginning and he will have the opportunity to meet some of the owners and will be happy to visit with them.

Chair Clifford asked if he was representing the other three lots.

Mr. Beaumont responded affirmatively.

Chair Clifford asked if he would be willing to sit down with these owners and include them in their collaboration.

Mr. Beaumont responded that he definitely would.

Commissioner Berman asked if he represents the other owners as their attorney or developer.

Mr. Beaumont stated that he was the principal planner with a design planning consultancy and they have engagement with the community and with conceptual plans, preliminary plans, site plans and the entire entitlement process.

Commissioner Berman stated that her understanding from the staff report was that the lots could not be merged because there were no two adjacent property owners.

Sr. Planner Murdock responded affirmatively.

Commissioner Berman guessed that the orientation to the west was one owner, to the east is a different owner and then they have the applicant and another duplicate owner.

Mr. Beaumont agreed, adding that even though they can't be merged, the two owners have agreed to collaborate. They haven't seen eye to eye on some things but as an outgrowth of a meeting with the city staff recently, he thought they will be able to put forth a program that addresses the issues at least in a collaborative fashion so issues that have arisen at this meeting can be addressed during the process.

Commissioner Berman stated that the idea of collaborating with an adjacent property owner was new to her of effectively merging lots to potentially build. She asked if the owners would team up and purchase the land together.

Mr. Beaumont stated that is a misimpression. He stated that they were collaborating in terms of site planning, citing the building in terms of massing, articulation, light, shadow, etc., as well as how that impacts the adjacent existing owners.

Commissioner Berman understood that they can't build over a property line, and she thought effectively the site planning would probably still be four separate structures.

Mr. Beaumont agreed, explaining that there are issues that can impact adjacent owners such as light and air, and they were traditional planning themes that were important to look at even though they do not physically go past the property lines but are still important and sensitive to those who have lived for 30 years or more as mentioned by the speakers. He referred to street parking and they did not intend to take away street parking as they perceived that would be a strong issue.

Commissioner Berman asked if they can lay out a high level thought of how they will plan the three or four properties if he had the opportunity.

Mr. Beaumont stated that not at this moment. He stated that his purpose at this time was to get feedback and it would be far too preliminary for him to give her a pro forma of that at this time.

Chair Clifford asked if their collaborative efforts might consider the possibility of some form of an easement to alleviate the parking issue such as a circular driveway for all of the buildings on those lots.

Mr. Beaumont stated that they would consider an easement which arose at their first meeting with staff. He stated that they would have to explore that as there was concern by staff of insufficient turning radii to affect something that could actually meaningfully make a difference. He stated that they will have to crank to a lower level to see if something can be done. He stated that an important element is smaller size cars such as electrical vehicles and smaller wheel bases. He stated that they will take a close look at that, adding that he has worked in challenging areas where taking a very close look at that helped in terms of such issues.

Chair Clifford thanked him for answering their questions.

Sr. Planner Murdock stated that he had a written public comment submitted to staff.

Mr. Panesi asked that they look at the plan they provided. He thought this meeting seemed to be all about parking and he felt like they created something with staff that was different and would add a uniqueness to the neighborhood. He stated that he is the owner and was planning on keeping the property, whether he rents to a friend or relative. He stated that he didn't know the relevance to that because some nice person will end up living there. He stated that they were trying to develop the property and they have been working with city staff. They are open to input but have gotten no guidance. He stated that he submitted another project two years ago with a two-car garage or car port and one car garage. He was informed that the city was going to go away from that design in the new General Plan. He stated that they would like to wait for the General Plan but it didn't seem like it will happen for another year or two and they have already two years into trying to come up with a desirable and functional house for the property. He felt the house was close to what should be there. He didn't want to see garages. He was invested in Pacifica and works hard to make houses look nice and he didn't want to see more garages with cars in front of them with doors on the side of the house.

Chair Clifford stated that they heard the two owners of the other three properties were starting to work collaboratively and he asked if he would be willing to work with those owners on a more comprehensive use of the property that might solve some of the parking issues arising.

Mr. Panesi stated that he would love to say no, but he stated that there were 25-foot wide lots and no real resolution. He stated that they have talked about doing a joint driveway and putting parking in the back, but you can't do it because you can't get the 25 feet needed to turn the car around. He stated that each lot is faced with a two-car garage in the front or not having a two-car garage in the front. He didn't want to throw Sr. Planner Murdock under the bus but part of what the two of them came up with the concept that they aren't losing parking because they were saving a spot on the street and adding a spot in front of the house. He stated that the yards are all functional and that was what they were trying to achieve. He didn't put a walkway because he was thinking of the front yard as a usable space and people could walk on the side of the driveway. He stated that it wasn't too tall.

Chair Clifford stated that the question was whether he would be willing to sit down with the other property owners and look at making some changes that would make everything better for all of the neighbors, including himself.

Mr. Panesi stated that they have already done that. He didn't know if there was much to look at, mentioning if they are willing to merge lots and give up easements. He stated that personally he has two years with two full designs and he wants to keep going forward.

Chair Clifford closed the Public Hearing.

Commissioner Berman stated that her purpose on the Commission was to represent a different demographic for Pacifica. She stated that trying to add housing to the community is needed. She thought there was vacant land being underutilized. She acknowledged that it was open space but, given the housing issues in the Bay Area, adding housing is helpful. She stated that looking at four separate lots, while she probably was not as creative as others, she thought the most efficient way to get housing in that space is either an apartment complex which she didn't think the community wants, or small homes that could hopefully house multiple people. She stated that people in Pacifica rent rooms in a house which is beneficial to them. She stated that, regarding

parking, she could see three different situations for parking, the two-car garage or two-car driveway which effectively cuts out the entire 25-foot width of the front lot and does not help serve the community. She stated that, if there is a one-car garage and a one-car driveway, whoever is living there does have the opportunity to use the garage as storage and that is kind of a risk parking wise. She thought the possible garage space of this home used to provide another bedroom for someone is a good use of area and provides the one off street parking spot with one public on street parking spot that the public can use. She was generally in favor of this project.

Commissioner Nibbelin thought Commissioner Berman did an outstanding job of articulating the factors at play and she states his position. He asked staff how wide a single car driveway is supposed to be.

Sr. Planner Murdock stated that the zoning standard for a one-car driveway establishes a minimum width of ten feet.

Commissioner Nibbelin asked if it was illegal to park in front of your own driveway.

Sr. Planner Murdock stated that he did not know the answer to that question.

Commissioner Nibbelin thought maybe the City Attorney could answer that. He was curious about the potential of having a couple of spaces if you block your own. He stated that he sees it in San Francisco with some regularity and he was curious about the potential of freeing up spaces that way.

Asst. City Attorney Sharma stated that she would have to research that.

Commissioner Nibbelin stated that a lot of important thoughts and concerns were shared, and in a perfect world they could figure out a way. He felt the structure proposed is satisfactory in his view. He stated that the legislative actions proposed seem appropriate. He stated that it was unfortunate that the city had initiated the lot merger process many years ago and unfortunately, for unclear reasons, it was never completed so they have separate owners of separate privately-owned lots that can be developed. He didn't think it was relevant whether the owner was going to occupy the facility. He agreed that housing is needed regardless of who built it and who owns it. He was in favor of the proposal set forth in the staff report. He didn't think they would gain much by waiting for other things to catch up.

Commissioner Bigstyk didn't think it mattered who was living there, but he was trying to get at whether there was someone who could tell him what their intended use of the place into which they are moving regarding parking in the garage or outside and parking in general. He referred to a comment of multiple cars if the house has multiple bedrooms. He also referred to a comment about whether this house would be in character with the rest of the neighborhood. He felt the parking issue was important, but added that he didn't have a problem with the building. He stated that, if not for the parking concerns, he could vote yes, but it was hard for him to vote yes now after hearing many residents saying it was a bad idea and he agreed with a lot of their points.

Commissioner Kraske stated that ideally he would like to see a uniform strategy for development for the four parcels and he felt it was on the city. He felt that was going to be 1-2 years out until the General Plan is updated and we were in the midst of a housing crisis and he felt this project

took some thought and was a fairly innovative design. He could get on board with this project as is.

Commissioner Rubinstein asked if changing the zoning to R3 for this lot be a precedent for the other three lots.

Sr. Planner Murdock stated that he would defer to the City Attorney, adding that he was not aware of what precedent would be established as it was an independent legislative action to change the zoning and it was up to the Council to have a rational basis to make the change or not.

Asst. City Attorney Sharma agreed as the future potential projects requesting a change in the zoning would have to make a showing of whether the zoning is beneficial to the community which is something that a staff report would discuss.

Commissioner Rubinstein understood, but wasn't sure if there was an argument that could be made later by the other property owners that they have a right to change it to R3. He was generally in favor of the project. He thought the parking situation was faced by many communities and halting development because of parking limitations is not a reasonable reason to deny a project's merit. He agreed regarding approval of the project.

Commissioner Nibbelin mentioned Chair Clifford's question regarding the length of the parking space, such as 18 feet versus 20 feet and the suggestion that they could recommend 20 feet without significantly impacting the design to ensure that a vehicle fit within the space. He wasn't sure if that was still a concern or not. He didn't know if staff had any recommendation as to that point.

Sr. Planner Murdock stated that staff felt it was a reasonable concern as the minimum front setback from the property line to a garage is 20 feet and 18 feet was suitable for smaller parking spaces including compact parking space dimensions. He stated that, if they were concerned about other than a compact vehicle being parked there, he thought it was reasonable to increase the front setback to 20 feet. He thought the Commission may want to hear from the applicant as to the impact that would have as it was not always shrinking the room two feet, but other impacts.

Commissioner Nibbelin stated that for the limited purpose of addressing that specific point, he would be interested if the applicant had anything to say.

Chair Clifford asked if the applicant would like to answer the question.

Mr. Panesi stated that one thing they could do is shrink the porch. He stated that they had the parking space at 16 feet with the planter behind it and figuring a car could back up over part of the planter. He thought it was feasible but he didn't know if it was necessary. He asked Sr. Planner Murdock what was the setback to the front porch.

Sr. Planner Murdock stated that he had to check.

Mr. Panesi stated that he called the lower room a flex room and he didn't see it as being a three-bedroom house.

Sr. Planner Murdock stated that it was 18 feet from the front property line to the front overhang of the porch and another four feet from the front of the porch to the front of the structure. He stated that the porch was six feet previously and staff felt a sizeable front porch was a helpful architectural element to break up some of that vertical plane on which some community members commented. He stated that the applicant reduced it from six feet to four feet in order to achieve the rear setback.

Commissioner Nibbelin thought he could ask the question differently. He stated that he has a Toyota RAV-4 vehicle and he asked if that would fit in the space they are discussing now.

Sr. Planner Murdock stated that he didn't know the dimensions but didn't think a RAV-4 was a particularly long vehicle. He thought it would fit.

Mr. Panesi stated that most of his trucks are maybe 20 feet and are four-door trucks. He stated that a parking spot in a building is 9 feet x 19 feet so 20 feet was not what was required in a garage and they were about one foot off of a required parking space. He stated that he would not have a problem shrinking the house by a foot or the porch, but whether they felt it was necessary.

Commissioner Nibbelin wasn't interested in designing on who is going to live there but generally what might be reasonable to have. He stated that, if a typical parking space is 19 feet, he thought that would probably be an appropriate guideline for them to use.

Sr. Planner Murdock stated that Planning Director Wehrmeister has confirmed that a 2019 RAV-4 is approximately 15 feet long. He stated that, to the point made by one commenter, parking of oversized vehicles such as RVs was not permitted under the city's zoning and, although they are in driveways, they are in violation of the zoning and he felt it was unlikely that they should expect or plan on such a large vehicle being in a driveway.

Commissioner Berman stated that she had a minor opinion on the length of the off street parking. She stated that she works in land development and in many cities the exterior parking length is 18 feet, and an ADA parking stall is typically 9 feet wide and 18 feet deep in case that helps in context. She stated that it does look like the property line is inset with respect to the sidewalk as well, and if there was concern with blocking the sidewalk, it does look like there is a little bit of space between the property line and the back of the sidewalk to alleviate some concerns. She referred to the setbacks around the house and thought there was nowhere to move except for decreasing the house size which Sr. Planner Murdock pointed out that it could affect the stair steepness. She felt 18 feet would be sufficient for the house.

Sr. Planner Murdock thought they could possibly consider requiring the concrete porch on that portion on the east side of the structure to be at grade in designing the structural supports such that the vehicle could nose in under the porch rather than assume that it was exclusively outside of the 18 feet.

Chair Clifford stated that, since he brought it up, he would like to restate his position. He stated that his real concern was that no one park in the sidewalk. He thought the 18 feet for the driveway is sufficient as long as people who wind up living there know that they can't park over the sidewalk. He just wanted it out that the sidewalk was for people.

Commissioner Kraske stated that, for future projects, he would encourage them to work with the neighborhood residents and give them fair notice as he felt community involvement was an important piece.

Mr. Panesi stated that he appreciated that. He stated that this was a fast paced second round and they had to prep plans and staff gave them a date and tried to expedite it. They submitted the final version a month ago and until then it was up in the air as they talked about getting to the General Plan amendment and the right strategy, adding that, with more time, he might have had a chance to get to know some of the neighbors. He felt it made sense and was fair.

Commissioner Bigstyk stated that he hears what his fellow commissioners are saying and doesn't disagree with much. He did not understand the flex space but he thought he should regard it as a bedroom. He also took to heart the feedback from the neighbors and as such would voting no, not because he doesn't see a pressing need for housing or sees a flaw in the design plan, but the parking was of concern, especially when the neighbors felt it was a concern also so it pushed him over the line.

Mr. Panesi appreciates that, adding that he lives on Livingston with a 10-foot wide driveway and he parks two vehicles.

Chair Clifford stated that he wanted to speak before they made a motion. He stated that he mentioned his one concern about the sidewalk and he heard the residents say parking in that area can be difficult and there is a boom in the number of teenagers who will be drivers and that does indicate more cars, although sometimes they can share the car. He stated that teenagers do grow up and go away and they are not necessarily going to be a long-term impact on the parking in the area. He was thrilled to hear the other owners were talking about collaborating and working to solve some of the problems in the future. He understands why the applicant would prefer not to put the brakes on his current project to join that discussion and have to postpone building for a couple of years. He was going to support the project. He stated that City Council will make the final determination on this and he was sure they will take into account the public's response and that the other property owners are doing something different and they will decide if this project goes forward. He was willing to make the recommendation to send it to the Council.

Commissioner Nibbelin moved that the Planning Commission FINDS the project is exempt from the California Environmental Quality Act; ADOPTS the resolution included as Attachment A to the staff report to APPROVE Site Development Permit PSD-818-17; Coastal Development Permit CDP-387-17, Use Permit UP-116-19 and Parking Exception PE-174-17, subject to conditions of approval in Exhibit A of the resolution and to RECOMMEND City Council adoption of the ordinance included as Exhibit B of the resolution to approve General Plan Amendment GPA-97-19 and Rezoning RZ-202-19; and INCORPORATES all maps and testimony into the record by reference; Commissioner Rubinstein seconded the motion.

The motion carried **5-1**.

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

Noes: Commissioner Bigstyk

Sr. Planner Murdock clarified that, unless appealed or called up by a Councilmember, the Planning Commission's actions on the development permits will be final. He explained that the

City Council in any instance will act on the legislative items, General Plan amendment and rezoning. He stated that, should those be denied even though the Commission approved the development permits, the development permits would take no effect. He reiterated that, without an appeal or call up, the Commission's approval of the development permits could be final.

Chair Clifford thanked him for that clarification.

Chair Clifford declared that anyone aggrieved by the action of the Planning Commission has ten (10) calendar days to appeal the decision in writing to the City Council.



**COMMISSION COMMUNICATIONS:**

Commissioner Bigstyck stated that he attended the first Plan Pacifica meeting to get the General Plan process and saw fellow commissioners Berman and Clifford. He thought, with five meetings, everyone had time to attend one. He thought it was a good process to start with the community and have it well rooted in civility and conversation. He was hoping that the joint study session will be mentioned by city staff.

Commissioner Nibbelin stated he served as the Commission liaison at the Council meeting for the appeal of the Beach Blvd. project, but could not at this time recall the address.

Sr. Planner Murdock stated it was 1567 Beach Blvd.

Commissioner Nibbelin stated that it was approved by three votes at the Planning Commission and went to City Council where the appeal was denied on a 3-2 vote.

Chair Clifford thanked him for attending.

Commissioner Nibbelin stated that it was painless.

Chair Clifford agreed that he could have been absent and accomplished the same.

Commissioner Berman asked if they should talk about the visit to Marymount.

Chair Clifford thought they could acknowledge that they have done it.

Commissioner Berman agreed and stated that they did it.

Chair Clifford asked what the other half of the address was.

Commissioner Berman stated it was Gateway.

Chair Clifford stated that they did that and there will be a report at some future date. He also attended the Plan Pacifica meeting and felt it was nice to see people come out and make comments and build a better Pacifica and get an idea of what Pacifica needs in the General Plan, specific plan, etc.

**STAFF COMMUNICATIONS:**

Planning Director Wehrmeister stated that the Marymount item will be coming back at the second meeting in August. She stated that, at the last Council meeting, they heard the fitness center text amendment and approved it with a change to require that all fitness centers of any size need a use permit. She stated the reason was because of a concern of possible over concentration of non-sales tax generating uses in shopping centers but not an issue with the use of a fitness center in and of itself. She stated that the Council stated that, if the concentration issue could be resolved some way in the future, possibly through the General Plan process, they would be willing to revisit that to make it easier for smaller businesses to get going in shopping centers. She thanked Sr. Planner Murdock for the General Plan, Local Coastal Plan, Specific Plan outreach, as they had five meetings over the course of about three weeks with a lot of repeat attendees which indicates

how good the meetings were, concluding that there were about 250 participants which she felt was a good record for public participation in these types of community meetings. She stated that they were scheduling a joint session with Planning Commission and City Council as part of the scope of work for the consultant. They were looking to do it on a Council night, Monday, August 26. She stated that they were still studying the agenda but they believe it will be an early start, either 5:30 or 6:00. She stated that they will be reporting on what they heard at the community meetings as well as feedback on some of the next steps with other items related to what was coming up with that important project.

**ADJOURNMENT:**

There being no further business for discussion, Commissioner Bigstycck moved to adjourn the meeting at 8:45 p.m.; Commissioner Kraske seconded the motion.

The motion carried **6-0**.

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

Respectfully submitted,

Barbara Medina  
Public Meeting Stenographer

APPROVED:

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Planning Director Wehrmeister