

MINUTES

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

September 18, 2023

7:00 p.m.

Chair Hauser called the meeting to order at 9:05 p.m.

Chair Hauser explained the conditions for having Planning Commission meetings pursuant to Government Code Section 54953 (as amended by AB 361), to conduct necessary business as an essential governmental function. She also gave information on how to present public comments participating by Zoom or phone.

ROLL CALL: Present: Commissioners Godwin, Ferguson, Wright and
Chair Hauser
Absent: Commissioners Berman, Devine and Leal

SALUTE TO FLAG: Led by Commissioner Ferguson

STAFF PRESENT: Planning Director Murdock
Sr. Planner Cervantes
Asst. City Attorney Bazzano

Chair Hauser opened public comments for administrative business.

**APPROVAL OF ORDER
OF AGENDA** Commissioner Ferguson moved approval of the Order
of Agenda; Commissioner Wright seconded the motion.

The motion carried **4-0**.

Ayes: Commissioners Godwin, Ferguson, Wright and
Chair Hauser
Noes: None

**APPROVAL OF
MINUTES:
JUNE 19, 2023
JULY 17, 2023
AUGUST 21, 2023** Commissioner Ferguson moved approval of the minutes
of June 19, 2023, July 17, 2023, August 21, 2023;
Commissioner Godwin seconded the motion.

Commissioner Godwin stated that, when they voted previously, they were out of sequence and he wanted to make sure the votes are recorded correctly. He stated that it wasn't a problem in this case.

Chair Hauser understood that it wasn't a problem because they were all yes. She asked that they do a practice vote, and then acknowledged that it was operating properly.

Asst. City Attorney Bazzano wanted to confirm that none of the public comment cards submitted related to a request to make public comments on the minutes.

Chair Hauser appreciated that suggestion. She didn't see any on administrative business but she asked Mr. Renata to confirm he didn't have an agenda item comment and that was for oral communications.

Mr. Renatza, Pacifica, stated he wanted to provide a comment on a previous meeting of the Planning Commission.

Chair Hauser understood that he is subject isn't on the administrative business and they will come to his item later. She confirmed that there were no comments and asked that they vote.

The motion carried **4-0**.

Ayes: Commissioners Godwin, Ferguson, Wright and
Chair Hauser
Noes: None

DESIGNATION OF LIAISON TO CITY COUNCIL MEETING OF SEPTEMBER 25, 2023:

Chair Hauser thought they were all being asked to attend the joint study session for the housing element with City Council at that meeting. She asked staff for clarification about when the study session will be taking place.

Planning Director Murdock stated that it was a special and regular City Council meeting and it will begin at 6:00 p.m. and they anticipate the joint study session will begin around 7:00 p.m., and anyone interested in the joint study session should tune in or arrive at 7:00 and if interested in other ordinary City Council business, they can start at 6:00 p.m.

Chair Hauser appreciated that information and she asked if everyone present was able to attend the study session and acknowledged a consensus of yes. She asked staff if there were any other liaisons they needed to designate.

Planning Director Murdock stated that they did not.

ORAL COMMUNICATIONS:

Clif Lawrence, Pacifica, stated he was in support of Council's service and he thought it wasn't bad to come to them about things that catch his eye, and specifically mentioned thoughts he had about taxes of owners with land that is sand in the water.

Mr. Renatza, Pacifica, referred to building standards and what the buildings would look like and he hoped and Dep. Director didn't have time. He hoped he could dedicate his time to provide that work for free to the city.

Chair Hauser thought it would be good to ask some of their questions of staff. She asked Planning Director Murdock if he can speak on how members of the public can give input on design standards and building standards and if there is an email address for that, as well as speak of tax information and how to contact someone.

Planning Director Murdock referred to the second commenter who indicates insight that he would like to share with respect to objective development standards and they welcome that input from the community and he wouldn't be the first to submit suggested potential development standards for high setbacks. He stated that they encouraged those types of comments or suggestions to be sent by email to housing@pacifica.gov which is the address they use to collect various public comments throughout the process on the housing element update and they welcome any inputs or suggestions related to that process.

Chair Hauser asked if there will be additional public comment opportunities at hearings or meetings.

Planning Director Murdock stated that there will be and future action by the Planning Commission and City Council to consider those objective development standards would require public hearings, with public input and comments opportunities and they welcome any input as the type described by the commenter as early as possible so they can thoughtfully consider it. He stated that, if email doesn't work, they can drop them off to 540 Crespi Drive where the Planning Department is currently located. He then referred to the first commenter, and stated that he wasn't sure what role the city has in assessing properties for property tax purposes, other than setting the land use that permissible which in turn can influence the County Assessor's evaluations for a particular piece of property. That is what he interprets the comments to be related to and the referral from the County Assessor's office to the Planning Department. He stated that, as he thought the site in question is private property, it likely has a land use designation based off of the 1980 Local Coastal Land Use Plan which may have provided for some economic use in the form of residential development but, without knowing specifically the property location, he can't tell him what that designation is currently. He stated that he can say that, even if there is a land use that would allow some sort of economic use, there would also need to be technical analysis of hazards and development potential consistent with the Coastal Act and the City's Local Coastal Land Use Plan, thus, it isn't possible to say now whether or not or what type of development could occur as it would require a Coastal Development permit application and an in depth analysis and eventual public hearing to determine all of that.

Chair Hauser appreciated that information, and then reminded the public that cityofpacifica.org, under the committees and commissions page, all of their direct emails are available as well.

Commissioner Wright stated that she mentioned that the second speaker would have numerous opportunities in the future whether at Council or at Commission meetings, and he asked what is the best way for the public at large to find out about what the agendas are and when those opportunities are.

Planning Director Murdock suggested that anyone interested in the housing element process to go to planpacifica.org and they can sign up and subscribe to our interest list for the housing element update process as they send out announcements of upcoming public input opportunities, review opportunities for draft documents, public hearing notifications, etc. For anyone interested in signing up for the actual agenda notifications when those are released between 72 or more hours for the various Planning Commission and City Council public hearings and they can email the Planning Department directly at permitted@pacifica.gov or find his email address on the Planning Department website and they can get them signed up for the agenda distribution notifications.

CONSENT ITEMS:

None

PUBLIC HEARINGS:

CDP-453-23

File No. 2023-029 – Coastal Development Permit CDP-453-23
for demolition of an existing fenced area and construction of a new
1,920-square foot storage structure at Sharp Park Golf Course
located at 1 sharp Park Road (APN-016-430-020).
Recommended CEQA Action: Class 3 Categorical Exemption,
CEQA Guidelines Section 15303 (New Construction or Conversion
of Small Structures).

Sr. Planner Cervantes presented the staff report.

Chair Hauser asked, if before she moves on to Council questions, whether the applicant had a presentation.

Sr. Planner Cervantes stated that the applicant was just here to answer questions.

Chair Hauser asked if there were any questions for staff.

Commissioner Wright noticed mention of reduction and energy consumption, and he asked of there was any consideration made to whether they were going to put solar panels on and perhaps a battery so they make their own electricity to charge their golf carts.

Sr. Planner Cervantes stated that wasn't part of the project as at this point the applicant has not indicated that the site will incorporate solar.

Chair Hauser saw an amendment to their letter but she couldn't see the colors and she asked if they could speak a little more to their letter and subsequent letter and more to the energy efficiency of the new golf carts.

Commissioner Wright stated he had the colors and offered it to her if she would like to see them.

Chair Hauser appreciated.

Commissioner Wright referred to the map she presented and saw there were three trees in the lower area, and he assumed they analyzed the site to make sure that we are compliant with our heritage tree ordinance.

Sr. Planner Cervantes stated that the property is owned by the City and County of San Francisco and the City is limited in land use regulations that they can impose on the property and the project was not reviewed for tree ordinance compliance.

Commissioner Ferguson had a procedural question, i.e., is it only before us because of the need for a coastal development permit.

Planning Director Murdock responded affirmatively.

Chair Hauser asked if they could invite Mr. Harris to answer the questions that they have for the applicant.

Sr. Planner Cervantes stated that they have someone in the audience as well as someone online and she will allow them to speak and they can decide who will be answering the questions.

Chair Hauser asked that they introduce themselves for the record.

Asst. City Attorney Sharma wanted to clarify that they are hearing from the applicant now.

Chair Hauser stated just to answer questions.

Sr. Planner Cervantes stated that Cort Eidem was unmuted and can speak.

Cort Eidem, San Francisco Recreation and Parks and Project Manager introduced himself.

Chair Hauser didn't know if he heard the question.

Mr. Eidem asked if they can hear him.

Chair Hauser stated she could and asked if he could hear them. She then asked if staff could restate the questions she has.

Sr. Planner Cervantes asked him to confirm he can hear them.

Mr. Eidem asked what questions they have.

Sr. Planner Cervantes stated one question was regarding speaking about the transition to electric golf carts.

Mr. Eidem stated that there is a one-minute delay.

Chair Hauser asked him to speak when he can.

Planning Director Murdock didn't know if he was participating directly through the Zoom application but typically that has the shortest lag time, far less than one minute. He stated that, if he is monitoring the audio through the online live stream, it is likely to have a significant lag of the type he is describing. He encouraged him to use the Zoom application if he is able.

Chair Hauser stated that Sr. Planner Cervantes mentioned that there was another member of the applicant team, and she would welcome that person to come and answer questions, otherwise she will go to public comment and come back to the applicant for questions after.

Mr. Eidem stated that the Zoom was not working on his end.

Mr. Mike Schalci introduced himself. He acknowledged that Mr. Eidem has difficulty with Zoom and he asked if they can repeat the question and he will see if he can answer it.

Chair Hauser hoped to get more information about their transition to the electric golf cart.

Mr. Schalchi stated that the plan was that all the fuel gas golf cart would be replaced by electric golf carts. They tried to go for clean energy and are proposing to have the existing structure to be removed and the electric golf carts will be more toward the green environment and removing all the gas carts out of there and they will all be electric golf carts. He stated that is basically what the whole project is and, as far as the electric part, regarding a commissioner mentioning batteries, it is new and unknown to them as they have not been purchased and that is the next phase, but he was sure that all of that will get consolidated in the structure if it has to be maintained.

Chair Hauser asked if there were any more questions. She thought she misunderstood and that Mr. Harris is not with the applicant team and she will retract that question and was ready to open public comments.

Commissioner Godwin stated that the fuel tank as stated in the plan is going to be removed from the property.

Mr. Schalchi stated that is correct. This is a hazmat, and they have to have a special permit to remove it and that is in process and it will be removed with no gas allowed on the site.

Chair Hauser asked if the golf course currently uses reclaimed water from the Water District.

Mr. Schalchi stated that he is not familiar with that and cannot answer that question.

Commissioner Wright stated he is familiar with that, and they use it on four holes and it is greatly appreciated. He hopes that, at some point, they get the opportunity to do it on the entire golf course.

Commissioner Ferguson asked if they can confirm if the emerald forest color is a match to the other existing dark green structures that are on the north end of that parking lot.

Mr. Schalchi asked if it is the color of the thing that has been proposed.

Commissioner Ferguson agreed, clarifying that it lists emerald forest and he wanted to know if it was the same dark green color.

Mr. Schalchi stated that he has black and white and cannot tell him, but mainly it matches the environment and they want to make sure the color that has been selected blends into the golf course and is not really outstanding.

Commissioner Ferguson saw the swatch, and the question was just to see if it was an attempt to match the existing buildings or not. He stated that there are existing forest green structures at that end of the parking lot and he was trying to understand if it was the same color.

Mr. Schalchi stated he doesn't recall that and doesn't have that color chart in front of him, but he knows it is a lighter color on the body and the roof probably has that color to kind of blend in as far as possible. He stated he is going with his memory on that.

Chair Hauser understood, and asked if staff has clarity on that.

Mr. Schalchi stated that he was sure they have it on the color chart that was provided.

Commissioner Ferguson thought, if there was a recommendation of making it a condition of approval.

Mr. Schalchi stated it was very similar but is not exact.

Chair Hauser stated that they can come back to that in deliberation and opened the Public Hearing, and asked if they could put on the screen the call-in and dial-in information.

She stated she had one card from Mr. Harris.

Mr. Schalchi asked if they had any more questions.

Chair Hauser stated that they were fine for now.

Richard Harris, San Francisco, stated that he is the President of the San Francisco Public Golf Alliance and they represent 7,000 public golfers, many of which are residents of Pacifica. He stated that they submitted two letters that raised the color question and the issue of the traffic congestion that will be created when the new building is put in and it will create blind turn that required the cart jockeys who are returning carts and will be turning into what is now a one way and narrow. He has outlined that for them in their first letter, and they gave them a second letter and they got color chips, and he sent them a PDF of a color that has the color chips that were provided to them. He thanked Mr. Eidem. He stated that they are satisfied on that color point. On the traffic point, they didn't see anything in the plans before them where it says the gas tank will be removed and they were told it will be removed but there is nothing in the plan that says it will be removed. He stated that, between the gas tank and a parking spot next to the gas tank, there is a large parking spot which is currently written on the ground as staff parking only and it is often occupied by a very large truck that also juts into the traffic lane. He stated that, on the plan, that parking spot is marked no parking but that isn't what is on the ground now. He stated that, between those two interferences, they would throw carts coming in with the cart jockeys into this very narrow traffic lane and that could be solved by removing the four parking spots north of the light that shows up on the plan. He doesn't think San Francisco wants there to be a traffic problem there, as it is a safety problem. He stated that they are putting it on the record and hoping for a solution, notwithstanding with all of that, they support this cart barn that is needed.

Planning Director Murdock stated that the applicant representative, Cort Eidem, disconnected briefly and is reconnected and he suggested that they offer an opportunity to confirm if there is any improvement in the lag in case he had the opportunity to follow up on any of the Commissions questions.

Chair Hauser stated she will come back to him after public comments. Chair Hauser then closed the Public Hearing. She will go back to the applicant to see if the technology issue has been resolved and to give him an opportunity to add anything.

Planning Director Murdock stated that if Mr. Eidem is there, he should be able to unmute himself and confirm how the lag is working at this point.

Mr. Eidem stated that there is still a lag on his side. He believes the Zoom is muted from Pacifica.

Chair Hauser stated that they will bring it back to the Commission for questions and deliberations.

Commissioner Wright stated the reason he moved to Pacifica was because there were so many opportunities for outdoor recreation, but he is not a golfer. He thought getting rid of gas-powered vehicles is a big plus and is all for it. He is glad to see San Francisco continuing to work and support us in continuing to keep what makes Pacifica special. He looks forward to working with them in the future for any other outdoor activity.

Commissioner Ferguson stated that he has a question for anyone who may have an answer. He noticed in the staff report that there is only provision for working on electrical utilities within the existing paved areas and he thought the new structure abuts a lot of unpaved areas that are not currently paved. He asked if it was their intention for the building to be some sort of an electric cart charging station that requires electric infrastructure, now would be the time to install that underground before they put the building in. He didn't know if it was the intent to do it in another phase or if something has been missed.

Chair Hauser asked if that was a condition of approval.

Commissioner Ferguson responded affirmatively.

Chair Hauser asked the number of condition of approval.

Commissioner Ferguson stated it was No. 5.

Chair Hauser asked if staff wanted to clarify Condition No. 5.

Sr. Planner Cervantes stated that electrical work and utility connections are not part of this project. Condition No. 5 is more of an FYI to the applicant that, if any future electrical utility connections are needed for the project and they don't have the battery capacity that will be needed for the golf parking type of information, there will be additional projects associated with utility connections related to this and will need to be part of a separate application.

Commissioner Ferguson stated that was his understanding of the condition but he was curious as to whether the applicant was going to put in provisions for future under the footprint of the building or any plans to address that now or return and have a separate plan to put that infrastructure in after the building.

Chair Hauser asked Asst. City Attorney Bazzano, if the applicant has answers to questions and was able to give the answer, whether they need to reopen public comment to do that.

Asst. City Attorney Bazzano stated that they would reopen the public hearing to do that.

Chair Hauser reopened the public hearing and asked if he had any additional clarifications.

Mr. Schalchi stated that there is a current existing electrical infrastructure in place close to the building, and as a matter of demand for the golf carts that require charging, they can easily pull the cable in the existing conduit and pull it to the building. He stated that the building is already sitting on the asphalt and the structure has an asphalt base. He didn't see any other environmental impacts as they want to have safe environment in that area.

Commissioner Ferguson stated he was hoping to save them the trouble of doing this permit application twice.

Mr. Schalchi stated that the other one will be for electrical as it is a separate parcel and they don't know what direction the golf cart is going to be and it is really premature.

Commissioner Ferguson stated his concern was having to trench underground in the future and reopen all this.

Mr. Schalchi stated that it would not be necessary as there is already an existing conduit that comes to the building.

Chair Hauser referred to his mention that they would be removing the fuel tank, she agreed it was not on the drawing, and she asked if they were willing to commit to with this project.

Mr. Schalchi stated that they absolutely did as that has to be removed and they are waiting for the Hazmat as that is a different process, not just pulling it up.

Chair Hauser thought, if staff could potentially recommend a condition that isn't on a time position, that might be helpful. She then referred the drawing that shows no parking space on their site plan, Sheet B-1, and asked if it was new no parking striping, they are adding to prohibit parking in that space.

Mr. Schalchi stated that those areas are going to get re-stripped to make sure there is adequate passage for the golf cart to safely exit as well as the little turn on the side of it. It will be re-stripped to make sure the public knows where they can park. He stated that they are big fans of safety on that and they want to be sure they meet that requirement even though it wasn't mentioned, but it will be done and they can put as a condition if they want.

Chair Hauser saw that on the plan and she didn't see any need for a condition but she thought it was helpful to get clarification on the record that it will no longer be staff parking.

Mr. Schalchi responded affirmatively.

Chair Hauser closed the public hearing.

Commissioner Wright asked if Mr. Eidem if he has any consideration to the traffic issue raised or was it important for him to have the opportunity to speak to that, as ordinarily he would have had three minutes to rebut the public comments.

Chair Hauser stated that she thought he texted that his colleague that he could answer the questions and they just went through the two questions about traffic and she thought the traffic

questions earlier were to remove the fuel tank for which she was going to recommend a condition.

Mr. Eidem asked if he was live now.

Chair Hauser stated that the parking space for the truck is not going to be staff parking anymore and it will be stripped no parking and that is already reflected on the drawings.

Commissioner Wright stated that, in that case, he was ready to make a motion.

Planning Director Murdock stated that they did prepare language for condition of approval as she requested, "prior to project completion, applicant shall remove the existing fuel tank and associated equipment and piping in accordance with all applicable building code and environmental regulations".

Chair Hauser asked him to repeat that condition.

Planning Director Murdock repeated the proposed amendment.

Chair Hauser stated that was amenable to her. She stated that, before they take a motion, she wanted to commend the applicant on a more sustainable way of doing things. She was happy that at least four of the holes were reclaimed water irrigation and hopefully more people in Pacifica will continue to use our reclaimed water.

Commissioner Godwin thought the parking space next to the fuel tanks are for the fuel trucks and thought they should include the language in there that says that has to be marked no parking.

Chair Hauser stated that was reflected on Sheet B-1 as new striping that says no parking and she didn't think they need a condition unless staff disagrees.

Planning Director Murdock stated, where the no parking is indicated on the site plan with removal of the gas tank and equipment, it wasn't clear there would be enough room for parking there and they could clarify that no parking striping should replace the area of the existing tank.

Chair Hauser asked if he thinks they need a condition with the no parking shown on Sheet B-1.

Planning Director Murdock thought it was prudent as it was possible that someone with a motorcycle or some smaller vehicle could try to park in between there even though a larger vehicle would not be able to fit.

Chair Hauser agreed that they can add that condition. She asked for any other thoughts.

Asst. City Attorney Bazzano asked if they can ask the applicant if he will be amenable to that additional condition of approval relating to the parking.

Chair Hauser agreed, and reopened the public hearing. She stated that they spoke about the fuel tank and she asked if he was amendable to an additional condition that says that they will strip that area no parking.

Mr. Schalchi agreed. He stated it was not a problem and the fuel tank will be removed, stripped no marking and the sign will be posted.

Asst. City Attorney Bazzano asked if they can get his concurrence on the condition that was previously suggested by Planning Director Murdock about the removal of the tank.

Mr. Schalchi stated that they will do that, as it is no problem and should be done. He stated that is already in process but, unfortunately, they haven't received the actual permit for Hazmat material to be removed. He stated that process is different from a normal process.

Chair Hauser stated that she hears Mr. Eidem trying to speak now and it sounds like he is live and in real time. As the public hearing is reopened and the applicant is speaking, she asked him to add his thoughts.

Mr. Eidem apologized, stating he thought the Zoom was muted earlier. He stated that everything Mr. Schalchi has said is correct. In regard to the gas tank removal, the one hold up on that is that it is the responsibility of the tenant and not San Francisco Park gas tank and that might be the holdup on that. It will be removed but he can't promise the timeline from them.

Chair Hauser stated that the way the condition was worded said at time of project completion so it wouldn't hold up the permit and wouldn't hold up construction or demolition but just hold up a final of that permit, and she asked if that was something applicant was amendable to.

Mr. Eidem believes so, but it is hard to say when it's the tenant's responsibility as he doesn't know when they would mobilize on that.

Chair Hauser stated that, what she would like to propose is that they keep the condition as worded and add "or at the discretion of the Planning Director", so if additional information comes to light, Planning Director Murdock has the authority to adjust the timing. She asked if Planning Director Murdock was amenable to that.

Planning Director Murdock stated he was in concept but he would like to confer with the city attorney.

Mr. Eidem stated that they were agreeable to that as they can work around the parking spaces to make space if they are lagging behind in removing the gas tank and can make space otherwise.

Chair Hauser understood and added that they don't want to make them have to come back to the Commission for timing with the tenant.

Mr. Eidem appreciated that.

Chair Hauser stated that the applicant is amenable to the condition with her proposed wording and the question for the Asst. City Attorney is if she and staff are amenable to that addition.

Commissioner Wright asked if that opens the door to continued extensions forever and they never get the tank removed.

Chair Hauser suggested they give the Asst. City Attorney time to review the condition.

Asst. City Attorney Bazzano stated that they have some language, and if it is not acceptable to the Planning Commission, then they can take a five-minute break.

Chair Hauser stated that, before that is presented, she would like to ask Mr. Eidem if he was amenable to having a ticking clock on the no parking striping or is that also controlled by the tenant.

Mr. Eidem stated that the no striping parking is fine and they can implement that.

Chair Hauser stated that she didn't know if Asst. City Attorney Bazzano heard that, but if the staff parking space next to the fuel tank is able to be stripped no parking quickly, she didn't think people will still be utilizing it, it is just the timing that comes out, which is helpful, and they would be happy to entertain staff's recommendation on wording.

Asst. City Attorney Bazzano stated she and Planning Director Murdock are struggling with the language as the applicant stated that it is the responsibility of the tenant to remove the tank, and they are trying to fashion the wording to reflect that the applicant will cause the removal of the existing tank, and then provide language in case that removal is contested or there is some delay on the removal. At this point, the language states as follows, "prior to project completion, applicant shall cause removal of the existing fuel tank and associated equipment and piping in accordance with all applicable building code and environmental regulations unless applicant demonstrates to the satisfaction of the Planning Director that the fuel tank cannot be removed. Following removal of the fuel tank, applicant shall fill in the area to continue the no parking striping from where it is shown on the site plan to the new building. The Planning Director may grant additional time to complete fuel tank removal for good cause."

Commissioner Wright asked if they can put a "not to exceed" timeline.

Chair Hauser didn't think they can. She didn't think Planning Director Murdock is someone who lets things lag, and she was comfortable with staff having the authority they put in there, especially if it is clear that the no parking striping is happening at the beginning of the demolition or early in the demolition. She thought they should talk about it, but personally she thought it was a well worded condition with the one clarification that it should not be confused that the additional stretching of the no parking area includes the staff space going to no parking as that should be carved out to be happening precedent to the area that the fuel tank covers.

Asst. City Attorney Bazzano stated that, instead of one condition of approval, she would suggest adding a separate condition of approval regarding the parking striping.

Chair Hauser agreed, and believes the applicant indicated that they were amendable to that and that could happen as a condition of project completion and could be part of getting the permit finalized. She asked if staff would like to take a 5-minute recess.

Planning Director Murdock thought that would help as he didn't have a clear understanding now where the staff parking space is relative to the no parking zone.

Chair Hauser asked, since they do have the public hearing open, whether they need to close and reopen the public hearing after the recess or can they leave it open for the recess.

Asst. City Attorney Bazzano stated the public hearing is closed at this point.

Chair Hauser stated she believes it is open because the applicant is able to answer questions.

Asst. City Attorney Bazzano forgot that. She stated that she will close public hearing, and the Chair can ask Commissioners if they are amenable to a five-minute recess.

Chair Hauser reclosed the public hearing.

Commissioner Ferguson asked if he can ask one question of staff before they have the recess.

Chair Hauser agreed.

Commissioner Ferguson asked, following up on the fuel tank removal question, because it is two separate entities conducting these projects, would there be an additional coastal development permit required for the remediation work of removing this existing fuel tank.

Planning Director Murdock thought likely not as described in tonight's public hearing, but otherwise demolition ordinarily does require a coastal development permit but they are already in that process in relation to this project.

Commissioner Ferguson concluded that it could fall under this development permit.

Planning Director Murdock responded affirmatively.

Chair Hauser called a recess, then reconvened the meeting.

Asst. City Attorney Bazzano stated that they are on deliberation and staff has two additional conditions of approval and Planning Director Murdock will state those.

Chair Hauser asked if PCTV was ready.

Planning Director Murdock stated the first condition relates to removal of the gas tank and reads as follows, "Prior to project completion, applicant shall cause removal of the existing fuel tank and associated equipment and piping in accordance with all applicable building code and environmental regulations unless applicant demonstrates to the satisfaction of the Planning Director that the fuel tank cannot be removed. The Planning Director may grant additional time to complete the fuel tank removal for good cause." He stated the second condition would read, "Following removal of the fuel tank and prior to project completion, applicant shall fill in the area to continue the no parking striping from where it is shown on the site plan to the new building. The applicant shall also extend the no parking striping to include the existing staff only parking space adjacent to the former location of the fuel tank."

Chair Hauser thought they would need clarification on the staff parking that it is completion of project and no way tied to removal of the fuel tank, which the applicant indicated was acceptable. She thought it was important, so they aren't having those traffic safety issues that were removing the possibility for a truck, car and vehicle be in that current staff parking space.

Asst. City Attorney Bazzano stated that staff could address that with revisions to the conditions as stated by Planning Director Murdock.

Chair Hauser agreed. She asked if she could make a recommendation to staff. She stated she would bifurcate the second condition and would put the portion that is related to the fuel tank area in the precedent condition and she would take the staff parking space and make it its own condition, tied to project completion and permit final.

Planning Director Murdock stated what they had proposed to do sounds similar but he asked that she confirm that. They proposed to split into a third condition which would read, "independent of the fuel tank removal, applicant shall extend the no parking striping to include the existing staff only parking space adjacent to the former location of the fuel tank."

Chair Hauser stated that is a perfect condition, but instead of extend, she would say re-stripe the staff parking as she thinks extend is still related to the previous discussion. She stated that, unless there are comments, if Commission is amenable to it, she would like to give staff the opportunity to read the three conditions again and ask any questions they have and reopen the public hearing one more time to make sure those three conditions are amenable to the applicant.

Planning Director Murdock stated that they would have a new second condition, "Following removal of the fuel tank, and prior to project completion, applicant shall fill in the area to continue the no parking striping from where it is shown on the site plan to the new building." He stated a new third condition is "Independent of the fuel tank removal, applicant shall re-stripe the staff only parking space adjacent to the fuel tank as a no parking area."

Chair Hauser asked him to read condition No. 3 again.

Planning Director Murdock repeated the condition.

Chair Hauser stated that needs to have the words, "prior to project completion."

Planning Director Murdock then read the amended third condition, "Independent of the fuel tank removal, applicant shall re-stripe the staff only parking space adjacent to the fuel tank as a no parking area prior to project completion."

Chair Hauser then referred to the second condition and stated that they have to remove the words "prior to project completion" because it is associated with the timing in the first condition.

Planning Director Murdock stated that staff's recommendation would be to keep that language to indicate the project is not complete until the fuel tank has been removed and the restriping is completed.

Commissioner Ferguson asked if it was the discretion they talked about.

Chair Hauser stated that, for the benefit of the Commission and the applicant, while it is a lot of condition reading, she asked if staff could read 1, 2 and 3 in that order, that would be helpful.

Planning Director Murdock asked, before he does that, if they should revise the second one to indicate that, if the fuel tank cannot be removed, this re-striping shall not be required. He thought

that closes the loop between the first one and the second one, i.e., the filling in the gap striping. He stated that there is an issue there as if the fuel tank cannot be removed in the first condition, the second condition says following removal of the fuel tank, and it leaves it open ended.

Commissioner Wright thought the intent was to remove the safety component unless they make sure 100% that is what they are doing because that is what their concern is. He stated that, if staff and Asst. City Attorney's recommendation is that they have fulfilled that goal, then he would defer their legal judgment as opposed to his.

Asst. City Attorney Bazzano stated that Planning Director Murdock's concern is that the second condition is dependent upon the first condition, and he is trying to clarify what the timing requirements would be if the first condition is not met.

Chair Hauser holds to that language.

Asst. City Attorney Bazzano stated she missed that.

Chair Hauser stated that they have four people who are amenable to that language, but she thought it would still be helpful to hear 1, 2 and 3 in order and then open it to the applicant.

Planning Director Murdock stated that the first new condition of approval would read, "Prior to project completion, applicant shall cause removal of the existing fuel tank and associated equipment and piping in accordance with all applicable building code and environmental regulations unless applicant demonstrates to the satisfaction of the Planning Director that the fuel tank cannot be removed. The Planning Director may grant additional time to complete fuel tank removal for good cause." He stated the second condition would read, "Following removal of the fuel tank, and prior to project completion, applicant shall fill in the area to continue the no parking striping from where it is shown on the site plan to the new building. This condition shall not apply if the fuel tank cannot be removed as provided in the preceding condition of approval." He stated that the third condition would read, "Independent of the fuel tank removal, applicant shall re-stripe the staff only parking space adjacent to the fuel tank as a no parking area prior to project completion."

Chair Hauser thought that was good drafting. She asked Commissioners if they have comments or questions, seeing none, she then opened the public hearing one more time and asked Mr. Schalchi if those three conditions as worded are amenable to him and Mr. Eidem.

Mr. Schalchi stated that they are agreeable.

Chair Hauser thanked them for bearing with them and staff for creating the conditions. She then reclosed the public hearing.

Commissioner Ferguson moved that the Planning Commission FINDS the project is exempt from the California Environmental Quality Act pursuant to CEQA Guidelines section 15303; APPROVES CDP-453-23 to demolish an existing fenced area used for golf cart storage and replace it with a 1,920 square-foot permanent storage structure located at 1 Sharp Park Road (APN-016-430-020) by adopting the attached resolution, including conditions of approval in Exhibit A and also including three new conditions to include the removal of the existing fuel tank as a condition of approval as stated by staff, including a discretion for staff, as stated by staff, add

as a condition the inclusion of updated no parking striping as stated by staff as a condition for final permit approval and add as a condition to re-stripe the staff only parking space as no parking area prior to project completion as stated by staff.

Planning Director Murdock added “incorporating all maps and testimony into the record by reference”.

Commissioner Ferguson agreed with that addition.

Chair Hauser asked if that motion as made was consistent with what staff needs.

Planning Director Murdock responded affirmatively.

Commissioner Godwin seconded the motion.

The motion carried **4-0**.

Ayes:	Commissioners Godwin, Ferguson, Wright and Chair Hauser
Noes:	None

CONSIDERATION:

None

COMMISSION COMMUNICATIONS:

None

STAFF COMMUNICATIONS:

Planning Director Murdock restated that, on Monday, September 25, 7:00 p.m., Planning Commission will participate in a joint study session with City Council to discuss the housing element update process. They welcomed the public to attend in person or observe online and provide any comments to help inform Council, Commission and staff as they continue to revise the draft housing element in response to comments received from the California Department of Housing and Community Development.

Chair Hauser 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.

ADJOURNMENT:

There being no further business for discussion, Commissioner Ferguson moved to adjourn the meeting at 8:21 p.m.; Commissioner Wright seconded the motion.

The motion carried **4-0**.

Ayes:	Commissioners Godwin, Ferguson, Wright and Chair Hauser
Noes:	None

Respectfully submitted,

Barbara Medina
Public Meeting Stenographer

APPROVED:

Planning Director Murdock