

MINUTES

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

November 4, 2019

7:00 p.m.

Vice Chair Rubinstein called the meeting to order at 7:01 p.m.

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

SALUTE TO FLAG: Led by Commissioner Berman

STAFF PRESENT: Planning Director Wehrmeister
Sr. Planner Murdock
Asst. City Attorney Sharma

APPROVAL OF ORDER OF AGENDA Commissioner Campbell moved approval of the Order of Agenda; Commissioner Kraske seconded the motion.

The motion carried **5-0**.

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

DESIGNATION OF LIAISON TO CITY COUNCIL MEETING OF NOVEMBER 11, 2019:

Vice Chair Rubinstein stated that they would not need a liaison.

ORAL COMMUNICATIONS:

None.

NEW PUBLIC HEARINGS:

TUP-2-19

File No. 2019-029: Temporary Use Permit TUP-2-19 to install a temporary structure to enclose Ocean Shore Railroad Car No. 1409 and to perform restoration work on a portion of the Vallemar Center shopping Center at 2125 Coast Highway (APN 018-041-010). Recommended CEQA Action: Class 4 Categorical Exemption, CEQA Guidelines Section 15304.

Sr. Planner Murdock presented the staff report.

Commissioner Campbell asked why the work on the car couldn't have been done at the current location at the quarry.

Sr. Planner Murdock stated that the city needs to take back the space to allow construction of a new building to support the wastewater treatment plant operations and relocation of the car was required. He stated that there was no other identified city property alternative and that is why the applicant sought private property locations.

Commissioner Campbell asked if the letter changed staff's opinion on the adverse impacts to neighbors and property.

Sr. Planner Murdock stated that, through a review of the power and lighting plans, as well as the temporary nature of the use, it didn't change staff's assessment.

Commissioner Bigstyk asked if the lighting will be generator operated or an offsite power source.

Sr. Planner Murdock understood that the overnight security lighting on the exterior enclosure would be battery-operated and he thought the solar power would recharge the batteries during the day and allow it to run as triggered by the motion sensor.

Commissioner Bigstyk referred to a two-year lease on the site while they are only doing a six-month use permit, and asked if he was correct that, with the ease, the use permit could be 1 1/2 years rather than two years and if they were definitely trying to find another space or using this space while they renovate it.

Sr. Planner Murdock thought the temporary use permit being proposed would allow an additional six months for a total of one year. He acknowledged that the applicant pursued a two-year lease but did that without consultation with the city and he didn't have the particulars of why they pursued that period. He stated that the city did not have a mechanism to permit temporary uses for that duration, adding that it was not a use under current zoning which could be permitted by right or a conditional use permit.

Commissioner Bigstyk asked if they wanted to do it for the full two years we could not do it this way.

Sr. Planner Murdock agreed, explaining that they recognize that limitation in the zoning and have contemplated whether a text amendment to support this type of use in the temporary as well as

permanent capacity through some permitting process is appropriate and staff was continuing to evaluate those options and, if approved, in either the 6-month or 12-month period, they would have time to undertake those changes to support this use if Council desires.

Commissioner Bigstycyk concluded that, in a worst case scenario, if Commission decides that it would be preferred to figure out the full two years, at the present time they must do it on a piecemeal basis.

Sr. Planner Murdock stated that staff has not evaluated whether they can get to two years through the mechanism at this meeting, which he thought could be difficult. He explained that temporary use permits in the city's zoning are not discussed for periods of longer than one year which was why they felt comfortable with this arrangement, adding that they would have to take another look but pursuing a permanent solution through a text amendment was the clearest path forward among the options assessed at this time.

Commissioner Berman referred to the work hours in the staff report of 8 am to 5 pm, but she stated that, in the conditions of approval, the city standard of 7 am to 7 pm was mentioned. She asked if that can be revised to 8 am to 5 pm in the conditions of approval, Monday through Friday.

Sr. Planner Murdock stated that the applicant indicated 8 am to 5 pm and were consistent on weekdays with the construction hours as they are more restrictive than what the city would allow, and staff was not inclined to suggest they work for more hours each day. He stated that, on the weekend, those hours were not consistent with the city's construction standards.

Commissioner Berman asked if they can revise the condition of approval to a start time of 8 am to 5 pm.

Sr. Planner Murdock stated that there is no stated provision in the city's construction hour ordinance to allow for such an exception and he would not recommend that they attempt to do that.

Commissioner Berman concluded that, if the applicant decided to start the generator at 7 am, she thought there could possibly be complaints from the nearby residents.

Sr. Planner Murdock stated that they could make the hours under this temporary permit more restrictive than the city's construction hours adopted by ordinance if there is a public health or safety concerns. He thought her question was whether they could allow them to start earlier than 9 am on the weekend.

Commissioner Berman asked, for the weekdays only, could they restrict their start time to no earlier than 9 am. She added that it may not be a concern for the nearby residences but she thought one concern would be the noise from the generator. She referred to mention in the staff report that 8 am to 5 pm would be sufficient on weekdays but in the conditions of approval weekdays are mentioned 7 am to 7 pm.

Sr. Planner Murdock thought it was reasonable as it conformed to the applicant's proposal of 8 am to 5 pm and it also responds to potential noise impacts for residents. He thought that would be a reasonable change to make.

Commissioner Berman agreed. She then referred to the parking spots in construction staging, stating that it sounded like a maximum of five workers would be working on the car at a given time, with each possibly driving their own vehicles. She referred to the businesses currently using the parking lot and she understood the spots weren't designated with striping and asked if there were any concerns with parking issues with the additional construction staging and parking.

Sr. Planner Murdock stated that the five volunteers cited were for the ongoing renovation work and they estimated up to 11-12 on the day of the move, and he thought it could have a temporary impact on parking but it was a short duration for that phase of the project. He stated that, beyond that, the five parking spaces, in staff's assessment are not likely to trigger an overall impact at the site and they viewed it as a landlord property management issues to sort out those particular parking space allocations with the tenants on the site.

Commissioner Kraske asked confirmation that they have ruled out all other possible locations to do this repair work.

Sr. Planner Murdock stated that the applicant could best speak to private property alternative locations which were identified as staff didn't receive information on the alternative locations that may have been evaluated. He stated that, after speaking to other city staff, they exhausted locations on city property that the city would be willing to consider and there were no suitable locations identified on city property which led the applicant to pursue a private property location.

Commissioner Campbell wondered about people working and conducting this type of activity on private property, and asked, if someone wanted to renovate another piece of heavy equipment at another shopping center, whether it was particular to the zoning that they could park a big piece of equipment and work on it in residential neighborhoods.

Sr. Planner Murdock stated that this use is not a permitted or conditionally permitted use in underlying zoning of C-1 (Neighborhood Commercial), and that was the case for all C-1 zoned locations in Pacifica, and why they were required to undergo this temporary use permit process to consider this use which did not fall into the ordinary range of permitted and conditionally permitted uses. He explained that, on the basis of it being a temporary duration, they have the authority to approve uses not stated as permitted or conditionally permitted otherwise they wouldn't require a temporary use permit. He stated that this is out of the ordinary, but given the particular circumstances, they think it is appropriate to support this important community and civic restoration project. But to do ordinary construction work on a piece of heavy equipment, that would not seem to have a great community benefit. For this project, staff feels the circumstances warrant consideration and approval of this temporary use permit while taking certain steps such as approval of the power plan and lighting plan to minimize any potential impacts on the surrounding area.

Robert Woolinjohn, applicant, stated he is one of the members of the Pacifica Historical Society. He stated that he will give them a quick overview of their effort. He stated that they were asking help in restoring rail car 1409 which was constructed and bought in 1913 by the Ocean Shore Railroad. They believe it has great historic value as the only rail car that exists from that railroad and provides an opportunity to tell a story of the development of the coastside and Pacifica specifically. They felt there will be economic impacts and benefits from the project which will encourage people to linger and spend time in Pacifica and increase tourism. He stated that their

intermediate goal is the need to restore the car, and long-term goal is that they want to relocate it to a permanent location near the Little Brown Church and expand available museum space and create civic pride. He stated that they want to leverage visitor access to the Little Brown Church and the rail car and add to the West Sharp Park historic district and enhance the visitor experience. They need to keep it covered while being restored and they are committed to the completion of the project. They have existing funds as well as ongoing efforts to raise money to complete the project. He stated that others will speak and answer any questions.

Scott Lindner stated he is the construction manager for 1409 and has been asked to speak on the preservation of the car. He acknowledged the dedication by a small group of volunteers over the past 15 years. He stated that during that time, many supporters have passed on and they are pleading the Commission and the community to assist in their endeavors to save 1409 in Pacifica.

Mr. Lindner asked if anyone has visited Vallemar Station to see their private museum of pictures and chronology of the Ocean Shore Railroad. He invited them to visit the original Ocean Shore station. While it is a restaurant, they haven't changed it much and have made a wonderful job of the presentation of the Ocean Shore Railroad through the pictures and scenery inside.

Councilmember Campbell referred to the fact that they are looking for a permanent location for the car, and asked why they don't conduct the repairs on the permanent location.

Mr. Lindner stated that they do not have a location for the car at this moment. He stated that Pacifica Historical Society hopes to have it close to the Little Brown Church as a local community museum center.

Commissioner Berman asked how long they anticipate it will take to complete the construction work.

Mr. Lindner stated that 15 years ago when they introduced the car in Pacifica, they asked a friend at Ardon Wood where they restore cars and he did a presentation, stating that they spent \$300,000 in nine years completing one restoration car, and the Historical Society has been into it for 15 years for approximately \$75,000 to \$85,000 and the car has been almost completely rebuilt and saving some artifacts on the car, concluding that it was indefinite depending on the labor. He stated that they have hired a contractor to work on the car with volunteers, and he will start as soon as the car is in Vallemar. He guessed that the rough construction was about 75% complete and to make it weather tight on the outside will probably take about two years at full time, adding that it was not addressing the interior of the car.

Commissioner Berman thought the temporary lease of the space would be a year and a half before it comes back to the Planning Commission. She asked what they were doing during that time to find the permanent location by the Little Brown Church. She asked if there was no open space to put it there.

Mr. Lindner stated that he will defer the question to the Pacifica Historical Society directly.

Kathleen Manning, Pacifica Historical Society, stated that they have not determined where the car will be placed. She stated that originally they wanted to put it in the lot across the street but that didn't appear to be something they can work out. She stated that there were different proposals to

put it behind the church or on the side of the church. She stated that they were trying to make a decision that makes sense, with the support of the city.

Commissioner Campbell referred to the lot across the street and asked if that was the city-owned lot.

Ms. Manning said it was and her understanding was that there were plans to build a parking structure. She stated that they were exploring various things. She stated that they had hoped to put it temporarily at the old sewer plant but it was nixed due to being prepared to sell to a hotel. She stated that they decided to go with the Perrera family. She stated that originally, Pete Perrera wanted them to put the car there and they didn't do it and ended up at Shamrock Ranch for several years. Then the city let them move to the new sewer plant when they were being vandalized at Shamrock.

Commissioner Campbell asked staff if the lot across the street was the area next to Pacifica Thai.

Planning Director Wehrmeister responded affirmatively.

Commissioner Campbell stated that they have it as a parking lot now and had discussed signage.

Planning Director Wehrmeister responded that it was a public lot.

Commissioner Campbell inquired whether it could be located there.

Planning Director Wehrmeister stated that, separate from the Planning Department's review of this application, there has been some ongoing negotiation that the Planning Department hasn't been involved in. She stated that site was proposed but it was ultimately decided that at this time, the site was not a good fit for it. She wasn't saying that it was a permanent decision, but was at this time.

Commissioner Campbell stated that Sr. Planner Murdock recognized it as something of significant value to the city and the city also recognized it as something of significant value and he thought if it were located there, it would be next to the Little Brown Church and the volunteers would be there. He was worried about the lighting more than anything. He stated that he lives in Vallemar and knows the neighborhood. He stated that, if it was there indefinitely, he was concerned. He would like to hear more about that if it has been explored.

Planning Director Wehrmeister asked if Commissioner Campbell was inquiring about the parking lot being explored.

Commissioner Campbell responded that he would like to know why it can't be located there.

Planning Director Wehrmeister stated that she can't answer that at this time as she wasn't involved in those negotiations, but she did know it was considered and was something that they were not moving forward on it at this time.

Commissioner Campbell thought it was a wonderful project and he commended the Historical Society for tackling this. He stated that he has been to Vallemar Station many times and sees the value of it. He was a little concerned about its location next to the homes in the front of Vallemar

for an indefinite period of time which was different from what he understood from the staff report, such as longer than two years.

Sr. Planner Murdock clarified that this authorization would not exceed one year from approval if approved. He stated that any longer term would be subject to a separate process and the Commission would have another opportunity to consider that. He stated that the action at this time was not to grant an indefinite authorization for this to be located at this site.

Commissioner Campbell understood that, but adding that he has been around when they have granted extensions of time for construction permits that go on 8-10 years. He stated that he suggested that, before they make a decision, he would like to hear more about the parking lot next to the Thai restaurant as it is city owned and they do consider this to be something of significant value to the city, he would like to hear why they can't use that parking lot.

Commissioner Berman stated that it didn't sound like they had any public comments who wanted to come up. She stated that if they wanted to come up, they have to submit a card. She stated that when talking about that, she saw some head nods. She thought locating it at a nearby parking lot to the Little Brown Church would be beneficial and more efficient for everyone to put it where it could live a little longer.

Vice Chair Rubinstein liked the project and he wanted it and people who care about it are trying to restore it and contribute back to the community. He stated that he didn't have a problem with it being located at this site, as it was only approved for a total of one year. He didn't imagine that it was a heavy duty construction site where they will be working on it 24/7, but they didn't seem to have done much work done on it as it was volunteer driven. He thought it was a neat thing to have in your neighborhood, adding that he would put it in his yard.

Commissioner Berman stated that it reminds her of the one in San Bruno Park where she grew up climbing on it. She asked if there was a different orientation in the Vallemar parking lot and possibly perpendicular to Highway 1 and not in front of the homes.

Sr. Planner Murdock stated that the difficulty was the size of the rail car and the enclosure structure. Staff estimates that the area proposed is roughly 30 feet deep by 90 feet wide and the rail car is approximately 48 feet long and it wouldn't work in an alternative orientation, stating that the enclosure adds another 12 feet to that.. He stated that they have some potential flexibility to shift it and find the location that is least impactful, adding that it was difficult to do that from the dais, but if that is the direction of the Commission, they can give them some direction to find the least impactful placement within that area.

Commissioner Bigstyk stated that, as he was looking at the site, he thought it could be put a few feet south where the two Moonraker trucks were parked at the time he was looking at it, although he didn't know if it was the same property. He added that he didn't know if that would require coming back to the Commission.

Sr. Planner Murdock stated that there was some flexibility from a spatial standpoint, and he thought the applicant could share more insights on the property owner's ability to authorize that. He stated that there are other lessees, such as the Moonraker food trucks, that have operational needs. While the applicant can elaborate on that, he thought it was not so easy to say now where it will go but they can work on that if this is approved with the Commission's guidance.

Commissioner Bigstyk didn't know how complex this needs to be. He sympathizes with the points the email writer made, he thought this was a very temporary setup as they were told that, if they wanted to extend it past the year, they couldn't and the applicant has to jump through a hoop to even make it a full year. He mentioned that they have a two-year lease and he assumed there would be a lot more work involved to extend it. He also mentioned that a building needs to be set up where they are currently which was why they have to be moved and the city has a fairly pressing need for that space. He thought the applicant would be elated if they had a possible permanent location, but he didn't think this gives the impression that this option is permanent. He didn't think it was a happy experience to move a rail car to several locations and he was inclined to vote in favor of this with the understanding that it lends itself to the notion that it was temporary. He referred to the night time when noise might cause an issue, and stated that it will be battery generated. He mentioned hearing generators during the PG&E blackout and he acknowledged that it wasn't the greatest sound but if it is happening working hours, and is temporary. He stated he would be happy to make the motion and vote for it.

Commissioner Kraske thought it was a cool project for the renovation of the car, but he is reluctant to vote to have the car renovated at this site due to the light and noise pollution. He would like to see some research into alternative locations to renovate the car.

Commissioner Campbell stated that he wasn't saying this wasn't the spot to renovate it but he feels that he would like to know more about the parking lot unavailability next to the Thai restaurant before they make the decision. He also didn't want to be too cavalier on the impact to the homes next to it as, while it may be temporary, if the renters are on a year to year lease, it was a big impact. He also worries about the lighting and, as there is a lot of activity at the front of Vallemar, he worried about vandalism and thought they would have to light it up at night to prevent that. He stated that, if they light it up at night, he would worry about the impact to the homes along the back.

Vice Chair Rubinstein thought the proximity to the home was a deterrent for some of this as people will call in if they hear people loitering or some activity. He didn't think it was a very isolated spot.

Commissioner Campbell thought it was if you walk around there at night. He stated that it is not like homes with a backyard as it backs up to the apartment buildings along the side and it is dark back there, and it is more isolated than you think.

Commissioner Berman asked if it will be lit up throughout the night.

Sr. Planner Murdock stated that his understanding from the applicant was that the intention was to have a motion sensor system and the way staff wrote the conditions, they will have Planning Director review of that to confine the motion sensors to detect motion within the security fence rather than a broader area to minimize false alarms that illuminate the neighborhood any more than necessary. He stated that, additionally, it was the intention to direct the lighting away from the residents to make sure it was not a large tall floodlight type of fixture but directed only towards the area where it needs to be. They think the impacts will be minimal and hopefully only triggered by motions of concern and not broader activity.

Commissioner Berman stated that she has a motion light in their side and back yard and all the possums and raccoons set it off throughout the night, but their light is near the kitchen so it doesn't wake them up. She stated that this doesn't make her feel much better about possible light pollution. She wasn't too concerned with the noise given the battery powered lights during the night and, if they approve it, adding in the condition that work hours during the day are 9 am to 5 pm, she wasn't too concerned with the noise.

Vice Chair Rubinstein stated that he would be willing to make a motion to approve unless they feel like they need to postpone the item for further information. He was committed to supporting these efforts. He was sure it was difficult just to locate this site.

Commissioner Berman stated that she loves and supports the project, but she asked, if they were to ask for other locations to be considered and revisit this, what happens in the meantime of a month or so. She asked if they are still allowed to work on the project where it is.

Sr. Planner Murdock stated that the city has a need for the rail car to be relocated.

Commissioner Berman asked if that was right now.

Sr. Planner Murdock stated it was not right now, explaining that the city has a bit of time and any number of unforeseen delays could occur with relocation of the car such as severe weather, etc., and getting approval in place as soon as possible is in the city's best interests as the current host of the project. He stated that the city needs to through a permitting process with the Coastal Commission to permit the building and that area is not in the city's permit jurisdiction. He stated that they were in the order of a few months before that permit could be granted, but to give some certainty to the applicant and the city that it will be leaving the current site is very important.

Planning Director Wehrmeister clarified that the City Council as the real property agent has said that the Thai restaurant parking lot is not available and if they request that there be more research done for alternative locations, that may not be on the list that comes back to them.

Commissioner Berman thought a parking lot would be very suitable for this but she didn't want to burden the applicant if there doesn't appear to be a large amount of public comment. She suggested that a thought in lieu of Commissioner Nibbelin not being present. She asked if they approve the location and reduced the amount of renewal of the lease.

Vice Chair Rubinstein asked if it was for less than a year.

Commissioner Berman thought less than a year or only six months. She understands they would be moving it quickly.

Vice Chair Rubinstein didn't think it would be started in six months as it was a volunteer effort and there are expenses to move it, adding that they are not a for-profit enterprise.

Commissioner Campbell stated that he didn't want to confound his questions on location with the notion that they don't support the project. He felt it was a worthwhile project, volunteer and non-profit and there are all sorts of good things about it, but he was wondering if the city has fully explored other sites considering that the city recognizes the value of this. He thought there was some notion that the Thai restaurant parking lot is unavailable but he didn't know why, and he

wondered if that was fully explored. He then referred to the lighting, and understood that there was a lighting plan but he would like to know a little more about the lighting plan to make sure there are not going to be flood lights triggered all night. He acknowledged that there were not a lot of people present saying that they not do it, but he didn't always rely on that as an indicator of public opposition as a lot of people don't pay attention to the meetings. He stated that they have some people who came up and say it was going to impact them.

Vice Chair Rubinstein stated that it was the owner, not the tenants.

Commissioner Campbell thought the tenants were here.

Vice Chair Rubinstein stated that the tenants were not represented here.

Commissioner Berman stated that they may not know about it.

Vice Chair Rubinstein agreed. He stated that a year will go by quickly and if they discover that these are issues, they will have an opportunity to reevaluate it in a year, whether vandalism, light pollution, noise.

Commissioner Campbell stated that the understanding is that they don't want to have these guys moving in and he recognizes that. He stated that, in a year from now and they do have these issues, they will have to have them move. He stated that is not what any of them want. He asked that they "measure twice and cut once" on this one and figure it out. He acknowledged that it may be the spot, but he would like to know more before they jump in.

Vice Chair Rubinstein didn't think there was a critical timing for this, as it wasn't that they had a project they have to start because they want to start renting it out. He stated that, if they table it for a month or two to get the information, he didn't think it was going to have a detrimental effect.

Sr. Planner Murdock stated that he would not recommend a month or two.

Vice Chair Rubinstein stated whatever the time is needed.

Sr. Planner Murdock stated that to the next meeting to have the applicant gather more information and describe the alternative sites that were considered. He stated that the city doesn't have a burden to consider the alternative sites in this case because it is the applicant's application. He stated that they can have them perform whatever alternative analyses and provide the documentation for the Commission. He suggested that they continue it to the next meeting and at the latest the meeting after that. He stated that they need some certainty for the city to move forward as the current host of this, and for the Historical Society.

Vice Chair Rubinstein asked if it was realistic for a volunteer driven organization to find and source new locations and talk to property owners to determine if it has impacts.

Sr. Planner Murdock thought the applicant should speak to the capability of the organization to achieve that. He thought they have gone through an extensive process over the last several years looking for alternatives and as a last resort, as he understands it, pursued this location.

Planning Director Wehrmeister didn't know if there was anyone with the Historical Society at this meeting who is able to go over the various sites that they have considered. She knew that, in addition to city properties, there were several other privately owned properties that they considered.

Vice Chair Rubinstein stated that he was happy to reengage and open it up for discussion.

Commissioner Campbell agreed with reengaging. He stated that it looks like they have a comment from a member of the public and would have to open up.

Vice Chair Rubinstein asked if the applicant wanted to have someone come up and only speak on the topic of alternative sites.

Ms. Manning stated that their first choice was the lot by the Thai restaurant and they had talks about even using it temporarily and they were told no because it was earmarked for a parking structure and they could not use it. They asked if they could use the old sewer plant on Palmetto and it looked like they might be able to use it and then they were told no as it was being prepared for sale to a hotel and they would be disrupting the plans for that. Then there was a proposal to put the train on the lot next to the church which would block the light inside the building and the view of the church which the Historical Society did not find satisfactory. Then were told that there was no city property that would be available to them so they looked for land to rent and they thought it would be nice to have it on Highway 1 where the lot that has a lot of signage, but the Perrera family wants to sell that and doesn't want to have them encumber it if they were there for two years. Then they offered the lot next to Guerrero's where the two trucks from Moonraker park. She stated that Shirlee Gibbs talked to the Perrera family to see if they could switch places with the Moonraker truck and they said no because the Moonraker trucks would be blocked by people parking for Guerrero's and she didn't want them to have that part of the lot but to be where they have signed the lease for two years. She stated again that, as far as other places, they wanted to go into the old sewer plant, and when that fell through, they were glad to get to Guerrero's. She stated that they don't have to move the train far but it is still going to cost \$4,000 because of having to jack it up, put on a long bed and moved, but it was cheaper than moving it further.

Vice Chair Rubinstein asked if there were any of the sites that were practical sites at this point, specifically any other options besides this one on this agenda.

Ms. Manning stated that she did not know of any. She stated that they thought it would be great to be in that Thai restaurant lot, even if they do put a parking structure there eventually, they thought it would be a nice place to work on it as it would get a lot of attention and public input. She stated that it isn't going to be allowed even on a temporary basis.

Mr. Woolinjohn stated that there was some discussion within the membership about locations around the Little Brown Church, including moving it westerly along the street or perpendicular to the church behind it. He stated that all those things would need to be worked out with the city and those permanent location decisions haven't been made.

Vice Chair Rubinstein asked if there had been discussion about renovating the structure on one of the possible permanent sites or only when it is completed.

Ms. Manning wasn't sure she understood what he was saying.

Vice Chair Rubinstein asked if they would be allowed to use that site temporarily to renovate the car.

Ms. Manning stated that they could not use it temporarily. She stated that, even if they signed a contract and agreed to move it if something else needed to come in, they would be open to that as long as they had a little notice.

Vice Chair Rubinstein asked, if they gave them more time to consider other sites, whether there are other options.

Ms. Manning stated that she didn't know about any other options as they have been going around for quite a while and it has slowed them down. She didn't know if there were any other places that were big enough with access.

Mr. Woodinjohn stated that, if they seek a permanent location at the Little Brown Church, it is possible to renovate on site at a permanent location.

Ms. Manning stated that it was very difficult.

Mr. Woolinjohn stated that it still can be done. He stated that Scott Lindner says it can be completed at its permanent location. He stated that they haven't worked out that spot with the city.

Vice Chair Rubinstein asked if they have looked at going over the hill down to Montara.

Ms. Manning stated that Half Moon Bay would love the train as well as Colma. She stated that this was the only one that was still in existence and there was no question that, if we can't handle it in Pacifica, there are other historical societies in cities that would like it, but they have wanted to keep it in Pacifica. She stated that it was up and down the coast from 1913 to 1920. She stated that they thought, at the solution at the Perrera family's place, they would be accommodating in trying to please the neighbors. She stated that they have volunteers who have signed up to keep the site clean, so they won't have rubble or any mess and won't antagonize the neighbors. They will do anything to make the lighting not objectionable and they will be happy for any help to make it so the lighting doesn't interfere with the people who live near it. She stated that Shirlee Gibbs visited all the homes and apartments and talked to people, and everybody was very positive about the project. She stated that the woman in the triplex was going to keep an eye on it from her window and will be able to see if there are any people messing around that shouldn't be. She asserted that they have reached out to the neighbors in a big way and they would continue to have a good relationship with people.

Commissioner Campbell asked staff if there was any capital improvement projects planned for a parking structure at that parking lot next to the Thai restaurant.

Planning Director Wehrmeister stated that there was not.

Commissioner Campbell asked if there were any plans that they know of to build a parking structure at that parking lot.

Planning Director Wehrmeister stated that part of the Sharp Park Specific Plan Work Plan was to determine the feasibility of a parking assessment district for the Sharp Park area and to identify appropriate spots to add parking, whether or not at surface or in a structure, but that is barely in the infant stages of the planning process.

Commissioner Campbell stated that they are not going to build a parking structure on that parking lot for the next two years.

Planning Director Wehrmeister agreed that it would not happen in the next two years.

Sr. Planner Murdock stated that he was not sure that the parking lot, from a permitting standpoint, is readily supportable as we have very limited public parking facilities in Sharp Park as it is and the Commission is aware of that when considering other recent projects in the vicinity. In fact it was Commissioner Campbell who wanted to make sure it was known and posted that it was a public parking location for overflow parking from nearby businesses. He stated that, to have this rail car take up numerous visitor serving parking spaces, he wasn't sure if they have evidence to support the findings for the Coastal Development permit which would also be needed for this project. He concluded that there are a lot of unknowns about the parking lot from a permitting feasibility standpoint, let alone from the city as property owner willingness standpoint. He didn't think it was as clear a path forward for that site as it may seem.

Commissioner Campbell understood but he drives past it a lot and it is never full and is full of construction equipment half the time. He stated that there were ways to make it not work by putting road blocks in front of it but, if the city was looking for a way to make it work, that parking lot doesn't seem to ever be full. He stated that maybe for Fog Fest is the only time he has seen that parking lot full. He stated that it could accommodate this and they wouldn't have to move it far.

Commissioner Bigstyk asked if they closed public comment.

Commissioner Berman stated that they need to reopen public comments.

Vice Chair Rubinstein opened the public comment.

Jim Odgers, Pacifica, stated that he is a neighbor of Senor Guerrero, and he could see that parking lot all the time. He stated that there is a lot of light already around the restaurants and the area, and it was not that dark. He thought having some more little motion lights wouldn't change anything and is not going to hurt anyone or wake up the neighbors as he is the neighbor. He stated that he has asked the scavenger department not to have those garbage trucks come at 4:15 in the morning and they keep doing it and bang around, so he didn't see anyone volunteering to go out at 7 am and he didn't see that noise will be a problem. He stated that Highway 1 is a constant sound and he has to wear ear plugs every night, stating that the noise from this project would be infinitesimal. He didn't think they have to worry about all the nit-picky things. He stated that moving it is a big problem and it would be nice to have it in a permanent spot. He stated that, if it were up to him, he would put it in front of the abandoned second hand store between Vallemar Station and the Gorilla BBQ so you would have the train cars altogether. They would have the little caboose, train station, box car and the rail car and he understood that was just his thoughts. He thought it couldn't happen until it was all complete as it would look silly.

He thought there was no reason to worry about putting it in the contemplated spot, reiterating that Guerrero's and Vallemar Station are lit up all night. He stated that, even with ear plugs, he will hear if there are any vandals.

Mr. Lindner stated that they are coming up into the rainy season in November and expecting storms in about 2-3 weeks and this would hinder their moving process. He appreciated the Commission looking into another site, and asked, if he introduced the option of an extension of 3-6 months at the existing site and looking at another area and are eliminating two moves which would be more economical as far as moving the car and they wouldn't have to look at the immediate process of moving it right away into a questionable area and instead wait 3-6 months where it is now and look for a permanent location where they can do the construction and be closer to the permanent location ideally.

Vice Chair Rubinstein closed the public hearing.

Vice Chair Rubinstein stated that, should they approve this, they wouldn't have to move the car and look at alternate spots if they can make an agreement with the city. He stated that the Commission had no jurisdiction as to how long they can stay at their current location.

Commissioner Berman thought it might impact another project.

Vice Chair Rubinstein understood and stated that if they get the approval now, they can move it or they can still talk to them to the extent that it was possible as the Commission did not know about that. He stated that while he would like to discuss longer, he felt at this point it was obvious that there was not an alternative site that can come up in the next couple of weeks and they have to decide on this site. He stated that they have talked a lot about all the implications for the site and neighbors, but they have a time frame of a year.

Commissioner Berman stated that she appreciated the summary of all the research that both the city and volunteers have done on different locations, and she feels more comfortable that the different possible locations were thoroughly reviewed and she was now more inclined to vote yes for this project.

Commissioner Campbell thought it wasn't apparent from the staff report that they canvassed the neighborhood and talked to the owner of the triplex. He felt, with that level of support, and their willingness to take the risk of moving it again, he thought Vice Chair Rubinstein raises a good point that if they approve it at this time, it doesn't stop them from going back to the city and asking for some accommodation, if possible, to put the train where they wanted it. He thought it was a good idea and he would hope the city would work with them a bit more on that because it was a great project and he hates to see them spend \$4,000 to move it twice. He stated that the city may have good reasons for their decision and the Commission just doesn't know about it, which was why he was trying to explore that. He stated that he gets the sense that the Historical Society is going to work with the neighbors and have a good lighting system and it will happen. He stated that, after hearing the rebuttal to the initial comments and hearing from the neighbor, he was more inclined to support it than he was at the beginning. He would love to hear about them contacting the city and see what they say.

Vice Chair Rubinstein thought they have the leverage that, if they can't find a suitable site, Half Moon Bay or Colma would be happy to take it.

Commissioner Bigstycyk was heartened that some of the fog is breaking and fellow commissioners seem more likely to vote in favor of it. He stated that, rather than argue as he is seeing the fog lifting and what he can only imagine feels like an exercise in futility up to this point on the part of the Historical Society, he was ready to make a motion.

Commissioner Berman asked if they want to change the condition of approval for the time frame for weekdays to be from 8 am to 5 pm or leave it at 7 am to 7 pm.

Vice Chair Rubinstein didn't think they need any restrictions, but that was his view on it.

Commissioner Berman stated that she didn't hear any opposition but she wanted to throw it out there.

Commissioner Bigstycyk stated that, in the past they have changed the conditions to be in alignment with what the applicant says they would be, which in this case is exactly what they would be doing, but he didn't know if it was necessary.

Vice Chair Rubinstein stated that no one is asking for that in the letter.

Commissioner Berman just wanted to mention it in case it was forgotten.

Commissioner Bigstycyk moved that the Planning Commission finds the project is exempt from the California Environmental Quality Act; APPROVES Temporary Use Permit TUP-2-19 by adopting the attached resolution, including conditions of approval in Exhibit A; and incorporate all maps and testimony into the record by reference; Commissioner Berman seconded the motion.

The motion carried **5-0**.

Ayes: Commissioners Bigstycyk, Kraske, Campbell, Berman
and Vice Chair Rubinstein

Noes: None

Vice Chair Rubinstein 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 Bigstyk stated that he attended a couple of Ohlone celebration days, specifically one being the unveiling of the mural at the community center. He stated that it was beautiful and he encouraged everyone to check it out, adding that there was some thought put into it, especially on the south side. He stated that, at the Sanchez Adobe, they have recently finished the physical construction of the building that will go onto house various museum pieces from the Adobe and an educational resource for children visiting there.

STAFF COMMUNICATIONS:

Planning Director Wehrmeister stated that Council approved the first reading of the reasonable accommodation ordinance which was before the Commission recently. She stated that, at the next Council meeting on November 12, they will be considering an item somewhat related to Planning Commission business which is adoption of the triannual billing code update with reach codes included for consideration. She stated that the latest cannabis permit on 1726 Palmetto was appealed and is currently scheduled to go to City Council on November 25, and they will make a Commission liaison appointment at the next Commission meeting.

ADJOURNMENT:

There being no further business for discussion, Vice Chair Rubinstein moved to adjourn the meeting at 8:11 p.m.; Commissioner Kraske seconded the motion.

The motion carried **5-0**.

Ayes: Commissioners Berman, Campbell, Kraske, Bigstyk
and Vice Chair Rubinstein
Noes: None

Respectfully submitted,

Barbara Medina
Public Meeting Stenographer

APPROVED:

Planning Director Wehrmeister