

MINUTES

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

July 15, 2013

7:00 p.m.

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

ROLL CALL: Present: Commissioners Cooper, Gordon, Campbell,
Nibbelin, Vaterlaus and Chair Evans
Absent: Commissioner Brown

SALUTE TO FLAG: Led by Commissioner Campbell

STAFF PRESENT: Planning Director White
Associate Planner Diaz

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

The motion carried **6-0**.

Ayes: Commissioners Cooper, Gordon, Campbell, Nibbelin,
Vaterlaus and Chair Evans
Noes: None

**APPROVAL OF
MINUTES:
JUNE 17, 2013** Commissioner Nibbelin moved approval of the minutes
of June 17, 2013; Commissioner Vaterlaus seconded the
motion.

The motion carried **6-0**.

Ayes: Commissioners Cooper, Gordon, Campbell, Nibbelin,
Vaterlaus and Chair Evans
Noes: None

DESIGNATION OF LIAISON TO CITY COUNCIL MEETING OF JULY 22, 2013:

Planning Director White stated that there were no Planning Commission items on the agenda.

CONSENT ITEMS:

None.

PUBLIC HEARINGS:

**RZ-191-12
GPA-89-12
DP-74-12**

CERTIFICATION OF AN ENVIRONMENTAL IMPACT REPORT (EIR) AND ADOPTION OF MITIGATION MONITORING PROGRAM, AND ADOPTION OF A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE A GENERAL PLAN/LOCAL COASTAL LAND USE PLAN AMENDMENT, REZONING AND DEVELOPMENT PLAN for the redevelopment of a 3.5 acre, publicly-owned property located at 2212 Beach Boulevard Pacifica (APN 016-204-020 and 016-294-510). The conceptual plan for the site would include an approximately 36,500 square-foot library, up to 84 attached residential units, a boutique hotel of up to 75 rooms and a restaurant of up to 4,500 square feet. Recommended CEQA status: Certify EIR.

Associate Planner Diaz presented the staff report. He then introduced Bill Wiseman of RBF Consulting who gave a brief overview of the EIR process.

Commissioner Gordon thought the Coastal Commission seemed to have some concerns about the height, massing, etc. He asked, as they go forward in the entitlement process, if the Coastal Commission could revisit their objections and in what context that would be.

Planning Director White assumed that it would be when they bring the project to them for approval.

Commissioner Gordon asked at what stage that would be.

Planning Director White stated that it would be after the City's administrative process was complete, after the City Council's action.

Commissioner Gordon assumed that we can go through all of this and have a partner and the Coastal Commission can say that they will not give approval to the project because of certain concerns.

Planning Director White agreed that the final approval was contingent upon the Coastal Commission's action. They expect that there will be further discussions, etc., although he didn't know what they would be at this time and, even with a letter, they are not always sure what they are looking for. Once the Council has made a decision based on Commission recommendations, then they will start conversations with the Coastal Commission staff.

Mr. Wiseman added that they can appeal in the next 30 days on the Commission's certification of the final EIR, but they most likely will wait until the LCP amendment comes.

Commissioner Cooper referred to the parking, asking if he was correct that it was subterranean parking and additionally asked if all the spaces were below or whether some were surface parking.

Mr. Wiseman stated that some of them were surface parking. He stated that he would look up the table and give him the information. He then stated that it was in the draft EIR.

Commissioner Cooper asked if he was on page 7.

Mr. Wiseman stated that all figures were at the end of each respective section, and referred to Chapter 2.

Commissioner Gordon asked if there were any buildings currently over 35 feet in height.

Planning Director White asked if he was referring to the general vicinity of the project, not just the site.

Commissioner Gordon confirmed that he meant the vicinity.

Planning Director White stated that the closest comparable buildings were those to the south, some of which are three stories, but they didn't have the exact height at this time.

Commissioner Gordon asked if three stories were within 35 feet.

Planning Director White stated that they can be depending on their design.

Commissioner Gordon stated that he was used to projects having a cap of 35 feet, and he was curious on the thinking of going beyond 35 feet for the residential structures.

Planning Director White thought it was probably driven by the number of potential units, adding that you have to think that it is a three dimensional box and you can fit a number of dwelling units. He stated that, as they said repeatedly, nothing was designed and they don't know what a future partner will propose, maybe at the maximum height and maybe not.

Commissioner Gordon assumed it was driven by economics.

Planning Director White stated that it was to some degree, but more of how you can fit units in a three-dimensional box, as a certain number of housing units that they identified as being potential. He stated that, if you limit it to two stories, you wouldn't fit that many units.

Mr. Wiseman added that you were constrained by the subterranean parking and you might lose 5-10 feet. He stated that, if you have a two-story above that, you will need more than 30.

Commissioner Gordon thought the Coastal Commission was interested in having a wave uprush study done and he asked their thought on that.

Mr. Wiseman explained that there was a statewide precedent for looking at what's happening, particular in the context of sea level rise and he thought the Coastal Commission will leave no project unturned to make sure they don't set any precedents that are contrary. He stated that there are studies that have come out that looked at sea level rise that have gone up as high as 7 feet over the next 100 years, and they don't want to set a precedent and they aren't going to allow projects that aren't going to look at that. He thought it was important that they have a sea wall, and in reference to the Skully study it looked at what happens to the over topping, and they were careful

in the final to document what would actually happen. He referred to a periodic flow over a wall of 1-2 feet which will come down and cascade then spread out. He stated that the primary issue was what kind of negative impact they can have on the structures. He stated that, in this case, you would have to have water going down Montecito and then down the first roadway, explaining that all the driveways to the subterranean are internal to the project and would have to go into the driveway. Before that, they have storm drains in the parking lot of the public area and storm drains along the curbs of Montecito and private roadways. He stated that, once they get to the driveway, then there will be some sort of catch along the front edge. He stated that it would be hard for there to be significant damage into the garage structures, but they still have to make sure they look at the precedent and make sure that any projects coming in have addressed it. He personally thought they will require another study even though the nearby Skully study was less than five years old. He thought that site was 23 feet and the height outside this site was at 25, which was actually 2 feet above.

Commissioner Nibbelin referred to the staff report identifying an environmentally superior alternative to the project that would allow the project objectives to be accomplished and asked why this wasn't the project to be considered and asked for an explanation of the role of the alternative analysis.

Mr. Wiseman stated that CEQA requires them to look at alternatives, and they want to look at alternatives that will reduce the impacts identified in the draft EIR to less than what was identified for the proposed project. He stated that, with this being a smaller project, it would have a reduced impact as it relates to traffic and visual because all the buildings in that alternative were 35 feet. He then stated that, in the objectives, there may be the context where they meet some but not all of the objectives and the City doesn't have to choose that. He reiterated that CEQA just requires looking at a superiorly alternative from an environmental standpoint, primarily related to traffic and height, but it doesn't limit their discretion. He stated that the findings also point to that.

Commissioner Campbell asked for some clarification on the summary of the project description. He referred to discussion of how market conditions might result in some reduction of discussed land uses, depending on what the market conditions are. He asked if there were scenarios where the ultimate land use could end up with more housing and no restaurant or hotel, or is there always going to be a ratio of the housing, restaurant, library and hotel, with one possibly smaller than another but none will get knocked out completely.

Planning Director White stated that the City's view was that all those components will be present in the future project, but to what extent and how they will be relative to each other was something that they don't know at this point. He reiterated that all the direction they have been given was to have all of those components in the plan.

Commissioner Campbell stated that was great because his fear was that, going forward, there would be some alternative in the future where it would end up being, as an example, all residential because that was what the economics dictated at that time.

Commissioner Cooper asked clarification that the environmental impact really didn't preclude that scenario from happening.

Planning Director White stated that he wasn't sure he understood his question.

Commissioner Cooper assumed that they get a developer who wants to do all hotel which would still be the guidelines if he doesn't surpass the amount of rooms that he was issued within the document. He assumed that he didn't have to provide a boutique or a ratio.

Planning Director White thought Commissioner Campbell was talking about the mixture of the uses on the site, not an individual use.

Commissioner Cooper agreed, but he thought the mixture didn't necessarily dictate it because of the document.

Planning Director White stated that the concept plan was the framework under which a future project will be reviewed. He stated that certifying an EIR didn't approve or deny a project, but just discloses impacts related to that project. He reiterated that they didn't have the project yet.

Commissioner Cooper again asked if a developer comes in and says that he wants to build 10,000 square feet of retail and meets all the other goals, would he have to go back and modify.

Planning Director White stated that they would have to look at a couple of things, such as what were the assumptions in the environmental document that was originally certified and were they still sound and were all the impacts coming out of such a modification covered. If not, they might have to do some supplemental environmental work. He stated that they have to look at whether what was being proposed was within that framework of the concept plan. If so, great, but if not, they might have to go through another public process to look at that.

Commissioner Campbell appreciated the followup by Commissioner Cooper, because he was trying to get on the record that any type of significant alteration at this point would not be supported by the record.

Commissioner Nibbelin asked if the resolution that they were looking at follows the staff report because he questioned the wording which stated that it was a resolution of the City Council and he thought it was a resolution of the Planning Commission.

Planning Director White thought that was a good catch. He clarified that it should read "Planning Commission of the City of Pacifica."

Chair Evans asked clarification about the 45 foot height. He asked if there was any part of the building that was over 35 feet of the planned ideas.

Planning Director White stated that, with the exception of the two residential buildings that could go up to 45 feet, all the rest were 35 or less.

Chair Evans stated that they limit most everything to 35 feet, and asked for an explanation of the allowance for the 45 feet.

Planning Director White stated that it was the nature of the project, the intensity of the residential development desired, and allowing them to fit within a three-dimensional box would yield that number of units.

Chair Evans thought it appeared to be what he said before, but he wanted to get clarification because he wasn't clear on where it all fit and wanted everyone else to understand it as well.

Chair Evans opened the Public Hearing.

Mary Brown, Pacifica, welcomed the new commissioners. She stated that she was a Chamber of Commerce board member and she was on the founding board of the Pacifica Library Foundation in the past, and she has volunteered to be the Chamber advocate for this project. She stated that the Beach Boulevard property was an area with tremendous unused potential, adding that the site has been vacant and unused now for over 13 years. She mentioned that, when she was on the Chamber board in the late 1990s, they were working to attract people to develop the site then. She stated that 13 years was too long to wait. She stated that Pacifica has not had a definitive main street and the libraries have not received their long overdue modernization. She stated that, given Pacifica's constant economic problems, it was time to bring the process to a timely conclusion. She stated that when they attract the right builders, it will make it easy to walk and enjoy the whole area more. She stated that there was so much potential to improve that part of our community. She added that they can also put the world class library Pacifica deserves, and the EIR shows a beautiful library that would be a terrific addition to the property. She mentioned that the present libraries were old and in rough shape. She recalled a librarian telling them she had a collection of buckets to catch drips from the roof when raining. She felt we deserve better. She urged the Commission to follow the staff recommendation and approve the EIR and move the project to the City Council. She felt staff has done a great job to put the details together and she hoped the Council would bring this up soon. She urged a unanimous vote and asked that they get the issue to the Coastal Commission before the end of the year. She stated that the Chamber would appeal to all our political representatives to send letters of support to the Coastal Commission. She proposed that the Chamber assist the City in marketing the property to developers using resources of local realtors and others to solicit interest. She felt we deserved a revenue generating project on the site.

Tod Schlesinger, Linda Mar, stated that this was pathetic. He asked if this was the best that they can come up with. He asked everyone to pay attention to him because he goes to all the Council meetings. He referred to the cost of \$20 million for a library and questioned that any developer would come in and invest that much money and expect to get some money back. He stated that they should sell the one on Linda Mar, the newest one, and fix the one across the street. He asked if they were out of their minds to get bogged down in a bond issue to try to get the money to build a library. He stated that no wonder the city has "gone into the hopper." They haven't listened to him. He said they should have put the site up for a 99-year land lease. He questioned that the City paid all the money for the EIR and then they sell the land and the developer will make all the profit. He thought that was sad. He asked what will draw people, questioning anyone coming to town because we have a library. He felt they need an anchor to come in, bring in the business so the satellites can survive. He asked if they knew anything about real estate development, adding that he did because he has been in the real estate business for 35 years. He thought this was champagne taste on a beer budget. He asked whether, assuming it was a four acre site, the quarry would now get 1,600 units. He stated that, if this was the best they can do, they should be ashamed of themselves. He has seen some ridiculous things in the 27 years he has lived here but this was ridiculous and totally not well thought out. He asked if they have an argument, and he stated that he would like to hear that they did a study that says the library will bring people in who are going to spend money. He stated that libraries don't bring people in to spend money.

Ellen Ron, 866 Rockaway, stated that she was co-president of the Pacifica Library Foundation. She was present to voice her support for the Beach Boulevard project and, in particular, for the site on the property set aside for Pacifica's 21st century library. She stated that a library was a community asset and, in Pacifica, 60% of the residents hold library cards and in the last fiscal year, about 173,000 people walked through the doors at Sharp Park and Sanchez. She stated that the libraries were well used and well loved. She mentioned that the Foundation, with the Pacifica Friends of the Library, the San Mateo Library Foundation and Pacifica commissioned a library needs assessment, stating that before you can figure out where to go, you need to know where you are. The results were enlightening, mentioning that they were happy with the library staff and when compared to comparable communities, Pacifica receive at least one-third less than others, such as parking, computers, etc. Having one library will give more access, etc. She mentioned all the reasons why everyone should support the library.

Sue Beckmeyer, 1163 Palou Drive, co-president of Library Foundation with Ellen Ron. She was also present to speak on behalf of the library portion of the project and the project itself. She felt it will revitalize Palmetto and bring them up in their community. She explained that libraries educate people and provide them with access to new information sources and technologies. Public libraries have adapted the services they provide in order to meet the information needs of citizens they serve, such as teaching the use of a multiplicity of devices, and helping people find the answers they need, to apply for college, jobs, etc. She explained why and how a library has evolved for the needs for modern technology.. She pointed out that studies have found that return on investment for public libraries ranges between \$4 and \$5 for every dollar spent, stating that she has references for that conclusion. She stated that placing the library into a business corridor made sense because of the foot traffic it will bring. She stated that the present inadequate facilities bring in 173,000 visitors, and a new library will have a significant increase in visitors over time. Libraries bring in people and people spend money. She requested that the Commission approve the EIR and the proposed projects and move it to the City Council.

Brian O'Flynn, Pacifica, stated that he has been waiting for the development of the site for some time. He supported the ongoing process of the project and he felt it was forward thinking of the City to pencil in what they would like to see in terms of density. He felt there was nothing worse for developers coming in and having a question mark to figure out what to put there. He thought it was smart to have the City guide the process, and he thought it was a key element in the revitalization of Palmetto Avenue, the historic district of Pacifica, with local businesses on Palmetto that need more customers and this will help revitalize them. He stated that Florey's Books was looking forward to this, and were holding on until then. He thought it was a larger destination spot and was probably the most linked to the Pacific Ocean than any community this size in California, and he felt a lot of public benefit could be gained. He supported the project.

Kate Robertson, Pacifica, stated that she lived next to the library and had some concerns. She stated that there were things they have not heard about, such as what they do with the old library. She also questioned the value of a hotel, and she asked if they have any idea about the type of restaurant, such as an interesting one or a chain restaurant. She reiterated her question of what happens to the old library. She mentioned that, with the new library, children will have to cross Palmetto which was not a safe intersection. She felt it was too unclear and she was uncomfortable about it.

John Bray, Pacifica, stated he was a neighbor and he thought it would be great to have a new library but he asked if they considered upgrading the old library, extending and moving the

parking lot, and considering a pedestrian overpass on Palmetto, and combining the two projects as one.

Nick Tumilowicz, Pacifica, stated that the 35-foot cap was interesting to him. He was new to the project and he didn't have a lot of background. He thought the library was a wonderful idea, but he didn't understand the hotel. He thought civic components made sense, mentioning the pier, but not the hotel or the residential component.

Chair Evans closed the Public Hearing.

Commissioner Campbell referred to the comments about the boutique hotel, and he thought the EIR points out that, when the final development plan comes before the City, they have to pay attention regarding the development agreement. He hoped the project comes before them again and gives citizens the ability to comment and influence the project. He again asked for clarification on the purpose and need for the boutique hotel.

Planning Director White stated that there was an extensive public process on the high and best use study. They considered many different potential uses on the site and one thing that came out of that study was the boutique hotel and a restaurant. He stated that there was another technical reason why a hotel and restaurant are feasible on the site, that being the coastal zone and any development needs to be consistent with the local coastal program which emphasizes visitor serving uses. Those two are visitor serving uses as well as the library. He stated that there were a number of things that went into this but those were the main ones.

Commissioner Campbell stated that he understood that, if the boutique hotel was done right, it could have the ability to host small gatherings that would attract people to the hotel and there was the golf course. He mentioned that it was important for the City to get into the condition that the hotel was truly a boutique hotel and the developer goes along with that idea and we don't get some hotel that no one expected. He also appreciated the comment on the restaurant and he agreed that we should get a true restaurant and not some chain. He hoped going forward that there were some backstops that will prevent inferior development from happening on the coast.

Commissioner Gordon thanked everyone for coming out and enjoyed hearing the wide ranging views. He was excited about what was before them. He referred to the comment made regarding the question of why they exceeded the 35 foot height. He was looking to get more information on the driving force for going beyond the standard 35-foot height.

Mr. Wiseman stated that he didn't participate in the work but he would speculate that they will have at least partial underground and they want to get three floors above that for some sort of townhouse, and he felt they want to build in some flexibility because they don't know what the developer will come with, and they know what the market will bear. He stated that, if they give themselves flexibility, the residential side was going to be the key driver for a developer to come in and say he will take on the rest of it. He stated that they were given an envelope to allow something to happen and when it comes back, it will come back as a planned development and they will be able to review it and they will have more detail as to the articulation of the building, etc., so they get a good looking project. He felt, if they preclude them at this stage, they may not even get to go to the race. He felt it was wise to keep that 45 feet so they have an outer envelope and then can work back from there.

Commissioner Vaterlaus thought there was a lot of study done on this. The consultants met with people from all over Pacifica to determine the highest and best use for the site. She felt they did come up with the best use because currently they have Council chambers on the ocean. She added that the library will house Council chambers and it will be a hotel and restaurant on the ocean. She thought the parking exceeds the amount necessary which she thought was a good thing for the neighborhood to have excess parking.

Chair Evans asked the Planning Director to explain the two separate actions required.

Planning Director White stated that there were two actions recommended, the first was adopting the resolution certifying the EIR and the second was a separate resolution making a recommendation to the City Council on the concept plan, General Plan and zoning amendment. They were two separate and related actions, decision of certification and the other was recommendation to the City Council.

Commissioner Nibbelin moved that the Planning Commission **ADOPT** the attached modified resolution certifying the Environmental Impact Report, adopt the CEQA Findings for Proposed Project attached as an Exhibit and adopt the Mitigation Monitoring and Reporting Plan for the Redevelopment of the Beach Boulevard Project attached as an exhibit; Commissioner Campbell seconded the motion.

The motion carried **6-0**.

Ayes: Commissioners Cooper, Gordon, Campbell, Nibbelin,
Vaterlaus and Chair Evans

Noes: None

Commissioner Cooper moved to recommend and approve the Development Plan to the Council, rezoning general plan, local coastal land use plan amendment; Commissioner Gordon seconded the motion.

The motion carried **6-0**.

Ayes: Commissioners Cooper, Gordon, Campbell, Nibbelin,
Vaterlaus and Chair Evans

Noes: None

Commissioner Nibbelin mentioned that there were two bullet points, dealing with the general plan/local land use plan and the other rezoning and development plan, and he asked if they voted on both of them.

Mr. Wiseman stated that there were two points but they were both contained in the resolutions.

Planning Director White stated that there were three separate actions, and he was mistaken. He could not remember exactly what Commissioner Cooper's motion included, asking if it included the general plan amendment or just the rezoning.

Commissioner Cooper thought it was the general plan, local coastal plan.

Planning Director White stated that the last action was the final resolution which was recommending the rezoning and the development plan.

Commissioner Cooper thought the motion was to recommend the approval of the development plan, rezoning, general plan and local coastal land use plan amendment.

Planning Director White stated that they had prepared two separate resolutions, clarifying that there were actually three separate actions required. He apologized.

Chair Evans asked for an explanation of the third item.

Planning Director White stated that one was supporting the General Plan/Local Coastal Plan amendment and the other was the Rezoning and Development Plan. He suggested they rescind the previous motion and replace.

Commissioner Cooper asked if they approve both resolutions.

Planning Director White stated that they could do both or do them individually.

Commissioner Cooper rescinded the previous motion and stated they will adopt the plan together.

Commissioner Nibbelin stated that he would second to approve both resolutions to recommend the General Plan/Local Coastal Land Use Plan and the Rezoning/Development Plan.

The motion carried **6-0**.

Ayes: Commissioners Cooper, Gordon, Campbell, Nibbelin,
Vaterlaus and Chair Evans
Noes: None

Chair Evans 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.

CONSIDERATION:

None

COMMISSION COMMUNICATIONS:

Commissioner Cooper stated that he was contacted by a resident in regard to the Gypsy Hill development process. He stated that she contacted him in regard to wanting to review what development they had, as there has been no further action on that. He stated that if he has any further contact, he will let them know.

STAFF COMMUNICATIONS:

Planning Director White stated that he had nothing to report.

ORAL COMMUNICATIONS:

None.

ADJOURNMENT:

There being no further business for discussion, Commissioner Gordon moved to adjourn the meeting at 8:01 p.m.; Commissioner Vaterlaus seconded the motion.

The motion carried **6-0**.

Ayes: Commissioners Cooper, Gordon, Campbell, Nibbelin,
Vaterlaus and Chair Evans
Noes: None

Respectfully submitted,

Barbara Medina
Public Meeting Stenographer

APPROVED:

Planning Director White