

October 10, 2020

Planning Commission
City of Pacifica
c/o Bonny O'Conner, Associate Planner
City of Pacifica Planning Department
1800 Francisco Blvd.
Pacifica, CA 94044

oconnorb@ci.pacifica.ca.us

Re: Vista Mar Project

Dear Planning Commissioners:

Applicant is ready to move forward with the Planning Commission meeting set for October 19th to complete the review of the Vista Mar residential project. Applicant hereby requests that the Planning Commission review the submitted material and vote on the project without any further delay.

On November 13, 2014, Javier Chavarria, Civil Engineer, submitted an application for the approval of four duplex homes on Monterey Road in Pacifica. For reasons relating to the ownership of the project, the application was delayed until late in 2019 when new investors came in and decided to proceed with the development. The project is now owned by Monterey Road Pacifica, LLC ("Applicant").

The Applicant finished submitting the required application documents and collaborated with the Planning Staff to complete the filing by the end of January 2020.

On February 12, 2020, Christine Bowles, architect and resident of Pacifica, sent an email commenting on the project to the Planning Staff after reviewing the project file.

During the Spring of 2020, the Planning Staff worked with the Applicant to make technical changes in preparation for presentation to the Planning Commission. Notice of a public hearing before the Planning Commission was published on July 8, 2020 and mailed to 265 interested parties and surrounding property owners and occupants. The project was to be presented to the Planning Commission at its meeting on July 20, 2020. At the meeting, the Commission at the request of the Planning Staff continued the hearing to August 3, 2020.

Over several days starting July 30, 2020, Christine Boles sent a series of emails to the Planning Staff and Planning Commission raising questions about the design of the project and the civil engineering for the current design. Applicant reached out directly to Ms. Boles and offered to have a Zoom meeting with her and Mr. Chavarria to address, as one expert to another, the reasoning behind the design and to listen and respond to her concerns. *Ms. Boles refused to have this meeting.* Instead, she continued to send emails to the Planning Staff and Planning Commission raising her concerns.

On August 3, 2020, the Planning Commission had a meeting and reviewed the application for the project. The Commission asked many questions of and heard testimony from Mr. Chavarria on the technical aspects of the project and heard briefly from John Kontrabecki on the history of the project and its financing. Also, 13 interested citizens and neighbors offered comments on specific aspects of the project, including Ms. Boles, her husband, and two adult children. The Planning Commission decided to continue the meeting to September 8, 2020 with specific instructions to the Applicant to address certain design questions raised by members of the Commission relating to a sound barrier, guest parking, storm water drainage, landscaping, and trash collection. Applicant subsequently responded to the Commission's design questions by submitting to the Planning Staff technical design modifications and analysis, and additional information regarding tree selection in the landscaping and a sound barrier.

Beginning shortly before the meeting scheduled for September 8, 2020, Ms. Boles started obtaining letters from various consultants objecting to the environmental review required under CEQA prepared by Raney Planning &

Management, Inc. ("Raney"), the consulting firm hired by the City of Pacifica ("Raney Report"). The letters were from a geologist (Steven Bond and Associates), an environmental litigation consultant (SWAPE), and a biological impact consultant (Shawn Smallwood), who raised questions about the adequacy of the Raney Report. The Smallwood letter is dated August 30th, the SWAPE letter is dated September 16th, and the Bond letter is dated September 18th. Each letter was mailed directly to the Planning Staff by the consultants. Because these letters attacked the adequacy of the Raney Report, the Planning Staff had to re-engage Raney to address and respond to the letters. Furthermore, Raney had to re-engaged subconsultants it had hired in preparing its report.

Upon receipt of the Smallwood letter after August 30th, the Planning Staff requested and the Applicant agreed to continue the hearing set for September 8th to September 21st to give the Applicant, Raney, and Planning Staff time to respond. Upon receipt of the SWAPE and Bond letters after September 16th and 18th respectively, the Planning Staff requested and the Applicant agreed to continue the hearing set for September 21st to give the Applicant, Raney, and Planning Staff time to respond. On September 21st the Planning Staff requested a further continuance to October 5th. On October 5th, the Planning Staff again requested a continuance to October 19th. Both continuances were necessary to give the Applicant, Raney, and Planning Staff time to respond.

Ms. Boles has been aware of the details of this project since February 2020. She has had adequate time to review the file and engage consultants to raise questions about the project and CEQA review. It appears that she refrained from doing so for six months until shortly before the Planning Commission meeting of September 8th. At the last minute before the regularly noticed meeting, she mounted an assault on the Raney Report in order to derail the approval of this project by the Planning Commission. This is not regular process and is contrary to the way the law provides for the review of projects by the Planning Commission.

Applicant is ready to move forward with the Planning Commission meeting set for October 19th. By then Raney and the Planning Staff will have had the opportunity to evaluate and respond to the questions raised by Ms. Boles' consultants. Ms. Boles has now had her opportunity over eight months to address every aspect of this project with her own comments and those of her consultants. Applicant hereby requests that the Planning Commission review and vote on the project without any further delay and not accept any additional comments by Ms. Boles and other consultants she may wish to hire with the sole intent to continue delaying the project's review and approval.

Sincerely,
Monterey Road Pacifica, LLC

By: 
John T. Kontrabecki
Manager