

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT
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W10a

A-2-PAC-19-0160 (PHOENIX CAPITAL CONDOS)

JUNE 10, 2020

CORRESPONDENCE

5 August, 2019
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco CA 94105-2219

Re: Pacifica CDP-395-18 for 1567 Beach Boulevard (APN 016-011-190)

Dear California Coastal Commission,

On June 24, 2019 Pacifica's City Council voted 3-2 to deny the appeal of Planning Commission approval of development at 1567 Beach Boulevard. I write to support the local appeal of the Council denial.

The project violates the certified 1980 LCP Policies 26a and 26b, General Plan and LCLUP policies 1 and 4, and raises questions about design character and parking issues.

a. There are serious risks to life and property.

- Overtopping is underestimated as documented in historic damage and resident testimony. The ongoing City proclamation of Emergency contradicts the current determination that this project is safe for the next 40 years.
- Discussion of the exposed north end of Beach Boulevard and the storm drain at the corner of the property is omitted. Both the northwest building and the driveway are at risk. With sea level rise and storm swell the storm drain can potentially back up and impact drainage from the site.
- The life of the RE wall is overestimated based primarily on examination of the straps and wall surface. Undermining of the wall caused by waves scouring out the beach has not been discussed as a reason for failure.
- Parallels to the seawall fronting 2212 Beach Boulevard property are misleading and inaccurate.
- Erosion calculations for seismic and static safety are limited to 3' SLR, do not consider the possibility that SLR may likely be higher in the next 75-100 years, and do not include the end of the road.

b. This project relies entirely on the existing RE wall as protective device against erosion and overtopping.

- The proposed buildings will certainly need a wall for future safety as sea level rises.
- There is no acknowledgement, only a tacit expectation, that the project will rely for protection on a new wall planned for the future by the City to protect wastewater infrastructure.

Consideration of this project is complicated both by the City's continuing Emergency Proclamation and by the unspoken assumption that the new wall to be built in the future by the City will solve all the site problems, keeping the residents and structures safe for a projected 75 years. To ignore present and increasing climate instability and the uncertainties of sea level rise or funding availability is unreasonable.

Thank you for your attention,

Margaret Goodale
1135 Palou Drive
Pacifica CA 94044

15 August, 2019
California Coastal Commission
45 Fremont Street, Suite 2000
San Francisco CA 94105-2219

Re: Pacifica CDP-395-18 for 1567 Beach Boulevard (APN 016-011-190)

Dear California Coastal Commission,

This letter is written in support of the Appeal of Pacifica City Council Decision of June 24, 2019 CDP-395-18 at 1567 Beach Boulevard, Pacifica, CA.

The purpose of this letter is to focus on 1) the **overwhelming number of safety issues** associated with development of this property, and, 2) the **constant misdirection, manipulation of figures and conclusions of the GSI report**. Any details of the information mentioned in this letter can be found in the appeals packet.

Here are some facts. For the sake of brevity, their number will be kept far short of what could be listed.

From Moffat & Nichols (M/N): For GSI to use ANY of the numbers from M/N, the SEA WALL must be kept in constant repair and the fronting BEACH (2212 Beach Blvd.) must be nourished to the END OF THE CENTURY. There is NO SEA WALL in front of 1567 Beach Blvd. (1567) In fact, there is NO BEACH (even in the summer) in front of 1567. Furthermore, there are no plans to nourish this non-beach in the future, let alone to the end of the century. Therefore, most to all of the NUMBERS AND CONCLUSIONS USING M/N IN THE GSI REPORT DON'T WORK for 1567!

The GSI report only considers MINIMUM SLR.

The GSI report fails to address the fact that a RE wall (in front of 1567) is NOT DESIGNED to resist wave loads from its ocean side.

A recent study has shown that WAVE RUN-UP can increase actual water height on a wall 300% to 500% over the actual SLR. E.g., 1 foot of SLR can, in actuality, show an increase of 3' to 5'.

Based on just the above, the GSI CONCLUSION THAT THE RE WILL LAST 40 MORE YEARS, let alone for the rest of the century, IS HIGHLY SUSPECT.

The NORTHWEST CORNER of the property WASN'T ADDRESSED in the GSI report. The protection at that location consists of revetment. Period. Furthermore, there is a ramp going from the end of Beach Blvd. to the sand below. Any storm coming from the NW will create havoc with the privately maintained rip-rap east of the end of the

road and use the ramp to wash up onto the property. The project site sits closer than 50' to the NW corner.

GSI actually PORTRAYS wave OVERTOPPING as being a BIGGER PROBLEM IN A 2002 REPORT than in its 2018 report on the 1567 property.

The GSI report claims that overtopping won't be any worse than 40' for the life of the report. However, based on both local observation and photographic evidence, Beach Blvd is regularly pummeled with dangerous and destructive overtopping waves and high velocity wave run-up. There have been multiple instances of OVERTOPPING ALREADY EXCEEDING THE 40' limit, and DAMAGE to property approximately 70' FROM THE WALL.

Even if the CCC goes against its guidelines and the Pacifica 1980 LCP and chooses to allow the RE wall into the discussion, it is very clear that the 1567 property may be under attack from the sea during construction. Even if the CCC goes against its guidelines and the Pacifica 1980 LCP and considers a non-existent Sea Wall to replace the RE wall, the new Sea Wall would need to be built several feet higher to control the overtopping, or, because there is no beach, continually pile rip-rap in front of the new Sea Wall. Furthermore, the NW corner with its ramp and rip rap east of the ramp would still be wide open to the sea. This property gives every indication of being the first to go along Beach Blvd.

Ideally, there should be no new building on this property. If development is allowed, setbacks from the northwest corner must be increased, the number of units should be minimized, and the first floor should be on risers with living space starting on the second floor.

Lastly, I know the City of Pacifica has an Indemnification Clause for the property. Would the CCC be kind enough to double check to make sure the clause is as strong as possible?

Thank you,

Stan Zeavin
Pacifica

From: Nancy Merchant <nmerch2009@gmail.com>
Sent on: Tuesday, October 15, 2019 9:28:10 PM
To: KoppmanNorton, Julia@Coastal <julia.koppmannorton@coastal.ca.gov>
CC: Rexing, Stephanie@Coastal <Stephanie.Rexing@coastal.ca.gov>
Subject: 1567 Beach Blvd. Pacifica (CDP 395-18) Additional Concerns
Attachments: USGS - Questions about CoSMoS Model - Gmail.pdf (3.52 MB),
Barnardetal_ScientificReports2019_CoSMoSDynamicImpacts.pdf (2.9 MB)

Hi Julia,

It was very nice to meet you and Stephanie last month. All of us appreciate that you both made the time to meet with us.

I have been curious about GSI's use of the CoSMoS model in their coastal hazards reports, especially without providing disclaimers or limitations of the model such as those they provided for the tsunami hazard model in the same report (GSI to Mr. John Hansen, 11/27/17). I reached out to Patrick Barnard at the USGS and would like to share our correspondence with you. I compiled the emails into a PDF so as to present it in the correct order (without having to read bottom to top) and also so I could incorporate my original attachment.

While I haven't had time to read the report Patrick sent (attached separately), many of the limitations of the model (pages 8-9) are certainly applicable to this site. For example:

"There is no accommodation for the potential failure of these structures [e.g., revetments, sea walls, berms] when stressed by future flooding events, yet some will undoubtedly fail and expose more residents and assets to flooding than estimated here."

The fact that GSI omitted significant information reinforces my grave concerns that GSI's reports are not the credible objective science they purport to be. Rather there is a consistent pattern of ignoring, obscuring or dismissing pertinent facts to clearly favor the developer's short-term interests at the expense of the risks to future home buyers' investments and (potentially) lives.

As I mentioned during the site visit, my biggest objection to this project (aside from any adverse impacts to the ocean or to the surrounding environment) is that it is in a hazardous location with even greater hazardous access that, in my opinion, is especially unacceptable for multi-unit housing because of the inherent conflicts of interest when the developer doesn't intend to reside there.

Thank you, Julia, for your ongoing consideration of the appeal. I hope you are having a pleasant week!

Best Regards,

Nancy Merchant
nmerch2009@gmail.com
(650) 922-0272

Margaret Goodale

1135 Palou Drive

Pacifica CA 94044

November 1, 2019

California Coastal Commission
North Central Coast District Office
45 Fremont Street, Suite 2000
San Francisco, CA 94105-2219

**Re: Appeal of Pacifica City Council Decision of June 24th, 2019
CDP-395-18 at 1567 Beach Boulevard (APN 016-011-190)
CCC ID# 2-PAC-19-1022**

Dear Coastal Commission Staff,

- Just what is an acceptable definition of “reasonable” economic benefit?

The Coastal Act promise of economic benefit serves as an incentive to build and profit and can be easily exploited by an investor whose intent is guaranteed profit.

Given the slow pace of sea level rise, today’s investment in coastal property has little immediate risk, but over time the risk will increase. Today’s investor in development may profit excessively knowing that eventually the land will be worthless or nonexistent.

- Who should share in the risk?

Is it reasonable to expect private profit and benefit without risk?

Is it reasonable to expect the new home buyer to suffer the losses?

Is it reasonable to expect the public to subsidize the losses and costs?

The development of 1567 Beach Boulevard assumes that the tax-paying public of Pacifica or the wider public will pay to protect the area from future risk and is a gift to the investor from the people of Pacifica who will ultimately absorb much of the cost for the future risks.

Sadly, the City of Pacifica MUST protect itself from the expectation that government will continue to help speculative buyers of coastal property. To ask new home owners to assume all the risk may seem unfair, yet iron-clad waivers and indemnification are absolutely necessary.

We would request that the CCC require indemnification be prominently displayed for all new coastal development permits issued by the State and City and include clear disclosure of specific dangers. Such information should be emphasized in any permit, contract or deed.

- What is reasonable and appropriate profit when that profit depends entirely on a public subsidy of the risk? Should the speculator be rewarded with the least amount of risk?

If the Commission chooses to allow building at the 1567 site, we hope that you will contradict city zoning and allow no more than one or two new residences placed well back on the site where it/they will not interfere with the inevitable relocation of city wastewater infrastructure.

Thank you for your consideration,

Margaret Goodale
Stan Zeavin
Pacifica CA