

ACTION MINUTES  
**DALY CITY PLANNING COMMISSION**  
Regular Meeting  
Tuesday, May 3, 2011  
Council Chambers, Daly City

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

ROLL CALL: Present: Lubiano, Bautista, Edelman, Crump, and Kelly  
Staff Present: Berger, Schott, Mothershead, Engfer, Naughton, and DeFries

APPROVAL OF MINUTES: Moved by Commissioner Kelly, seconded by Commissioner Crump, to approve the minutes of January 4, 2011. Motion carried 5-0.

**PUBLIC HEARINGS:**

**10. Minor Subdivision MS-3-11-3461. Design Review DR-3-11-3462 and Environmental Assessment to subdivide one lot into two lots in conjunction with the construction of two new single family residences – 218 Wellington Street**

Staff report presented by: Steve Engfer, Assistant Planner

Assistant Planner Steve Engfer presented the request by James Fogarty for approval of a minor subdivision and design review to subdivide one 5,136 square foot lot into two lots to build two single family residences. The existing parcel consists of a 51' wide street frontage along Wellington Avenue, between Brunswick and Winchester Streets. It is zoned R-3 with a General Plan Designation of Low Density Residential.

The resulting lots are 2,542 and 2,594 square feet, which meet the required minimum parcel size of 2,500 square feet. There will be a two unit net increase of density units, which meets the general plan density allowance. However, no secondary units will be allowed on the block as the allowed maximum has been reached.

The proposed structures are two-story with 2,512 square feet of living area and a 410 square foot garage. The resulting lot coverage would be 55%, which is in compliance with zoning regulations. Each residence would have four bedrooms and three bathrooms and would provide four off-street parking spaces, two side-by-side in the garage and two in the driveway.

The surrounding neighborhood includes two and three story structures of single family and multi-family dwellings. The proposed design is consistent with the City's Small Residential Design Guidelines. The proposed landscape plan includes a landscaped area on each side of the driveways and pavers are being used on the driveway and walkway area.

No members of the public spoke.

**COMMISSION ACTION**

Moved by Commissioner Kelly seconded by Commissioner Crump to close the public hearing. Motion carried 5-0.

Moved by Commissioner Crump, seconded by Commissioner Kelly, to adopt the findings as outlined in the staff report of May 3, 2011. Motion carried 5-0.

Moved by Commissioner Bautista, seconded by Commissioner Lubiano, to affirm the Environmental Assessment. Motion carried 5-0.

Moved by Commissioner Crump, seconded by Commissioner Kelly, to approve Minor Subdivision MS-3-11-3461 and Design Review DR-3-11-3462 subject to the Findings and Conditions as outlined in the staff report of May 3, 2011. Motion carried by a unanimous roll call vote.

**11. Use Permit UPR-3-11-3536 and Environmental Assessment for operating a therapeutic massage clinic franchise, “Art of Reflexology” – 3 Serramonte Center, Space 310-5K**

Staff report presented by: Steve Engfer, Assistant Planner

Assistant Planner Steve Engfer presented the request by Kitty Li to obtain a use permit for a massage use at Serramonte Center. It will be located in the tenant space near Macy’s. The site is zoned C-2 Heavy Commercial which requires a use permit for massage uses.

The Art of Reflexology started in 2005 and has seven locations in the Bay Area with sixty employees that are all independent contractors. They have locations in Stonestown and Tanforan shopping centers. The proposed location would employ four to eight therapists and their hours of operation would be the same as the shopping center. All therapists are professionally educated with a recommended 500 hours of school training and are required to carry professional liability insurance.

The Art of Reflexology will be required to go through a subsequent Police Department review after the Use Permit has been approved by the City Council. The tenant space is approximately 1,200 square feet in area and will consist of six back massage chair stations, six floor massage sofas and two massage rooms with two massage tables in each room. There will be a break room for employees, a linen storage room, a reception and waiting area.

As the proposal is not expanding the floor area of the Center, the parking is sufficient to accommodate the infill tenant improvement.

No members of the public spoke.

**COMMISSION ACTION**

Moved by Commissioner Crump seconded by Commissioner Lubiano to close the public hearing. Motion carried 5-0.

Moved by Commissioner Bautista, seconded by Commissioner Lubiano, to adopt the findings as outlined in the staff report of May 3, 2011. Motion carried 5-0.

Moved by Commissioner Bautista, seconded by Commissioner Kelly, to affirm the Environmental Assessment. Motion carried 5-0.

Moved by Commissioner Crump, seconded by Commissioner Lubiano, to approve Use Permit UPR-3-11-3536 subject to the Findings and Conditions as outlined in the staff report of May 3, 2011. Motion carried by a unanimous roll call vote.

**COMMUNICATIONS:**

**20. Preliminary Plan Review of Planned Development (PD-67) PD-12-10-3203, Zone Change ZC-4-11-3678, General Plan amendment GPA-12-10-3204 and Environmental Assessment CEQA-12-10-3205 for a pre-and re-zone of a portion of the site as Planned Development for the new construction of 50 residential townhomes; pre-zone one parcel of the site as R-2 Two Family Residential District (no development proposed for this site); and General Plan Amendment to designate both sites as Medium Density Residential (21-35 du/ac) – Various parcels located along 2<sup>nd</sup> and 3<sup>rd</sup> Avenues between Valley Street and A Street**

Staff report presented by: Jeannie Naughton, Associate Planner

Associate Planner, Jeannie Naughton, explained that the San Mateo County Local Agency Commission (LAFCo) requires that any property proposed for annexation from Unincorporated San Mateo County to a municipality must be pre-zoned before consideration by the LAFCo board. She introduced the Preliminary Plan review of a series of pre- and re-zoning entitlements that the applicant must secure prior to submitting the annexation application to LAFCo.

Ms. Naughton further explained that at the Preliminary stage, the Planning Commission should consider the proposed development and review the proposed land use, parking, circulation, and site plan. The Commission may either grant approval to the Preliminary Plan so that the application proceeds to the Precise Plan stage, where additional entitlements, including Zone change, General Plan amendment and CEQA review will be brought forward, or request the applicant revise the Preliminary Plan prior to it proceeding to the Precise Plan stage. Preliminary Plan action does not limit the commission's ability to approve, conditionally approve or deny the Precise Plan. The Planning Commission's action on the Preliminary Plan will be forwarded to the City Council as a communication item.

The project site area is located along 2<sup>nd</sup> and 3<sup>rd</sup> Avenues between Valley Street and A Street. The two northernmost parcels on 2<sup>nd</sup> Avenue are located in Daly City and zoned R-1 single Family residential. The rest of the project area is located in Unincorporated San Mateo County and also have a single family residential zoning designation. The northernmost parcel located on the west side of 3<sup>rd</sup> Avenue is proposing a pre-zoning designation of R-2 Two Family Residential District, although no development is proposed for this site. It is currently developed as a single family residence. The surrounding uses are mostly single family homes.

The proposed project includes the pre-zoning of the 6,000 sq. ft. site on Third Avenue to R-2 Two Family Residential, the pre- and re-zoning of approximately 1.76 acres to Planned Development PD67, for the new construction of fifty (50) townhouse units, resulting in a density of 29 dwelling units per acre, which is in line with the proposed GPA proposal of Medium Density Residential, which allows 21-35 units per acre. The units count would consist of 25 2bdrm/2.5 bath units and 25 3-bdrm/2.5 bath units. The project would provide parking on a 1 space per bedroom basis, 25% more than what is currently required by Code, and the pre-zoning of one parcel of the site (320 Third Avenue) as R-2 Two Family Residential District, in conjunction with a General Plan Amendment to designate the entire project area as Medium Density Residential.

Two of the parcels are located in Daly City and require Re-zone to PD, while the rest of the parcels are located in Unincorporated San Mateo County and require Pre-Zone prior to annexation.

Twenty-two units will front 2<sup>nd</sup> Avenue on the west side of the street, while twelve units will front 2<sup>nd</sup> Avenue on the east side of the street. The remaining sixteen units will front 3<sup>rd</sup> Avenue on the west side of the street. The average overall building height of the development is approximately thirty-six feet. Each unit will be three stories, consisting of one level of parking, two levels of living area and a partial fourth floor, consisting of attic space and a private roof terrace.

Once the applicant has secured the entitlements for the project, he may apply to LAFCo for annexation into Daly City. This can take two to five months for processing. LAFCo can also continue a hearing for up to 70 days, and once approved, there is a 30 day waiting period before LAFCo can record the certificate of completion.

Once the applicant has completed the annexation process with LAFCo, he will return to file the application for Major Subdivision and Design Review entitlements for the Planned Development District (PD-67).

Commissioner Kelly stated that 2<sup>nd</sup> Avenue was not in very good shape and asked if there were plans to do street improvements before any development began. Ms. Naughton answered that there were plans to widen and improve the street per City Standards with sidewalk, curb and gutter, which would allow for on-street parking on both sides. They are also requiring the applicant to underground utilities across the project's frontages.

Commissioner Bautista asked how far this development would be from the closest BART station and Ms. Naughton replied that it is less than a quarter of a mile from Colma BART. Commissioner Bautista recommended that the applicant research opportunities for Transit-Oriented Development funds for the project and also suggested that the project incorporate sustainable features. Ms. Naughton confirmed that sustainability seemed to be a priority for the applicant as they are proposing large amounts of open space with native landscaping and have proposed innovative storm water treatment options.

Commissioner Edelman suggested that the developer pursue green building techniques beyond what is required by Code and make the project as sustainable as possible. Commissioner Kelly questioned the community's response to the project and asked what outreach had been done. Ms. Naughton responded that there was a community meeting, but the City was not involved, nor did staff attend the meeting. She said staff had not been contacted by neighbors and hadn't received any feedback.

Speakers: Dan Ionescu, architect for project  
Brian Desler, project applicant  
Richard Rocchetta, Hillside Homeowners' Improvement Association

Dan Ionescu, an architect for the project, assured the Commission that their project was as sustainable as possible, noting that 42% of the project will be landscaped with drought tolerant native vegetation. The parking will be under buildings only, no at grade parking.

Commissioner Bautista asked what efforts were made to communicate with neighbors. Mr. Ionescu said that they had a community meeting and that 50-60 neighbors attended the two and half hour meeting. He thought the meeting was positive and very helpful. Neighbors wanted condos, not apartments and discussed security aspects and the water tower. He felt that by the end, the attendees were supportive of the project.

Commissioner Edelman questioned the economic viability of the project and asked what the units would be selling for and if they were market rate or affordable. The applicant, Brian Desler assured the Commission that they were longtime property and business owners in Daly City and that they intended to build a high quality project. He further stated the project would comply with the provisions of the Inclusionary Housing Ordinance.

Richard Rocchetta, president of the Hillside Homeowners' Improvement Association, concurred with Mr. Ionescu that the community meeting was positive. He discussed the project at the Association's board meeting and they support the project, but are concerned about the absence of onsite guest parking and the amount of storage space allotted for each unit. He is afraid that people will use a parking space for storage area. He concluded that it looked like a good project and generally supported the development.

#### COMMISSION ACTION

Moved by Commissioner Kelly, seconded by Commissioner Crump, to approve the Preliminary Plan for Planned Development PD-67. Motion carried by a unanimous roll call vote.

#### **ADJOURNMENT:**

Moved by Commissioner Kelly, seconded by Commissioner Crump, to adjourn at 7:45 p.m.

Respectfully submitted,



Richard Berger  
Director of Economic and Community Development