

ACTION MINUTES
DALY CITY PLANNING COMMISSION
Regular Meeting
Tuesday, July 5, 2011
Council Chambers, Daly City

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

ROLL CALL: Present: Lubiano, Bautista, Edelman, and Kelly
 Absent: Crump

 Staff Present: Schott, Mothershead, Naughton, Engfer and DeFries

APPROVAL OF MINUTES: Moved by Commissioner Bautista, seconded by Commissioner Kelly, to approve the minutes of June 7, 2011. Motion carried 4-0.

PUBLIC HEARINGS:

10. Use Permit UPR-5-11-3880 and Environmental Assessment for the operation of a health and fitness club – 263 Lake Merced Boulevard, Suite S111

Staff report presented by: Jeannie Naughton, Associate Planner

Commissioner Kelly recused herself from this item.

Ms. Naughton introduced the use permit application for a Fitness 19 health and fitness club in the Westlake Shopping Center. The tenant space is located in Building S, behind Building W, which is the parking structure. The tenant space is at the basement level and is accessed on the west side of the building, facing the back of the parking structure.

The proposed floor plan shows Fitness 19 utilizing approximately 12,000 square feet for the health and fitness club, while Kimco Realty will maintain approximately 900 square feet as storage space. All new signage will require separate building permits and will be compatible with existing signage and conform to the Signage Master Plan for the shopping center.

Proposed operating hours are 5:00 AM to 11:00 PM seven days a week. Fitness 19 is a national chain of franchised fitness centers located in twenty-seven states, with forty-seven locations throughout California.

Commissioner Lubiano questioned the hours of operation, noting that they will be open later than most stores in the center and asked if there were any security issues, including lighting along the tenant façade, security patrols, and pedestrian safety. Ms. Naughton replied that lighting is maintained in the walkway and parking lot, but the applicant could better answer that question. Commissioner Edelman had similar concerns and questioned pedestrian access between the parking structure and the tenant space.

Speaker: Todd Dewell, Kimco representative

Mr. Dewell addressed the commissioners concerns noting that they have 24/7 security with multiple security officers day and night, including four security personnel between the hours of 9:00

PM and 6:00 AM, with the use of one vehicle. Mr. Dewell also explained that part of the patrol included driving through the entire parking structure. He said the area is lit in the evening with canopy lights underneath Petco and running along the garage, as well as wall packs that shine directly on the street. The security office is right above the Westlake sign. The breezeway that connects this area to Main Street is also well lit. He said that security and lighting has been considered and they do not anticipate any changes there.

Mr. Dewell then addressed Commissioner Edelman's question, stating that the existing parking structure had minimal parking on the ground floor and in fact, it is mostly handicap parking. All the parking will take place on Levels 2-6 and there are two elevators that service the parking structure. Commissioner Edelman asked if the security guards patrolled the parking structure and if there were security cameras. Mr. Dewell responded that security does patrol and it is part of their routine to drive into the parking structure and drive all the way to the top and back down. He did not think there were security cameras, but would check with property management.

COMMISSION ACTION:

Moved by Commissioner Bautista, seconded by Commissioner Lubiano to close the public hearing. Motion carried 3-0.

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

Moved by Commissioner Bautista, seconded by Commissioner Lubiano, to affirm the Environmental Assessment. Motion carried 3-0.

Moved by Commissioner Bautista, seconded by Commissioner Lubiano, to approve Use Permit UPR-5-11-3880 subject to the Findings and Conditions outlined in the staff report of July 5, 2011, with the addition of looking into security cameras for the garage. Motion carried by unanimous roll call vote (3-0).

11. Zone Text Amendment ZC-4-11-3650 and Environmental Assessment to amend chapter 17.34.020 (O) of the Zoning Ordinance pertaining to the parking requirements for service station with accessory use.

Staff report presented by: Steve Engfer, Assistant Planner

Mr. Engfer presented the request by Muthana Ibrahim, of MI Archtiects, to amend Chapter 17.34.020 (O) of the Zoning Ordinance pertaining to the requirements for service station with accessory use parking. Daly City Municipal Code regulates the provisions of adequate off-street parking and establishes the design standards for all required parking areas. The code ensures that off-street parking requirements reflect the minimum supported by recognized parking demand studies.

This request is to amend the code section for the Service Station with Accessory Use only. No other parking code changes are proposed or being considered by this text amendment. There are basically four components to this code section: service station, retail accessory use, car wash queuing, and under canopy parking. There are no changes proposed to the service station component. The change proposed to the retail accessory use is from one space per 200 square

feet to one space per 300 square feet of gross floor area. This change is both consistent with other retail uses of a similar nature throughout the city and also the ITE manual studies for similar convenience store uses. In addition, the service station use itself still requires two spaces.

The existing code requires five additional parking spaces for the accessory car wash use. Car wash uses have changed over time from full handwash car washes to the current fully automated car washes. The proposed change would be to consider queuing lanes for required parking as there is no additional lot space being used by car wash customers. In addition, consideration of any queuing is still in relation to the parking and circulation plan for a site.

The proposed change to the fuel dispensary/canopy area component would allow consideration of this area to contribute to parking under a use permit in all but the M(Industrial) zoning district, which would be allowed at the discretion of the ECD Director. If there is a proposal to incorporate more than one accessory use, then a code allowance to consider up to 50% of the fuel dispensary area as required parking would be permitted. This allowance will not preclude the requirement for a Use Permit.

The proposed amendments are designed to support consistency in the application of parking regulations for service stations with accessory uses throughout the City. Upon review of previously permitted service station conversions, it was found that separate parking code interpretations were applied. As a result staff believes that the code needs to be clarified.

Commissioner Edelman wanted to clarify that the zone text amendment was to end any confusion on how the current code is interpreted and not for a specific service station. Mr. Engfer assured him that was correct and any future projects for service stations with accessory uses would be required to obtain a use permit subject to Planning Commission and City Council review.

Commissioner Lubiano questioned the motivation behind the amendment. Mr. Engfer explained that the applicant came in to make changes to a couple of gas stations and found inconsistencies in the zoning ordinance interpretation for each station. Staff decided to remedy the inconsistencies and clarify the code for future interpretations.

Speaker: Muthana Ibrahim, MI Architects, Inc.

Mr. Ibrahim explained the inconsistencies he faced when he brought in his projects and spoke in favor of the amendment.

COMMISSION ACTION:

Moved by Commissioner Kelly, seconded by Commissioner Lubiano to close the public hearing. Motion carried 4-0.

Moved by Commissioner Bautista, seconded by Commissioner Kelly, to adopt the findings as outlined in the staff report of July 5, 2011. Motion carried 4-0.

Moved by Commissioner Lubiano, seconded by Commissioner Kelly, to affirm the Environmental Assessment. Motion carried 4-0.

Moved by Commissioner Bautista, seconded by Commissioner Kelly, to approve Zone Text Amendment ZC-4-11-3650 subject to the Findings and Conditions outlined in the staff report of July 5, 2011. Motion carried by unanimous roll call vote (4-0).

ADJOURNMENT:

Moved by Commissioner Kelly, seconded by Commissioner Bautista, to adjourn at 7:30 p.m.

Respectfully submitted,



Richard Berger
Director of Economic and Community Development

gd