

ACTION MINUTES
DALY CITY PLANNING COMMISSION
Regular Meeting
Tuesday, February 7, 2012
Council Chambers, Daly City

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

ELECTION OF OFFICERS: Nominated by Commissioner Crump, seconded by Commissioner Bautista to elect Commissioner Kelly as Chair. Motion carried 5-0.

Nominated by Commissioner Edelman, seconded by Commissioner Bautista to elect Commissioner Crump as Vice Chair. Motion carried 5-0.

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

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

APPROVAL OF MINUTES: Moved by Commissioner Edelman, seconded by Commissioner Bautista, to approve the minutes of November 1, 2011. Motion carried 5-0.

PUBLIC HEARINGS:

10. **Major Subdivision SUB-7-11-4269, Use Permit UPR-7-11-4270, Zone Change ZC-10-11-4681, Design review DR-7-11-4272 and Environmental Assessment CEQA-7-11-4271 for new construction of a 66-unit residential townhouse development; re-zone a portion of the site from R-1 Single-Family Residential to R-3 Multiple-Family Residential – Peoria/Wellington, Lausanne Avenue, Chelsea Ct**

Staff report presented by: Jeannie Naughton, Associate Planner

Ms. Naughton presented the request for a series of entitlements that would allow the new construction of 66 townhome units, including re-zoning a portion of the property that is currently zoned R-1 to R-3. The approximately 4.91 acre site area is located at the western termini of Peoria Street and Wellington Avenue (paper street), the northern terminus of Lausanne Avenue and the southern terminus of Chelsea Court. It consists of one parcel where the majority of the site is zoned R-3 Multi-Family Residential District while a 9,400 square foot portion is zoned R-1 Single Family Residential. A re-zoning is therefore required to provide a consistent zoning designation on the property.

The project site is currently undeveloped, but has been disturbed in the past, with quarry operations on portions of the site that ceased to operate in the late 40's and 50's. The site is surrounded entirely by existing development. Sixty-two units will be located on the upper portion of the site and will have two points of vehicular access, with the main access gate located along Lausanne Avenue. The primary gate will be wide enough for a vehicle to be pulled over at the entry pillar, while another vehicle passes with an entry remote.

The secondary gate will be located along Peoria Street and will be accessible only by residents that have a remote for the gate. It will provide both ingress and egress. The remaining four units

fronting Chelsea Court will have one point of vehicular access at the northern end of the site, with no gate proposed.

Ms. Naughton mentioned that staff received correspondence citing concerns regarding the project's impact on traffic volume on the streets on the east side of the project. There was also concern about on-street parking conditions. The project is expected to generate 27 morning peak period vehicular trips and 43 evening peak period vehicular trips. This volume of trips is not considered a significant impact to the adjacent street network. The traffic study submitted for the project states that no study intersection would be significantly impacted by the project.

The project will consist of eleven separate buildings – ten on the upper portion of the site and one on the lower portion of the site. Site retaining walls will be located along the perimeter of the development, both on the upper and lower portions. Correspondence was also received regarding concerns of hillside destabilization as a result of the project, above Chelsea Court. The applicant has submitted a preliminary geotechnical report, along with preliminary structural calculations illustrating feasibility of the construction of the site retaining walls. Soils reports are required wherever future development is intended, prior to grading or issuance of a building permit.

Several sections of retaining walls will be immediately adjacent to property lines, such as the southeast and northwest corners of the site. In both of those locations, they will be constructing a type of retaining wall called soldier pile walls, which will not require soil nails that would cross property lines. This is critical because the southeastern portion of the site is adjacent to the boundary of the San Bruno Mountain Habitat Conservation Plan (HCP) and the northwestern corner of the site is adjacent to three single family residential lots. If typical shotcrete walls that utilize tie backs or soil nails were proposed, the applicant would have to obtain easements from the adjacent property owners as well as go through a separate review process with the County of San Mateo.

Block wall retaining systems or Keystone walls are used throughout the development. Large shrubs will be planted on the uppermost tier of retaining walls, while smaller shrubs and vines will be planted on subsequent wall levels, moving down the hillside. A condition of approval has been added to address yearly landscaping inspections to ensure the landscaping is maturing appropriately for the first five years following installation.

The contemporary design incorporates elements of Spanish-revival and Tuscan architectural styles. The surrounding neighborhood contains an eclectic mix of architectural styles, where no one type is dominant. Building heights will vary slightly, but all buildings are in compliance with the maximum 36-foot height limit of the R-3 Multi-Family Residential District.

There are six different Plan types for the development, but all are at least two bedroom/two bathroom and all have two-car parking in the garage. Some units have rear yards. Twenty percent of the project's units, or 13 units, will be sold at an affordability level of 100% area median income or AMI, and will be providing the resulting fractional obligation in the form of an in-lieu fee. Once the affordable housing plan has been approved by the City Manager, an Inclusionary Housing Agreement will be executed between the City and the applicant and recorded with the County of San Mateo.

The applicant has submitted a preliminary landscape plan with a proposed plant and tree palette for the project which will incorporate an underground irrigation system that will be designed to make efficient use of water through conservation practices. Canopy trees are proposed to border a majority of the site, as well as additional trees proposed for interior portions of the site, along common space areas and the guest parking area. All final landscaping choices must comply with the City's landscaping ordinance. During the building permit submittal process, a more detailed plant and tree palette will be created, based on results of soil reports and recommendations for the site.

There are two mitigation measures recommended for this project. The first is that pre-construction surveys for raptors and migratory songbirds be conducted, should construction activities take place during the nesting season. If nests are found in any of the trees or shrubs on or adjacent to the property, adequate protection must be ensured until the young have fledged the nest. The second mitigation measure is that property boundary surveys be conducted and adequate protection be put into place for the HCP boundary prior to and during all site clearing and construction activities.

Commissioner Lubiano was concerned about hillside stability and asked if there were driveways that could be used for parking. Ms. Naughton replied that there were two garage spaces for each unit and there were 21 guest parking spaces.

Commissioner Bautista asked if the utility easement for a 10' pipeline was to be abandoned and what was currently being done about erosion. Ms. Naughton said that the applicant is working with PG&E, although the pipeline is not in use.

Speakers: Ray Panek, KB Home South Bay, Inc., applicant
Pat Stevens, Stevens, Ferrone & Bailey Engineering Co.
Jason White, Civil Engineer, RJA
Ping Hsu, property owner at 25 Lausanne Avenue
Rich Mowdy, representative, Pointe Pacific Homeowners' Association
Anna Biondini, property owner on Chelsea Court
Fleur Reynolds, property owner at 362 Peoria Street
Judy Reed, property owner at 109 E. Vista Avenue
Rick Pacheco, property owner at 161 E. Vista Avenue
Mandy Chan, resident on E. Vista Avenue

Mr. Stevens, a civil and geotechnical engineer, addressed the questions about erosion control and said that there is currently no erosion control, but that serious problems exist and this project will eliminate the current problems. All water now goes down the slopes and onto other properties. When the retaining walls are built and improvements made, 70% of the water will be controlled and erosion issue should be eliminated. Mr. Panek added that they would have to work on the walls first, which would require them to put in temporary catchment basins. He said the site was designed for balance for a couple of reasons, the first being economic and the second being they don't want to have trucks hauling in and out of the site.

Commissioner Kelly wanted to confirm that the property owner is not currently doing anything to mitigate the drainage problems and if they were addressing neighbor's concerns. Ms. Naughton replied that staff would follow up with Code Enforcement and check for complaints and have them contact the owner at Chelsea Court that wrote the letter.

Commissioner Bautista asked about sustainability, architecture, and if there were any green building measures. Mr. Panek replied that their buildings are Energy Star rated and green point rated at 100 points plus.

Commissioner Bautista then asked about the schedule. Mr. Panek said they would possibly be breaking ground in September or October for the walls. It takes six months to get plans. They would probably start building construction in 2013 and finish in 2014.

Commissioner Crump wanted the plant palettes to complement species in the HCP and to make sure not to use any invasive species. He suggested they use fescue, which has been used with great success at the Crown Colony complex.

Commissioner Kelly voiced her concern about construction noise and reminded the applicant to adhere to the City's ordinance regarding working hours and not start early or work late. She also asked if they would be enforcing rules for guest parking. Mr Panek replied that KB Homes had done a lot of similar projects and they always have a project sign with the phone number of the project superintendent for any complaints. They are aware of noise ordinances. There will be a homeowners' association and they go over the parking policies at the first meeting. They will have cars towed to enforce the guest parking rules.

Commissioner Kelly noted that currently there is diagonal parking on Chelsea Court and wondered if that would still be allowed with the increased traffic. Ms. Mothershead said she would check with Public Works staff to see if it would still be allowed.

Commissioner Bautista asked if there were any special seismic conditions for retaining walls. Ms. Naughton replied that it was not in a special seismic area and they will have to adhere to strict provisions in our building code. Commissioner Bautista wanted to make sure that the retaining walls are specific to the project and specified in the final map and the structural issues are addressed in the plans.

Mr. Panek spoke about the challenges of the project and this unique site. They spent lots of time working through issues with staff. Some of the issues that framed the plan were points of access at Lausanne and Peoria, the grade and topography, with a 16' drop between Peoria and Lausanne and a 92' drop between Peoria and Chelsea. There are also issues with the site grade, limited amount of flat area, sewer constraints and erosion and runoff. There was a soils report to see if it would be a viable project in terms of walls and foundation. The walls will help eliminate the erosion problem for houses on Chelsea Court. They minimized as best they could the height of the walls and tried to keep them below 10', although some are higher. There are walkways around the site and open space and the architecture is a more traditional style in keeping with the neighborhood.

Commissioner Crump commented that he really like the look of the project, including the architecture and interior layouts. Commissioner Kelly asked if there had been any neighborhood meetings or contact with those adversely affected. She was told there had not been any meetings. Commissioner Kelly suggested that before any work began, they put up a sign with contact information for the neighbors.

Mr. Ping Hsu, who developed a project on Lausanne several years ago, said that the City asked him to do lots of things, including enlarging the water service line, building a pump station on top of site and improving the park landscaping. He said a project should benefit the community and wanted to know what benefit this project provided. He also asked about the easements for the waterline. Ms. Naughton replied that regarding the benefit to the community, the developer would be required to pay park-in-lieu fees for the maintenance and creation of city parks and also AB1600 fees as well as school fees. These are typical costs that every developer is required to pay. Regarding the access easements for the waterline, the Water/Wastewater Resources Department requires a 20' easement for all waterlines. The applicant has worked with DWWR and their Conditions of Approval address these issues. Commissioner Bautista asked if the applicant had been in touch with the DWWR regarding the Water Masterplan. Ms. Naughton said they had been working with DWWR and Public Works and they have been required to retain Brown and Caldwell to do a water study for the project site and area in general and will be required to make the necessary upgrades. Commissioner Bautista asked about the outcome of the study. Mr. White, one of the project engineers, responded that they study was completed by Brown and Caldwell and given to DWWR, but they had not seen the study yet, but Conditions of Approval do require them to comply.

Rich Mowdy, representing Pt. Pacific Homeowners Association, had one concern, which was the reservoir above the southeast corner of the property. He is concerned about the cut and tiered wall and the mass and weight of the reservoir. He wants them to be sure that when the cut into the hillside, the retaining wall can sustain the weight.

Anna Biodini, owner of property on Chelsea Ct., was concerned about the wall and if it collapsed, who would be responsible. She also was worried about construction dust and mess on her building. Ms. Mothershead replied that the Homeowners' Association would be responsible if the wall collapsed.

Fleur Reynolds, property owner on Peoria Street, voiced her concerns about parking and worried that her street would become a thoroughfare. She asked what was to keep residents from the new complex from parking on their streets and walking in. She stated that parking on Peoria Street is already a nightmare. She is concerned about quality of life and accessibility to her own home. She also wanted to know where the workers would be parking during construction and if a lot of trucks would be using Peoria Street and if it would be a main access point to the complex. Ms. Mothershead responded that they would have to develop a haul route with Public Works. Commissioner Bautista suggested a Condition of Approval to provide worker parking off site and shuttle workers to project site. Ms. Mothershead stated that for fire purposes, roads need to be the first thing built in the interior of the development. Ms. Schott, Assistant City Attorney, said that Engineering does limit the parking on the street. Ms. Reynolds asked if Wellington will be paved and Ms. Naughton replied that it would not and would remain a paper street.

Judy Reed, a resident of E. Vista Avenue, spoke against the project. She felt it was too large of a development for the site and makes the environment worse. She said there is already storm water and waste problems and too much concrete won't be able to absorb the water.

Rick Pacheco, a resident of E. Vista Avenue, spoke against the project. He grew up in the area and spent lots of time on the mountain and feels it's a shame to see the hill gone and covered by buildings. He suggested a park be created on the site.

Mandy Chan, a resident of E. Vista Avenue, spoke against the project. She was sad to lose her view and concerned for the stability of the site.

COMMISSION ACTION:

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

Moved by Commissioner Edelman, seconded by Commissioner Bautista, to adopt the findings as outlined in the staff report of February 7, 2012. Motion carried 5-0.

Moved by Commissioner Crump, seconded by Commissioner Bautista, to affirm the Environmental Assessment and recommend that the City Council adopt the Mitigated Negative Declaration. Motion carried 5-0.

Moved by Commissioner Edelman, seconded by Commissioner Crump, to approve Major Subdivision SUB-7-11-4269, Zone Change ZC-10-11-4681, Use Permit UPR-7-11-4270, Design Review DR-7-11-4272 and Environmental Assessment CEQA-7-11-4271 subject to the Findings and Conditions outlined in the staff report of February 7, 2012. Motion carried by unanimous roll call vote (5-0).

COMMUNICATIONS:

ADJOURNMENT:

Moved by Commissioner Crump, seconded by Commissioner Bautista, to adjourn at 8:10 p.m.

Respectfully submitted,



Brian Millar
Director of Economic and Community Development