

ACTION MINUTES
DALY CITY PLANNING COMMISSION
Regular Meeting
Tuesday, April 3, 2012
Council Chambers, Daly City

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

ROLL CALL: Present: Edeleman, Kelly, Crump and Sylvester
Absent: Lubiano

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

APPROVAL OF MINUTES: Moved by Commissioner Edelman, seconded by Commissioner Sylvester, to approve the minutes of March 6, 2012. Motion carried 4-0.

PUBLIC HEARINGS:

10. Use Permit UPR-1-12-5024 and Environmental Assessment for tenant improvement for church use – 92 Hill Street

Staff report presented by: Steve Engfer, Assistant Planner

Mr. Engfer presented the request by Weniel Pechardo, representing Harvest Baptist Church, for tenant improvement for a church use. The proposed church activity schedule includes two Sunday worship services and other activities.

The project site is a 9,661 square foot lot with a vacant building. The previous use was the Philippine Grocery retail store. The site is zoned R1-B Single-Family Residential, BART Station Area Specific Plan Combining District. The specific Plan Designation is Neighborhood Commercial.

The proposal includes the interior remodel of the 5,493 square foot building to include a lobby, Sunday school meeting rooms and an auditorium with 60 fixed seats along with parking layout modifications and minor exterior alterations. The Zoning Ordinance requires one parking space for each six permanent seats in the main auditorium for a church use. Therefore the applicant's ten proposed spaces meet the parking requirements.

In the event that the church congregation grows and additional seats are proposed, additional parking arrangements will be required. Staff included a condition of approval requiring review of any proposed expansion of the seating area. Also proposed are a new paint scheme and a Harvest Baptist church sign, which require review and approval by the Economic & Community Development Department.

Speaker: Pastor Win Pechardo, Harvest Baptist Church

Pastor Pechardo stated that he and several members of their congregation were here to support the project. They love this city and community and pray that we will approve their project.

COMMISSION ACTION:

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

Moved by Commissioner Edelman, seconded by Commissioner Crump, to adopt the findings as outlined in the staff report of April 3, 2012. Motion carried 4-0.

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

Moved by Commissioner Sylvester, seconded by Commissioner Edelman, to approve Use Permit UPR-1-12-5024 subject to the Findings and Conditions outlined in the staff report of April 3, 2012. Motion carried by unanimous roll call vote (4-0).

11. Planned Development PD-2-10-1726 (PD-66), General Plan Amendment GPA-2-10-1725 (GPA 08-1) and Environmental Assessment CEQA-3-12-5237 for review of the Preliminary Plan for progression to a Precise Plan for a Planned Development allowing 16 residences on a 1.835 acre parcel – Vacant parcel west of the intersection of Martin Street and Steve Courter Way

Commissioner Edelman recused himself from this item.

Staff report presented by: Steve Engfer, Assistant Planner

The applicants, BTM Group, represented by David Beaumont of CKS Environmental, and Tom Carey, representing property owner Billy Rose, are proposing a Planned Development to allow 16 residences on a 1.84 acre parcel. Mr. Engfer explained that the Commission would be considering the Preliminary Plan for a progression to a Precise Plan at a later date.

The site is located off Steve Courter Way and fronts the unimproved Martin Street right-of-way west of the Summit Ridge Subdivision. The General Plan Land Use Designation is Commercial Retail and Office. The zoning is Pre-Planned Development.

The proposal is for a 16-lot subdivision, with lots ranging in size from approximately 1,400 to 2,400 square feet, with the intent to build one detached single-family dwelling per lot. The dwelling will range from 1,800 to 2,000 square feet in size. An extension of Martin Street is proposed for access. There is also a proposed private drive.

The Redevelopment Agency granted conceptual approval of a plan for this site in April 2007. A Preliminary Plan was brought to the Planning Commission in January 2011. The Planning Commission denied the Preliminary Plan as it did not meet City requirements as proposed. Since that time, the applicant has worked with City staff to provide a Preliminary Plan that could meet City requirements. The changes include meeting emergency access design standards for the on-site private drive and hammerhead turnaround, alignment of proposed Martin Street, preliminary on-site looped water system layout, parking, and demonstration of potential connectivity of the proposed Martin Street extension to adjacent properties.

The site will maintain approximately one acre as private open space. Proposed parking is two spaces in the garage and two in the driveway, which meets the zoning ordinance requirements for residential parking.

The project requires review and approval of a General Plan Amendment to change the land use designation from the existing Commercial Retail and Office to a Low Density Residential designation; a Planned Development Zoning District change from Pre-Planned Development to Planned Development; an environmental review consistent with CEQA; a subdivision for the proposed 16 lots; and Design Review for consideration of the architectural and landscape designs. These will be considered when the project comes back for Precise Plan review.

Speaker: David Beaumont, CKS Environmental, representing BTM group

Mr. Beaumont wanted to highlight some accomplishments, such as providing double the parking required as well as aesthetics. Since the entry is through the Summit Ridge development, their intent is not to mimic, but rather complement that project. He also stated that they held three meetings with the Bayshore community and received and welcomed their input. He went on to say that they plan to submit the tentative map this summer.

COMMISSION ACTION:

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

Moved by Commissioner Sylvester, seconded by Commissioner Crump, to approve the Preliminary Plan for PD-2-10-1726 (PD-66). Motion carried by unanimous roll call vote (3-0).

12. Use Permit UPR-4-11-3652, Design Review DR-4-11-3653 and Environmental Assessment for the demolition and reconstruction of a service station with retail and automated car wash accessory uses – 950 Hillside Boulevard

Commissioner Sylvester recused himself from this item.

Staff report presented by: Steve Engfer, Assistant Planner

Mr. Engfer introduced the application by Muthana Ibrahim of MI Architect's Inc., for the demolition and reconstruction of a Shell service station with accessory uses at the northwest corner of E. Market Street and Hillside Boulevard. The site is zoned I-D (Interim District) and has a General Plan Land Use Designation of Commercial retail and Office. Service stations with accessory uses require a use permit in the I-D zoning district. The proposed use conforms to the General Plan Land Use designation.

The project site is an existing Shell service station with an office, service bays, fuel dispensary area with canopy and snack shop. The existing Shell station obtained Use Permit approval by the City Council in 1987. The site is a 17,942 square foot lot and the applicant proposes to demolish the existing service station buildings totaling 1,809 square feet. He intends to construct a new 2,400 square foot convenience store, a 900 square foot automated drive-thru

car wash with a queuing lane, a new trash enclosure, new fuel dispensary area canopy, signage, landscaping and modify the parking layout.

The proposed configuration places the convenience store, automated car wash with queuing lane, trash enclosure and parking on the northern portion of the lot. Access driveways, drive aisles, fueling area canopy, corner pylon sign and underground fuel tanks are located on the southern portion of the lot. The site is currently accessed by four driveways and the project proposes three driveways, which meet City requirements.

The proposed service station with convenience store requires a minimum of ten parking spaces. There are a total of seven parking spaces proposed and the applicant is proposing to use the canopy fuel dispensary spaces to meet the remaining parking requirement. Additionally, the car wash accessory use requires five spaces and the queuing lane spaces may be counted towards this provided the queuing lane does not encroach into the drive aisles, right-of-way or designated parking areas. The queuing lane accommodates seven vehicles and therefore exceeds this requirement.

The proposed hours of operation for the site are the same as the current hours. The existing business is open daily, 24 hours a day, 7 days a week. The car wash hours are proposed 7 AM to 10 PM daily. Staff has recommended that the hours of operation for the car wash be reduced to 8 AM to 9PM in order to alleviate any potential noise impact from the car wash operation to nearby residences.

The signage proposal includes two new building signs identifying the food mart and car wash. Both signs total approximately 34 square feet. The canopy signage proposed is approximately 82 square feet for a Shell brand logo and two-color panel. Although the existing pylon sign will be upgraded, there are no height or width changes proposed. The total proposed sign area is approximately 156 square feet and complies with City regulations.

Commissioners Edelman and Kelly stated that they would like to make sure that contact information be available to the neighbors in the event there are noises or other operational activity concerns and/or complaints anytime in the future.

Speakers: Muthana Ibrahim, MI Architects, Inc., applicant
Nick Goyal, Shell station owner

The project applicant, Muthana Ibrahim of MI Architects, Inc., and Nick Goyal, Shell Station owner, explained to the Commission that an attendant would be available 24 hours per day for any neighbor inquiries or complaints that could arise from the car wash or other operational activities. The applicant and the owner also spoke in favor and requested approval of the project. They will do the noise study as requested and don't want to upset their neighbors.

Commissioner Edelman asked about alcohol sales, and staff notified the Commission that the applicant has expressed intentions to sell alcohol at the site in the future. The applicant would have to apply to ABC for an alcohol sales permit, and if rejected, then would be required to submit a Public Convenience and Necessity application for consideration by the City Council.

COMMISSION ACTION:

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

Moved by Commissioner Edelman, seconded by Commissioner Crump, to adopt the findings as outlined in the staff report of April 3, 2012. Motion carried 3-0.

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

Moved by Commissioner Edelman, seconded by Commissioner Crump, to approve Use Permit UPR-4-11-3652 and Design Review DR-4-11-3653 subject to the Findings and Conditions, including the hours of the car wash to be 8AM to 9PM, outlined in the staff report of April 3, 2012. Motion carried by unanimous roll call vote (3-0).

13. Use Permit UPR-1-12-4998, Design Review DR-1-12-4999 and Environmental Assessment for the establishment of a new Taco Bell restaurant with a drive-thru – 7255 Mission Street

Commissioner Sylvester recused himself from this item.

Staff report presented by: Steve Engfer, Assistant Planner

Mr. Engfer introduced the proposal by Robert Huntsberry of VMI Architecture, representing Taco Bell, for a new drive-thru taco Bell restaurant. The subject property is 19,271 square feet and located on the east side of Mission Street between Price and Castle Streets. The site is zoned C-1, Light Commercial, and has a General Plan Land Use Designation of Retail and Office. Restaurant uses with a drive-thru are conditionally permitted in the C-1 zoning district.

The project site has been vacant for a few years and the previous use was the City Toyota auto sales lot. The site is comprised of three parcels that will need to be merged to construct the project. The applicant proposes to construct a new Taco Bell drive-thru restaurant of approximately 1,974 square feet in area, with a seating capacity of thirty-eight, a drive-thru queuing lane that can accommodate six to seven cars, a twenty space parking lot, landscaping, frontage improvements, and signage on the existing vacant lot.

Sixteen parking spaces are required to meet code requirements and they are proposing twenty spaces, which exceeds requirements. Three driveways are proposed to serve the project. The two primary driveways provide ingress/egress along Mission Street. There is also an exit-only driveway encroachment onto 1st Avenue.

An approved litter control and site maintenance plan is required prior to building permit issuance. The plan must include a schedule of maintenance for the site and adjacent sidewalks and a graffiti abatement program. Approximately 3,000 square feet of new landscaping is proposed.

Approximately 120 square feet of signage is proposed and it includes the installation of a new pylon sign near the southernmost driveway entrance on the Mission Street frontage with approximately 45 square feet of signage. All building and canopy mounted signage will be illuminated, individual channel letters, which meet City regulations for sign area and also meets the intent of the Mission Street Urban Design Plan.

Staff does not support the proposed pylon sign and recommends that it be replaced with a monument sign at the same location or at the corner of Price and Mission Streets. Due to its unique branding, the Taco Bell site will be easily visible to both pedestrian and vehicle traffic. The City policy has been to approve monument signs along the Mission Street corridor rather than pole or pylon signs. Staff has included a condition that the pylon sign be replaced with a monument sign.

Commissioner Edelman agreed that a monument sign would be a better fit for Mission Street. Commissioner Crump commented that he had a problem with the size and placement of the building signage. He requested that the design of the north portico wall feature be used for other elevations.

Speaker: Bob Huntsberry, VMI architecture, applicant

Mr. Huntsberry stated that he had no issue with the conditions of approval except that he asked to keep the pylon sign, noting that Jack in the Box and KFC have one. Commissioner Crump again stated his concern with the placement and size of the letters and bells on the building. Commissioner Edelman agreed and suggested lowering the Taco Bell insignia to match the north elevation design. He also stated that the City is moving toward monument signs to improve the appearance of the Mission Street Corridor. Mr. Huntsberry agreed to abide by the Commission's request to use a monument sign and modify all portico wall features to match the north elevation.

Commissioner Crump stated that he was looking forward to having Taco Bell in that location.

COMMISSION ACTION:

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

Moved by Commissioner Edelman, seconded by Commissioner Crump, to adopt the findings as outlined in the staff report of April 3, 2012. Motion carried 3-0.

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

Moved by Commissioner Edelman, seconded by Commissioner Crump, to approve Use Permit UPR-1-12-4998 and Design Review DR-1-12-4999 as amended to require a monument sign and lowering the Taco Bell insignia subject to the Findings and Conditions, outlined in the staff report of April 3, 2012. Motion carried by unanimous roll call vote (3-0).

COMMUNICATIONS:

Commissioner Kelly announced that some of the Planning Commissioners had attended the Planners' Institute in March. She said it was very informative and thanked City Manager and staff for the opportunity to attend.

ADJOURNMENT:

Moved by Commissioner Crump, seconded by Commissioner Sylvester, to adjourn at 7:50 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Brian Millar". The signature is written in a cursive, flowing style.

Brian Millar
Director of Economic and Community Development

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