

**CITY OF DALY CITY
PLANNING COMMISSION
SPECIAL MEETING**

MINUTES

Tuesday, May 7, 2014 - 7:00 PM

Council Chambers, City Hall

Live Telecast: Comcast Channel 27, Astound 26, AT&T U-Verse 99

Webcast: www.dalycity.org/meetings

OPENING OF MEETING:

PLEDGE TO THE FLAG:

ROLL CALL:	PRESENT:	Crump, Edelman, Kelly, Lubiano, Sylvester
	ABSENT:	None

MINUTES: Approval of Minutes of April 1, 2014

Moved by Commissioner Crump, seconded by Commissioner Kelly, that the minutes of April 1, 2014 meeting be approved. Motion carried 5-0.

PUBLIC HEARING:

1. Minor Subdivision SUB-2-14-8466 and Environmental Assessment to allow the subdivision of a 0.34-acre property into four parcels.

Staff report presented by: Adam Peterson, Contract Associate Planner

On May 7, 2014, the Planning Commission voted 5-0 to recommend that the City Council approve Minor Subdivision SUB-2-14-8466. Although supportive of the project, the Commission asked questions concerning the size of the lots relative to other proposed subdivisions north of the project site. Staff clarified that the lots are a similar size. There was no public comment on the project.

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

Moved by Commissioner Edelman, seconded by Commissioner Sylvester, to adopt the findings as outlined in the staff report of May 7, 2014. Motion carried 5-0.

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

Moved by Commissioner Crump, seconded by Commissioner Kelly, to recommend City Council approval of Minor Subdivision SUB-2-14-8466, subject to the findings and modified conditions outlined in the staff report of May 7, 2014. Motion carried 5-0.

Commissioner Crump recused himself at this time.

2. Use Permit UPR-1-14-8470, Design Review DR-1-14-8472, and Environmental Assessment to allow the reconstruction of an existing gas station, including an automated car wash, convenience store, and fuel canopy with ten pumps.

Staff report presented by: Adam Petersen, Contract Associate Planner

On May 7, 2014, the Planning Commission voted 4-0 (Crump recused) to recommend that the City Council approve Use Permit UPR-1-14-8470 and Design Review DR-1-14-8472. The Commission had questions relating to lighting, noise, type of equipment used in the car wash, hours of operation for the car wash, and hours of delivery for the store and gas station. Staff clarified that the car wash would have three lights located on the east side of the structure, but that the applicant's photometric plan and conditions of approval limited light to being directed on site only. The applicant's noise consultant stated that the project would increase the cumulative level of noise, but it would be nearly imperceptible at the adjacent property lines. The Commission questioned what type of equipment that would be used in car wash, and if it would be similar to that of the Chevron located immediately west of the project. The applicant noted that the Chevron technology is approximately 10 years old and the proposed car wash be using updated equipment. Although agreeable to restricting deliveries in order to avoid traffic conflicts with residents of Crown Colony Additionally, the applicant expressed a desire to expand the car wash operations to 9 P.M. in the summer, where the proposed Conditions of Approval limited the hours to 8 P.M. in all months of the year. The Commission concurred with the 8 P.M. limitation, while recommending adoption of three additional conditions of approval to address noise, deliveries, and site design, which are as follows:

1. The car wash shall install equipment in the car wash with sound attenuation technology equal to or better than the car wash at Chevron.
2. Deliveries shall be prohibited between the hours of 7 A.M. to 9 A.M. and 4 P.M. to 7 P.M.
3. The applicant shall paint the white trim a color acceptable to the Economic and Community Development Director.

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

Moved by Commissioner Kelly, seconded by Commissioner Edelman, to adopt the findings as outlined in the staff report of April 1, 2014. Motion carried 4-0.

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

Moved by Commissioner Kelly, seconded by Commissioner Edelman, to recommend City Council approval of Use Permit UPR-1-14-8470 and Design Review DR-1-14-8472, subject to the findings and modified conditions outlined in the staff report of May 7, 2014. Motion carried 4-0.

3. Proposed First Amendment of the Development agreement between the City of Daly City and Al Baldini and Ottorino Pasian to consider and act upon a proposed First Amendment to a Development Agreement between the City of Daly City and Al Baldini and Ottorino Pasian for a Mixed-Use Commercial/Residential Development (previously completed) and eight residential lots (still pending construction) dated June 8, 2004 (“Development Agreement”), to extend its term until December 31, 2014 (“First Amendment”).

Staff report presented by: Tatum Mothershead, Interim Director of Economic and Community Development

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 an Ordinance that extends the Development Agreement until December 31, 2014. Motion carried 5-0.

Moved by Commissioner Crump, seconded by Commissioner Kelly, to recommend authorizing the City Manager to execute an extension of the Development Agreement as provided in the Ordinance. Motion carried 5-0.

ACQUISITIONS, VACATIONS, ETC. - SECTION 65402(A):

ADJOURNMENT: The Chair adjourned the meeting at 8:50 p.m.

Persons with disabilities who require auxiliary aids or services in attending or participating in this meeting should notify the Office of the City Clerk at 991-8078 as early as possible.

Availability of Public Records: All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the City Clerk's Office, City Hall located at 333 90th Street, Daly City, CA during normal business hours, at the same time that the public records are distributed or made available to the legislative body.