

**CITY OF DALY CITY
PLANNING COMMISSION
REGULAR MEETING**

AGENDA

Tuesday, July 02, 2013 - 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:

MINUTES:

Approval of Minutes of June 4, 2013

PUBLIC HEARING:

1. Major Subdivision SUB-1-13-6712 and Environmental Assessment to subdivide three lots into 17 lots.

APPLICANT:	Cornerstone Consulting
LOCATION:	West Side of Annie Street between 92nd Street and Washington Street (APNs 006-341-010, 006-341-020 and 006-188-030)
ENVIRONMENTAL ASSESSMENT:	Categorically Exempt per Section 15332: In-fill Development Projects
PLANNER:	Jeannie Naughton, Associate Planner

2. Minor Subdivision SUB-4-13-7184 and Design Review DR-4-13-7185 and Environmental Assessment for a two-lot subdivision and construction of two single-family dwellings.

APPLICANT:	Andy Tan
LOCATION:	150 Third Avenue

ENVIRONMENTAL Categorically Exempt per Section 15315: Minor Land
ASSESSMENT: Divisions and Section 15303(a): New Construction
PLANNER: Tatum Mothershead, Planning Manager

3. Planned Development Amendment PD-5-13-7294, Use Permit UPR-5-13-7296 and Environmental Assessment to amend planned development standards to allow the conversion of 80 senior apartment units into assisted living units.

APPLICANT: SRGL Daly City, LLC
LOCATION: 165 Pierce Street
ENVIRONMENTAL Categorically Exempt per Section 15301: Existing
ASSESSMENT: Facilities
PLANNER: Tatum Mothershead, Planning Manager

PUBLIC APPEARANCES, STAFF COMMUNICATIONS:

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

ADJOURNMENT:

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.

**CITY OF DALY CITY
PLANNING COMMISSION
REGULAR MEETING**

MINUTES

Tuesday, June 04, 2013 - 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: Chair Crump called the meeting to order at 7:00 p.m.

PLEDGE TO THE FLAG:

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

MINUTES: Approval of Minutes of May 7, 2013

Moved by Commissioner Kelly, seconded by Vice-Chair Lubiano, that the minutes of May 7, 2013 meeting be approved. Motion carried 5-0.

PUBLIC HEARING:

1. Use Permit UPR-4-13-7081 and Environmental Assessment for a Master Sign Program Amendment for the Serramonte Shopping Center.

Staff report presented by: Jeannie Naughton, Associate Planner

The Planning Commission felt that the monument sign proposed for the intersection of Serramonte Boulevard and Gellert Boulevard was too tall, at 22 feet in height, and recommended that the allowable height be modified to 18 feet. The applicant responded that they were looking to make a bold statement at the entrance of the shopping center and that the sign height was needed to establish presence along Serramonte Boulevard. A condition of approval was added by the Planning Commission to address this issue. The Planning Commission questioned whether existing landscaping would be replaced with plantings that might better fit in with the new signage design concept, and the applicant responded that no landscaping replacement was planned at this time. The Planning Commission was generally supportive of the new design concept, with the amended height of the respective entry monument sign.

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

Moved by Commissioner Kelly, seconded by Commissioner Edelman, to adopt the findings as outlined in the staff report of June 4, 2013. Motion carried 5-0.

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

Moved by Vice-Chair Lubiano, seconded by Commissioner Edelman, to approve Use Permit UPR-4-13-7081 subject to the Findings and Conditions outlined in the staff report of June 4, 2013 with the modified condition of approval per staff recommendation. Motion carried 5-0.

2. Use Permit UPR-4-13-7061 and Environmental Assessment to allow a used car dealership in an existing building.

Staff report presented by: Michael VanLonkhuysen, Senior Planner

On June 4, 2013, the Planning Commission voted 5-0 to recommend that the City Council approve Use Permit UPR-4-13-7061. Commissioner Kelly expressed concern about the traffic hazards that could be caused by unloading vehicles in Mission Street and the noise that could be created by early morning vehicle deliveries. Staff responded that vehicle unloading in the right-of-way was prohibited by the Conditions of Approval and would therefore occur in the customer parking areas before the lot opened in the mornings. Kyle Omarkhil, the applicant representing Bay Luxury Auto Dealership, stated that early morning deliveries would not be an issue, that deliveries would be made by a small flatbed truck delivering to the dealership parking lot, and that no deliveries would be made by large car carrier. Staff indicated that a Condition of Approval would be added ensuring that the applicant is aware of the City's noise regulations and that he operates the dealership in conformance with these regulations. Commissioner Crump expressed concern about parking lot lights in the dealership parking lot shining into the adjacent residential neighborhood and suggested that existing luminaires be replaced with full cutoff fixtures. Staff indicated that a Condition of Approval would be added to reflect this requirement. Commissioner Sylvester asked how the vehicles could be kept clean if the applicant was not allowed to wash them on the sales lot. Staff responded that washing vehicles was not allowed because doing so would be an illicit discharge into the City's stormdrain system. Staff added that vehicles could be wiped clean, but that washing them with water was not allowed.

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

Moved by Commissioner Kelly, seconded by Commissioner Sylvester, to adopt the findings as outlined in the staff report of June 4, 2013. Motion carried 5-0.

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

Moved by Commissioner Edelman, seconded by Commissioner Sylvester, to approve Use Permit UPR-4-13-7061 subject to the Findings and Conditions outlined in the staff report of June 4, 2013 with the modified condition of approval per staff recommendation. Motion carried 5-0.

PUBLIC APPEARANCES, STAFF COMMUNICATIONS:

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

ADJOURNMENT: The Chair adjourned the meeting at 7:45 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.



Daly City Planning Commission Agenda Report

333 - 90th Street ♦ Daly City ♦ California ♦ 94015 ♦ 650-991-8033

Meeting Date: July 2, 2013

Application: Major Subdivision SUB-1-13-6712

Project Planner: Jeannie Naughton, Associate Planner

Project Location: West Side of Annie Street between 92nd Street and Washington Street
(APNs 006-341-010, 006-341-020, and 006-188-030)

Project Description: Subdivision of 3 lots into 17 lots

Applicant: Cornerstone Consulting
6150 Mission Street, Suite 110
Daly City, CA 94014

Property Owner: Helen J. Carey Tr. et al.
PO Box 23832
Tigard, OR 97281

Environmental Assessment: Categorically Exempt per CEQA Guidelines Section 15332: In-Fill Development Projects

Applicable Daly City Municipal Code Sections: Daly City Municipal Code Sections:
Title 16 Subdivisions
Chapter 17.21 Sullivan Corridor Specific Plan District
Chapter 17.47 Inclusionary Housing

Site Information

Property Sizes	Existing Use	Proposed Use	General Plan Designation	Current Zoning
1.36 Acres	Storage Yard	Single Family Residential	Mixed Use C-MU	Residential Retail C-R/R

Area Information

Land Use	Zoning
North: Multi-Family and Single Family Residential	R-H High Density and R-L Low Density
South: Single Family Residential	C-R/R Residential Retail
West: Single Family Residential	Unincorporated Broadmoor
East: Single Family Residential and Nursery	C-R/R Residential Retail and Unincorporated Broadmoor

Background

On July 18, 2012, the San Mateo Local Agency Formation Commission (LAFCo) adopted Resolution No. 1159, approving the reorganization (annexation) of +/- 2.6 acres, consisting of seven parcels along Annie Street between 92nd Street and Washington Street, to the City of Daly City and the detachment from the Broadmoor Police Protection District, Colma Fire Protection District and the Colma Highway Lighting District. The parcels were pre-zoned under the Sullivan Corridor Specific Plan, with the C-R/R Residential Retail land use designation. The proposed subdivision includes three of the respective parcels, totaling +/- 1.36 acres.

Discussion

The Maps of the Lands of the School House Homestead Association Subdivision was originally recorded in May, 1872 and included a majority of the parcels proposed for subdivision. The Seventy Five Dollar Lot Homestead Association, which incorporated the northernmost lots included in the proposed subdivision, was recorded in October, 1870. At that time, a majority of the lots consisted of 125 foot wide by 120 foot deep configurations, including the west side of Annie Street between Washington Street and 92nd Street. A portion of the 92nd Street right of way was vacated and absorbed into the northernmost lot and in February of 1945, Tract No. 554 Broadmoor Village was recorded.

The subject site has remained largely undeveloped, and has been utilized with a variety of uses such as a storage yard (since 1946), construction, concrete & granite businesses for storage purposes. There was also a previous building identified as a barn in building records that appears to have existed on the site from 1956-1959, along with two sheds. Currently, there are three, one-story wooden storage/greenhouse buildings scattered across the site and are accessory to the storage yard use operating on the property.

The applicant now proposes to subdivide the 3 parcels into 17 parcels for intended future development of single family residences on each resulting parcel. The Tentative Map proposes dedication of portions of the property fronting Lots 15-17 as right of way, in order to obtain the necessary configuration to meet minimum lot width standards. This configuration will result in a shared driveway configuration requirement for Lots 15-17. Lots 1-14 are proposed to be 3,000 square feet in area, Lot 15 is proposed to be 2,947 square feet, Lot 16 is proposed to be 6,024 square feet, and Lot 17 is proposed to be 7,500 square feet. DCMC Section 17.38.040 requires a

minimum lot area of 2,500 square feet, with minimum frontage of 25 feet, for all lots recorded prior to January 11, 1949. The proposed subdivision meets all of the minimum lot size and frontage requirements in Code.

The applicant has not proposed construction of any structures in conjunction with the land subdivision application, although the stated intended use of the property is for development of the parcels together, as one cohesive single family residential development. Current Residential Retail Commercial (C-R/R) requirements will apply to any new single family development on this site, including maximum Floor Area Ratios (FAR) of 1.0, landscaped setbacks of at least 15 feet from the adjacent street property lines, 20 foot rear yard setbacks, and maximum building heights of 36 feet. Design Review will be required prior to building permit submittal.

The applicant will be required to establish a home owners association (HOA) for the purpose of landscape maintenance within any easement areas created, permanently installed stormwater treatment systems, and any infrastructure related to the respective systems. The HOA membership will consist of all residential parcel owners and will be professionally managed. In order to address stormwater treatment requirements in the Municipal Regional Permit (MRP), a condition of approval will be added to require the establishment of a Homeowner's Association and upon submittal of Final Map, the inclusion of a stormwater treatment plan that illustrates full compliance with Section C.3 of the MRP. The project must also comply with the statewide National Pollutant Discharge Elimination System (NPDES) General Construction Activity Storm Water Permit, as the total site area is greater than 1 acre in size.

The existing site is surrounded by developed parcels, and is adjacent to existing infrastructure, which can adequately serve the resulting parcels with all required utilities and services. Upon completion of required water and sewer studies, there may be upgrades required to these lines.

General Plan Consistency

The General Plan encourages the development of infill housing development in existing neighborhoods on sites that are underutilized, where residential development represents the highest and best use, and where public infrastructure exists to support the intensity of the proposed development. The subject site is situated adjacent to single family detached homes, as well as medium and high density residential development. Residential development is the highest and best use for the subject property given its size and shape, and adjacent uses. The concept for this area in the Sullivan Corridor Specific Plan is to provide a use and development scale transition between the Civic Center area and the adjacent Broadmoor residential area. The proposed, intended development on this site would achieve this conceptual goal.

The General Plan land use designation is Mixed Use (C-MU), and the Sullivan Corridor Specific Plan land use designation is Residential Retail Commercial (C-R/R), which allows a maximum density of 14.5 dwelling units to the acre by right and conditionally, up to 20 dwelling units per acre. Staff has determined that the net area of the project site is 1.36 acres, resulting in a project density of 12.5 dwelling units to the acre. This density is within the allowable density for the C-R/R designation.

Utility Providers

The subject property is located within a fully urbanized area with all public services capable of serving the new lots. The California Water Service Company has agreed to service the subject development, upon submittal of modeled water analysis by the applicant, illustrating the existing system can meet the demands of the project. Any upgrades in the system deemed necessary will be the applicant's responsibility. Conditions of approval have been added to address this issue. Utilities to serve the project are in place or will be in place prior to construction, within either the Annie Street or 92nd Street public right-of-way and will have the capacity to accommodate additional units. These include electrical, water, sewer, and the availability of telephone service and access to public streets. In response to the outside agencies routing, staff received correspondence opposing the proposed subdivision from the Broadmoor Property Owners Association (Attachment D – Outside Correspondence). Since the initial routing, the proposed subdivision has been reduced from 18 lots to 17 lots.

<i>Utility</i>	<i>Provider</i>
Water, Sanitary Sewers, Storm Drains	Cal Water (water) and City of Daly City
Gas & Electric	PG&E
Telephone	AT&T
Cable Television	Astound! Cable Services
Fire/Police Protection	North County Fire Authority/City Daly City

Fiscal Analysis & Impacts

The proposed project consists of the entitlements Major Subdivision for the subdivision of three lots into 17 lots for the construction of 17 single family residences. Prior to project completion, the project applicant will be required to pay park in-lieu fees, building permit, plan check, and AB 1600 fees to the City. Upon sale of the residential properties, the future owners will pay property tax to the County, a portion of which is distributed to the City. The addition of the residential project to the subject project would add an incremental demand for City services. Per the Parkland Dedications Ordinance, park in-lieu fees would be required for park or recreational purposes.

Findings

Staff finds that, as conditioned, the proposed Major Subdivision SUB-1-13-6712 is in compliance with Title 16 (Subdivisions) and Title 17 (Zoning) of the Daly City Municipal Code. Approval of the proposed project would not be detrimental to the health, safety, morals, comfort and general welfare of persons residing in or working in the neighborhood, or be injurious or detrimental to the property and improvements in the neighborhood or the general welfare of the city. These findings are based on the following facts:

1. In accordance with Title 17 of the Daly City Municipal Code, as well as applicable State zoning enabling legislation, the Planning Commission will conduct a public hearing on

July 2, 2013; notice of said hearing was by newspaper publication on June 21, 2013 posting and first class mailing to property owners within 300 feet.

1. Staff has reviewed the proposal under the requirements of the California Environmental Quality Act (CEQA) and has determined the project is Categorically Exempt per Section Categorical Exemption under Section 15332: In-Fill Development Projects per CEQA. The project is consistent with the applicable general plan designation and all applicable general plan policies and applicable zoning designations, it occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses, the project site has no value as habitat for endangered, rare or threatened species, approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality, and the site can be adequately served by all required utilities and public services.
2. The proposed subdivision and/or design or improvement must be consistent with applicable general and specific plans. The site is designated as Residential Retail Commercial, which allows for a maximum of 20 dwelling units per net acre. The proposed project will result in a density of 12.5 dwelling units per acre. The density and intensity of the project is consistent with other similar projects in the surrounding vicinity.
3. The site must be physically suitable for the type and density of the proposed subdivision. The subject site is situated on the west side of Annie Street, between 92nd Street and Washington Street, which is characterized by a mixture of multi- and single-family residential, and service commercial uses in the near vicinity. Given the size and shape of the subject property, together with adjacent land uses, a low-density residential development consisting of 17 single family residences, is the highest and best use of the subject property.
4. The design of the proposed subdivision or improvements must not cause substantial environmental damage or injure fish or wildlife or their habitat. Staff has determined that the proposed subdivision will not cause significant environmental damage or injure fish, wildlife, or their habitat. The proposed project would be constructed in a fully urbanized area on a previously disturbed property that contains no protected or unprotected habitat and meets all criteria for Categorical Exemption under Section 15332 In-Fill Development Projects per CEQA.
5. The design of the proposed subdivision must not cause serious public health problems. The proposed project consists of the subdivision of three lots into 17 lots for purposes of the construction of 17 new single family residences, all of which would be subject to Building Code requirements that set forth minimum safety standards for new construction. Other City and State regulations will assure that public health is not at risk.
6. The design of the proposed subdivision or improvements must not conflict with any easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. There are no known easements with which the proposed subdivision or subsequent construction would conflict. The project would occur exclusive of the public right-of-way and no new easements for the public at large, or encroachments are known to be required at this time.

Conditions of Approval

Staff recommends the Planning Commission forward a recommendation of approval to the City Council for Major Subdivision SUB-1-13-6712 subject to the following conditions and Daly City General Conditions of Approval. Minor deviations from the conditions of approval may be approved by the Planning Division. Significant deviations will require review and approval by the Planning Commission and City Council.

A. ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT

General

1. The applicant shall file a Declaration of Acceptance of the conditions of approval with the City Clerk within thirty (30) days of City Council approval. Until said declaration is filed, the General Plan Amendment and Planned Development shall not be valid for any purpose.
2. The project shall be valid only in conjunction with detailed plans submitted with this project. Any modifications required, due to the Conditions of Approval, and minor changes to the plan, must be reviewed and approved by the Planning and Engineering Divisions prior to the change. Major changes to the Tentative Map shall be subject to review by the Planning Commission and City Council.
3. The project shall conform to all applicable City of Daly City General Conditions of Approval.
4. The applicant will be required to pay park-in-lieu fees, in compliance with DCMC Chapter 16.30 Parkland Dedications. Per DCMC Section 16.30.040.A, the required dedication in the specific case is 0.162 acres. Per DCMC Section 16.30.060, the in-lieu fee shall be based upon said dedication requirement. Per DCMC Section 16.30.090, in-lieu fees are required to be paid to the City of Daly City, prior to approval of the Final Map. The project is subject to full compliance with DCMC Chapter 16.30 Parkland Dedications.
5. Per DCMC Section 17.47.080.A.1, Inclusionary Housing In-Lieu fees shall be paid in compliance with this section, prior to issuance of building permits.
6. Upon submittal of Final Map, the applicant shall submit a stormwater management plan that illustrates full compliance with Section C.3 of Order R-2-2009-0074 NPDES Permit No. CAS612008. The project must comply with Order No. 2010-0014-DWQ, NPDES No. CAS000002, the statewide National Pollutant Discharge Elimination System (NPDES) General Construction Activity Storm Water Permit.
7. Design Review will be required for any new development proposal of the resulting subdivision, prior to issuance of building permits.

8. The applicant shall establish a home owners association (HOA) for the purpose of landscape maintenance within any easement areas created, any retaining walls required to be built as part of new development, permanently installed stormwater treatment systems, and any infrastructure related to the respective systems. The HOA membership shall consist of all residential parcel owners. The HOA shall be professionally managed and the HOA bylaws and initial annual operating budget shall be reviewed and approved by the Planning Division/City Attorney's Office prior to submittal to the California Department of Real Estate.
9. Prior to the recordation of a Final Map, the developer shall submit a maintenance plan, which clearly specifies methods and standards for performance of common responsibilities and maintenance for all common areas and equipment and fees to be assessed for such purposes. The maintenance plan shall include a budget acceptable to the City for major repairs and extraordinary expenses, and shall be incorporated into HOA bylaws.
10. The developer shall submit to the City Attorney, for review and approval, a copy of the covenants, conditions, and restrictions (CC&Rs) that will apply to the development prior to recordation of the Final Map.
11. The applicant shall record cross access and cross maintenance easements between all single family residential owners within the subdivision. All easements and associated language shall be submitted to the Planning Division for review and approval prior to recordation.
12. The HOA shall enter into a Maintenance Agreement with the City of Daly City to ensure long-term maintenance and servicing by the Property Owner of stormwater site design and treatment control measures according the approved Maintenance Plan.
13. Applicant shall arrange and pay for final inspection of installed treatment measure by municipality's Special Inspector within 45 days of installation or project construction completion, whichever comes first.
14. Any new proposed landscaping for the subdivision shall incorporate Bay Area Friendly species that are drought tolerant and the irrigation systems shall incorporate water efficiency measures. All landscaping must be in compliance with DCMC Chapter 17.41 Water Conservation in Landscaping. No landscaped areas shown on the preliminary plan approved by the City Council shall be changed to non-landscaped material such as decorative rock. Alternative plant and tree species may be approved by the Planning Division if it can be shown they would be more appropriate for the site. No building permit may be issued until this condition is met.

B. WATER AND WASTEWATER RESOURCES DEPARTMENT

15. Collection System Flow Study Requirement—the existing sewer main is 6 inch and continues at this size until it reaches a trunk sewer on 90th St. A flow study is required from the farthest limits of the project to the District's trunk sewer located at the intersection of 90th St and

Edgeworth Ave.

16. Sewer System Upgrades—Any costs associated with any necessary sewer system upgrade required as a result of this project shall be borne by the applicant.
17. Sanitary Sewer System Manhole—Manholes shall not be in the driveway approach. Relocate driveway at lots 16/ 17 so manhole is not in the driveway or relocate manhole and mains accordingly.

C. FIRE PREVENTION

18. Fire Flow per CFC Appendix B—The Fire calculations shall be provided for subdivision.
19. Fire Road Access—Provide fire road access roads per CFC Appendix D.
20. All structures shall have fire sprinklers per CFC and the Daly City Municipal Code.
21. Fire hydrants shall be spaced per CFC Appendix C.

D. ENGINEERING DIVISION

22. Utilities Studies—Provide sewer, water, storm drain studies and construct recommended improvements as required by city engineer.
23. Storm Drain -Storm runoff shall not exceed pre-development conditions for a 2-hour, 10-year storm. Runoff shall be directed to the gutter through curb drains.
24. All electrical and telecommunications services shall be provided through underground connections. There shall be no overhead drops. All existing overhead services and supporting poles shall be removed, including the pole on 92nd Street, adjacent to the development, to the west.
25. Sidewalk Replacement—replace curb gutter and sidewalk over the entire frontage of the development to the nearest expansion joints or score lines.
26. Resurface existing street frontage pavements with a minimum of 2” of new AC. Coincident with the resurfacing, access ramps shall be installed at the intersection of Annie Street and 92nd Street to facilitate street crossings.
27. The existing street light, on the wooden pole, adjacent to the development on 92nd Street shall be replaced with a City Standard street light with underground service.
28. Prior to requesting approval for the Final Map, all improvements, including on- and off-site improvements, and all public service and utility facilities required to serve the development, shall be completed by the applicant, or the applicant shall enter into an

Improvement Agreement with the City to complete the improvements within the time limit specified by the City.

29. Storm water detention systems and storm water treatment systems if required shall be located on private property any maintained by the Home Owners Association.
30. Developer shall provide a "Will Serve Letter" from the water service provider confirming adequate service is available to support the development. The service letter shall indicate if any improvements are required to meet the development demand. The required system improvements shall be constructed at the developers cost in advance of map approval.
31. Lots 15 - 17 shall share a common driveway approach.
32. Retaining walls if any shall be maintained by the Home Owners Association.

Recommendation

Staff recommends the Planning Commission forward to the City Council the following recommendations:

1. Adopt the Findings as outlined herein;
2. Affirm the Environmental Assessment;
3. Approve Major Subdivision SUB-1-13-6712, as conditioned herein

Staff is available to provide any additional information desired by the Planning Commissioners.

Respectfully submitted,



Jeannie Naughton, AICP
Associate Planner



Brian Millar
Director of Economic and Community
Development

Attachments

- Attachment A – Location Map
- Attachment B – Original Subdivision Maps
- Attachment C – Tentative Map, Improvement Plans
- Attachment D – Outside Correspondence

LOCATION MAP

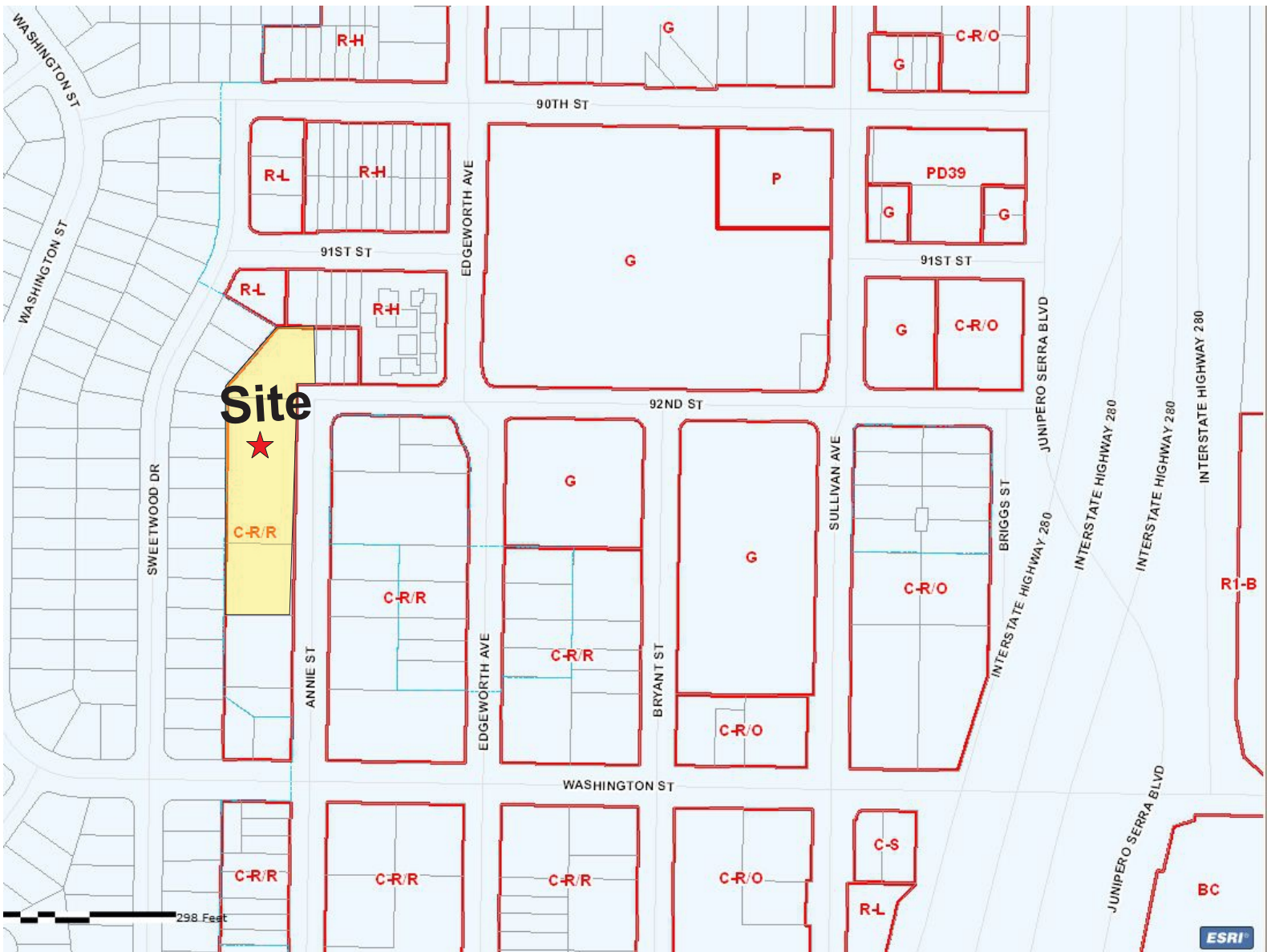


SUB-1-13-6712

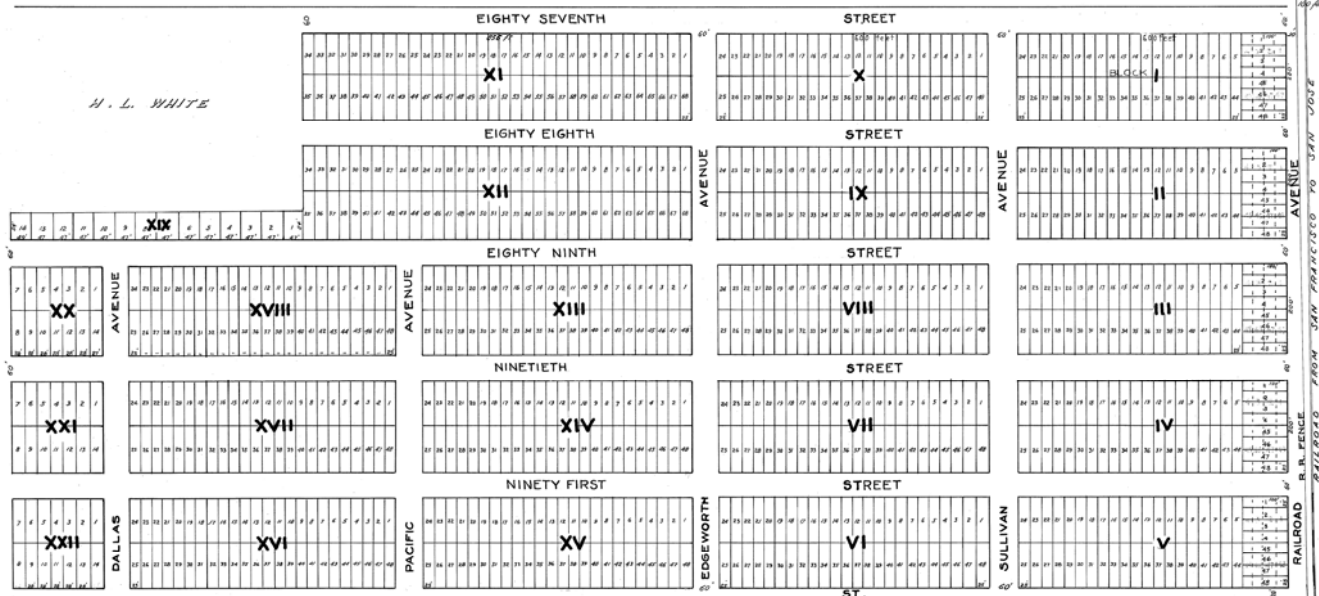
Annie Street 17-Lot Subdivision

APNs 006-188-030, 006-341-010, 006-341-020

Planning Commission Review



THE
SEVENTY FIVE DOLLAR LOT
HOMESTEAD
ASSOCIATION
SCALE 150 FT TO AN INCH



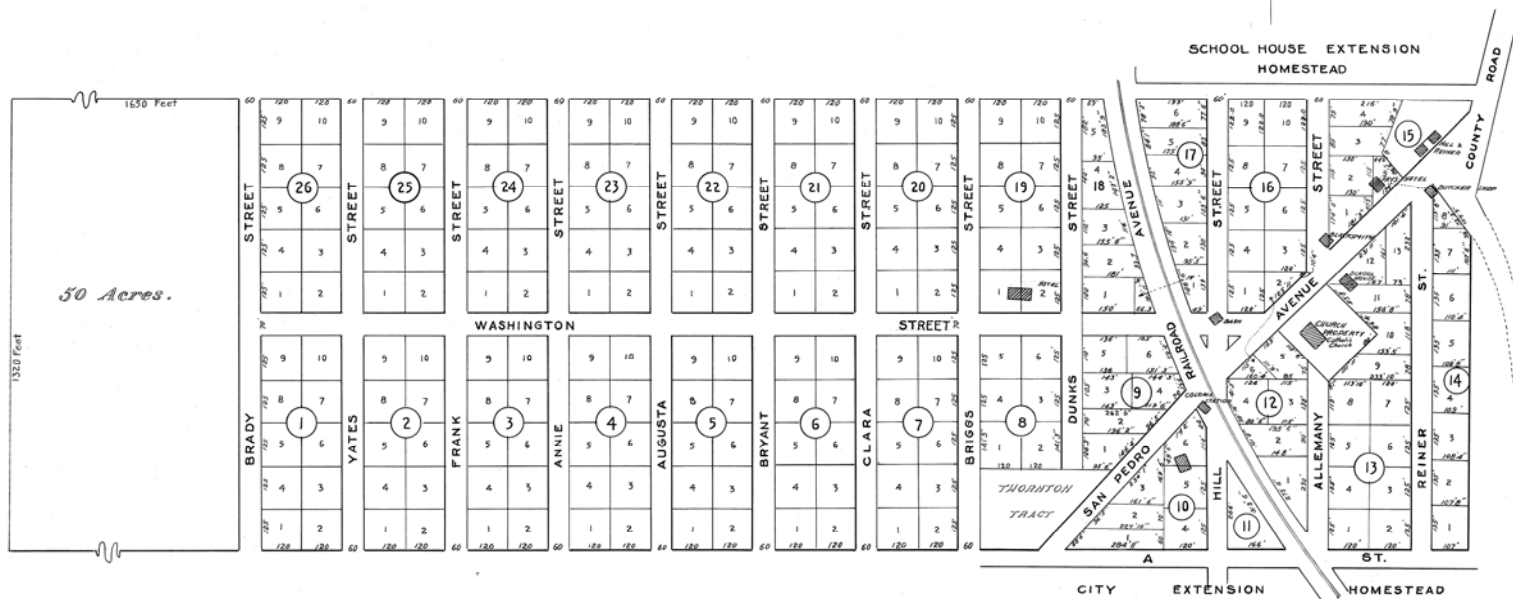
(Orig. unaltered)
Filed October 3rd 1879
John B. Felt
County Recorder.

THE DONKS TRACT

I HEREBY CERTIFY THIS TO BE A TRUE COPY
OF AN ORIGINAL MAP RECORDED IN VOL. E
MAPS AT PAGE 63.
Deputy COUNTY SURVEYOR AND EX OFFICIO
DEPUTY RECORDER OF MAPS.

MAP OF THE LANDS OF THE SCHOOL HOUSE HOMESTEAD ASSOCIATION

SITUATE IN THE 1ST TOWNSHIP, SAN MATEO COUNTY.
SURVEYED MAY 1872 Geo. W. Deherly
Surveyor
SCALE 200 FEET TO ONE INCH.



I DO HEREBY CERTIFY THAT THIS IS A TRUE COPY OF THE MAP OF THE LAND
OF THE SCHOOL HOUSE LAND ASSOCIATION IN SAN MATEO COUNTY,
CALIFORNIA AS ADOPTED AT MEETING OF STOCKHOLDERS HELD MONDAY
JUNE 17 1872. JOHN KURTZ, President School House Homestead Association
Edgar Briggs, Secretary School House Homestead Association

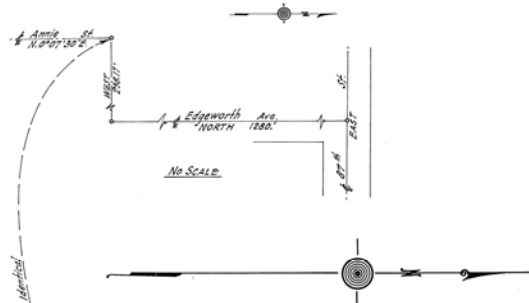
HEREBY CERTIFY THIS TO BE A TRUE COPY
OF AN ORIGINAL MAP RECORDED IN VOL. C
MAPS AT PAGE 61
DEPUTY COUNTY SURVEYOR AND EX-OFFICIO
DEPUTY RECORDER OF MAPS.

(Original indorsed)
Filed July 10th 1872 at 30 mins past 5 o'clock P.M.
H. B. Thompson, Co. Recorder

LANDS OF M. ZANONE ET AL.



- Indicates the boundaries of lands subdivided by this map.
- Indicates Iron Pipe Monument set in handhole.

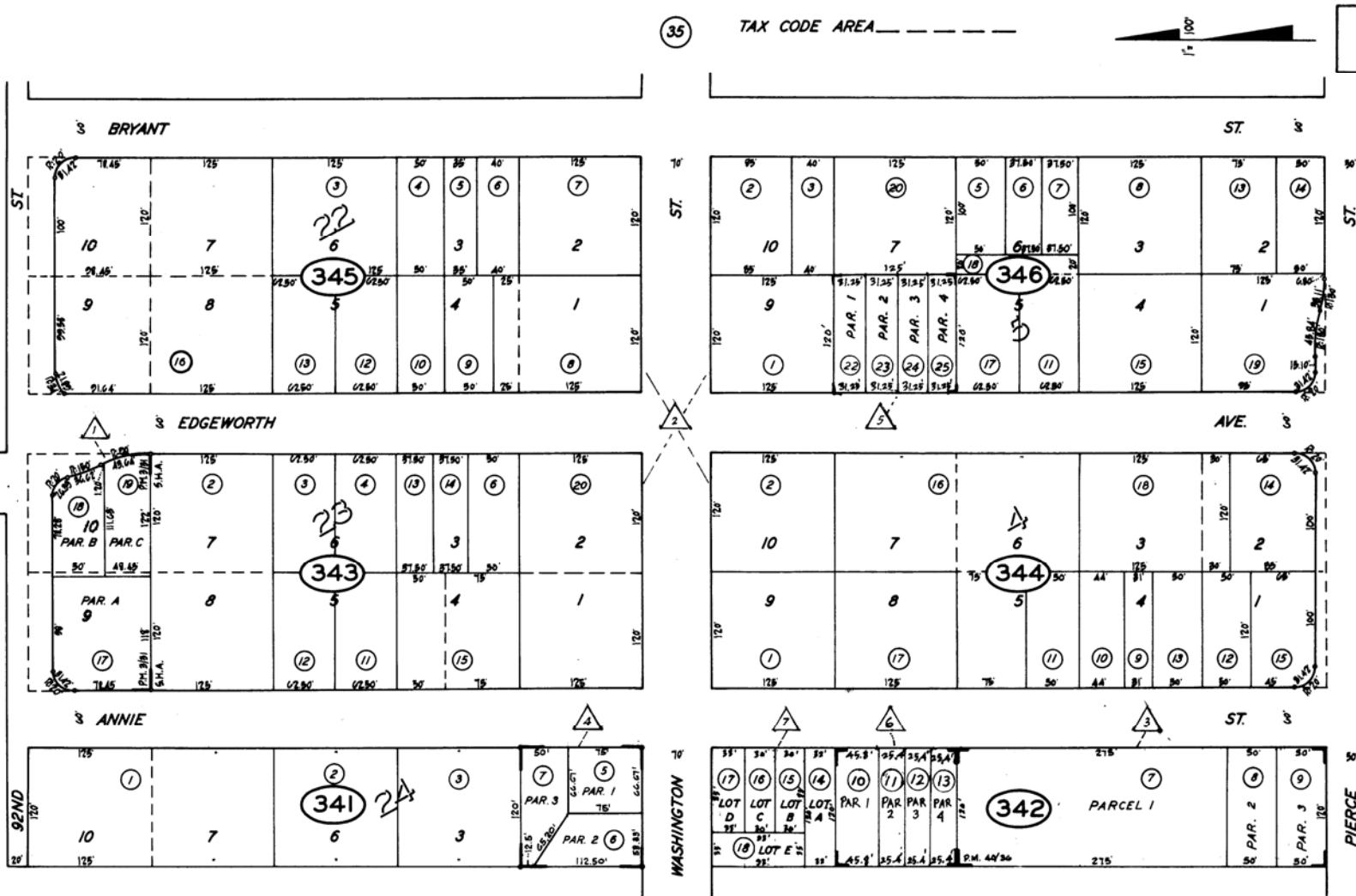


SUBDIVISION OF PORTION OF THAT CERTAIN PARCEL CONVEYED BY DEED RECORDED IN BOOK 1195 OF OFFICIAL RECORDS AT PAGE 209.

**TRACT NO. 547
BROADMOOR
VILLAGE**

IN UNINCORPORATED TERRITORY
SAN MATEO COUNTY, CALIF.
OCTOBER 1945 ————— SCALE: 1" = 100'
EDWIN H. SMITH CIVIL ENGINEER

(20) HOMESTEAD
(19) 75 DOLLAR LOT

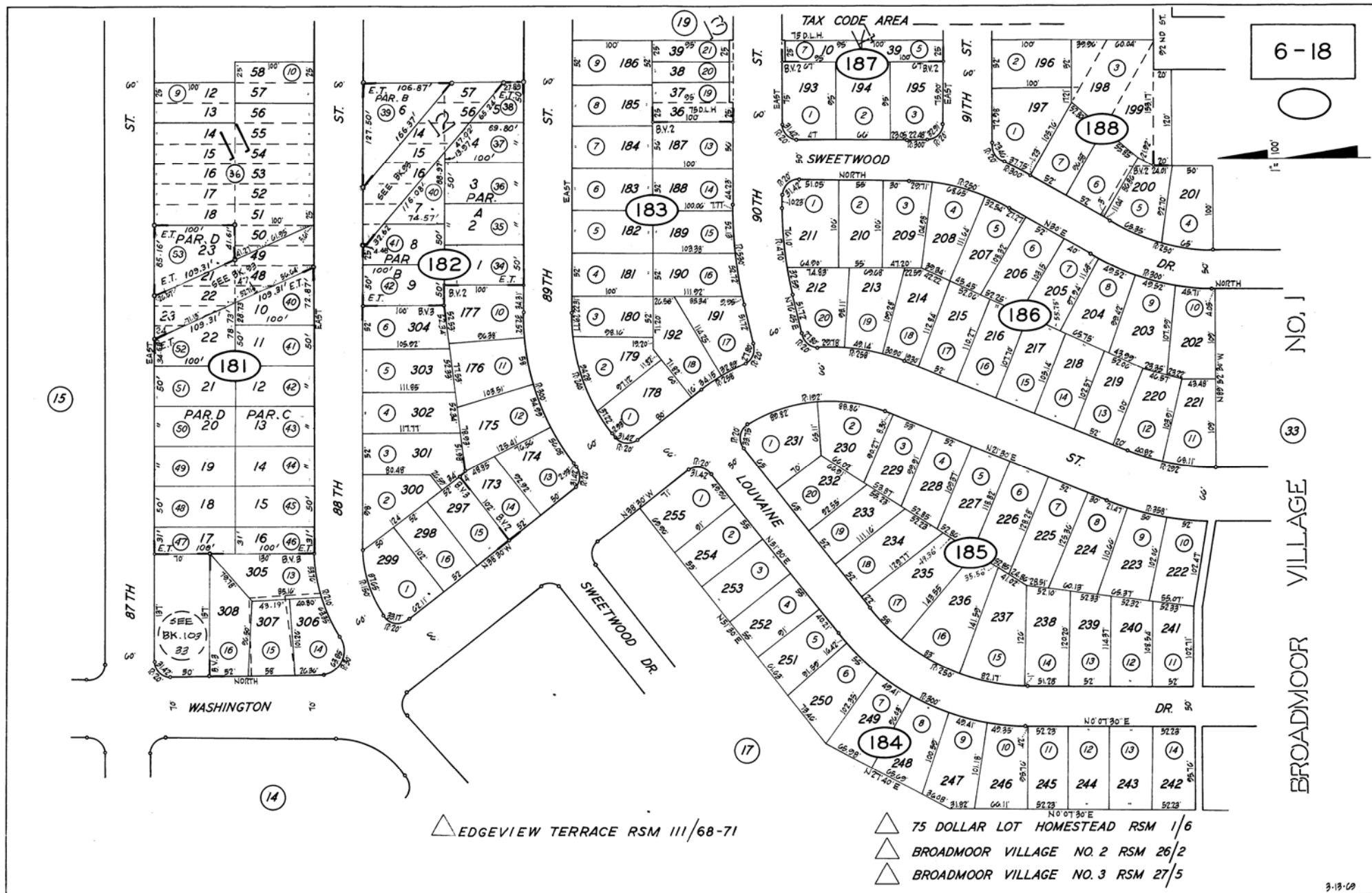


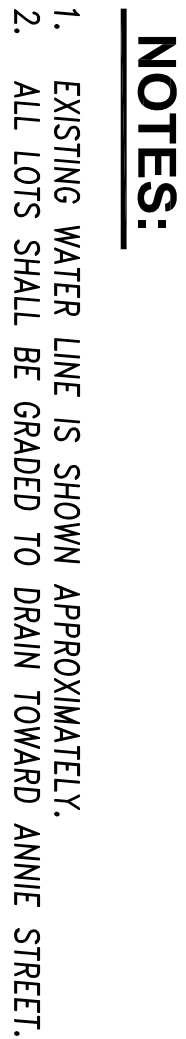
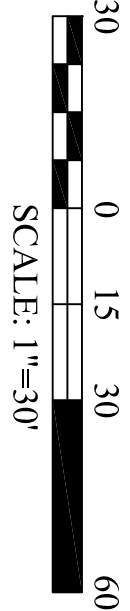
BROADMOOR

VILLAGE NO. 1

- △ 7 TIPPERARY VILLAS RSM 136/6-7
- △ 33 PM. VOL 77/68-69
- △ 5 PARCEL MAP VOL 75/32-33

- △ 4 PARCEL MAP VOL 44/18
- △ 3 PARCEL MAP VOL 40/36
- △ 2 SCHOOLHOUSE HOMESTEAD ASSN. RSM 1/9
- △ 1 PARCEL MAP VOL 3/31



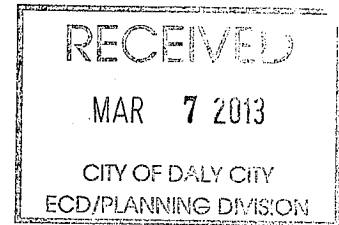


SCALE : 1" = 30'

C1 OF Drawing Number:	Date: 05-07-2013	No.	Revisions	CIVIL IMPROVEMENT PLAN ANNIE STREET DALY CITY SAN MATEO COUNTY CALIFORNIA	YHM CONSULTING San Carlos, CA 94070 Phone (650) 346-8653
	Scale: AS NOTED				
	Design: YM				
	Drawn: CAD				
	Approved: YM				
	Job No:				

Broadmoor Property Owners Association
501 – 87th St., Broadmoor Vlg, CA 94015

March 6, 2013



Jeannie Naughton, Associate Planner
Daly City Planning Department
City of Daly City
333 – 90th Street
Daly City, CA 94015

Dear Ms Naughton:

The Broadmoor Property Owners Association, Board of Directors, at their meeting on February 21, 2013, reviewed and discussed the plans for the Annie Street 18 Lot Subdivision.

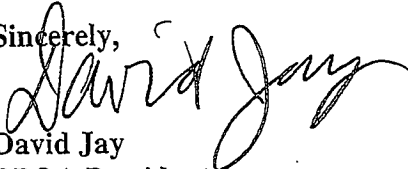
The applicant for the proposed project, located on the eastern side of Annie Street between Washington and 92nd Street, plans to subdivide three lot sites into eighteen lots to create eighteen single-family residential homes.

The area is already congested and the 18 homes would impact the area. Students from Margaret Pauline Elementary School walk down the stairs and through the area to reach their homes either in Broadmoor Village, the apartments or the east side of Daly City. There is concern for their welfare and safety walking to and from school with an increase of vehicles and especially during the time of construction. There are concerns about the dust and debris due to construction.

A poll of the residents and homeowners living within 500 feet of the proposed project showed that they did not receive legal notification of the plans for the Annie Street 18 Lot Subdivision.

The Broadmoor Property Owners Association and the community are opposed to squeezing in 18 single family homes in this already congested area and worry about the safety of the children and elderly living or walking near this site.

Sincerely,


David Jay
BPOA President



Daly City Planning Commission

Agenda Report

333 - 90th Street ♦ Daly City ♦ California ♦ 94015 ♦ 650-991-8033

Meeting Date: July 2, 2013

Application: Minor Subdivision SUB-4-13-7184
Design Review DR-4-13-7185

Project Planner: Tatum Mothershead, Planning Manager

Project Location: West side of Third Avenue, Daly City, CA (between Castle Street and Habitat Way)

Project Description: Subdivision of One Lot into Two Lots to Construct Two New Single Family Residences

Applicant: Andy Tan
1053 Crestview Drive
Millbrae, CA 94030

Property Owner: Andy Tan and Patricia Wu-Tan
1053 Crestview Drive
Millbrae, CA 94030

Environmental Assessment: Categorically Exempt per Section 15315: Minor Land Divisions and Section 15303(a): New Construction

Applicable Daly City Municipal Code Sections: Title 16 Subdivisions
Chapter 17.45 Design Review
17.08 R-1 Single Family Residential

Site Information

Property Sizes	Existing Use	Proposed Use	General Plan Designation	Current Zoning
5,000 s.f.	Vacant	Two new single-family residences	Medium Density Residential	R-1 Single Family Residential

Area Information

Land Use	Zoning
North: Single Family Residential	R-1: Single Family Residential District
South: Multi-Family Residential	R-3: Multiple Family Residential District
West: Single Residential	R-1: Single Family Residential & ID: Interim Districts
East: Single Family Residential	R-1: Single Family Residential & ID: Interim Districts

Background

The applicant, Andy Tan, is requesting minor subdivision and design review approval to subdivide a 5,000 square foot lot, into two 2,500 square foot lots, in conjunction with the construction of one new single family residence on each resulting lot. Staff is recommending approval of the minor subdivision and design review subject to the findings and conditions contained in this staff report.

The site is an undeveloped lot located on the west side of Third Avenue between Castle Street and Habitat Way, and was rezoned from I-D (Interim District) to R-1 (Single-Family Residential) in conjunction to a four lot subdivision directly to the south of the subject site in January 2013. (Attachment A – Location Map)

Discussion

The General Plan land use designation is Medium Density Residential. The Medium Density Residential land use designation allows 21-35 density units per acre. There will be a two unit net increase on the subject property block. The density of the project would be 17.4, and therefore complies with the Medium Density Residential designation.

The proposed subdivision results in two 2,500 square foot lots with the minimum lot width of 25 feet each. The proposed lot areas and dimensions meet the requirements of the R-1 zone. (Attachment B – Tentative Map) In conjunction with the minor subdivision application, there is a design review application for the proposed construction of two single family residences. The residences are proposed to have four bedrooms and three bathrooms with a floor area of 2,333 square feet and 410 square foot garages. The resulting building lot coverage would be no greater than 55%, in compliance with the maximum allowed in the R-1 district. (Attachment C – Project Plans)

The proposed plans include a two car side-by-side garage and two off-street parking spaces on each driveway that meets Code requirements. The four proposed parking spaces per residence exceeds the Code required minimum of two off-street parking spaces per unit.

Required Third Avenue frontage improvements will result in new sidewalk, curb and gutters along the entire project frontage where none currently exist.

Utility Providers

The parcel is in an urbanized area with all public services capable of serving the new lots. Utilities to serve the project are in place within the Third Avenue public right-of-way and have the capacity to accommodate additional units; the conditions of approval address any needed infrastructure upgrades including electrical, water, sewer, and the availability of telephone service and access to public streets.

<i>Utility</i>	<i>Provider</i>
Water	City of Daly City
Sanitary Sewer	North County Sanitary District
Gas & Electric	PG&E
Telephone	AT&T
Cable Television	AT&T Cable Services/Astound
Fire Protection	North County Fire Authority

Design Review Requirements

The proposed single family residential units are two stories, consistent with the existing neighborhood. The City's Small Residential Design Guidelines require that the building design and placement respect the project site and neighborhood context. Consistent with these Guidelines, the applicant has proposed:

- Recessing garage doors two feet from the front of the buildings, facing Third Avenue. This feature will accentuate the habitable floors of the building and provide greater driveway depth, while also providing an additional level of front façade articulation. The garage doors are panel-articulated with accent window features.
- The garage doors will be painted to match the building color and trim accents will accentuate the decorative cutouts.
- Incorporating architectural elements found on adjacent homes, such as bay windows, three and six-inch stucco finish foam trim and stone wainscoting. The proposed buildings would incorporate a flat parapet wall at the front façade, consistent with the parapet walls found in the neighborhood.
- The proposed bay windows at the building front elevations incorporate a roof feature on two of the units in order to further enhance the visual appeal of the units and avoid repetition of streetscape design.
- The paint color palette incorporates a three-color scheme of complementary colors compatible with neighboring structures. Two separate color palettes are proposed that include trim, doors and walls, each with separate and distinct earth-tone colors.
- The proposed entryways include a recessed door entry area, and enhanced trim accentuating the entryways to provide additional front façade articulation.

Site Landscaping

The landscape plans include front-yard landscaping on the sides of the proposed driveways. This will allow front walkway access from the driveway to the front door. The project does not exceed 1,000 square feet of landscaped area, and therefore does not trigger specific requirements for outdoor water use efficiency and Tier 1 landscape requirements of the Daly City Landscaping Ordinance. Although, the project does not trigger the requirements, the proposed landscaping incorporates Bay Area Friendly Landscape Guidelines and will include water efficient irrigation:

- Proposed landscaping will incorporate Bay Area Friendly species that are drought tolerant.

- Proposed landscaping irrigation system will incorporate water efficiency measures.

Fiscal Analysis

The proposed project consists of a subdivision and the construction of one dwelling unit on each of the resulting two lots. Prior to project completion, the applicant will be required to pay park in-lieu fees, building permit, plan check, and AB 1600 development impact fees to the City. Additionally, the value of the new dwelling units will be added to the current assessed value of the subject properties, which will result in additional property tax collection by the County, a portion of which would be distributed to the City. The addition of a unit to each of the resulting parcels would add a minor incremental demand for City services.

FINDINGS

Staff finds that the proposed Minor Subdivision SUB-4-13-7184 and Design Review DR-4-13-7185 are in accordance with Chapter 16 and Chapter 17 of the Daly City Municipal Code. Approval of the proposed project will not be detrimental to the health, safety, morals, comfort and general welfare of persons residing or working in the vicinity. The proposed subdivision would not be injurious or detrimental to property and improvements in the neighborhood or result in substantial environmental damage or disturbance. Additionally, the general site, architecture, and landscape considerations have been incorporated to ensure compatibility with adjacent buildings and to provide an attractive environment. These findings are based in part on the following facts:

General

1. In accordance with Title 17 of the Daly City Municipal Code, as well as applicable State zoning enabling legislation, the Planning Commission will conduct a public hearing on July 2, 2013; notice of said hearing was by newspaper publication on June 21, 2013, posting and first class mailing to property owners within 300 feet of the site.
2. Staff has reviewed the proposal under the requirements of the California Environmental Quality Act (CEQA) and has determined the project is Categorically Exempt per Section 15315: Minor Land Divisions and Section 15303(a): New Construction.

General Plan Consistency

3. The proposed subdivision, together with provisions for its improvement, is consistent with the objectives, policies, and general land uses as outlined in the Daly City General Plan. More specifically, the General Plan land use designation for the site is Medium Density Residential, which allows up to 35 dwelling units per acre. The applicant is proposing to subdivide a single parcel into two lots, 2,500 square feet for each. The proposed density would be below the 35 units per acre allowed at 17.4 units per acre.
4. The proposed project is consistent with the General Plan Housing Element Principles that encourage new residential development in suitable locations and maintain and enhance the quality and diversity of Daly City's neighborhoods.

5. The proposed land use conforms to Objective 6 and 7 in the General Plan Land Use Element, which states that, a pattern of variety in residential densities; types and tenure should be maintained in order to provide housing opportunities.

Mandatory Findings Pursuant to Section 66474 of the Subdivision Map Act:

6. The proposed subdivision and or design or improvement must be consistent with applicable general and specific plans.
- The General Plan land use designation for the site is Medium Density Residential, which allows 21-35 dwelling units per acre. The applicant is proposing to subdivide a single lot into four lots of 2,500 square feet each. The two new single family residences would result in a density of 17.39 du/acre, and therefore complies with the Medium Density Residential designation
 - The proposed land use conforms to Policy LU-10 in the General Plan Land Use Element, which requires that new single family homes and duplexes complement the scale, character, and street relationship of existing homes of the neighborhood in which they are constructed.
7. The site must be physically suitable for the type and density of the proposed subdivision.
- There are predominantly single-family residential dwellings in the nearby neighborhood where there are similar geologic conditions and topography as the project site and the parcel is in an urbanized area with all public services capable of being extended to the new lots.
 - The newly created lots are physically suitable for both the type and density of the proposed development in that they are capable of use as zoned to R-1, including all setbacks, height, lot coverage, and other zoning development standards.
 - The subject site is situated adjacent to single-family homes and multiple family dwellings. Residential development is the highest and best use for the subject property given its size and shape, adjacent uses and uses within the vicinity.
8. The design of the proposed subdivision or improvements must not cause substantial environmental damage or injure fish or wildlife or their habitat.
- The proposed project would be constructed in an urbanized area where this type of in-fill development would normally be exempt from CEQA. However, the project requires zone change and was therefore not exempt. Staff has prepared a negative declaration and the determined that the proposed zone change and subdivision will not cause significant environmental damage or injure fish, wildlife, or their habitat.
9. The design of the proposed subdivision must not cause serious public health problems.

- The construction of two single family residences in conjunction with the proposed minor subdivision is subject to Design Review approval and Building Code requirements that set forth minimum safety standards for new construction. Other City and State regulations will assure that public health is not at risk.
10. The design of the proposed subdivision or improvements must not conflict with any easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.
- Conditions of approval require that no buildings may be built upon the existing easements. Access to the proposed new lots and utilities for the lots would be available directly from the Third Avenue right-of-way.
11. The project complies with applicable provisions of Design Review Section 17.45 of the Zoning Ordinance. General architectural considerations have been incorporated in order to ensure the compatibility of this development with its design concept and the character of other adjacent buildings. These considerations include, but are not limited to, the character, scale and quality of the design, the architectural relationship with the site and other buildings, building materials, and colors.

Conditions of Approval

Staff recommends the Planning Commission forward a recommendation of approval to the City Council for Minor Subdivision SUB-5-13-7184 and Design Review DR-5-13-7185 subject to the following conditions and Daly City General Conditions of Approval for Minor Subdivisions. Minor deviations from the conditions of approval may be approved by the Planning Division. Significant deviations will require review and approval by the Planning Commission and City Council.

A. ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT

General

1. The applicant shall file a Declaration of Acceptance of the above conditions with the City Clerk within thirty (30) days of City Council approval. Until said declaration is filed, the minor subdivision shall not be valid for any purpose.
2. The minor subdivision and design review shall be valid only in conjunction with detailed plans submitted and approved by the City Council. Significant deviations will require review and approval by the Planning Commission and City Council.
3. All technical corrections or modifications required by the City Engineer shall be incorporated into the Final Maps, and all applicable fees paid prior to approval for recordation.
4. All windows shall incorporate a minimum of three-inch trim around the perimeter of the windows utilizing the respective proposed paint schemes. No building permit may be issued until this condition is met.

5. All building elevations shall include three-inch and six- inch foam trim (or comparable) along parapet walls, where feasible for installation, and painted to match the three color scheme.
6. The proposed entryways shall include a recessed door entry area and enhanced trim accentuating the entryways to provide additional front façade articulation.
7. Proposed landscaping shall incorporate Bay Area Friendly species that are drought tolerant and the irrigation systems shall incorporate water efficiency measures and shall show the details on the building permit plans. No building permit may be issued until this condition is met.
8. Additional Stormwater information and updated forms may be required during the building permit review stage when more details of the construction drawings are known. Information and/or designs that may be required if there are any changes that impact the forms submitted for the subdivision application. No building permit may be issued until acceptable storm water requirements are met.
9. Curb-cut and garage door configuration shall be designed to maximize on-street parking. No building permit may be issued until this condition is met. Additionally, the curb cut width may not exceed 14-feet in width.

Time Limit

10. The minor subdivision shall be valid for a period of two years from the date of City Council approval. The subdivision shall lapse if the parcel map is not recorded within two years or extended by the City Council, by the applicant's request, or under operation of state law.

B. PUBLIC WORKS DEPARTMENT

11. An encroachment permit application shall be required for the project.
12. The applicant shall comply with the applicable requirements of the City of Daly City General Conditions of Approval: Use Permits, Variances, Design Reviews, Planned Developments, and Subdivisions, edition current at the time of building permit application.
13. The applicant shall include all utility service connections as required, site improvements and all proposed work within the right of way on the building permit plans submittal. Engineering Division approval that this condition has been met shall be required prior to building permit issuance.
14. Entire new sidewalk, curb and gutter shall be constructed fronting the proposed lots on Third Avenue in accordance with City standard specifications prior to each building permit final.
15. Telecommunication and electrical services shall be provided through underground conduits. There shall be no aerial service drops. Existing street lights presently set on wood utility poles within 50-feet on either side of the subdivision frontage may require replacement with City standard lights on metal poles with underground utilities.

16. In order to alleviate the trenching impact on the paved street, the applicant shall restore the street pavement fronting the parcels on Third Avenue in accordance with the City standards for repair of streets. If it is determined that the repairs warrant an overlay due to surface integrity loss, then street pavement fronting the proposed four lots shall be resurfaced with two inches of new AC.
17. Provide erosion and storm water pollution prevention plan incorporating the best management practices, including operation and management provisions per the requirements applicable at the time of construction permit application. During the rainy season (Sept 30 to April 15) submit a revised erosion control plan every 5 working days.
18. The applicant shall provide specific measures and work plans to prevent pollutants from entering the public storm drain system in compliance with the NPDES regulations. Drainage to the public storm drain system shall be through pipes under the sidewalk, drainage over the sidewalk is not permitted. The rate of flow to the City's Storm Drain System shall not exceed the predevelopment rate. Provide infiltration or detention for increment of drainage flow for a 10-year/2 hour-frequency storm event. Provide fail-safe emergency drainage conditions for worst-case events that may occur during the life of the project in excess of 100 years.
19. The applicant shall submit grading plans, soil investigation report and storm water pollution prevention plans at the time of each building permit submittal.
20. All public improvements shall be completed per applicable standards and approved plans at no cost to the City before any occupancy permit may be issued.
21. Improvement plans - Submit digital and two hard copies of grading, utilities, sidewalk, street and other improvement plans for City review and approval prior to request for applicable permits. Plans shall include complete details and supporting calculations for on-site and offsite work.

C. WATER AND WASTEWATER RESOURCES DEPARTMENT

22. A full set of plumbing plans shall be required for submittal and review at the time of building permit submittal.
23. A set of utility plans are required for DWW's next review and shall be included in the building permit submittal. The plans must show the existing and proposed utility plans for water sewer and fire services to the building. This will assist in a more thorough review of this project to determine if any necessary additional requirements or conditions may apply.
24. A fire flow test is required to verify the system is capable of supplying the necessary fire flow to the project and to properly size the fire system. All costs associated with any water system improvements required as a result of the proposed construction shall be borne by the applicant.
25. Per City of Daly City Standard Drawing SS-12, due to the sewer lateral having a desired slope of less than 2%, a backflow device (swing check) shall be installed in an appropriate

location within the private property. The backflow device shall be contained in a vault that shall remain accessible at all times.

26. Landscaping should be drought tolerant, native vegetation or hardscapes. Plans shall include water conservation devices. Any irrigation in non-turf areas shall be drip, micro-spray or micro-jet. No water features shall be permitted.
27. Plans shall include water conservation devices. All indoor domestic fixtures shall be low flow with toilets 1.28 gpf or less.
28. Water meters shall be located in landscaped areas only. No water meters shall be located in sidewalks or driveways.
29. The applicant shall provide water calculations showing the size of the water service required and required meter size.
30. Ensure that Best Management Practices are implemented prior to and during all phases of construction.
31. Any existing sewer laterals that may be stubbed to the properties shall be abandoned. This may require televising of the main by a private contractor. A DWR representative shall be onsite for any televising. A new lateral shall be installed for each dwelling. All costs associated for this work shall be borne by the applicant.

D. FEES AND DEPOSITS

Deposit

32. The Developer shall deposit and maintain a refundable minimum cash deposit of \$10,000 to the Public Works Department to be used for cleanup, traffic control, and other work necessary to keep the project site safe and from becoming a public nuisance during the construction period of the project. Expenses for work done by the City or its representatives, in this same connection upon failure of the applicant to do the same, shall be charged against the deposit.

AB 1600

33. Pursuant to AB 1600 and City Ordinance 1096, the applicant shall pay fees prior to the issuance of building permits.

School Impact Fees

34. All development in Daly City is required to pay School Impact Fees. The applicant shall provide proof of payment of fees prior to building permit/ issuance.

Parkland Dedication Fees

35. The applicant shall contribute fees in compliance with Chapter 16.30, Parkland Dedications, of Title 16, Subdivisions, of the Daly City Municipal Code.

36. The Parkland Dedication Fee for the proposed subdivision is based on the following formula:

Dedication Requirement:

$$\frac{3.18 \text{ (persons per unit)} \times 3 \text{ (acres of park land per capita)} \times 2 \text{ new d.u.}}{1,000 \text{ population}} = .02 \text{ acres}$$

Park In-Lieu Fee:

Dedication Requirement x Fair Market Value (per acre) x 1.10 = In-lieu fees

Payment of park in-lieu fees is due prior to the approval of the final map.

E. FIRE PREVENTION

37. Fire sprinklers that meet NFPA standards are required and shall be included on the building permit plan submittal.

38. Fire hydrant spacing shall be per CFC Appendix C.

39. Provide a roadway in conformance with CFC Appendix D.

40. Provide fire flow calculations for proposed structures per CFC Appendix B and BB.

41. Visible addressing shall be required and approved by the Fire Department prior to building permit final.

42. Smoke and CO detectors shall be shown on building permit plans and shall be installed and approved by the Fire Department prior to building permit final.

F. BUILDING DIVISION

43. Building Permit plans will have to be designed to meet 2010 building codes, including California Green Building Standards code.

44. Applicant shall provide a checklist on how this project can achieve the required 50 green building points to the Building Division for the building permit application on or before the building permit application plan review.

45. Provide a permanent stairway conforming with CRC R311.7 at the 4' rear retaining wall. Since bedroom windows will be opening into the backyard. Emergency escape and rescue windows shall have full access to the backyard with a minimum clear depth of 20 feet measured from the exterior wall to the property line, and that extends to the full width of the parcel.

July 2, 2013

Recommendation

The Staff recommends the Planning Commission forwards to the City Council the following recommendations:

1. Adopt the Findings as outlined herein;
2. Affirm the Environmental Assessment;
3. Approve Minor Subdivision SUB-4-13-7184 and the Design Review DR-4-13-7185, as conditioned herein.

Staff is available to provide any additional information desired by the Planning Commissioners.

Respectfully submitted,



Tatum Mothershead
Planning Manager



Brian Millar
Director of Economic and Community
Development

Attachments

Attachment A – Location Map
Attachment B – Proposed Tentative Parcel Map
Attachment C – Project Plans

LOCATION MAP



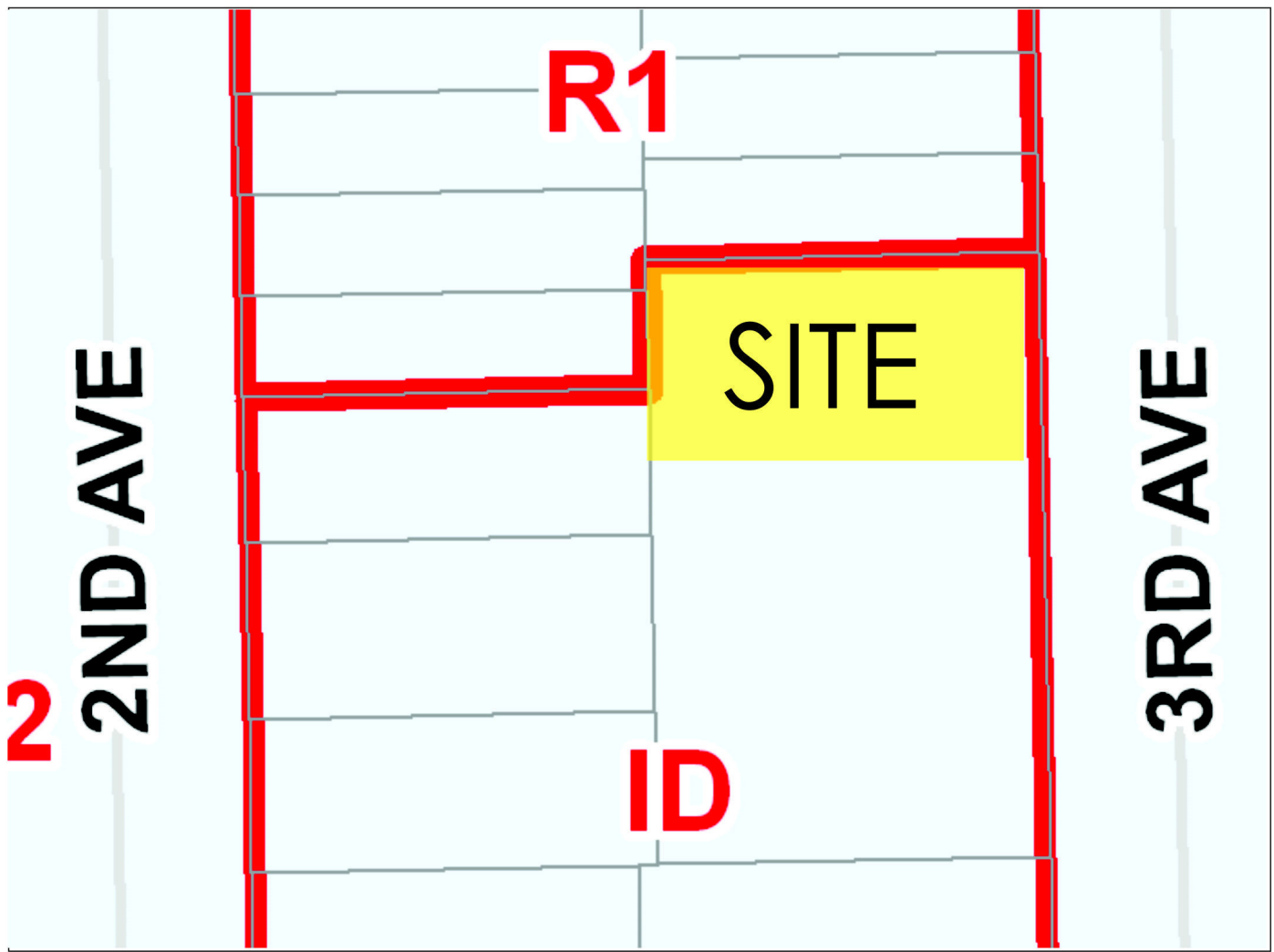
Minor Subdivision SUB-4-13-7184 and

Design Review DR-4-13-7185

150 Third Avenue

Two-lot subdivision and two single-family dwellings

Planning Commission Review



MAP NOTES

OWNER/SUBDIVIDER: ANDY TAN AND PATRICIA WU-TAN
1053 CRESTVIEW DRIVE
MILLBRAE, CA 94030
PHONE: (415) 819-2366

ENGINEER: ANDY TAN
1053 CRESTVIEW DRIVE
MILLBRAE, CA 94030
PHONE: (415) 819-2366
EMAIL: tanconsultant@yahoo.com

PROPERTY ADDRESS: 150 3RD AVENUE

ASSESSOR'S PARCEL #: 006-253-490

TOTAL AREA: 5,000 SQUARE FEET

PROPOSED LOTS: 2 @ 2,500 SQUARE FEET

EXISTING USE: VACANT LOT

PROPOSED USE: SINGLE FAMILY RESIDENTIAL

ZONING: RESIDENTIAL R1

UTILITY INFORMATION

SANITARY SEWER: NORTH COUNTY SANITATION DISTRICT
153 LAKE MERCED
DALY CITY, CA 94015

WATER SERVICES: CITY OF DALY CITY
DEPT OF WATER & WASTEWATER RESOURCE
153 LAKE MERCED BOULEVARD
DALY CITY, CA 94015

GAS AND ELECTRICITY: PACIFIC GAS AND ELECTRIC
275 INDUSTRIAL ROAD
SAN CARLOS, CA 94070
650-738-4660

TELEPHONE SERVICES: AT&T
(866) 346-1168

FIRE PROTECTION: NORTH COUNTY FIRE AUTHORITY
10 WEMBLEY DRIVE
DALY CITY, CA 94015

SOURCE OF ELEVATION

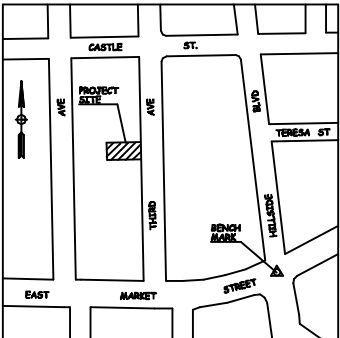
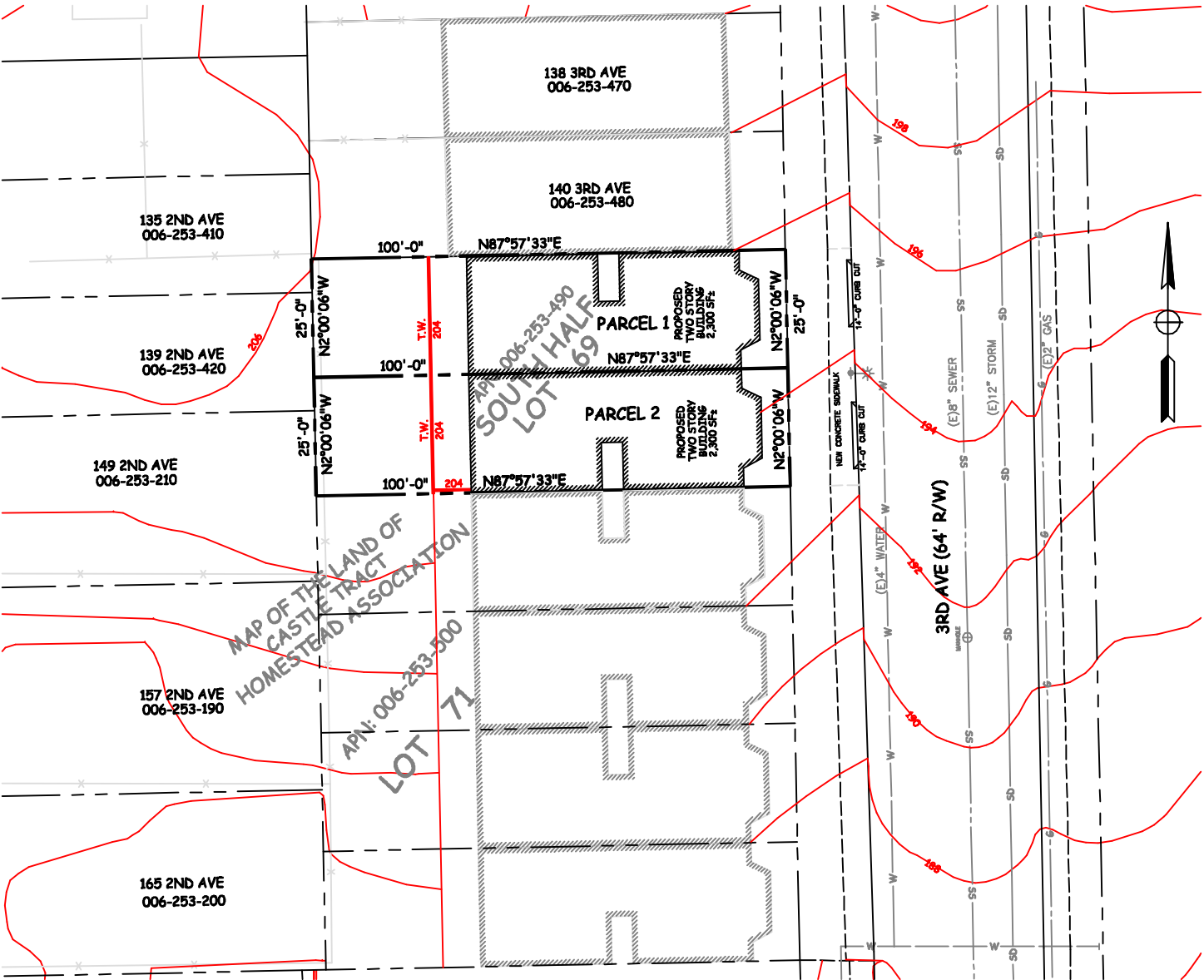
THE ELEVATION OF THE MONUMENT LOCATED AT THE CENTER OF EAST MARKET STREET AND 3RD AVENUE IS 169.43 WAS TAKEN AS THE SOURCE OF ELEVATION.

BASE OF BEARINGS

THE BEARING, N2°00'06" W ON THE CENTERLINE OF 3RD AVENUE TAKEN BETWEEN FOUND STANDARD CITY MONUMENTS AT THE INTERSECTIONS OF 3RD AVENUE AND CASTLE STREET, AND 3RD AVENUE AND EAST MARKET STREET AS SHOWN ON PM 75 PAGE 45

GENERAL NOTES

1. NEW SIDEWALK PROPOSED TO BE CONSTRUCTED ON 3RD AVENUE IN FRONT OF THE PROPERTY.



VICINITY MAP
NO SCALE



TENTATIVE MAP

BEING THE RESUBDIVISION OF SOUTH HALF OF LOT 69, BLOCK 7
MAP OF "THE LAND OF CASTLE TRACT HOMESTEAD ASSOCIATION"
FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN MATEO COUNTY
ON OCTOBER 12, 1871 IN BOOK "D" OF MAPS AT PAGE 22
AND COPIED INTO BOOK 1 OF MAPS AT PAGE 7
APN 006-253-490

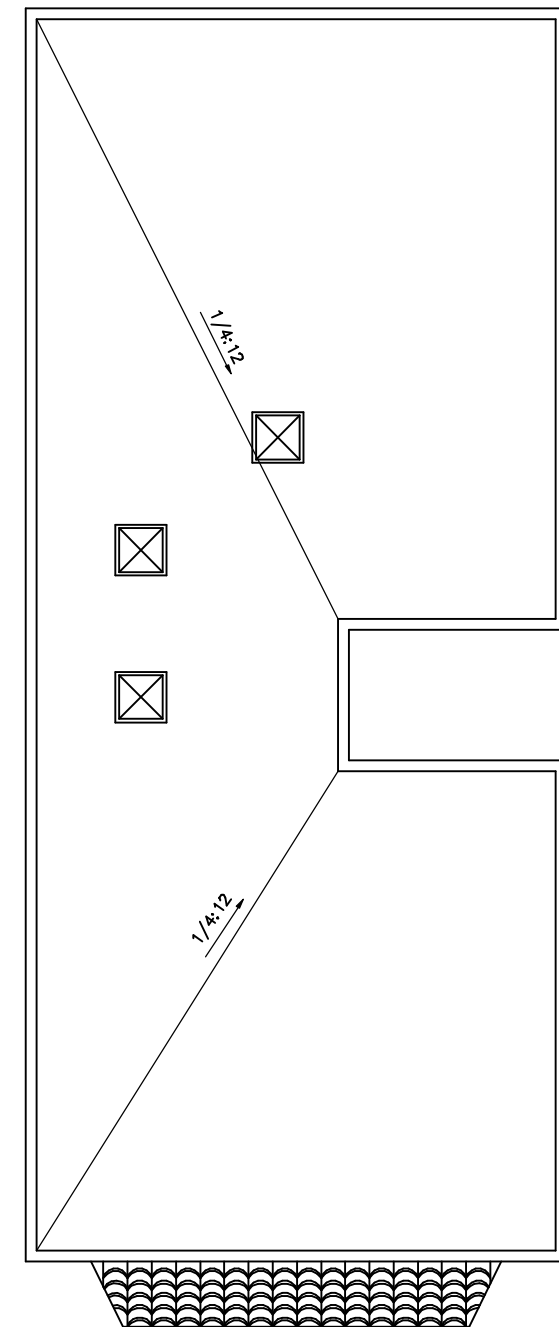
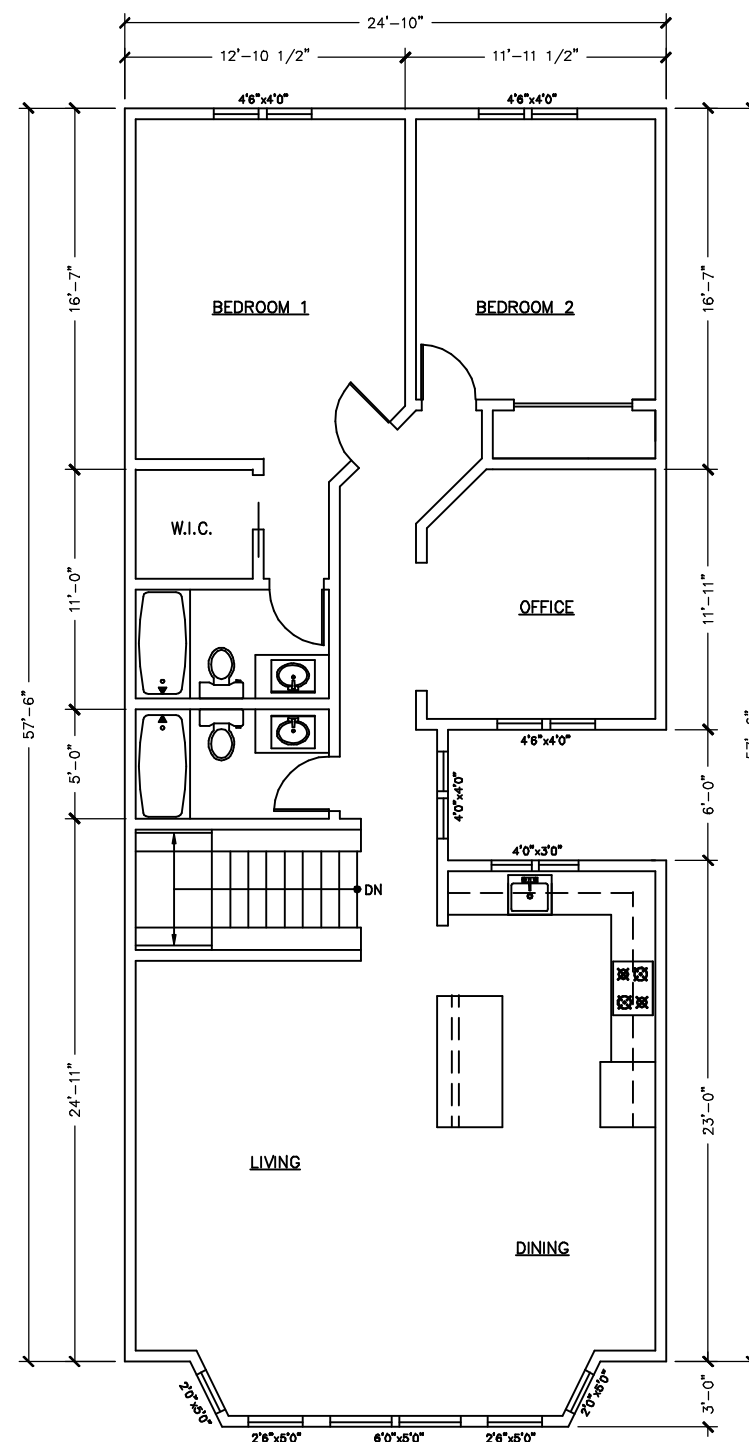
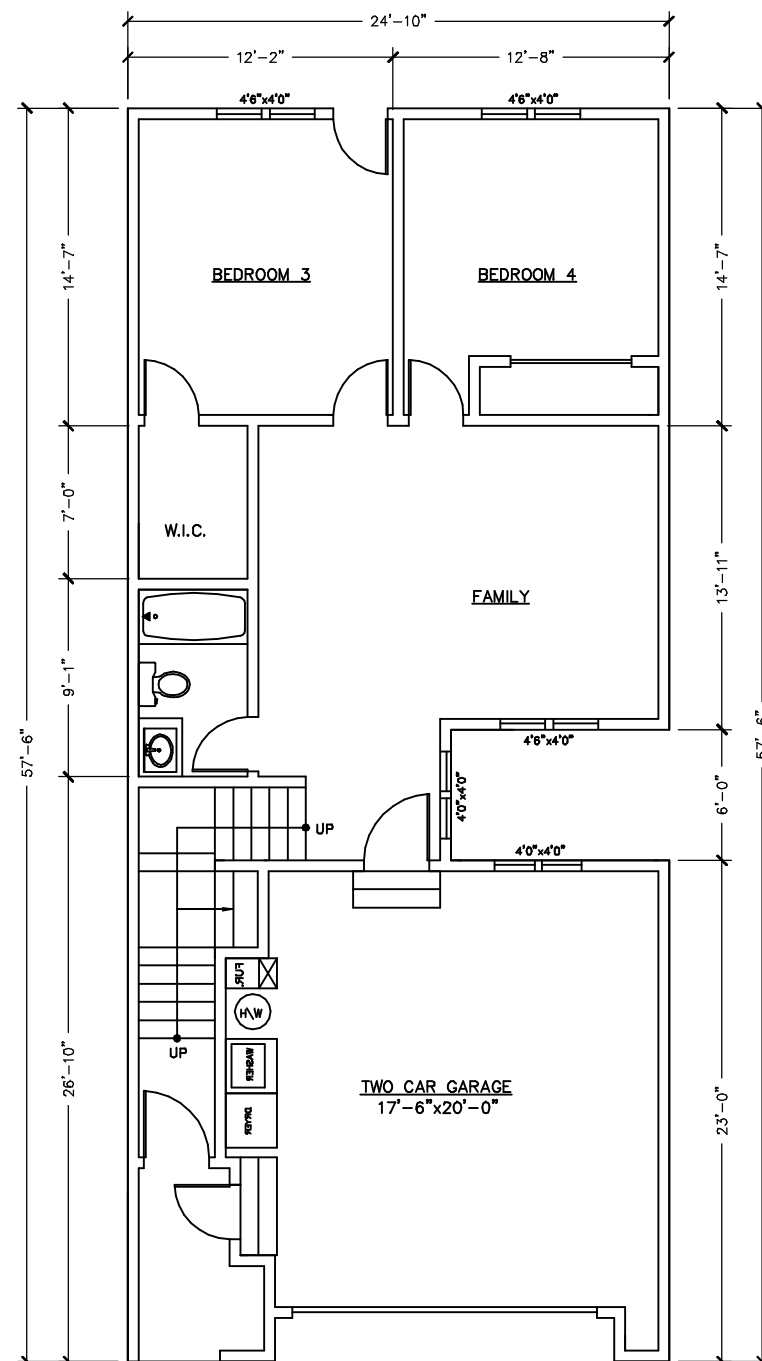
CITY OF DALY CITY
SAN MATEO COUNTY, CALIFORNIA

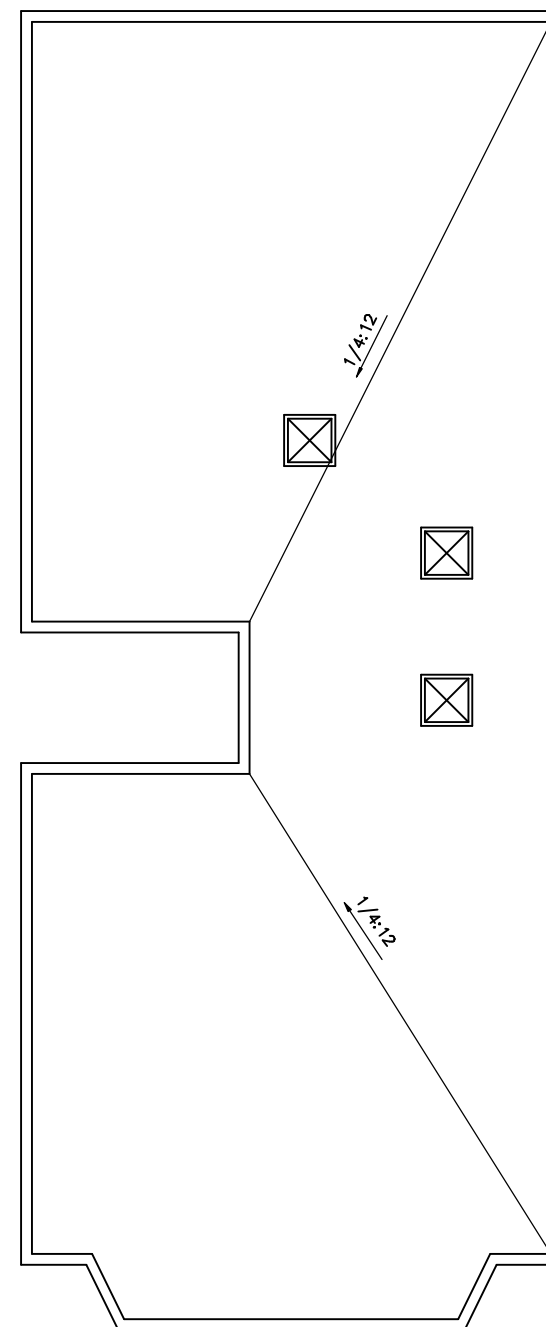
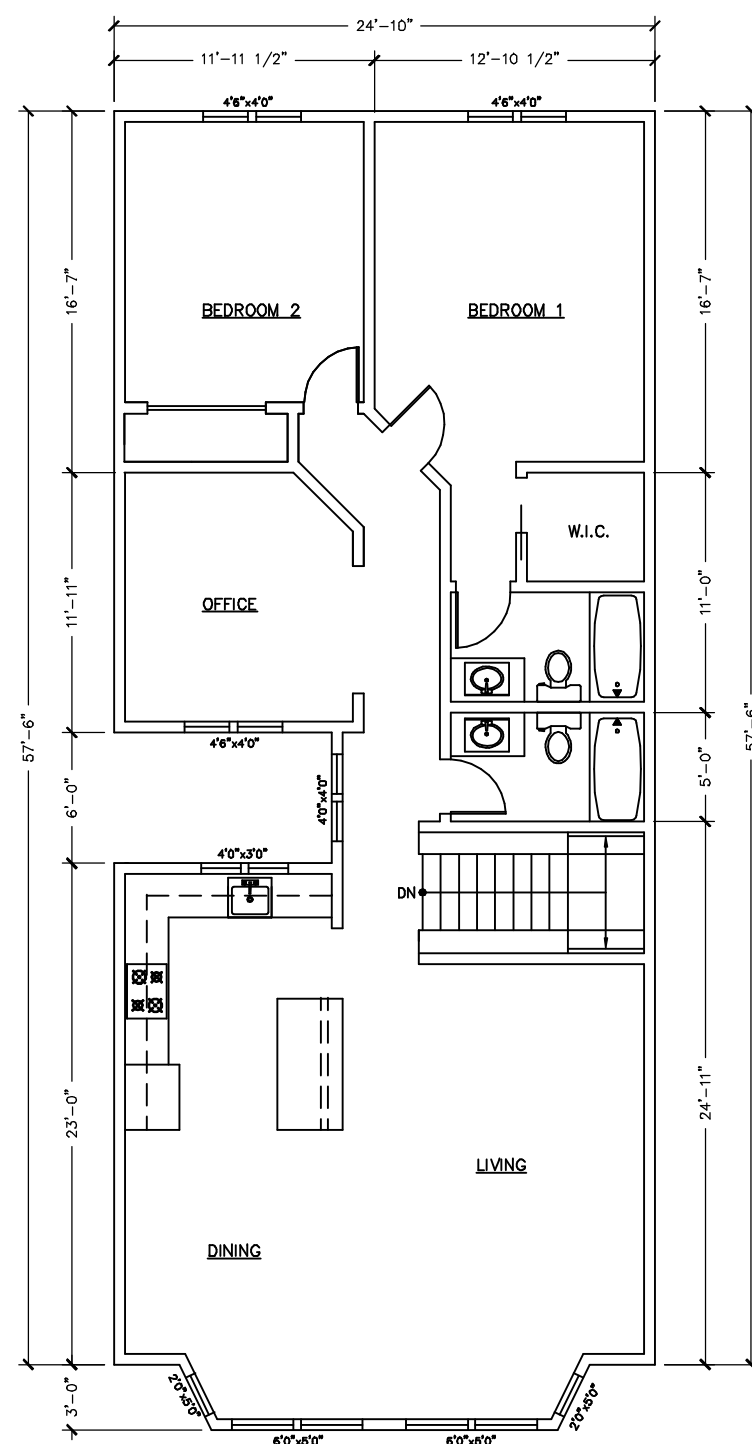
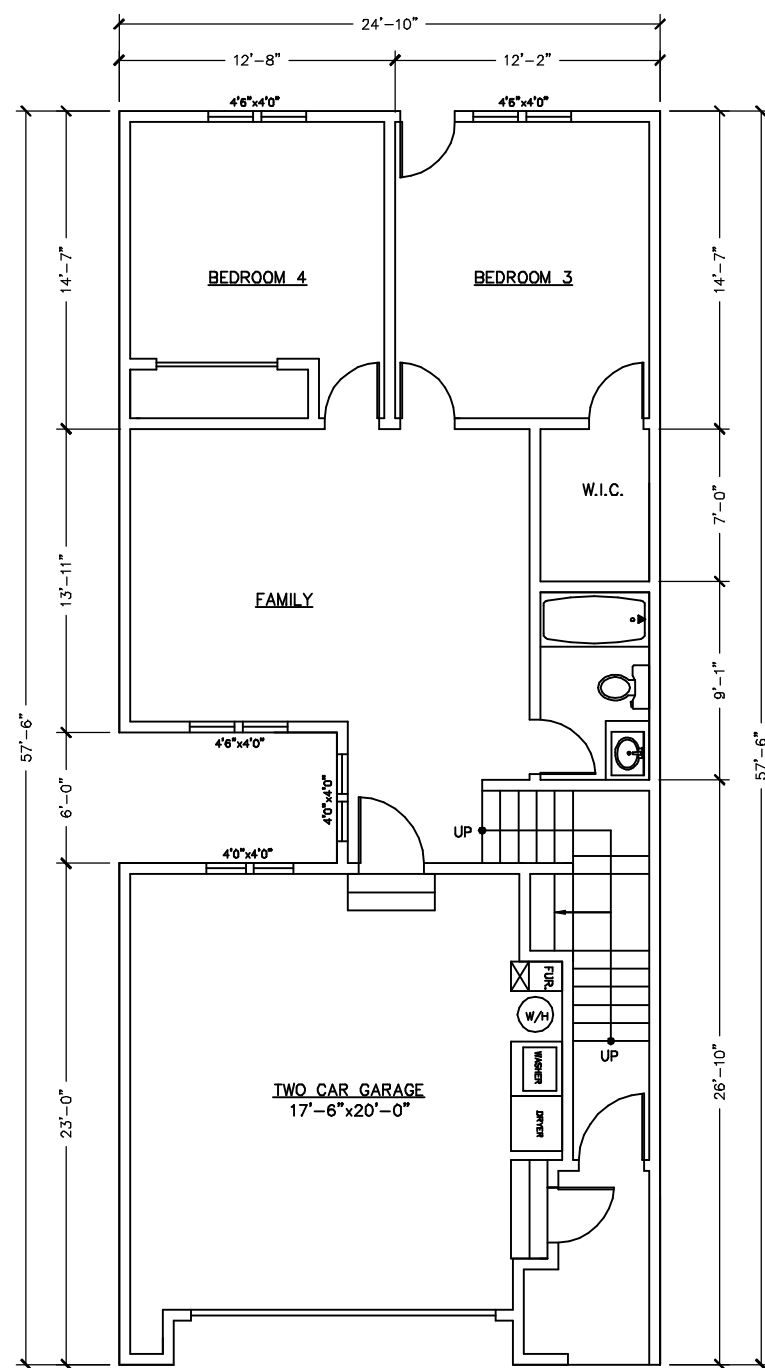
SCALE: 1" = 20' APRIL, 2013

Job No.
-
Sheet No.
SHEET 1 OF 1
Date
APRIL 2013
Survey
Design
A. TAN
Drawn
A. TAN
Checked
A. TAN
Scale
1"=20'

TENTATIVE PARCEL MAP
BEING THE RESUBDIVISION OF SOUTH HALF OF LOT 69, BLOCK 7
MAP OF "THE LAND OF CASTLE TRACT HOMESTEAD ASSOCIATION"
FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN MATEO COUNTY
ON OCTOBER 12, 1871 IN BOOK "D" OF MAPS AT PAGE 22 AND COPIED INTO BOOK 1 OF MAPS AT PAGE 7

Approved By:
By:
Revisions
By:

[illegible]

[illegible]



Daly City Planning Commission

Agenda Report

333 - 90th Street ♦ Daly City ♦ California ♦ 94015 ♦ 650-991-8033

Meeting Date: July 2, 2013

Application: Planned Development Amendment PD-5-13-7294
Use Permit UPR-5-13-7295

Project Planner: Tatum Mothershead, Planning Manager

Project Location: 165 Pierce Street

Project Description: Planned Development zone text amendment and use permit to allow the conversion of 80 senior apartments into assisted living units

Applicant: SRGL Daly City, LLC
500 Stevens Avenue
Solana Beach, CA 92075

Property Owner: WASL Daly City Investors V, LLC
900 N. Michigan Avenue, Suite 1900
Chicago, IL 60611

Environmental Assessment: Categorically Exempt per Section 15301: Existing Facilities

Applicable Daly City Municipal Code Sections: Chapter 17.28 Planned Developments
Chapter 17.44 Use Permits

Site Information

Property Size	Existing Use	Proposed Use	General Plan Designation	Current Zoning
2.48 acres	208 unit senior apartment building	Assisted Living	Medium Density Residential	PD-65

Area Information

Land Use	Zoning
North: Gas Station and Auto Repair	C-R/R (Residential Retail) and C-R/O (Retail office Commercial)
South: Apartments and Vacant Office Building	R-H (High Density Residential) and C-O (Office Commercial)
West: Pauline M. Brown Elementary School	SCH (School)
East: Drugstore (under construction)	PD-65 (Planned Development 65)

Background

The applicant, SRGL Daly City, LLC, is requesting approval of a planned development amendment and use permit to allow the conversion of 80 senior apartment units into assisted living units.

The planned development, PD-65, that allowed for the construction of the existing 208-unit senior housing community known as Peninsula Del Rey, was approved in January 2007. The planned development also included provisions for a 14,000 square foot drugstore with a drive-through (currently under construction along Sullivan Avenue/Pierce Street), and a 1,400 square foot retail pad. The owner is requesting to convert 80 of the apartment units into assisted living units to provide its residents the opportunity to “age in place” by having the option for residents to move from their independent living units into the assisted living as their needs may change over time. Since the planned development did not include provisions for the proposed change of use, an amendment and use permit are required. The previous entitlement required that 32 of the 208 residential units would need to be affordable. This proposal would not change that requirement and the 32 units would therefore be included in the remaining 128 independent living units.

Discussion

The plan calls for designating 80 units on the first and second floors of the building as the state-licensed assisted living units. One of the units will be utilized as an office area, which results in a total of 79 units to be occupied by residents. The remaining 128 units on the third and fourth floors will remain as independent living units. Although the units for independent and assisted living will be grouped by floors, all of the common space, such as the dining room, theater, and activity room, will be equally accessible to all residents. The designation of the first and second floors as licensed for assisted living will not require any structural modifications or changes to the building.

The number of employees at Peninsula Del Rey will increase with care staff needed to provide the assisted living services and care. If all 79 assisted living units are occupied, the additional number of employees needed for care services would increase by 16 to 17 more staff shifts per day in excess of staffing levels needed for the existing use. Due to the 24-hour nature of assisted living, the extra shifts are distributed over three shifts. The distribution of the employees would be as follows: eight employees for the morning shift (7am-3pm), six employees for the evening shift (3pm-11pm), and three employees for the overnight shift (11pm-7am).

Parking

The total available parking for the Peninsula Del Rey development consists of 213 spaces on two levels, within the building’s garage that is accessed from Pierce Street. These 213 spaces reflected a lesser parking demand given that industry standards have shown that seniors have a lower rate of car ownership. The lower level garage in PDR provides 28 guest spaces; 31 staff spaces and 76 resident spaces. The upper level garage in PDR provides an additional 78 resident

spaces. These parking designations were established in the Parking Management Plan that was required as a condition of approval of the original planned development.

Residential parking is essentially provided at the rate of .75 parking spaces per residential unit based on the figures noted above. Using that ratio, 60 parking stalls could be assigned to the assisted living use if 80 units are converted to assisted living. Based on parking studies reported in the Institute of Transportation Engineers Parking Generation Manual, Congregate Care Facilities, which is the most similar use to the proposed, demand a total of .41 parking stalls per unit. Using this ratio, a demand of 33 parking stalls would be necessary to serve the use. Since this is less than the demand for the residential units, staff considers this change in use to be a less intensive use in regards to parking.

Although the overall parking demand is lower with the proposed assisted living use, the applicant should submit a modified Parking Management Plan that makes provisions for the increase in demand for the staff parking.

Fiscal Analysis

The proposed project consists of converting residential units to assisted living units. It is not expected that the change would significantly increase the demand for City services. Assisted living uses do require a Residential Care Facility for the Elderly license, issued through the California Department of Social Services and a business license issued by the City of Daly City.

FINDINGS

Staff finds that the proposed Planned Development Amendment PD-5-13-7294 and Use Permit UPR-5-13-7295 is in accordance with Chapter 16 and Chapter 17 of the Daly City Municipal Code. Approval of the proposed project will not be detrimental to the health, safety, morals, comfort and general welfare of persons residing or working in the vicinity. The proposed planned development amendment and use permit would not be injurious or detrimental to property and improvements in the neighborhood or result in substantial environmental damage or disturbance. These findings are based in part on the following facts:

General

1. In accordance with Title 17 of the Daly City Municipal Code, as well as applicable State zoning enabling legislation, the Planning Commission will conduct a public hearing on July 2, 2013; notice of said hearing was by newspaper publication on June 21, 2013, posting and first class mailing to property owners within 300 feet of the site.
2. Staff has reviewed the proposal under the requirements of the California Environmental Quality Act (CEQA) and has determined the project is Categorical Exempt per Section 15301: Existing Facilities.

3. Based on parking studies reported in the Institute of Transportation Engineers Parking Generation Manual, Congregate Care Facilities, which is the most similar use to the proposed, demand a total of .41 parking stalls per unit. Using this ratio, a demand of 33 parking stalls would be necessary to serve the use. Since this is less than the demand for the existing residential units, staff considers this change in use to be a less intensive use in regards to parking.
4. The previous entitlement required that 32 of the 208 residential units would need to be affordable. This proposal would not change that requirement and the 32 units would therefore be included in the remaining 128 independent living units.
5. The conversion of 80 of the apartment units into assisted living units would provide residents the opportunity to “age in place” by having the option for residents to move from their independent living units into the assisted living as their needs may change over time.

Conditions of Approval

Staff recommends the Planning Commission forward a recommendation of approval to the City Council for Planned Development PD-5-13-7294 and Use Permit UPR-5-13-7295 subject to the following conditions. Minor deviations from the conditions of approval may be approved by the Planning Division. Significant deviations will require review and approval by the Planning Commission and City Council.

A. ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT

General

1. The applicant shall file a Declaration of Acceptance of the above conditions with the City Clerk within thirty (30) days of City Council approval. Until said declaration is filed, the minor subdivision shall not be valid for any purpose.
2. The planned development and use permit shall be valid only in conjunction with detailed plans submitted and approved by the City Council. Significant deviations will require review and approval by the Planning Commission and City Council.

Time Limit

3. The Use Permit shall expire if a business license has not been issued within one year of the City Council approval date or extended by the City Council, by the applicant's request, or under operation of state law.

Parking Management

4. The applicant shall amend the Parking Management Plan to reflect the higher demand for staff parking. Said Parking Management Plan shall be submitted prior to the approval of a

business license for the assisted living use and will be subject to approval by the Planning Division.

Recommendation

The Staff recommends the Planning Commission forwards to the City Council the following recommendations:

1. Adopt the Findings as outlined herein;
2. Affirm the Environmental Assessment;
3. Approve Planned Development PD-5-13-7294 and Use Permit UPR-5-13-7295, as conditioned herein.

Staff is available to provide any additional information desired by the Planning Commissioners.

Respectfully submitted,



Tatum Mothershead
Planning Manager



Brian Millar
Director of Economic and Community
Development

Attachments

Attachment A – Location Map

Attachment B – Project Plans

Attachment C – Project Description

Attachment D – Amended Planned Development Standards

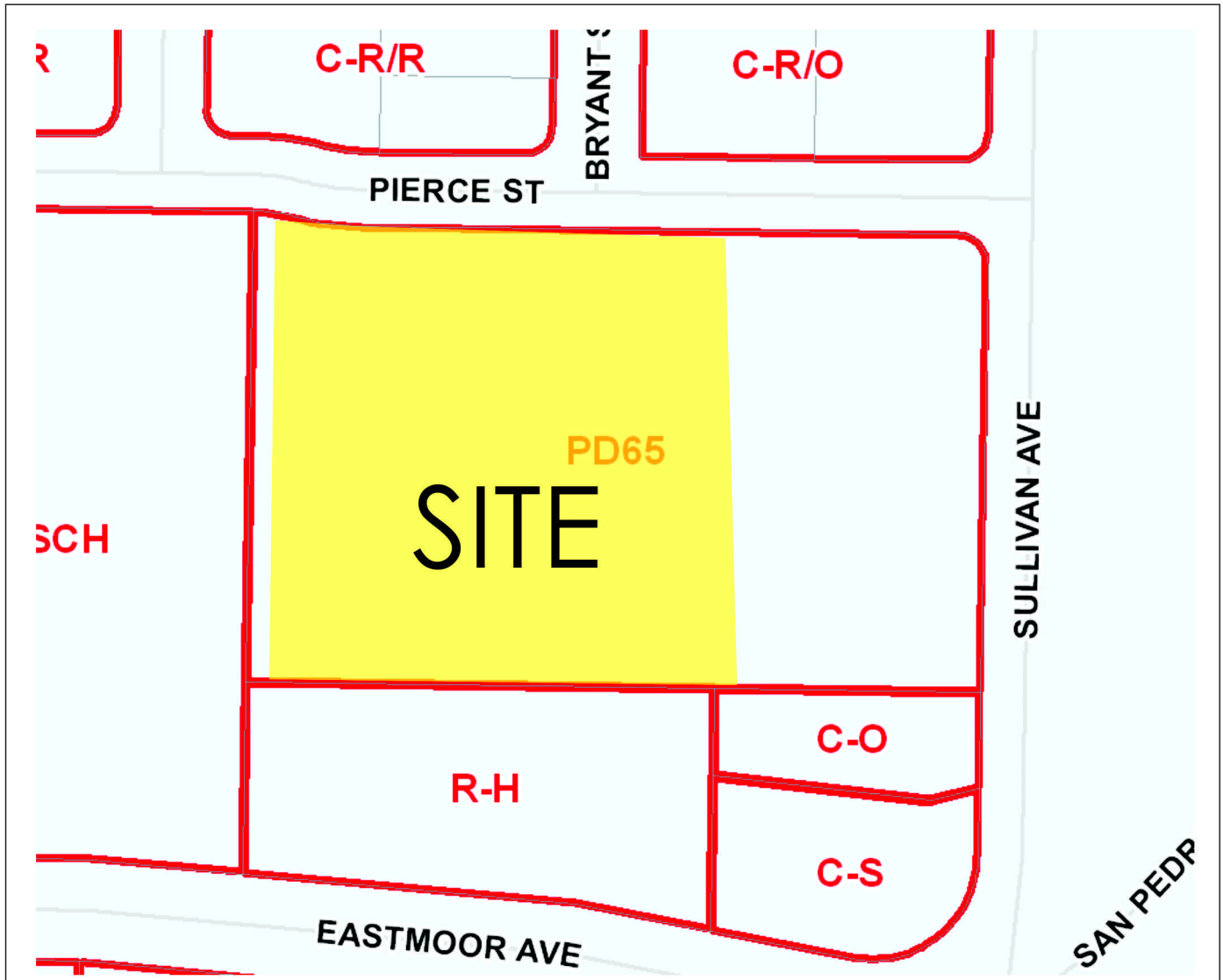
LOCATION MAP

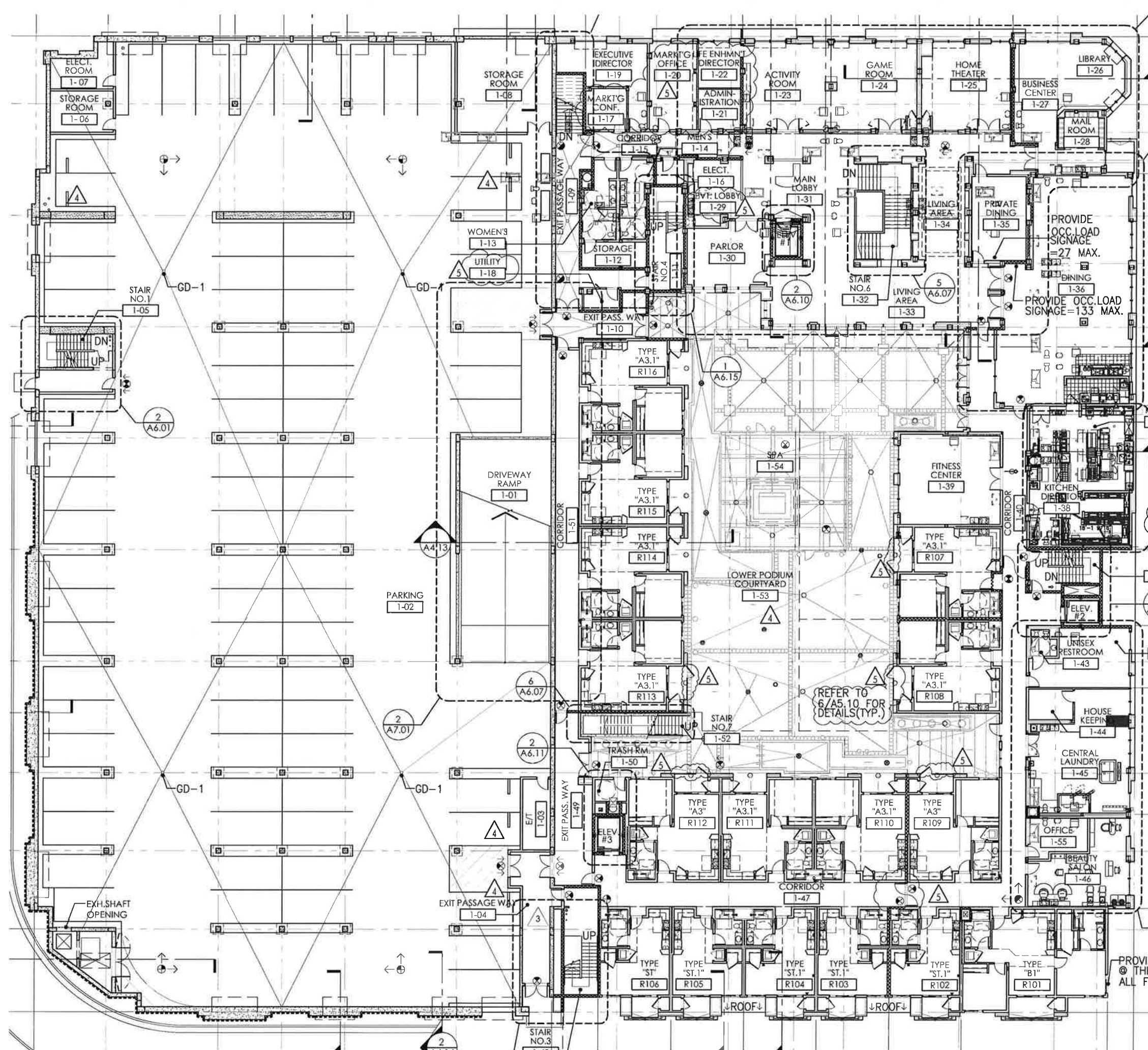


PD-5-13-7294, Use Permit UPR-5-13-7295

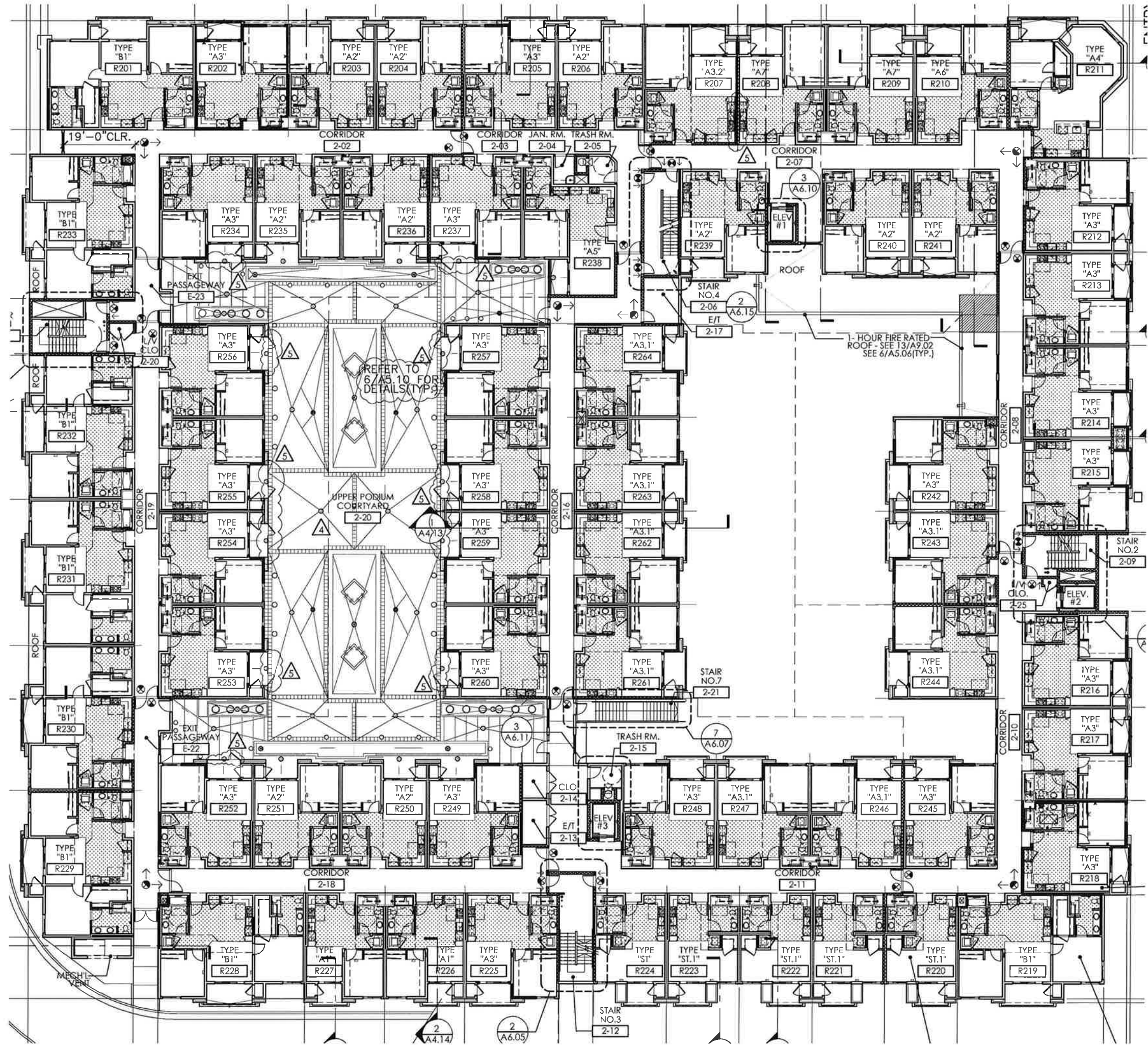
165 Pierce Street

Planned Development zone text amendment to allow
conversion of senior apartments to assisted living units
Planning Commission Review





PENINSULA
del
REY
FIRST FLOOR
16 UNITS AL



PENINSULA
del
REY
SECOND FLOOR
64 UNITS AL

PENINSULA DEL REY ADDITION OF LICENSED ASSISTED LIVING SERVICES

OVERVIEW

Peninsula Del Rey was built as a 208 unit senior housing community designed to accommodate Independent Living seniors. Ownership and management intend to convert a portion of the units to licensed Assisted Living units. This portion of the building will be licensed as a Residential Care Facility for the Elderly (RCFE). Licensing is by the California Department of Social Services, Community Care Licensing.

Licensing a portion of the building as Assisted Living will permit Peninsula Del Rey to better meet the needs of the senior population of Daly City. Residents of Peninsula Del Rey will be able to "age in place" by moving into the community as an "independent living" resident and, if and when their needs change, they will be able to receive the services and care they need in the Assisted Living portion of the building without having to move from the community.

PROJECT DESCRIPTION

The plan calls for designating 80 units on the first and second floors of the building (which is all of the units on those floors) as the licensed Assisted Living units and area. One unit will be utilized as the Assisted Living staff office area leaving a net 79 units to be occupied by residents. The 128 units on the third and fourth floors will remain as Independent Living units.

Though the units for Independent Living and Assisted Living will be grouped by floors, all common space (dining room, fitness room, movie theatre, activity room, etc.) will be accessible equally by all residents - full market rate residents and Below Market Rate ("BMR") residents.

The designation of the first and second floors as licensed for Assisted Living does not require any structural modifications or changes to the building.

BELOW MARKET RATE UNITS

The number of BMR units will remain at 32. The 32 units will be equally distributed throughout the third and fourth floors of the building.

INDEPENDENT LIVING UNITS

No residents in Independent Living, including BMR residents, will have access to the Assisted Living units or services. However, residents in Independent Living units, including BMR residents, may obtain for themselves assistance with activities of daily

living, clinical care, and/or health care through outside sources, such as family members, friends or professional home care or home health agencies.

STAFFING CHANGES

The number of employees at Peninsula Del Rey will increase with care staff needed to provide the assisted living services and care. When all 79 Assisted Living units are occupied by residents, the additional number of employees needed for care services would be 16 – 17 more staff shifts per day in excess of staffing levels needed if these units remained unlicensed, Independent Living. Due to the 24 hour nature of Assisted Living, for the most part, the extra shifts are spread out over three shifts - AM (7am-3pm), PM (3pm-11pm) and NOC (11pm -7am).

TRAFFIC AND PARKING

Based on SRG's experience at other senior communities, as well as evaluating the number of automobiles currently at Peninsula Del Rey, it is estimated that 71% of Independent Living residents would have automobiles and 11% of Assisted Living residents would have automobiles. Thus, if all 208 units were occupied by Independent Living residents, there would be approximately 148 automobiles ($208 \times 71\% = 147.68$). With 128 units as Independent Living and 79 units as Assisted Living, there would be approximately 100 automobiles ($128 \times 71\% = 90.88$; $79 \times 11\% = 8.69$), a reduction of 48. The reduction in the number of resident automobiles will be far greater than the automobiles generated by the additional staff. In addition, the majority of additional staff trips coming and going from the community are during non-peak times. The net result with the conversion of some units to Assisted Living will be fewer automobiles and fewer trips coming and going from the community.

**PLANNED DEVELOPMENT STANDARDS
PLANNED DEVELOPMENT ZONE PD-65
SULLIVAN PIERCE SENIOR APARTMENTS AND RETAIL CENTER**

The purpose and intent of these Planned Development Standards is to establish a Planned Development Zoning District for PD-65, which encompasses the entire project site.

I. GENERAL

- A. When these planned development standards conflict with other sections of the Zoning Ordinance, these standards prevail only to the extent of the conflict. Where these planned development standards do not provide regulations, the Zoning Ordinance shall apply as to the most similar land use or standard.
- B. Any modifications to plans approved by the City Council shall require an amendment of the original PD approval and shall be subject to separate approval by the Planning Commission and City Council. The Planning Division may approve minor changes of the approved plans due to code requirements or conditions of approval.
- C. All structures, landscape areas, required facilities and amenities shall be maintained in a neat, safe, and healthful condition, subject to improvement and upgrading of plans as required by this Planned Development approval.

II. PERMITTED USES

The sole permitted uses on the subject property shall be a 128-unit senior apartment complex with 79 assisted living units, 14,000 square foot retail space with drive-through prescription drug pick-up, and 1,400 square foot satellite retail space. The satellite retail space shall consist of an establishment serving food and/or beverages prepared on-site where customers may order beverages and/or full meals from a walk-up counter for either on- or off-site consumption. The number of tables provided at the satellite retail location shall not be more than five for a total of ten patrons (the tables shall only have room for 2 seats). Additionally the following uses shall be permitted: apparel, books, dry cleaner, florist, bank, beauty supply, hair salon, cellular store, electronics/computers, record store, and sporting goods.

II. DEVELOPMENT STANDARDS

- A. **Unit Maximum:** The number of independent living apartments shall not exceed 128 units and shall be provided on the third and fourth levels of the building. Seventy-nine (79) assisted living units are allowed for the first and second levels of the development.
- B. **Retail Maximum:** The number of square feet in the primary site retailer shall not exceed 14,400. The number of square feet of the satellite retailer shall not exceed 1,400.

- C. Parking:** The project shall continually provide a total of 267 parking spaces. A parking management plan shall be continually in effect at the site and shall be effective to all site occupants whether they be commercial, residential users, and the employees of the residential and assisted living development. The plan shall incorporate the provision of a parking permit for residential apartment occupants. The number of permits issued shall not exceed the number of parking spaces furnished in areas approved for parking exclusive of the retail parking lot.
- D. Additions to Structures:** The project setbacks shall be as identified in the approved plans. No residential or commercial buildings expansions shall be permitted on the subject site.
- E. Project Affordability:** The property shall continually have a deed restriction pertaining to it, ensuring the following cost limits for 32 of the 128 apartment units:
1. Fifteen percent of the total residential units (32 units) shall be deed restricted as “affordable rental units”;
 2. Sixteen of the affordable rental units shall be reserved for households with incomes at or below 70 percent of the Median Income adjusted by actual household size at rents that do not exceed 35% of household income, less a utility allowance;
 3. Sixteen of the affordable rental units shall be reserved for households with incomes at or below 50 percent of the Median Income adjusted by actual household size at rents that do not exceed 35% of household income, less a utility allowance;
 4. Median Income shall mean the median income for households in San Mateo County, as published from time to time by the United States Department of Housing & Urban Development in a manner consistent with the determination of median gross income under Section 8 of the United States Housing Act of 1937, as amended. Deemed household size shall mean 1.5 persons per 1-bedroom and 2 persons per 2-bedroom; and
 5. All affordable units will be distributed proportionally among one- and two-bedroom units (no three-bedroom units are proposed) and throughout the project.
- F. Building Area Limit:** There shall be no additional square footage allowed in PD-65 beyond what is permitted through approval of the precise plan. The Planning Division is authorized to approve minor additions or alterations to square footage for the proposed project, if such changes are to meet specific code requirements and do not affect the overall mass of the building.

- G. Building Height Limit:** The maximum height allowed for PD-65 is 67 feet.