

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

AGENDA

Tuesday, January 07, 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:

MINUTES: Approval of Minutes of December 3, 2013

ELECTION OF OFFICERS:

1. Appointment of Planning Commission Chair and Vice Chair

PUBLIC HEARING:

1. Variance VARC-5-13-7250, Design Review DR-5-13-7151 and Environmental Assesment for a front yard setback variance for minor expansion to existing synagogue.

APPLICANT:	Andy Tan
LOCATION:	1575 Annie Street
ENVIRONMENTAL ASSESSMENT:	Categorically Exempt per CEQA Guidelines Section 15301(e)(1) --Additions to existing structures that will not result in an increase of more than 2,500 square feet.
PLANNER:	Jeannie Naughton, Associate Planner

PUBLIC APPEARANCES, STAFF COMMUNICATIONS:

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

Agenda – Planning Commission

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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
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MINUTES

Tuesday, December 3, 2013 - 7:00 PM

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Webcast: www.dalycity.org/meetings

OPENING OF MEETING:

PLEDGE TO THE FLAG:

ROLL CALL: PRESENT: Edelman, Kelly, Lubiano, Sylvester, Crump
 ABSENT:

MINUTES: Approval of Minutes of October 8, 2013

Moved by Commissioner Kelly, seconded by Commissioner Edelman, that the minutes of October 8, 2013 meeting be approved. Motion carried 5-0.

1. Planned Development PD-10-13-7945, Design Review DR-10-13-7946, Environmental Assessment CEQA-10-13-8022; Sketch Plan Phase for Serramonte Shopping Center

Staff report presented by: Jeannie Naughton, Assistant Planner

Jeff Mooallem, Equity One, presented an overview of the project.

Equity One presented the sketch plan for the expansion of the Serramonte Shopping Center. They described their goals of involving the Planning Commission at the earliest stages in order to gain input from the Commission and to facilitate a collaborative approach to the project. The Planning Commissioners were generally supportive of the expansion proposal, encouraged the applicant to seek out community feedback, and had several questions regarding site landscaping, site security, and height/massing of the proposed parking structure. The Commission wanted to ensure the continuation of existing on-site special events such as the Farmer's Market and Off the Grid. Equity One assured the Commission that these events might be relocated due to

construction activities but that they would remain part of the Serramonte Shopping Center. Commissioner Edelman suggested that Equity One explore opportunities to either include an additional parking structure in the southeast portion of the site or consider services such as shuttles to/from BART. Commissioner Sylvester questioned the adequacy of the parking structure and what thresholds would trigger an additional level of parking, as well as pointing out the need to ensure adequate access for emergency vehicles. Commissioner Crump suggested changing out site parking lot lights with more efficient technology as this would not only cut down on light pollution but also be a more cost-effective option. Commission Kelly suggested the applicants consider options for increasing site security through cameras, additional patrols, or a combination of the two. Commissioner Lubiano was supportive of the applicants' intention to significantly increase family-friendly activities at the shopping center.

The Planning Commission has directed the applicant to continue through the Planned Development process.

PUBLIC APPEARANCES, STAFF COMMUNICATIONS:

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

ADJOURNMENT: The Chair adjourned the meeting at 7:50 p.m.

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Daly City Planning Commission Agenda Report

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

Meeting Date: January 7, 2014

Application: Variance VARC-5-13-7250, Design Review DR-5-13-7151

Project Planner: Jeannie Naughton, Associate Planner

Project Location: 1575 Annie Street

Project Description: Front Yard Setback Variance for Minor Expansion to Existing Synagogue

Applicant: Andy Tan
1053 Crestview Drive
Millbrae, CA 94030

Property Owner: Karaite Jews of America
1575 Annie Street
Daly City, CA 94015

Environmental Assessment: Categorically Exempt per CEQA Guidelines Section 15301(e)(1)--
Additions to existing structures that will not result in an increase of more than 2,500 square feet

Applicable Daly City Municipal Code Sections: Daly City Municipal Code Sections:
Chapter 17.46 Variances
Chapter 17.45 Design Review

Site Information

Property Sizes	Existing Use	Proposed Use	General Plan Designation	Current Zoning
12,600 SF	Synagogue	Synagogue	C-MU Commercial Mixed Use	C-R/R Residential Retail Commercial

Area Information

Land Use	Zoning
North: Single-Family Residential and Nursery Uses	C-R/R Residential Retail Commercial
South: Professional Offices and Single-Family Residential	C-R/R Residential Retail Commercial
West: Single-Family Residential and storage yards	C-R/R Residential Retail Commercial
East: Single-Family Residential	C-R/R Residential Retail Commercial

Background

The applicant, Andy Tan, on behalf of Congregation B’Nai Israel is requesting a front setback Variance for the new construction of a 970 square foot addition to an existing synagogue at 1575 Annie Street. The proposed addition would maintain a 5 foot front yard setback and will accommodate additional space for general events, such as educational guest speakers, film screenings, and community events.

Discussion

The site is zoned C-R/R Residential Retail Commercial in the Sullivan Corridor Specific Plan area. Development setbacks within this zoning designation require at least 15 feet from adjacent street property lines, 10 feet from side property lines, and 10 feet from rear property lines. Building intensity is limited to Floor Area Ratios (FAR) of 1.0 and building heights of 36 feet.

The proposed 970 square foot addition would encroach into the front setback by 10 feet, providing a 5 foot setback from the front property line. The applicant explored options to add the small addition to the rear of the property but deemed it infeasible due to the rear yard setback requirements. The zoning requires a 20 foot rear yard setback in the C-R/R designation and the synagogue currently sits 25 feet from the rear property line. Expansion to the south was infeasible, as the zoning requires a 10 foot side yard setback—the existing setback provided on-site, and expansion to the north was infeasible as well, as it would render the site deficient on parking.

The Sullivan Corridor Specific Plan was adopted in 1998, yet a majority of the structures along this block of Annie Street were constructed prior to adoption of that plan. As a result, there are varying setbacks along this block of Annie Street ranging from 0 feet to 15 feet, with a predominant setback less than the 15 feet, as required by the Specific Plan zoning standards.

Additionally, one block away, at 1595 Edgeworth Avenue is another church with the same C-R/R zoning designation. The existing church maintains a 5 foot front yard setback, and a similar setback in the rear of the site, both of which are nonconforming for this zoning designation. Both 1575 Annie Street (subject site) and 1595 Edgeworth Street are developed in similar ways, with the building at the southern portion of the site and surface parking dominating the northern portion of the site. Although County records do not show when either building was built, it is clear both were developed prior to adoption of the Sullivan Corridor Specific Plan zoning designation of C-R/R.

The Code requires 1 parking space be provided for every 200 square feet of gross floor area for assembly uses, including synagogues, where there is no fixed seating. The existing synagogue is 3,395 square feet and has a parking requirement of 17 spaces. The 970 square foot addition will increase the site parking requirement to 22 parking spaces. The proposed site plan will exceed this requirement and provide 23 parking spaces on-site.

The 970 square foot addition will be one story and will match the existing building in height, colors and materials. There are a few structures that will be required to be removed as they do not meet the current zoning requirements. There is an existing covered area on the south side of the building used mainly for protection from the elements for an outdoor seating area on the south side of the site, as well as a covered patio area on the east side of the site. Both of these covered areas, as well as a large shed at the eastern portion of the site will be removed, in order to bring the site into compliance with zoning setback and building code requirements. A condition of approval has been added requiring these removals.

Variance

DCMC 17.46 Variances requires the application for a variance to be presented to the Planning Commission for recommendation to the City Council. The City Council may then approve or deny the variance request. DCMC Section 17.46.050 requires that the following findings be made by the Planning Commission:

A. That because of exceptional conditions applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of this title is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zoning district classification.

Front yard setbacks on the subject block vary, and several encroach into the required 15 foot front yard setback. Additionally, one block away at 1595 Edgeworth Avenue, a site developed as a church maintains a nonconforming 5 foot front yard setback and has the same zoning as the subject site. The proposed expansion to the existing synagogue will result in a 5 foot front yard setback, similar to other properties in the vicinity.

B. That the variance authorized does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and under identical zoning district classification.

Strict application of the front setback regulations would deprive the subject property of the same privileges enjoyed by other properties within the vicinity in the same zoning district. Expansion into the north would render the site deficient in required parking and expansion to the west or south would result in nonconforming rear and side yard setbacks, respectively. Furthermore, many other properties with similar constraints within the vicinity of the project site were developed prior to adoption of the current zoning standards, as was the subject site, and therefore were intended to meet different development standards.

C. That in the coastal zone the variance authorized is consistent with the policies, maps and public access component of the local coastal plan.

The project site is not within the coastal zone.

Environmental Assessment

Staff has reviewed the proposal under the requirements of the California Environmental Quality Act (CEQA) and has determined the project is Categorically Exempt per CEQA Guidelines Section 15301(e)(1)—Additions to existing structures that will not result in an increase of more than 2,500 square feet.

Findings

Staff finds that the proposed Variance VARC-5-13-7250 and Design Review DR-5-13-7151 are in accordance with 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 project 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:

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 January 7, 2014; notice of said hearing was by posting and first class mailing to property owners within 300 feet of the site, on December 19, 2013, and newspaper publication on December 27, 2013.
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 CEQA Guidelines Section 15301(e)(1)—Additions to existing structures that will not result in an increase of more than 2,500 square feet.
3. The subject use is consistent with the General Plan and the C-R/R zoning standards, and with the granting of the Variance for the front yard setback, and as conditioned, the physical development of the site will be consistent with said zoning standards.
4. The strict application of this title is found to deprive the subject property of privileges enjoyed by other properties in the vicinity, such as 1595 Edgeworth Avenue, a site developed as a church with identical zoning that maintains a nonconforming 5 foot front

yard setback. Additionally, front yard setbacks on the subject block vary, and several encroach into the required 15 foot front yard setback.

5. The subject site and other properties within the vicinity with constraints similar to those of the project site were developed prior to adoption of the current zoning regulations. As a result, a Variance is necessary to allow the minor expansion.
6. The project complies with applicable provisions of Design Review Section 17.45 of the Zoning Ordinance.
7. General architectural considerations have been incorporated in order to ensure the compatibility of this development with its design concept and the character of other properties in the vicinity. 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.
8. General landscape considerations of Chapter 17.41, Landscaping, will be provided to ensure visual relief, to complement buildings and structures and to provide an attractive environment for the enjoyment of the public.

Conditions of Approval

Staff recommends the Planning Commission forward a recommendation of approval to the City Council for Variance VARC-5-13-7250 and Design Review DR-5-13-7151, 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 Variance 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 Division prior to the change. Major modifications to the plans shall be treated as an amendment and shall be subject to review by the Planning Commission and City Council.
3. Prior to final inspection of the building permit for the minor expansion, the covered patio structures on the south and east sides of the building and the storage shed on the east side of the building, shall all be removed be removed.
4. If building permits are not issued and construction diligently pursued within one year of approval of the Variance, the Variance shall become invalid.

B. BUILDING DIVISION

5. Accessibility upgrade will be required for existing restrooms.
6. Proposed entrance door to the extension may be encroaching into a required accessible landing and path of travel to the public way. Doors in any position shall not reduce the required width of the landing or path of travel. (Refer to CBC 1007, 1127B.5, 1133B.2.4, 1133.B.5.4).
7. The second exit door at the south side of the new addition shall be accessible from the door to the public way. (Refer to CBC 1007, 1127B.5, 1133B.2.4, 1133.B.5.4).

C. WATER AND WASTEWATER RESOURCES DEPARTMENT

8. The applicant shall verify the intent to abandon or reuse the existing sewer lateral. If the intent is to reuse, applicant must video inspect and perform a watertight test that is subject to review by DWR. A DWR representative shall be on site during the testing and televising. If the lateral is not to be used the lateral shall be abandoned per Section 02720, 3.08 of the City of Daly City Standard Specifications and Drawings. The abandonment shall be completed prior to any demolition of the previous building or construction of the new building. All costs associated with the testing, video inspection and abandonment shall be borne by the applicant.
9. It is possible and likely that the sewer exits at the front of the building. Approximately 2 feet outside of the foundation is the transition from cast iron piping to clay/vcp piping. Clay piping is not allowed under a structure per the current CUPC. All clay sewer lateral piping shall be replaced with the appropriate piping material until it exits the new addition's foundation. A cleanout shall be installed 18 to 24 inches outside of the building foundation.

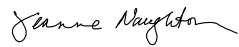
Recommendation

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 Variance VARC-5-13-7250 and Design Review DR-5-13-7151, as conditioned herein.

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

Respectfully submitted,



Jeannie Naughton, AICP
Associate Planner



Tatum Mothershead
Acting Director of Economic and
Community Development

Attachments

Attachment A – Location Map
Attachment B – Plans

LOCATION MAP



VAR-5-13-7250, DR-5-13-7151

1575 Annie Street

Front Setback Variance

Planning Commission Review



PROPOSED BUILDING EXPANSION REQUEST FOR SETBACK VARIANCE



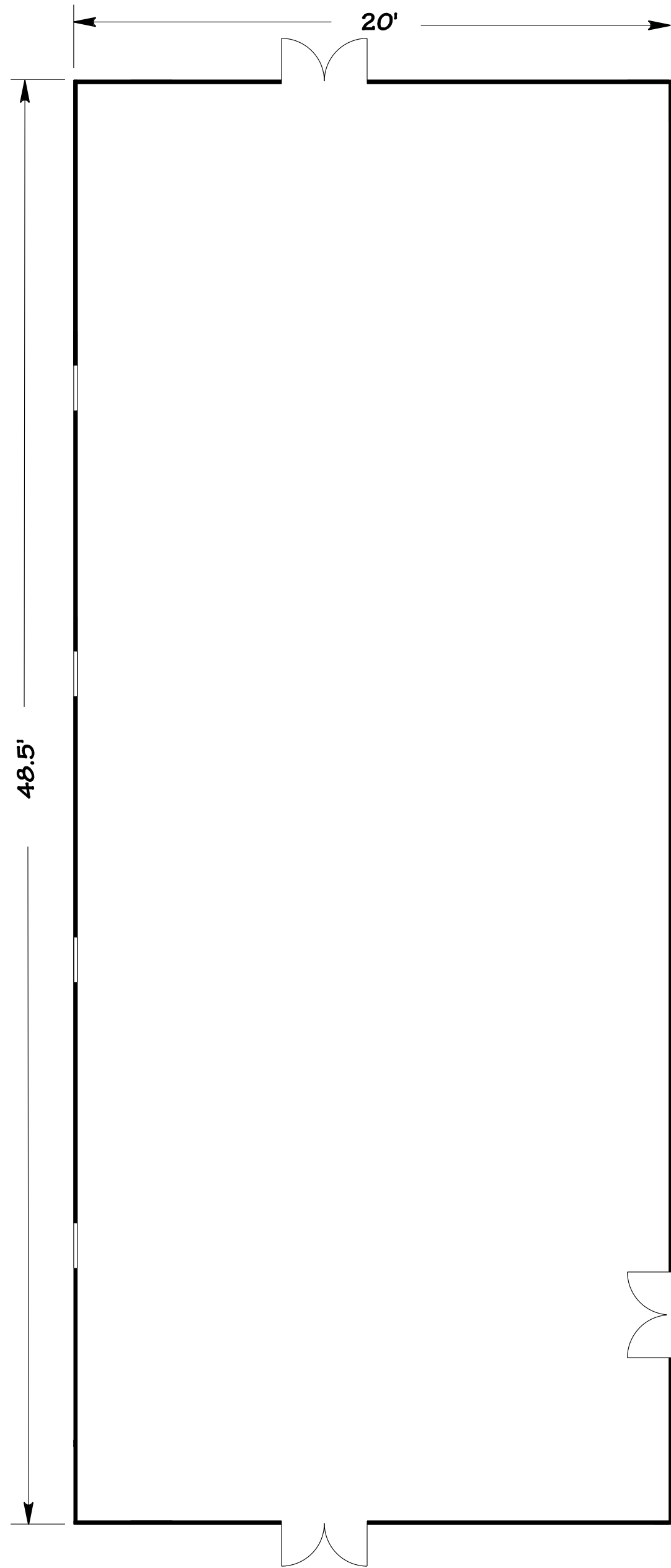
CONGREGATION B'NAI ISRAEL
1575 ANNIE STREET
DALY CITY, CALIFORNIA

DATE: JUNE 27, 2012

PREPARED BY:

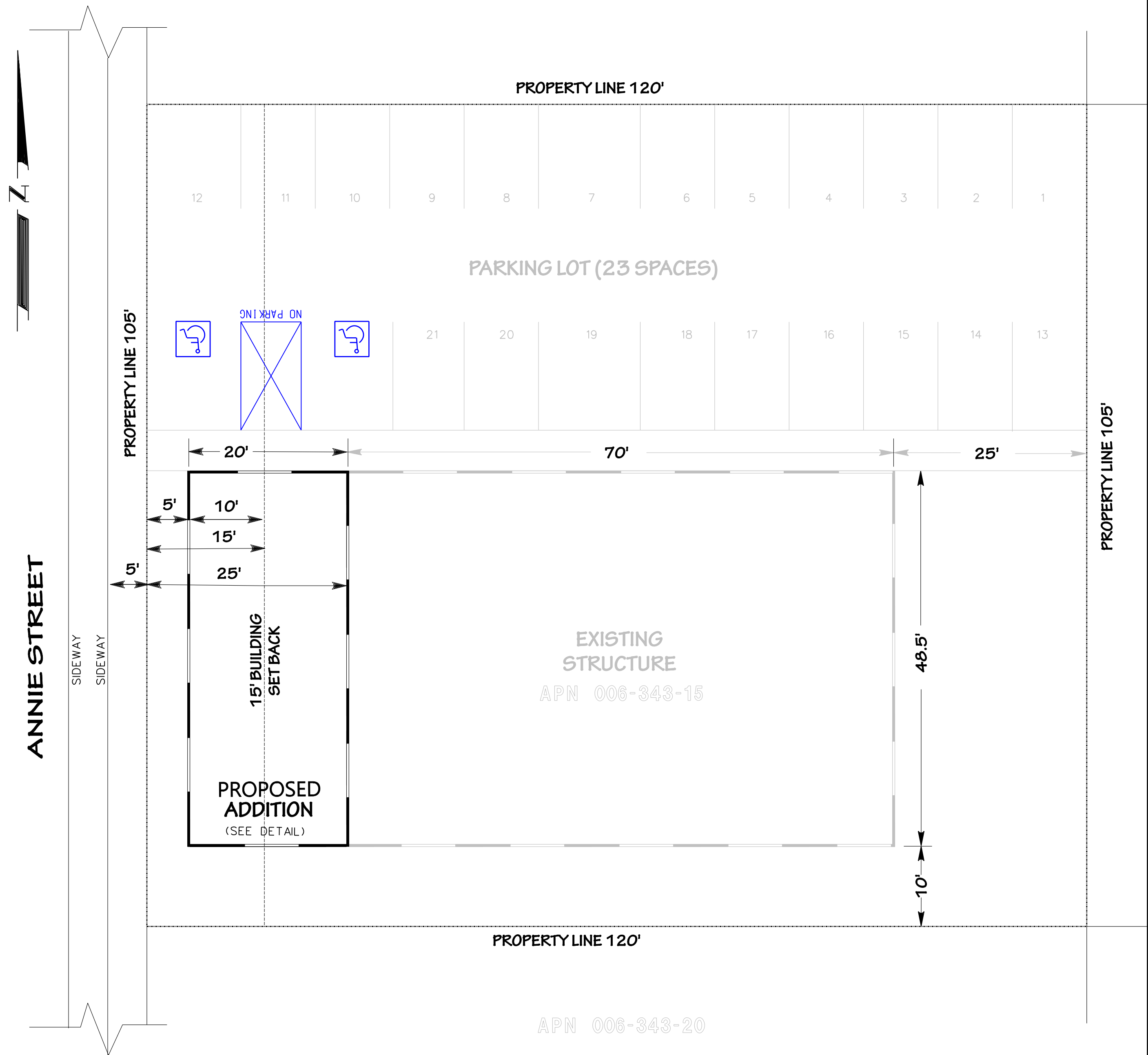
David Marzouk
Design Drafting
Services

Mobile: 510.449.3188
San Ramon, CA 94582
David.Marzouk@yahoo.com

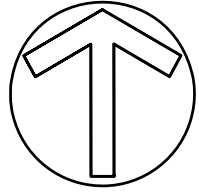


PROPOSED ADDITION - DETAIL

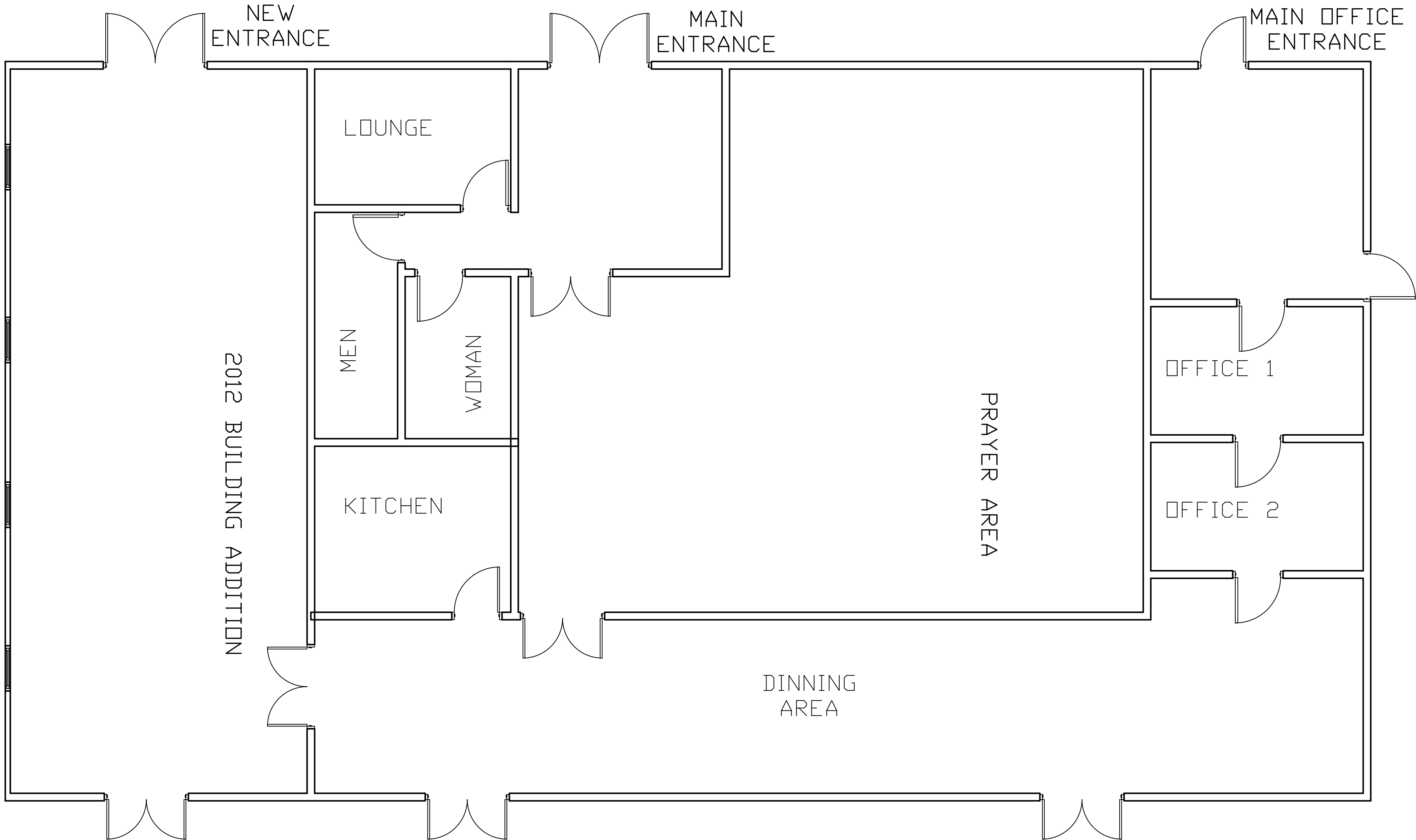
SCALE: 1/4" = 1'-0"



B'NAI ISRAEL SYNAGOGUE		DRAWN:	DAVID MARZOUK
1575 ANNIE ST, DALY CITY		DESIGN:	DAVID MARZOUK
SAN MATEO COUNTY, CALIFORNIA		DATE:	05-01-2012
APN 006-343-150		SCALES:	1" = 10'
DAVID MARZOUK DESIGN DRAFTING SERVICES		SHEET	1 OF 1
SAN RAMON, CA. 925.913.7613 EMAIL: DAVID.MARZOUK@YAHOO.COM		2120501	



ANNIE STREET



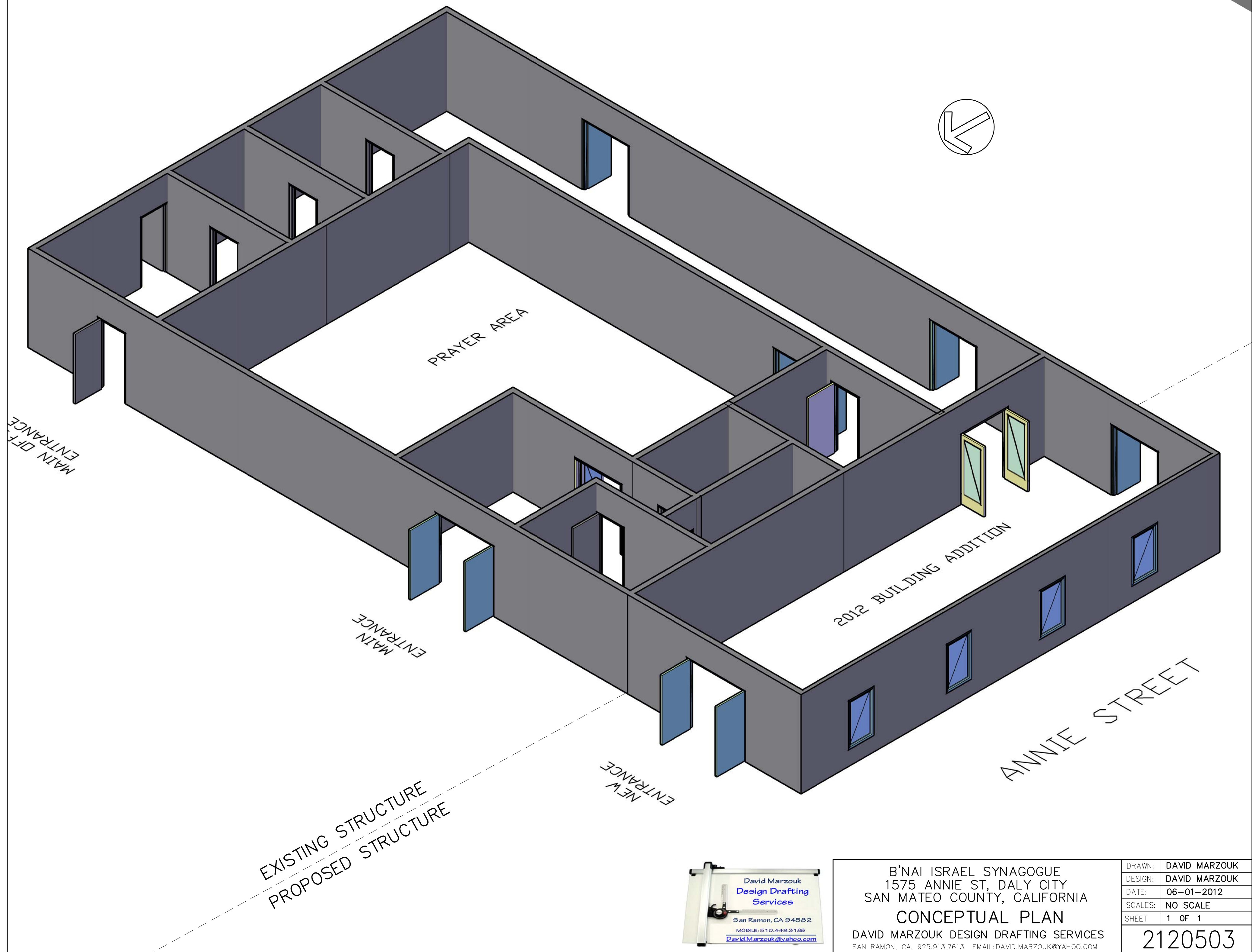
B'NAI ISRAEL SYNAGOGUE
1575 ANNIE ST, DALY CITY
SAN MATEO COUNTY, CALIFORNIA

FLOOR PLAN

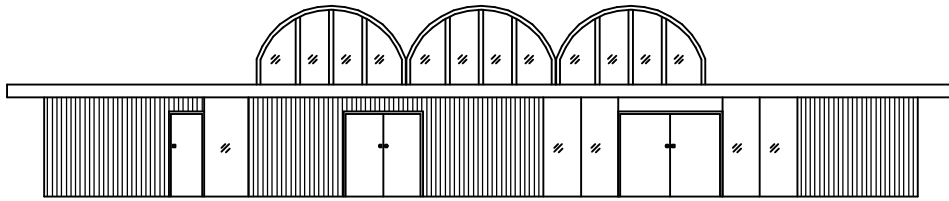
DAVID MARZOUK DESIGN DRAFTING SERVICES
SAN RAMON, CA. 925.913.7613 EMAIL: DAVID.MARZOUK@YAHOO.COM

DRAWN:	DAVID MARZOUK
DESIGN:	DAVID MARZOUK
DATE:	06-01-2012
SCALES:	1/4" = 1'-0"
SHEET	1 OF 1

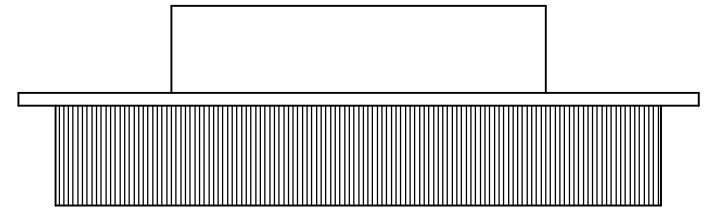
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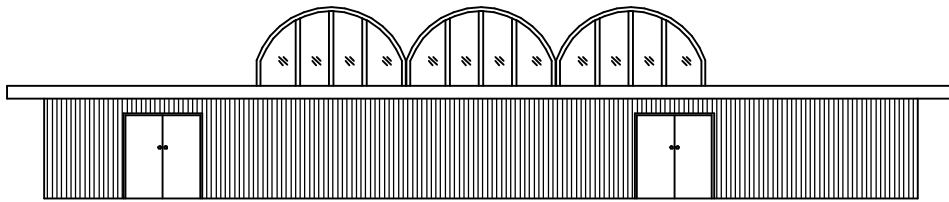
B'NAI ISRAEL SYNAGOGUE 1575 ANNIE ST, DALY CITY SAN MATEO COUNTY, CALIFORNIA		DRAWN: DAVID MARZOUK
CONCEPTUAL PLAN		DESIGN: DAVID MARZOUK
DAVID MARZOUK DESIGN DRAFTING SERVICES		DATE: 06-01-2012
SAN RAMON, CA. 925.913.7613 EMAIL: DAVID.MARZOUK@YAHOO.COM		SCALES: NO SCALE
		SHEET 1 OF 1
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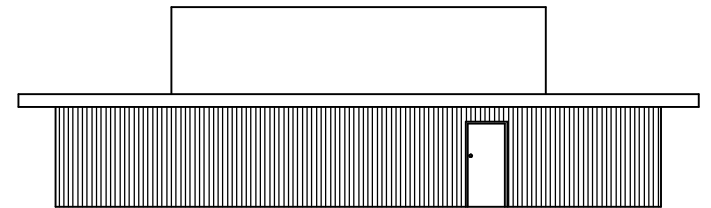
(E) SOUTH ELEVATION
3/16"=1'



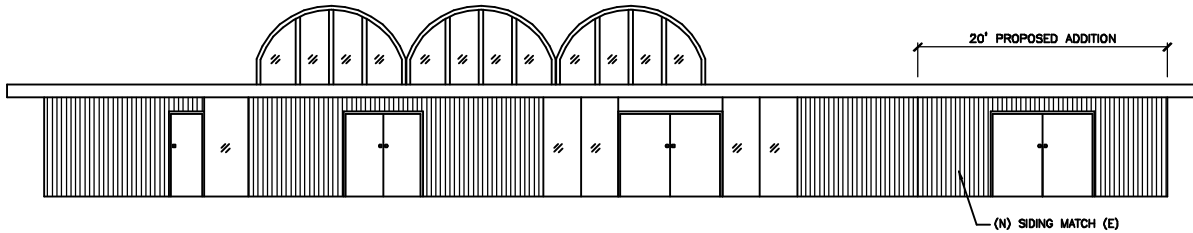
(E) EAST ELEVATION
3/16"=1'



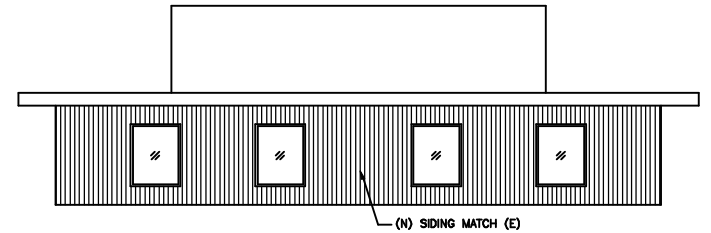
(E) NORTH ELEVATION
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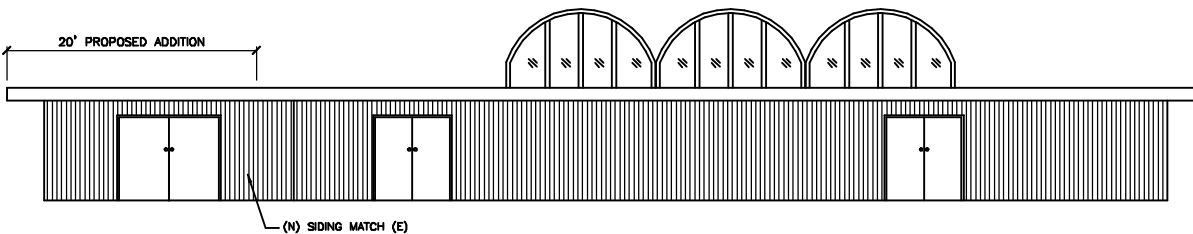
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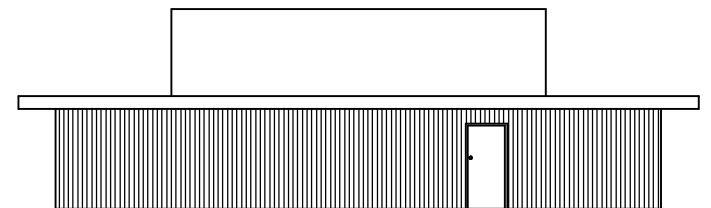
(N) SOUTH ELEVATION
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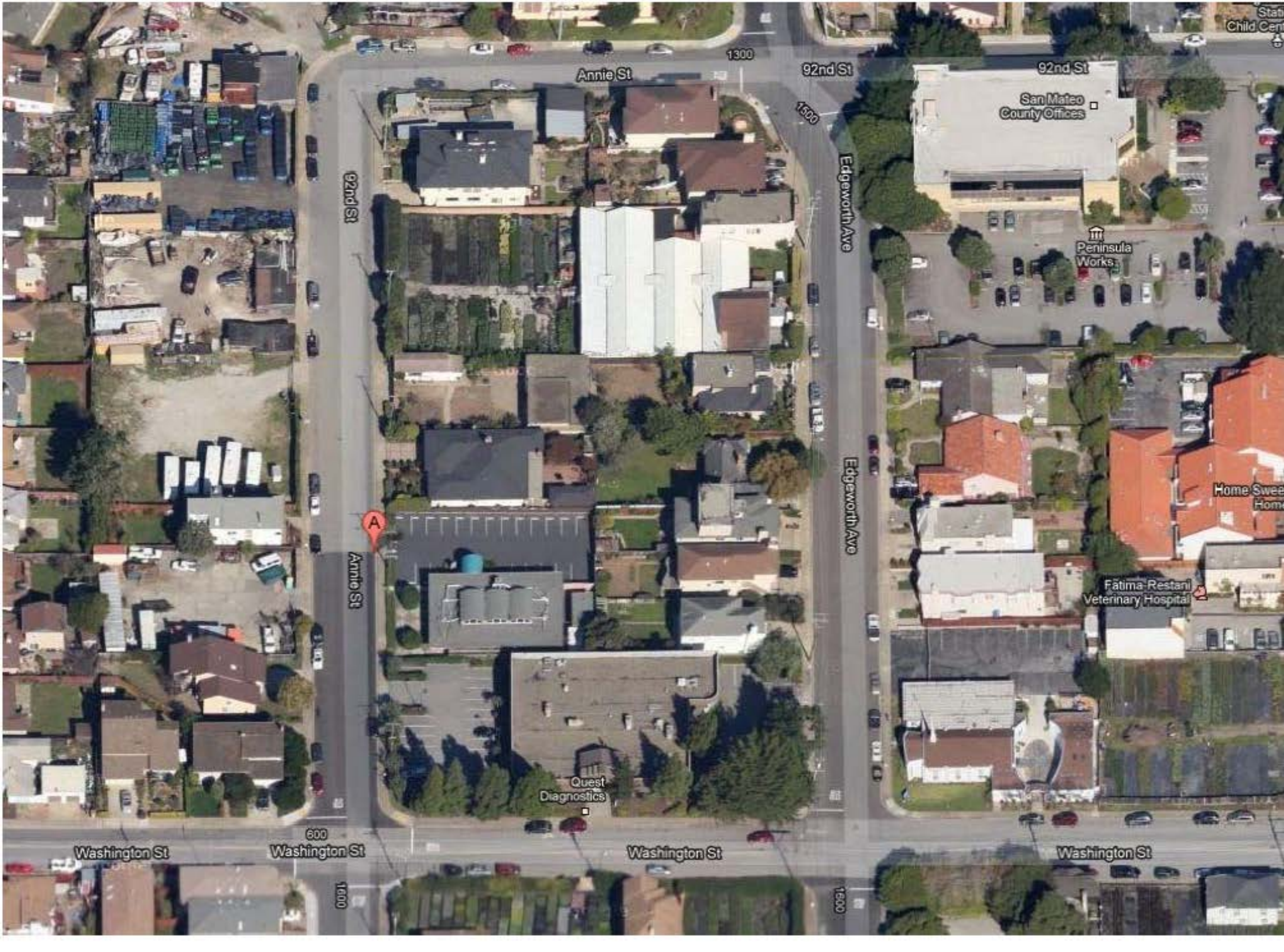
(N) EAST ELEVATION
3/16"=1'



(N) NORTH ELEVATION
3/16"=1'



(N) WEST ELEVATION
3/16"=1'



Annie St

1300

92nd St

92nd St

San Mateo
County Offices

Peninsula
Works

Edgeworth Ave

1500

92nd St

Annie St

A

Edgeworth Ave

Home Sweet
Home

Fátima Restani
Veterinary Hospital

Quest
Diagnostics

600

Washington St

Washington St

1600

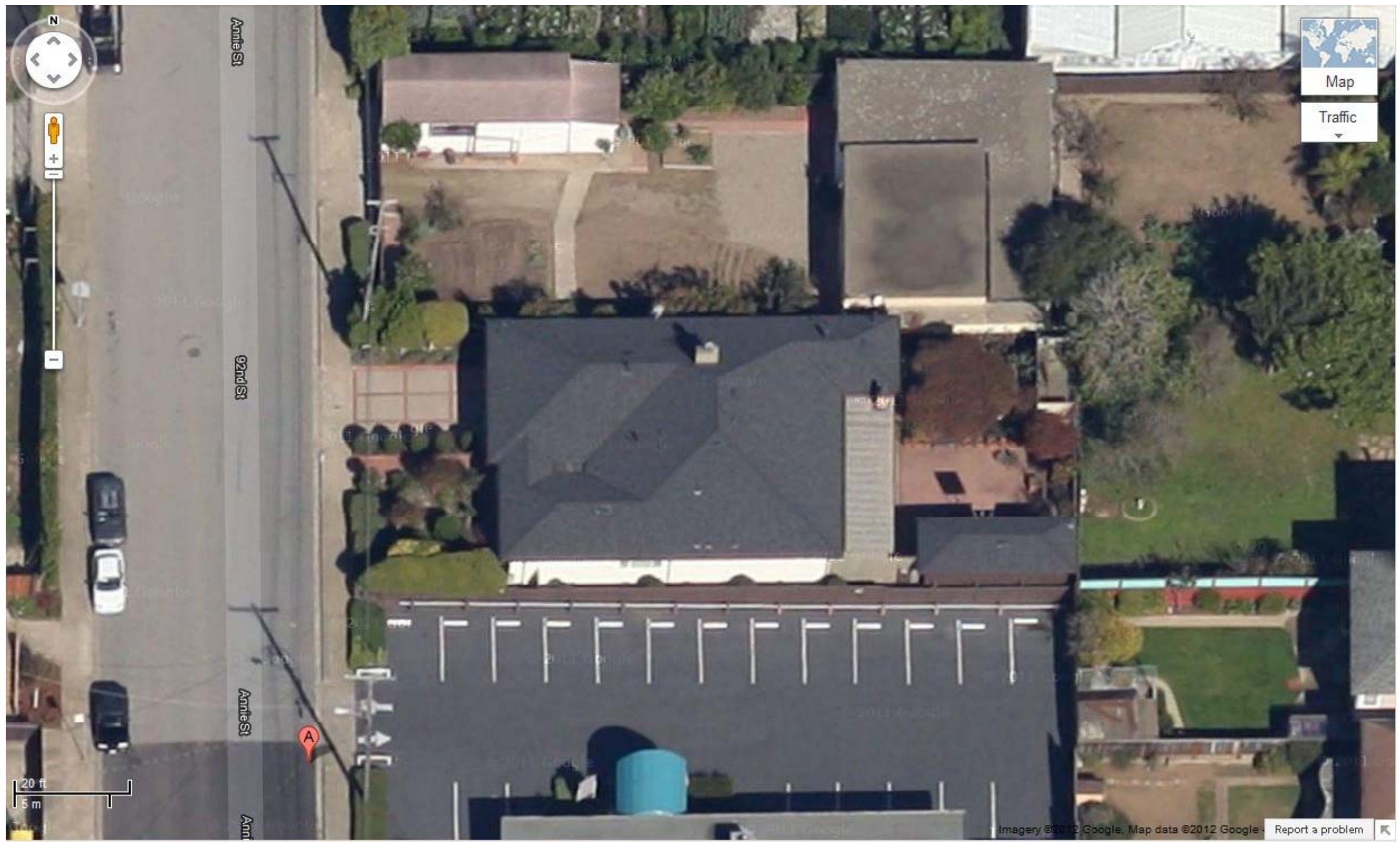
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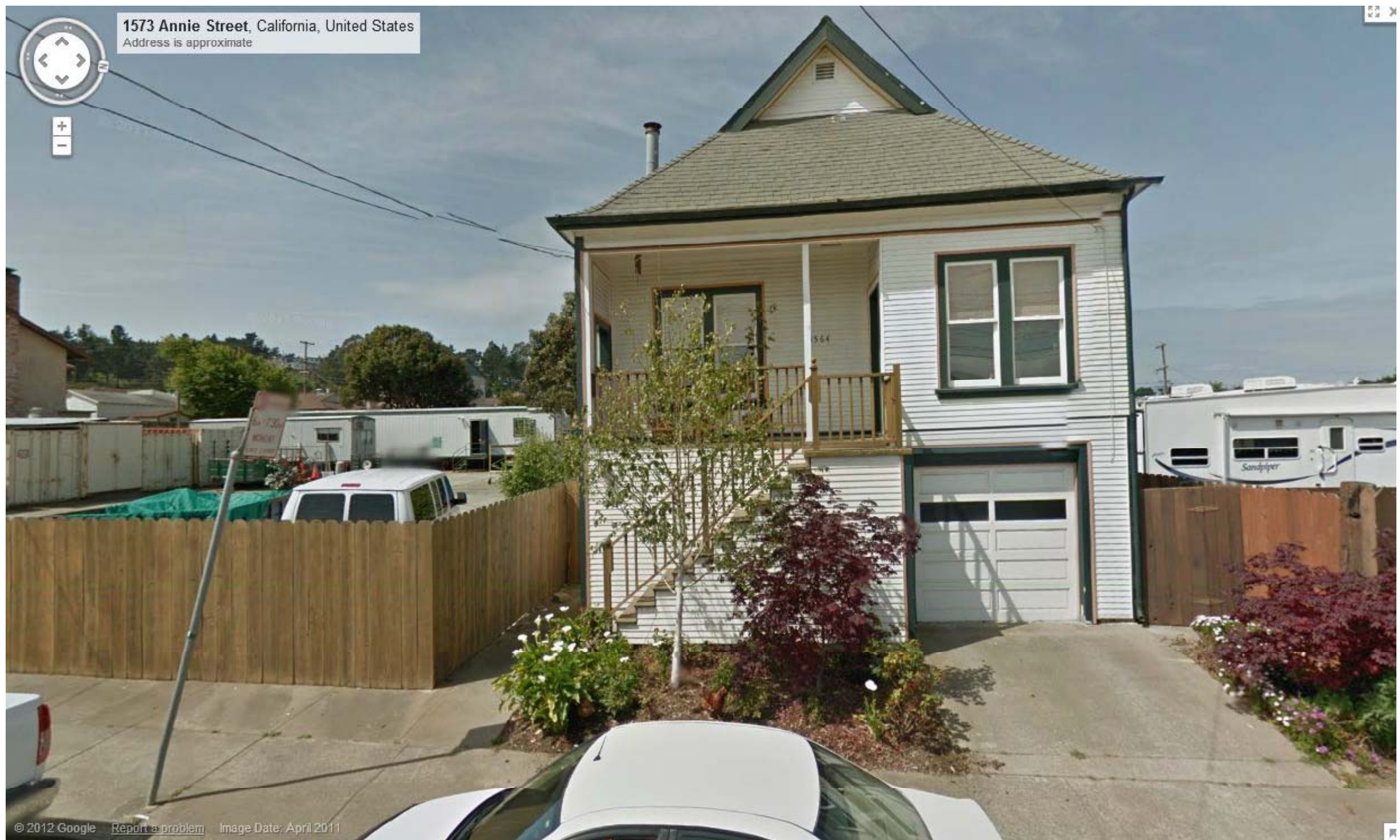
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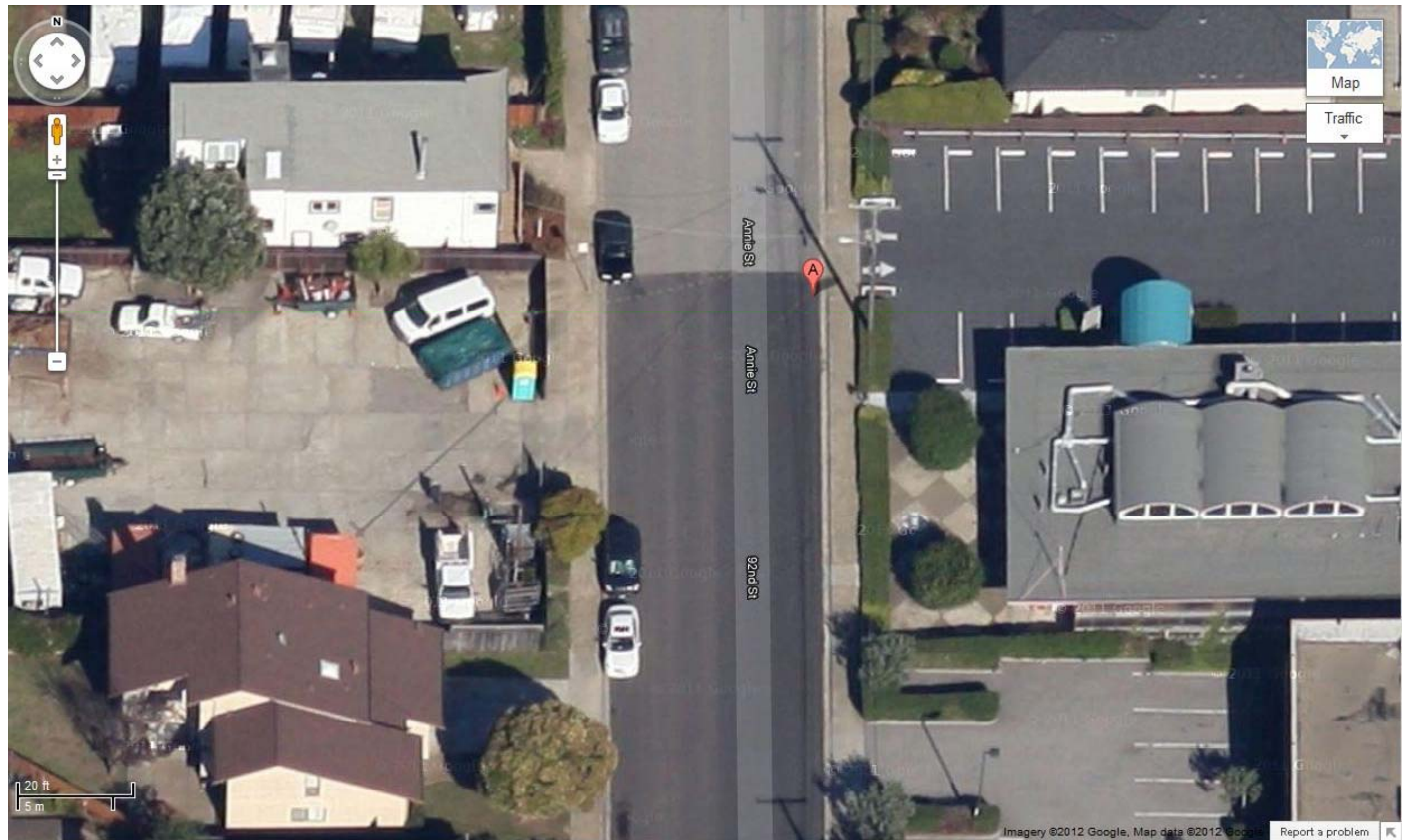
1549 Annie Street



1549 Annie Street



1564 Annie Street



1564 Annie Street
Ariel View



Across the street from 1575 Annie
Street View



1575 Annie Street
Street View