

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

DRAFT AGENDA

Tuesday, August 05, 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 July 1,2014

PUBLIC HEARING:

1. Use Permit UPR-6-14-9253 for the operation of an automotive repair shop in an existing building. No exterior alterations or additions are proposed.

APPLICANT:	Dino Medina
LOCATION:	7198 Mission Street
ENVIRONMENTAL ASSESSMENT:	The project is exempt from the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15061(b)(3) - No Potential for Significant Environmental Effect.
PLANNER:	Adam Petersen, Contract Associate Planner

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.

DRAFT



Daly City Planning Commission Agenda Report

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

Meeting Date: August 5, 2014

Application: Use Permit UPR-6-14-9253

Project Planner: Adam Petersen, Contract Associate Planner

Project Location: 7198 Mission Street (APN 003-321-180)

Project Description: Use Permit to allow automotive repair

Applicant: TBC Corporation, Dino Medina
4300 TBC Way
Palm Beach Gardens, FL 33410

Property Owners: DH and MH Edwards Company
Stanley Gross
546 Edinburgh Street
San Mateo, CA 94402-2241

Environmental Assessment: Exempt per Section 15061(b)(3) – No Potential for Significant Environmental Effect.

Applicable Daly City Municipal Code Sections: Chapter 17.34 – Off-Street Parking and Loading
Chapter 17.44 – Use Permits

Site Information

Property Sizes	Existing Use	Proposed Use	General Plan Designation	Current Zoning
Approximately 20,397 sq ft	Unoccupied building; previously an automotive repair parts store	Automotive repair (muffler shop)	Commercial-Mixed Use (C-MU)	Light Commercial (C-1)

Area Information

Location: Land Use	Zoning
North: Commercial building	Light Commercial (C-1)
South: Mixed use building – ground floor commercial and multifamily	Light Commercial (C-1)
West: Commercial buildings and residences	Light Commercial (C-1) and Medium Density Residential (R2)
East: Commercial and mixed use	Light Commercial (C--1)

Background

The applicant, TBC Corporation, is requesting a use permit to allow a Midas automotive repair garage in an existing building located at 7198 Mission Street (see Attachment A – Location Map). Prior to August 2013, Meineke Car Care occupied the building. Because the garage has been vacant for over six months, the Zoning Ordinance requires that the new garage obtain a use permit. According to the applicant, Midas would offer the same automotive services as the prior Meineke Car Care.

The proposed garage would be located inside the existing 4,359 square foot building (see Attachment B – Site Plan), utilizing the existing service bays and sales floor area. The building allocates the square footage as follows:

Use	Square Footage
Sales Floor/Office/Restroom	747 square feet
Service Bays	3,612 square feet

The business proposes to operate from 7 A.M. until 7 P.M., Monday through Sunday. The business will primarily conduct auto repairs and tire installation. There will be a total of eight employees divided between two shifts. There are six service bays, and the applicant expects 10 to 15 patrons per day. The site provides 13 parking spaces with access from School Street and right in/right out access from Mission Street.

No alterations to the building are proposed, other than new paint, cleaning, and maintenance. The parking lot of the facility has also received a new slurry seal.

Use Permit

The site was previously used for a similar business, and the proposed Midas shop would essentially reinstate that use. Staff reviewed the Code Enforcement records and found no complaints concerning the previous use of the site for automotive repair. There is also an existing concrete block wall that separates the business from residential uses located to the west. This provides a substantial and sturdy buffer between the two uses. Further, the site is predominately surrounded by other commercial uses that are dependent upon patron visits. The addition of an auto repair garage to the neighborhood would expand the range of services offered to the community while also being consistent the type of existing businesses.

In consideration of recommending approval for the use permit, staff has identified several areas of improvement for the automotive repair garage site as follows:

1. The existing trash enclosure on the subject property shall receive a new cover which shall be both aesthetically attractive and complies with all City requirements. The existing cover is dilapidated in need of replacement and aesthetic improvement.
2. The applicant shall develop a landscape plan for all planter areas. The plan shall include installation of new trees at all locations and hedge shrub plantings at locations adjacent to the City sidewalk. Trees shall be spaced 15 feet on center and hedge shrubs shall be placed at 12 inches on center. Once established and grown, shrubs shall be trimmed at 36-inch height, so as to provide a visual barrier to parked cars and driveway areas. The applicant shall confer with the Engineering Division to ensure that the hedge height and location do not negatively the visibility of on-coming traffic or pedestrians.
3. All landscaping shall be irrigated with a drip irrigation system installed in compliance with City regulations.
4. Trees in decaying health shall be removed and replaced with new trees as depicted in the landscape plan. The stumps of dead trees shall be grinded out and replaced with new trees.
5. The “Private Property” signs at the driveway entrances shall be removed. Should the applicant desire to communicate the message in these existing signs, the signs may be relocated to locations on the property other than at the project entrance.

Staff is satisfied with the physical condition of the repair garage building and no modifications are required. Staff has added standard Conditions of Approval for automotive repair that would apply to this and all future automotive repair facilities on the site, including restrictions on the types of repair that can occur on the property, vehicle storage, and similar regulations. The garage, as currently conditioned, would be allowed to operate from 7:00 AM to 7:00 PM, seven days per week.

Parking and Circulation

The proposed auto store requires a minimum of six parking spaces per Section 17.34.020 (R) of the Zoning Ordinance. This is based on the requirement of one parking space per 750 square feet. The property provides 13 parking spaces, which adequately meets the parking requirements. Staff is recommending a Condition of Approval requiring the installation of wheel stops to prevent damage to the new landscape hedge that would be required in the planter areas adjacent to the City sidewalk.

Environmental Assessment

Staff has reviewed the proposal under the requirement of the California Environmental Quality Act (CEQA) and has determined that the project is exempt pursuant to CEQA Guidelines Section 15061(b)(3) – No Potential for Significant Environmental Effect.

Findings

Staff finds that, as conditioned, the proposed use permit is in compliance with 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. Approval of the proposed Use Permit UPR-6-14-9253, as conditioned herein, is in the best interest of the public health, safety, and general welfare of the community, and that 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 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 August 5, 2014; notice of said hearing was by newspaper publication on July 23, 2014, posting and first class mailing to property owners within 300 feet;
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 15061(b)(3) – No Potential for Significant Environmental Effect;
3. The subject property is zoned Light Commercial (C-1) which requires a Use Permit for the automotive repair uses;
4. The subject use is consistent with the General Plan and C-1 standards and, together with the provisions for its design and operation, would not be detrimental to the health, safety, morals, comfort and general welfare of the neighborhood; and
5. The proposed project parking layout is consistent with the DCMC 17.34.020 (R) of the Zoning ordinance in that a total of six parking spaces are required for the auto repair use and 13 are provided.
6. The 13 spaces onsite would provide ample room for the six parking spaces required by the auto repair use. The proposed automotive repair shop would not conflict with the adjacent uses.

Conditions of Approval

Staff recommends approval of Use Permit UPR-6-14-9253, based on the following conditions as specified by each Department and Division. These conditions need to be complied with prior to, or as part of, any building permit for the proposed improvements.

A. DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT

General

1. Within ten (10) days of City Council approval, the applicant shall file with the Planning Division a Declaration of Acceptance of all conditions. Until said Declaration is filed, the use shall not be valid and no permits may be issued for this business.
2. The use permit approval shall be valid for a period of one year from the date of City Council approval. The approvals shall terminate if the use has not commenced within one-year of City Council approval of the project or if the applicant fails to obtain a valid business license.
3. The use permit shall be valid only in conjunction with plans submitted and approved by the City Council. Any significant modifications and changes to the plans shall be treated as an amendment and shall be subject to review by a Council Committee appointed by the Mayor.
4. The applicant shall supply these Conditions of Approval to the property owner, who shall supply the Conditions of Approval to all future tenants, to whom these Conditions of Approval shall also apply.
5. All improvements identified in these Conditions of Approval shall be installed and receive final building inspection prior to commencement of business operations at the automotive repair garage. In lieu of this requirement, the applicant may request to secure a performance bond for Conditions 6 through 9, and 35, which ensures completion of the work no greater than six months from the time of the use permit issuance.

Landscaping

6. The applicant shall develop a landscape plan for all planter areas. The plan shall include installation of new trees at all locations and hedge shrub plantings at locations adjacent to the City sidewalk. Trees shall be spaced 15 feet on center and hedge shrubs shall be placed at 12 inches on center. Once established and grown, shrubs shall be trimmed at 36-inch height so as to provide a visual barrier to parked cars and driveway areas. The applicant shall confer with the Engineering Division to ensure that the hedge height and location do not negatively the visibility of on-coming traffic or pedestrians.
7. All landscaping shall be irrigated with a drip irrigation system installed in compliance with City regulations.
8. Trees in decaying health shall be removed and replaced by new trees as depicted in the landscape plan. The stumps of dead trees shall be grinded out and replaced with new trees.

Operational Requirements and Restrictions

9. Vehicle renting shall be prohibited as shall rental vehicle drop-off.

10. Auto repair performed at the subject site shall be limited to automobile maintenance and minor repair such as oil changes, and tire, shocks, and brakes replacement involving same day service.
11. Outdoor overnight storage of vehicles shall be limited to six vehicles.
12. The use of the public right-of-way to store vehicles waiting for repair, or for any on- or off-loading of vehicles, for any duration, shall be prohibited.
13. Auto repair performed at the subject site shall only occur between the hours of 7:00 AM to 7:00 PM, seven days per week.
14. Auto repair shall occur in the interior repair bays only, i.e., not in outside parking spaces.
15. The number of vehicles on-site awaiting repair or pick-up shall not exceed five.
16. No vehicle shall be stored on site for more than five contiguous days.
17. Repair work shall be limited to vehicles with one-ton or less carrying capacity.
18. Repair of boats and other large vehicles shall be prohibited.
19. Washing any vehicle shall be prohibited.
20. The use of exterior lighting shall not result in adverse glare to adjacent residential neighbors. Should the Planning Division determine that exterior lighting is causing adverse glare, the applicant may be required to make adjustments to lighting, provide additional shielding to lights, or reduce or eliminate the use of certain lights to comply with this Condition.
21. The auto repair garage shall continually provide functioning bathroom facilities to customers.

Signs

22. All signs at the subject property shall receive sign permits and shall remain in conformance with the Daly City Municipal Code. Banners, streamers, balloons, and any other device intended to attract visual attention shall be prohibited. Box signs shall be prohibited, except where allowed on the pole sign.
23. The “Private Property” signs at the driveway entrances shall be removed. Should the applicant desire to communicate the message in these existing signs, the signs may be relocated to locations on the property other than at the project entrance.

Site Maintenance

24. The site shall be maintained in a safe, sanitary, and litter free condition at all times.

25. No outside storage shall be allowed, except in the approved trash enclosure area. Storage at the rear of the automotive repair garage building shall be subject to Planning Division approval.
26. Doors to the trash enclosure area shall be kept closed except when necessary to dispose of trash or to store material to be recycled.
27. Garbage storage areas are to be kept sanitary and free of litter and debris.
28. The manager shall maintain a log of site cleanings, which shall be furnished to the Planning Division upon request, within 24 hours.

Parking Lot Design

29. The applicant shall restripe the parking lot in conformance with the approved parking lot layout. All parking spaces shall conform to the Daly City Zoning Ordinance parking dimensions and requirements of the Building Division.
30. All parking spaces shall receive wheel stops.

B. FIRE DEPARTMENT

31. The new tenant will need to apply for permits under 2013 CFC Chapter 105.6 Required Operational Permits as applicable to their operations.

C. DEPARTMENT OF WATER AND WASTEWATER RESOURCES

32. The trash enclosure associated with the automotive repair shall be modified to receive a cover. The cover shall be of a design acceptable to the Planning Division and Department of Water and Wastewater Resources, and shall be permitted by the Building Division prior to installation. The floor shall be sloped to prevent run on of rain water and run off of effluent. The floor shall be sloped to prevent run on of rain water and run off of effluent. As a condition of any performance bond issued for the site, the applicant shall agree to store the metals associated with the business in the covered portion of the existing enclosure.
33. Per Daly City Municipal Code 15.66, any property that is remodeled after January 1, 2014, is required to replace all non-compliant plumbing fixtures with water-conserving plumbing fixtures. To view the Daly City Municipal code please visit: DCMC 15.66.
34. All domestic fixtures shall be low flow with toilets being High Efficiency “HE” toilets 1.28 gpf or less and “HE” urinals 0.5 gpf or less are required. Rebates are available for prequalified “HE” toilets. Showers shall be 2.0 gpm, kitchen sinks 2.2 gpm and lavatory sinks 1.5 gpm. Please visit:
http://www.dalycity.org/City_Hall/Departments/wwr/Water_Conservation/water_conserve.htm. Click on High Efficiency Toilet Rebate Program.

35. Clothes washers and dishwashers should be “HE” certified. Rebates are available for qualified residential clothes washers. Please visit www.waterenergysavings.com for more information.

D. BUILDING DIVISION

36. Any interior improvements to both mechanical and business area will require submittal of plans for review and permits.

Recommendations

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

1. Adopt the Findings as outlined herein;
2. Affirm the Environmental Assessment;
3. Approve Use Permit UPR-6-14-9253 subject to the Conditions of Approved outlined herein.

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

Respectfully submitted,



Adam Petersen
Contract Associate Planner



Tatum Mothershead
Interim Director of Economic and Community
Development

Attachments

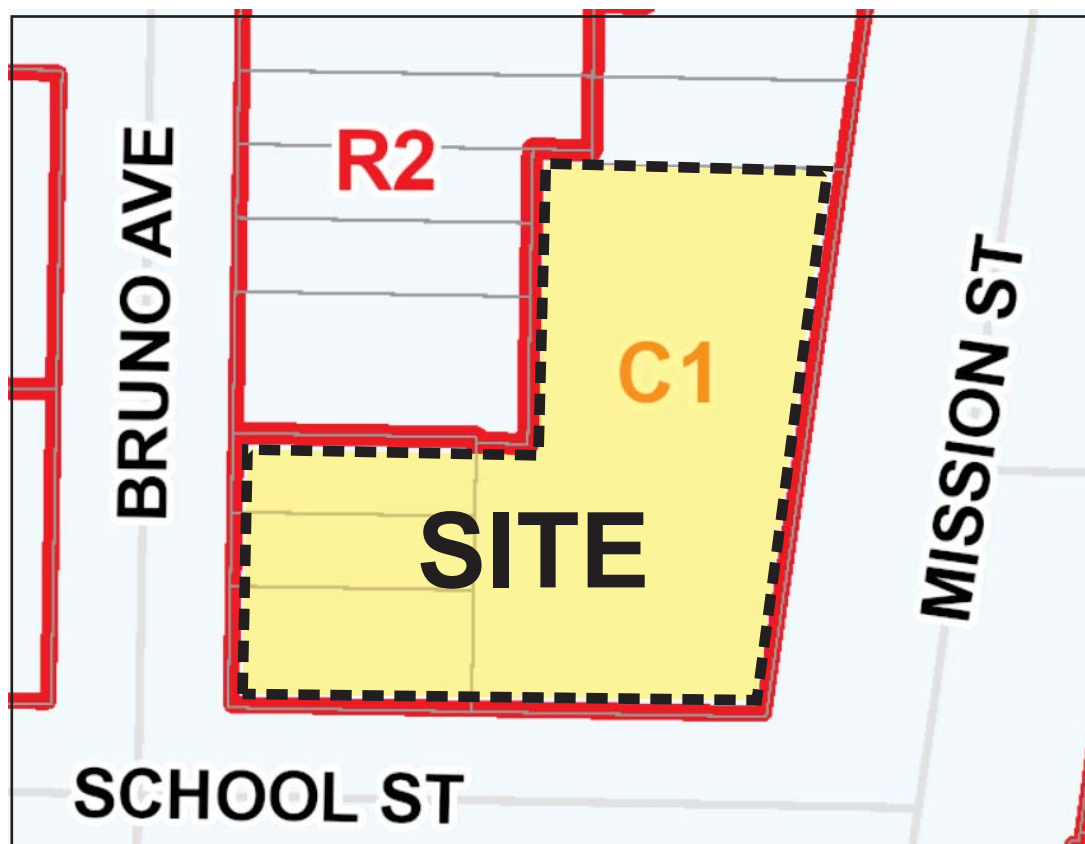
Attachment A – Location Map
Attachment B – Site Plan

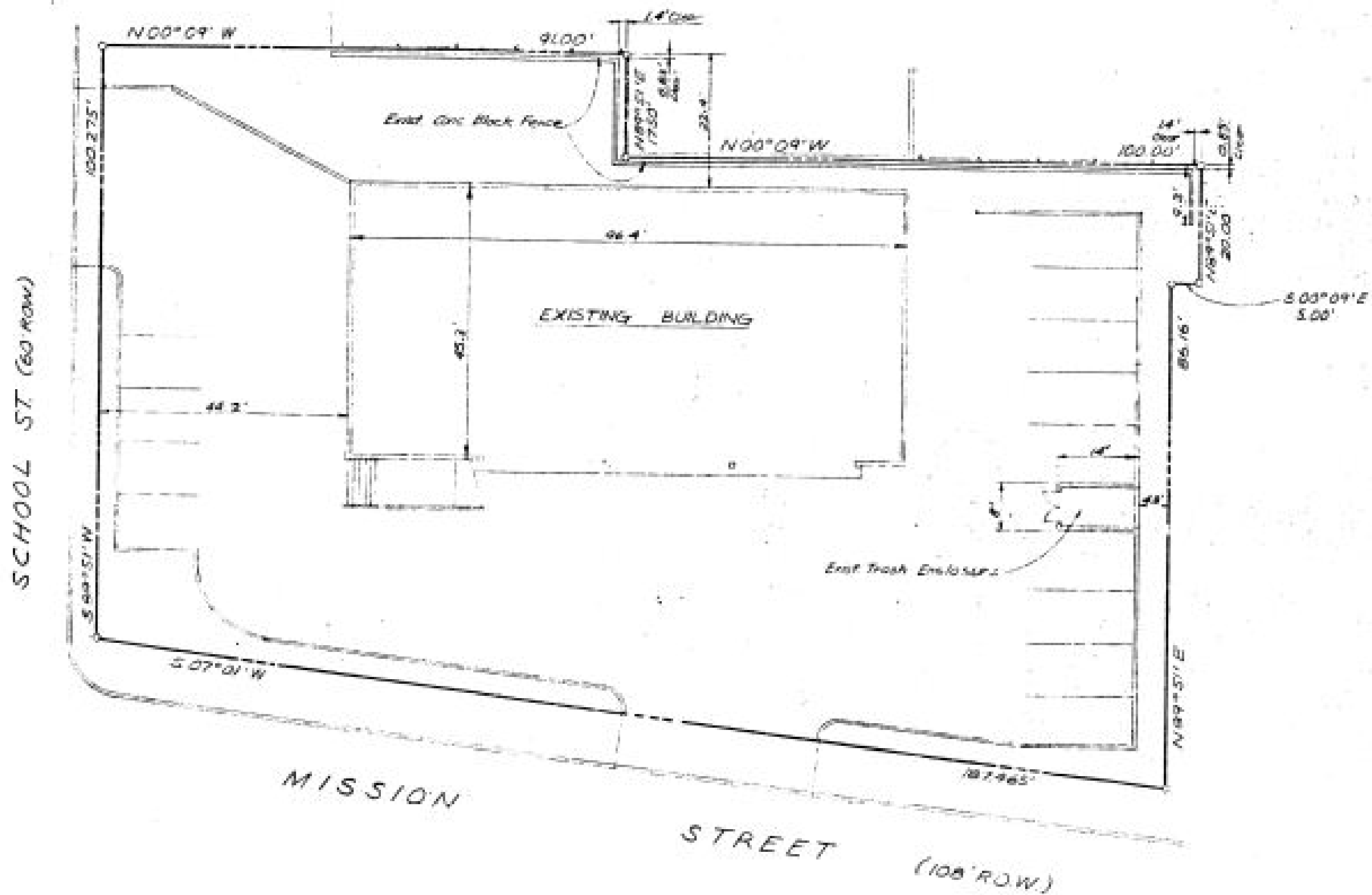
LOCATION MAP



Use Permit UPR-6-14-9253

7198 Mission Street (APN 003-321-180)





7198 MISSION STREET SITE PLAN – NOT TO SCALE