

CITY OF DALY CITY

Regular Meeting - PLANNING COMMISSION

AGENDA

Tuesday, October 1, 2024 - 7:00 PM
City Hall Council Chambers – 2nd Floor
City Hall 333 – 90th Street
Daly City, CA 94015

To watch the live telecast:

<https://www.youtube.com/@DalyCityGov/streams>, <https://www.dalycity.org/agendas>, or Comcast Channel 27

PUBLIC PARTICIPATION

There are three ways to submit public comments: (1) email your comment directly to the Planning Division, (2) submit written comments via the City's website and (3) attend the meeting in person.

1. To email your comment, simply email a comment to the planner identified in the public hearing notice or send the email to mvanlonkhuysen@dalycity.org. Public Comments may also be emailed to mvanlonkhuysen@dalycity.org by including "Planning Commission Public Comment" in the subject line.
2. To submit a comment via the City's website, please visit www.dalycity.org/agendas to complete the Public Comment form. In the comment field box, include the item number and/or title of the item as well as your comments.
3. To speak at the meeting in person, please complete a "Speaker Card" located at the entrance to the Council Chambers and submit it to a staff member as early in the meeting as possible.

Please note: All written comments received by 4:00 pm on the meeting day will be provided to the Planning Commission prior to the meeting. Comments are not read aloud into the record. Any written comments received after 4:00 p.m. on the meeting date are not guaranteed to be received by the Planning Commission prior to the meeting.

Persons with disabilities who require auxiliary aids or services in attending or participating in this meeting should call the office of Michael Van Lonkhuysen at 991-8158 as soon as possible.

OPENING OF MEETING:

PLEDGE TO THE FLAG:

ROLL CALL:

AVAILABILITY OF PUBLIC RECORDS:

All public record 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.

APPROVAL OF MINUTES:

1. The September 3, 2024 Planning Commission Meeting Minutes is not available at this time.

PUBLIC HEARINGS:

2. **Use Permit UPR-6-24-16537** - The applicant is requesting to use a currently vacant building at 6835 Mission Street for an adult day care service for individuals with intellectual and developmental disabilities.

STAFF:

RECOMMENDATION:

3. **Use Permit UPR-04-24-16495** - The applicant is requesting to use a currently vacant building at 5951-5955 Mission Street for vehicle storage and paint preparation work.

STAFF:

RECOMMENDATION:

PUBLIC APPEARANCES, STAFF COMMUNICATIONS:

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

ADJOURNMENT:



Daly City Planning Commission Agenda Report

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

Meeting Date: October 1, 2024

Application: Use Permit UPR-6-24-16537

Project Planner: Brian Paland, Assistant Planner

Project Location: 6835 Mission Street (APN 003-480-080)

Project Description: Use Permit for Adult Day Care Facility

Applicant: M2GN, Inc.
6835 Mission Street
Daly City, CA 94014

Property Owners: Serra LLC
1400 Washo Drive
Fremont, CA 94539

Environmental Assessment: Categorically Exempt per Section 15301, Existing Facilities

Applicable Daly City Municipal Code Sections: Chapter 17.28 – PD Planned Development District
Chapter 17.44 – Use Permits

Site Information

Property Sizes	Existing Use	Proposed Use	General Plan Designation	Current Zoning
19,588 s.f.	Vacant Retail Space	Adult Day Care	Commercial – Mixed Use	PD-51

Area Information

Land Use	Zoning
North: Commercial	C-MU: Commercial Mixed-Use District
South: Residential	C-MU: Commercial Mixed-Use District
West: Commercial	C-MU: Commercial Mixed-Use District
East: Commercial	R2-A: Two Family Design District

Background

The applicant, M2GN Inc., proposes to use the 6,000 square foot vacant tenant space (formerly Kelly Moore paint store) at 6835 Mission Street as an adult day care, serving adults with intellectual and developmental disabilities (see Attachment A – Site Location). The facility would operate weekdays between 8:00 a.m. and 4:00 p.m. (closed weekends), and would serve between 18 to 35 program participants (see Attachment B – Project Description and Attachment C – Project Plans).

Use Permit

Although the PD-51 zoning requires retail uses in the Mission Plaza Shopping Center, the Zoning Ordinance allows uses other than those allowed in PD zones subject to use permit approval by the Planning Commission and City Council. This retail requirement was established when the center was constructed to ensure that the shopping center was economically vital and that retail users would interact with each other and together provide a greater range of goods and services to residents patronizing the center.

The Planning Division staff communicated this zoning limitation to the property owner in early conversations about potential users. While the owner spent a significant amount of time attempting to lease the building to a retail user, this effort was unsuccessful. For this reason, the Planning Division has been willing to consider the proposed non-retail use.

In consideration of the use permit, staff does not feel the proposed will have an adverse effect on surrounding properties. Transportation for program participants to and from the site and for community outings will be provided by staff in two accessible vans, which will be securely parked on-site when not in use. Staff for the facility, which is anticipated to be between ten and 18 adults would also park in the spaces immediately fronting the freestanding building. The parking demand created by the proposed use would be approximately the same as a retail use in the 6,000 square foot building (approximately 20 spaces would be required for a retail use).

Staff is therefore recommending approval of proposed use subject to the applicant obtaining a building permit for any improvements to the retail space that may be necessary to accommodate the building code occupancy classification of the proposed use.

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 as an existing facility.

FINDINGS

Approval of the proposed Use Permit UPR-6-24-16537, as conditioned herein, is in the best interest of the public health, safety, and general welfare of the community, and that the general operation of the facility will not be detrimental to the operation of the neighboring business or residences. Staff recommends that the Planning Commission adopt findings 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 October 1, 2024; notice of said hearing was by newspaper publication on September 27, 2024, and first class mailing to property owners within 300 feet;
2. Although the PD-51 zoning requires retail uses in the Mission Plaza Shopping Center, the Zoning Ordinance allows uses other than those allowed in PD zones subject to use permit approval by the Planning Commission and City Council.
3. The property owner spent a significant amount of time attempting to lease the building to a retail user and this effort has been unsuccessful.
4. In consideration of allowing the property owner to economically benefit from the subject property, consideration of a non-retail use is before the Planning Commission.
5. In recommending approval of the use permit to the City Council, the Planning Commission does not feel the proposed will have an adverse effect on surrounding properties. The Planning Commission has reviewed the proposed business plan submitted for the proposed use and the use appears to have no unconventional impacts that would have otherwise not been present had a retail user occupied that space.
6. The Planning Commission has reviewed the proposal under the requirements of the California Environmental Quality Act (CEQA) and has determined the project is Categorically Exempt per Section 15301, Existing Facilities;
7. The subject use is consistent with the General Plan and the PD-51 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;

CONDITIONS OF APPROVAL:

Staff recommends approval of Use Permit UPR- 06-24-16537 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. The Use Permit shall be valid for a period of one year from the date of City Council approval. The approval shall terminate if a building permit has not been obtained and construction commenced within one-year of City Council approval of the project or if the applicant fails to obtain a valid business license.
2. 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.

3. The City shall reserve the right to revisit and review Use Permit UPR-06-24-16537 the onsite prevailing conditions periodically to ascertain that no adverse impacts are being generated by the business operations in the area and along the surrounding City streets.

Signs

4. 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 monument and pole sign.
5. Illuminated wall and monument signs facing parcels with residential uses shall be halo-illuminated only.
6. Any modifications to the proposed monument sign and any other signs shall be submitted and approved by the Planning Division prior to sign permit issuance. A separate sign permit shall be required for all proposed signage.

B. BUILDING DIVISION

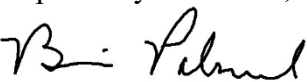
7. The applicant shall provide a full set of stamped drawings from a licensed CA Architect to the Building Division for review and permit issuance. The plans shall include a consultation with a CA Professional Engineer for the chance of occupancy code requirements.

Recommendations

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

1. Adopt the Findings as outlined herein;
2. Affirm the project as Categorically Exempt per Section 15301 of the California Environmental Quality Act; and
3. Approve Use Permit UPR-06-24-16537, subject to the Findings and Conditions outlined herein.

Respectfully submitted,

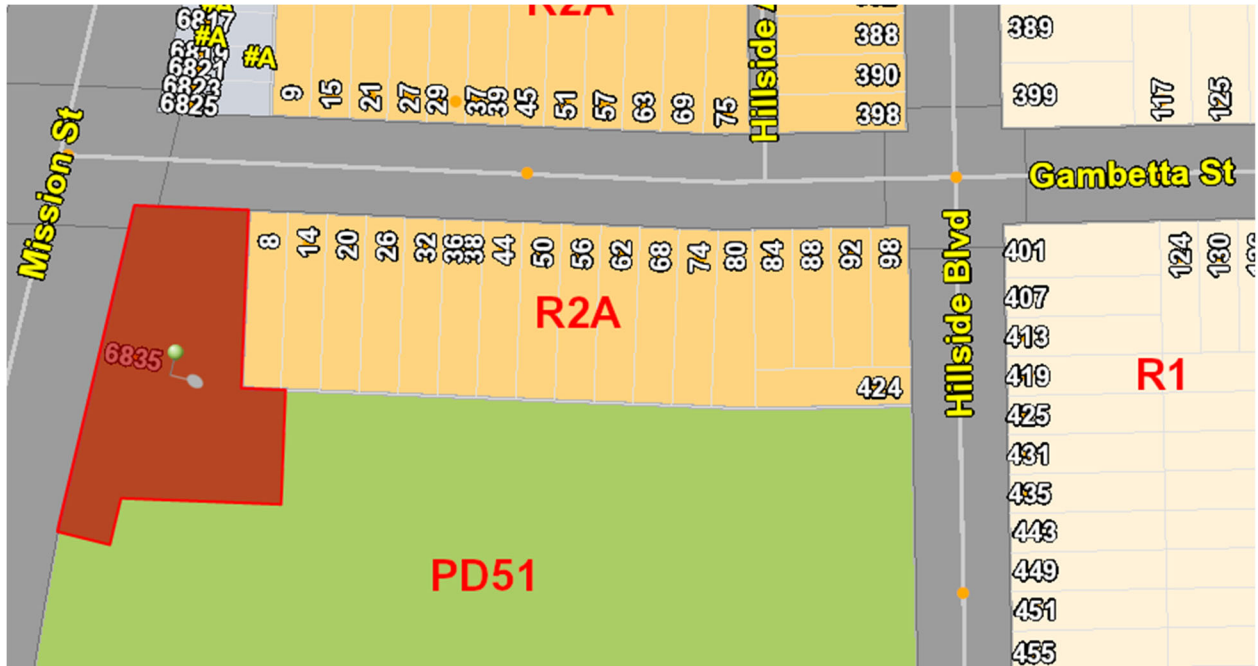

Brian Paland
Assistant Planner


Tatum Mothershead
Director
Economic and Community Development

Attachments

Attachment A – Location Map
Attachment B – Project Description
Attachment C – Project Plans

SITE LOCATION



USE PERMIT APPLICATION

The business currently under development, is a comprehensive adult day care service dedicated to enriching the lives of individuals with Intellectual and Developmental Disabilities (IDD). Our mission is to foster an environment that promotes independence, personal growth, and community integration for our participants.

Operational Hours:

Monday to Friday: 8:00 AM - 4:00 PM

Weekends & Selected Holidays:
Closed

Capacity:

Participants: 18 to 35 daily

Staff: 10 to 18 daily

6835 MISSION ST, DALY CITY, CA 94104

DALY CITY ADULT DAY
CARE PROGRAM



Transportation Services:

Accessible Vans: 2 handicapped-accessible vans for safe and comfortable transportation.

Home Pick-up: Between 8:15 AM - 9:15 AM

Home Drop-off: Between 2:00 PM - 3:30 PM

Community Outings: Vans utilized for trips to parks, malls, and grocery stores.

Parking: Vans are securely parked overnight, on weekends, and holidays.

Support Services:

- **Bathroom Assistance:** Scheduled every 2 hours and available as needed.
- **Open Door Policy:** Family members and social workers are welcome to visit from 9:30 AM to 2:30 PM.

Daily Activities:

- **8:30 AM - 9:00 AM:** Morning assembly with announcements involving all present participants and staff.
- **9:00 AM - 10:00 AM:** Engaging activities such as drawing, exercise routines, spa treatments, and tabletop games.
- **10:00 AM - 11:00 AM:** Snack time with assistance provided by staff.
- **11:00 AM - 12:00 PM:** Interactive sessions including cooking, baking, discussing current events, and book reading.
- **12:00 PM - 1:00 PM:** Lunch break with options to enjoy self-cooked meals, home-brought food, or external catering.
- **1:00 PM - 2:30 PM:** Entertainment and physical activities like movie screenings and basketball
- **2:30 PM - 3:30 PM:** Flexible activity time based on participant preference until pick-up.

Facility Compliance and Licensing Disclosure

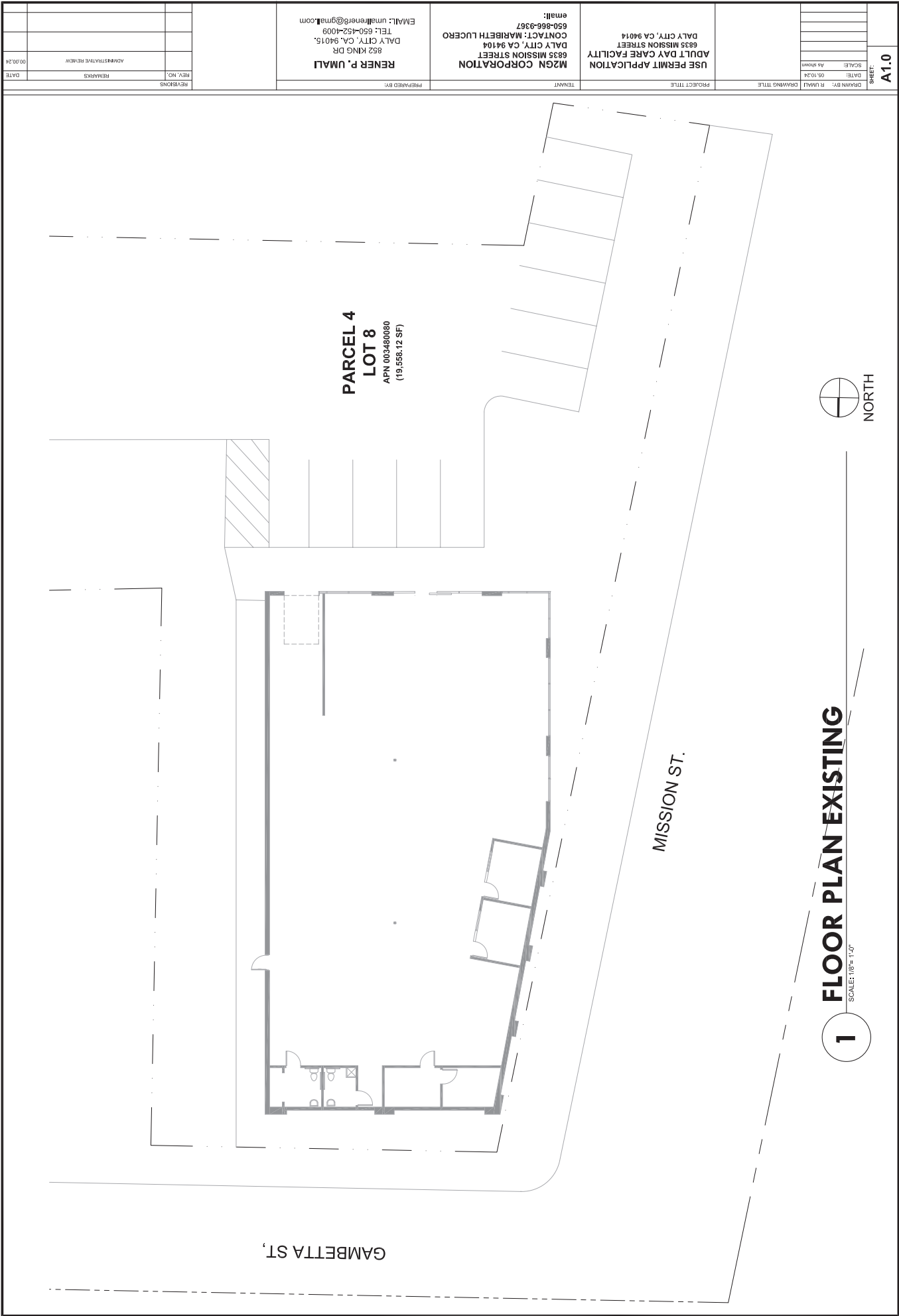
The New Day program is committed to operating in full compliance with all applicable local, state, and federal regulations. We are in the process of obtaining all necessary permits and licenses required to serve individuals with Intellectual and Developmental Disabilities.

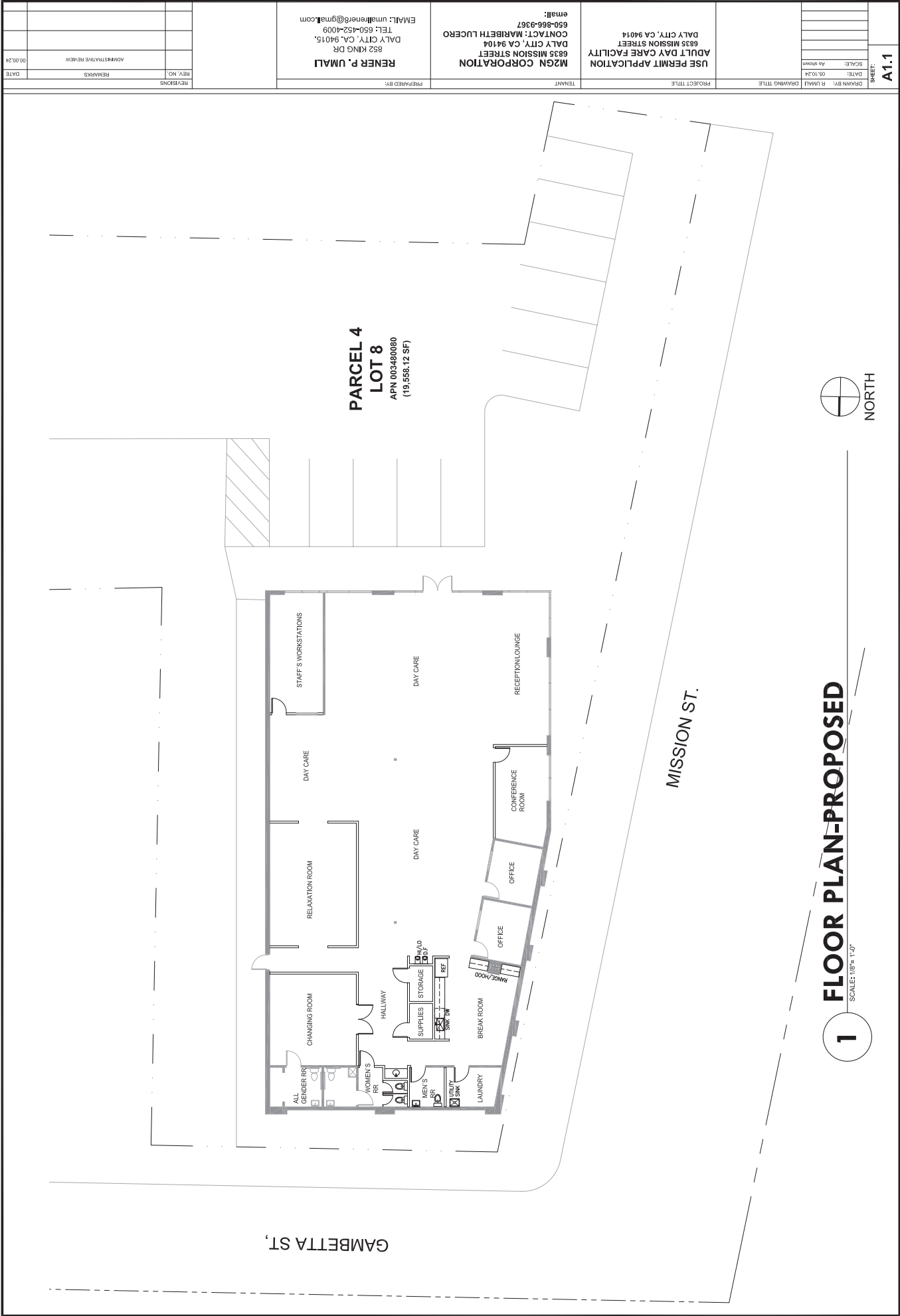
Our facility will adhere to the standards set forth by the appropriate licensing agencies to ensure the highest level of safety and quality in the services we provide. We pledge to maintain transparency in our operations and to keep our staff, participants, and their families informed of our compliance status.

For further details on our licensing and regulatory adherence, please contact our designated representative:

Please call for any questions: Maribeth Lucero, President maribeth@narasol.org

650-866-9367





FLOOR PLAN-PROPOSED

SCALE: 1/8" = 1'-0"

1

SHEET: A1.1

SCALE:	As Shown
DATE:	06.10.24
DRAWN BY:	R. UMALI
DRAWING TITLE:	

USE PERMIT APPLICATION
ADULT DAY CARE FACILITY
6835 MISSION STREET
DALY CITY, CA 94014

MZGN CORPORATION
6835 MISSION STREET
DALY CITY, CA 94104
CONTACT: MARI BETH LUCERO
650-866-9387
email:

RENER P. UMALI
852 KING DR
DALY CITY, CA 94015
TEL: 650-452-4009
EMAIL: umalirener@gmail.com

REVISIONS	REMARKS	DATE
REV. NO.		
	ADMINISTRATIVE REVIEW	06/20/24



Daly City Planning Commission Agenda Report

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

Meeting Date: October 1, 2024

Application: Use Permit UPR-4-24-16495

Project Planner: Brian Paland, Assistant Planner

Project Location: 5951-5955 Mission Street (APNs 004-251-030, -040)

Project Description: Use Permit for A&J Autobody Vehicle Storage

Applicant: Perry Majorga and Jad Mubayed
5900 Mission Street
San Francisco, CA 94112

Property Owners: Jad Mubayed
5900 Mission Street
San Francisco, CA 94112

Environmental Assessment: Categorically Exempt per Section 15301, Existing Facilities

Applicable Daly City Municipal Code Sections: Chapter 17.28 – PD Planned Development District
Chapter 17.44 – Use Permits
Chapter 17.58 – Commercial Mixed Use District

Site Information

Property Sizes	Existing Use	Proposed Use	General Plan Designation	Current Zoning
25,265 s.f. (0.58 acre)	Vacant Retail Space	Vehicle Storage	Commercial – Mixed Use	C-MU

Area Information

Land Use	Zoning
North: Commercial	C-MU: Commercial Mixed-Use District
South: Residential	R-1: Single Family Residential District
West: Commercial	C-MU: Commercial Mixed-Use District
East: Commercial	C-MU: Commercial Mixed-Use District

Background

The applicant, A&J Autobody, proposes to use the two adjacent vacant tenant spaces to store ten vehicles after the auto body work and painting for these vehicles is completed at their adjacent auto body shop located at 5900 Mission Street, San Francisco (see Attachment A – Site Location and Attachment B – Project Plans). The building has been vacant for several years, but was last used as a retail clothing store.

The proposed use includes nothing other than vehicle storage. No interior changes are proposed and the building will be used as-is.

Use Permit

Vehicle storage is allowed in the Commercial Mixed Use (C-MU) zoning district subject to use permit approval. The purpose of the use permit is to ensure that the proposed use will not have an adverse effect on surrounding properties. The subject site has been vacant for a number of years. A&J Autobody, an established autobody and repair business located across the street at 5900 Mission Street, San Francisco, would like to use the space to store the cars that have had completed repairs and are awaiting retrieval by their owners. The adjacent businesses on either side of the subject site are autobody repair and automotive window tinting.

Staff feels that the use of this site for vehicle storage would not adversely impact the neighboring business or the residences abutting the site to the rear. Several Conditions of Approval are recommended for adoption including a stipulation that no more than ten vehicles be stored in the subject building.

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 as an existing facility.

FINDINGS

Approval of the proposed Use Permit UPR-4-24-16495, as conditioned herein, is in the best interest of the public health, safety, and general welfare of the community, and that the use of the site for vehicle storage will not adversely the surrounding business or residences. Staff recommends that the Planning Commission adopt findings 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 October 1, 2024; notice of said hearing was by newspaper publication on September 19, 2024, and first class mailing to property owners within 300 feet;
2. The Planning Commission has reviewed the proposal under the requirements of the California Environmental Quality Act (CEQA) and has determined the project is Categorically Exempt per Section 15301, Existing Facilities;

3. The subject property is zoned C-MU (Commercial Mixed-Use) which requires a Use Permit for the vehicle storage;
4. The subject use is consistent with the General Plan and the C-MU 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 Planning Commission has added several Conditions of Approval to ensure that vehicle storage would not adversely impact neighboring businesses or the residences abutting the site to the rear.

CONDITIONS OF APPROVAL:

Staff recommends approval of Use Permit UPR-4-24-16495 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 – PLANNING DIVISION

1. The occupancy of the subject building shall vehicle storage only, not exceeding ten vehicles. No repairing or washing vehicles is permitted, nor are vehicles sales or leasing.
2. All vehicles shall be stored inside the building. No exterior storage of any kind, including vehicle parts or any equipment, is permitted by this use permit.
3. Vehicles associated with the subject use that block the sidewalk shall be subject to tow and such continued activity shall be cause for revocation of this use permit.
4. Any change of such a use shall require approval by the Building Division, North County Fire Authority, and Department of Water and Wasterwater Resources.
5. The subject use shall commence within one year or the applicant shall file for a time extension.

B. DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT – BUILDING DIVISION

6. Prior ot occupancy, the applicant shall consult with the Building Division about which, if any, modifications to the building are required by the building code.
7. Violations of the building or fire code shall be considered violations of this use permit and shall be grounds for use permit revocation.

C. DEPARTMENT OF WATER/WASTEWATER RESOURCES

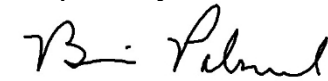
8. The drain in the rear yard shall be investigated and the discharge location determined.
9. A reduced pressure principle back flow device shall be installed on the water service. The RP device shall be installed on private property, not in the city right of way. The RP device shall be installed outside of the building.
10. Should the North County Fire Authority require sprinklers for this project, all of the following requirements shall apply:
 - a) A fire flow shall be obtained via the Daly City engineering department.
 - b) A new fire service shall be required.
 - c) There is currently a 2 inch GI water main providing the domestic service to the property. This main is not large enough to provide flow for a fire suppression system.
 - d) Approximately 300 feet of new water main will need to be constructed to supply fire suppression to the property. This will be at the expense of the applicant.
 - e) A reduced pressure principle detector assembly shall be required.
 - f) A new fire hydrant will be required. The closest current fire hydrant is approximately 275 feet away,
 - g) An encroachment permit shall be required for the new fire service.

Recommendations

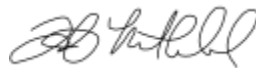
Staff recommends that the Planning Commission forward to the City Council the following:

1. Adopt the Findings as outlined herein;
2. Affirm the project as Categorically Exempt per Section 15301 of the California Environmental Quality Act; and
3. Approve Use Permit UPR-4-24-16495, subject to the Findings and Conditions outlined herein.

Respectfully submitted,



Brian Paland
Assistant Planner

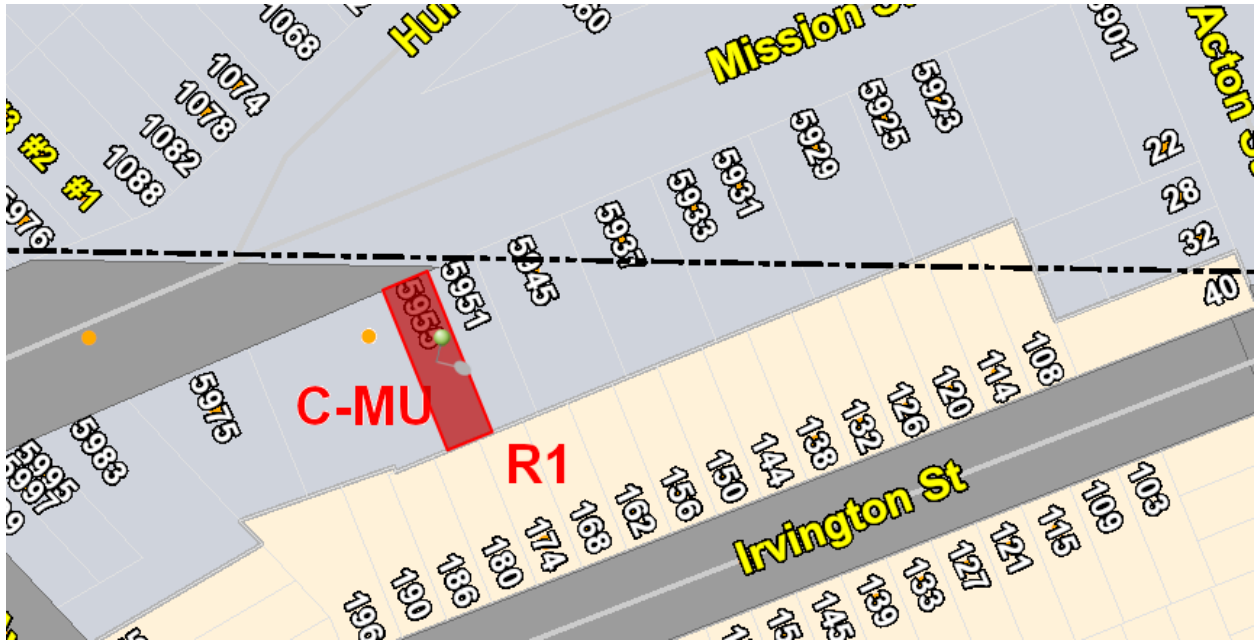


Tatum Mothershead
Director
Economic and Community Development

Attachments

Attachment A – Site Location
Attachment B – Project Plans

SITE LOCATION

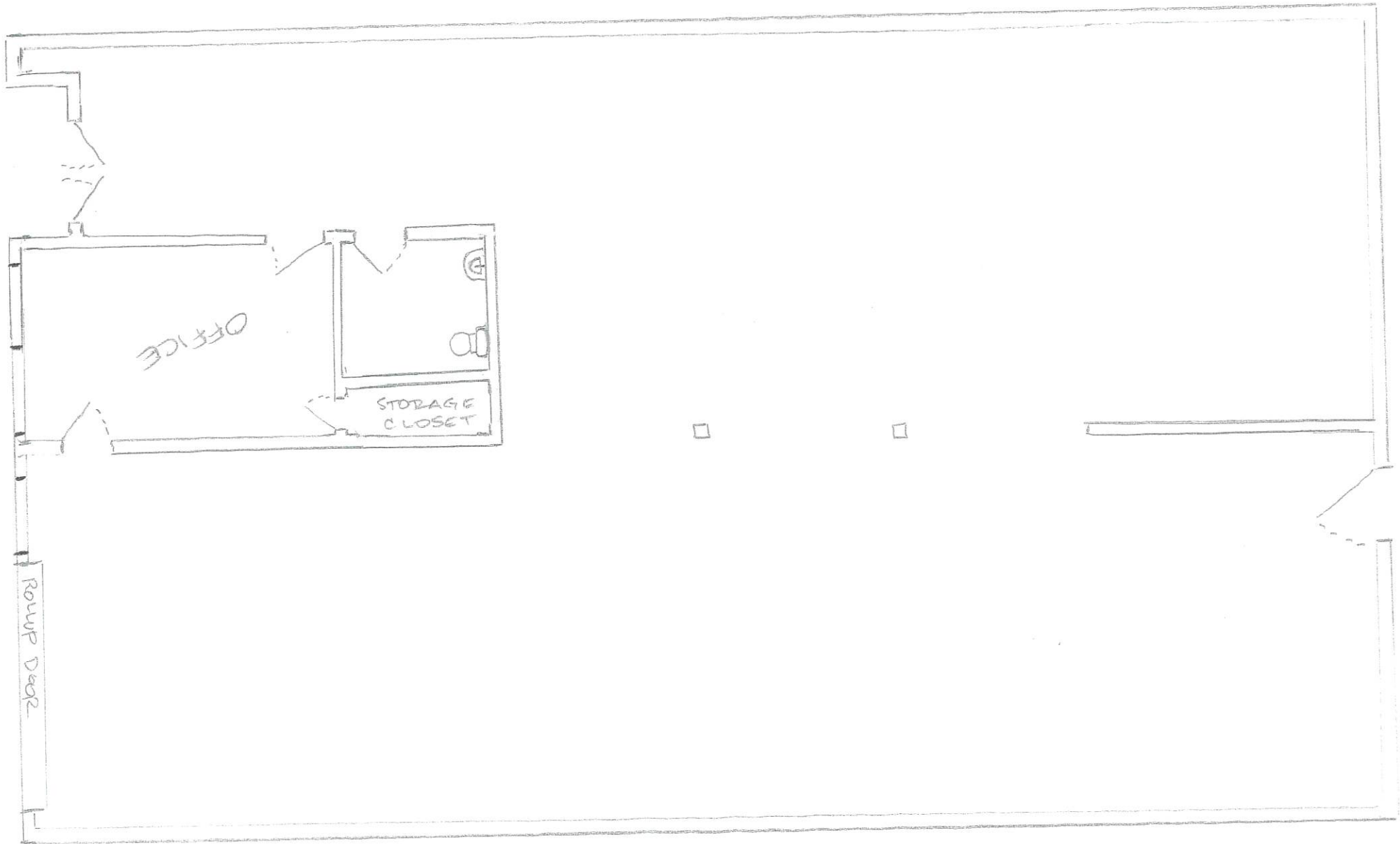


SCANNED
4-8-24

2022-10-27

RECEIVED
APR 18 2024
CITY OF DALY CITY
ECD/PLANNING DIVISION

1/8" = 1'



MISSION ST

5451- FLOOR PLAN - CHANGE OF USE
5455 MISSION ST
DALY CITY, CA 94014