CITY OF SAN BRUNO

567 El Camino Real
San Bruno, CA 94066
Voice: (650) 616-7074
Fax: (650) 873-6749
http://www.sanbruno.ca.gov

STAFF

Aaron Aknin, AICP, *Interim Community Development Director*
Mark Sullivan, AICP, *Housing and Redevelopment Manager*
Tony Rozzi, *Assistant Planner*
Lisa Costa Sanders, *Contract Planner*
Pamela Thompson, *City Attorney*

PLANNING COMMISSION

Sujendra Mishra, *Chair*
Rick Biasotti, *Vice-Chair*
Kevin Chase
Mary Lou Johnson
Bob Marshall, Jr.
Perry Petersen
Joe Sammut

COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING COMMISSION AGENDA

Tuesday, January 16, 2007
San Bruno Senior Center
1555 Crystal Springs Road
7:00 p.m.

Roll Call

Pledge of Allegiance

A.	**Approval of Minutes**	December 19, 2006	
B.	**Communications**		
C.	**Public Comment**		**Actions**
D.	**Announcement of Conflict of Interest**		
E.	**Public Hearings**		
1.	**224 Santa Lucia Avenue (UP-06-032)** **Environmental Determination:** Categorical Exemption **Zoning:** R-2 (Low Density Residential District)	Request for a Use Permit to allow the construction of a second residential unit which increases the gross floor area by 146% and proposes a .63 floor area ratio per Sections 12.200.030.B.1 and 12.200.030.B.2 of the San Bruno Zoning Ordinance. Angel Lim (Applicant), Ka and Gloria Kwok (Owner). **UP-06-032**	
2.	**1041 San Mateo Avenue (PE-06-008)** **Environmental Determination:** Categorical Exemption **Zoning:** M-1 (Industrial District)	Request for a Parking Exception to allow an auto repair facility while not providing the required parking spaces per the San Bruno Zoning Ordinance Section 12.100.120. Hani Yaser (Owner/ Applicant). **PE-06-008**	

3.	**1282 El Camino Real (UP-06-041)** **<u>Environmental Determination:</u>** Categorical Exemption **<u>Zoning:</u>** P-D (Planned Development)	Request for a Use Permit to allow on-site alcohol consumption per Sections 12.84.210 and 12.112 of the San Bruno Zoning Ordinance. Steve McLaren/ Beverages and More (Applicant); The Vincent Muzzi (Owner) **UP-06-041**	
4.	**401 San Mateo Avenue (UP-06-22)** **<u>Environmental Determination:</u>** Categorical Exemption **<u>Zoning:</u>** C (Commercial District)	Request for a Use Permit to operate an auto repair service in conjunction with the operation of an existing service station for a period of five years per Section 12.96.110.C.10 of the San Bruno Zoning Ordinance. Stephen Ng (Owner/ Applicant). **UP-06-022**	
F.	**Discussion**		
1.	**City Staff Discussion**	Select February 15, 2007 Architectural Review Committee Members.	
2.	**Planning Commission Discussion**	Appoint New Planning Commission Chair and Vice Chair	
G.	**Adjournment**		

<u>Note</u>: If you challenge the above actions in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this agenda, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

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Commissioners:
Mary Lou Johnson
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COMMUNITY DEVELOPMENT DEPARTMENT

PLANNING COMMISSION MINUTES
DECEMBER 19, 2006
San Bruno Senior Center
1555 Crystal Springs Blvd.
7:00 P.M. to 10:00 P.M.

CALL TO ORDER at 7:06 pm.

ROLL CALL

	Present	Absent
Chair Mishra	X	
Vice Chair Biasotti	X	
Commissioner Chase	X	
Commissioner Johnson		X
Commissioner Marshall	X	
Commissioner Petersen	X	
Commissioner Sammut		X

STAFF PRESENT:

Planning Division: Interim Community Development Director: Aaron Aknin
Assistant Planner: Tony Rozzi
Community Dev. Recording Secretary: Cathy Hidalgo
City Attorney: Pamela Thompson

Pledge of Allegiance: Tony Rozzi, Assistant Planner

A. Approval of Minutes – November 21, 2006

Motion to Approve Minutes of November 21, 2006 Planning Commission meeting

Chase/Biasotti

VOTE: 5-0
AYES: All Commissioners Present
NOES: None
ABSTAIN: None

B. Communication

E-Packets are available on line at **www.sanbruno.ca.gov**

City Attorney – on behalf of the City Manager's office, announces Aaron Aknin as Interim Community Development Director.

C. Public Comment
None at this time.

D. Announcement of Conflict of Interest
None

E. Public Hearings

1. 914 6th Avenue

Request for a Use Permit to allow the construction of an addition which increases the gross floor area by 68% per Section 12.200.030.B.1 of the San Bruno Zoning Ordinance. Lourdes and Brijido Vega (Owner/Applicant) UP-06-27

Assistant Planner Rozzi entered staff report.

Staff recommends that the Planning Commission approve Use Permit 06-27 based on Findings of Fact 1-6 and subject to Conditions of Approval 1-15.

Chair Mishra asked Commission if there were any questions for staff.

Chair Mishra: Even though it says new second floor, on the plans, sheet 1, all bedrooms are listed as existing, is that because of prior approval?

Assistant Planner Rozzi: It should be bubbled entirely even though they are existing, it is a conditional use permit and this project is entirely under your discretion.

Commissioner Petersen: All the bedrooms should have "n" for new, correct?

Assistant Planner Rozzi: Yes, applicant was to submit the drawings indicating that.

Chair Mishra: If a client 'bubbles" that it would be good to have the date next to it.

Chair Mishra asked the applicant to address the Commission and introduce the project.

Applicant: Applicant introduced, Richard Camponeuvo, designer, representing homeowners. The 2nd floor addition was approved, during construction the owners decided to extend the front room, about 200 sq ft. so they will have a good family room. They need the use permit due to going over the limit and they are at 68% and requesting approval of the plans. Has made some improvements in the front elevation and in the back.

Chair Mishra: Do you have color sample?

Applicant: Replied going to keep same color, yellow. They are going to match the existing colors.

Chair Mishra: Sheet 3, the new right elevation, ground floor, 2 windows shown as existing, can the trim style be consistent with the rest of the house?

Applicant: Responded, yes.

Chair Mishra: ARC recommendations, didn't see any recommendations for breaking up the mass, of the walls at the right and left elevations, requesting adding architectural definition.

Applicant: Responded yes.

Commissioner Chase: At the ARC, requested you to bring to staff the color samples

Applicant: Responded, will provide. Color and tectures will match the existing.

Interim Director, Aknin: Commented that they will require prior to building plan acceptance.

Commissioner Petersen: Can you explain why you didn't bring the sample?

Applicant: Told Mr. Rozzi that they are going to match the existing. Was told that they didn't need to have samples if matching. Will provide the samples.

Commissioner Petersen: The ARC asked to put on the plans an "N" for New next to the new bedrooms. Why wasn't that done?

Applicant: Some confusion because those rooms were already built. Didn't know if they should put new or existing, since they were already built.

Commissioner Petersen: Was the recommendation not clear?

Applicant: It was clear, my own confusion since there were plans already approved, so it was unclear of the requirements of the new plans needing change. Though new was the little section they were adding. Will correct in the construction plans.

Vice Chair Biasotti: How long has this project been on hold?

Applicant: Replied 3-4 months.

Vice Chair Biasotti: How long before you get started again on the construction?

Applicant: Replied, when worked stopped, immediately brought the new plans to the City. This has caused a lot of problems inside the house. There is no roof, kitchen and bath already remodeled. Will probably have to re-do parts that have already been done. Will try to get a permit for the roof so they can save what they can.

Commissioner Chase: When do you anticipate restarting the construction and time frame for completion?

Interim Director, Aknin: Going to have to resubmit to building for structural, about a couple of weeks, able to apply for permit and protect construction. It will be taken into consideration that he does need to get a roof on.

Public Comment opened.

Public Comment closed.

Chair Mishra opened up to Commission for discussion.

Motion to approve Use Permit 06-27 based on Findings of Fact 1-6 and subject to Conditions of Approval 1-15, samples brought to staff.

Commissioner Chase / Marshall

VOTE:	5-0
AYES:	All Commissioners Present
NOES:	None
ABSTAIN:	None

FINDINGS OF FACT

1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use.
2. The proposed development will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city.
3. The proposed development will be consistent with the general plan.
4. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.
5. That the general appearance of the proposed building, structure, or grounds will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood.
6. The proposed expansion complies with applicable off-street parking standards of the zoning ordinance.

CONDITIONS FOR APPROVAL

Community Development Department – (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 06-027 shall not be valid for any purpose. Use Permit 06-027 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.
2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on December 19, 2006, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.
5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. The rental of a room does not qualify as a secondary dwelling unit. Any attempt to construct an illegal dwelling unit will result in Code Enforcement action by the City.
7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. The residence must have the ability to

park the required number of vehicles in the designated garage area. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.

Department of Public Works – (650) 616-7065

8. Encroachment Permit from Engineering Department required prior to work. S.B.M.C. 8.16.010
9. Paint address number on face of curb near driveway approach. Black lettering on white background.
10. Replace all broken or raised concrete in sidewalk or driveway approach as marked. S.B.M.C. 8.12.010. Marking shall take place under Building Review (drive way approach)
11. Remove weeds and grass from sidewalk, curb and gutter. Prune other plantings in the right-of-way. S.B.M.C. 8.24.140/150/180.

Fire Department – (650) 616-7096

12. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
13. Provide spark arrestor for chimney.
14. Provide hardwired smoke detectors with battery backup to all bedrooms and hallways.
15. The project must comply with all future Fire Department conditions, as required during the plan check review by the Building and Safety Department.

Chair Mishra advised of a 10-day appeal period.

2. <u>304 Kains Avenue</u>

Request for a Use Permit to allow the construction of an addition which increases the gross floor area by 94% per Section 12.200.030.B.1 of the San Bruno Zoning Ordinance. Jack Chu (Applicant); Ronald Miller (Owner) UP-06-036

Assistant Planner Rozzi entered staff report. Letter received and addressed by Aknin.

Staff recommends that the Planning Commission approve Use Permit 06-036 based on the Findings of Fact (1-6), subject to Conditions of Approval (1-20). A letter was received and Mr. Aknin will address.

Chair Mishra asked Commission if there were any questions for staff.

Commissioner Marshall: Regarding the 2 car garage, enter in through Masson, where is the door?

Assistant Planner Rozzi: It is on the A1 Plan. That is the correct orientation.

Interim Director, Aknin: Letter sent today, the apartment owner next door, the second story will cast a shadow on the building. They have pitched and angled their roofs. Doesn't believe there will be any impact.

Chair Mishra: On the plan A2 for the second floor, the stairs, you will see there isn't anyway to get to the stairs, there should be a landing. Will need corrected to have for building.

Commissioner Petersen: The drawings show downspouts, it indicates dumping water on the ground, so you can't tell how it is getting to the street. Is that something we leave to the building department? Or should we be looking for some indication on the plans?

Assistant Planner Rozzi: Replied, one of the conditions of the Public Works is indicated in the plans, 50% to landscape, 50% to street and we will rely on PW to specify that clearly during plan submittal to building.

Commissioner Petersen: I'm sure that they do check, but if there is no indication on the plans, sometimes the contractor is unaware until final inspection. There should be at least a note on the plans for the contractor.

Interim Director, Aknin: Replied, we will make sure which ones to landscape and which undersidewalk on the structural drawings.

Chair Mishra asked the applicant to address the Commission and introduce the project.

Applicant: Applicant introduced, Jack Chu, designer. The drainage, all the downspouts will be connected to french drain gravity the street. Ground water to street with a catch basin, the bubble box will flow to the street. Will follow the guidelines of PW to address all drainage issues. There should be a landing on the second floor, shouldn't be a wall, it should be a landing.

Chair Mishra: On A3 and A4, you have 2 schemes of windows, casement as well as sliding. Was there any mention in the ARC of matching.

Applicant: Responded, have to meet egress requirements.

Chair Mishra: Are the ones sliding existing?

Applicant: Responded yes.

Applicant: The owners want to use horizontal siding instead of stucco all around building for both floors.

Interim Director, Aknin: If the planning commission approves we can add condition for planning to approve prior to building submittal.

Chair Mishra: Is the letter from left side or right side neighbor?

Aknin: Responded, left side on Kains.

Chair Mishra: Would you be willing to break up the left elevation? Siding will bring some definition.

Applicant:: Yes, believes the siding will do that.

Public Comment opened.

Public Speaker: Gino, landlord at 350 Kains, opposed to addition. Bought in 1968, building next door has been built and has mildew from lack of sun on that side of building. New addition will take away from sun on that side of building and forecasts same problem. The Apartments downstairs get mildew due to lack of sun.

Public Comment closed.

Chair Mishra: To Staff, is there daylight plan ordinances?

Interim Director, Aknin: Replied, no, we use standard setback requirements, 5 feet for top and bottom. In many cases adjacent homeowners overestimate the impact of the shadows.

Chair Mishra opened up to Commission for discussion.

Motion to approve Use Permit 06-036 based on the Findings of Fact (1-6), subject to Conditions of Approval (1-20)-with additional condition of siding approval.

Commissioner Chase / Marshall

VOTE:	5-0
AYES:	All Commissioners Present
NOES:	None
ABSTAIN:	None

FINDINGS OF FACT

1. The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use as the new addition will require the applicant to obtain a building permit that complies with the Uniform Building Code and, required set backs are met.
2. The proposed development will not be injurious to the neighborhood or to the City as a whole as it generally complements the current neighborhood design, both in scale and with its architectural features and is consistent with other homes found in the neighborhood.
3. The proposed development will be consistent with the general plan, since the proposed development meets the general plan designation of low-density residential for the subject property. Any establishment of a second dwelling unit on the property would require Planning Division review and approval.
4. The proposed development, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property or other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood, since the structure maintains side setbacks as required by the zoning ordinance.
5. The general appearance of the proposed architectural design will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood since this addition has been designed with appropriate articulation and similar finish materials.
6. The proposed expansion has a detached two-car garage which complies with applicable off-street parking standards of the zoning ordinance.

CONDITIONS FOR APPROVAL
Community Development Department – (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 06-036 shall not be valid for any purpose. Use Permit 06-036 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.

2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.

3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on December 19, 2006, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.

4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.

5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.

6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. The rental of a room does not qualify as a secondary dwelling unit. Any attempt to construct an illegal dwelling unit will result in Code Enforcement action by the City.

7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. The residence must have the ability to park the required number of vehicles in the designated garage area. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.

8. Planning Division staff shall review and approve a new kitchen window for the rear elevation prior to the issuance of any Building Division permit.

Department of Public Works – (650) 616-7065

9. No fence, retaining wall, or other permanent structure to be placed within 2′-0″ from back of sidewalk. S.B.M.C. 8.08.010

10. Encroachment Permit from Engineering Department required prior to work. S.B.M.C. 8.16.010

11. Install a sanitary sewer lateral clean out at property line per City standards details SS-01.

12. Paint address number on face of curb near driveway approach. Black lettering on white background.

13. Replace all broken or raised concrete in sidewalk and driveway approach on Masson Avenue as marked. S.B.M.C. 8.12.010. Marking shall take place under Building Review.

14. Erosion control plan and storm water pollution plan required. Must show existing storm drain inlets and other storm water collection locations protect by silt screens or silt fence. Work shall conform with the current NPDES requirements. S.B.M.C. 12.16.020

15. Storm water from new and existing roof down-spouts, shall be collected and drained to an underground storm water system or through an undersidewalk curb drain to the gutter per City standards detail SI-03. Chapter 11, UPC 1101.1. Fifty percent permitted to drain to landscape allowed.

16. Planting of one 36-inch box size approved tree or payment of $540.00 each to the in-lieu replacement tree fund. S.B.M.C. 8.24.060

Fire Department – (650) 616-7096

17. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
18. Provide spark arrestor for chimney.
19. Provide hardwired smoke detectors with battery backup to all bedrooms and hallways.
20. The project must comply with all future Fire Department conditions, as required during the plan check review by the Building and Safety Department.

Chair Mishra advised of a 10-day appeal period.

3. <u>2265 Crestmoor Drive</u>

Request for a Use Permit to allow a large family day care operation in a single-family residential zone per Section 12.84.200 & 12.96.060.C.6 of the San Bruno Zoning Ordinance. Lucia Madlambayan (Applicant/Owner). UP-06-035

Assistant Planner Rozzi entered staff report. One complaint received. Traffic and noise issue.

Staff recommends that the Planning Commission approve Use Permit 06-035 based on Findings of Fact (1-5) and Conditions of Approval (1-13).

Chair Mishra asked Commission if there were any questions for staff.

Commissioner Marshall: By putting the restriction on the property next door, and if ever sold, it could come up as a deed restriction if approving based on that parking.

Assistant Planner Rozzi: It is a benefit but can't be based for approval on this project.

Commissioner Petersen: Stated, the application is misleading, the application should be modified to be understood that way.

Assistant Planner Rozzi: Responded, the handout is not part of the conditions and it is not a part of the approval.

Commissioner Marshall: It should be a condition that it is not being based on the parking next door.

Interim Director Aknin: We can state that in the findings.

Commissioner Petersen: In the findings, #2, "the use permit will not result in undue negative impacts upon the neighborhood vicinity in terms of traffic, parking, and noise". Would it be reasonable to add "with the mitigations that are included in the conditions of approval" Otherwise it could have more potential for that. Findings of Fact 1-5, not 1-4.

Chair Mishra asked the applicant to address the Commission and introduce the project.

Applicant: Applicant introduced, Lucille, applying for large family care. The 2255 is another house we own, as of now, if we sell we will sell 2265 first. We have 2 car garage and the children do not come all at the same time. As outlined in the schedule. The noise can be lessened with using the Crestmoor School Park. There will not be 14 at the same time.

Vice Chair Biasotti: You have been operating since October 2006, have there been any noise complaints?

Applicant: Responded no, we supervise when outside and the children listen to instruction.

Public Comment opened.

Public Comment closed.

Chair Mishra opened up to Commission for discussion.

Motion to approve Use Permit 06-035 based on Findings of Fact (1-5) and Conditions of Approval (1-13).

Commissioner Chase / Marshall

VOTE:	5-0
AYES:	All Commissioners Present
NOES:	None
ABSTAIN:	None

FINDINGS FOR APPROVAL

1. The use permit to operate a large family day care home at the house located at 2265 Crestmoor Drive is located in a residential district.
2. The use permit to operate a large family day care home at the house at 2265 Crestmoor Drive will not result in undue negative impacts upon the neighborhood vicinity in terms of traffic, parking, and noise.
3. The operator of the facility will provide a two car driveway on the lot for parking or stopping of vehicles to allow children to be picked up or dropped off within thirty (30) minutes before and after the hours of the day when day care will be provided.
4. The existing home complies with applicable off-street parking standards of the zoning code since the subject property contains an attached two car garage
5. Based on a site inspection by the Fire Department staff, with the conditions of approval, the existing home complies with applicable building and fire code provisions.

CONDITIONS FOR APPROVAL

Community Development Department - (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 06-035 shall not be valid for any purpose.
2. Applicant must obtain a business license though the Finance Department.
3. The request for a use permit for a large family day care home at 2265 Crestmoor Drive shall operate according to plans approved by the Planning Commission on December 19, 2006, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.

4. Parents and guardians dropping off and picking up children from the home shall be directed to not honk their car horn. Neighborhood noise complaints could result in this application being called back up to the Planning Commission for revocation.
5. Parents and guardians dropping off and picking up children from the home must park on the driveway when picking up and dropping off their children. In the event the driveway is not available, the parents shall use the parking area directly in front of the home.
6. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.
7. Children shall be supervised when outdoors to control noise levels.
8. Children outdoors shall be supervised at all times.
9. The applicant shall obtain a license from the State of California to operate a large family day care center.
10. The number of children shall be limited to a maximum of fourteen (14) at any one time, including any of the applicant's own children.
11. Property owners must park their personal vehicles in the garage during daycare hours.

Fire Department - (650) 616-7096

12. Provide a manual pull station with a horn and strobe. Installation will require an electrical permit.
13. Approval pending final inspection by Fire Department**.**

Chair Mishra advised of a 10-day appeal period.

4. <u>401 San Mateo Avenue</u>

Request for Use Permit UP-06-22 to operate auto repair service in conjunction with an existing service station per Section 12.96.110 (C 10) of the San Bruno Zoning Ordinance. Stephen Ng (owner/applicant).

Interim Community Development Director Aknin entered staff report.

Staff recommends that the Planning Commission continue Use Permit 06-22 to a future Planning Commission hearing.

Public Comment opened.

Public Comment closed.

Chair Mishra opened up to Commission for discussion.

Motion to continue Use Permit 06-022.

Commissioner Chase/Biasotti

VOTE:	5-0
AYES:	All Commissioners Present
NOES:	
ABSTAIN:	

Chair Mishra advised of a 10-day appeal period.

F. Discussion

1. City Staff Discussion
   a. Select January 11, 2007 Architectural Review Committee Members
      Biasotti, Mishra, – will call for others, Chase will be back up.

2. Planning Commission Discussion
   The size is 36x24 – would you mind 11x17 for review? Aknin, will call each commissioner individually and distribute accordingly.

   Commissioner Petersen: Does the city request a size?

   Interim Director Aknin: usually 36 x 24, for larger projects we ask for ½ the size. They are still scaleable but much more manageable.

   Commissioner Petersen: If the city were to elect to require smaller, such as 22 x 34, ½ size is 11 x 17. Many other municipalities require this in construction and you won't find much resistance.

   Chair Mishra: Environmental friendly materials being used, a discount for their permits?

   Interim Director Aknin: Discussing in the Master Fee Schedule and is being proposed to Council so there is incentive to using those products/materials.

   Chair Mishra: Regarding a daylight plan, do we have anything in the works?

   Interim Director Aknin: Responded no, but we are going out to an RFP for residential design guidelines to help steer applicants and designers into the right course. A daylight plan can be incorporated into the guidelines.

   Chair Mishra: Would like to have guidelines consistent.

   Interim Director Aknin: The setbacks add to the extra separation. Our height ordinance is 28 feet instead of 35.

   Vice Chair Biasotti: Regarding plan size, are there .pdf requirements.

   Interim Director Aknin: Yes, we have .pdf and are going through a whole document imaging restructure in the department.

   Commissioner Marshall: Chair vote, is that tonight?

   Interim Director Aknin: Replied in January. Historically the Vice Chair becomes Chair.

   Commissioner Petersen: The elections are historically in December.

   Interim Director Aknin: Yes, but last year it was held in January.

G. Adjournment

Meeting was adjourned at 8:04 pm

Aaron Aknin
Secretary to the Planning Commission
City of San Bruno

Sujendra Mishra, Chair
Planning Commission
City of San Bruno

NEXT MEETING*:* January 16, 2006
TH/ch

CITY OF SAN BRUNO

COMMUNITY DEVELOPMENT DEPARTMENT

567 El Camino Real
San Bruno, CA 94066
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http://www.ci.sanbruno.ca.us

PLANNING COMMISSION
STAFF REPORT
AGENDA ITEM NO. E1
January 16, 2007

PROJECT LOCATION

1. Address: 224 Santa Lucia Avenue
2. Assessor's Parcel No: 021-175-140
3. Zoning District: R-2 (Low Density Residential District)
4. General Plan Classification: Low Density Residential

EXHIBITS
A: Site Location
B: Site Plan, Floor Plans, and Elevations

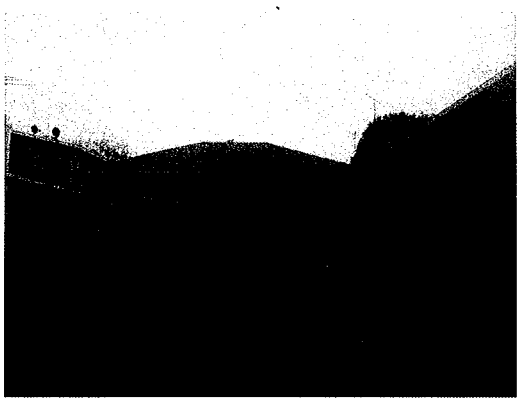
REQUEST
Request for a Use Permit to allow the construction of a second residential unit which increases the gross floor area by 146% and proposes a .63 floor area ratio per Sections 12.200.030.B.1 and 12.200.030.B.2 of the San Bruno Zoning Ordinance. Angel Lim (Applicant), Ka and Gloria Kwok (Owner). **UP-06-032**

RECOMMENDATION
Staff recommends that the Planning Commission **approve** Use Permit 06-032 based on the Findings of Fact (1-6), subject to Conditions of Approval (1-19).

REVIEWING AGENCIES
Community Development Department
Public Works Department
Fire Department

LEGAL NOTICE
1. Notices of public hearing mailed to owners of property within 300 feet on January 5, 2007.
2. Advertisement published in the *San Mateo Daily Journal*, Saturday, January 6, 2007.

ENVIRONMENTAL ASSESSMENT
This project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15303: New Construction or Conversion of Small Structures.



EXISTING CONDITIONS

The subject property is located on the east end of Santa Lucia Avenue, between S. San Anselmo Avenue and San Antonio Avenue. This is a rectangular-shaped lot with a total size of 6,550 square feet. The lot is 50'-0" wide and 131'-0" deep. The property is currently developed with a contemporary, two bedroom and one bathroom, 1,200 square foot one-story residence with a detached one-car garage with storage area.

This home was built in 1950 and is located in the Lomita Park subdivision, which is made up of single family and multi family dwelling units. The neighborhood that surrounds the subject property is a rather varied mix of residential buildings, with several non-conforming structures that exceed the 28'-0" height limit for the R-2 zoned area. Most of these non-conforming structures are medium density apartment complexes, two of which are adjacent to the subject property on the left and right sides.

SURROUNDING LAND USES

North: Santa Dominga Avenue - R-2 Zone, low density residential
South: San Benito Avenue - R-2 Zone, low density residential
East: San Antonio Avenue - R-2 Zone, low density residential
West: S. San Anselmo Avenue - R-2 Zone, low density residential

PROJECT INFORMATION

The proposed project is a new residential unit at the rear of the site, which currently has a one story, single family home at the front of the property. The proposed second home would remove and rebuild an existing one car garage and add a two car garage for the new home. The existing home would remain on-site. Atop the new garage, a 1,591 s.f., three bedroom, two bathroom home is proposed. A living room and kitchen would accompany the sleeping quarters. A foyer, office and half bathroom would also be built on the first floor as part of the entry to the main portion of the home on the second floor.

As part of this proposal, an existing shed and accessory structure adjacent to the existing one car garage would be removed.

If approved and constructed, this would be a 3 bedroom and 2.5 bathroom home. Project details are shown in the following table:

SITE CONDITIONS		ZONING REQUIREMENTS	EXISTING CONDITIONS	PROPOSED CONDITIONS
Land Use		R-2	R-2	Same
Lot Area		5,000 s.f.	Actual: 6,550 s.f. Adjusted: 5,960.5 s.f. *	Same
Lot Coverage		3,278 s.f. (55%) (% based on 5,960 s.f. lot)	1,669 s.f.. (28%) (% based on adj lot)	2,513 s.f. (42%)
Gross Floor Area		3,278 s.f.	1,669 s.f.	**4,104 s.f.**
Floor Area Ratio		.55	.28	**.68**
Building Setbacks	**Front**	15'-0"	19'-0"	same
	Rear	10'-0"	70'-0"	12'-0"
	W Side E Side	5'-0"	5'-0" 10'-0"	5'-0" 5'-0" *
Building Height		28'-0"	-	26'-6" on new home
Covered Parking		2 covered spaces	1 space	3 spaces *

*Notes:

- In order to construct a second unit in an R-2 zone, each property must have a minimum area of 2,900 s.f. and the lot must have a minimum of 5,800 s.f.
- Adjustment factor of .91 used for the lot
- 10'-0" driveway on eastern side of property to remain. Proposed home at rear would have the revised 5'0" side setback.
- 2 new covered parking spaces proposed for rear unit. Project to relocate existing 1 covered space for front unit.
- With proposal, floor area would be 4,104 s.f.= .68 FAR, 146% increase
- Rear Setback to be 15'-0" to first story and 12'-0" to cantilevered second story

Square Footage Breakdown (of existing and proposed home):

	Ground floor	Second Floor	Garage	Total
Existing	1,237	-	432*	1,669
Proposed	460	1,591	384	2,435
Total	1,697	1,591	816	4,104

*Notes:

- Existing single- car garage and storage to be demolished and rebuilt
- New two-car garage to be 528 s.f. and existing single car garage to be 288 s.f.

Square Footage Breakdown (of proposed home only):

	Ground floor	Second Floor	Garage	Total
Existing	-	-	-	-
Proposed	460	1,591	528	2,579
Total	460	1,591	528	2,579

*Notes:

- Proposed home would be 2,051 s.f. with a two car garage

BACKGROUND

The Architectural Review Committee (ARC) reviewed the project at its November 16, 2006 meeting and forwarded the project to the Planning Commission with a favorable recommendation and the following comments:

- Redesign the ground floor entry way to better enhance the main access to the home. Consider a false roof or porch.
- Revise the front elevation to add some articulation and consider setting back the second floor kitchen area from the first floor plane.
- Provide an existing site plan with dimensions to show existing home (and dimensions), location of the existing one car garage and the accessory structures noted during site inspection.
- Add an egress from proposed new one-car garage on left elevation.
- Add a window to the rear elevation for architectural interest.
- Continue the proposed 12' band across the entire right elevation.
- Bring color and material samples to Planning Department prior to PC meeting.
- Show gutters and downspouts on elevation plans.

Commissioners Sammut and Chase were present for this item.

Since the Architectural Review Committee hearing, the applicant has made the suggested revisions with the exception of setting back the second story at the front elevation. Staff finds that because the home is to the rear of the property (behind the existing home) and has other architectural design elements incorporated into the front façade, this revision is not necessary.

PROJECT ANALYSIS

The applicant is proposing a 2,051 square foot residence and a total new floor area of 2,435 square feet. The project would increase the existing gross floor area by 146%. Any project which proposes a greater than 50% expansion in gross floor area requires a use permit.

*Pursuant to the City's Zoning Code, the Commission shall grant the Use Permit if it makes the following findings (required findings are in **bold** followed by staff's analysis of the merits of the project and how the findings can be made):*

1. **The proposed new residential unit will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing**

or working in the neighborhood of such proposed use.

With the condition that the applicant obtain a building permit prior to construction, the new home will be constructed according to the Uniform Building Code (UBC) and therefore will not be detrimental to the health, safety and general welfare of the persons residing in the neighborhood. The new residence would be set back five feet from the left and right side property lines, complying with the side yard setback requirements, to provide for fire safety construction and egress requirements. Additionally, the proposed second home would be setback 6'-0" from the existing home, a fire safety requirement of the UBC. Therefore, the development will not be detrimental to the health and safety of the persons residing in the neighborhood.

2. **The proposed new residential unit will not be injurious or detrimental to property and improvement s in the neighborhood or to the general welfare of the city.**

The applicant is proposing a two-story home, located to the rear of an existing single story home that utilizes building materials comparable to those structures found in the immediate area. The neighborhood is comprised of single family and multi-family dwellings, with building heights varying significantly adjacent to the subject property. The proposed addition generally complements the current neighborhood design, both in scale and with its architectural features and is consistent with the permitted uses of low-density residential district neighborhoods. The addition of a second single-family dwelling home should improve the site since the existing rear yard has a dilapidated shed and one car garage that will be removed as part of the project. On-street parking in the neighborhood area should not be negatively impacted since an existing one-car garage for the front unit will be rebuilt and a new two car garage is proposed for the rear unit project. An over 100' long driveway will remain to access the off street parking spaces and provide additional off-street parking area for the property.

The proposed addition will benefit the City and the surrounding neighborhood through good construction on the property and by its general conformance with the regulations as set forth in the Zoning Ordinance. Therefore, staff determines that the addition will not be detrimental to improvements in the neighborhood or to the general welfare of the city.

3. **The proposed new residential unit will be consistent with the general plan.**

The San Bruno General Plan designates the property as a low-density residential district and allows for two-family units on the property per the San Bruno Zoning Ordinance. The proposed second single family dwelling is thus consistent with the residential general plan designation.

Goal 3 of the City's 1984 General Plan states "encourage public and private development which is aesthetically sensitive to the surrounding environment and is of the highest quality design and construction." Staff finds that the architecture of the addition will match the style of the existing front home on the subject property and proposes similar finished materials.

General Plan Residential Policy 1 states "protect the residential character of existing residential neighborhoods." The two-story traditional style home, with stucco finish, foam trim and composition shingle roofing is similar to other single family homes in the area and complements the multi-dwelling unit buildings located adjacent to the subject property.

4. **The proposed new residential unit, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.**

The proposed structure will not unreasonably restrict or interfere with light and air on the adjacent properties since all side yard setbacks will be met as part of this proposal. Additionally, the rear setback for the second structure is proposed to be 15'-0" to the first floor and 12'-0" to the cantilevered second story, both of which exceed the minimum 10'-0" rear setback requirement. Concerning height, the rear home would be below the 28'-0" guideline, proposing a 26'-6" height. Surrounding the subject property on all three sides are multi-unit apartment complexes which exceed the height but were either located prior to the current zoning ordinance standards or obtained a use permit approval in the past. With that said, the proposed 26-6" height of the project should not restrict or interfere with the light and air of adjacent properties. The roof design uses a cross gable with a 5/12 slope and has no significant overhangs that would cause any undue or excessive shadowing on nearby properties.

The proposed structure is similar in scale with the existing single and two-story homes located in the surrounding area and with the existing home at the front of the subject property. This proposal is consistent with the types of home designs that staff found in the area during site inspection and therefore, should not discourage or impair further development or investment in the neighborhood.

5. **That the general appearance of the proposed building, structure, or grounds will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood.**

The new structure will be consistent with the scale and design of the other single family homes located in the immediate area and is for the most part, a well designed home. The front elevation breaks up the mass of a three car garage with a separation between the new two-car and single-car garages and has located several matching windows on the first and second stories of the proposed structure. The rear portion of the second story cantilevers 3'-0" beyond the first plane to expand the second floor enough to allow for a second bathroom.

The applicant proposes to finish the structure with stucco and asphalt shingle roof material, which are finish materials on the surrounding homes. With matching windows throughout, the applicant has also designed each elevation to carry a 12" foam trim throughout to break up the mass normally associated with a two story home.

The proposed residence will be an improvement not only to the subject property but will also have a beneficial impact on the modest and well-maintained neighborhood, an eclectic mix of predominantly craftsman style single family homes and traditional multi-unit apartments. On-street parking in the area should not be negatively impacted, which would otherwise diminish the desirability of the adjacent properties and overall neighborhood since the applicant has met the parking requirements, as listed in Finding 6.

6. The proposed new residential unit complies with applicable off-street parking standards of the zoning ordinance.

The project proposes a two car garage for the new rear home and a new single car garage to replace the existing garage for the front unit. An over 100'-0" long driveway will remain, which will provide additional off-street parking area. Therefore, all off-street parking standards will be met with this proposal.

PUBLIC COMMENTS

None were submitted prior to the Public Hearing.

RECOMMENDATION

Based on the above analysis and Findings of Fact 1-6 below, Staff recommends approval of Use Permit 06-032 subject to conditions 1-19 below.

FINDINGS OF FACT

1. The proposed new residential unit will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use since all construction will meet the Uniform Building Code and attain all appropriate Building Division permits.

2. The proposed new residential unit will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city given the expansion is in scale with the neighborhood and off-street parking requirements will be met, thereby eliminating any negative impacts to on-street parking availability.

3. The proposed new residential unit will be consistent with the general plan, since the proposed single family home meets the general plan designation of low density residential for the subject property.

4. The proposed new residential unit, as set forth on the plans, will not unreasonably restrict or interfere with light and air on the property and on other property in the neighborhood, will not hinder or discourage the appropriate development and use of land and buildings in the neighborhood, or impair the value thereof; and is consistent with the design and scale of the neighborhood.

5. That the general appearance of the proposed architectural design will be in keeping with the character of the neighborhood, will not be detrimental to the orderly and harmonious development of the city, and will not impair the desirability of investment or occupation in the neighborhood since this addition has been well designed with appropriate articulation.

6. The proposed new residential unit complies with applicable off-street parking standards of the City of San Bruno Zoning Ordinance.

CONDITIONS OF APPROVAL

Community Development Department – (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 06-032 shall not be valid for any purpose. Use Permit 06-032 shall expire one (1) year from the date of Planning Commission approval unless a building permit has been secured prior to the one (1) year date.

2. The signed copy of the conditions of approval shall be photocopied and included as a full size page in the Building Division set of drawings.

3. The request for a Use Permit for an addition shall be built according to plans approved by the Planning Commission on January 16, 2007, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.

4. The applicant shall obtain a City of San Bruno building permit before construction can proceed. The operation of any equipment or performance of any outside construction related to this project shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 7:00 a.m. to 10:00 p.m. or exceed 60 decibels (as measured at 100 feet) from 10:00 p.m. to 7:00 a.m.

5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City of San Bruno.

6. The residence shall be used only as a single-family residential dwelling unit. No portion of the residence shall be rented out as a secondary residential dwelling unit. The rental of a room does not qualify as a secondary dwelling unit. Any attempt to construct an illegal dwelling unit will result in Code Enforcement action by the City.

7. The garage shall be used for the storage of motor vehicles and shall not be used as habitable living space as defined in the Uniform Building Code. The residence must have the ability to park the required number of vehicles in the designated garage area. Failure to conform to this condition is grounds for code enforcement action, which may result in substantial code compliance costs to bring the garage back into conformance.

Department of Public Works – (650) 616-7065

8. No fence, retaining wall, or other permanent structure to be placed within 2'-0" from back of sidewalk. S.B.M.C. 8.08.010

9. Encroachment Permit from Engineering Department required prior to work. S.B.M.C. 8.16.010

10. Install a sanitary sewer lateral clean out at property line per City standards details SS-01.

11. Replace all broken or raised concrete in driveway approach on Masson Avenue as marked. S.B.M.C. 8.12.010. Marking shall take place under Building Review.

12. Erosion control plan and storm water pollution plan required. Must show existing storm drain inlets and other storm water collection locations protect by silt screens or silt fence. Work shall conform with the current NPDES requirements. S.B.M.C. 12.16.020

13. Storm water from new and existing roof down-spouts, shall be collected and drained to an underground storm water system or through an undersidewalk curb drain to the gutter per City standards detail SI-03. Chapter 11, UPC 1101.1. Fifty percent permitted to drain to landscape allowed.

14. Removal of un-permitted undersidewalk curb drain. Replace with City standards undersidewalk curb drain, detail SI-03

15. Remove weeds and grass from sidewalk, curb and gutter. Prune other plantings in the right-of-way. S.B.M.C. 8.24.140/150/180.

16. Planting of one 36-inch box size approved tree or payment of $540.00 each to the in-lieu replacement tree fund. S.B.M.C. 8.24.060

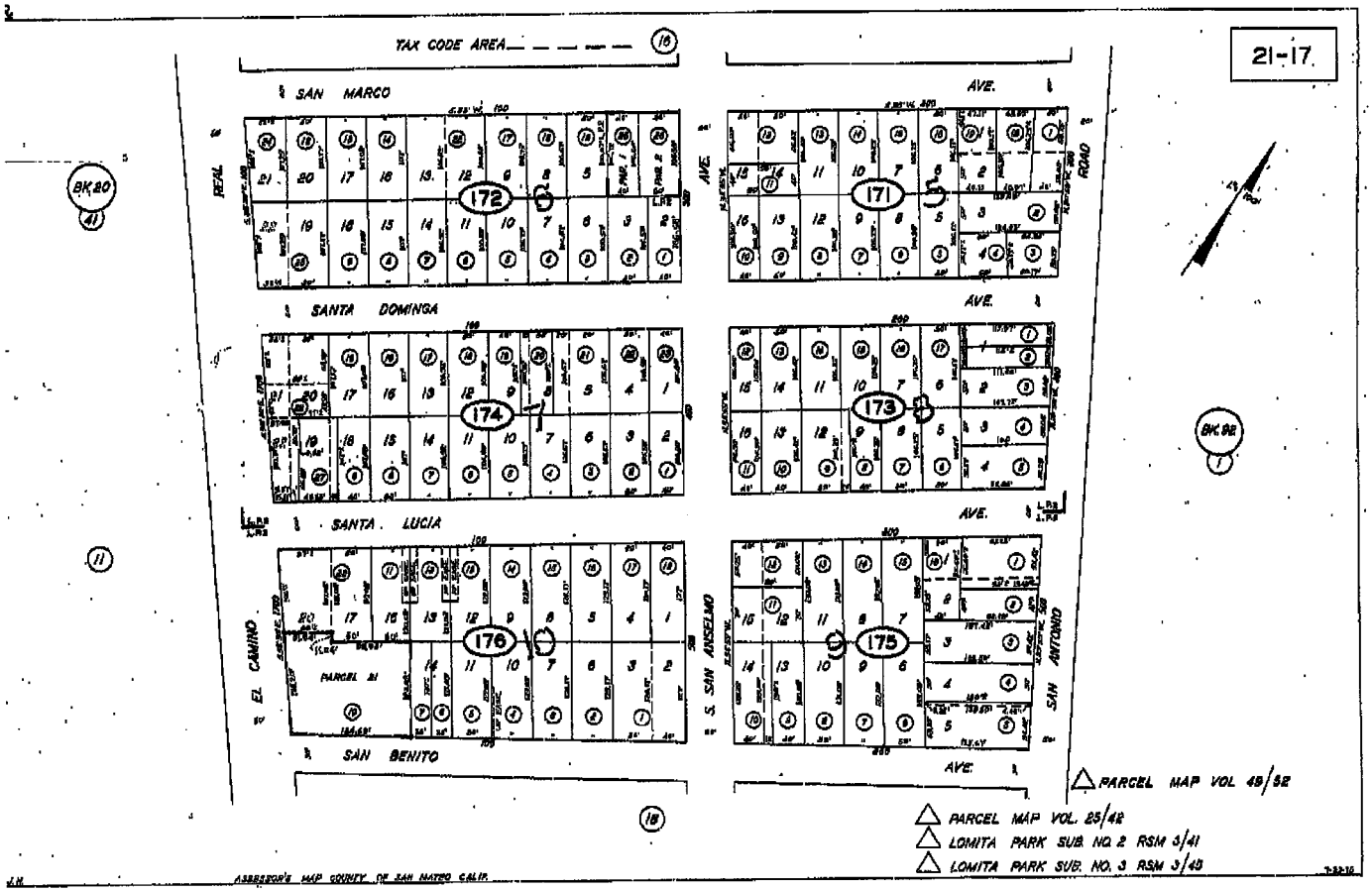
Fire Department – (650) 616-7096

17. Provide a unique address number. Address numbers must be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.

18. Provide NFPA13D fire sprinkler system with coverage in garage and attic.

19. The project must comply with all future Fire Department conditions, as required during the plan check review by the Building and Safety Department.

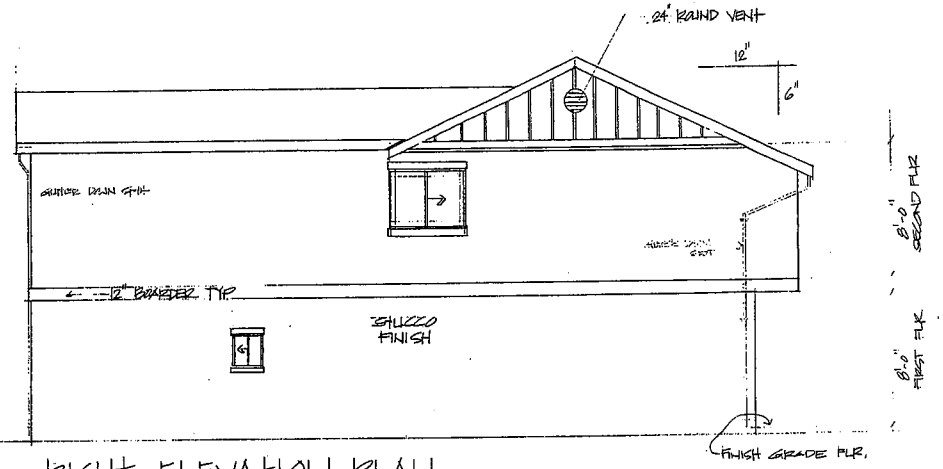
Submitted on 01/08/07 by:
Tony Rozzi
Assistant Planner



224 Santa Lucia Avenue
021-175-140
UP 06-032

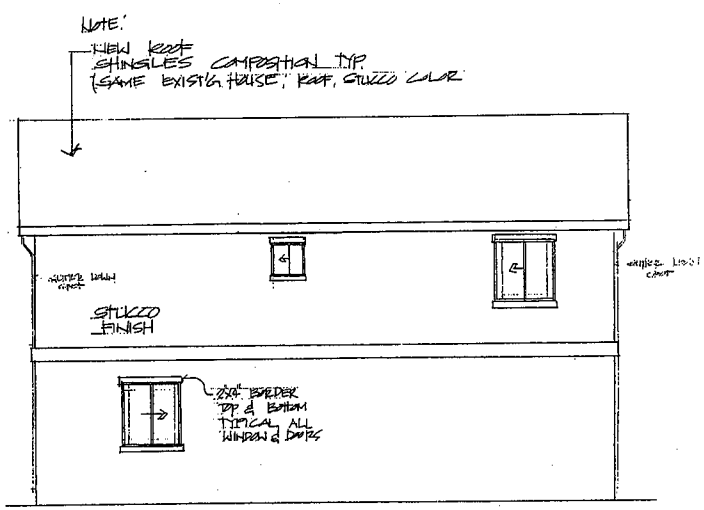
Exhibit A – Site Location

FRONT ELEVATION PLAN
1/4-1'-0"



RIGHT ELEVATION PLAN
1/4-1'-0"

LEFT ELEVATION PLAN
1/4-1'-0"



REAR ELEVATION PLAN
1/4-1'-0"

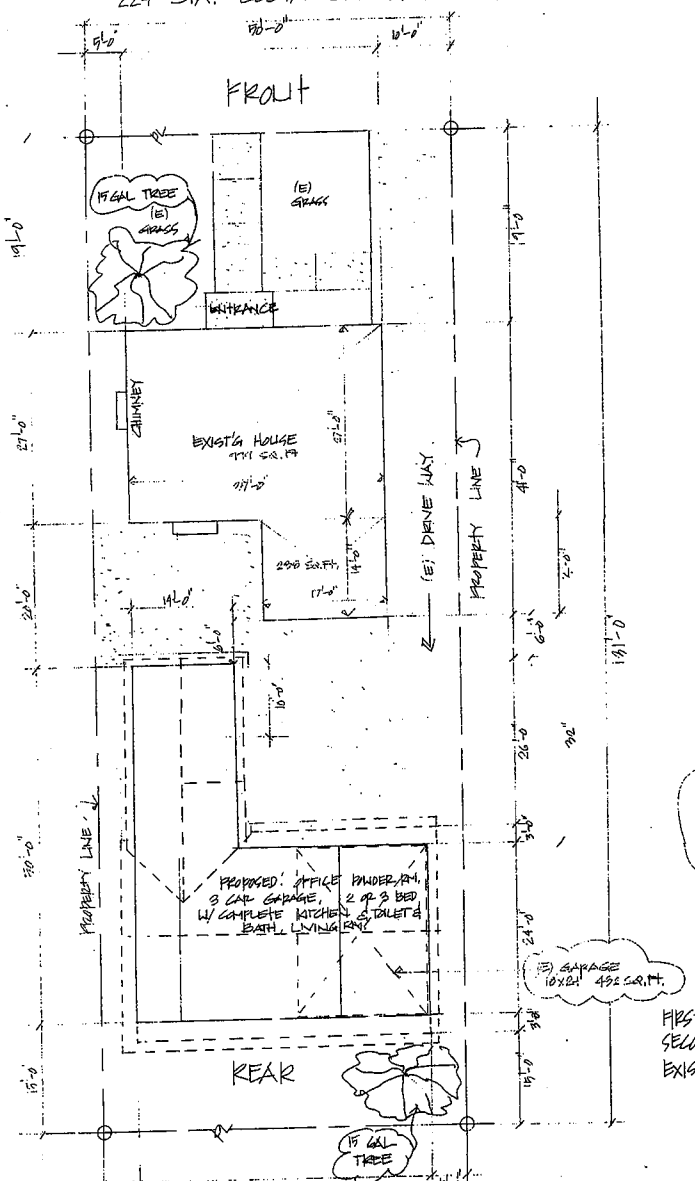
Exhibit B – Site, Floor & Elevati Plans

REVISIO

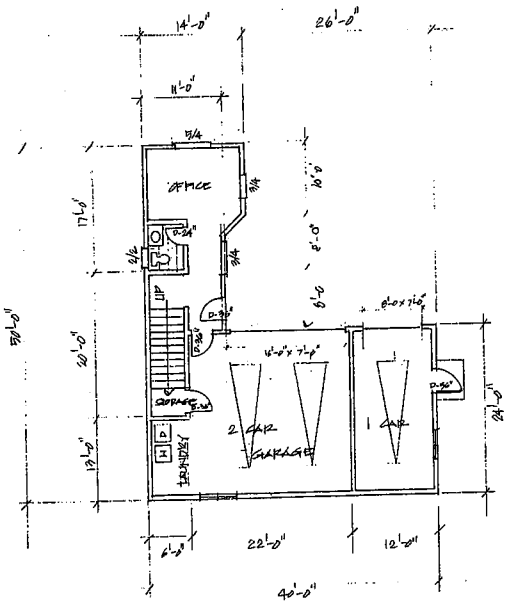
GLORIA KWOK RESIDENCE

Date
Scale 1/4
Drawn
Job
Sheet A
Of

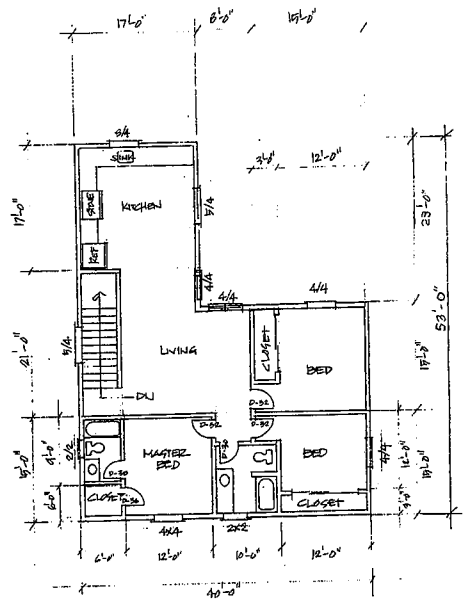
224 STA. LUCIA SAN BRUNO CA.



PLOT PLAN
1/8 - 1'-0"



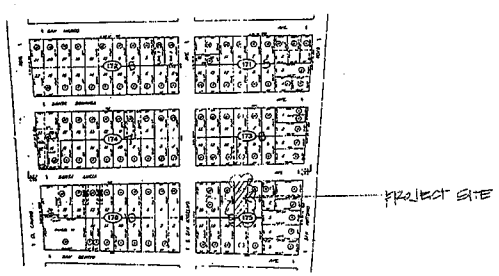
FIRST FLR. PLAN
1/8 - 1'-0"



SECOND FLR. PLAN
1/8 - 1'-0"

Lot AREA — 6,550 SQ.FT.
EXISTING HOUSE 1,237 SQ.FT.
EXISTING GARAGE 492 SQ.FT.

FIRST FLR. ADDITION 988 SQ.FT.
SECOND FLR ADDITION 1,591 SQ.FT.
EXIST'G ONE CAR GARAGE 288 SQ.FT.



LOCATION MAP

REVISIO

Designer: RCH BUILDERS INC.

Engineer: A.G. LIM & SONS CONSTRUCTION

SLORIA KUNK RESIDENCE

Date

Scale

Drawn

Job

Sheet

A

CITY OF SAN BRUNO

COMMUNITY DEVELOPMENT DEPARTMENT

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Lisa Costa Sanders, *Contract Planner*
Pamela Thompson, *City Attorney*

PLANNING COMMISSION
Sujendra Mishra, *Chair*
Rick Biasotti, Vice-Chair
Kevin Chase
Mary Lou Johnson
Bob Marshall, Jr.
Perry Petersen
Joe Sammut

PLANNING COMMISSION
STAFF REPORT
AGENDA ITEM NO. E2
January 16, 2007

PROJECT LOCATION

1. Address: 1041 San Mateo Avenue
2. Assessor's Parcel No: 014-281-080
3. Zoning District: M-1 (Industrial District)
4. General Plan Classification: Industrial

EXHIBITS

A: Site Location
B: Site Plan, Floor Plans, and Elevations
C: Applicant Statement of Intent
D: Reviewing Department Memorandums
E: Example of a conforming Site Plan

REQUEST

Request for a Parking Exception to allow an auto repair facility while not providing the required parking spaces per the San Bruno Zoning Ordinance Section 12.100.120. Hani Yaser (Owner/ Applicant). **PE-06-008**

RECOMMENDATION

Staff recommends that the Planning Commission **deny** Parking Exception 06-008 based on the Findings for Denial (1-2).

REVIEWING AGENCIES

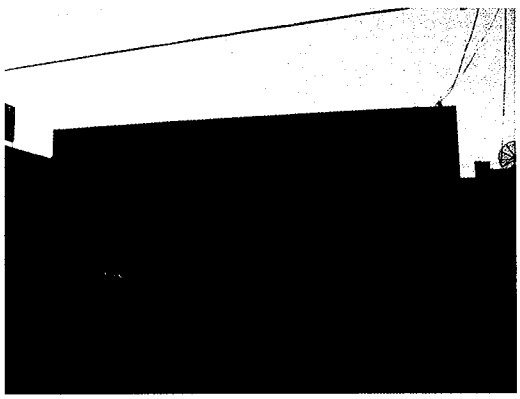
Community Development Department
Public Works Department
Police Department
Fire Department

LEGAL NOTICE

1. Notices of public hearing mailed to owners of property within 300 feet on January 5, 2007.
2. Advertisement published in the *San Mateo Daily Journal*, Saturday, January 6, 2007.

ENVIRONMENTAL ASSESSMENT

This project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: No expansion of an existing use.



EXISTING CONDITIONS

The subject property is located on the west side of San Mateo Avenue at the southern end of the 1000 block. This is a rectangular-shaped lot with a total size of 5,000 square feet. The lot is 50'-0" wide and 100'-0" deep. The property is currently developed with an industrial building, measuring 75'-0" wide and 50'-0" deep. The building's use is split between a Smog Test Only facility (1043) on the south side and a Fabrication business (1041) on the north side.

The building is located in the M-1 (Industrial) zoned area of San Bruno, which permits warehouses and storage, automobile repair and light manufacturing/ fabrication. The area surrounding the subject property is comprised predominantly of automobile repair and the Skypark Parking Lot is located on the opposite side of the street, spanning the 1000 block of San Mateo Avenue. There is also a legal non-conforming restaurant operating adjacent to the subject property.

SURROUNDING LAND USES

North: Scott Street – M-1 Zone, Industrial District
South: Hermosa Street – M-1 Zone, Industrial District
East: Shaw Road (S.S.F.) – M-1 Zone, Industrial District
West: Montgomery Avenue – M-1 Zone, Industrial District

BACKGROUND

The City's Industrial District includes Montgomery and San Mateo Avenue, from the 1000 to 1200 blocks and bordered by Interstate 380 to the south and the S. San Francisco city limit to the north. As part of the general plan and codified through the zoning ordinance, this area has been designated to allow manufacturing, automobile repair and warehouse storage as permitted uses. Conditionally approved uses include auto-wrecking, building material storage, lumberyards and heavy manufacturing.

The M-1 zoning area is the only area of the City where automobile repair is allowed without prior approval by the Planning Commission. Because of this, many automobile repair businesses are located on Montgomery and San Mateo Avenue. Many of these buildings were constructed prior to current zoning standards and the required parking, even for some of the less parking intensive uses such as a storage facility, is often not supplied on site. Generally, most buildings have between zero and four parking spaces on site. While there are some buildings with an adjacent parking lot, a majority of properties do not have any significant area dedicated to outdoor parking.

As an example, a typical sized building in this district may be approximately 3,000 to 4,000 s.f. If that building were to operate an automobile repair business, the zoning ordinance requires 1 space per 250 s.f. of gross floor area dedicated to automobile repair. Between 12 and 16 spaces would be required to legally operate an automobile repair facility without the granting of a parking exception in this example. But because many of these building have had automobile repair tenants prior to the City's adopted parking standards, the non-conforming parking situation has been grandfathered into the site and

continued with each subsequent repair facility tenant. Due to the normal business operation of these repair facilities however, many repair vehicles are parked on the street, driveways, sidewalks and double parked thus creating a serious public safety and nuisance issue.

In the past few years, the intensification of the area by high-volume repair facilities that have moved in to existing automobile repair sites have created significant impacts on the neighborhood and City resources. Traffic, noise, parking violations, hazardous storage, trespassing and emergency vehicle access have become major issues for the Fire, Police and Community Development Departments. In the year 2006, the Code Enforcement Division received numerous complaints and opened 19 new cases for the properties located in the M-1 Industrial District, a majority of which are related to automobile repair businesses.

PROJECT INFORMATION

This proposal is a request for a Parking Exception to allow a new automobile repair facility to locate in a building while not providing the required parking spaces per the San Bruno zoning ordinance. Currently, the existing uses of the building are a Smog Test Only business and a Glass Fabrication business. Both of these uses require less parking per the zoning ordinance than an automobile repair business, thus additional on-site parking spaces are required. Typically, a property has spaces "grandfathered" into the site based on the existing use. When staff calculates a proposed use's parking requirement at a specific location, the existing use is taken into consideration. If the proposed use does not intensify, or increase the required parking on site beyond the existing use's requirement, no parking exception is required. If, in the case of the subject proposal, the new use would intensity the site's parking demand, a revised site plan with additional parking or a Parking Exception is required. This Parking Exception request is for five (5) spaces, as calculated below.

As part of the requirement for on-site parking, the parking space must be located to the exterior of the building. Any area inside the building is considered gross floor area and in the case of an automobile repair facility, can be used for work space rather than parking area. All required parking spaces indicated in the table are for exterior on-site parking.

The following is a breakdown of the parking spaces required at 1041/ 1043 San Mateo Avenue:

Existing Use Parking Calculation		
1041: Lera Glass (Fabrication)		
	Office Area - 100 s.f. (1 space per 250 s.f.) =	.40 spaces
	Work Area - 2,723 s.f. (1 space per 500 s.f.) =	5.45 spaces
1043: Smog Test Only House (Automobile Accessory Use)		
	Office Area - 60 s.f. (1 space per 250 s.f.) =	.24 spaces
	Work Area - 482 s.f. (1 space per 600 s.f.) =	.80 spaces
	Total Spaces required =	6.89 spaces = 7 spaces
	Total Spaces provided =	3.00 spaces
	Total Spaces deficient =	**4 spaces**
	Total Spaces grandfathered =	4 spaces
Proposed Use Parking Calculation		
Automobile Repair Facility	Office Area - 170 s.f. (1 space per 250 s.f.) =	.68 spaces
	Storage Area - 208 s.f. (1 space per 800 s.f.) =	.26 spaces
	Work Area (Total building size less storage, office and vehicle lifts) =	11.56 spaces
	Total Spaces required =	12.5 spaces = 13 spaces
	Total Spaces provided =	4.00 spaces
	Total Spaces deficient =	**9 spaces**
	Total Spaces grandfathered (from above calc.) =	4 spaces
	Parking Exception Request =	**5 spaces**

PROJECT ANALYSIS

The applicant is proposing a new automobile repair facility where the existing use has been a Smog Test Only business and Fabrication business. The City's Zoning Ordinance requires one parking space for each 250 square feet of gross floor area, therefore, the additional conversion of the building to automobile repair will require an additional five (5) parking spaces to be provided on-site (fractional spaces are rounded up). Since these additional parking spaces are not proposed to be provided, a parking exception is required per Section 12.100.120 of the San Bruno Zoning Ordinance.

Staff is recommending that the Planning Commission **deny** this parking exception based on the analysis of Planning Division staff and the reviewing comments of the Police, Fire and Public Works Departments (Exhibit D). The comments by the Police Chief, Fire Chief and City Engineer were instrumental in making the legal findings for denial and are listed as follows (as well as incorporated into the findings below):

Police Department

- The current site has only three parking spaces located in the front of the business. This amount of parking would not even cover enough parking spots for the employees of the business.

- The 1000 through 1200 blocks of San Mateo Ave, during business hours, always have vehicles that are double parked in the street, which causes vehicles traveling on San Mateo Ave to pass them against oncoming traffic.

- This building is across the street from Sky Park Airport Parking and they call the police frequently for illegally parked vehicles in the street and in the red zones.

- The Police Department's Community Service Officers and Police Officers have been dispatched numerous times to handle the illegal parked vehicles on this block.

- If a parking exception was granted to the applicant, the Department fears this would only add to the congestion and parking problem in this area.

- Some other automotive garage facilities have opened on the 1000 block and 1100 block of Montgomery Ave and these garages have parked vehicles throughout the neighboring residential neighborhoods, which has generated more complaints for the Police Department.

Fire Department

- The result of an exception would be added congestion and increased double-parking in this area. This can affect the ability of emergency vehicles to safely and quickly respond in this area.

- The driveways will be blocked on a regular basis causing arriving customers to double-park until vehicles can be moved, creating excessive backing onto San Mateo Avenue.

- The potential for vehicles to be stored bumper to bumper inside the building makes it difficult and hazardous to reach the interior of the building in the event of a fire.

Public Works Department

- The project site is located at 1041 San Mateo Avenue. San Mateo Avenue is designated as an arterial street. Arterial streets should serve to move vehicles rather than provide access to abutting land. Arterial streets are subject to regulations and control of parking, turning movements, entrances, exits and curb cuts where conditions warrant.

- The proposed project would locate four perpendicular parking spaces and a vehicular access to the building at the front of the property that would be directly accessed via a driveway approach across 100% of the property frontage. The proposed off-street parking facilities require parked vehicles to back into the driving lane in San Mateo Avenue in order to exit each parking space. Every vehicle maneuver to exit a parking space will result in a conflict with traffic in San Mateo Avenue and create an unsafe situation.

- According to section 12.100.0800.C.1 of the San Bruno Municipal Code, all off-street parking facilities shall be designed in a manner, which will least interfere with traffic movements. My assessment is that the proposed parking facilities will result in numerous conflicts between parking movements and driving lane traffic in San Mateo Avenue and will result in unsafe maneuvers for parked vehicles to exit parking spaces.

- In addition, the proposal requires a depressed curb and driveway across 100% of the property frontage where section 12.100.0800.C.8 of the San Bruno Municipal Code limits the maximum driveway width to no more than 75% of the property frontage.

*Pursuant to the City's Zoning Code, the Commission shall deny the Parking Exception if it can not make the following findings (required findings are in **bold** followed by staff's analysis of the project and how the findings can not be made):*

1. **That the establishment, maintenance and/or conducting of the off-street parking facilities as proposed are as nearly in compliance with the requirements set forth in this chapter as are reasonably possible.**

The provided number of parking spaces on-site for the existing uses (3 spaces) is already significantly short of the seven (7) spaces required by code. With the given proposal, the new use would require 13 exterior parking spaces but would only provide four (4) spaces. The addition of one exterior space would be achieved by closing one garage entryway on the south side of the building. The four proposed spaces do not meet minimum parking dimensions however, since a 3'-0" clear path is required in front of the parked cars that leads to the business entrance. Considering that the required stall depth is 18'-0" and the path to the business's front door should be 3'-0", the parked vehicles will either block the entry to the business or block a portion of the sidewalk since the depth from the building to the sidewalk is only 20'-0". As noted by the City Engineer, these spaces are insufficiently designed since they require that a vehicle is backed out into traffic and onto a major arterial street. Furthermore, while the design of the site pre-dates the City's zoning ordinance, the current configuration of a driveway and depressed curb that spans 100% of the property's width has contributed to a serious lack of on-street, curbside parking. Approving a parking exception to continue this insufficient parking situation violates the municipal code requirements for site design, which allows a maximum driveway width of no greater than 75% of the property frontage.

While the previous uses and their non-conforming parking requirements have "grandfathered" (or essentially forgiven) the lack of parking on site, the proposed use intensifies the parking requirements further. The proposed automobile repair facility would require 13 parking spaces and with this proposal, the site would be **deficient nine (9) spaces**. Although the Planning Commission is considering a parking exception for five (5) spaces, in reality, this site requires nine (9) additional spaces to operate properly without impacting traffic in the surrounding area. Given the impacts as noted by the Police and Fire Departments (Exhibit D), double parked vehicles on San Mateo Avenue, blocked sidewalks and congestion that sometimes prevents emergency vehicles from passing through has been the direct result of automobile repair facilities operating without sufficient on-site parking.

The existing three (3) spaces on-site represent only 43% of the seven (7) spaces currently required by code. If the new automobile repair use occupied the building as proposed, the applicant would only be providing four (4) spaces or 31% of the required 13 parking spaces. Therefore, a finding cannot be made that the applicant is nearly in compliance with the code. Staff has visited the site on several occasions and the parking situation reflects the shortage. Often there are no available spaces to park and as illustrated in the attached photographs, double parking, illegal on-street repair work and blocked sidewalks are very common.

2. The strict application of the provisions of this chapter would cause particular difficulty or undue hardship in connection with the use and enjoyment of said property.

The denial of the parking exception will not place an undue hardship on the current owner of this property since the property is zoned for other uses which will not intensify the parking requirement of the site. While the overwhelming interest in this property has been for automobile repair related uses, there have been several manufacturing related uses that have moved into the nearby area over the past year. These uses include a furniture dealer and a produce preparation facility that serves wholesalers. These are uses that do not require additional parking on-site due to the "grandfathered' parking situation and it is realistic that a similar use could relocate to the subject property.

The denial of the parking exception will not place an undue hardship on the applicant since they have not yet purchased this property. The business is for sale and while it has been advertised as zoned for Automobile Repair by the selling agent, staff has advised all interested parties that the current configuration of the site does not meet the parking requirements for a conversion of use from fabrication to automobile repair. While the application of parking standards prevents an automobile repair use at this site without the approval of a Parking Exception by the Planning Commission, this zoning standard has been applied evenly to all interested parties.

In addition, staff has recommended to the applicant that they consider revising the site plan and structure to meet current parking standards. By reducing the size of the building and removing a portion of the front of the structure, the parking requirements could be met with standard, exterior parking at the front of the site. Staff has included an example of a conforming site plan, labeled Exhibit E, to illustrate that establishing an automobile repair facility at the site is feasible. In this exhibit, if the building were reduced by approximately 1,000 s.f., the site would have space for required parking and adequate work floor area. Furthermore, staff would prefer to see some of these older, non-conforming sites in the Industrial District redeveloped to provide sufficient parking and facility area for uses like automobile repair. The application of parking standards and staff's inability to make the legal findings required for this parking exception are a testament to the dire parking situation on San Mateo and Montgomery Avenues and not a reflection of the current applicant or their business proposal.

PUBLIC COMMENTS

One local business owner called to express their frustration with the current parking situation in the area and suggested that the Planning Commission deny the parking exception request. This person stated that they may attend the Planning Commission hearing to speak.

SUGGESTIONS FOR APPLICANT

Staff would like to suggest two alternatives for the future use of the site, as listed in Finding for Denial 2 and below:

1. A prospective tenant and use can not intensify the parking requirements beyond what is currently provided and "grandfathered" into the site. Staff would like to review the current parking limits of the site with the owner and help identify other uses for the site, including a new fabrication, warehouse or manufacturing facility.

2. Revise the site plan and existing structure to meet current parking standards if an automobile repair facility is intended. Because this property is located in the Redevelopment project area, the City of San Bruno Redevelopment Agency's Façade Improvement Program funding is available to assist the current or future owner in making necessary changes to the property.

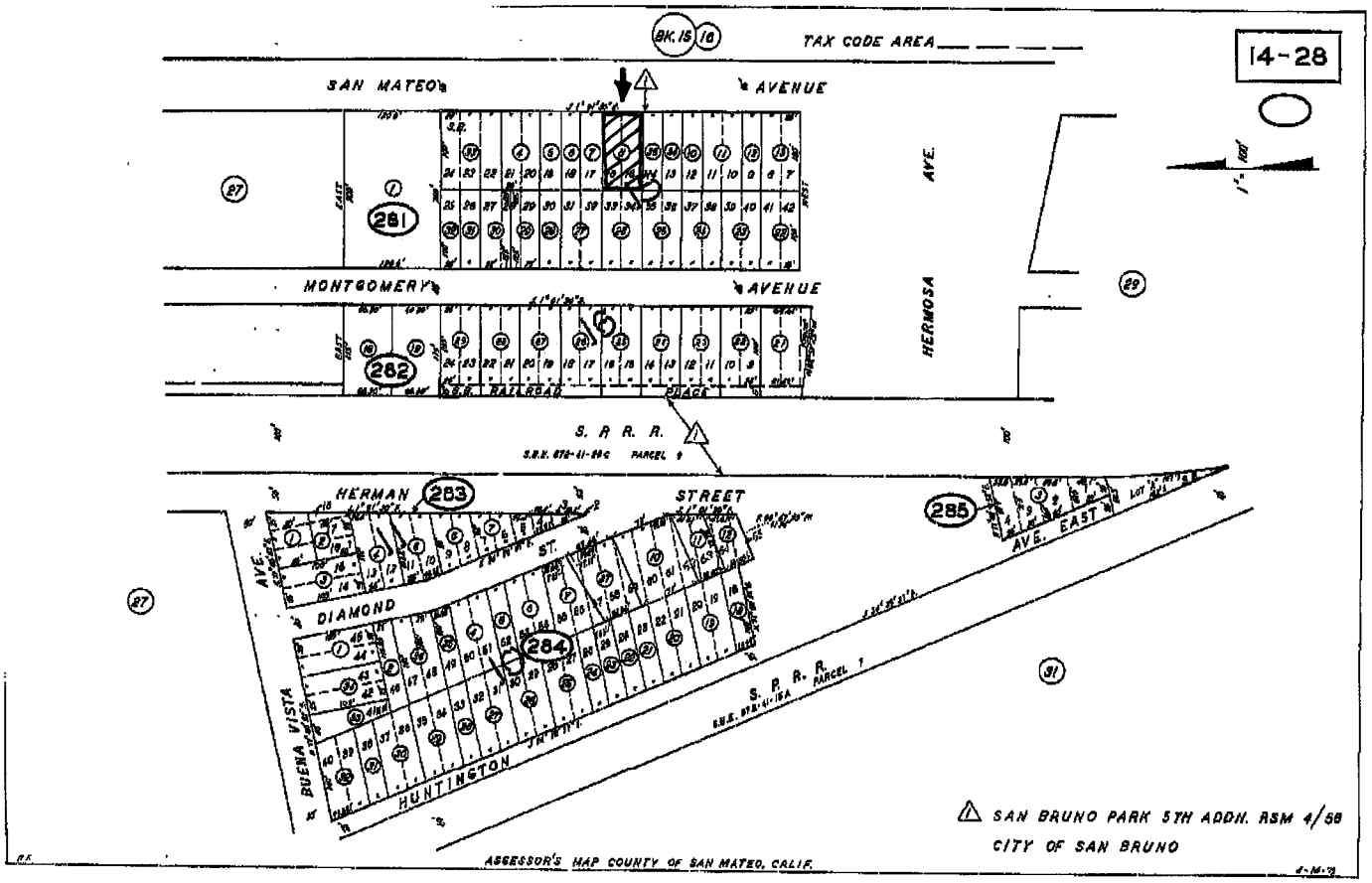
Based on the above analysis and Findings for Denial 1-2 below, Staff recommends denial without prejudice of Parking Exception 06-008.

FINDINGS FOR DENIAL

1. The existing three (3) spaces on-site represent only 43% of the seven (7) spaces currently required by code. If the new automobile repair use occupied the building as proposed, the applicant would only be providing four (4) spaces or 31% of the required 13 parking spaces. Staff has visited the site on several occasions and the parking situation reflects the shortage. Often there are no available spaces to park and as discussed in the staff report, double parking and blocked sidewalks are very common. Therefore, the finding cannot be made that the applicant is nearly in compliance with the code and the application must be denied. Furthermore, approving a new automobile repair facility would negatively impact the surrounding area by increasing parking demand on a property with a deficient amount of parking on-site.

2. The denial of this application would not put an undue hardship on the owner as the building can still function with viable uses other than an automobile repair facility. Regarding the applicant's request for a parking exception, the denial does not preclude the applicant from operating an automobile repair facility since alterations to the site can be made to bring it into parking requirement compliance.

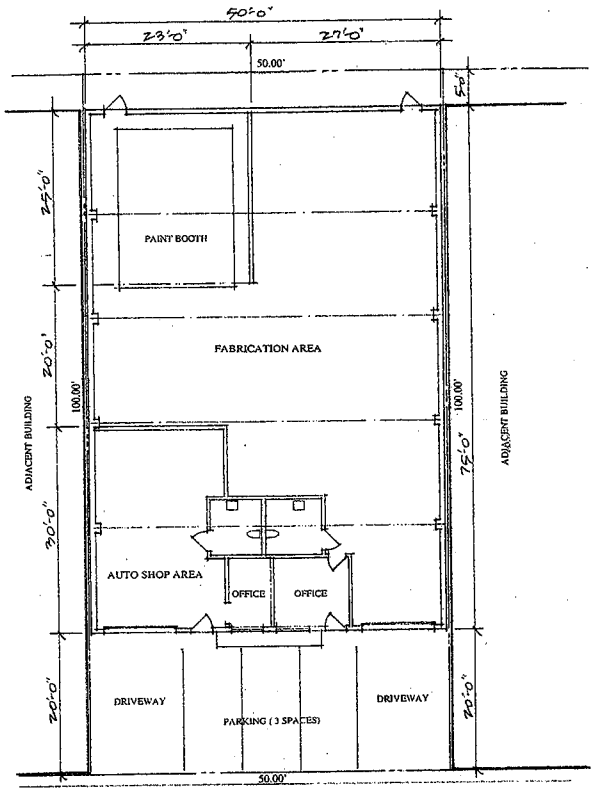
Submitted on 01/08/07 by:
Tony Rozzi
Assistant Planner



1041 San Mateo Avenue
014-281-080
PE-06-008

Exhibit A – Site Location

Exhibit B – Site, Floor & Elevation Plans



SAN MATEO AVENUE

EXISTING SITE & BUILDING PLAN

1041 San Mateo Avenue, San Bruno

Zoning: M-1 Industrial District
Existing Use: Fabrication / Automobile Accessory Shop
Proposed Use: Motor Vehicle Repair
Occupancy Group: F
Construction Type: Type V-N

Lot Area: ..... 5,000 s.f.
Existing Lot Coverage: ..... 3,750 s.f. (75%)
Existing Gross Floor Area: ..... 3,750 s.f.
Existing On-site Parking: ..... 3 spaces

Note: The proposed project does not involve added floor area.

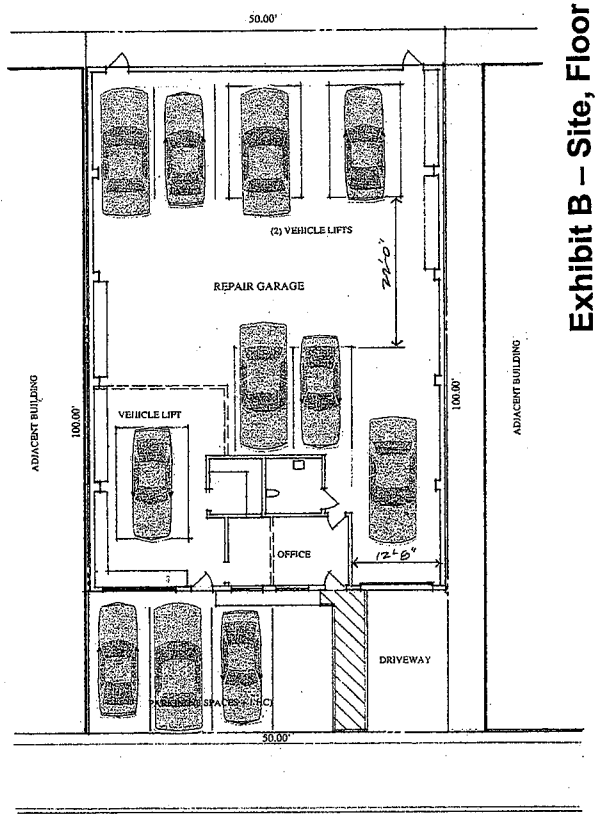
Existing Parking Calculation (net area)

Fabrication:	Office area:	100 s.f. @ 1 space per 250 s.f. =	0.40	spaces
	Work area:	2,723 s.f. @ 1 space per 500 s.f. =	5.45	spaces
Auto Shop:	Office area:	60 s.f. @ 1 space per 250 s.f. =	0.24	spaces
	Work area:	482 s.f. @ 1 space per 600 s.f. =	0.80	spaces
		Total Spaces Required:	**5.45**	**spaces (6)**
		Total Spaces Provided:	**3.00**	**spaces (3)**
		Total Spaces Grandfathered on Site:	**3.00**	**spaces (3)**

Proposed Parking Calculation (net area)

Auto Repair:	Office area:	170 s.f. @ 1 space per 250 s.f. =	0.68	spaces
	Storage:	841 s.f. @ 1 space per 800 s.f. =	1.05	spaces
	Garage area:	2,023 s.f. @ 1 space per 250 s.f. =	8.09	spaces
	(Storage area includes parts, equipment and 4 vehicle spaces)			
		Total Required Spaces:	**9.82**	**spaces (10)**
		Total Spaces Provided:	**4.00**	**spaces (4)**

Deficient Parking Spaces: (10 required - 3 grandfathered - 4 provided) = 3 spaces



SAN MATEO AVENUE

PROPOSED SITE & BUILDING PLAN

REVISIONS	BY

Ibarra Associates
ARCHITECTURE & PLANNING
100 LUCIA COURT SAN BRUNO CA 94066
650-589-4613 650-873-4360 FAX

COMMERCIAL REMODEL & ALTERATION FOR EXPRESS AUTO REPAIR
1041 SAN MATEO AVENUE
SAN BRUNO, CALIFORNIA
APPLICANT: H. & M. YASER

EXISTING & PROPOSED PLAN DATA.

DATE 12-21-06
SCALE 1/8"
DRAWN K
JOB 2630
SHEET A.1
OF 1 SHEETS

January 2, 2007

Mr. Aaron Aknin, Director
Community Development
City of San Bruno
567 El Camino Real
San Bruno, CA 94066

Re: 1041 San Mateo Avenue – Parking Exception

Mr. Aknin:

Express Auto Repair is a local family-owned, full-service automotive repair shop, currently located at 701 San Mateo Avenue. Our business has been successful for over eight years, serving mostly repeat customers and local residents. We specialize in every form of automobile repair, from oil changes to major engine repair. We do not work on vehicles larger than SUV's and pick-up trucks nor perform any form of bodywork. Our business hours are reasonable: Monday through Friday from 9:00am to 6:00pm and Saturdays from 9:00am to 3:00pm. We are licensed, insured and certified mechanics and have never been cited by the State of California's Bureau of Automotive Repair.

The reason for our desire to relocate, hence the Parking Exception application, is that the lease on our current location has expired and we wish to remain in San Bruno. However, due to our strong commitment to remain in the area, we wish to avoid leasing, preferring to purchase property that can permanently establish our business. In our long and exhausting search we came upon the property located at 1041 San Mateo Avenue. The building, currently used as both a fabrication shop and a smog test only facility, is located less than a mile from our current location and is more appropriately located in the industrial area of the city. In addition, it is much closer to the businesses that serve our needs, such as parts suppliers.

Regarding our application for a Parking Exception, as applicants, we are well aware of the concerns of City staff as they relate to vehicle traffic and on-street parking in the M-1 District, typically known as the area north of San Bruno Avenue. We know that there are parking-related problems involving existing auto-related businesses. We have thoroughly reviewed the Zoning Ordinance and have been informed of the requirements and conditions set forth under the ordinance. However, for our purposes and for the reasons about to be explained, we respectfully disagree with the prescribed parking requirements and will try to convince City staff and the Planning Commission that their concerns, although valid, will be absolutely minimal for this specific application.

Currently and for the duration of our existence, Express Auto Repair has been servicing local residents and businesses. The majority of our clients are repeat customers whose vehicles have experienced normal mechanical problems or require routine maintenance. Most customers arrive unannounced, however some call and schedule appointments. In either case, we experience a total of (15) fifteen vehicles per day, at various times of the day. This means that at any time of the working day, there are on the average, actually less than (10) ten vehicles on the premises. Yes, at times there may be more than ten, however that is a rare occurrence and only happens when there is an unordinary number of inoperable vehicles that cannot be rescheduled. In cases where the workload is "backed up" we will typically schedule the customer to return later or the following day – if the problem is minor and the vehicle is safely operable. <u>It is our daily practice to quickly assess the problem and perform the repairs the same day.</u> We have immediate access to most vehicle parts and are very capable of performing the repairs within the same day. In many cases, the workday ends and the

Exhibit C

repairs are not complete, causing the vehicle to remain overnight. On the average, there may be up to 6 vehicles left on the premises overnight. Currently, this practice has been problematic due to the outdoor, on-site storage of these vehicles. There have been a few cases where vehicles have been vandalized overnight at our current location – damages that we were responsible for. We hope to eliminate this problem at 1041 San Mateo Avenue because the building is larger and will easily accommodate overnight storage of vehicles.

As mentioned previously, Express Auto Repair, on the average, performs services on no more than 15 vehicles per day. It should also be mentioned that due to competition and staffing limitations, we are incapable, nor anticipate any increase in daily customers. According to the San Bruno Zoning Ordinance, motor vehicle repair uses require (1) one on-site parking space for each 250 square feet of garage area. (Typically, the required parking spaces must be located outside of the building, although the ordinance does not specify such.) The proposal for 1041 San Mateo Avenue has over 2,000 square feet of garage area, which requires (8) parking spaces. In reality, this parking calculation makes very little sense for an auto repair use. In most other uses, the building area to parking ratio is based on occupants using the building – the parking is based on the calculation of the amount of people. However, in auto repair uses, the "occupants" are vehicles. The people arrive with their vehicle and leave it for repairs. The only viable parking calculation for auto repair uses shall determine staff parking and realistic space to repair, store and maneuver vehicles on site – or within the building. The proposal for an auto repair facility at 1041 San Mateo Avenue adequately addresses the realistic ability to repair, store and maneuver vehicles on site and within the building. The proposal illustrates that up to (11) eleven vehicles can easily occupy the site without blocking access, while still performing services. In terms of "reality," the building can actually accommodate more than ten vehicles within the building. Additionally, we intend on submitting a drawing that illustrates our current facility at 701 San Mateo Avenue. It is meant to compare our current space requirements with our proposed use of 1041 San Mateo Avenue. It is our strong belief that the proposed layout, coupled with the size of the building, is appropriate to serve as an auto repair business, more than adequate to accommodate a reasonable number of off-street vehicles, and most importantly, illustrates that Express Auto Repair will not contribute to the existing on-street parking deficiencies. We believe that it is a unique case based on realistic and proven quantities, and will not create an undesirable precedent. It may create a precedent based on the actual practices of an auto repair facility, however any future applications will need to thoroughly outline their business practice and the layout of their facility to accommodate the use – something that many will not be able to do. We feel that our application has adequately and favorably accomplished this.

We share the same concerns with City staff and the Planning Commission. There are numerous cases of uses which do not comply with parking guidelines, and we would not consider this property if it did not have the appropriate amount of space for our business. Adequate space for vehicles is our business – we cannot afford to "valet" our customers' vehicles off-site on adjacent public streets. As it turns out, 1041 San Mateo Avenue is a major improvement for our business, allowing us to better serve our customers in a secure building. We ask for your acceptance and favorable approval of our application so we can maintain our successful business in San Bruno.

Sincerely.

Hani Yaser

Mayy Yaser

INTEROFFICE MEMORANDUM

CITY OF SAN BRUNO
POLICE DEPARTMENT

DATE: 12-26-06

TO: Tony Rozzi-Assistant Planner

FROM: Corporal Howard Hoyer-Police Department

SUBJECT: Review of Parking Exception 1041 San Mateo Ave.

Dear Mr. Rozzi:

The Police Department has reviewed the applicant's application and I personally inspected the location at 1041 San Mateo Ave. The current site has only three parking spaces located in the front of the business. This amount of parking would not even cover enough parking spots for the employees of the business. The 1000 through 1200 blocks of San Mateo Ave, during business hours, always have vehicles that are double parked in the street, which causes vehicles traveling on San Mateo Ave to pass them against oncoming traffic. This building is across the street from Sky Park Airport Parking and they call the police frequently for illegally parked vehicles in the street and in the red zones. The Police Department's Community Service Officers and Police Officers have been dispatched numerous times to handle the illegal parked vehicles on this block. If a parking exception was granted to the applicant I fear this would only add to the congestion and parking problem in this area. Some other automotive garage facilities have opened on the 1000 block and 1100 block of Montgomery Ave and these garages have parked vehicles throughout the neighboring residential neighborhoods, which has generated more complaints for the Police Department.

I know in the past there have been a couple of auto body shops in this building. A body shop would be better than an auto shop, only because the vehicles usually stay inside and are at the repair facility for a longer period of time. Most mechanic shops are constantly moving vehicles in and out, because of the fast turn over for the vehicle repair.

The Police Department is recommending the parking exception be denied and the applicant would be required to park all customer and employee vehicles on the property.

Feel free to contact me, Howard Hoyer, (650) 616-7116, if you have any further questions.

Exhibit D

INTEROFFICE MEMORANDUM

CITY OF SAN BRUNO
FIRE DEPARTEMENT

DATE: January 5, 2007

TO: Tony Rozzi, Assistant Planner

FROM: George Devendorf, Fire Marshal

SUBJECT: Request for Parking Exception for 1041 San Mateo Avenue

The Fire Department has reviewed the applicant's request for a parking exception at 1041 San Mateo Avenue. Based on the following reasons the Fire Department is recommending a denial of this request:

1. The result of an exception would be added congestion and increased double-parking in this area. This can affect the ability of emergency vehicles to safely and quickly respond in this area.
2. The driveways will be blocked on a regular basis causing arriving customers to double-park until vehicles can be moved, creating excessive backing onto San Mateo Avenue.
3. The potential for vehicles to be stored bumper to bumper inside the building makes it difficult and hazardous to reach the interior of the building in the event of a fire.

Please feel free to contact me with any questions at 650-616-7092.

Cc: Fire Chief
Fire Prevention File

INTEROFFICE MEMORANDUM

CITY OF SAN BRUNO
PUBLIC WORKS DEPARTMENT
ENGINEERING

DATE: January 2, 2007

TO: Tony Rozzi, Assistant Planner

FROM: Steven Davis, City Engineer

SUBJECT: Parking Exception Request for 1041 San Mateo Avenue

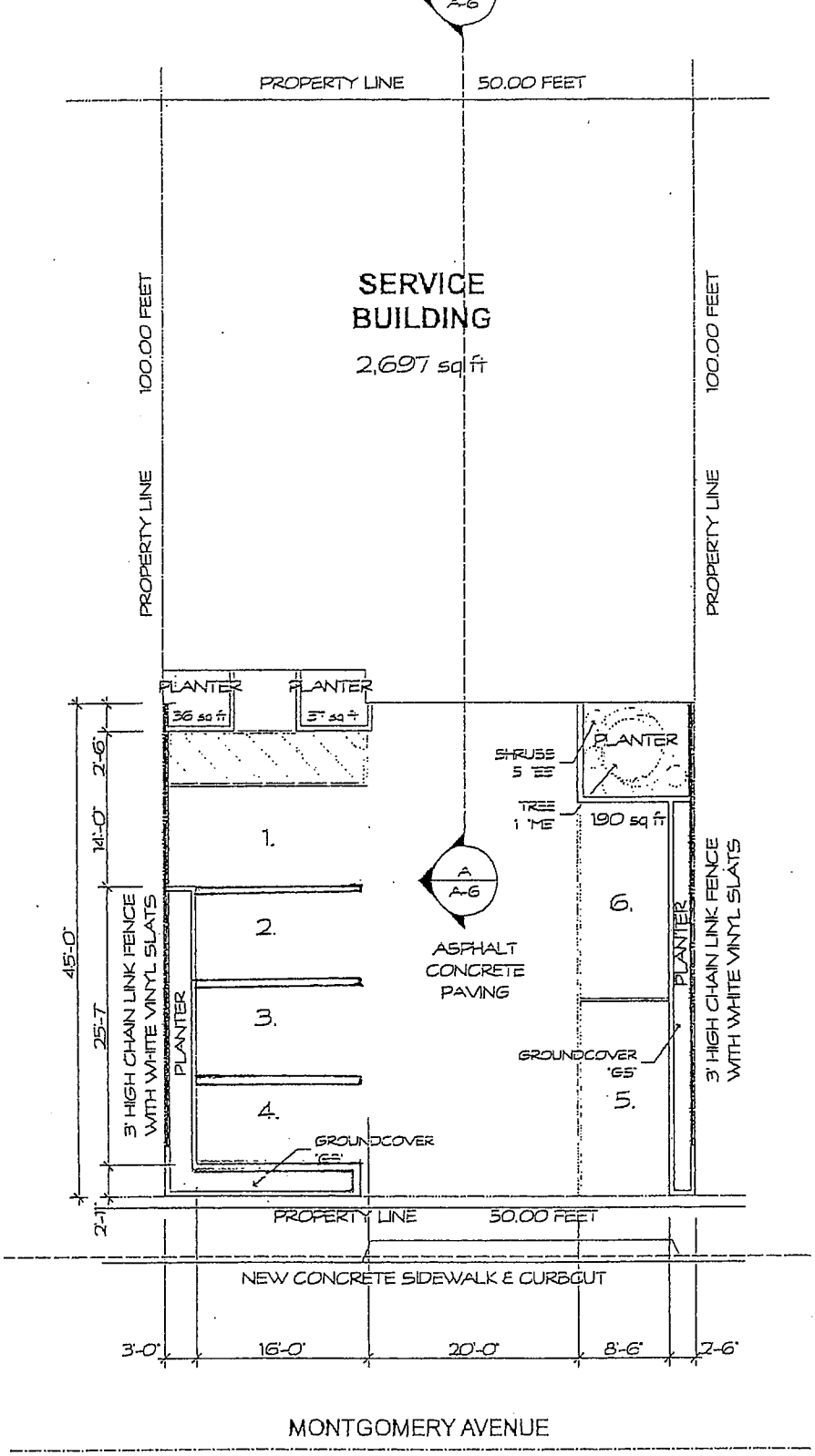
The project site is located at 1041 San Mateo Avenue. San Mateo Avenue is designated as an arterial street. Arterial streets should serve to move vehicles rather than provide access to abutting land. Arterial streets are subject to regulations and control of parking, turning movements, entrances, exits and curb cuts where conditions warrant.

The proposed project would locate four perpendicular parking spaces and a vehicular access to the building at the front of the property that would be directly accessed via a driveway approach across 100% of the property frontage. The proposed off-street parking facilities require parked vehicles to back into the driving lane in San Mateo Avenue in order to exit each parking space. Every vehicle maneuver to exit a parking space will result in a conflict with traffic in San Mateo Avenue and create an unsafe situation.

According to section 12.100.0800.C.1 of the San Bruno Municipal Code, all off-street parking facilities shall be designed in a manner, which will least interfere with traffic movements. My assessment is that the proposed parking facilities will result in numerous conflicts between parking movements and driving lane traffic in San Mateo Avenue and will result in unsafe maneuvers for parked vehicles to exit parking spaces.

In addition, the proposal requires a depressed curb and driveway across 100% of the property frontage where section 12.100.0800.C.8 of the San Bruno Municipal Code limits the maximum driveway width to no more than 75% of the property frontage.

Based on my assessment of the proposed parking design, I recommend denial of the requested parking exception. The project should be redesigned to provide parking facilities that minimize conflict with traffic movements and that will provide for headfirst vehicle entry onto San Mateo Avenue.



Site Plan

Exhibit E

SCALE: 1/8" = 1'-0" 5,000 sf

THE PROPERTY LINE INFORMATION ON THIS SITE PLAN WAS TAKEN FROM A BOUNDARY AND TOPOGRAPHIC SURVEY PREPARED BY PROFESSIONAL LAND SERVICES, SAN BRUNO CA DATED 2 OCTOBER 2006.

PROJECT NORTH

CITY OF SAN BRUNO

COMMUNITY DEVELOPMENT DEPARTMENT

567 El Camino Real
San Bruno, CA 94066
Voice: (650) 616-7074
Fax: (650) 873-6749
http://www.ci.sanbruno.ca.us

PLANNING COMMISSION
STAFF REPORT
AGENDA ITEM NO. E.3
January 16, 2007

PROJECT LOCATION

1. Address: 1282 El Camino Real
2. Assessor's Parcel No: 014-314-220
3. Zoning District: P-D (Planning Development District)
4. General Plan Classification: Commercial

EXHIBITS

A. Site Location
B. Site/Floor Plan
C. Applicant's support statement
D. San Bruno Municipal Code Section 12.84.210 and 12.112
E. Photo

REQUEST

Request for a Use Permit to allow on-site consumption of alcoholic beverages with the proposed retail sales use (Beverages & More) per Chapters 12.84.210 and 12.112 of the San Bruno Zoning Ordinance. Steve McLaren, Beverages & More (Applicant), Vincent A Muzzi (Owner). **UP-06-44.**

RECOMMENDATION

Staff recommends that the Planning Commission **approve** Conditional Use Permit 06-41 based on Findings of Fact (1-6) and Conditions of Approval (1-16).

REVIEWING AGENCIES

Community Development Department
Public Works Department
Fire Department
Police Department

LEGAL NOTICE

1. Advertisement published in the *San Mateo Times,* Saturday, January 6, 2007
2. Notices of Public Hearing mailed to owners of property within 300 feet on January 5, 2007.

ENVIRONMENTAL ASSESSMENT

This project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Interior Alterations to Existing Facilities.

EXISTING CONDITION

The subject building is located within the Towne Center commercial development. The subject building is approximately 7,000 square foot single story structure located along Sneath Lane. Petco previously occupied the building for the retail sales of pet supplies. Shared parking is provided within the commercial development.

SURROUNDING LAND USES

North: South San Francisco – commercial uses
South: Sneath Lane, P-D Zone – Tanforan Shopping center
East: Hunnington Boulevard, P-D Zone – Post Office
West: El Camino Real, 0 Zone – Golden Gate National Cemetery

PROJECT DESCRIPTION

The applicant proposes to locate Beverages & More at the building located at 1282 El Camino Real for the retail sales of alcohol beverages, and associated retail products. Off-site sales of alcohol beverages is considered a permitted use at this site. The applicant would also like to hold beer and wine tasting, which is considered on-site consumption and requires a use permit.

Beverages & More is a specialty retailer selling beer, wine, spirits, gourmet food and related items, such as glassware and accessories. Beverages & More operates 62 stores in California, locally in Colma, San Francisco, San Mateo and Redwood City.

The applicant indicates that corporate policy prohibits selling cigarettes and products of abuse (such as 40 oz of malt liquor, low-priced, screw-top beverages) as well as prohibits video or pinball games, sales of pornographic video and magazines, pay telephones, lottery tickets, newspaper stands and other items that would encourage loitering or minors patronizing the store.

In addition to the retail sales of alcohol products (for off-site consumption), the applicant would like to hold beer and wine tasting on Friday evenings from 4:00 p.m. until 7:00 p.m., on Saturdays from 12:00 p.m. until 6:00 p.m. and on special holidays. The store hours of operation are limited to 9:00 a.m. until 9:00 p.m. Sunday through Saturday (within extended hours during the winter holidays).

The applicant proposes minor interior improvements including new racks, walk in cooler, break room and stock room. The building exterior will remain as existing with new signage and a new roll-up door at the west elevation.

PROJECT ANALYSIS

This project requires a Conditional Use Permit pursuant to the San Bruno Zoning Code section 12.84.210, on-site consumption of alcohol. As stated above, the retail sales aspect of the business is considered a permitted use at this location with the on-site consumption aspect requiring the use permit. If the applicant receives Planning Commission approval, the applicant would still be required to obtain a

license from the Department of Alcohol and Beverage Control.

Use Permit
Regarding the performance standards to approve a Use Permit for a drinking place, staff finds that the use will comply with all the required standards for the following reasons (the performance standards are listed in bold followed by staff's findings):

1. **The activity or use does not jeopardize, endanger or result in adverse effects to the health, peace or safety of persons residing or working in the surrounding area.**

The proposed use of the property as a retail sales of alcohol beverages with minor on-site consumption of beer and wine is compatible with surrounding uses, which include other retail, restaurant establishments, personal services and other similar uses. The hours of operation are consistent with other retail establishments in the vicinity.

2. **The activity or use does not result in repeated nuisance activities or police interventions within the premises or in close proximity of the premises, including but not limited to criminal activities, disturbance of the peace, illegal drug activity, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, sale of stolen goods, public urination, theft, assaults, batteries, acts of vandalism, excessive littering, loitering, graffiti, illegal parking, excessive loud noises, especially in the late night or early morning hours, traffic violations, curfew violations, lewd conduct, or police detentions and arrests.**

The on-site consumption of beer and wine will occur during limited hours and will be conducted in conjunction with the proposed retail sales establishment. As indicated by the applicant, Beverages & More corporate policy prohibits the sales of merchandise that attract loitering and other items of abuse. The business will not result in repeated nuisance activities or police interventions within the premises or in close proximity of the premises, as the Police Department has thoroughly reviewed this application and has recommended several conditions of approval. These conditions of approval further help to mitigate any possible impacts. Furthermore, the Community Development Director has the ability to call this application back to the Planning Commission for review, if he/she finds that the use is negatively impacting the surrounding neighborhood. Therefore, if any unforeseen impacts occur, the use can be further reviewed.

3. **The activity or use does not result in violations to any applicable provision of any other city, state, or federal regulation, ordinance or statute.**

By obtaining this Use Permit, and subsequently obtaining approval from the Department of Alcohol and Beverage Control the applicant will be in compliance with local and state regulations. As required by local and state law, the City will issue a "need and necessity" letter to the Department of Alcohol and Beverage Control upon approval of this Use Permit.

4. **The upkeep and operating characteristics of the activity or use are compatible with and will not adversely affect the livability or appropriate development of abutting properties and the**

surrounding neighborhood.

As stated above, the proposed use of the property as retail sales of alcoholic merchandise with limited on-site consumption of with beer and wine is compatible with surrounding uses, which include other retail establishments, restaurants, retail stores, personal services and other similar uses.

5. **The applicant for a liquor license receives a Letter of Public Convenience or Necessity issued by the City of San Bruno for an application which would tend to create a law enforcement problem, or if issuance would result in or add to an "Undue Concentration" of licenses, required due to either of the following conditions:**
   a. **The applicant premises are located in a crime reporting district that has a 20% greater number of reported crimes in a geographical area within the boundaries of the city than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the San Bruno Police Department that are identified by the department in the compilation and maintenance of statistical information on reported crimes and arrests.**
   b. **The applicant premises are located in an area of Undue Concentration, which is defined to exist when an original application or premises-to-premises application is made for a retail on-sale license in a census tract where the ratio of existing on-sale retail licenses to population in the census tract exceeds or will exceed the ratio of retail on-sale licenses to population in San Mateo County.**

The application does not trigger either condition since the subject property is not located in a crime-reporting district that has a 20% greater number of reported crimes in a geographical area within the boundaries of the city nor in an area of Undue Concentration. Therefore this finding is not applicable.

NEIGHBORHOOD CONCERNS

As required, staff noticed all property owners within 300' of the subject site. No comments were received as of the date of this report.

FINDINGS OF FACT

1. The project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: Interior alteration to an existing facility.

2. The activity or use does not jeopardize, endanger or result in adverse effects to the health, peace or safety of persons residing or working in the surrounding area.

3. The activity or use does not result in repeated nuisance activities or police interventions within the premises or in close proximity of the premises, including but not limited to criminal activities, disturbance of the peace, illegal drug activity, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, sale of stolen goods, public urination, theft, assaults, batteries, acts of vandalism, excessive littering, loitering, graffiti, illegal parking, excessive loud noises, especially in the late night or early morning hours, traffic violations, curfew violations, lewd conduct, or police detentions and arrests.

4. The activity or use does not result in violations to any applicable provision of any other city, state, or federal regulation, ordinance or statute.
5. The upkeep and operating characteristics of the activity or use are compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood.

6. The applicant for a liquor license receives a Letter of Public Convenience or Necessity issued by the City of San Bruno for an application which would tend to create a law enforcement problem, or if issuance would result in or add to an "Undue Concentration" of licenses, required due to either of the following conditions:
   a. The applicant premises are located in a crime reporting district that has a 20% greater number of reported crimes in a geographical area within the boundaries of the city than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the San Bruno Police Department that are identified by the department in the compilation and maintenance of statistical information on reported crimes and arrests.
   b. The applicant premises are located in an area of Undue Concentration, which is defined to exist when an original application or premises-to-premises application is made for a retail on-sale license in a census tract where the ratio of existing on-sale retail licenses to population in the census tract exceeds or will exceed the ratio of retail on-sale licenses to population in San Mateo County.

CONDITIONS FOR APPROVAL

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the "Summary Hearing" to the Community Development Department within 30 days of approval. Until such time as the Summary is filed, Use Permit 06-41 shall not be valid for any purpose. Use Permit 06-41 shall expire one (1) year from the date of approval unless the plan is executed.

2. The retail store use shall be conducted according to the plans accompanying this report and approved by the Planning Commission, except as required to be modified by these conditions of approval. Any modification to the approved plans shall require prior review and approval by the Community Development Director.

3. The applicant and any successor in interest, shall agree to operate retail store at 1282 El Camino Real in the manner as described in the staff report and in the applicant's support statement. Any deviation or change in business activities shall require prior authorization by the Community Development Director. Failure to comply with these requirements may result in the City of San Bruno instituting revocation hearings.

4. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City.

5. The applicant shall conduct regular maintenance of the site to maintain the premises and remove debris and litter at the front, sides and rear of the building.

6. Any changes from the hours of operation shall require prior authorization of the Community Development Director.

7. The applicant/owner shall provide prompt cleaning/repainting of any graffiti on the building exterior.

8. Address numbers for the business are to be on a contrasting background, easily visible from the street. The address numbers also must be visible at night. Address numbers must be affixed on or near any exterior door.

9. Adequate lighting of grounds contiguous to the building shall be provided with enough lighting of sufficient wattage to provide adequate illumination to make clearly visible the presence of any person on or about the premises during the hours of darkness and provide a safe secure environment for a all persons and property on site.

10. The applicant shall install a robbery and burglary alarm system and the system will be monitored an off site alarm company.

11. The applicant is responsible to submit emergency contact information to the police department for after hour's emergency contact.

12. The applicant shall comply with all Alcohol and Beverage Control requirements.

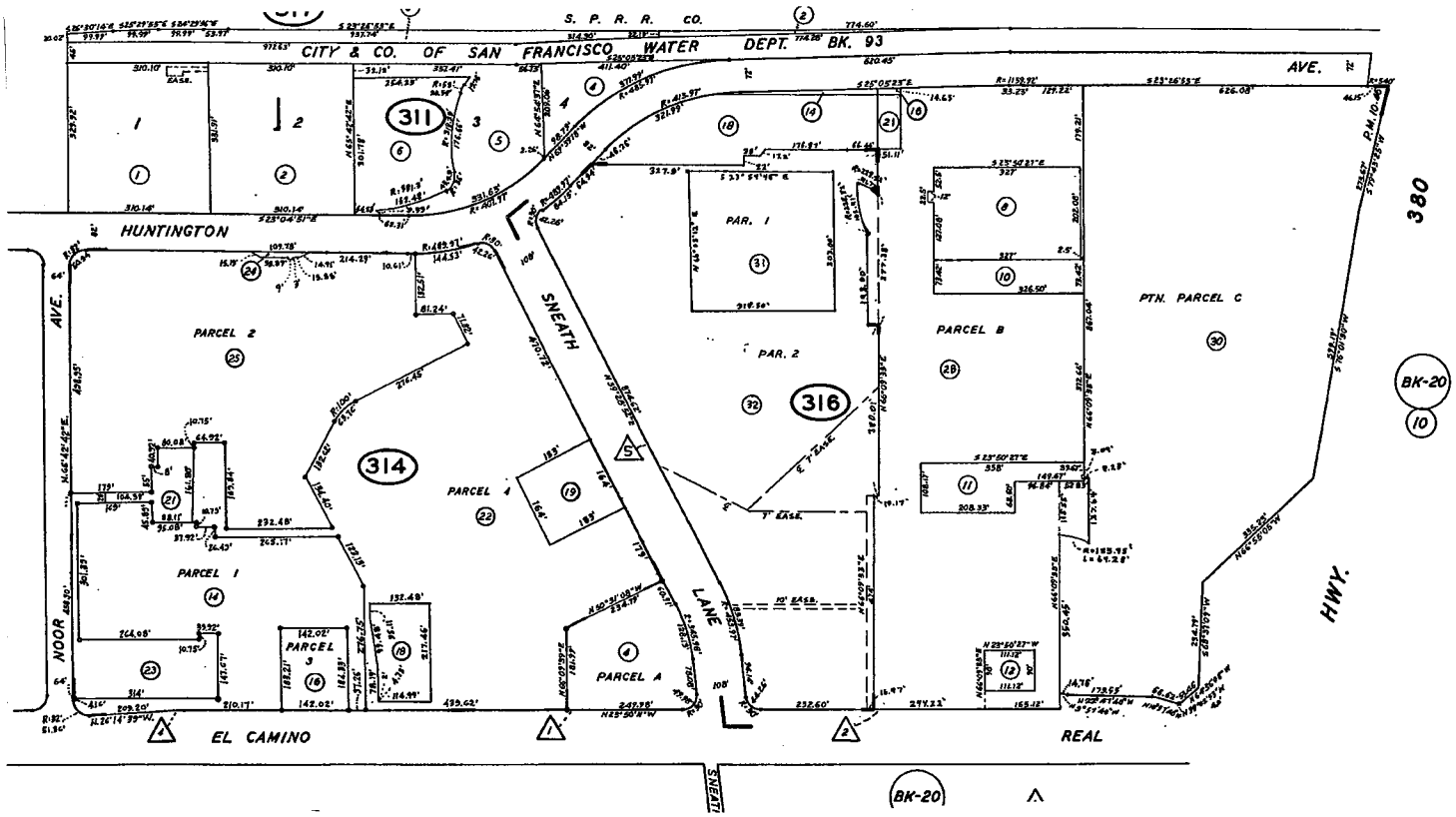
13. Applicant shall comply with all aspects of San Bruno Municipal Code 12.84.210.

14. The Community Development Director may call this back to the Planning Commission if he/she finds that the business is not complying with the required performance standards or conditions of approval.

15. Any alteration to the exterior elevations of the property shall first require Architectural Review Committee approval.

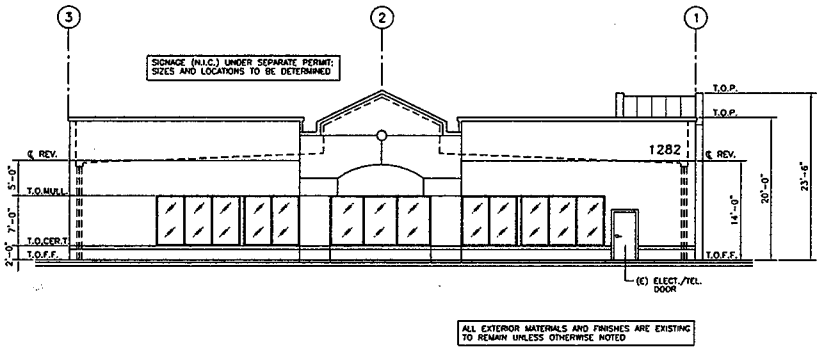
16. The applicant shall replace the missing gate at the exterior trash enclosure.

Date of Preparation: January 8, 2007
Prepared by: Lisa Costa Sanders, Contract Planner



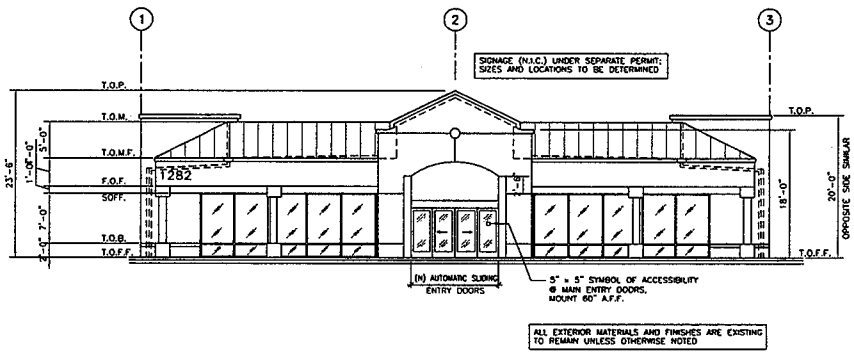
1282 El Camino Real
014-314-220
UP-06-41

Exhibit A



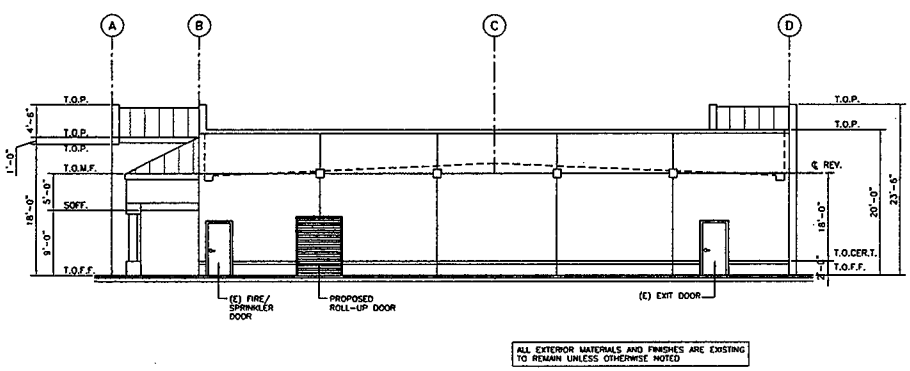
SOUTH ELEVATION

1/8" = 1'-0"



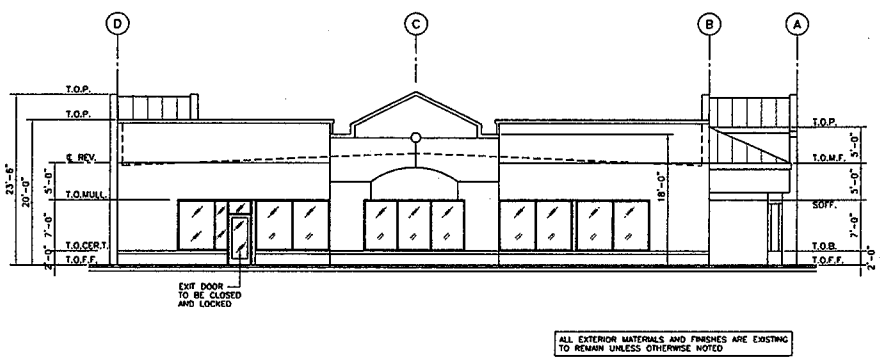
NORTH ELEVATION

1/8" = 1'-0"



WEST ELEVATION

1/8" = 1'-0"



EAST ELEVATION

1/8" = 1'-0"

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Beverages & more!

San Bruno Towne Center - Bldg P-1
1282 El Camino real
San Bruno, California

NO.	REVISIONS	BY
	DEC. 01, 2006 PERMIT SET	ML
	DEC. 12, 2006 CONDITIONAL PERMIT USE	MP

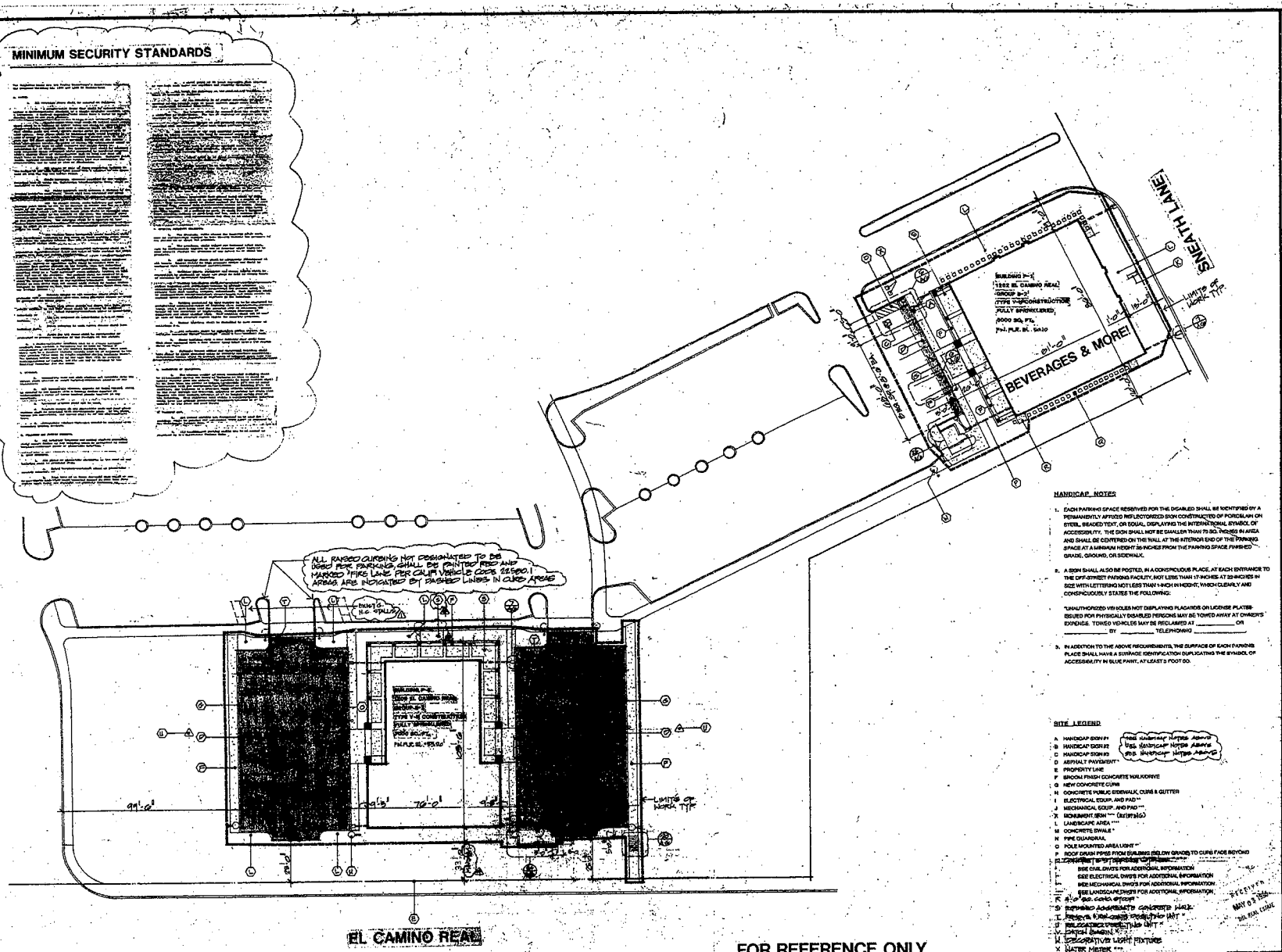
STEVE MCLAREN
DAVID RICHARDS
BAN HUDSON
AARON DERUNTZ
BOB TAYLOR

EXTERIOR ELEVATIONS

JOB NO.	06 4360 94
DATE	NOV. 30, 2006
DRAWN	ML
CHECKED	WNH

SHEET
A4.1
OF SHEETS

MINIMUM SECURITY STANDARDS



FOR REFERENCE ONLY

SITE PLAN

HANDICAP NOTES

1. EACH PARKING SPACE RESERVED FOR THE DISABLED SHALL BE IDENTIFIED BY A PERMANENTLY AFFIXED REFLECTORIZED SIGN CONSTRUCTED OF PORCELAIN ON STEEL, BEADED TEXT, OR EQUAL, DISPLAYING THE INTERNATIONAL SYMBOL OF ACCESSIBILITY. THE SIGN SHALL NOT BE SMALLER THAN 70 SQ. INCHES IN AREA AND SHALL BE CENTERED ON THE WALL AT THE INTERIOR END OF THE PARKING SPACE AT A MINIMUM HEIGHT 36 INCHES FROM THE PARKING SPACE FINISHED GRADE, GROUND, OR SIDEWALK.
2. A SIGN SHALL ALSO BE POSTED, IN A CONSPICUOUS PLACE, AT EACH ENTRANCE TO THE OFF-STREET PARKING FACILITY, NOT LESS THAN 17 INCHES AT 22 INCHES IN SIZE WITH LETTERING NOT LESS THAN 1 INCH IN HEIGHT, WHICH CLEARLY AND CONSPICUOUSLY STATES THE FOLLOWING:

   "UNAUTHORIZED VEHICLES NOT DISPLAYING PLACARDS OR LICENSE PLATES ISSUED FOR PHYSICALLY DISABLED PERSONS MAY BE TOWED AWAY AT OWNER'S EXPENSE. TOWED VEHICLES MAY BE RECLAIMED AT _____ OR _____ BY _____ TELEPHONING _____"
3. IN ADDITION TO THE ABOVE REQUIREMENTS, THE SURFACE OF EACH PARKING PLACE SHALL HAVE A SURFACE IDENTIFICATION DUPLICATING THE SYMBOL OF ACCESSIBILITY IN BLUE PAINT, AT LEAST 3 FOOT DO.

SITE LEGEND

A HANDICAP SIGN #1 — SEE HANDICAP NOTES ABOVE
B HANDICAP SIGN #2 — SEE HANDICAP NOTES ABOVE
C HANDICAP SIGN #3 — SEE HANDICAP NOTES ABOVE
D ASPHALT PAVEMENT *
E PROPERTY LINE
F BROOM FINISH CONCRETE WALK/DRIVE
G NEW CONCRETE CURB
H CONCRETE PUBLIC SIDEWALK, CURB & GUTTER
I ELECTRICAL EQUIP. AND PAD **
J MECHANICAL EQUIP. AND PAD **
K MONUMENT SIGN *** (SEPARATE)
L LANDSCAPE AREA ***
M CONCRETE SWALE *
N PIPE GUARDRAIL
O POLE MOUNTED AREA LIGHT **
P ROOF DRAIN PIPES FROM BUILDING (BELOW GRADE) TO CURB FACE BEYOND
Q [illegible] ***
R [illegible] SEE CIVIL DWG'S FOR ADDITIONAL INFORMATION
S [illegible] SEE ELECTRICAL DWG'S FOR ADDITIONAL INFORMATION
T [illegible] SEE MECHANICAL DWG'S FOR ADDITIONAL INFORMATION
U [illegible] SEE LANDSCAPE PLANS FOR ADDITIONAL INFORMATION
V [illegible] 6" OR 8" CURB OPTIONAL
W REPAIRED ASPHALT & CONCRETE WALK
X PROPOSED FIRE HYDRANT
Y [illegible] UNIT *
Z [illegible] UNIT *
AA [illegible]
BB DECORATIVE LIGHT FIXTURE
CC WATER METER ***

RECEIVED MAY 0 8 1996 SAN RAMON CITY CLERK

AS BUILT

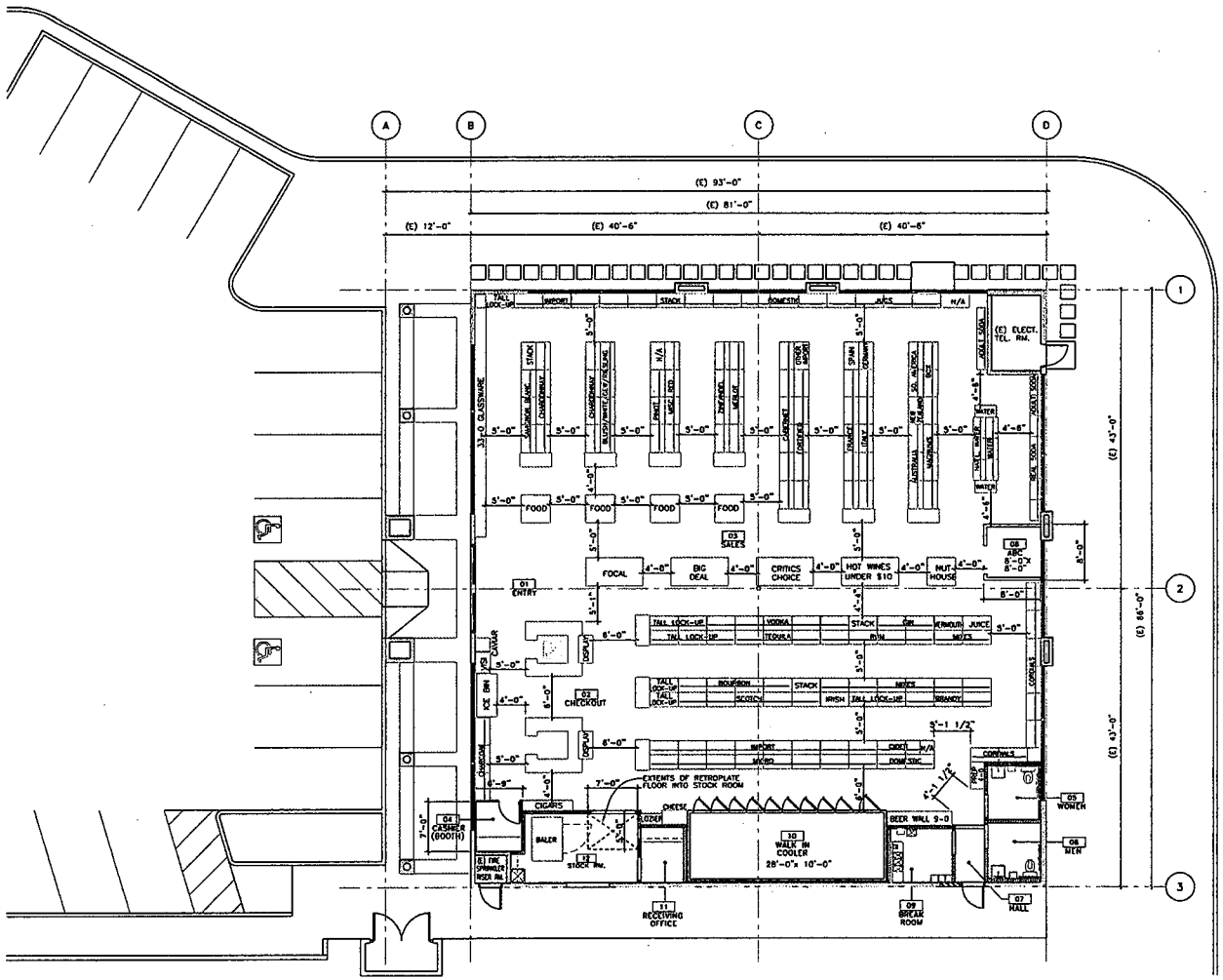
HASTINGS LUNDSTROM HIBBS ARCHITECTS
17000 Ward Parkway, Suite 210
Kansas City, Missouri 64116
(816) 220-3089

REVISIONS
A 11/15/95 PLANS SENT
B 11/15/95 PLANS SENT

SAN RAMON TOWNE CENTER
1802 & 1804 EL CAMINO REAL
SAN RAMON, CALIFORNIA
APPROVED FOR CONSTRUCTION

SITE PLAN

SD1



1 / A1.2 RACKING PLAN

6844 SQ FT

1/8" = 1'-0"

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Beverages & more!

San Bruno Towne Center - Bldg P-1
1282 El Camino real
San Bruno, California

NO.	REVISIONS	BY
	OCT. 23, 2006	
	NOV. 16, 2006	
	DEC. 01, 2006 PERMIT SET	ML
	DEC. 12, 2006 CONDITIONAL PERMIT USE	MP

STEVE MCLAREN
DAVID RICHARDS
BAN HUDSON
AARON DERUNTZ
BOB TAYLOR

RACKING PLAN

JOB NO. 06 4360 94
DATE SEPT. 19, 2006
DRAWN ML
CHECKED WHH / DI

SHEET A1.2 OF SHEETS

BevMo!
BEVERAGES & MORE

1470 Enea Circle, Suite 1600 Concord, California 94520 T 925.609.6000 F 925.609.7712 www.bevmo.com

December 13, 2006

Mr. Aaron Aknin, Planning Manager
Planning Department
City of San Bruno
567 El Camino Real
San Bruno, CA 94066

RE: Beverages & More! 1282 El Camino Real, San Bruno, CA
Application for Use Permit for the Type 42 On-Sale License

Dear Aaron:

Enclosed is the Use Permit Application, our check in the amount of $1290.00 and the required number of copies of the plans.

It is our understanding that a Use Permit is not required for our Type 21 Off-Sale License. However one is required for the Type 42 On-Sale (which we use for beer & wine tastings) because we are required by the Department of Alcoholic Beverage Control to charge a minimal fee for samples.

If you need any further information, please don't hesitate to let me know.

Thank you for your help with this process.

Sincerely,

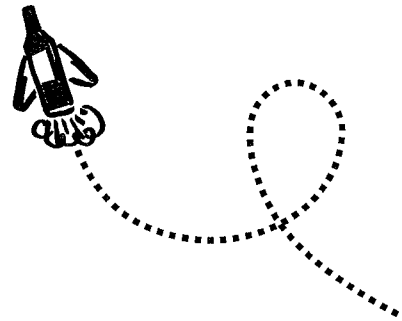
S.A. "SAM" Martin
Executive Coordinator & Purchasing Manager

Enclosures

cc: Steve McLaren, SVP Operations

BevMo!
BEVERAGES & MORE

1470 Enea Circle, Suite 1600 Concord, California 94520 T 925.609.6000 F 925.609.7712 www.bevmo.com



REQUEST FOR LETTER OF
PUBLIC CONVENIENCE OR NECESSITY

We are requesting that the Governing Body of the City of San Bruno write a letter to the State of California, Department of Alcoholic Beverage Control, stating that Public Convenience or Necessity would be met by allowing the issuing of both licenses for which we are applying. (21 Off-Sale and 42 On-Sale Beer & Wine, Public Premises. The 42 license is used for educational beer and/or wine tasting.)

Beverages & more! is a specialty retailer selling beer, wine, spirits, gourmet food and related items, such as glassware, accessories, etc., which are not easily found elsewhere. We offer over 3000 brands of premium wines, 1000 different gourmet food items, 600 brands of specialty beers and 1200 brands of specialty spirits.

Beverages & more! will employ approximately 15 local residents and will contribute significant tax revenues to the City of San Bruno.

Beverages & more! currently operates 62 stores in California.

That Beverages & more! is committed to the responsible marketing of alcoholic beverage products is demonstrated by:

1) Hours of operation being limited to 9 a.m. to 9 p.m. Sunday through Saturday, except for a short time during the holiday period (mid-November – December 31st) when our hours are extended slightly;

2) Corporate policy prohibitions against selling cigarettes and products of abuse (such as 40 ozs. of malt liquor, low-priced, screw-top beverages (Ripple, MD20/20) fortified wines and pints or half-pints of spirits); and

3) Corporate policy prohibitions against video or pinball games, sales of pornographic videos and magazines, pay telephones, lottery tickets, newspaper stands and other items that would encourage loitering or minors patronizing the store (unlike many convenience stores).

It would be appreciated if you would send me a copy of the letter sent to the Department of Alcoholic Beverage Control.

If you have any questions, or would like further information, please give Steve McLaren, SVP Operations, a call at 925.609.6002. We have photographs showing what our stores look like when they are finished if you would like to see our operation.

BevMo!
BEVERAGES & MORE

1470 Enea Circle, Suite 1600 Concord, California 94520 T 925.609.6000 F 925.609.7712 www.bevmo.com

Type 42 On-Sale Beer and Wine, Public Premises License
Beer & Wine Tasting

We hold beer and wine tastings on Friday evenings from 4 p.m. to 7 p.m., and also on Saturdays from noon to 6:00 p.m.

We also have special tastings for special holidays such as Valentine's Day which may during the week.

Samples are approximately 1 oz., a fee is charged for each sample as required by the ABC. Disposable plastic tasting cups are used. There is no seating of any kind allowed in the tasting area and all tasting must take place within the boundaries of the tasting area. A sign is posted stating that no one under 21 is allowed in the tasting area. Customers are also not allowed to bring in spirits of any kind and shopping carts are not allowed.

the exterior boundaries of the proposed large family day care home.

G. The commission shall have the responsibility of making decisions as to whether to approve applications for large family day care homes. No hearing on the application for a permit shall be held before a decision is made unless a hearing is requested by the applicant or other affected person.

H. The commission shall grant the use permit if it makes the following findings:

1. The proposed facility meets the locational standards of subsection B.

2. The operator of the facility will provide an area on the lot for parking or stopping of vehicles to allow children to be picked up or dropped off within thirty minutes before and after the hours of the day when day care will be provided.

3. The proposed facility complies with applicable off-street parking standards of the zoning ordinance.

4. The proposed facility complies with applicable building and fire code provisions, and with the applicable building standards adopted by the State Fire Marshal.

I. The applicant or other affected person may appeal the decision of the commission pursuant to Chapter 12.140. (Ord. 1569 § 3, 1996; Ord. 1433 § 1 (part), 1984)

12.84.210 Drinking places, and land uses with alcoholic beverage sales.

A. No application for a retail license for the on-site sale and consumption of alcoholic beverages shall be approved by the city of San Bruno without first securing a use permit through the San Bruno planning commission under Section 12.112 of the San Bruno zoning ordinance, except as exempted within the municipal code for liquor stores, private clubs and lodges, and special events (public and private).

B. Neither the San Bruno planning commission, nor the San Bruno city council upon appeal, shall approve a use permit for a drinking place or other applicable land use with alcoholic beverage sales unless the activity or use conforms to all of the following performance standards:

1. The activity or use does not jeopardize, endanger or result in adverse effects to the health, peace or safety of persons residing or working in the surrounding area;

2. The activity or use does not result in repeated nuisance activities or police interventions within the premises or in close proximity of the premises, including but not limited to criminal activities, disturbance of the peace, illegal drug activity, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, sale of stolen goods, public urination, theft, assaults, batteries, acts of vandalism, excessive littering, loitering, graffiti, illegal parking, excessive loud noises, especially in the late night or early morning hours, traffic violations, curfew violations, lewd conduct, or police detentions and arrests;

3. The activity or use does not result in violations to any applicable provision of any other city, state, or federal regulation, ordinance or statute;

4. The upkeep and operating characteristics of the activity or use are compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood.

5. The applicant for a liquor license receives a Letter of Public Convenience or Necessity issued by the city of San Bruno for an application which would tend to create a law enforcement problem, or if issuance would result in or add to an "Undue Concentration" of licenses, required due to either of the following conditions:

a. The applicant premises are located in a crime reporting district that has a twenty percent greater number of reported crimes in a geographical area within the boundaries of the city than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the San Bruno police department that are identified by the department in the compilation and maintenance of statistical information on reported crimes and arrests.

b. The applicant premises are located in an area of undue concentration, which is defined to exist when an original application or premises-to-premises application is made for a retail on-sale license in a census tract where the ratio of existing on-sale retail licenses to population in the census tract exceeds or will exceed the ratio of retail on-sale licenses to population in San Mateo County.

C. In addition, the planning commission or city council, upon appeal, may impose such conditions as it deems necessary to secure the purposes of this section, including conditions with respect to location of the use or activity, construction, maintenance, operation, site planning, traffic control and time limits for the use permit for the protection of adjacent properties and the public interest. The commission or council may require tangible guarantees or evidence that such conditions are being, or will be, complied with. (Ord. 1685 § 1.3, 2003)

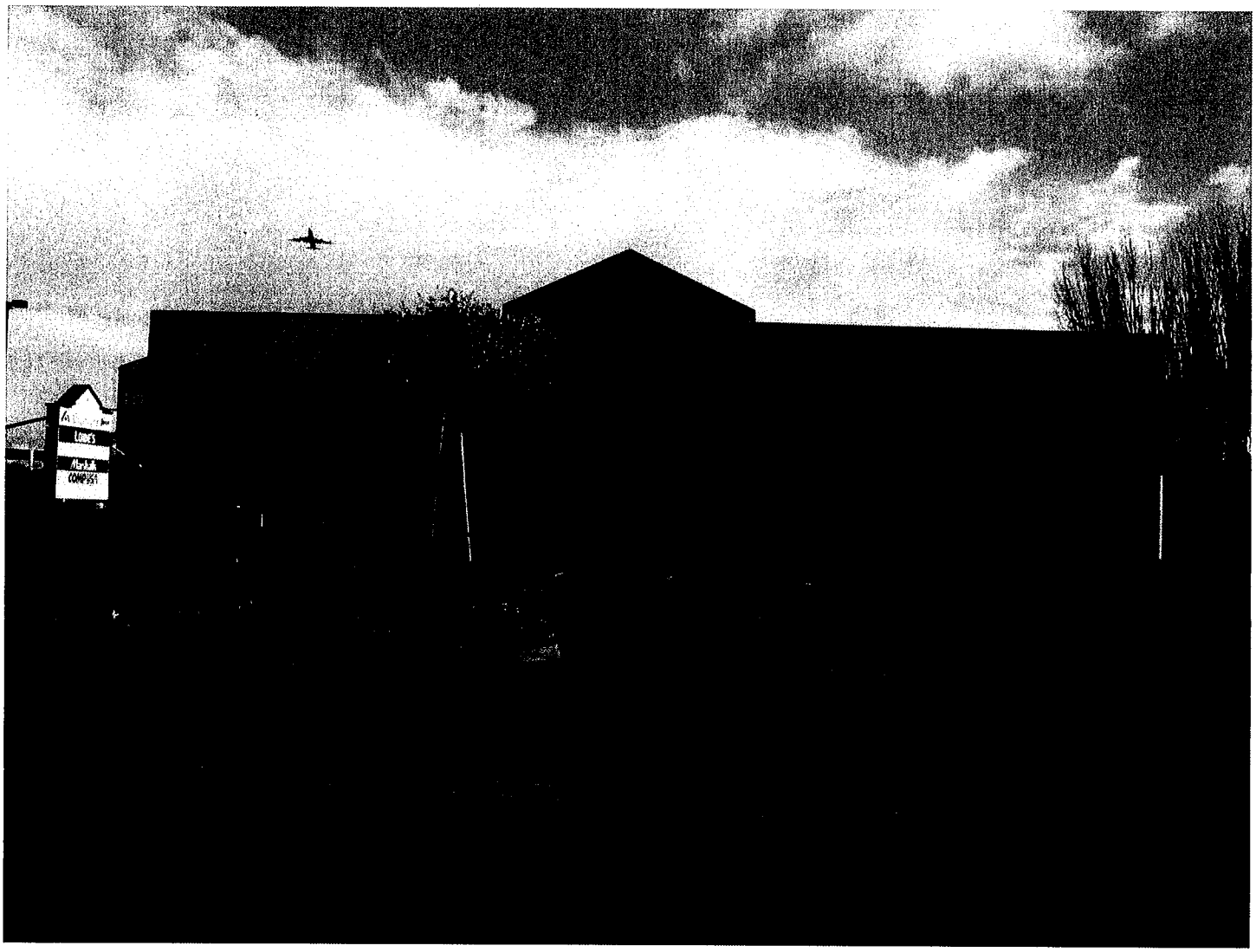


Exhibit E

CITY OF SAN BRUNO

COMMUNITY DEVELOPMENT DEPARTMENT

567 El Camino Real
San Bruno, CA 94066
Voice: (650) 616-7074
Fax: (650) 873-6749
http://www.ci.sanbruno.ca.us

STAFF
Aaron Aknin, AICP, *Interim Community Development Director*
Mark Sullivan, AICP, *Housing and Redevelopment Manager*
Tony Rozzi, *Assistant Planner*
Lisa Costa Sanders, *Contract Planner*
Pamela Thompson, *City Attorney*

PLANNING COMMISSION
Sujendra Mishra, *Chair*
Rick Biasotti, *Vice Chair*
Kevin Chase
Mary Lou Johnson
Bob Marshall, Jr.
Perry Petersen
Joe Sammut

PLANNING COMMISSION
STAFF REPORT
AGENDA ITEM NO. E4
January 16, 2007

PROJECT LOCATION
1. Address: 401 San Mateo Avenue
2. Assessor's Parcel No: 020-362-210
3. Zoning District: C- General Commercial Zoning District
4. General Plan Classification: Commercial

EXHIBITS
A: Site Location
B: Floor Plan and Description
C: Photos
D: Planning Commission Minutes dated September 19, 1977

REQUEST
Request for Use Permit **UP-06-22** to operate auto repair service in conjunction with an existing service station for a period of five years per Section 12.96.110 (C 10) of the San Bruno Zoning Ordinance. Stephen Ng (owner/applicant).

RECOMMENDATION
Staff recommends that the Planning Commission **approve** Use Permit 06-022 based on Findings of Fact (1-3) and Conditions of Approval (1-17).

REVIEWING AGENCIES
Community Development Department
Police Department
Fire Department

REQUIRED LEGAL NOTICE
1. Notices of Public Hearing mailed to owners of property within 300 feet on January 5, 2007.
2. Advertisement published in the *San Mateo Times,* Saturday, January 6, 2007.

ENVIRONMENTAL ASSESSMENT
This project is Categorically Exempt per the California Environmental Quality Act (CEQA) Guidelines Class 1, Section 15301: No Expansion to Existing Facilities.

EXISTING CONDITIONS

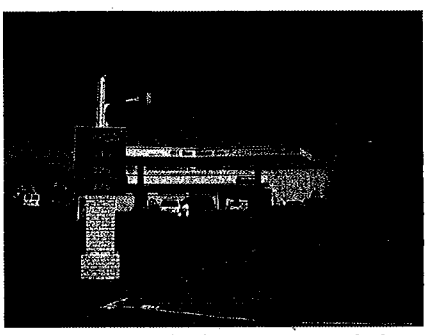
The subject property is located on the corner of El Camino Real and San Mateo Avenue on the southern end of the 400 Block of San Mateo Avenue. The site is located within the General Commercial zoning district, adjacent to the San Mateo Avenue Central Business district. The subject property is located in the Redevelopment Plan Project Area and is therefore subject to the priorities as set forth in the Plan.

This is a triangular-shaped lot with a total lot size of approximately 12,276 square feet (Exhibit A, Site Location). The property is currently developed with an approximately 1,696 square foot snack shop/auto repair building and a 1,430 square foot covered canopy for the four fuel dispensers. Access to the service station is from three driveways from El Camino Real and two driveways from San Mateo Avenue. Eight existing parallel parking spaces are located toward the rear of the project site. Approximately seven percent (874 square feet) of the site is landscaped.

SURROUNDING LAND USES

North: Jenevein Avenue- C-B-D Zone, downtown business district
South: Taylor Avenue – R-2 Zone, multi-family residences
East: San Mateo Avenue – C-B-D Zone, downtown business district
West: El Camino Real – C Zone, general commercial

PROJECT DESCRIPTION



The applicant is proposing to operate an auto repair service within the existing building in conjunction with the existing gasoline service station and snack shack. The gasoline sales are conducted between 6:00 am and 11:00 pm, seven days a week and the auto repair use is proposed to be conducted from 8:30 am to 6:00 pm Monday through Saturday. A total of six employees are proposed to operate the business throughout the day, comprised of four cashiers and two mechanics. There will be one cashier and two mechanics during the auto repair hours. Auto repair service is proposed to consist of; brake service, replacement of fan belts, tune-up, oil change, and tire change. No major engine jobs such as engine replacement or overhaul is part of the proposal. The existing building includes three service bays with roll-up doors facing the south and two service bays facing the north. The applicant indicates that they will primarily utilize the rear roll-up doors for the service bays. The applicant proposes to re-stripe the six existing parallel parking spaces to the rear of the building to diagonal spaces. The re-striping will result in a net increase of one space for a total of seven parking spaces including one handicap stall. The re-striping provides for a better circulation pattern at the rear of the site. The applicant also proposes significant upgrades to the existing landscaping at the south side or front triangle corner of the site as well as new planting in the existing planting strip along the El Camino side of the building. Although not a part of this application, the applicant intents to complete architectural upgrades to the site, including new painting, the replacement of the "76 ball" and freestanding sign with a new freestanding pole sign in compliance with new Conoco Phillips corporate standards. Staff recommends a condition of approval requiring submission of the Architectural Review Permit application within six months.

The table below summarizes and compares the zoning guidelines with the existing and proposed conditions:

Site Conditions		Zoning Requirements	Existing Conditions	Proposed Conditions
Land Use		C -General Commercial Zoning District	C; Service Station	Service station and Auto Repair
Min. lot dimensions		60 feet wide	64 feet wide	Same
Lot Coverage		80%, less parking and landscaping	3,126 square feet	Same
Lot Coverage %		80%	26%	Same
Gross Floor Area		Not applicable	4,300	Same
Floor Area Ratio		N/A	1.13	Same
Building Setbacks	Front	None	-	Same
	Rear	None	-	Same
	North Side	None	-	Same
	South Side	None	-	Same
Building Height		Max. 50'	13'-3"	Same
Landscaping		5%	7.1%	7.1%
Covered Parking		6 spaces*	8 spaces	9 spaces

*Notes:
Required parking is three parking spaces, plus 1 parking space for each stall.

ARCHITECTURAL REVIEW

None required at this time given the request is for an expansion of use and no change is proposed for the exterior of the building.

BACKGROUND/PROJECT ANALYSIS

The building was originally constructed in 1960 for a gasoline station use. In 1977, the Planning Commission approved an Architectural Review permit to modify the exterior elevation. At that time, gasoline stations and auto repair were considered permitted uses. In 1982, auto uses were required to obtain a conditional use permit, therefore, this became a non-conforming use due to lack of a conditional use permit. Sometime in 2002/2003, the auto repair portion of the use ceased at this location and the site was solely operated as a gasoline station with snack shop. Staff has determined that legally nonconforming use of auto repair expired at that time and any expansion of use beyond the gasoline station requires a Conditional Use Permit from the Planning Commission pursuant to San Bruno Zoning code section 12.96.110.C.

This project was continued from the September 19, 2006 Planning Commission meeting in order to give Staff and the applicant time to work on the application.

As stated above, the applicant proposes no exterior modifications to the existing building at this time. The auto repair service is proposed within the existing building. The applicant will improve the landscaping at the southern "triangle" portion of the site and along the west and in a planting strip along the west and north sides of the building.

The subject site is located within the Redevelopment Plan Area and adjacent to the Central Business District. The Redevelopment Plan established a program designed to alleviate adverse physical and economic conditions in the Project Area and to promote economic development. The subject site is located at the southern gateway to the downtown area. The intent of the area as documented in the July 1999 Redevelopment Plan and Five Year Implementation Plan is to incorporate a gateway feature and/or focal point in the project area. In order to revitalize the commercial area one of the goals as stated in Section 301 is to "Improve vehicular and pedestrian access to commercial areas and enhance gateway entrances". The vision for the downtown area is to provide residents with a pedestrian friendly district for shopping, entertainment and restaurant destination. Staff is currently working on completion of the new General Plan and Council has authorized development of Design Guidelines for the downtown area. The City is interested in a long-term use that will serve as a gateway to the downtown that will be compatible with the surrounding retail uses. These uses include restaurant, retail, office as well as mixed-use residential. Although the improvements the applicant proposes to make to the site will make the auto repair use more compatible with the downtown uses in the short-term, it is key for effective downtown development that the uses such as those listed above are developed on the site in the long term.

The applicant has agreed to enter into an Agreement that, if approved by the Planning Commission, would allow continued use of the auto repair portion of the business for a period of five years while the property owner works with the City on an appropriate long term use of the site. Mr. Stephen Ng, the owner of the property and the business, has stated his enthusiasm and well as commitment to work with the City on a new development for the site that will achieve the City's long term land use goals and design objectives. Staff feels the use of the site for five years is an appropriate amount of time given the pending adoption of the General Plan and completion of design guidelines. This will provide adequate time for Staff and the property owner to identify a new development concept for the site. Upon approval of the auto repair use, the applicant will significantly upgrade the corner landscaping, install new signage and complete a new painting concept.

Pursuant to the City's Zoning Code, the Commission shall grant the use permit if it makes the following findings listed below (required findings are in **bold** followed by staff's analysis of the project's merits whether the findings can be made). Staff believes that the following findings **can** be made with the Interim Land Use Agreement.

1. **The proposed development will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use.**

Due to the limited nature of the auto repair portion of the business, Staff believes that the proposal will not affect the welfare of the neighborhood and businesses located there. The auto repair portion of the business will be conducted within the existing service bays, accessed from the roll-up doors at the rear of the building. As a condition of approval, the applicant will be required to enter into an agreement for removal of graffiti and will conduct regular maintenance of the site to remove debris and litter. As stated above, the auto repair will be conducted entirely within the building, with no outside storage of automotive parts. The hours of operation of the auto repair is consistent with other businesses in the vicinity. With the re-striping of the rear parking area, there is sufficient on-site parking to accommodate the use.

2. The proposed development will not be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the city.

As indicated above, the auto repair portion of the business will be conducted entirely within the existing service bays within the building. The site is designated as the southern gateway to downtown and is intended to be developed with a use that will compliment and attract visitors to the downtown area. The significant landscape, signage and painting improvements will be an improvement to the aesthetics of the gateway to the downtown. With the Agreement limiting the auto repair use of the site to a period of five years, the proposed use will be compatible with surrounding downtown uses on a short term basis and not will detract from the future investment and development in the downtown area.

3. The proposed development will be consistent with the general plan.

The 1984 General Plan designates the property as commercial, which allows for convenience and retail commercial uses including apparel and accessory stores, food stores, personal and professional services, hospitals, offices, and auto-related services. As stated above, the proposed use requires a Use Permit requiring discretionary action by the Planning Commission.

The expansion of use can be accommodated within the existing building with sufficient on-site parking. As the applicant has agreed to enter into an Agreement and actively work with the City on a new development concept for the site, Staff believes this minor expansion in use will not preclude the opportunity to develop the site as a southern gateway to the downtown and will in the long term provide the area with a use that is conducive with the vision of the downtown area as stated in the Redevelopment Plan and as documented in the draft General Plan 2025.

PUBLIC COMMENTS

None have been received as of the publishing of this report.

FINDINGS OF FACT

1. The proposed development will under the circumstances of the particular case will not be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use.

2. The proposed development will not be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the city.

3. The proposed development will be consistent with the general plan.

CONDITIONS OF APPROVAL

Community Development Department (650) 616-7074

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the "Summary Hearing" to the Community Development Department within 30 days of approval. Until such time as the Summary is filed, Use Permit 06-22 shall not be valid for any

purpose. Use Permit 06-22 shall expire one (1) year from the date of approval unless the plan is executed.

2. The property owner shall enter into an Agreement limiting the automotive repair us at this site for a period of five years from the effective date of this Use Permit. The Agreement shall be recorded against the land and shall bind any successors.

3. The auto repair use shall be conducted according to the plans accompanying this report and approved by the Planning Commission, except as required to be modified by these conditions of approval. Any modification to the approved plans shall require prior review and approval by the Community Development Director.

4. The applicant and any successor in interest, shall agree to operate auto repair at 401 San Mateo Avenue in the manner as described in the staff report and in the applicant's support statement. Specifically, auto repair shall be limited to; brake service, replacement of fan belts, tune-up, oil change, and tire change. No major engine jobs such as engine replacement or overhaul may be conducted on-site. Any deviation or change in business activities shall require prior authorization by the Community Development Director. Failure to comply with these requirements may result in the City of San Bruno instituting revocation hearings.

5. Prior to Final Inspection, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the City.

6. The applicant/owner shall provide prompt cleaning/repainting of any graffiti on the building exterior and shall enter into an agreement with the City regarding graffiti removal. The applicant shall conduct regular maintenance of the site to maintain the premises and remove debris and litter at the front, sides and rear of the building.

7. No outside storage of automotive parts shall be permitted.

8. The sound level shall conform to the requirements of the City's Noise Regulations Chapter 6.16 of the Municipal Code.

9. The applicant shall utilize the roll-up doors at the rear of the building for access to the service bays. The front roll-up doors shall remain closed to the maximum extent feasible. All auto repair shall be contained within the existing building and not extend to the sidewalk or parking lot areas.

10. No additional signage shall be installed without City Planning Department approval.

11. A revised and detailed landscape plan shall be submitted to the Planning Department for review and approval incorporating the following;

    A. Additional landscaping shall be provided in the triangular shaped planter located in the front of the property and in the rear planter area adjacent to the parking spaces.
    B. A maintenance landscape agreement shall be signed and recorded to the satisfaction of the City Attorney.

C. Landscape curbing shall be repaired or replaced to the satisfaction of the Community Development Director.

12. Hours of operation for automotive repair shall be limited to Monday through Saturday, 8:30 a.m. until 6:00 p.m. Any changes from the hours of operation shall require prior authorization of the Community Development Director.

13. The applicant shall submit an Architectural Review Permit application within six months for the new signage and façade improvements.

Public Works Department (650) 616-7065

14. Replace all broken or raised concrete in driveway approach on San Mateo Avenue. San Bruno Municipal Code section 8.12.010. Encroachment permit shall be obtained from the Public Works Department prior to commencement of work.

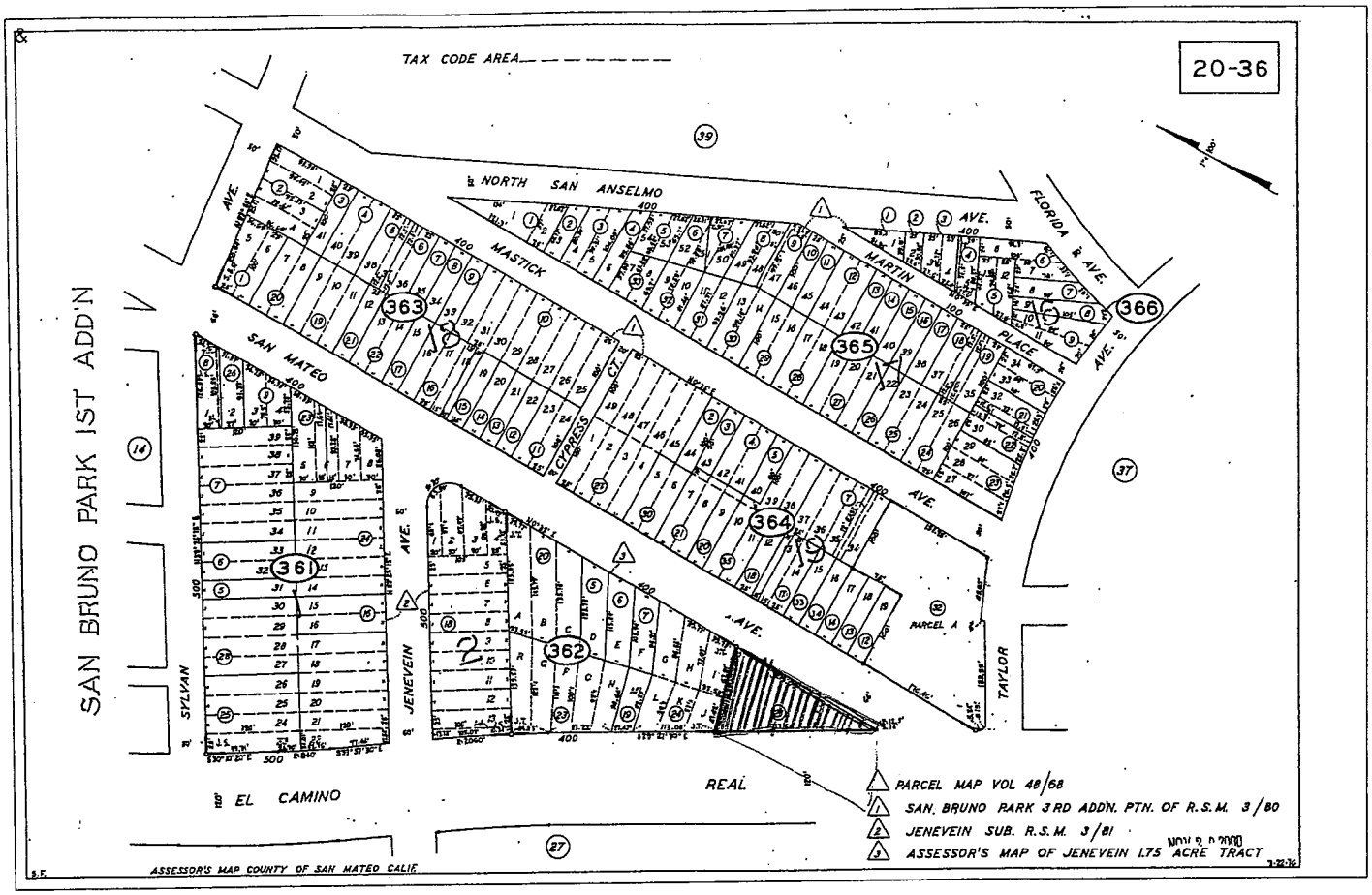
15. Clear plugged storm drain system: 2 area drains and through the curb drain(s) to the satisfaction of the Public Works Director.

16. Demonstrate dry spill cleanup procedures and equipment to public works inspector.

Fire Department (650)-616-7096

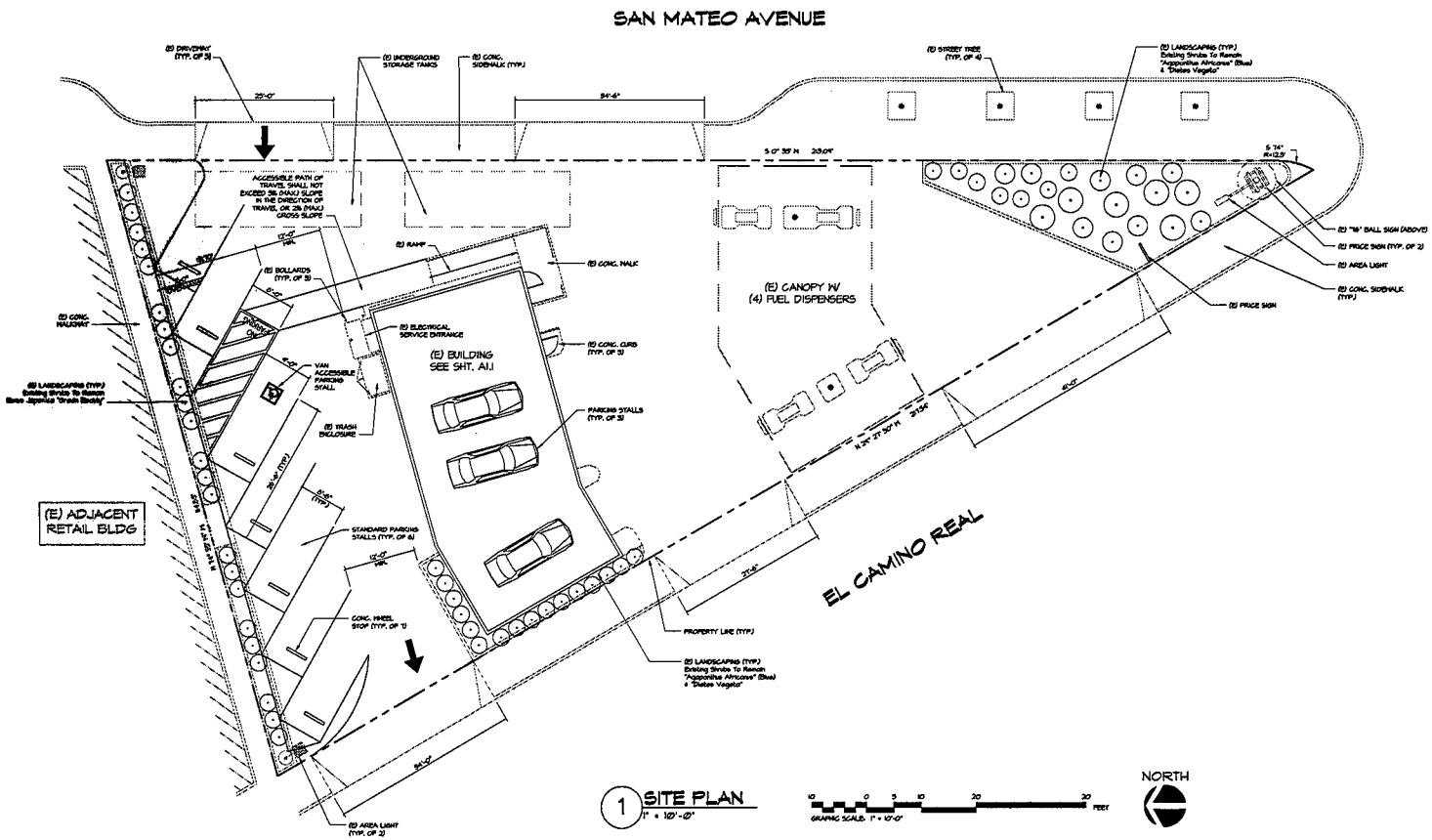
17. Obtain Fire Code Permit for repair garages from the Fire Department.

Date of Preparation: January 8, 2007
Prepared by: Lisa Costa Sanders, Contract Planner



Information compiled from various sources. Real Estate Solutions makes no representations or warranties as to the accuracy or completeness of information contained in this report.

Exhibit A – Site Location



1 SITE PLAN
1" = 10'-0"

THE PROPERTY LINE & SITE INFORMATION HAS OBTAINED FROM THE OWNER NOT FROM A SITE SURVEY. M I ARCHITECTS ASSUMES NO RESPONSIBILITY FOR THE ACCURACY OF THE PROPERTY LINE AND/OR SITE INFORMATION.

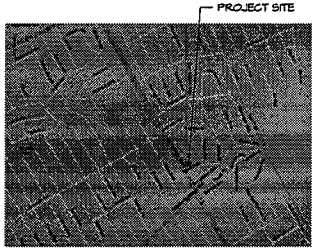
DRAWING INDEX

SD1	SITE PLAN
A1.1	FLOOR PLAN
A2.1	BUILDING ELEVATIONS

SITE INFORMATION

JURISDICTION:	CITY OF SAN BRUNO, CA	
APN:	020-362-210	
ZONING:	BD-CENTRAL BUSINESS DISTRICT	
PARKING PROVIDED:		
STANDARD:	9 STALLS	
ACCESSIBLE:	1 STALL	
TOTAL PARKING PROVIDED:	10 STALLS	
SITE COVERAGES:		
SITE:	12,276 S.F.	(100%)
BUILDINGS:	3,126 S.F.	(25.5%)
SNACK SHOP/AUTO SERVICE:	1,696 S.F.	
CANOPY:	1,430 S.F.	
LANDSCAPING:	874 S.F.	(7.1%)
IMPERVIOUS AREA:	8,276 S.F.	(67.4%)

VICINITY MAP



PROJECT TEAM

ARCHITECT
M I ARCHITECTS
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FAX: (925) 943-1551
CELL: (925) 878-4075
MR. MUTHANA IBRAHIM, ARCHITECT

OWNER
STEVEN NG
401 SAN MATEO AVE.
SAN BRUNO, CA 94066
TEL: (650) 430-1033
FAX: (650) 322-4006
CELL: -

LEGEND

EXISTING SHRUB

EXISTING TO REMAIN

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PLANNING
MANAGEMENT
DESIGN
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muthana@miarchitect.com

SAN BRUBO 76
401 SAN MATEO AVE.
SAN BRUBO, CALIFORNIA 94066

LICENSED ARCHITECT
C-29627
3/30/2007
RENEWAL DATE
STATE OF CALIFORNIA

NO.	DATE	DESCRIPTION
-		ISSUED FOR CONSTRUCTION
-		ISSUED FOR PLAN CHECK
08-28-06		ISSUED FOR PLANNING
1	-	-
2		
3		
4		
5		

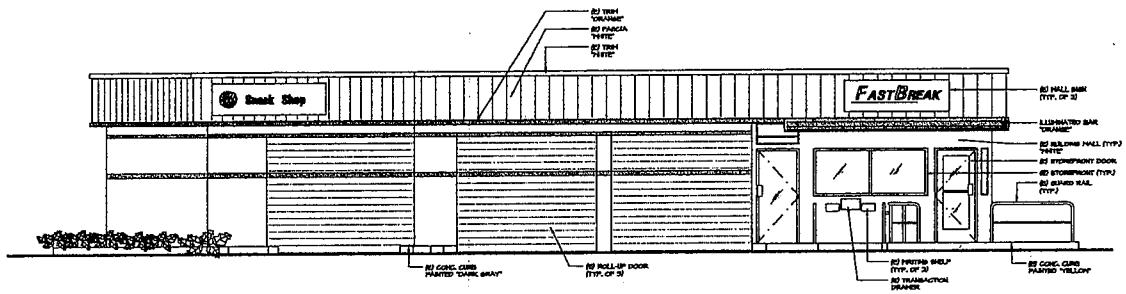
SITE PLAN

PROJECT #: 06-206
DRAWN: MA CHECKED: MI
SCALE: 1" = 10'-0" DATE: 08-23-06

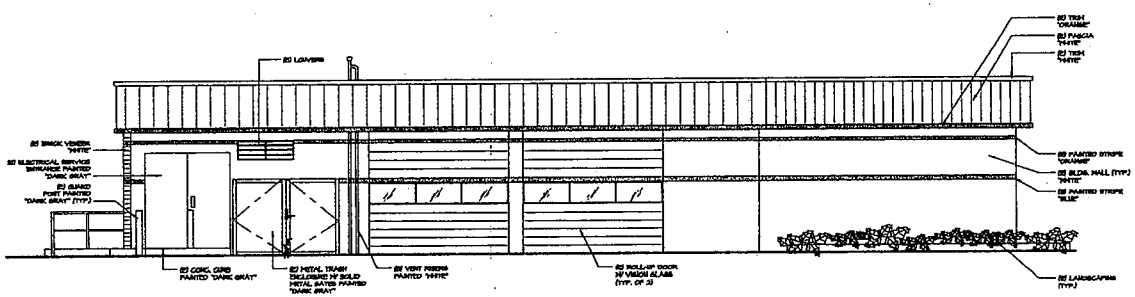
SD1

SHEET OF

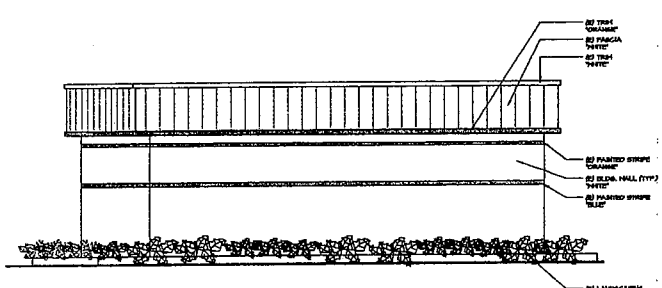
Exhibit B - Site, Floor & Elevation Plans



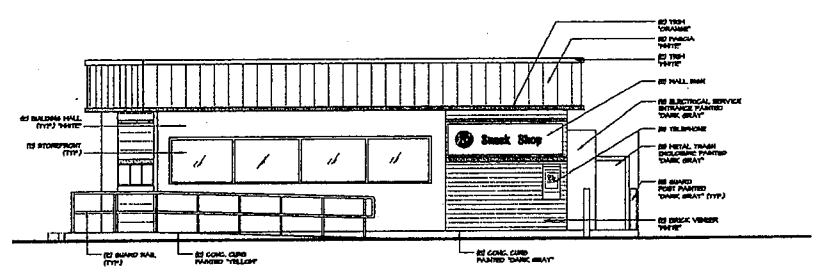
A SOUTH ELEVATION
1/4" = 1'-0"



B NORTH ELEVATION
1/4" = 1'-0"



C WEST ELEVATION
1/4" = 1'-0"



D EAST ELEVATION
1/4" = 1'-0"

MI Architects
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LICENSED ARCHITECT
STATE OF CALIFORNIA

-	ISSUED FOR CONSTRUCTION
-	ISSUED FOR PLAN CHECK
08-28-06	ISSUED FOR PLANNING

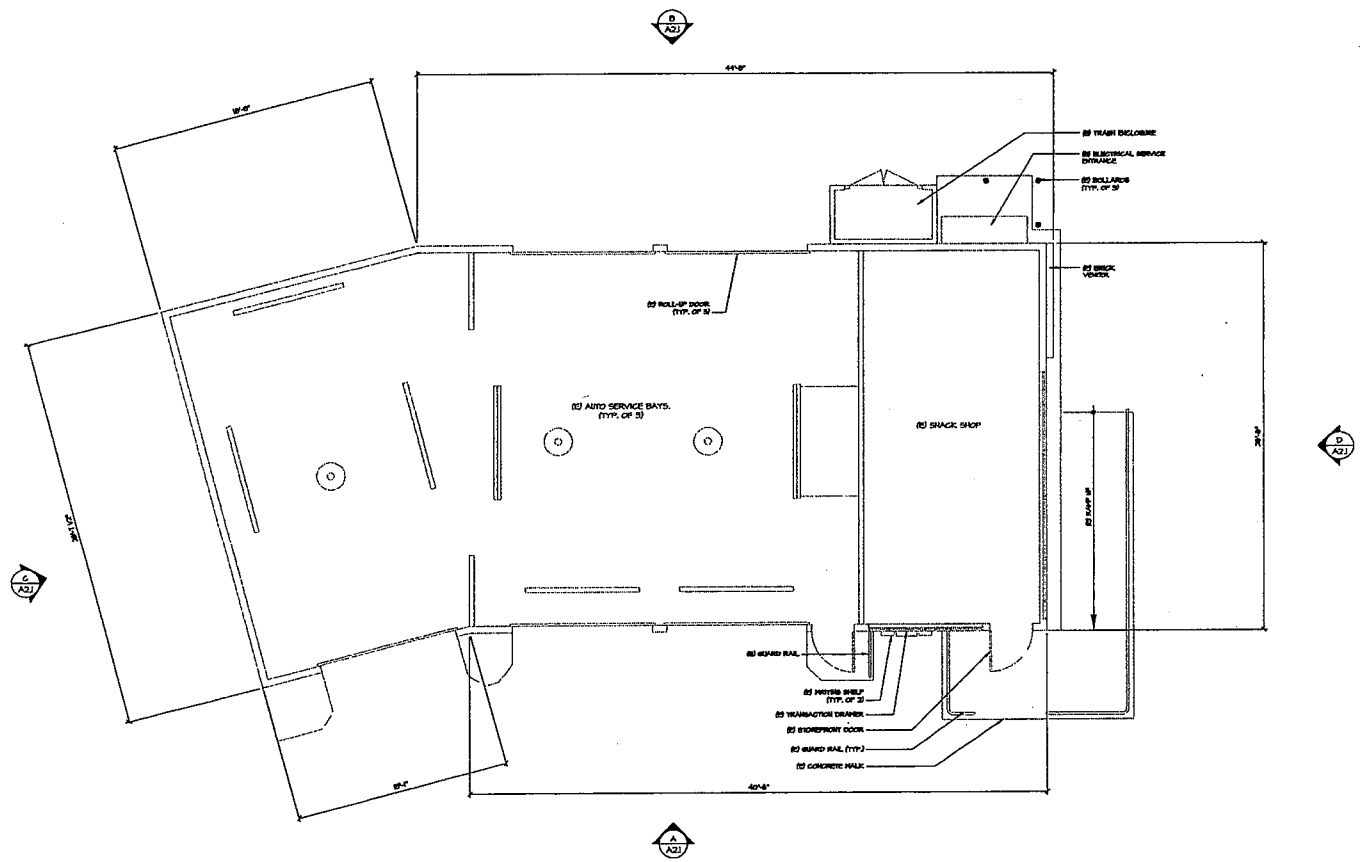
NO.	DATE	DESCRIPTION
△	-	-
△		
△		
△		
△		

BUILDING ELEVATIONS

PROJECT #: 06-206
DRAWN: JH CHECKED: HM
SCALE: 1/4" = 1'-0" DATE: 08-28-06

A2.1

SHEET OF



1 FLOOR PLAN
1/4" = 1'-0"

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

NORTH

MI Architects

ARCHITECTURE
PLANNING
MANAGEMENT
DESIGN

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SAN BRUBO, CALIFORNIA 94066

LICENSED ARCHITECT
D-28837
8/26/2002
RENEWAL DATE
STATE OF CALIFORNIA

-	ISSUED FOR CONSTRUCTION
-	ISSUED FOR PLAN CHECK
08-28-06	ISSUED FOR PLANNING

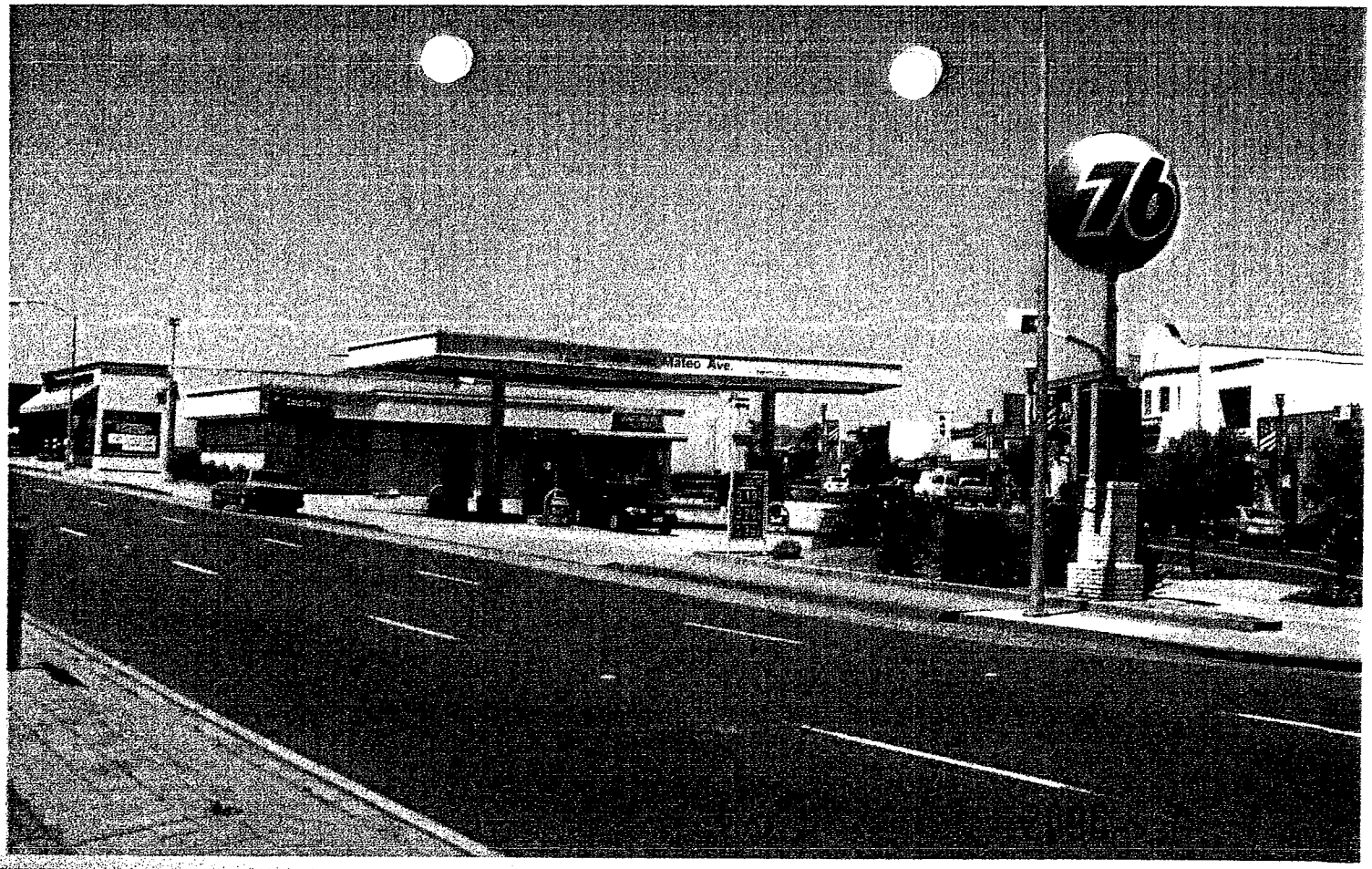
NO.	DATE	DESCRIPTION
1	-	-
2		
3		
4		
5		

FLOOR PLAN

PROJECT #: 06-206
DRAWN: MA CHECKED: MI
SCALE: 1/4" = 1'-0" DATE: 08-28-06

A1.1

SHEET OF



2006

Exhibit C

SAN BRUNO PLANNING COMMISSION

Meeting of September 19, 1977

File

5. 401 San Mateo Avenue - Request for architectural review to modify the exterior elevations of the existing structure (Architectural Review 77-10)

The Associate Planner presented staff report dated September 14, 1977 and showed photographs and a transparency of the subject property. He stated that since the last Planning Commission meeting, the applicant has provided a revised parking scheme which would improve the parking arrangement. The architect also provided a new sign, with the pricing sign as part of the free-standing sign, and staff had recommended a revision to this sign. Mr. Niemczyk stated the planning staff recommended this project be approved subject to eight conditions.

C. Cummins asked about the trees which were shown on the original drawing but did not exist on the revised one and Bill Forgensi, Pier 40, San Francisco, architect for the applicant, Union Oil, stated the trees were not shown on the revised drawings just for the purpose of clarity, however, it is their intent to place them along the back wall.

Mr. Forgensi presented a revised sign program indicating the pricing signs would be 2'6" by 4'8" and vertical rather than horizontal as suggested by staff. He stated it was Union Oil's desire that the sign be double-faced with one face in each direction so it would be visible by traffic in both directions. C. Cummins asked about the verbiage and Mr. Forgensi stated the sign would contain two prices, two descriptions of the product, and the word gasoline. C. Cadigan asked how the numbers are changed and Mr. Forgensi stated they are slipped in from the top into pockets.

Mr. Forgensi suggested extending the westerly planter area as well as the planter area located on the easterly side. C. Ricci asked Mr. Forgensi if Union Oil plans to change their signs and he responded to his knowledge they did not.

M/S del Rosario, Sanders to approve Architectural Review 77-10 subject to the following conditions; passed by the following vote:

AYES: C. del Rosario, Sanders, Cummins, Cadigan, Ricci
NOES: None
ABSENT: C. Whitney, Spencer

1. The plot plan (Exhibit "A" dated August 30, 1977 and Exhibit "D" dated September 6, 1977) be approved with the following revisions:

a. Close the northern-most driveway (curb cut) on El Camino Real per City Code.

b. Decrease, northward, the width of the existing El Camino Real to a maximum 26'.

[illegible], exit, and stop signs in the appropriate location to be reviewed and approved by the Department of Planning and Building.

Exhibit D

d. Revise the northerly edge of the southerly planter beginning at a point 42.5 feet along the westerly property line from the southernmost property corner and extending to a point on the easterly property line 79 feet from the southernmost property corner. This requires that the catch basin on the easterly property line be moved northerly so as to not interfere with the landscaping.

2. The elevations (Exhibit "B", dated August 30, 1977) shall be approved.

3. Signs shall be approved as shown on Exhibits "A" and "B" with the following revisions:

a. The free-standing sign shall be altered as shown on Exhibit "E"; except for the price sign which shall be deleted, and the wood design completed in its place.

b. The orange ball (free-standing sign) shall immediately cease rotation.

c. Pricing signs shall be as shown on applicant's revised Exhibit "F". Color, logo, and letter size to be installed with regard to the proposed building materials and colors, to be reviewed and approved by the Department of Planning and Building.

d. No additional signage shall be installed without City Planning Commission review and approval.

e. No wind-activated banners or stringers or attention-getting devices shall be installed without City Planning Commission review and approval.

4. A revised and detailed landscape plan shall be submitted to the Department of Planning and Building for review and approval incorporating the following:

a. Continuous (solid) ground cover shall be installed in all landscaped areas.

b. All landscape areas adjacent to paved driveways or parking areas shall be separated by 6" P.C.C. curbing.

c. A Maintenance of Landscaping Agreement shall be signed in accordance to City Code.

d. A minimum of four 15 gallon trees shall be located around the parking area as shown on revised Exhibit "D".

5. No storage of parts shall be allowed outside of the building.

6. All material used for rain gutters, flashing, etc. shall be consistent in terms of color with the immediately surrounding [illegible]

[illegible] permits, samples of exterior building materials shall be submitted to the Department of Planning and Building for review and approval.

8. All conditions shall be complied with within sixty (60) days from date of approval.