

# "The City With a Heart"



Mary Lou Johnson, Chair  
Kevin Chase, Vice Chair  
Rick Biasotti  
Marie Kayal  
Sujendra Mishra  
Perry Petersen  
Joe Sammut

## **AGENDA PLANNING COMMISSION MEETING November 17, 2015 7:00 p.m.**

**Meeting location: Senior Center, 1555 Crystal Springs Road, San Bruno**

Planning Commission meetings are conducted in accordance with Roberts Rules of Order Newly Revised. You may address any agenda item by approaching the microphone until recognized by the Planning Commission Chair. All regular Planning Commission meetings are recorded and televised on CATV Channel 1 and replayed the following Thursday, at 2:00 pm. You may listen to recordings in the Community Development Department. Complete packets are available online at [www.sanbruno.ca.gov](http://www.sanbruno.ca.gov) and at the library. In compliance with the Americans with Disabilities Act, individuals requiring reasonable accommodation for this meeting should notify us 48 hours prior to meeting. Notices, agendas, and records for or otherwise distributed to the public at a meeting of the Planning Commission will be made available in appropriate alternative formats upon request by any person with a disability. Please make all requests to accommodate your disability to the Community Development Department 650-616-7074.

### **ROLL CALL**

### **PLEDGE OF ALLEGIANCE**

- 1. APPROVAL OF MINUTES: October 20, 2015**
- 2. COMMUNICATIONS**
- 3. PUBLIC COMMENT ON ITEMS NOT ON AGENDA** Individuals allowed three minutes, groups in attendance, five minutes. If you are unable to remain at the meeting, ask the Recording Secretary to request that the Planning Commission consider your comments earlier. It is the Planning Commission's policy to refer matters raised in the forum to staff for investigation and/or action where appropriate. The Brown Act prohibits the Planning Commission from discussing or acting upon any matter not agendaized pursuant to State Law.
- 4. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- 5. Conduct of Business**
  - a. 406-418 San Mateo Avenue** (APN: 020-364-320, 020-364-120, 020-364-130, 020-364-140)  
Zoning District: C-B-D: Central Business District  
Recommended Environmental Determination: The extension request is exempt from further environmental review.

Request for a six-month extension of a Conditional Use Permit, Parking Exception, and Architectural Review Permit for a proposal to construct a three-story mixed use building containing 83 residential units, approximately 6,975 square feet of retail space, and 106 subgrade parking spaces per Section 12.128 of the San Bruno Municipal Code. San Bruno Plaza, LLC (Applicant & Owner).

- b. City of San Bruno Walk and Bike Master Plan.** The City of San Bruno has hired the consulting firm, Eisen|Letunic, to develop the San Bruno Pedestrian and Bicycle Master Plan. Staff will introduce, Niko Letunic, a principal with Eisen|Letunic, who will introduce and present a status report on the master plan effort to date. In addition to providing his status report, Mr. Letunic will be requesting input from the Planning Commission and attendees on existing conditions and improvement needs of the City’s current bicycle and pedestrian systems. **MP15-001**

**6. PUBLIC HEARINGS:**

- a. City parking lot located on the west side of Mastick Avenue just north of Taylor Avenue** (APN: 020-364-070)  
Zoning District: R-2: Low-Density Residential  
Recommended Environmental Determination: Categorical Exemption

Request for a Temporary Use Permit to allow an off-site construction staging area within a portion of the City parking lot located on Mastick Avenue for the construction of the mixed-use development located at 406-418 San Mateo Avenue per Section 12.84.030 of the San Bruno Municipal Code. Johnstone Moyer, Inc. (Applicant), City of San Bruno (Owner). **TUP-15-007.**

**The applicant has requested and staff supports a continuance of this item to December 15, 2015, to allow the applicant to further prepare and assemble additional information pertaining to the request.**

**7. DISCUSSION**

**A. CITY STAFF DISCUSSION**

- Select the December 10, 2015 Architectural Review Committee members

**B. PLANNING COMMISSION DISCUSSION**

**8. ADJOURNMENT**

The next regular Planning Commission Meeting will be held on December 15, 2015 at 7:00 p.m. at the Senior Center, 1555 Crystal Springs Road, San Bruno.



Mary Lou Johnson, *Chair*  
Kevin Chase, *Vice Chair*  
Rick Biasotti  
Marie Kayal  
Sujendra Mishra  
Perry Petersen  
Joe Sammut

**MINUTES  
PLANNING COMMISSION MEETING**

**October 20, 2015**

**7:00 p.m.**

**Meeting location: Senior Center, 1555 Crystal Springs Road, San Bruno**

**CALL TO ORDER at 7:02 pm.**

**ROLL CALL**

	<u>Present</u>	<u>Absent</u>
Chair Johnson	X	
Vice Chair Chase		X
Commissioner Biasotti	X	
Commissioner Kayal	X	
Commissioner Mishra	X	
Commissioner Petersen	X	
Commissioner Sammut	X	

**STAFF PRESENT:**

Planning Division:

Community Development Director: David Woltering  
Senior Planner: Michael Smith  
Associate Planner: Matt Neuebaumer  
Contract Associate Planner: Paula Bradley  
Community Development Technician: Brian Paland

**ROLL CALL**

**PLEDGE OF ALLEGIANCE:** Commissioner Kayal

**1. APPROVAL OF MINUTES (September 15, 2015) – Petersen/Biasotti**

VOTE: 5-0  
AYES: Commissioners Sammut, Biasotti, Petersen, Mishra, Johnson  
NOES: None  
ABSTAIN: None

**2. COMMUNICATION –**

-Director Woltering introduced new Planning Commissioner, Marie Kayal.

3. PUBLIC COMMENT – None

4. ANNOUNCEMENT OF CONFLICT OF INTEREST – None.

5. PUBLIC HEARINGS:

**A. 1230 El Camino Real**

**Request for a Use Permit to allow alcohol beverage sales in conjunction with a restaurant per Chapters 12.84.210 and 12.96.190.C of the San Bruno Municipal Code. Wilton M. Guevara, La Salsa Fresh Mexican Grill (Applicant) UP15-014.**

*Contract Associate Planner Bradley:* Presented Staff Report.

Staff recommends that the Planning Commission approve Use Permit 15-014, based on Findings 1-5 and Condition of Approval 1-12.

Questions for Staff: None

Public Hearing Opened

*Wilton Guevara (Applicant):* Stated that his customers have requested beer and wine sales in his restaurant; and, therefore, he would like to accommodate that demand for a wider range of beverages.

Public Hearing Closed

**Motion to approve Use Permit 15-014, based on Findings 1-5 and Condition of Approval 1-12.**

**Commissioners Petersen/Mishra**

VOTE: 6-0  
AYES: All Commissioners present  
NOES: None  
ABSTAIN: None

**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. (SBMC 12.84.210.B.1)**

The use of the property as a restaurant with beer and wine sales is compatible with surrounding uses, which include other restaurants, retail stores, and other similar uses.

- 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. (SBMC 12.84.210.B.2)**

The sale of beer and wine will be conducted in conjunction with the existing restaurant. The hours of operation will remain the same: 9:00 a.m. to 9:00 p.m. daily. The proposed sale of beer and wine is not expected to result in repeated nuisance activities. If nuisance activities associated with the sale of alcoholic beverages result, the Community Development Director has the ability to call this use permit back to the Planning Commission for review, if he/she finds that the use is negatively impacting the surrounding neighborhood or creating other concerns. 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. (SBMC 12.84.210.B.3)**

By obtaining this Use Permit, and, subsequently, obtaining approval from the State Department of Alcohol and Beverage Control, the applicant will be in compliance with local and state regulations. As required by the 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. (SBMC 12.84.210.B.4)**

As stated above, the use of the property as a restaurant with beer and wine sales is compatible with surrounding uses, which include other restaurants, retail stores, and other similar uses. The restaurant is located within a regional commercial shopping center and is not adjacent to any residential neighborhood. The closest residential neighborhood is across Huntington Avenue and the Caltrain railroad tracks, to the east of the shopping center and the U.S. Post Office.

**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. (SBMC 12.84.210.5.a)**
- 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. (SBMC 12.84.210.5.b)**

Although the project site is 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 in the City, the restaurant is located in a commercial area which typically have a higher crime rate than non-commercial or residential districts. A large percentage of the crimes reported are not related to alcohol use but are related to the commercial uses typical of a shopping center. Staff acknowledges that this use, with this small-scale restaurant having all glass exterior windows open to the public view, with limited early evening hours (9 a.m. to 9 p.m.), and without a bar type environment, has reduced concerns. Should nuisance concerns result from this activity, the Community Development Director has the ability to call this use permit back to the Planning Commission for review. Therefore, should unforeseen negative impacts occur, the permit may be revoked.

## **CONDITIONS OF APPROVAL**

### **Community Development**

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 15-014 shall not be valid for any purpose. Use Permit 15-014 shall expire one (1) year from the date of approval unless the plan is executed.
2. Use Permit 15-014 shall be operated by the owner and any successor in interest, according to plans approved by the Planning Commission on October 20, 2015, labeled Exhibit C, except as required to be modified by these Conditions of Approval. Any modification to the approved plans or any deviation or change in the business activities shall require prior approval by the Community Development Director. Failure to comply with these requirements may result in the City of San Bruno instituting revocation hearings.
3. The applicant shall continue to conduct regular maintenance of the site to maintain the premises and remove debris and litter at the front, and rear of the building.
4. The hours of operation shall be limited to 9:00 a.m. to 9:00 p.m. daily. Any changes from the hours of operation shall require prior authorization of the Community Development Director. Any change that results in a later closing time shall also require review by the Police Department.
5. The applicant or property owner will clean graffiti on the property and/or paint over it within 24 hours of its appearance. This condition also gives the City of San Bruno consent to have the graffiti painted out for the applicant. If the graffiti is not removed within 24 hours, the City's graffiti removal vendor will be instructed to remove the graffiti and provide a detailed accounting of the cost to the property owner, who will be responsible for reimbursing the City for the graffiti removal.
6. The Community Development Director may call this use permit project back to the Planning Commission if he/she finds that the business is not complying with the required performance standards or conditions of approval or if unforeseen negative neighborhood impacts result from the project.

7. The restaurant operator shall ensure that garbage and recyclables are properly stored inside the appropriate garbage enclosure.
8. The applicant shall provide the signed copy of the Summary of Hearing to the Alcohol, Beverage and Control Board (ABC). The signed summary of hearing will serve as the Letter of Public Convenience of Necessity as required by the ABC.
9. The Summary of Regulations and the Conditions of Approval for PD-86-1, approved on December 8, 1986, and the seven subsequent amendments, which are kept on file at the Community Development Department shall continue to apply to this permit.

### **Police Department**

10. The applicant shall comply with all State Alcohol and Beverage Control (ABC) requirements. The applicant shall provide a copy of the approved ABC License Planning Commission to the City.
11. The applicant is responsible for providing emergency contact information to the Police Department for after hour's emergencies.
12. Alcohol consumption shall be limited to the interior of the restaurant area. At no time shall alcohol be consumed outside of the restaurant.

### **B. 662 First Avenue**

**Request for a Use Permit to allow the construction of a 527 square foot addition which increases the gross floor area of the existing home by greater than 50% (54%), per Section 12.200.030.B.1 of the San Bruno Municipal Code. Javier Solorzano (Applicant) & Miguel Artiga (Owners) UP15-008.**

*Associate Planner Neuebauer:* Presented Staff Report.

Staff recommends that the Planning Commission approve Use Permit 15-008, based on Findings of Fact 1-6 and Conditions of Approval 1-28.

Questions for Staff - None

*Commissioner Sammut:* Clarified that the reason this project is before the Planning Commission is because it is exceeding 50% of the existing area. Commented that projects that meet all other development standards shouldn't need review by the commission.

*Director Woltering:* Staff is working on a zoning code update that could change this type of project to an administrative review.

*Javier Solorzano (Applicant):* Confirmed that the project is a small addition, and only exceed the threshold by 4%.

*Commissioner Mishra:* Asked the applicant about a door at the rear that appears to open into "dead space."

*Javier Solorzano (Applicant):* The door is existing. It can be removed if the Commission chooses.

*Chair Johnson:* Asked if the storage shed will remain.

*Javier Solorzano (Applicant):* The shed will remain.

*Commissioner Petersen:* Asked about proposed landscaping. There is a significant amount of turf. The plan plans do not indicate the shrubs proposed.

*Javier Solorzano (Applicant):* They will be working with Community Services in San Bruno for the landscaping and will submit a Final Landscape Plan with the Building Permit application.

*Commissioner Petersen:* Asked if the North arrow was drawn correctly on the plans. Also asked about the width of the sidewalk.

*Associate Planner Neuebaumer:* The North arrow is not accurately drawn and will be corrected. The sidewalk includes the planting strip.

*Director Woltering:* Staff will work with applicant to correct inconsistencies in plans and address the comments regarding the landscape plans.

**Motion to approve Use Permit 15-008 based on Findings of Fact 1-6 and Conditions of Approval 1-28.**

**Commissioner Sammut/Petersen**

VOTE: 6-0  
AYES: All Commissioners present  
NOES: None  
ABSTAIN: None

**Findings**

- 1. 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. (SBMC 12.112.050.B.1)**

With the condition that the applicant obtain a building permit prior to construction, the home will be constructed according to the California Building Code (CBC) and, therefore, will not be detrimental to the health, safety and general welfare of the persons residing in the neighborhood.

**2. Will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city. (SBMC 12.112.050.B.2)**

The applicant is proposing a ground floor addition to an existing one-story single-family dwelling. The applicant is proposing to utilize exterior materials of horizontal siding that would match the existing dwelling and the surrounding neighborhood. The proposal will benefit the City and the surrounding neighborhood by improving the property in a well-designed manner. Therefore, staff finds that the project will not be detrimental to improvement in the neighborhood or to the general welfare of the City.

Regarding parking, the current one-car garage is adequate as the proposed living area of 1,312 square feet is less than the 1,825 square foot threshold for requiring a second covered parking space.

**3. That the proposed development is consistent with the San Bruno General Plan. (SBMC 12.108.050.B.3)**

The San Bruno General Plan designates the property as a Low-Density Residential district. The existing single-family dwelling is consistent with the General Plan designation.

General Plan Policy LUD-3 states, "protect the residential character of established neighborhoods by ensuring that new development conforms to surrounding design and scale." The proposal will be complementary to other single-family homes in the area. The design of the project reinforces the residential character of the neighborhood.

**4. That 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. (12.108.040.D).**

The proposal includes a ground floor addition to an existing one-story single-family dwelling. The overall design and scale of the home is consistent with the neighborhood, which consists of single-family dwellings. The proposed expansion also meets the floor area, lot coverage, setback, and height requirements of the zoning district. Specifically, the proposed floor area is 1,512 square feet, which corresponds to a .37 FAR, where .55 is the threshold. The lot coverage calculation amounts to 1,634 square feet (40%), which is less than the 44% lot coverage threshold. The side and rear setbacks for the proposed addition are all in compliance with the setback requirements. The height of the home would be 14'-0", which is less than the 28'-0" height limit of the R-1 zone. Therefore, the structure should not unreasonably restrict or interfere with light and air access to the adjacent properties.

**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. (SBMC 12.108.040.G).**

The addition would utilize horizontal siding and asphalt shingle roofing materials, which are consistent with the existing home and the immediate neighborhood. The proposed expansion

also meets the floor area, lot coverage, setback, and height requirements of the zoning district. Therefore, staff finds that the general appearance of the proposed addition will be in keeping with the character of the neighborhood and will not be detrimental to the City.

**6. That any proposed single-family or two-family dwelling conform to the basic design principles of the residential design guidelines as adopted by resolution by the city council and as may be revised from time to time. (SBMC 12.108.040.I).**

Staff finds that the proposed addition conforms to the basic design principles of the Residential Design Guidelines. The addition is a ground floor addition that continues the simple building form of the existing structure and would also incorporate matching exterior materials of horizontal board siding and asphalt shingle roofing. Finally, there are no proposed changes to the front elevation therefore, the existing architectural character of the neighborhood will not be affected.

**CONDITIONS OF APPROVAL**

**Community Development Department**

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 15-008 shall not be valid for any purpose. Use Permit 15-008 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 Summary of Hearing shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for Use Permit shall be built according to plans approved by the Planning Commission on October 20, 2015 labeled Exhibit C 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 home shall be used only as a single-family residential dwelling unit. No portion of any 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. This condition of approval shall be disclosed at the point of sale to the consumer and shall be recorded against each property.
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 California 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. Prior to securing a building permit, the applicant, owner, and general contractor shall meet with Planning, Building, and Public Services staff to ensure compliance with the conditions of approval during the construction process.
9. Prior to Final Inspection, the site shall be landscaped according to the plans approved by the Planning Commission on October 20, 2015 and any site landscaping damaged during construction shall be replanted to the satisfaction of the Community Development Director.
10. FAA notification and approval is required prior to building permit issuance. Alternatively, the City has established an exemption form, which may be submitted to the City in-lieu of FAA notification.
11. The applicant shall indemnify, defend, and hold harmless the City, its officers, employees and agents, from any and all claims and lawsuits from third party(s) involving or related to the City's consideration and/or approval of the applicant's application for development.
12. The applicant shall eliminate the door, landing, and stairwell located on the north side of the proposed family room.
13. Comply with the 2013 California Codes, including the California Residential Code.

### **Public Services Department**

14. The front property line is located 2.0 feet behind the sidewalk at 662 First Avenue. No fences, retaining walls, or other permanent structure shall be placed or constructed within 2.0 feet from the back of sidewalk along First Avenue. S.B.M.C. 8.08.010.
15. The building permit plans shall include a site plan that shows all property lines, setbacks and easements, and all existing and proposed grading and drainage improvements. All unpaved areas shall be graded to slope at 1% or more. All paved areas shall be graded to slope at 0.5% or more. All grading and drainage work shall conform to the current NPDES requirements. S.B.M.C. 12.16.020.
16. Show on the plans flow line diagrams for cold water lines, hot water lines, gas lines, and sanitary sewer lines to include all existing and proposed systems in accordance with the applicable California Building Code 2013.
17. If not present, the applicant shall install a sanitary sewer lateral clean out at property line per City Standards Detail SS-02, dated Aug 2011. Older clean outs not meeting current City standards shall be replaced.
18. Planting of one 36-inch box size approved tree or payment to the in-lieu replacement tree fund per most current fee schedule is required. Tree shall be located on 662 First Avenue per SBMC 8.24.060. At the current rate, the impact payment required is \$540. A separate tree-planting permit is required from Parks Division for any new street tree.

19. All damaged curb, gutter, sidewalk or driveway in the public right-of-way fronting the property shall be removed and replaced. Remove and replace all damaged and/or broken sidewalk at front of property for all locations where there are any raised or offset concrete sections greater than or equal to ¾-inch. S.B.M.C. 8.12.010.
20. Prior to final inspection, paint the address number on face of the curb near the driveway approach with black (4 inch or larger) lettering on a white background. Add a note showing the location where the street address will be painted.
21. Obtain an Encroachment Permit from Public Services Department prior to commencing any work within the City's public right-of-way. S.B.M.C. 8.16.010. The Encroachment Permit shall be issued prior to issuance of a building permit.
22. An erosion control plan and storm water pollution prevention plan is required. The applicant shall show existing storm drain inlets and other storm water collection locations protected by silt screens or silt fence. The work shall conform to the current NPDES requirements. S.B.M.C. 12.16.020.
23. Show on plans how storm water shall be collected from downspouts and other on-site drainage and drained into landscaping or collected through an under sidewalk curb drain to the gutter per City Standard Detail ST-03. Foundations shall be protected from storm water. Drainage into adjacent properties shall not be allowed. Indicate any pipes, swales, or applicable ground percolation treatments as necessary.
24. Should the project create and/or replace 2,500 square feet or more of impervious surface, the project must include one of the required C.3.i site Design Measures as required by the Municipal Regional Permit. A C.3.i. Checklist must also be completed and submitted for review.
25. Perform a water demand calculation based on the requirements in Chapter 6 of the California Plumbing Code to confirm that the existing ¾-inch water meter is sufficient to serve proposed water demand. If existing meter is undersized a new meter is required. Applicant shall pay water and sewer capacity charges based on the size of the water meter installed along with materials and installation of an upgraded water meter. S.B.M.C. 10.14.020/110. Indicate on the plans the location of the existing water meter and the available water pressure at the property.

### **Fire Department**

26. Address numbers to be at least four (4) inches in height, of a contrasting color to the background, and must be lighted during the hours of darkness.
27. Provide hard-wired smoke detectors with battery backup as required by building code.

28. Provide spark arrester for chimney if not currently in place.

### C. 14 Bayshore Circle

**Request for a Use Permit to allow the construction of a 600 square foot addition which increases the gross floor area of the existing home by greater than 50% (54%) and to enlarge the covered parking area to over 600 square feet (920 square feet) per Section 12.200.030.B.1 and 12.200.080.3.B of the San Bruno Municipal Code. Roxanne & Stephen Blair (Owners) UP-15-009.**

*Associate Planner Neuebauer:* Presented Staff Report.

Staff recommends that the Planning Commission approve Use Permit 15-009, based on Findings of Fact 1-6 and Conditions of Approval 1-26.

Questions for Staff -

*Commissioner Petersen:* ARC had recommended a floor plan for the area above the garage, but it is not included in the Planning Commission Packet.

*Associate Planner Neuebauer:* The applicant indicated that the use of the space above the garage was storage; and, therefore, staff indicated that a floor plan for the space was not necessary.

*Commissioner Sammut:* Asked what specifically about the garage triggers the requirement of a Use Permit.

*Associate Planner Neuebauer:* The Use Permit is required because the proposed garage in conjunction with the existing garage is 920sf, which is greater than the maximum allowed 600sf. The Residential Design Guidelines recommends de-emphasizing the garage.

*Commissioner Mishra:* Asked if all of the Conditions of Approval are necessary.

*Associate Planner Neuebauer:* Yes, however, some of the standard Public Works conditions were removed. The standard Building and Fire conditions remain.

Opened Public Hearing

*Roxanne & Stephen Blair (Applicant/Owner):* Described their desire to improve their property as proposed.

Closed Public Hearing

**Motion to approve Use Permit 15-009 based on Findings of Fact 1-6 and Conditions of Approval 1-26.**

**Commissioner Petersen/Mishra**

VOTE: 6-0  
AYES: All Commissioners present  
NOES: None  
ABSTAIN: None

**Findings:**

- 1. 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. (SBMC 12.112.050.B.1)**

With the condition that the applicant obtain a building permit prior to construction, the detached garage would be constructed according to the California Building Code (CBC) and, therefore, would not be detrimental to the health, safety and general welfare of the persons residing in the neighborhood.

- 2. Will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city. (SBMC 12.112.050.B.2)**

The applicant is proposing a detached garage that would be located in the rear yard area. The applicant is proposing to utilize horizontal siding that would match the existing dwelling and the surrounding neighborhood. The proposal would benefit the City and the surrounding neighborhood by improving the property in a well-designed manner. Therefore, staff finds that the project would not be detrimental to improvement in the neighborhood or to the general welfare of the City.

Regarding parking, the proposal exceeds the number of covered parking spaces required by the Municipal Code. The Use Permit is required to allow greater than 600 square feet of covered parking area. The applicant designed the project to minimize any negative impacts of the large garage on the surrounding area. Most notably, the detached garage is setback 72'-0" from the front property line. The location of the detached garage in relation to the existing home and public right-of-way would help minimize the appearance of the structure.

- 3. That the proposed development is consistent with the San Bruno General Plan. (SBMC 12.108.050.B.3)**

The San Bruno General Plan designates the property as a Low-Density Residential district. The existing single-family dwelling is consistent with the General Plan designation.

General Plan Policy LUD-3 states, "protect the residential character of established neighborhoods by ensuring that new development conforms to surrounding design and scale." The proposal would be complementary to other single-family homes in the area. The design of the project reinforces the residential character of the neighborhood.

- 4. That 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. (12.108.040.D).**

The proposal includes a detached garage that would be located in the rear yard. The overall design and scale of the garage is consistent with the neighborhood, which consists of single-family dwellings. The proposed garage in combination with the existing home meets the floor area, lot coverage, setback, and height requirements of the zoning district. Specifically, the proposed floor area is 1,715 square feet, which corresponds to a .26 FAR, where .55 is the threshold. The lot coverage calculation amounts to 1,731 square feet (37%), which is less than the 44% lot coverage threshold. Regarding setbacks, the detached garage would have a 5'-0" right side yard setback, 29'-0" left side yard setback, and a 10'-0" rear yard setback. The height of the garage would be 14'-0", which meets Municipal Code requirements. Therefore, the structure should not unreasonably restrict or interfere with light and air access to the adjacent properties.

- 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. (SBMC 12.108.040.G).**

The detached garage would utilize horizontal siding and asphalt shingle roofing material, which is consistent with the existing home and the immediate neighborhood. The proposed expansion also meets the floor area, lot coverage, setback, and height requirements of the zoning district. Therefore, staff finds that the general appearance of the proposed addition would be in keeping with the residential character of the neighborhood and would not be detrimental to the City.

- 6. That any proposed single-family or two-family dwelling conform to the basic design principles of the residential design guidelines as adopted by resolution by the city council and as may be revised from time to time. (SBMC 12.108.040.I).**

Staff finds that the proposed addition conforms to the basic design principles of the Residential Design Guidelines, which recommend reducing the visual impact of garages. The location of the detached garage in relation to the existing home and public right-of-way would help minimize the appearance of the structure, as it is setback 72'-0" from the front property line. Additionally, the garage is broken into two segments. One segment would contain a one car garage door measuring 8'-0" wide, and the other segment would contain a two car garage door measuring 16'-0" wide. Windows would be included in the upper portion of the garage doors; thereby, providing more architectural interest and allowing for more natural light into the garage. The detached garage would also incorporate horizontal siding and composition shingle roof, thereby matching the existing home and surrounding neighborhood.

**CONDITIONS OF APPROVAL**

**Community Development Department**

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 15-009 shall not be valid for any purpose. Use Permit 15-009 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 Summary of Hearing shall be photocopied and included as a full size page in the Building Division set of drawings.
3. The request for Use Permit shall be built according to plans approved by the Planning Commission on October 20, 2015, labeled Exhibit C 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 home shall be used only as a single-family residential dwelling unit. No portion of any 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. This condition of approval shall be disclosed at the point of sale to the consumer and shall be recorded against each property.
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 California 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. Prior to securing a building permit, the applicant, owner, and general contractor shall meet with Planning, Building, and Public Services staff to ensure compliance with the conditions of approval during the construction process.
9. Prior to Final Inspection, the site shall be landscaped according to the plans approved by the Planning Commission on October 20, 2015 and any site landscaping damaged during construction shall be replanted to the satisfaction of the Community Development Director.
10. FAA notification and approval is required prior to building permit issuance. Alternatively, the City has established an exemption form, which may be submitted to the City in-lieu of FAA notification.
11. The existing fence shall be modified to ensure compliance with Municipal Code regulations. The fence height within the front setback area shall measure no higher than 3'-0". Outside of the front setback area, 6'-0" plus 2'-0" of lattice is permitted

12. All vehicles shall be legally parked on private property per the regulations found within Section 12.100 of the San Bruno Municipal Code.
13. The applicant shall indemnify, defend, and hold harmless the City, its officers, employees and agents, from any and all claims and lawsuits from third party(s) involving or related to the City's consideration and/or approval of the applicant's application for development.
14. Comply with the 2013 California Codes, including the California Residential Code.

### **Public Services**

15. The front property line is located 2.0 feet behind the sidewalk at 14 Bayshore Circle. No fences, retaining walls, or other permanent structure shall be placed or constructed within 2.0 feet from the back of sidewalk along Bayshore Circle. S.B.M.C. 8.08.010.
16. The building permit plans shall include a site plan that shows all property lines, setbacks and easements, and all existing and proposed grading and drainage improvements. All unpaved areas shall be graded to slope at 1% or more. All paved areas shall be graded to slope at 0.5% or more. All grading and drainage work shall conform to the current NPDES requirements. S.B.M.C. 12.16.020.
17. Planting of one 36-inch box size approved tree or payment to the in-lieu replacement tree fund per most current fee schedule is required. Tree shall be located on 14 Bayshore Circle per SBMC 8.24.060. At the current rate, the impact payment required is \$540. A separate tree-planting permit is required from Parks Division for any new street tree.
18. All damaged curb, gutter, sidewalk or driveway in the public right-of-way fronting the property shall be removed and replaced. Remove and replace all damaged and/or broken sidewalk at front of property for all locations where there are any raised or offset concrete sections greater than or equal to ¾-inch. S.B.M.C. 8.12.010.
19. Prior to final inspection, paint the address number on face of the curb near the driveway approach with black (4 inch or larger) lettering on a white background. Add a note showing the location where the street address will be painted.
20. Obtain an Encroachment Permit from Public Works Department prior to commencing any work within the City's public right-of-way. S.B.M.C. 8.16.010. The Encroachment Permit shall be issued prior to issuance of a building permit.
21. An erosion control plan and storm water pollution prevention plan is required. The applicant shall show existing storm drain inlets and other storm water collection locations protected by silt screens or silt fence. The work shall conform to the current NPDES requirements. S.B.M.C. 12.16.020.
22. Show on plans how storm water shall be collected from downspouts and other on-site drainage and drained into landscaping or collected through an under sidewalk curb drain to the gutter per City Standard Detail ST-03. Foundations shall be protected from storm water. Drainage into adjacent properties shall not be allowed. Indicate any pipes, swales, or applicable ground percolation treatments as necessary.

23. Should the project create and/or replace 2,500 square feet or more of impervious surface, the project must include one of the required C.3.i site Design Measures as required by the Municipal Regional Permit. A C.3.i. Checklist must also be completed and submitted for review.

### **Fire Department**

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

25. Provide hard-wired smoke detectors with battery backup as required by building code.

26. Provide spark arrester for chimney if not currently in place.

## **6. DISCUSSION**

### **A. CITY STAFF DISCUSSION:**

Volunteers for the November 2015 ARC meeting: Commissioners Sammut, Johnson, and Biasotti identified.

### **B. PLANNING COMMISSION DISCUSSION:**

*Commissioner Petersen:* Addressed his concerns about changes to the Staff Report format.

*Director Woltering:* The goal is to reduce repetition in the information; and, therefore, make it easier for the Commission to use. He suggested that Chair Johnson appoint a subcommittee of Commissioners to work with Staff on an improved Staff Report format.

*Chair Johnson:* Appointed Commissioners Petersen, Mishra, and herself to work with Staff on the Staff Report format.

*Commissioner Sammut:* Noted that he likes the new Staff Report format. He noted concerns about weeds along First Avenue and stressed the urgency of addressing the dead Pine trees along San Antonio Avenue.

*Commissioner Mishra:* Would like an update on the list of items presented to Staff.

*Director Woltering:* Indicated that Staff would follow up and report back on the Commissioner's comments.

## **7. ADJOURNMENT**

Meeting was adjourned at 7:59 pm

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**David Woltering**  
Secretary to the Planning Commission  
City of San Bruno

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**Mary Lou Johnson, Chair**  
Planning Commission  
City of San Bruno

**NEXT MEETING: October 20, 2015**