



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

**MINUTES
PLANNING COMMISSION MEETING**

December 15, 2015

7:00 p.m.

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

CALL TO ORDER at 7:03 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
Community Development Technician: Brian Paland

ROLL CALL

PLEDGE OF ALLEGIANCE: Senior Planner Michael Smith

1. APPROVAL OF MINUTES (November 3, 2015) – Petersen/Chase

VOTE: 5-0
AYES: Commissioners Chase, Biasotti, Petersen, Kayal, Johnson
NOES: None
ABSTAIN: None

2. COMMUNICATION – None

3. PUBLIC COMMENT –

Margarita Kerry: She was commissioned to paint a mural for the Downtown Caltrain Station and is inquiring as to why the mural has not yet been placed.

Director Woltering: This is a matter that is currently before the City Council and City Attorney.

Chair Johnson: Directed Staff to keep in contact with the artist regarding the status of installation.

4. **ANNOUNCEMENT OF CONFLICT OF INTEREST** – Commissioner Petersen will recuse himself from hearing item 6a.

5. **CONDUCT OF BUSINESS** – Planning Commission Staff Report Discussion moved to item 7.

6. PUBLIC HEARINGS:

A. 151 Portola Way (APN: 020-351-120)

Request for a Use Permit to allow the construction of a one story vertical addition and a one story rear horizontal addition that would in total add 997 square feet of floor area to the existing dwelling thereby increasing its floor area by more than 50% (59%), per Section 12.200.030.B.1 of the San Bruno Municipal Code. Randall and Bridgett Weaver (Applicants and Owners) UP-15-020.

Senior Planner Michael Smith: Presented Staff Report.

Staff recommends that the Planning Commission approve Use Permit 15-020 based on Findings 1-6, and subject to Conditions of Approval 1-26.

Questions for Staff: None

Public Hearing Opened

Randall Weaver (Owner/Applicant): Noted the he is pleased with the Staff Report and ready to move forward.

Public Hearing Closed

Motion to approve Use Permit 15-020 based on Findings 1-6, and subject to Conditions of Approval 1-26.

Commissioners Chase/Kayal

VOTE: 5-0
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 to utilize exterior materials 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 project is required to provide two covered parking spaces as required by the Municipal Code. This requirement is satisfied by the existing detached garage located at the rear of the property.

- 3. That the proposed development is consistent with the general plan. (SBMC 12.108.040.H)**

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 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. (SBMC 12.108.040.D)**

The overall design and scale of the home is consistent with the neighborhood, which consists of single-family dwellings. The height of the home would be 27'-0", which is less than the 28'-0" height limit of the R-1 zone. The proposed expansion also meets the floor area and lot coverage requirements of the zoning district. Therefore, the structure should not unreasonably restrict or interfere with light and air 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 a gabled roof that is clad in 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, and height requirements of the zoning district. Furthermore, the addition would not impact the privacy of the abutting homes because the adjacent setbacks are less than 10'-0" in depth. Therefore, staff finds that the general appearance of the proposed addition will be in keeping with the character of the neighborhood which is characterized by one- and two-story homes and will not be detrimental to the City.

6. That any proposed single-family or two-family dwelling conforms 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 12.108.040.1)

Staff finds that the proposed addition conforms to the basic design principles of the Residential Design Guidelines. The Residential Design Guidelines recommend selecting materials and roof forms that are consistent with the existing building and the neighborhood. In this instance, the addition would incorporate materials that match the existing building's exterior finishes, would have a gabled roof form that is integrated into the existing gabled roof, and would have windows on the sides to avoid blank walls. Additionally, the vertical addition would have a smaller footprint than the ground floor which would provide articulation along the perimeter of the building breaking up the building's scale and would include architectural features that "break up" the two-story side walls and add visual interest.

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 of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 15-021 shall not be valid for any purpose. Use Permit 15-021 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 on a full size page in the Building Division set of drawings.
3. The request for a Use Permit shall be built according to plans approved by the Planning Commission on December 15, 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 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 another dwelling unit without City approval 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 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 and Building 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 December 15, 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 developer 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 developer's application for development.

Public Services Department

12. The front property line is located 5.5 feet behind the sidewalk at 151 Portola Way. No fences, retaining walls, or other permanent structure shall be placed or constructed within 5.5 feet from the back of sidewalk along 151 Portola Way. S.B.M.C. 8.08.010.
13. 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.
14. 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.

15. If not present, the applicant shall install a sanitary sewer lateral clean out at property line per City Standards Detail SS-02, dated June 2015. Older clean outs not meeting current City standards shall be replaced.
16. The applicant shall plant one 36-inch box size approved tree or pay an in-lieu fee to the replacement tree fund per the most current fee schedule. Tree shall be located on 1801 Cedarwood Court 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.
17. 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 $\frac{3}{4}$ -inch. S.B.M.C. 8.12.010.
18. 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.
19. 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.
20. 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.
21. 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.
22. 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.
23. Perform a water demand calculation based on the requirements in Chapter 6 of the California Plumbing Code to confirm that the existing $\frac{3}{4}$ -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

- 24. Address numbers shall 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.

B. 1801 Cedarwood Drive (APN: 020-021-370)

Request for a Use Permit to allow the construction of a 510 square foot addition which would increase the gross floor area of the existing home above the maximum permitted floor area ratio (.519) for the district and only provide two (2) parking spaces where three (3) are required, per Sections 12.200.030.B.2 and 12.200.080.A.3 of the San Bruno Municipal Code. David Hirzel (Applicant) Jesus and Maria Ontiveros (Owners) UP-15-021.

Senior Planner Michael Smith: Presented Staff Report.

Staff recommends that the Planning Commission approve Use Permit 15-021 based on Findings 1-6 and Conditions of Approval 1-26.

Questions for Staff - None

Public Hearing Opened

David Hirzel (Applicant/Designer): The main objective for this project is to add a usable family room.

Commissioner Petersen: Conditions 20 & 21 refer to storm water pollution prevention and erosion prevention: asked if there were plans to add additional details for rainwater collection.

David Hirzel (Applicant/Designer): That wasn't part of the initial plan, but will do so if directed by the Commission.

Director Woltering: Indicated that needed additional detail would be added to the construction documents related to required building permit issuance.

Public Hearing Closed

Motion to approve Use Permit 15-021 based on Findings 1-6 and Conditions of Approval 1-26.

Commissioner Chase/Petersen

VOTE: 5-0
 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 one story addition that will be located in the rear yard area. 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 project is required to provide one additional parking space as required by the Municipal Code. The applicant is seeking a Use Permit to not provide the one additional parking space. The proposed addition would not add bedrooms to the building; therefore, it is presumable that the project would not result in additional occupants and by extension it would not result in increased demand for neighborhood parking.

- 3. That the proposed development is consistent with the general plan. (SBMC 12.108.040.H)**

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 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. (SBMC 12.108.040.D)**

The project would not unreasonably restrict light and air to adjacent properties because it would measure only one story in height and it would respect existing building side setbacks. The adjacent property to the south of the subject property is located on a higher elevation and would look over the roof of the proposed addition. The neighboring property to the east of the subject property is located across Cedar Avenue.

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 proposed addition would utilize stucco cladding and terra cotta tile roofing material, which is consistent with the existing home and the immediate neighborhood. The proposed expansion also meets the 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 conforms 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 12.108.040.1)**

Staff finds that the proposed addition conforms to the basic design principles of the Residential Design Guidelines. The Residential Design Guidelines recommend selecting materials and roof forms that are consistent with the existing building and the neighborhood. In this instance, the addition would incorporate materials that match the existing building's exterior finishes, would have a gabled roof form that is integrated into the existing gabled roof, and would have windows on the sides to avoid blank walls. Additionally, the addition would be set back substantially from the east side property line which breaks up the building's scale.

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 of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 15-021 shall not be valid for any purpose. Use Permit 15-021 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 on a full size page in the Building Division set of drawings.
3. The request for a Use Permit shall be built according to plans approved by the Planning Commission on December 15, 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 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 another dwelling unit without City approval 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 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 and Building 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 December 15, 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 developer 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 developer's application for development.

Public Services Department

12. There are easements along the property line at 1801 Cedarwood Court. No fences, retaining walls, or any permanent structures shall be placed or constructed within these easements.
13. 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.
14. 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.
15. If not present, the applicant shall install a sanitary sewer lateral clean out at property line per City Standards Detail SS-02, dated June 2015. Older clean outs not meeting current City standards shall be replaced.

16. The applicant shall plant one 36-inch box size approved tree or pay an in-lieu fee to the replacement tree fund per the most current fee schedule. Tree shall be located on 1801 Cedarwood Court 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.
17. 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.
18. 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.
19. 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.
20. 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.
21. 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.
22. 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.
23. 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

24. Address numbers shall 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.

C. 398 El Camino Real (APN: 020-364-070)

Recommended Environmental Determination: Categorical Exemption

Request for a Temporary Use Permit to allow an off-site construction staging area within a portion of the San Bruno Cable parking lot located on the east side of El Camino Real just south of Taylor Avenue per Section 12.84.030 of the San Bruno Municipal Code. A portion of the San Bruno Cable parking lot will serve as a construction staging area for the construction of the mixed-use development located at 406-418 San Mateo Avenue. Johnstone Moyer, Inc. (Applicant), City of San Bruno (Owner) TUP-15-008.

Director Woltering: Indicated applicant is researching alternatives to the proposed site for staging and, therefore has withdrawn the Temporary Use Permit Application for this location.

Questions for Staff – None

Public Hearing Opened/Closed

Motion to approve Use Permit 15-021 based on Findings 1-6 and Conditions of Approval 1-26.

Commissioner Chase/Kayal

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

7. DISCUSSION

A. CITY STAFF DISCUSSION:

Volunteers for the January 2016 ARC meeting: Commissioners Kayal, Chase, and Biasotti identified.

B. PLANNING COMMISSION DISCUSSION:

Senior Planner Michael Smith presented overview of improvements made to Staff Reports based on suggestion from the Commission and Staff.

Commissioner Chase: Noted that the new format improves upon an already good design.

Commissioner Petersen: Complimented staff on an efficient job on the staff reports.

8. ADJOURNMENT

Meeting was adjourned at 7:39 pm

David Woltering
Secretary to the Planning Commission
City of San Bruno

Mary Lou Johnson, Chair
Planning Commission
City of San Bruno

NEXT MEETING: January 19, 2016