



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

**MINUTES  
PLANNING COMMISSION MEETING**

**April 21, 2015**

**7:00 p.m.**

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

**CALL TO ORDER at 7:00 pm.**

**ROLL CALL**

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

**STAFF PRESENT:**

Planning Division:

Long Range Planning Manager: Mark Sullivan  
Associate Planner: Matt Neuebaumer  
Community Development Technician: Brian Paland

Pledge of Allegiance: Commissioner Sammut

**1. Approval of Minutes (March 17, 2015) – Petersen/Biasotti**

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

**2. Communication – None**

**3. Public Comment – None**

*Christine Price (823 Mills Ave.)* – Noted that the streets on the East side of El Camino Real are in need of repaving.

**4. Announcement of Conflict of Interest – None**

**5. Conduct of Business – Introduction and verbal report from Leslie Hatamiya, Executive Director of the San Bruno Community Foundation.**

*Mark Sullivan:* Introduced Leslie Hatamiya, Executive Director of the San Bruno Community Foundation. She will be leading the foundation which was established for the long term benefit of the San Bruno community with 70 million dollars in funding.

*Leslie Hatamiya:* As a twelve year resident of San Bruno, she is honored to serve as the first Executive Director of the San Bruno Community Foundation, a non-profit fund established to administer the 70 million dollars received in restitution from PG&E for the 2010 pipeline explosion. Currently the foundation is in the start-up phase. First they will need to set up an investment strategy that will be approved by the City Council before the balance of the funds are released to the organization. They will be launching a community engagement and listening campaign at the end of this month. There will be three town hall meetings in May and June for the community to give input on how best to administer funds. They will then be developing a programmatic strategy and a grant making policy that will also go before the City Council for approval. They hope to be able to begin dispersing grants in 2016.

*Commissioner Mishra:* Asked if the foundation will be reaching out to Cappuccino High School or any other schools in the community. Also, asked if they will be setting up a Twitter Account for community outreach.

*Leslie Hatamiya:* The first Town Hall meeting will be a Cappuccino High School. The second will be at Belle Air Elementary School. They will also be conducting focus groups in order to reach a demographic they may not attend the Town Hall meetings, which will include one for teenagers and young adults.

*Commissioner Petersen:* Asked who decides which grants are selected.

*Leslie Hatamiya:* Ultimately it will be the decision of the foundation board.

*Sharon Baum (Glenview Drive):* Asked if the City Council would have to approve the distribution of grants.

*Leslie Hatamiya:* The grant making policy has to be approved by the City Council. The distribution of grants under that policy is decided by the foundation board.

*Christine Price (Mills Avenue):* Asked how the public will be informed about this.

*Leslie Hatamiya:* There will be a mailing to every San Bruno address at the end of this month.

## 6. Public Hearings

### **A. APN 019-043-490 (Caltrans Property at corner of San Bruno Avenue West and Glenview Drive)**

**Request for a Temporary Use Permit to allow off-site construction staging areas within the Crestmoor neighborhood per Section 12.84.030 of the San Bruno Municipal Code. City of San Bruno (Applicant); State of California (Owner) TUP-15-003.**

*Associate Planner Neuebaumer:* Entered staff report.

Staff recommends that the Planning Commission approve Temporary Use Permit 15-003 based on Findings of Fact (1-3) and Conditions of Approval (1-13).

Questions for Staff

*Commissioner Mishra:* Asked if condition number 13 is the only added condition from previous approvals. Also asked if there were any neighborhood complaints.

*Associate Planner Neuebaumer:* There are no new conditions. Condition 13 is due to neighborhood concerns of weeds within the 45' setback.

*Commissioner Biasotti:* Asked if Church of the Highlands leases all 7.5 acres.

*Associate Planner Neuebaumer:* They lease the entire 7.5 acres.

*Commissioner Petersen:* Condition number 3 states: *The storage yard entryway on Glenview Drive shall be decomposed granite or other rock that will prevent soil tracking onto Glenview Drive.* It appears the entrance area is not within the 45' setback. Does staff contend that decomposed granite will prevent soil tracking.

*Associate Planner Neuebaumer:* Condition of approval number 11 allows for the entrance area to be within the 45' setback. They are using some type of granular material which is working to prevent soil tracking.

Public Comment Opened

*Sharon Baum (Glenview Drive):* Today on Glenview the dirt is being tracked along Glenview Drive. Asked if this area will be used for construction workers parking, how many workers will be in the area at one time. Neighbors are also concerned with speed limits being observed, dirt and dust tracking, and trash pick-up.

Open Planning Commission Discussion

*Commissioner Mishra:* In regards to conditions of approval #3 and #10 may be in conflict with NPDES regulation. Suggest staff modify the condition to whichever is more restrictive.

*Commissioner Petersen:* The conditions of approval associated with the 10 Crestmoor replacement homes approved at the last Planning Commission hearing addresses many of the

neighborhood concerns addressed by Ms. Baum.

*Commissioner Biasotti:* Clarifies that this item is in regards to the infrastructure improvements, as opposed to the construction of the new homes.

**Motion to approve Temporary Use Permit 15-003 based on Findings of Fact (1-3) and Conditions of Approval (1-13).**

**Commissioner Petersen/Biasotti**

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

**FINDINGS OF FACT**

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)
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)
3. Will not be inconsistent with the general plan. (SBMC 12.112.050)

**CONDITIONS OF APPROVAL**

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, Temporary Use Permit 15-003 shall not be valid for any purpose. Temporary Use Permit 15-003 shall expire on May 20, 2016.
2. The request for a temporary construction staging area shall be operated according to written statement approved by the Planning Commission on April 21, 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.
3. The storage yard entryway on Glenview Drive shall be decomposed granite or other rock that will prevent soil tracking onto Glenview Drive.
4. At all times, the storage yard gates shall be secured due to potentially high winds in the neighborhood.
5. The applicant shall maintain the construction staging area in a clean and orderly condition. Any trash, dirt, and debris shall be cleaned and removed on a daily basis and cannot be stored on-site.
6. The applicant shall not perform any maintenance of equipment at the subject site.

7. The applicant shall remove all equipment and materials and thoroughly clean the staging area and any immediate properties affected by dust or debris within 14 days of the contract notice of substantial completion.
8. Loose material storage shall be covered with a tarp except during construction hours of Monday to Friday from 8 am to 5 pm. Contractor shall use all best practices consistent with BAAQMD to minimize dust impacts to nearby residential properties.
9. The applicant shall repair any damage to the public right of way in the area used for construction staging at the end of construction.
10. The applicant shall comply with all best management practices for stormwater prevention as required by the National Pollutant Discharge Elimination System (NPDES) Permit.
11. For Storage Lot 2, the applicant shall maintain a minimum of a 45' setback from the residential properties along Estates Drive and a minimum of a 45' setback from the sidewalk along Glenview Drive except for required clearance at the driveway entrance. The applicant shall not utilize the setback area for unloading or as a secondary access to the staging area. Access shall be through the designated driveway on Glenview Drive.
12. The parking area at the corner of Glenview Drive and San Bruno Avenue shall remain available for residents that use the nearby trail and for Church of the Highlands.
13. The applicant shall be responsible for keeping the 45' setback areas clear of weeds and debris and maintained in a fire safe manner.

**B: 1701 Earl Avenue**

**Request for a Temporary Use Permit to allow an off-site construction staging area within the Crestmoor neighborhood per Section 12.84.030 of the San Bruno Municipal Code. Castle Companies, Inc. (Applicant), City of San Bruno (Owner) TUP-15-001.**

*Associate Planner Neuebaumer:* Entered staff report.

Staff recommends that the Planning Commission approve Temporary Use Permit 15-001 based on Findings of Fact 1-3 and Conditions of Approval 1-18.

Questions for Staff

*Commissioner Petersen:* Condition number 15b refers to a "hard duty feeder cable." Asked for definition of "hard duty feeder cable."

*Associate Planner Neuebaumer:* This condition was included at the request of the Building Official. It runs from temporary electric power pole to the construction trailer.

*Commissioner Biasotti:* Asked if there is a more attractive screening material, as opposed to the proposed green fabric material, that can be used on the fence.

*Commissioner Petersen:* Upon conducting internet research and a site inspection on alternative

screening material, found inexpensive potted Cypress trees.

*Associate Planner Neuebaumer:* Staff is supporting the screening as proposed, since this is a temporary construction staging area that would be on site for approximately one year.

*Commissioner Johnson:* Noted the high winds prevalent in the Crestmoor neighborhood and any screening material will need to take that into consideration.

*Commissioner Petersen:* Asked for a valuation on the ten replacement homes.

*Associate Planner Neuebaumer:* Staff does not have any information on the valuation, but the applicant will be available to answer the question during public comment.

*Dan Boatwright (Castle Companies):* Appreciates the cooperative relationship with staff, the Architectural Review Committee, and the Planning Commission. They are agreeable to all of the Conditions of Approval. There will be a telephone number posted on site that the neighbors can call when and if concerns arise.

*Commissioner Petersen:* Noted the high quality of the presentation and the homes. Asked that they consider landscaping for the site office.

*Dan Boatwright (Castle Companies):* The challenge with landscaping is the continued required maintenance.

Public Comment Opened

*Sharon Baum (Glenview Drive):* Concerned about traffic, parking, and other issues previously mentioned.

Public Comment Closed

Open Commission Discussion

**Motion to approve Temporary Use Permit 15-001 based on Findings of Fact 1-3 and Conditions of Approval 1-18.**

**Commissioner Petersen/Mishra**

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

**Findings of Fact**

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)
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)
3. Will not be inconsistent with the general plan. (SBMC 12.112.050)

**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, Temporary Use Permit 15-001 shall not be valid for any purpose. Temporary Use Permit 15-001 shall expire one (1) year from the date of Planning Commission approval.
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 operated and built according to plans approved by the Planning Commission on April 21, 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. Hours of construction shall be limited to 8:00 am – 6:00 pm, Monday through Friday. All construction related activities, including set up, staging, deliveries, etc. shall not occur before 8:00 am or after 6:00 pm Monday through Friday. The operation of any equipment or performance of any outside construction related to the ten replacement homes shall not exceed a noise level of 85 decibels (as measured at 100 feet) during the hours of 8:00 a.m. to 6:00 p.m. Community Development Director approval shall be required to deviate from the approved hours of construction.
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. Prior to securing a building permit, the applicant, owner, and general contractor shall participate in a pre-construction meeting with Planning and Building staff to ensure compliance with the conditions of approval during the construction process.
7. At all times, the storage yard gates shall be secured due to potentially high winds in the neighborhood.

8. The applicant shall maintain the construction staging area in a clean and orderly condition. Any trash, dirt, and debris shall be cleaned on a daily basis.
9. The applicant shall remove all equipment and materials and thoroughly clean the staging area and any immediate properties affected by dust or debris within 30 days after the last Certificate of Occupancy has been issued, or by the end of the allowed one year Temporary Use Permit period, whichever comes first.
10. The applicant shall not perform any maintenance of equipment at the subject site.
11. Loose material shall be covered with a tarp, except during construction hours of Monday to Friday 8:00 am to 6:00 pm. Contractor shall use all best management practices consistent with BAAQMD to minimize dust impacts to nearby residential properties.
12. The City is planning to replace curb, gutter, sidewalk, and construction of new roadways on frontages adjacent to homes within the Crestmoor neighborhood. This work in most likelihood would not be complete until after the completion of the ten single family replacement homes. In the event the applicant damages the existing curb, gutter, sidewalk, driveway approaches, or the existing roadway, the applicant shall reconstruct in a temporary manner to the satisfaction of the City Engineer.
13. The applicant shall comply with all best management practices for stormwater prevention as required by the National Pollutant Discharge Elimination System (NPDES) Permit.
14. The applicant shall install a 6'-0" high chain-linked fence surrounding the staging area. The fence shall be located at least 3'-0" in the easterly direction from the shared property line between 1701 & 1711 Earl Avenue. The fence shall also be installed in a manner to maintain adequate site distance at the corner of Earl Avenue and Glenview Drive.
15. The applicant shall provide the following information regarding the construction office at the time of building permit submittal:
  - a. Provide and show foundation plan with details of methods and materials for temporary foundation. Provide all State approval documentation including approved seismic and wind tie down system.
  - b. Clearly show the location of the main electrical panel. Specify hard duty feeder cable to temporary electrical power pole.
  - c. Provide and show conforming stairway access and handrails.
  - d. Clearly specify that no plumbing fixtures are proposed within the manufactured building installation.
  - e. The proposed manufactured building and branch circuits shall be bonded and grounded. Provide a single line drawing with panel schedule including (GEC) to driven ground rod. A continuity test shall be performed for all receptacles.
16. Address numbers for the property shall be mounted on the exterior of the fence by the entrance and be at least 6" high on a contrasting background, easily visible from the street. The address numbers shall be visible at night.

17. The applicant shall provide emergency contact information to the Police Department and list personnel that will be able to respond to the location 24 hours a day and seven days a week, if a problem arises.
18. All construction materials and supplies shall be located on the subject site behind the 6'-0" fence. No construction material or supplies shall be left outside the storage area or on the street.

**C – Review of 2015-2023 Housing Element**

**Request Consideration of an Ordinance to Amend Title 12 Land Use of the San Bruno Municipal Code to Add an Emergency Shelter Overlay District to Allow Emergency Shelters for the homeless as a Permitted Use within a portion of the M-1 Industrial Zoning District, Subject to Design and Performance Standards.**

*Long Range Planning Manager Sullivan:* Entered staff report.

Staff recommends that the Planning Commission adopt Resolution No. 2015-03 (Exhibit B), based on Findings of Fact 1-3, recommending that the City Council adopt an Ordinance amending Title 12 (Land Use) of the San Bruno Municipal Code to implement Program 6-D in the City's 2009-2014 Housing Element to make the following changes:

1. A General Plan text amendment revising the Industrial Land Use designation to include emergency shelters as a permitted use within an Emergency Shelter Overlay Zone; and
2. Amend Chapter 12.80 (Definitions) to add a definition for Emergency Shelters, to comply with the definitions found in State law and to conform to the requirements of Government Section Code 65583; and
3. Amend Sections 12.96.010 (Established) to add "ES Emergency Shelter Overlay District" and 12.96.150 (Land Uses for M-1 Industrial District) to add Emergency Shelters for the homeless as a permitted use in the Emergency Shelter Overlay District; and
4. Add Section 12.96.205 (Emergency Shelter Overlay) to Title 12 (Land Use) of the San Bruno Municipal Code to allow emergency homeless shelters as a permitted use subject to performance and design standards.

Questions for Staff

*Commissioner Mishra:* Asked if the current Municipal code allows for liquor stores in the area. Additionally, asked if staff would include a condition to allow for Closed Circuit Television on sites that are developed with a shelter. Also, asked if there is a regulation on the distance between shelters.

*Long Range Planning Manager Sullivan:* Current code does not allow liquor stores in the area. A condition requiring CCTV can be added. The maximum number of beds is 32, to meet the identified need in San Bruno. Generally, cities require a 300 foot radius between shelters.

*Commissioner Biasotti:* Exhibit A shows the M1 district and TOD district. Clarified two items: 1. In making the decision tonight, the commission will be eliminating the TOD district for the potential siting of an Emergency Shelter. 2. The total number of beds provided would be 32.

*Commissioner Petersen:* Staff handed the Commission a packet of communications dating from April 13. Inquired as to why they were not included in the Commission packet.

*Commissioner Biasotti:* Asked for a few minutes to review the communications.

#### Open Public Comment

*Christine Price (Mills Avenue):* The community is confused by the notice which stated that the Planning Commission would consider the TOD as an alternative to M1. Wanted a record showing the TOD was not being considered.

Commissioner Biasotti and Staff confirmed that the TOD is not being considered.

*Nick Grasso (Masson Avenue):* Would like to go on record that the TOD or Commercial Zone is not appropriate for a shelter. The majority of the police calls in the Downtown Business District are related to the homeless. He feels that a shelter would attract more homeless to San Bruno.

*Eris Raxton (Montgomery Avenue):* As a longtime resident and small business owner in San Bruno, he has observed the disappearance of opportunity for small businesses. He is concerned that this type of zoning would diminish those opportunities for small businesses.

*Christopher Blancarte (Kains Avenue):* Asked if the 32 beds included the 10 beds currently provided at St. Bruno's Church. These two neighborhoods take the impact of the homeless people. Asked them consider another location.

*Long Range Planning Manager Sullivan:* San Bruno identified a need for an additional 32 beds over the 10 provided at St. Bruno's Church.

*Von Gregory (Green Avenue):* This neighborhood has withstood impact from the homeless for a number of years with homeless people living in Forrest Lane Park.

*Shirley Allen (Mills Avenue):* This area has been overly impacted for a number of years with BART and Caltrain construction.

*Chair Johnson:* Reaffirmed that the Commission has reached a point where a decision, while difficult, must be made in order to move forward with the Housing Element. Asked Mr. Sullivan to address some of the requirements of the state law.

*Long Range Planning Manager Sullivan:* The State Law is written in such a way to distribute the responsibility throughout the county. The homeless count includes sheltered homeless and unsheltered homeless. The idea is to accommodate the unsheltered homeless in each community. San Bruno's share is 32 out of the 1300 in San Mateo County. Reaffirmed that this is not a requirement to build homeless shelters. A great deal of the funding is being devoted to treatment and support services, particularly to military veterans. In fact, the number of veterans on the street has declined dramatically in the last few years. Adopting this ordinance does not mean a shelter will be built, it only allows for a shelter to be built if one is proposed. No shelters have been built in the County in the past five years.

#### Commission Discussion

*Commissioner Mishra:* Would like to add a condition for a provision for closed circuit television for security purposes on any proposed facilities.

*Commissioner Sammut:* Does not like the location. It is not appropriate for a shelter of any kind. The location is not close to transportation or schools. Homeless people are not all undesirable people, they just may be out of a home for whatever reason. He will not be voting for this location.

*Commissioner Petersen:* He will be voting for this because the State of California is essentially holding our Housing Element hostage until this is approved. He does not believe that a shelter will be built in the immediate or even more distant future.

**Motion that the Planning Commission adopt Resolution No. 2015-03 (Exhibit B), based on Findings of Fact 1-3, recommending that the City Council adopt an Ordinance amending Title 12 (Land Use) of the San Bruno Municipal Code to implement Program 6-D in the City's 2009-2014 Housing Element to make the following changes:**

- 1. A General Plan text amendment revising the Industrial Land Use designation to include emergency shelters as a permitted use within an Emergency Shelter Overlay Zone; and**
- 2. Amend Chapter 12.80 (Definitions) to add a definition for Emergency Shelters, to comply with the definitions found in State law and to conform to the requirements of Government Section Code 65583; and**
- 3. Amend Sections 12.96.010 (Established) to add "ES Emergency Shelter Overlay District" and 12.96.150 (Land Uses for M-1 Industrial District) to add Emergency Shelters for the homeless as a permitted use in the Emergency Shelter Overlay District; and**
- 4. Add Section 12.96.205 (Emergency Shelter Overlay) to Title 12 (Land Use) of the San Bruno Municipal Code to allow emergency homeless shelters as a permitted use subject to performance and design standards. recommend that the San Bruno City Council approve the Initial Study/Negative Declaration (IS/ND) (State Clearinghouse #2014122066) for the 2015-2023 Housing Element Update and adopt the updated Housing Element of the General Plan (dated March 2015) as a General Plan Amendment (GPA15-002), pursuant to Article 10.6 (Sections 65580-65589.8) of the**

## California Government Code.

### Commissioner Mishra/Petersen

#### Vote: 4-1

AYES: Chair Johnson, Commissioners Petersen, Biasotti, Mishra  
NOES: Sammut  
ABSTAIN: None

## 7. Discussion

### A. City Staff Discussion:

Volunteers for the May 14<sup>th</sup> ARC meeting: Commissioners Sammut and Biasotti identified. Staff will need to contact Commissioner Chase.

### B. Planning Commission Discussion:

*Commissioner Petersen:* Reiterating that it is un-businesslike to continue without a seventh Planning Commissioner. He would like staff to do whatever possible to expedite filling the vacant seat.

*Commissioner Sammut:* The sub-committee for the process for filling the vacant Commission seat is underway. Additionally, wanted to ask staff about the Pine Trees on Huntington that he mentioned previously. There are a number of trees along San Antonio that are dead and are in need of removal.

*Commissioner Biasotti:* Thanked Mark Sullivan for his hard work on the Emergency Shelter Ordinance.

## 8. Adjournment

Meeting was adjourned at 8:50 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: May 19, 2015**