

City of Brisbane

Planning Commission Agenda Report

TO: Planning Commission For the Meeting of 03/13/2018

FROM: Ken Johnson Senior Planner, via John A. Swiecki Community Development Director

SUBJECT: **Design Permit DP-1-15 Time Extension for 23 San Bruno Ave.;** Proposed 3-year Extension of Design Permit DP-1-15, for the construction of an approximately 31-foot high, three-story, mixed-use building, including four 1,250 sq. ft. to 1,323 sq. ft. residential units on the second and third floors and an approximately 550 sq. ft. ground floor commercial space and ground floor parking, to replace the existing single-story commercial building on a 5,000 sq. ft. lot. in the NCRO-2 Neighborhood Commercial Retail Office Zoning District; Lon Carter, applicant/owner.

REQUEST: The applicant requests a 3-year time extension of Design Permit DP-1-15, which was granted by the Planning Commission on January 28th, 2016, for the construction of a mixed use building within the NCRO-2 Neighborhood Commercial zoning district. The design permit was for the replacement of the existing single-story commercial building with an approximately 31-foot high, three-story building, including four 1,250 sq. ft. to 1,323 sq. ft. residential units on the second and third floors and an approximately 550 sq. ft. ground floor commercial space and ground floor parking.

RECOMMENDATION: Approve a 3-year time extension to Design Permit DP-1-15 via adoption of Resolution DP-1-15-E, containing the findings and conditions of approval.

ENVIRONMENTAL DETERMINATION: As determined in 2016, with no changes to the project, construction of new multi-family dwelling units of 6 units or fewer in an urbanized area are categorically exempt from the provisions of the California Environmental Quality Act per Section 15303(b) and replacement an existing commercial structure is categorically exempt per Section 15302(b) of the State CEQA Guidelines. The exceptions to the categorical exemptions referenced in Section 15300.2 do not apply.

APPLICABLE CODE SECTIONS: BMC Section 17.14.42.060.B allows for a design permit to be extended by the Planning Commission for a time period not to exceed 36 months, subject to the design permit findings.

BACKGROUND: The proposed project is the same as presented and approved by the Planning Commission on January 28th, 2016. The project description and analysis is as provided in the attached agenda reports from January 14th and 28th, 2016. The Planning Commission's meeting minutes from those dates are also provided for the Commission's reference.

Since that time, the applicant applied for a building permit, but was unable to address all of the required building permit application plan check comments prior to the deadline. That deadline, of February 12th, 2018, was 2 years following the effective date of the design permit, as prescribed in Brisbane Municipal Code (BMC) Section 17.42.060.A.

Extension of the design permit by the Planning Commission would allow for the building permit process to continue.

ANALYSIS AND FINDINGS: As indicated above, there are no changes proposed to the project, but rather the application is simply to extend the time period and allow the previously approved project to continue through the building permit process for construction.

The findings and conditions of approval, provided in the Commission's original resolution are still valid and would be carried forward with the extension upon the Commission's granting of approval of this time extension. There are no new ordinances that would effect this application.

To reference the analysis and findings, as approved in 2016, please see the attached agenda reports.

Note that in conjunction with the granting of Design Permit DP-1-15 in 2016, Use Permit UP-2-15 was also approved, which allowed for the residential use in the NCRO-2 district. Since the City's ordinance governing use permits does not include expirations, an extension of that permit is not necessary. However, without the benefit of the design permit and ultimately the constructed building, via design permit and building permit, the applicant could not benefit from the use permit. Extension of the design permit would also effectively extend the use permit.

ATTACHMENTS:

- A. Draft Resolution for Extension of Design Permit DP-1-15, with Findings and Conditions of Approval
- B. Vicinity Map
- C. Agenda Report & Minutes - Planning Commission Meeting of 1/28/2016
- D. Agenda Report & Minutes - Planning Commission Meeting of 1/14/2016

ATTACHMENT A

Draft

RESOLUTION DP-1-15-E

**A RESOLUTION OF THE PLANNING COMMISSION OF BRISBANE
EXTENDING DESIGN PERMIT DP-1-15
FOR A MIXED-USE DEVELOPMENT
(4 RESIDENCES AND 1- 550 SQ FT COMMERCIAL SPACE)
AT 23 SAN BRUNO AVENUE**

WHEREAS, following public hearings on January 14 and 28, 2016, the Planning Commission granted Design Permit DP-1-15 and Use Permit UP-2-15 for a mixed use development at 23 San Bruno Avenue; and

WHEREAS, Design Permit DP-1-15 had an expiration date of February 12th, 2018, two years following its effective date, if a building permit had not yet been issued; and

WHEREAS, since a building permit had not yet been issued by the expiration date, the property owner, Lon Carter, applied to the City of Brisbane for a time extension of Design Permit DP-1-15, thereby requesting a 3 year extension, as allowed per Brisbane Municipal Code (BMC) Section 17.14.42.060.B; and

WHEREAS, on March 13, 2018, the Planning Commission conducted a duly noticed public hearing of the application for extension of Design Permit DP-1-15, at which time any person interested in the matter was given an opportunity to be heard; and

WHEREAS, the Planning Commission reviewed and considered the staff memorandum relating to said application, the plans and photographs, the written and oral evidence presented to the Planning Commission in support of and in opposition to the application; and

WHEREAS, the Planning Commission of the City of Brisbane hereby affirms the original design permit findings made via Resolution DP-1-15/UP-2-15, attached herein as Exhibit A.

NOW THEREFORE, based upon the findings set forth via Resolution DP-1-15/UP-2-15, and included by reference, the Planning Commission of the City of Brisbane, at its meeting of March 13, 2018, did resolve as follows:

Extension of Design Permit Application DP-1-15 is approved for a period of 36 months, beyond the original expiration date of February 12, 2018 and the design permit findings originally provided via Resolution DP-1-15/UP-2-15 and conditions of approval are affirmed and attached herein as Exhibit A, with a modification to condition number 23 to reflect the new expiration date.

ADOPTED this thirteenth day of March 2018, by the following vote:

AYES:
NOES:
ABSENT:

Jameel Munir
Chairperson

ATTEST:

JOHN A SWIECKI, Community Development Director

EXHIBIT A

Action Taken: Conditionally approve the requested time extension to Design Permit DP-1-15 per the staff memorandum with attachments, via adoption of Resolution DP-1-15-E.

Findings:

- A. The proposal's scale, form and proportion, are harmonious, and the materials and colors used complement the project.
- B. The commercial space is as large as possible for the intended storefront use, given the size, configuration and physical constraints of the structure and the site.
- C. The orientation and location of the building and other features integrate well with each other and maintain a compatible relationship to adjacent development. Appropriate open areas ("open spaces") are provided through the building setbacks.
- D. Proposed buildings and structures are designed and located to mitigate potential impacts to adjacent land uses, including potential light and air impacts by stepping the second and third floors in from the lot lines.
- E. The project design takes advantage of natural heating and cooling opportunities through building placement, landscaping and building design to the extent practicable, given site constraints, to promote sustainable development and to address long term affordability.
- F. The site is not located on a hillside.
- G. The site plan minimizes the effects of traffic on abutting streets through careful layout of the site with respect to location, dimensions of vehicular and pedestrian entrances and exit drives, and through the provision of adequate off-street parking. There is an adequate circulation pattern within the boundaries of the development. Parking facilities are adequately surfaced, landscaped and lit.
- H. The proposal encourages alternatives to travel by automobiles where appropriate, through the provision of facilities for bicycles. The site's location and direct sidewalk access provides alternatives for pedestrians to access public transit stops and access to other means of transportation.
- I. The site development plans provide open areas and landscaping to complement the buildings and structures. In this case, landscaping is not needed to separate and screen service and storage areas, break up expanses of paved area and define areas for usability and privacy. Landscaping is water conserving and is appropriate to the location. The site is not in or adjacent to habitat protection or wildland fire hazard areas.
- J. The proposal takes reasonable measures to protect against external and internal noise.
- K. Consideration has been given to avoiding off-site glare from lighting and reflective building materials.

- L. Attention is given to the screening of utility structures, mechanical equipment, trash containers and rooftop equipment.
- M. There is no signage included in this application.
- N. Provisions have been made to meet the needs of employees for outdoor space.

Conditions of Approval:

Prior to issuance of a Building Permit:

1. The owner shall obtain a permit to demolish the existing structure.
2. An application including detailed building plans, application forms and fees shall be submitted to the City for issuance of a Building Permit. The building shall be required to comply with all applicable state codes and applicable City of Brisbane Municipal Code provisions for new construction. At a minimum, building plans shall address the following conditions:
 - a. The application shall substantially conform to the building design as presented to the Planning Commission on January 14th or January 28th, 2016. The inclusion of the second planter box between the second and third floors is at the owner's option.
 - b. The proposed building plate elevation shall be surveyed relative to the height/elevation of 1 San Bruno Avenue, to determine the final height of the wall to be located between the second floor patios. The wall height shall be a minimum of 6 feet in height on either side, as measured from the patio paving or decking surface. If over 6 feet 8 inches in height on either side, the final design of the wall shall be approved by the Planning Director considering input from the property owners on both sides. The masonry wall will be constructed to the same level as the 1 San Bruno Avenue wall and that portion of the wall that extends above the existing wall for 1 San Bruno Avenue shall be made of wood, with the final design to be approved by the Planning Director.
 - c. The building plans will include flashing or other drainage device to direct water away from the masonry wall/guard rails, between 1 San Bruno Avenue and 23 San Avenue, to the satisfaction of the Building Department.
 - d. The plans shall reference the materials and colors as approved with this Design Permit (see related conditions below).
 - e. The building permit application shall identify San Bruno Avenue as a noise corridor (60 to 65 dB per the General Plan) to ensure that noise insulation meets state standards for the indoor occupants. Also, the plans shall show all permanent mechanical equipment that could be a source of structural vibration or structure borne noise shall be shock mounted with inertia blocks or bases and/or vibration isolators.

- f. Building plans shall address Fire Dept. requirements for new construction, including but not limited to installation of fire sprinklers, obtaining water flow, smoke detectors, key box, portable extinguishers, clearly visible address, illuminated utility identification, illuminated exit signs, and fire sprinklers shall have a horn strobe mounted on the San Bruno side of the building.
- g. The building permit shall include undergrounding of utilities to service the building.
- h. Mechanical equipment may not be mounted on the rooftop, or be otherwise visible from off-site.
- i. The building permit application shall not include materials which would present an off-site glare due to reflective materials or lighting.
- j. The rear bay windows, which extend 2 feet into the 10 foot rear setback, shall not include floor area, per the setback exception contained in BMC Section 17.32.070A.1.b. That is they may not have a floor to ceiling height of 6 feet or more, although they may contain seating.
- k. The applicant shall comply with all applicable state and City stormwater requirements prior to issuance and during the performance of the building permit. The final design of the stormwater management system is subject to the City Engineer. The City may require the applicant to update the C.3 storm water form to reflect the final design.
- l. A bike rack shall be located within the public right-of-way as indicated in the plans. The final bike rack design and location is subject to approval by the City Engineer and Planning Director.
- m. Internal bike parking beneath the stairs will be marked out with paint or otherwise clearly marked to designate bike parking and equipped with a bike rack, so that bikes may be locked and the pedestrian walkway kept clear, to the satisfaction of the Planning Director and Building Dept.
- n. The final detailed landscaping plans shall be submitted for approval by the Planning Director, to include the rear setback area as a break area for employees, which is to include plantings and seating. The plans shall also be consistent with the Water Conservation in Landscaping Ordinance (BMC Section 15.70).
- o. The plans submitted for Building Permit approval shall specify lighting that will be directed away from and not cause glare onto adjacent properties.
- p. Plans shall indicate that no reflective exterior equipment shall be allowed. Roof vents shall be painted to match or blend with the rooftop.
- q. Either the darker color muted orange shown in the application for the awning or similar color may be used for the stucco areas, instead of beige. The trim is to be either the lighter sand color or a darker color to contrast. Final color selection shall be subject to Planning Director approval following submittal of samples.

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- r. That portion of the balcony level guard rail proposed in the applicant's plans to be wood shall be stucco instead (to match the body of the building), with its top cap to match the trim at the eaves.
 - s. The grey subway tiles shall be extended to provide a covering for the exposed concrete band that appears over the entrance to the parking garage and over the pedestrian entry gate on either side of the commercial space.
3. Color and materials samples and/or cut sheets where appropriate shall be provided for the front fencing and gate materials, window and door frames, glass entry canopies, bike racks, and final building colors, for Planning Director approval prior to construction. The first floor iron fence/gate materials are to be powder coated black. Materials samples shall also be provided for windows. All windows shall match each other and shall not be dark or reflective.
 4. An encroachment permit shall be obtained prior to any work within the public right-of-way.
 5. Grading, paving and drainage plans, per Brisbane Municipal Code Sections 12.24.010 & 15.08.140, shall be submitted for approval by the City Engineer prior to the issuance of a building permit. Drainage shall comply with the National Pollutant Discharge Elimination System (NPDES) permit issued by the San Francisco Bay Regional Water Control Board. The property owner(s) shall be responsible for ongoing operation and maintenance of any permanent structural stormwater controls.
 6. Improvements within the public right of way shall be completed to the satisfaction of the City Engineer.
 7. Prior to the issuance of a Building Permit and subject to the approval of the City Attorney, the property owner shall execute an agreement including a covenant running with the land and enforceable by the City whereby the owner waives the right to protest the inclusion of the property within an underground utility district.
 8. The underlying subdivision lots shall be merged, via recordation of lot merger with the County, subject to a separate City administrative application form and fee.

During Construction:

9. Prior to foundation construction, a surveyed "staking" plan shall be submitted to the City Building and Planning Departments.
10. The project shall comply with the stormwater Best Management Practices, as provided in the applicable state regulations and included in the applicant's stormwater checklist for Small Projects.
11. The sidewalk along the site frontage shall be reconstructed to relocate the driveway and markings will be provided for on street parking, subject to City Engineer approval, via encroachment permit.

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12. Any prehistoric Native American cultural resources found during the course of construction shall be conserved in accordance with State and Federal requirements (Appendix K of the State CEQA Guidelines).

Prior to Occupancy:

13. The property owner shall enter into a standard landscape maintenance agreement with the City for landscaping, to the satisfaction of the City Attorney.
14. All landscaping shall be installed, including second floor potted trees.
15. House numbers shall be affixed to the building at a location visible from the street and a size, color and style subject to approval by the Planning Director and Fire Dept.
16. Prior to certificates of occupancy the applicant shall demonstrate conformance with all of the above design permit conditions of approval.

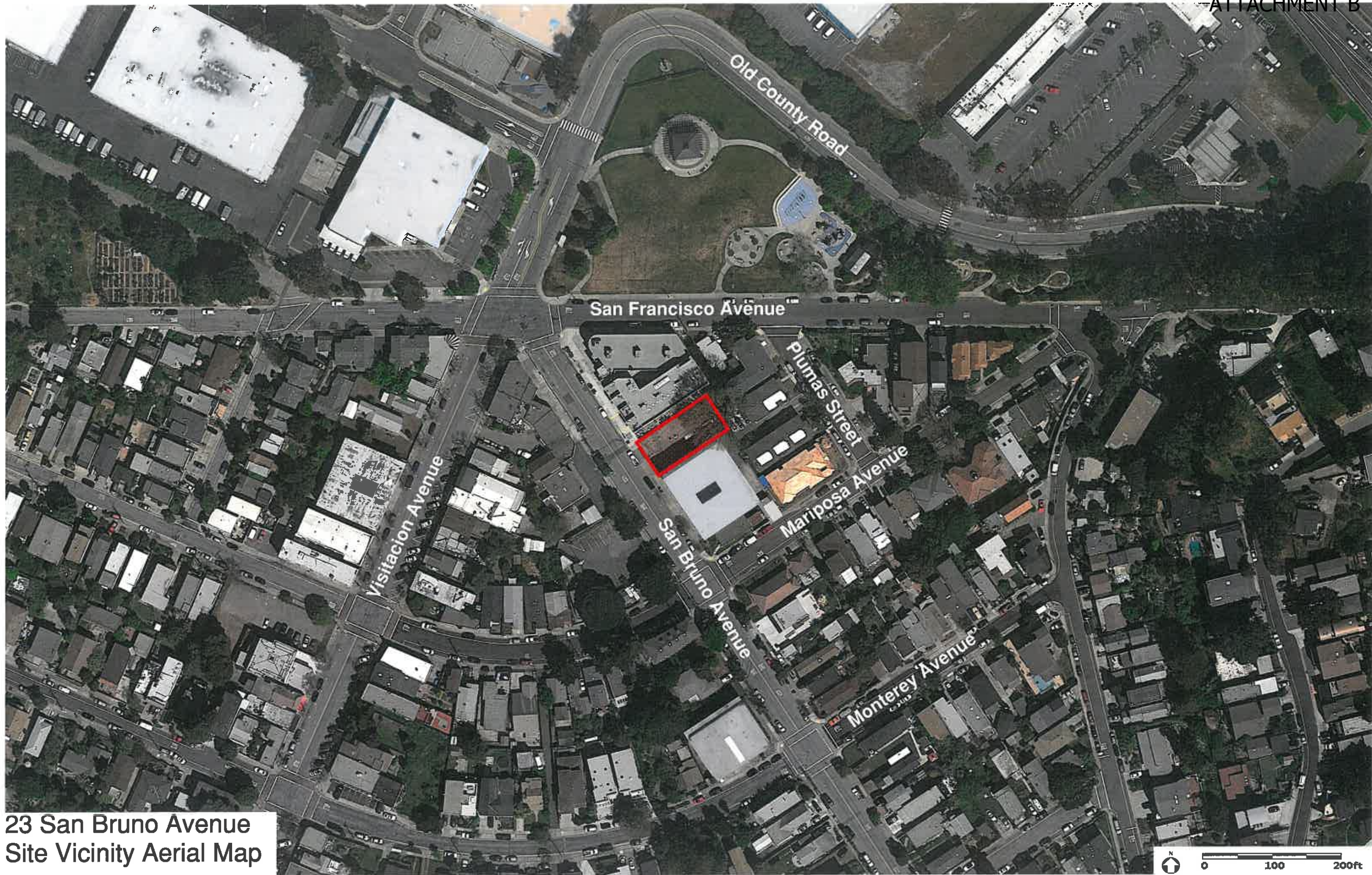
Other Conditions:

17. Any future proposal to convert rental units to condominiums shall comply with the applicable state and City regulations regarding condominium conversions in effect at that time.
18. Residential units are intended as rentals. If the owner decides to establish the units as condominiums, then separate application form, fees and application materials would apply. The provisions for condominium conversions shall also apply, if established as rentals and later converted condominiums.
19. Private parking signs for on-street parking and the sidewalk bike rack shall not be allowed.
20. The required garage parking spaces shall not be used or converted to any other use that would impair their basic use as parking for motor vehicles per Brisbane Municipal Code Section 17.34.020.A.
21. No advertising signage is included in this application. Advertising signage is subject to a separate application form and fee.
22. Minor modifications may be approved by the Community Development Director in conformance with all requirements of the Municipal Code.
23. This Design Permit extension shall expire 36 months from the original Design Permit DP-1-15 expiration date of February 12, 2018, if a Building Permit has not yet been issued for the approved project. That expiration date is February 12, 2021.

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ATTACHMENT B

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23 San Bruno Avenue
Site Vicinity Aerial Map

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ATTACHMENT C

City of Brisbane

Planning Commission Agenda Report

TO: Planning Commission  For the Meeting of 1/28/16

FROM: Ken Johnson Senior Planner, via John A. Swiecki Community Development Director

SUBJECT: **23 San Bruno Ave.;** Use Permit UP-2-15 and Design Permit DP-1-15 to allow for the construction of an approximately 31-foot high, three-story, mixed-use building, including four 1,250 sq. ft. to 1323 sq. ft. residential units on the second and third floors and an approximately 550 sq. ft. ground floor commercial space and ground floor parking, to replace the existing single-story commercial building on a 5,000 sq. ft. lot in the NCRO-2 Neighborhood Commercial Retail Office Zoning District; Joseph J. Railla, applicant; Lon Carter, owner; APN 007-223-080.

Background: The Planning Commission conducted a public hearing on this proposal at the last meeting on January 14, 2016 and continued this item to tonight's meeting to address a couple of design comments by the Commission. Please refer to the attached January 14th agenda report for the plans and the discussion of the design and findings. Note that additional drawings and renderings are attached with tonight's agenda report to provide proposed revisions and clarifications by the architect to address the Commission's comments.

Discussion: The Commission specifically requested additional 3-dimensional renderings to further illustrate the proposed project and that further consideration be given to how the front of the building could be further articulated. The option of a third-floor planter box was specifically identified as a possible enhancement to be considered.

The requested 3-d renderings as requested by the Commission are provided for information. The renderings and updated plans also include a third floor planter box as suggested. While the additional planter box adds articulation to the building frontage, staff has several concerns with the proposed modification.

Staff's primary concern is long term maintenance. Given the front window configuration, all planters along the building frontage will require maintenance from outside the building. The second floor planter is approximately 12 feet above street level and is accessible via a standard ladder. However, the new third floor planter is approximately 22 feet above street level which could make regular maintenance more problematic. In staff's opinion a poorly maintained 3rd floor planter would be a detriment to the building's appearance outweighing the benefits of the additional articulation.

Additionally, the second floor planter box serves an important architectural function by strengthening the distinction between the commercial first floor and the residential floors above,

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with different door and window alignments, material types and colors on the first floor versus the second and third floors. It also serves an entry canopy for that first floor commercial space. The proposed new planter provides none of this functionality.

In staff's opinion the building's character stems from its simple modern lines, and the front bays as proposed are functional building elements which when combined with the contrasting building base treatment provide sufficient depth, shadow and visual interest along this building frontage. This provides a rich and varied building treatment and although related in its vernacular is distinctive in its design from the adjacent 1 San Bruno Avenue, consistent with General Plan Policy 20, "*Retain diversity of development and individual expression in residential and commercial development, especially in Central Brisbane.*" Images of both 1 San Bruno Avenue and 35 San Bruno Avenue are attached for reference.

If the Commission desires additional adornment along the front building elevation, staff would recommend it take the form of permanent building features which do not rely on on-going regular maintenance such as will be required for the third floor planter. The owner has suggested that an alternative may be to add a copper star between the upper bay windows. Other alternatives include adding tile detailing on the second floor planter box, with either capstone tile or capstone tile plus tile across the front of the planter box. Further "articulation" through materials might also include extending tile to the bay windows. If such tile treatment were to be used, it should be complementary but not identical to the first floor tile.

In response to the discussion from the January 14 meeting regarding the proposed 6 foot 8 inch balcony wall adjacent to 1 San Bruno, the architect has also provided further clarification on the proposed wall. The revised plans reflect a modification to the depiction of the wall shown in the north side elevation, to be located between this and the neighboring (1 San Bruno) second floor patio/balcony levels. The north side elevation illustrates how the second floor patio windows will largely be hidden from view and the wall would prevent direct views between the second floors of 1 San Bruno Avenue and 23 San Bruno Avenue. Also, the new rendering shows that the wall would be partially constructed of block masonry extending from the garage level, for the first 42 inches above the patio deck, and then the top 38 inches would be constructed of wood. This would match the applicant's proposed wood fence/guardrail at the front of the site. Note that draft Condition 2.p called for the front guardrail to be of stucco to match the body of the building. To account for any small difference in elevation across the two properties, staff has suggested a condition of approval that the 6 foot 8 inch wall/fence be a minimum of 6 feet in height as measured from either side.

Recommendation: Conditionally approve Design Permit DP-1-15 and Use Permit UP-2-15, per the staff memorandum with attachments, via adoption of Resolution DP-1-15/UP-2-15 with Exhibit A containing the findings and conditions of approval.

Attachments:

- A. Draft Resolution with Findings and Conditions of Approval
- B. Photos of 1 San Bruno Avenue and 35 San Bruno Avenue
- C. Applicant's Revised Plans and Renderings
- D. January 14, 2015 Agenda Report

Draft
RESOLUTION DP-1-15/UP-2-15

A RESOLUTION OF THE PLANNING COMMISSION OF BRISBANE
CONDITIONALLY APPROVING DESIGN PERMIT DP-1-15 and USE PERMIT UP-2-15
FOR A MIXED-USE DEVELOPMENT
(4 RESIDENCES AND 1- 550 SQ FT COMMERCIAL SPACE)
AT 23 SAN BRUNO AVENUE

WHEREAS, Joseph J. Railla, the applicant, applied to the City of Brisbane for Design Permit approval of a mixed use development at 23 San Bruno Avenue; and

WHEREAS, on January 14th and 28th, 2016, the Planning Commission conducted a hearing of the application, at which time any person interested in the matter was given an opportunity to be heard; and

WHEREAS, the Planning Commission reviewed and considered the staff memorandum relating to said application, the plans and photographs, the written and oral evidence presented to the Planning Commission in support of and in opposition to the application; and

WHEREAS, a new multi-family dwelling units of 6 units or less in urbanized area and redevelopment of commercial space of substantially the same size are categorically exempt from the provisions of the California Environmental Quality Act per Section 15303 and 15302(b) of the State CEQA Guidelines and the exceptions to the categorical exemptions referenced in Section 15300.2 do not apply; and

WHEREAS, the Planning Commission of the City of Brisbane hereby makes the findings attached herein as Exhibit A in connection with the Design Permit.

NOW THEREFORE, based upon the findings set forth hereinabove, the Planning Commission of the City of Brisbane, at its meeting of January 28, 2016, did resolve as follows:

Design Permit Application DP-1-15 and Use Permit UP-2-15 are approved per the conditions of approval attached herein as Exhibit A.

ADOPTED this twenty eight day of January, 2016, by the following vote:

AYES:
NOES:
ABSENT:

TuongVan Do
Chairperson

ATTEST:

JOHN A SWIECKI, Community Development Director

Draft
EXHIBIT A

Action Taken: Conditionally approve Design Permit DP-1-15 and Use Permit UP-2-15 per the staff memorandum with attachments, via adoption of Resolution DP-1-15/UP-2-15

Findings:

- A. The proposal is consistent with the nature and condition of all adjacent uses and structures, and is consistent with the General Plan. There is no specific plan for the area in question.
- B. The establishment, maintenance or operation of the use applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, nor will it be injurious or detrimental to property and improvements in the neighborhood or the general welfare of the city.
- C. The proposal's scale, form and proportion, are harmonious, and the materials and colors used complement the project.
- D. The commercial space is as large as possible for the intended storefront use, given the size, configuration and physical constraints of the structure and the site.
- E. The orientation and location of the building and other features integrate well with each other and maintain a compatible relationship to adjacent development. Appropriate open areas ("open spaces") are provided through the building setbacks.
- F. Proposed buildings and structures are designed and located to mitigate potential impacts to adjacent land uses, including potential light and air impacts by stepping the second and third floors in from the lot lines.
- G. The project design takes advantage of natural heating and cooling opportunities through building placement, landscaping and building design to the extent practicable, given site constraints, to promote sustainable development and to address long term affordability.
- H. The site is not located on a hillside.
- I. The site plan minimizes the effects of traffic on abutting streets through careful layout of the site with respect to location, dimensions of vehicular and pedestrian entrances and exit drives, and through the provision of adequate off-street parking. There is an adequate circulation pattern within the boundaries of the development. Parking facilities are adequately surfaced, landscaped and lit.

- J. The proposal encourages alternatives to travel by automobiles where appropriate, through the provision of facilities for bicycles. The site's location and direct sidewalk access provides alternatives for pedestrians to access public transit stops and access to other means of transportation.
- K. The site development plans provide open areas and landscaping to complement the buildings and structures. In this case, landscaping is not needed to separate and screen service and storage areas, break up expanses of paved area and define areas for usability and privacy. Landscaping is water conserving and is appropriate to the location. The site is not in or adjacent to habitat protection or wildland fire hazard areas.
- L. The proposal takes reasonable measures to protect against external and internal noise.
- M. Consideration has been given to avoiding off-site glare from lighting and reflective building materials.
- N. Attention is given to the screening of utility structures, mechanical equipment, trash containers and rooftop equipment.
- O. There is no signage included in this application.
- P. Provisions have been made to meet the needs of employees for outdoor space.

Conditions of Approval:

Prior to issuance of a Building Permit:

1. The owner shall obtain a permit to demolish the existing structure.
2. An application including detailed building plans, application forms and fees shall be submitted to the City for issuance of a Building Permit. The building shall be required to comply with all applicable state codes and applicable City of Brisbane Municipal Code provisions for new construction. At a minimum, building plans shall address the following conditions:
 - a. The proposed building plate elevation shall be surveyed relative to the height/elevation of 1 San Bruno Avenue, to determine the final height of the wall to be located between the second floor patios. The wall height shall be a minimum of 6 feet in height on either side, as measured from the patio paving or decking surface. If over 6 feet 8 inches in height on either side, the final design of the wall shall be approved by the Planning Director considering input from the property owners on both sides.
 - b. The plans shall reference the materials and colors as approved with this Design Permit (see related conditions below).

- c. The building permit application shall identify San Bruno Avenue as a noise corridor (60 to 65 dB per the General Plan) to ensure that noise insulation meets state standards for the indoor occupants. Also, the plans shall show all permanent mechanical equipment that could be a source of structural vibration or structure borne noise shall be shock mounted with inertia blocks or bases and/or vibration isolators.
- d. Building plans shall address Fire Dept. requirements for new construction, including but not limited to installation of fire sprinklers, obtaining water flow, smoke detectors, key box, portable extinguishers, clearly visible address, illuminated utility identification, illuminated exit signs, and fire sprinklers shall have a horn strobe mounted on the San Bruno side of the building.
- e. The building permit shall include undergrounding of utilities to service the building.
- f. Mechanical equipment may not be mounted on the rooftop, or be otherwise visible from off-site.
- g. The building permit application shall not include materials which would present an off-site glare due to reflective materials or lighting.
- h. The rear bay windows, which extend 2 feet into the 10 foot rear setback, shall not include floor area, per the setback exception contained in BMC Section 17.32.070A.1.b. That is they may not have a floor to ceiling height of 6 feet or more, although they may contain seating.
- i. The applicant shall comply with all applicable state and City stormwater requirements prior to issuance and during the performance of the building permit. The final design of the stormwater management system is subject to the City Engineer. The City may require the applicant to update the C.3 storm water form to reflect the final design.
- j. A bike rack shall be located within the public right-of-way as indicated in the plans. The final bike rack design and location is subject to approval by the City Engineer and Planning Director.
- k. Internal bike parking beneath the stairs will be marked out with paint or otherwise clearly marked to designate bike parking and equipped with a bike rack, so that bikes may be locked and the pedestrian walkway kept clear, to the satisfaction of the Planning Director and Building Dept.
- l. The final detailed landscaping plans shall be submitted for approval by the Planning Director, to include the rear setback area as a break area for employees, which is to include plantings and seating. The plans shall also be consistent with the Water Conservation in Landscaping Ordinance (BMC Section 15.70).
- m. The plans submitted for Building Permit approval shall specify lighting that will be directed away from and not cause glare onto adjacent properties.

- n. Plans shall indicate that no reflective exterior equipment shall be allowed. Roof vents shall be painted to match or blend with the rooftop.
 - o. Either the darker color muted orange shown in the application for the awning or similar color may be used for the stucco areas, instead of beige. The trim is to be either the lighter sand color or a darker color to contrast. Final color selection shall be subject to Planning Director approval following submittal of samples.
 - p. That portion of the balcony level guard rail proposed in the applicant's plans to be wood shall be stucco instead (to match the body of the building), with its top cap to match the trim at the eaves.
 - q. The grey subway tiles shall be extended to provide a covering for the exposed concrete band that appears over the entrance to the parking garage and over the pedestrian entry gate on either side of the commercial space.
3. Color and materials samples and/or cut sheets where appropriate shall be provided for the front fencing and gate materials, window and door frames, glass entry canopies, bike racks, and final building colors, for Planning Director approval prior to construction. The first floor iron fence/gate materials are to be powder coated black. Materials samples shall also be provided for windows. All windows shall match each other and shall not be dark or reflective.
 4. An encroachment permit shall be obtained prior to any work within the public right-of-way.
 5. Grading, paving and drainage plans, per Brisbane Municipal Code Sections 12.24.010 & 15.08.140, shall be submitted for approval by the City Engineer prior to the issuance of a building permit. Drainage shall comply with the National Pollutant Discharge Elimination System (NPDES) permit issued by the San Francisco Bay Regional Water Control Board. The property owner(s) shall be responsible for ongoing operation and maintenance of any permanent structural stormwater controls.
 6. Improvements within the public right of way shall be completed to the satisfaction of the City Engineer.
 7. Prior to the issuance of a Building Permit and subject to the approval of the City Attorney, the property owner shall execute an agreement including a covenant running with the land and enforceable by the City whereby the owner waives the right to protest the inclusion of the property within an underground utility district.
 8. The underlying subdivision lots shall be merged, via recordation of lot merger with the County, subject to a separate City administrative application form and fee.

During Construction:

9. Prior to foundation construction, a surveyed “staking” plan shall be submitted to the City Building and Planning Departments.
10. The project shall comply with the stormwater Best Management Practices, as provided in the applicable state regulations and included in the applicant’s stormwater checklist for Small Projects.
11. The sidewalk along the site frontage shall be reconstructed to relocate the driveway and markings will be provided for on street parking, subject to City Engineer approval, via encroachment permit.
12. Any prehistoric Native American cultural resources found during the course of construction shall be conserved in accordance with State and Federal requirements (Appendix K of the State CEQA Guidelines).

Prior to Occupancy:

13. The property owner shall enter into a standard landscape maintenance agreement with the City for landscaping, to the satisfaction of the City Attorney.
14. All landscaping shall be installed, including second floor potted trees.
15. House numbers shall be affixed to the building at a location visible from the street and a size, color and style subject to approval by the Planning Director and Fire Dept.
16. Prior to certificates of occupancy the applicant shall demonstrate conformance with all of the above design permit conditions of approval.

Other Conditions:

17. Any future proposal to convert rental units to condominiums shall comply with the applicable state and City regulations regarding condominium conversions in effect at that time.
18. Residential units are intended as rentals. If the owner decides to establish the units as condominiums, then separate application form, fees and application materials would apply. The provisions for condominium conversions shall also apply, if established as rentals and later converted condominiums.
19. Private parking signs for on-street parking and the sidewalk bike rack shall not be allowed.

20. The required garage parking spaces shall not be used or converted to any other use that would impair their basic use as parking for motor vehicles per Brisbane Municipal Code Section 17.34.020.A.
21. No advertising signage is included in this application. Advertising signage is subject to a separate application form and fee.
22. Minor modifications may be approved by the Community Development Director in conformance with all requirements of the Municipal Code.
23. This Design Permit and use permit shall expire two years from the effective date (at the end of the appeal period) if a Building Permit has not yet been issued for the approved project.



6.1.25

ATTACHMENT C

Photo by staff - 1 San Bruno Ave



G.1.26

ATTACHMENT C

Photo by Staff - 35 San Bruno Ave

G.1.27



west elevation



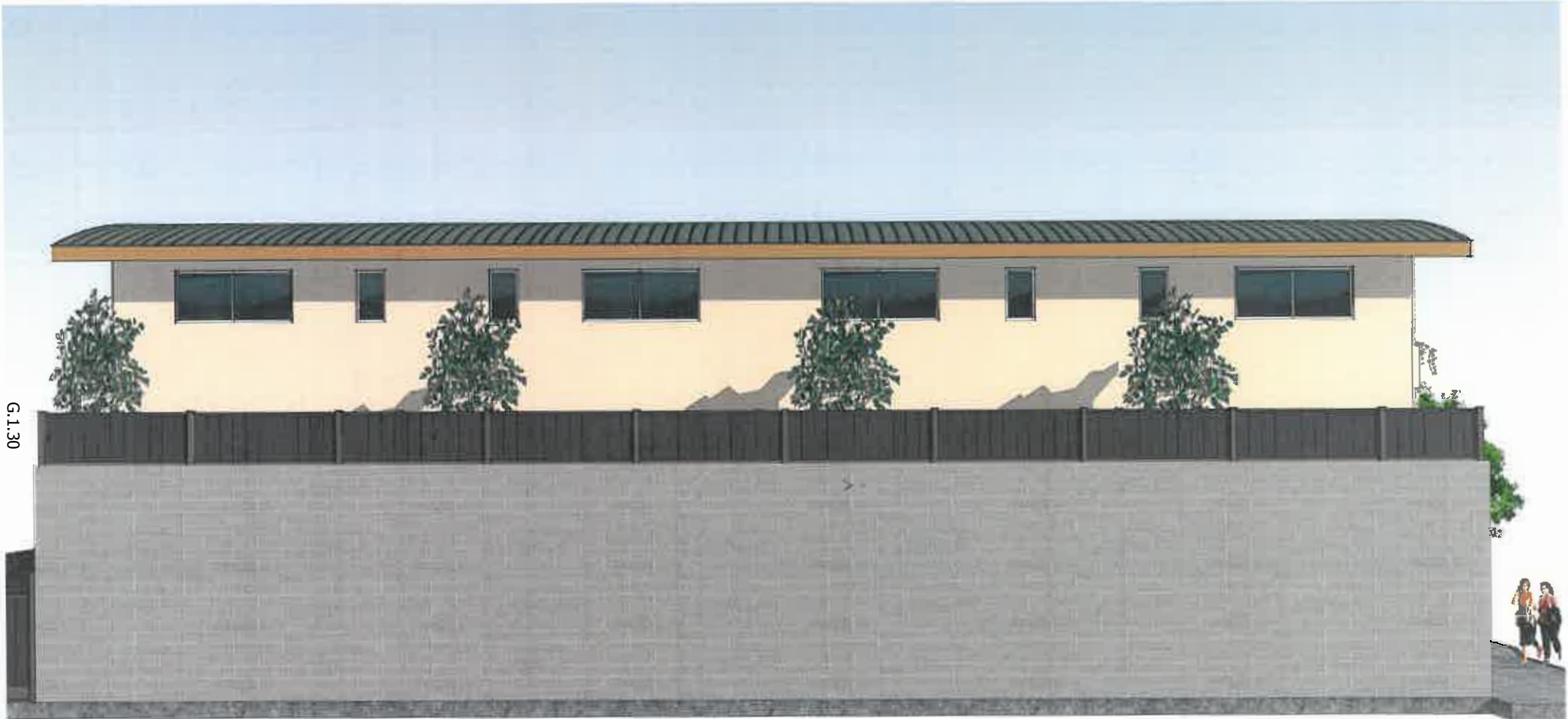
G.1.28

east elevation



G.1.29

south elevation



G.1.30

north elevation

ATTACHMENT C



G.1.31

view 1
ATTACHMENT C



G.1.32

view 2



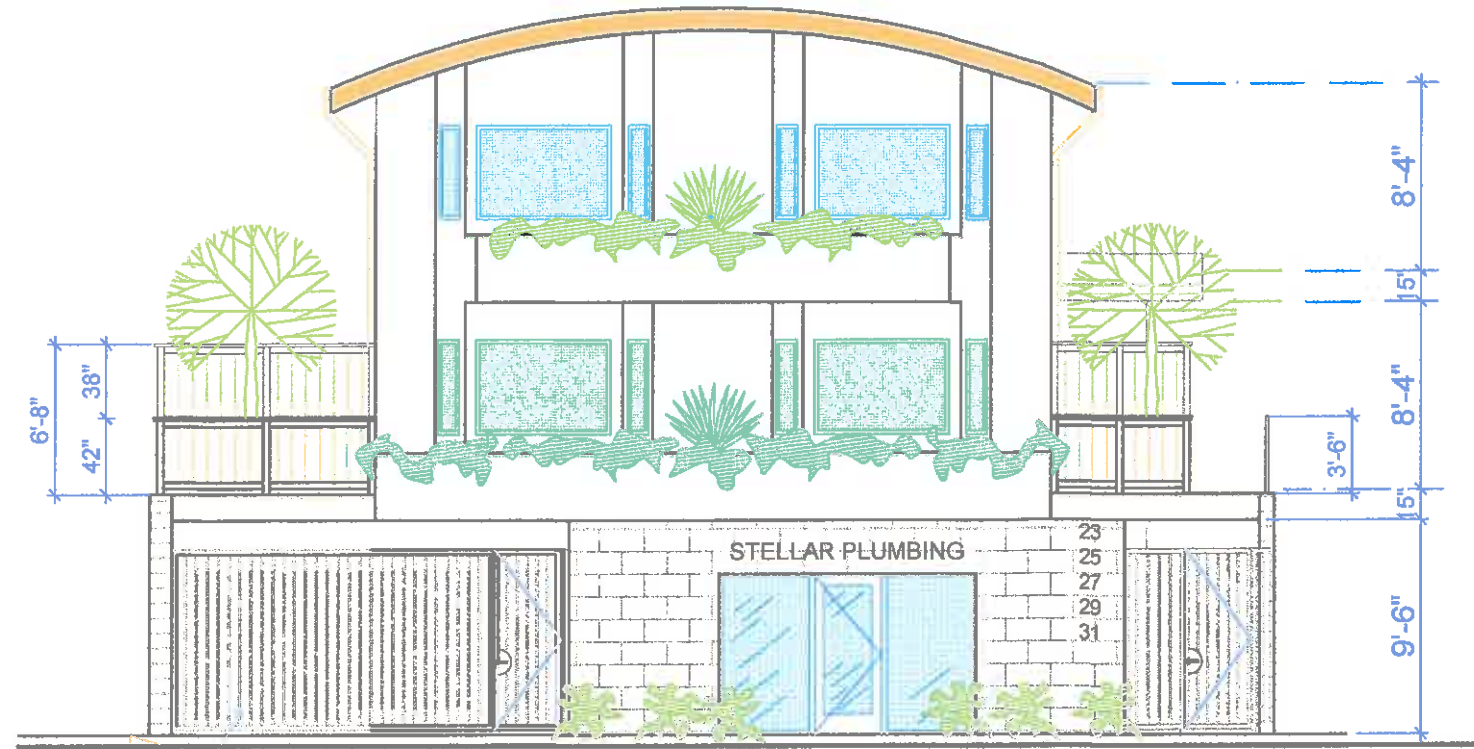
view 3



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view 4

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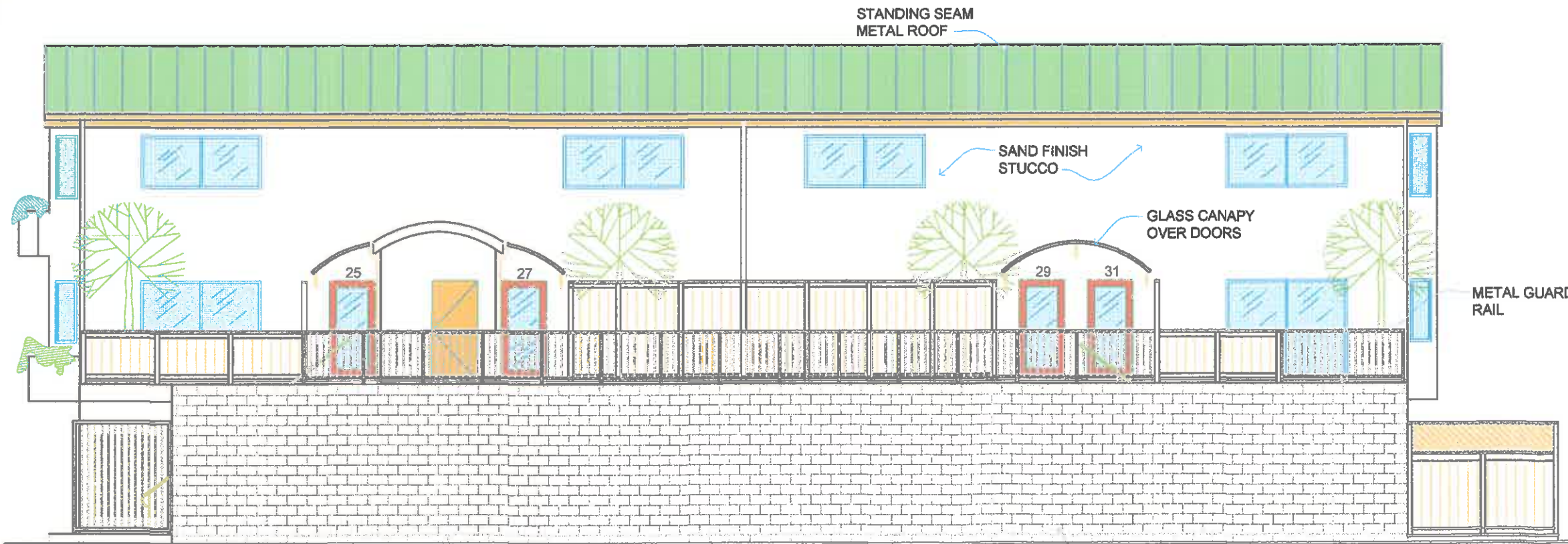


IRON GATE O.H. GARAGE
 DOOR 18 FT. x 8 FT.

FRONT ELEVATION

Scale: 1/4" = 1'-0"

DOWNTOWN-GREY SERIES, GREY 12x24
 CERAMIC TILE ON CONCRETE BLOCK
 MASONRY WALLS



SOUTH ELEVATION

Scale: 1/4" = 1'-0"

NATURAL GRAY CONC.
 BLOCK MASONRY WALLS
 8x8x16 STAGG.,
 RODDED JOINTS

METALSTANDING SEAM
 ROOF - GREEN

FASCIA, ELEVATOR DOORS

GUTTERS, DOOR &
 WDW SASH: "SAIL CLOTH"

STUCCO

METAL GUARD
 RAIL

DOOR, WDW, D.S., BLDG. TRIM:
 "SPANISH MOSS"

FRONT DOOR COLOR:
 "JAMESTOWN RED"

WOOD FENCE & GATES:
 REDWOOD OR RED CEDAR

JOSEPH J. RAILLA AIA ARCHITECT
 planning / design / architecture / administration
 5688 Henning Rd / Sebastopol / CA 95472 / (415) 637-9698

Printing Date:
 APR 08, 2015
 JUN 08, 2015
 AUG 03, 2015
 JAN 16, 2016

COLOR SCHEME

CARTER BLDG.
 23 San Bruno Ave.
 Brisbane, CA. 94005

JOB NO. 1501
 SHEET NO.
C-1
 OF 1 SHEETS

DRAWN BY: JJR

REGISTERED ARCHITECT
 JOSEPH J. RAILLA
 ARCHITECTURE
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 SEBASTOPOL, CA 95472
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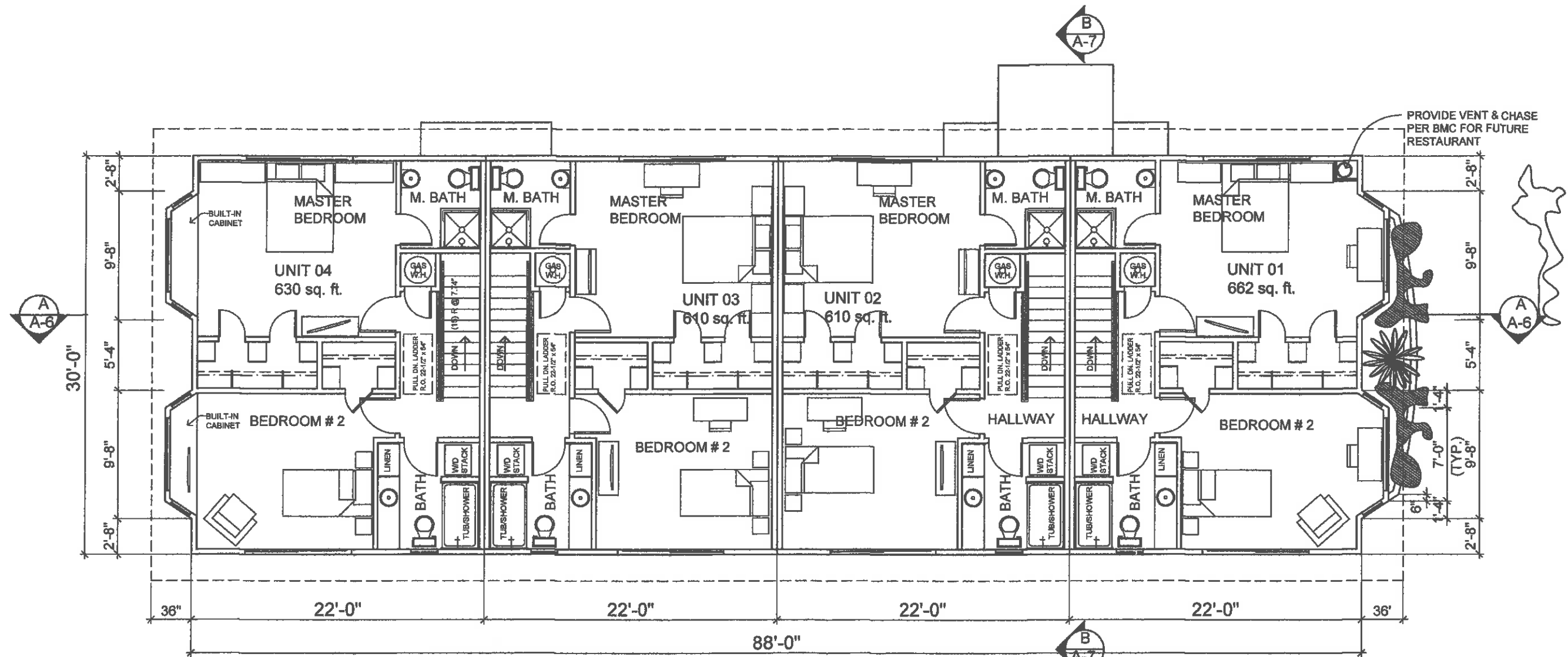
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 MAR 09, 2016
 MAY 29, 2016
 AUG 03, 2016
 SEP 08, 2016
 NOV 14, 2016

CARTER BLDG.
 23 San Bruno Ave.
 Brisbane, CA. 94005

UPPER FLOOR
 PLAN

JOB NO. 1601
 SHEET NO.
A-4
 OF 7 SHEETS
 G.1.36

DRAWN BY: JJR



PROPOSED UPPER FLOOR PLAN

Scale: 1/4" = 1'-0"



- NEW STUD WALLS
- PLUMBING WALLS
- NEW MASONRY WALLS

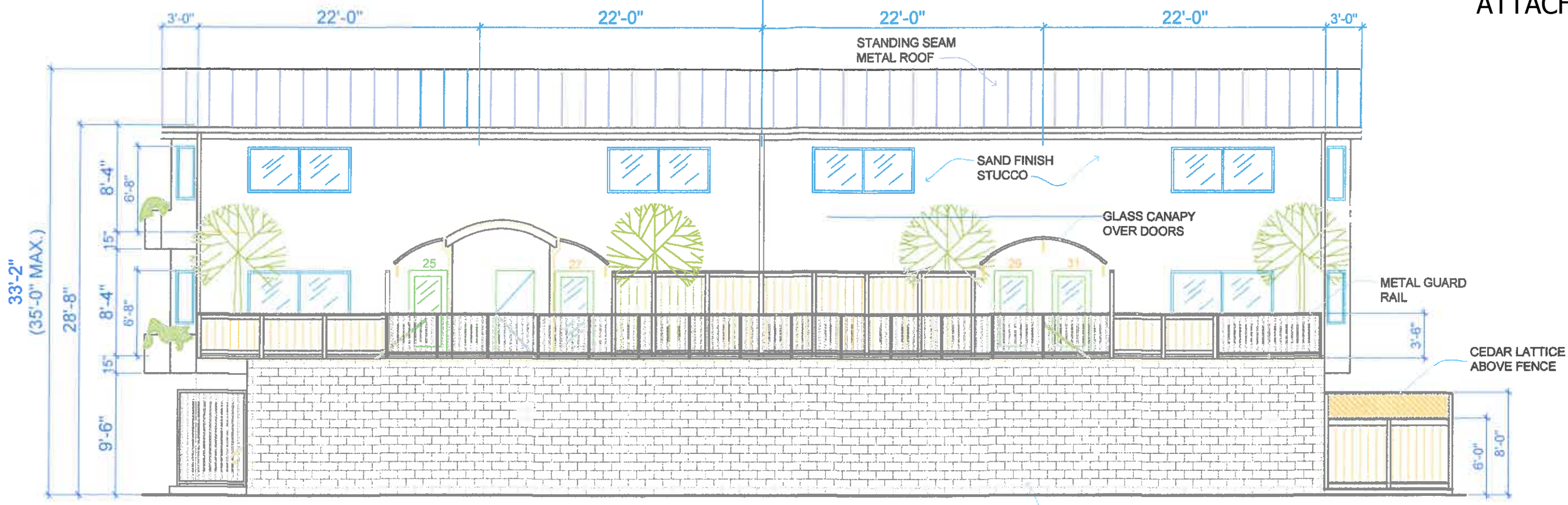
JOSEPH J. RAILLA AIA ARCHITECT
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Printing Date:

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MAR 08, 2015
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NOV 14, 2015

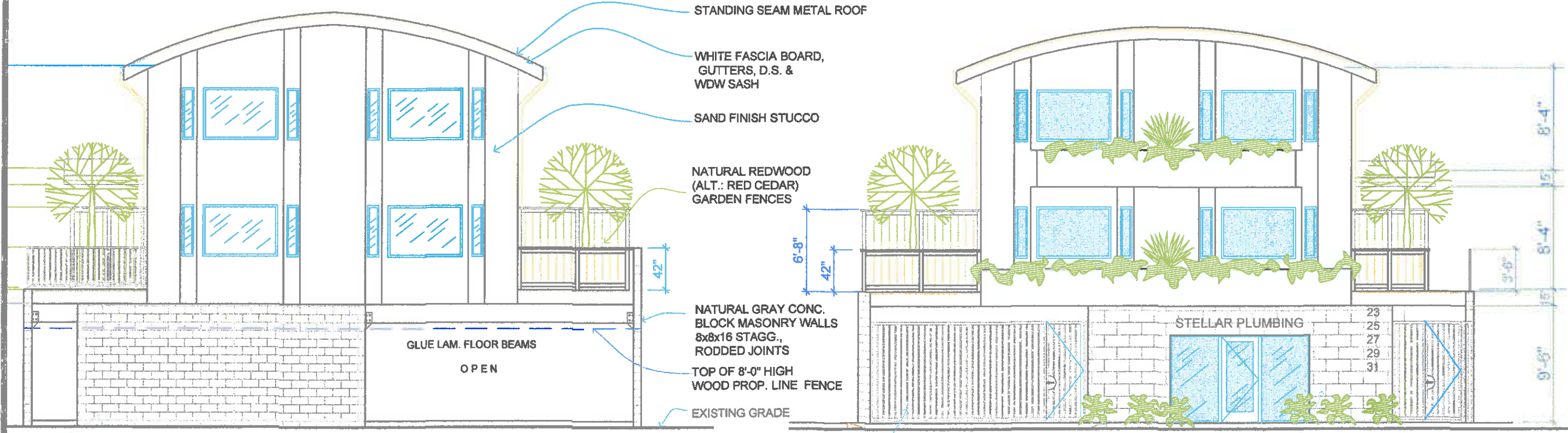
CARTER BLDG.
 23 San Bruno Ave.
 Brisbane, CA. 94005

EXTERIOR
 ELEVATIONS



SOUTH ELEVATION
 Scale: 1/4" = 1'-0"

NATURAL GRAY CONC.
 BLOCK MASONRY WALLS
 8x8x16 STAGG.,
 RODDED JOINTS



REAR ELEVATION
 Scale: 1/4" = 1'-0"

FRONT ELEVATION
 Scale: 1/4" = 1'-0"

NATURAL GRAY CONC.
 BLOCK MASONRY WALLS
 8x8x16 STAGG.,
 RODDED JOINTS

IRON GATE O.H. GARAGE
 DOOR 18 FT. x 8 FT.

DOWNTO-GREY SERIES, GREY 12x24
 CERAMIC TILE ON CONCRETE BLOCK
 MASONRY WALLS

DRAWN BY: JJR

THESE PLANS, SPECIFICATIONS, AND CONDITIONS SHALL BE CONSIDERED TO BE A PART OF THE CONTRACT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR VERIFYING ALL LOCAL, STATE, AND FEDERAL REGULATIONS AND ORDINANCES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FOR VERIFYING ALL LOCAL, STATE, AND FEDERAL REGULATIONS AND ORDINANCES.

JOSEPH J. RAILLA AIA ARCHITECT
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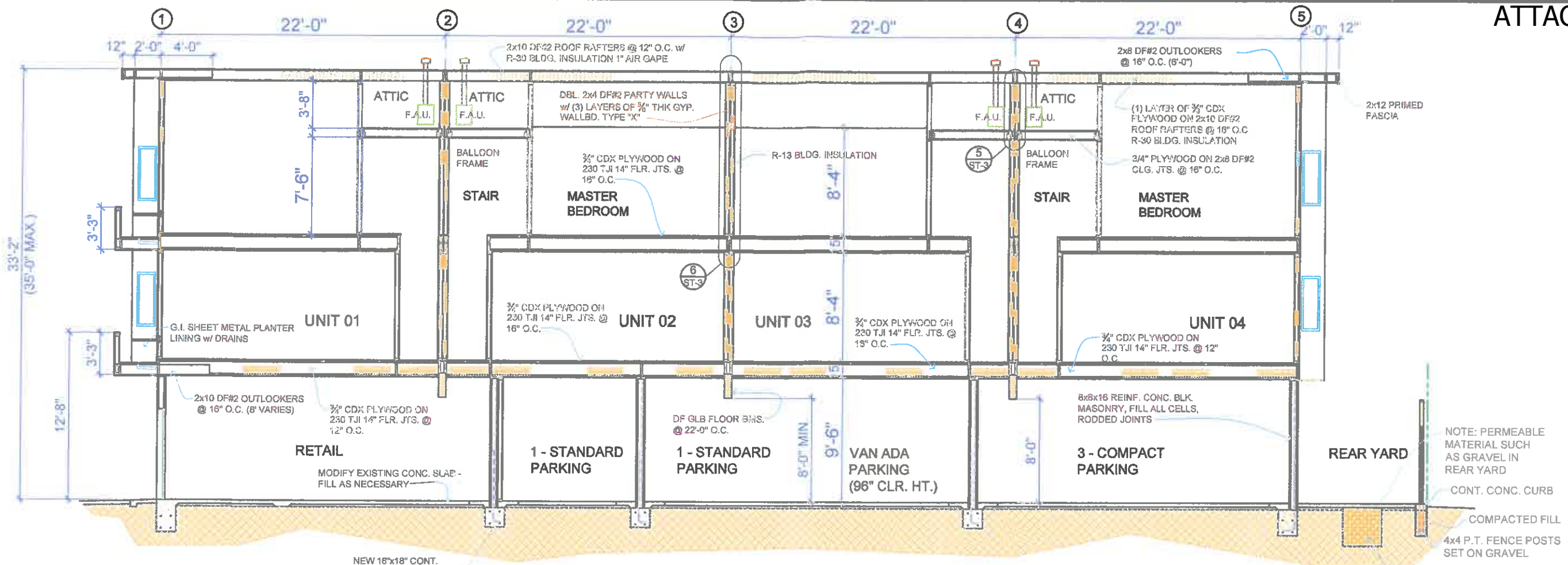
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 MAY 23 2015
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 AUG 03 2015

CARTER BLDG.
 23 San Bruno Ave.
 Brisbane, CA. 94005

NORTH ELEV. & LONGITUDINAL SECTION

JOB NO. 1501
 SHEET NO.
A-6
 OF 7 SHEETS
 G.I.

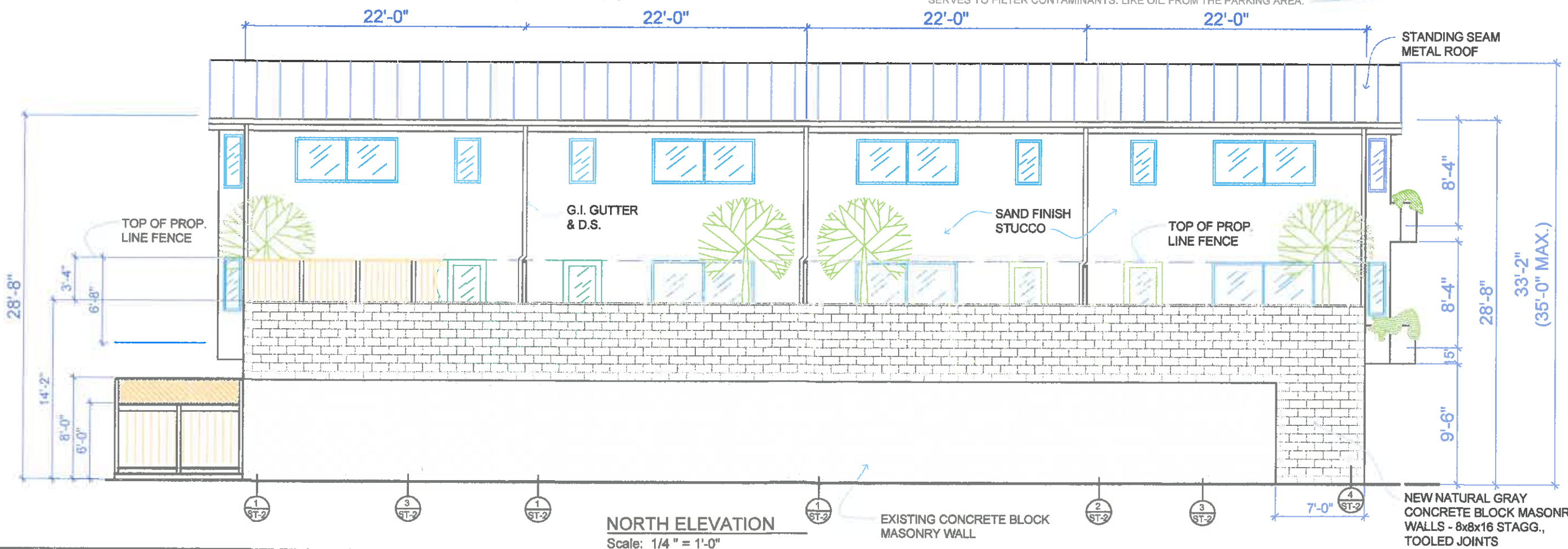
DRAWN BY: JJR



LONGITUDUAL BUILDING SECTION A - A

Scale: 1/4" = 1'-0"

NOTE: STORMWATER REQUIREMENT: PROVIDE 3'-0" x 3'-0" DEEP x 30'-0" BIOFILTRATION TRENCH FILLED W/ GRAVEL TO CAPTURE EXCESS STORMWATER FROM PAVEMENT BEFORE IT FLOWS INTO STORM DRAINS. RECHARGES UNDERGROUND AQUIFERS & SERVES TO FILTER CONTAMINANTS, LIKE OIL FROM THE PARKING AREA.

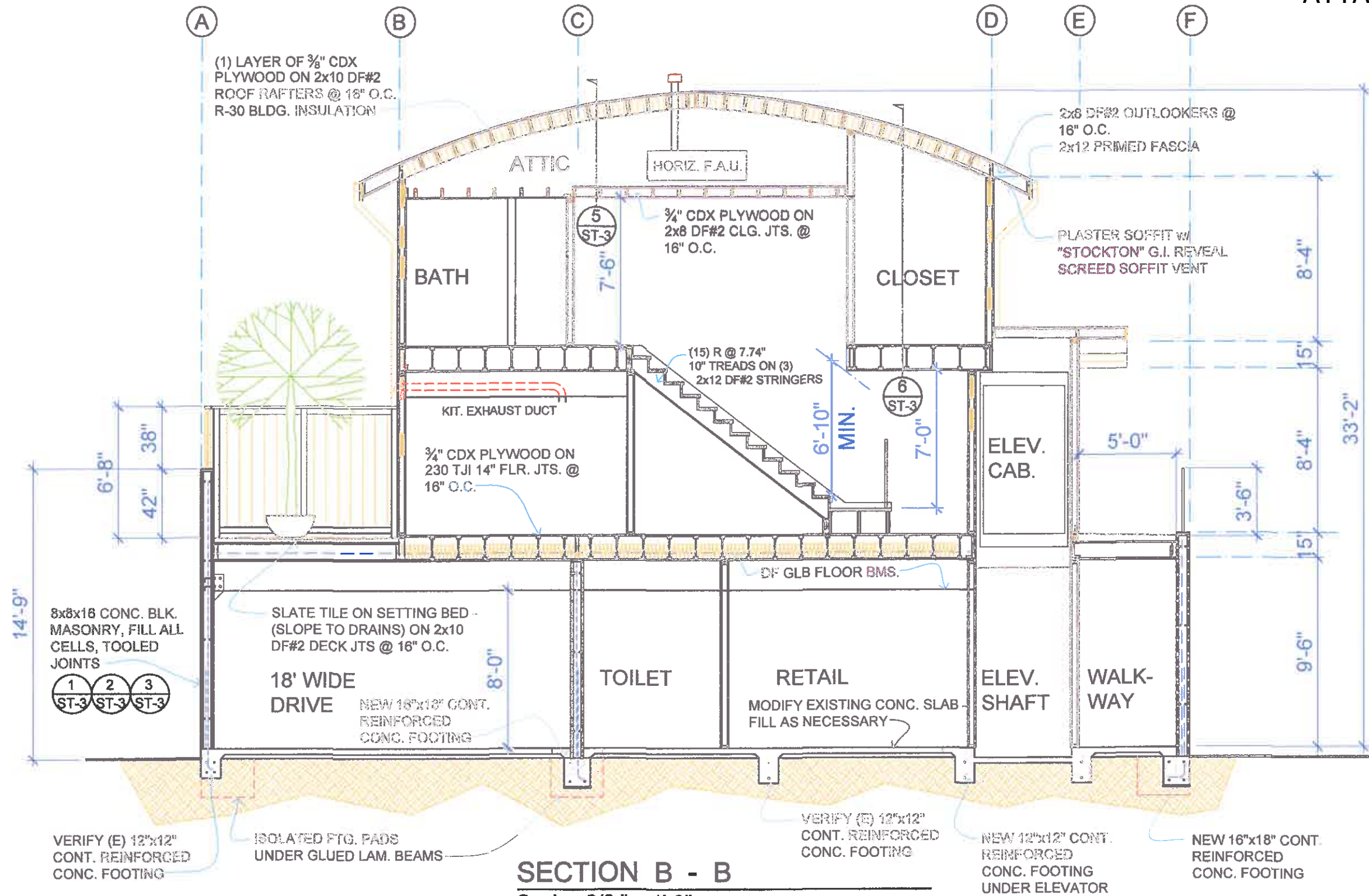


NORTH ELEVATION

Scale: 1/4" = 1'-0"

EXISTING CONCRETE BLOCK MASONRY WALL

NEW NATURAL GRAY CONCRETE BLOCK MASONRY WALLS - 8x8x16 STAGG., TOOLED JOINTS



DRAWN BY: JJR

JOSEPH J. RAILLA AIA ARCHITECT
planning / design / architecture / administration
5688 Henning Rd / Sebastopol / CA 95472 / (415) 637-9698

Printing Date:	FEB 25, 2015
	MAY 08, 2015
	MAY 23, 2015
	JUN 17, 2015
	AUG 03, 2015

CROSS SECTION

CARTER BLDG.
23 San Bruno Ave.
Brisbane, CA. 94005

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JAN 19 2016
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JOB NO. 1501
SHEET NO.
A-7
OF 7 SHEETS
G-1-39

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BRISBANE PLANNING COMMISSION
Summary Minutes of January 28, 2016
Regular Meeting

A. CALL TO ORDER

Chairperson Do called the meeting to order at 7:32 p.m.

B. ROLL CALL

Present: Commissioners Anderson, Munir, Parker, Vice Chairperson Reinhardt, and Chairperson Do.

Absent: None.

Staff Present: Community Development Director John Swiecki, Senior Planner Ken Johnson, Associate Planner Julia Capasso.

C. ADOPTION OF AGENDA

Commissioner Parker moved and Commission Anderson seconded to adopt the agenda. The motion was approved 5-0.

D. ORAL COMMUNICATIONS (limit to a total of 15 minutes)

Barbara Ebel addressed City's Green Building Ordinance and the State's Green Building Code, Title 24, Parts 11 and 6 in relation to the Planning Commission's review of projects. She distributed summaries of the Building Code excerpts to the Commissioners. She said it was important to incorporate green building strategies early in the design and planning stages.

Commissioner Munir spoke as a private citizen and said he was concerned with the water quality problem in Flint, Michigan. He said the City of Brisbane's switch from chlorine to chloramine recently was a concern to him, as recent studies showed chloramine is not effective in killing water-borne bacteria. He asked the City Engineer to address Brisbane's water quality and infrastructure in a City publication such as the Luminary.

E. WRITTEN COMMUNICATIONS

Chairperson Do acknowledged a letter from Susan Sullivan Maynard regarding agenda item F.1, and a letter from Rita Sorrentino and the Young Citizens of Brisbane and a document from Commissioner Anderson, both regarding the Baylands deliberations.

F. OLD BUSINESS

1. **PUBLIC HEARING: 23 San Bruno Avenue; Use Permit UP-2-15 and Design Permit DP-1-15;** Use Permit and Design Permit to allow for the construction of an approximately 31-foot high, three-story, mixed-use building, including four 1,250 sq. ft.

to 1,323 sq. ft. residential units on the second and third floors and an approximately 550 sq. ft. ground floor commercial space and ground floor parking, to replace the existing single-story commercial building on a 5,000 sq. ft. lot; Joseph J. Railla, applicant; Lon Carter, owner; APN 007-223-080.

Senior Planner Johnson gave the agenda report presentation. He answered Commissioners' questions regarding staff's concerns with access and maintenance of the third floor planter and access to third floor windows for washing.

Chairperson Do opened the public hearing.

Lon Carter, property owner, said the planter box was added to enhance the articulation of the building.

Commissioner Parker asked Mr. Carter whether he preferred the original design or the design presented tonight with the third floor planter box.

Mr. Carter responded he preferred the original design. He said if the third floor planter boxes were retained, the plants would be local native plants and would be irrigated with drip irrigation. He said the windows could be operable to provide access to maintain the planter box.

Commissioner Munir said he was generally satisfied with the revised design so long as maintenance issues were addressed.

Commissioner Parker said she liked both designs but that the original design was much stronger.

Commissioner Reinhardt said he liked both designs but preferred the vertical nature of the original design.

Commissioner Anderson said that he had no preference as to the aesthetics of the building.

Chairperson Do said she like the original design.

Commissioner Anderson asked Mr. Carter if he spoke with the Park Pointe Homeowners Association (HOA) regarding the dividing wall.

Mr. Carter responded he met with the HOA representatives and they came to an agreement that the concrete masonry wall will extend up to the same level as their wall and from that point forward going up it would be a wooden fence of a design to be determined at a later date as to style and texture. The height would be 6' 8" tall off the patios at 23 San Bruno, so it would be a taller wall.

Joseph Railla, applicant, said the proposed design is meant to mimic the international windows at 1 San Bruno, which are recessed.

Brisbane Planning Commission Minutes
January 28, 2016
Page 3

Elliott Cohen, 1 San Bruno Avenue, said he represented the Park Pointe HOA and detailed the agreements they made with Mr. Carter. He said they agreed to install a catchment between the two properties to catch debris and to consider installing a French drain system as well. They agreed that bottom-up shades would be installed prior to occupancy in the third floor windows which addressed the HOA's concerns with privacy.

Commissioner Munir moved and Commissioner Anderson seconded to close the public hearing. The motion passed 5-0.

Commissioner Parker read a letter from Susan Sullivan Maynard into the record. Ms. Maynard was concerned with parking impacts on San Bruno Avenue during the project's construction.

Chairperson Do asked staff to address Ms. Maynard's letter.

Senior Planner Johnson said there was no legal basis for the Planning Commission to require construction trucks not park in the public right-of-way during construction.

The Planning Commission discussed the two designs presented by the applicant. After discussion, Commissioner Anderson moved and Commissioner Parker seconded to approve draft Resolution UP-2-15/DP-1-15 with the added conditions that the third floor planter box be included at the discretion of the applicant, the dividing wall would extend 6' 8" from the patios of 23 San Bruno Avenue, and that drainage between the two buildings would be addressed during the building permit process to direct water away from the space between the two buildings. The motion passed 4-1, with Commissioner Munir dissenting.

Chairperson Do announced a brief break.

~~2. **Baylands Final Environmental Impact Report and related Planning Applications**
(Baylands Concept Plans, Brisbane Baylands Specific Plan, General Plan Amendment Case GP-01-06); Universal Paragon Corporation, applicant; Owners: various; APN: various.~~

~~i. Discussion of Deliberations Process~~

~~Note: Staff's presentation may be viewed on the City's website:
<http://brisbaneca.org/sites/default/files/01-28-2016%20Presentation.pdf>.~~

~~The Planning Commission reconvened. Director Swiecki introduced Lloyd Zola of Metis Consulting. Mr. Zola gave the agenda report and presentation. He noted that information requested by the Commission from staff and the applicant was attached to the agenda report.~~

~~He said staff was presenting basic principles which could be used as filters or tests for later policy discussions. He said interim decisions or discussions would be subject to modification at later stages in the deliberations prior to a final recommendation; nothing is final until a final recommendation is made. After listening to comments made at the public hearings and~~


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ATTACHMENT D

City of Brisbane

Planning Commission Agenda Report

TO: Planning Commission For the Meeting of 1/14/16

FROM: Ken Johnson Senior Planner, via John A. Swiecki Community Development Director 

SUBJECT: **23 San Bruno Ave.;** Use Permit UP-2-15 and Design Permit DP-1-15 to allow for the construction of an approximately 31-foot high, three-story, mixed-use building, including four 1,250 sq. ft. to 1323 sq. ft. residential units on the second and third floors and an approximately 550 sq. ft. ground floor commercial space and ground floor parking, to replace the existing single-story commercial building on a 5,000 sq. ft. lot in the NCRO-2 Neighborhood Commercial Retail Office Zoning District; Joseph J. Railla, applicant; Lon Carter, owner; APN 007-223-080.

Request: The applicant proposes to demolish the existing single story commercial building and build a new mixed-use building within the NCRO-2 Neighborhood Commercial zoning district. The existing 48 year old, 1,700 square foot, single-story, tilt-up, flat roofed structure will be demolished, except for the concrete slab, which is proposed to be re-used for the new building structure. The property owner has indicated that three of the four residential units are intended as rentals and that he plans to occupy the fourth residential unit. The first floor commercial space is intended to be used as an office for the owner's plumbing business.

Proposed Project: The proposed development includes a 3-story building with a 550 square foot ground floor commercial space and four, 2-bedroom apartment units, and six parking spaces. The commercial space and the 6- vehicle parking garage accessed by a 2- way driveway are located on the ground (first) floor. Four 2-bedroom residential units would be located side-by-side on the second and third floors, above the commercial space and parking garage. The residential units would have the main living on the second floor and the bedrooms would be on the third floor. The units would range from approximately 1,250 to 1,323 square feet in size with private balconies on the second floor from approximately 270 to 360 square feet in size.

The proposed building footprint on the first floor extends to the side lot lines to accommodate the parking garage and the commercial space. On the second and third floors the building would be set back 10 feet from the side lot lines and the residential entries and private balconies would be located within those setback areas, accessed internally by stairs and an elevator. The building maintains a 10 foot rear setback.

Building design: Building elevations, renderings, and materials samples are provided for the Commission's reference. The proposed 3 story building is approximately 31 feet in height. The building is of modern design, characterized by simple clean lines and strong geometric forms.

The first floor storefront is clad in medium grey smooth tile, while the upper building levels are finished in sand colored (yellowish-beige) smooth stucco. The trim color along the roof edge is muted orange. A green curved standing seam metal roof is proposed, along with arched glass canopies over the residential entry doors. These curved features add visual interest and help soften the angular planes of the building and the metal roof contributes a somewhat industrial feel, without being overtly industrial, and provides individuality to the building. Other prominent architectural features include the front building bays, which provide strong vertical elements, and the planter box awning at the second floor, which adds a horizontal component and articulation between the first and second floors.

The gates for the garage and pedestrian entry on each side of the commercial space would be black wrought iron. On the second level balcony, a wood fence/guard rail is proposed to provide screening at the front. Along the north side, the garage wall would extend above the balcony, along the property line, by 6 feet 8 inches to provide privacy between this and the adjacent building's balconies. On the other side, where there is more space due to the setback of the existing apartment building, a wrought iron guard rail is proposed.

Recommendation: Conditionally approve Design Permit DP-1-15 and Use Permit UP-2-15, per the staff memorandum with attachments, via adoption of Resolution DP-1-15/UP-2-15 with Exhibit A containing the findings and conditions of approval.

Environmental Determination: Construction of new multi-family dwelling units of 6 units or fewer in an urbanized area are categorically exempt from the provisions of the California Environmental Quality Act per Section 15303(b) and replacement an existing commercial structure is categorically exempt per Section 15302(b) of the State CEQA Guidelines. The exceptions to the categorical exemptions referenced in Section 15300.2 do not apply.

Applicable Code Sections: Brisbane Municipal Code (BMC) Section 17.14.040.L.2 allows for residential dwelling units in the NCRO-2 zoning district subject to the granting of a conditional use permit, when the units are located above or behind a commercial use. The findings for granting a use permit are contained in BMC Section 17.40.060.

BMC Section 17.10.050 requires a design permit for three or more dwelling units. The findings required for the approval of design permits within the NCRO-2 zoning district are contained in BMC Section 17.14.111 and the general design permit findings are contained in BMC Section 17.42.040.

The development regulations for the NCRO-2 zoning district are contained in BMC Section 17.14.060. The development regulations allow for Planning Commission discretion on building height and the floor area of the commercial space through the approval of a design permit. Specifically, per BMC Section 17.14.060.F, structures within the NCRO-2 zoning district may be up to 35 feet in height (versus 28 feet) when authorized by a design permit granted by the Planning Commission. Additionally, while the NCRO-2 regulations require a minimum storefront size of 600 square feet, the Commission may approve a storefront smaller than 600 square feet, if it can make the findings contained in BMC Section 17.14.060.H.1.

Analysis and Findings: Key findings are summarized and discussed below, while a complete listing and detailed discussion of all required findings is provided as Attachment C.

Use Permit Findings:

As noted previously, a use permit is required for residential development within the NCRO-2 zoning district per BMC Section 17.14.040.L.2. The two required use permit findings relate to:

1. Consideration to the nature and condition all adjacent uses and structures and consistency with the General Plan; and
2. Whether the proposed use would have injurious or detrimental effects on persons residing or working in the neighborhood, or the subject property, the neighborhood, or to the welfare of the City.

Adjacent Uses and General Plan Consistency: The proposed use meets the two required use permit findings. In regard to Finding #1, the proposal is consistent with the General Plan. The Land Use, Subareas and Housing Elements all address new development in this district. The NCRO General Plan land use designation allows for mixed-use development consistent with this proposal. As a matter of information, the General Plan does not establish a maximum residential density, but rather leaves it to the discretion by the Planning Commission on a case-by-case basis through the use permit process.

The addition of 4 residential units will increase housing opportunities in Brisbane's downtown core by providing new residences near existing shops and restaurants and in close proximity to transit. Regional bus lines and local shuttles have stops within ¼ mile of the site. At the same time, the proposal would maintain a storefront/office use and continue to provide local services, consistent with the zoning ordinance, BMC Section 17.14.060.H. Additionally, the above mentioned General Plan elements contain several policies and programs which express the City's desire to encourage such mixed use in-fill development that is transit oriented and reduces vehicle miles travelled, while retaining diversity of development and individual expression in new developments.

This proposal of 4 residential units on a 5,000 sq. ft. lot results in a density of 34.8 units per acre, which is less than the residential density on either side of this site along San Bruno Avenue. Immediately to the north, the 15 unit mixed use development of 1 San Bruno Avenue has a density of 43 units per acre. Immediately to the south, the 20 unit development of 35 San Bruno Avenue has a density of 87 units per acre.

The R-3 zoning district to the rear of this site allows up to 30 units per acre. This site is bordered by the 4 unit, 10 Plumas Street development and the 5 unit, 20-38 Plumas Street Habitat for Humanity development. The building setbacks for those Plumas Street sites along the rear property of the 23 San Bruno Avenue are approximately 27 to 29 feet. That combined with the setback of 10 foot for the proposed building provide a substantial separation between these buildings.

In addition to the project being compatible with nearby development from a density standpoint, the form and scale of the project is also consistent with adjoining and nearby development. The project complies with relevant development standards pertaining to building height, lot coverage, and parking. Additionally, the proposed building would be consistent with the scale of the buildings on either side. At approximately 31 feet, it would be lower than the 35 foot high, 1 San Bruno Avenue building by approximately 4 feet. The 35 San Bruno Avenue building also appears to be approximately the same height. The development at 1 San Bruno Avenue was built in 2007, while 35 San Bruno Avenue building was completed in 1967. The proposal is also consistent with 1 San Bruno in that 1 San Bruno Avenue also has approximately 10 feet wide rear balconies that would pair-up alongside the proposed 23 San Bruno Avenue rear balconies, with those balcony decks being at approximately 11 feet 8 inches and the 23 San Bruno Avenue decks being at approximately 10 feet 9 inches above grade. A 6 foot 8 inch wall would provide separation and privacy between the balcony areas for the two developments. 35 San Bruno has an approximately 5 feet side setback, and has covered, open-sided walkways on the second and third floors. In brief, the bulk of this building appears similar to the two on either side.

The architectural style of the building is compatible with the adjacent buildings as well, as discussed further in the design permit findings.

Injurious or Detrimental Effects: The proposed use would not be detrimental to those residing or working in the neighborhood, to other property or improvements or the welfare of the City. Rather, the proposal is consistent with the neighborhood and would provide for infill development and improvement of a property to better fit with the character of the neighborhood versus the existing single story commercial structure. It would increase the density at Brisbane's downtown core by four families, thereby contributing to the local economy, and that being within easy walking distance to local, shops, restaurants and transportation services. The residences would be within a building of similar height to the adjacent buildings, but of lesser density, as indicated above. The form of the building would also fit well with the adjacent developments to minimize detrimental effects by allowing for light and air between the buildings (see the design permit neighborhood compatibility finding below).

Design Permit Findings: The construction of any principal structure in the NCRO-2 zoning district is subject to the granting of a design permit in accordance with the 19 findings contained in BMC Section 17.14.111 and BMC Chapter 17.42. For new storefronts of less than 600 square feet an additional finding is contained in BMC Section 17.14.060.H. This application meets all of the applicable design permit findings as discussed in the attachment, with the recommended conditions of approval. Note that while the application meets all of the findings on its own merits, four of the recommended conditions of approval would modify some of the building material details to further strengthen the design, along with a recommended landscaping condition for the rear yard space.

While the detailed discussion of the 20 design permit findings is attached, as Attachment C, the key findings fall into five topic areas as follows and are briefly discussed below:

1. Neighborhood Compatibility
2. Streetscape Vernacular and Pedestrian Scale
3. Building Design Form and Details
4. Landscaping
5. Size of the Commercial Space

Neighborhood Compatibility: The findings regarding neighborhood compatibility, as it relates to the design permit findings, include the language, "...mitigating potential impacts on adjacent land uses..." and "...maintain a compatible relationship to adjacent development". These findings go hand-in hand with the use permit findings, discussed above. Although the development standards allow for zero setback from the side property lines, the building's proposed 10 foot setbacks on the second and third floors serves to mitigate the primary potential impacts of blocking light and air from the adjacent properties on either side. As discussed above, the building is of a similar scale as the adjacent buildings.

Not only does the proposal respect the adjacent development through the setbacks on the residential second and third floors, but it is compatible with the architectural styles, being an industrial-modern design consistent with the 1967 mid-century and the 2007 contemporary modern designs of the buildings on either side. While being designed to be compatible it is distinctive in its design, including different design details and form as discussed on the next page, under the form and details findings. This is consistent with Housing Element Goal H.D, "Ensure that new residential development is compatible with existing development and reflects the diversity of the community."

Streetscape Vernacular and Pedestrian Scale: The design respects the intimate scale and streetscape vernacular through various means, including articulation of the building with the bay windows and the planter box/awning to break up the mass of the building, the use of different building surface materials on the first floor versus the second and third floors (subway tiles below for the commercial spaces and stucco above) to provide architectural interest, the use of a planter box/awning at the second floor and the use of plants at both the ground level and in the planter box to soften the views of the building and distinguish the pedestrian level first floor and entry from the upper two floors. Generous windows at all levels, but especially important at the ground level, provide for a sense of contact and openness (visual access) between the streetscape and the building interior consistent with the findings as well as the Design Guidelines for the district, which were adopted in 2002.

The NCRO-2 district Design Guidelines also suggest that that portion of a building that is over 28 feet, should be stepped back from the front of the building, "so as not to overwhelm the view of pedestrians along both sides of the street below, and to emphasize the one-to two-story nature of the streetscape". This section of the street does not have a two-story nature and dropping the front of the building by a story would diminish the positive aesthetic relationship it has with the adjacent buildings. Instead the mass of the building is addressed by the architectural details of the second floor planter/awning, the tile and stucco surface treatment, the curve of the roof and the setbacks on the sides of the second and third stories.

DP-1-15/UP-2-15

1/14/16 Meeting

Page 6

Building Design Form and Details: As discussed above, the building has a modern design style and form with strong, simple architectural lines, which fits in well with the context, being located between two modern style buildings, one being mid-century and the other being contemporary. Beginning with its overall form, its second and third story, 10 foot side setbacks provide light and air between this and the adjacent developments.

The design creatively uses design details such as the planter box/awning, bay windows on the second and third floors and subway tile contrasted with stucco, the curved roof and arch entry features which all contribute to the modern design of the building, to create an appropriate design.

Note that while the overall result meets the findings for approval, staff has three recommendations on the details to further strengthen the overall effect.

1. For the stucco, staff recommends a color change to have a darker more vibrant stucco color (trading the trim and stucco body colors), to further strengthen the pairing of the stucco with the subway tile (please see the material samples and renderings).
2. For the subway tile, it's recommended that that tile pattern be extended across the exposed edge of the second floor concrete slab to tie these sections in with the first floor materials.
3. That portion of the balcony level guard rail at the front of the site, which is proposed to be wood, should be stucco to match the body of the building on the second level.

Landscaping: The proposed landscaping would generally fit well with the site, with one recommendation for the rear landscaping (see #1, below). At the front, the building is proposed to be set back 2 feet from the property line, except for the bay windows and planter. This allows for landscaping of the front edge at the ground-plane. That ground-plane planting combined with the second level planter box will provide landscaping specifically to enhance the design and enliven the streetscape, consistent with the findings. The plant selections are appropriate to the context at the front, being low water use and of proper scale. The second story sides of the building (front and rear of each residence) will have a significant amount of open balcony space. Those spaces will be surfaced with grey and orange colored, slate tiles for a durable and aesthetically pleasing result. The owner has indicated that seedless Olive trees in containers will be placed at this level prior to occupancy, which will provide an immediate positive visual impact with very low water use plant species. Plantings may also be placed in containers on the balconies by the individual tenants. The rear of the building would be set back 10 feet from the property line and the proposal is to have the area paved with permeable pavers. Note that at 274 to 364 square feet for each unit on the second floor, plus 500 square feet on the ground level at the rear, these "yard" areas provide significantly more passive open area than the minimum required by the BMC of 60 square feet per unit.

One area where staff is proposing that the landscaping should be modified, as indicated in the conditions of approval, is in the rear yard. The rear yard is proposed to include permeable pavers, but is not currently proposed to include plants. Staff suggests the following regarding the rear landscaping:

1. The rear setback area should be landscaped to include plantings and seating to provide an employee break area. Note that the plantings may be small to medium scale so-as not to conflict with the large tree located on the property to the rear of this site.

Size of Commercial Space: The development standards call for a minimum of 600 square feet of storefront space, but also allows for less, if the Commission finds, “that such lesser area is as large as possible for the intended storefront use, given the size, configuration, and physical constraints of the structure and the site.” The proposal includes 550 square feet of storefront space, plus 83 square feet to help with storage needs at the rear of the building. The 550 square feet space is the most that can reasonably be dedicated to the storefront, given other site restrictions. The size of this space is restricted by the lot size being 5,000 square feet, in combination with the development regulations and state Building Code requirements regarding a minimum rear setback, space required for a driveway and parking for the residences, trash and recycling enclosure space, walkway access, and the required elevator. All this is in balance with the City’s aim of providing for infill mixed use development, to include residential uses in this zoning district.

Approximately 50 square feet of commercial space could be added to the front of the site by eliminating the front planter, however that would be contrary to the other findings regarding incorporating landscaping, specifically landscaping to enliven the streetscape and it would result in a significantly less attractive development. Alternatively, the development could be reduced to three residential units, thereby reducing the parking requirements, but that would be in conflict with the City’s aim of providing for transit oriented development that reduces vehicle miles travelled, as expressed through the following Housing Element goal and policy:

- Goal H.E, “*Encourage compact, in-fill mixed use and transit oriented development to reduce vehicle miles travelled and greenhouse gas emissions*”
- Policy H.E.1, “*Encourage housing that supports transit oriented development (TOD) and smart growth to minimize automobile trips and reduce greenhouse gases.*”

Parking

Within the NCRO-2 district, the parking requirements for ground floor storefront (i.e.: restaurant, retail and office) uses are waived by the BMC, freeing up on site parking to meet the requirements for residential uses.

The application meets the parking provisions as detailed in BMC Section 17.14.090 and Chapter 17.34. This includes 1.5 off-street parking spaces per unit required for multi-family residential units with 2 bedrooms. The Building Dept. has indicated that the development is to include one van space to meet the 2013 Building Code regarding accessible parking. That space is included in the total of 6 off-street spaces for this project.

Additionally, the location of the driveway to the north side of the site would serve to maximize the on-street parking. That driveway would be located adjacent to the driveway for the 1 San

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Bruno Ave parking garage and would leave street parking available along the southern portion of the site frontage, with the ability to accommodate one space completely within the frontage and a second space overlapping the frontage of the subject site and 35 San Bruno Ave. to the south. The final striping for the street parking will be subject to the City Engineer's approval through the Building Permit application.

As indicated above, bicycle parking would also be provided, via a bike rack, within the public right-of-way along the site frontage.

Attachments:

- A. Draft Resolution with Findings and Conditions of Approval
- B. Table 1 Project Description
- C. Findings Outline and Discussion
- D. Aerial of Site Vicinity
- E. Photos by Staff
- F. Applicant's Photos and Plans
- G. Colors & Materials Samples Photo (Sample to be provided at the meeting)

Draft
RESOLUTION DP-1-15/UP-2-15

A RESOLUTION OF THE PLANNING COMMISSION OF BRISBANE
CONDITIONALLY APPROVING DESIGN PERMIT DP-1-15 and USE PERMIT UP-2-15
FOR A MIXED-USE DEVELOPMENT
(4 RESIDENCES AND 1- 550 SQ FT COMMERCIAL SPACE)
AT 23 SAN BRUNO AVENUE

WHEREAS, Joseph J. Railla, the applicant, applied to the City of Brisbane for Design Permit approval of a mixed use development at 23 San Bruno Avenue; and

WHEREAS, on January 14, 2015, the Planning Commission conducted a hearing of the application, at which time any person interested in the matter was given an opportunity to be heard; and

WHEREAS, the Planning Commission reviewed and considered the staff memorandum relating to said application, the plans and photographs, the written and oral evidence presented to the Planning Commission in support of and in opposition to the application; and

WHEREAS, a new multi-family dwelling units of 6 units or less in urbanized area and redevelopment of commercial space of substantially the same size are categorically exempt from the provisions of the California Environmental Quality Act per Section 15303 and 15302(b) of the State CEQA Guidelines and the exceptions to the categorical exemptions referenced in Section 15300.2 do not apply; and

WHEREAS, the Planning Commission of the City of Brisbane hereby makes the findings attached herein as Exhibit A in connection with the Design Permit.

NOW THEREFORE, based upon the findings set forth hereinabove, the Planning Commission of the City of Brisbane, at its meeting of January 14, 2016, did resolve as follows:

Design Permit Application DP-1-15 and Use Permit UP-2-15 are approved per the conditions of approval attached herein as Exhibit A.

ADOPTED this fourteenth day of January, 2016, by the following vote:

AYES:
NOES:
ABSENT:

Tuong Van Do
Chairperson

ATTEST:

JOHN A SWIECKI, Community Development Director

**Draft
EXHIBIT A**

Action Taken: Conditionally approve Design Permit DP-1-15 and Use Permit UP-2-15 per the staff memorandum with attachments, via adoption of Resolution DP-1-15/UP-2-15

Findings:

- A. The proposal is consistent with the nature and condition of all adjacent uses and structures, and is consistent with the General Plan. There is no specific plan for the area in question.
- B. The establishment, maintenance or operation of the use applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, nor will it be injurious or detrimental to property and improvements in the neighborhood or the general welfare of the city.
- C. The proposal's scale, form and proportion, are harmonious, and the materials and colors used complement the project.
- D. The commercial space is as large as possible for the intended storefront use, given the size, configuration and physical constraints of the structure and the site.
- E. The orientation and location of the building and other features integrate well with each other and maintain a compatible relationship to adjacent development. Appropriate open areas ("open spaces") are provided through the building setbacks.
- F. Proposed buildings and structures are designed and located to mitigate potential impacts to adjacent land uses, including potential light and air impacts by stepping the second and third floors in from the lot lines.
- G. The project design takes advantage of natural heating and cooling opportunities through building placement, landscaping and building design to the extent practicable, given site constraints, to promote sustainable development and to address long term affordability.
- H. The site is not located on a hillside.
- I. The site plan minimizes the effects of traffic on abutting streets through careful layout of the site with respect to location, dimensions of vehicular and pedestrian entrances and exit drives, and through the provision of adequate off-street parking. There is an adequate circulation pattern within the boundaries of the development. Parking facilities are adequately surfaced, landscaped and lit.

- J. The proposal encourages alternatives to travel by automobiles where appropriate, through the provision of facilities for bicycles. The site's location and direct sidewalk access provides alternatives for pedestrians to access public transit stops and access to other means of transportation.
- K. The site development plans provide open areas and landscaping to complement the buildings and structures. In this case, landscaping is not needed to separate and screen service and storage areas, break up expanses of paved area and define areas for usability and privacy. Landscaping is water conserving and is appropriate to the location. The site is not in or adjacent to habitat protection or wildland fire hazard areas.
- L. The proposal takes reasonable measures to protect against external and internal noise.
- M. Consideration has been given to avoiding off-site glare from lighting and reflective building materials.
- N. Attention is given to the screening of utility structures, mechanical equipment, trash containers and rooftop equipment.
- O. There is no signage included in this application.
- P. Provisions have been made to meet the needs of employees for outdoor space.

Conditions of Approval:**Prior to issuance of a Building Permit:**

1. The owner shall obtain a permit to demolish the existing structure.
2. An application including detailed building plans, application forms and fees shall be submitted to the City for issuance of a Building Permit. The building shall be required to comply with all applicable state codes and applicable City of Brisbane Municipal Code provisions for new construction. At a minimum, building plans shall address the following conditions:
 - a. The plans shall reference the materials and colors as approved with this Design Permit (see related conditions below).
 - b. The building permit application shall identify San Bruno Avenue as a noise corridor (60 to 65 dB per the General Plan) to ensure that noise insulation meets state standards for the indoor occupants. Also, the plans shall show all permanent mechanical equipment that could be a source of structural vibration or structure borne noise shall be shock mounted with inertia blocks or bases and/or vibration isolators.
 - c. Building plans shall address Fire Dept. requirements for new construction, including but not limited to installation of fire sprinklers, obtaining water flow, smoke detectors,

key box, portable extinguishers, clearly visible address, illuminated utility identification, illuminated exit signs, and fire sprinklers shall have a horn strobe mounted on the San Bruno side of the building.

- d. The building permit shall include undergrounding of utilities to service the building.
- e. Mechanical equipment may not be mounted on the rooftop, or be otherwise visible from off-site.
- f. The building permit application shall not include materials which would present an off-site glare due to reflective materials or lighting.
- g. The rear bay windows, which extend 2 feet into the 10 foot rear setback, shall not include floor area, per the setback exception contained in BMC Section 17.32.070A.1.b. That is they may not have a floor to ceiling height of 6 feet or more, although they may contain seating.
- h. The applicant shall comply with all applicable state and City stormwater requirements prior to issuance and during the performance of the building permit. The final design of the stormwater management system is subject to the City Engineer. The City may require the applicant to update the C.3 storm water form to reflect the final design.
- i. A bike rack shall be located within the public right-of-way as indicated in the plans. The final bike rack design and location is subject to approval by the City Engineer and Planning Director.
- j. Internal bike parking beneath the stairs will be marked out with paint or otherwise clearly marked to designate bike parking and equipped with a bike rack, so that bikes may be locked and the pedestrian walkway kept clear, to the satisfaction of the Planning Director and Building Dept.
- k. The final detailed landscaping plans shall be submitted for approval by the Planning Director, to include the rear setback area as a break area for employees, which is to include plantings and seating. The plans shall also be consistent with the Water Conservation in Landscaping Ordinance (BMC Section 15.70).
- l. The plans submitted for Building Permit approval shall specify lighting that will be directed away from and not cause glare onto adjacent properties.
- m. Plans shall indicate that no reflective exterior equipment shall be allowed. Roof vents shall be painted to match or blend with the rooftop.
- n. Either the darker color muted orange shown in the application for the awning or similar color may be used for the stucco areas, instead of beige. The trim is to be either the lighter sand color or a darker color to contrast. Final color selection shall be subject to Planning Director approval following submittal of samples.

- o. That portion of the balcony level guard rail proposed in the applicant's plans to be wood shall be stucco instead (to match the body of the building), with its top cap to match the trim at the eaves.
 - p. The grey subway tiles shall be extended to provide a covering for the exposed concrete band that appears over the entrance to the parking garage and over the pedestrian entry gate on either side of the commercial space.
3. Color and materials samples and/or cut sheets where appropriate shall be provided for the front fencing and gate materials, window and door frames, glass entry canopies, bike racks, and final building colors, for Planning Director approval prior to construction. The first floor iron fence/gate materials are to be powder coated black. Materials samples shall also be provided for windows. All windows shall match each other and shall not be dark or reflective.
 4. An encroachment permit shall be obtained prior to any work within the public right-of-way.
 5. Grading, paving and drainage plans, per Brisbane Municipal Code Sections 12.24.010 & 15.08.140, shall be submitted for approval by the City Engineer prior to the issuance of a building permit. Drainage shall comply with the National Pollutant Discharge Elimination System (NPDES) permit issued by the San Francisco Bay Regional Water Control Board. The property owner(s) shall be responsible for ongoing operation and maintenance of any permanent structural stormwater controls.
 6. Improvements within the public right of way shall be completed to the satisfaction of the City Engineer.
 7. Prior to the issuance of a Building Permit and subject to the approval of the City Attorney, the property owner shall execute an agreement including a covenant running with the land and enforceable by the City whereby the owner waives the right to protest the inclusion of the property within an underground utility district.
 8. The underlying subdivision lots shall be merged, via recordation of lot merger with the County, subject to a separate City administrative application form and fee.

During Construction:

9. Prior to foundation construction, a surveyed "staking" plan shall be submitted to the City Building and Planning Departments.
10. The project shall comply with the stormwater Best Management Practices, as provided in the applicable state regulations and included in the applicant's stormwater checklist for Small Projects.

11. The sidewalk along the site frontage shall be reconstructed to relocate the driveway and markings will be provided for on street parking, subject to City Engineer approval, via encroachment permit.
12. Any prehistoric Native American cultural resources found during the course of construction shall be conserved in accordance with State and Federal requirements (Appendix K of the State CEQA Guidelines).

Prior to Occupancy:

13. The property owner shall enter into a standard landscape maintenance agreement with the City for landscaping, to the satisfaction of the City Attorney.
14. All landscaping shall be installed, including second floor potted trees.
15. House numbers shall be affixed to the building at a location visible from the street and a size, color and style subject to approval by the Planning Director and Fire Dept.
16. Prior to certificates of occupancy the applicant shall demonstrate conformance with all of the above design permit conditions of approval.

Other Conditions:

17. Any future proposal to convert rental units to condominiums shall comply with the applicable state and City regulations regarding condominium conversions in effect at that time.
18. Residential units are intended as rentals. If the owner decides to establish the units as condominiums, then separate application form, fees and application materials would apply. The provisions for condominium conversions shall also apply, if established as rentals and later converted condominiums.
19. Private parking signs for on-street parking and the sidewalk bike rack shall not be allowed.
20. The required garage parking spaces shall not be used or converted to any other use that would impair their basic use as parking for motor vehicles per Brisbane Municipal Code Section 17.34.020.A.
21. No advertising signage is included in this application. Advertising signage is subject to a separate application form and fee.

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22. Minor modifications may be approved by the Community Development Director in conformance with all requirements of the Municipal Code.

23. This Design Permit and use permit shall expire two years from the effective date (at the end of the appeal period) if a Building Permit has not yet been issued for the approved project.

**Table 1- Project Description
23 San Bruno Avenue**

Site Description		
General Plan Designation:	Neighborhood Commercial/Retail/Office	
Zoning:	NCRO-2 Downtown Brisbane Neighborhood Commercial District	
Slope:	<5%**	
Existing Development:	48 year old- Single Story Commercial Building	
Development Standards	Maximums	Proposed
Density:	Established by Use Permit	4 units (i.e.: 1 per 1,250 sq. ft.)
Lot Coverage:	90% (4,500 sq. ft.)	89% (4,450 sq. ft.)
Floor Area Ratio/Floor Areas:	NA	Commercial Space 550 sq. ft. + 83 sq. ft. of storage Garage 3,488 sq. ft. Unit 1: 1,323 sq. ft. Unit 2: 1,250 sq. ft. Unit 3: 1,251 sq. ft. Unit 4: 1,263 sq. ft.
Height	28 or 35 ft., per design permit findings	30 ft. 10 in*
	Minimums	Proposed
Lot Area:	2,500 sq. ft. (25 wide)	5,000 sq. ft. (50 by 100 ft.)
Fencing	8 ft. when adjacent to residential district	8 ft. for rear yard
Storefront	600 sq. ft., except as approved by the Planning Commission. Include vent or chase for other potential uses.	550 sq. ft. of storefront + 83 sq. ft. of storage at rear of building. Chase included for other potential uses.
Passive Open Space (i.e.: patios, decks etc.)	60 sq. ft./residential unit	Unit 1: 290 sq. ft. Unit 2: 274 sq. ft. Unit 3: 301 sq. ft. Unit 4: 364 sq. ft. Ground floor rear yard: 500 sq. ft.
Building Setbacks—		2 ft. on ground floor. 0 ft. for bay windows on residential floors. Second floor planter and roof eave to extend into public right-of-way, with City Engineer approval of encroachment.
Front	0 ft.	
Sides	0 ft.	0 ft. ground floor 10 ft. on residential floors, except elevator and balconies.
Rear	10 ft.	10 ft., except bay windows on residential floors, consistent with exception (see below)
Architectural Feature Exceptions (BMC Section 17.32.070.A.1.b) - Bay Windows at Rear	Setback Section Rear bay windows may extend 3 ft. from building, but no closer than 7 ft. from the rear lot line	Rear bay windows extend 2 ft. from building and to within 8 ft. of the rear lot line.
Recycling Area	Adequate enclosed space	Enclosed Space for shared bins, per SSF Scavenger recommendations.
Parking	A minimum of 1.5 garage spaces per unit (6 total). Note that standard spaces are 9 ft. by 18 ft. and compact spaces are 8 ft. by 16 ft. Up to 3 spaces (50%) may be compact.	The total off-street (garage spaces) would be 6, with 2 standard spaces and 3 compact spaces and one ADA Van accessible space. In addition, 1 standard on-street space will be provided, at the discretion of the City Engineer.

Notes: *Per BMC Section 17.02.400, height is measured as the average of the highest gable of a vaulted roof, not the roof peak. The roof peak in this case is 33 ft. 2 in, whereas the average is 30 ft. 10 in.

**The applicant has indicated the intent to re-use the existing building slab to minimize required earthwork.

ATTACHMENT - Findings Outline & Discussion

The following is an outline of the required Use Permit and Design Permit Findings:

Use Permit Findings:

A use permit is required for residential development within this zoning district, per BMC Section 17.14.040L.2. The proposed use meets the required findings for a use permit, as discussed below.

Adjacent Uses and Consistency: *“In considering an application, the planning commission shall consider and give due regard to the nature and condition of all adjacent uses and structures, and to general and specific plans for the area in question.”*

The application meets this finding. It is consistent with the adjacent uses and structures and the neighborhood in general. There is no specific plan in place for this area of Brisbane. It is also consistent with the General Plan land use designation of Neighborhood Commercial/Retail/Office. The 2015-2022 Housing Element recognizes the NCRO-2 district as having, *“residential conditionally permitted as part of a mixed use, no minimum or maximum unit density set”* (pg. III-12). This is consistent with BMC Section 17.14.060, which allows the residential density to be established by use permit. With 4 units on this 5,000 sq. ft. lot, the development would have a density of 34.8 units per acre. That is slightly less than the residential density for 1 San Bruno Avenue at 43 units per acre and significantly less than 35 San Bruno Avenue which has a density of 87 units per acre.

The R-3 zoning district to the rear of this site allows up to 30 units per acre. This site is bordered by the 4 unit, 10 Plumas Street development and the 5 unit, 20-38 Plumas Street Habitat for Humanity development. The building setbacks for those Plumas Street sites along the rear property of the 23 San Bruno Avenue are approximately 27 to 29 feet. That combined with the setback of 10 foot for the proposed building provide a substantial separation between these buildings.

The Land Use & Subareas Elements and the 2015-2022 Housing Element include the following goal, policy and program direction, which are consistent with this proposal:

- Goal H.E, *“Encourage compact, in-fill mixed use and transit oriented development to reduce vehicle miles travelled and greenhouse gas emissions”*
- Policy H.E.1, *“Encourage housing that supports transit oriented development (TOD) and smart growth to minimize automobile trips and reduce greenhouse gases.”*
- Program H.E.1.b, *“Continue to allow residential uses above or behind storefront uses in the NCRO-2 Downtown Brisbane Neighborhood Commercial District...”*
- Policy 20, *“Retain diversity of development and individual expression in residential and commercial development, especially Central Brisbane.”* (also, Policy 253 – similar)

The addition of 4 residential units will increase housing opportunities in Brisbane's downtown core by providing new residences near existing shops and restaurants and in close proximity to transit. Regional bus lines and local shuttles have stops within ¼ mile of the site. At the same time, the proposal would maintain a storefront/office use and continue to provide local services, consistent with the zoning ordinance, BMC Section 17.14.060.H.

In addition to the project being compatible with nearby development from a density standpoint and maintaining a storefront, the form and scale of the project is also consistent with adjoining and nearby development. The project complies with relevant development standards pertaining to building height, lot coverage, and parking. Additionally, the proposed building would be consistent with the scale of the buildings on either side. It would be a lower than the 35 foot high, 1 San Bruno Avenue building by approximately 4 feet, at approximately 31 feet. The 35 San Bruno Avenue Building also appears to be approximately the same height, but due to its age, the City does not have a precise record of its height. The development at 1 San Bruno Avenue was built in 2007, while 35 San Bruno Ave was built in 1967. The proposal is also consistent with 1 San Bruno in that 1 San Bruno Ave also has approximately 10 feet wide rear balconies that would pair-up alongside the proposed 23 San Bruno rear balconies, with those balcony decks being at approximately 11 feet 8 inches and the 23 San Bruno Avenue decks being at approximately 10 feet 9 inches above grade. A 6 foot 8 inch wall would provide separation and privacy between the balcony areas for the two developments.

35 San Bruno has an approximately 5 feet side setback, and has covered walkways on the second and third floors, so that building does not step back from that 5 foot setback.

In brief, the form and scale of the proposed building will be similar to the two on either side.

The architectural style of the building will fit with those adjacent buildings as well and that's discussed further in the design permit findings.

Injurious or detrimental: *"The planning commission shall determine whether or not the establishment, maintenance or operation of the use applied for will, under the circumstances of the particular case, be detrimental to the health, safety, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, or whether it will be injurious or detrimental to property and improvements in the neighborhood or the general welfare of the city."*

The proposed use would not be detrimental to those residing or working in the neighborhood, to other property or improvements or the welfare of the City. Rather, the proposal is consistent with the neighborhood and would provide for infill development and improvement of a property to better fit with the character of the neighborhood vs. the existing single story commercial structure. It would increase the density at Brisbane's downtown core by four families, thereby contributing to the local economy, and that being within easy walking distance to local, shops, restaurants and transportation services. The residences would be within a building of similar height to the adjacent buildings, but of lesser density, as indicated above. The form of the building would fit well with the adjacent developments, being set back 10 feet on the second and

third floors, at the same level as the adjacent residential units, and would therefore allow for light and air between and not have a detrimental or injurious impact on the neighbors. With setbacks of 27 to 29 feet the buildings to the rear of the site will have even greater separation from the proposed building.

Design Permit Findings:

The construction of any principal structure in the neighborhood commercial district shall be subject to the granting of a design permit in accordance with the provisions of BMC Section 17.14.111 and BMC Chapter 17.42 of this title and any applicable design guidelines adopted by the city. As indicated above there is also a finding for Planning Commission approval of new storefront of less than 600 sq. ft. This application meets all of the applicable design permit findings, as outlined below.

BMC Section 17.14.111 findings: The following five findings are required for approval of a principal structure within the NCRO-2 zoning district. The proposal meets all of these findings.

Scale and vernacular: *The design respects the intimate scale and vernacular character of the street.*

The design respects the intimate scale and vernacular through various means, including the mass of the building being reduced by voluntary side setbacks on the second and third floors, the use of different materials on the first floor versus the second and third floors (subway tiles below for the commercial spaces and stucco above) and the use of a planter box/awning at the second floor and the use of plants at both the ground level and in the planter box to soften the views and break up the mass of the building.

The NCRO-2 district Design Guidelines also suggest that that portion of a building that is over 28 feet, should be stepped back from the front of the building, “so as not to overwhelm the view of pedestrians along both sides of the street below, and to emphasize the one-to two-story nature of the streetscape”. This section of the street does not have a two-story nature and dropping the front of the building by a story would diminish the positive aesthetic relationship it has with the adjacent buildings. Instead the mass of the building is addressed by the architectural details of the second floor planter/awning, the tile and stucco surface treatment, the curve of the roof and the setbacks on the sides of the second and third stories.

Design details: *Design details are incorporated to articulate the building and emphasize the relationship to the pedestrian environment.*

The building is well articulated and emphasizes the pedestrian environment through the design details mentioned above, the planter box/awning, the use of subway tile and stucco, also the bay windows above the planter box serve to articulate the building and related it to the pedestrian environment. These details along with the strong lines and arched, metal roof and arched glass entries also come together to articulate the industrial-modern form of the building.

Creative use of design elements: *The design incorporates creative use of elements that are characteristic of the area, such as awnings, overhangs, inset doors, tile decoration, and corner angles for entry.*

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The design creatively uses a planter box/awning, bay windows on the second and third floors and an interesting subway tile which all tied in well with the modern design of the building, to creating an overall pleasing design.

Street relationship: *Color and texture are provided at the street through the use of signage, lighting, planter boxes, or other urban landscape treatments.*

The contrast of the grey stone-like subway tile and the stucco create an aesthetically pleasing contrast. Staff has recommended a color change to have darker more vibrant stucco (exchanging the trim color and the stucco body color, or similar). The design incorporates the planter box/awning at the second floor as well as a 2 feet wide planter strip along the front of the commercial space at the ground level. Although the rendering shows a hint of what the future signage might look like, no signage is included in the application. Signage may be granted via separate application form and fee.

Landscaping: *Landscaping has been incorporated to enhance the design and enliven the streetscape.*

The building would be set back 2 feet from the property line at the ground level to allow for landscaping of the front edge at the ground-plane to provide interest along the streetscape.

The planter box awning between the first and second floors will serve as both an entry covering and to enliven the streetscape.

The residential first and upper floors are proposed to be setback from the property line on both the north and south sides and would thereby allow for outdoor areas for the occupants and landscaping on the second level. The applicant has indicated that fruitless Olive trees would be place in pots at that level, and those front trees will also be visible from the public right-of-way and further enliven the streetscape, especially as viewed from across the street.

BMC Chapter 17.42 Findings: The design also meets all of the general design permit findings contained in BMC Chapter 17.42.

General Plan Consistency: *“The proposed development is consistent with the general plan and any applicable specific plan.”*

The discussion of General Plan consistency was provided above for the use permit finding. There is no specific plan for this area of Brisbane.

Harmonious design: *“The proposal's scale, form and proportion, are harmonious, and the materials and colors used complement the project.”*

The site is 50 feet wide by 100 feet deep and is located between two existing 3-story buildings. The proposal would fit well with the lot and would be harmonious both internally and with the surrounding development. It would have a modern appearance and has good use of second floor

balconies to provide visual relief and articulation of the building, while providing light and air between the living spaces proposed on this building and those on the multi-unit buildings on each side of it. Its use of a planter box at the front combined with bay windows and stucco, block and tile (as discussed in the previous findings), will make for an appealing front façade. Note also that the City Engineer has reviewed the design, including the planter box awning, which would extend 2 feet into the public right-of-way, and indicated no concerns with it. Its construction will also be subject to an encroachment permit through the City Engineer. The wrought-iron gates across the driveway and pedestrian entryways would provide both security and provide for a fairly continuous façade so one's eye is not as readily drawn into the garage space.

The proposal meets the required development standards (see attached summary table). Note that while the development standards include 600 sq. ft. of storefront commercial space at the ground floor, the code (BMC Section 17.14.060.H) also indicates that the Planning Commission may approval a smaller space if it finds that the smaller space is as large as possible for the intended storefront use, given the size, configuration and physical constraints of the structure and the site, with the proposed 550 square foot commercial space. This finding is addressed below.

The materials samples and artist's renderings provided by the applicant, provide information for the Commission to visualize the proposal.

Compatibility: "The orientation and location of buildings, structures, open spaces and other features integrate well with each other and maintain a compatible relationship to adjacent development."

The proposal is consistent with this finding. The neighborhood includes primarily multi-family and mixed use developments. The immediately adjacent developments are both three story developments with mixed use to the north and an apartment building to the immediate south, with 21 units at 35 San Bruno Avenue and 15 units at 1 San Bruno Avenue. Both of these adjacent developments have a higher residential density than the proposal. To the rear of the site, the properties are zoned R-3 and include 2 –story, multi-family buildings, as discussed in more detail in the use permit findings.

The proposal also recognizes the pattern of development with parking garages adjacent on each of the side lot lines, but then steps the building in at the second and third stories which allows for light and air at the balcony levels of those adjacent structures.

The combination of scale, orientation, landscaping and materials will fit well with the immediately adjacent development as well as neighborhood as a whole.

Not only does the proposal respect the adjacent development through the setbacks on the residential second and third floors, but it is compatible with the architectural styles, being an industrial-modern design between the mid-century and contemporary modern designs of the buildings on either side. While being designed to be compatible it is distinctive in its design, consistent with Housing Element Goal H.D, "Ensure that new residential development is compatible with existing development and reflects the diversity of the community."

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Page 22

A materials board and color samples will be available for viewing at the Planning Commission's hearing on this matter.

Mitigation of potential impacts: *“Proposed buildings and structures are designed and located to mitigate potential impacts to adjacent land uses.”*

The primary potential impact from the proposed building would be on light between it and the buildings on either side, given that there are no side setbacks required in this zoning district. This is addressed well with the first and upper residential floors being setback from the property line to allow for outdoor spaces for the future residences, while at the same time creating air-space between the structures at these levels. The result is to also reduce the visual impact of the scale of the building as seen from the street. As an aside, it should be noted that the proposed building would result in a substantial visual improvement versus the existing single story building and provide better harmony with the appearance and scale of the buildings on either side along San Bruno Avenue.

Natural heating and cooling: *“The project design takes advantage of natural heating and cooling opportunities through building placement, landscaping and building design to the extent practicable, given site constraints, to promote sustainable development and to address long term affordability.”*

The project would provide natural heating and cooling through the orientation of the individual units allowing sunlight light to enter the individual units during the daytime and air to circulate between this and the adjacent buildings residential floors.

Hillside development: *“For hillside development, the proposal respects the topography of the site and is designed to minimize its visual impact. Significant public views of San Francisco Bay, the Brisbane Lagoon and San Bruno Mountain State and County Park are preserved.”*

This finding is not applicable.

Traffic impacts: *“The site plan minimizes the effects of traffic on abutting streets through careful layout of the site with respect to location, dimensions of vehicular and pedestrian entrances and exit drives, and through the provision of adequate off-street parking. There is an adequate circulation pattern within the boundaries of the development. Parking facilities are adequately surfaced, landscaped and lit.”*

Due to the size of the lot there is only one entrance in and out for vehicles. That entrance would allow for 2 way traffic in and out of the site, to City standards, to prevent potential traffic backups on San Bruno Avenue due to vehicles entering or exiting the site. Off-street parking includes 1.5 spaces per residential unit, for 6 spaces total, one of those spaces is an ADA compliant space per the 2013 Building Code. The ground floor commercial space does not have an off-street parking requirement. On-street parking will also be maintained at the site's frontage. That would include one street space completely within the site's frontage, plus a second space partially overlapping to the 35 San Bruno Avenue frontage. The final striping of the street parking and the sidewalk configuration will be done to the satisfaction of the City Engineer.

Parking facilities will be required to meet state building code regarding construction. A condition of approval is also recommended to require that each unit be supplied with an automatic garage door opener and that the garage door be equipped with a coded keypad in the event of an opener being misplaced. This is to enable the vehicles to efficiently get off the street and into the garage spaces.

Alternative travel modes: *“The proposal encourages alternatives to travel by automobiles where appropriate, through the provision of facilities for pedestrians and bicycles, public transit stops and access to other means of transportation.”*

In compliance with the development standards and to also address this finding, the applicant has also included bicycle parking along the sidewalk along the site’s frontage as well as long term bicycle parking towards the rear of the site within the storage closet as well as under the rear stairwell.

The site is also located a short distance (within ¼ mile) to existing transit stops (SamTrans bus and shuttle lines) and is already connected by sidewalks to these stops located along Old County Road, at the Community Park, and along Bayshore Boulevard.

Landscaping: *“The site provides open areas and landscaping to complement the buildings and structures. Landscaping is also used to separate and screen service and storage areas, break up expanses of paved area and define areas for usability and privacy. Landscaping is generally water conserving and is appropriate to the location. Attention is given to habitat protection and wildland fire hazard as appropriate.”*

The lot coverage within the NCRO-2 district is allowed to be up to 90% of the lot area. The proposed lot coverage for this site would be just under that limit at approximately 89%. The rear setback area will be landscaped subject to the conditions of approval, which requires Planning Director approval of the detailed landscape plans prior to installation.

Despite the allowance for 90% of the site to be covered by the building, the application provides for landscaping on both the ground plane and at the first floor residential level that significantly adds to the landscaping and provides for passive recreation areas and would serve to create inviting and attractive spaces. While the code specifies a minimum of 60 square feet of passive open area per residential unit, the proposal includes between 274 square feet and 364 square feet of private garden/balcony area per residential unit. The plan calls for fruitless Olive trees, a very low water use species, to be planted in pots at the first floor level and additional potted plants may be added by the individual tenants. For further details on the plantings at that level refer to sheet A-3.

The rear setback area on the ground floor, at the rear of the site, would provide for 500 square feet of landscaped area. It’s envisioned that this would include a mix of patio area and planted areas. The plantings will need to be appropriate to the context, respecting proximity to buildings and the large tree located to the rear of the site. The final landscape plan for that area will be subject to approval by the Planning Director, consistent with this finding.

Landscaping at the front of the site would be provided with the 2 foot setback in front of the building and with the planter box which articulated the ground floor and the 1st residential floor.

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These landscape features will serve to enhance the views of the building as seen from San Bruno Ave.

The site is not within a habitat conservation area or adjacent to wildlands, however the landscaping would not be permitted to include either invasive or highly flammable plant species.

Noise: *“The proposal takes reasonable measures to protect against external and internal noise.”*

Noise would come from the primary sources of vehicles and between the residential units internal to the proposed building or between apartment buildings. The proposal is consistent with the neighborhood and is not anticipated to generate noise beyond that expected for this the NCRO-2 zoning district.

Because the site is located within the San Bruno Avenue traffic noise corridor, as indicated in the 1994 General Plan, a condition of approval is included to notify the Building Dept. as part of the plan check process to insure that sound insulation addresses noise protection to the state Building Code standards. The state building code also includes provisions to address potential noise transmission between attached housing units and that will be addressed through the building permit process.

Glare: *“Consideration has been given to avoiding off-site glare from lighting and reflective building materials.”*

The proposal is consistent with this finding. A condition of approval has been recommended to require that lighting be directed so as not to result in off-site impacts upon neighboring properties. Although reflective building materials are not proposed, a condition of approval has been included to also prohibit the use of reflective building materials.

Screening: *“Attention is given to the screening of utility structures, mechanical equipment, trash containers and rooftop equipment.”*

None of these elements are proposed to be located such that they would be viewed from off site, but are to be internal to the building. Specifically trash would be in an alcove towards the rear of the parking garage area. Similarly the elevator equipment would be internally located and individual water heaters, and furnaces would be internal to each unit.

Signage: *“Signage is appropriate in location, scale, type and color, and is effective in enhancing the design concept of the site.”*

No signage is included in this application.

Employee outdoor space: *“Provisions have been made to meet the needs of employees for outdoor space.”*

The rear setback area will be landscaped to allow for an employee break area. The Conditions of Approval indicate that final landscape plans would be subject to Planning Director approval.

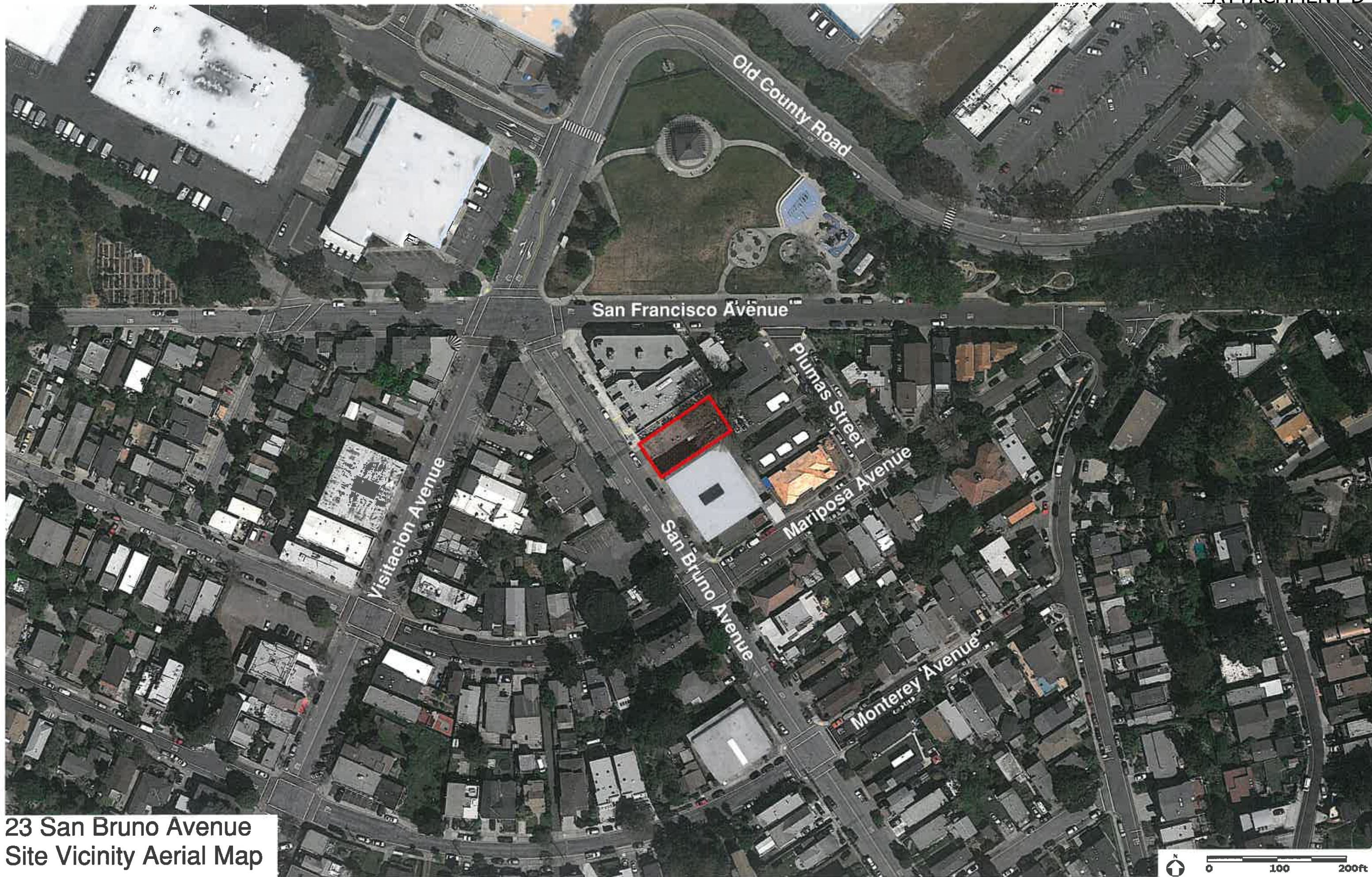
BMC 17.14.060.H

Size of Commercial Space: The Commission may approve less than 600 square feet of storefront space if it finds, *“that such lesser area is as large as possible for the intended storefront use, given the size, configuration, and physical constraints of the structure and the site.”*

The proposal meets this finding in that the 550 square foot commercial space would be as large as possible for the intended use. The size of this space is restricted by the lot size being 5,000 square feet, in combination with the development regulations requiring a rear setback, space required for a driveway and parking for the residences, trash and recycling enclosure space, walkway access, and the required elevator. All this is in balance with the City’s aim of providing for infill mixed use development, to include residential uses in this zoning district. The applicant has also provided a rear storage area of 83 square feet to help with storage needs for the building.

Approximately 50 square feet of commercial space could be added to the front of the site by eliminating the front planter, however that would be contrary to the other findings regarding incorporating landscaping, specifically landscaping to enliven the streetscape and it would result in a significantly less attractive development. Alternatively, the development could be reduced to three residential units, thereby reducing the parking requirements, but that would be in conflict with the City’s aim of providing for transit oriented development that reduces vehicle miles travelled, as expressed through the following Housing Element goal and policy:

- Goal H.E, *“Encourage compact, in-fill mixed use and transit oriented development to reduce vehicle miles travelled and greenhouse gas emissions”*
- Policy H.E.1, *“Encourage housing that supports transit oriented development (TOD) and smart growth to minimize automobile trips and reduce greenhouse gases.”*



23 San Bruno Avenue
Site Vicinity Aerial Map

BLANK

1 San Bruno



35 San Bruno



6.1.73



23 San Bruno Ave

Site Photo - by Staff

ATTACHMENT D



G.1.74

carter bldg.
23 San Bruno Ave.
Brisbane, CA.
Joseph J. Railla AIA
415 637 9698 Dec 2012



ATTACHMENT D



6.1.75

ATTACHMENT D



G.1.76

ATTACHMENT D

THESE PLANS HAVE BEEN PREPARED BY AN ARCHITECT REGISTERED WITH THE ARCHITECTURAL BOARD OF CALIFORNIA. THE ARCHITECT'S LICENSE NO. IS 10000. THE ARCHITECT'S OFFICE IS AT 5688 HENNING RD., SEBASTOPOL, CA 95472. THE ARCHITECT'S PHONE NO. IS (415) 637-9698.

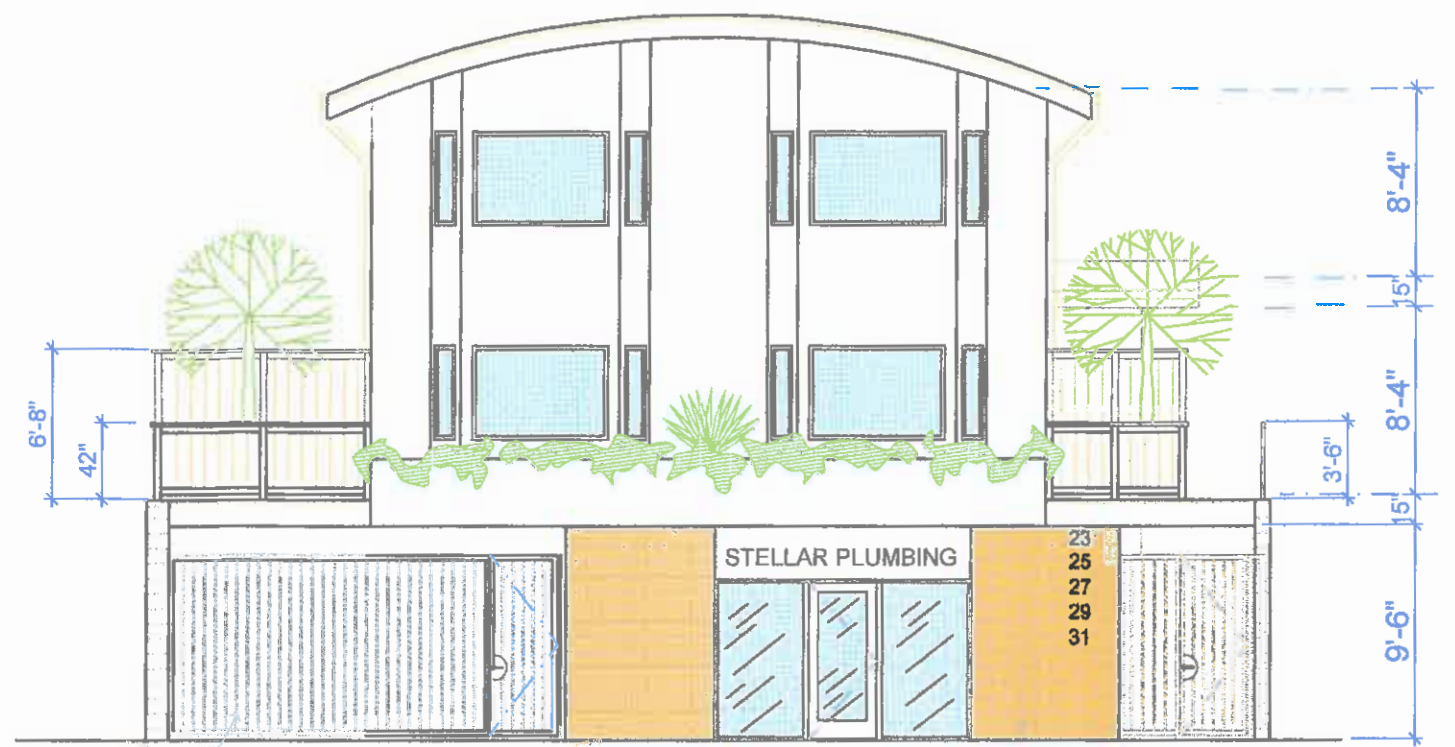
JOSEPH J. RAILLA AIA ARCHITECT
 planning / design / architecture / administration
 5688 Henning Rd / Sebastopol / CA 95472 / (415) 637-9698

Printing Date:
 APR 08, 2015
 JUN 08, 2015

COLOR SCHEME

CARTER BLDG.
 23 San Bruno Ave.
 Brisbane, CA. 94005

JOB NO. 1501
 SHEET NO.
C-1
 OF 4 SHEETS



IRON GATE O.H. GARAGE
 DOOR 18 FT. x 8 FT.

FRONT ELEVATION
 Scale: 1/4" = 1'-0"

Angelus Block Company, Inc. BURNISHED
 CONCRETE BLOCK MASONRY UNITS w/
 WHITE AGGREGATE
 8x8x16 STAGG. RODDED JOINTS



STANDING SEAM
 METAL ROOF

SAND FINISH
 STUCCO

GLASS CANOPY
 OVER DOORS

METAL GUARD
 RAIL

METAL STANDING SEAM
 ROOF - GREEN

FASCIA, GUTTERS, DOOR &
 WDW SASH: "SAIL CLOTH"

STUCCO

DOOR, WDW, D.S., BLDG. TRIM:
 "SPANISH MOSS"

FRONT DOOR COLOR:
 "JAMESTOWN RED"

WOOD FENCE & GATES:
 REDWOOD OR RED CEDAR

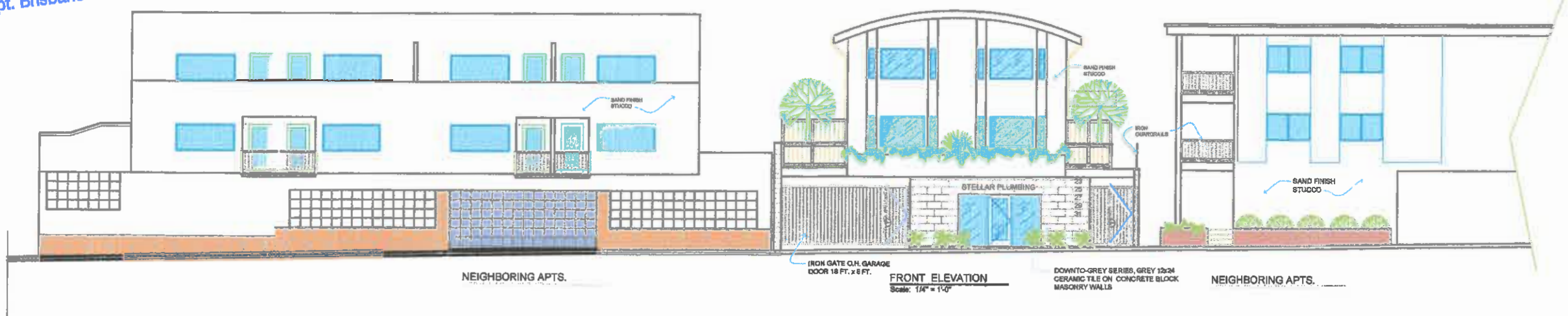
NATURAL GRAY CONC.
 BLOCK MASONRY WALLS
 8x8x16 STAGG.,
 RODDED JOINTS

SOUTH ELEVATION
 Scale: 1/4" = 1'-0"

DRAWN BY: JJR

RECEIVED
NOV 25 2015

Comm. Dev. Dept. Brisbane



NEIGHBORING APTS.

IRON GATE O.H. GARAGE
DOOR 18 FT. x 8 FT.

FRONT ELEVATION
Scale: 1/4" = 1'-0"

DOWNTOWN-GREY SERIES, GREY 12x24
CERAMIC TILE ON CONCRETE BLOCK
MASONRY WALLS

NEIGHBORING APTS.



GHBORING APTS.

IRON GATE O.H. GARAGE
DOOR 18 FT. x 8 FT.

FRONT ELEVATION
Scale: 1/4" = 1'-0"

DOWNTOWN-GREY SERIES, GREY 12x24
CERAMIC TILE ON CONCRETE BLOCK
MASONRY WALLS

NEIGHBORING APTS.

THE STATE OF CALIFORNIA
COUNTY OF SAN DIEGO
JOSEPH J. RAILLA
ARCHITECT
10000 LA JOLLA VILLAGE CENTER
LA JOLLA, CA 92037
ARCHITECTURAL LICENSE NO. 10000
PLANNING / design / architecture / administration
5688 Henning Rd / Sebastopol / CA 95472 / (415) 637-9698

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CARTER BLDG.
23 San Bruno Ave.
Brisbane, CA. 94005 with NEIGHBORS

JOB NO. 1501
SHEET NO.

P-1
9 of 78 SHEETS

DRAWN BY: JJR

CARTER BUILDING

23 San Bruno Avenue
Brisbane, CA. 94005

OWNER:
LON CARTER
465 VISITACION AVENUE
BRISBANE, CA. 94005
(415) 637-8866

APPLICATION NO.
PERMIT NO.
DATE:
BLOCK LOT
LOT AREA: 5,000 SQ. FT.
PLAN CHECK ENGINEER:
(415)

EARTHQUAKE DESIGN DATA:

CONTERMINOUS 48 STATES
2010 ASCE-7 STANDARD (37.6839 N, 122.40168 W)
SITE CLASS D - "STIFF SOIL" (Su 2,000 psf), RISK III/III
SPECTRAL RESPONSE ACCELERATIONS Ss and S1
SS AND S1 = MAPPED ACCELERATION VALUES
SITE CLASS D - Fa = 1.0, Fv = 1.500 S1 = 0.818
DATA BASED ON A 0.01 DEG GRID SPACING
Sms = FaSs = 1.766 g
Sm1 = FvS1 = 1.227 g
Sds = 2/3 Sms = 1.177 g
Sd1 = 2/3 Sm1 = 0.818 g
TL = 12 seconds

LIQUEFACTION POTENTIAL AT THE SITE IS VERY LOW.

2013 CALIFORNIA BUILDING CODE (CBC)
(Foundation excavation only, footings max. 24" deep).

2013 CALIFORNIA BUILDING CODE (CBC)
(California's Title 24 & Federal ADA)

HEATED FLOOR AREA (INSIDE EXTERIOR WALLS):

	NET FLR. AREA	GROSS FLR AREA
RETAIL:	686 SQ. FT.	759 SQ. FT.
1st FLOOR:	2,756	2,847
UPPER FLOOR:	2,576	2,730

TOTAL HEATED AREA: 6,018 SQ. FT. 6,336 SQ. FT.

STAIRS/ENTRY: 226 SQ. FT. 226 SQ. FT.
GARAGE: 3,488 SQ. FT. 3,488 SQ. FT.

WALKWAY/GARDENS: 654 SQ. FT. 654 SQ. FT.
REAR GARDENS: 880 SQ. FT. 880 SQ. FT.

FLOOR AREA NOTE: 2013 C.B.C CHAPTER 2 "DEFINITIONS AND ABBREVIATIONS" SECTION 207 - F FLOOR AREA. "THIS DEFINITION IS THE AREA WITHIN THE SURROUNDING EXTERIOR WALLS OF A BUILDING". 2013 C.B.C. CHAPTER 10 "MEANS OF EGRESS" SECTION 1002 DEFINITIONS: FLOOR AREA, GROSS: "THE AREA WITHIN THE INSIDE PERIMETER OF THE EXTERIOR WALLS OF THE BUILDING".

ZONING: BRISBANE ORD. CHAPTER 17.14 NCRO NEIGHBORHOOD COMMERCIAL DISTRICT NCRO01 BRISBANE VILLAGE NCRO-2 DOWNTOWN BRISBANE

PLANNING DISTRICT:
QUADRANT:
TYPE OF CONSTRUCTION: V - 1-HR.
NO. OF STORIES: 3 HEIGHT LIMIT 28 FT.
OCCUPANCY: GROUND FLOOR R-3
UPPER FLOORS R-3

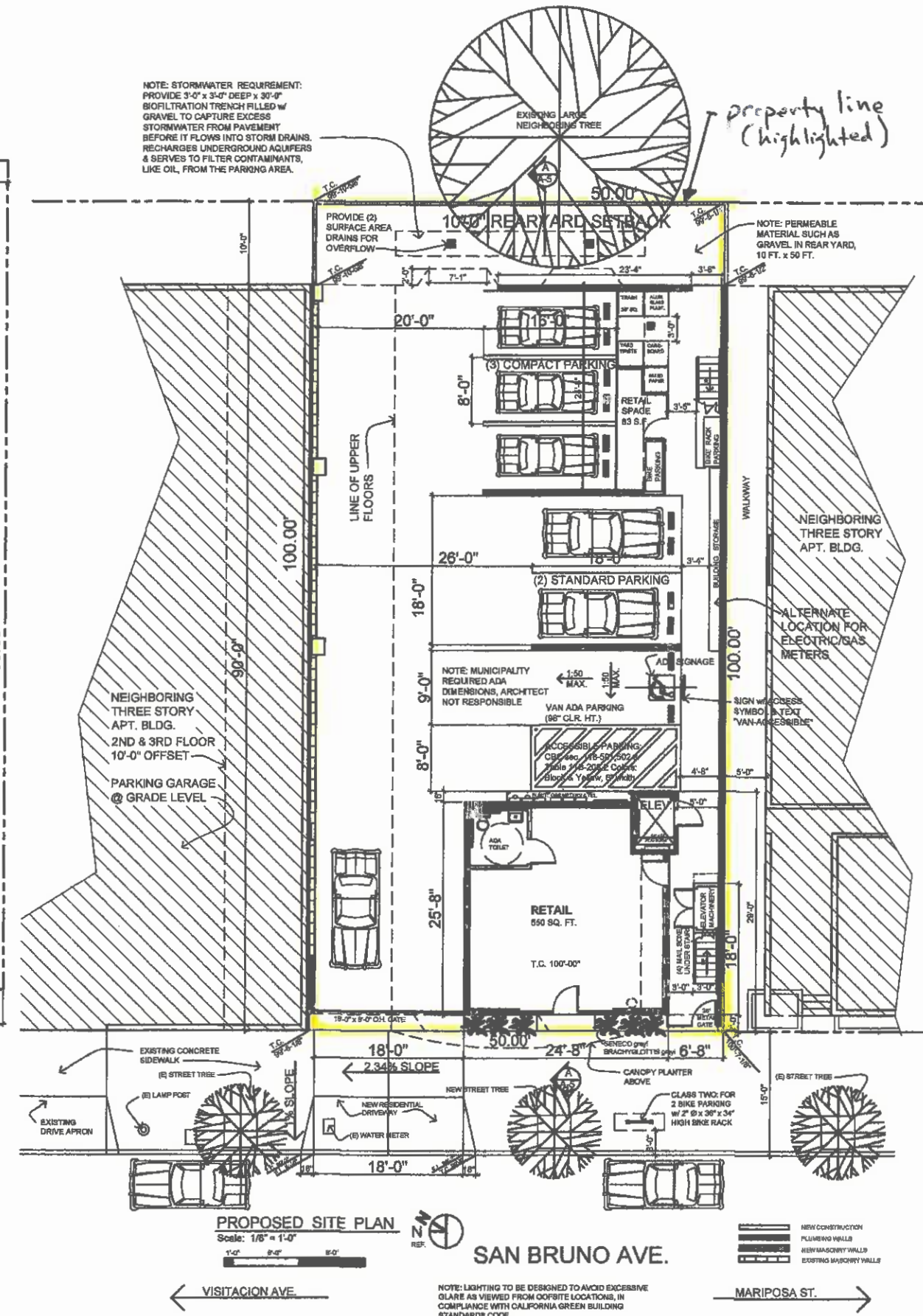
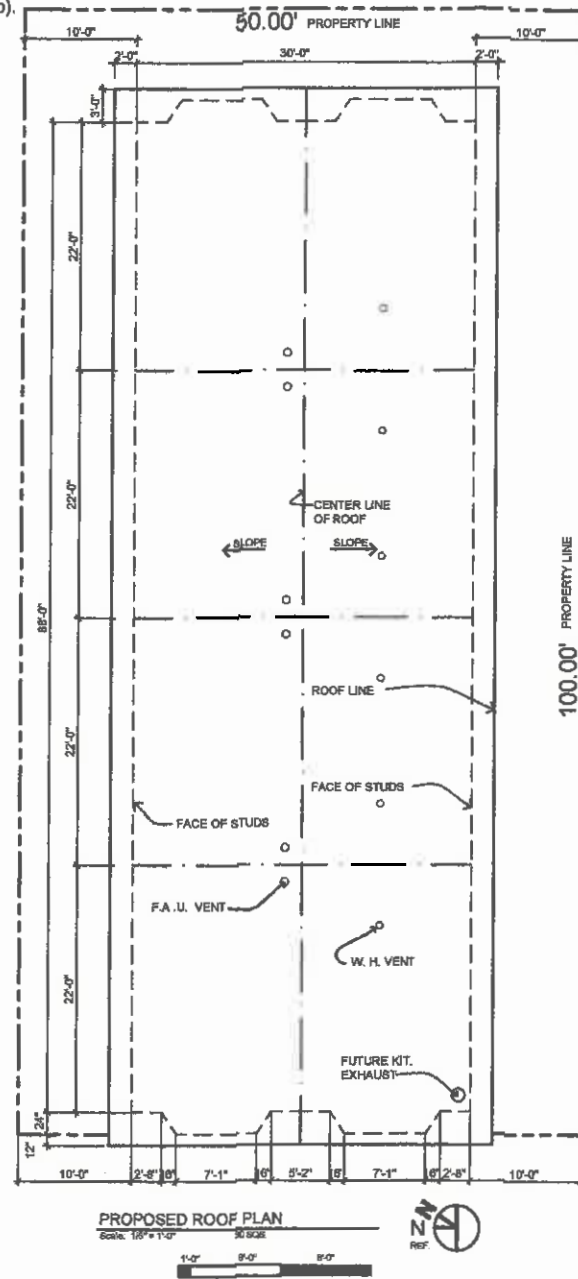
LOT COVERAGE: 90% OF 5,000 SQ. FT. = 4,500 SQ. FT. MAX.

CITY OF BRISBANE
COMMUNITY DEVELOPMENT DEPARTMENT
50 PARK PLACE
BRISBANE, CA. 94005-1310
KEN JOHNSON, Senior Planner
(415) 508-2120 fax (415) 467-5547
kjohnson@cl.brisbane.ca.us www.brisbaneca.org

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- A-1 PROPOSED SITE PLAN, PROJECT DATA, ROOF PLAN
- A-2 PROPOSE GROUND FLOOR PLAN
- A-3 PROPOSED FIRST FLOOR PLAN
- A-4 PROPOSED UPPER FLOOR PLAN
- A-5 SOUTH, FRONT & REAR EXTERIOR ELEVATIONS
- A-6 NORTH EXTERIOR ELEVATION, LONGITUDINAL BUILDING SECTION A - A
- A-7 CROSS SECTION B - B
- D-1 EXISTING SITE PLAN & DEMO PLAN
- P-1 PROPOSED FRONT ELEVATION with NEIGHBORING BUILDINGS
- C-1 BUILDING COLOR SCHEME
- ST-1 PROPOSED FOUNDATION PLAN
- ST-2 FRAMING & PLYWOOD PLANS
- ST-3 MASONRY WALL SECTIONS, PARTY WALL DETAILS

**PROPOSED COMMERCIAL / RESIDENTIAL
(DESIGN DEVELOPMENT DRAWINGS)**



SCOPE OF WORK:

1. DEMO EXISTING (1) STORY BUILDING
2. CONSTRUCT GROUND FLOOR RETAIL AND PARKING STALLS
3. ADD 2ND FLOOR RESIDENTIAL UNITS

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Printing Date:
FEB 24, 2015
MAR 06, 2015
MAY 18, 2015
AUG 03, 2015
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NOV 21, 2015

TITLE SHEET

CARTER BLDG.
23 San Bruno Ave.
Brisbane, CA. 94005 SITE & ROOF PLAN

JOB NO. 1501
SHEET NO.

A-1

6.1 79 SHEETS

DRAWN BY: JJR

STATE OF CALIFORNIA
COUNTY OF SAN BRUNO
OFFICE OF THE COUNTY CLERK
1500 BRUNO AVENUE
BRISBANE, CA 94005
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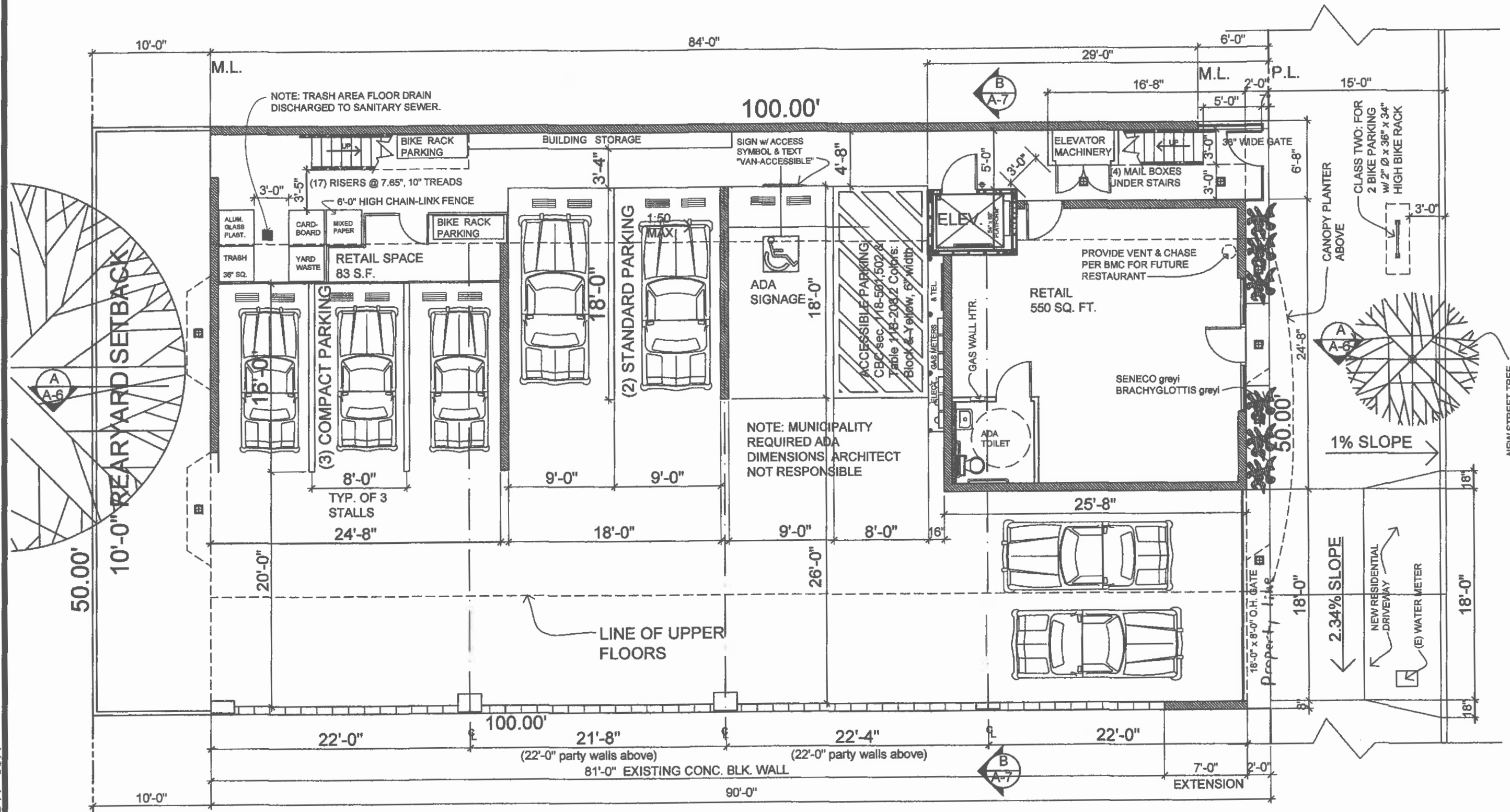
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CARTER BLDG.
GROUND FLOOR
PLAN

23 San Bruno Ave.
Brisbane, CA. 94005

JOB NO. 1601
SHEET NO.
A-2
OF 7 SHEETS

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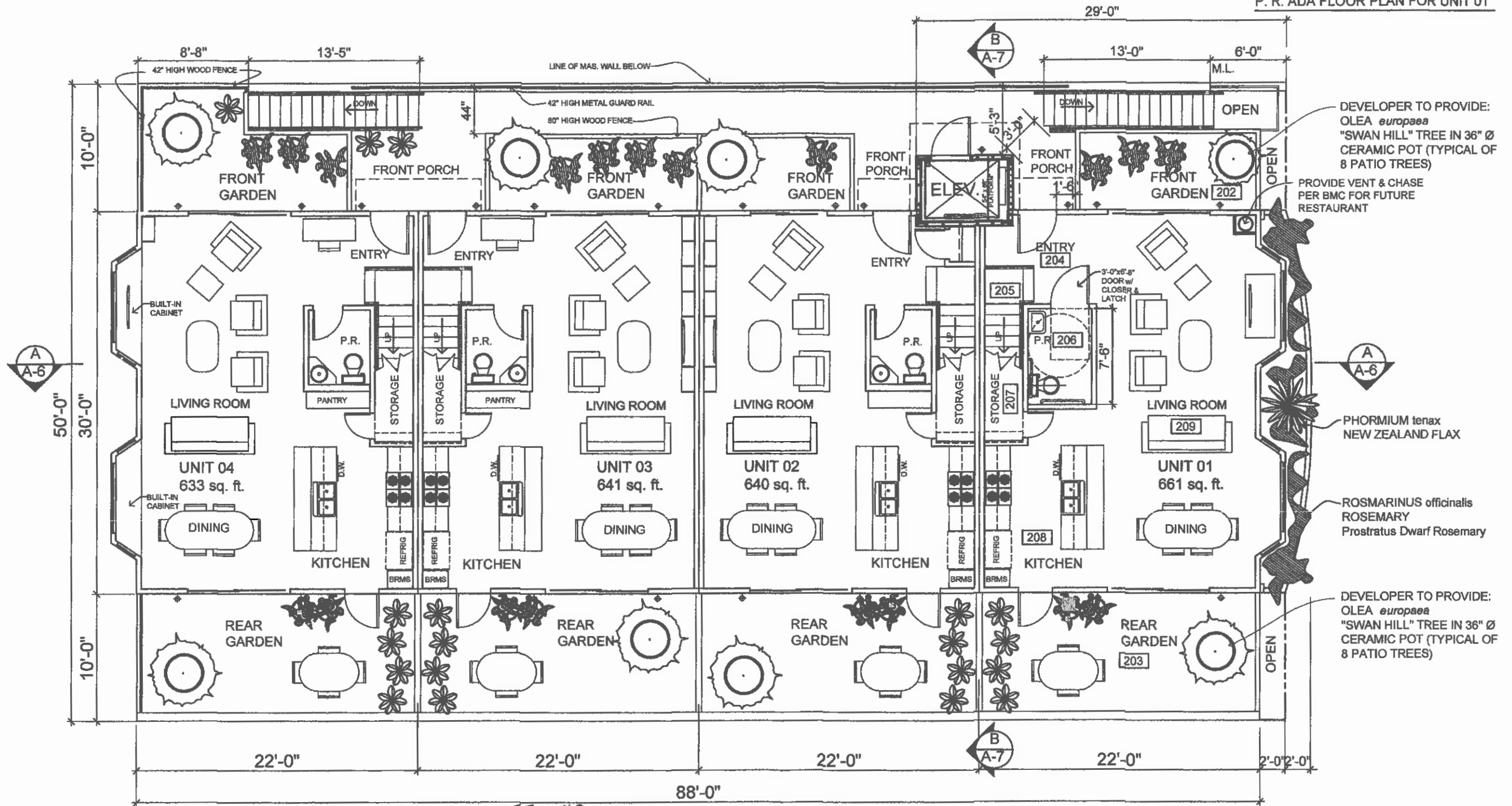
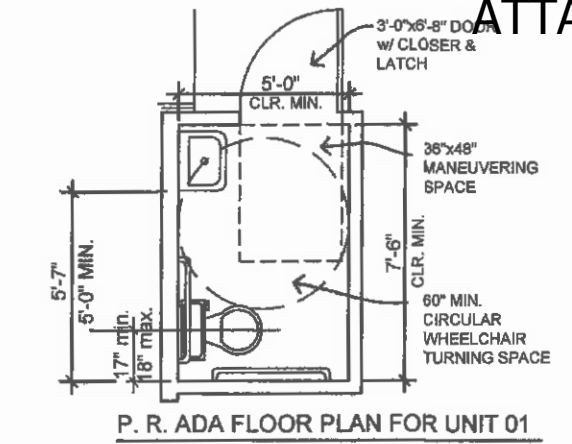
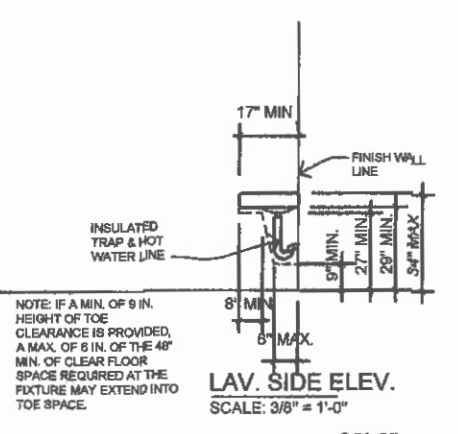
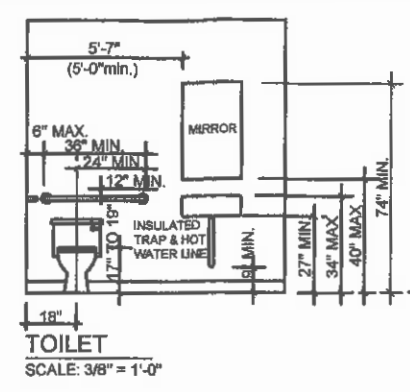
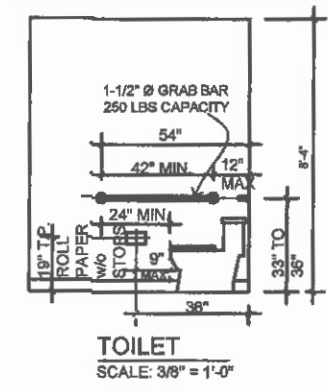
(FIRST) GROUND FLOOR PLAN

Scale: 1/4" = 1'-0"



- NEW STUD WALLS
- PLUMBING WALLS
- NEW MASONRY WALLS
- EXISTING MASONRY WALLS

ADA REFERENCE:
2010 ADA STANDARDS FOR
ACCESSIBLE DESIGN
DEPT. OF JUSTICE 9-15-2010



SECOND PROPOSED FIRST FLOOR PLAN
Scale: 1/4" = 1'-0" TOTAL FLOOR AREA: 2,575 SQ. FT.



- NEW STUD WALLS
- PLUMBING WALLS
- NEW MASONRY WALLS

LANDSCAPE NOTE:
DEVELOPER TO PROVIDE LANDSCAPING OF
GARDEN AREAS (INCLUDING REAR YARD) SUBJECT
TO PLANNING DIRECTOR APPROVAL, PRIOR TO
OCCUPANCY.

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Printing Date:

FEB 25, 2015
MAR 08, 2015
MAY 23, 2015
AUG 03, 2015
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FIRST FLOOR PLAN

CARTER BLDG.
23 San Bruno Ave.
Brisbane, CA. 94005

JOB NO. 1501
SHEET NO.
A-3
OF 81 SHEETS

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 SEP 08, 2015
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UPPER FLOOR
 PLAN

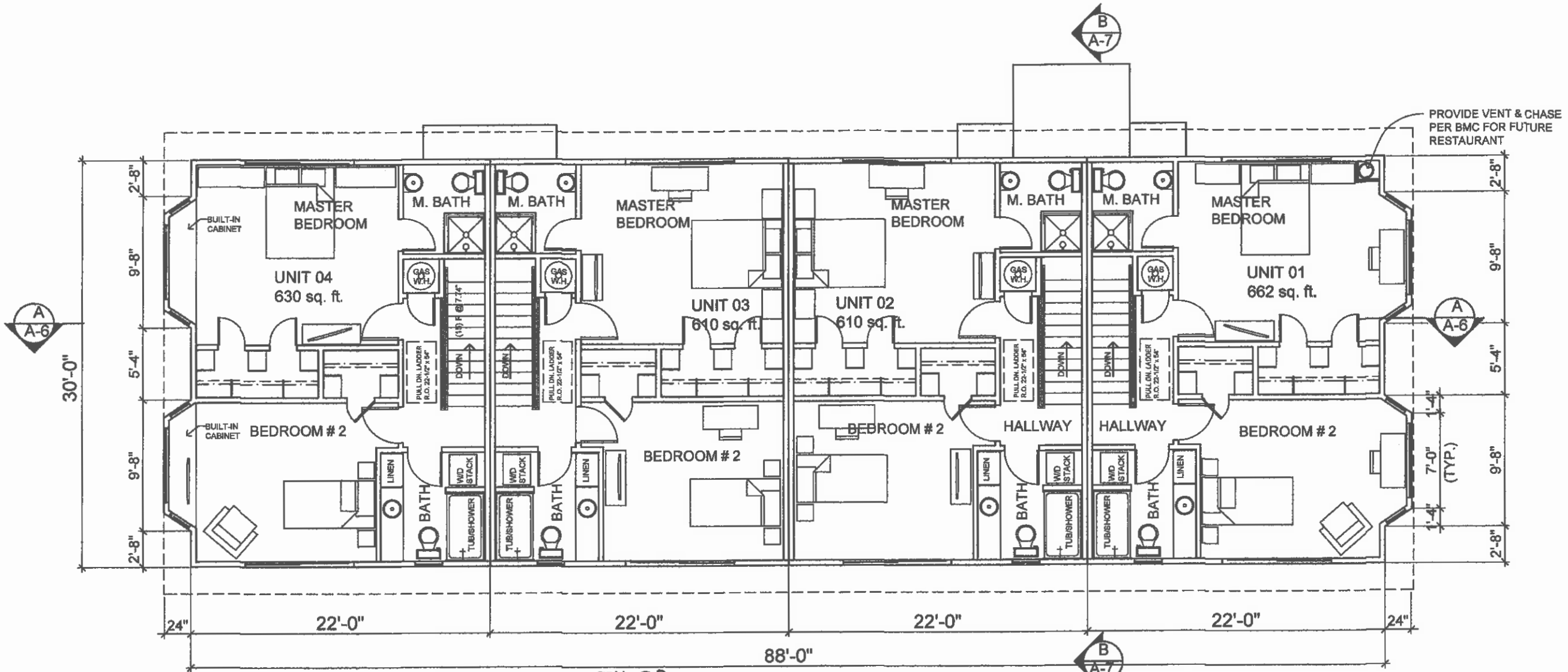
CARTER BLDG.
 23 San Bruno Ave.
 Brisbane, CA. 94005

JOB NO. 1501
 SHEET NO.

A-4

9 OF 82 SHEETS

DRAWN BY: JLR



THIRD
 PROPOSED UPPER FLOOR PLAN

Scale: 1/4" = 1'-0"



- NEW STUD WALLS
- PLUMBING WALLS
- NEW MASONRY WALLS

ALL WORK SHALL BE IN ACCORDANCE WITH THE CALIFORNIA BUILDING CODES AND ALL APPLICABLE ORDINANCES AND REGULATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL UTILITIES AND ADJACENT PROPERTIES AT ALL TIMES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND ADJACENT PROPERTIES. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL UTILITIES AND ADJACENT PROPERTIES AT ALL TIMES.

JOSEPH J. RAILLA AIA ARCHITECT
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5688 Henning Rd / Sebastopol / CA 95472 / (415) 637-9698

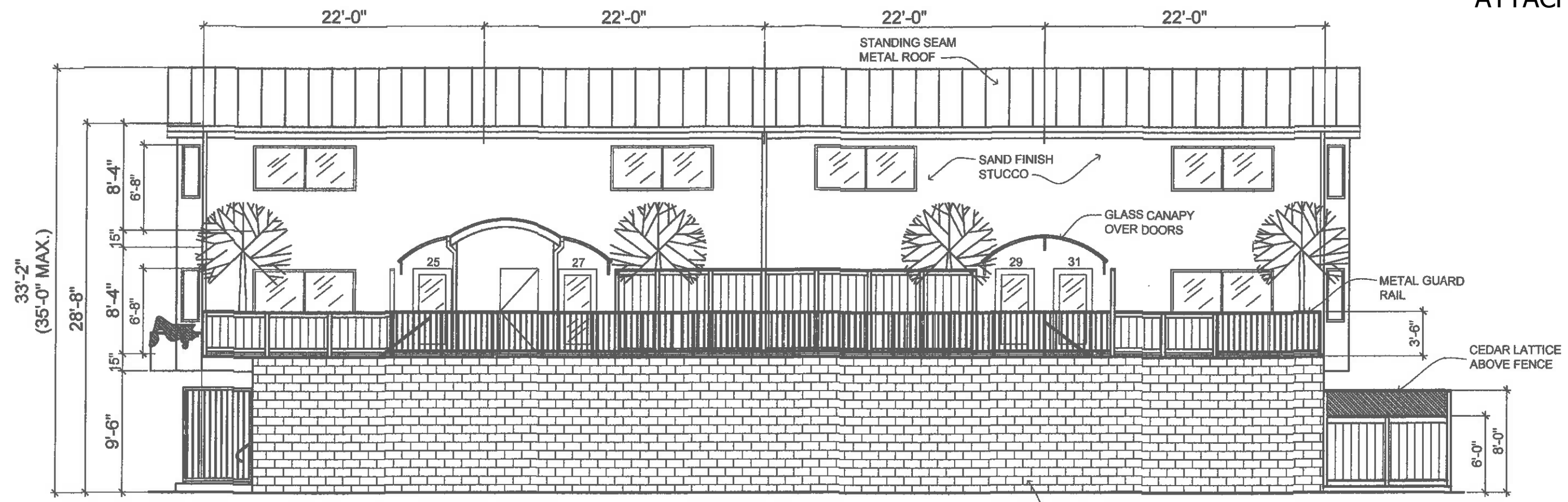
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FEB 25, 2015
MAR 04, 2015
MAY 23, 2015
JUN 17, 2015
AUG 03, 2015
NOV 14, 2015

CARTER BLDG.
EXTERIOR
ELEVATIONS

23 San Bruno Ave.
Brisbane, CA. 94005

JOB NO. 1501
SHEET NO.

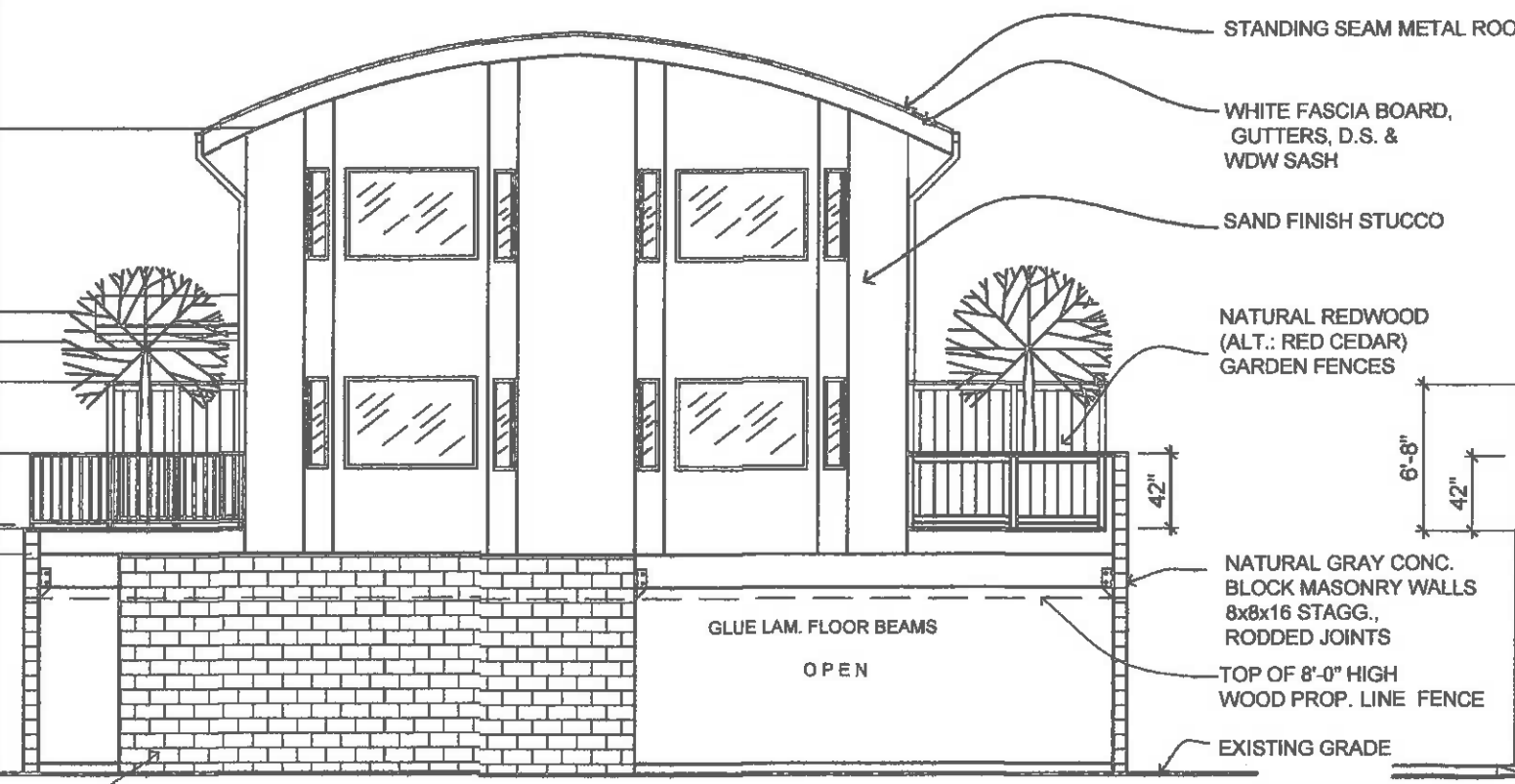
A-5
SHEETS



SOUTH ELEVATION
Scale: 1/4" = 1'-0"

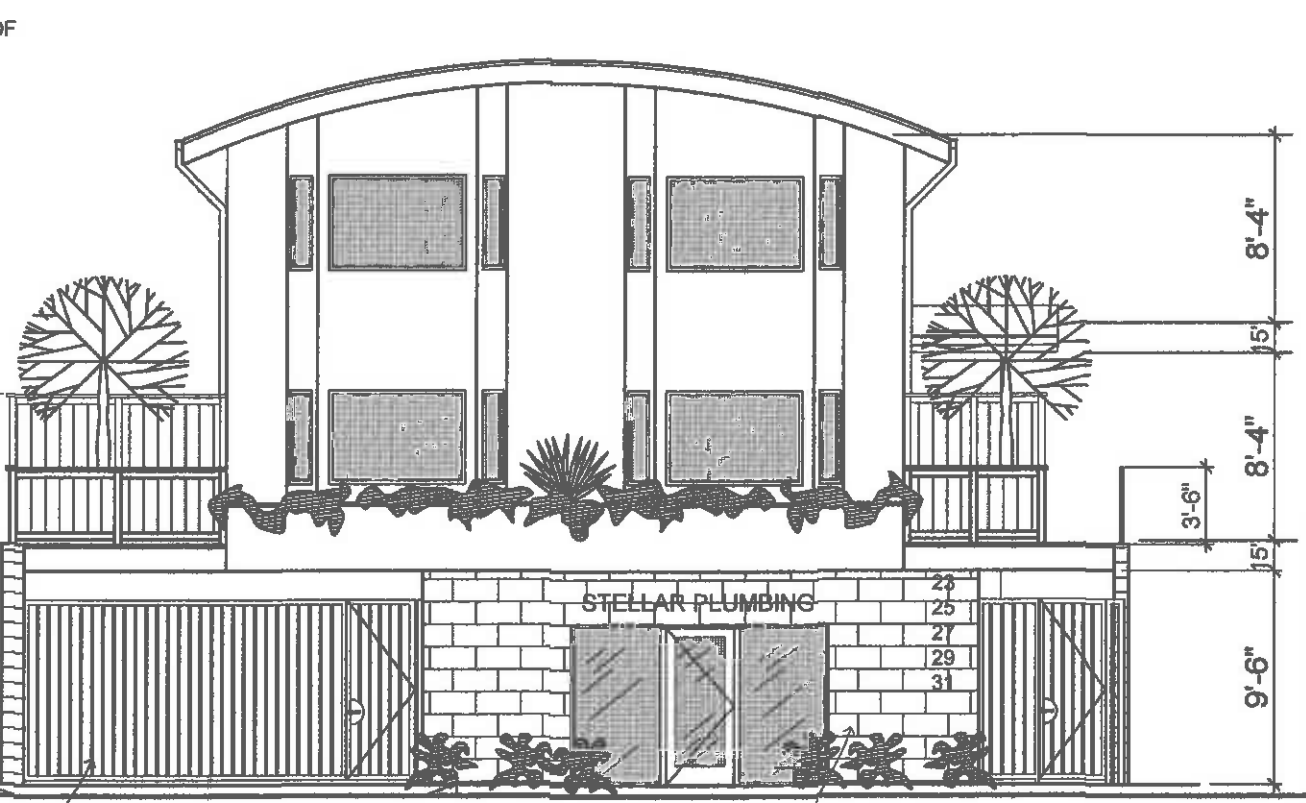
NATURAL GRAY CONC.
BLOCK MASONRY WALLS
8x8x16 STAGG.,
RODDED JOINTS

DRAWN BY: JJR



REAR ELEVATION
Scale: 1/4" = 1'-0"

NATURAL GRAY CONC.
BLOCK MASONRY WALLS
8x8x16 STAGG.,
RODDED JOINTS



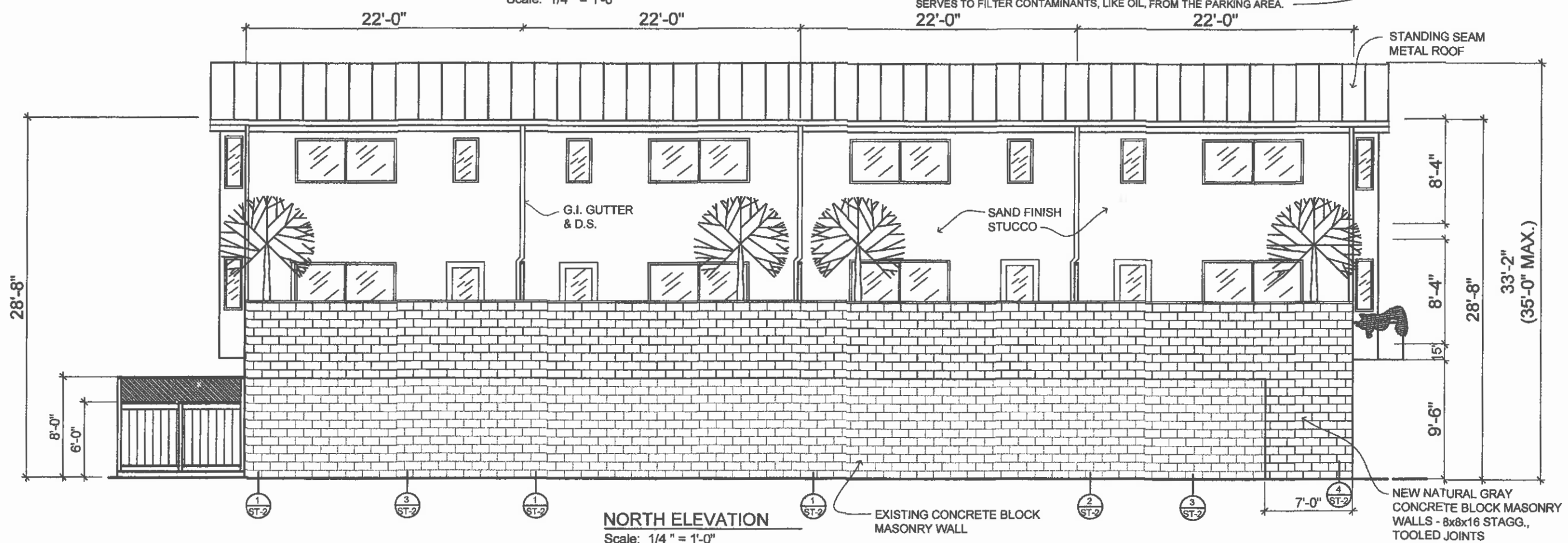
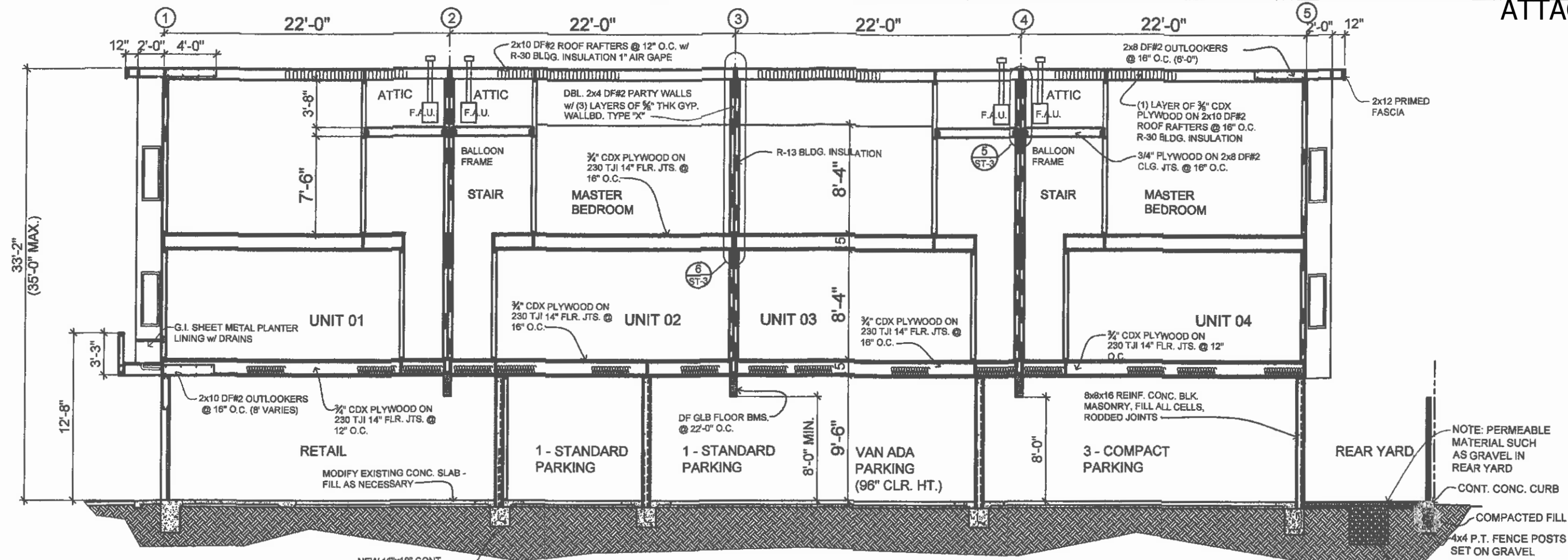
FRONT ELEVATION
Scale: 1/4" = 1'-0"

DOWNTON-GREY SERIES, GREY 12x24
CERAMIC TILE ON CONCRETE BLOCK
MASONRY WALLS

IRON GATE O.H. GARAGE
DOOR 18 FT. x 8 FT.

STELLAR PLUMBING

23
25
27
29
31



DRAWN BY: JJR

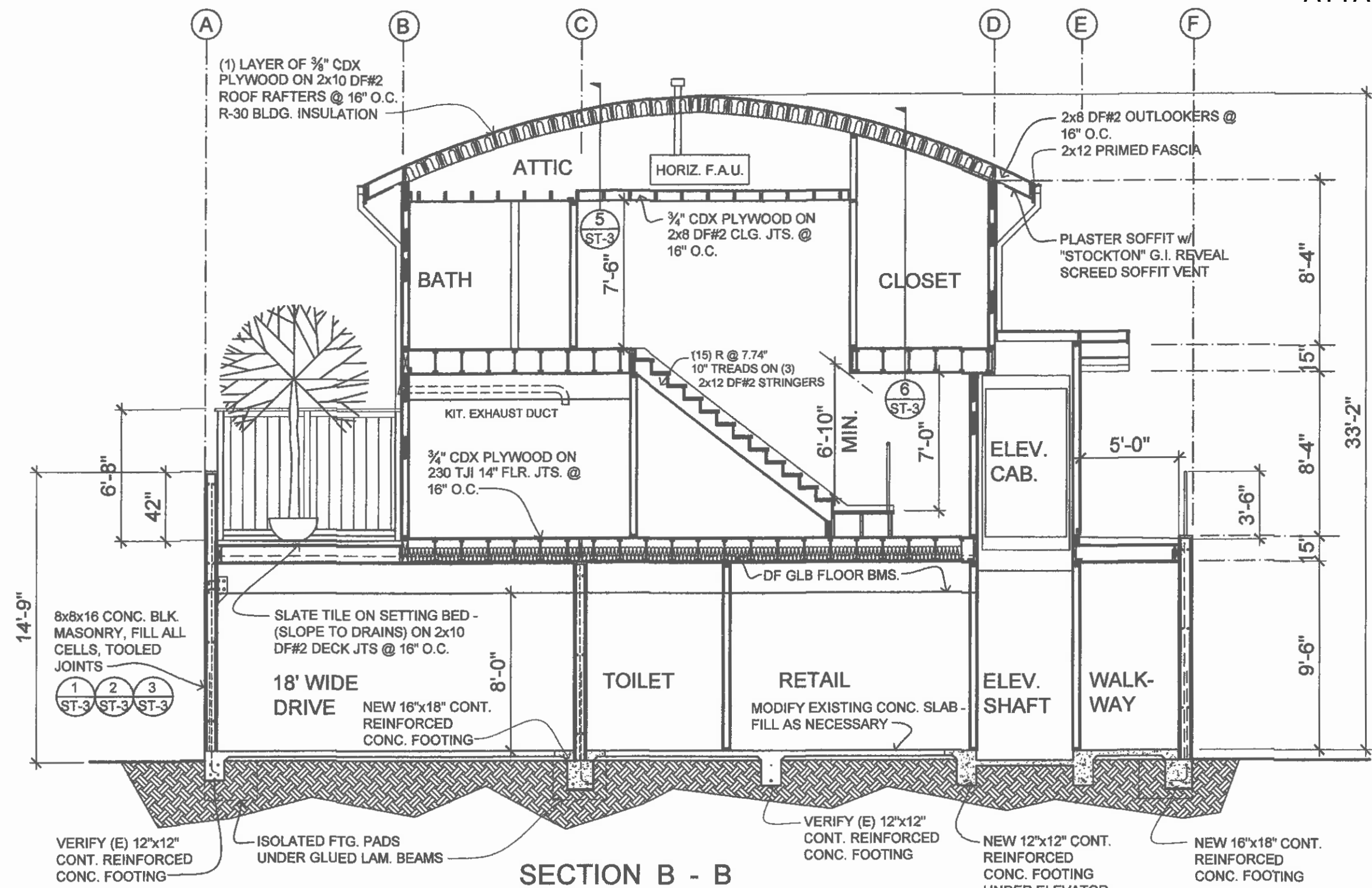
JOSEPH J. RAILLA AIA ARCHITECT
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5688 Henning Rd / Sebastopol / CA 95472 / (415) 637-9698

Printing Date:

FEB 26, 2015
MAR 06, 2015
MAY 23, 2015
JUN 17, 2015
AUG 03, 2015

CARTER BLDG. NORTH ELEV. & LONGITUDINAL SECTION
23 San Bruno Ave.
Brisbane, CA. 94005

JOB NO. 1501
SHEET NO.
A-6
9/84 SHEETS



SECTION B - B

Scale: 3/8" = 1'-0"

DRAWN BY: JJR

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Printing Date:

FEB 26 2015
MAY 08 2015
MAY 29 2016
JUL 14 2016
AUG 18 2016

CROSS SECTION

CARTER BLDG.
 23 San Bruno Ave.
 Brisbane, CA. 94005

JOB NO. 1501
 SHEET NO.

A-7
 OF 7 SHEETS

THE STATE OF CALIFORNIA
COUNTY OF SAN MATEO
COMMUNITY DEVELOPMENT DEPARTMENT
1501 SAN BRUNO AVENUE
BRISBANE, CALIFORNIA 94005
TEL: (415) 637-9698
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Printing Date:
MAY 27, 2015

EXISTING BLDG.
SITE PLAN
& DEMO. PLAN
CARTER BLDG.
23 San Bruno Ave.
Brisbane, CA. 94005

JOB NO. 1501
SHEET NO.
D-1
OF 1.86 SHEETS

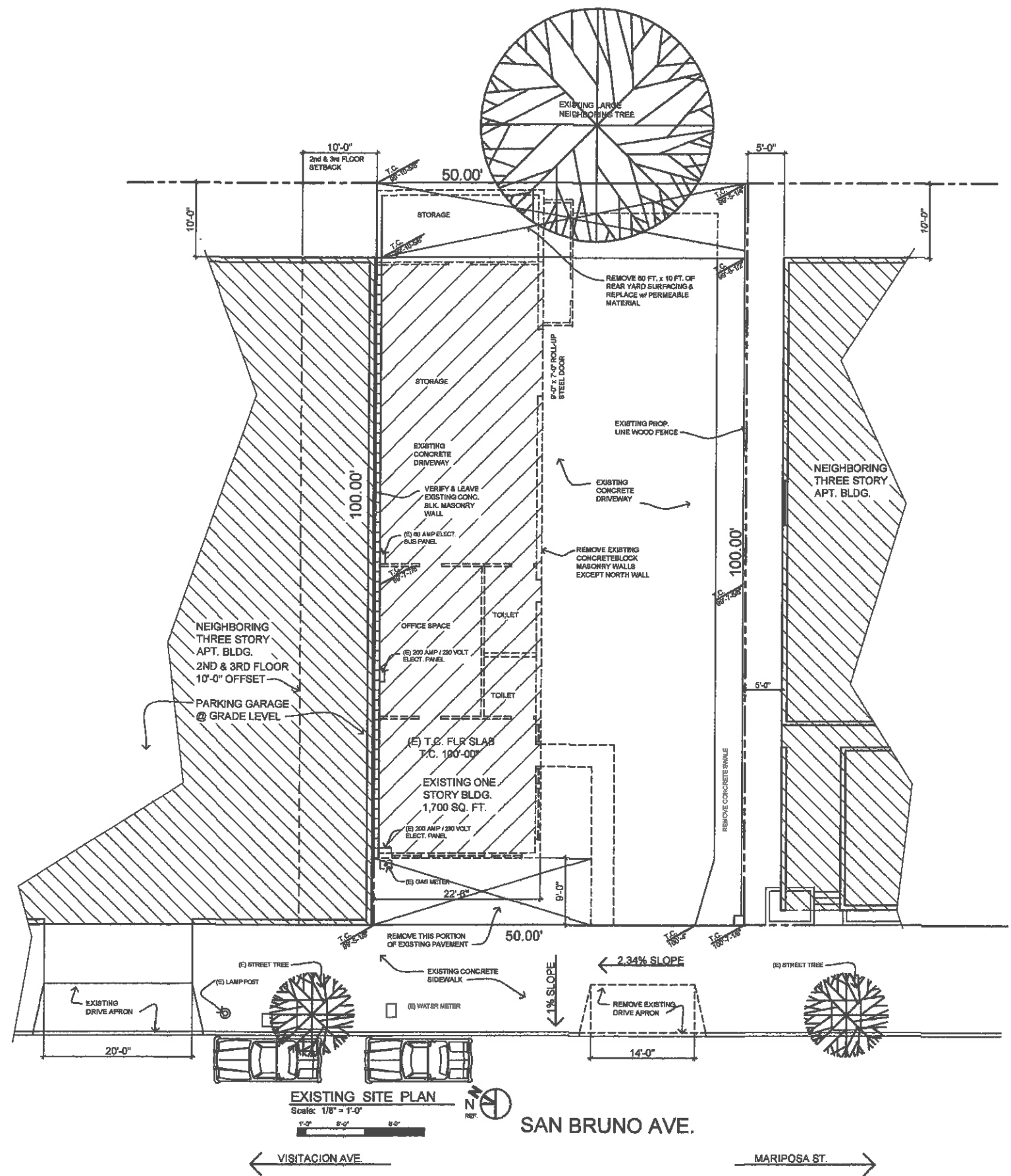
DRAWN BY: JJR

STORMWATER NOTES:

- EXISTING CONCRETE SLAB TO BE MODIFIED (NOT REMOVED) & EXISTING CONCRETE FTGS. TO REMAIN. PROJECT DOES NOT CREATE &/OR REPLACE 2,500 SQ. FT. OR MORE OF IMPERVIOUS SURFACE.
- DIRECT ROOF RUNOFF TO SANITARY SEWER.
- ALL WALKS, PARKING AREAS, DRIVEWAY ARE UNDER COVER. NO UNCOVERED PARKING.
- REAR YARD TO HAVE PERMEABLE SURFACE.
- STORM DRAIN:** MARK ON-SITE INLETS w/ "NO DUMPING! FLOWS TO BAY" OR EQUIVALENT.
- FLOOR DRAINS:** PLUMB INTERIOR FLOOR DRAINS TO SANITARY SEWER.
- PARKING GARAGE:** PLUMB INTERIOR PARKING GARAGE FLOOR DRAINS TO SANITARY SEWER.

STORMWATER NOTES:

- NO EXISTING VEGETATION. PLANTS TO BE DROUGHT TOLERANT, MIN. USE OF PESTICIDES. USE EFFICIENT IRRIGATION SYSTEM; DESIGN TO MINIMIZE RUN OFF.
- TRASH AREA:** DIRECT FLOOR DRAIN TO SANITARY SEWER.
- DESIGN FOR DISCHARGE OF FIRE SPRINKLER TEST WATER TO SANITARY SEWER.
- THIS PROJECT IS NOT A "HIGH PRIORITY SITE" **GRADING PERMIT IS NOT REQUIRED.**
- BEST MANAGEMENT PRACTICE (BMP)** SEE ATTACHED SAN MATEO COUNTYWIDE WATER PREVENTION PROGRAM'S CONSTRUCTION BMP. CONTRACTOR TO IMPLEMENT THE APPLICABLE BMPs ON THE PLAN SHEET.



EXISTING SITE PLAN
Scale: 1/8" = 1'-0"
EXISTING/DEMO PLAN

Balcony Pavers

Roof Color

Stucco

Subway Tile

G.1.87

ATTACHMENT D

BRISBANE PLANNING COMMISSION
Summary Minutes of January 14, 2016
Regular Meeting

A. CALL TO ORDER

Chairperson Do called the meeting to order at 7:33 p.m.

B. ROLL CALL

Present: Commissioners Anderson, Munir, Parker, and Chairperson Do.

Absent: Vice Chairperson Reinhardt.

Staff Present: Community Development Director John Swiecki, Senior Planner Ken Johnson, Associate Planner Julia Capasso.

C. ADOPTION OF AGENDA

Commissioner Parker moved and Commission Anderson seconded to adopt the agenda. The motion was approved 4-0.

D. ORAL COMMUNICATIONS (limit to a total of 15 minutes)

None.

E. WRITTEN COMMUNICATIONS

Chairperson Do acknowledged a letter from the Park Pointe Homeowners Association regarding the application for 23 San Bruno UP-2-15 and DP-1-15, a League of California Cities flier, and an email from Anja Miller containing corrections to the November 16, 2015 draft minutes.

F. NEW BUSINESS

1. **PUBLIC HEARING: 23 San Bruno Avenue; Use Permit UP-2-15 and Design Permit DP-1-15;** Use Permit and Design Permit to allow for the construction of an approximately 31-foot high, three-story, mixed-use building, including four 1,250 sq. ft. to 1,323 sq. ft. residential units on the second and third floors and an approximately 550 sq. ft. ground floor commercial space and ground floor parking, to replace the existing single-story commercial building on a 5,000 sq. ft. lot; Joseph J. Railla, applicant; Lon Carter, owner; APN 007-223-080.

Senior Planner Johnson gave the agenda report presentation. In response to Commission questions he confirmed that the structure would be sprinklered, that it was consistent with NCRO-2 zoning district requirements and that it complied with parking requirements. He further clarified the City cannot require monetary compensation to neighboring properties as requested in the referenced letter from the Park Pointe HOA.

Commissioner Anderson moved and Commissioner Parker seconded to open the public hearing. The motion was approved 4-0.

Lon Carter, property owner, introduced himself as a lifelong Brisbane resident and business owner. He stated this application would improve the look and feel of the neighborhood and

increase the value of surrounding development. He said the commercial space would be used as an office and he did not expect any trucks coming to delivery materials.

Commissioner Parker asked Mr. Carter why the proposed balconies were so close to the adjacent balconies at 1 San Bruno Avenue. Mr. Carter responded they are patios, not balconies, and the design maximizes the building's setback from the shared property line which allows light and air to get through to 1 San Bruno Avenue.

Chairperson Do asked Mr. Carter to respond to the comments in the letter from Park Pointe HOA.

Mr. Carter responded that in regard to patio privacy, it was no different than neighbors with fences that may allow views into neighboring yards. He said the 10-foot setback from the property line would ensure views of San Bruno Mountain would not be impacted. He was open to suggestions from 1 San Bruno Avenue as to the look and feel of the dividing wall at the property line. He said water intrusion would be addressed in the engineering at time of building permit. Regarding fire risk, he noted the building was set back 10-feet from the property line and the Fire Department would review the project at building permit stage.

He said the units would be rented as townhomes, with a possibility of conversion to condominiums at a later time, and noted that renters are no different than homeowners. He said the proposed parking complies with the City's standards both for vehicles and bicycles. Regarding the safety of the patios, he noted the patios could only be accessed from the units. The large tree on Plumas Street would be retained and trimmed, and the window privacy issues could be mitigated. He said he was disturbed by the request for compensation.

Barbara Ebel asked whether the tree on Plumas Street would remain. Mr. Carter responded yes but it would require trimming.

Ms. Ebel said she generally supported the project but urged the Commission to require protection of the tree on Plumas Street during demolition and construction. She asked that the homeowner help improve the community garden recognizing the limited outdoor space for the new residents. She suggested awnings on southwest facing windows to minimize solar intrusion and stated projects should be required to show compliance with Title 24 prior to the building permit application.

Mr. Carter said Title 24 compliance is reviewed at the building permit stage and the structure would be ready for solar. He said he was open to supporting the community garden. He was open to installing an electric vehicle charging station in the garage in the future.

Elliott Cohen, Vice President of Park Pointe HOA Board of Directors, 1 San Bruno Avenue, read from the HOA's letter dated January 14, 2016. The Board's concerns included reduction in the value of their homes, loss of safety and privacy from the balconies and third floor windows at 23 San Bruno Avenue, loss of views due to the dividing wall at the property line, loss of sunlight, high turnover of rental units, lack of parking for the commercial unit, and noise impacts from construction and new residents. The HOA proposed resolutions to these concerns including granting HOA creative control of the dividing wall, setting the wall back five feet from the

property line, clerestory or opaque windows at the third level, and monetary compensation to the HOA and individual condo owners.

Joseph Railla, project applicant and architect, said the proposed biofiltration system in the rear yard of the property would aid in drainage for the tree on Plumas Street. He noted window sill heights were governed by Fire Code requirements for emergency ingress and egress. He said he considered Title 24 while designing the structure. He said no grading was proposed and the existing concrete wall at the shared property line would remain. He said he could produce 3D elevation views of the structure from multiple angles and with different colors.

Commissioner Munir asked if he was open to more articulation on the front elevation. Mr. Railla responded yes.

Krista Katusha said she was a homeowner at 1 San Bruno and detailed her concerns with safety.

Lon Carter suggested a lattice with planted vegetation on the dividing wall. He reiterated his openness to discussion with the HOA.

Commissioner Munir moved and Commissioner Parker seconded to close the public hearing. The motion passed 4-0.

Commissioner Munir inquired about the project's compliance with the City's Green Building Ordinance. Director Swiecki responded the project does not trigger compliance with the City's Green Building Ordinance and CALGreen would apply.

Commissioner Munir asked if the project would include affordable units. Senior Planner Johnson responded the inclusionary housing ordinance did not apply as the project proposed less than six units.

Commissioner Munir asked staff to respond to the safety concerns that were voiced. Senior Planner Johnson said staff found the proposed design to be safe and noted the applicant's suggestion of a lattice design could deter climbing.

After discussion, it was the consensus of the Commission that generally the project could be supported but they would like to see additional articulation on the building's front façade and further consideration of the dividing wall design and materials.

Commissioner Munir motioned and Commissioner Anderson seconded to continue the application to the January 28, 2016 meeting to allow the applicant to address their comments. The motion passed 4-0.

Chairperson Do announced a five minute break.