

ATTACHMENT 3

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City of Brisbane

Planning Commission Agenda Report

TO: Planning Commission For the Meeting of 6/12/2018

FROM: Julia Capasso, Associate Planner, via John Swiecki, Community Development Director

SUBJECT: Design Permit DP-3-17, Grading Review EX-8-17, Variance V-2-18, Fence Exception FD-1-18, Use Permit UP-3-18; 661 San Bruno Avenue; R-3 Residential District; Demolition of an existing single-family dwelling and construction of a new four-unit condominium development on a 6,874 square foot lot; Stephen R. Johnson, applicant/owner.

REQUEST: The applicant proposes to demolish an existing single-family residence on a 6,874 square foot property and construct a four-unit condominium building. The units will all contain two bedrooms, and range from 770 square feet to 1,132 square feet in floor area. The “L”-shaped building will range from 1 to 3 stories in height. Six covered parking spaces will be provided.

This project has previously received discretionary permit approval and extensions of those approvals from the Planning Commission on an ongoing basis since 2005. Due to economic circumstances, the property owner has been unable to move forward to the Building Permit stage for this project under those previously granted discretionary permit approvals. The project is consistent with the discretionary permits last approved by the Commission in 2010 (which expired in 2012).

In order to build the project as designed, the following permit approvals are required:

- A Design Permit for the new four-unit condominium building;
- Grading Review for 1,087 cubic yards of soil cut and export;
- Variance for a portion of the structure to exceed the 28 foot height limit;
- Fence Exception to allow a solid eight foot fence in the north side yard; and
- Use Permit to allow a substandard driveway aisle width of 25 feet, 1 inch, where 26 feet is required, and for one assigned parking space to be compact in size where a standard size space is required.
- A Tentative Parcel Map for the condominium development, which has been deemed incomplete pending approval of the Design Permit and will be considered by the Planning Commission at a subsequent hearing.

RECOMMENDATION: Conditionally approve Design Permit DP-3-17, Variance V-2-18, Fence Exception FD-1-18, and Use Permit UP-3-18, and recommend that the City Engineer issue

the Grading Permit per the staff memorandum with attachments, via adoption of Resolution DP-3-17/EX-8-17/V-2-18/FD-1-18/UP-3-18 with Exhibits A and B containing the findings and conditions of approval.

ENVIRONMENTAL DETERMINATION: Demolition of existing structures is categorically exempt from the provisions of the California Environmental Quality Act per Section 15301(i)(1) of the State CEQA Guidelines. Construction of a four-unit multi-family residential structure is categorically exempt from the provisions of the California Environmental Quality Act per Section 15303(b) of the State CEQA Guidelines. The exceptions to these categorical exemption referenced in Section 15300.2 do not apply.

ANALYSIS AND FINDINGS:

Project Description

The 6,874 square foot property features a 14% northwest slope upward from San Bruno Avenue. An existing nine foot curb cut and driveway provide one on-site parking space, and one on-street space (as defined by the Zoning Ordinance) is located along the property frontage.

The applicant proposes to demolish the existing single-family dwelling and construct a three-story structure with six podium parking spaces and storage on the ground floor, and one to two levels of residential above. The existing curb cut would be widened to 18 feet, preserving the on-street parking space. To accommodate the required on-site parking, the grading plan calls for 1,087 cubic yards of soil cut and export from the site. The project includes removal of six trees from the site, none of which are qualified as protected under BMC Chapter 12.12. A street tree would be removed to accommodate the widened driveway.

All four residential units would be accessed from the second level via an enclosed entry stairway at the structure's front (west) façade and the ground floor elevator. Units 1, 2 and 3 would feature two-story floor plans ranging from approximately 900-1,100 square feet, while Unit 4 located at the rear (east) of the structure would be single-level and approximately 770 square feet. Outdoor space would be provided via private balconies for Units 1 through 3 and shared passive open space in the rear yard.

Design Permit

Design Permit Findings

The required findings fall into four topic areas, briefly discussed below:

1. Neighborhood Compatibility
2. Building Design Form and Details
3. Site Access and Circulation
4. Landscaping

Neighborhood Compatibility: The R-3 District corridor along San Bruno Avenue features a mix of multi-family, duplex, and single-family homes, consistent with the variety of residential product types allowed in the R-3 District. Structures showcase a variety of architectural styles

and aesthetics, consistent with the General Plan's encouragement of diversity and creativity in residential design.

The subject property abuts eight-unit building on a 4,768+/- square ft. lot at 665 San Bruno Avenue to the south, and a single-family dwelling on a 5,000 square ft. lot at 637 San Bruno Avenue to the north. Upslope of the property to the east are single-family dwellings (285 and 281 Santa Clara Street) in the R-1 District, and a duplex (236-238 Tulare Street) and a single-family dwelling (240 Tulare Street) in the R-3 District.

The orientation and location of the building and open spaces maintain a compatible relationship to adjacent development. The drive aisle accessing the ground level parking provides an approximately 19 foot buffer between the front segment of the structure and the adjacent three-story building at 665 San Bruno Avenue to the south. The third-story is set back almost 10 feet from the north side property line to allow adequate light and air for the adjacent two-story single-family dwelling at 637 San Bruno Avenue, and the proposed eight foot solid fence along that lot line would provide additional screening of the open parking facility at the ground floor (see Fence Exception analysis, below). The landscaped rear yard would provide additional buffer for adjacent upslope properties on Santa Clara and Tulare Streets. Exterior lighting will be designed so as not to cast glare upward or onto adjoining properties.

The subject property is not located on a mapped ridgeline as defined per BMC Section 17.02.695 and would not impact public views of the San Francisco Bay, Brisbane Lagoon, or San Bruno Mountain.

Building Design, Form, and Details: The applicant proposes an attractive Craftsman-inspired design that incorporates third-level stepbacks, roof overhangs, changing rooflines, balcony projections, and variations in finish materials to articulate the building facades and break up the massing of the structure. The varied siding materials (soft-gray cement plaster and khaki horizontal wood siding) maintains continuity with gray/brown composition shingles and taupe framing for the windows and brackets under the eaves. The garage columns will have Craftsman-style detailing appropriate to the rest of the building.

The condominium development standards require a minimum of 1,600 square feet of outdoor areas for active or passive recreational use, which may be shared, private, or a combination of both. The application meets this requirement through a combination of private open space in the form of balconies for Units 1, 2, and 3, and shared open space in two landscaped terraces in the rear yard.

Because San Bruno Avenue is considered a traffic noise corridor, a condition of approval has been included in the attached Resolution to require a professionally-prepared acoustical analysis report to show that the proposed design will limit exterior noise to 45 dB in any habitable room per California Noise Insulation Standards. Additional Building Code requirements that apply specifically to condominium developments will also be applied at building permit stage.

The proposed exterior lighting fixtures will not to cast glare upward or onto adjoining properties and no reflective glass or other building materials are proposed. The trash enclosure and utility

meters will be tucked into the north side of the building, screened from the adjoining property by a solid eight foot fence (see Fence Exception discussion below). While the building will be required to incorporate a solar energy system at the building permit stage, no additional rooftop mechanical equipment is proposed.

Site Access and Circulation: The Municipal Code requires that the site plan minimize the effects of traffic on abutting streets and within the project boundaries, 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 internal circulation and off-street parking facilities that are adequately surfaced, landscaped and lit.

The project would provide six covered parking spaces at the structure's ground level, meeting the minimum requirement of BMC Chapter 17.34 (see Use Permit discussion below for analysis of the requested compact-sized parking spaces). Four spaces will be standard size in dimension (one of which is required to be dedicated to handicap parking), and two will be compact in size. The parking facility will accommodate on-site turnaround, so that vehicles will not back into the street, as required by BMC §17.34.040.I.2. The proposed 18 foot curb cut would allow for simultaneous ingress and egress from the property while maintaining an existing on-street parking space along the property frontage. Pedestrian access from the street will be provided by concrete walkways and stepping stone paths.

Landscaping: The project provides approximately 1,500 square feet of lawns and landscaping in the front and rear yards that are accessed by meandering paths. In the front yard, a small lawn will be encircled by a variety of deciduous trees and flowering shrubs, with a curving stone path leading to the building's main entrance. The northwest side yard will be planted with a variety of shrubs and flowering perennial species, and a mix of deciduous and evergreen tree species to screen the site from the adjoining single-family dwelling at 637 San Bruno Avenue. The rear yard will feature an arbor and seating wall generously planted with deciduous and fruit tree species, shrubs, and small areas of turf. Consideration has been given in the landscape plan to the sewer easement that runs along the north side of the property within the narrow side yard.

Six existing fruit and acacia trees are proposed to be removed, but are not qualified as protected under BMC Chapter 12.12, because none are California Bay, Laurel, Coast Live Oak or California Buckeye trees, and less than three of the trees have a circumference of at least 30 inches measured 24 inches above natural grade. The landscape plans propose planting 25 new trees on site.

Variance- Building Height

Because the property's slope is 14% as defined by the Municipal Code, a height limit of 28 feet is imposed, and the project requires Variance approval to the height limit in order to be constructed as designed. The maximum height of the structure would be approximately 30 feet from finish grade measured from the lowest point of adjacent grade five feet from the southwest corner of the building wall. All other portions of the building would comply with the 28 foot height limit when measured from finish grade.

Per BMC Section 17.46.010, in order to approve a Variance, the Planning Commission must find that special circumstances are applicable to the property such that strict application of the Zoning regulation would deprive the property of privileges enjoyed by other properties in the vicinity in the same zoning district, and must impose conditions to assure that the adjustment does not constitute a grant of special privilege.

Special Circumstances Applicable to Subject Property: The site has a cross slope rising from its northwest corner to its southeast corner. The driveway to the covered spaces under the building will be located on the upslope (south) side of the property, away from the single-family house to the north at 637 San Bruno Avenue. Because building height is measured from finished grade on cut slopes, the height of this building measured on its south side (29 ft., 2 ½ in.) is taller than the height on the north side (28 ft.). Additionally, the Municipal Code's method of slope calculation does not take into account extreme grade differentials in discrete portions of a property, such as occurs at the rear of the subject property. The Municipal Code allows a 30 foot height limit for properties with slopes of 20% or more. Finally, the ceiling height of the parking area is fixed due to the California Building Code's design requirements for handicap accessible parking.

Privileges Enjoyed by Others in the Vicinity Deprived to Subject Property: The applicant proposes to construct a three-story building with 8 foot, 1 inch high ceilings and a pitched roof, avoiding the typical box-design found among many multi-family buildings along San Bruno Avenue. Properties in the vicinity of the project feature three-story designs, including 675 San Bruno Avenue to the south. Strict application of the 28 foot height limit on this property makes development of an articulated and otherwise Code-compliant multi-family structure on this property difficult.

Conditions Necessary to Prevent a Grant of Special Privilege: To address this finding, Condition of Approval 3.a requires that "The plans submitted for a building permit shall include a section showing the declivity of the mansard roof segment over Unit #3 as being no more than 29 ft., 2 ½ in. above the elevation of the driveway below it."

Grading Review

BMC §17.32.220 requires Planning Commission Grading Review when fifty (50) cubic yards or more of material is to be removed from any single parcel of land. While there are no findings in the Zoning Ordinance for review of such applications, in 2003, the Planning Commission adopted guidelines that contain findings for approval, as described below. With the suggested conditions of approval contained in the attached Resolution, the application **would meet** these findings.

- The proposed grading is minimized and designed to reflect or fit comfortably with the natural topography (General Plan Policies 43, 245 & 312 and Program 18a).

The project meets this finding. As described in detail in the Design Permit analysis above, the proposed grading is the minimum necessary to provide the required six on-site covered parking spaces and provide adequate on-site circulation, including on-site turnaround and safe ingress

and egress. Minimal grading is proposed at the front and rear of the site to create useable landscaped open areas, slightly modifying existing contours.

- The proposed grading is designed to avoid large exposed retaining walls (General Plan Policies 43 & 245).

The project meets this finding. While the retaining wall adjacent to the south side property line and parking aisle would measure approximately 14 feet at its tallest point when measured from the interior of the site, the wall would not be readily visible from off-site and would be relatively flush with finish grade at the adjacent property to the south. BMC §17.32.050 requires vegetative screening or wall treatments for retaining walls over six feet in height **only** if they are located within a setback area. Condition of Approval 3.d in the attached resolution requires the building permit application to include treatment of this retaining wall with different textures and/or materials to break up the height of the wall into no more than six foot segments. Vegetative screening is not appropriate in this location as it serves as the required drive aisle to access the parking spaces.

- The proposed grading is designed to conserve existing street trees (as defined by BMC Section 12.12.020), any California Bay, Laurel, Coast Live Oak or California Buckeye trees, and three or more trees of any other species having a circumference of at least 30 inches measured 24 inches above natural grade.

The project would meet this finding. Six existing fruit and acacia trees are proposed to be removed, but these do not fall within the restrictions of BMC Chapter 12.12, because none are California Bay, Laurel, Coast Live Oak or California Buckeye trees, and less than three of the trees have a circumference of at least 30 inches measured 24 inches above natural grade. The landscape plans propose planting 25 new trees on site. While an existing street tree would be removed to accommodate the widened driveway, the applicant has identified a location for a replacement tree. This is addressed by Condition of Approval 3.b.

- The proposed grading complies with the terms of the San Bruno Mountain Area Habitat Conservation Plan Agreement and Section 10(a) Permit, if and as applicable (General Plan Policy 119 and Program 83b).

This finding does not apply as the subject property is not located within the boundaries of the San Bruno Mountain Area Habitat Conservation Plan.

Fence Exception

The project meets the three findings required for the approval of exceptions to the fence regulations per BMC Section 17.32.050.B.5, as follows:

- (1) The exception is necessary by reason of unusual or special circumstances or conditions relating to the property in order to gain full use and enjoyment of the property.

- (2) The proposed fence, hedge or wall will not create a safety hazard for pedestrians or vehicular traffic.
- (3) The appearance of the fence, hedge or wall is compatible with the design and appearance of the existing buildings and structures in the neighboring area.

Unusual/Special Circumstances/Conditions: The property is located adjacent to a single-family dwelling at 637 San Bruno Avenue. In order to fit 18 foot long standard-size vehicles with an adequate maneuvering aisle on this sloped 50 foot wide lot, a portion of the garage under the building will be open along the north side, adjacent to the neighboring house. To address the neighboring property owner's concerns about noise and fumes from the garage, the Planning Commission previously required that an 8 foot tall solid wood fence be constructed along the northern property line, where 6 feet would normally be the height limit.

No Pedestrian/Vehicular Traffic Hazard: The proposed 8 foot tall fence would end at the corner of the proposed building, 15 feet from the front property line. Given its proposed distance from the street and any driveway, the fence would have no impact upon sight distance for vehicles entering or exiting the site.

Design Compatibility: The 8 foot tall fence is to be constructed of solid redwood siding facing the proposed building, complementary to the structure's wood siding.

Use Permit for Nonconforming Assigned Parking Space and Drive Aisle Dimensions

As described previously, a Use Permit is required to allow the drive aisle to maintain a substandard width of 25 feet, one inch where 26 feet is required to access standard sized parking spaces. Additionally, the Municipal Code requires that a four unit structure provide at least one standard size (9 feet x 18 feet) parking space for each unit, while the project would provide only three standard size parking spaces and one compact space dedicated to the units.

In order to approve the requested Use Permit, the Planning Commission must find that the proposal is consistent with the General Plan, that it would result in no detriment to persons or property in the neighborhood or to the City in general, that there is no need for strict enforcement due to present or anticipated traffic volume or site circulation, no on-street parking impacts would result, and full compliance with the parking requirements is not reasonably feasible due to existing structural or site constraints.

General/Specific Plan Consistency: The Use Permit request is consistent with General Plan Policy 149 and Program 22c, which acknowledge the interrelationships between the parking requirements and engineered grading.

Not Detrimental or Injurious to Neighborhood or City: Previous surveys conducted by Planning staff of jurisdictions within the State found that over a third would accept the minimum maneuvering area proposed (43 feet, 1 inch). Neighboring City of Millbrae accepts a 24 foot wide aisle (total maneuvering area = 42 feet), 2 feet less than required by the City of Brisbane and less than the 25 foot, one inch width proposed by the applicant.

Brisbane's standards are based upon the turning radius of an 18 foot long, 6.5 foot wide vehicle. A previous Planning staff review of full size and SUV models found that standard vehicle lengths range from 15 to 18.5 ft., with an average of approximately 16 feet. Based on these average dimensions, a typical standard-size vehicle would still be able to access the parking spaces and turn around with the proposed aisle width of 25 feet, 1 inch. It should be noted that the minimum aisle width for compact spaces is 20 feet wide.

Strict Enforcement Not Required Due to Present/Future Traffic Volume/Circulation: Consistent with the parking requirement of 1.5 spaces per unit, six garage spaces are proposed. Acceptance of a compact-sized space in lieu of a standard size space for the fourth dedicated parking space would still accommodate a functional compact parking space, and no more than 50% of the required parking spaces would be compact, consistent with BMC Section 17.34.040.C.

No Interference with Traffic or On-Street Parking: Finally, it must be found that the granting of the Use Permit will not result in the parking of vehicles on public streets in such a manner as to interfere with the free flow of traffic on the streets or to create or intensify a shortage of on-street parking spaces. San Bruno Avenue is wide enough to accommodate two lanes of traffic with parking on both sides of the street. To allow traffic to enter and exit the site simultaneously, the existing driveway will be widened to 18 feet. Adequate curb length between the new driveway and that at 637 San Bruno Avenue will remain to maintain the one existing on-street parking space. Acceptance of a compact sized space in lieu of a standard size space for the fourth dedicated parking space would still accommodate a functional compact parking space for the unit's use and would not result in increased demand for on-street parking.

Existing Structural or Site Constraints: The 25 foot, one inch width of the drive aisle adjacent to the first three standard size spaces is the maximum width possible in this location, due to the thickness of the proposed retaining wall adjacent to the southern property line and the shoring for the adjoining property to the south. Additionally, the Building Code requires one of the standard sized spaces to be handicap accessible, and this space may not be dedicated to a single unit.

ATTACHMENTS:

1. Draft Resolution with Findings and Conditions of Approval
2. Summary of Project Data
3. Aerial site map
4. Site photos
5. Applicant's Plans
6. Applicants materials/color board

ATTACHMENT 1

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RESOLUTION DP-3-17/EX-8-17/V-2-18/FD-1-18/UP-3-18

A RESOLUTION OF THE PLANNING COMMISSION OF BRISBANE
CONDITIONALLY APPROVING DESIGN PERMIT DP-3-17, VARIANCE V-2-18,
FENCE EXCEPTION FD-1-18, AND USE PERMIT UP-3-18
TO PERMIT A FOUR-UNIT CONDOMINIUM DEVELOPMENT
AT 661 SAN BRUNO AVENUE

WHEREAS, Steve Johnson, applicant and owner, applied to the City of Brisbane for Design Permit, Variance, Fence Exception, and Use Permit approval and Grading Permit review for a four-unit multi-family dwelling with grading involving approximately 1,087 cubic yards of cut at 661 San Bruno Avenue, such application being identified as Design Permit DP-3-17, Grading Review EX-8-17, Variance V-2-18, Fence Exception FD-1-18, and Use Permit UP-3-18; and

WHEREAS, on June 12, 2018, the Planning Commission conducted a public hearing of the application, publicly noticed in compliance with Brisbane Municipal Code Chapters 1.12 and 17.54, 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 finds that the proposed project is categorically exempt from the provisions of the California Environmental Quality Act; and

WHEREAS, the Planning Commission of the City of Brisbane hereby makes the findings attached herein as Exhibit A and B 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 June 12, 2018, did resolve as follows:

Issuance of the Grading Permit by the City Engineer is recommended.

Design Permit DP-3-17, Variance V-2-18, Fence Exception FD-1-18, and Use Permit UP-3-18 are approved per the conditions of approval attached herein as Exhibits A and B.

ADOPTED this 12th day of June, 2018, by the following vote:

AYES:
NOES:
ABSENT:

COLEEN MACKIN
Chairperson

ATTEST:

JOHN SWIECKI, Community Development Director

EXHIBIT A

Action Taken: Recommended that the City Engineer issue the Grading Permit; conditionally approved Design Permit DP-3-17, Variance V-2-18, Fence Exception FD-1-18, and Use Permit UP-3-18 per the staff memorandum with attachments, via adoption of Resolution DP-3-17/EX-8-17/V-2-18/FD-1-18/UP-3-18.

Findings:**Design Permit DP-3-17**

1. The proposed development is consistent with the General Plan, specifically the Residential: 15-30 Dwelling Units per Acre land use designation, Policy 258 and Program 140b, and Housing Element Policy H.D.1. The project is designed so that all units are provided with cross ventilation, and the project will be required to incorporate solar panels at building permit. Consistent with the General Plan's subarea policies for Central Brisbane, the project would retain open areas around the building. Housing Element Policy H.D.1 encourages retention of the small town character of existing residential neighborhoods, while allowing for increased housing density appropriate to the multi-family residential districts. By demolishing the existing single-family dwelling and constructing a three-unit development, the project would increase the City's supply of housing while complying with all applicable development standards in the R-3 District. No specific plans apply to this property.
2. The proposal maintains a balance of scale, form and proportion, uses design components that are harmonious and materials and colors that complement the project, and integrates well with elements of the site plan and of surrounding areas, as detailed in the staff memorandum.
3. The orientation and location of buildings, structures, open spaces and other features maintain a compatible relationship to adjacent development, as detailed in the staff memorandum.
4. Where a proposal abuts or is in close proximity to uses other than that proposed, the plan takes into account its effect on and maintains the quality of the other land uses, as detailed in the staff memorandum.
5. For hillside development, the proposal respects the topography of the site and is designed to minimize its visual impact, in that grading is proposed to provide parking below the building, reducing its apparent height, and in that the project will not affect any significant public views of San Francisco Bay, the Brisbane Lagoon and San Bruno Mountain State and County Park.
6. 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; and parking facilities are adequately surfaced, landscaped and lit; as detailed in the staff memorandum.
7. The finding regarding encouraging alternatives to automobile travel is not applicable to this project, in that the site is already serviced by the shuttle bus route and sidewalks. The Zoning Ordinance does not require bicycle parking for this project.

8. The site provides open areas and landscaping to complement the buildings and structures, with generally water-conserving landscaping is used to separate and screen service and storage areas, break up expanses of paved area and define areas for usability and privacy, as detailed in the staff memorandum.
9. The proposal takes reasonable measures to protect against external and internal noise, per the conditions of approval.
10. Consideration has been given to avoiding offsite glare from lighting and reflective building materials, given the proposed lighting fixtures and exterior building materials.
11. Attention is given to the screening of utility structures, mechanical equipment, trash containers and rooftop equipment, in that the utility meters and trash enclosure will be tucked into the side of the building and will be screened from the adjoining property by a eight foot tall fence, as detailed in the staff memorandum.
12. The finding regarding signage is not applicable to this project.
13. The finding regarding outdoor space for employees is not applicable to this project.

Variance V-2-18

A. The Variance shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and district in which the subject property is located; specifically Condition of Approval 3.a which requires that “The plans submitted for a building permit shall include a section showing the declivity of the mansard roof segment over Unit #3 as being no more than 29 ft., 2 ½ in. above the elevation of the driveway below it.”

B. Because of special circumstances applicable to the subject property, specifically its northwest cross slope, the strict application of the 28 foot height limit would deprive the property of privileges enjoyed by other properties in the vicinity and under identical zone classification. Because building height is measured from finished grade on cut slopes, the height of the building measured on its south side (29 ft., 2 ½ in.) is taller than the height on the north side (28 ft.). The 28 ft. height limit applies to the property due to its slope of 14%, as measured per the Municipal Code. This average slope calculation does not take into account extreme grade differentials in discrete portions of a property, such as occurs at the rear of the subject property. The 28 ft. height limit makes development of a multi-family structure in compliance with all other standards of the R-3 Residential District difficult without reducing the allowable density of the project.

Grading Review EX-2-18

- The proposed grading is minimized to provide the required six on-site covered parking spaces and provide adequate on-site circulation, including on-site turnaround and safe ingress and egress. Minimal grading is proposed at the front and rear of the site to create useable landscaped open areas, slightly modifying existing contours and the project is designed to reflect or fit comfortably with the natural topography, consistent with General Plan Policies 43, 245 & 312 and Program 18a.

- The proposed grading is designed to avoid large exposed retaining walls (General Plan Policies 43 & 245). The retaining wall adjacent to the south side property line and parking aisle would measure approximately 13 feet in maximum height when measured from the interior of the site, but will not be readily visible from off-site and would be relatively flush with finish grade at the adjacent property to the south. Condition of Approval 3.d requires the building permit application to include treatment of this retaining wall with different textures and/or materials to break up the height of the wall into no more than six foot segments.
- While the proposed grading would remove an existing street tree defined by BMC Section 12.12.020 as protected, the applicant will be required to replace this tree in a suitable location with a species acceptable to the City Engineer, addressed by Condition of Approval 3.b. The landscape plans propose planting 25 new trees on site.
- Compliance with the San Bruno Mountain Area Habitat Conservation Plan Agreement and Section 10(a) Permit is not applicable (General Plan Policy 119 and Program 83b).

Fence Exception FD-1-18

- (1) The exception is necessary due to its location adjacent to a single-family dwelling at 637 San Bruno Avenue to address the neighboring property owner's concerns about noise and fumes from the garage. In order to fit 18 ft. long standard-size vehicles with an adequate maneuvering aisle on this sloped 50 ft. wide lot, a portion of the garage under the building will be open along the north side, adjacent to the neighboring house.
- (2) The proposed fence, hedge or wall will not create a safety hazard for pedestrians or vehicular traffic, as it will begin at the northwest corner of the proposed building, 15 ft. from the front property line. Given its proposed distance from the street and any driveway, the fence would have no impact upon sight distance for vehicles entering or exiting the site.
- (3) The solid redwood fence is compatible with the design and appearance of the proposed structure, complementing the proposed wood siding, and with the adjacent two-story single-family dwelling, which features an existing solid wood fence along the shared property line.

Use Permit UP-3-18

A. The Use Permit to modify the parking regulations to allow a 25 foot, one inch drive aisle adjacent to the three standard-sized parking spaces, and to provide three standard size spaces and one compact size space for the four residential units, is consistent with the General Plan. Specifically, General Plan Policy 149 and Program 22c acknowledge the interrelationships between the parking requirements and engineered grading.

B. The Use Permit would not be detrimental or injurious to the neighborhood or city, as a typical standard-size vehicle would still be able to access the parking spaces and turn around on site with an aisle width of 25 ft., 1 in., as is proposed.

Additional Findings for Nonconforming Parking

1. Strict enforcement of the specified regulation is not required by either present or anticipated future traffic volume or traffic circulation on the site. Consistent with the current parking requirement of 1.5 garage spaces per 2-bedroom unit, 6 garage spaces are proposed. Acceptance of a compact-sized space in lieu of a standard size space for the fourth dedicated parking space would still accommodate a functional compact parking space, and no more than 50% of the required parking spaces would be compact, consistent with BMC Section 17.34.040.C.
2. The granting of the Use Permit will not result in the parking of vehicles on public streets in such a manner as to interfere with the free flow of traffic on the streets or to create or intensify a shortage of on-street parking spaces. San Bruno Avenue is wide enough to accommodate two lanes of traffic with parking on both sides of the street. To allow traffic to enter and exit the site simultaneously, the existing driveway will be widened to 18 feet. Adequate curb length between the new driveway and that at 637 San Bruno Avenue will remain to continue to maintain the one existing on-street parking space.
3. The modification of the parking regulations is required due to structural and site constraints: The 25 foot, one inch width of the drive aisle adjacent to the first three standard size spaces is the maximum width possible in this location, due to the thickness of the proposed retaining wall adjacent to the southern property line and the shoring for the adjoining property to the south. Additionally, the Building Code requires one of the standard sized spaces to be handicap accessible, and this space may not be dedicated to a single unit.

Conditions of Approval:

Prior to issuance of a Building Permit:

1. The owner shall obtain a permit to demolish the existing structure in compliance with all applicable requirements of Brisbane Municipal Code Title 15. A tree removal permit application may be applied for with the demolition permit or with the building permit at the applicant's option.
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 permit application shall 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:
3. The plans shall be in substantial conformance to the plans approved with this Design Permit, including finish materials and colors (see related conditions below), with the following modifications:
 - a. The plans submitted for a building permit shall include a section showing the decline of the mansard roof segment over Unit #3 as being no more than 28 ft. above the elevation of the driveway below it.
 - b. A final landscape plan shall be submitted that demonstrates compliance with BMC Chapter 15.70, Water Conservation in Landscaping, as applicable. The landscape plan shall identify a replacement street tree, the species and specific location of which shall be subject to approval by the City Engineer.
 - c. The civil plans shall incorporate "Green Streets" design measures, subject to review and approval by the City Engineer.

- d. Per Brisbane Municipal Code §17.32.050.B, the plans submitted for a building permit shall specify how the surface of retaining walls more than 6 ft. in exposed height will be treated with coloring, texture, architectural features, trelliswork or other means to visually divide the height of the retaining wall into horizontal sections of no more than 6 ft. to the satisfaction of the Community Development Director.
 - e. The proposed arbor with at least 5 ft. rear and 3 ft. side setbacks and with a height of not more than 8 ft. or a floor area of more than 120 square ft., if it is to be located within 10 ft. of the rear property line or within 5 ft. of the side property line.
 - f. The plans shall include water and sanitary sewer service and storm drainage details as required by the City Engineer.
 - g. The plans submitted for building permit approval shall indicate that each unit shall be served by a separate water meter.
 - h. The plans submitted for building permit approval shall include sewer lateral design details to the satisfaction of the City Engineer.
 - i. The 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 others applicable as determined through building permit review.
4. Grading, paving and drainage plans, per Brisbane Municipal Code §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.
 5. The final covenants, conditions, and restrictions and condominium plan shall be submitted. Following review and approval of the final documents by the City Attorney, the condominium plan and accompanying covenants, conditions, and restrictions shall be recorded with the County of San Mateo. The CC&Rs shall conform to the requirements of BMC Chapter 17.30, Condominiums. The condominium plan shall dedicate at least one parking space to each unit.
 6. The applicant shall complete the Tentative Parcel Map application and apply for a Final Map Waiver per BMC Section 16.12.050.
 7. A professionally-prepared acoustical analysis report shall be submitted, showing that the proposed design will limit exterior noise to 45 dB in any habitable room per California Code of Regulations, Title 24, Appendix Chapter 35 (California Noise Insulation Standards).

The property owner shall enter into a standard landscape maintenance agreement with the City, modified to the satisfaction of the City Attorney.

During Construction:

8. Prior to foundation construction, a surveyed staking plan prepared by a licensed land surveyor or engineer authorized to conduct land surveying under California law shall be submitted to the City Building and Planning Departments.

9. 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, subject to the satisfaction of the Public Works Department.
10. 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:

11. The property owner shall enter into a standard landscape maintenance agreement with the City for landscaping, to the satisfaction of the City Attorney.
12. All landscaping shall be installed and inspected by Planning staff to confirm conformity with the approved landscape plan.
13. 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 Department.
14. Prior to certificates of occupancy the applicant shall demonstrate conformance with all of the above Design Permit conditions of approval.

Other Conditions:

15. All utilities shall be undergrounded.
16. All glass shall be nonreflective, and all exterior lighting shall be located so as not to cast glare upward or onto surrounding streets or properties.
17. Building address shall be visible from the street (numbers to be 4 in. minimum in height), internally or externally illuminated, and of contrasting colors to the satisfaction of the Fire Department.
18. The required 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 Chapter 17.34.
19. Minor modifications may be approved by the Planning Director in conformance with all requirements of the Municipal Code.
20. The Design Permit, Variance, and Fence Exception 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 and construction commenced per Brisbane Municipal Code Section 17.42.060(a). The Design Permit may be extended by application filed prior to the expiration date per BMC Section 17.42.060(b).

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ATTACHMENT 2

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Summary of Project Data

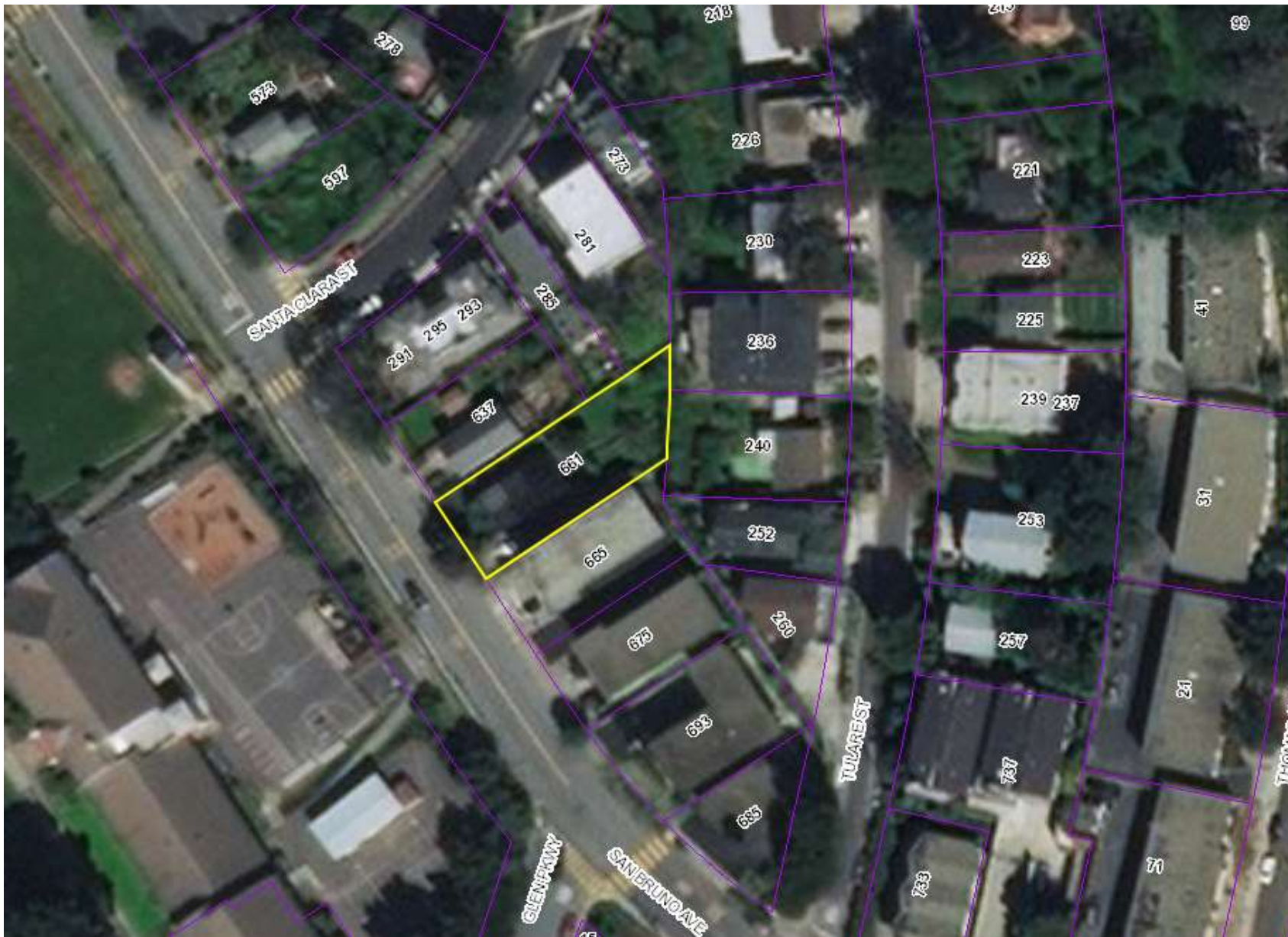
Development Standard	Existing	Proposed	Min/Max	Status
Lot Area	6,874 SF	-	5,000 SF	Per survey
Lot Slope	14%	-	n/a	28' height limit
Lot Coverage	-	3,240 SF or 47%	60% or 4,124 SF	Complies with standard.
Floor Area	-	4,721 SF	0.72 or 4,949 SF	Complies with standard
Setbacks				
N Side Lot Line	-	5'	5'	Complies with standard
S Side Lot Line	-	5'	5'	Complies with standard
Rear Lot Line	-	10'	10'	Complies with standard
Front Lot Line	-	15'	15'	Complies with standard
Height	-	30'	28'	Variance
Parking	-	6 covered spaces; only three standard.	4 covered, 2 uncovered. At least one standard space for each unit.	Use Permit
Articulation	-	n/a	Applies to front and rear outside walls at least 20' x 20'	N/a- no walls meet threshold
Landscaping	-	1462 SF	10% of total lot area or 687 SF	Complies with standard.
Front Yard	-	256 SF	15% or 112.5 SF	Complies with standard
Tree Removal	-	6 from site (not protected) 1 in street (protected)	Street trees or three trees > 30" circumf require permit	Street tree replacement TBD by City Engineer.
Grading	-	1087 CY cut	> 250 c/f or >50 CY exp	Grading Review
Condo Requirements				
Washer drier hookups or laundry facilities	-	WD provided in ea. Unit	Hookups for each unit OR one washer and one drier shall be installed in a laundry room for every three (3) units.	Complies with standard
Storage areas	-	> 125 CF provided for ea unit on 1st fl	125 CF enclosed storage area per unit.	Complies with standard.
Outdoor areas	-	Total: 1609 SF/ 4 units = 402 SF per unit	Avg = 400 SF per unit or total 1600 SF	Complies with standard.

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ATTACHMENT 3

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Aerial Map
661 San Bruno Avenue



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ATTACHMENT 4

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Site Photos
661 San Bruno Avenue



Above: View of existing single-family dwelling at 661 San Bruno with adjacent three-story building at 675 San Bruno Ave.

Left: View of existing street tree to be removed to accommodate the widened driveway, and adjacent single-family dwelling at 637 San Bruno Ave.



Left: View of north side property line with single-family dwelling at 637 San Bruno Ave.
Right: View of south side property line with multi-family structure at 675 San Bruno Ave.

ATTACHMENT 5

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