



# MILLBRAE PLANNING COMMISSION MINUTES March 4, 2019

Millbrae City Council Chambers – 621 Magnolia Ave. – Millbrae, CA 94030

REGULAR MEETING: 7:00 p.m.

1. **PLEDGE OF ALLEGIANCE:**

2. **ROLL CALL:** Present: Chair: Davis Vice-Chair: Fung and Commissioners: Quigg and Wong. Recused: Joh

3. **AGENDA REVIEW:**

4. **MINUTES:** 1/7/2019: Needs changes. 1/24/2019: Motion to approve.

5. **PUBLIC COMMUNICATION:** None

6. **OLD BUSINESS:** None

7. **PUBLIC HEARINGS:**

- a. **GATEWAY AT MILLBRAE STATION PROJECT:** Planning Commission review of a DESIGN REVIEW PERMIT application to consider design aspects of the Gateway at Millbrae Station-Transit Oriented Design (TOD) project pursuant to Millbrae Municipal Code (MMC) 10.05.2500 C. The applicant, Republic Millbrae LLC., obtained approval of a Development Agreement (Ordinance 769) to develop a TOD project consisting of: 1) (Site 5A) - a six-story building with 151,583 square feet of offices on the top three floors over three levels of parking, with 22,534 square feet of ground floor retail; 2) (Site 5B) - 300 market rate housing units and 20 units affordable to moderate-income persons, in a seven-story building with parking on the first two floors and 13,749 square feet of ground floor retail; 3) (Site 6A) - 80 affordable units in a five-story building; and 4) (Site 6B) - a 164-room hotel and 7,840 square feet of ground floor retail in a five-story building on a site located north of Millbrae Avenue, east of the rail lines on the Millbrae BART site and south of the Highline Canal and Bayside Manor neighborhood in the Transit-Oriented Development (TOD) Zoning District of the Millbrae Station Area Specific Plan (MSASP). (Public Hearing). **(Staff recommends item to be continued.)**

Director Misner: Recommends Gateway item move from Agenda #C to #A. Recommends item be continued to Thursday, March 14, 2019. Quorum is available.

*Commissioner Quigg motioned to continue, seconded by Fung. Approved 4-0.*

- b. **503 ANITA LANE:** DESIGN REVIEW to allow construction of a second-story residence and side SETBACK EXCEPTION to allow less than the minimum required second floor side setbacks of an existing single-story residence in a Single-Family Residential (R-1) Zoning District. (Public Hearing).

Planner Roberson presented project and staff recommendation. Neighbors – 1 accepting, 1 opposing. 2 not received.

**Applicant Presentation:** Need additional bedroom for growing family and in-laws. Believes they are in compliance with Short Term Rental (STR) but will discontinue after the family expansion. 2<sup>nd</sup> floor changed to accommodate neighborhood. Windows in staircase to accommodate daylight.

**Commission Questions, Comments and Discussions:** Commissioner Quigg requested clarification on the elevation plans. Staff directed Commissioner to look at elevations, not sections. . . Commissioners discussed setbacks and reason for expansion of second floor and justification for the setback exception. Is space between neighbors in compliance with setback and property line? Commissioner Fung questioned the covered (canvas) deck for laundry needs. Suggested that laundry utilities should be enclosed due to potential outside noise issue. Commissioner Wong questioned the access and floor of house and reason for additional exits and open and private space. Discussed window placement and sliding door location. Why is there two stairways on both sides?

**Public Comments:** 11 (eleven) comments received (Names available upon request). Numerous concerns regarding (No host) STR and safety issues with numerous guests. Parking, garbage and smoking issues. STR parking not allowed on property and parking on

sidewalks. Strangers knocking on neighbor doors late night. 2 of 11 neighbors in favor of expansion, one of which is brother of owner which states will help with babies when new mother comes in to assist with family at which time the STR will be less. Public Comment closed.

**Commissioners Response:** STR needs to be in compliance, if not, needs to stop. Applicant believes it is in compliance, but is under review. Back Transient Occupancy Taxes (TOT's) also need to be paid. Commissioners think project does not need exceptions and there is a lot of room to work with, more upstairs and reduce downstairs. Expressed concerned with flow of house, light, neighbors, windows, privacy and STR issues impacting adjacent neighbors. Staff aware of STR issues (letters sent to pay TOT and need to obtain Business License). Commissioners suggest that a survey be done to verify the easement area. Commissioners recommend continuing application so that applicant can redesign the second story addition to meet the setback requirements.

Applicant: Based on the calculations have a 5,000 sf lot. Maximum that we can go is 2,500 sf but based easement, can only maximize to 2,100 sf, which does not meet the demands of the growing family. Cannot build addition all on first floor and that is why proposing second floor addition. Commissioners suggest adding more area on second floor and increase area on first floor rear backyard. New design may not require setback exceptions on both sides, reducing impacts to adjacent neighbors. Applicant stated that if second floor increases may create more shadows for adjacent neighbors. Staff stated Commissioners can motion to deny or continue the project to future date for a redesign.

*Commissioner Fung motioned to continue and recommend redesign, seconded by Quigg. 4-0 to change plans.*

- c. **1135 OAKWOOD DRIVE:** DESIGN REVIEW PERMIT to allow a single-story addition to a single-family residence and a CONDITIONAL USE PERMIT to allow construction within an existing non-conforming front yard setback located in the Single-Family Residential (R-1) Zoning District. (Public Hearing)

Senior Planner Fielding presented project and Staff recommendations to the public and Planning Commission.

**Commission Questions, Comments and Discussions:** Commissioners agreed with staff that there are 4 or 5 similar homes in the area with encroachment of 5 feet into the required 20 foot setbacks. Not just in this area (Oakwood Drive). Setback in front of home is in compliance. No exceptions are requested. Staff noted there is not enough space in back yard for the bedroom addition. Also, a rear addition would block the existing kitchen and dining room. Applicant is requesting conditional use permit with no exceptions and no changes to allow the front yard bedroom addition. Commissioners agreed that there are several residences along Oakwood Drive with existing non-conforming front yard setbacks and all adjacent neighbors submitted consultation forms in support of the project.

*Commissioner Quigg motioned to approve, seconded by Wong. Approved 4-0. Chair Davis stated there is a 10-day appeal period.*

- 10. **NEW BUSINESS:** None
- 11. **STAFF UPDATES:** Staff thanked the Commission for their availability for upcoming Special Meetings in particular for the larger TOD Projects Staff will talk to Commissioners about design guidelines and processes questions as they relate to family home additions . Looking forward to bringing some policy items to the Planning Commission.
- 12. **COMMISSION COMMENTS:** Commissioner Quigg is thankful to finish these projects. Commissioner Fung asked about the Accessory Dwelling Unit (ADU) document provided to Commissioners, is it for discussion or reading material? Staff stated that the ADU document is from 21 Elements who work as policy group for San Mateo County and has worked on policy documents. Staff wanted Commissioners to have the information.
- 13. **ANNOUNCEMENTS:** Enjoyed Lunar New year parade and festival. Great time and turnout. Commissioner Fung thanked the participation of the Commissioners. Peninsula Youth Orchestra concert last night and another planned in May. Commissioner Fung did a fine job as M.C.
- 14. **ADJOURNMENT:** 9:05PM