



# MILLBRAE PLANNING COMMISSION MINUTES March 18, 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, Co-Chair-Fung, Commissioners Wong, Quigg, Joh.
3. **AGENDA REVIEW:** Accepted
4. **MINUTES:** Request "Action", "Combination" and/or "Key" comments in future minutes depending on specific or on-going detailed projects. Details not needed as meetings are on M.C.T.V. **2/4/2019** - Motioned by Fung to approve, Seconded by Wong Passed 5-0. **3/4/2019** – Motioned by Quigg to approve, Seconded by Davis. Passed 4-0, with Joh Abstention as she did not attend.
5. **PUBLIC COMMUNICATION:** Reserved for persons wishing to comment on any item not appearing on the agenda. Fill out a speaker request slip. Public Communication is limited to no more than thirty (30) minutes, with each speaker given no more than three (3) minutes. If more than ten (10) speakers are present, speakers' time shall be reduced so that all speakers have an equal time to speak.
6. **OLD BUSINESS:** None
7. **PUBLIC HEARINGS:**
  - Commissioners: Each gave disclosures regarding Serra Station Project in the forthcoming Public Hearing requested by Assistant City Attorney.
  - a. **MILLBRAE SERRA STATION PROJECT:** Planning Commission review of DESIGN REVIEW PERMIT and MASTER SIGN PROGRAM applications to consider design aspects of the Millbrae Serra Station -Transit Oriented Development (TOD) project pursuant to Millbrae Municipal Code (MMC) 10.05.2500 C. The applicant, Millbrae Serra Station LLC, obtained approval of a Development Agreement (Ordinance 768) to develop a 3.6 acre mixed-use TOD project in three (3) buildings located on the west side of the Millbrae Intermodal Station, east of El Camino Real consisting of: **1)** Building R1 – Ten (10) story building with 119 apartments, 4,255 square feet of ground floor retail space and 3,648 square feet of retail or live-work space; **2)** Building R2 – Ten (10) story residential building containing 325 apartments and 4,340 square feet of retail or live-work space; **3)** Building C1 – Nine (9) story building with 290,140 square feet of office space, a 5,000 square foot galleria and lobby and 22,360 square feet of retail space. **(Continued from 3/11/19 Planning Commission meeting)**
  - b. **MILLBRAE STATION AREA SPECIFIC PLAN AMENDMENT:** Specific Plan Amendment to approve amendment to the Millbrae Station Area Specific Plan (MSASP). The proposed amendment would revise Figure 5-3, on Page 5.12 of the MSASP. The revision would remove the designation of "Transition to Single Family Neighborhoods", as denoted on Figure 5-3 (map), located on the north side of proposed California Drive between El Camino Real and the BART/Caltrain railway tracks. (Public Hearing).

*Noted that Design Review for 7a & b will be reviewed together and can be remarked on both, but need to be separate actions.*

Brad Misner, Community Development Director, presented Staff and Design Review as continued discussion from

previous meetings. Previous and New Design are harmonious with color pallet. Re-submitted of 45 Degree angle setback as it applies to R-2 Not R-1 building. New deck design removals. Millbrae Serra Station will pay to build sound wall and improvements during construction for Hemlock neighborhood to help transition. Lighting along California Drive extension and concerns about "dead" space. Bart platform and pedestrian safety lighting. Signage needs to be visible from all directions. Public art preference for water feature with possible seating. Staff recommends Resolution 19-05 be approved.

Applicant comments and presentation: Simplify and provided samples of colors pallets, tiles and materials for R-1 and R-2. There will be a 12 foot "screen wall" along the entirety of California Drive and 15 foot on Hemlock side due to grade change during construction. Presented new lighting and fixtures to view that will conform to plan.

Commissioners Comments: 45 Degree plane, to reduce scale, loss of 4-6 units. Sign changes facing North and/or El Camino Real, should read top to bottom and vertically. Galleria Lobby for retail space will be entire ground floor as lease space. For safety purposes there should be no out coves and all areas should have lighting. There will be a safety review to be signed off by police/sheriff department. The "screen wall" should have no access to Hemlock per neighborhood request and is temporary until the permanent wall is constructed.

**Public Comments:**

Christina DuCote', 500 Hemlock Resident: Concerned about physical and visual impact to her property. Brought up several previous issues. Commission should make considerations to eliminate previous "poor development" and "partial zoning" with examples given. Hotel balcony and temporary wall concerns as was advised that part of this phase would be 10 ft. onto her property and would eliminate 100 sq. ft. of property she uses every day.

Robert DuCote', 500 Hemlock Resident: Thanked the Staff. Want to be advised of iterations as new items are discovered and requires new discussion. Details and their rights matter. Also the 45 degree angle is important.

Applicant/Staff Response: Changes have been and are being made due to Staff, DuCote and neighborhood recommendations and requests.

Constancio Rodriguez, Hemlock Resident: Questions about balcony and 45 degree angle.

Conditions of Resolution 19-04: Continue to have conversation due to monetary or direct impact, but no significant changes.

*Commissioner Joh motioned to approve Resolution 19-04 (MSSP), Seconded by Commissioner Quigg. Passed 4-1. Not approved by Commissioner Wong. Chair advised 10-day right to appeal.*

*Commissioner Joh motioned to recommend to City Council, Seconded by Commissioner Quigg. (MSASP) No Amendments occurred and request to add conditions 17-27 for approval before going to City Council. #27 shall only be between MMS which will give some flexibility and will minimize length of time for the temporary wall. #17 (2nd paragraph) change wording to make clear and to clarify. #20 who is responsible for restoration of neighborhood? Also, possible weekly/monthly construction meeting? Agreed not needed. #21-Timeline plan. #23 Right of Entry on Hemlock and who to contact during construction. Add #2 Full Agreement by Neighborhood & Developer but only if specific and flexible enough. 2 walls needed and agreed upon by staff. Re: Resolution 19-05. Passed 4-1. Not approved by Commissioner Wong. In accordance, no appeal, with provisions.*

- c. **985 LARKSPUR DRIVE:** DESIGN REVIEW PERMIT to allow the demolition and construction of a two-story residence and side SETBACK and FAR EXCEPTION to allow less than the minimum required second floor side setback and

more than the allowed floor area ratio of a residence in the Single-Family Residential (R-1) Zoning District (Public Hearing).

Sam Fielding, Senior Planner presented the Project. Allow Demolition and add 2<sup>nd</sup> Story and Side Setback exception & FAR exception which goes from existing 63% to 62%.

Applicant, Ronald Perner (Architect)-Responded to questions and reasons for build/exception. Building expansion due to father-in-law is disabled and needs bedroom and space on ground floor. 3 years prior, easement got moved, not just for this home but for the neighborhood. Bahen-Owner, also responded, has been waiting 3 years for approval.

Commission Comments: Add 2 retaining walls/terrace and backyard grading. Lot size is 8708 sq. ft. with easement and take out lot area that is more than 30% slope. With current proposal would an exception be needed if it was a flat lot? 2 car parking spaces are requested and needed, but some landscaping would need to be eliminated. Easement is/was empty and no utilities want to use it. House is too big for this lot, redesign is suggested to reduce the FAR square footage. Would it be possible to build a smaller home, which would not need an exception? Asked what would be considered a hardship?

Public Comments: None. Public comment closed.

Commissioner Discussion: Commissioners discussed the second floor setback exceptions and agreed that the architectural style of the home and neighboring homes warranted a second floor exception on both sides. Additional discussion on the rear slope and easement conditions cited for FAR exception request. Commissioners felt the mass of the building was too large even considering the rear slope and easement hardships. Commissioners requested the applicant redesign to reduce the mass of the two-story horizontal addition. Commissioner Fung suggested the first and second floor addition area be reduced to no more than 4,209 square feet. Staff agreed to review resubmitted plans to determine whether requirements of Commission are met before returning to Planning Commission for approval.

*Commissioner Fung motioned to continue, Seconded by Joh. Passed 5-0 to be continued.*

- d. **13 CAMINO ALTO:** DESIGN REVIEW PERMIT to allow a two-story addition to a single-family residence and SETBACK EXCEPTION request to allow less than the minimum required second floor setbacks, of a single-family residence in the Single-Family Residential (R-1) Zoning District. (Public Hearing).

Sam Fielding presented the project and Staff recommendations. Request exception, 2<sup>nd</sup> floor west side front portion. Request approval of Resolution. No exception on ground floor.

Applicant, Chris, represents RDS and homeowner: House had prior fire damage and was in disarray, which led to the front stair and garage change but keep with the architectural style. Adding extensive landscaping. Materials are intended to be "maintenance resistant".

Public Comments: None. Public comment closed.

Commission Comments: Zoning questions regarding allowances and setbacks. Specific materials being used. It is time for this home to be re-done and livable, as it has been some time. To Staff: What are requirements to request an exception? Staff explained that staff advises applicants to avoid exception requests unless there is a hardship or a design concern but it is at the risk of the applicant to proceed with the request and decision to approve the exception is at the discretion of Planning Commissioners. Commissioners agreed that in this case the second floor exception was warranted in that it integrates with the architectural design of the existing and neighboring residences and there are no adjacent neighbor privacy concerns.

*Commissioner Quigg motioned to approve, seconded by Joh. Approved 5-0. Commissioner Quigg amends her Motion to set forth with conditions and exceptions. Chair Davis stated there is a 10-day appeal period.*

- e. **316 JUANITA AVENUE:** DESIGN REVIEW PERMIT to allow a second-story addition to a single-family residence and a SETBACK EXCEPTION REQUEST to allow less than the minimum required second floor setbacks, of a single-family residence in the Single-Family (R-1) Zoning District. (Public Hearing)

Sam Fielding presented project and Staff recommendations: Overview with side set back. Will match existing design as a split level and with homes in neighborhood. Permit issued previously for ADU, will be clarified in staff report.

Applicant, Chen: Second floor addition and setback structure and structural integrity and be built on existing foundation and will be stable. Matches with existing design.

Commission Comments: Can it be designed without the exceptions? No Violations. Structural Integrity. No "hardship" indicated.

Public Comments: None. Public comment closed.

Commission Discussion: The Commission discussed the setback exception and felt that the applicant should redesign to meet the required second floor setback requirement. Commissioners recommended the project be continued to a future date to request the applicant redesign the project to provide a more symmetrical second floor design and meet the required 7 foot second floor side setback (measured from the first floor wall below) on the southwest side of the building, as required.

*Commissioner Fung motioned to continue, seconded by Quigg. 5-0 to continue for re-design. Delete Southwest side set back exception and create a more symmetrical design.*

- 8. **NEW BUSINESS:** None
- 9. **STAFF UPDATES:** None
- 10. **COMMISSION COMMENTS:** ADU- There is no Ordinance. Staff is following California State Guidelines and is in process of drafting ADU Ordinance.
- 11. **ANNOUNCEMENTS:** None
- 12. **ADJOURNMENT:** 12:20AM

*Disclaimer: Errors occurred during recording of meeting. Voice and video are not in-sync along with ending of video is not recorded which would include commission comments and announcements.*