



**MINUTES
NOVEMBER 15, 2018
CITY OF SOUTH SAN FRANCISCO
REGULAR PLANNING COMMISSION**

CALL TO ORDER / PLEDGE OF ALLEGIANCE

TIME: 7:00 P.M.

ROLL CALL / CHAIR COMMENTS

PRESENT: Chairperson Nagales, Vice Chairperson Murphy, Commissioners Evans, Faria, Shihadeh, Tzang, and Wong

STAFF PRESENT: Sailesh Mehra, Planning Manager/Secretary to the Planning Commission, Tony Rozzi, Principal Planner, Ryan Wassum, Associate Planner, Michele Clary, Clerk to the Planning Commission, and Naree Chan, Assistant City Attorney

AGENDA REVIEW

None.

ORAL COMMUNICATIONS

None

CONSENT CALENDAR

1. **Approval of the regular meeting minutes of October 4, 2018.**

1a. **Approval of the regular meeting minutes of October 18, 2018.**

MOTION

Commissioner Faria moved and Commissioner Tzang seconded a motion to approve the Consent Calendar. The question was called and the motion carried unanimously.

PUBLIC HEARING

2. **Report regarding a Study Session and Public Comments on the Draft Environmental Impact Report for a two-story 25,000 sq. ft. building at 400-450 East Jamie Court, a five-story 311,368 sq. ft. office/research and development building, and a five-level parking garage on an 18.2-acre site at 201 Haskins Way. (Ryan Wassum, Associate Planner)**

Chair Nagales opened the public hearing at 7:03 p.m.

Associate Planner Wassum presented the staff report.

Toon Jordan, Alexandria Real Estate Equities, discussed the proposal to add to the existing campus, Phase 1 and Phase 2, architecture, site layout, outdoor amenities, and renderings.

Julie Barlow, SWCA Environmental Consultants, explained the purpose to solicit comments on the draft EIR and presented a summary of the environmental impacts.

Mike Aronson, Kittelson Associates, reviewed the conclusion of significant unavoidable impacts of Transportation and Circulation Impacts.

Ms. Barlow reminded residents that comments could be submitted through November 26th.

Vice Chair Murphy asked if the EIR would be updated for Phase 2. Associate Planner Wassum stated the EIR analyzed full build out of the parcels.

Commissioner Tzang asked the impact of Phase 1. Mr. Aronson discussed the impacts of Phase 1 and Phase 2 and explained that one of three impacts on Grand would be eliminated if Phase 2 were not developed. He confirmed that the intersections would operate independently.

Commissioner Faria discussed issues with Allerton, conditions prior to the overpasses, and maneuverability limitations.

In response to Vice Chair Murphy, Planning Manager Mehra confirmed that the City could require project specific traffic mitigation. He explained the traffic analysis and congestion relief analysis and efforts to reduce congestion.

Chair Nagales asked the time of delays. Mike Aronson, applicant's traffic engineer, stated significant delay was considered 80 seconds per vehicle. He stated the models replicated current travel conditions.

Commissioner Tzang asked the difference between Alternative A and B. He asked if the reduced project significantly reduced the site development. He asked if there were other alternatives. Associate Planner Wassum explained that if the parcels were built out at the existing zoning they would be 459,000 square feet but if rezoned to BTP at 1.0 FAR, it would increase by 150,000 square feet.

Teresia Nemeth, Alexandria, explained that the information was for Phase 1 and 2 at the existing zoning.

Commissioner Faria asked the estimated population of the campus. Ms. Nemeth estimated one person per 400-500 square feet of office/R&D space. She stated traditional office would allow more people. She stated they complied, met and exceeded TDMs on their other projects.

Commissioner Wong stated the amenities were important and suggested taking care due to the wind.

Commissioner Shihadeh commended Alexandria for its efforts and agreed with the design.

Chair Nagales stated his concerns regarding the wind and shadow had been resolved.

Commissioner Faria clarified that he wanted to ensure tenants could access the property.

Planning Manager Mehra reiterated that comments would be received until November 26, 2018.

Chair Nagales closed the public hearing at 7:49 p.m.

2. Report regarding a request for a Conditional Use Permit to operate a Cannabis Delivery-Only Operation at 500 S. Airport Boulevard, Suite H in the Business Commercial (BC) Zoning District in accordance with Title 20 of the South San Francisco Municipal Code and determination that the project is categorically exempt under CEQA. (Tony Rozzi, Principal Planner)

Chair Nagales opened the public hearing at 7:50 p.m.

Principal Planner Rozzi presented the staff report.

Dalvin Martin discussed their desire to open a delivery only cannabis business. He discussed safety practices.

Genevieve Martin explained the ordering process and discretion to be used. She discussed their plan to contribute proceeds to the baseball program.

In response to Commissioner Shihadeh, Mr. Martin stated the transactions were cash only. Commissioner Shihadeh discussed risks and liability with cash transactions.

Commissioner Evans asked whether vehicles would be marked. Principal Planner Rozzi stated the vehicles would be plainly marked. Commissioner Evans requested assurance on how security would be handled. Principal Planner Rozzi discussed the option of revocation if there were issues. Sgt. Rudis discussed the Police Department's input in the ordinance and review of the site for mitigation of security risks. He stated he was confident in the security plan.

Commissioner Faria asked if there was tracking of deliveries. Sgt. Rudis stated they would maintain delivery and sale logs and would investigate complaints. Ms. Martin discussed regulations regarding deliveries.

Commissioner Tzang asked about the five-year term and additional mitigation. He also asked if the City could limit the number of facilities. Principal Planner Rozzi explained the five-year term was identified as a reasonable middle ground for leases and revocation hearings could be set at any time. He stated the City Council reserved the right to cap the number of businesses. Commissioner Tzang suggested a cap be established.

Commissioner Evans asked if all employees would undergo background checks. Sgt. Rudis explained the required background checks. Commissioner Evans asked about the \$5,000 for drug education. Sgt. Rudis discussed the programs in the schools.

In response to Commissioner Faria, Sgt. Rudis stated only employees were allowed in the facility.

Commissioner Tzang suggested the business should not be advertised in the educational program.

Principal Planner Rozzi requested the addition of a condition requiring compliance with Section 20.410.010, commercial cannabis operation security requirements.

Commissioner Wong asked about the 600-foot radius. Sgt. Rudis stated they could not deliver to a school or public space and the business had to be located 600 feet away from schools. Commissioner Wong asked if a school could locate within 600 feet of the cannabis location. Principal Planner Rozzi stated it would be at the City's discretion and the amount of goodwill was subjective. He explained that Measure LL sales tax funds would be allocated at the City's discretion. Mr. Martin discussed reconciliation of the cash sales. Ms. Martin explained the software utilized to track sales. Commissioner Wong asked about security during deliveries. Mr. Martin explained the security beacons. Principal Planner Rozzi confirmed that the CUP required approval every five-years.

Chair Nagales asked the process for retaining the receipts for one year. Ms. Martin stated the State required issuance of a receipt. Principal Planner Rozzi stated the purchaser was required to retain the receipt as well. Chair Nagales suggested information be added to the receipt. He asked if deliveries would go to businesses. Ms. Martin stated they could only delivery to home addresses. Principal Planner Rozzi stated they could deliver to commercial locations as well. Mr. Martin explained the process of determining identity and ensuring appropriate distance from schools. He explained their advertising campaign.

Commissioner Shihadeh asked about the sales tax. Assistant City Attorney Chan explained that Measure LL was an excise tax at 1%. Principal Planner Rozzi stated the Planning Commission could consider amending the conditional use permit conditions so that the operating agreement reflected the first \$5,000 was due July 1, 2019, then January 1 of each year; that the applicant be required to comply with Section 20.410.010 regarding security requirements; and that receipts indicate the customer must retain the receipt per State requirements.

MOTION

Commissioner Wong moved and Commissioner Evans seconded a motion to approve the CUP as amended. The question was called and the motion carried 6-0-1, Commissioners Tzang abstaining.

Chair Nagales called a recess at 8:36 p.m. The meeting reconvened at 8:44 p.m. with all Commissioners present.

ADMINISTRATIVE BUSINESS

- 4. Joint Study Session of the Planning Commission and Design Review Board. (Sailesh Mehra, Planning Manager)**

Design Review Board Members Present – David Nelson, Mike Nilmeyer, Frank Viera, Sean Winchester, and Chris Mateo

Planning Manager Mehra presented the staff report including a broad overview of current development.

Justin Lovell, Public Works, discussed mobility in downtown, results of the parking study and options in increase mobility.

Assistant City Attorney Chan discussed the Housing Accountability Act and SB35 and explained the relationship between SB35 and the City's RHNA requirements.

Planning Manager Mehra discussed potential residential design guidelines and Design Review Board Bylaws.

Chair Nagales explained the purpose of the DRB, intent of the joint study session and intent of the bylaws.

Planning Manager Mehra stated he would provide the DRB with a snapshot of pending applications.

Chairperson Nagales discussed the Housing Accountability Act and City's inability to consider community fit. Planning Manager Mehra discussed development requirements in the Downtown Station Area Specific Plan and opportunity to develop design standards.

Principal Planner Rozzi discussed consultant review of the Zoning Code and need to codify design styles.

Member Dave Nelson agreed with the need to quantify style, size, setbacks and landscaping for design sensibility.

Member Mike Nilmeyer discussed issues with multi-family residential projects. He stated he understood the need for more housing units but questioned the impacts. He suggested the need for articulations, drop off and pick up zones and landscaping.

Member Frank Viera suggested projects fit into the character of the neighborhood and questioned the public's ability to comment on projects. He requested complete applications, current zoning requirements on the plans, engineering, topography, inclusion of a selection of neighborhood pictures and information on authorization and what was built.

Member Sean Winchester stated the idea of the Housing Accountability Act was pure but there were pitfalls. He stated he understood the need for residential design guidelines but did not want to limit style.

Member Chris Mateo expressed disappointment in the argument for higher density but wanted more neighborhood studies, streetscape elevations, and larger discussions about job/housing imbalance.

Commissioner Tzang stated the City had been erecting pretty buildings lately and discussed the City's image. He discussed his experience with project submittal in other jurisdictions and frustration with denial due to neighborhood opinion. He suggested a list of acceptable features be provided.

Planning Manager Mehra suggested differentiating single family and duplex additions from larger projects.

Member Frank Viera explained the suggestion to retain neighborhood character.

Vice Chair Murphy discussed her historic preservation background and suggested use of preservation tools such as historic districts.

Senior Planner Gross discussed the intent of the Downtown Station Area Specific Plan. He suggested policy discussion to consider impacts and challenges and conducting one or two study sessions each year.

Commissioner Tzang asked why projects could not go through Planning Commission prior to consideration of the design.

Senior Planner Gross suggested modifying developer allowances since developers were building to the maximum

allowable. He explained efforts to have processes to allow review prior to the entitlement phase.

Member Dave Nelson suggested a requirement for on-grade, usable space for multi-family residential.

Commissioner Shihadeh agreed with the need for guidelines particularly since investors were building and leaving town. He expressed concern that DRB approvals were not followed.

Commissioner Faria discussed the input by the Housing Subcommittee. He explained the changes to plans through the process.

Commissioner Wong stated the Housing Subcommittee was helpful. He discussed the potential of determining neighborhood character and obtaining community input. He suggested staggered membership on the DRB.

Commissioner Evans discussed the importance of the DRB and Planning Commission working collaboratively. She suggested they also communicate with and educate the community.

Planning Manager Mehra concurred with the need to share information. He discussed the ability to require daylight plane and articulations. He stated developers would build to the allowable regulations.

Commissioner Faria suggested a Planning Commissioner attend DRB hearings to hear their opinions.

3:15:38 suggested each body report to the other to keep clear lines of communication.

ITEMS FROM STAFF

Planning Manager Mehra commended the outgoing DRB members.

ITEMS FROM THE PUBLIC

None.

ADJOURNMENT

Chair Nagales adjourned the Planning Commission meeting at 10:18 p.m.



Sailesh Mehra
Secretary to the Planning Commission
City of South San Francisco

SM/mc



Mark Nagales, Chairperson
Planning Commission
City of South San Francisco
NORM FARIA *ADJ. CHAIR*