


# *City of Brisbane*

## *Planning Commission Agenda Report*

**TO:** Planning Commission For the Meeting of 5/10/12

**FROM:** Ken Johnson, Associate Planner, via  John Swiecki, Community Development Director

**SUBJECT:** 71 Park Lane; Use Permit UP-4-12 ; to allow for Night Operations (from 10 pm to 5 am) in the TC-1 Crocker Park Trade Commercial District, within 300 feet of residential property, for digital printing, document imaging and preparation of printed materials; Pitney Bowes, applicant; DCT Valley Drive CA L.P, owner; APN: 005-202-210

**Request:** Pitney Bowes Management Services plans to relocate from 280 Valley Drive to 71 Valley Drive and is requesting a use permit to conduct night operations (between the hours of 10 pm and 5 am) for document fulfillment services, which includes digital printing, document imaging and preparation of printed materials. A use permit is required for night operations since the property is located within 300 feet of residences, including the first block of Visitacion Avenue, the first block of San Bruno Ave, Inyo Street and the 200 to 400 blocks of San Francisco Avenue.

The applicant has indicated that their regular work shifts are between the hours of 6 am and 10 pm, which would not require a use permit. However, in addition, the operation will have a crew of 3 to 4 employees working beyond 10 pm and/or starting work as early as 2 am to support certain client delivery requirements. All work operations during this time period will take place entirely within the building. Pickup and delivery of supplies and printed materials will occur during daytime hours (after 5 am and before 10 pm). The applicant has indicated that the operation will not produce noise, glare or other impacts on neighboring properties. For further details please see the applicant's project description, attached.

**Recommendation:** Conditionally approve Interim Use Permit UP-4-12 per the agenda report, via adoption of Resolution UP-4-12 with Exhibit A containing the findings and conditions of approval.

**Environmental Determination:** Operations within an existing structure are categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per Section 15301 of the State CEQA Guidelines.

**Applicable Code Sections:** Brisbane Municipal Code Sections 17.19.030.J & 17.19.060 requires a Use Permit for night operations regardless of the type of use, if the use is between the hours of 10 pm and 5 am, within the TC-1 Crocker Park Trade Commercial District, when located within 300 feet of any site zone for residential use. In addition to the standard findings for

a use permit (BMC Section 17.40.060.E), two additional findings are required for night operations regarding noise, glare and other potential impacts on neighboring properties (BMC Section 17.19.060.E).

**Analysis and Findings:** The required findings under BMC Sections 17.41.060.A-F and project analysis are presented and discussed below.

BMC Section 17.40.060.E requires that findings A and B are to be met:

A. 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 **complies** with this finding. The use would be located on the same parcel as the post office and would be comprised of the southern half of the same building as the post office. The parcel is bordered by Park Lane, Old County Road, and San Francisco Avenue. The nearest residential property is the senior's housing within the NCRO-2 Neighborhood Commercial Retail Office district at the corner of San Francisco Ave. and Old County Road, approximately 160 feet to the south. Also the edge of the R-2 Residential District is approximately 250 feet from the proposed use, to the southwest. The Community Park is located directly across Old County Road to the east. The Skate/Basketball Park is across Park Lane to the north, with office and warehouse uses beyond to the north and east. The proposed use is consistent with adjacent uses or structures and should not have any significant impacts on any adjacent uses or structures. See the attached aerial photo of the site and surroundings.

The proposed use is consistent with the General Plan and there are no specific plans for the area. General Plan Policy 282 and Program 9c direct the City to encourage small and locally owned businesses and uses that benefit the community, providing jobs, revenues and services. General Plan Policy 184 and Program 12a call for consideration of the potential impacts from proposed uses on nearby areas.

B. 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 application **complies** with this finding. Given the surrounding adjacent and nearby uses and the low intensity of the use applied for (3 to 4 persons working on documents inside the building) the proposed use will be consistent with and will not be detrimental to the health, safety, comfort and general welfare of the persons residing or working in the neighborhood nor will it be injurious or detrimental to property and improvements in the neighborhood or the general welfare of the city.

In addition, per BMC Section 17.19.060.E, for night operations, the following findings must also be met:

C. The night operations conducted by the applicant will not create noise, glare or other effects that are likely to create a sleep disturbance for the occupants of neighboring residential properties.

The application **complies** with this finding. As indicated in the applicant's description and based on the proposed low level of intensity, with all activities conducted indoors, the use would not create noise, glare or other effects that are likely to create a sleep disturbance for the occupants of neighboring residential properties.

D. To the extent that any noise, glare or other impacts related to the night operations are caused by persons other than the applicant, the applicant has the ability to effectively control and mitigate such impacts.

The application **complies** with this finding. There are no anticipated impacts associated with this proposed use that would be caused by others.

Attachments: Draft Resolution UP-4-12 with Findings and Conditions of Approval  
Vicinity Map  
Applicant's Project Description and Plans/Photos

RESOLUTION UP-4-12

A RESOLUTION OF THE PLANNING COMMISSION OF BRISBANE  
CONDITIONALLY APPROVING USE PERMIT UP-4-12  
TO ESTABLISH NIGHT OPERATIONS  
AT 71 PARK LANE

WHEREAS, Pitney Bowes, the applicant, applied to the City of Brisbane for Use Permit approval to establish night operations (between 10 pm and 5 am) at 71 Park Lane, such application being identified as Use Permit UP-4-12; and

WHEREAS, on May 10, 2012, 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 agenda report 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 finds that the proposed project is consistent with the General Plan, specifically General Plan Policy 282 and Program 9c; and

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

NOW THEREFORE, based upon the findings set forth hereinabove, the Planning Commission of the City of Brisbane, at its meeting of May 10, 2012, did resolve as follows:

Use Permit UP-4-12 is approved per the conditions of approval attached herein as Exhibit A.

ADOPTED this 10th day of May, 2012, by the following vote:

AYES:  
NOES:  
ABSENT:

\_\_\_\_\_  
Jameel Munir  
Chairperson

ATTEST:

\_\_\_\_\_  
JOHN A. SWIECKI, Community Development Director

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## EXHIBIT A

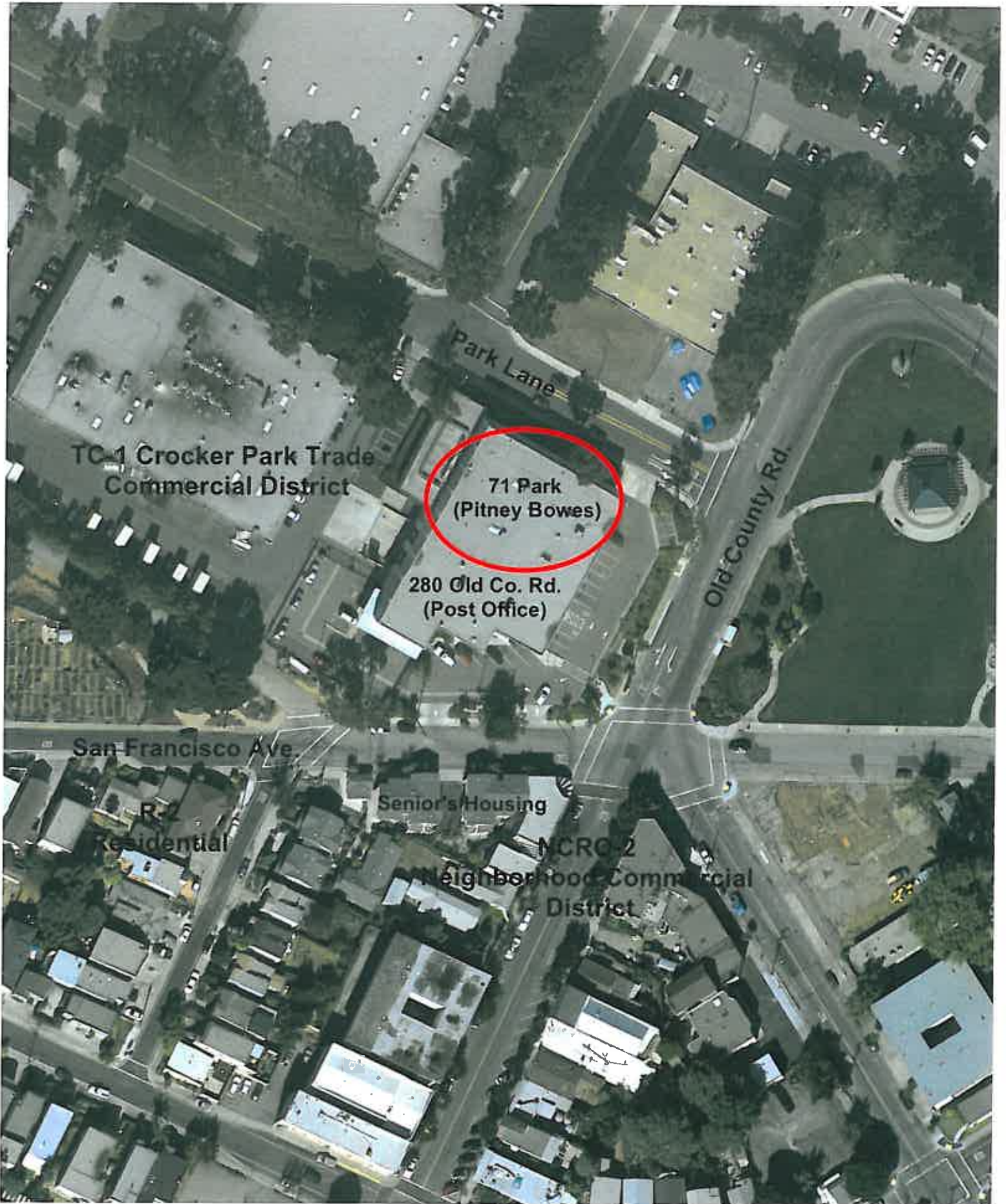
**Action Taken:** Conditionally approve Use Permit UP-4-12 per the staff memorandum with attachments, via adoption of Resolution UP-4-12.

### **Findings:**

- A. The planning commission has considered and given due regard to the nature and condition of all adjacent uses and structures, to General Plan consistency, and there no specific plans for the area in question.
- B. The planning commission has determined that the establishment, maintenance or operation of the use applied for, under the circumstances of the particular case, will not 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 or improvements in the neighborhood or the general welfare of the city.
- C. The night operations conducted by the applicant will not create noise, glare or other effects that are likely to create a sleep disturbance for the occupants of neighboring residential properties.
- D. There are no noise, glare or other impacts related to the night operations that are anticipated to be caused by persons other than the applicant.

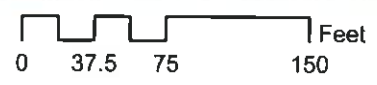
### **Conditions of Approval:**

- 1. The night operations use is for indoor use of document fulfillment services, which includes digital printing, document imaging and preparation of printed materials and related tasks.
- 2. All work tasks during the hours of night operations (between the hours of 10 pm and 5 am) shall take place entirely within the building. Pickup and delivery of supplies and printed materials by truck or delivery van shall not occur between the hours of 10 pm and 5 am. Warehouse doors shall remain closed between the hours of 10 pm and 5 am.
- 3. The use shall not produce noise, glare or other impacts on neighboring properties.
- 4. Minor modifications may be approved by the Planning Director in conformance will all requirements of the Municipal Code.
- 5. Advertising signs are not included with this interim use permit. Advertising signs are subject to separate application and City approval in accordance with BMC Chapter 17.36.
- 6. As detailed in BMC Section 17.41.100, this use permit may be revoked upon a determination by the planning commission that the holder of such permit has failed to comply with any of the conditions thereof or has violated any applicable provision of the BMC.



Use Permit Application UP-4-12

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Pitney Bowes Management Services  
280 Valley Drive  
Brisbane, CA 94005

**PROJECT DESCRIPTION & SUPPORTING STATEMENTS:**

**NIGHT OPERATIONS USE PERMIT REQUEST  
71 PARK LANE, BRISBANE CA 94005  
CROCKER PARK, TC-1 TRADE COMMERCIAL DISTRICT**

The Pitney Bowes operation located at 280 Valley Drive, Brisbane CA 94005 providing digital print, document imaging and fulfillment services will be relocating to the 71 Park Lane, Brisbane CA 94005 facility by mid June 2012.

Pitney Bowes is requesting to obtain a Night Operations Use permit for the 71 Park Lane, Brisbane CA 94005 location, TC-1 Crocker Park Trade Commercial District, to operate beyond 10:00 PM to support business requirements.

The operation currently runs two regular shifts from 6:00 AM – 10:00 PM Monday-Friday, weekends only on as needed basis. In addition, the operation has a crew of 3 to 4 employees working beyond 10:00 PM and/or starting work as early as 2:00 AM Monday-Friday and weekends only on as needed to support certain client requirements.

All operations as it relates to administrative duties, printing using high-speed digital printers, document imaging using scanners to digitize documents and performing manual labor to fulfill projects will all take place entirely inside the building. The night operation will not cause noise, glare or other impacts. There will be limited vehicle activity during these hours, employees coming or leaving work. Pitney Bowes utilizes company owned cargo vans to make local deliveries of printed material or mail, which mostly takes place after 5:00 AM. All receiving tasks as it relates to vendor deliveries of supplies, UPS and FedEx deliveries and pickups takes place between the hours of 7:00 AM – 8:00 PM.

The Night Operations Use permit is highly essential to the business and a requirement providing Pitney Bowes the flexibility to increase production hours to meet client demand.

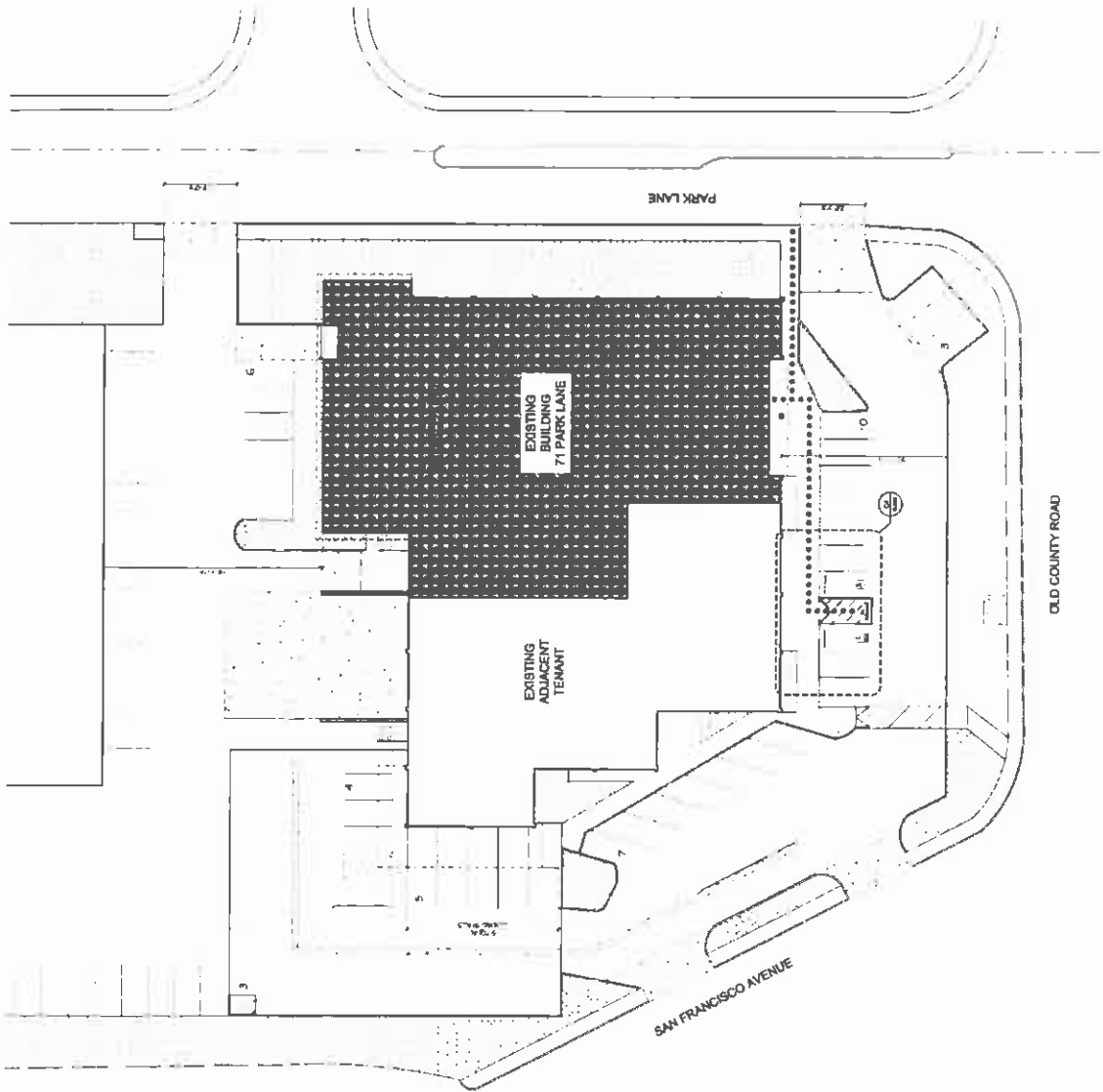
Please contact me for any additional questions.

Thanks

Ahmad Razaqi, Area Operations Manager  
Pitney Bowes Management Services  
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A1 SITE PLAN  
SCALE: 1/8" = 1'-0"



A8 LEGEND



B6 GENERAL NOTES

- 1. ALL NEW CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE CALIFORNIA BUILDING CODE (CBC).
- 2. ALL EXISTING STRUCTURES SHALL BE INSPECTED AND FOUND TO BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE CALIFORNIA BUILDING CODE (CBC).
- 3. ALL UTILITIES SHALL BE LOCATED AND DEPTH MARKED PRIOR TO CONSTRUCTION.
- 4. ALL UTILITIES SHALL BE PROTECTED AND DEPTH MARKED PRIOR TO CONSTRUCTION.

C6 PARKING COUNT

TYPE	AREA (SQ. FT.)	PER 100 SQ. FT.	TOTAL
OFFICE	10,000	1.0	10
RETAIL	5,000	1.0	5
RESTROOM	1,000	1.0	1
STAIR	1,000	1.0	1
LOBBY	1,000	1.0	1
TOTAL			18

ADCT

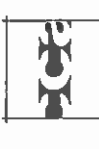
71 PARK LANE  
PARKING COUNT

PRINCEY BOWES  
MANAGEMENT  
SERVICES

PROJECT: 71 PARK LANE  
DATE: 01/19/2017  
DRAWN BY: [Name]

PROJECT: 71 PARK LANE  
DATE: 01/19/2017  
DRAWN BY: [Name]  
SCALE: AS NOTED

A-101  
SHEET TITLE  
SITE PLAN (FOR  
REFERENCE ONLY)



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