

City of Brisbane

Planning Commission Agenda Report

TO: Planning Commission For the Meeting of 6/24/10

FROM: Tim Tune, Senior Planner, via John Swiecki, Interim Community Development Director

SUBJECT: **100 Cypress Lane;** Use Permit UP-11-10, Moving and Storage of Surplus Furniture for Corporate Clients (Freight Forwarder); Corovan, applicant; G&R Properties for William E & Joann Garehime, owners; APN 005-180-110

Request: An office moving and storage operation proposes to occupy the existing office/warehouse building at the end of Cypress Lane. Because the business is engaged in “the receipt and distribution of goods, products, mail, packages, cargo, or materials, or any combination thereof, belonging to others,” the use is categorized as a freight forwarder per Brisbane Municipal Code Section 17.02.330, requiring Use Permit approval.

The use is proposed to operate from 6 a.m. to 6 p.m. Monday through Saturday. Twenty-six trucks are expected at the site. Twenty-two of these would be 28 ft. long bobtail trucks, and four would be 48 ft. long tractor-trailers.

Recommendation: Conditionally approve Use Permit UP-11-10, via adoption of Resolution UP-11-10 with Exhibit A containing the findings and conditions of approval.

Environmental Determination: Operations at existing private facilities are categorically exempt from the provisions of the California Environmental Quality Act per Section 15301 of the State CEQA Guidelines. The exceptions to the use of this categorical exemption referenced in Section 15300.2 do not apply.

Applicable Code Sections: Freight forwarders are a conditional use in the TC-1 District, requiring Use Permit approval per Brisbane Municipal Code Section 17.19.030.F. The findings required for approval of Use Permits are contained in BMC Section 17.40.060. Additional findings required for the approval of Use Permits for freight forwarders are listed in BMC Section 17.19.065.E.

Analysis and Findings: Approval of Use Permits for freight forwarders is subject to three findings:

General Plan Consistency— The proposed use is consistent with the General Plan's Trade Commercial land use designation for Crocker Park.

Allowing freight forwarder uses, including moving and storage, while maintaining the mix of uses in Crocker Park is consistent with General Plan Policies 12, 14 and 282. To maintain an appropriate mix, BMC Section 17.19.065.C generally limits the total floor area in Crocker Park that may be occupied by freight forwarder uses to no more than 20%. Currently, 14.7% (539,794 sq. ft.) of the total floor area in Crocker Park (3,664,497 sq. ft.) is occupied by freight forwarder uses or could be occupied by expanding freight forwarder uses on sites that predate adoption of the freight forwarder regulations per BMC Section 17.19.065.B. The proposed 60,985 sq. ft. use would increase that percentage to 16.4%.

Per General Plan Policy 289, the Planning Commission has the authority to review site circulation and parking plans to avoid conflicts between truck and employee traffic (see below).

Not Detrimental or Injurious to Neighborhood or City—In general, the proposed use should not result in significant impacts to surrounding uses. Fed Ex Trade Networks, a small freight forwarding operation, is located next door at 56 Cypress Lane. A large warehouse is located to the south at 240 Valley Drive. The industrial condominium complex at 100 North Hill Drive is located up the slope to the north. The site is approximately 600 ft. from the nearest residential property.

The proposed use is expected to generate a limited amount of traffic. According to the International Transportation Engineers handbook, warehouses typically generate 4.96 average daily trips per 1,000 sq. ft. of floor area. The traffic study for 325 Valley Drive projected an ADT rate of 7.65 specifically for freight forwarders. With the proposed use's 22 employees and fleet of 29 vehicles (including 3 passenger vans), if each employee drove alone to work and went out to lunch and if every company vehicle went out on a job in the morning and another in the afternoon, the subject use would only generate an average of 3.35 daily trips per 1,000 sq. ft. of floor area.

The site is currently nonconforming in terms of required parking. Given the existing office and warehouse floor area, a total of 69 parking spaces is required. While the number of parking spaces actually provided may have varied over time (currently there are approximately 28 striped spaces), there is no record of 69 parking spaces having ever been provided. Thus, the site is nonconforming in terms of required parking. No changes to the existing amounts of office and warehouse floor areas are proposed that would affect this nonconforming status. The proposed use would have 22 employees and a fleet of 29 vehicles (including 3 passenger vans). There are

currently enough parking spaces at the front of the property to accommodate all of the employee parking demand, including the passenger vans. How the remaining 26 vehicles in the company's fleet would be parked would be dependent in part upon which of the existing loading docks on the north, west and south sides of the building will be used. Likely, these will be stored in tandem arrangements along the sides of the building not contemplated in the City's parking design standards (BMC Section 17.34.130).

To maintain the existing number of parking spaces, staff recommends that a parking lot restriping plan be required to be submitted to provide a total of at least 28 parking spaces at the front of the property. Up to 50% of these may be compact per BMC Section 17.34.090. Also included among the 28 spaces are those required by State law to be accessible. Sufficient area should then be designated to store 22 bobtail trucks and 4 tractor trailers, which may be parked in tandem but may not block access to the parking spaces at the front of the property or any required fire lane.

To potentially help reduce traffic at the site, staff further recommends that the property owner enter into the City's Transportation Systems Management Program Agreement, modified to specifically require participation in the Crocker Park shuttle program. For a medium-size employer, the monthly cost would be \$190.

Compliance with Site and Building Design Standards for Freight Forwarders—The improvements on the site must comply with all applicable design and building standards for the proposed freight forwarding use and such additional requirements as may be determined by the City Engineer, including, but not limited to, size and layout of parking and loading areas, dock height and clearance, traffic circulation, and method of ingress to and egress from the site. The freight forwarding site design standards used by the Public Works Department were developed for the Institute of Transportation Engineers. The standards assume the following:

<u>Vehicle</u>	<u>Length</u>	<u>Width</u>	<u>Turning Radius*</u>
Extra Large Semitrailer	66 ft.	8.5 ft.	45 ft.
Large Semitrailer	55 ft.	8.5 ft.	45 ft.
Small Semitrailer	50 ft.	8.5 ft.	40 ft.
Single Unit Truck	30 ft.	8.5 ft.	42 ft.
Delivery Van	19 ft.	7.0 ft.	24 ft.

*measured to outer front wheel (not including outer front corner of vehicle)

The layout of any freight forwarder site should be designed so as to be able to accommodate on-site turnaround, so that no vehicles need back into the site from the street or back into the street from the site. The maneuvering area needed to accomplish such access should not conflict with the provision of any required parking. Access to parking spaces should not be blocked by trucks

loading or unloading; although, temporary blockage due to truck maneuvering on the site is acceptable.

In this case, the proposed 48 ft. long tractor trailers and 28 ft. long bobtail trucks should be able to pull into the northern side of the site, back around into the front loading docks, and then drive out of the site without having to back into the street (see attached turning maneuver diagram).

Attachments:

- Draft Resolution with Findings and Conditions of Approval
- Project Description
- Applicant's Statement
- Applicant's Site Plan and Warehouse Floor Plan
- Assessor's Map and Aerial Photo
- Site Photos
- Staff's Turning Maneuver Diagram

draft
RESOLUTION UP-11-10

A RESOLUTION OF THE PLANNING COMMISSION OF BRISBANE
CONDITIONALLY APPROVING USE PERMIT UP-11-10
TO PERMIT A MOVING AND STORAGE BUSINESS
AT 100 CYPRESS LANE

WHEREAS, Corovan, the applicant, applied to the City of Brisbane for Use Permit approval for moving and storage of surplus furniture for corporate clients (which falls within the Municipal Code's "freight forwarder" classification) on the site, such application being identified as Use Permit UP-11-10; and

WHEREAS, on June 24, 2010, the Planning Commission conducted a public 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 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 June 24, 2010, did resolve as follows:

Use Permit UP-11-10 is approved per the conditions of approval attached herein as Exhibit A.

ADOPTED this twenty-fourth day of June, 2010, by the following vote:

AYES:
NOES:
ABSENT:

JAMEEL MUNIR
Chairman

ATTEST:

JOHN SWIECKI, Interim Community Development Director

EXHIBIT A

Action Taken: Conditionally approve Use Permit UP-11-10, per the agenda report with attachments, via adoption of Resolution UP-11-10.

Findings:

1. Approval of the use permit is consistent with the 1994 General Plan adopted by the City Council on June 21, 1994, specifically the General Plan's land use designation for the site and General Plan Policies 12, 14, 282 & 289.
2. The establishment, maintenance and operation of the use applied for, under the circumstances, will not be detrimental to the health, safety, morals, comfort and general welfare of persons residing or working in the neighborhood, nor will it be injurious or detrimental to property or improvements in the neighborhood or the general welfare of the City, as detailed in the agenda report.
3. The improvements on the site comply with all applicable design and building standards for the proposed use, in that the site can accommodate a 48 ft. long semitrailer truck, according to the Public Works Department's standards.

Conditions of Approval:

- A. Tenant improvement plans submitted for a Building Permit shall include accurate storage rack plans with structural calculations. A parking lot restriping plan to provide a total of at least 28 parking spaces, up to 50% of which may be compact, at the front of the property shall also be included. Sufficient area to store 22 bobtail trucks and 4 tractor trailers shall also be designated on the plan. These vehicles may be parked in tandem but may not block access to the 28 parking spaces at the front of the property or any required fire lane.
- B. Prior to issuance of the building permit, the property owner shall enter into the standard Transportation Systems Management Program Agreement with the City, modified to specifically require participation in the Crocker Park shuttle program.
- C. Trucks shall not back into the site from the street nor back into the street from the site.
- D. The storm drainage easements along the south and east sides of the property shall not be disturbed without the City's advance notice and concurrence that the proposed work does not infringe upon the free use and enjoyment of the City's easement.
- E. The applicant shall comply with the requirements of the Floodplain Management Ordinance (Brisbane Municipal Code Chapter 15.56) to the satisfaction of the Building Official (City Manager) or his designee as Floodplain Administrator.

(continued)

- F. No signage is specifically approved as part of this permit. Application for a sign program shall be submitted prior to final inspection of the building.
- G. Prior to open of business, the tenant shall obtain a City business license.
- H. 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 Section 17.34.020.A.
- I. The use shall comply with the performance standards for outside storage, trash, noise, odors and lighting established in Brisbane Municipal Code Section 17.19.050.
- J. Minor modifications may be approved by the Community Development Director in conformance with all requirements of the Municipal Code.
- K. The Planning Commission shall have continuing jurisdiction over the use permit and may at any time, if the original findings required for issuance the use permit can no longer be made, modify or amend any of the use permit conditions, or impose new and additional conditions, or revoke the freight forwarder use permit, subject to the revocation procedures established in Brisbane Municipal Code Chapter 17.48.
- L. The Use Permit shall expire two years from its effective date (at the end of the appeal period) if the approved use has not yet been commenced in compliance with these conditions of approval.

Project Description:

General Plan:	TC Trade Commercial Land Use Designation	
Zoning:	TC-1 Crocker Park Trade Commercial District	
Lot Area:	3.47 acres	
Building Coverage--		
Maximum:	60%	
Existing/Proposed:	40%	
Floor Area Ratio—		
Maximum:	2.0	
Existing/Proposed:	0.4	
Setbacks--	<u>Required</u>	<u>Existing/Proposed</u>
Front:	25 ft.	255 ft.
North Side:	10 ft.	39 ft.
South Side:	10 ft.	10 ft.
Rear:	10 ft.	82 ft.
Parking--		
Required:	69 spaces [(3,402 sq. ft. office/300) + (57,583 sq. ft. warehouse/1,000)]	
Existing	28 spaces	
Proposed:	+/-36 spaces	
Recommended:	28 spaces at the front of the property	