



CITY OF DALY CITY

333-90TH STREET

DALY CITY, CA 94015-1895

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May 31, 2022

**POSTING
ONLY**

Robert Atkinson
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SEP 15 2022

Subject: Use Permit UPR-05-22-015688, 607 Carter Street

To Whom It May Concern:

At its regular meeting of May 23, 2022, the City Council adopted Resolution 22-81, Adopting Findings of Fact and Imposing Conditions of Approval for Use Permit UPR-05-22-015688, Allowing the Continuation of Temporary New Auto Storage at 607 Carter Street, a copy of which is enclosed.

Very truly yours,

K. Annette Hipona
City Clerk

KAH: rv
Enclosure

cc: City Engineer
Planning Manager
San Mateo County Assessor's Office

RESOLUTION NO. 22-81

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DALY CITY
ADOPTING FINDINGS OF FACT AND IMPOSING CONDITIONS OF APPROVAL
USE PERMIT UPR-05-22-015688, ALLOWING THE CONTINUATION OF
TEMPORARY NEW AUTO STORAGE AT 607 CARTER STREET

A. The applicant, Robert Atkinson, representing SyWest Development, proposes to extend the approval of Use Permit UPR-5-17-12820, granted on June 26, 2017. The original approval allowed the temporary storage of new vehicle inventory for local auto dealerships on a five-acre portion of the former Geneva Drive-In movie theater at 607 Carter Street. Under the terms of the 2017 approval, the City Council allowed the use for an initial term of three years, ending in June 2020, with an ability to extend the permit up to two years if the site continued to operate in compliance with the Conditions of Approval. On February 24, 2020, the City Council granted a one-year time extension for the temporary use. On March 22, 2021, the City Council granted a second one-year extension. Because the permit established a five-year maximum duration, a permit extension is required for the use to continue beyond June 26, 2022.

B. The applicant has requested an extension of the previous permit for the duration of five years. The applicant has proposed using the property in the exact same way as it is currently being used, accommodating up to 600 new vehicles for storage. Vehicle transport trailers would continue to deliver new vehicles to the lot between the hours of 8:00AM and 7:00PM, Monday through Friday. Vehicles would continue to be driven from the site individually by car dealer employees between 8:00AM and 7:00PM, seven days per week.

C. In requesting the permit extension, the applicant has cited its efforts in working with the City to explore potential development options for the property. The applicant (Syufy) has indicated that they are open to discussing a site plan that could be mutually beneficial to development of the Housing Finance Agency site and the Syufy property with multifamily residential. Staff is in support of the requested permit renewal for this reason. Staff is also not aware of any violations of the Conditions of Approval and supports the request.

D. On May 23, 2022, the matter was duly noticed and publicly heard by the Daly City City Council with affirmation of the environmental determination pursuant to CEQA Guidelines Section 15061(b)(3) – Review for Exemption and heard all interested persons who desired to be heard in connection with the use.

Findings:

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Daly City, that following review of the application, the appended staff reports, the summary of hearing and report of the Daly City Planning Division, relevant documents, writings, ordinances, regulations, as well as the materials submitted by the applicant and the comments of the applicant, City staff and interested members of the public, the City Council of the City of Daly City makes the following findings of fact:

1. That the above recitals, “A” through “D” are accurate, and constitute findings of the City Council of the City of Daly City.

2. In accordance with Title 17 (Zoning) of the Daly City Municipal Code, as well as applicable State zoning enabling legislation, the City Council will conduct a public hearing on the request on May 23, 2022. Notice of said hearing was given by posting in the area and first class mailing to property owners within 300 feet of the site.
3. The subject use is consistent with the C-1 Light Commercial zone regulations and, together with the provisions for its design and operation, would not be detrimental to the health, safety, morals, comfort, and general welfare of the neighborhood.
4. The applicant has agreed to continue to implement staff recommendations to minimize the potential effects of airborne dust generated by vehicle movement and accommodation.

BE IT FURTHER RESOLVED that the City Council, after fully reviewing all information presented to it, and carefully balancing all relevant considerations, hereby adopts in full the above stated findings of fact and grants approval of Use Permit UPR-05-22-15688 for an initial period of two years, with three additional one-year renewals for a maximum of five years subject to each and every of the below stated conditions of approval:

CONDITIONS OF APPROVAL

A. DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT

1. The Use Permit shall be valid only in conjunction with plans submitted and approved by the City Council. Any significant modifications and changes to the plans shall be treated as an amendment and shall be subject to review by a Council Committee appointed by the Mayor.
2. The Use Permit approval shall be valid for a period of two years from the date of City Council approval, with the option for three additional one-year renewals for a maximum of five years, with the condition that the applicant come before the City Council every 12 months with an update on the project. Additional time beyond this renewal shall require permit renewal.
3. The number of vehicles stored at the site shall not exceed 600.
4. The hours that vehicle transport trailers may deliver new vehicles to the proposed lot shall be limited to between the hours of 8:00AM and 7:00PM, Monday through Friday.
5. The hours that vehicles may be driven from the site individually by car dealer employees shall be limited to between 8:00AM and 7:00PM, seven days per week.
6. The existing entry road shall be patched and overlaid with asphalt to improve path durability.
7. The entire site shall be cleared of weeds and covered with a minimum four (4) inches of compacted aggregate base (AB) topped with four (4) inches of crushed rock, including the fire truck access path and the area designated to park new vehicles (approximately five acres), prior to the delivery of any vehicle to the site associated with the use.

8. The use of exterior lighting shall not result in adverse glare to adjacent residential neighbors. Should the Planning Division determine that exterior lighting is causing adverse glare, the applicant may be required to make adjustments to lighting, provide additional shielding to lights, or reduce or eliminate the use of certain lights to comply with this Condition.
9. The applicant shall remove the existing sign at the Carter Street entry prior to storing any vehicle on the site.
10. No advertising signs shall be permitted in association with the vehicle storage.
11. The applicant shall provide a landscape plan for the Carter Street entry subject to staff review and approval and implement the plan prior to the delivery of any vehicle to the site associated with the use.

B. POLICE DEPARTMENT

12. Trucks accessing the subject site shall adhere to established truck routes and shall not use any point of entrance other than Carter Street to access the site, including adjacent properties, such as the Cow Palace.
13. Prior to the delivery of any vehicle to the site, the applicant shall submit a security plan to the City outlining acceptable security measures for the proposed use, including fencing material, site lighting, and/or a contractual arrangement with a security company for providing site supervision during evening hours.

BE IT FURTHER RESOLVED that the City Council finds and determines that each of the above conditions is an integral and necessary part of the approval of this use permit and design review permit, and where one or more condition is not complied with, there shall be no inference that there was intentional waiver of such condition, nor shall the project proponent, the property owner, nor any subsequent purchaser be able to rely to their benefit, nor to the detriment of the City of Daly City be reason of the failure to comply with any such condition.

BE IT FURTHER RESOLVED that it is the intent of this City Council that the foregoing findings be considered as an integrated whole whether or not any subdivision of these findings fails to cross-reference or incorporate by reference any other subdivision of these findings; and that any finding required or permitted to be made by this City Council with respect to any particular subject matter shall be deemed made if it appears in any portion of these findings.

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I hereby certify the foregoing to be a true copy of a Resolution adopted by the City Council of Daly City, California, at a regular meeting thereof held on the 23rd day of May, 2022, by the following vote of the members thereof:

AYES, and in favor thereof, Councilmembers: Buenaventura, DiGiovanni.

Manalo, Sylvester, Daus-Magbual

NOES, Councilmembers: None

ABSENT, Councilmembers: None



CITY CLERK OF THE CITY OF DALY CITY

APPROVED:

RODERICK DAUS-MAGBUAL
MAYOR OF THE CITY OF DALY CITY