

BRISBANE PLANNING COMMISSION  
Action Minutes of March 8, 2012  
Regular Meeting

CALL TO ORDER

Chairman Munir called the meeting to order at 7:31 p.m.

ROLL CALL

Present: Commissioners Cunningham, Parker and Reinhardt and Chair Munir  
Absent: Commissioner Do  
Staff Present: Community Development Director Swiecki, Associate Planner Johnson  
and Special Assistant Tune

ADOPTION OF AGENDA

Commissioner Parker moved and Commissioner Reinhardt seconded to adopt the agenda, with the change of having the Commission appointments to serve on the subcommittee to update of the Green Building Ordinance (under Items Initiated by Staff) and selection of Chair and Vice Chair postponed to the next regular meeting of March 22, 2012. The motion carried 4-0.

ORAL COMMUNICATIONS

None.

WRITTEN COMMUNICATIONS

Chair Munir acknowledged receipt of mail not pertaining to items on the agenda.

OLD BUSINESS

1. **Continued Public Hearing: Zoning Text Amendment RZ-5-11** to Amend Brisbane Municipal Code Title 17; Chapter 17.06, R-1 Residential District; Chapter 17.08, R-2 Residential District; Chapter 17. 10, R-3 Residential District; Chapter 17.12, R-BA Brisbane Acres Residential District; Chapter 17.32, General Use Regulations; Chapter 17.34, Off-Street Parking; and Chapter 17.38, Nonconforming Uses and Structures. City of Brisbane, applicant.

Commissioner Parker motioned and Commissioner Cunningham seconded to continue this item to the meeting of April 12, 2012, as indicated on the agenda. The motion carried 4-0.

2. **PUBLIC HEARING: 480 Monterey Street; Reconsideration of Setback Exception Modification SE-2-11;** to allow construction of an accessory structure within the side and rear setbacks, modifying the setback exception distance to the rear property line from 5 feet to approximately 3 feet and the setback exception height from 8 feet to approximately 8 feet 6 inches within the north side and rear setback areas; Alison Wilson, applicant/owner; APN 007-213-090.

Commissioner Parker motioned and Commissioner Cunningham seconded to continue this item to the meeting of March 22, 2012 at the request of the applicant. The motion carried 4-0.

#### NEW BUSINESS

1. **PUBLIC HEARING: General Plan Amendment GPA-1-11 and Zoning Text Amendment RZ-9-11** to Amend Policy 329.1 of the 1994 General Plan and Brisbane Municipal Code Section 17.13.040 which require that the City adopt of one or more Specific Plans and accompanying Environmental Impact Reports prior to any development of the Baylands subarea, C-1 Commercial Mixed Use District, to allow for the relocation/expansion of existing uses without the preparation of a specific plan; Golden State Lumber, applicant.

Associate Planner Johnson presented the agenda report and then answered questions from the Commission regarding the businesses that could be potentially relocate or expand under the provisions of the ordinance. Community Development Director Swiecki answered questions from the Commission regarding the potential for the Fuel Farm to expand or relocate and the sequencing of the proposed Baylands development under UPC's Specific Plan. He also clarified that the applications before the Commission would effect policy, but does not include a specific project at this time.

The Commission opened the public hearing.

The applicant was not present to answer the Commissions questions.

Dana Dilworth, a Brisbane resident, spoke against the application.

Mae Swanbeck, a director of the Bayshore Sanitary District, asked for clarification about the applicability to owners or tenants and whether the City would be involved in individual businesses plans to expand or relocate. Director Swiecki clarified that the policy would allow for existing businesses to submit an application.

There being no one else who wished to speak, Commissioner Cunningham moved to close the public hearing Commissioner Reinhardt seconded. The motion carried 4-0.

After discussion by the Commission regarding the future timing of the EIR and potential plans for relocation of Sierra Point Lumber, along with concerns over the potential

expansion of the Tank Farm Commissioner Cunningham motioned and Commissioner Reinhardt seconded to continue this item to March 22, 2012.

2. **PUBLIC HEARING: Zoning Text Amendment RZ-8-11** to Amend Brisbane Municipal Code Title 17; Chapters 17.08, R-2 District, and 17.10, R-3 District, to reclassify dwelling groups as permitted uses; and Chapter 17.32, General Regulations, to revise the limitations on substandard lots and add provisions for modification in conjunction with application for tentative map, lot line adjustment and elimination of interior lot lines; also amend Brisbane Municipal Code Title 16, Subdivisions, Chapter 16.32, Lot Line Adjustments; City of Brisbane, applicant.

Special Assistant Tune presented the agenda report and answered the Commission's questions regarding the scope of applicability of the proposed ordinance.

Dana Dilworth inquired whether the ordinance included a change in the minimum lot size also she thought that time requirement of 1 year for recordation was too generous. Mr. Tune clarified that the ordinance would not change the lot size and that a year was specified as the deadline to record the transaction given the change of deed and transfer funds would require involvement of third parties.

There being no one else who wished to speak, Commissioner Parker motioned to close the public hearing and Commissioner Cunningham seconded. The motion carried 4-0.

Commissioner Parker motioned and Commissioner Cunningham seconded to recommend City Council adoption of the ordinance. The motion carried 4-0.

#### ITEMS INITIATED BY STAFF

None.

#### ITEMS INITIATED BY THE COMMISSION

Chair Munir expressed his desire that the Sierra Point Design Guidelines come before the Planning Commission again. After discussion by the Commission, Chair Munir motioned and Commissioner Cunningham seconded that the Planning Commission send a letter to the City Council requesting that the Sierra Point Design Guidelines be returned to the Planning Commission for further consideration before City Council adoption. The motion passed 4-0.

Chair Munir expressed his concern over the City Council considering making the Planning Commission a body of 7 members instead of 5. He felt that it would be difficult to maintain a body of 7 over time due to a limited pool of applicants and that it will be excessively time consuming for 7 people to consider the volume of work that the

Commission is facing, especially with the upcoming Baylands EIR being published. He opined that the Planning Commission has not had trouble having a quorum and if the change to 7 members was made, he felt that all of the City's commissions, committees and the City Council should have 7 members too.

Commissioner Parker indicated that with longer agendas after all the Commissioner's questions, it will be very late before the public will have opportunities to speak and that the public will get short shrift. She questioned whether this would be permanent or not.

Commissioner Cunningham was concerned that the Commission will have trouble reaching decisions with 7 people. She would rather see more minds in the public to provide input rather than having more minds on the Commission.

Commissioner Reinhardt felt that there is a breaking point in the quality of a group discussion and that 7 would be too many.

#### ADJOURNMENT

There being no further business, Chairman Munir made the motion seconded by Commissioner Reinhardt to adjourn to the meeting of March 22, 2012. The motion was approved 4-0 and the meeting adjourned at 9:19 p.m.

#### ATTEST:

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John Swiecki, Community Development Director

NOTE: A full video record of this meeting can be found on DVD at City Hall and the City's website at [www.brisbaneca.org](http://www.brisbaneca.org).