

BRISBANE PLANNING COMMISSION  
Summary Minutes of July 28, 2016  
Regular Meeting

A. CALL TO ORDER

Chairperson Do called the meeting to order at 7:38 p.m.

B. ROLL CALL

Present: Commissioners Anderson, Do, Munir, Parker and Reinhardt.

Absent: None.

Staff Present: Community Director Swiecki and Senior Planner Johnson.

C. ADOPTION OF AGENDA

Commissioner Munir moved and Commissioner Reinhardt seconded to adopt the agenda. The motion was approved 5-0.

D. CONSENT CALENDAR

1. APPROVAL OF DRAFT ACTION MINUTES

- i. June 9, 2016 regular meeting
- ii. June 23, 2016 regular meeting

Commissioner Parker moved and Commissioner Munir seconded to adopt the consent calendar. The motion was approved 5-0.

E. ORAL COMMUNICATIONS (limit to a total of 15 minutes)

None.

F. WRITTEN COMMUNICATIONS

Chairperson Do acknowledged written communications from the Center for Creative Land Recycling, Anja Miller, Elizabeth Weber, SAMCEDA, SF Housing Action Coalition, Ceci Herrmann, Reed Smith, LLP, City of Brisbane, Dana Dilworth, Daniel Camp, Sonal Singla, Ron Colonna, and Rosie Li, regarding public hearing item G.1.

## G. OLD BUSINESS

1. **PUBLIC HEARING: Baylands Planning Applications (Baylands Concept Plans, Brisbane Baylands Specific Plan, General Plan Amendment Case GP-01-06) and related Final Environmental Impact Report;** Universal Paragon Corporation, applicant; Owners: various; APN: various. Ongoing Planning Commission deliberations.

Director Swiecki introduced Lloyd Zola, of Metis Environmental Group, who gave the staff report. [The report is available here on the City's website:

<http://brisbaneca.org/sites/default/files/07-28-2016%20Deliberations.pdf>]

Chairperson Do said tonight's hearing is for the Commission to consider its recommendation to the City Council and is the result of nearly one year's worth of workshops and public hearings. They very much appreciated the public's input and participation throughout the process. She outlined the meeting structure and invited the public to comment on the recommendation presented in the draft resolution. She asked all speakers to fill out a speaker card and said each person would be allocated three minutes. Speakers could speak a second time for a maximum of two minutes.

She asked if any of the Commissioners had questions about the process and procedure of the hearing. There were none.

Chairperson Do opened the public hearing.

Barbara Ebel, Brisbane resident, said many Brisbane community members had spent over a year reviewing the EIR. She said some people at the meeting tonight believed that housing development was needed to clean up the Baylands and she wondered why. Was it money? According to the financial analysis, UPC will receive about 10% more in profits with housing. It sounds good, but the City of Brisbane would be absorbing the service costs for that development. Brisbane is small and cannot absorb those costs, and any development agreement would shift that cost to the developer, reducing the profit for UPC. Clearly housing will not fund cleanup the Baylands. Is it the State-mandated standards for cleaning up a 100-year old unregulated dump? UPC says it will clean up the site to whatever level is mandated and not any bit more. While doing the bare minimum is disappointing, the statement seems to imply that adding housing will increase the level of cleanup required. Absolutely, if people are living on the ground floor. However, people will not be living on the ground floor. They will be living above garages or commercial spaces, so the cleanup level mandated by the State will be the same with or without housing. Approving housing will not trigger additional cleanup on the Baylands. So it is not the money and not the regulations that will determine if housing cleans up the Baylands. Why do they want to build housing? Is it that Mr. Chen Yu-How, the man behind the UPC curtain, cares about the plight of the working class people in the Bay Area? She didn't think so.

Ms. Ebel continued to say that there has long been a rumor that UPC has been trying to elevate the value of the land in the likely event that it is taken by eminent domain by high speed rail. Those who came from the UPC-sponsored meeting before the hearing or at UPC's invitation were being used as a tool. Not to build housing on the Baylands, but to effect the transfer of a greater quantity

of money from the California taxpayers to Mr. Chen Yu-How and his investors. The media perception is that Brisbane is irresponsible in regard to housing. But building housing on quicksand liquefaction zones above an unregulated chemical soup known as the Baylands is irresponsible. The General Plan was a well-considered process; defiling it would be political suicide for the Commission and the City Council. The City of Brisbane is not ignoring the housing crisis. The City of Brisbane has spent over \$100,000 of taxpayer money on the Parkside Plan that will not only meet but probably exceed the town's housing needs. If people are at tonight's meeting because they are people of conscience, not tools for corporate profit, their efforts are misdirected. She asked those people to go to Atherton which has met 12% of their housing needs, Belmont 12%, Burlingame 16%, Colma 3%, Foster City 7%, Menlo Park 27%, Portola Valley 0%, San Carlos 24%, San Mateo 15% and South San Francisco 15%. Their time would be better spent in those places.

James Ruigomez said he represented the San Mateo County Building Trade Council, comprised of 22 local unions representing 16,000 highly skilled men and women living in the County and in Brisbane. They support UPC's project as proposed which would provide thousands of local jobs and would use local labor for construction. Housing is a critical component of the project and shouldn't be cast aside in an effort to be sustainable. Sustainable development includes housing. We cannot build more jobs without more housing and assume other cities will build the housing. If we can build the housing, we should build the housing. Construction trade workers are a big part of the housing conversation in the Bay Area and a big part of Brisbane's population. Many workers can't afford to live in the Bay Area anymore so they move to the Central Valley or further and commute in for work. They are being displaced and are struggling to find work because construction costs are so high that local projects import low cost labor instead of using local labor. By continuing to say no to housing, cities perpetuate this problem, leaving both the housing shortages and higher costs. We blame tech and green jobs, workers on white buses, drivers that clog the freeways, and executives, but they are not the ones saying no to housing- cities are. Every time cities say yes to building anything other than housing, they are adding to the problem.

Michael Barnes, Brisbane resident, said the 1994 General Plan Economic Development section was forward-looking and defines sustainable development as "Development that meets the needs of the present without compromising the ability of future generations to meet their own needs." Brisbane's lack of affordable housing is now affecting the next generation's ability to meet their housing needs. Some children can't afford to live nearby. He said we need to provide housing for the next generation with high-density housing between the two stations served by SamTrans and Muni. He has worked in Mission Bay for eight years and has seen firsthand how successful high-density housing along rail lines can be. Mission Bay is also build on an old rail yard. He would rather live by housing than an active rail yard. When the General Plan was first adopted, global warming and climate change were unknown and were not mentioned. Also unknown was that trichloroethylene (TCE) could be bioremediated, as was done at Schlage Lock. With modern technology, TCE concentrations at Schlage are lower today and that is just one way that some of the land in the Baylands can be made safe for housing. The facts have changed since 1994 and now the policy must change. He said we must allow housing in the Baylands between the two active commuter rail lines. This makes more sense than the Parkside Plan where active, revenue-generating industrial uses would be converted to housing far from transit. It has been a long time since he was on the Commission. He would appreciate an interpretation from the City Attorney about prejudice in judging and considering the application before the Commission. He said a few

Commissioners ran for City Council on a no-housing platform, and one Commissioner has distributed CREBL flyers. He wants to understand how that is not prejudicial to the application.

Anna Schutte, of the Greenbelt Alliance, said the Alliance works across the Bay Area to protect natural and agricultural landscapes from sprawl development and help cities and towns grow in smart ways to make the region great for everyone. They champion places that make the Bay Area special, with over 10,000 supporters and a 58-year history of local and regional success. Since the 1980's, the Alliance has provided an independent validation of outstanding infill development to make sure that development occurs in the right places. After careful consideration, the Alliance is endorsing the DSP, which calls for a smart mix of new homes, jobs, and shops in walkable neighborhoods well-served by transit. This endorsement is conditional on the following:

- A sufficient number of homes must be provided to create an appropriate balance between jobs and homes. It is essential to creating a thriving community. The proposed 4,434 new homes should be a minimum.
- Due to housing affordability crisis in the Bay Area, the majority of the permanently affordable homes must be dedicated to low and very low income residents.
- The City must design a phasing program to ensure that sufficient homes are provided in each phase of development.

Ms. Schutte continued to say that the Alliance was very concerned that the Commission considered a recommendation to prohibit homes on the Baylands. Taking away the opportunity for homes on one of the largest underutilized infill development sites in the Bay Area would substantially degrade quality of life by exacerbating the jobs housing imbalance in the area. It would further exacerbate the housing crisis, which is affecting families across the Peninsula, straining pocketbooks and threatening the long-term economic outlook. It would also drive housing development to the fringes of the region, as the new workforce looks for homes they can afford, generating unnecessary traffic and congestion and putting the Bay Area's agricultural and natural lands at risk. They believe the DSP outlines a solid step toward making Brisbane and the Bay Area a better place to live and urged the Commission to reconsider its decision to recommend against housing development and to instead adopt a vision for growing smart to benefit the environment, economy, and quality of life.

Eric Tassio said he represented the plumbers and steamfitters local in San Mateo County, UA Local 467. He spoke in favor of the Baylands project. He wants the Council to say yes to jobs, livable wages, and this project. He asked to help keep construction and trades workers living locally by making affordable housing available to them. The project would provide living wages and would provide union workers good health benefits as part of their collective bargaining agreement.

Mike Ferreira, Chair of the Loma Prieta Chapter of the Sierra Club, said the Chapter met last night to discuss their position. Despite some concerns, the Chapter supports the Commission's recommendation. Their concerns are that there is too much parking, considering there is a railroad and bus rapid transit (BRT). They have a lingering concern about water available for the development, although they are less concerned with the water-use of this development. He said if there is a different decision to be made by the City Council due to regional issues, that is their bailiwick, but the Commission is doing the right thing.

Al Gilbert, Brisbane resident, read from his written statement (attached) opposing the DSP and supporting the Commission's preliminary recommendation.

Linda Dettmer, Brisbane resident, read from her written statement (attached) opposing the DSP and supporting the Commission's preliminary recommendation.

Dana Dillworth, Brisbane resident, read from her written statement opposing the DSP and suggesting modifications to the Commission's preliminary recommendation. [Available on the City's website: <http://brisbaneca.org/sites/default/files/07-28-6%20Dillworth%20comments.pdf>.] She added that she wanted the Commission to consider wind energy generation in addition to solar, and provided several articles on examples of different wind turbine designs incorporated into buildings (attached to her written statement)

Ben Cohn, representing Assemblymember Kevin Mullin, thanked the Commission for their service. He said the Assemblymember's office understood the political and personal realities that come along with considering a proposal of such consequence. The Commission had an important decision to make, and he asked them to reconsider the housing needs of the region, the impact on traffic, and the ever-growing imbalance between jobs and housing that is felt in the Peninsula and beyond.

Glenn Fieldman, Brisbane resident, thanked the Commission for its hard work on this fraught subject. She thought they were doing the right thing by recommending no housing on the Baylands. She thanked them for considering the cumulative impacts of all the housing projects proposed for the area, not only Schlage Lock but at Candlestick and in Daly City. The cumulative traffic impacts will be horrendous and the infrastructure is not there to cope with it. That was one of the findings in the EIR and she was glad they considered it in their deliberations. She liked that they considered the possibility of relocating some of the industrial development in Old Brisbane over to the Baylands. She knows about the housing crisis first hand, as she is a renter and her rent goes up every year. If she loses her current lease, the chance of finding another is slim. So she appreciates the crisis being discussed. She thinks Brisbane should do its share, or more of its share, but in considering housing they need to consider Brisbane as a whole city. That hasn't been done sufficiently in discussing the Baylands. If there will be housing in Brisbane, it should be located in town where it could revitalize Visitacion, provide more customers for those businesses, and provide much needed places for people to live. The Commission's recommendation leaves that possibility open. She supports it. She thinks they are doing something that doesn't foreclose the possibility of future housing but leaves room to consider where that housing should best be located, at Parkside or in the Industrial park.

Corey Smith, SF Housing Action Coalition, said they had submitted a letter in support of housing at the Baylands. He showed the Commission a graph published in the Wall Street Journal showing the distribution of total jobs created in San Mateo, San Francisco, and Santa Clara counties versus the amount of housing built. It showed more jobs were created than housing. He is 28 years old and rents in San Francisco, working for a nonprofit which means homeownership is completely impossible. He said we need a paradigm shift across the entire region. He was working in tech and making more money than he is now, and he sees a problem. His generation is being economically exiled from this region. It is not intentional, but because different jurisdictions across the Bay Area are not doing or exceeding their fair share, it's an unintended consequence and it's really unfortunate. He has heard they need 40 years of a "pro-build" mentality to make the region

affordable. He talks to communities for a living, and has spoken at about 40 community meetings in different neighborhoods this year, so he understands the paradigm shift is difficult for some people to understand. He knows people who have called Brisbane home for a long time have a tough time with that. It is difficult when someone that they have never met before shows up to tell them what to do. But millennials everywhere are bleeding. The opportunity to buy a house in this area doesn't exist. When it was stated earlier that the DSP would not result in a community, this project would build a community. When he went to college, his mom gave him two pieces in advice: to floss, and to always do more than expected. He urged the Commission to think of other generations and think of intergenerational justice. He knows it was a difficult bullet to bite, but as someone who wants to call this place home, he asked them to reconsider and build housing because we need it.

Tim Frank, Director for Center for Sustainable Neighborhoods, said he was very pleased the Commission was paying attention to the testimony tonight. It was an opportunity to discuss the future of Brisbane and the role this place plays in the region. He said there was an opportunity to do what was right for the region. Looking at building a 1970's era, single-use, auto-oriented commercial development versus building a mixed-use sustainable community, from a regional perspective it's clearly better to include housing in the mix and build a full complete community. But what makes it compelling is that it won't only be right for the region but could be good for Brisbane. Currently the housing stock is very small with an inadequate population to support full service retail. Local retail is currently struggling. The new site represents the opportunity to bring a beautiful amenity to the community and add the necessary housing to provide a critical mass to have a full service retail scene. It would be a huge benefit to the residents that already live here without commuting outside of the community. To build that around a commuter rail station is a tremendously sustainable thing to do. A utility solar installation that is a transit-oriented system doesn't really make sense. It makes more sense to put solar on rooftops rather than as a utility-scale operation that is located typically in the desert or rural lands. This is a site in the heart of one of the job centers in the western US, on a rail line, and is an opportunity to build a full sustainable community and put solar on rooftops. That's how they can reduce greenhouse gas emissions the most and improve the quality of life of those living in Brisbane.

Scott Feeney encouraged the Commission to support the DSP or work with the developer to develop a plan that is feasible and provides the same level of housing around Caltrain. He lives in San Francisco and works in Menlo Park. When he rides Caltrain to work, he's usually reading a book or looking at his phone. But one day he decided to look out the window at the Bayshore station. He was surprised to see that instead of housing and businesses, there was just an empty pile of dirt. He could have just shrugged it off, but he's seen firsthand how big of a challenge we have with the housing shortage. Many of his good friends have left the Bay Area because they can't afford to live here, and it seems like a waste to have this transit line we've invested so much in that's not being used to provide housing we desperately need. He researched the Baylands project and thinks it's exactly what's needed for the region and will bring benefits for Brisbane as well. Traffic is a reason to support the project. When we don't build housing close in, people who teach our children or work construction jobs are forced to the fringes of the region to places like Antioch or the south bay where there is no transit, which forces them to drive to their jobs and makes traffic worse. He asked the Commission to think of the traffic benefits of building housing on the Baylands and asked them to support housing on the site.

Sonja Trauss said she lived in Oakland, on the other side of San Francisco's central business district. She considers herself in the same neighborhood of basically anywhere within a half hour commute of San Francisco's central business district, because when we add jobs without adding housing, prices go up everywhere around that job center and displacement goes up. This particular project is the gold standard for good planning to build new residential next to transit, where you don't have to tear down existing residential and commercial. She goes all over the Bay Area. The first speaker had asked why advocates don't visit other towns to speak in favor of other good developments, but she has visited almost every town in the region to advocate for good projects. She started out doing it as a hobby, but now she's in politics so it's become part of her job. Every town says they have done their share, which can't possibly be the case because we don't have enough housing, so someone, somewhere is mistaken in their belief that they have built enough housing. Everyone has a good idea for somewhere else we should build. When tearing down existing commercial, for instance, the business owners in those commercial spaces are very distressed. She and her group support housing even though the distress of commercial owners makes her feel bad. Sometime she advocates for housing in places far from transit, which makes some people mad because people would have to drive to work. But this isn't the case here. When people in other places say, "Why not build housing without tearing something down?" This is the place. This is the project that is the right thing for the region. She understood that doubling the population would be very different for the town, but thought some in town might be excited to be part of a bigger city. All of those problems could be solved by letting San Francisco annex that part of the Brisbane Baylands. If that's anybody's primary concern, San Francisco would be happy to annex the residential part of the Baylands, so schools and other things would be paid for by San Francisco.

Evelyn Stivers, Housing Leadership Council of San Mateo County, said she worked with communities and their leaders to create and preserve quality affordable homes. She urged the Commission to reconsider their recommendation and include housing on this site. She understood there are challenges with the site and people feel they are protecting the community and people's health by voting against housing. But the social justice community was very concerned with the redlining that was happening in communities throughout the company. A few years ago in the Bay Area, Urban Habitat formed an organization called the Center for Creative Land Recycling. They specialize in working with developers on cleaning up areas and making them suitable for development just because developments like this were passing us by without housing. She asked the Commission to work with them, come to an agreement about what's clean enough, and to not just pass this opportunity by. In this county, in the last few years we have added 50,000 jobs and less than 2,000 homes and that is why people are getting displaced. Just a couple days ago, a woman came into her office desperate for housing, crying because she was losing her housing on August 1. About half of people who get an eviction notice or have a dramatic spike in rent become homeless for at least a month. That's because jurisdiction after jurisdiction come up with reasons why they can't, why they're not going to, why this isn't right, not the right place, not the right time. She asked the Commission to find a way to say yes and work with the developer.

Milo Trauss said he lived in West Oakland, which is the counterpoint transit station to the Bayshore station on the Caltrain line. He is happy to see Oakland building some housing. The economy is growing and we should be celebrating. New neighbors who come and move in here will be interesting people from all over the world, which will benefit the community. For people worried

about the community feel here, the right thing to do is to welcome people, and the best way to do that is to give them a place to go. If we don't, and there is still economic growth, the people that come for jobs here will be looking for housing in the existing housing stock. Not just young people, but people of all ages will be impacted. People are bidding on their house instead of moving into a new development right by Caltrain and taking the train to work every day. People here that want to maintain the nice town would have a better chance to do that because there would be another place for folks to go. Brisbane has the opportunity to be a leader in the region, to say the project has some problems but they said yes because it was the right and smart thing to do for the region. He asked the Commission to say yes to residential building.

Van (Raymond) Quan, Brisbane resident, said he moved to Brisbane in 2004, moved away, then moved back a few years ago because he loved it so much. He is prepared to retire here and had two kids who went to Lipmann, so he feels like a local. He understands the work of long-time residents on this project and their efforts to preserve the beautiful town as it is. He hears other speakers from San Francisco and Oakland encouraging action. As a local Brisbane resident, the reaction is "who are you to come into my town and tell me what to do and build housing and cause issues in this beautiful town?" But as he reflects on the other speakers, he has a feeling that yes, Brisbane is a beautiful town and many people have worked to preserve the town that he now calls home, but we need to share as well. It is easy to hold on to what is so treasured by you, but others have the same needs. His opinion is we have to think not just about Brisbane but other communities that need assistance as well. We have the opportunity here to be a good neighbor. Maybe 4,000 units are too much, but we should open our heart and share our beautiful city that we all enjoy.

Ratna Amin, Transportation Director of Policy for SPUR, said SPUR is a member-supported non-profit that supports good planning and good government and has offices around the Bay Area. She appreciated the Commission's careful deliberations around this major project and admired many of the courageous comments made today. She echoed the comment that this is a site of regional significance. It has been designated a priority development area in the regional planning process and is deeply interconnected with every other city in the bay area. We look to Brisbane to take some regional leadership here and include housing on the site. She knows traffic is a concern. As a transportation planner who works with many transportation planners in the region, she asks the Commission to think about the future when they think about traffic. A lot is going to change. We are making a huge investment in electrifying Caltrain, which will become a modern attractive system. The amount of service that goes to a particular station will depend on what's happening in that City. Bus Rapid Transit is also proposed. In this region, we are developing the next generation of transportation. She is confident that traffic issues will be very different in 5, 10, 15 years, whether it's driverless cars, e-bikes, bike-sharing. SPUR is aggressively trying to address social needs and pollution and the nuisance of traffic. The problem of governance and public services are ones that should be overcome instead of saying they are too difficult for a small town to take on. SPUR and their partners can help the City determine how it can grow and take on these new responsibilities. Any increase in housing supply will help relieve the pressure in Brisbane and elsewhere in the Bay Area.

David Crabbe said he did not represent any organization, but he has over 20 years of experience studying and promoting sustainable development. He has some concerns about the sustainability of

this project. He then read from his written comments supporting residential development at the Baylands. [Available here on the website:

<http://www.brisbaneca.org/sites/default/files/07-28-16%20Crabbe.pdf.>]

Mark Burri said he spoke for thousands of construction workers and hundreds of large and small construction employers. He said we all benefit in many ways from a thriving local economy and job market. Unfortunately housing has severely lagged behind, leaving low inventory and high cost residences. The workers he represents are pushed further and further away from their jobs, commuting longer distances, stressing them and their families. The employers he represents report normally reliable employees are now fatigued and not as reliable due to their long commutes, or worse, those valuable construction workers move farther away and leave the local workforce. He asked the Commission to consider approving residential housing to the proposed development.

Danny Ames said he moved to Brisbane in 1984 and rented for three years before he bought a home with a \$10,000 down payment. He thinks he should carry more weight than others who have spoken since he has lived here for over three decades. He echoed Barbara Ebel and Dana Dillworth's comments. He thinks UPC is railroading this project and we don't have to accept it. It's our town. He understands the saturation of the housing crisis and that it's tough. The amount of in the project would be a drop in the housing bucket. He thinks if it has to be allowed, it should be a modular, multiple phased project. If they can't back down and think some of it has to happen, it should happen in phases. He is also concerned with a report that came out in the Insurance Journal National that sea level rise could be three meters or nine feet by 2060, which is a concern. It's not called the Baylands for nothing. Candlestick was torn down, there's Potrero Hill. San Francisco has a lot of options for growth. Why does Brisbane have to be picked on? He supports the Planning Commission's findings.

Michele Salmon, Brisbane resident, said if Danny weighs more for 30 years, she must weigh a ton because her mother moved here in 1930 and she grew up in Brisbane. She asked the Commission if they felt slapped and shamed enough now to bow to the developer and do-gooders that have come before them and had not read the 6,000 pages of the EIR that the Commission has read. The Commission knows what's right, they've read the reports, and done the work and know what lies beneath. She appreciates that work and has done that work, as have many members of the community. She feels insulted that outside people come in from other communities to try to cram regional housing down our throats when we've worked so hard to protect the mountain and be part of the community. Hillary Clinton said in her speech, "Plant the seeds for a garden you won't see." That's what her father and the other four council members did when they first became a city and annexed the Baylands against the will of Daly City and the county for a better future. They were in for the long game, as is the Commission, as she is. She thinks it's important to plant the seeds for the long game. A Shaker proverb says, "Live this day as it is your last and as if you have a thousand years to live." That is the planning scope the Commission must look at the Baylands, and they have in their considered decision about what's appropriate there now. Maybe something else will be appropriate 100 years from now. But in making the decision tonight, they are laying the groundwork for a better future. Yes, we have immediate housing needs. Build it and they will come, and even more will come. The planet cannot support 7 billion people, but that's what's happening. R&D for renewable energy will take us into a much longer future than 4,000 units that will only benefit the developer, not the housing crisis, not transportation. She thinks they are making the wise

and prudent decision for the long game. That's what they need now, thoughtfulness about the long game- where will they be 50, 100 years from now? Where will we be as a society if we are even on this planet 1,000 years from now? She saw what was put in the Baylands, and she thinks if people knew that, they would reconsider what they are asking the Commission to do.

Amy Dondy, Brisbane resident, said after sitting here listening to many people who came from other places to talk about their community, she wanted to stand up for their community. She supported the Planning Commission and their findings. At the first meetings she went to many years ago when she first moved here, housing wasn't discussed. At one meeting, the developer threw out that 4,000 units would be there. It wasn't in the General Plan. They also glanced over a slide about the liquefaction and that bedrock was 200 feet below. There's stuff under that empty land. Whenever she's talked to the people at UPC about housing, she explains that it's not just about the toxic soil, but about having a bifurcated community. A town should grow organically. The people who came here in support of development in Brisbane won't have to pay for this- our community will. There are very few people from the Ridge who come to these meetings. It's finally happening because people have moved here with kids, but the Ridge has always been separate. We could grow organically and connect communities, as opposed to having something plopped down two miles from the rest of Brisbane. Affordable housing is an assumption. All the housing built in San Francisco is not affordable with \$4500 charged for one bedrooms.

Chairperson Do announced a five-minute break.

The Commission reconvened.

Kameliya Vladimirova said she has been a homeowner in Brisbane for 10 years. She supported the Commission's recommendation. In response to those speaking for the need for affordable housing, she said the Baylands is a highly toxic area. The cleanup will be extremely expensive and they don't know whether it will ever be completed. That's what driving the high cost of developing the Baylands and necessitates more than 4,000 units to be built there in order for UPC to make money. It's not a sustainable project. The housing will not materialize for more than 10 years, so we will not see sustainable housing available for people to move in any time soon. It is not an economically sustainable or viable project. As a homeowner, the Brisbane community is not opposed to development, but they support sustainable, intelligent development. Brisbane has other areas, like Parkside Village, Crocker Park, and the Marina where housing could be built that wouldn't require the high cost of toxic cleanup which is the big problem with the Baylands. She appreciated the Commission fully vetting the project and not supporting UPC's recommendation because she doesn't consider it financially viable. If UPC thinks they can build housing, where will the financing come from? It's an extremely expensive project. She would like to see commitment letters from investors who will provide the \$1 billion or more required to build housing, if UPC has already secured the funding.

Tom Heinz thanked the Commission for their service. He thanked their forefathers in 1994 who had the good conscience and vision to say, "The people of Brisbane are not willing to accept the risk of people living on toxic land." He was watching at home, and has listened to all the eloquent speakers tonight, but they're ill-informed. It's not about us not wanting to grow, it's about not accepting the risk of people living on toxic land. It is required by law that the developer clean up that land before

building. So all these eloquent speakers are barking up the wrong tree. It's not the City's problem, it's the developer's problem. They should be pressuring the developer to clean it up. Not the City, it's not their problem. They had the vision years ago to say no. He wanted to uphold that vision.

Paul Bouscal, Brisbane resident, thanked the Commissioners for the hard work they put into this process. He sat on the DEIR committee and it was a lot of work. While there are different opinions on the content of the materials, he was concerned with some wording. At the end of every chapter, in the mitigation measures, the phrase "when feasible" was often used. He wondered who would determine if it was feasible or not. Those measures were important, and if they can't uphold the measures, how could they proceed? He had other comments to make but they've been said. He is concerned that 25% of the total property is to be set aside for open space. The words are actually "open space and/or open area." The words "and/or" are a real concern, because open space means public property and open area means private property. He hopes through all the findings and continued meetings that they make that wording more clear and direct as to what they are talking about.

Melissa Vivas, Brisbane resident, supported the Commission's proposed recommendation. She hasn't read the EIR, and she commended those who had for doing their homework. She's lived in Brisbane for 25 years and is a mother of two young adults who can't afford to live in the Bay Area. However, she would not want them to live on a toxic landfill. It is not an appropriate place for human beings to live. The proposal for 4,000 units is completely out of proportion for the town and would overwhelm and bifurcate the town.

Don Wagner, Brisbane resident of 16 years, wanted his children to have a place to live. He moved here because it's a great community. He was worried the Ridge would change the community, but it didn't, it enhanced the community. He is pro-labor and is part of Local 467, plumbers and pipe-fitters. In order to live here and support his family, he has to go into San Francisco for all his work, which comes with complications. But he would not be able to raise his family in the Bay Area if it wasn't for the pro-labor movement and for San Francisco providing the opportunity to have a construction job. He would like to work in other industries, but it is a wonderful industry and he enjoys his work. He hopes Brisbane can open itself up to more residents. He thinks we need more housing and without it his children would have to move out of the area. He was blessed to be able to move to Brisbane. Someone built his house, and someone built this community, so that he had an opportunity to live here. There are other communities that have been doing their part. He works in San Francisco, and it's not all low-income housing, but they are doing a tremendous job trying to keep up with all the jobs they are providing to try to house them. If Brisbane is going to build on the Baylands, we should do our part and allow some housing.

Deb Horen, Brisbane resident, thanked the Commissioners and community for the thousands of hours put into deliberations to consider the important details. She is a new resident and was attracted to Brisbane for the core values of community, sustainability, connectedness, and safety. Some of the new people here might wonder if Brisbane should be more progressive about things. Her initial feeling was, what was all that space out there not being used? When she first learned about the development, she thought it was just cleaning up toxic land. But the more she studied, she found out the soil would just be capped. As the Commission knows, any risks such as sea rise or earthquake puts all of that land and housing at great risk. In Brisbane, we care about the people who

live there, and about the people who don't live there. We don't want to put them at this risk. Regarding housing, there are economic booms and busts that come and go. The one problem that is not going away is climate change. And Brisbane is doing its part, with open space, sustainability, and energy generation. Brisbane is making a contribution to regional needs and that is important to recognize.

Leora Tanjuatco, said she was pro-housing. She wanted to address the idea that the advocates are a bunch of young kids who came in from other places who don't care about Brisbane or their quality of life. Her mom lives in Brisbane, she cares about it a lot, and she cares about the Bay Area a lot. It is difficult to watch her friends move away because they can't afford to live here anymore. She is a third-generation Bay Area resident. The cost of housing and the cost of living is too high compared to wages. Her grandparents were able to buy land here and save for three or four years, and she and her peers thinking about buying a house in the Bay Area would have to have a couple million dollars. If housing is built on the Baylands, it would be easier to afford a place to live in the area and would be 15% affordable, and would be something the Commission could leave to future generations. She hoped the Commission would support housing here and look forward to the future.

Dave Gremaux, Brisbane resident, said he was involved in the DEIR committee and unfortunately, he didn't get a chance to follow up with the Final EIR. He is in the construction trades in project management, and he concurred with a previous speaker that a big portion of the plan is to cap the existing ground, and he was concerned with settling underneath that. He is really concerned that Brisbane would be on the hook in the future if there are structural problems, or after an earthquake if the hardscapes get broken up. One of the speakers talked about the fact that there would be a lot of parking out there, which was true, and a large part of that is the parking is mandated through codes. If there are homes there, there will be a lot more parking required. Another aspect to that, it won't be possible to build underground parking lots because you can't disturb the soil. When he moved to Brisbane, his real estate papers included all the disclosures. He invited everyone to look at those disclosures. There is a big stack that discusses everything that's out there and it's all public knowledge. He wasn't concerned with it because he lives on a hill and the prevailing winds blow to the bay. Anyone living or working in the Baylands won't have that luxury.

Barbara Ebel supported the Commission's process. Many people have said tonight that Brisbane is denying housing and that's simply not true. Brisbane has said yes for something better. They do have a plan, called Parkside. Their plan for sustainability is not building beyond our means and what we can sustain in terms of water, power, and food. They have a plan for renewable energy called the CREBL plan. They are choosing not to contribute to the transportation woes adding by 9,000 more cars to the Baylands, plus the additional vehicles and persons from the surrounding projects to the densest part of Highway 101 which would create a parking lot. She wanted to send the Commission an article by Helen Jarvis that is well written and researched and discussed why mixed-use has not panned out as a solution to transportation issues. She wanted people to consider what is being asked for Brisbane to add 9,000 new residents. There are approximately 800,000 people living in San Francisco. That would be the equivalent of 3.2 million people in San Francisco if they were asked to grow the way Brisbane has been asked to grow.

Dana Dillworth said the Commission is being asked to certify an EIR that contains incorrect maps of wetlands, and some of the newer developer fabricated maps that incorporate the lagoon into the

open space maps are objectionable. The lagoon belongs to the public and is our public space. It is zoned as Marsh Lagoon, not Baylands. When the lagoon is included as part of the Baylands, and Mr. Scharfman says there will be 150 acres of open space, that is already part of Brisbane. She asked the Commission to not allow that open space to be included as part of the Baylands, because there would be no open space if they could get away with it. Also, the certification of the EIR will incorporate 2010 baseline conditions that had inadequate studies. There is little mention of the operations of the surcharging, little mention of Kinder-Morgan's impact and their supposed remediation plan, current laws and programs for renewable energy, sea level rise, and wetland restoration. More adequate studies might find that the proposed lumber yard is too close to existing wetlands. The need to expand wetlands at current sea levels for protection from storm surges in the future are the higher value to plans to cover them up with grading and fill.

Michele Salmon said part of her feels bad for the developer because this is a difficult process, but they knew what they were buying. Sorry, the land is toxic and there is a lot of bad stuff out there. She knows people who want housing are desperate for housing and want to live where they grew up. She understands that. She wanted to live where she grew up, and she worked really hard, and they only bought their house a few years ago. But that's not the way the future is going to go. We need to start controlling population. It's a reality. The thought of having 3.2 million people in San Francisco, or 20 million people, or 25, million people, or 30 million- where does it stop? Where do we draw the line? When we can't breathe, when we can't move? When no other animal, butterfly, or fish can live here anymore? It goes back to the songs of the 60's- pave over it, make it a parking lot. What we contribute to the Bay area is a little open space and room to breathe, alternative energy solutions, and other ways to think of things. Building more housing won't solve the housing crisis.

Tom Heinz said he is almost a 30-year resident. Everyone is talking about affordable housing- it's all you hear, that we need affordable housing. It's only half the equation. We need higher, livable wages. The way corporate America is going, there will never be affordable housing.

Dave Gremaux said in thinking about the Baylands and its history, with the railroad at its most fundamental level, there is steel rubbing against steel- the engine, the tracks, etc. All that needs to be lubricated. All that lubrication, going back to 1907 or so, when it first started getting filled with rubble from the earthquake, once they brought the locomotive yard out there, no one was paying attention to what was done with that waste oil. If you look at the historic pictures of the roundhouse and buildings, and you imagine for all those decades the work that transpired there, locomotive yards, the tracks, trains, sidings, all that oil and petroleum [splat noise]. He is concerned with the volume and the VOC toxicity.

Commissioner Munir moved and Commissioners Parker seconded to close the public hearing. The motion was approved 5-0.

It was the consensus of the Commission to continue their deliberations to a future meeting date.

Commissioner Munir said he was out of town beginning August 8.

Chairperson Do noted that two-thirds of the written comments were submitted the day of the hearing and the Commission needed more time to consider the written comments and information submitted.

Commissioner Anderson asked if the August 11 regular meeting would be cancelled.

Director Swiecki said staff would notify the Commission if the August 11 meeting would be cancelled.

Commissioner Anderson moved and Commissioner Munir seconded to resume Commission deliberations at the August 25, 2016 regular Planning Commission meeting. The motion passed 5-0.

#### H. ITEMS INITIATED BY STAFF

Director Swiecki said at the July 14 meeting, the Council did not move forward with the message ordinance amendment they had requested the Commission to consider.

#### I. ITEMS INITIATED BY THE COMMISSION

None.

#### J. ADJOURNMENT to the Regular Meeting of August 11, 2016 at 7:30 p.m.

Commissioner Reinhardt moved and Commissioner Anderson seconded to adjourn to the regular meeting of August 11, 2016 at 7:30 p.m. The motion passed 5-0 and the meeting adjourned at 9:40 p.m.

Attest:

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John A. 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).