

BRISBANE PLANNING COMMISSION
Action Minutes of August 22nd, 2017
Regular Meeting

A. CALL TO ORDER

Chairperson Munir called the meeting to order at 7:32 p.m.

B. ROLL CALL

Present: Commissioners Anderson, Cunningham, Mackin, Munir

Absent: None.

Staff Present: Community Development Director Swiecki, Senior Planner Johnson, and Associate Planner Capasso.

C. ADOPTION OF AGENDA

Commissioner Anderson moved to adopt the agenda. Commissioner Cunningham seconded the motion. The agenda was adopted by consensus.

D. CONSENT CALENDAR

1. APPROVAL OF RESOLUTION GPA-2-17; Recommending City Council adoption of the Draft Parkside at Brisbane Village Precise Plan, as modified in Exhibit A to the Resolution.

Chairperson Munir noted Ray and Anja Miller had requested that the item be removed from the consent calendar. Commissioner Anderson made a motion to remove the item from the consent calendar and discuss the item after Item G.1. Commissioner Cunningham seconded the motion and the motion was approved 4-0.

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

There were none.

F. WRITTEN COMMUNICATIONS

Chairperson Munir acknowledged written communications received regarding item G.1.

G. NEW BUSINESS

1. **PUBLIC HEARING: 36-50 San Bruno Avenue; NCRO-2 District; Use Permit UP-2-17/Design Permit DP-1-17/Grading Review EX-3-17;** Use Permit, Design Permit and Grading Permit to allow for the construction of an approximately 32-foot high, three-story, mixed-use building, including sixteen 526-545 square foot senior housing units on the second and third floors and approximately 464 square feet of ground floor commercial space and ground floor parking, to replace a parking lot on a 9,505 square foot lot; James W. Trotter, applicant; Horsepower Holdings Llc, owners; APNs 007-222-020 & 007-222-030.

Senior Planner Johnson gave the staff presentation. He answered Commissioner questions regarding: parking ratios at the existing senior center, the conformance of the project with current parking standards for senior housing, guest access to guest parking spaces, the requirement to waive the right to protect inclusion in an underground utility district, enforcement of guest parking time limits, HVAC location, energy efficiency measures, the legal instruments to enforce the seniors and low income units occupancy requirements, the intended use of the landscape area in the rear yard, the use of the rear courtyard, and parking requirements for storefront retail in the NCRO-2 District.

Commissioner Anderson noted a typographic error on page G.1.18, for staff to correct, regarding the contribution to the arts fund.

Commissioner Cunningham shared concerns about separating the adjacent 23 Club from the parking lot that currently occupies the subject site and her overall concerns regarding parking.

Chairperson Munir opened the public hearing and invited the applicant to present.

James Trotter, the applicant, made a presentation focusing on the process and background that led to his design. One key consideration was to contribute to the walkability of the town. He also spoke on the art deco inspiration for the building. He commented on the intended use of the commercial spaces as potential maker spaces as complementary spaces to existing retail in the neighborhood, not primary commercial spaces given their size, so they would not be envisioned as generating significant additional parking demand. He also further addressed the Commission's questions on the HVAC design, the rear landscaping, and guest access.

Commissioner Mackin asked for clarification on the potential use as a restaurant. Mr. Trotter indicated that given the size, the space is envisioned as more likely serving as a retail/maker space versus restaurant. Commissioner Mackin also commented on the appearance of the blank wall on the southern side and whether some of the windows could be enlarged on the other walls.

Commissioner Cunningham asked Mr. Trotter about the extent of the accessibility features of the housing units.

Joel Diaz, a project proponent, spoke further on the compliance of the proposed building with accessibility requirements and commented that a certain percentage of units will have to be accessible to wheelchairs, per the state building code. He commented on long term parking trends and the applicant's intent to contribute to revitalizing downtown with senior tenants who would drive less than typical and walk to local services. In response to the Commission's questions, he also discussed generally the property owner's intent with 23 Club to the rear of this property.

Paul Bouscal spoke in favor of the project and the need for senior housing.

Kima Hayuk spoke in favor of the project, citing the need for senior housing and how the proposal fits with long term sustainability needs and trends. He also asked if the project would have solar.

Barbara Ebel spoke in favor of the project. She indicated that it responds to the needs of the community. She suggested including a neighborhood electric vehicle (NEV) for the residents use to encourage less need for cars. She also indicated that these units would help to provide housing and allow Brisbane seniors to age in their home community and open their stock of larger housing to others.

Bonnie Boswell spoke in favor of the project, for support of seniors housing and its contribution to revitalization of downtown.

Sofia Allemand spoke against the project. She raised concerns over the parking and impacts of construction on elderly neighbors.

Denise Gregory spoke against the project. She indicated that she lives across the street and the building would block her sunlight and her view of the mountain, that it should be a single story building. She also indicated that she thought that more than one person could live in the units and result in more cars and parking demand. She also indicated that the commercial space would have parking needs.

Dave Bostrom spoke in favor of the project and the need for senior housing. He asked for clarification as to Ms. Gregory's home location and questioned how the view and sunlight would be blocked, given its location.

Albert Allemand spoke against the project. He indicated that parking availability was already too limited in this neighborhood. He also opined that this project would not be affordable housing.

Mr. Diaz responded to Mr. Allemand, that there are three income restricted units in the proposal. He responded to Mr. Hayuk's question about solar and indicated that the project will have solar. He also asked about how many letters and emails were sent in support of the project.

Chairperson Munir acknowledged that there were approximately 24 emails or letters in favor of the project and one opposed.

Commissioner Cunningham moved and Commissioner Anderson seconded to close the public hearing. The motion was approved 4-0.

The Commission deliberated on the project. Commissioner Cunningham made a motion that the application be continued to the next meeting to further discuss the parking. Motion failed due to lack of a second. Commissioner Anderson moved adoption of Resolution UP-2-17/DP-1-17/EX-3-17. Commissioner Mackin seconded the motion and it was approved 3-1, with Commissioner Cunningham opposed.

Chairperson Munir read the appeals process.

H. DISCUSSION

1. APPROVAL OF RESOLUTION GPA-2-17; Recommending City Council adoption of the Draft Parkside at Brisbane Village Precise Plan, as modified in Exhibit A to the Resolution.

Note: This item was removed from the consent calendar to be discussed following Item G.1.

Chairperson Munir called on Ray Miller to address the Commission.

Mr. Miller read his written statement (Note: Mr. Miller's statement is attached to these minutes).

Chairperson Munir requested a response from staff on Mr. Miller's statement.

Director Swiecki responded that the Commission had discussed concerns with liquefaction and geologic hazards at the July 27th meeting and per the Commission's direction, the revised Resolution included modified text in Chapter 4 of the Parkside Plan addressing the California Building Code and Brisbane Municipal Code requirements for soils analysis, geotechnical analysis, and other analyses for specific sites at the time a development application is submitted. Regarding flooding, he said potential future sea level rise issues are not limited to the Parkside Area, but will be Citywide. He suggested adding language to the General Plan subarea policies that development in the Parkside Area participates in Citywide solutions to comprehensively address sea level rise impacts in the City. Regarding air quality, new industrial developments that could be sources of air pollution are required to provide air quality studies of the impacts of their use on adjacent uses and mitigate or eliminate those impacts. CEQA requires analysis of the impacts of a project on the environment. He said these could be acknowledged as issues of concern in the General Plan. He said zoning language in the Crocker Park District could be considered for buffer properties. Regarding Mr. Miller's suggestion for environmental review, he had not had the opportunity to review it with the City Attorney. His concern was that the State's requirements for zoning to comply with RHNA allow for by-right housing, which would preclude case by case CEQA analysis.

Chairperson Munir stated he would like to consult with the City Attorney..

Chairperson Munir called on Anja Miller to address the Commission.

Mrs. Miller said, absent a developer in the wings, the Parkside Plan is a sales pitch for future development. She supported housing development, but the Parkside Plan should disclose any hazardous conditions of the properties. It should also provide truthful renderings of new buildings considering any increase in building pad height above existing grades.

Chairperson Munir stated the Planning Commission had considered that issue, and a text modification addressing that issue was in the revised Resolution GPA-2-17.

Mrs. Miller said the skate park and basketball courts should be added as public facilities and parks in the Parkside Area in the General Plan Land Use Chapter. She said the General Plan map showing the Baylands is the old 1991 map and must be updated.

Commissioner Anderson asked staff to confirm the Commission's prior direction regarding studying hazards for new development.

Director Swiecki referred to the redlined text in Exhibit A of the Resolution, where text was added referring to required site-specific analyses for various hazards to be completed at the time of development application.

Commissioner Anderson stated raising the ground above projected sea level rise could impact the character of the neighborhood. He thought the Commission had asked for an elevation study related to sea level rise.

Commissioner Cunningham stated she did not recall such a request being made by the Commission.

Chairperson Munir stated the Commission did discuss the scenario of site fill, and modified text was added to Exhibit A of the Resolution that building heights be measured from finish grade rather than natural grade in those cases.

Director Swiecki stated the concern with sea level rise was understandable, but the Parkside Plan may not be the appropriate tool to address the broader Citywide issues with prospective future sea level rise and adaptation strategies.

Commissioner Anderson stated he would like to make the Council aware that a larger discussion of sea level rise adaptation would be necessary.

Mr. Miller stated the City should act responsibly and show concern for future residents of the area.

Commissioner Cunningham said at the time an application is submitted, the City can assess current conditions and future projections at that time.

Mr. Miller said the General Plan policies can take into account things that may or may not happen. If things do happen, the community's position on the issue should be clear.

Chairperson Munir called on Paul Bouscal to address the Commission.

Mr. Bouscal said two properties in the Parkside Area are encumbered by SFPUC water pipelines. He was concerned that raising the grades on those properties could impact those pipelines.

Director Swiecki noted the pipeline easements were known and incorporated into the Parkside Plan. The SFPUC would need to approve any development proposal on the sites encumbered by the pipeline easement.

Commissioner Mackin supported adding to the General Plan a policy that some properties in the Parkside Area are in the flood plain and subject to liquefaction and overall suitability of development should be considered.

Commissioner Mackin supported adding to the General Plan a policy that some properties in the Parkside Area are in the flood plain and subject to liquefaction and overall suitability of development should be considered.

Chairperson Munir called on Barbara Ebel to address the Commission.

Ms. Ebel said a General Plan policy should require all buildings to look at a 50-year horizon beyond groundbreaking in regards to sea level rise projections. She also said the zoning map needs to be amended for the Baylands.

Commissioner Mackin moved to adopt Resolution GPA-2-17 as modified by the Commission's discussion. Commissioner Anderson seconded the motion and the motion was approved 4-0.

I. ITEMS INITIATED BY STAFF

Director Swiecki announced the Council was scheduled to adopt cannabis regulations in Ordinance 617 on September 7 and the M-1 rezoning ordinance would be introduced in October.

J. ITEMS INITIATED BY THE COMMISSION

Commissioner Mackin asked staff to agendize a discussion on parking impacts and policies at an upcoming meeting.

Director Swiecki indicated that could be scheduled for the September 12 meeting.

K. ADJOURNMENT

Commissioner Anderson moved and Commissioner Cunningham seconded to adjourn to the regular meeting of September 12, 2017 at 7:30 p.m. The motion passed 4-0 and the meeting adjourned at 10:55 p.m.

Attest:



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.