

BRISBANE PLANNING COMMISSION
Action Minutes of August 9, 2018
Regular Meeting
DRAFT

A. CALL TO ORDER

Chairperson Mackin called the meeting to order at 7:30 p.m.

B. ROLL CALL

Present: Commissioners Gomez, Mackin, Patel, and Sayasane.

Absent: Commissioner Gooding.

Staff Present: Community Development Director Swiecki, Associate Planner Capasso, and Planning Intern Emilio Flamenco.

C. ADOPTION OF AGENDA

Commissioner Gomez moved adoption of the agenda. Commissioner Patel seconded the motion and it was approved 4-0.

D. CONSENT CALENDAR

None.

E. ORAL COMMUNICATIONS

There were none.

F. WRITTEN COMMUNICATIONS

Chairperson Mackin acknowledged written communications received related to Item G.1 from Peter Grace.

G. NEW BUSINESS

1. **PUBLIC HEARING: Grading Review EX-2-17; 90 Kings Road; R-1 Residential District;** Grading Review for construction of new single-family dwelling on an approximately 6,728 square foot property, requiring 1,159 cubic yards of soil cut and 38.75 cubic yards of soil fill on the property. Site grading and construction would require removal of one protected street tree, qualifying as a protected tree under BMC Chapter 12.12; Kevin Wong, applicant; Yaoxiang Lu and Guimin Ren, owners.

Associate Planner Capasso presented the staff report and answered Commissioner questions regarding Mr. Grace's letter, the City Engineer's requirement for replacing the street tree with a new tree on the property, the ownership of adjacent lands to the south and west, and the tree removal permitting process.

Chairperson Mackin opened the public hearing.

Kevin Wong, applicant, answered the Commission's questions regarding where replacement trees could be planted on the property or potentially within the public right-of-way, subject to City Engineer approval.

Merritt Widen, 80 Kings Road, shared his concerns with the grading process, soil hauling, parking, noise, dust control, and length of time of construction.

Associate Planner Capasso stated that Mr. Widen's concerns with truck trips, grading safety, equipment staging, dust control, and worker parking would be addressed in a construction management plan as part of the grading permit review by the City Engineer.

Commissioner Patel moved to close the public hearing. Commissioner Gomez seconded the motion and it was approved 4-0.

After deliberation, Commissioner Patel moved to recommend approval of the grading permit to the City Engineer by adopting Resolution EX-2-17, modified to require two replacement trees to be planted on the property, at least one of which shall be a species reaching high canopy height at maturity, and to encourage the applicant to work with the City Engineer to incorporate street landscaping, such as trees or shrubs, with required sidewalk or other street improvements, at the discretion of the City Engineer. Commissioner Sayasane seconded the motion and it was approved 4-0.

Chairperson Mackin read the appeal procedure.

2. **PUBLIC HEARING: Zoning Text and Map Amendment RZ-4-18; 3800 Bayshore Boulevard; SCRO-1 Zoning District (existing), R-MHP District (proposed);** Zoning Text and Map Amendments to adopt a new Residential Mobile Home Park (R-MHP) zoning designation and apply the R-MHP district designation to the property located at 3800 Bayshore Boulevard, known as the Sierra Point Mobile Home Park, and amend to Chapters 17.04, Chapter 17.16, and Chapter 17.32 to achieve consistency between the new R-MHP zoning designation and existing zoning regulations; City of Brisbane, applicant; Maryann Button, owner.

Planning Intern Flamenco presented the staff report. Staff answered questions from the Commission regarding existing structures on the property and how replacement of those structures would be addressed under the proposed regulations.

Doug Button, representing the property owner, stated he did not support the rezoning as it eliminated other conditional uses that the property owner could apply for in the future. He stated the property ownership did not plan to close the park. He stated he was not provided with notice or other information from the City prior to the public hearing.

Staff explained the background behind the Housing Element policy adopted in 2015 to rezone the mobilehome park and the City's legal obligation to implement the policy. Staff stated that the

property owners had been contacted by mail prior to the public hearing explaining the rezoning application and inviting discussion with the City.

Commissioner Sayasane moved to close the public hearing. Commissioner Gomez seconded the motion and it was approved 4-0.

The Commission discussed current park closure procedures, which would not change under the draft ordinance, and the City's obligation under State Housing Element law to implement the program. The Commission discussed Mr. Button's concerns with future redevelopment potential of the park and the process that would be required to rezone the site subsequent to a park closure under the State and City regulations. They also discussed whether the proposed zoning district could allow 100% affordable housing on the site in addition to mobile home parks.

After deliberation, Commissioner Patel moved adoption of the Resolution RZ-4-18 recommending the City Council adopt the draft ordinance to amend the zoning ordinance to designate the mobile home park as R-MHP, Residential Mobile Home Park. Commissioner Gomez seconded the motion and it was approved 3-1 (Commissioner Sayasane opposed).

H. ITEMS INITIATED BY STAFF

1. Request to study parking ordinance to define new use categories and parking requirements and modify structure of existing ordinance.

Director Swiecki presented the staff memorandum and draft resolution.

After discussion, Commissioner Gomez moved adoption of Resolution PC-3-18. The motion was seconded by Commissioner Patel and approved 4-0.

I. ITEMS INITIATED BY THE COMMISSION

Commissioner Gomez stated the tree ordinance subcommittee would meet in mid-August.

J. ADJOURNMENT

Commissioner Sayasane moved adjournment to the next regular meeting of August 23, 2018. Commissioner Patel seconded the motion and the meeting adjourned at 9:15 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.