

# *City of Brisbane*

## *Planning Commission Agenda Report*

**TO:** Planning Commission For the Meeting 6/8/17

**FROM:** Ken Johnson, Senior Planner, via John Swiecki, Community Development Director

**SUBJECT:** **General Plan Amendment GPA-1-17 and Zoning Text and Map Amendment RZ-1-17 to Eliminate Inconsistencies between the M-1 Zoning and the Northwest Bayshore Subarea Land Use Designation and Related Amendments Pertaining to Northwest Bayshore; City of Brisbane, applicant; Northwest Bayshore Subarea in its Entirety.**

**REQUEST:**

To amend the 1994 General Plan as it pertains to the Northwest Bayshore Subarea and amend the Zoning Ordinance to achieve consistency with the amended General Plan.

**PROJECT DESCRIPTION:**

Proposed amendments to the General Plan include:

- 1) Adjusting the boundary between the Northwest Bayshore (NW Bayshore) and Crocker Park Trade Commercial (Crocker Park) Subareas to move the Brisbane Technology Park (3240-3280 Bayshore Blvd) from NW Bayshore to Crocker Park;
- 2) Establishing a new Guadalupe Hills Subregional Commercial/ Office/Retail (Guadalupe Hills) Subarea and applying this new designation to the central approximately 37 vacant acres of the existing NW Bayshore Subarea;
- 3) Adding a new Commercial/Public Utilities land use designation to the remaining NW Bayshore Subarea; and
- 4) Amending various chapters of the General Plan to reflect the amendments described above, including land use designations and related implementation policies and programs.

These General Plan amendments are shown on Attachments C and F.

The Zoning Ordinance would be amended to achieve consistency with the proposed General Plan amendments by:

- 1) Creating the C/P-U Commercial/Public Utilities District and rezoning the newly configured NW Bayshore Subarea from M-1 to C/P-U;
- 2) Rezoning 3240-3280 Bayshore Boulevard from PD-SCRO to TC-1;
- 3) Amending the zoning map to reflect the changes described herein.

These zoning amendments are shown on Attachment E and G.

### **RECOMMENDATION:**

Recommend that the City Council adopt proposed amendments to the General Plan and the draft amendments to Title 17 of the Zoning Ordinance as described above via adoption of Resolution GPA-1-17/RZ-1-17.

### **ENVIRONMENTAL DETERMINATION:**

Per State CEQA Guidelines Section 15183(a)--this proposal falls within a class of projects which are consistent with existing zoning or general plan policies for which an EIR was certified and shall therefore not require further review. The exception to this section requiring environmental review as might be necessary to examine project specific significant effects does not apply.

### **APPLICABLE CODE SECTIONS:**

State law contains requirements applicable to General Plans in Government Code Sections 65300-65303.

### **BACKGROUND:**

In November 2015, City Council adopted a resolution of intent to initiate zoning amendment(s) to bring the terminology used in the zoning ordinance for the existing M-1 Manufacturing Zoning District into conformity with the terminology used in the General Plan.

From January to May 2017, the Planning Commission held three study sessions and one public hearing regarding this matter. At these meetings, the Planning Commission recognized that the multiple areas zoned M-1 (General Plan subareas of Northeast Bayshore, NW Bayshore and Southeast and Southwest Bayshore) are diverse and have very different site and land use characteristics. As such, the Commission concurred with addressing each geographic subarea separately.

On March 9, 2017, the Planning Commission recommended zoning changes within the Southeast and Southwest Bayshore General Plan Subareas to rezone these properties from the M-1 zone and the City Council adopted the ordinance to rezone those properties to TC-2 Trade Commercial and OS Open Space on May 18<sup>th</sup>, 2017. The Northeast Bayshore subarea is being addressed in the ongoing Baylands planning process.

The remaining area to be addressed which is the subject of this current application is the NW Bayshore subarea. The NW Bayshore subarea encompasses approximately 87 acres generally bounded by Guadalupe Canyon Parkway to the south, Bayshore Boulevard to the east, and the Brisbane/Daly City boundaries to the north and west. Development in the subarea includes the approximately 10 acre Technology Park at the southern end of the district and the approximately 32.4 acre PG&E substation, the 7 Mile House and V&A Auto Service facility at the northern end. The central portion of the subarea includes approximately 31 acres of vacant lands referred to as “Levinson” and “Peking Handicraft” along with an approximately 3.8 acre marsh, located along the north side of Main Street. Other lands within the subarea include PG&E transmission lines, which run along the western edge of the subarea as well as City public right-of-way areas, such as Main Street, which is located near the center of the subarea.

During the Commission’s study sessions and previous public hearing, the Commission indicated support for the following approach which formed the basis of the proposed General Plan and zoning amendments now under consideration:

- Extension of Crocker Park TC Trade Commercial area over the Brisbane Technology Park;
- Renaming the vacant portion of the current NW Bayshore Subarea from Northwest Bayshore to Guadalupe Hills and retaining the existing Planned Development - Subregional Commercial/Office/Retail Subarea designation and Planned Development zoning;
- Adding a new Commercial/Public Utilities land use designation to the remaining Northwest Bayshore subarea (PGE substation and 7 Mile House property)

Note that following the Commission’s public hearing on April 13<sup>th</sup> and the latest study session on May 25<sup>th</sup>, the Commission further clarified that the General Plan’s requirements for both a Planned Development permit and a Specific Plan should be retained for the proposed Guadalupe Hills subarea. The Commission further discussed the possible retention or deletion of residential as a permitted use in the new Guadalupe Hills GP subarea, and the results of the Commission’s discussion are described in the following discussion section of this report.

## **DISCUSSION:**

As described above, the current NW Bayshore subarea consists of three very different areas - an office park at the south end, vacant hillside in the central area, and a utility substation and limited commercial at the urbanized north end. These areas have very different land use patterns, physical characteristics, and future development opportunities, and collectively do not form a cohesive unit for purposes of identifying and achieving broad planning goals or regulating land use.

Proposed modifications are described in further detail below:

### **Southern Area - Extension of Crocker Park TC Trade Commercial Subarea**

It is recommended that the boundary between NW Bayshore and Crocker Park subareas be modified to move the Brisbane Technology Park at 3240-3280 Bayshore Blvd from NW Bayshore to Crocker Park. The project was constructed circa 2000 and includes approximately 180,000 square feet of floor area in three, 2-story buildings. The uses consist of office and research and development. The development was

completed under the current Specific Plan/Planned Development permit requirements of the current PD zone.

Staff reviewed the existing project and determined that it is consistent with the permitted uses and development standards of the Crocker Park TC-1 zone. The project is also consistent with policies of the Crocker Park TC Trade Commercial General Plan designation, and it serves as a visual and functional gateway to Crocker Park.

General Plan and Zoning Amendments: For this area, both the General Plan Land Use Map and the Zoning Map would be amended to reflect the boundary change described above. Neither substantive General Plan text amendments nor TC-1 Crocker Park zoning text amendments are necessary. The site would also be rezoned from PD to TC-1. The Planned Development permit granted for the Technology Park would remain in effect, and the habitat easement required under this permit will remain in effect and would not be altered through the proposed General Plan Amendment or zoning change.

### **Northern Area - Adding a Commercial/Public Utilities Land Use Designation**

The remainder of the developed portion of the former NW Bayshore subarea includes the approximately 32.4 acre PG&E Martin Substation and the approximately 0.1 acre 7 Mile House. It is recommended that that the General Plan land use designation and zoning recognize the existing utility use and private commercial uses.

General Plan Amendments: It is recommended that the General Plan designation be changed from PD-SC/R/O to C/P-U Commercial/Public Utilities. The existing General Plan designation is *Subregional/Commercial/Retail/Office (SCRO)* which “designates a subarea devoted to subregional retail uses, personal services, restaurants and offices. Public and semi-public facilities and educational institutions may be located under this designation. Commercial recreation, residential uses, warehouse and distribution facilities, research and development, and light industrial uses may be permitted conditionally in implementing zoning districts.”

Staff does not believe the existing SCRO designation reflects either the current or anticipated long term future land uses within this area, and the newly proposed C/P-U district would more accurately reflect current and future conditions. The new designation would identify a more limited and realistic range of uses than now listed in the SCRO designation. Uses no longer permitted would include sub-regional retail sales, distribution facilities, research and development and residential, uses that are not realistic or suitable in this area given the current development patterns and site constraints. The amendment would further delete the existing PD designation from this new subarea. As noted in the 1994 General Plan, the *Planned Development (PD)* designation is intended for areas that are “primarily vacant” which is not the case in the newly proposed C/P-U subarea.

Zoning Amendments: In order to implement the new General Plan designation, a new C/P-U Commercial/Public Utilities zoning district would be established and applied to the PG&E and 7 Mile House properties, replacing the current M-1 Manufacturing Zone. The draft text includes development regulations tailored to the limited types of uses that are appropriate in this new zoning district.

Specifically, the proposed development regulations recognize that much of the large PG&E site is located behind a block wall and new buildings may be set back and largely unseen from the public right-of-way areas. On the other hand, the 7 Mile house/V&A Auto property is a single small parcel, of less than 5,000 square feet that already has no setback or very little setback from its front, side and the rear lot

lines. Also, while providing parking on-site is virtually impossible given the small lot size and location at the intersection of Geneva Ave. and Bayshore Blvd., the City has recently installed a number of improvements, including a bus shelter to encourage pedestrian use and street parking along Bayshore Blvd. The proposed zoning regulations therefore do not require additional on-site parking for any expansion of the 7 Mile House into the auto repair site. This is modeled on the Central Brisbane Neighborhood Commercial Retail Office zoning, along Visitacion Avenue. However, given the visual exposure, significant modifications to the building would require a design permit application. As the draft provisions are structured, if the ownership were to propose expansion of the auto repair side to replace the 7 Mile House, in addition to a design permit, the City would also require a use permit, since that could raise other concerns related to vehicular access.

### **Central Area - Establishment of Guadalupe Hills Subarea**

The central portion of the current Northwest Bayshore subarea, primarily consists of the vacant lands, historically referred to as “Levinson” and “Peking Handicraft” properties, which together total approximately 31 acres. Also included in this area is the approximately 5.4 acre linear strip of land where PG&E transmission lines are sited, connecting the substation to points south. Only the Levinson and Peking Handicraft parcels are considered as reasonably having development potential, given PG&E’s use of its land for transmission lines.

General Plan Amendments: For this area, the General Plan’s subarea title would be renamed to Guadalupe Hills, to reflect its existing geographic location and distinguish it from the remaining NW Bayshore subarea to the north, as discussed above. The newly designated Guadalupe Hills subarea would retain its PD-SC/R/O land use designation. Per the Commission’s direction in its previous public hearing, the requirement for one or more Specific Plan(s) prior to development would also be retained.

The General Plan Land Use Map would be modified as shown in the attachment to rename the subarea and establish its boundaries and accordingly the General Plan text and Table 5 would be amended to carry over the subarea’s development standards from the current NW Bayshore subarea. All of the General Plan uses and development intensity standards would remain unchanged. However, the General Plan text would be restructured to separate this area from the remaining NW Bayshore subarea, as reflected in the attachments.

Also, at the latest Planning Commission study session, in a straw poll, the Commission split 2 to 2 on whether to remove the references to potentially allowing for residential as mixed use, as included in the adopted General Plan. The matter was brought to the Commission’s attention due to lack of clarity in the General Plan, given the omission of density and intensity standards for housing along with the omission of this subarea as a designated housing site in the adopted 2015 – 2022 Housing Element. Based on Commission’s preliminary feedback which would not support amending the General Plan to delete housing as a potential land use, the attached draft language for the Commission’s consideration retains the existing General Plan language allowing for housing to be considered. Based on the discussion in that study session, an advisory recommendation has been included in the Commission’s draft resolution, which recommends that the question of providing additional General Plan guidance as to density and intensity standards for possible residential development in this subarea be revisited with the next comprehensive update of the General Plan Land Use Element or Housing Element, whichever comes first.

Zoning Amendments: There would be no zoning amendments to this subarea. It’s already zoned PD Planned Development and the Planning Commission did not wish the change the existing procedural

requirements for development within this subarea, which includes both a Specific Plan and Planned Development (PD) permit.

### **General Plan Consistency**

State law requires a minimum of seven elements to a jurisdiction's general plan and additional optional elements may also be adopted at the discretion of the jurisdiction. The state's mandatory elements include the following:

- 1) Land Use
- 2) Open space
- 3) Circulation
- 4) Conservation
- 5) Safety
- 6) Noise
- 7) Housing

Brisbane's adopted 1994 General Plan is structured to include twelve chapters. Functionally, the three chapters, "The Planning Area", "Land Use" and "Subarea Policies" all address the state's required Land Use Element. The Planning Area chapter provides a broad overview of the City's subareas, the Land Use chapter provides land uses designations, density and intensity standards, and citywide land use policies, and the Subareas Policies chapter delves deeper into policies and programs that are subarea specific. In addition to the general plan amendments described herein, additional general plan text amendments are proposed in all three of these chapters to achieve internal general plan consistency. These proposed changes are highlighted in the attached, redlined version of the proposed amendments.

None of the changes proposed would serve to add to or intensify the uses that are already designated for the NW Bayshore subarea, as provided in the adopted 1994 General Plan, but the changes are intended to narrow the uses allowed based on the geographic location, while providing a clearer regulatory structure for project review by the City.

### **ATTACHMENTS:**

- A. Aerial Photo of Subarea
- B. Existing General Plan Land Use Map
- C. Proposed General Plan Land Use Map
- D. Existing Zoning Map
- E. Proposed Zoning Map
- F. Proposed General Plan Text
  1. Chapter 2 The Planning Area
  2. Chapter 5 Land Use
  3. Chapter 12 Subareas
- G. Proposed Zoning Text
- H. Planning Commission Resolution GPA-1-17/RZ-1-17