

BRISBANE PLANNING COMMISSION
Action Minutes of May 26, 2011
Regular Meeting

CALL TO ORDER

Chairman Munir called the meeting to order at 7:30 p.m.

ROLL CALL

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

ADOPTION OF AGENDA

The agenda was accepted without objection.

CONSENT CALENDAR

1. Approval of Draft Action Minutes of May 12, 2011 Regular Meeting

Commissioner Parker moved to approve the Minutes with a correction to the third page. The motion was seconded by Commissioner Cunningham and approved 3-0 (Commissioner Reinhardt abstained; Commissioner Do absent).

ORAL COMMUNICATIONS

None.

WRITTEN COMMUNICATIONS

Emails from staff regarding the second and third items of new business were acknowledged. Additional correspondence from staff regarding applications not before the Commission was also received.

NEW BUSINESS

1. **PUBLIC HEARING: 3000-3500 Marina Boulevard;** Design Permit DP-2-11, Use Permit UP-7-11 and Variance V-2-11; Time Extensions for Design Permit DP-5-07 Approving Two Office Buildings and a Parking Structure with Related Site Grading, Use Permit UP-3-08 Accepting 1,373 Parking Spaces Including 1,175 “Universal” Spaces Located Off Site within the Parking Structure, and Variance V-1-08 for the Parking Structure’s Lot Coverage and East Side Setback; Don Little, Don Little Group, applicant; Sierra Point LLC, owner; APN 007-165-020

Senior Planner Tune presented the agenda report. He proposed that recommended Condition of Approval U be revised as requested by the applicant, with the City Attorney's concurrence. At Chairman Munir's request, he confirmed that no changes are proposed to the project as previously approved.

Chairman Munir opened the public hearing.

Don Little, applicant, explained that due to the economy, the project was not able to proceed. He confirmed that no design changes were proposed, because the approved design fit the site and the needs of the project's expected customers.

In response to Commissioner Parker's dismay with the previously approved garage, Mr. Little noted that through appropriate colors and tree plantings, it could be downplayed as a secondary element of the overall project design. He added that the garage could help to serve as a sound buffer to the freeway noise.

The Commissioners expressed concerns about personal safety in such a large parking structure and the need for a security system.

Mr. Little responded to Commissioner Cunningham comments regarding protecting the adjoining wetlands during grading and construction. He also responded to questions from Commissioner Reinhardt regarding how providing photovoltaic panels and additional public space would affect the project's LEED rating.

Chairman Munir inquired as to where wind-sheltered public space could be accommodated. Mr. Little noted the site plan constraints, pointing out that the parking structure may help serve as a wind buffer for the outdoor spaces proposed.

Chairman Munir asked about whether the project would deal with municipal landfill issues of differential settlement, methane gas and clay cap maintenance. Mr. Little recounted the property owner's experience with a number of existing buildings constructed at Sierra Point. Community Development Director Swiecki noted the County Environmental Health Division's responsibilities regarding these matters.

Commissioner Parker questioned why the parking garage wasn't designed as two structures that could be split with the two office buildings. Mr. Little explained that a single larger structure could be designed with multiple entries, interior lighting, bright colors and security measures to address personal safety concerns. He noted that the proposed design and location were the efforts to maintain a low profile for structured parking that would avoid impacting the shoreline, provide a wind buffer without detracting from a sense of entry for the entire project.

Chairman Munir suggested using screening for the parking structure similar to that used for the Centennial Towers development in South San Francisco to avoid the look of a typical parking garage. Mr. Little stated that muted coloring would be the most important aspect, with landscaping taking more time to provide screening. Director Swiecki pointed out that the north end of the structure facing the shoreline warranted special

treatment. He also noted that using a top band of dark blue facing the freeway would be more effective than attempting to use articulation on such a long elevation.

Director Swiecki explained how Condition of Approval V was added by the City Council to provide the applicant renewable energy options, based upon the approach that was taken with the Sierra Point Biotech Project.

Tom Heinz addressed the Commission. He questioned the accuracy of the submitted renderings and the adequacy of the proposed findings, especially in regards to the numerous variances requested. He suggested that reducing the size of the office buildings would mean a smaller parking structure and more room for the Bay Trail. He opposed subdivision of the site.

Chairman Munir raised the issue of emergency egress at Sierra Point. Mr. Little explained that this was addressed by a condition of approval that will be fulfilled prior to issuance of building permits for the project.

The Commissioners and the applicant discussed whether the feasibility of photovoltaic panels could be determined at the present time. Chairman Munir suggested basing the square footage of the panels upon a percentage of the project's projected energy consumption. Mr. Little responded that the project fully complies with adopted requirements, which Condition V goes beyond, but that he was willing to work with the City on the issue so long as he did not get painted into a corner.

Commissioner Parker moved to close the public hearing. The motion was seconded by Commissioner Cunningham and approved 4-0 (Commissioner Do absent).

The Commissioners discussed the options provided by Condition V and whether photovoltaic panels could be required based upon percentage of energy consumption.

Director Swiecki noted that Condition V was adopted by the City Council, that there had been no changes in the City's green building ordinance since, and that the in-lieu fee option was provided to fund a renewable energy project at a better location that would serve the greater good. He also explained how the use and maintenance of the parking structure would be shared by the two office buildings.

Commissioner Cunningham made the motion to continue the public hearing to the June 9th meeting, which was seconded by Commissioner Parker and approved 4-0 (Commissioner Do absent).

2. **PUBLIC HEARING: 11 Industrial Way;** Use Permit UP-8-11, 2-Year Extension of Interim Use Permit UP-4-10 for Outside Storage of Statuary Within Fenced Yards; Thomas Belluomini, Statue Factory, applicant; Sunquest Properties, Inc., owner; APN 005-340-080

Senior Planner Tune presented the agenda report.

Chairman Munir opened the public hearing.

Thomas Belluomini, applicant, confirmed for Commissioner Reinhardt that the Statue Factory did not intend to pave the yards, since it did not own the property. He explained the company's need for the storage area. He also reported that the weeds along the street frontages had just been trimmed earlier in the week per the conditions of approval.

Chairman Munir noted the Commission's concerns that the fencing be maintained and that the sidewalks be kept clear for pedestrian access.

There being no one else wishing to speak, the public hearing was closed on a motion by Commissioner Parker, seconded by Commissioner Reinhardt and approved 4-0 (Commissioner Do absent).

In response to a question from Chairman Munir, Senior Planner Tune explained that although Interim Use Permits can be approved for a length of up to 5 years, the recommended 2 year term would be more consistent with the expected Baylands Specific Plan processing timeframe.

Commissioner Parker made the motion to approve the Use Permit as recommended. The motion was seconded by Commissioner Cunningham and approved 4-0 (Commissioner Do absent).

3. **PUBLIC HEARING: 1000 Marina Boulevard, Suite 100;** Use Permit UP-9-11, Use Permit for Medical Facility and Modification to Parking Regulations to Accept Existing Nonconforming Parking for Proposed Use; Igal Koiman, Amen Clinics, applicant; Fund VIII 1000 Marina LLC, owner; APN 007-165-010

Senior Planner Tune presented the agenda report, suggesting a change to recommended Condition of Approval A. He responded to questions from Chairman Munir regarding handling of radioactive materials.

Chairman Munir opened the public hearing.

Dr. Garrett Halweg, representing the applicant, explained the SPECT imaging procedure and answered questions from the Commissioners regarding the reasons for relocating the facility from Fairfield and precautions in handling radioactive materials.

A motion to close the public hearing made by Commissioner Parker and seconded by Commissioner Cunningham was approved 4-0 (Commissioner Do absent).

Commissioner Parker made the motion to approve the Use Permit as recommended. The motion was seconded by Commissioner Cunningham and approved 4-0 (Commissioner Do absent).

ITEMS INITIATED BY STAFF

Director Swiecki informed the Commission of an opening on the Sustainability Subcommittee. Commissioner Reinhardt volunteered to fill the position, and the Commission concurred.

ITEMS INITIATED BY THE COMMISSION

Commissioner Parker noted the parking conflicts that are occurring at Mission Blue Center and the adjoining ballfield.

Chairman Munir inquired about training for the Commissioners, including additional sessions with the City Attorney.

ADJOURNMENT

There being no further business, Chairman Munir made the motion, seconded by Commissioner Cunningham, to adjourn to the regular meeting of June 9, 2011. The motion was approved, 4-0 (Commissioner Do absent), and the meeting was adjourned at 9:50 p.m.

ATTEST:

John Swiecki, Community Development Director

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