



# MEMORANDUM

DATE: May 25, 2017

TO: Planning Commission

FROM: Ken Johnson, Senior Planner

**SUBJECT: Study Session No. 3 on General Plan and Zoning Amendments for Northwest Bayshore (GPA-1-17 and RZ-1-17)**

## **BACKGROUND:**

On April 13<sup>th</sup>, 2017, the Planning Commission considered general plan and zoning amendment cases GPA-1-17 and RZ-1-17 related to the Northwest Bayshore Subarea.

Specific recommendations included:

- Incorporating the Brisbane Technology Park into the Crocker Park subarea and rezoning this property TC-1.
- Retaining the Northwest Bayshore subarea designation over the PG&E Martin Substation and 7-Mile House and creating a new implementing zoning district to better reflect existing and anticipated land uses in this area.
- Creating a new General Plan subarea (Guadalupe Hills) over the vacant, central portion of the existing Northwest Bayshore subarea, commonly known as the Levinson/Peking Handicraft properties.

At the April 13<sup>th</sup>, 2017 hearing (see attached minutes) a number of issues were raised and the Planning Commission continued the public hearing to a date to be determined. The Planning Commission also suggested that another study session be scheduled to further address the issues that were raised.

## **DISCUSSION:**

Based on the discussions from the April 13<sup>th</sup> meeting, the Commission was generally supportive of the overall concept of addressing the three distinct portions of the existing Northwest Bayshore subarea differently. Staff heard no objection to redesignating and rezoning the Technology Park, so it would be considered part of Crocker Park moving forward. In regard to the northerly area, the Commission indicated its support for the concept of creating a new zoning district, with further direction that the

General Plan retain all historic references and information. Staff has made the revisions as suggested by the Commission, which are included as an attachment to this report.

Most of the comments associated with the proposal related to the proposed Guadalupe Hills district, as described below.

Potential Contamination Issues: Concerns were raised about contamination related to historical uses on nearby sites, specifically Midway Village in Daly City and its relationship to the marsh and its drainage channel. Staff has attached summary information for both the Levinson/Marsh site area and Midway Village from the DTSC's EnviroStar website. Additional information is available to the Commission and the public at <http://www.envirostor.dtsc.ca.gov/public/>. Midway Village has an operation and maintenance plan in place to address subsurface contamination and there is a letter on file from DTSC, dated January 28, 2003 indicating no further action was required for the South Levinson site (see attached).

The Commission should note that any specific plan proposal or other discretionary application for development would require environmental review pursuant to the California Environmental Quality Act (CEQA), and site specific issues pertaining to hazardous materials and potential contamination would be addressed and subject to public and commission review through the CEQA process.

Potential for Mixed Use: The General Plan currently identifies housing as a potentially allowable use within the subarea without establishing density or intensity parameters for such a residential component. Staff recommends that housing either be deleted as a potential permitted use or that some basic density and intensity parameters be established in the event residential remains as a potentially allowable use. It was suggested at the Planning Commission hearing that the current language regarding mixed use be retained because it maximizes the City's flexibility in future land use decision making.

Staff recommends that the Commission further discuss how it would like to address the question of allowing for mixed use and provide direction to staff regarding its recommendation to be included in the Commission's resolution to the City Council. The options include:

- **Deleting housing as a potentially permitted use.** This would be consistent with the adopted 2015 – 2022 Housing Element, which did not identify this area as a potential housing site.
- **Retaining the current language.** If the Commission recommends retaining the current language as is, it is suggested that the issue of allowable density/intensity be revisited when the Land Use element of the General Plan is comprehensively updated or when the Housing Element is updated, whichever comes first.

Implementation Requirements: The current general plan and zoning require both a specific plan and discretionary planned development permit (PD permit) to implement future development. Staff's observation is that the processes are redundant and serve the same essential purpose and function. As such, it is recommended that the Commission choose one or the other as the means to approve and regulate future development of the site.

The Commission has requested a written opinion from the City Attorney as to whether or not a PD permit is subject to referendum. This legal opinion is forthcoming. In any case, the Commission retains the option of maintaining the existing requirements for both a specific plan and PD permit.

**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. Draft Planning Commission Minutes from April 13, 2017
- G. Proposed General Plan Text (redlined)
  - 1. Chapter 2 The Planning Area
  - 2. Chapter 5 Land Use
  - 3. Chapter 12 Subareas
- H. Environmental Information from DTSC

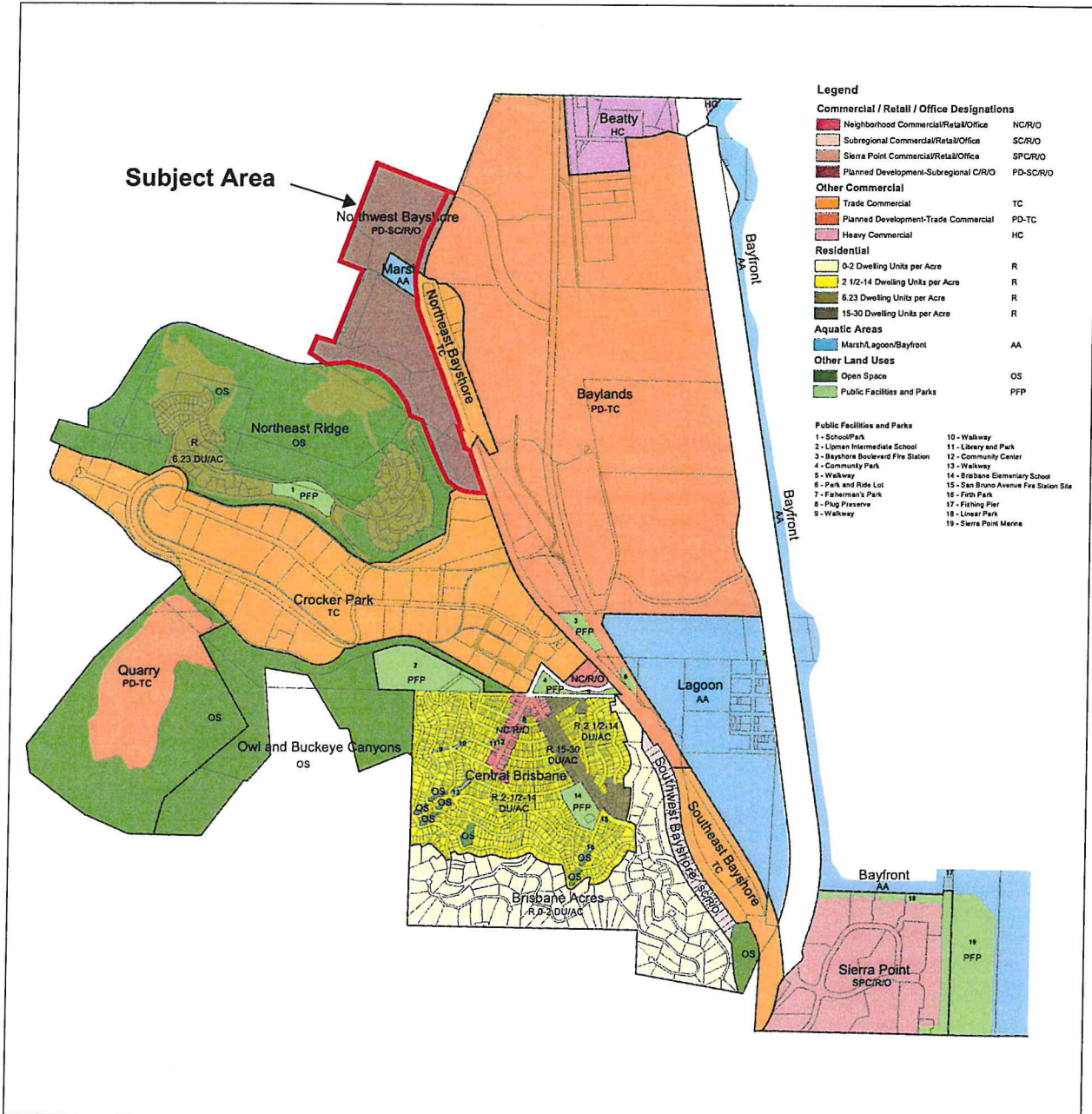
(Note: Please bring your previously provided copies of the study session and public hearing reports, or refer to those from the Planning Commission meeting webpage via <http://www.brisbaneca.org/city-government/commissions/planning>, if needed. The study sessions were on January 12<sup>th</sup> and March 23<sup>rd</sup> and the public hearing was on April 13<sup>th</sup>, 2017.)

Attachment A

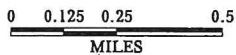


AERIAL OF NW BAYSHORE SUBAREA

# 1994 General Plan Land Use Diagram City of Brisbane



L S A



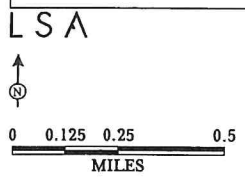
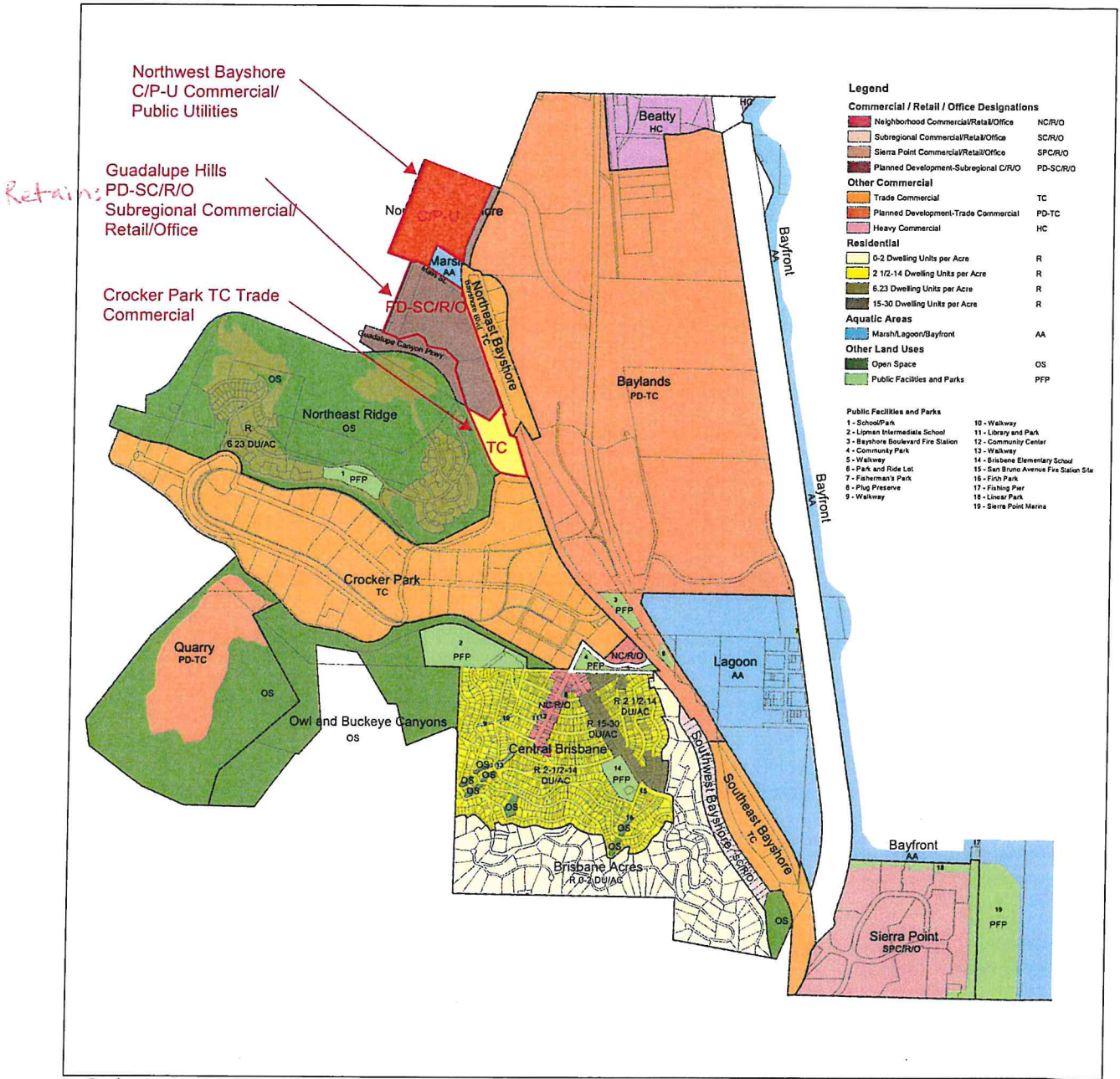
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# Draft Map Amendments

## 1994 General Plan

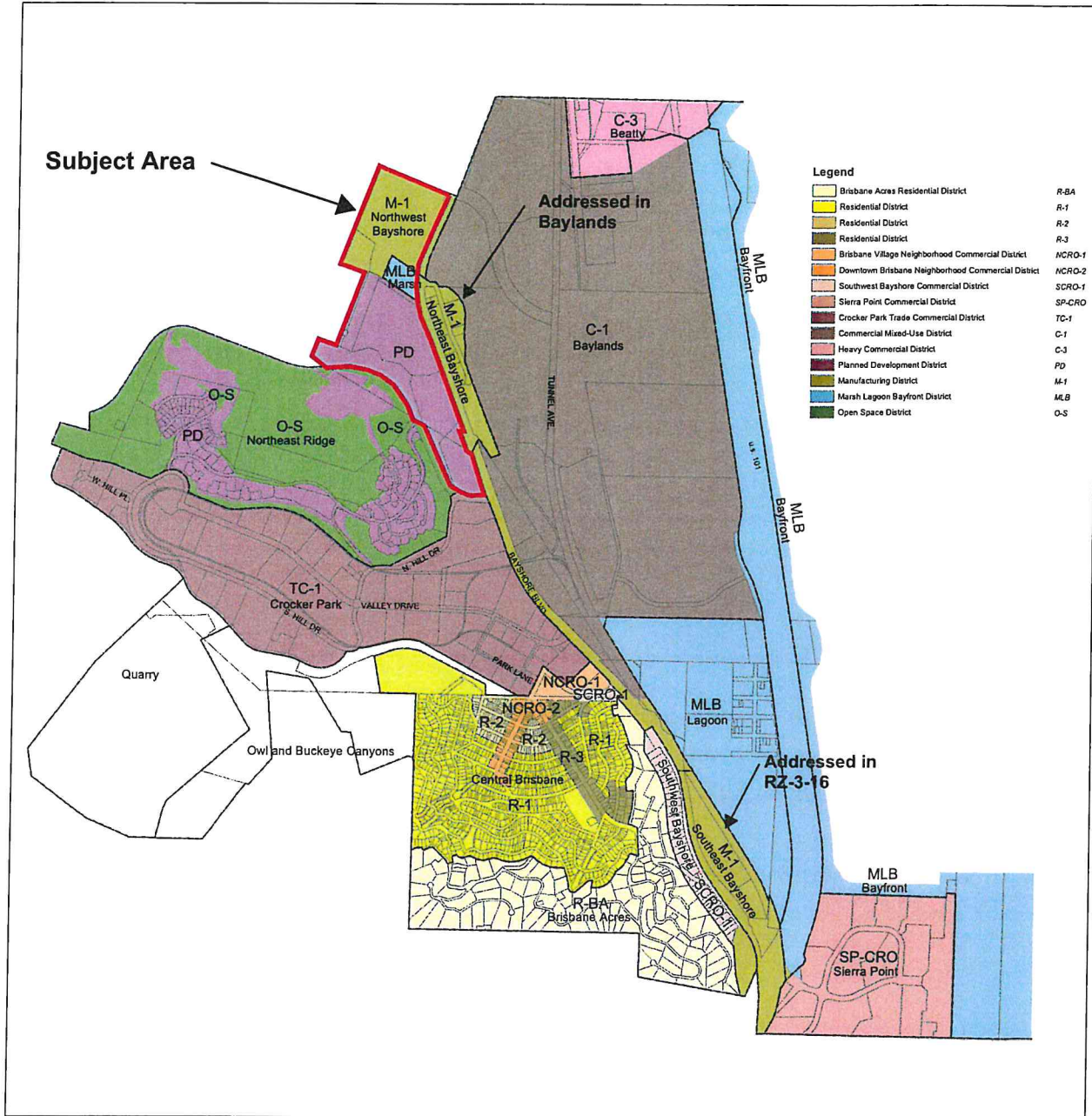
### Land Use Diagram

#### City of Brisbane



1994-06 GIS Map/General Plan (Foster) and (06/1/04)

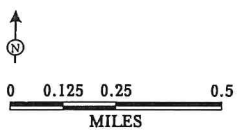
# Zoning Map City of Brisbane



**Legend**

	Brisbane Acres Residential District	R-BA
	Residential District	R-1
	Residential District	R-2
	Residential District	R-3
	Brisbane Village Neighborhood Commercial District	NCRO-1
	Downtown Brisbane Neighborhood Commercial District	NCRO-2
	Southwest Bayshore Commercial District	SCRO-1
	Sierra Point Commercial District	SP-CRO
	Crocker Park Trade Commercial District	TC-1
	Commercial Mixed-Use District	C-1
	Heavy Commercial District	C-3
	Planned Development District	PD
	Manufacturing District	M-1
	Marsh Lagoon Bayfront District	MLB
	Open Space District	O-S

LSA

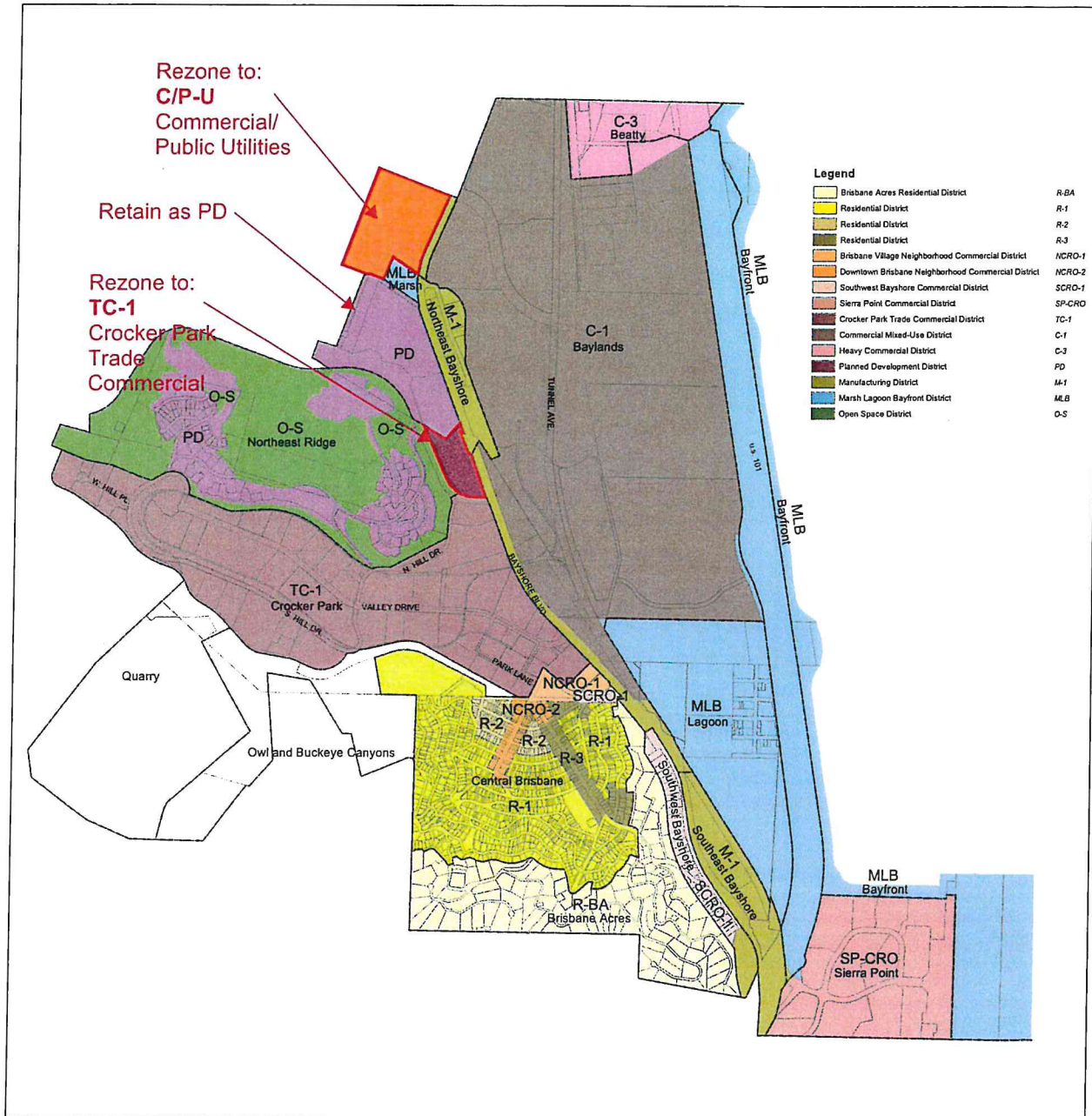


Revised: May 16, 1988  
Revised: May 29, 1992  
Revised: April 1996  
Revised: February 2000  
Revised: February 2002  
Revised: July 2003

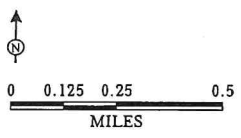


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# Draft Map Amendments Zoning Map City of Brisbane



LSA



Revised: May 16, 1988  
Revised: May 29, 1992  
Revised: April 1996  
Revised: February 2000  
Revised: February 2002  
Revised: July 2003



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## H. NEW BUSINESS

1. **PUBLIC HEARING: General Plan Amendment GPA-1-17/Zoning Text and Map Amendment RZ-1-17;** General Plan Amendment to: 1) Adjust the subarea boundaries of the Crocker Park Trade Commercial Subarea to include 3240-3280 Bayshore Blvd. 2) Establish a new Guadalupe Hills Subregional Commercial/Office/Retail Subarea and apply this new designation to approximately 37 acres of vacant properties now situated in the Northwest Bayshore Subarea; 3) Add a new Commercial/Public Utilities land use designation to the remaining Northwest Bayshore subarea; and 4) Amend various chapters of the General Plan to reflect the amendments described above; Zoning Text Amendment to achieve consistency with the proposed General Plan amendments; City of Brisbane, applicant; Various owners; APNs: Various; M-1 Manufacturing and PD-SCRO Planned Development Subregional Commercial/Retail/Office Zoning Districts.

Senior Planner Johnson presented the staff report. He and Director Swiecki answered various questions from the Commission regarding the proposed Guadalupe Hills subarea (central portion of the current Northwest Bayshore subarea). Questions focused on open space requirements, the difference between Specific Plan and Planned Development Requirements, the history of the sites with regards to potential contamination from the Daly City Midway Village area, and whether residential uses can continue to be included as a potential in the district. Commissioner Cunningham also asked whether the proposed amendments would add or take away land value of the affected properties and Director Swiecki indicated that the proposed amendments were focused on more accurately reflecting the existing and anticipated future uses.

Chairperson Do opened the public hearing.

Michelle Salmon addressed the Commission and expressed her support for keeping historical and environmental review references and for maintenance of butterfly flyways. She also expressed support for keeping housing as a potential use. She indicated that the central area had once been considered for a habitat interpretive center. She stated her concerns about the City's definition of open space versus habitat areas.

Mark Melbye, of Kidder Mathews, a real estate agent representing the Peking Handicraft ownership, asked questions to clarify the requirements and implications for Planned Development Permits versus Specific Plans. He expressed that it would be nice to know what the City envisions for the properties to help establish ownership expectations.

Ray Miller provided his recollections of the history of Midway Village and the adjacent drainage channel that comes through Brisbane and indicated that Daly City had to do an EIR related to development of Midway Village and the soil movement along the drainage channel. He provided his thoughts on the history of the zoning inconsistencies and the 1994 General Plan intent. He also discussed the Open Space Plan and the desire for having flexibility with housing as a potential use.

Commissioner Anderson moved and Commissioner Cunningham seconded to close the public hearing. The motion was approved 5-0.

Commissioner Munir suggested having another study session to discuss Planned Development Permits versus Specific Plan and the preservation of open space. He also requested information on the Daly City EIR related to Midway Village.

The Commission discussed the Planned Development designation and Specific Plan requirements relative to the "Levinson" and "Peking Handicraft" areas and questioned whether both designations could remain. Director Swiecki stated both requirements could remain.

The Commission requested the City Attorney's clarification as to whether a Planned Development Permit may be subject to referendum.

The Commission also requested that historical references from the 1994 General Plan not be removed.

After some discussion, the issue of whether housing should be left in the General Plan as a potential use was left open. Commissioner Munir expressed support for leaving it in as a potential option. It was also left open as to whether the item would be brought back as a study session first or if it would be brought directly back as a re-noticed public hearing. Either way, staff would provide the Commission with further information based on the discussion and questions raised.

Commissioner Mackin moved to continue the public hearing to a date to be determined. Commissioner Munir seconded and the motion was approved 5-0.

#### I. ITEMS INITIATED BY STAFF

There were none.

#### J. ITEMS INITIATED BY THE COMMISSION

Chairperson Do read a letter from Luc Bouchard into the record.

1. Standards for home sizes/lot coverage/floor area ratio- Central Brisbane.

After discussion amongst the Commissioners, Commissioner Anderson stated he would like to table the discussion.

Chairperson Do invited public comment.

Barbara Ebel encouraged the Planning Commission to address the issue and not to table it.