

BRISBANE PLANNING COMMISSION  
Action Minutes of September 11, 2014  
Regular Meeting

CALL TO ORDER

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

ROLL CALL

Present: Commissioners Do, Munir, Parker, Reinhardt and Chairperson  
Cunningham

Absent: None.

Staff Present: Community Development Director Swiecki and Senior Planner Johnson

ADOPTION OF AGENDA

Commissioner Do moved to adopt the agenda. The motion was seconded by Commissioner Parker. The motion carried 5-0.

CONSENT CALENDAR

**APPROVAL OF DRAFT ACTION MINUTES:**

- April 10<sup>th</sup>, 2014 Regular Meeting
- July 24<sup>th</sup> 2014 Regular Meeting
- August 7<sup>th</sup> 2014 Special Meeting.

**ADOPTION OF REPORT ON 7000 MARINA BOULEVARD;** Adoption of the report to the City Council on the appeal of the Planning Commission's approval of Design Permit DP-2-14, for renovation of the existing building, primarily to include replacement and reconfiguration of the angled window systems and conference room bay windows, the main entrance, a new rooftop mechanicals screen and landscaping.; Westport Capital Partners, LLC, applicant; Marina Boulevard Property, LLC, owner.

Commissioner Do moved and Commissioner Reinhardt seconded to approve the consent calendar, including the draft action minutes and the report on 7000 Marina Boulevard. The motion carried 5-0.

ORAL COMMUNICATIONS

None.

### WRITTEN COMMUNICATIONS

Chair Cunningham acknowledged written communications not on the agenda and the letter from Doug Rider, which pertains to the Green Building Ordinance subcommittee update, under Items Initiated by the Commission.

### NEW BUSINESS

**PUBLIC HEARING: 645 Humboldt Road; Use Permit UP-1-14;** Use Permit to modify the parking requirements to allow for addition of an approximately 95 sq. ft. home office, accessory structure, under the existing parking deck, for an existing single family home with a secondary dwelling unit; to include the existing five parking spaces (four standard and one compact), where six spaces are required.; Jerry Kuhel, applicant; Rafael Martinez, owner; APN 007-425-080.

Chair Cunningham recused herself since she owns property within 500 ft of the property and Commissioner Do acted as the Chairperson for this item.

Senior Planner Johnson presented the agenda report and answered Commissioner Munir's question about if there would be any future impact to this property if the City Council either approves or does not approve the proposed parking ordinance recommendations from City Council.

Jerry Kuhel, the applicant, answered the Commission's questions regarding the size and the potential uses of the structure.

There being no other members of the public to speak on the matter, Commissioner Munir moved and Commissioner Parker seconded to close the public hearing. The motion carried 4-0. Commissioner Munir moved and Commissioner Reinhardt seconded to approve the application. The motion carried 4-0.

### OLD BUSINESS

**PUBLIC HEARING: Draft 2015-2022 Housing Element; General Plan Amendment GPA-1-14;** City of Brisbane, applicant; City-wide.

Senior Planner Johnson presented the agenda report.

Chair Cunningham opened the public hearing.

Allan Murphy, Attorney with Perkins Coie representing DCT, spoke to the Commission and expressed DCT's general support of the affordable housing overlays, but also their concerns about the current language of draft Programs H.D.2.a and H.D.2.b and

suggested striking these. DCT does not want to limit future commercial and light industrial operations in Crocker Park, which are currently allowed. They are concerned that these two programs may result in future limitations on the existing uses of the properties in the area of the proposed residential overlay, which DCT owns. Director Swiecki answered the Commission's follow-up questions. Director Swiecki suggested that Program H.D.2.a could be deleted, since H.D.2.b gets to the heart of the matter, of establishing suitable residential environments with the affordable housing overlays while maintaining the viability of existing permitted uses. Mr. Murphy indicated that while they would prefer removal of both programs, the removal of Program H.D.2.a would help address DCT's concerns.

Dave Haugen, the Regional Manager for DCT, also spoke and reiterated the concerns expressed by Mr. Murphy about potential future limitations on existing uses and felt that the component parts to control the future uses are already in place in existing City zoning ordinances. He also suggested that the housing overlay could be expanded to use Valley Drive as the geographic dividing line. This would include additional properties owned by DCT. Director Swiecki answered the Commission's follow-up questions and suggested that the City does not want to commit to HCD to over-zone for residential as part of this Housing Element. The Commission further discussed the concerns raised.

Margaret Brown, a Brisbane resident, suggested that the Housing Element allow for secondary dwelling units on lots that are less than the current minimum of 5,000 sq ft. Senior Planner Johnson reminded the Commission that there is Program H.B.1.e which encourages development of secondary dwelling units, and that program could be expanded to include exploring the potential of reducing or eliminating the lot size minimum for development of secondary dwelling units. He also reminded the Commission that secondary dwelling units have specific permit requirements that address other issues such as provision for adequate parking.

There being no other members of the public present to speak regarding the draft Housing Element, Commissioner Munir moved and Commissioner Parker seconded to close the public hearing. The motion passed 5-0. Commissioner Munir moved and Commissioner Do seconded to adopt resolution GPA-1-14-A, recommending that City Council forward the Draft 2015-2022 Housing Element to HCD for review, including the revisions of removal of Program H.D.2.a, revising H.D.2.b based on their discussion and addition of Program H.B.1.e(f). The motion passed 5-0.

#### ITEMS INITIATED BY STAFF

Director Swiecki informed the Commission that the City Attorney will be moving on to a new job and the new City Attorney, Michael Roush, has been selected from the same firm.

Director Swiecki updated the Commission on the status of the appeal of 7000 Marina Boulevard design permit.

ITEMS INITIATED BY THE COMMISSION

Subcommittee Updates: Commissioner Reinhardt and Chair Cunningham informed the Commission that the Green Building Ordinance subcommittee met on September 3rd and will be meeting again on October 15<sup>th</sup>. They provided a recap of the September 3<sup>rd</sup> discussion, which is also summarized in the letter from the City's Building Official, Doug Rider, included in the Commission's mail for tonight.

ADJOURNMENT

There being no further business, Chair Cunningham moved and Commissioner Do seconded to adjourn to the meeting of September 25<sup>th</sup>, 2014. The motion carried 5-0 and the meeting adjourned at 8:59 p.m.

Attest:

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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](http://www.brisbaneca.org).