

BRISBANE PLANNING COMMISSION
Action Minutes of February 14, 2019
Regular Meeting

A. CALL TO ORDER

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

B. ROLL CALL

Present: Commissioners Gomez, Mackin, Sayasane.

Absent: Commissioners Gooding and Patel.

Staff Present: Community Development Director Swiecki, Senior Planner Johnson, Associate Planner Ayres.

C. ADOPTION OF AGENDA

Commissioner Gomez moved adoption of the agenda. Commissioner Sayasane seconded the motion and it was approved 3-0.

D. CONSENT CALENDAR

There were no items on the consent calendar.

E. ORAL COMMUNICATIONS

There were none.

F. WRITTEN COMMUNICATIONS

There were none.

G. NEW BUSINESS

1. **PUBLIC HEARING: 595 Tunnel Avenue; C-1 Commercial Mixed Use District (Baylands); Use Permit UP-10-18;** Use Permit to allow assembly of toter carts and storage of empty toter carts within an existing, approximately 35,000 square foot warehouse building; Christine Borghei, applicant; Recology Properties Inc., owner.

Senior Planner Johnson presented the staff report and answered questions from the Commission regarding the existing operations at the site without a Use Permit, staff potentially monitoring the site for compliance if the requested use permit is approved, site drainage issues, other existing site and building conditions, potential for use of structures that are in disrepair, use of site areas not within the proposed permit area, utilities and potential restroom locations.

Chairperson Mackin then opened the public hearing.

Recology's project team, Christine Borghei, Tim Caufield, Daniel Negron and Maurice Quillen, addressed the Planning Commission and responded to the Commission's questions about the

existing use of the site and timing for bringing the site into conformance with the application description and proposed conditions of approval. Specifically that they have been in conversation with the Bayshore Sanitary District to provide restroom facilities to meet their requirements and are evaluating a few different options, they indicated that they would repair the surface drainage as required by the City, they are willing to assess the safety of the front buildings and their potential for demolition, and they are working on removal of the toter carts from those areas that are outside the proposed limits of the application by sending them out to sites in San Francisco. They noted that they ended up taking a delivery of more toter carts than they originally intended. They also responded to the question regarding the timing of when Recology took ownership of the site, that it was around 2014. They indicated that the standing water is not within the building proposed for this use. They also stated that they are parking to the rear of the building proposed for this use and the vehicles parked along the street are related to the neighboring use. They described the contractual labor issues related to the different tasks, indicating that these labor issues necessitated the toters being brought to this site for staging prior to being brought to Recology's other facility for cleaning. Finally, they responded that they didn't see odors as being an issue from this use and they are working to remove the debris boxes from the areas that are outside the building.

There being no one else to address the Commission, Commissioner Gomez moved to close the public hearing. Commissioner Sayasane seconded the motion and it was approved 3-0.

Chairperson Mackin outlined a number of concerns, including that they stated that they started using this site in August 2017 without the required use permit, they are using the building in the middle of the site and outside areas for storage although the request is only for use of the rear buildings, employees are using a portable toilet contrary to Sanitary District standards and without a clear path forward or timeline to correct that issue, and that there is standing water on this site without a path forward for correction. She also expressed concern about the proximity of the used toters to the lumber yard's employees, to the south, due to potential odor impacts.

After discussion by the Commission, Commissioner Sayasane moved to continue the application to the regular meeting of March 14, 2019, to allow the applicant time to respond to the concerns raised by the Commission. Commissioner Gomez seconded the motion and it was approved 3-0.

H. WORKSHOP

1. Review Housing Accountability Act requirements for objective design review standards and findings of approval for housing development projects.

Director Swiecki gave the staff presentation outlining recent amendments to State law that impact the City's review of housing-related projects and applications including the Housing Accountability Act and Senate Bill (SB) 35.

I. ITEMS INITIATED BY STAFF

Director Swiecki announced the City Council adopted General Plan amendments to integrate the Local Hazard Mitigation Plan and also directed the Commission to study a short term rental ordinance.

J. ITEMS INITIATED BY THE COMMISSION

There were none.

K. ADJOURNMENT

Commissioner Gomez moved to adjourn to the regular meeting of Thursday, February 28, 2019. Commissioner Sayasane seconded the motion and the meeting adjourned at 9:15 p.m.

Attest:

A handwritten signature in black ink, appearing to read 'J. Swiecki', written over a horizontal line.

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.