

# CONSENT CALENDAR ITEM C



CITY COUNCIL/REDEVELOPMENT/GVMID

MINUTES

**DRAFT**

## CITY COUNCIL SPECIAL MEETING

JUNE 29, 2009

*BRISBANE COMMUNITY MEETING ROOM, CITY HALL, 50 PARK PLACE, BRISBANE*

### CALL TO ORDER/FLAG SALUTE

Mayor Richardson called the meeting to order at 7:30 p.m. and led the flag salute.

### ROLL CALL

Councilmembers present: Barnes, Bologoff, Conway, and Mayor Richardson  
Councilmembers absent: Waldo  
Staff present: City Manager Holstine, Associate Planner Johnson, Community Development Director Prince, Deputy City Manager/Administrative Services Director Schillinger, City Clerk Spediacci, City Attorney Toppel, Senior Planner Tune

### ADOPTION OF AGENDA

CM Barnes made a motion, seconded by CM Conway, to adopt the agenda as proposed. The motion was carried unanimously by all present.

### ORAL COMMUNICATIONS NO. 1

Michele Salmon, Brisbane resident, complained about recent increases in all-day aircraft noise and said she had been calling the airport frequently.

Ms. Salmon asked what the City Council intended to do about the moratorium of freight forwarding in Crocker Park pending changes to the current ordinances.

She opposed the Council's decision to have just action minutes of City meetings prepared, especially for meetings that are not televised. She applauded the City for its efforts to communicate with residents, but noted the lack of full minutes is a backward step that will make

it more difficult to track issues and Council actions. She recommended finding other areas to economize.

Mayor Richardson said she and other members of the community have voiced concern about aircraft noise, and she expressed concern about the increased number of flights over Brisbane during the past five years. She invited citizens to attend Airport Roundtable meetings to register their concerns.

Mayor Richardson asked about the status of the staff's investigation of freight forwarding. City Manager Holstine replied that the staff would get the background information to CM Bologoff that he requested. Mayor Richardson expressed interest in dealing with this issue before the end of July, if possible.

Mayor Richardson noted that City Council meetings will continue to be televised. She asked the staff to clarify changes in meeting minutes. City Manager Holstine advised that City Council meetings will continue to be televised and all other meetings will be recorded on DVD's as well as be televised. CM Barnes noted that the City will begin streaming meetings online so people can watch from their computers. Mayor Richardson said concise action minutes will be prepared for all meetings, and there will be recordings available on DVD and they will also be televised.

CM Conway recalled that the City Council had extensive discussion about the benefits of full minutes, and he said this issue may have to be revisited. Mayor Richardson emphasized that the City wants to cut back in ways that will have the least impact on services for the community.

## **OLD BUSINESS**

### **A. Update to Housing Element**

Community Development Director Prince noted that state law requires each city to designate potential sites and enact zoning to accommodate a fair share of its area's housing needs. He recommended making certain changes to Brisbane's existing density standards and zoning to allow more in-fill housing and mixed-use development. He said the staff identified particular parcels on the border between central Brisbane and Crocker Park, as well as alternatives along the Northwest and Southwest Bayshore corridors, Lipman School, and elsewhere in town. Community Development Director Prince drew attention to the "Housing Alternatives Reference Chart," Attachment 1, for a description of the parcels and their potential to provide affordable housing units. He encouraged the Council to identify which alternatives or combinations of alternatives are preferred.

Community Development Director Prince reported that the City had received written and email communications from a number of citizens advocating the rezoning of Crocker Park parcels to

allow mixed-use development near central Brisbane. He said the property owners, the Courts, also wrote to express support for rezoning their parcels and the contiguous parcels.

Community Development Director Prince recommended that the Council review the goals, policies, and programs of the Housing Element, and he referred to the matrix showing the proposed revisions to that section.

Councilmembers asked questions about the housing potential of various sites identified on the chart and map prepared by the staff.

Mayor Richardson invited comments from members of the public before Council discussion.

Michele Salmon, Brisbane, reported that she investigated the requirements for marina liveaboards. She noted that the City has a strict policy against liveaboards, although a City intern found strong demand for this kind of housing and recommended that the City consider allowing some liveaboards. Ms. Salmon acknowledged that there are facility and health concerns that would need to be addressed, and she encouraged the City to revisit this issue.

Cliff Lentz, Brisbane resident, observed that many people in the community care about housing availability and affordability, and the areas where housing is placed will have a major impact on the future of the town. He recommended rezoning three Crocker Park parcels to allow mixed-use developments close to town. He pointed out that some of the green space could be used to create a charter high school.

Jo Coffey, San Bruno Mountain Watch Conservancy, read a letter urging the City to take the fragile ecology and habitat of the mountain into account when considering possible locations for housing. She objected to allowing housing on any undeveloped land, especially areas close to sensitive habitat, and she cited the Peking Handicraft property, the Levinson Marsh, sections of Joy and Thomas Avenues, and parcels in Brisbane Acres as examples. Ms. Coffey recommended applying principles of sustainability to the Housing Element by focusing housing in areas where development already exists and along transportation corridors.

Terry O'Connell, Brisbane resident, emphasized the importance of maintaining contiguous habitat in order to ensure the future survival of the plants and animals that live on San Bruno Mountain. She agreed with Ms. Coffey that housing should be placed in the lower portions of town on land that has already been disturbed.

Dana Dillworth, Brisbane, noted that isolated housing sites like those described in Alternatives E and G should be eliminated from consideration because they are inconsistent with the Open Space Plan and impact sensitive habitat. She advocated compact mixed-use and infill development. She expressed concern about allowing any residential uses, even short-term ones,

in polluted industrial areas. Ms. Dillworth suggested considering more housing at the Northeast Ridge, but only if new units are affordable.

Karen Cunningham, Brisbane, noted that in the placemaking workshops, members of the community expressed support for creating focal points and attractions to bring people downtown and help revitalize the developed area. She expressed opposition to the idea of allowing development behind Lipman School or in areas near the sensitive habitat on San Bruno Mountain. She advocated taking a minimalist approach and meeting minimum housing requirements only. Ms. Cunningham said housing should be allowed only in areas that are safe, and she objected to allowing housing or schools on any contaminated areas, including the Baylands. She recommended keeping housing in the downtown part of Brisbane close to services.

Michele Salmon talked about the importance of maintaining contiguous natural habitat in order to ensure the future viability of endangered butterflies and other wildlife.

Brian Clark, Brisbane resident, expressed support for rezoning the three Crocker Park parcels to allow mixed-use development close to downtown.

Nancy Lacsamana, Brisbane, supported the idea of rezoning 125 Valley Drive as being the best option for the future of the town and its residents.

CM Barnes said he did not want to develop the Levinson or Peking Handicraft parcels. He noted that combining some of the alternatives identified on the chart prepared by the staff would meet Brisbane's regional housing needs allocation target.

CM Barnes questioned whether having a mixed-use development across from Community Park would revitalize the community, noting that successful mixed-use developments must have an adequate population to support their businesses and services. He pointed out that the ground-floor retail space at One San Bruno was vacant, as were many other storefronts downtown. CM Barnes expressed his opinion that extending the Redevelopment Area into downtown Brisbane would be a more successful way to upgrade the area. He said the Redevelopment Area would also provide a funding vehicle for a new library and other improvements.

CM Barnes drew attention to the General Plan policy to establish central Brisbane as the town center. He proposed having mixed-use developments along Visitacion Avenue instead of elsewhere. He noted that retail uses in the adjacent industrial area could actually undermine downtown businesses and exacerbate current problems. He recalled that the proposal to create a new civic center near Community Park is what led to the Council recall in 1989. CM Barnes expressed concern about creating new conflicts between industrial and residential uses.

CM Barnes stated that he liked the idea of a high school in Brisbane, but questioned whether the edge of Crocker Industrial Park would be a safe or secure enough place for a high school. He suggested establishing a new subcommittee to work with the proponents of a high school to identify an appropriate site, an organizational structure, and funding sources.

CM Barnes commented that the portion of the Baylands near the multi-modal transit hub would probably be the best site for housing. He said San Francisco will be building housing in that area, and it would make sense to create housing close to jobs and transit.

CM Conway agreed that a redevelopment area might be a good way of funding improvements for downtown Brisbane, but he observed that the idea of expanding the Redevelopment Area will require further study because many people are opposed to the concept because they fear eminent domain.

City Attorney Toppel explained that government agencies can use eminent domain to acquire private property for public purposes, although there are limitations.

Councilmembers reviewed the chart of potential housing sites. Mayor Richardson pointed out that combining Options 1 through 9 would produce 169 new housing units. CM Barnes said he had reservations about rezoning 49 and 55 San Francisco Avenue.

CM Conway indicated he was not yet ready to identify specific sites. He pointed out that impacts on parking, traffic, and water need to be studied in more detail before making this decision. He observed that identifying housing sites without having an adequate supply of water would be inconsistent with the General Plan. He added that he had objections to the whole regional housing needs allocation process.

Community Development Director Prince emphasized that identifying potential sites did not obligate the City to actually build any new housing units. He said decisions regarding the adequacy of water supply or other environmental issues would be made after a development application is submitted, so approving the Housing Element does not result in any inconsistency with the General Plan at this point.

City Attorney Toppel commented that state housing law only requires the City to create land uses, density, and zoning conditions conducive to affordable housing, but market forces and environmental constraints will determine what gets built.

CM Conway expressed interest in more information about the possibility of rezoning the mobilehome park to accommodate greater density. He suggested also looking at the possibility of putting housing units at the Brisbane Elementary School site. CM Barnes indicated he was willing to consider a wide range of alternatives.

CM Bologoff stated that he lost his house on El Dorado Street to eminent domain when 27 houses were purchased by the state to build the elementary school. He recalled that the state sold the land it had acquired for a possible high school site because state officials determined a high school would not be viable in Brisbane.

CM Barnes suggested meeting the regional housing needs allocation target by rezoning a portion on the Lipman School property, half a block of San Bruno Avenue, and rezoning the area of Southwest Bayshore around the trailer park.

CM Conway noted the five affordable units in the Ng project should be included in the total at the bottom of the chart.

CM Barnes asked the staff to further analyze the affordable housing potential for Options 9, 15, and 17.

CM Bologoff asked if the Habitat for Humanity project on Plumas Street had been added. Community Development Director Prince replied that the Plumas Street units were included in the existing capacity of 279 units. He said changing the minimum density throughout the existing residential districts achieves 61 more units. He advised that this still falls short of the 401-unit goal, so some additional sites need to be identified.

CM Conway expressed interest in having data showing the number of units possible by rezoning all existing residential areas for a minimum density of 20 units per acre.

Community Development Director Prince advised that the deadline for submitting the Housing Element to the state was the end of June. He said the staff can come back in two weeks with additional information if the Council wants to postpone a decision.

After brief discussion, the Council decided to continue this matter until July 13.

CM Conway requested additional information from the Bay Conservation and Development Commission regarding requirements for liveaboard units at the marina.

Councilmembers began discussing the goals, policies, and procedures of the Housing Element of the General Plan.

CM Barnes proposed removing the word "increased" from Goal A, and other Councilmembers agreed.

CM Barnes recommended retaining the third-from-last original goal.

CM Barnes questioned the meaning of “associated cost” in Goal G and advocated using the clearer original wording. He suggested clarifying the intent of having development cover the costs of infrastructure.

CM Barnes observed that the language in Goal H implies there are unreasonable government constraints. City Attorney Toppel proposed changing “Remove” to “Avoid,” and Councilmembers expressed support for this revision.

CM Bologoff noted that Goal A refers to “all persons,” and he questioned the need to specify categories of discrimination. CM Barnes noted that spelling out the protected categories serves a social purpose by making people aware of discrimination.

Mayor Richardson proposed taking comments from members of the audience.

Cliff Lentz clarified that he mentioned a high school earlier as a potential use if the land is rezoned. He said a public charter high school would have about 400 students, many of whom would come from communities outside Brisbane. He advised that a group of local parents has been working on the details, and a charter is nearly complete. He noted that issues like funding and management will come later in the planning process. Mr. Lentz observed that the issue of a high school does not have to be addressed as part of the Housing Element update.

Terry O’Connell asked for clarification as to how the minimum density standard would apply in a situation where a homeowner wanted to rebuild a house. She commented that forcing higher density would change the character of the town and pose an unreasonable government constraint. She cautioned that if the City rezones, the land will be built to accommodate the maximum density allowed.

Community Development Director Prince explained that homeowners can continue to maintain existing houses, but new developments would have to meet the minimum density standard. He acknowledged that higher density could be one of the consequences of rezoning.

Robert Howard, Brisbane resident, observed that redevelopment along Visitation Avenue will not succeed unless the retail businesses can draw more customers. On the other hand, he said, a mixed-use development at the boundary of Crocker Park could help attract people and serve as a barrier between central Brisbane and the businesses in Crocker Park. He noted that Brisbane has a need for affordable rental units, an issue that has not yet been addressed.

Community Development Director Prince stated that affordable housing units can take the form of either owner-occupied or rental units.

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Michele Salmon expressed her appreciation to the City Council for carefully considering housing options before approving the Housing Element.

Councilmembers agreed continue this matter to July 13.

#### **ORAL COMMUNICATIONS NO. 2**

There were no members of the public who wished to address the City Council.

#### **ADJOURNMENT**

There being no further business, CM Conway made a motion, seconded by CM Barnes, that the meeting be adjourned. The motion was carried unanimously by all present and the meeting was adjourned at 10:10 p.m. with no announcements.

ATTEST:

Sheri Marie Spediacci  
City Clerk