

BRISBANE PLANNING COMMISSION
Action Minutes of December 13, 2012
Regular Meeting

CALL TO ORDER

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

ROLL CALL

Present: Commissioners Cunningham, Do, Parker, Reinhardt and Chair Munir
Absent: None
Staff Present: Community Development Director Swiecki, Special Assistant to the
Director Tune and Associate Planner Johnson

ADOPTION OF AGENDA

Commissioner Reinhardt moved and Commissioner Do seconded to adopt the agenda.
The motion carried 5-0.

ORAL COMMUNICATIONS

None.

WRITTEN COMMUNICATIONS

Chair Munir acknowledged communications not related to items on the agenda.

NEW BUSINESS

1. **PUBLIC HEARING: 515 Tunnel Avenue Use Permit UP-10-12,**
Temporary Christmas Tree Storage for Recycling; Brad Drda, Recology
Properties, Inc., applicant; Sanitary Fill Company, owner.

Associate Planner Johnson presented the agenda report.

Chair Munir opened the public hearing and Brad Drda, the applicant, addressed the Commission's questions about the energy generation from the biomass. There being no one else from the public to speak on the item Commissioner Cunningham moved to close the public hearing. The motion was seconded by Commissioner Do and approved 5-0.

Commissioner Cunningham motioned and Commissioner Do seconded to approve the application. The motion carried 5-0.

2. **PUBLIC HEARING: 3708 Bayshore Blvd.; Use Permit UP-9-12,**
Extension of Use Permit UP-6-11 for a Contractor's Storage Yard in the
SCRO-1 Southwest Bayshore Commercial District; Sean Brennan, MK
Pipelines applicant/Joseph Gilmartin owner.

Commissioner Cunningham recused herself since she lives within 500 feet of the site.

Associate Planner Johnson presented the agenda report and answered the Commission's questions regarding the previously imposed sunset clause and the overall plans for the Southwest Bayshore subarea and traffic along Bayshore Boulevard.

Chair Munir opened the public hearing and the applicant, Sean Brennan of MK Pipelines, addressed the Commission's questions regarding their long-term plans for the site and their daily operations. There being no one else from the public to speak on the matter, Commissioner Parker moved to close the public hearing and Commissioner Reinhardt seconded. The motion carried 4-0.

After discussion by the Commission, Commissioner Reinhardt moved to approve the application and Commissioner Do seconded. The motion carried 4-0.

ITEMS INITIATED BY STAFF

1. **Discussion of Baylands EIR Schedule.**

Director Swiecki outlined the status of Council and consultant discussions in preparation for the publication of the Draft EIR. The Planning Commission will serve as the vehicle for receiving public comment on the DEIR, once it's published.

Lloyd Zola, the City's EIR consultant, presented and discussed with the Commission considerations of how to best introduce the document to the public and educate them in how to review and understand the document, given its size and complexity. Mr. Zola suggested that this should include an informational series of presentations, possibly 4 or 5 meetings, in the early stage of the public review period and towards the end of the 120-day public review period, after the public has a couple months to review the document, the Planning Commission would then take public comment.

It was suggested that the informational workshops would be held starting around day 15 after the DEIR is available to the public though about day 23, assuming 2 workshops a week, then the public oral comments would be received around day 60 or 70. The transcript of the oral comments could also be made available at about day 90. This would allow time after the oral comments for people to also submit written comments.

After the Commission's discussion on the best way to educate the public and the mechanics of how they will receive comments on the DEIR, Director Swiecki clarified for the Commission that for the public comment meetings the City will have a court

reporter and Commission's role will be strictly as a host and these are not public hearings. Also, the public comment meetings will be completely separate from regular Planning Commission business.

The Commission suggested that 3 weeks be allowed to the public to review the document prior to the informational sessions and indicated that 5 or 6 informational sessions might be needed. Director Swiecki indicated that the Commission's suggestions will be forwarded on to City Council.

The Commission also indicated their desire to make sure that the pending release of the DEIR is well publicized through the various means available.

STUDY SESSION

1. Implementation of Housing Element Programs H.B.4.b and H.B.5.a regarding Inclusionary Housing and Density Bonus.

Special Assistant to the Director Tune presented the agenda report. Director Swiecki then answered the Commission's questions regarding the status of state redevelopment agency law and how the loss of this funding mechanism relates to inclusionary housing. Mr. Tune then summarized for the commission that the goal is to make the City's inclusionary housing ordinance with the state's density bonus provisions, both of which are to allow for affordable housing in multifamily developments. This item will be brought back to the Commission in another study session.

ITEMS INITIATED BY THE COMMISSION

Commissioner Reinhardt updated the Commission on the Sustainability Committee goals that were submitted to the City Council on behalf of the Commission and the Committee's next steps.

Commissioner Cunningham updated the Commission on the latest Green Building Ordinance Subcommittee meeting.

Commission Parker updated the Commission on recent City Council actions on Commission recommended ordinances.

Chair Munir highlighted green building initiatives that he's observed in other parts of the world.

ADJOURNMENT

There being no further business, Commissioner Cunningham made a motion, seconded by Commissioner Parker, to cancel the meeting of December 27th and adjourn to the meeting of January 10, 2013. The motion was approved 5-0 and the meeting adjourned at 9:56 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 the City's website at www.brisbaneca.org.