

DRAFT

BRISBANE PLANNING COMMISSION
Action Minutes of February 26, 2015
Regular Meeting

A. WORKSHOP (6 p.m.)

1. Discussion of Baylands Planning Process White Paper with the City Council Baylands Subcommittee and City Attorney
Location: Large conference room, City Hall

The Planning Commission met with a representative from the City Council Baylands Subcommittee (Councilmember Miller), the City Manager, City Attorney, and Community Development Director Swiecki to discuss the Baylands Planning Process White Paper.

B. CALL TO ORDER (7:30 p.m.)

Location: Brisbane Community Meeting Room

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

C. ROLL CALL

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

Staff Present: Community Development Director Swiecki, Senior Planner Johnson, Associate Planner Capasso, and Special Assistant Tune.

D. ADOPTION OF AGENDA

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

E. CONSENT CALENDAR

1. APPROVAL OF DRAFT ACTION MINUTES

- i. April 24, 2014 Regular Meeting
- ii. May 22, 2014 Regular Meeting
- iii. January 8, 2015 Regular Meeting
- iv. January 22, 2015 Regular Meeting

Commissioner Parker moved to adopt the consent calendar. The motion was seconded by Commissioner Do. The motion carried 5-0. Commissioner Munir stated he was not present at the January 22, 2015 meeting.

F. ORAL COMMUNICATIONS

None.

G. WRITTEN COMMUNICATIONS

Chairperson Cunningham acknowledged a letter regarding short-term rentals which would be addressed at a workshop on March 12, 2015. She noted written correspondence in regards to Item H.1 and Item I.2, and several publications not on the agenda.

H. OLD BUSINESS

1. **PUBLIC HEARING: 786 Humboldt Road; Variance V-3-14;** Variance to allow for a lot line adjustment between the existing buildable vacant lots at 786 and 788 Humboldt Road to; 1) reduce the lot width of 786 Humboldt Road to approximately 37.5 feet, where 50 feet would otherwise be required, and 2) reduce the lot area of 786 Humboldt Road to 4,244 sq. ft., where 5,000 sq. ft. would be required; Dave Bostrom, applicant/owner; APN 007-432-320. (Note: This item was continued from the January 22, 2015 Planning Commission meeting.)

Chairperson Cunningham stated she and Commissioner Reinhardt would recuse themselves from this item as they lived within 500 feet of the subject property and Vice Chairperson Do would conduct the hearing as Acting Chair. Chairperson Cunningham and Commissioner Reinhardt left the chambers. Senior Planner Johnson gave the agenda report and presentation. He answered the Commission's questions regarding the applicant's proposal and staff's proposed alternative.

Acting Chairperson Do opened the public hearing. The following individuals from the public spoke in spoke in opposition to the subject proposal: Lory Lacsamana, 230 Humboldt Road, Peter Bockrath, 350 Humboldt Road; Nancy Roeser, 764 Humboldt Road; Kamelya Veladimirova, Elfin Court. At the request of Mr. Lacsamana, Acting Chair Do read a letter from Wayne Hendrix opposing the project into the record.

The following individuals spoke in favor of the applicant's proposal: Donovan Gilliland, prospective buyer of 786 and 788 Humboldt Road; Joel Diaz, 7 San Diego Court; applicant Dave Bostrom, 301 Harold Road; Tami Quan, 301 Harold Road. Luc Bouchard, 242 Monterey, requested clarification regarding the lot line adjustment process.

There being no further members of the public to address the Commission, Motion by Commissioner Munir seconded by Commissioner Parker to close the public hearing. The motion carried 3-0.

Acting Chairperson Do read a list of written communications received by the Commission regarding the application, which were included in the public record. After concluding deliberations, Commissioner Munir moved to approve the application, as proposed by the applicant. The motion was seconded by Commissioner Parker and the motion carried 3-0 (Chair Cunningham and Commissioner Reinhardt recused). Senior Planner Johnson stated revised findings and conditions of approval would be brought to the next regular Planning Commission meeting for adoption consistent with the Commission's direction.

I. NEW BUSINESS

1. **PUBLIC HEARING: 875 Humboldt Road; Variance V-4-14, Use Permit UP-5-14 & Setback Exception Modification SE-2-14;** Variance, Use Permit, and Setback Exception Modification to allow construction of a new home approximately 35 feet in height, where 30 feet is the maximum height permitted; to provide 3 on-site parking spaces, where 4 spaces are required; and to allow construction of a stairway within the front yard setback approximately 24 feet in height, where 20 feet is the maximum height permitted; Jerry Kuhel, applicant; KMI Development, owner; APN 007-441-250.

Chairperson Cunningham and Commissioner Reinhardt returned to the dais. Associate Planner Capasso gave the agenda report and presentation, and answered questions of Commissioners.

Chairperson Cunningham opened the public hearing. Jerry Kuhel, applicant, answered questions of the Commissioners. There being no further members of the public to address the Commission, Chairperson Cunningham moved and Vice Chairperson Do seconded to close the public hearing. The motion carried 5-0. After deliberation, Commissioner Munir moved to approve the application subject to the findings and conditions of approval in the agenda report. Commissioner Parker seconded the motion and it carried 5-0.

2. **PUBLIC HEARING:** Draft 2015-2022 Housing Element; General Plan Amendment GPA-1-14 and Negative Declaration; City of Brisbane, applicant; citywide.

Senior Planner Johnson gave the agenda report and presentation. Chair Cunningham opened the public hearing.

Ray Miller, City Council member, spoke as a member of the public and not as a City Council representative. Mr. Miller requested that the Planning Commission reconsider the proposed housing site at 145 Park Lane and consider a reconfigured alternative utilizing 125 Valley Drive. He noted the current proposed site would result in the potential exposure of future residents to pollution from truck emissions. He noted the alternative configuration was also considered by the City Council, and that the draft Housing Element was only recommended for approval by a 3-2 vote.

Dave Hogan, of DCT, asked for a map to be displayed showing the alternative location addressed by Council member Miller, and a brief discussion ensued regarding the parameters of the alternative.

Director Swiecki indicated staff was not prepared to substantively discuss the proposed alternative at tonight's meeting. He expressed concerns regarding the implications of re-opening this issue on the City's ability to adopt the Housing Element by the state-mandated deadline.

There being no other members of the public to address the Commission, Chairperson Cunningham closed the public hearing. Commissioner Munir moved to continue discussion of the item to the March 12, 2015 Planning Commission meeting, with additional information from

staff regarding Council member Miller's request. The motion was seconded by Commissioner Parker and carried 5-0.

J. ITEMS INITIATED BY STAFF

None.

K. ITEMS INITIATED BY THE COMMISSION

Commissioner Munir expressed his concerns regarding the City's lack of responsiveness to public inquiries. Commissioner Reinhardt reported that the Green Building Ordinance subcommittee would be reconvening in the near future.

L. SELECTION OF PLANNING COMMISSION OFFICERS

Motion by Commissioner Cunningham seconded by Commissioner Parker to elect Commissioner Do as Chairperson and Commissioner Reinhardt as Vice Chairperson. The motion carried 5-0.

M. ADJOURNMENT to the Regular Meeting of March 12, 2015 at 7:30 pm.

There being no further business, Commissioner Cunningham moved and Commissioner Parker seconded to adjourn to the meeting of March 12, 2015. The motion carried 5-0 and the meeting adjourned at 10:45 p.m.

Attest:

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.