

DRAFT
BRISBANE PLANNING COMMISSION
Action Minutes of September 24, 2015
Regular Meeting

A. CALL TO ORDER

Chairperson Do called the meeting to order at 7:31 p.m.

B. ROLL CALL

Present: Commissioners Anderson, Munir, Vice Chairperson Reinhardt and Chairperson Do.

Absent: Commissioner Parker.

Staff Present: Community Development Director Swiecki, Associate Planner Capasso.

C. ADOPTION OF AGENDA

Commissioner Anderson requested modification of the agenda to move Item I before Item D. Commissioner Munir moved and Commissioner Reinhardt seconded to adopt the agenda as amended and the motion carried 4-0.

I. ITEMS INITIATED BY THE COMMISSION

Commissioner Anderson announced the searchable and browseable Final EIR documents were available on the city website. He said he would continue to work with the consultants to improve the usability and readability of the documents and would update the Commission as that process continues.

D. WORKSHOP

1. Brisbane Baylands - Overview of Final EIR, Planning Documents and Planning Commission Options

Director Swiecki introduced Lloyd Zola of Metis Environmental Group, consultant to the City for preparation of the Baylands Environmental Impact Report (EIR).

Mr. Zola made a presentation outlining the contents of the Final EIR, the comments received on the Draft EIR (included in the Final EIR), proposed revisions to the Draft EIR in response to those comments, the planning documents prepared, and the Planning Commission's options for recommendations to the City Council at the conclusion of the public hearings.

Alison Krumbein, outside legal counsel representing the city, gave a brief presentation on the Planning Commission's role and guidelines for conducting the upcoming public hearings.

Chairperson Do invited public comment from the audience.

Anja Miller applauded Commissioner Anderson's work to improve the readability of the Final EIR. She asked that a public tutorial be held explaining how to use the searchable Final EIR

before moving on to the public hearings. She said it was her understanding that the California Environmental Quality Act required a Specific Plan to implement the General Plan, and asked why the developer's Specific Plan was called a Specific Plan if it doesn't implement the current General Plan. The General Plan amendment should be considered first before the Specific Plan. She said certification of a program-level EIR may mean that in the future, specific projects would not require separate environmental analysis even if environmental factors had changed since the EIR's certification.

Paul Bouscal said he was on the ad-hoc committee to review the Draft EIR and found that the words "when feasible" should be removed from all mitigation measures in the Final EIR.

Joel Diaz asked the Planning Commission to consider the proposed maintenance yard for the California High Speed Rail Authority in the Baylands seriously in their deliberations, and it should have been analyzed as an alternative in the Final EIR as requested by the State.

Tony Verreos agreed with Mr. Bouscal's comment. He said a portion of the high speed rail line was already under construction, but progress was moving very slowly and it would be difficult to plan for the yard as an eventuality because the State doesn't have an established timeline.

Joel Diaz said the maintenance area has to be within a certain proximity to San Francisco so there were no other feasible locations. He asked that more information be presented on the matter to inform discussion moving forward.

Director Swiecki stated high speed rail and the wording of the mitigation measures would be addressed at the upcoming public hearings. He said staff would work on a user guide for the Final EIR documents to guide their use and they could explore the idea of a tutorial.

Mr. Zola said there is a specific definition of "feasible" under CEQA, which is referenced in Master Response 2 in the Final EIR. He said the Master Response 1 outlines how subsequent site-specific environmental analyses would relate to the program-level EIR. Ms. Krumbein clarified that CEQA always applies to any project requiring discretionary approval from the city. CEQA Guidelines 15162 establishes how to determine whether additional environmental analysis is required for subsequent site-specific projects.

Staff answered clarification questions from the Planning Commission on these topics.

Commissioner Anderson inquired whether land use would only be discussed at one hearing as stated in the public hearing schedule. Director Swiecki answered that land use policy and recommendations will be a part of each public hearing as it relates to the environmental topic at hand. The Planning Commission then discussed parameters for conducting the upcoming public hearings and directed staff to publish and distribute advisory guidelines prior to the public hearings.

Chairperson Do invited public comment.

Tony Verreos, Madison Davis, and Anja Miller offered additional suggestions for how to run the public meetings and options to continue discussion if necessary.

E. CONSENT CALENDAR

None.

F. ORAL COMMUNICATIONS

Paul Bouscal said important topics like rezoning the old VWR site should be scheduled early on City Council meeting agendas. He also questioned the notification process for zoning changes to surrounding residential properties.

Joel Diaz asked for an established protocol to address site contamination early in the planning process before items move on to the City Council.

G. WRITTEN COMMUNICATIONS

Chairperson Do acknowledged publications and communications that were not on the agenda.

H. ITEMS INITIATED BY STAFF

None.

K. ADJOURNMENT to the Special Meeting of October 1, 2015 at 7:30 pm.

Commissioner Munir moved and Commissioner Anderson seconded to adjourn to the special meeting of October 1, 2015. The motion carried 4-0 and the meeting adjourned at 9:28 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.