

BRISBANE PLANNING COMMISSION
Action Minutes of May 25th, 2017
Regular Meeting

A. CALL TO ORDER

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

B. ROLL CALL

Present: Commissioners Anderson, Cunningham, Munir, and Mackin.

Absent: None.

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

C. ADOPTION OF AGENDA

The Commission adopted the agenda by consensus.

D. CONSENT CALENDAR

There were no items.

E. ORAL COMMUNICATIONS (limit to a total of 15 minutes)

There were none.

F. WRITTEN COMMUNICATIONS

Chairperson Munir acknowledged written communications not on the agenda.

G. STUDY SESSION

1. **Northwest Bayshore General Plan Designation and Zoning:** Discussion of potential General Plan and Zoning consistency amendments.

Senior Planner Johnson presented the staff report.

Commissioner Mackin requested clarifications regarding language repeated in the document pertaining to debris flows from the 1982 storm.

Senior Planner Johnson said it was purposefully retained in two places because it was relevant to two different general plan subareas.

Commissioner Mackin referred to the proposed text under the new Guadalupe Hills subarea description on page 17 of the staff report acknowledging “potential endangered butterfly habitat” on the Levinson and Peking Handicraft properties indicated in the 2001 Open Space Plan. Senior Planner Johnson noted there was documentation of butterfly habitat on the sites in the past and staff would delete “potential.”

Commissioner Mackin noted the description of open space in the new Guadalupe Hills subarea description does not specify the 25% open space requirement as forth in the Planned Development- Subregional Commercial/Retail/Office (PD-SCRO) designation and questioned if that could be added.

Director Swiecki said the draft Guadalupe Hills subarea language pertaining to open space incorporates language from the 2001 Open Space Plan, which doesn't include the 25% open space requirement in the PD-SCRO District. He noted the 25% open space requirement would remain in effect because the Guadalupe Hills subarea would retain the PD designation.

Chairperson Munir asked if the current General Plan would allow mixed-use development in the proposed new Guadalupe Hills subarea.

Senior Planner Johnson responded affirmatively.

Commissioner Cunningham said in the past the Commission had eliminated the sites within the proposed Guadalupe Hills subarea as potential housing opportunity sites under the Housing Element.

Senior Planner Johnson confirmed the sites had not been identified as housing opportunity sites in the past two Housing Element cycles. He noted the General Plan did not assign a residential density for the subarea. If the Commission desired to retain the potential for housing on the sites, the current language should be retained and the matter should be revisited in the next comprehensive Land Use Element or Housing Element update.

Chairperson Munir said he opposed housing development within the proposed Guadalupe Hills subarea as traffic congestion was already a problem in that area. He said designating the sites for housing would make future open space acquisition harder. He proposed designating the sites as open space.

Director Swiecki cautioned that were serious legal implications on imposing an open space land use designation on privately owned property. He said the 2001 Open Space Plan intended for any development concept to identify areas of the site to be preserved as open space, but not to designate the entire site as open space.

Chairperson Munir said he was concerned with traffic issues and he could only support low traffic generating uses, not residential.

Commissioner Cunningham said the Commission unanimously found several years ago that those sites were not appropriate for housing.

Chairperson Munir proposed removing residential from the proposed Guadalupe Hills subarea language in the General Plan.

Commissioner Anderson asked what the pipeline running through the property was for.

Senior Planner Johnson said it was a water pipeline.

Commissioner Anderson asked the Commissioners who were on the Commission several years ago to explain their reasoning for not including the Levinson and Peking Handicraft properties as housing opportunity sites.

Commissioner Cunningham said the Commission discussed the pros and cons of developing multiple properties along Bayshore Boulevard. A primary reason the Levinson and Peking Handicraft sites were considered not ideal as housing sites was their isolation relative to Central Brisbane and potential toxins at the Levinson property.

Director Swiecki added that the State obligates cities to adopt zoning regulations with certain minimum housing densities for housing opportunity sites, at 20 dwelling units or more per acre, which was another reason the Commission did not deem it suitable considering the steep topography and other constraints on the site.

Commissioner Cunningham supported removing “residential” as a potential land use in the proposed Guadalupe Hills subarea.

Commissioner Anderson asked when the next Housing Element Cycle would begin.

Director Swiecki said the next cycle began in 2022 and the update would be initiated after the Regional Housing Needs Allocation (RHNA) is established, likely in 2020.

Commissioner Mackin asked if they could include open space in the proposed Guadalupe Hills subarea. She thought that would increase the potential for obtaining open space grants.

Director Swiecki referred to page 27 of the staff report showing the definition of “open space” in the General Plan, which specifically refers to areas owned by the City or offered by private landowners for conservation. If land was dedicated to the City for open space, then it would be appropriate to change the designation after the fact.

Chairperson Munir asked how the City could purchase open space with grant funding.

Director Swiecki said if a conservation agency granted the City funds to purchase open space, the City would change the land use designation after the land was acquired.

Chairperson Munir asked if the Commission should consider the definitions of open space and open areas.

Director Swiecki said the Commission could recommend that the Council look into that. He cautioned the Commission that the City should consider these issues carefully due to legal implications.

Chairperson Munir suggested adding open space as one of many potential land uses in the Guadalupe Hills subarea.

Senior Planner Johnson referred to proposed amendments to Table 5 from the General Plan. The General Plan already requires a minimum of 25% in open space in the Northwest Bayshore

subarea and that would be carried over to the proposed Guadalupe Hills subarea. The HCP required preparation of a biological assessment to assess and map habitat areas that will need to be protected under any development proposal, similarly as was done for the Northeast Ridge.

Commissioner Mackin said adding open space as a potential land use was unnecessary due to the 25% minimum open space requirement.

Director Swiecki said a biological study may indicate that more than 25% of the site may need to be conserved for habitat purposes. The 25% is a floor, not a ceiling.

Commissioner Anderson said it would make the most sense to defer discussion of residential development potential to the next Housing Element cycle.

Chairperson Munir stated he thought they should remove residential as a potential use from the designation.

Commissioner Cunningham agreed with Chairperson Munir.

Commissioner Mackin stated housing may be a leverage point for the City to negotiate for additional open space on the properties. She said removing residential would negate that possibility.

Chairpersons Munir said designating a site for housing could eliminate opportunities to get funding for open space acquisition.

Commissioner Mackin questioned that statement. She said if a property owner was offered public funding to purchase land for open space that could go forward separately. She noted open space would also be provided as part of a larger development proposal.

Chairperson Munir said the City wanted to protect corridors for the protected butterfly species. He said the developer may not want to give the right areas to the City.

Commissioner Mackin said the biological study would reveal the prime habitat areas and protect them from development.

Director Swiecki said there were different streams of potential funding which may have different eligibility requirements. He added these two sites lie within a Priority Conservation Area that makes them potentially eligible for funding.

Commissioner Mackin said offices or manufacturing uses would generate traffic.

Chairperson Munir said traffic associated with residential would be more impactful.

Commissioner Mackin said the density of residential would control the traffic impacts. She said they could reconsider the matter at the next Housing Element cycle without necessarily removing it from the General Plan.

Commissioner Anderson said he preferred to retain the “potential” residential.

In summarizing the Commission’s deliberations on this matter, Director Swiecki advised that any change to the General Plan would require a majority Commission vote. A 2-2 vote would retain the existing General Plan language.

Chairperson Munir suggested that the City Attorney address the complicated procedures that need clarification regarding Planned Development Permits and Specific Plans.

H. ITEMS INITIATED BY STAFF

1. Proposal to initiate revisions to Planning Commission procedures to align with current practice.

Director Swiecki asked Commissioners to provide any feedback to staff to address in the update.

The Commission discussed protocol for individual Commissioners initiating discussion of agenda items through the Chairperson and staff.

Commissioner Mackin recommended staff include Commission-appointed subcommittee procedures in the updated document.

Commissioner Anderson asked for clarification of the circumstances justifying a special meeting, the role of the Chairperson in Commission deliberations, and agenda amendments by Commissioners.

I. ITEMS INITIATED BY THE COMMISSION

Commissioner Cunningham requested a session with the City Council, all Commission and Committees, and the City Attorney to review meeting protocol and procedures.

Director Swiecki said staff would formally agendize that request on a future agenda, in the form of a letter for the Chairperson’s signature.

Chairperson Munir requested a separate session with the City Attorney for Planning Commission specific issues. He also asked for an update on the Commission vacancy recruitment.

Director Swiecki indicated applications were due at the end of June and the Council would consider an interview schedule at their regular July meeting.

Commissioner Anderson asked the Commission to consider whether regular meetings could be changed from Thursdays to another day. After brief discussion, it was the consensus of the Commission that Tuesdays would be an acceptable alternative.

Director Swiecki said staff would look into the procedure for changing the regular meeting date and agenda discussion of the item on a future agenda.

J. ADJOURNMENT

Commissioner Anderson moved and Commissioner Cunningham seconded to adjourn to the regular meeting of June 8, 2017 at 7:30 p.m. The motion passed 4-0 and the meeting adjourned at 8:45 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.