

BRISBANE PLANNING COMMISSION
Action Minutes of September 8, 2011
Regular Meeting

CALL TO ORDER

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

ROLL CALL

Present: Commissioners Cunningham, Do, Parker and Reinhardt and Chairman Munir
Staff Present: Community Development Director Swiecki, Senior Planner Tune, Associate Planner Johnson

ADOPTION OF AGENDA

Commissioner Parker moved to adopt the agenda. Commissioner Cunningham seconded the motion, which was approved, 5-0.

CONSENT CALENDAR

1. Approval of Draft Action Minutes of July 28, 2011 Regular Meeting

Commissioner Parker moved to approve the Minutes. The motion was seconded by Commissioner Cunningham and approved, 3-0 (Commissioner Do and Chairman Munir abstained).

ORAL COMMUNICATIONS

None.

WRITTEN COMMUNICATIONS

None.

OLD BUSINESS

1. **CONTINUED PUBLIC HEARING: 575 Tunnel Avenue;** Interim Use Permit UP-13-11; Modification of Interim Use Permit UP-3-09 to change from the storage, dispatch, operations and maintenance of approximately 50 SFO commuter shuttle buses (45 ft buses) to approximately 50 small vans, mini buses and small shuttle buses (up to 25 ft) for para-transit services, with a change in hours from Monday –Friday, 5 am to 9 pm to 7 days per week 24 hours per day, on approximately 2.3 acres previously occupied by an industrial building, MV Transportation, Inc., applicant; Universal Paragon Corporation owner; APN's 005-152-240, 005-152-250 and 005-152-260

Associate Planner Johnson presented the item.

Chairman Munir opened the public hearing.

Jonathan Scharfman, Universal Paragon Corporation, explained why the previous project approved for this site was not pursued and how the current proposal is an improvement. He introduced John Murphy of MV Transportation.

Mr. Murphy described his company's current operations in San Francisco and San Mateo County. In response to questions from Commissioner Parker, he explained that bus traffic would not be going south on Tunnel Avenue; although, he hoped to employ Brisbane residents as bus drivers who then be driving to work from that direction.

Chairman Munir described the morning traffic congestion at the intersection of Tunnel Avenue and Bayshore Boulevard and recommended that the buses use an alternative route. In response to questions from Chairman Munir, Mr. Murphy explained that his buses would comply with the State restrictions on idling.

Commissioner Reinhardt reiterated the concerns regarding traffic at Bayshore Boulevard. Mr. Murphy said the suggested alternative route would work to get the buses to the 280 freeway.

Mr. Scharfman reassured Commissioner Reinhardt that debris from clearing the site would be recycled.

Commissioner Parker asked about staffing. Mr. Murphy said the facility would operate from 4 a.m. to 2 a.m., with the possibility of mechanics working overnight.

In response to Commissioner Cunningham's concerns, Director Swiecki noted that night lighting would be subject to the new CalGreen standards, and Mr. Scharfman described the appearance of the proposed building and landscape buffer.

With no one else wishing to speak, the public hearing was closed on a motion by Chairman Munir, seconded by Commissioner Cunningham and approved, 5-0.

Chairman Munir made the motion to approve the project subject to the additional condition requiring that bus traffic not use Bayshore Boulevard during the morning peak period. The motion was seconded by Commissioner Parker and adopted, 5-0.

NEW BUSINESS

1. **PUBLIC HEARING: 3836 Bayshore Boulevard;** Design Permit DP-3-11 and Use Permit UP-12-11; Showroom/Office/Warehouse with Two 3-Bedroom Dwelling Units Above and Uncovered or Carport Parking Spaces in Lieu of Garage/Carport Parking Spaces; Joseph Xu, applicant; Lun Hong Wong, owner; APN 007-553-180

Senior Planner Tune presented the agenda report. He responded to questions from the Commissioner Parker regarding the State requirements that were met through the Housing Element's proposed rezoning of the southern half of the Southwest Bayshore subarea. Director Swiecki explained the issue of General Plan consistency for this project.

Chairman Munir opened the public hearing.

Joseph Xu, project engineer, detailed the efforts made toward issuance of a Building Permit for the project previously approved by the Commission. He explained that the delay was due to revising the project to comply with the new Building Code, as well as market conditions and personal issues. He said there were only two items left to address in order to obtain the Building Permit and requested reapproval of the Design Permit and Use Permit.

There being no one else wishing to speak, the public hearing was closed on a motion by Chairman Munir, seconded by Commissioner Cunningham, and approved, 5-0.

The Commissioners discussed how planning permit extensions should be treated. Commissioner Parker requested more input from the City Attorney on the pros and cons of reapproving the project.

Director Swiecki pointed out the required findings that approval of the project would be consistent with the General Plan. Senior Planner Tune noted that the Housing Element included no provision for interim uses as had been done with the 1994 General Plan's policies and programs for the Baylands.

Chairman Munir asked how projects in process might be vested or grandfathered while the General Plan, including the Housing Element, is amended.

In response to a comment from Commissioner Cunningham, Senior Planner Tune noted that the approval of the project would not preclude the future development of the total number of housing units foreseen by the Housing Element on this site.

Mr. Xu confirmed for Commissioner Parker that KWW Kitchen Cabinets & Bath was currently using as storage the portion of the site where its showroom/office/warehouse are proposed.

A motion to continue the public hearing to the meeting of September 22nd was made by Chairman Munir, seconded by Commissioner Cunningham, and adopted, 5-0.

At 8:50 p.m., the Planning Commission took a short break. The meeting resumed at 8:55 p.m.

STUDY SESSION

1. Implementation of Housing Element Programs H.B.3.b, H.B.3.i, HI.1.b & H.I.1.c, Regarding Parking Requirements

Senior Planner Tune conducted the study session.

Commissioner Parker and Chairman Munir asked about the different parking requirements originally recommended by the Commission in 2004 for meeting halls, cultural facilities and places of worship. Senior Planner Tune responded that of the jurisdictions studied, the standard of 1 parking space per 50 sq. ft. was most frequently used. He suggested that the different standards be combined into one that would be applied to all three types of uses. He explained that if specific projects were not able to comply, they would have the option of applying for a Use Permit to modify the parking regulations, which would give the Commission the opportunity to deal with operational issues impacting parking demand.

The Commission agreed in concept with staff's suggestions and continued the study session to a later meeting.

2. Introduction to Form-Based Codes for Implementation of Housing Element Programs H.B.1.a, H.B.1.b, H.B.1.c, H.B.1.d, H.B.3.e, H.B.3.i, H.D.1.b and H.D.1.d, regarding Rezoning the Southern Portion of the Southwest Bayshore SCRO-1 District to R-SWB and the Southwest Portion of Crocker Park TC-1 District to NCRO-3

The Commission agreed to continue the presentation of this item to the next meeting as the only study session item.

3. Planning Permit Expirations and Extensions, Appeal Periods, Hearing Deadlines and Notification Requirements

Senior Planner Tune presented the agenda report.

Chairman Munir suggested that planning permit extensions for minor projects might be handled differently from those for major projects. He added that in cases where the Planning Commission had no authority to change the project in granting an extension, then the extension could just as easily be handled administratively.

Commissioner Cunningham suggested having all planning permits expire after 2 years, unless a different term is required by State law.

The Commission agreed to continue the presentation of this item to a later meeting.

ITEMS INITIATED BY STAFF

Director Swiecki noted the upcoming celebration of the 50th anniversary of the City's

incorporation.

ITEMS INITIATED BY THE COMMISSION

Commissioner Parker noted that many red-zoned curbs were fading. Chairman Munir suggested means to reduce traffic speeds at the south end of San Bruno Avenue. He also requested business cards for the Commissioners.

ADJOURNMENT

There being no further business, Commissioner Cunningham made the motion, seconded by Commissioner Parker, to adjourn to the regular meeting of September 22, 2011. The motion was approved, 5-0, and the meeting was adjourned at 9:40 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 on the City's website at www.brisbaneca.org.