



MEMORANDUM

DATE: June 27, 2019

TO: Planning Commission

SUBJECT: **Resolution PC-1-19 to Initiate the Process for Establishment of Plan Lines for Rights-of-Way, within the western area of the R-BA Brisbane Acres Zoning District, South of Kings Road**

BACKGROUND: The Brisbane Acres subarea originated as an unrecorded subdivision in the 1930s. Subsequent land transfers by deed description resulted in various individual ownerships of land. The unrecorded subdivision created a number of roadway parcels, most of which were not dedicated to the City as public streets. To date, development within the Brisbane Acres has largely been limited to the “lower acres” which are closer to City infrastructure as compared with the “upper acres. In recent years the City has been acquiring a number of the upper acres properties for open space purposes due to generally higher butterfly habitat value.

Even in the lower acres, a property owner faces a number of technical challenges to development of their land, not least of which are required public improvements to serve that development and the lack of public streets.

Recently, the property owners for three unrecorded lots (Lots 89, 90 and 91) in the lower acres above Kings Road, in the western portion of the Brisbane Acres, adjacent to “Beatrice Rd” and “Margaret Ave” have separately been in communication with the City about potentially subdividing and developing these lots. These owners have sought preliminary City feedback on project design and public infrastructure requirements, including the provision of roads.

For the Commission’s reference, an illustrative map is attached with this memo showing the general location of the area Brisbane Acres under discussion, along with the locations of the properties that would be most affected by establishment of right-of-way plan lines. Note also that what appears as roadway alignments within the Brisbane Acres, of “Beatrice Rd”, “Margaret Ave” and “Arthur Rd”, are generally unimproved lands that are in private ownership and are not City rights-of-way.

These ongoing discussions have raised a number of concerns. Of particular concern and the focus of this report are the challenges of ensuring that proposed and potential future development sites can be served by a public street system that meets city standards, accommodating emergency vehicle access and allowing for the installation of other required public utilities necessary to serve development.

DISCUSSION: To facilitate planning for required public access and infrastructure to serve future development, Brisbane Municipal Code Chapter 12.06 – Plan Lines for Rights-of-Way provides a process for the City to establish “plan lines” designating where rights-of-way for future infrastructure improvements would be located. Establishment of such plan lines would provide a couple key benefits to both the City and to property owners:

- It allows for the City to proactively and comprehensively plan for and establish appropriate locations for future infrastructure to serve a broad area, instead of reacting to individual development proposals of a piecemeal basis.
- It provides greater certainty to property owners in their preparation of parcel maps and development plans, in that they would understand City requirements up front and can incorporate these requirements early on in their project design.

Pursuant to BMC Section 12.06.030.C staff is recommending the Planning Commission initiate the process to establish plan lines for rights of way in the subject area defined in the attached illustrative map. In general the plan lines would identify rights-of-way connecting from Kings Road, through or between the developed 450 Kings Road and vacant 462 Kings Road and along the “Beatrice Rd” alignment to Lots 86 and 87 and along the northern and eastern edges of Lots 89, 90 and 91. This description and the attached map are only to provide a framework for the intent.

Note that the requested action is for the Planning Commission to initiate this plan line. Once initiated, more detailed mapping information would be brought back to the Planning Commission for public hearing, based on the Director of Public Works recommendations. Ultimately the Planning Commission’s recommendation on the plan line would be subject to City Council action

RECOMMENDATION: That the Commission adopt Resolution PC-1-19, initiating the process to establish plan lines for rights-of-way, via future public hearing and recommendation to City Council, for the above referenced area of the Brisbane Acres and connecting to Kings Road.

ATTACHMENTS:

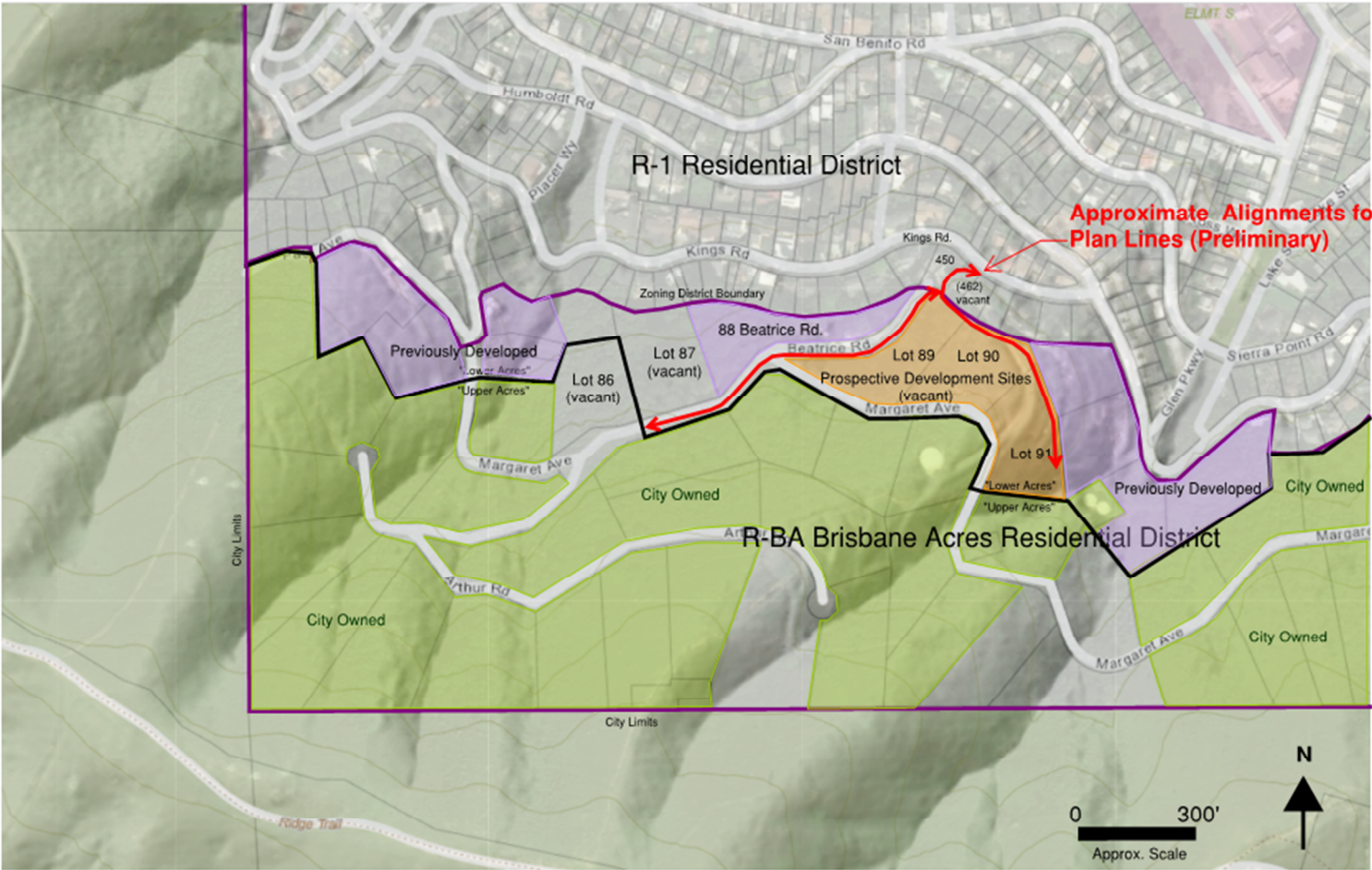
1. Illustrative Map for Initiation of Plan Lines for Rights-of-Way
2. Draft Resolution PC-1-19, Resolution of Initiation



Ken Johnson, Senior Planner



John Swiecki, Community Development Director



**Illustrative Map for
Initiation of Plan Lines for Rights-of-Way**

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RESOLUTION PC-1-19
 RESOLUTION OF INITIATION
 BY THE PLANNING COMMISSION OF THE CITY OF BRISBANE
 TO REVIEW DEPARTMENT OF PUBLIC WORKS
 PROPOSED RIGHTS-OF-WAY PLAN LINES, PER BMC CHAPTER 12.06,
 FOR THE AREA SOUTH OF KINGS ROAD, CONNECTING KINGS ROAD AND
 EXTENDING INTO THE BRISBANE ACRES,
 TO PROVIDE A RECOMMENDATION TO CITY COUNCIL

WHEREAS, the Brisbane Acres subarea originated as an unrecorded subdivision in the 1930s and subsequent land transfers by deed description resulted in various individual ownerships of land; and

WHEREAS, some Brisbane Acres property owners, of lands within the area south of Kings Road, including Brisbane Acres Lots 89, 90 and 91, have inquired as to the required public infrastructure and alignments of said infrastructure, in order to develop these properties with single family residences; and

WHEREAS, the City's ultimate approval of rights-of-way to access the above referenced lots may also have significant implications on the potential for development of other lots, beyond these properties, including Lots 86 and 87 to the west; and

WHEREAS, the Brisbane Municipal Code (BMC) Chapter 12.06 sets forth the procedures to establish plan lines for rights-of-way, including this resolution by the Planning Commission in order to initiate the process, BMC Section 12.06.030.C; and

WHEREAS, through this public process, the Planning Commission seeks to envision and provide recommendations to City Council to establish the most appropriate locations for future rights-of-way, to allow for construction of public infrastructure; and

NOW, THEREFORE, the Planning Commission of the City of Brisbane hereby resolves to initiate a review of plan lines for rights-of-way, with the aim of providing a recommendation to City Council, via separate resolution.

AYES:
 NOES:
 ABSENT:

 PAMALA SAYASANE
 Chairperson

ATTEST:

 John A. Swiecki
 Community Development Director

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