

BRISBANE PLANNING COMMISSION  
Action Minutes of January 26, 2023  
Hybrid Meeting

CALL TO ORDER

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

ROLL CALL

Present: Commissioners Funke, Gooding, Lau, and Sayasane

Absent: Commissioner Patel

Staff Present: Director Swiecki, Senior Planner Johnson, Senior Planner Ayres, and Associate Planner Robbins

ADOPTION OF AGENDA

A motion by Commissioner Gooding, seconded by Commissioner Sayasane to adopt the agenda. Motion approved 4-0.

CONSENT CALENDAR

There were no items.

ORAL COMMUNICATIONS

There were no oral communications.

WRITTEN COMMUNICATIONS

There were two written communications regarding agenda item C.

NEW BUSINESS

- B. PUBLIC HEARING: 213 Visitacion Avenue; 2022-DP-6/2022-UP-9;** NCRO-2; 36-month extension of design and use permits for a four-unit residential mixed-use building; and finding that this project is categorically exempt from environment review under CEQA Guidelines Sections 150301(l), 15303(b), and 15303(c); Arjun Dutt, applicant; Arcus Housing LLC, owner.

Senior Planner Ayres gave the staff presentation and clarified design permit expiration and extension regulations.

Arjun Dutt, applicant, answered questions from the Commission regarding the extension request and his plans for developing the property.

Acting Chairperson Funke opened the public hearing.

Douglas Makela, Brisbane resident, spoke against the project.

Danica Cruz, Brisbane business owner, spoke against the project.

Michael Barnes, Brisbane resident, spoke in favor of the project.

With no one else wishing to address the Commission, a motion by Commissioner Gooding, seconded by Commissioner Sayasane to close the public hearing was approved 4-0.

After deliberation, a motion by Commissioner Sayasane, seconded by Commissioner Lau, to approve the application via adoption of Resolution 2022-DP-6/2002-UP-9 was approved 4-0.

- C. PUBLIC HEARING: 2000 Sierra Point Parkway; Design Permit 2022-DP-7; SP-CRO**  
Sierra Point Commercial District; Design Permit to extend the existing rooftop screen to allow additional rooftop mechanical equipment; and finding that this project is categorically exempt from environment review under CEQA Guidelines Section 15301, Existing Facilities; Kevin Norman, applicant; HCP Life Science REIT, owner.

Associate Planner Robbins gave the staff presentation and clarified the reason for the applicant's request.

Kevin Norman, applicant, addressed the Commission and explained why life science uses require larger mechanical equipment than standard office uses.

Acting Chairperson Funke opened the public hearing.

With no one wishing to address the Commission, a motion by Commissioner Gooding, seconded by Commissioner Sayasane to close the public hearing was approved 4-0.

After deliberation, a motion by Commissioner Gooding, seconded by Commissioner Lau, to approve the application via adoption of Resolution 2022-DP-7 was approved 4-0.

- D. PUBLIC HEARING: SP-CRO Sierra Point Commercial District; Zoning Text Amendment 2022-RZ-4;** Zoning text amendment to Title 17, Chapter 17.18 of the Brisbane Municipal Code (BMC) to update existing research and development use provisions and performance standards; and finding that this project is exempt from environment review under CEQA Guidelines Section 15183(a); City of Brisbane, applicant.

*Note: This item was continued from the Planning Commission meeting of January 12, 2023. No hearing was held on January 12<sup>th</sup>.*

Senior Planner Johnson gave the staff presentation and answered question on how the animals were determined to be included or precluded from animal testing under the proposed amendment and clarified the history of the research and development use provisions and performance standards in the SP-CRO district.

Acting Chairperson Funke opened the public hearing.

Senior Planner Johnson read a written comment from Bill Van Raam, Brisbane resident, against the proposed ordinance amendment and in favor of allowing animal testing.

Brisbane residents Kim Follien and Michael Barnes also spoke against the proposed amendment and in favor of allowing animal testing.

With no one else wishing to address the Commission, a motion by Commissioner Gooding, seconded by Commissioner Sayasane to close the public hearing was approved 4-0.

The Commission deliberated on the proposed amendment. Commissioner's Gooding, Lau and Funke expressed concerns about limiting animal testing as proposed. The three Commissioners acknowledged recent federal legislation regarding animal testing, FDA Modernization Act 2.0, which removed the requirement to use animal testing in drug development. However, they expressed a desire to allow the scientific community to take the lead regarding the need for future animal studies and indicated that there was insufficient information regarding the viability of alternative models for the various kinds of medical research and that some amount of animal testing is still necessary to advance medicines and medical procedures that are beneficial to humans. Additionally, it was expressed that prohibitions on animal testing would simply push R&D companies to other cities, while Brisbane residents would still benefit from such R&D testing.

Commissioner Sayasane expressed her opinion that the City has the right to reflect its community values in its zoning regulations and supported the further limitation on animal testing in Brisbane.

After deliberation, a motion by Acting Chairperson Funke, seconded by Commissioner Lau, recommending City Council denial of Zoning Text Amendment 2022-RZ-4 via adoption of Resolution 2022-RZ-4 was approved 3-1. Commissioner Sayasane voted against the motion.

Acting Chairperson Funke read the appeals procedure.

#### ITEMS INITIATED BY STAFF

Director Swiecki informed the Commission the draft Housing Element will be considered by the [City Council on February 2 2022](#) and the annual Planning Commissioner Academy is coming up at the end of March.

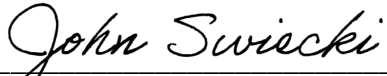
#### ITEMS INITIATED BY THE COMMISSION

There were none.

#### ADJOURNMENT

With the cancellation of the February 9, 202 meeting, acting Chairperson Funke declared the meeting adjourned at approximately 9:30 p.m., to the next regular meeting of February 23, 2023 .

Attest:

A handwritten signature in black ink that reads "John Swiecki". The signature is written in a cursive style with a large, stylized "J" and "S".

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John A. Swiecki, Community Development Director

NOTE: A full video record of this meeting can be found on the City's YouTube channel at [www.youtube.com/BrisbaneCA](http://www.youtube.com/BrisbaneCA), on the City's website at <http://www.brisbaneca.org/meetings>, or on DVD (by request only) at City Hall.