



PLANNING COMMISSION AGENDA REPORT

Meeting Date: August 14, 2025

From: Jeremiah Robbins, Associate Planner

Subject: 335 Mariposa Street; 2025-EX-01; R-2 Zoning District; Grading review for construction of a new 3,595 SF duplex and two 733 SF detached ADUs involving approximately 477 CY of soil cut & export from the property; and finding that this project is categorically exempt from environment review under CEQA Guidelines Sections 15303 (b) and 15304; GBU Construction Development, applicant; LAM CARL WAI D & CATHERINE SHEE TRS, owner.

REQUEST: The applicant requests approval of the above-referenced permit for grading associated with new construction on the subject property, involving approximately 477 cubic yards (CY) of soil cut and export from the property. Site improvements include construction of a new three-story duplex, two detached accessory dwelling units (ADUs), and a retaining wall along three sides of the rear half of the property.

RECOMMENDATION: Approve 2025-EX-01 via adoption of Resolution 2025-EX-01 containing the findings and conditions of approval.

ENVIRONMENTAL DETERMINATION: The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per Sections 15303 (b) and 15304 - this project falls within a class of projects which the State has determined not to have a significant effect on the environment. The exceptions to this categorical exemption referenced in Section 15300.2 of the CEQA Guidelines do not apply.

APPLICABLE CODE SECTIONS: Brisbane Municipal Code (BMC) §17.32.220 and §15.01.110 establish requirements for the Planning Commission's review of grading permits for projects involving more than 50 CY of grading in the R-2 district.

ANALYSIS AND FINDINGS:

Existing Conditions and Background

The approximately 4,997 square foot lot is located in central Brisbane near the southwest corner of Mariposa Street and Visitation Avenue. It comprises approximately half of the former Brisbane Inn Parking lot and is surrounded by residential uses to the west and south, and mixed uses along Visitation Avenue to the east. The subject property slopes upwards from Mariposa Street at approximately 6%, but drops steeply 10 – 12 inches to the public right of way along the property's frontage. There are no trees or structures located on the site and roughly the front half of the site is paved; the rear of the site is unimproved.

In November 2023, a building permit application was submitted the Community Development Department to construct a new duplex and two detached ADUs on the subject property as permitted in the R-2 zone. During plan check review, the plans indicated the grading to be less than 50 CY of soil export, below the threshold for Planning Commission review in the R-2 Residential Zoning District. The building permit was issued on January 30, 2025, following approval by City departments.

In April 2025, Code Enforcement investigated a complaint at the subject property and determined the scope of grading shown on the approved building permit had been exceeded, specifically the amount of grading on the site surpassed the indicated amount on the plans. Subsequently, a Planning application for grading review was submitted by the applicant to cure the violation, including an updated grading plan and revised estimated quantity of earthwork. The approved building permit will have to be revised to reflect the proposed increase to the volume of earthwork and new retaining wall related to the increased earthwork.

Project Description

The proposed project, as approved under the building permit issued in January 2025, would develop the unimproved subject property with a 3,595 square foot, three story duplex and two detached 733 square foot ADUs. The project complied with all applicable development standards, including floor area, lot coverage, setbacks, building height, landscaping, and parking, as well as the allowable number, size, and location of ADUs under State law.

The updated grading plan, included with this request, proposes 477 CY and a new retaining wall along both side lot lines and the rear lot line. The wall would be setback or offset approximately 12 inches from the adjacent property lines and be no more than six feet in height at its highest point along the rear of the property. The height of the retaining wall steps down as it extends along each side lot line until it terminates at least 15 feet from the front lot line. As indicated on the applicant's attached plans, the retaining wall would be constructed of smooth concrete and painted to match the color of the approved residential structures. Furthermore, landscaping is proposed along the retaining wall to further screen and soften its appearance. See Attachments C and D for the applicant's plans and a photo simulation of the project (see also Condition of Approval 1.a).

There are no existing trees located on the site and no street trees are required to be removed for construction to commence, including construction of the new retaining wall. No changes are proposed nor required to the structures approved under the building permit issued in January.

Analysis

To recommend that the City Engineer issue the grading permit, the Commission must make the findings within BMC Section 15.01.110 and summarized below. Detailed findings are included in Exhibit A to the draft Resolution (Attachment A).

1. Will the proposed grading be designed to reflect or fit comfortably with the site context and natural topography?

The project complies with this finding. As shown in the applicant's grading plans and details, the proposed grading is designed to fit comfortably with the site context and natural topography to the extent feasible. The lot is an undeveloped, vacant lot with an approximate 6% upward slope from the front property line. Additionally, Mariposa Street is approximately 10-12 inches below the front lot line of the subject property. As indicated by the applicant's conceptual grading plan and site plan, 477 cubic yards of soil cut and export from the site is the minimum necessary to accommodate the new duplex and ADUs in compliance with the development regulations of the R-2 Residential District, parking requirements contained within BMC Chapter 17.34, and state requirements for the construction of ADUs while allowing construction to occur near road level.

2. Will the proposed grading be designed to ensure that retaining walls visible to the public are designed to be as visually unobtrusive as possible?

The project complies. As shown in the grading plans, the proposed retaining wall is located towards the rear of the property and is designed to step down as it extends towards the front of the property. At its highest point (along the rear lot line) the retaining wall would not extend more than six feet in height above grade, in compliance with the maximum height for retaining walls allowed within setback areas under the BMC. As viewed from Mariposa Street, view of the retaining wall is primarily obstructed or obscured by structures. Additionally, landscaping will be incorporated into the design (Condition of Approval 1.a) to further soften both the horizontal expanse of the proposed retaining wall and vertical grade change, and the proposed retaining wall will be constructed of smooth concrete and painted to match the color of the duplex and ADUs.

3. Will the proposed grading be designed to minimize removal of existing street trees, any California Bay Laurel, Coast live Oak or California Buckeye trees, or three or more mature trees of any species? Where removal of existing trees is necessary, will the landscape plans for the project include the planting of appropriate replacement trees?

Not applicable. No trees are required to be removed per the conceptual grading plan; there are no existing trees on the subject property and the location of the one street tree located along the property's frontage on Mariposa Street does not impact the location of the driveway for the new duplex.

ATTACHMENTS

- A. Draft Resolution **2025-EX-01**
- B. Aerial vicinity map
- C. Applicant's plans (annotated)

D. Photo Simulation

Jeremiah Robbins

Jeremiah Robbins, Associate Planner

John Swiecki

John Swiecki, Community Development Director

Draft
RESOLUTION 2025-EX-01
A RESOLUTION OF THE PLANNING COMMISSION OF BRISBANE
CONDITIONALLY APPROVING GRADING REVIEW 2025-EX-01 FOR A NEW DUPLEX WITH TWO
DETACHED ACCESSORY DWELLING UNITS
AT 335 MARIPOSA STREET

WHEREAS, Yosi Asraf of GBU Construction Development, the applicant, applied to the City of Brisbane for approval of Planning Commission grading permit review at 335 Mariposa Street, which would require 477 cubic yards of soil export from the site, such application being identified as Grading Permit 2025-EX-01; and

WHEREAS, on August 14, 2025, the Planning Commission conducted a public hearing on the application, publicly noticed in compliance with Brisbane Municipal Code Chapters 1.12 and 17.54, at which time any person interested in the matter was given an opportunity to be heard; and

WHEREAS, the Planning Commission reviewed and considered the staff memorandum relating to said applications, the applicant's plans and supporting materials, and the written and oral evidence presented to the Planning Commission in support of and in opposition to the application; and

WHEREAS, the Planning Commission finds that the proposed project is categorically exempt from the provisions of the California Environmental Quality Act; pursuant to Sections 15303 (b) and 15304 of the State CEQA Guidelines; and

WHEREAS, the Planning Commission of the City of Brisbane hereby makes the findings attached herein as Exhibit A in connection with the application.

NOW THEREFORE, based upon the findings set forth hereinabove, the Planning Commission of the City of Brisbane, at its meeting of August 14, 2025, did resolve as follows:

Grading Review 2025-EX-01 is approved per the findings and conditions of approval attached herein as Exhibit A.

ADOPTED this fourteenth day of August, 2025, by the following vote:

AYES:

NOES:

ABSENT:

Pamala Sayasane
Chairperson

ATTEST:

JOHN A SWIECKI, Community Development Director

**Draft
EXHIBIT A**

Action Taken: Conditionally approve 2025-EX-01 per the staff memorandum with attachments, via adoption of Resolution 2025-EX-01.

Findings:

1. The proposed grading is designed to fit comfortably with the site context and natural topography to the extent feasible given the proposed grading allows for the structures to comply with the minimum setback areas, required number of off-street parking spaces, and state requirements for the construction of ADUs while limiting the overall height of the structure above street level, in compliance with the district maximum, while safely transitioning to the existing contours of surrounding properties. The subject property is an undeveloped, vacant lot with an approximate 6% upward slope from the front property line with an additional 10-12 inches drop to the right of way. As shown in the applicant's grading plans and details, 477 cubic yards of soil cut and export from the site is the minimum necessary to accommodate a near-street-level building pad for the new duplex and accessory dwelling units, making vehicular and pedestrian access to the site, including required off-street parking, more accessible. The proposed grading also smoothly transitions to existing contours of neighboring properties by incorporating a stepped retaining wall, offset from the adjacent property lines; this helps maintain existing drainage patterns while allowing the building pad to be near street level.
2. The proposed grading is designed to ensure that retaining walls visible to the public are designed to be as visually unobtrusive as possible. As shown in the grading plans, the proposed retaining wall is located towards the rear of the property and is designed to step down as it extends towards the front of the property. At its highest point (along the rear lot line) the retaining wall would not extend more than six feet in height above grade, in compliance with the maximum height for retaining walls allowed within setback areas unless otherwise exempted under the Brisbane Municipal Code. As viewed from Mariposa Street, most of the wall is blocked by the new structures so visibility of the retaining wall is primarily obstructed or obscured. Furthermore, landscaping will be incorporated into the design (Condition of Approval 1.a) to further soften both the horizontal expanse of the proposed retaining wall and vertical grade change, and the proposed retaining wall will be constructed of smooth concrete and painted to match the color of the duplex and ADUs.
3. The proposed grading is designed to minimize removal of mature trees from the site as no trees are required to be removed per the applicant's grading plan. There are no existing trees on the subject property but one street tree is located along the property's frontage on Mariposa Street. Its location does not impact the location of the driveway for the new duplex.
4. This finding is not applicable as no tree removal is proposed.

Conditions of Approval:

Prior to Construction/Grading Activities:

1. The applicant shall obtain a revision to building permit B2024-01350. Plans submitted for the building revision shall substantially conform to plans on file in the City of Brisbane Planning Department approved under Grading Review 2025-EX-01 that depict 477 cubic yards of soils export and a new retaining wall, with the following modifications:
 - a. Revised building permit plans shall include a landscape plan depicting plantings at the base or along the top of the proposed retaining wall, to the satisfaction of the Planning Director, to adequately screen the retaining wall.
2. The applicant shall obtain a grading permit from the City Engineer in compliance with BMC Chapter 15.01, which application shall include all plans and documents required by the City Engineer. Conditions for issuance of the Grading Permit shall include the following, at a minimum:
 - a. The geotechnical engineer of records reviews the final plans and finds them to be in conformance with his/her recommendations.
 - b. The geotechnical engineer of records shall be engaged to review the excavation prior to fill placement to ensure that the encountered conditions are consistent with their report's observations and investigations.
3. The applicant shall obtain an encroachment permit for any work within the public right-of-way or temporary closure of portions of the public right-of-way.

During Construction:

4. Project construction activities shall comply with all Best Management Practices related to erosion control and stormwater management as outlined in the "Flows to Bay" Best Management Practices guidelines which shall be attached to the building permit plans.
5. Water or fire extinguishers shall be available on site for immediate use during hot or windy weather conditions, as determined by North County Fire Authority.
6. Project shall comply with California Fire Code, Chapter 33, Fire Safety During Construction and Demolition.

Other Conditions:

7. Approval of this application is to allow for the project as detailed in the Project Description contained in the Planning Commission staff report dated August 14, 2025, except where project parameters are modified expressly by this Resolution.
8. Material violation of any of the conditions, including material deviation from the approved project description, may be cause for revocation of this permit 2025-EX-01 and termination of all rights granted there under.

9. Minor modifications may be approved by the Community Development Director in conformance with all requirements of the Municipal Code.
10. The permittees agree to indemnify, defend and hold the City and its officers, officials, boards, commissions, employees and volunteers harmless from and against any claim, action or proceeding brought by any third party to attack, set aside modify or annul the approval, permit or other entitlement given to the applicant, or any of the proceedings, acts, or determinations taken, done or made prior to the granting of such approval, permit, or entitlement.

MEASURED LOT COVERAGE

EXISTING LOT SF = 4997 SF
1ST LEVEL LOT COVERAGE = 1575 SF
ADU's LOT COVERAGE = 902 SF
TOTAL LOT COVERAGE = 2477 SF
MAX LOT COVERAGE 50% = 2499 SF

Q = CIA (C = 0.9, I = 2.942 IN/HR, A = IMPERVIOUS AREA IN ACRES)
A = 5000 SF = 0.11 AC
Q=0.9X 2.94X 0.11=0.29 CFS
Q=0.29 X 449 =131 GPM
VOLUME REQUIRED = 131 GPM X 5M = 654 GAL
VOLUME PROPOSED = 1.5 X 1.5 X 3.14 X 14= 98.91 CF=739 GAL > 654 GAL

LEGEND:

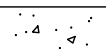
AC ASPHALTIC CONCRETE
CONC CONCRETE
EC EDGE OF GUTTER
ELEV ELEVATION
EPB ELECTRIC PULL-BOX
FL FLOW LINE
NF/NS NOTHING FOUND / NOTHING SET
PP POWER POLE
SMH SEWER MANHOLE
TC TOP OF CURB
TMH TELEPHONE/CUMMUNICATION MANHOLE
TW TOP OF WALL



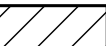
12" TYPICAL TREE & TRUNK DIAMETER (DRIP LINE NOT INDICATED)



AC PAVED



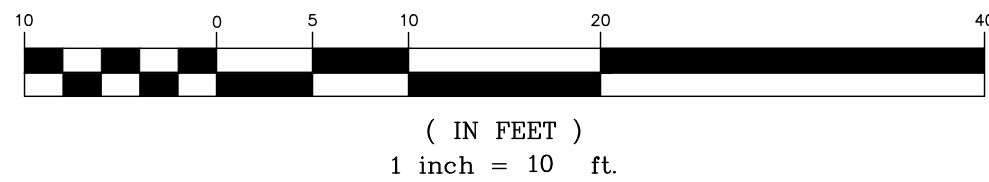
CONCRETE PAVED



FOOTPRINT OF EXISTING BUILDING



GRAPHIC SCALE



LEGEND

CB DENOTES CATCH BASIN
DT DENOTES DECIDUOUS TREE
CT DENOTES CONIFEROUS TREE
D.S DENOTES DOOR SILL
IB DENOTES IRON BAR
S.V DENOTES SERVICE VALVE
S.L.B DENOTES SUBJECT LANDS BOUNDARY
D.L DENOTES DEED LINE
L.L DENOTES LOT LINE
L.O.S DENOTES LIMIT OF STREET
F.L DENOTES FENCE LINE
T.T.B.R DENOTES TREE TO BE REMOVED
N-E-S-W DENOTES NORTH-EAST-SOUTH-WEST
100.00 DENOTES EXISTING ELEVATION
100.00 DENOTES PROPOSED ELEVATION
100.00 DENOTES PROPOSED SWALE ELEVATION
100.00 DENOTES PROPOSED TREE PROTECTION
S.F DENOTES PROPOSED SILT FENCE
D.W.S.P DENOTES DOWNSPOUT WITH SPLASH PAD
H.P DENOTES HIGH POINT
I.N.V DENOTES INVERT
T/C DENOTES TOP OF CURB
B/C DENOTES BOTTOM OF CURB
T/W DENOTES TOP OF RETAINING WALL
B/W DENOTES BOTTOM OF RETAINING WALL
W.W DENOTES PROPOSED WINDOW WELL
F.D DENOTES PROPOSED FLOOR DRAIN
B.O.V DENOTES PROPOSED BOX AND VALVE
B.E DENOTES BUILDING ENTRANCE
S.W DENOTES SWALE
S.P DENOTES PROPOSED SUMP PUMP
E.DENOTES PROPOSED EJECTOR
T.T.P DENOTES TREE TO BE PLANTED



DATE: 18 JUNE 2025

ABDOLREZA ABDI P.E.

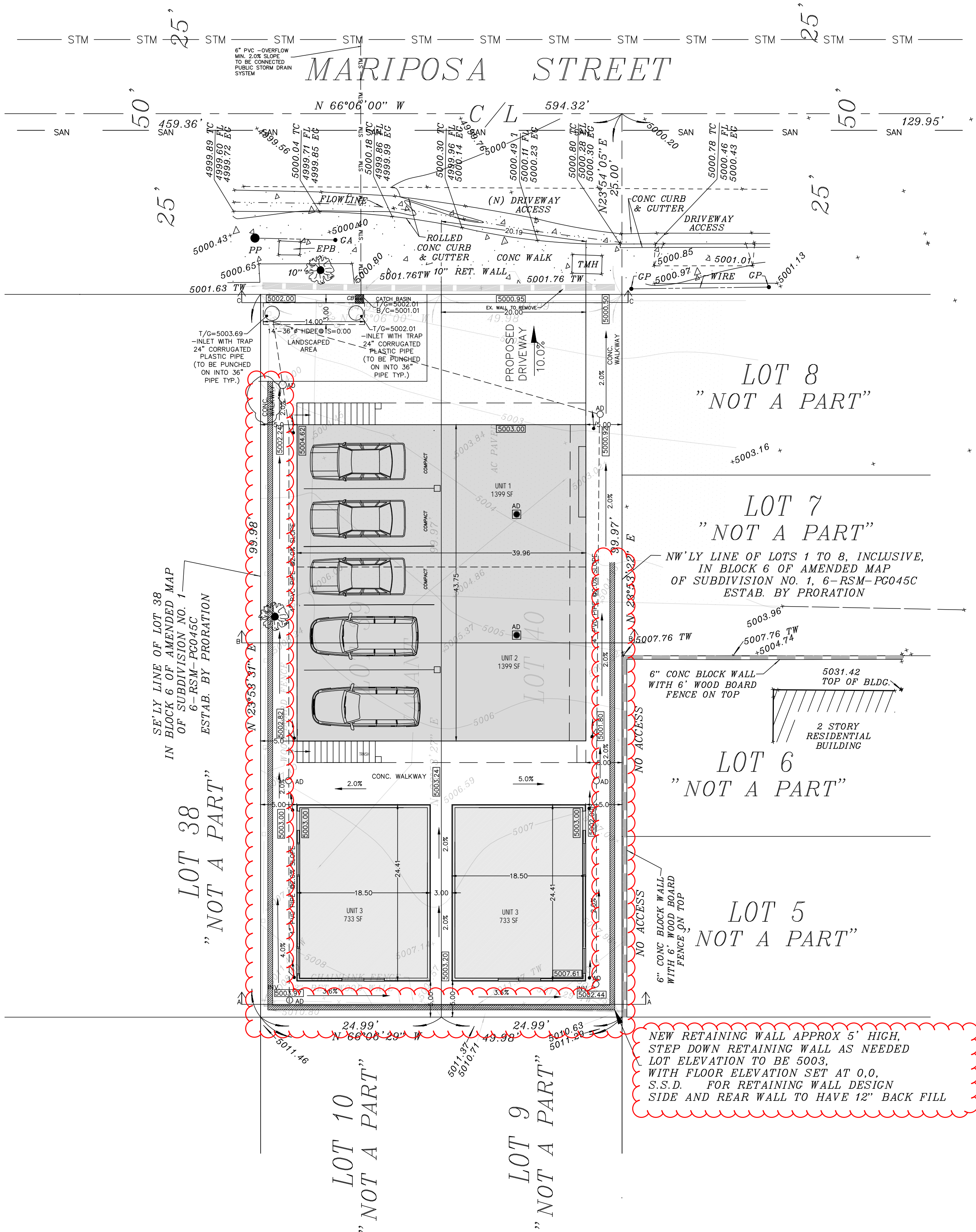
SECTION C-C
99.98'

SECTION B-B
50'.00

SECTION A-A
0:00

CUT & FILL ANALYSIS

SECTION	TOTAL FILL(CY)	TOTAL CUT (CY)
A		
B		342.51
C		134.25
TOTAL		476.76



MAA CONSULTANT GROUP
TEL :925-768-8931
MAA.ORG@YAHOO.COM

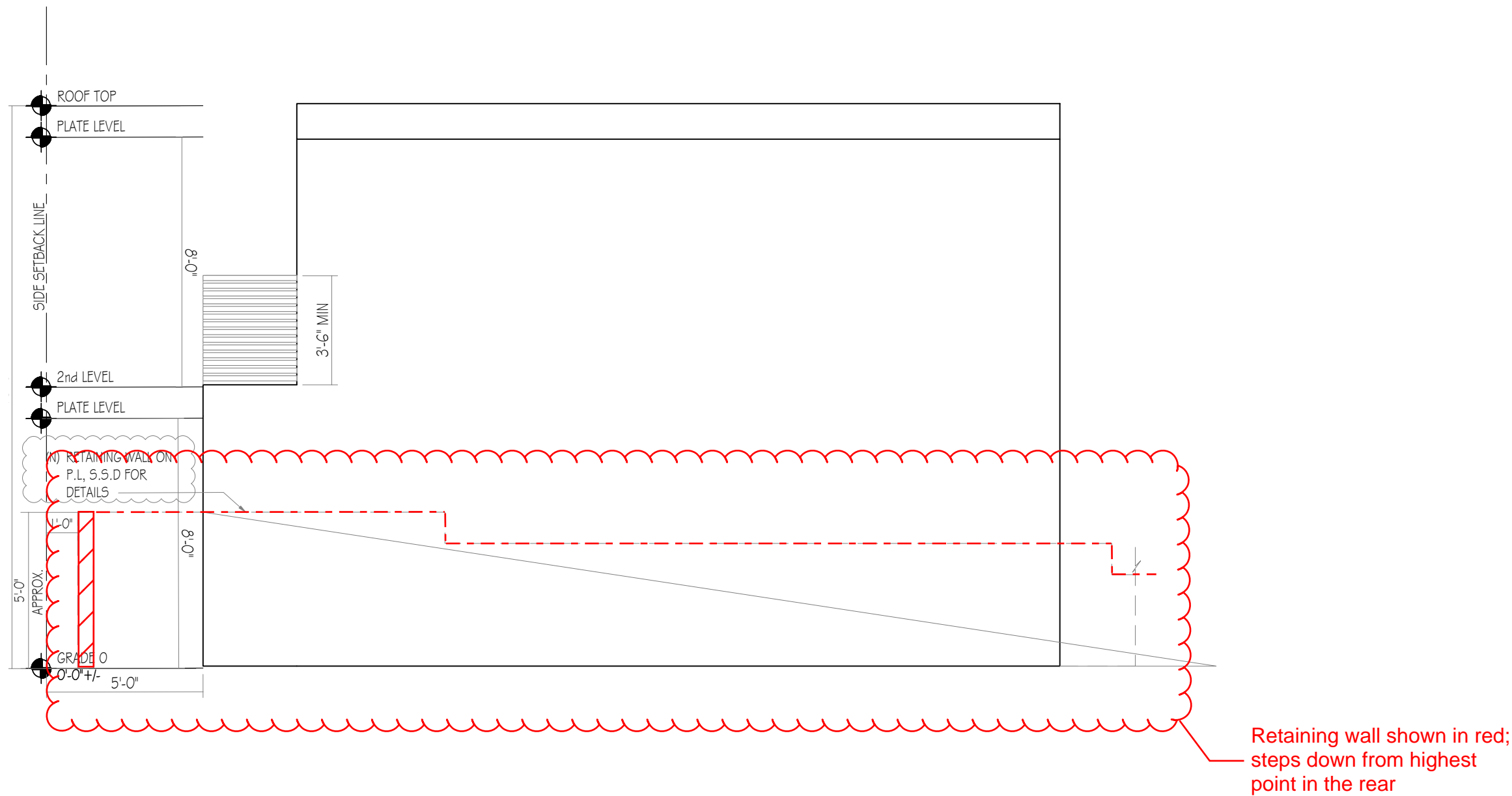
CALIFORNIA

GRADING PLAN OF

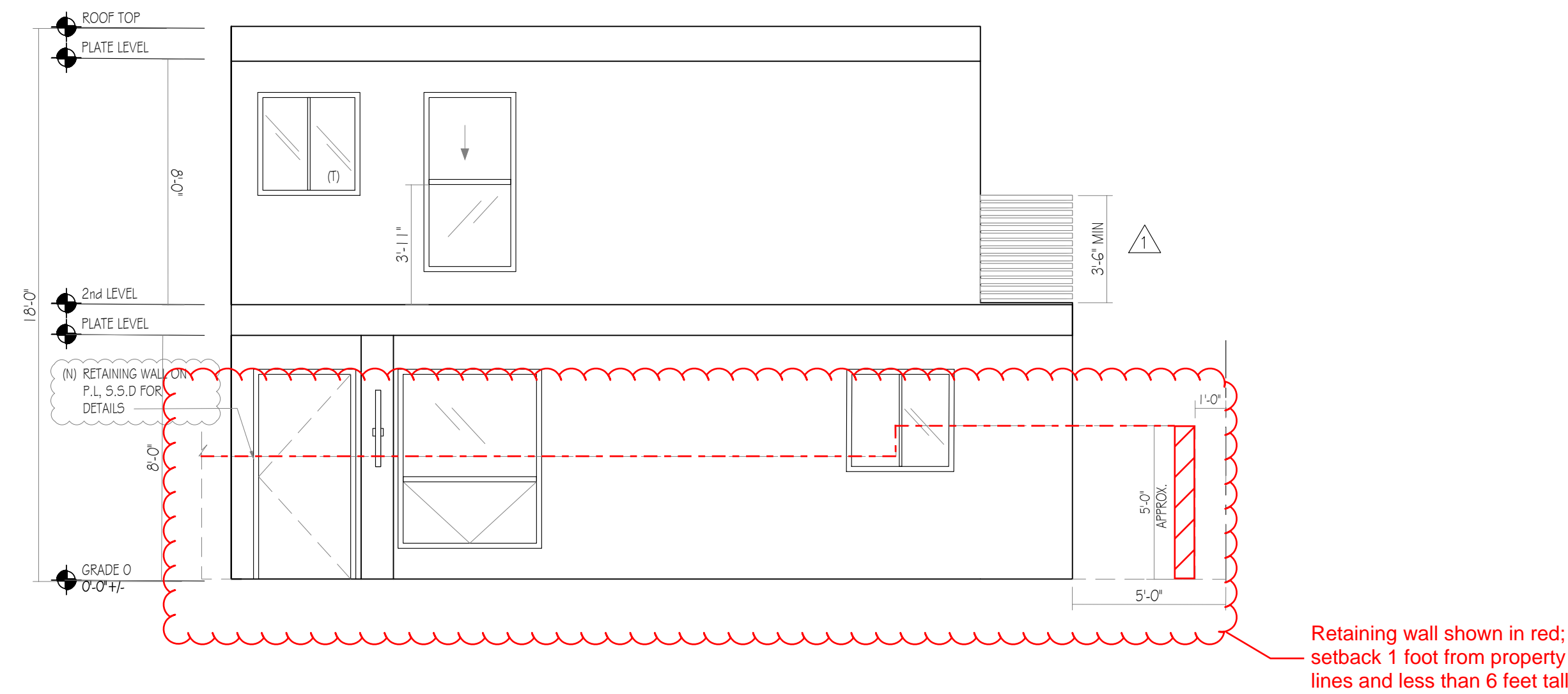
355 MARIPOSA 94005

BRISBANE

DATE: 03-6-24
SCALE: 1" = 10'
PROJ. 24-908
DRN.BY M.H
SHEET NO. 1
OF 1 CR-2 SHEETS



② PROPOSED EAST ELEVATION
SCALE 1/4" = 1'-0"



⑤ PROPOSED WEST ELEVATION
SCALE 1/4" = 1'-0"



TR DESIGNS
P: 925-250-8239
TRACIE@TR-INTERIORDESIGNS.COM

REVISIONS

REV#	DATE	COMMENTS
△ 01	01/04/24	PCC
△ 02	04/24/24	PCC
△ 03	06/24/24	PCC
△ 04	10/21/24	PCC

MULTI - RESIDENTIAL
335 MARIPOSA
BRISBANE, CA 94005

PROPOSED ELEVATIONS

PROJECT NUMBER ID1215-15
DRAWN: TRC CHECKED: TRC
DATE: 11/06/23 APPROVED: TS

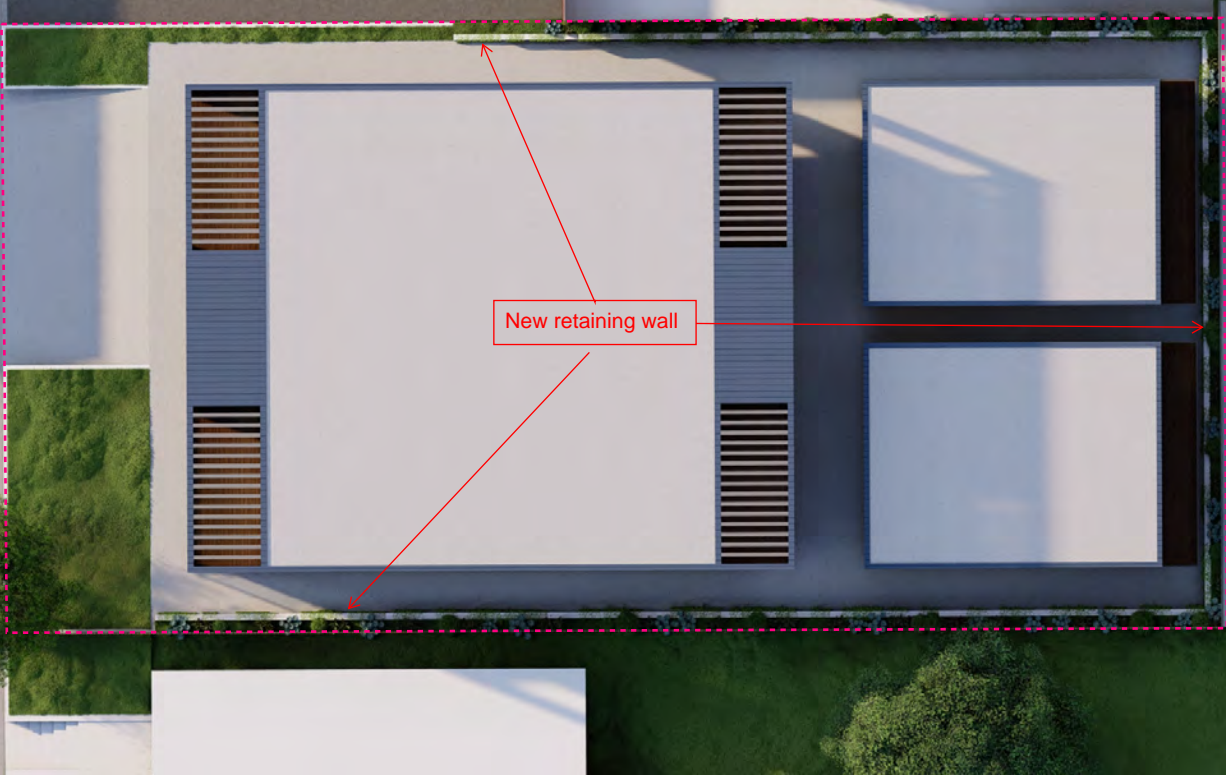
SCALE: N.T.S.

ID3.1

SHEET NUMBER

Mariposa Street

New retaining wall





Looking from the front
of the property towards
the rear

ATTACHMENT D

Looking west towards
Solano Street along
rear property line



ATTACHMENT D

Looking from Mariposa St
towards the Lucky House
Restaurant on Visitacion Ave