

City of Brisbane

Planning Commission

TO: Planning Commission For the Meeting of February 25, 2016

FROM: John Swiecki,  Community Development Director

SUBJECT: Brisbane Baylands Deliberation Meeting #2 - Appropriate Mix of Uses within the Baylands

Background:

At its meeting of January 28, 2016, the Planning Commission initiated the deliberations process for the Brisbane Baylands by discussing basic planning and environmental principles that any future development of the Baylands must meet. A summary of the initial set of key principles as discussed by the Planning Commission is provided in Attachment 1.

Tonight's deliberations will focus on specific non-residential land uses that would be appropriate within the Baylands. The Commission will be asked to decide which land uses should be carried forward into subsequent deliberations on planning and environmental issues, such as intensity and distribution of uses, traffic, site remediation, and others. The discussion of land use mix in the Baylands will continue at the next Planning Commission deliberations meeting, and will focus on the potential for residential use within the Baylands, including related safety and remediation issues.

As was discussed at the January 28 meeting, any decisions or determinations reached this evening may be reconsidered or modified by the Commission in future deliberations and prior to the Commission's final recommendation.

Discussion:

Existing General Plan and Proposed Land Uses

The 1994 General Plan identifies planned land uses for the Baylands as follows.

- **Baylands and Northeast Bayshore Subareas**

"Trade Commercial (TC) represents a mix of commercial uses including warehouses, distribution facilities, offices, retail uses, restaurants, commercial recreation, personal services, as well as light industrial, research and development, and uses of a similar character. Public and semi-public facilities and educational institutions may be located under this designation. Repair and maintenance services, such as auto body repair shops, may be conditionally permitted in the implementing zoning districts. In such districts, certain individual or groups of uses may predominate, thus distinguishing the districts one from the other."

“Marsh/Lagoon/ Bayfront (M/L/B) are aquatic areas designated by type:

The following subareas contain designated aquatic areas:

Baylands: Lagoon, Bayfront

Beatty: Bayfront

- **Beatty Subarea**

“Heavy Commercial (HC) provides for bulk sales, offices, meeting halls, vehicle storage and equipment maintenance. It also allows outside storage of vehicles and equipment. No materials storage, other than that associated with bulk sales and no processing of materials are permitted. Subareas designated Heavy Commercial are required to have an adopted specific plan to guide development in the area. The Beatty subarea is designated HC in the 1994 General Plan.”

The concept plan scenarios and alternatives described and analyzed in the EIR set forth a variety of potential uses within the Baylands, and additional uses were proposed during public hearing testimony. The table below compares these uses to the uses described for the Baylands in the City's General Plan.

Land Use	DSP/DSP-V Scenarios	CPP/ CPP-V Scenarios	Renewable Energy Alternative	Additional Uses from Public Hearings	1994 General Plan
Residential	√				
Retail	√	√	√		√
Office	√	√			√
Hotels and Conference Facilities	√	√			[a]
Research & Development	√	√	√		√
Light Industrial	√	√	√		√
Warehousing					√
Arena	√				
Entertainment	√	√			
Institutional and Civic/Cultural	√	√	√		√
Resource Recovery	√	√	√		[b]
Renewable Energy Generation	√		√		
High Speed Rail Maintenance Yard				√	
Commercial Recreation					√
Schools					√

[a] Included as a commercial use.

[b] Not specifically identified; however, the existing Recology use is recognized within the Beatty Subarea.

The range of potential uses identified for the Baylands to be discussed by the Planning Commission includes the following¹:

- Residential (to be discussed at the Commission's March 10 meeting)

¹ Pursuant to the Commission's discussion of basic principles for Baylands development, open space for (1) active and passive recreation, (2) protection of resources (e.g., habitat areas), and (3) protection of public health and safety have already been identified as appropriate for the Baylands and need not be specifically addressed this evening. Civic and institutional uses supporting the primary uses within the Baylands would also be considered appropriate and, other than schools, need not be specifically addressed.

- Retail
- Office
- Hotels and conference facilities
- Research and development
- Light Industrial
- Warehousing
- Arena/concert venue
- Resource recovery
- Renewable energy generation
- High speed rail maintenance yard
- Commercial recreation
- Schools

Because the Commission’s discussion of the potential for residential use within the Baylands is likely to be extensive, the issue of residential use will be addressed at the Commission’s next deliberations meeting. At this evening’s meeting, therefore, the Planning Commission should focus on determining which of the below-described non-residential uses would be appropriate within the Baylands. Discussions regarding the appropriate intensity and distribution of all selected land uses will occur in subsequent meetings.

Retail

Retail uses are permitted within the Baylands by the existing General Plan. The provision of retail as part of Baylands development is an important factor in achieving development that pays for itself as the result of sales tax generation. The Sustainability Framework specifically includes retail, restaurants, and services in proximity to jobs as part of a “web of mutual efficiency” to be achieved within the Baylands. A total of 69 percent of community survey respondents stated that creating more shopping or dining options was either extremely, very, or somewhat important, and 68 percent of respondents stated they would strongly or somewhat support the development of retail uses within the Baylands.

If the Commission determines that retail uses should be considered as part of Baylands development, subsequent deliberations will address whether the amount of retail use to be provided in the Baylands should be scaled to the needs of Brisbane, including future development within the Baylands or if the City should seek a greater amount of retail use that might have a more regional focus and generate sales tax revenue from outside of the community.

Office

The basic question for the Commission in relation to office uses is whether they are appropriate for the Baylands. Office development within the Baylands is currently included in the General Plan description of Baylands land uses. Office uses are also an important part of the jobs creation discussed in the Sustainability Framework. The development of office uses in locations such as the Baylands that are adjacent to a transit hub such as the Bayshore Caltrain Station and transit

services can be a key factor in the sustainability of the Baylands development, and is also an important component of Brisbane's and the Bay Area's employment base and economic development. A total of 57 percent of community survey respondents stated they would support office development within the Baylands.

Hotels and Convention Facilities

Hotels would be considered to be among the mix of commercial uses currently envisioned by the General Plan for the Baylands, although hotel use is not specifically identified. The Sustainability Framework recognizes the potential for hotel uses within the Baylands, specifically suggesting integration of a hotel use into the design of the Bayshore Caltrain station. A total of 44 percent of community survey respondents stated that they would strongly or somewhat support hotel development within the Baylands, while 53 percent of respondents would strongly or somewhat oppose such uses. Hotels tend to generate more municipal revenue than cost due to transient occupancy and sales tax generation, and could be an important factor in achieving development within the Baylands that pays for itself on an annual basis.

The question for the Commission in relation to hotels and convention facilities is whether hotel and convention uses are appropriate for the Baylands, and should be considered as part of Baylands development in subsequent planning and environmental policy discussions.

Industrial Uses

The City's existing General Plan includes industrial uses in the mix of uses identified in the Trade Commercial-Planned Development designation for the majority of the Baylands. The General Plan describes Trade Commercial as providing for a "mix of commercial uses including warehouses, distribution facilities, offices, retail uses, restaurants, commercial recreation, personal services, as well as light industrial, research and development, and uses of a similar character." The existing C-1 zoning that covers the majority of the Baylands specifically prohibits fabrication, manufacture, processing or treatment of materials in this district other than that which is clearly incidental to a business where all products there from are sold on the premises." Approximately 142,500 square feet of industrial uses are currently located within the Baylands within the M-1 (Manufacturing) zoning district.

The Baylands Sustainability Framework generally refers to industrial uses in the context of existing uses and the reclamation of former industrial land. A total of 64 percent of community survey respondents either strongly or somewhat supported building facilities for technical and industrial research and development within the Baylands; however, 56 percent of respondents either strongly or somewhat opposed providing space for warehouses and light product assembly.

The question for the Commission is whether long-term warehouse, distribution, light industrial, and/or research and development uses are appropriate for the Baylands, and should be considered as part of Baylands development in subsequent planning and environmental policy discussions.

Arena and Entertainment Uses

The DSP-V Concept Plan scenario includes a 17,000- to 20,000-seat sports arena, a 5,500-seat concert theater, and a multiple-screen cinema. The multiple-screen cinema use would normally be considered to be a general commercial use and thus included in the types of commercial uses currently described by the General Plan. However, a sports arena and concert venue of the sizes proposed in the DSP-V

Concept Plan scenario would be outside of the mix of uses currently identified in the General Plan. While the Sustainability Framework does not address a sports arena or concert venue, the sustainability principles set forth in the Framework could be applied to those uses should the Commission recommend them for the Baylands. A total of 58 percent of survey respondents strongly or somewhat supported providing space for entertainment venues (e.g., theaters, sports arenas, soccer fields, etc.). The survey did not include questions specific to a potential sports arena, concert theater, or their size. Cinema use would be considered to be included in retail uses as part of the area's land use mix.

The question for the Commission is whether a large-scale arena or concert theater would be appropriate for the Baylands, and should be considered as part of Baylands development in subsequent planning and environmental policy discussions.

Recology Resource Recovery

The existing Recology facility is within the Beatty Subarea, and is designated Heavy Commercial in the General Plan. The Heavy Commercial designation "provides for bulk sales, offices, meeting halls, vehicle storage and equipment maintenance. It also allows outside storage of vehicles and equipment. No materials storage, other than that associated with bulk sales and no processing of materials are permitted." While the General Plan does not specifically identify the existing Recology facility in its description of uses within the Heavy Commercial designation, Policy 380 states that a development agreement for the solid waste facility could be considered "to establish the uses to be permitted or prohibited within the subarea." The potential for expansion of the Recology facility was not contemplated at the time of the General Plan.

The Baylands Sustainability Framework acknowledges San Francisco's zero waste goal, and establishes a zero waste performance indicator similar to San Francisco's zero waste goal. The Framework discusses working with Recology to optimize opportunities for achieving zero waste within the Baylands. The Baylands opinion survey showed community opinion regarding Recology's proposed modernization and expansion to be split with 49 percent of respondents strongly or somewhat supporting and 47 percent of respondents strongly or somewhat opposing Recology modernization and expansion.

The CPP-V Concept Plan scenario provides for an expansion of the existing Recology facility. In addition, Recology is pursuing a proposed modernization and expansion program for its Tunnel Avenue facility independent of the Baylands process. While the Commission needs to consider the potential for modernization and expansion of Recology's Tunnel Avenue facility as part of the overall development of the Baylands, it is important to note that the Planning Commission's recommendations regarding the Recology site, whether in favor of or opposed to, the ultimate modernization and expansion of Recology's Tunnel Avenue facility are not final. A separate Specific Plan and EIR will be reviewed and considered by the City for the proposed modernization and expansion of the Recology facility.

The primary purpose of Recology's proposed modernization and expansion program is to meet the requirements of San Francisco's zero waste program. Because the Baylands is now served with solid waste collection services by Recology, achieving San Francisco's zero waste goal would also achieve zero waste within the Baylands. Modernization and expansion of Recology's Tunnel Avenue facility was analyzed in the EIR as part of the CPP-V scenario at a programmatic level, based on the understanding that a separate specific plan and site-specific EIR would later be prepared for the proposed Recology modernization and expansion program.

Renewable Energy Generation

Renewable energy generation was not specifically addressed in the 1994 General Plan. General Plan Policy 139 does, however, state: "Promote the conservation of non-renewable energy resources." Generation of renewable energy would be consistent with this policy. Renewable energy generation is part of the core One Planet principles selected for the Baylands. The first One Planet Living principle for the Baylands, Zero Carbon Buildings, includes "delivering all energy with renewable technologies."

Generating renewable energy for all of Brisbane was identified by 88 percent of community survey respondents as being a somewhat, very, or extremely important goal for Baylands development. Ensuring that any new development can generate enough renewable energy to meet its needs was seen as being somewhat, very, or extremely important by 65 percent of respondents. A total of 79 percent of community survey respondents said that they somewhat or strongly support building renewable energy generation facilities (e.g., solar, wind, biomass conversion) within the Baylands.

Subsequent deliberations will include discussion of (1) any specific location(s) that should be designated for renewable energy generation and (2) any policies that should be incorporated into the General Plan supporting or promoting renewable energy generation.

High Speed Rail Maintenance Yard

The concept of a high speed rail network in California was not developed until after adoption of the 1994 General Plan, and is therefore not discussed in the General Plan. The Circulation Element is, however, highly supportive of transit use and providing connectivity to mass transit systems. While the Sustainability Framework recognizes the statewide bond passed for high speed rail, the Framework does not provide any specific guidance in relation to the potential for a rail maintenance yard in the Baylands. In addition, the Baylands community survey does not include discussion of high speed rail.

As noted in the EIR, the Baylands is being considered by the California High Speed Rail Authority for the location of a maintenance facility. The Authority reviewed the EIR and commented that it appreciated the manner in which the potential for a high speed rail maintenance yard was treated in the EIR. During public hearings, several comments were received from the public that establishment of a high speed rail maintenance yard should be provided for within the Baylands. CEQA does not require that the EIR include an alternative that places a high speed rail maintenance yard in the Baylands, nor is the City obligated to plan for such a facility.

Most of the broad land use categories being considered by the Planning Commission are well defined and characterized. The potential environmental impacts of these uses have also been programmatically evaluated and disclosed. On the other hand, a decision on the part of the Planning Commission to accommodate a high speed railyard at this point in time would be based on limited information. The level of activity and physical characteristics of a future rail yard are unknown. The Authority is in the preliminary stages of preparing its own EIR, as they are legally obligated to do, so there is no information available as to what the potential environmental impacts of a prospective railyard on the Baylands might be.

Commercial Recreation

The 1994 General Plan considered a golf course as an optional use for the Baylands and specifically includes commercial recreation among the uses permitted in the Trade Commercial-Planned Development designation. In addition, one of the presentations to the Planning Commission proposed a golf-oriented commercial recreation use for the Baylands. While the Sustainability Framework does not specifically address commercial recreation uses, the Framework does place a strong emphasis on the availability of recreation in the Baylands. The sustainability principles set forth in the Framework could be applied to commercial recreational uses. The Baylands community survey does not specifically address commercial recreation uses, but does indicate strong community support for building recreational facilities or areas (81 percent of respondents either strongly or somewhat is support).

The question for the Commission is whether commercial recreation uses are appropriate for the Baylands, and should be considered as part of Baylands development in subsequent planning and environmental policy discussions.

Schools

Under State law, the location of public school facilities is the responsibility of local school districts. Whether Brisbane includes or does not specifically include schools in the mix of Baylands land uses would have no effect on public schools. As noted in staff's January 28 memo to the Planning Commission, "the presence of very high liquefaction hazards, as well as the need for a 1,500-foot setback from the Kinder Morgan Tank Farm, and potentially a 1,500-foot setback from the Caltrain line could preclude location of a school within the Baylands. However, it should be noted that applicable regulations... are not absolute. CCR Title 5 Section 14010(u) permits the governing board of a school district to request that the State Superintendent of Public Instruction grant an exemption to 'any of the standards in this section if the district can demonstrate that mitigation of specific circumstances overrides a standard without compromising a safe and supportive school environment.'"

The question for the Commission is whether schools are appropriate for the Baylands, and should be considered as a specific land use for the Baylands in subsequent planning and environmental policy discussions.

Next Meeting:

Following this hearing, the Planning Commission will continue its series of deliberations meetings on **March 10, 2016**, which will focus specifically on the consideration of housing as a potential land use for the Baylands.

Attachment:

1. Planning Commission Interim Direction Regarding Basic Principles for Baylands Development

Interim Planning Commission Direction for the Baylands-January 28, 2016

1. Basic principles for development of the Baylands

- “The City of Brisbane and its Mountain will remain a place independent and distinct, with a small town quality and a volunteer spirit, where diversity is welcomed and everyone can participate in town meetings, and elected officials carefully consider the desires and needs of the citizens, and govern through circumscribed rules and regulations only as required for the public health and safety and the protection of the environment.” *Brisbane General Plan, Chapter 3, page 1.*
- “Though small town Brisbane cannot be duplicated in the Baylands, the Community’s values will be woven throughout the development. Buildings will be aesthetically creative, enhance open space and public areas, convey the appearance of an organized/independent development process rather than large scale development based on generic standards, and generally enhance the aesthetic and cultural value of Brisbane.” *Sustainability Framework, page 73.*
- Preserve large unbroken blocks of open space that provide for restoration of wetland areas and provide continuity and flow of open space throughout the Baylands.
 - “Open space,” as used in these principles means:
 - Lands for the provision of active and passive recreation;
 - Lands for the protection of resources (e.g., sensitive habitat areas); and
 - Lands for the protection of public health.
 - Site-specific developments will be provided with independent open space areas.
- Protect key habitat areas, including the Brisbane Lagoon and potential habitat areas adjacent to it, Icehouse Hill, and wetlands.
- Restore the Roundhouse, provide for rail-related and educational uses at the Roundhouse, and maintain compatible development adjacent to it.
- Maintain a transit orientation for new development, including use of the Baylands to enhance access from Central Brisbane to the Bayshore Caltrain Station and other transit services within the Baylands.
- Incorporate the principles of the Sustainability Framework for the Baylands into future development.
 - Use the Sustainability Framework as a reference document in the review of the Baylands proposed General Plan Amendment, Concept Plans, Specific Plan(s) and site-specific developments; and
 - Incorporate provisions of the Sustainability Framework into General Plan policy and conditions of approval for Specific Plan(s) and site-specific developments.
- Ensure that the site is safe for the future uses approved for development by the City in relation to:

- Site remediation and Title 27 landfill closure;
 - Seismic and geologic hazards;
 - Flooding, including hazards related to sea level rise;
 - Traffic safety and emergency response; and
 - Provision of public safety services.
- Provide appropriate infrastructure and site amenities for each increment of development within the Baylands.
 - Each increment of development must be provided with appropriate infrastructure, services and facilities, and site amenities.
 - Adequate water supply must be ensured.
 - Development phasing shall include specific milestones for provision of environmental site mitigation (e.g., remediation and landfill closure, open space dedication, habitat restoration, transit and roadway improvements, and infrastructure) and other development requirements.