



CITY OF BRISBANE

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The *Chronicle's* commentary criticizing the careful scrutiny that the City of Brisbane is giving to the most recent Baylands development proposal is ill informed. (*Brisbane - a case study in housing crisis*, December 28, 2017).

Building housing is a complex issue for any local government, and it is significantly more complicated when the proposed housing is to be built on a long contaminated former industrial site. It gets infinitely more difficult when the owner of the land has not committed to full clean-up of the site, as is the case with the Baylands.

Surprisingly, the *Chronicle* threw its editorial weight behind the argument that Brisbane is a “case study” for why we have a housing crisis, implying that Brisbane is delaying acting on housing for political reasons. In doing so, the *Chronicle* skirts the very real and complex environmental and environmental justice issues that must be addressed before building housing on currently contaminated land.

We are not surprised at this gross oversimplification of the project. We have been responding to it, generally as a result of “facts” attributed to the developers, for the past year. What alarms us is the *Chronicle* didn't bother to reach out to Brisbane's City Council or staff to understand our legitimate concerns regarding the Baylands before running its editorial.

Working through serious issues with a developer is not evidence of a “lingering impasse,” as the *Chronicle* puts it. It is validation that the City is doing its job properly, recognizing that whatever development decision is made will irrevocably impact the health and welfare of future residents and neighboring cities.

The developer, UPC, has had approval for nearly 10 years for a housing project on Schlage Lock in San Francisco, which is adjacent to the Baylands, but is unable or unwilling to commence construction despite the high demand for housing. If the Baylands project is built, due to significant soils contamination, the State of California Department of Toxic and Substance Control (DTSC) will not allow schools, hospitals, first floor residences and daycare facilities to be placed on the property. Brisbane expects a full clean up from any developer of the Baylands.



UPC has owned another parcel of land in Brisbane for nearly 30 years that is zoned and planned for a hotel, and despite several favorable development markets, has never acted on their approvals. This pattern of seeking approval, but delaying development, is repeating itself on the Baylands, which UPC has owned since 1989.

To date, UPC has yet to fulfill any of the required steps that would make the site ready for development, such as site contamination cleanup, a sound plan for water resources or demonstrated how a project of this magnitude could be paid for, let alone their ability as a company to deliver. Instead, UPC re-envisioned its proposal every few years. Housing was only added to UPC's plans in 2010, which required the environmental review process to start all over again. This is one of the reasons the final environmental impact report (EIR) was not published on behalf of the developer until June 2015, initiating a new review by the City's Planning Commission in 2016, and continued review and public meetings held by the City Council in 2017. Reports of years-long delays by the City are factually incorrect.

We encourage UPC to come forward and answer these basic development questions, and the City of Brisbane is willing and open to enter into a true collaborative working relationship that will address these complex and difficult issues

We understand the desire of the *Chronicle* and state leaders to find a solution to California's housing crisis. The open space of the Baylands may look like an easy fix, but it isn't. Future residents on that site will, after all, be residents of Brisbane. Our council owes it to them and to current residents to carefully review the proposal to ensure safety on the site, the infrastructure required to support a completed development, and a financial model that protects the solvency for the City in providing services to that new part of our community.