

City of Brisbane

Agenda Report

TO: Honorable Mayor and City Council

FROM: Community Development Director via City Manager

SUBJECT: Brisbane Baylands Planning Applications (Concept Plans, Specific Plan Case SP-01-06, General Plan Amendment Cases GP-01-06/GP-01-10) and related Final Environmental Impact Report (SCH #2006022136) – Deliberations

DATE: Meeting of August 7, 2017

Introduction:

Deliberations Process

As discussed at its June 19, 2017 meeting, the City Council reviewed and generally concurred with a conceptual process for its Baylands deliberations. Such deliberations would focus first on the basic principles for development within the Baylands. Having considered basic principles for development within the Baylands at the July 13, 2017 meeting, it would now be appropriate to discuss appropriate mix, intensity, and distribution of land use for the Baylands, as well as other relevant policy issues. Basic principles as previously discussed are attached for information.

Responses to Questions/Data Requests

Staff continues to work on responding to questions and data requests, and new responses are provided for City Council reference.

Discussion:

As discussed at previous City Council meetings for the Baylands, the outcome of the City Council's deliberations process could be one or a combination of the following:

- Approval or modification of the applicant's proposed General Plan amendment and specific plan;
- Approval or modification of the applicant's proposed General Plan amendment without approving the applicant's proposed specific plan;
- Denial of the applicant's proposed General Plan amendment and specific plan with no further action taken, thereby leaving the existing General Plan as is;
- Approval or modification of the Planning Commission's recommendation for the Baylands; or

- Approval of a plan based on concepts contained in the applicant's proposal and Planning Commission recommendation, as well as public testimony at public hearings and other sources that are part of the public record.

Consideration of the appropriate mix, intensity, and distribution of land, as well as relevant policy issues will involve review of the applicant's proposal and the Planning Commission's recommendation, as well as the existing General Plan. To facilitate this review, a comparison of the applicant's plan, Planning Commission recommendation, and the existing General Plan is provided in Table 1, below.

Table 1. Comparison of Applicant's Development Proposal, Planning Commission Recommendation, and the Existing General Plan

Applicant's Development Proposal	Planning Commission Recommendation	Existing General Plan
Overall Vision		
Modern high intensity mixed-use urban environment with urban and natural open space.	Low intensity employment center with substantial renewable energy generation, as well as more area devoted to recreation and natural open space as compared to the applicant's development proposal.	Low intensity employment center with a minimum of 25% of the site's upland area to be designated as open space and/or open area.
Land Uses		
Residential Commercial/Office R&D Substantial Entertainment Uses in the DSP-V Scenario.	Commercial/Office R&D Renewable Energy Generation.	Mix of commercial/office, R&D, and industrial to be determined as part of a future specific plan.
Residential Use		
Residential use is appropriate for the Baylands because: <ul style="list-style-type: none"> • The site will be adequately remediated and safe for housing; • There is a critical need for expansion of housing opportunities within the Bay Area; • The location of the Baylands adjacent to the Bayshore Caltrain station and the US 101 freeway are ideal for residential development; and • Residential development in close proximity to transit and employment will provide opportunities for use of transit, bicycle, and pedestrian travel between home and work. 	Residential development is inappropriate for the Baylands because: <ul style="list-style-type: none"> • Site remediation for unrestricted use that would be safe for housing, schools, parks, day care, and other sensitive uses might not be achieved; • Incompatibility with nearby uses (e.g., Recology, Kinder Morgan Tank Farm, noise from rail line and freeway); • Difficulty of gaining approval for schools within the Baylands to serve local students; and • A substantial amount of housing is already proposed or approved to the north in San Francisco and Daly City. 	The General Plan prohibits housing within the Baylands.
Distribution of Land Uses		
Highest intensity uses adjacent to Caltrain station, with development intensity stepped down to the south.	Development concentrated adjacent to Caltrain station, Industrial Way, and Roundhouse (to be restored). Former	Development density to be lower south of the creek than to the north. Distribution of land uses to be

See Attachment 1.	landfill area to be used for renewable energy generation. No building construction south of the creek. See Attachment 2.	determined as part of a future specific plan.
Transit Orientation		
Highly transit-oriented with highest intensity uses, including housing and employment within walking distance of the Caltrain station.	Transit-oriented in that its primary employment uses are located within walking distance of the Caltrain station. Development intensity is well below that of typical transit-oriented development.	Transit orientation of Baylands development is not specifically addressed in the General Plan, but would be reviewed as part of a future specific plan for the site.
Proposed Development Intensity		
4,434 dwelling units 7 million square feet of office/ retail /industrial/ institutional uses, including 369-719 hotel rooms (DSP, DSP-V scenarios) 169.7 acres of "open space/ open area" 135.6 acres of "lagoon" area	No residential use 1-2 million square feet net increase in building area (existing building area estimated at 639,900 s.f.) 360 acres of "open space/ open area," including a shoreline park 135.6 acres of lagoon area	No residential use Development intensity to be established in a future specific plan based on development impacts, including water use, wastewater generation, stormwater flow, and particularly traffic impacts. Overall development intensity to be "well below" the high maximum intensity set for individual sites. Baylands buildout (excluding Industrial Way and Recology) is described in the General Plan EIR as between 1.0 and 4.2 million square feet of building area depending on proposed uses and their traffic generation.
Project-Related Traffic Generation		
Significant unavoidable impacts would occur at the large majority of intersections studied in the EIR. However, because 14 of the 18 intersections studied in the EIR would not meet applicable level of service standards in the future due to development in San Francisco and Daly City even in the absence of any development within the Baylands, significant traffic impacts are treated as an inherent part of Baylands development.	Because 14 of the 18 intersections studied in the EIR would not meet applicable level of service standards in the future due to development in San Francisco and Daly City even in the absence of any Baylands development, significant unavoidable traffic impacts are an inherent part of Baylands development and cannot be avoided. To reduce the severity of the Baylands' contribution to the significant traffic impacts that would occur in the future caused by development outside of Brisbane, the total amount of development permitted within the Baylands is proposed to be minimized.	The maximum allowable development intensity is to be based on traffic and other impacts. The traffic study upon which the 1994 General Plan is based determined that between 1.0 and 4.2 million square feet of Baylands development could be accommodated and meet applicable level of service standards, depending on the traffic-generating characteristics of proposed development. The 1994 General Plan did not, therefore, contemplate that cumulative development conditions would exceed applicable level of service standards even in the absence of development within the Baylands.
Site Remediation / Landfill Closure		
Proposed development is based on the premise that: <ul style="list-style-type: none"> • The former railyard can be remediated so as to be safe for residential and non-residential uses; • Landfill closure can be achieved and 	Proposed development is based on the premise that: <ul style="list-style-type: none"> • The former railyard can be remediated so as to be safe for limited non-residential use; • While landfill closure can be 	Development may not occur within the Baylands until regulatory agencies approve remediation plans. Landfill closure is not specifically addressed.

<p>pier foundations can be constructed so as to be safe for high-intensity non-residential use; and</p> <ul style="list-style-type: none"> • Development will adhere to regulatory agency requirements. 	<p>achieved to State standards, it would be best to avoid large-scale development of buildings on the former landfill that would require piercing the landfill to sink pilings down to bedrock.</p> <ul style="list-style-type: none"> • The City should play an active role in the remediation/landfill closure process, including: <ul style="list-style-type: none"> ○ Retaining an independent consultant to assist the City in review of studies and proposed regulatory requirements; ○ Working with regulatory agencies to achieve the highest practical remediation standards; ○ Should the City not agree with the result of the regulatory process, final remediation and landfill closure requirements should be negotiated between the applicant, regulatory agencies, and City. 	
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Relationship between Site Remediation / Landfill Closure Regulatory Review and City Land Use Review Process

<p>General Plan policy amendments and Brisbane Baylands Specific Plan would be approved before completion of regulatory review process. Physical site development would not occur until after site remediation/Title 27 landfill closure has been completed in accordance with regulatory standards.</p>	<p>General Plan level policy amendments would be approved before completion of regulatory review process; however, Specific Plan approval would not occur until after completion of the regulatory review process. Physical site development would not occur until after site remediation/Title 27 landfill closure has been completed.</p>	<p>Specific Plan would be approved before completion of regulatory review process. Physical site development would not occur until after site remediation/Title 27 landfill closure has been completed.</p>
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Renewable Energy Generation

<p>Rooftop solar energy generation, along with a 19-acre solar farm will minimize net energy consumption within the Baylands.</p>	<p>Utility-scale renewable generation on top of the former landfill is intended to allow for Baylands development to have net zero energy demand, or to generate a net energy surplus of energy that could be used outside of the Baylands.</p>	<p>The role of renewable energy generation as a land use for the Baylands is not specifically addressed, but would be reviewed as part of a future specific plan for the site.</p>
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Sustainability

<p>Sets forth detailed guidelines and requirements to enhance the sustainability of proposed development.</p>	<p>Relevant policy provisions of the Sustainability Framework for the Baylands are to be incorporated into the General Plan as policies for Baylands development.</p>	<p>General Plan includes basic policies addressing:</p> <ul style="list-style-type: none"> • Protection of open space, wildlife habitat, wetlands, air quality, water quality, cultural resources, and lands with other environmental qualities; • Provision of parks and recreation areas; • Water conservation; • Energy conservation;
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		<ul style="list-style-type: none"> • Recycling of solid waste; • Flood protection; • Management and remediation of hazardous materials; • Encouraging transit, bicycle and pedestrian alternatives to automobile travel; and • Providing a safety buffer around the Tank Farm along with visual screening.
Recology Expansion		
Would not provide for expansion of the existing Recology facility beyond its current boundaries.	By designating the area between the existing Recology facility and the future extension of Geneva Avenue for light industrial use, Recology expansion could be accommodated, but is not mandated or approved at this time.	Would not provide for expansion of the existing Recology facility beyond its current boundaries.
Roundhouse Restoration and Adaptive Reuse		
Provides for restoration and adaptive reuse of the Roundhouse with moderate to high intensity development adjacent.	Provides for restoration and adaptive reuse of the Roundhouse with low intensity development adjacent.	Encourages adaptive reuse of the Roundhouse and other structures identified as having historic, cultural and unique architectural value
Water Supply		
Proposes acquisition of water supply through Oakdale Irrigation District.	<p>Proposes acquisition of water supply through Oakdale Irrigation District.</p> <p>Defines relationship of process for water supply acquisition and the City's development review process.</p> <ul style="list-style-type: none"> • Specific Plan to be considered after needed operations studies and complete project-level environmental analysis; • Final water supply agreements to be in place prior to approval of site-specific development projects; • Water supply to be physically available prior to certificates of occupancy for new development. 	The General Plan addresses water conservation, but does not directly address water supply.
Development Phasing		
Development of the Baylands is to occur in multiple phases to "limit the impacts that could be associated with a single large-scale development project." The Specific Plan's Implementation Chapter requires Public Improvement Plans that detail the sequencing of infrastructure improvements required for proposed development and set standards for infrastructure levels that must be in place prior to occupancy.	Development phasing to ensure provision of appropriate infrastructure and site amenities for each increment of development by incorporating specific performance standards into the General Plan.	Requires specific plan(s) for the Baylands to provide a "phasing schedule for development to limit the adverse impacts of too rapid growth."

Police and Fire Protection Facilities		
Provides for location for police and fire protection facilities. Provides for coordination with Brisbane Police Department and North County Fire Authority to determine facilities needs.	Requires preparation of police and fire services and facilities plans to provide for the timely provision of police and fire protection facilities, equipment, and staffing. The police and fire protection services plans would also specify the means and methods that would be employed, over time, to ensure that applicable performance standards are met.	Policies call for providing a level of police and fire protection proportional to community needs, within budgetary constraints. Also call for maintaining appropriate response times.
High Speed Rail Maintenance Yard		
Does not address potential high speed rail maintenance yard.	<p>Calls for General Plan policy recognizing potential for a high speed rail maintenance yard, and identify City expectations, including:</p> <ul style="list-style-type: none"> • Mitigation of the maintenance yard's environmental impacts. • Provision of community benefits. • Offset loss of existing and anticipated revenues to the City of Brisbane. 	Does not address potential high speed rail maintenance yard.

Next Steps:

To be determined based upon City Council direction provided at the August 7, 2017 meeting. For example, if the City Council reaches consensus regarding the applicant's proposal it could direct staff to cancel the August 17 meeting, notice a public hearing for August 31 and prepare a resolution for Council's consideration reflecting the City Council's direction.

If the City Council consensus were to deny the applicant's proposal, the City Council could also choose to provide additional direction regarding further land use and development policy for the Baylands, which might involve including the Planning Commission's recommendation, elements of the applicant's proposal, or variations thereof. Such discussions could be scheduled concurrently with or after the August 31 public hearing.

Alternatively, the City Council could choose to continue with its deliberations on August 17 as currently scheduled.

Attachments:

1. Applicant's Proposed Land Use Plan
2. Planning Commission's Recommended Land Use Plan
3. Basic Principles Addressed by the City Council

4. Additional Responses to Questions and Data Request
5. Annotated Questions/Data Requests List

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John Swiecki, Community Development Director

A handwritten signature in black ink, appearing to read "Clay Holstine", written over a horizontal line.

Clay Holstine, City Manager