



# MEMORANDUM

DATE: 20 December 2018

TO: Baylands City Council Subcommittee

FROM: Clay Holstine   
City Manager

**SUBJECT: Baylands-Next Steps**

## Background

Approval of GP-1-18 via passage of Measure JJ sets the stage for a new phase of the Baylands planning process, and the purpose of this memo is to provide a broad outline of what the planning process moving forward might look like.

In looking at the process moving forward, our underlying assumption is that the developer is interested in obtaining city approval of a specific plan that complies with the provisions of GP-1-18. This is consistent with statements from the developer both in public and to city staff. Staff anticipates receiving a letter from the developer formally stating their intent to move forward.

For purposes of this discussion, the “conclusion” of the planning process would be city consideration of another environmental document, a specific plan and a development agreement. It is understood that approval of these entitlements would involve additional cycles of required planning and public works approvals, and construction activities that would occur until the project is built out, but this memo does not attempt to outline those future steps.

## Discussion

GP-1-18 clearly sets forth a number of items to be addressed in a forthcoming specific plan/development agreement and subsequent development pursuant to an approved plan. Some of these items need to be completed before a specific plan is submitted, others need to be incorporated into the final specific plan and development agreement and others must proceed concurrently with the specific plan and development agreement.

Before a revised specific plan and development agreement are submitted to the city to commence the formal public review and approval process, the following activities are either now occurring or will need to occur:

- 1. Approval of RAP and Landfill closure plans.** GP-1-18 requires the submitted specific plan reflect the approved RAP and incorporate schedule requirements, ongoing performance assurances and enforcement mechanisms. The applicant has initiated the RAP process for both OU-1 and OU-2 and is currently undertaking additional studies to address data gaps that have been identified. The results of the data gap analysis will inform future design of RAPs for these two areas. The city has been involved in this process and has provided comments based on input from the City's remediation consultant. The city anticipates remaining actively engaged as these processes move forward.
- 2. Technical Studies** The applicant will need to perform numerous technical studies to address the requirements of GP-1-18 and inform the draft specific plan and development agreement as well as the future water supply agreement that is required.
- 3. Public Engagement** A hallmark of the Baylands planning process has been extensive ongoing community engagement and participation. While GP-1-18 provides certainty and definition regarding the types and amount of development to be allowed on the Baylands, staff believes it is important that the community be given the opportunity to express its vision as to how this new development can be incorporated into the fabric of the existing community before the draft specific plan is revised. We believe it is appropriate for the community to have the chance to proactively define and articulate community goals and values as they pertain to the Baylands and establish expectations as to how the goals and values will be addressed in the plan. The developer would have the opportunity to accommodate/address the community's input in the draft specific plan.

As the subcommittee is aware, the City has applied to participate in the county-sponsored Home For All Program in 2019, with the intent that Home for All will work with the City to design and implement a community engagement process to allow for constructive and proactive public input addressing the issues raised above. By the date of subcommittee meeting staff expects to know Home for All's decision on our application. If Home for All does not select Brisbane, the City can explore other options to facilitate a community engagement process if that is the City Council's desire. If the City chooses not to pursue such an approach, the developer has stated that it intends to engage the community extensively in order to prepare a specific plan that addresses the concerns and needs of the community.

Once the steps noted above are completed, staff expects the applicant to revise its specific plan and submit it to the city along with a draft development agreement. Submission of these documents to the city would allow staff to commence preparation of an environmental document. Submitted documents would be subject to staff review. Ultimately, the environmental document, specific plan, and development agreement would be subject to formal public review and public hearings before the Planning Commission and City Council.

