

# *City of Brisbane*

## *Agenda Report*

**TO:** Honorable Mayor and City Council

**FROM:** Community Development Director via City Manager

**SUBJECT:** **Baylands Planning Process- Next Steps**

**DATE:** Meeting of January 17, 2019

**City Council Goals:**

To encourage community involvement and participation. (Goal #15)

**Purpose:**

To provide the City Council with an update regarding the Baylands planning process moving forward.

**Recommendation:**

For the City Council to acknowledge receipt of the letter from the Universal Paragon Corporation stating its intent to revise its Specific Plan to comply with the provisions of the voter approved General Plan amendment concerning the Baylands and to provide direction as the Council deems appropriate.

**Background:**

Approval of GP-1-18 via passage of Measure JJ sets the stage for a new phase of the Baylands planning process. As indicated in the attached letter from the applicant's attorney, the property owner is intending to revise their proposed specific plan to comply with the provisions of the amended General Plan.

**Discussion:**

GP-1-18 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.

In addition to the provisions of GP1-18, the City has also provided other important policy guidance for the forthcoming specific plan. Specifically, the City-prepared 2009 Baylands Public Space Plan and 2015 Baylands Sustainability Framework are important points of reference for future planning efforts.

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:

- **Approval of Remedial Action and Landfill Closure Plans**

GP-1-18 requires the submitted specific plan reflect the approved remedial action plan (“RAP”) and incorporate schedule requirements to implement the RAP, 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 the 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.

- **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.

- **Community Engagement**

A hallmark of the Baylands planning process since its inception has been extensive ongoing community engagement and participation. GP-1-18 reflects the input received to date and provides certainty and definition regarding the types and amount of development to be allowed on the Baylands. Other community values and objectives are reflected in the Public Space Plan and Sustainability Framework.

Notwithstanding community engagement efforts to date, it is crucial that the community be given the opportunity to express its vision as to how Baylands development as envisioned under the General Plan can be incorporated into the fabric of the existing community. It is appropriate for the community 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 forthcoming specific plan. This phase of community engagement should occur before the draft specific plan is revised. Providing community input early in the process would provide the developer with the opportunity to listen to the community and accommodate/reflect the community’s aspirations within the draft specific plan.

As the City Council is aware, City has applied and been selected to participate in the San Mateo County-sponsored Home For All Program. Home for All is a county sponsored initiative to facilitate community engagement and dialogue focused on the issue of housing within San Mateo County. Through the Home for All Program, the City will work with trained professional facilitators to design and implement a community engagement process for the next phase of the Baylands planning process. It is expected that the community engagement program will proceed in Spring 2019.

Once the activities identified above are completed, it is anticipated the applicant will submit a revised draft specific plan and draft development agreement for formal City review. This would enable the City to commence preparation of an appropriate environmental document. Ultimately the environmental document, draft specific plan, and development agreement would be subject to formal public review and public hearings before the Planning Commission and City Council.

**Fiscal Impact:**

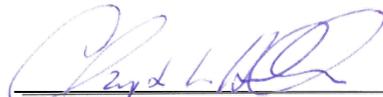
City costs associated with the processing of a revised specific plan and related environmental review would be borne by the applicant.

**Attachments:**

Applicant Letter dated January 9, 2019



John Swiecki, Community Development Director



Clay Holstine, City Manager

January 9, 2019

Mr. Clay Holstine  
City Manager  
City of Brisbane, City Hall  
50 Park Place  
Brisbane, CA 94005

*Re: Baylands Specific Plan Application SP-01-06*

Dear Clay,

We represent Universal Paragon Corporation (“UPC”) with respect to its Brisbane Baylands project. In 2005, UPC submitted a Specific Plan application (SP-01-06) and a General Plan Amendment application (GP-01-06/GP-01-10) for the Brisbane Baylands to the City. On February 2, 2006, the City deemed the applications complete. Following a series of planning workshops and City Council meetings, UPC submitted an updated Specific Plan on February 15, 2011. The City completed an Environmental Impact Report that analyzed a range of development scenarios at a program level, including the proposal described in UPC’s Specific Plan application.

On July 19, 2018 the City Council certified the Final Environmental Impact Report, approved a General Plan amendment (GP-1-18) for the Baylands to allow for a range of 1,800 - 2,200 residential units and 6.5 million square feet of additional commercial development plus 500,000 square feet of hotel space, and directed that Case GP-1-18 be placed on the November 2018 ballot for voter consideration.

On November 6, 2018, Brisbane voters approved Measure JJ, thereby approving the General Plan amendment approved by the City Council (Case GP-1-18). Due to these intervening events, UPC is in the process of updating its Specific Plan application (SP-01-06) to conform with the General Plan amendment approved by Measure JJ. To allow sufficient time for these updates, UPC hereby requests an open-ended extension on the City’s processing of its Specific Plan application.

Thank you for your consideration.

Very truly yours,



Neil Sekhri

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cc: John Swiecki, Community Development Director  
Jonathan Scharfman