

City of Brisbane

Agenda Report

TO: City Council via the City Manager

FROM: Community Development Director

SUBJECT: Baylands Specific Plan Update

DATE: Meeting of March 17, 2008

City Council Goals:

15. To encourage community involvement and participation.

Purpose:

This report provides an update to the City Council regarding the Baylands Specific Plan process, including tentative scheduling. While the first round of community input on the development alternatives was completed some time ago, the City's consultants have been actively engaged in refining these alternatives so they can be presented to the community and City Council for further review. Other Baylands-related activities are also moving forward, including the City's work on the draft EIR, transportation planning, and wind energy analysis, and the developer's efforts in preparing further technical studies and open space planning. A similar update was provided to the Baylands City Council subcommittee in February, 2008, and the subcommittee recommended a similar update be provided to the City Council.

In addition to providing a general update regarding these issues, staff is also seeking City Council concurrence regarding the next phase of community review of the EIR alternatives, as recommended by staff and the EIR consultants.

Recommendation:

That the City Council receive this report and authorize staff to move forward with the next phase of community review of the potential Bayland EIR alternatives as outlined in this report.

Background:

Alternatives Development

Dyett and Bhatia (D&B), the City's consultants, are in the process of developing 3 alternatives based on community input received from the stakeholder meetings and public workshops. The timing of these efforts has been impacted by several technical issues as discussed below. It is important to recognize that land use planning is an iterative process, whereby the gathering of additional information during the review of earlier conceptual plans and alternatives leads to further refinement of those earlier plans and alternatives. This informational "feedback loop" is an essential part of the planning process that informs and improves upon the quality of the community-driven alternatives, by providing a reality check on plan feasibility. Since the public input was gathered on the specific plan and alternatives, there has been an ongoing effort to collect additional information in a few key issue areas that are critical to the analysis of plan feasibility.

One issue is the alignment and profile of the Geneva Avenue/Harney Way/Hwy 101 interchange and the Geneva Avenue extension. The City is currently managing a Preliminary Study Report (PSR) which is addressing these issues. The PSR involves substantial coordination with Caltrans and the City of San Francisco, which is ongoing.

Ground settlement and grading are other important issues for development of alternatives, particularly on the intensification of land use at the north end of the site as envisioned in several of the alternatives. These issues are interrelated to the above-referenced PSR process, as the grading and settlement implications of roadway/interchange alignments and profiles impact urban design and land use.

Substantial technical study is also ongoing regarding the location and design of a potential multi-modal transit station, and its relationship to surrounding land uses. The City's economic consultant, Keyser Marston is also reviewing and offering preliminary feedback on the economic feasibility of the potential alternatives in regard to land use intensities and market absorption potential. It is anticipated that any plan considered for approval would be subject to more detailed economic assessment.

Alternatives Review Process

The consultants estimate that the refined alternatives should be available in April, and it would be appropriate to plan the next phase of community review. The primary intent of this next review phase is to confirm that the alternatives reflect the community's input. Once this next phase of community review is completed and the alternatives further refined as needed, the alternatives would be subject to City Council review, and the Council would ultimately decide which alternative will be subject to the same level of analysis in the EIR as the applicant's proposed specific plan. Staff anticipates this could occur in June, based on the proposed schedule.

As shown in the attached memo from Dyett and Bhatia, the next phase of public review of alternatives is proposed to include publication of a newsletter, followed by a Community Open House, and series of 4 smaller neighborhood/group meetings. The smaller meetings could be structured in a variety of way, and staff invites the City Council's input in this regard. For example, smaller neighborhood meetings could be held for Central Brisbane and the Ridge. A joint session with all city advisory commissions with some involvement in the project (Planning Commission, Open Space

and Ecology and Parks Beaches and Recreation) might also be appropriate. Outreach to the business community via the Chamber of Commerce might also be useful. Outreach to Daly City and Visitacion Valley at this stage is another option.

Environmental Impact Report (EIR)

The EIR is currently under preparation by ESA, the consultant under contract to the City. Much of the background research has been completed, although the additional technical information being generated to support the alternatives development process is being incorporated into the EIR analysis on an ongoing basis. EIR preparation cannot be completed until a community-driven alternative is identified and designated for same-level review in the EIR. Another EIR topic that is subject to external constraints is the traffic study. The project traffic study is being coordinated with the ongoing Bi-County Transportation Study, so delays in Bi-County Study could have implications on EIR timing.

Wind Energy Study

There has been widespread support for the Baylands to achieve energy neutrality or better, including a substantial on-site wind component. However, a number of questions remain regarding how this can best be accomplished. An important fundamental question relates to the site's wind energy potential and the most appropriate form and scale of on-site wind generation. To begin addressing these questions, the City hired an independent consultant (E.F. McCarthy Associates) to review existing wind data and offer recommendations. Using data from the Norcal site and another monitoring station at the Southeastern Wastewater Treatment Plant in San Francisco, the analysis concluded that while average wind speeds were marginal for commercial power generation, the wind speed peak times correspond with peak energy demand times (spring and summer afternoons). The study suggested that further economic analysis would be necessary to define the potential value of on-site energy. The study further suggested that the installation of a temporary 60-meter wind tower on-site to collect wind speed and direction data, thereby better defining the level of the potential wind resource.

The applicant has agreed to fund the installation of a wind tower on the Baylands. The data will be collected and analyzed by a consultant working for the City but funded by the developer. Staff is actively engaged in implementing this proposal. The tower has been ordered, staff is engaging qualified firms for tower installation and data monitoring and reporting, and working on precise tower siting. Barring unforeseen circumstances, the tower should be installed and collecting data in April.

Speaker Series

The City sponsored a fall/winter speaker series addressing several facets of the larger topic of sustainability, as well as iconic architecture and landscapes. A brief synopsis of the entire speaker series is attached. While there are no plans to extend the series at the present time, it may be appropriate to schedule additional speakers to address topics that the City Council and community deem of interest as the process unfolds. Staff would return to the City Council to formally schedule additional speakers as needed.

Applicant Status Report/Open Space Planning

UPC has prepared the attached status report dated January 2, 2008 regarding their ongoing efforts related to the Baylands Specific Plan. Of particular note is UPC's approach regarding the project open space component, and particularly their intent to engage Dr. Charles Jencks for consulting purposes. Staff would welcome Dr. Jencks' continued input in the design process.

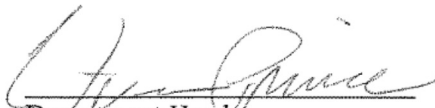
The City Council has a joint meeting scheduled with the Parks, Beaches and Recreation Commission for March 31, 2008. At that time it would be appropriate for UPC to further discuss their open space planning process for the property and allow for further dialogue.

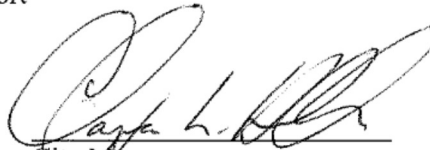
Fiscal Impact:

None. The work program is part of the existing Baylands EIR scope of work and is funded by the project developer.

Attachments:

Dyett & Bhatia Memo- Community Review of Alternatives
Baylands Speaker Series Synopsis
UPC 2007 Year End Baylands Status Report


Department Head


City Manager

M E M O R A N D U M

To: John Swiecki, AICP, City of Brisbane
From: Sarah Nurmela
Re: Alternatives Process and Community Outreach
Date: March 13, 2008

Over the past few months, the initial alternatives concepts have been reviewed and analyzed with respect to circulation and transit, economic feasibility, and existing and future site conditions. Over the next month, Dyett & Bhatia will revise the alternatives concepts and provide land use and circulation strategies for each alternative. The revised alternatives will be available for public distribution and input by mid-April.

Dyett & Bhatia believes that the most effective mode of communication to the community will involve a multi-tiered approach:

1. The alternatives will be presented in a newsletter format, which would be sent out to all households in the community in mid-April. The newsletter will include:
 - An update to the planning process—a “where we are” notification;
 - Plan diagrams of each alternative with written description and tables outlining potential buildout;
 - Examples of building typologies and FARs represented in the alternatives (most likely in a chart form with photographs and project details); and
 - Announcement of a community Open House on the Alternatives in May.

The newsletter could also contain a response card for community members to tear-off and send to the City with initial comments on the alternatives.

2. Held in May, the community Open House will be a city-wide gathering where community members can learn and ask questions about the alternatives. City staff and consultants will be available to answer questions.
3. Following the Open House, neighborhood and group briefings will be held to provide a venue for greater discussion of the alternatives. These briefings will be small in scale and will include a short presentation of the alternatives, followed by discussion and feedback from participants. These can be scheduled for late May and the first few weeks of June—the audience and locations of the meetings will be determined in collaboration with the City.

Finally, the alternatives and community input that is received through this process will be presented to the City Council. This City Council meeting will take place most likely in late June.

Baylands Speakers Series-Synopsis

Date: June 23, 2006

Topic: *The Art of Architecture in the Age of Ecology*

Speaker: James Wines, Architect and Author

Synopsis: Mr. Wines highlighted the importance of the relationship between architecture, landscape design and the visual arts, as we respond to the potential impacts of development on the ecology of a site. He explored the gaps that must be bridged between these disciplines, in order to bring this green building revolution together, in a comprehensive and responsible fashion. He looked at the social, psychological, artistic and ecological concerns that need to be addressed to shape the future of the built environment in a manner which is both ecologically sound and aesthetically pleasing.

Date: February 13, 2007

Topic: *Value of Public Recreation Facilities and Open Space Land to a Community*

Speaker: Dr. John Crompton, Texas A&M University, Department of Recreation, Park and Tourism Sciences

Synopsis: Recreational activities, parks and open spaces fulfill a wide range of human needs, ranging from the physical to the social and psychological. The value of parks and open space extends beyond the obvious functional and aesthetic benefits, but into the economic realm as well. His insights and case studies illustrating the economic value of open space to both nearby property owners and the community are a valuable lesson for the City as the Baylands process moves forward.

Date: March 12, 2007

Topic: *Alternative Energy Systems*

Speakers:

John Doyle, Manager, Energy Generation Projects, San Francisco Public Utilities Commission,

Todd Thorner, Vice President and Founder of Foresight Wind Energy

Rick Nuessle, Next Energy Solar Company

George Wagner, Vice President and Co-Founder of Wind Harvest

Paul Fenn, Founder and CEO, Local Power

Synopsis:

Mr. Doyle discussed the design and implementation of a number of renewable energy generation projects around the San Francisco area (i.e. solar panel on Moscone Center), including their challenges.

Mr. Thorner provided an overview of how utility-scale wind power generation facilities are developed. He described advances in propeller turbine technology, and factors in evaluating site suitability.

Mr. Nuessle provide an in depth discussion of solar technology and demonstrated that while shortages of materials for the production of solar cells is an issue, the potential return on investment is enormous.

Mr. Wagner explained the efficiency and simplicity of the vertical wind turbine technology (as opposed to the propeller type), and provided a historical perspective of the alternative energy industry in California.

Mr. Fenn discussed "community choice aggregation," a legal approach whereby a City can control its power supply purchasing, thereby allowing it to preferentially invest in alternative energy sources. He discussed a preliminary study undertaken by a class he taught at SFSU which demonstrated the site's feasibility for wind and solar energy development, and strongly encouraged the City to explore this option.

Date: March 22, 2007

Topic: *The Economics of Redevelopment*

Speakers:

Tom Murphy, former Mayor, Pittsburgh, PA

Michael Cohen, Director, Base Reuse and Revelopment Team, San Francisco Mayor's Office

Chris Meany, Partner, Wilson, Meany, Sullivan, a San Francisco development company

Synopsis:

Mr. Murphy discussed the renaissance of Pittsburgh that occurred during his tenure as Mayor. He encouraged the City to develop a vision for itself and the Baylands as the first step in the development process.

Mr. Meany described the development plan for Treasure Island, San Francisco. He discussed one fundamental concept for a successful development- namely that the economic return of a project must be sufficient to cover the costs of the desired public benefits.

Mr. Cohen discussed the development of Treasure Island from the City of San Francisco's perspective. He noted the development was an opportunity to realize public benefits and amenities without cost or risk to the City at large. He emphasized that there needs to be a partnership between the developer and City to make a project of this magnitude a reality.

Date: April 2, 2007

Topic: *Transit and Land Use*

Speaker: Alan Hoffman, Mission Group, San Diego-based planning firm specializing in strategies for transportation and urban development.

Synopsis: Mr. Hoffman observed that successful transit systems are based on three fundamental principles: 1) They get people from where they are to where they want to be; 2) They get people to their destinations in a timely way; and 3) They make people feel good about the experience. He added that the mode of transit (ie train or trolley or bus) is secondary. He illustrated how bus rapid transit is designed and successfully implemented in many countries. He suggested that there are transit opportunities on the Baylands, when viewed in a regional context, but that the project alone would not sustain meaningful, economically viable transit.

Date: October 29, 2007

Topic: *Zero Carbon/Zero Waste Mixed Use Developments*

Speaker: Greg Searle, Executive Director, Bioregional North America/One Planet Living

Synopsis: Mr. Searle discussed how western lifestyles result in the use of resources that far exceed their rate of replenishment, and how the goal of his organization is to provide examples of how to live within our means as a planet. He discussed the One Planet Living Bedzed development in England, which was designed to optimize sustainability. He characterized the organizing principals of sustainability as zero carbon and waste, sustainable transportation, food and water, local materials, natural habitats and wildlife, culture and heritage, equity and fair trade, and health and happiness. He noted that while green design is important, lifestyle choices are equally important in reducing the ecological footprint.

Date: November 14, 2007

Topic: *Natural Capitalism Strategies for Sustainability*

Speaker: L. Hunter Lovins, President and Founder, Natural Capitalism Solutions, and Founding Professor of Business at Presidio School of Management

Synopsis: Global reinvention around the paradigm of sustainability will require unprecedented cooperation among business, government and citizens. Ms. Lovins suggested that lessons learned from nature can translate into a business model of natural capitalism, thereby increasing efficiency and productivity, closing production loops to eliminate waste, and restoring human and natural capital. She noted that the integrated bottom line of sustainability is catching on with business, as these efforts translate into cost savings while reducing environmental impacts.

Date: November 16, 2007

Topic: *Iconic Architecture and Landscapes*

Speaker: Charles Jencks, Author and Architectural Historian

Synopsis: Dr. Jencks discussed the history and role of iconic buildings. He discussed the "Bilbao Effect", the implications of the Frank Gehry-designed Guggenheim Museum in Bilbao, Spain, which has generated an estimated \$100 M annually in tourism. He pointed out that iconic buildings elicit powerful reactions, both positive and negative. Dr. Jencks further discussed his Garden of Cosmic Speculation design, wherein various natural forms ranging from the sub-cellular to the galactic were represented through the combination of landform and art.

In regard to the Baylands, Dr. Jencks suggested the site is an opportunity for rebirth, and should be tied to the San Bruno Mountains. He noted the opportunity for a significant urban park and the need for 3 or 4 anchors to make it viable, from both an economic and vitality perspective. He suggested such uses as a Guggenheim Museum, Pacific Rim Art museum, corporate headquarters or sustainability/tech institution as examples the City might want to target. He further discussed the regional context of the site as a gateway to San Francisco, and suggested 4 significant open space features along the north/south length of the project to reinforce the open space image.

Date: December 3, 2007

Topic: *Ecocities: Rebuilding Cities in Balance with Nature*

Speaker: Richard Register, Urban Ecologist and Author

Synopsis: Mr. Register discussed the need to bring nature back into cities, and provided a number of examples of how this is being accomplished, such as daylighting streams, passive architectural design, and green roofs. He endorsed wind and solar energy sources. He stated his opposition to transportation or technological solutions intended to improve automobile efficiency, as they would detract from the desired solution of creating denser, more compact cities which do not require the automobile for mobility. He acknowledged the difficulty of creating this urban form, noting that it has not been achieved in his 30-plus years of advocacy.



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January 2, 2008

Mr. Clay Holstine
City Manager
City of Brisbane
50 Park Place
Brisbane, CA 94005-1310

Re: **UPC Baylands End of Year 2007 Progress Report**

Dear Clay,

As City Council, staff and the Brisbane community proceed with consideration of CEQA alternatives for UPC's Baylands Phase I Specific Plan, I wanted to provide you with a year end update. Specifically, I want to report here how we are responding to stated community objectives for the Baylands project through the lens of what we have heard and learned from our attendance at every Baylands related meeting, public hearing and speaker event during 2007. I have attached a copy of the 6/26/06 City Council Staff Report regarding (both Brisbane and UPC) Baylands Project Objectives for reference.

2008 will be a seminal year for Brisbane and UPC as the Baylands' future is more clearly defined. As such, this letter outlines several concrete steps UPC is taking towards addressing the community's hopes for the Baylands in a way that satisfies economic, technical, legal and regulatory feasibility.

Renewable Energy and 'Green Infrastructure'

A consistent message from the City Council and community is that 'sustainable development will be the foundational core of any project that gets approved at the Baylands'. Furthermore, both have stressed that UPC and the City should pursue a 'three legged stool' of environmental, social and economic sustainability. Chapter 4.8.5 of the Phase I Specific Plan outlined UPC's General Sustainability Guidelines with highlights that included:

- Restoring ecological function in the Baylands
- Maximizing non-vehicular circulation modes
- Encouraging alternative / renewable energy use
- Promoting water conservation / gray water use
- Utilizing natural storm water management
- Meeting US Green Building Council LEED certification standards for buildings/site design

Several of these themes have been explored in more depth during the Baylands Speakers series and in other forums, including UPC led Sustainable Building tours, Committee for Renewable Energy at the Baylands (CREBL) meetings and BrisNet. The most strongly advocated theme among them is the goal of making the Baylands development 'energy neutral' through aggressive pursuit of renewable energy

strategies. This objective has no proven precedent for a project of the scale of the Baylands, although the San Francisco Public Utilities Commission is currently pursuing strategies that will result in approximately 40% of on-peak and 100% of off-peak renewable power generation for its planned headquarters building in downtown San Francisco.

The ecological imperative of global climate change, rapid technological innovation and Brisbane's objectives in this area have compelled UPC to initiate the following three tiered approach towards meeting the goal of energy neutrality for the Baylands project:

1. **Building Specific Renewable Power:** Quantifying the potential renewable power output at the individual building level, primarily employing solar and wind power technologies. This model is now commonly applied in the US commercial real estate sector. Although many new technologies are coming online annually, building integrated wind power is currently far less attractive than solar in both capital cost and conversion efficiency. We also expect to sacrifice optimum rooftop power generation in some buildings in order to satisfy the community's desire for 'green roof' systems and are studying 'hybrid' green/solar roofs to maximize options in both areas.
2. **Distributed Generation Renewable Power:** Quantifying the potential renewable power output for solar and wind power systems deployed in targeted ground areas on the site where appropriate. These central generators could be connected to a central metering system for distribution. The likely locations could include surface parking lots, gentle slopes, street rights of way and other non-developable sites. Safety, security, aesthetics, operations/maintenance issues and regulatory/economic feasibility will play key roles in determining how much power can be generated in this tranche of the program.
3. **Direct Offsite Investment or Purchase of Renewable Power:** UPC is exploring either investing directly in an offsite wind/solar power facility or purchasing renewable energy through service contracts to meet Baylands energy needs not met by building specific or distributed generation sources.

UPC has engaged top consultants in the field, including those working on the SF PUC renewable energy project, to analyze and refine the approach outlined above using the recent McCarthy & Associates Wind Resource Assessment, historical NorCal wind data, and current industry standards. In addition to quantifying renewable potential, the analyses will also identify technical, regulatory and economic hurdles that must be overcome for such projects to succeed. Brisbane Planning, Public Works staff and the City Attorney will be provided with review copies of the analyses with an eye towards laying the groundwork for feasible implementation.

Open Space

Maximizing the Open Space opportunities for the Baylands has arguably been the most important objective expressed by the Brisbane community, the Open Space/Ecology Committee and elected officials. Several presenters in the Baylands Speaker Series addressed issues ranging from economics of open space to waterfront revitalization and earth sculptured parks. UPC was particularly impressed with Charles Jencks'

works and his approach to designing parks that provide substantial aesthetic and functional complements to institutional land uses.

Much of the public discussion to date about Baylands open space has centered on quantity, with particular focus on converting the majority of UPC land south of Visitacion Creek to open space. The Specific Plan (as shown in Table 3.1) proposes 30.2% of the Phase I land area as open space/open area, with an aggregate total of 28.6% open space/open area within the total Baylands land area. Little public discussion has yet centered on the qualitative elements of the Baylands open space, which is described in Chapter 5 of the Specific Plan.

Formulation of the final size, location and programming of the Baylands open space will continue to be an iterative process, informed by ongoing technical analysis, economic feasibility and community goals and objectives. Given the context provided by the Speaker Series, UPC believes that it will be helpful at this point to explore more specific qualitative open space issues that will further define potential open space uses for the Baylands. UPC's Planning team, led by Jim Stickley of WRT, will begin this effort in January of 2008 with the intent to both inform and complement the Dyett/Bhatia led Alternatives planning. We intend to engage Charles Jencks as a Consultant for this process. While Mr. Jencks could well design a future park at the Baylands, please note that this exercise will not result in open space or park designs, but will rather focus on potential types, characteristics and qualities of public open space. We also intend for this process to initiate a protracted community engagement about the roles, qualities and functions of Public Art for the Baylands.

Tank Farm Screening Project

There has been a strong concern, particularly within the Baylands Community Advisory Group, about toxic and aesthetic issues relating to the Kinder Morgan Tank Farm. UPC recognizes that the Regional Water Quality Control Board is the lead agency responsible for oversight of toxic/remediation issues related to the Tank Farm and will continue to follow the Regional Board's direction as it relates to toxics at the Tank Farm.

Since UPC land surrounds the Tank Farm, we are in a position to help mitigate the negative visual impact the tank Farm has on the community. Our Phase I Specific Plan outlined a 'windrow' strategy as part of its Framework Plan that included the conceptual 'screening' of the Tank Farm. (See Specific Plan cover illustration). Recognizing that tree screenings take a long time to mature, UPC is currently working on a landscape design for a 'Tank Farm Screening Plan' that we hope can begin to address this crucial issue. The design would be for UPC owned land directly surrounding the Tank Farm that will not likely require significant grading or elevation changes during future Baylands development activity. We would propose substantial installation of the design in fall of 2008. Please expect a submission of this plan during the first quarter of 2008.

Economic Development and Clean Technology

Mayor Tom Murphy described the tremendous successes achieved in Pittsburgh by combining environmental remediation, green building and aggressive economic development programs to reinvent the

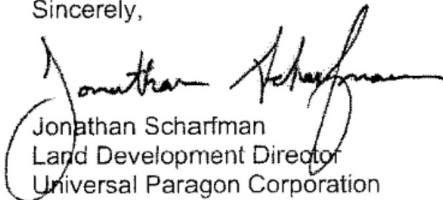
city after the steel industry collapsed there, taking 150,000 jobs with it. Michael Cohen and Chris Meany outlined the process San Francisco employed in the development of the Treasure Island Master Plan—which was presented as the most sustainable large scale clean-up/redevelopment project in the US. (Several Brisbane residents at the talk took exception to that claim, citing the Baylands as number one.) Understanding the tradeoffs required to meet aggressive sustainability, clean-up, open space and affordable housing goals led to community stakeholders at Treasure Island agreeing to double the proposed project density at Treasure Island. That increased density rendered the community goals economically feasible.

UPC hopes to fund site remediation and desired public benefits with a high quality mixed-use development anchored by clean technology companies and research partnerships. The explosive clean technology sector growth presents a tremendous opportunity for Brisbane to become a center of the emerging Bay Area clean tech 'cluster' and UPC is diligently promoting that idea while researching market depth, company growth trajectories and space requirements.

In November, 2007 we were lead sponsors of a major regional conference entitled 'Building the Cleantech Crossroads'---which brought leading academic, government, business and investment leaders together to identify key actions required to cement Bay Area's position as world leader in environmental technology and services. Following the conference, four cities announced an unprecedented joint economic development effort to create an East Bay 'Clean Tech Corridor'. San Jose's Mayor Chuck Reed has developed incentives to attract 25,000 cleantech jobs by 2010. We're looking forward to seeing Brisbane more actively engaged in promoting itself as the 'Epicenter of the Bay Area Cleantech Cluster' so that we can build a world class home for the 5-10 "next Google's" expected to emerge in this sector.

If you have any questions at any time regarding the issues raised above, please do not hesitate to call me.

Sincerely,



Jonathan Scharfman
Land Development Director
Universal Paragon Corporation

cc: William Prince, Community Development Director
John Swiecki, Senior Planner
Mary Murphy
Neil Sekhri

City of Brisbane

Agenda Report

TO: Honorable Mayor and City Council and Planning Commission

FROM: William Prince, Community Development Director

DATE: June 26, 2006

SUBJECT: Project Objectives- Baylands Environmental Impact Report (EIR)

RECOMMENDATION:

Consider and approve project objectives for the draft Baylands Specific Plan, which will be incorporated into the EIR and used in analyzing project alternatives developed by the City.

BACKGROUND:

As the EIR process for the Baylands Specific Plan moves forward, one of the most important activities that will occur in the near term is the development of project alternatives to be considered in the draft EIR. As has been noted previously, the EIR process requires the City to develop a "reasonable range of alternatives to the project or project location that could feasibly attain most of the **basic project objectives** and would avoid or substantially lessen any of the significant environmental impacts of the proposed project." (emphasis added)

Aside from being a legal requirement, the alternatives process is also a great opportunity for the City to develop its own vision(s) for the Baylands and physically express it in the form of one or more alternative land plans. These plans will be reviewed in the EIR, along with developer's draft plan, so the City can ultimately make an informed choice when considering its options for the Baylands.

DISCUSSION:

One of the first steps to developing meaningful alternatives for purposes of the EIR analysis is to define the "project objectives." As stated in Section 15124 of the CEQA Guidelines, "The statement of objectives should include the underlying purpose of the project." Project objectives typically reflect both City and developer's intent and purpose in proceeding with a project. A clearly written statement of objectives is important not only to develop a reasonable range of alternatives, but also to prepare findings in support of any action the City ultimately takes on the project. In developing objectives, it is important to note that case law in California has shown that defining objectives too narrowly may result in an EIR alternatives analysis that is inadequate.

Staff has drafted a list of proposed project objectives (see Exhibit 1) as a starting point for discussion. This draft list is based on large part on the Council, Commission and public testimony received to date, as well as the recommendations of the Open Space and Ecology Committee. Based upon this input, as

well as the City's General Plan, staff recommends that the concept of sustainability serve as the foundational core of any project to be approved for the Baylands. Sustainability is defined as "development that meets the needs of the present without compromising the ability of future generations to meet their own needs."

Organization of the specific plan around the concept of sustainability builds upon the premise of environmental sustainability so clearly advocated by the Open Space and Ecology Committee in their recommendation of April 27, 2006, and extends it to include the other critical components of sustainability, which are social equity and economics. The framework of sustainability provides a basis to analyze many of the concerns raised by the public regarding the applicant's draft plan, and can provide a structure around which the community's aspirations for the Baylands can be organized and refined. The suggested project objectives set forth in Exhibit 1 are organized around environmental considerations, social equity, and economics, the three components of sustainability.

Consistent with the guidance provided by CEQA and case law, the suggested project objectives are structured as broad policy direction, and are not prescriptive or narrowly defined. Ultimately the City may choose to implement one or more these objectives through development standards or requirements contained within the specific plan. For example the City could choose to adopt a LEED Silver requirement to implement recommended Objective #B, which relates to utilizing a green building approach for all future development on the Baylands. In this manner, the LEED requirement would not serve as an objective, but rather as a tool to achieve a more broadly defined objective.

The objectives proposed by the developer are attached as Exhibit 2. For the most part the developer's stated objectives address many of the same concerns identified in the staff-recommended objectives. Remediation, encouragement of non vehicular transportation, green building, open space preservation and enhancement, promoting choice for Brisbane residents, economic vitality, and project flexibility are among the objectives common to the staff and developer, although worded and organized differently. While generally supportive of the intent of the objectives suggested by the developer, staff would discourage objectives which specify particular land uses in precise locations on the site. In staff's opinion, these represent elements of the project, not "objectives" of the project. Fixing these elements as objectives could restrict the City's ability to explore a "reasonable range of alternatives" as required under CEQA.

FISCAL IMPACT/FINANCING ISSUES:

The costs associated with EIR preparation are the responsibility of UPC.



Community Development Director



City Manager

Baylands Specific Plan EIR- Staff Recommended Project Objectives

Overarching theme:

The Baylands shall be a leading model of sustainable development, which is a source of pride to the City of Brisbane and demonstrates that environmental, social and economic considerations can be harmonized to the betterment of the planet, community and individual.

Sustainable development is simply defined as "development that meets the needs of the present without compromising the ability of future generations to meet their own needs." The project objectives as identified below have been organized around the three major components of sustainability, which include environmental protection and enhancement, social equity and economics.

Environmental Objectives

- A. Remediate the Baylands to a level which ensures the safety of all who use the site, and eliminates ongoing ecological damage.
- B. Incorporate a "green building" approach for all future development on the Baylands, wherein buildings are sited, designed, constructed and operated to encourage resource conservation, minimize waste and pollution, maximize energy and resource efficiency, and promote healthy indoor environments.
- C. Preserve, restore and enhance wetlands and natural habitat on the site and create natural linkages across the site to promote physical and visual connectivity between the San Bruno Mountains and the Bay.
- D. Promote and encourage non-vehicular access and movement to and from the site (particularly from Central Brisbane) and within the site as well. Land use mix, good urban design, the provision of safe and pleasant pedestrian and bike paths, and convenient access and linkages to public transit are all necessary components.
- E. Strive to achieve energy neutrality or better through efficiency, conservation, and the maximum use of passive and active sources of renewable energy.
- F.. Safely and efficiently accommodate project traffic in a manner which does not adversely impact Brisbane or adjacent communities.
- G. Incorporate innovative methods to reduce resource consumption and waste generation.
- H. New infrastructure should be sited and designed to minimize adverse environmental impacts.

- I. The project should be sensitively designed to protect Brisbane's viewshed, taking into account light spillage and pollution, building height and massing, and hardscape/landscape balance.

Social Equity Objectives

- J. Create an active, vibrant place which strengthens the community of Brisbane and contributes to its sense of place.
- K. Incorporate significant open space and related improvements which provide opportunities for a wide range of passive and active public recreational opportunities benefitting the City and region.
- L. Provide employment opportunities for Brisbane residents and residents in nearby local communities, thereby improving the jobs/housing balance at regional and subregional levels.
- M. Contribute to critically-needed solutions to regional transit and transportation issues which will benefit both the project and existing communities.
- N. Recognize that the project is of regional significance, and strive to ensure that it positively impacts the surrounding communities.
- O. Provide on-site opportunities for public art and education to contribute to public understanding of the site, including its history, ecology and the project's sustainability mission.

Economic Objectives

- P. Enhance the City's tax base and future ability to improve services within all of Brisbane.
- Q. Establish a project which remains economically viable on a long term basis, including excellence in architecture which can withstand the test of time.
- R. Build in flexibility so the project can adapt to changing market conditions over time, without compromising the other stated project objectives.
- S. Provide greater choices for Brisbane residents by providing desired goods, services, entertainment, and/or other amenities not currently available within the City.



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June 22, 2006

Mr. John Swiecki
Principal Planner
City of Brisbane
50 Park Place
Brisbane, CA 94005-1310

Re: UPC Baylands Project Objectives

Dear John,

Per your request, UPC has prepared a range of Baylands Phase I Specific Plan project objectives that support UPC's Vision for the Baylands property and are consistent with our application for project review under CEQA. It is UPC's position that the following objectives should be the primary cornerstone against which all elements of the Environmental Impact Review should be measured. Please note that the objectives listed below, while numbered for reference purposes, are not necessarily listed in order of priority.

UPC's team has carefully considered these objectives and consider them an important criteria for our development to be feasible in the many areas that such a major development impact. We appreciate the City's effort to understand our objectives and incorporate them in the environmental review process.

**Universal Paragon Corporation Brisbane Baylands Phase I Specific Plan
EIR Project Objectives:**

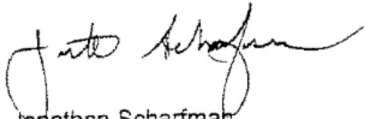
1. The remediation and reclamation of the former municipal landfill in a manner that conforms to State and Regional Water Quality Control Board landfill closure requirements; provides site clearance for commercial development; and is financially viable.
2. Redevelopment of the existing brownfield site into distinctive, high-quality neighborhoods that contribute to Brisbane's civic pride and identity.
3. A commercial mixed use district that strengthens Brisbane's economic base by adding retail, office, research and development, light industrial, and other commercial type uses to the Project Area.
4. An attractive retail and entertainment district at the north end of the Project Area.
5. A mix of retail and entertainment uses that creates opportunities for Brisbane residents to shop and recreate within their city, and creates a destination for residents of surrounding communities.

6. A campus-style office and R&D district in the area south of Visitacion Creek Park.
7. Creation of new local jobs in commercial, office, and service industrial businesses as well as in their construction and on-going support.
8. New retail, office, and service industrial space that will provide opportunities for Brisbane residents and others to start or expand local businesses.
9. A development program whose financial return will be substantial enough to offset the significant costs associated with closing the sanitary landfill and constructing the infrastructure (streets, utilities, etc.) necessary to accommodate the safe and productive future use of the currently blighted site and to provide the Project Proponent with a reasonable return on their investment.
10. A land use mix and development program that generates a positive net fiscal benefit to the City through the generation of increased tax revenue while covering City costs associated with the provision of public services (e.g., police, fire, open space/parks maintenance, etc.) to the Project area.
11. A regulatory framework that has the flexibility to allow project development to respond to changes in market conditions while still maintaining consistency with the City of Brisbane's General Plan.
12. Development standards and design guidelines for new development that respect the local architectural heritage of Brisbane and the Baylands while allowing and encouraging innovative and well-crafted design approaches.
13. New development that implements "green" building practices for all non-industrial buildings and site design.
14. An attractive open space system that preserves open space or open area (as defined by the Brisbane General Plan) that can accommodate the passive and active recreational activities of future site tenants, visitors, and Brisbane residents.
15. Preservation, enhancement and/or restoration of existing wetland and riparian habitat areas in the Project area, including:
 - a. The preservation and enhancement of existing shoreline habitat along the northern edge of the Brisbane Lagoon as part of a new Lagoon Park; and
 - b. The restoration and expansion of existing wetland, riparian, and upland habitat associated with the tidal channel as part of the landfill remediation and creation of the Visitacion Creek Park.
16. A multi-modal circulation network that safely accommodates pedestrian, bicycle, transit, and vehicular circulation and enhances connectivity within the current network.
17. Walkable, pedestrian-friendly districts that incorporate an interconnected system of sidewalks and off-street paths and trails.
18. A comprehensive and inter-connected bicycle circulation system of bicycle trails (Class I), lanes (Class II), and designated routes (Class III) that provides access throughout the Baylands with connections to surrounding neighborhoods.

19. Development mix and intensities adequate to support frequent and regular transit service to the project area, including both existing and new bus transit lines and the planned extension of light rail transit along Geneva Avenue to Candiestick Point.
20. A street network that can safely accommodate the increased traffic volumes resulting from the Project, while minimizing traffic impacts on Central Brisbane and adjacent communities.
21. A street system that enhances internal and area wide circulation by increasing connectivity and upgrading design standards on existing streets, including:
 - a. Improvements to east/west circulation with the extension of Geneva Avenue from Bayshore Boulevard to U.S. 101; the realignment and upgrade of Lagoon Way to collector standards; and the construction of a new collector street (North Creek Parkway) between Tunnel Road and Frontage Road (that will ultimately connect to Bayshore Boulevard); and
 - b. Improvements to north/south circulation with the realignment and upgrade of Tunnel Road and Lagoon Way to collector standards, and the construction of a new collector street (Frontage Road) west of U.S. 101 between Beatty Avenue and Lagoon Way.
22. New Project Area utilities, including sewer, water and storm drainage, that are necessary to safely serve new Baylands development without adversely affecting levels of service to the larger community and that are designed to applicable City of Brisbane standards.

If you have any questions regarding these objectives, please do not hesitate to call

Sincerely,



Jonathan Scharfman
Land Development Director
Universal Paragon Corporation

cc: William Prince, Community Development Director
Clay Holstine, City Manager
Mike McCracken