To: Brisbane Planning Commission
From: Dana Dillworth
RE: Baylands Deliberations
May 18, 2016

RECEIVED
MAY 18 2016
Comm. Dev. Dept. Brisbane

Dear Commissioners:

Please enter into the record my objection, as a matter of law, to the current proceedings. The decision before you, is to determine whether the proposed plan is acceptable and whether the draft EIR is sufficient. The discussion of acceptable densities is moot, because anything else has not been studied and the developer has included a "flexibility clause" that renders this action moot. If you approve any part of the proposed plan, the developer can choose to move the districts and densities around.

Secondly, I object to these proceedings because the Planning Commission had requested a review of the current General Plan policies with the previous Planning Director which is required for them to make an informed decision. There are statements in the agenda report which are incorrect, such as "The Brisbane General Plan does not establish a specific maximum amount of development." (G1.4) The current Planning Director has failed to accurately tell the commission what limits the current General Plan sets.

If I remember correctly, it was 10,000 workers and one to four million square feet of development depending upon traffic impacts. The density was considered to be "like Sierra Point" which is zero to 4.8 far with a percentage of open space required. The zero part of that FAR figure is important because the idea was to allow taller buildings with generous open space around them.... not to produce the massive wall of built-out buildings as the proposed plan shows. The fact that the Planning Commission is not given the information they requested, the fact that the Planning Director operates as though there are no limits, is unacceptable.

Density is akin to risk assessment... Have you decided how many people you will allow to be exposed to the toxins (underground exposures and releases, Kinder Morgan leaks, and current and proposed toxic burners) at any one time? That's the number you should be looking at. It is currently set at 10,000.

G1.9 – Recology expansion with no limits? Do we as a community want more toxic waste burners? I don't think so. I find that observation to be troubling.

G1-11 Lagoon Realignment – ALL TRAFFIC should be as far away from the Lagoon possible... environmentally speaking Also, please note which land belongs to Universal Paragon stakeholders and which land belongs to the Public. That should tell you where Universal Paragon should put the road on their property.

Since the public hearing has been closed, I also find the introduction of new material, items not previously considered in the DEIR, to be a great abuse of the Public Hearing Process. I object to this proceeding on these many levels.

Thank you,
Dana Dillworth