BRISBANE BAYLANDS

City Council Workshop

September 29, 2016

DEVELOPMENT PROGRAM COMPONENTS

DEVELOPMENT PROGRAM COMPONENTS

- Concept Plan
- General Plan Amendment
- Specific Plan
- Proposed Water Supply Agreement
- Proposed Recology Expansion
- Site Remediation and Title 27 Landfill closure (subject to DTSC and RWQCB authority)

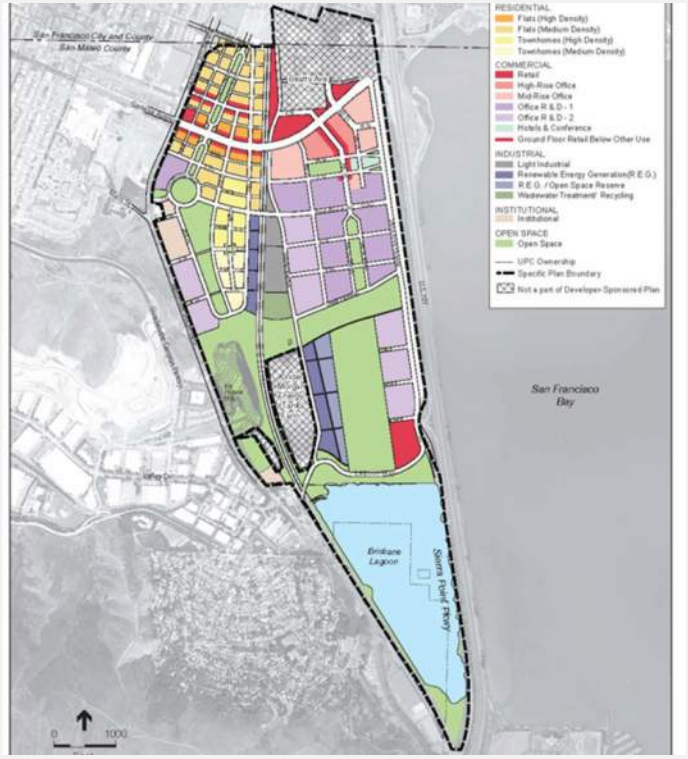
CONCEPT PLANS

- Required by General Plan Policy 329
  - Prior to or concurrent with required specific plan(s)
  - Must encompass the whole of the Baylands
- Required Contents
  - Illustrative land use plan
  - General description of uses and development intensity
  - Listing of responsible agencies
    - Studies to be concluded
    - Issues to be resolved

CONCEPT PLAN SCENARIOS

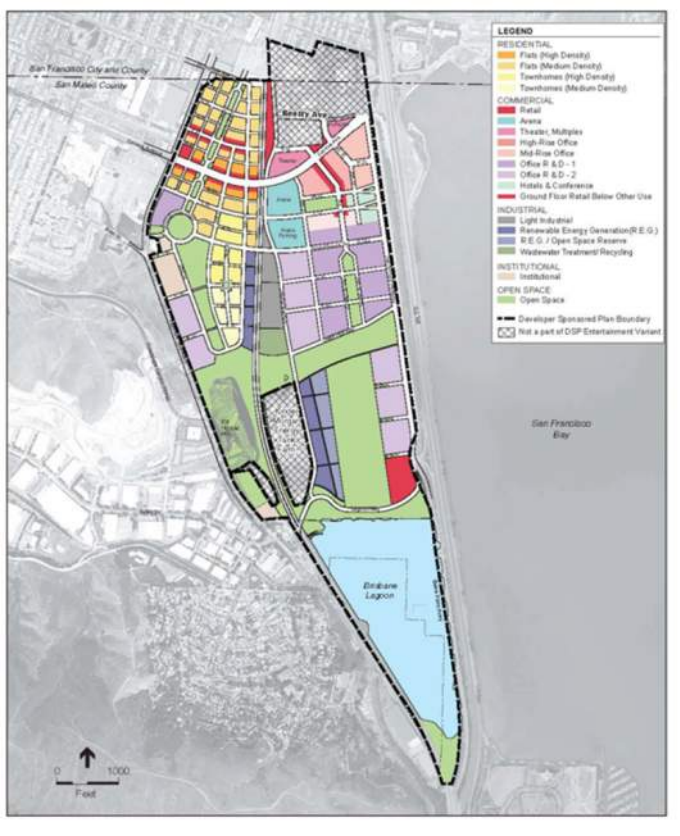
- Requested by applicant – UPC
  - Developer Sponsored Plan (DSP)
  - Developer Sponsored Plan – Entertainment Variant (DSP-V)
- Initiated by the City Council
  - Community Prepared Plan (CPP)
  - Community Prepared Plan – Recology Variant (CPP-V)
- Planning Commission Recommendation

DSP
CONCEPT PLAN SCENARIO



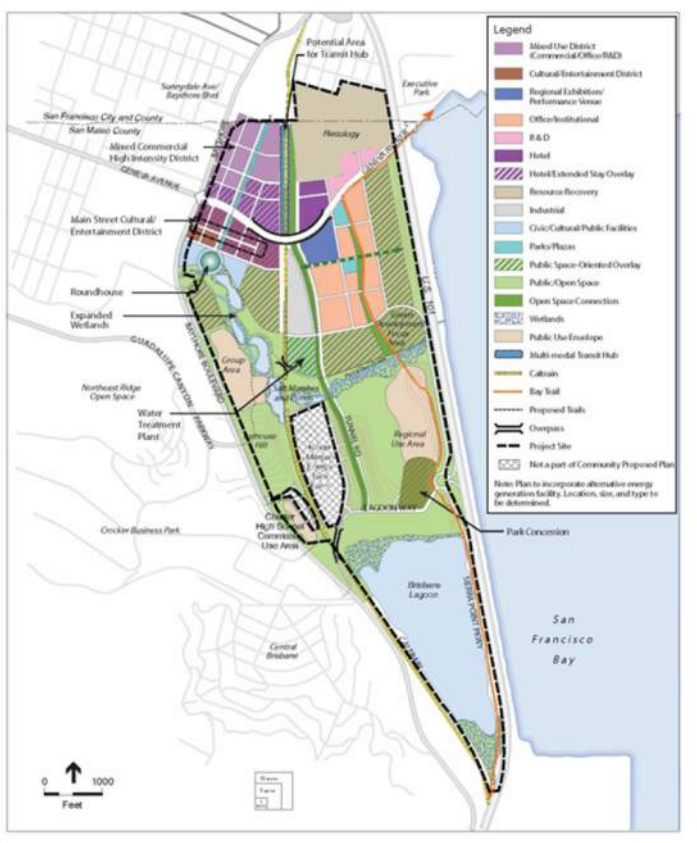
- 4,434 dwelling units
- 7,088,400 sf Non-residential
  - 566,300 sf Retail
  - 3,328,300 sf R&D
  - 2,762,000 sf Office/Institutional
  - 28,200 sf Civic/Cultural
  - 142,500 sf Industrial
  - 369 Hotel rooms

DSP-V
CONCEPT PLAN SCENARIO



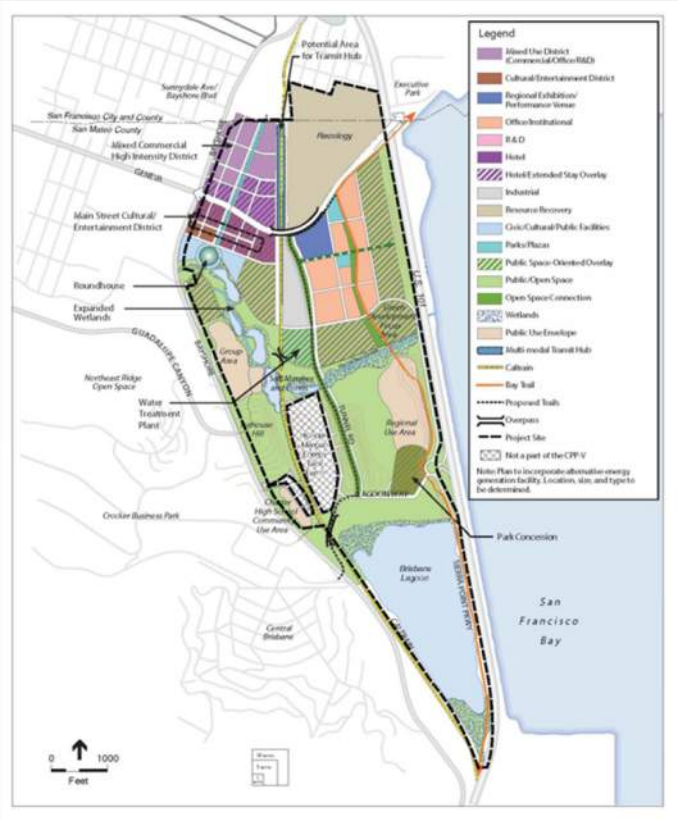
- 4,434 dwelling units
- 7,041,500 sf Non-residential
  - 283,400 sf Retail
  - 2,599,200 sf R&D
  - 2,363,100 sf Office/Institutional
  - 1,066,500 sf Entertainment/Civic
  - 142,500 sf Industrial
  - 719 Hotel rooms

CPP
CONCEPT PLAN SCENARIO



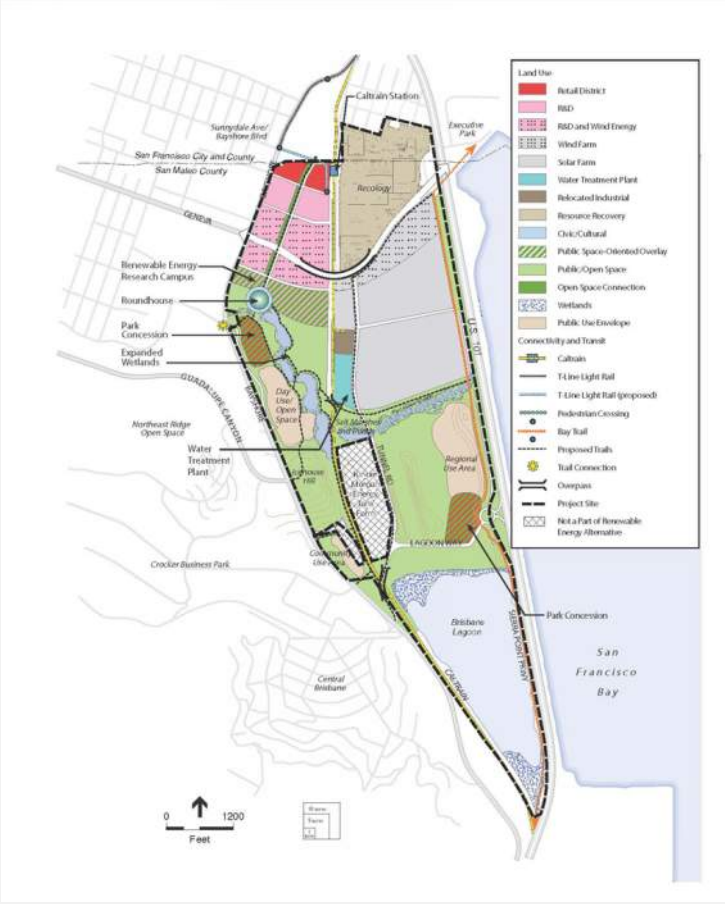
- 8,145,100 sf Non-residential
  - 2,209,500 sf Retail
  - 2,007,000 sf R&D
  - 992,700 sf Office/Institutional
  - 1,074,500 sf Entertainment/Civic
  - 469,100 sf Industrial
  - 1,990 Hotel rooms, including conference facilities

CPP-V
CONCEPT PLAN SCENARIO



- 8,215,100 sf Non-residential
  - 2,209,500 sf Retail
  - 1,672,200 sf R&D
  - 992,700 sf Office/Institutional
  - 1,074,500 sf Entertainment/Civic
  - 1,220,100 sf Industrial (primarily Recology expansion)
  - 1,500 Hotel rooms, including conference facilities

RENEWABLE ENERGY GENERATION ALTERNATIVE



- 1,982,200 sf Non-residential
  - 173,800 sf Commercial
  - 654,900 sf R&D
  - 992,700 sf Office/Institutional
  - 1,153,000 sf Industrial (primarily Recology expansion)

GENERAL PLAN AMENDMENT

- Proposed modifications to achieve consistency with the Brisbane General Plan (DEIR page 3-53, 3-54)
- Key modifications proposed by applicant (DSP, DSP-V)
  - Remove existing prohibition on residential development
  - Increase permitted development intensity

BRISBANE BAYLANDS SPECIFIC PLAN (DSP, DSP-V)

- Proposed by Applicant: UPC
- Sets forth zoning and development standards
- Includes:
  - Sustainability Framework (as proposed by applicant)
  - Land Use Concept (DSP, DSP-V Concept Plan Scenarios)
  - Conservation and Open Space
  - Circulation
  - Utilities and Services
  - Implementation
  - Public Facilities Financing

PROPOSED WATER TRANSFER AGREEMENT

- Proposed agreement between Brisbane and Oakdale Irrigation District (OID)
  - Guarantee 2,400 acre-feet of water for 50 years, with extensions
  - 2,000 acre-feet for the Baylands
  - 400 acre-feet for buildout of City's General Plan
- Future requirements
  - Detailed engineering plans
  - Agreements with OID, Modesto Irrigation District (MID), and San Francisco (SFPUC)
  - Subsequent project-level CEQA review

RECOLOGY MODERNIZATION AND EXPANSION

- Included in the CPP-V Concept Plan scenario
- Selection of a Concept Plan with or without Recology modernization and expansion will ***not*** commit the City to either approve or not approve Recology's project at such time as it is is formally submitted to the City

DEVELOPMENT PROGRAM COMPONENTS

Components Analyzed in the EIR that are Subject to Outside Regulatory Authority

SITE REMEDIATION AND TITLE 27 LANDFILL CLOSURE



SITE REMEDIATION AND TITLE 27 LANDFILL CLOSURE

Jurisdictional Authority

- Land Use
  - City of Brisbane
- Site Remediation
  - DTSC (OU-1)
  - RWQCB (OU-2)
- Title 27 Landfill Closure
  - RWQCB
  - San Mateo County Health System

SITE REMEDIATION AND TITLE 27 LANDFILL CLOSURE

- Brisbane Baylands EIR provides programmatic review of potential site remediation and landfill closure options
- Project-specific CEQA review to be undertaken by DTSC and RWQCB

BRISBANE BAYLANDS ENVIRONMENTAL IMPACT REPORT

DIFFERENCES BETWEEN CEQA AND PLANNING REVIEWS

CEQA Review

- Evaluates physical environmental effects (impacts)
- Provides mitigation measures and alternatives to avoid or reduce significant impacts
- Does **not** make value judgments about what may be "good" or "bad" for the community, or what Brisbane should or should not approve

Planning Review

- Addresses environmental, social, and economic effects
- Provides opportunities for aspirational improvements to existing conditions
- Makes judgments as to what what may be "good" or "bad" for the community, and what Brisbane should or should not approve

BRISBANE BAYLANDS EIR

- Program EIR, Programmatic Environmental Analysis
  - Appropriate level of detail
  - Subsequent environmental review
- EIR Mitigation Measures
  - Measures are enforceable and mandatory
  - Designed to avoid or reduce significant effects, rather than to achieve aspirational goals
  - Can have a substantial effect on development as currently proposed

CONTENTS OF THE FINAL EIR

- Draft EIR
- Final EIR
  - Introduction (Chapter 1)
  - Responses to Comments (Chapter 2)
  - Revisions to the Draft EIR (Chapter 3)
  - Mitigation Monitoring and Reporting Program (Chapter 4)
  - Comments received on the Draft EIR (Chapter 5)

DRAFT EIR

- Circulated for public review and comment
  - June 11, 2013 to January 24, 2014
  - Public public hearings: October 22, 24, and 29, 2013
- Addresses:
  - General Plan Amendment
  - Concept Plan Scenarios
  - Applicant-Proposed Specific Plan
  - Site Remediation and Title 27 Landfill Closure
  - Proposed Water Supply Agreement

SIGNIFICANT UNAVOIDABLE IMPACTS

- Aesthetics and Visual Resources
- Air Quality
- Noise and Vibration (DSP, DSP-V)
- Population and Housing
- Traffic and Circulation
- Utilities, Service Systems, and Water Supply

EIR ALTERNATIVES

- No Project – No Build
  - Existing conditions continue: 632,900 s.f. Non-Residential
- No Project – General Plan Buildout
  - Buildout per existing General Plan: 1.0 to 4.2 million s.f. Non-Residential
- Renewable Energy Generation (Environmentally Superior Alternative)
  - 1.98 million s.f. Non-residential
  - 170 acres renewable energy generation (solar, wind)
- Reduced Intensity Mixed Use
  - 2,400 dwelling units
  - 6.1 million s.f. Non-Residential
- Reduced Intensity Non-Residential
  - 5.32 million s.f. Non-Residential

EIR COMMENTS AND RESPONSES

- 54 Comment letters received
  - 2,200 individual comments
- Public hearings for input on the Draft EIR
  - Held on October 22, 24, and 29, 2013
  - 7 Speakers provided 79 individual comments
- Responses to each comment are provided as:
  - Master Responses (35)
  - Responses to specific comments
  - Reference to a Master Response or another response to a specific comment

MITIGATION MONITORING AND REPORTING PROGRAM

- Required by CEQA to ensure implementation of mitigation measures
- Sets forth a process for requiring and monitoring implementation of mitigation measures
- For each mitigation measure, identifies:
  - Significant impact being mitigated
  - Party responsible for implementation
  - Party responsible for enforcement
  - Monitoring frequency
  - Actions indicating compliance
- To be updated based on City Council land use direction

SUPPORTING DOCUMENTS

ECONOMIC STUDIES

- Fiscal Impact Study
  - Addresses costs and revenues to the City of Brisbane
- Feasibility Analysis
  - Addresses costs associated with site development

CITY PREPARED BRISBANE BAYLANDS SUSTAINABILITY FRAMEWORK

- Purpose
  - Set forth the City's perspective on key sustainability principles to be addressed
  - Create an approach to implement these principles
- Represents substantial work by a City-appointed committee
  - Reviewed and accepted by City Council
- Principles, key performance indicators and implementation approaches in the Framework are aspirational
  - Not intended as mandatory requirements or CEQA analysis

BRISBANE BAYLANDS SUSTAINABILITY FRAMEWORK

One Planet Living Principles

- Zero Carbon Buildings
- Zero Waste
- Sustainable Transportation -- Using low carbon modes of transport
- Local and Sustainable Materials
- Local and Sustainable Food
- Sustainable Water – Efficient use, flooding, wetlands, and stormwater pollution
- Open Space & Habitat -- Protect and restore biodiversity & natural habitats
- Culture and Heritage
- Economic Vitality with Equity and Ecology -- Ecologically-based economies
- Health, Safety and Happiness – Promoting promote good health and well-being

COMMUNITY OPINION SURVEY

- Addresses wide range of community opinions regarding future use and development of the Baylands
- Survey undertaken residents on August -September 2015

PLANNING COMMISSION RECOMMENDATION

OPEN SPACE FRAMEWORK

A. Lagoon and adjacent habitat
B. Icehouse Hill
C. Visitacion Creek corridor
D. Brisbane Bayview Park
E. Active Open Space
F. Community Gardens

- **Major Trails**
- Bay Trail
- Trail through Areas 2 &3
- Along Visitacion Creek
- Icehouse Hill



BAYLANDS LAND USE AREAS

1. **Recology Area (59.7 ac)**: Light Industrial
2. **Renewable Energy Area (85.5 ac)**: Renewable Energy Generation
3. **Active Recreation Area (63.3 ac)**: Park
4. **Industrial Way (27.5 ac)**: Light Industrial
5. **Roundhouse Area (27.1 ac)**: Retail and Office
6. **Transit-Oriented Areas (67.7 ac)** : R&D, Commercial/Office
7. **Community Gardens Area (15.8 ac)**: Public Use
8. **Tank Farm Area (22.8 ac)**: Industrial
9. **Caltrain Corridor Area (25.4 ac)**: Light Industrial, Parking
10. **Caltrain Corridor Area (3.7)**: Parking



LAND USE AND POLICY RECOMMENDATIONS

- Maximum **1-2 million s.f. net increase** in existing building area (639,900 s.f.)
- Incorporate applicable provisions of Sustainability Framework into the General Plan
- Incorporate basic principles into the General Plan:
  - Preserve large unbroken blocks of open space
  - Protect key habitat areas
  - Restore the Roundhouse; provide compatible development adjacent to it
  - Transit orientation
  - Ensure the site is safe for future uses
  - Natural solutions for protection from sea level rise are preferred

LAND USE AND POLICY RECOMMENDATIONS

- Specify relationship between the City's planning review and the remediation review of DTSC and RWQCB
- Specify relationship between proposed water supply agreement and site development
- Provide appropriate infrastructure and site amenities for each increment of development
- Require Police Services and Facilities Plan and Fire Services and Facilities Plan

LAND USE AND POLICY RECOMMENDATIONS

- Recognize potential use of the Baylands for a high speed rail maintenance yard
  - Mitigation of environmental impacts
  - Provision of community benefits
  - Offset loss of existing and anticipated City revenues
- Update Baylands zoning regulations to reflect updated General Plan regulations
- Modify LOS standards to recognize cumulative traffic impacts of development in other cities
  - LOS standards as goals with requirement for implementation of all feasible mitigation measures

COMMISSION RECOMMENDS DENIAL OF UPC'S APPLICATION

Commission's Land Use Recommendation

- 1.0 – 2.0 million s.f. total net increase in building area.
- Retains housing prohibition.
- Includes substantially more ground-mounted solar energy production.
- Provides for potential future Recology expansion.
- Reduces intensity of significant unavoidable impacts.

UPC's Application

- 11.7 million s.f. total net increase in building area.
- 4,434 housing units.
- Includes building-mounted and ground-mounted solar energy production.
- Precludes future Recology expansion.
- Substantial number of significant unavoidable impacts.

POTENTIAL OUTCOMES OF CITY COUNCIL HEARING PROCESS

POTENTIAL OUTCOMES

- **Approve** Applicant's Proposed General Plan Amendment and Specific Plan
  - As proposed or with minor revisions
  - Requires EIR certification
- **Major Modifications** to Applicant's Proposed General Plan Amendment and Specific Plan
  - Identify *types* of recommended revisions rather than specific wording or land use mapping
  - Requires either:
    - Certification of EIR or
    - Delay certification of EIR until major revisions are completed

POTENTIAL OUTCOMES

- **Denial** of Applicant's Proposed General Plan Amendment and Specific Plan
  - No additional land use policy (continue existing General Plan)
  - Would not require EIR certification

POTENTIAL OUTCOMES

- **Approve** the Planning Commission Recommendation
  - As recommended or with minor revisions
  - Requires EIR certification
- **Major Modifications** to Planning Commission Recommendation
  - Identify *types* of recommended revisions rather than specific wording or land use mapping
  - Will ultimately require certification of EIR

POTENTIAL OUTCOMES

- **Approve** land use and policy revisions to the General Plan based on EIR alternatives or a new land use concept to be determined by the City Council
  - Requires EIR certification

PUBLIC HEARING SCHEDULE

PUBLIC HEARING SCHEDULE

- **November 17, 2016**: Site Remediation, Title 27 Landfill Closure, and Related Policy Issues
- **December 15, 2016**: Traffic, Noise, Air Quality, GHG, and Related Policy Issues
- **January 19, 2017**: Water Supply, Public Services and Facilities, and Related Policy Issues
- **February 16, 2017**: Other Environmental and Related Policy Issues
- **March 16, 2017**: Economics and Related Policy Implications
- **April (TBD) 2017**: Land Use and Planning Issues; Related Policy Implications