

# *City of Brisbane*

## *Agenda Report*

**TO:** City Council via the City Manager

**FROM:** Community Development Director

**SUBJECT:** Baylands Community Alternative-Policy Issues

**DATE:** Meeting of June 22, 2009

**Purpose:**

On June 8, 2009 the City Council considered unresolved policy issues associated with the Baylands community alternative which is under preparation. The City Council provided input on four of the seven policy issues. Tonight's meeting will focus on the remaining three issues, which are noted below and discussed in detail in the attached June 8 staff report.

**Recommendation:**

That the City Council review this report and provide direction to the policy issues as noted below. Remaining issues are:

1. Caltrain Station Location
2. Alternative Energy
3. Retail/Entertainment District

**Background:**

On June 8, 2009, the City Council provided policy direction on 4 of 7 issues (Project Square Footage, Form and Intensity, Housing, Charter High School) shaping the Baylands community alternative to be studied in the forthcoming draft environmental impact report. The June 8 staff report is attached for reference purposes.

**Discussion:**

The remaining issues for City Council consideration are noted above in the Recommendations Section of this report, and discussed in the attached June 8, 2009 staff report.

**Fiscal Impact:**

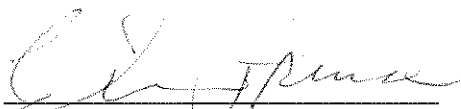
Council direction on these issues at this stage in the process will lead to a much more efficient expenditure of resources in completion of the community alternative than would otherwise occur.

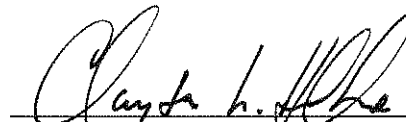
**Measures of Success:**

Timely finalization of the Baylands community alternative will help facilitate the City's previously stated goal of publishing a draft EIR for the Baylands Specific Plan in 2009.

**Attachments:**

City Council Report- June 8, 2009

  
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Department Head

  
\_\_\_\_\_  
City Manager

# *City of Brisbane*

## *Agenda Report*

**TO:** City Council via the City Manager  
**FROM:** Community Development Director  
**SUBJECT:** Baylands Community Alternative-Policy Issues  
**DATE:** Meeting of June 8, 2009

**Purpose:**

This report identifies unresolved policy issues associated with the Baylands community alternative for the City Council's consideration and input. Direction provided by the City Council will be incorporated into the community alternative under preparation for the City Council's approval.

**Recommendation:**

The City Council reviews this report and provides direction on the policy issues pertaining to the community alternative as noted below and further discussed starting on Page 2 of this report. These include:

1. Project Square Footage
2. Project Form and Intensity
3. Housing
4. Caltrain Station Location
5. Charter High School
6. Alternative Energy
7. Retail/Entertainment District

**Background:**

The intensive community process in 2007 and 2008 (see attached exhibit) to develop a community-based land use alternative for the Baylands process revealed there is substantial community consensus on the vision for the Baylands. The community has expressed its desire for a sustainable and environmentally responsible project, with a strong preference for substantial open space at the south end of the site and concentration of development to the north near transit. There is also support for non-automotive access both to/from and within the site, as well as maintaining connectivity and access to Central Brisbane. The desire for on-site energy generation has also been made clear. Three

community alternatives were prepared to illustrate how the vision could be implemented on the site. Review of the three alternatives revealed that that no single alternative fully captured the community's wishes; there were elements from each alternative that would need to be incorporated into a final version.

Also, given the importance of public space as a defining element of the community's vision for the Baylands, the process of finalizing a community alternative was deferred to allow for preparation of a public space plan. On April 13, 2009 the City Council reviewed and endorsed a conceptual public space plan for the Baylands.

While the community alternative is being refined to incorporate the public space plan there are other important policy considerations that were not fully resolved through the community process. It would be appropriate for the City Council to provide direction on these specific issues before the community alternative is further refined for the City Council's review and approval.

### **Discussion:**

Before considering the policy questions, it should be emphasized that selection of a community alternative for study in the Draft EIR is a *preliminary* step in the overall process. It represents a starting point for the EIR analysis. Once the EIR analysis is completed, the City Council retains the right and ability to modify the community alternative. A major consideration in the process is to ensure that the EIR sufficiently addresses the impacts of the alternative the City ultimately chooses to approve. To maximize the City's flexibility in this regard, it is recommended that the community alternative at this stage in the process be defined in a broad fashion. For example, the City Council can easily reduce the square footage or range of uses in the final alternative from what was evaluated in the EIR. However, adding square footage or uses not originally evaluated within the EIR would require additional environmental review, adding substantial time and cost to the process.

### **Project Square Footage**

As noted above, there was a strong consensus for a land use pattern which concentrated development at the north end of the site to maximize public space to the south. There was also acceptance that the amount and type of private development permitted would need to provide sufficient economic return to make the project feasible. This is consistent with a major objective of the community alternative process, namely that the alternative developed through this process would be feasible to implement.

Until the EIR process is completed and mitigation, infrastructure/improvement requirements and public benefits of the project are better understood, it is not possible to determine the developable square footage required to achieve an economically feasible project. While the applicant's original specific plan proposed approximately 8.3 million square feet of developable area, the community alternatives provided between approximately 6 and 8 million square feet of developable area. There was some reaction that the development square footage was too high and should be "minimized". For purposes of comparison, the 1994 General Plan includes FAR (floor area ratio) standards

for the Baylands in the range of 0-2.4 south of the channel and 0-4.8 north of the channel. Assuming no development south of the channel and applying a FAR of 2.4 to the portion of the site north of the channel yields over 13 million square feet of permitted building area under the current General Plan.

Staff recommends the community alternative be within +/-5% of the square feet the developer proposed. This allows us to maintain the greatest flexibility in determining the final project and ensure we are studying a feasible project. . The EIR analysis will also include a reduced yield alternative with lesser square footage. The subsequent review and entitlement process allows the City Council to reduce the square footage of the project from the maximum evaluated in the EIR.

#### Project Form and Intensity

The community preference is for open space concentrated at the south end of the site in exchange for more concentrated, transit friendly development at the north near the Bayshore Station/planned multi-modal site. This preference suggests development be intensified within a ½ mile radius of the Caltrain/multimodal station, a range which optimizes transit accessibility and use. This form of development is characterized by a walkable urban grid with smaller blocks, wide sidewalks, buildings located along the street edge, minimal surface parking, and taller buildings. Outside the ½ mile radius, building height and intensity would generally decrease, particularly toward the south as the project transitions to a more open office/campus character.

While there was broad community acceptance of the concept, there was a diverse range of opinion as to the maximum intensity and building heights considered acceptable, even in close proximity to transit. Heights ranging from 3-4 stories to 8-10 stories (Sierra Point) were mentioned. In order to provide the kind of building intensity and density which would meaningfully support transit usage, staff recommends the EIR analyze building heights ranging from 8 to 12 stories in this corridor, with the possibility of one or two buildings up to 15 stories. Floor area ratios of 1.0 to 2.5 are suggested in the transit core. Reduced heights and intensities outside the transit core are suggested in the range of heights of 2 to 5 stories and FAR range of 0.30 to 0.75.

The City Council should confirm that these heights and intensities are considered reasonable for purposes of study in the EIR. If building heights and FARs in the transit core are reduced, achieving the cumulative square footage would spread development more uniformly across the site. Dispersing development would inherently decrease the amount of development in close proximity to transit and likely result in decreased transit usage as compared to a more concentrated pattern of development.

#### Housing

There has been substantial discussion regarding the potential inclusion of housing within the Baylands. Common objections to housing include concerns over safety due to the presence of toxic contaminants on the site, as well as concerns that additional housing will change the community character of Brisbane. Comments in support of housing cite the environmental benefits of reducing vehicles miles traveled and greenhouse gas emissions by co-locating housing and jobs and placing housing in close proximity to

## Baylands Alternatives Process

- 2/20/2007: City Council meeting to establish Alternatives Development Process
- April 2007: City's consultant Dyett and Bhatia interviews 16 stakeholder groups regarding Alternatives Visioning
- 4/9/2007: City Council/Planning Commission Alternatives Visioning Workshop
- 5/12/2007: Community Alternatives Visioning Workshop #1
- 6/23/2007: Community Alternatives Visioning Workshop #2
- 7/23/2007: City Council Workshop on Results of Public Alternatives Visioning
- 3/17/2008: City Council Update on Alternatives Process
- 5/5/2008: City Council approves next phase of Alternatives Review Process
- 5/19/2008: City Council Workshop on Alternatives
- June, 2008: *City News* published with 6-page insert describing the alternatives and process, inviting the public to open house and workshops. Includes comment card to be filled out and returned to City Hall.
- 6/2/08: City Council meeting on Baylands Public Space Planning
- 6/7/08: Alternatives Open House #1
- 6/9/08: Alternatives Open House #2
- 6/10/08: Alternatives Presentation to Chamber of Commerce Board of Directors
- 6/11/08: Joint PC/PBR/OSEC workshop on Alternatives
- 6/18/08: Alternatives Community Workshop #1
- 7/12/08: Alternatives Community Workshop #2
- 7/28/08: City Council Update- Community Input on Alternatives
- Nov2008-May 2009 Baylands Public Space Plan developed
- 4/13/09 City Council endorses Public Space Plan
- 5/18/09 City Council Update on Alternatives Process

**Alternatives Documents Published and Available on City Baylands Website-“EIR Alternatives” link on <http://www.ci.brisbane.ca.us/html/cityDept/comDev/baylands.asp>**

- [Community Input on Alternatives Report \(7/08\)](#)
- [Initial Stakeholder Interviews Report \(5/07\)](#)
- [City Council & Advisory Boards Visions Report \(5/07\)](#)
- [Visioning Workshop #1 Summary Report \(5/07\)](#)
- [Visioning Workshop #2 Summary Report \(7/07\)](#)

transit. Housing is also seen by some as an important component in creating a more active and vibrant place than would otherwise be found in an employment center which is primarily vacant after working hours. It would be appropriate for the City Council to determine if the community alternative should include a housing component in close proximity to the Caltrain/multi-modal station.

Whether or not housing is included in the community alternative, the City has a legal obligation under the California Environmental Quality Act (CEQA) to study a “reasonable range of alternatives” within the EIR that would reduce environmental impacts. The City Attorney and EIR consultants concur that one of the alternatives (not necessarily the community alternative) studied in the EIR should include a housing component to ensure that a legally defensible EIR is produced which includes a reasonable range of alternatives. As a matter of information, the applicant has further indicated that their refined specific plan will likely include a housing component.

#### Caltrain Station Location

The three community alternatives showed three alternative locations for the Caltrain Station. While there was some community sentiment to relocate the station as southerly as possible to better serve central Brisbane, it was acknowledged that demand and usage of this station would be primarily driven by the Baylands development. The two most suitable locations would be either the present site, or a site at the future extension of Geneva Avenue, which could more easily accommodate connections to future transit planned for the Geneva Avenue corridor. It would be appropriate for the City Council to determine its preliminary preference for the station location.

#### Charter High School

The draft public space plan reviewed by the City Council included a potential charter high school site at the southwesterly corner of the Baylands. The City Council should reaffirm this use will be included in the community alternative for EIR study purposes.

#### Alternative Energy Production

Alternative energy production is recognized as a key component of the community alternative. Such production can be achieved by stand-alone wind or solar farms, integrating production throughout the development, such as with building-mounted solar, or a combination of the two methods. The City Council should indicate its preference as to which approach should be reflected in the community alternative.

Assuming that a stand-alone energy generation component will be included, the City Council should indicate if its preference is to incorporate such a facility within the public space framework of the site, or within the developable area of the site. The precise size, type, location and design of renewable energy generation facilities would need to be determined through further analysis. As a matter of information, the collection of one years worth of wind data on the Baylands and approximately 8 months of solar data has been completed, and a report summarizing the data is under preparation.

#### Retail/Entertainment District

Retail/Entertainment District

There is strong community support for a retail/entertainment district, but less clarity on the scale and uses associated with such a district. It could take several different forms, which would have implications on the land plan and environmental review. For example, the district might be regional in scale, encompassing a large, multi-purpose arena and related hospitality and visitor serving facilities such as hotels and restaurants.

Alternatively it could take the form of a lifestyle center with smaller live performance venues and/or movie theaters, complemented by restaurants and destination retail uses. In this form it might more likely resemble the commercial activities and character of Santana Row in San Jose. Another form might be a freeway- oriented destination organized around larger-format or specialized entertainment uses supported by a restaurant row or similar visitor-oriented facilities. Lastly, entertainment uses could be integrated throughout the project by ensuring that the permitted uses section and development standards of the specific plan allows for entertainment uses. In this form, there would not be a particular entertainment district proposed.

The City Council should provide additional guidance as to the scale and vision for the retail/entertainment component of the project so that it can be integrated into the community alternative for analysis in the forthcoming EIR.

**Fiscal Impact:**

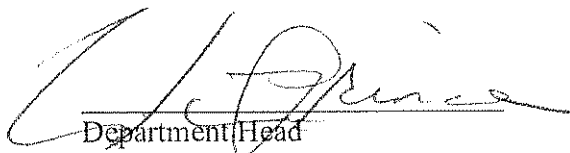
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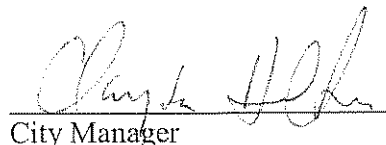
**Measures of Success:**

Timely finalization of the Baylands community alternative will help facilitate the City's previously stated goal of publishing a draft EIR for the Baylands Specific Plan in 2009.

**Attachments:**

Alternatives Process Timeline and Document List

  
Department Head

  
City Manager