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Steve Heminger, Executive Director  
Metropolitan Transportation Commission  
Bay Area Metro Center  
375 Beale Street, Suite 800  
San Francisco, CA 94105

Paul Bradford, Acting Executive Director  
Association of Bay Area Governments  
Bay Area Metro Center  
375 Beale Street  
San Francisco, CA 94105

**Re: Draft Plan Bay Area 2040**

Dear Mr. Heminger and Mr. Bradford:

We represent the City of Brisbane. Although the meeting details for the Commission's July 26, 2017 special meeting with ABAG have not been published, we understand that the Commission and ABAG will be discussing and potentially approving Plan Bay Area 2040. The City of Brisbane has repeatedly voiced its objection to that part of the Plan concerning Household and Job Growth Projections for the City of Brisbane and this letter reconfirms those objections. We continue to request those figures be revised as set forth below.

The draft Plan projects 4,400 new households in the Brisbane portion of the San Francisco/Brisbane Bi-County Priority Development Area (PDA). The Brisbane portion of the Bi-County PDA includes the Brisbane Baylands site and an area identified as the Parkside Precise Plan area. Currently the City of Brisbane's General Plan prohibits housing within the Baylands site, although a developer-prepared specific plan proposing approximately 4,400 residential units within this area is in process and currently under review by the Brisbane City Council. The Housing Element of the City's General Plan proposes 230 additional residential units in the Parkside subarea, and the City is actively engaged in the development of a precise plan to establish an overlay zone to accommodate these units.

Notwithstanding that MTC/ABAG has expressed its assurances to local municipalities that the land use scenario included in Plan Bay Area does not govern, control, or override local land use regulations, the Household Projections in the Draft Plan—which can only be accomplished if the Baylands project as proposed by the developer were approved—flies in the face of those assurances.

Moreover, because the City is actively engaged in the review and decision-making process for the Baylands, the City objects strenuously for Plan Bay Area to utilize household projections that are not only inconsistent with the City's General Plan but also are dependent on approval of a pending private land use application. Utilizing these projections does not reflect acceptance or even recognition of the City's land use regulations; instead, these projections can only be construed

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either as a totally unjustified presumption on the part of MTC/ABAG regarding the outcome of the City's land use process, or a blatant attempt on MTC/ABAG's part to pressure and/or intimidate the City of Brisbane and unduly influence the outcome of the City's independent planning process. It is inappropriate, unwarranted and, to our knowledge, unprecedented for MTC/ABAG to insert itself into local land use decision making in such a manner.

We further point out that the SB 375 requires that a regional sustainable community's strategy reflect a realistic land use pattern which is typically defined as existing general plans and reasonably foreseeable general plan changes. Given the level of controversy regarding the Brisbane Baylands Specific Plan and where it stands in the development process, it would also be unwarranted for MTC/ABAG to conclude that approval of the proposed Specific Plan is "foreseeable" and reflects the City's future land use policy direction.

Similar circumstances surrounding the Baylands existed during the preparation of Plan Bay Area 2013, although the City's Baylands planning process was at a much earlier stage. In Plan Bay Area 2013, and contrary to what is being considered now, MTC/ABAG respected the City's local land use process and deferred to the City's General Plan in establishing Household and Employment Projections. There is no justification for MTC/ABAG to make different assumptions at this time and the Household and Employment Projections for the Brisbane PDA must be revised to reflect the current Brisbane General Plan, which would include 230 additional housing units beyond what was included in Plan Bay Area 2013. Moreover, in regard to employment, the General Plan currently does not accommodate appreciable job growth within the PDA so it is recommended that the PDA employment projections utilize the same growth rate projections applied to employment within non-PDA areas of Brisbane.

This issue is of utmost importance to the City Council and the community. We thank you for your consideration in this matter. Should you have any questions regarding this letter please contact me.

Sincerely,



Michael H. Roush  
City Attorney  
City of Brisbane

c: Mayor and Members of the Brisbane City Council  
Clay Holstine, City Manager  
John Swiecki, Director of Community Development  
Adrienne Weil, General Counsel, MTC  
Kenneth Moy, Legal Counsel, ABAG