



PLANNING COMMISSION AGENDA REPORT

Meeting Date: June 27, 2024

From: Jeremiah Robbins, Associate Planner

Subject: **General Plan Conformity 2024-GPC-1;** Crocker Park Trade Commercial Subarea; General Plan conformity review of the City of Brisbane disposition of certain real property at APN 005-300-999, located at the western edge of the Crocker Park subarea generally behind 151 West Hill Place, totaling approximately 28,000 square feet; and finding that this project is categorically exempt from environment review under CEQA Guidelines Section 15312.

REQUEST: That the Planning Commission adopt the attached General Plan conformity resolution, declaring that the City's disposition of City-owned property to Central Los Angeles Transfer (CLAT), 501 Spectrum Circle, LLC (501 Spectrum), and S&S Chambers LLC (S&S Chambers), is in conformance with the City's General Plan.

RECOMMENDATION: Adopt General Plan Conformity Resolution 2024-GPC-1 (Attachment A), finding that:

- The subject property is zone for commercial and light industrial development (TC-1); and
- The subject property's General Plan Land Use designation is TC-Trade Commercial that permits a mix of commercial and light industrial uses; and
- The disposition would allow economic development that benefits the community; and
- The disposition would connect Brisbane to a regional natural area for the benefit of future residents.

ENVIRONMENTAL DETERMINATION: The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) per Section 15312 - this project falls within a class of projects which the State has determined not to have a significant effect on the environment. The exceptions to this categorical exemption referenced in Section 15300.2 of the CEQA Guidelines do not apply.

APPLICABLE CODE SECTIONS: As required in the State Government Code Section [65402\(a\)](#), the Planning Commission must make the finding that the subject property conforms to the General Plan prior to transfer from the City of Brisbane.

Background

Last year, in response to an inquiry from the owners of 151 West Hill Place (BLT Enterprises), the City Council provided direction to staff to begin negotiating a potential land sale transfer regarding the (City-owned) subject property. On February 15, 2024, the City Council declared the subject property surplus land, as defined under State Government Code Section 54221, and on May 28, 2024 the Department of Housing and Community Development found the City had met

the requirements under the Surplus Lands Act (SLA) for the purposes of disposing the subject property (Attachment E).

In addition to the requirements under the SLA, State Government Code Section 65402(a) states that prior to the conveyance of real property by a government agency, the local planning agency must first make the finding that the location, extent, and purpose of such conveyance is in conformance with the General Plan (see Attachment C). Accordingly, the only item before the Planning Commission is whether the sale is in conformance with the General Plan.

The draft purchase and sale (PSA) agreement between the City and the buyers (CLAT, 501 Spectrum, and S&S Chambers), subject to final review and approval by the City Council at a public meeting later this year, would result in the disposition an approximately 28,000 square foot property to the buyers on the condition that the buyers grant the City an access easement and construct a hiking path on approximately 1,106 square feet of the subject property and on 832 square feet of 151 West Hill Place. The future pathway would lead from West Hill Place to the boundary of the San Bruno Mountain State and County Park (see Exhibit A of Attachment A).

In 2020, the previous owners of 151 West Hill similarly attempted to purchase the subject property and the Planning Commission considered GPC-1-20 at the regular meeting of July 9, 2020. The matter was continued to a future meeting date so staff may provide the Commission additional information regarding the history of the subject property and to investigate connectivity with the San Bruno Mountain State and County Park. The City chose not to move forward at that time, so the items was not rescheduled for Planning Commission review. Additional information regarding the history of the subject property, including the City's original acquisition of the property, and whether the proposed easement for a hiking trail would feasibly connect to a viable path in the San Bruno Mountain State and County Park is included with Attachment D.

Discussion

The subject property and the adjacent parcels fall within the limits of the City of Brisbane and have a General Plan land use designation of TC Trade Commercial. As noted above, per Government Code Section 65402(a), the disposition of real property owned by the City must be submitted to, and reported on, by the Planning Commission with regards to conformity with the General Plan. The transaction would provide the buyers the flexibility for orderly expansion of their property at 151 West Hill Place in conformance with the City's General Plan Land Use Element, which designates this property for commercial development, while establishing a dedicated and direct link to the San Bruno Mountain State and County Park from which Brisbane residents may utilize and benefit. Any potential expansion or development on the subject property would not extend beyond that of adjacent properties, nor encroach into the San Bruno Mountain State and County Park or boundary of the San Bruno Mountain Habitat Conservation

Plan. Any potential expansion or development on the subject property would also be subject to City approval.

In summary the proposed sale of the property would conform to the General Plan, specifically regarding the following policies:

- Policy 8 of Chapter IV, Local Economic Development states, “Maintain and diversify the City’s tax base, consistent with community character, in order to generate adequate revenues for City Government and sustain a healthy local economy.” This transaction will provide the buyers the ability to potentially expand their business at 151 West Hill Place, helping to maintain a healthy and diverse tax base.
- Policy LU.4 of Chapter V, Land Use states: “Integrate physical, social, environmental and financial elements of the community for the benefit of current and future residents.” This transaction grants an access easement to the City that will allow a new hiking path to be established between the San Bruno Mountain State and County Park and the City that will benefit current and future residents.
- Policy C.34 of Chapter VI, Circulation states: “Maximize safe pedestrian facilities and access to all areas of the City, as reasonable and feasible.” Program C.34.b provides the City should consider opportunities to enhance and expand pedestrian access to regional destinations. This transaction will provide an easement for a dedicated pathway to provide safe access to the San Bruno Mountain State and County Park, a regional destination, from West Hill Place.
- Policy 86 of Chapter VII, Open Space states: “Provide access to natural areas consistent with the nature of the resource.” Program 86a states the City shall develop a network of trails and pathways throughout the City to provide access to open space and to link City trails with County and regional trail systems. This transaction would provide a direct link to the San Bruno Mountain State and County Park and its trail system and is approximately 1,000 feet from the City’s Crocker Park Recreation Trail.
- Policy CP.3 of Chapter XII, Policies and Programs by Subarea states: “Encourage uses that benefit the community, providing jobs, revenues and services.” This transaction will provide the buyers the means to potentially expand and continue to provide jobs and revenues that benefit the City.
- Policy CP.10 of Chapter XII, Policies and Programs by Subarea states: “Connect Crocker Park to the rest of the City and the San Bruno Mountain State and County Park through pedestrian and vehicular circulation improvements.” This transaction will provide for an easement that will allow for pedestrian circulation improvements that connect the Crocker Park subarea to the San Bruno Mountain State and County Park.

ATTACHMENTS

- A. Draft General Plan Conformity Resolution 2024-GPC-1
- B. Aerial Vicinity Map
- C. General Plan Map, with site location

- D. Original Acquisition of the Subject Property
- E. HCD Disposition Letter and related documentation declaring the subject property surplus
- F. Hyperlink to [Government Code Section 65402\(a\)](#), relating to disposition of City property



Jeremiah Robbins, Associate Planner



John Swiecki, Community Development Director

**Draft
RESOLUTION 2024-GPC-1**

A RESOLUTION OF THE PLANNING COMMISSION OF BRISBANE
FINDING THE DISPOSITION OF CERTAIN REAL PROPERTY
FROM THE CITY OF BRISBANE TO CENTRAL LOS ANGELES TRANSFER (CLAT), 501 SPECTRUM
CIRCLE, LLC (501 SPECTRUM), AND S&S CHAMBERS LLC (S&S CHAMBERS)
CONFORMS TO THE CITY'S GENERAL PLAN

WHEREAS, City is the fee simple owner of the real property bearing Assessor's Parcel Number 005-300-999 ("City Parcel"); and

WHEREAS, Central Los Angeles Transfer (CLAT), 501 Spectrum Circle, LLC (501 Spectrum), and S&S Chambers LLC (S&S Chambers) are the fee simple owner of the real property bearing Assessor's Parcel Number 005-300-140 ("Subject Parcel"); and

WHEREAS, City and CLAT, 501 Spectrum, and S&S Chambers have entered into a Purchase and Sale Agreement ("PSA") concerning the above-mentioned properties owned by the City and CLAT, 501 Spectrum, and S&S Chambers; and

WHEREAS, the PSA provides that the City will convey to CLAT, 501 Spectrum, and S&S Chambers the City's fee interest in all of City Parcel, as shown on the schematic Exhibit A to this Resolution; and

WHEREAS, the PSA provides that CLAT, 501 Spectrum, and S&S Chambers will deed to the City an access easement in a portion of both City Parcel and Subject Parcel, as shown on the schematic Exhibit A to this Resolution; and

WHEREAS, California Government Code, Section 65402(a) requires that before the City disposes of real property such disposition is to be submitted to, and reported on by, the Planning Commission as to conformity with the City's General Plan; and

WHEREAS, the Planning Commission has considered the agenda report and supporting documents concerning the proposed disposition of City property; and

WHEREAS, such disposition is consistent with the City of Brisbane's General Plan, specifically with the land use element which designates this property for trade commercial development and with Local Economic Development Policy 8 and Crocker Park Subarea Policy CP.3 in that these policies refer to maintaining a diverse tax base and uses in the Crocker Park subarea that provide jobs, city revenues, and benefits to the community.

WHEREAS, such disposition is furthermore consistent with Land Use Policy LU.4, Circulation Policy C.34, Open Space Policy 86, and Crocker Park Subarea Policy CP.10 in that these

**General Plan Conformity Disposition of City Real Property in the TC Subarea
ATTACHMENT A**

policies refer to providing pedestrian access to natural areas such as San Bruno Mountain State and County Park; and

WHEREAS, the proposed resolution is exempt from California Environmental Quality Act (CEQA), pursuant to Section 15312 of the CEQA Guidelines, Surplus Government Property Sales. The exceptions to this categorical exemption referenced in Section 15300.2 do not apply.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission finds, in accordance with Government Code section 65402(a), that the location, purpose, and extent of the above-described disposition of real property between the City of Brisbane and CLAT, 501 Spectrum, and S&S Chambers conforms to the Brisbane General Plan.

I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Planning Commission of the City of Brisbane during the Regular Meeting of the Planning Commission on the twenty-seventh day of June 2024, by the following vote:

AYES:

NOES:

ABSENT:

Alex Lau
Chairperson

ATTEST:

JOHN A SWIECKI, Community Development Director

General Plan Conformity Disposition of City Real Property in the TC Subarea
ATTACHMENT B

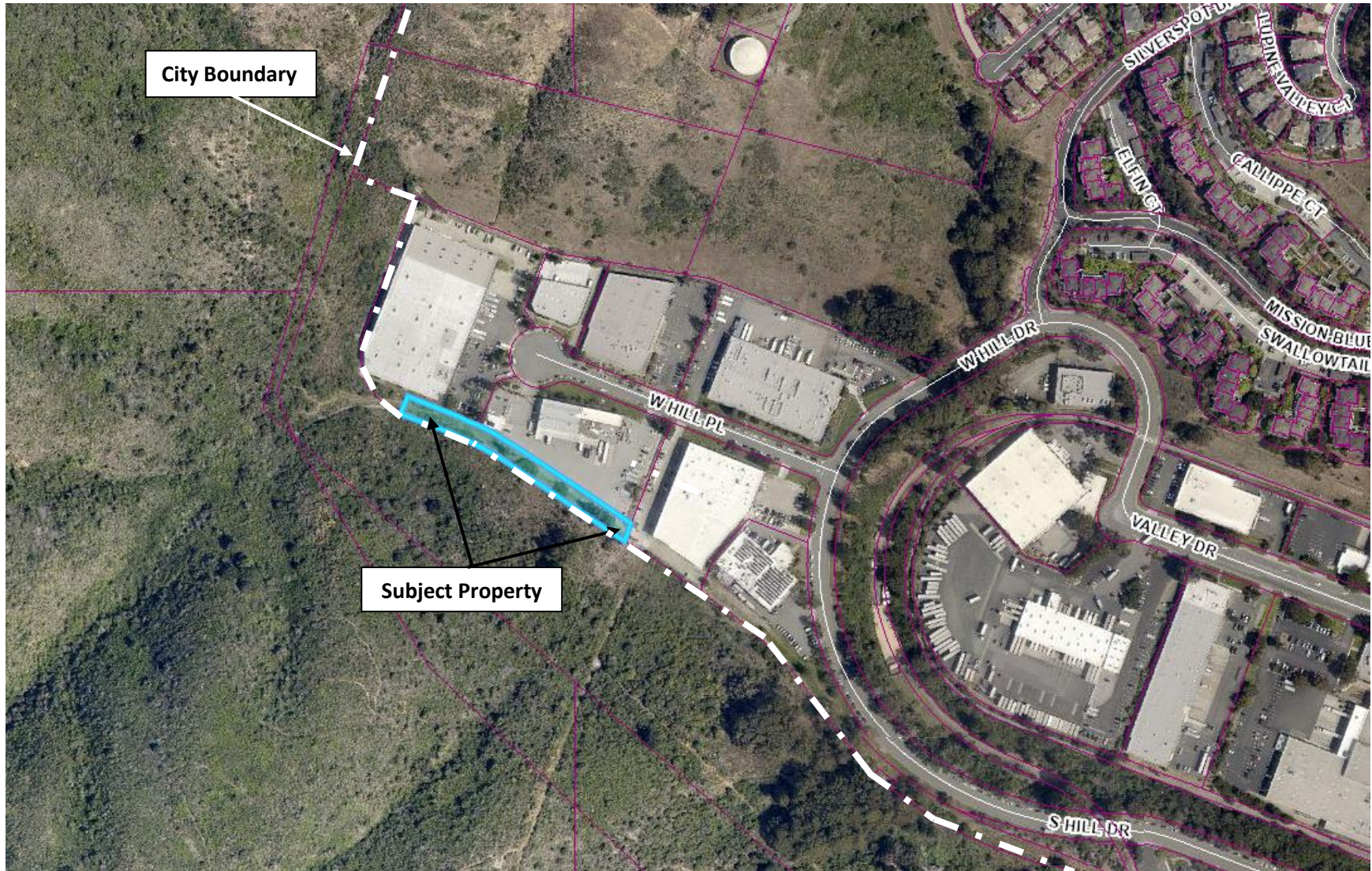
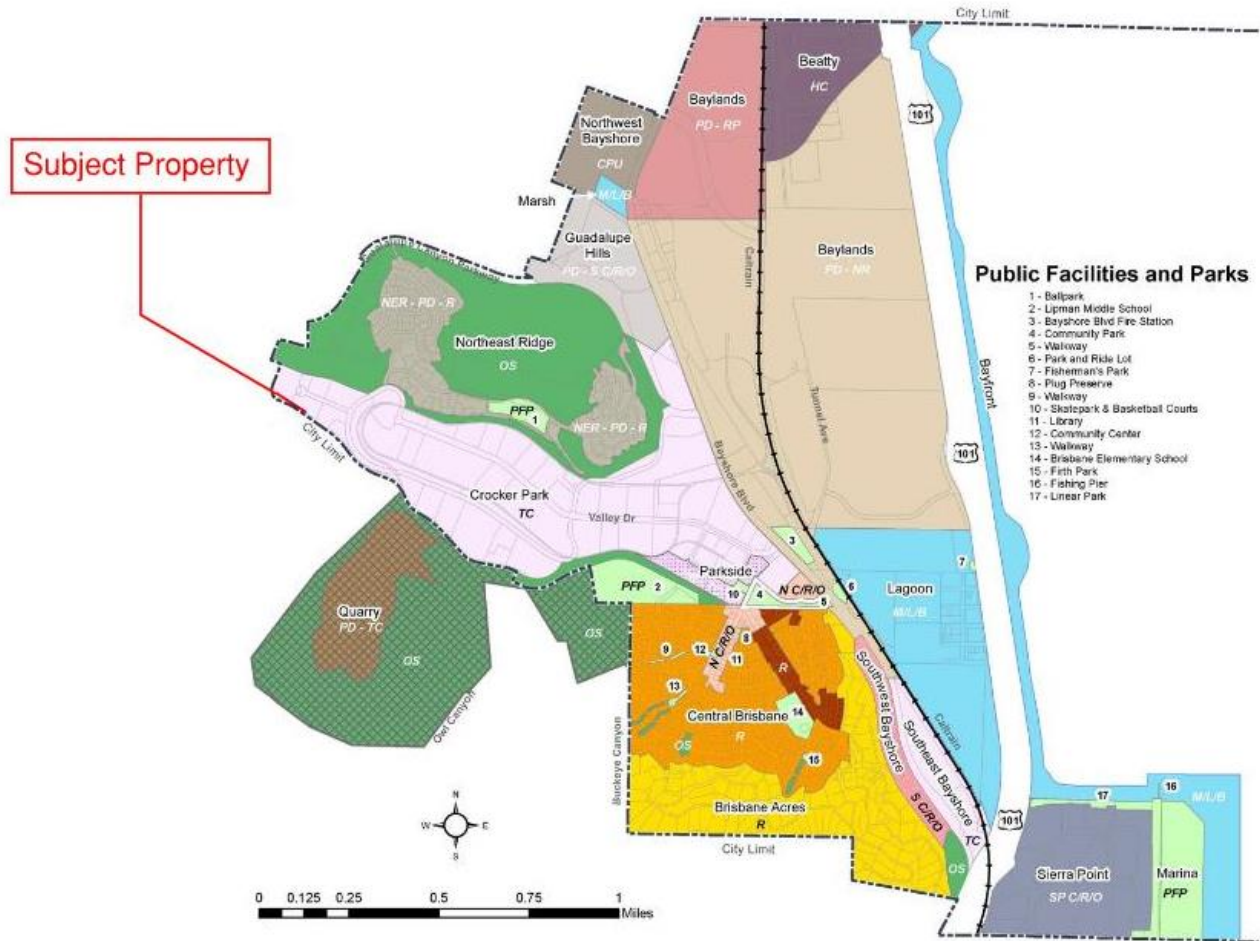


Figure LU - 1: Land Use Diagram



Residential

- Brisbane Acres Residential (0-2 DU/Acre) *R*
- Central Brisbane Residential (2.5-14 DU/Acre) *R*
- Central Brisbane Residential (15-30 DU/Acre) *R*

Mixed Use

- Neighborhood Commercial/Retail/Office *N C/R/O*
- Parkside Residential - Trade Commercial (20-28 DU/Acre)* *PR - TC*
- Subregional Commercial/Retail/Office *S C/R/O*

Planned Development

- Quarry Planned Development - Trade Commercial *PD - TC*
- Guadalupe Hills Planned Development - Subregional Commercial/Retail/Office *PD-S C/R/O*
- Baylands Planned Development - NonResidential *PD - NR*
- Baylands Planned Development - Residential Permitted *PD - RP*
- Northeast Ridge Planned Development - Residential** *NER - PD - R*
 (Landmark: 5 DU/Acre, Viewpoint: 10 DU/Acre, Altamar: 15 DU/Acre)

* Parkside residential density is by Precise Plan, as an overlay district within Crocker Park.
 ** Northeast Ridge residential density is as established in the Planned Development Permit
 DU/Acre = Dwelling Units per Acre

Other

- Commercial Public Utilities *CPU*
- Public Facilities and Parks *PFP*
- Open Space *OS*
- Marsh/Lagoon/Bayfront *M/L/B*

Commercial

- Sierra Point Commercial/Retail/Office *SP C/R/O*
- Trade Commercial *TC*
- Heavy Commercial *HC*

- Brisbane City Limits
- Sphere of Influence Outside Brisbane City Limit



ANALYSIS AND FINDINGS: Original Acquisition of the Subject Property

The subject, city-owned property was originally acquired September 18, 1996 along with a number of other properties from the McKesson Corporation (Attachment D.1). The McKesson Corporation donated the remainder of its Brisbane holdings to the City, including the rail track around Croker Industrial Park,) after selling land for the development of the Northeast Ridge. Parcel 14 of exhibit A of the quitclaim deed provides the legal description of the subject property, or Lot 1 of Block "I" as it was in 1996. It is part of Tract No. 852, Crocker Industrial Park Unit No. 3 (Attachment D.2.1).

Parcel 14 was once part of a former railroad spur, identified to belong to the Southern Pacific Railroad on the current assessor's parcel map (Attachment D.2.6). Parcel maps from 1969 and 1971 illustrating resubdivisions in the immediate area, Attachments D.2.2 and D.2.3 respectively, show Parcel 14 as a continuous strip of land before it was subdivided in the mid-1990s.

When the City received Parcel 14 in 1996, a portion of the railroad spur had already been sold to a private entity. The legal description of Parcel 14 attached to the McKesson quitclaim deed excludes the portion of the property adjoining Parcel B or 211 South Hill Road. Parcel B was created in 1978 and shown on Attachment D.2.4, while Attachment D.2.5 shows Parcel 14, labeled as S.P.R.R SBE 872-41-23 R, as two disjointed parts with what was the link between (Lot 1) being part of Parcel B circa 2002.

Legal Counsel for the City has reviewed the 1996 quitclaim deed and determined there were no restrictions on the use or development of Parcel 14.

Trail Connectivity

As indicated above, when the City acquired the subject parcel as part of Parcel 14 in 1996, it was no longer a continuous strip of land. The City considered selling the eastern portion of Parcel 14 at the beginning of 2000. When the disposition was discussed at City Council, the owners of 211 South Hill Road had already developed their newly procured portion of former railroad spur with parking (Attachment D.3). Ultimately, the disposition did not occur in 2000, but the eastern portion of Parcel 14 was eventually sold to the Sheng Kee Bakery in 2014. Staff reports and minutes from both 2000 and 2014 state Parcel 14 could not be developed into a continuous trail since the parcel was not contiguous when the City originally acquired it.

When the eastern portion of Parcel 14 was finally sold in 2014, a number of Brisbane residents spoke against the transaction because it eliminated public access to certain areas of the San Bruno Mountain State and County Park. While there was not an official or designated hiking trail nearby, and the slope of the San Bruno Mountain is quite steep in the area of Parcel 14, residents claimed the eastern portion of Parcel 14 provided public access to Devils' Arroyo, Crystal Cave, Dairy Ravine, and Wax Myrtle trail. The western portion of the Parcel 14 (the subject property),

**General Plan Conformity Disposition of City Real Property in the TC Subarea
ATTACHMENT D**

is land-locked and could not provide the same public access without purchasing an access easement from one of the adjacent, privately-owned parcels.

Attachment D.4 shows the San Bruno Mountain State and County Park Master Plan which identifies a proposed trail corridor (approved by the Habitat Conservation Plan) for the San Bruno Mountain within 500 feet of Parcel 14. It does not identify a trailhead nearby; the closest would be eastward at the intersection of Quarry Road and South Hill Drive nearly a mile away from the subject property.

ATTACHMENTS

1. McKesson quitclaim deed
2. Tract and Parcel Maps of subject and surrounding properties
3. Exhibit A of City Council Resolution 2000-12, annotated
4. Figure 3-1 from the San Bruno Mountain State and County Park Master Plan

EXHIBIT A

That certain real property situate in the City of Brisbane, County of San Mateo, State of California, and more particularly described as follows:

PARCEL 1 :

LOT 4, BLOCK C, and LOT 4, BLOCK D, as shown on that certain map entitled, "TRACT NO. 778, CROCKER INDUSTRIAL PARK UNIT NO. 1", recorded June 25, 1959, in Volume 51 of Maps at Pages 35, 36, 37 and 38, inclusive, Records of San Mateo County.

EXCEPTING THEREFROM that portion thereof conveyed to Connecticut General Mortgage and Realty Investments by Corporation Grant Deed recorded April 21, 1972, in Volume 6133 at Page 350, Records of San Mateo County.

PARCEL 2 :

A STRIP of land lying contiguous to and 20.00 feet Southerly of the Northerly boundary of NORTH HILL DRIVE, as said boundary is shown on that certain map entitled, "TRACT NO. 842, CROCKER INDUSTRIAL PARK, UNIT NO. 2", recorded January 12, 1966, in Volume 64 of Maps at Pages 9, 10 and 11, inclusive, Records of San Mateo county, said strip of land being terminated by the Easterly and Westerly Right of Way, respectively, of said North Hill Drive.

PARCEL 3 :

LOT 13 and LOT 14, BLOCK F, as shown on that certain map entitled, "TRACT NO. 842, CROCKER INDUSTRIAL PARK, UNIT NO. 2", recorded January 12, 1966, in Volume 64 of Maps at Pages 9, 10 and 11, inclusive, Records of San Mateo County.

EXCEPTING THEREFROM that portion thereof conveyed to The City of Brisbane, a municipal corporation by Quitclaim Deed, recorded September 28, 1995, Series No. 95101820, Official Records of San Mateo County.

PARCEL 4 :

A STRIP of land lying contiguous to and 20 feet Southerly of the Northerly boundary of Valley Drive, as said Northerly boundary being a common line with the exterior boundary of the lands subdivided by that certain map entitled, "TRACT NO. 842, CROCKER INDUSTRIAL PARK, UNIT NO. 2", recorded January 12, 1966, in Volume 64 of Maps at Pages 9, 10 and 11, inclusive, Records of San Mateo County, said strip of land being terminated by the Easterly and Westerly Right of way, respectively, of said Valley Drive.

PARCEL 5:

ALL of LOTS 8 and 9, Block G, as shown on that certain map entitled, "TRACT NO. 842, CROCKER INDUSTRIAL PARK, UNIT NO. 2", recorded January 12, 1966, in Volume 64 of Maps at Pages 9, 10 and 11, inclusive, Records of San Mateo County.

PARCEL 6:

A STRIP of land lying contiguous to and 20.00 feet Northerly of the Southerly Right of Way of South Hill Drive, as shown on that certain map entitled, "TRACT NO. 842, CROCKER INDUSTRIAL PARK, UNIT NO. 2", recorded January 12, 1966, in Volume 64 of Maps at Pages 9, 10 and 11, inclusive, Records of San Mateo County, said strip of land being terminated by the Easterly and Westerly Right of way, respectively, of said South Hill Drive.

PARCEL 7:

ALL of LOT 4, BLOCK E, as shown on that certain map entitled, "TRACT NO. 778, CROCKER INDUSTRIAL PARK, UNIT NO. 1", recorded June 25, 1959, in Volume 51 of Maps at Pages 35, 36, 37 and 38, inclusive, Records of San Mateo County.

PARCEL 8 :

A PORTION of VALLEY DRIVE, as shown on that certain map entitled, "TRACT NO. 778, CROCKER INDUSTRIAL PARK, UNIT NO. 1", recorded June 25, 1959, in Volume 51 of Maps at Pages 35, 36, 37 and 38, inclusive, Records of San Mateo County, said portion being a strip of land being 20.00 feet in width, lying 10.00 feet on each side of the following described centerline;

BEGINNING at the intersection of the centerline of LOT 4, BLOCK 3, with the Southerly Right of Way of VALLEY DRIVE, as said intersection is shown and delineated on the aforementioned map;

THENCE from said Point of Beginning and leaving said intersection along the centerline extension of said Lot 4, North 2°31'59" East 88.00 feet to a point on the Northerly Right of Way of said Valley Drive, said point being the intersection with the centerline of Lot 4, Block C of said map.

PARCEL 9 :

BEING that certain parcel described as "RAILROAD RESERVE", as shown on that certain map entitled "PARCEL MAP OF A RESUBDIVISION OF LOTS 7 AND 8 AND A PORTION OF LOT 6, BLOCK A, TRACT NO. 778, CROCKER INDUSTRIAL PARK, UNIT NO. 1, SAN MATEO COUNTY, CALIFORNIA", recorded November 21, 1966, in Volume 2 of Parcel Maps at Page 17, Records of San Mateo County.

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PARCEL 10 :

A PORTION of LOTS 2, 3, 4 AND 5, BLOCK B, and a portion of PARK LANE, all as shown on that map entitled, "TRACT 778, CROCKER INDUSTRIAL PARK, UNIT NO. 1", recorded June 25, 1959, in Volume 51 of Maps at Pages 35, 36, 37 and 38, inclusive, Records of San Mateo County, said portion being a strip of land 20 feet in width lying 10 feet on each side of the following described centerline:

BEGINNING at a point on the common boundary of LOTS 2 and 5, Block B, as shown on the aforementioned map "Tract No. 778" (51 Maps 35), which point bears North 61°17'44" West 65.00 feet from the Southeasterly corner of said LOT 2;

THENCE from said point of beginning and along the common boundary of said Lots 2 and 5, Block B, and the Northwesterly extension thereof, said Northwesterly extension being the common boundary of LOTS 3 and 4, BLOCK B, (51 Maps 35), North 61°17'44" West 380.00 feet to a point being the Northwesterly corner of said Lot 4, Southwesterly corner of said Lot 3 and on the Easterly Right of Way of said Park Lane;

THENCE leaving said point on the common boundary of Lots 3 and 4, Block B, and continuing along a curve to the left tangent to the preceding course, having a radius of 377.22 feet, a central angle of 9°03'34" and an arc distance of 59.64 feet to a point on the Westerly Right of Way of PARK LANE (51 Maps 35), said Westerly Right of Way of Park Lane being the Westerly terminus of this description.

PARCEL 11:

ALL of LOT 3, BLOCK G as shown on that certain map entitled "TRACT NO. 852, CROCKER INDUSTRIAL PARK, UNIT NO. 3", recorded December 27, 1968, in Volume 68 of Maps at Pages 32, 33, 34 and 35, inclusive, Records of San Mateo County.

PARCEL 12 :

A PORTION of SOUTH HILL DRIVE, as shown on that certain map entitled "TRACT NO. 852, CROCKER INDUSTRIAL PARK, UNIT NO. 3", recorded December 27, 1968, in Volume 68 of Maps at Pages 32, 33, 34 and 35, inclusive, Records of San Mateo County, said portion being a strip of land being 24.00 feet in width, being more particularly described as follows;

BEGINNING at the intersection of the Northerly boundary of LOT 3, BLOCK "G" and the Northerly Right of Way of SOUTH HILL DRIVE, as shown on aforementioned map;

THENCE along a curve to the right whose center bears South $49^{\circ}01'20''$ West, having a radius of 394.25 feet through a central angle of $12^{\circ}51'37''$, an arc length of 88.49 feet to a point on the Southerly Right of Way of SOUTH HILL DRIVE, said point also being the intersection with the Northerly boundary of LOT 6, BLOCK "H", of said TRACT NO. 852;

THENCE leaving said point in a Southwesterly direction along Southerly Right of Way of said SOUTH HILL DRIVE along a curve to the left whose center bears South $7^{\circ}50'22''$ West, having a radius of 566.00 feet, through a central angle of $2^{\circ}59'36''$, an arc length of 29.57 feet;

THENCE leaving said Southerly Right of Way along a curve to the left, whose center bears South $59^{\circ}17'33''$ West, having a radius of 370.25 feet, through a central angle of $14^{\circ}10'38''$, an arc length of 91.61 feet to a point on the aforementioned Northerly Right of Way of SOUTH HILL DRIVE;

THENCE in a Northeasterly direction along aforementioned Northerly Right of Way along a curve to the left whose center bears North $5^{\circ}46'04''$ East, having a radius of 766.00 feet through a central angle of $2^{\circ}38'58''$, an arc length of 35.42 feet to the Point of Beginning.

PARCEL 13 :

ALL of LOT 6, BLOCK "H", as shown on that certain map entitled "TRACT NO. 852, CROCKER INDUSTRIAL PARK, UNIT NO. 3", recorded December 27, 1968, in Volume 68 of Maps at Pages 32, 33, 34 and 35, inclusive, Records of San Mateo County.

ELECTRONIC

PARCEL 14 :

LOT 1, BLOCK "I", as shown on that map entitled, "TRACT NO. 852, CROCKER INDUSTRIAL PARK, UNIT NO. 3", recorded December 27, 1968, in Volume 68 of Maps at Pages 32, 33, 34 and 35, inclusive, Records of San Mateo County.

EXCEPTING THEREFROM that portion of said Lot 1, Block "I" more particularly described as follows:

BEGINNING on the Northeasterly boundary of said Lot 1, Block "I", said Point of Beginning lying at the most Westerly corner of Parcel "B", as shown on that certain Parcel Map entitled, "BEING A RESUBDIVISION OF PARCEL 2 OF VOLUME 8, PAGE 13 AND PARCEL C AT VOLUME 21 OF PARCEL MAPS AT PAGE 11", recorded June 27, 1978, in Book 42 of Parcel Maps at Page 57, Records of San Mateo County;

THENCE from said Point of Beginning along said Northeasterly boundary South 55°00' East 225.52 feet to the most Southerly corner of said Parcel "B";

THENCE leaving said Northeasterly boundary along the projection of the Easterly boundary of said Parcel "B" South 22°38'57" West 45.04 feet to the Southwesterly boundary of said Lot 1, Block "I";

THENCE along said Southwesterly boundary North 55°00' West 225.52 feet to the projection of the Northwesterly boundary of said Parcel "B";

THENCE along said projection of said Northwesterly boundary North 22°38'57" East 45.04 feet to the Point of Beginning.

PARCEL 15 :

LOT 3, BLOCK "H", as shown on that certain map entitled "Tract No. 852, CROCKER INDUSTRIAL PARK, UNIT NO. 3", recorded December 27, 1968, in Volume 68 of Maps at Pages 32, 33, 34 and 35, inclusive, Records of San Mateo County

EXCEPTING THEREFROM that portion thereof conveyed to the Coca-Cola Bottling Company of California, by Instrument, recorded May 14, 1991, Series 91058859, Official Records of San Mateo County.

PARCEL 16 :

BEGINNING at the intersection of courses called "East 763.47 feet and North 33°43'14" West 722.34 feet" as said courses are described in the Deed from the State of California to Crocker Estate Company, recorded July 28, 1958 in Volume 3430 of Official Records at Page 723, Records of San Mateo County, California, said intersection also being on the Southerly line of the Guadalupe Canal (as said Guadalupe Canal is shown on that certain map entitled "MAP NO. 1 OF SALT MARSH AND TIDE LANDS, SITUATE IN THE COUNTY OF SAN MATEO, STATE OF CALIFORNIA", PREPARED BY ORDER OF THE BOARD OF TIDE LAND COMMISSIONERS UNDER THE AUTHORITY OF AND IN ACCORDANCE WITH PROVISIONS OF AN ACT ENTITLED, "AN ACT SUPPLEMENTARY TO AND AMENDATORY OF AN ACT ENTITLED, 'AN ACT TO SURVEY AND DISPOSE OF CERTAIN SALT MARSH AND TIDE LANDS BELONGING TO THE STATE OF CALIFORNIA, APPROVED MARCH THIRTIETH, EIGHTEEN HUNDRED AND SIXTY-EIGHT', APPROVED APRIL 1, 1870";

THENCE leaving said intersection and running along the Northeasterly line of said Deed (3430 O.R. 723) North 33°43'14" West 252.34 feet to a point described in the Grant Deed from Crocker Land Company to Guadalupe Valley Municipal Improvement District, recorded June 15, 1962 in Volume 4228 of Official Records at Page 292, Records of San Mateo County, California;

THENCE leaving said Northerly line (3430 O.R. 723) and running along the Southerly line of (4228 O.R. 92) South 56°16'46" West 112.66 feet, more or less, to the Northeasterly right-of way line of Bayshore Highway, also known as the State of California Highway, Division IV, Route 68, Section "A" and shown on that certain map entitled "STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS, DIVISION OF HIGHWAYS, MAP SHOWING ADDITIONAL UNGRANTED OF SOVEREIGN LAND OF THE STATE OF CALIFORNIA IN SAN MATEO COUNTY ACROSS GUADALUPE CREEK, NEEDED AS A RIGHT-OF WAY FOR THE PROTECTION OF STATE HIGHWAY ROAD IV-SM-68-A" which was approved for the State Lands Commission on June 20, 1951, by Rufus W. Putnam, Executive Officer, and is filed in the Office of the County Recorder of San Mateo County on March 26, 1958 in Book 4 of State Highway Map Books at Page 14;

THENCE along said Northeasterly right-of-way South 45°51' East 210.91 feet, more of less, to a point on said southerly line of the Guadalupe Canal;

THENCE along said Southerly line of Guadalupe Canal East 85.45 feet, more or less, to the point of beginning.

EXCEPTING THEREFROM all oil, gas, oil shale, coal phosphate, sodium, gold, silver and all other minerals deposits contained insaid land.

EXHIBIT "A"

Page 6 of 10

2025 RELEASE UNDER E.O. 14176

PARCEL 17 :

PARCEL "E", as shown on that certain map entitled "RECORD OF SURVEY, PORTION OF RANCHO CANADA DE GUADALUPE LA VISITACION Y RODEO VIEJO AND PORTIONS OF LOTS 10 & 11 IN SECTION 10, TOWNSHIP 3 SOUTH, RANGE 5 WEST, MOUNT DIABLO BASE & MERIDIAN AS SHOWN ON OFFICIAL MAP NO. 1 "SALT MARSH AND TIDELANDS SITUATED IN THE COUNTY OF SAN MATEO, STATE OF CALIFORNIA", recorded December 13, 1968, in Book 6 of Licensed Land Surveys at Page 126, Records of San Mateo County.

BEGINNING at an angle point in the boundary of a parcel of land described as Parcel 1 of the deed from Crocker Estate Company, a California corporation, to Healy-Tibbitts construction co., a California corporation, recorded February 28, 1947, in volume 1322 of Official Records of San Mateo County at page 457, said point being the intersection of the courses called "North 33°48'40" West 929.06 feet" and "North 89°50'50" East 337.75 feet" as said deed (1322 O.R. 457);

THENCE from said point of beginning and along said boundary North 33°48'40" West 42.22 feet;

THENCE leaving said boundary South 83°38'37" West 318.78 feet to a point on the Easterly line of Bayshore Boulevard (125.00 feet wide), formerly a State Highway known as Bayshore Highway, said point being a point on the Southerly boundary line of said Lot 11 of the aforementioned Tidelands;

THENCE along said Southerly boundary and leaving said Easterly line of Bayshore Boulevard North 89°57'51" East 340.31 feet to the point of beginning.

PARCEL "G", as shown on that certain map entitled "RECORD OF SURVEY PORTION OF RANCHO CANADA DE GUADALUPE LA VISITACION Y RODEO VIEJO AND PORTIONS OF LOTS 10 & 11 IN SECTION 10, TOWNSHIP 3 SOUTH, RANGE 5 WEST, MOUNT DIABLO BASE & MERIDIAN AS SHOWN ON OFFICIAL MAP NO. 1 "SALT MARSH AND TIDELANDS SITUATED IN THE COUNTY OF SAN MATEO, STATE OF CALIFORNIA", recorded December 13, 1968, in Book 6 of Licensed Land Surveys at Page 126, Records of San Mateo County.

BEGINNING at the intersection of the courses called "North 33°48'40" West 2087.32 feet" and "North 67°35'50" East 102.02 feet" as described in "Parcel One" of the deed from Crocker Estate Company, a California corporation, to Healy-Tibbitts Construction Co., a California corporation, recorded February 28, 1947, in volume 1322 Official Records at page 457, San Mateo County Records, said intersection lying also on the Northerly boundary of a parcel of land described in the deed from Southern Pacific Company, a Delaware corporation, to Kinsale Investments Company, Inc., a California corporation, recorded December 9, 1960 in volume 3904 of Official Records, at page 304, San Mateo County Records;

05
13094

PARCEL 17 (CONTINUED):

THENCE from said point of beginning along said boundary (3904 O.R. 304) and leaving said boundary (1322 O.R. 457) North 67°35'50" East 32.34 feet;

THENCE along the arc of a curve to the right, the center of which bears South 20°59'52" West, having a radius of 271.84, through a central angle of 36°08'12", an arc distance of 171.45 feet;

THENCE South 32°51'56" East 8.93 feet;

THENCE South 24°41'40" East 39.35 feet;

THENCE leaving said boundary (3904 O.R. 304) and continuing along the arc of a curve to the left, the center of which bears South 53°35'50" West, having a radius of 367.25 feet, through a central angle of 36°55'08", a arc distance of 236.64 feet to a point on the aforementioned Northerly boundary (3904 O.R. 304), said Northerly boundary being a common boundary line with the above-mentioned (1322 O.R. 457);

THENCE along said common boundary line North 67°35'50" East 8.74 feet to the point of beginning.

EXCEPTING THEREFROM all minerals and mineral ores as excepted and reserved in the Deed to Kinsdale Investments Co., dated November 10, 1960 and recorded December 9, 1960 in 3904 O.R. 304 (14307-T).

PARCEL 18 :

A PORTION of LOT 21 in Section 10, Township 3 South, Range 5 West, Mount Diablo Base and Meridian, as shown on that certain map entitled "MAP NO. 1 OF SALT MARSH AND TIDE LANDS SITUATE IN THE COUNTY OF SAN MATEO, STATE OF CALIFORNIA" PREPARED BY ORDER OF THE BOARD OF TIDE LAND COMMISSIONERS UNDER THE AUTHORITY OF AND IN ACCORDANCE WITH PROVISIONS OF AN ACT ENTITLED, "AN ACT SUPPLEMENTARY TO AND AMENDATORY TO AN ACT ENTITLED, 'AN ACT TO SURVEY AND DISPOSE OF CERTAIN SALT MARSH AND TIDE LANDS BELONGING TO THE STATE OF CALIFORNIA, APPROVED MARCH THIRTIETH, EIGHTEEN HUNDRED AND SIXTY-EIGHT', APPROVED APRIL 1, 1870", said portion being all of said lot lying Northeasterly of the Right of Way conveyed by Crocker Estate Company to Southern Pacific Company by Deed, dated March 26, 1908, recorded in Book 144 of Deeds at Page 549, Records of San Mateo County.

EXHIBIT "A"

Page 8 of 10

T-5-9-9-1

PARCEL 19:

TIDE LOT 8 in Section 11, Township 3 South, Range 5 West, Mount Diablo Base and Meridian, as shown on that certain map entitled "MAP NO. 1 OF SALT MARSH AND TIDE LANDS SITUATE IN THE COUNTY OF SAN MATEO, STATE OF CALIFORNIA" PREPARED BY ORDER OF THE BOARD OF TIDE LAND COMMISSIONERS UNDER THE AUTHORITY OF AND IN ACCORDANCE WITH PROVISIONS OF AN ACT ENTITLED, "AN ACT SUPPLEMENTARY TO AND AMENDATORY TO AN ACT ENTITLED, 'AN ACT TO SURVEY AND DISPOSE OF CERTAIN SALT MARSH AND TIDE LANDS BELONGING TO THE STATE OF CALIFORNIA, APPROVED MARCH THIRTIETH, EIGHTEEN HUNDRED AND SIXTY-EIGHT', APPROVED APRIL 1, 1870".

PARCEL 20 :

TIDE LOT 11 in Section 2, Township 3 South, Range 5 West, Mount Diablo Base and Meridian, as shown on that certain map entitled "MAP NO. 1 OF SALT MARSH AND TIDE LANDS SITUATE IN THE COUNTY OF SAN MATEO, STATE OF CALIFORNIA, PREPARED BY ORDER OF THE BOARD OF TIDE LAND COMMISSIONERS UNDER THE AUTHORITY OF AND IN ACCORDANCE WITH PROVISIONS OF AN ACT ENTITLED, "AN ACT SUPPLEMENTARY TO AND AMENDATORY TO AN ACT ENTITLED, 'AN ACT TO SURVEY AND DISPOSE OF CERTAIN SALT MARSH AND TIDE LANDS BELONGING TO THE STATE OF CALIFORNIA, APPROVED MARCH THIRTIETH, EIGHTEEN HUNDRED AND SIXTY-EIGHT', APPROVED APRIL 1, 1870".

PARCEL 21 :

A PORTION of the RESERVE STRIP adjacent to TRINITY ROAD and BLOCK 55, as shown on that map entitled "AMENDED MAP OF SUBDIVISIONS NOS. 1, 2 & 3 OF CITY OF VISITACION, CALIFORNIA", recorded October 14, 1908, in Book 6 of Maps at Page 45, Records of San Mateo County, more particularly described as follows:

BEGINNING at a point on the Westerly line of TRINITY ROAD, which bears due West 40 feet from the Northwest corner of LOT 39, BLOCK 25, as shown on said map;

THENCE along said Westerly line of Trinity Road and continuing along the Westerly boundary of said Block 55 and the prolongation thereof due South 678.15 feet, more or less, to the Northerly boundary of the land conveyed by Deed from San Mateo County Title Company, to Brisbane County Water District, recorded May 9, 1952, in Volume 2240 Official Records at Page 421, Records of San Mateo County;

T 13021 500

PARCEL 21 (CONTINUED):

THENCE along said Northerly boundary of land so conveyed North 77°39' West 7.18 feet to a point on the westerly boundary of property conveyed by Deed from Anglo-California National Bank of San Francisco, to San Mateo County Title Co., dated June 14, 1934 and recorded July 11, 1934 in Book 628 of Official Records at Page 296;

THENCE along the westerly boundary due North 678.15 feet, more or less, to a point due West of the Point of Beginning;

THENCE leaving last said westerly line due East 7.01 feet to the Point of Beginning.

PARCEL 22 :

A PORTION of the RESERVE STRIP adjacent to the westerly line of BLOCK 54, as shown on that map entitled "AMENDED MAP OF SUBDIVISIONS NOS. 1, 2 & 3 OF CITY OF VISITACION, CALIFORNIA", recorded October 14, 1908, in Book 6 of Maps at Page 45, Records of San Mateo County, more particularly described as follows:

BEGINNING at the Southwesterly corner of Lot 1, Block 54, as shown on said map;

THENCE along the Westerly boundary of said Block 54 due North 654.53 feet, more or less, to the Southeasterly corner of the lands conveyed by Deed from San Mateo County Title Company to Brisbane County Water District, recorded May 9, 1952, in Volume 2240 Official Records at Page 421, Records of San Mateo County;

THENCE leaving the westerly boundary of said Block 54 along the Southerly boundary of the aforementioned lands conveyed by Deed from San Mateo County Title Company to Brisbane County North 77°39' West 7.18 feet to the Westerly boundary of property conveyed by Deed from The Anglo California National Bank of San Francisco to San Mateo County Title Co., dated June 14, 1934 and recorded July 11, 1934 in Book 628 of Official Records at Page 298;

THENCE along said Westerly line due South 654.07 feet, more or less, to a point of intersection with the projection of the Southerly boundary of said Lot 1, Block 54;

THENCE leaving said westerly line of said RESERVE STRIP South 74°09' East 7.29 feet, more or less, to the Point of Beginning.

T E S T A M E N T

CERTIFICATE OF ACCEPTANCE

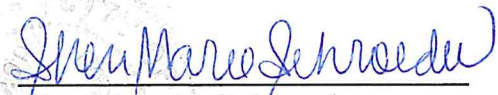
This is to certify that the interest in real property conveyed by the Quitclaim Deed dated September 18, 1996 from Mc Kesson Corporation, a Delaware corporation, formerly know as SP Ventures, Inc., a Delaware corporation to the City of Brisbane, a municipal corporation, is hereby accepted by the undersigned officer on behalf of the City of Brisbane pursuant to the authority conferred by agreement of the City of Brisbane adopted on March 23, 1995, and the grantee consents to recordation thereof by its duly authorized officer.

Dated this 10th day of October, 1996.



James E. Thompson
City Engineer/Director of Public Works

ATTEST:



Sheri Marie Schroeder
Deputy City Clerk



THE CITY OF

Tract No. 852, Crocker Industrial Park Unit No. 3 (1968)

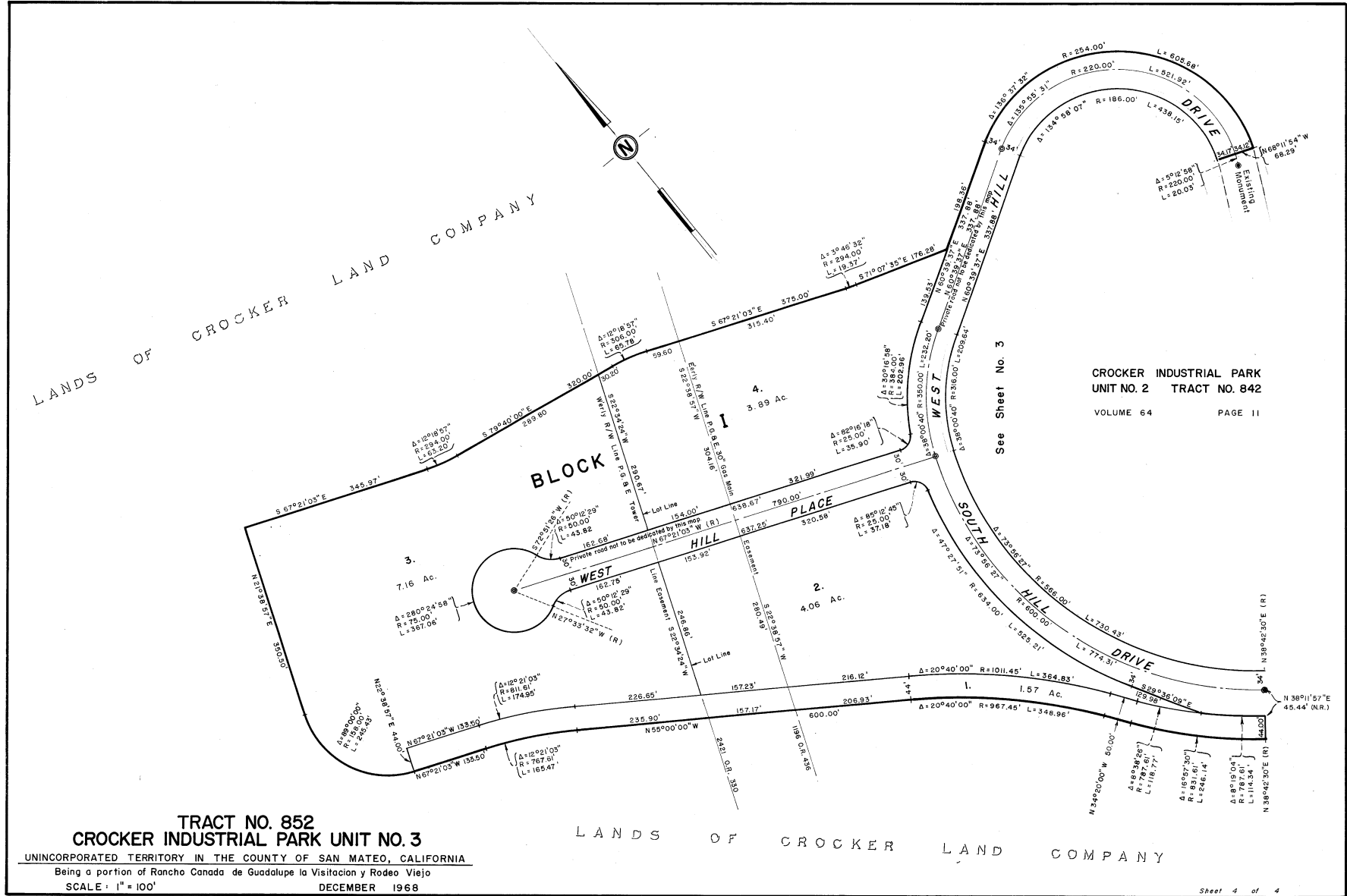
ATTACHMENT D.2.1

35

35

Vol. 68

Vol. 68



Parcel Map 1969

ATTACHMENT D.2.2

13

13

COUNTY ENGINEER'S CERTIFICATE

This map has been examined this 8th day of July, 1969, for conformance with the requirements of Section 11575 of the Subdivision Map Act.

Donald N. Hohl
County Engineer



ENGINEER'S CERTIFICATE

This map was prepared by me, or under my direction and was compiled from record data in conformance with the requirements of the Subdivision Map Act at the request of The Crocker Land Company during May, 1969. I hereby certify that it conforms to the approved tentative map and the conditions of approval thereof, that all provisions of applicable state law and local ordinance have been complied with.

Donald N. Hohl
Donald N. Hohl, R.C.E. No. 12245



RECORDER'S CERTIFICATE

File no. 50449 AC Fee \$ 5.00
Filed for record this 11th day of July, 1969, at 10:52 a.m.
in Volume 8 of Parcel Maps of Page 13 at the request of
The Crocker Land Company.

Marvin Church
Marvin Church, County Recorder
By Deputy, *G. M. Laddy*

BASIS OF BEARINGS

The bearings used on this map are based on the California State Coordinate System (Lambert Conformal Projection) Zone 11, California as determined from triangulation points San Bruno Mountain and Bay Park.

LEGEND & NOTES

● Iron pin monument set in handhole.
All distances and dimensions are shown in feet and decimals thereof.

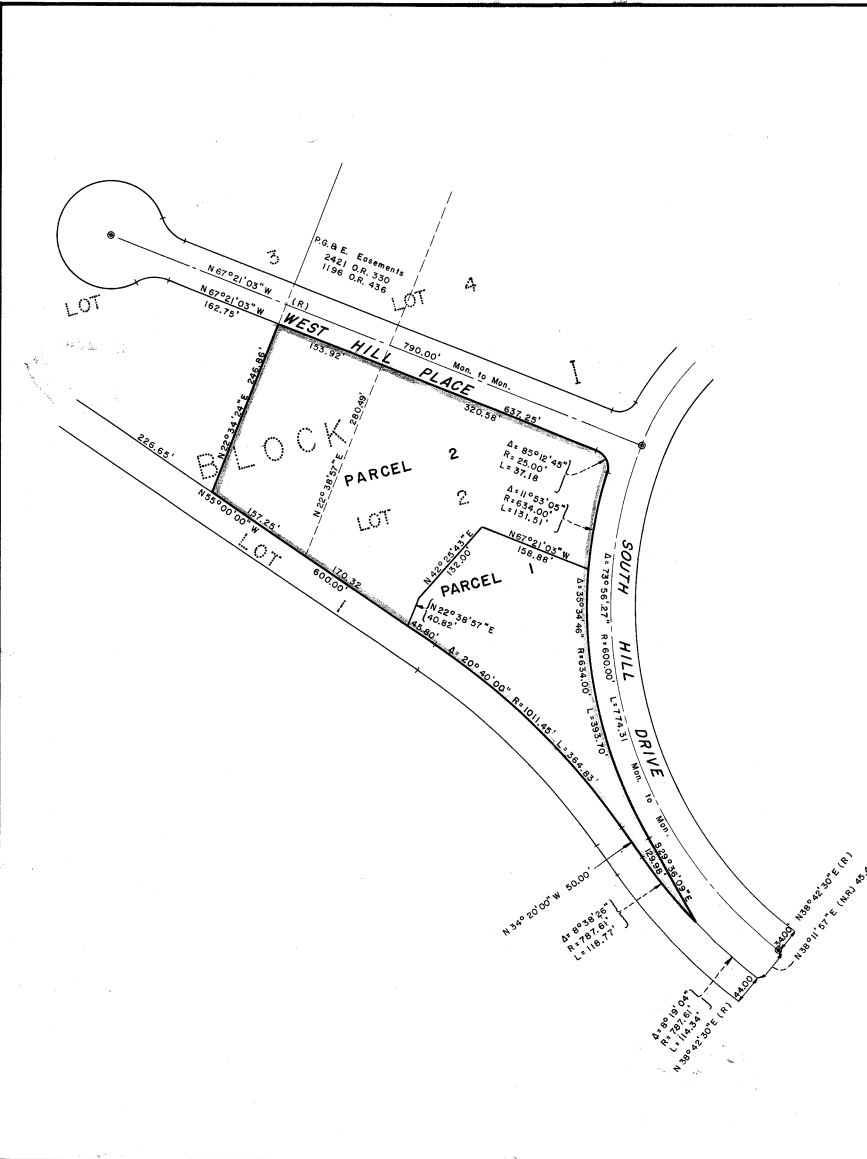
PARCEL MAP

OF A RESUBDIVISION OF LOT 2, BLOCK I, TRACT NO. 852, CROCKER INDUSTRIAL PARK UNIT NO. 3, RECORDED IN VOLUME 68 OF MAPS AT PAGES 32, 33, 34 & 35, RECORDS OF SAN MATEO COUNTY, CALIFORNIA.

SAN MATEO COUNTY, CALIFORNIA

SCALE: 1" = 100'

JUNE, 1969



Vol. 8

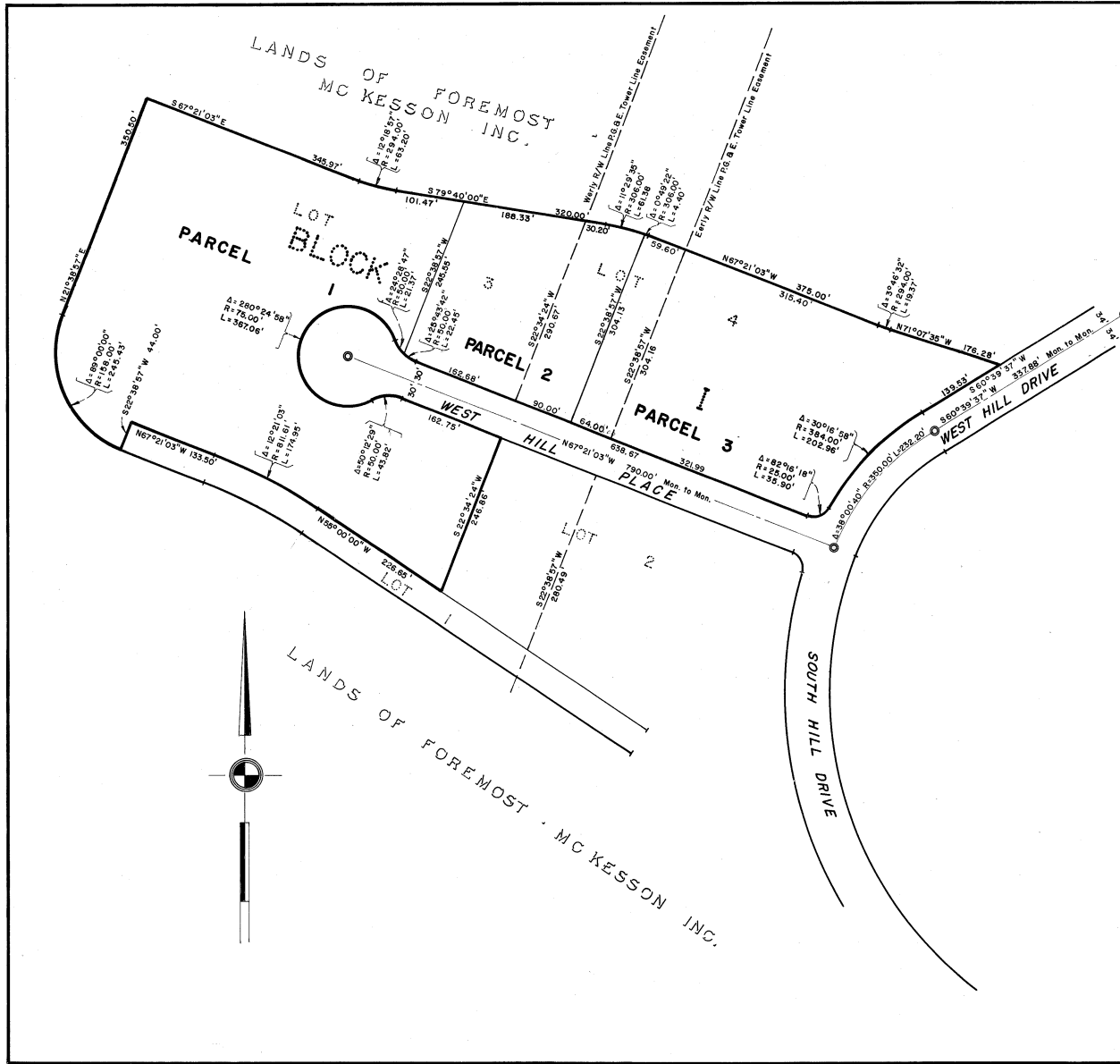
Vol. 8

Parcel Map 1971

ATTACHMENT D.2.3

7

7



COUNTY ENGINEER'S CERTIFICATE

This map has been examined this 9th day of March, 1971, for conformance with the requirements of Section 11575 of the Subdivision Map Act.

S.H. Cantwell, Jr., County Engineer
By S.H. Cantwell Jr.



ENGINEER'S CERTIFICATE

This map was prepared by me, or under my direction and was compiled from record data in conformance with the requirements of the Subdivision Map Act at the request of The Crocker Land Company during MARCH, 1971. I hereby certify that it conforms to the approved tentative map, and the conditions of approval thereof, that all provisions of applicable state law and local ordinances have been complied with.

Donald N. Hoh
Donald N. Hoh, R.C.E. No. 12295

RECORDER'S CERTIFICATE

File no. 88919 AD Fee \$ 5.00
Filed for record this 11th day of March, 1971, at 12:57 p.m. in Volume 12 of Parcel Maps at Page 7 at the request of The Crocker Land Company.

Marvin Church, County Recorder
By G.M. Green
Deputy County Recorder

BASIS OF BEARINGS

The bearings used on this map are based on the California State Coordinate System (Lambert Conformal Projection) Zone III, California, as determined from triangulation points San Bruno Mountain and Bay Park.

LEGEND & NOTES

- Iron pin monument set in handhole, as shown on Map Recorded in Volume 68 of Maps at Page 35.
- All distances and dimensions are shown in feet and decimals thereof.

PARCEL MAP

OF A RESUBDIVISION OF LOTS 3 & 4, BLOCK 1, TRACT NO. 852, CROCKER INDUSTRIAL PARK UNIT NO. 3, RECORDED IN VOLUME 68 OF MAPS AT PAGES 32, 33, 34 & 35, RECORDS OF SAN MATEO COUNTY, CALIFORNIA.
IN THE UNINCORPORATED TERRITORY OF
SAN MATEO COUNTY, CALIFORNIA

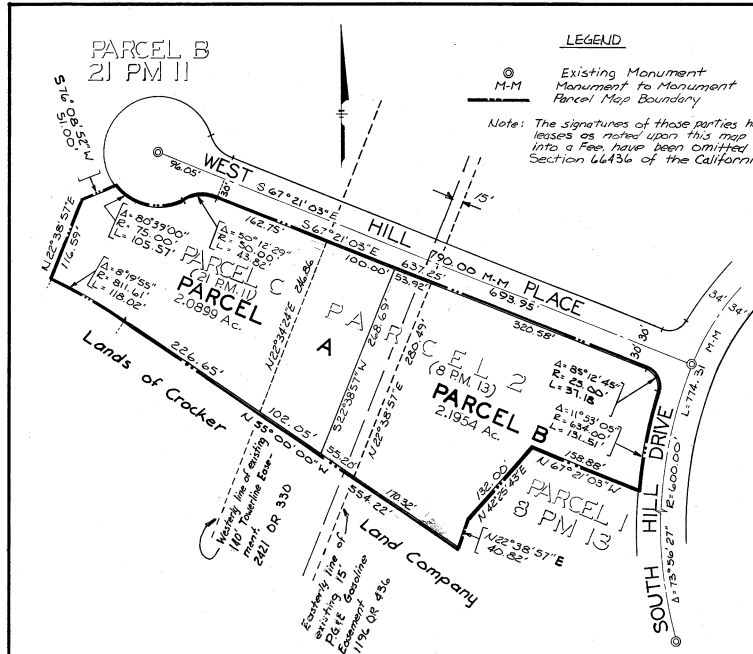
SCALE 1" = 100'

FEBRUARY 10, 1971

Vol. 12

Vol. 12

VOL. 42 PG. 57



OWNERS CERTIFICATE

We hereby certify that we are the owners of, or have some right title or interest in and to the real property included within the subdivision shown upon this map, and we are the only persons whose consent is necessary to pass clear title to said property, and we hereby consent to the making and recording of said map and subdivision as shown within the blue border line.

AS OWNER

Crocker Land Company, a California Corporation

By: M. Sherman Eubank
M. Sherman Eubank ~ President

By: Donald N. Hohl
Donald N. Hohl ~ Assistant Secretary

STATE OF CALIFORNIA
CITY AND COUNTY OF SAN FRANCISCO

On this 19th day of JUNE 1978, before me Emma Louise Bethencourt, a Notary Public in and for the State of California, duly commissioned and sworn personally appeared M. Sherman Eubank and Donald N. Hohl known to me to be President and Assistant Secretary respectively of Crocker Land Company, a California corporation, the corporation that executed the within instrument and known to me to be the persons who executed the within instrument on behalf of the corporation herein named and acknowledged to me that such corporation executed the within instrument pursuant to its by-laws or a resolution of its Board of Directors

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal on the day and year in this certificate first above written.



Emma Louise Bethencourt
Notary Public in and for the City and County of San Francisco, State of California

COUNTY ENGINEERS CERTIFICATE

This map conforms with the requirements of the Subdivision Map Act and local ordinance.

Dated: 6/16/78
S. H. Contwell, Jr. County Engineer
S. H. Contwell, Jr.

COUNTY RECORDERS CERTIFICATE

Filed this 21th day of JUNE 1978 at 3:51 P.M.
in Volume 42 of Parcel Maps at Page 57 at the request
of Crocker Land Company.
File No. 84572 AM
Fee \$ 5.00

Marvin Church, County Recorder
By: G. M. Hasey
Deputy County Recorder

BASIS OF BEARING

The bearings used on this map are based on the California State Coordinate System (Lambert Conformal Projection) Zone III, California as determined from triangulation points San Bruno Mountain and Bay Park.

ENGINEER'S CERTIFICATE

This map was prepared by me or under my direction, and was compiled from record data in conformance with the requirements of the Subdivision Map Act at the request of Crocker Land Company in March, 1978. I hereby state that the parcel map procedures of the local agency have been complied with and that this parcel map conforms to the approved tentative map and the conditions of approval thereof of which were required to be fulfilled prior to the filing of the parcel map.

Donald N. Hohl
Donald N. Hohl R.C.E. 12245
No. 12245
CIVIL ENGINEER
STATE OF CALIFORNIA

PARCEL MAP

Being a resubdivision of Parcel 2, Volume 8 of Parcel Maps at Page 13 on July 11, 1969, San Mateo County Records, and Parcel "C" Volume 21 of Parcel Maps at Page 11 on June 21, 1973, San Mateo County Records and described in 6687 OR 443-483

SAN MATEO COUNTY CALIFORNIA
Scale: 1" = 100' March, 1978

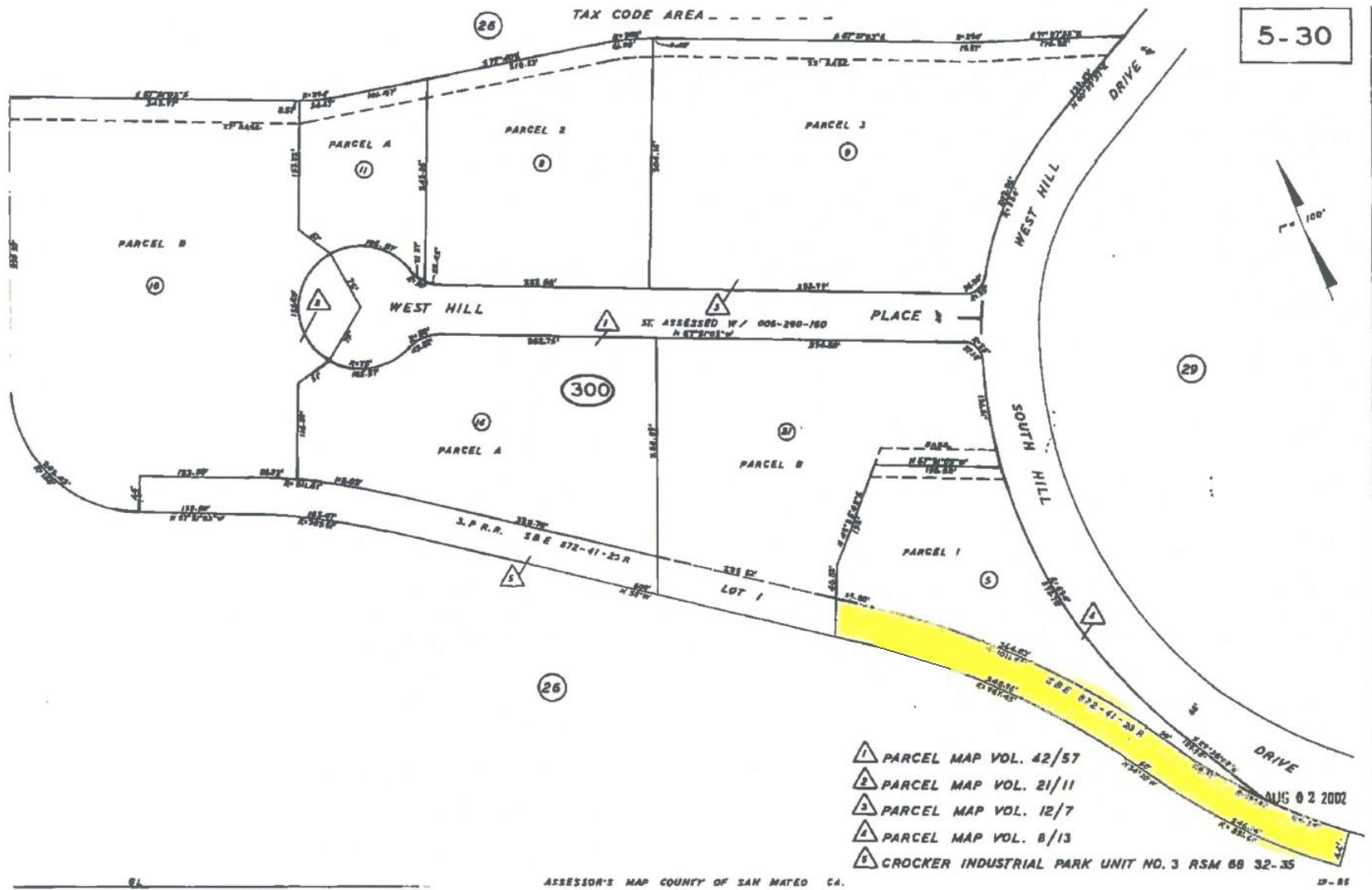
Donald N. Hohl Engineer
Crocker Land Company
660 Market Street
San Francisco, California 94104

Sheet 1 of 1 Sheet

Parcel Map Circa 2002

ATTACHMENT D.2.5

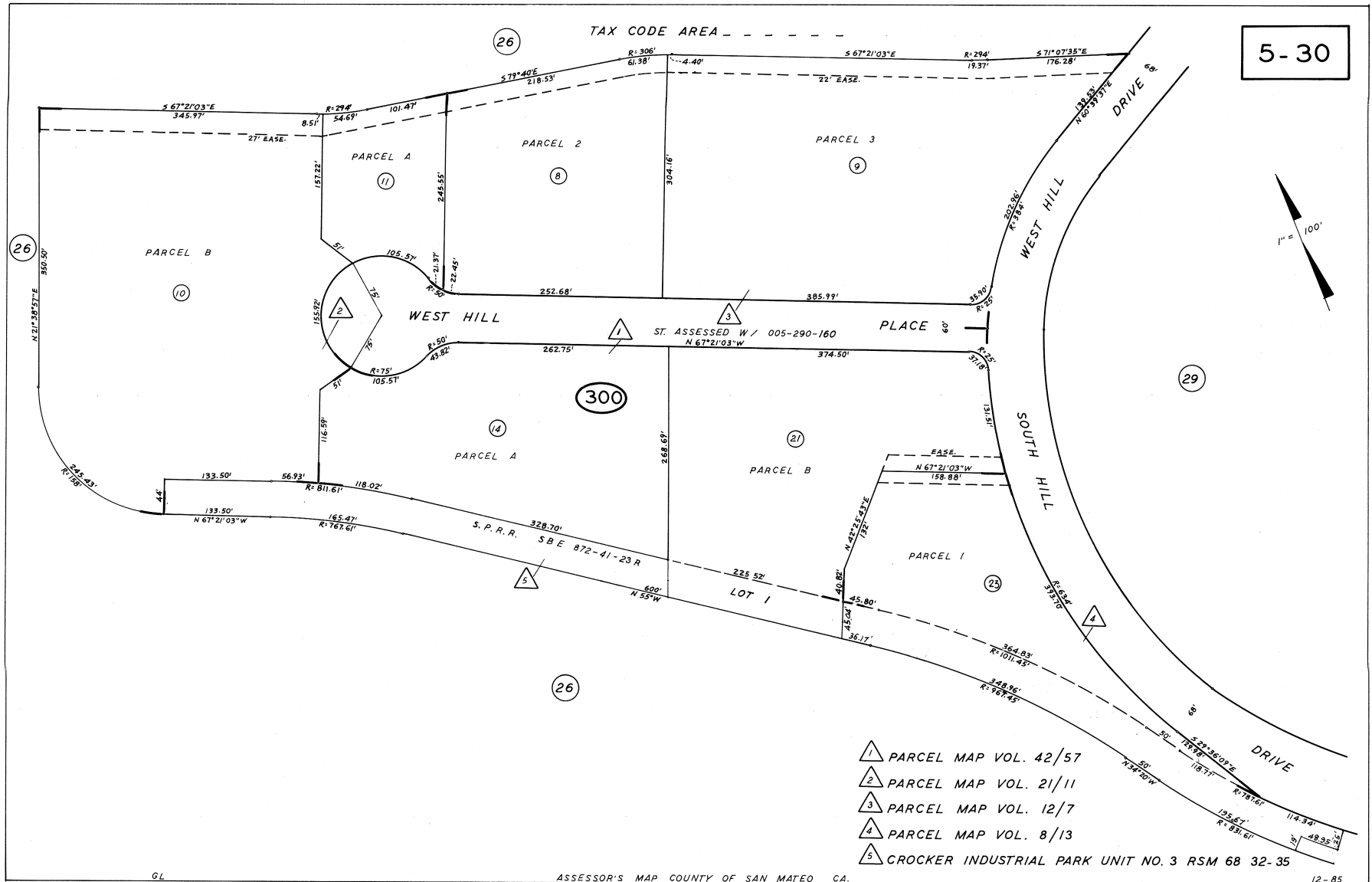
San Mateo, CA, 2011-2012. 005-300-050. 201 S HILL DR, BRISBANE, CA 94005-1204, Sheet 1 of 1



ASSESSOR'S MAP COUNTY OF SAN MATEO CA.

12-85

Current Parcel Map



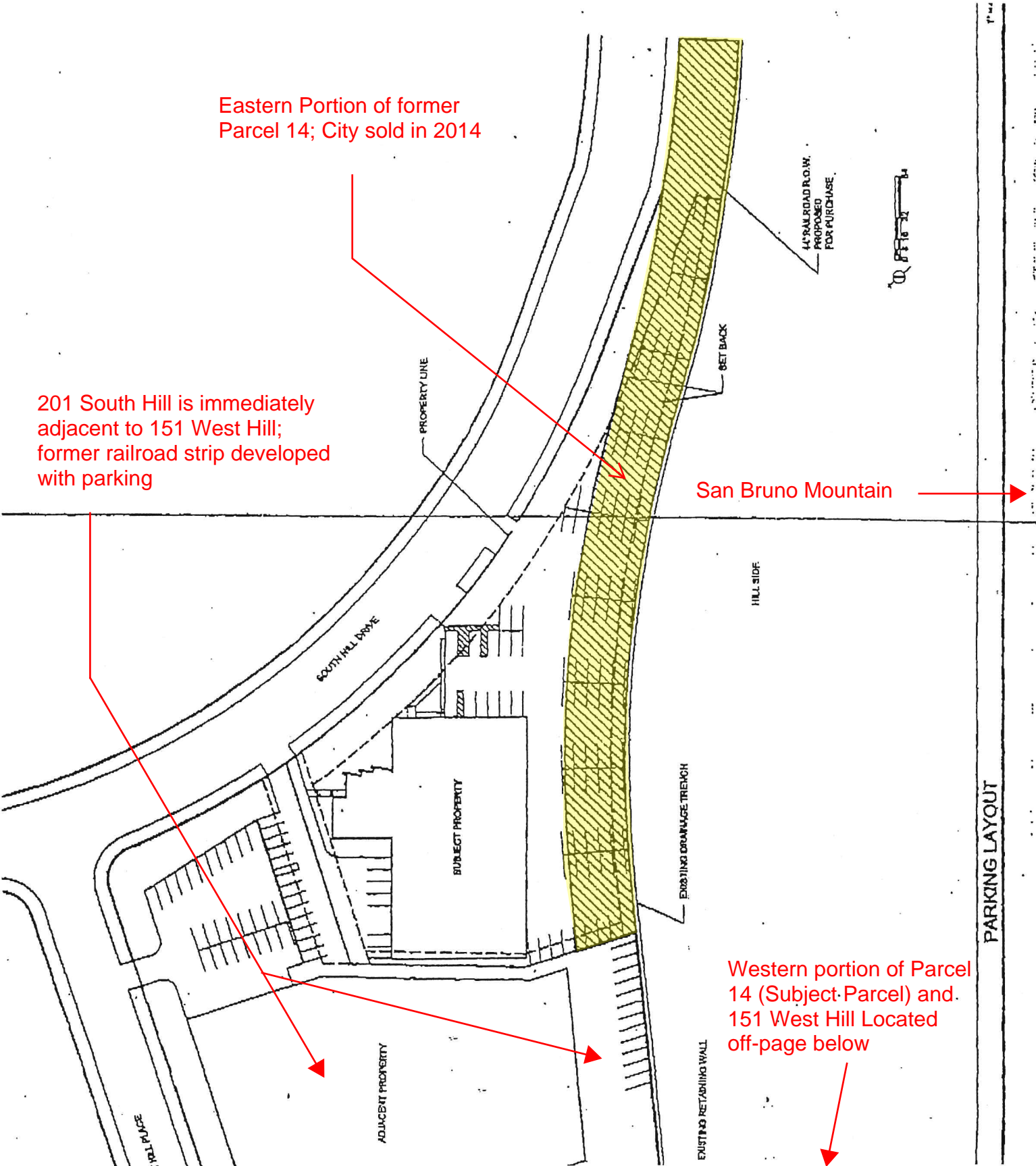
City Council
Resolution 2000-12
EXHIBIT "A"

Eastern Portion of former
Parcel 14; City sold in 2014

201 South Hill is immediately
adjacent to 151 West Hill;
former railroad strip developed
with parking

San Bruno Mountain

Western portion of Parcel
14 (Subject Parcel) and
151 West Hill Located
off-page below













SAN BRUNO MOUNTAIN

STATE AND COUNTY PARK

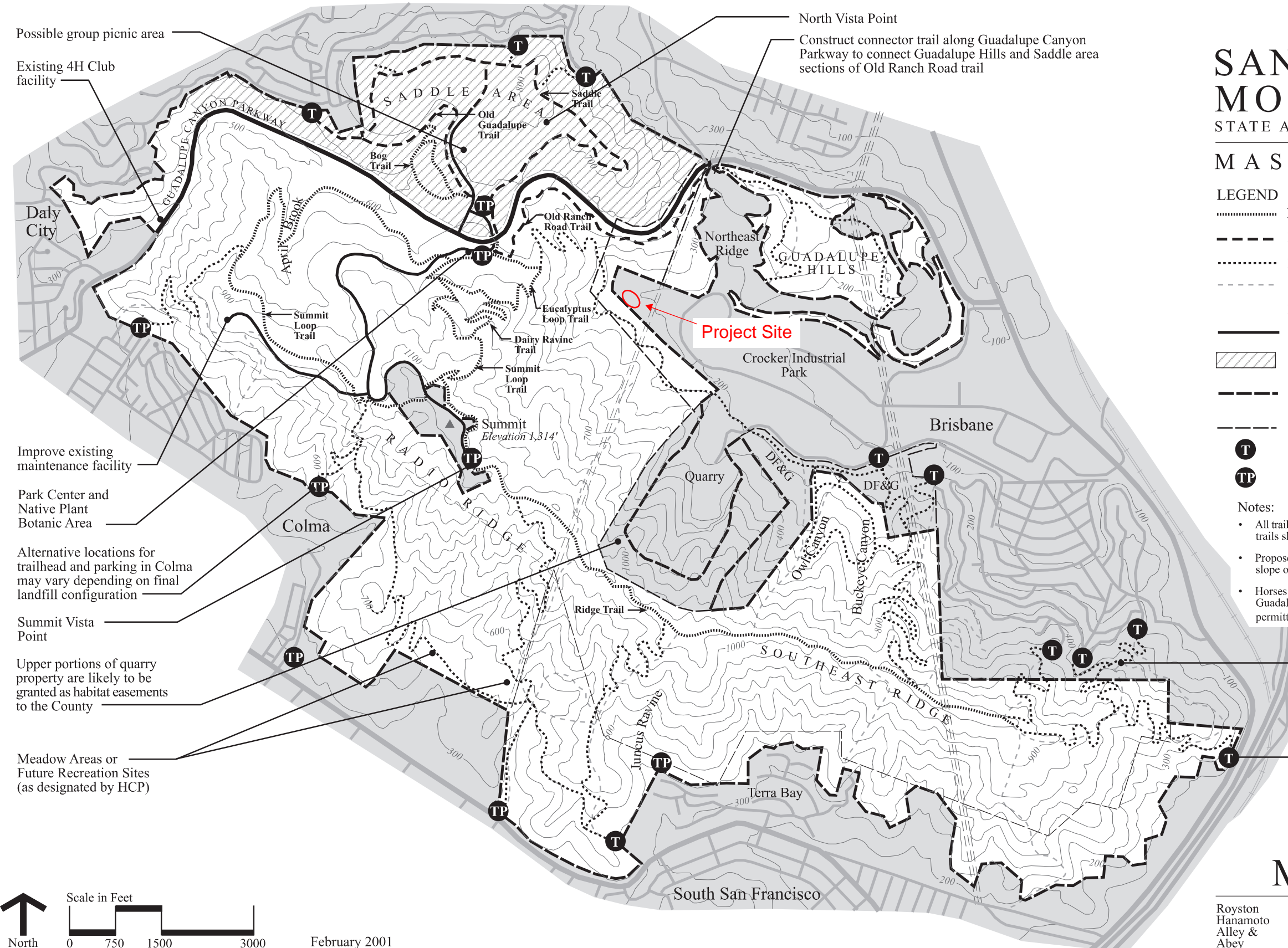
MASTER PLAN

LEGEND

-  Existing Hiking Trails
-  Existing Bike & Hike Trails
-  Proposed Trail Corridors
-  Exist. social trails to be considered for removal and habitat restoration
-  Paved Roads
-  State Park Lands
-  Master Plan Boundary (includes lands to be dedicated)
-  Real Property Boundary
-  Trail Access
-  Trailhead w/Parking

Notes:

- All trail locations are approximate. Proposed trails should be laid out in field.
- Proposed trails will be built to a maximum slope of 10% where feasible.
- Horses are permitted on trails south of Guadalupe Canyon Parkway (weather permitting).



Possible group picnic area

Existing 4H Club facility

Daly City

Improve existing maintenance facility

Park Center and Native Plant Botanic Area

Alternative locations for trailhead and parking in Colma may vary depending on final landfill configuration

Summit Vista Point

Upper portions of quarry property are likely to be granted as habitat easements to the County

Meadow Areas or Future Recreation Sites (as designated by HCP)

North Vista Point

Construct connector trail along Guadalupe Canyon Parkway to connect Guadalupe Hills and Saddle area sections of Old Ranch Road trail

Project Site

Crocker Industrial Park

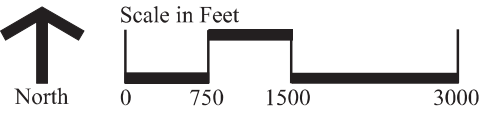
Brisbane

Colma

South San Francisco

Access trails to be developed in partnership with City of Brisbane

Trailhead connection to Bay Trail



February 2001

Fig. 3-1

Master Plan

Royston Hanamoto Alley & Abey

County of San Mateo Parks and Recreation

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov



May 28, 2024

Jeremiah Robbins, Associate Planner,
Community Development Department
City of Brisbane
50 Park Place
Brisbane, CA 94005

SENT VIA EMAIL TO: jrobbins@brisbaneca.org

Dear Jeremiah Robbins:

**RE: Written Comments Regarding the City of Brisbane's Surplus Land
Disposition Documentation for the Property at APN 005-300-999**

Thank you for submitting your surplus land documentation, on behalf of the City of Brisbane (City), for review by the California Department of Housing and Community Development (HCD). We received your final documentation on May 8, 2024. This letter constitutes HCD's written findings pursuant to Government Code section 54230.5 of the Surplus Land Act (SLA), for the property located at Assessor's Parcel Number (APN) 005-300-999 (Property).

According to your letter and supporting documents, a Resolution declaring the Property to be surplus was adopted on February 15, 2024, and Notices of Availability (NOA) were sent on February 28, 2024. During the required 60-day period, no affordable housing entity expressed interest in the Property. The City has enclosed the appropriate draft affordability covenant, requiring 15 percent affordable housing, to be recorded against the Property.

If the submitted documentation and assertions by the City are complete and accurate, HCD determines that you have met all the requirements under the SLA for the purposes of disposing of the surplus land located at APN 005-300-999.

If you have any questions or need additional technical assistance, please contact Lisa Krause, Senior Housing Policy Specialist, at lisa.krause@hcd.ca.gov.

Sincerely,

A handwritten signature in black ink that reads "Laura Nunn".

Laura Nunn
Senior Manager, Housing Accountability Unit
Housing Policy Development



City of Brisbane
50 Park Place
Brisbane, CA 94005-1310
(415) 508-2100
(415) 467-4989 Fax

May 3, 2024

Lisa Krause
Senior Housing Policy Specialist
Housing Accountability Unit
Housing Policy Development Division
State of California
Sacramento, CA

Re: SLA Case Number 0000503

Ms. Krause,

On February 15, 2024, the City of Brisbane City Council adopted Resolution 2024-01 (copy enclosed) declaring property owned by the City of Brisbane, a landlocked, vacant site of approximately 28,000 square feet, encumbered by a drainage canal, as surplus property. Thereafter, the City sent out Notices of Availability to the required entities (copies of the Notices enclosed). The City did not receive any interest from any of the entities' purchasing the property within the statutory period. The City has received interest from a third party in acquiring the surplus property; that party owns adjacent property and the City would like to begin negotiations with that party.

Also enclosed is a draft 15% affordability declaration/covenant that the City will provide to any party who wishes to purchase the property, notwithstanding that the shape and location of the property do not lend themselves to developing the property for housing, and that the City Council has stated that the property, if sold, may only be used for additional parking for adjacent uses.

Please confirm that the City has complied with the requirements of the Surplus Lands Act and that the City may now proceed with its negotiations with the third party. Thank you for your attention to this matter,

A handwritten signature in blue ink that reads "Michael Roush".

Michael Roush
Legal Counsel

c John Swiecki, Director of Community Development
Randy Breault, Director of Public Works

BRISBANE CITY COUNCIL RESOLUTION NO. 2024-01

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRISBANE
DECLARING CERTAIN PROPERTY IT OWNS AS SURPLUS LAND AND
AUTHORIZING THE CITY MANAGER TO TAKE ALL NECESSARY STEPS TO
DISPOSE OF THE PROPERTY CONSISTENT WITH THIS RESOLUTION**

Whereas, State law, the Surplus Lands Act (“SLA”) requires that before a local agency, including a City, takes any action to sell or lease its property, it must declare the property to be either “surplus land” or “exempt surplus land”; and

Whereas, “surplus land” means land owned in fee simple by any local agency for which the local agency’s governing body takes formal action in a regular meeting declaring that such land is surplus and is not necessary for the agency’s use; and

Whereas, unless the surplus land is exempt, the agency must give written notice of its availability to any local public entity, including schools and park districts, within whose jurisdiction the property is located, as well as to housing sponsors that have notified the State Department of Housing and Community Development (HCD) of their interest in surplus property; and

Whereas, the City of Brisbane owns vacant, landlocked, property in Crocker Park, and **Whereas**, BLT Enterprises also owns property within Crocker Park and approximately 28,000 square feet of City owned property lies immediately adjacent to the BLT Enterprises property; and

Whereas, BLT Enterprises has asked the City whether it would sell to it the approximate 28,000 square feet of City property, as depicted on the attached Exhibit 1, to be used by BLT Enterprises solely for the parking of vehicles for, and access to the building for, employees of the business located on the BLT Enterprises property; and

Whereas, there is a drainage canal on the property and BLT Enterprises has indicated that if the City sells the property to it, it would grant the City an easement for such canal, and maintain the drainage canal in perpetuity; and

Whereas, BLT Enterprises has also indicated that it will grant the City an easement on the property to be sold for the purpose of providing a public access that would connect to the eastern boundary of San Bruno Mountain State and County Park; and

Whereas, BLT Enterprises has also indicated that by written and recorded instrument it would restrict the use of the property sold to it for parking for, and access to, the building on the property that BLT owns; and

Whereas, the City Council finds and determines that the City has no need of this property for public purposes because of its odd shape and location and that BLT Enterprises, should the property be sold to it, would grant the City an easement for the drainage canal on the property, maintain the drainage canal on the property in perpetuity, grant the City an easement for the purpose of providing a public hiking trail that would connect to the eastern boundary of San Bruno Mountain State and County Park, and would

restrict the use of the property sold to it for the parking of vehicles by persons using the building on adjacent property owned by BLT Enterprises; and

Whereas, the City Council further finds, based upon the foregoing recitals, that the approximate 28,000 square feet of City owned property is surplus land.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BRISBANE
RESOLVES AS FOLLOWS:**


Section 1. The vacant, approximately 28,000 square foot site in Crocker Park, as depicted on the attached Exhibit 1, is declared surplus land and the City Manager shall, on behalf of the City, (a) send the appropriate notices under Government Code, section 54222, (b) negotiate in good faith for the disposition of the property should there be any interest in the property by those districts, recreation agencies and affordable housing developers who receive such notice, and (c) participate in negotiations to dispose of the property should there be no interest by those school districts, recreation agencies or affordable housing developers or, if there is such interest, no agreement as to the property's disposition is reached.

Section 2. If the surplus land is not sold to a school district, a recreation agency or an affordable housing developer, the City Manager is authorized to take all necessary steps and to sign all necessary documents to negotiate the sale of the property at fair market value, including negotiating a purchase agreement to dispose of the surplus land consistent with the terms and conditions of the letter of intent dated January 23, 2024 submitted by BLT Enterprises.

Section 3. If the City Manager negotiates and recommends a purchase agreement to sell the surplus land, the purchase agreement shall be placed on a City Council agenda at an open meeting for consideration.,

Section 4. Should a purchase agreement be approved and executed, once all its conditions have been satisfied, the City Clerk is authorized to record all documents, including a deed, easements, and/or agreements, to carry out the purpose of the purchase agreement.

Section 5. This Resolution shall become effective immediately upon its adoption.



Terry O'Connell, Mayor

* * * *

I hereby certify that the foregoing Resolution No. 2024-01 was duly and regularly adopted at a regular meeting of the Brisbane City Council on February 15, 2024 by the following vote:

AYES: Councilmember Cunningham, Davis, Lentz and Mayor O'Connell

NOES: Councilmember Mackin

ABSENT: None

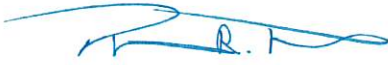
ABSTAIN: None

ATTEST: None



Ingrid Padilla, City Clerk

Approved as to form:



Thomas R. McMorrow, City Attorney



CITY OF BRISBANE
Community Development Department
50 Park Place
Brisbane, CA 94005
(415) 508-2120

February 28, 2024

To All Interested Parties:

RE: Notice of Availability

As required by Government Code Section 54220 of the State of California, the City of Brisbane is providing notification that the City intends to sell the surplus property listed in the attached table.

In accordance with Government Code Section 54222, you have sixty (60) days from the date this offer was sent via certified mail or electronic mail to notify the City of your interest in acquiring the property. However, this offer shall not obligate the City to sell the property to you. Instead, the City would enter into at least ninety (90) days of negotiations with you pursuant to Government Code Section 54223. If no agreement is reached on sales price and terms, or lease terms, the City may market the property to the general public.

As required by Government Code Section 54227, if the City receives more than one letter of interest during this 60-day period, it will give first priority to entities proposing to develop housing where at least 25 percent of the units will be affordable to lower income households. If more than one such proposal is received, priority will be given to the proposal with the greatest number of affordable units. If more than one proposal specifies the same number of affordable units, priority will be given to the proposal that has the lowest average affordability level.

In the event your agency or company is interested in purchasing the property, you must notify the City in writing within sixty (60) days of the date this notice was sent via certified mail or electronic mail. Notice of your interest in acquiring the property shall be delivered to Associate Planner Jeremiah Robbins, at 50 Park Place, Brisbane California 94005. You may also direct your questions to jrobbins@brisbaneca.org or by calling 415-508-2122.

Entities proposing to submit a letter of interest are advised to review the requirements set forth in the Surplus Land Act (Government Code Section 54220-54234).

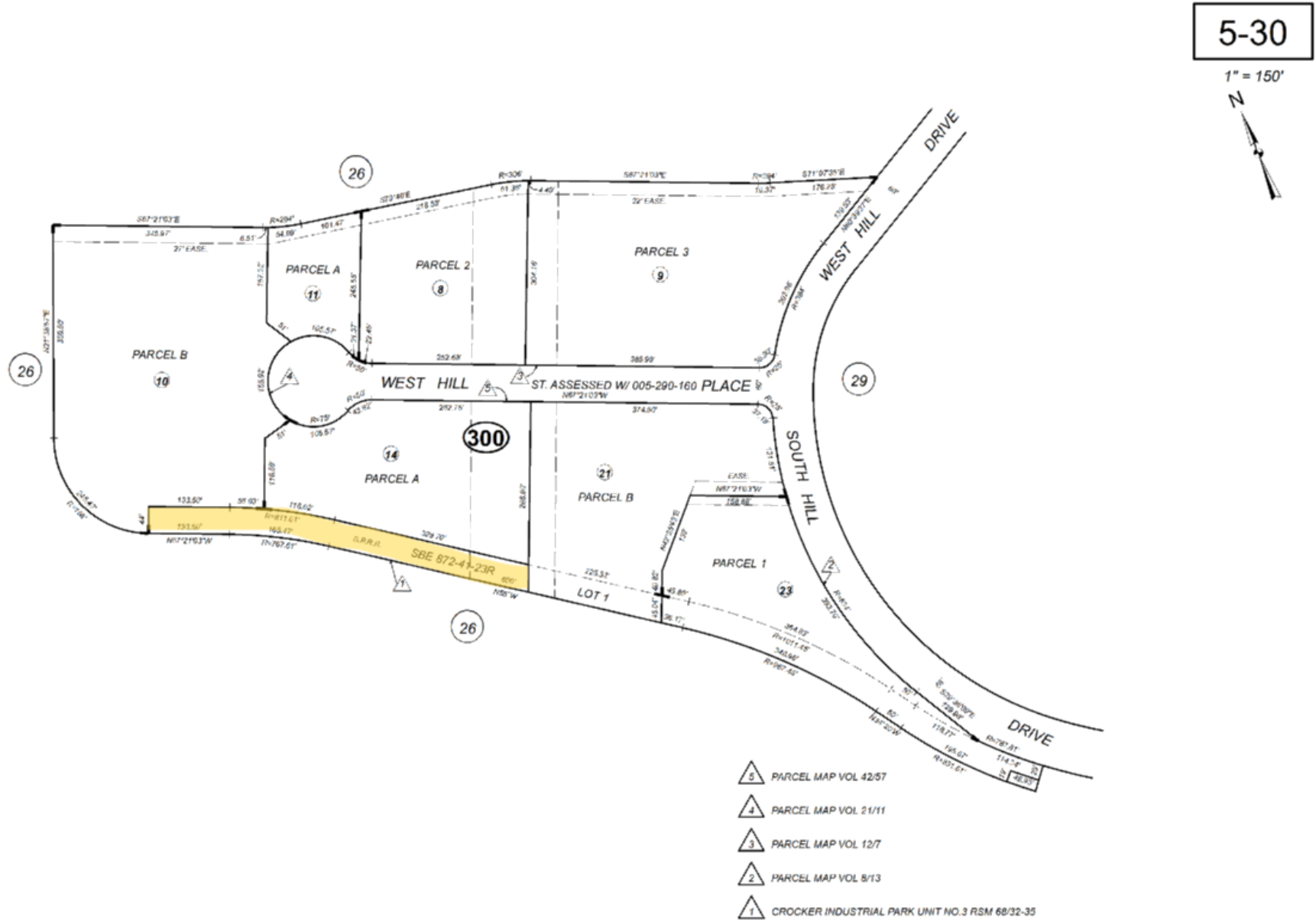
Sincerely,

A handwritten signature in black ink that reads "John Swiecki".

John A. Swiecki
Community Development Director

**General Plan Conformity Disposition of City Real Property in the TC Subarea
ATTACHMENT E**

Jurisdiction Name	Jurisdiction Type	Site Address/ Intersection	City	Five Digit ZIP Code	Assessor Parcel County	Assessor Parcel Number	Consolidated Sites	General Plan Designation (Current)	Zoning Designation (Current)	Minimum Density Allowed (units/acre)	Maximum Density Allowed (units/acre)	Parcel Size (Gross Acres)	Existing Use/ Vacancy	Minimum Sales Price	Last Appraised Value	Last Appraised Date	Optional Information1	Optional Information2
City of Brisbane	City	South of terminus of West Hill Place	Brisbane	94005	San Mateo	005-300-999 (portion of)		TC Trade Commercial	TC-1 Trade Commercial	0	0	0.64	Vacant	NA	NA	NA	landlocked parcel; no direct access to public right of way	part of a former railroad spur; encumbered by drainage canal



RECORDING FOR THE BENEFIT OF,
REQUESTED BY
AND RETURN TO:

CITY OF BRISBANE/CITY CLERK
50 PARK PLACE
BRISBANE, CA 94005

EXEMPT FROM FEE PURSUANT TO
GOVERNMENT CODE SECTION 6103/27383

APN 005-300-999

DECLARATION OF RESTRICTIONS

This Declaration of Restrictions ("Restrictions") is made by _____ ("Declarant") concerning property that the Declarant owns, which property was formerly owned by the City of Brisbane ("City")

Recitals

A. Declarant is the current owner of property located in the City of Brisbane, County of San Mateo, State of California, more particularly described in Exhibit "A", attached hereto and incorporated herein by reference ("the Property").

B. The City owned the Property previously and on February 15, 2024 declared the Property surplus lands as defined in the Surplus Lands Act (Government Code, Section 54220 and following).

C. Following the City's declaration that the Property was surplus lands, the City sent the legally required notices under Government Code, section 54222, including a notice to the State Department of Housing and Community Development (HCD), that the Property was available to purchase.

D. The City received no interest in the Property; thereafter, as permitted by law, the City placed the Property on the open market for sale.

E. The City reached agreement with Declarant concerning the sale of the Property for fair market value and sold the Property to Declarant on _____20__.

F. At the time of the sale, Declarant had not submitted any type of residential land use or residential development plan to the City and does not plan on submitting any type of residential land use or residential development plan to the City.

G. The City imposed a condition on the sale of the property that it may be used only for parking purposes related to adjacent uses.

H. Nevertheless, Government Code, Section 54233 provides that in regard to the disposal of surplus land, if 10 or more residential units are developed on such land, not less than 15% of the total number of residential units developed on the land shall be sold or rented at an affordable cost or affordable rent, as such terms are defined in State law.

NOW, THEREFORE, in consideration of the Declarant having purchased the Property from the City under the Surplus Land Act (Government Code, section 54220 and following), Declarant declares as follows:

1. If 10 or more residential units are developed on the Property, (a) not less than 15% of the total number of residential units developed on the Property shall be sold or rented at an affordable cost or rent, as those terms are defined in State law and (b) the other provisions of Government Code, Section 54233 (concerning the length of time such units must remain affordable and to what income households the units must be sold or rented) shall apply.

2. The Restrictions shall be recorded in the office of the County of San Mateo Recorder, shall run with the land, and shall be enforceable against any owner of the Property who violates these Restrictions by any of the entities described in subdivision (a) to (f) to Government Code, Section 54222.5.

3. The Restrictions shall be binding on the successors and assigns of the Declarant.

4. The Restrictions shall be construed and enforced pursuant to the laws of the State of California. Should any legal action be brought to enforce any provision herein, the prevailing party in such action shall be entitled to attorneys' fees and court costs as may be fixed by the court.

5. The Restrictions shall not be revoked or amended in any way without the approval of the City Council of the City of Brisbane and the State Department of Housing and Community Development.

IN WITNESS WHEREOF, this Declaration of Restrictions is executed by the Declarant as of the ____ day of _____, 20__, at Brisbane, California.

DECLARANT

Approved as to form:

Legal Counsel, City of Brisbane