



# Bay Meadows Phase II Development Agreement

Annual Review and Extension Request  
(PA-2023-050)

Planning Commission Public Hearing  
October 10, 2023

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## ITEM OVERVIEW

- 1) Bay Meadows Phase II Overview
- 2) Development Agreement Extension
- 3) Development Agreement Annual Review
- 4) Public Comments
- 5) Next Steps
- 6) Recommendation

# BAY MEADOWS PHASE II OVERVIEW

Location

Project Approvals

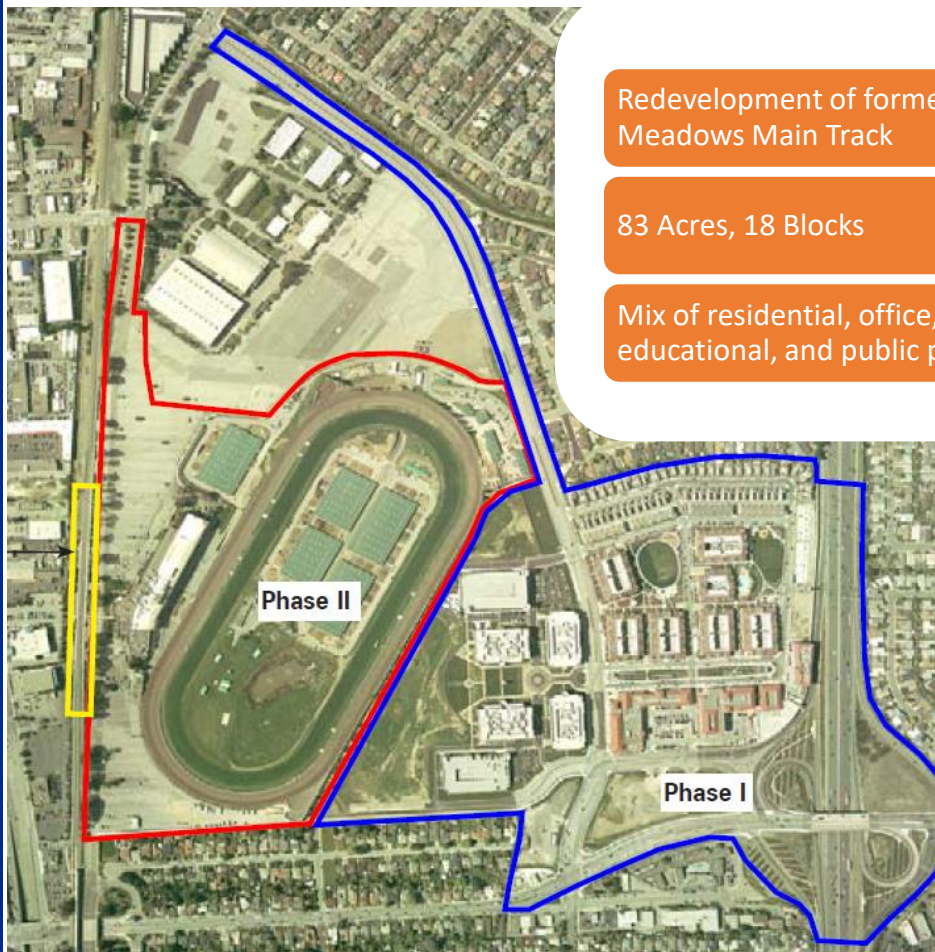
Development Overview

# BAY MEADOWS PHASE II OVERVIEW

## Location

Project Approvals

Development Overview



Redevelopment of former Bay Meadows Main Track

83 Acres, 18 Blocks

Mix of residential, office, retail, educational, and public park uses

# BAY MEADOWS PHASE II OVERVIEW

Location

**Project Approvals**

Development Overview

Bay Meadows  
Phase II  
Specific Plan

Environmental  
Impact Report

Development  
Agreement

Bay Meadows  
Phase II Design  
Guidelines

Site Plan and  
Architectural  
Reviews

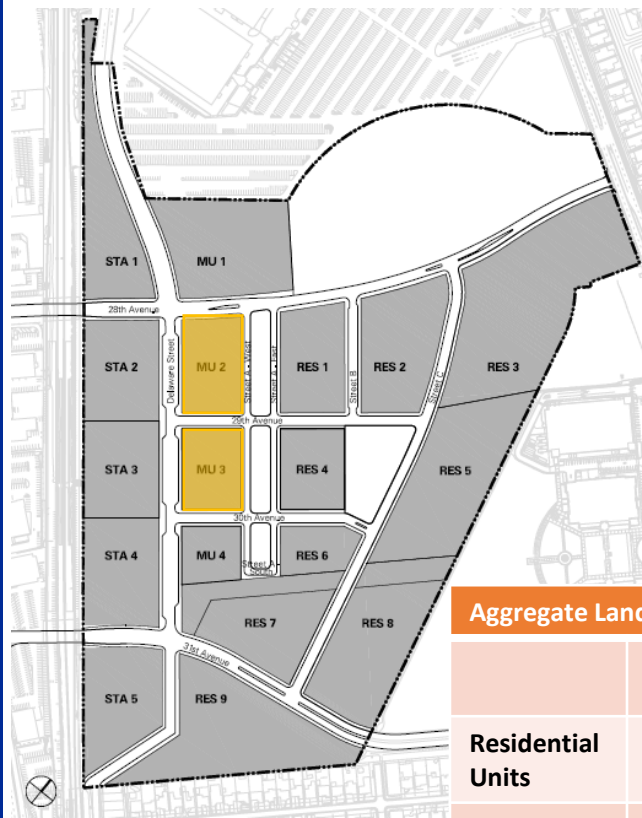


# BAY MEADOWS PHASE II OVERVIEW

Location

Project Approvals

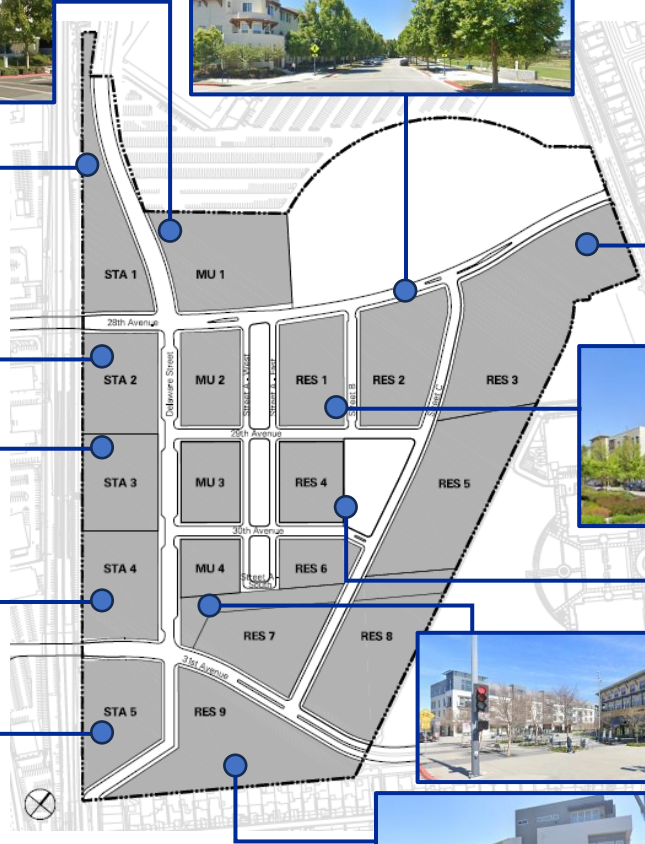
Development Overview



## Aggregate Land Uses (Including MU2 and MU3)

	Min.	Max	Proposed
Residential Units	1,000	1,250	1,048
Office (sq. ft.)	500,000	1,250,000	1,217,826





# DEVELOPMENT AGREEMENT

Overview

Extension Request

Annual Review



# DEVELOPMENT AGREEMENT

## Overview

Extension Request

Annual Review

### 18-Year Term

- Effective December 21, 2005
- Expires December 20, 2023

### Key Development Agreement Terms

- Buildout according to Specific Plan
- 15 Acres of public park space
- 10% Affordable housing (Low or Very Low) across development
- Land dedication for 68-unit affordable building

### Financial Contributions (Above Minimum Requirements)

- Traffic Calming (\$250,000)
- Public Art (\$1 million)
- Community Arts Campaign (\$50,000)
- Casanova Park and Fiesta Gardens (\$100,000 each)

# DEVELOPMENT AGREEMENT

Overview

**Extension Request**

Annual Review

## Three-year extension request

- Extends term to December 20, 2026
- Extends term from 18 years to 21 years

## Purpose of extension

- Caused by COVID-19 pandemic
- Delayed ability to complete final two blocks (MU 2 and MU 3)

## No changes to project or Development Agreement

- City is not imposing further exactions (Section 3.8)
- Development Agreement may be amended by mutual agreement (Section 11.1)

## City Council action required for Amendment

# DEVELOPMENT AGREEMENT

Overview

Extension Request

**Annual Review**

## Annual Review of periods for 16<sup>th</sup> and 17<sup>th</sup> years

- Review period of December 21, 2020 through December 20, 2022
- Owner remains in compliance with terms of the Development Agreement
- No specific milestones required during this period

## Development of blocks remains ongoing

- RES 6: Under construction
- MU 2 Office: Building permits in review
- MU 3 Office: Building permits in review
- MU 3 Residential: Building permits in review

# PUBLIC COMMENTS

- Received (1) one public comment after agenda packet release:
  - Requested more information about Homeowners Association Board composition
    - Forwarded to developer for review/response
  - Concern for visual appearance of vacant lots
    - Condition of Approval #31 “Aesthetics During Construction” requires fencing and maintaining pedestrian access during construction

## NEXT STEPS

- 1) City Council First Reading of Ordinance Amendment: November 6, 2023
- 2) City Council Second Reading: November 20, 2023
- 3) Owner and City would execute and record amendment prior to December 20, 2023

# RECOMMENDATION

- 1) Adopt a Resolution accepting the Annual Reports on the Bay Meadows Phase II Development Agreement finding that the Owner has complied in good faith with the terms of the Development Agreement for the period covering December 21, 2020 through December 20, 2022;
- 2) Recommend City Council adoption of an Ordinance to approve a three-year extension of the Bay Meadows Phase II Development Agreement.