



## City Council Agenda Item Staff Report

CITY OF SAN BRUNO

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**DATE:** January 11, 2022

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Jovan Grogan, City Manager

**PREPARED BY:** Pamela Wu, Director

**SUBJECT:** Adopt Resolution Confirming that General Plan Open Space and Recreation Policy OSR-8 Requires Dedication of Approximately 12 Acres of Playing Fields at the Former Crestmoor High School Site at 300 Piedmont Avenue, San Bruno CA

### **BACKGROUND:**

The San Mateo Union High School District ("District") has solicited proposals from developers to reuse Crestmoor High School, although no application has yet been submitted to the City. General Plan Policy OSR-8, along with other General Plan policies, requires that the approximately 12-acre playing fields on the site be preserved. Staff recommends that the City Council adopt the attached resolution to confirm this General Plan requirement.

The City Council initially adopted the attached resolution at its December 14, 2021 meeting. At that meeting, the Mayor requested public comments on the consent calendar twice, once immediately after the request for public comments for items not on the agenda and again during consideration of the consent calendar. The School District submitted a letter in advance of the meeting, and two representatives presented their views during the public comment period.

Nevertheless, on December 22, 2021 the City received a letter from the District alleging that the City's action did not conform with the Brown Act. The City does not believe that the initial action violated the Brown Act, and agenda item 8.a. addresses those allegations. Nonetheless, to avoid the possibility of unnecessary litigation and the associated expenditure of public resources, this item is before the City Council again for adoption of a resolution to confirm that General Plan Policy OSR-8 requires dedication of approximately 12 acres of playing fields.

### **DISCUSSION:**

The Crestmoor High School playing fields, depicted in the map attached to the resolution as Exhibit A, were developed by the School District, used extensively by the public, and have been maintained with public funds. Since 1987, when the high school closed, the playing fields have been maintained and managed by the City, remained open to the public for active and continuous use, and provided an important recreational resource for the community. Crestmoor High School is identified in the City's General Plan as providing 12 acres of recreational opportunities for San Bruno residents. (See Open Space and Recreation Element, Table 5-3.) Clearly the preservation of the playing fields is a matter of broad public policy.

The City's General Plan Policy OSR-8 states that the existing playing fields should be preserved, as follows:

**OSR-8:** During reuse of the former Crestmoor High School site (designated for single-family residential development), preserve the existing playing fields for recreational use per direction of the General Plan Update Committee.

This policy requires preservation of the playing fields on the Crestmoor High School property. The Merriam-Webster dictionary defines "preserve" as "to keep (something) in its original state or in good condition". The Cambridge Dictionary defines "preserve" as "to keep something as is, especially in order to prevent it from decaying or being damaged or destroyed".

Other parts of the General Plan support the requirement to preserve the playing fields:

**Housing Element Program 2-D:** "Allow the redevelopment of the Crestmoor site to utilize clustering of new housing units to facilitate the preservation of open space and playgrounds *according to General Plan Policy OSR-8* while not reducing the overall number of units achievable on the site." (emphasis added)

**OSR-4:** "Undertake a program to add 20 acres of parkland to the City system over the next 20 years. Seize opportunities to develop and/or maintain parks and recreation facilities within existing residential neighborhoods through acquisition *or preservation* of former school facilities."

**LUD-1:** "Promote development of single-family housing on former school sites owned by public school districts. Retain existing recreation facilities for resident use, whenever possible."

The City's zoning code was adopted to protect and promote the public health, safety, comfort, convenience and general welfare of the City and additionally serves to "provide a precise guide to the physical development of the city in order to achieve the land uses and open spaces described in the General Plan". (San Bruno Municipal Code Section 12.76.030.A.) Projects must conform with the General Plan to be approved.

Lastly, the California Environmental Quality Act (CEQA) Environmental Impact Report (EIR) for the City's general plan relied on Policy OSR-8, among other open space and recreation element policies, to reduce impacts to parks to a less than significant impact. The analysis states that projected increases in housing and population would result in the need for additional parkland, or significant improvements to existing parkland to fully serve the City's residents with recreational facilities and programs. It concludes that with implementation of the open space and recreation policies, including OSR-8, the park impacts will be reduced to a less than significant level. The playing fields at Crestmoor High School are an existing recreational facility which the General Plan and General Plan EIR contemplated would be preserved to meet the needs of the existing and projected population of the City.

Preservation of the playing fields requires not only that they be physically preserved in their present location, but also that they continue to be open to the public and dedicated to the City. This has been the City's consistent determination regarding the requirements of Policy OSR-8. The purpose of the attached resolution is to reiterate and

confirm that determination. The attached resolution is consistent with existing General Plan policies and does not make any amendments to the City's General Plan.

**FISCAL IMPACT:**

The City Council action is confirming an existing General Plan policy. There is no fiscal impact of this action.

**ENVIRONMENTAL IMPACT:**

Under Public Resources Code Section 21065 and CEQA Guidelines Section 15378, this action does not constitute a "project" within the meaning of CEQA in that it has no potential to cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, in that confirming the application of an existing General Plan policy has no potential for resulting in a physical change in the environment, either directly or indirectly, and therefore does not require environmental review.

**RECOMMENDATION:**

Adopt Resolution Confirming that General Plan Open Space and Recreation Policy OSR-8 Requires Dedication of Approximately 12 Acres Of Playing Fields at the Former Crestmoor High School.

**ALTERNATIVES:**

No action. Policy OSR-8 is part of the General Plan and requires preservation of the playing fields regardless of the City's action.

**DISTRIBUTION:**

1. Kevin Skelly, Superintendent, San Mateo Union High School District
2. Harold Freiman, Lozano Smith Attorneys at Law
3. Elaine Breeze, Senior Vice President of Development, SummerHill Apartment Communities / SummerHill Homes

**ATTACHMENTS:**

1. Resolution No. 2022-xx, a Resolution of the City Council of the City of San Bruno Confirming that General Plan Open Space and Recreation Policy OSR-8 Requires Dedication of Approximately 12 Acres of Playing Fields at the Former Crestmoor High School