



## City Council Agenda Item Staff Report

CITY OF SAN BRUNO

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**DATE:** July 26, 2022

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

**FROM:** Jovan Grogan, City Manager

**PREPARED BY:** Matthew Lee, Director

**SUBJECT:** Adopt Resolution (1) Vacating Public Service Easements Over a Portion of the Property at 1400-1500 Bayhill Drive, (2) Vacating Roadway Easements Within Bayhill Drive, (3) Accepting the Dedication of Utility and Roadway Easements Within Bayhill Circle, and (4) Authorizing the City Manager to Execute Implementing Conveyance Documents and Agreements in Substantially the Attached Forms; and Adopt Resolution Authorizing Various Curb Markings on Bayhill Circle

**BACKGROUND:** The City Council is to consider the proposed easement vacations and dedications to reconfigure the existing western terminus of Bayhill Drive into a circular shape (Bayhill Circle). To facilitate this reconfiguration, the project developer (Google LLC) is requesting the City of San Bruno ("City") (1) vacate public service easements over a portion of the property at 1400-1500 Bayhill Drive, (2) vacate roadway easements within Bayhill Drive and (3) accept Google LLC's offer of dedication of utility and roadway easements within Bayhill Circle. City Council action is also required for the accompanying proposed curb markings on Bayhill Circle.

On February 26, 1996, the City of San Bruno and the Gap Inc. entered into a Development Agreement for Bayhill VIII pursuant to Ordinance No. 1568, approved by the City Council on January 22, 1996 for development of the property at 901 Cherry Avenue (Phase 1) and 1400 and 1450 Bayhill Drive (Phase 2). The original project included the office building at 901 Cherry Avenue and parking deck (Phase 1), which were subsequently built as Gap Corporate Headquarters. The Development Agreement included one additional office building and a parking garage at 1400 and 1450 Bayhill Drive on a separate lot, which is located to the west of 901 Cherry Avenue.

Changes to the Phase 2 project necessitated the First Amendment to the Development Agreement, which was approved on August 9, 1999. The amended 1999 Development Agreement with the City authorized the construction of a Revised Phase 2 project which included the development of two new office buildings (instead of one) at the eastern portion of the lot behind the existing parking deck (Building 2) and a building at the western portion of the lot (Building 3). Building 2 is two to three stories and Building 3 is two stories with a multilevel parking garage below with 865 parking spaces. The parking garage would be accessed from a new access driveway connecting the terminus of Bayhill Drive (see Attachment 1 for the site plan). The reconfiguration of the terminus from the hammer head shape to a more circular shape was approved as part of the First Amendment.

A Second Amendment was approved in October 2020, extending the terms and expiration date of the original Development Agreement, arranging for payment of the public Benefit Payment and certain fees, facilitating development of the revised Phase 2, and establishing an alternative vested rights determination for the revised Phase 2 Project.

**DISCUSSION:** The campus office project at 1400-1500 Bayhill Drive by Google LLC includes two new office buildings, an accessory central utility plant building, subgrade parking, related site and utility improvements behind 901 Cherry Avenue, roadway and utility improvements along Bayhill Drive, and reconfiguration of the existing western terminus of Bayhill Drive. The existing western terminus of Bayhill Drive near the proposed Building 3 has a hammer head shape which needs to be modified to provide for access to the garage at 1450 Bayhill Drive and for the fire access to the new building. The developer is proposing a cul-de-sac in a circular shape (Bayhill Circle) to accommodate access to and from the parking garage and to provide for fire access to the new buildings (Buildings 2 and 3).

In connection with the project and as shown on the "Master Easement Vacation & Dedication Exhibit" as set forth in Exhibit C of the Resolution (Attachment 2), the City will summarily vacate portions of the easements which are not in use and will be superseded by relocation and/or have been determined to be excess, and accept the dedication of certain public service and street easements for the new Bayhill Circle. Google LLC irrevocably offers roadway dedications in and around Bayhill Circle and Bayhill Drive to the City through the Grant Deed and Easement Agreement (Exhibit E), and the quitclaim deeds transfer certain rights acquired by the City in the Public Service Easements over the Google Property and in the Roadway Easements within Bayhill Drive to Google LLC (Exhibits H and I). The Bayhill Circle Maintenance Agreement (Exhibit F) and Stormwater Management Facilities Operation & Maintenance Agreement (Exhibit G) will be executed and recorded to establish the maintenance responsibilities of Google LLC for Bayhill Circle and storm drain facility. Attachment 3 is the Bayhill Circle plat and legal descriptions. Attachment 4 is the Stormwater Treatment Measures Operations and Maintenance Agreement.

Additionally, the curbs at the new Bayhill Circle need to be striped in red to provide for fire access and improve visibility adjacent to multiple existing and proposed driveways and proposed marked crosswalk. White curb painting is needed to provide for loading and unloading of passengers. Blue curb painting is needed for on-street ADA parking. The curb striping and Bayhill Circle improvements are described in Attachment 5 and shown on the Attachment 6. The curb painting item went before the City's Traffic Safety & Parking Committee on August 4, 2021 and was unanimously approved 5-0.

**FISCAL IMPACT:** There is no fiscal impact to the City as a result of this action.

**ENVIRONMENTAL IMPACT:** This activity is exempt from the California Environmental Quality Act, Pub. Res. Code Section 21000 *et seq.*, pursuant to CEQA Guidelines Section 15302 (Class 2) and Section 15303 (Class 3(d)).

**RECOMMENDATION:** Staff recommends City Council Adopt a Resolution (1) Vacating Public Service Easements Over a Portion of the Property at 1400-1500 Bayhill Drive, (2) Vacating

Roadway Easements within Bayhill Drive, (3) Accepting the Dedication of Utility and Roadway Easements within Bayhill Circle, and (4) Authorizing the City Manager to Execute Implementing Conveyance Documents and Agreements in substantial conformance with the attached documents; and Adopt Resolution Authorizing Various Curb Markings on Bayhill Circle.

**ALTERNATIVES:** The City Council may choose not to adopt a resolution accepting the Grant of Easements and Dedication, and summary vacation of utility and roadway easements, and/or choose not to adopt resolution authorizing curb markings. The City Council may also choose to reject any of the associated agreements for the project, or may choose to require changes to one or more of the agreements.

**ATTACHMENTS:**

Attachment 1 - Bayhill VIII Phase 1 and 2 - Site Plan

Attachment 2 - City Council Resolution

Exhibit A - Legal Description of Google Property

Exhibit B - 1972 Parcel Map

Exhibit C - Master Easement Vacation & Dedication Exhibit

Exhibit D - Storm Drain Exhibit

Exhibit E - Easement Grant Deed and Access Agreement

Exhibit F - Bayhill Circle Maintenance Agreement

Exhibit G - Stormwater Management Facilities Operation and Maintenance Agreement

Exhibit H - Quitclaim Deed - Public Service Easements

Exhibit I - Quitclaim Deed - Roadway Easements

Attachment 3 - Bayhill Circle Plat and Legal Descriptions 10-08-2021

Attachment 4 - Stormwater Treatment Measures Maintenance Agreement

Attachment 5 - City Council Resolution Authorizing Various Curb Markings on Bayhill Circle

Attachment 6 - Curb Marking Figure TSPC Meeting August 4, 2021