

RESOLUTION NO. 6-2007

Adopted January 16, 2007

CONDITIONALLY APPROVING THE MASTER PLAN FOR THE OPEN SPACE AND STREETScape FOR THE HUNTERS POINT SHIPYARD AND ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT AREA

BASIS FOR RESOLUTION

1. On July 14, 1997, by Ordinance Number 285-97, the Board of Supervisors of the City and County of San Francisco (the "Board") adopted the Hunters Point Shipyard Redevelopment Plan (the "Plan"). On December 2, 2003, by Resolution No. 179-2003, the Agency Commission approved the Disposition and Development Agreement Hunters Point Shipyard – Phase I, as the same has been amended from time to time (the "DDA"), between the Redevelopment Agency of the City and County of San Francisco (the "Agency") and Lennar-BVHP, LLC ("Lennar"). In accordance with the DDA, Lennar must prepare conceptual and schematic plans for the development of the open space and streetscape in the Phase I development at the Hunters Point Shipyard Redevelopment Project Area (the "Shipyard").
2. On February 8, 2000, the Agency Commission and the San Francisco Planning Commission, by adopting Resolution No. 11-2000 and Motion No. 14981, respectively, acting together as co-lead agencies for conducting environmental review for the Plan and its implementing actions, certified a Final Environmental Impact Report (the "FEIR") for the acquisition and reuse of the Shipyard as contemplated in the Plan. On February 8, 2000, by Resolution No. 12-2000, the Agency Commission adopted findings pursuant to the California Environmental Quality Act (California Public Resources Code Sections 21000 *et seq.*) ("CEQA"), to support the adoption of the Plan, which findings are incorporated herein by this reference. As part of its actions on February 8, 2000, in addition to certifying the FEIR and adopting findings pursuant to CEQA, the Redevelopment and Planning Commissions, File No. 1994.061E, adopted a series of mitigation measures, and established a comprehensive system for mitigation monitoring for the Shipyard.
3. Subsequent to the certification of the FEIR refinements were made to the Shipyard development program resulting in Addendum No. 1 to the FEIR published on November 19, 2003 and Addendum No. 2 to the FEIR published on July 13, 2006. The addenda concluded, based on the findings of the FEIR that the proposed refinements would not create any significant environmental impacts not already studied in the FEIR and that the conclusions reached in FEIR remained

valid. The adoption of the Master Plan for the Open Space and Streetscape (the "Master Plan") is consistent with those findings.

4. The Master Plan was drafted in accordance with the Horizontal Design Review and Document Approval Procedure for Infrastructure Development (the "H-DRDAP"), which is an attachment to the DDA, and the Hunters Point Shipyard Design for Development ("D for D"). The H-DRDAP also requires Lennar to prepare schematic drawings and plans for the Innes Court Park, Hillpoint Park, Central Park, the Pocket Parks, as well as the streets, sidewalks, street lights, signage, and street furniture in the Shipyard for the Agency Commission's consideration. The H-DRDAP sets forth the procedure for design, plan and specification review of the Infrastructure or Horizontal Improvements that Lennar is required to construct under the terms of the DDA. Agency staff reviews the plans and specifications to ensure that they conform to the DDA, the Plan, and the D for D. As defined in these documents, subsequent schematic designs for individual pocket parks must be submitted with the vertical design of each of the buildings proposed to be built on the Shipyard parcels.
5. The FEIR is a program EIR under State CEQA Guidelines Section 15168 and a redevelopment plan EIR under State CEQA Guidelines Section 15180. Approval of the Master Plan is an undertaking pursuant to and in furtherance of the Plan in conformance with Section 15180 (the "Implementing Action").
6. The Agency Commission previously adopted Resolution Nos. 135-2004, 50-2004, 3-2005, 36-2005 and 141-2006 concerning environmental findings in relation to actions in furtherance of the implementation of the Plan, of which the Implementing Action is a part. Resolution Nos. 135-2004, 50-2004, 3-2005, 36-2005 and 141-2006 were and remain adequate, accurate and objective and are incorporated herein by this reference as applicable to the Implementing Action.
7. In accordance with the Plan and the DDA, including the H-DRAP, Agency staff has reviewed the Master Plan, as well as the FEIR together with all addenda thereto, and other information contained in the Agency's files, finds them to be acceptable and recommends conditional approval of the Master Plan subject to the resolution of certain design concerns.

FINDINGS

The Agency finds and determines that the Implementing Action is within the scope of the Project analyzed in the FEIR, requires no new environmental documentation, and is exempt from additional environmental review requirements pursuant to State CEQA Guidelines Sections 15180, 15162 and 15163 for the following reasons:

- A. The Implementing Action is within the scope of the Project analyzed in the FEIR, and no FEIR revisions are required due to the involvement of new significant

environmental effects or a substantial increase in the severity of previously identified significant effects.

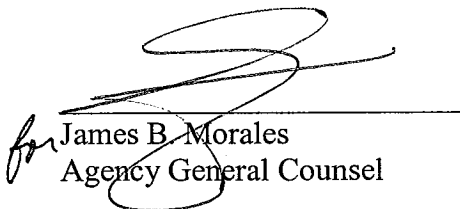
- B. No substantial changes have occurred with respect to the circumstances under which the Project analyzed in the FEIR and the Implementing Action will be undertaken that would require major revisions to the FEIR due to the involvement of new significant environmental effects, or a substantial increase in the severity of effects identified in the FEIR.
- C. No new information of substantial importance to the Project analyzed in the FEIR and the Implementing Action has become available which would indicate any of the following: (i) the Project analyzed in the FEIR and the Implementing Action will have significant effects not discussed in the FEIR; (ii) significant environmental effects will be substantially more severe; (iii) mitigation measures or alternatives found infeasible that would reduce one or more significant effects have become feasible; or (iv) mitigation measures or alternatives that are considerably different from those in the FEIR will substantially reduce one or more significant effects on the environment.

RESOLUTION

ACCORDINGLY, IT IS RESOLVED by the Redevelopment Agency of the City and County of San Francisco (1) that it has reviewed and considered the FEIR together with the Addenda thereto and any additional environmental documentation in the Agency's files and hereby adopts the CEQA Findings set forth in the previously adopted resolutions that have been incorporated herein by reference and those Findings set forth above; and (2) that the Master Plan dated January 16, 2007 is hereby conditionally approved, subject to resolution of the following design concerns to Agency staff's satisfaction at the next phase of design:

1. Review the geometry of intersection including curb radii and the potential placement of street-corner bulb-outs as required in the D for D.
2. Study the placement of driveways and curb-cuts so as to maximize the amount of on-street parking.
3. Refine installation options and design for the Cultural and Historic Recognition Program (CHRP) program elements.

APPROVED AS TO FORM:


for James B. Morales
Agency General Counsel