

RESOLUTION NO. 39-2007

Adopted May 1, 2007

CONDITIONALLY APPROVING THE STREETSCAPE SCHEMATIC DESIGN FOR PHASE 1 OF 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 1, 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 1 development at the Hunters Point Shipyard Redevelopment Project Area (the "Shipyard").
2. On January 16, 2007, the Agency Commission conditionally approved by Resolution No. 6-2007 the Open Space and Streetscape Master Plan ("Master Plan") for Phase 1 of the Shipyard and adopted environmental findings pursuant to the California Environmental Quality Act (California Public Resources Code Sections 21000 *et seq.*) ("CEQA"). The Master Plan's streetscape design contemplated a network of new residential streets, utilities, sidewalks, lighting, signage, street furnishings, trees, and planting schemes that tied together the different housing types at the Shipyard as articulated in the Plan.
3. 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 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.

4. 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 the FEIR remained valid. The adoption of the Streetscape Schematic Design for Phase 1 of the Shipyard ("Schematic Design") is consistent with those findings.
5. The Schematic Design 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. 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. The H-DRDAP also requires Lennar to prepare schematic drawings for the streets, sidewalks, street lights, signage, and street furniture in the Shipyard for the Agency Commission's consideration. Agency staff reviews the plans and specifications to ensure that they conform to the DDA, the Plan, and the Design for Development for Phase 1 of the Shipyard.
6. 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 Schematic Design is an undertaking pursuant to and in furtherance of the Plan in conformance with Section 15180 (the "Implementing Action").
7. The Agency Commission previously adopted Resolution Nos. 135-2004, 50-2004, 3-2005, 36-2005, 141-2006 and 6-2007 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, 141-2006 and 6-2007 were and remain adequate, accurate and objective and are incorporated herein by this reference as applicable to the Implementing Action.
8. In accordance with the Plan and the DDA, including the H-DRDAP, Agency staff has reviewed the Schematic Design, 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 Schematic Design 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.

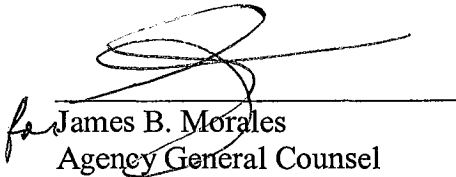
RESOLUTION

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 Schematic Design dated April 18, 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. Street Trees, Shrubs and Ground Covers: In the event that one or more of the tree species, shrubs and ground covers identified in the Schematic Design document is not available at the time of development of the streetscape, the developer shall submit for Agency consideration and selection alternative tree, shrub and ground cover species that will complement the goal of enhancing the pedestrian right-of-way with seasonal shades and a variety of colors, heights and textures.
2. Benches: Plans for the development of the pocket parks and buildings shall include the location of street benches within the furniture zone or in areas that do not interrupt the pedestrian flow and the overall streetscape planting concepts. The location and design of the benches shall be compatible and complementary to the adjacent uses ground floor and shall be reviewed and approved by Agency staff.

3. Bicycle Route Pavement Markings: The Infrastructure plans and the Schematic Design shall include bicycle pavement markings for permanent and interim bicycle routes, including the segment of Donahue between Galvez and Kirkwood, and along Galvez Avenue. The paving markings shall include all Bicycle Class II and III facilities, as per City standards.
4. Bicycle Racks: Bicycle racks shall be provided in all the streets and shall comply with the dimensional standards indicated in Schematic Design. In low density areas (65 dwelling units ("DU") per acre), the racks shall be provided at least every 200 feet; in mid and high density areas (80 to 135 DU/acre), the location of the bicycle racks shall be coordinated with the design of buildings to ensure that they support and complement ground floor uses and the needs of residents and visitors.
5. Trash Receptacles: The location of trash receptacles shall be coordinated with the vertical development; in low density areas (65 DU/acre), trash receptacles shall be provided at least every 200 feet; in mid and high density areas (80 to 135 DU/acre), the location of the trash receptacles shall be coordinated with the design of buildings to ensure that they support and complement ground floor uses and the needs of residents and visitors.
6. Lighting: The lighting conditions of the different lighting zones require additional study so as to ensure that the trees selected throughout Phase1 will not impede the effectiveness of the streetlights when the tree canopy is mature.

APPROVED AS TO FORM:


for James B. Morales
Agency General Counsel