

RESOLUTION NO. 45-2011

Adopted April 5, 2011

CONDITIONALLY APPROVING A COMBINED BASIC CONCEPTUAL AND SCHEMATIC DESIGN FOR A ONE-STORY MODULAR REAL ESTATE SALES AND MARKETING OFFICE TO BE BUILT AND OPERATED BY HPS DEVELOPMENT CO. LP, A DELAWARE LIMITED PARTNERSHIP, ON AGENCY-OWNED LAND AND ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT AREA

BASIS FOR RESOLUTION

1. On December 2, 2003, the Agency Commission adopted Resolution No. 179-2003 authorizing the Hunters Point Shipyard ("Shipyard") Phase I Horizontal Disposition and Development Agreement (as amended, "DDA") between the Redevelopment Agency of the City and County of San Francisco ("Agency") and HPS Development Co. L.P. ("Lennar").
2. In accordance with the DDA's Vertical Design Review and Document Approval Procedure ("VDRDAP"), Lennar has submitted a combined Basic Conceptual and Schematic Design ("Schematic Design") for a real estate and sales marketing office ("Welcome Center") on the Agency's land (Block 56).
3. The Welcome Center's lot area (Block 56) is 42,764 square feet and the building area is approximately 2,800 square feet. The lot is bounded by Coleman Street to the northwest and Innes Court to the northeast.
4. Agency staff has reviewed the Schematic Design and finds it to be in compliance with the permitted uses and development standards described in the Shipyard's Phase I Design for Development and the Hunters Point Shipyard Redevelopment Plan ("Plan").
5. The infrastructure construction for Block 56 is substantially complete including the construction of the concrete road base and utilities adjoining the parcel.
6. The Schematic Design has received appropriate environmental review. On February 8, 2000, the Agency Commission and the San Francisco Planning Commission, acting as co-lead agencies for conducting environmental review for the Plan and its implementing actions, adopted Resolution No. 11-2000 and Motion No. 14981, respectively. Resolution No. 11-2000 and Motion No. 14981 each certified a Final Environmental Impact Report for the acquisition and reuse of the Shipyard as contemplated in the Plan ("Shipyard Final EIR"). Also 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"), a Statement of Overriding

Considerations and a Mitigation Monitoring and Reporting Program to support the adoption of the Plan.

7. Subsequent to the certification of the Shipyard Final EIR, refinements were made to the Shipyard development program resulting in Addendum No. 1 to the Final EIR published on November 19, 2003 and Addendum No. 2 to the Final EIR published on July 13, 2006. The addenda concluded, based on the findings of the Shipyard Final EIR, that the proposed refinements would not create any significant environmental impacts not already studied in the Final EIR and that the conclusions reached in Final EIR remained valid.
8. The Shipyard Final EIR is a program EIR under State CEQA Guidelines Section 15168 and a redevelopment plan EIR under State CEQA Guidelines Section 15180. The addenda to the Shipyard Final EIR were prepared pursuant to State CEQA Guidelines Section 15164.
9. On June 3, 2010, the Agency Commission and the San Francisco Planning Commission, acting together as co-lead agencies for conducting environmental review for the Candlestick Point – Hunters Point Shipyard Phase II Development Plan Project (“Candlestick Shipyard Phase II Project”), adopted Resolution No. 58-2010 and Motion No. 18096, respectively; Resolution No. 58-2010 and Motion No. 18096 certified a Final Environmental Impact Report for development of Phase II of the Shipyard and Candlestick Point (“Phase II Final EIR”). Also on June 3, 2010, by Resolution No. 59-2010, the Agency Commission adopted CEQA findings, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program for the Candlestick Shipyard Phase II Project. The Phase II Final EIR not only analyzed development of Phase II, but also included the Phase I development as a cumulative project and, thereby, presented an updated cumulative impacts analysis to supplement the cumulative impacts analysis in the Shipyard Final EIR. The cumulative impacts analysis in the Phase II Final EIR found the cumulative significant unavoidable environmental impacts disclosed in Resolution No. 11-2000 to remain significant and unavoidable.
10. The Phase II Final EIR is a project EIR under State CEQA Guidelines Section 15161 and a redevelopment plan EIR under State CEQA Guidelines Section 15180.
11. Agency staff, in reviewing the Schematic Design has determined it to be a subsequent Implementing Action, has considered and reviewed the Shipyard Final EIR and addenda and the Phase II Final EIR, and has determined that the current proposed action is in furtherance of the implementation of the Plan, consistent with State CEQA Guidelines Sections 15180 and 15168.
12. The Shipyard Final EIR and addenda, the Phase II Final EIR, and related documents are available for review by the Agency Commission and the public and are part of the record before the Agency Commission.

13. No substantial changes have occurred with respect to the Project analyzed in the Shipyard Final EIR (and its addenda) that would require preparation of a subsequent or supplemental EIR or amendment to the Shipyard Final EIR. Lennar proposed elimination of a four-lane curved roadway bypassing the intersection of Innes Avenue and Donohue Street, (known as the "S-curve") from the street configuration in the Phase I area after certification of the Shipyard Final EIR (and preparation of the addenda). This proposed change was analyzed in the Phase II Final EIR, which included an assessment of the elimination of the "S-curve" and inclusion of the intersection of Innes Avenue and Donohue Street on Phase I of the Shipyard. The analysis in the Phase II Final EIR concluded that the change in configuration from the S-curve to the Innes/Donohue intersection would have less-than-significant project and cumulative impacts.
14. The environmental findings adopted in accordance with CEQA by the Agency Commission in Resolutions No. 6-2007 and 59-2010 were and remain adequate, accurate and objective and are incorporated herein by reference as applicable to the current Implementing Action.
15. In accordance with the Plan and the DDA, including the VDRDAP, Agency staff has reviewed the Schematic Design for this use, as well as the Shipyard Final EIR and addenda, the Phase II Final EIR, and other information contained in the Agency's files, and finds the Schematic Design to be acceptable and recommends conditional approval of the Schematic Design subject to the successful resolution of the following design comments, concerns, and outstanding obligations:
 - a) The need to reconcile any and all internally inconsistent technical details, including but not limited to, drawings on sheets: A1.1, A2.1, C1.2, C1.3, and L1.4.
 - b) The need to ensure compliance with the California Building Code of the accessible access aisle in the parking area.
 - c) Resolve any path of travel conflicts and show a clear pedestrian route in the parking lot.
 - d) Lennar's submission of a signage plan in conformance with the Shipyard's Design for Development.
 - e) Lennar's provision of details related to the control of the site's storm water.
16. The Shipyard's Citizens Advisory Committee was briefed on the Schematic Design at its February and March 2011 meetings and supports the Schematic Design moving forward.

FINDINGS

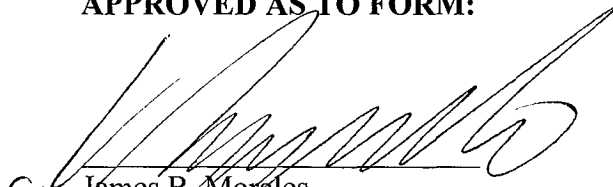
The Agency finds and determines that the Welcome Center Schematic Design (i) is an Implementing Action within the scope of both the VDRDAP and the Project analyzed in the Shipyard Final EIR, the addenda, and as supplemented in the Phase II Final EIR and (ii) requires no additional environmental review pursuant to Sections 15180, 15168, 15162, and 15163 of State CEQA Guidelines. The Agency makes the above findings based on the following:

- A. The Implementing Action does not incorporate substantial changes into the Project analyzed in the Shipyard Final EIR, addenda, and Phase II Final EIR, and will not require any further revisions to the Shipyard Final EIR or Phase II Final EIR 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 Shipyard Final EIR, addenda, and Phase II Final EIR was or will be undertaken that would require further revisions to the Shipyard Final EIR or the Phase II Final EIR due to the involvement of new significant environmental effects, or a substantial increase in the severity of effects identified in the Shipyard Final EIR and the Phase II Final EIR.
- C. No new information of substantial importance to the Project analyzed in the Shipyard Final EIR, addenda, and the Phase II Final EIR has become available, which would indicate any of the following: (i) the Implementing Action will have significant effects not discussed in the Shipyard Final EIR, addenda, or the Phase II Final EIR; (ii) significant environmental effects will be substantially more severe; (iii) mitigation measures or alternatives found not feasible 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 Shipyard Final EIR or the Phase II Final EIR 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 Shipyard Final EIR and addenda, and the Phase II Final EIR, and any additional environmental documentation in the Agency's files and hereby adopts the CEQA findings set forth in Resolutions No. 6-2007 and 59-2010, and those findings set forth above; and (2) that the Schematic Design for Lennar's Welcome Center on Block 56 are conditionally approved subject to Agency staff's approval of the proposal to be submitted by Lennar for resolution of the design conditions, comments, and outstanding obligations stated in the foregoing portions of this Resolution, together with such refinements as the Executive Director may approve which do not substantially alter the Schematic Design concept.

APPROVED AS TO FORM:


James B. Morales
Agency General Counsel