

Commission on Community Investment and Infrastructure

RESOLUTION NO. 41-2014

**Adopted May 20, 2014**

ADOPTING ENVIRONMENTAL REVIEW FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND CONDITIONALLY APPROVING A SCHEMATIC DESIGN FOR ARTIST REPLACEMENT STUDIOS AS PART OF THE HUNTERS POINT SHIPYARD REDEVELOPMENT; HUNTERS POINT SHIPYARD REDEVELOPMENT PROJECT AREA

WHEREAS, Under Chapter 5, Statutes of 2011, ABx1 26, and Assembly Bill No. 1484 (Chapter 26, Statutes of 2011-12, Regular Session) (collectively, the “Dissolution Law”), the San Francisco Redevelopment Agency (“SFRA”) was dissolved and certain obligations of SFRA were transferred to the successor agency, now known as the Office of Community Investment and Infrastructure or “OCII,” the successor to the San Francisco Redevelopment Agency by operation of law; and,

WHEREAS, On October 2, 2012, the Board of Supervisors in its capacity as the legislative body of the Successor Agency adopted Ordinance No. 215-12, acknowledging that OCII is a separate legal entity as a result of AB 1484 and creating the Community Investment and Infrastructure Commission (the “Commission”) as the policy body of OCII to implement three Major Approved Development Projects (1. Hunters Point Shipyard/Candlestick Point, 2. Mission Bay, and 3. Transbay), the Retained Housing Obligations, and other enforceable obligations under the Dissolution Law; and,

WHEREAS, On June 3, 2010, the SFRA Commission approved the Phase 2 DDA with HPS Development Co., LP, (“Lennar” or the “Master Developer”) for the second phase of the Project’s development (as amended, the “Phase 2 DDA”). The Phase 2 DDA is an enforceable obligation under the Dissolution Law; and,

WHEREAS, The Community Benefits Plan is attached to and part of the Phase 2 DDA, and requires Lennar to construct replacement facilities for approximately 130 existing artist studios in Building 110 on Parcel A and Buildings 103, 104, 115, 116, 117 and 125 (the “Replacement Studios”); and,

WHEREAS, The Phase 2 DDA outlines a sequential process for development, starting with a Major Phase Approval, followed by a Sub-Phase approval and conveyance of the underlying land. However, under the Phase 2 DDA, the order of filing of Major Phase and Sub-Phase Applications may be adjusted to affect the timing and delivery of the public benefits described in the DDA (the “Public Benefits”); and,

WHEREAS, OCII wants to ensure that the Public Benefits can be expediently provided as soon as the applicable land transfers from the Navy (for Parcel B, currently slated for spring 2016). In preparation for the Parcel B development, existing Parcel B tenants need to be relocated into replacement facilities as soon as possible. While the Major Phase application for Parcel B will not likely be submitted until mid-2015, OCII staff recommends review and consideration of the Replacement Studios Schematic Design now. This approval will not constitute a Major Phase or Sub-Phase Application approval and the applicable land will be retained by OCII and

transferred in accordance with OCII's Long Range Property Management Plan (which envisions a future transfer to the City and County of San Francisco); and,

WHEREAS, The Phase 2 DRDAP outlines the necessary documents, schedule, and procedures for the review and approval of design submittals. Under the Phase 2 DRDAP, a series of increasingly detailed design documents are required in the design process. They are, 1) Schematic Design, 2) Design Development, and 3) Construction Documents. The DRDAP requires the Schematic Design submittal to be presented to the Commission for review and approval; and,

WHEREAS, Developer has submitted to OCII the Replacement Studios Schematic Design, to be located near the existing Building 110 in the Phase 2 area, and OCII has determined that the Replacement Studios Design is consistent with the Phase 2 DDA, the Shipyard Redevelopment Plan (the "Plan") and the Phase 2 Design for Development ("D for D"); and,

WHEREAS, OCII staff informed the Mayor's Hunters Point Shipyard Citizens Advisory Committee ("CAC") of the details of the Replacement Studios Design during its meetings in November and December 2013 and the CAC supports approval of the Replacement Studios Design; and,

WHEREAS, The SFRA Commission and the San Francisco Planning Commission ("Planning Commission") certified the Final Environmental Impact Report for Phase 2 ("Phase 2 EIR") on June 3, 2010. As part of its actions in 2010, the Redevelopment Commission, by Resolution No. 59-2010 adopted findings pursuant to the California Environmental Quality Act ("CEQA"), including a Mitigation Monitoring and Reporting Program and a Statement of Overriding Considerations for the Project, which findings are incorporated into this Resolution by this reference. Subsequently this Commission issued a First Addendum to the Phase 2 EIR to address project changes and amended the previously adopted CEQA findings by Resolution No. 1-2014, which amendments also are incorporated into this Resolution by this reference; now, therefore, be it

RESOLVED, That the Replacement Studios Schematic Design is consistent with the Project as analyzed in the Phase 2 EIR and subsequent Addendum, and requires no additional environmental review pursuant to State CEQA Guidelines Sections 15180, 15162, 15163, and 15164; and be it further

RESOLVED, That the Commission has reviewed and considered the Phase 2 EIR, together with the Addendum thereto and any additional environmental documentation in the Agency's files, and adopts the CEQA Findings set forth in Resolution No. 59-2010 as amended by Resolution No. 1-2014; and be it further

RESOLVED, That the Commission finds that the Replacement Studios Schematic Design, subject to satisfaction of the conditions below, is complete and consistent with the Phase 2 DDA, the Plan, and the D for D; and, be it further

RESOLVED, That the Commission conditionally approves the Replacement Studios Schematic Design, a copy of which is on file with the Secretary of the Commission, subject to

the remaining design issues being resolved to the satisfaction of the Executive Director and any changes included in subsequent design stages, beginning with the Design Development phase as follows:

1. Samples of materials, colors, finishes, and architectural detailing must be provided for review and approval during the Design Development and Construction Documents phase in order to ensure that the quality and diversity shown in the Schematic Design is achieved, and mock-ups of the actual exterior finishes must be prepared during an early phase of construction for review and approval.
2. Interior building elements, such as the floor plans are subject to further revisions in consultation with STAR and require final review and approvals during the design development phase.
3. Seating elements for the plaza are subject to further refinement in consultation with STAR and require final review and approval during the design development phase.
4. Elements that visually separate the plaza from the adjacent parking area (such as a trellis or planters) are subject to review and approval during the Design Development phase.
5. Necessary improvements to areas that are designated as temporary or permanent parking (such as clearly marking parking spaces and providing wheel stops, if necessary) have to be completed before any existing parking opportunities are removed.
6. Location and access for possible future connection to the Automated Waste Collection System must be provided in Design Development documents.

RESOLVED, That the Commission authorizes the Executive Director to approve subsequent design documents related to the Replacement Studios Schematic Design in keeping with standard OCII practices, and any amendments, that the Executive Director reasonably determines are in OCII's best interest or are necessary or convenient to implement the Replacement Studios, and, be it further

RESOLVED, That the Commission authorizes the Executive Director to take such other actions as may be necessary or appropriate, in consultation with the City Attorney's Office, to effectuate the purpose of the intent of this resolution.

I hereby certify that the foregoing resolution was adopted by the Commission at its meeting of May 20, 2014.

*Natasha Jones*

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Commission Secretary