

COMMISSION ON COMMUNITY INVESTMENT AND INFRASTRUCTURE

RESOLUTION NO. 27 – 2016

Adopted June 21, 2016

CONDITIONALLY APPROVING SCHEMATIC DESIGNS FOR THE ALICE GRIFFITH BLOCK 5 DEVELOPMENT, COMPRISING PHASE 4 OF THE ALICE GRIFFITH HOUSING DEVELOPMENT; AND PROVIDING NOTICE THAT THIS APPROVAL IS WITHIN THE SCOPE OF THE CANDLESTICK POINT AND HUNTERS POINT SHIPYARD PHASE 2 DISPOSITION AND DEVELOPMENT AGREEMENT (“DDA”); AND THAT THE PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE DDA ADEQUATELY DESCRIBES THIS APPROVAL ACTION FOR THE PURPOSE OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; BAYVIEW HUNTERS POINT REDEVELOPMENT PROJECT AREA

- WHEREAS, Under Chapter 5, Statutes of 2011, Assembly Bill No. 1X26 (Chapter 5, Statutes of 2011-12, First Extraordinary Session), 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 the non-housing assets and obligations of SFRA were transferred to the Successor Agency to the Redevelopment Agency of the City and County of San Francisco (“Successor Agency”), now known as the Office of Community Investment and Infrastructure or “OCII,” by operation of law; and,
- WHEREAS, As required by the Dissolution Law, the oversight board for OCII was established (the “Oversight Board”) to oversee certain fiscal matters of OCII. The Oversight Board has been meeting since March 2012 to perform its duties under the Dissolution 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, creating the Community Investment and Infrastructure Commission (the “Commission”) as the policy body of OCII, and delegating to the Commission the authority to act in place of the SFRA to among other matters, implement, modify, enforce and complete the SFRA’s enforceable obligations, approve all contracts and actions related to the assets transferred to or retained by the Commission, including, without limitation, the authority to exercise land use, development, and design approval, consistent with the applicable enforceable obligations, and take any action that the Dissolution Law requires or authorizes on behalf of the Successor Agency, and,
- WHEREAS, The Board of Supervisors’ delegation to the Commission, includes the authority to grant approvals under specified land use controls for the Candlestick Point and Phase 2 of the Hunters Point Shipyard Project (the “Project”); and,
- WHEREAS, In connection with the Project, the Board of Supervisors on August 3, 2010, approved amendments to the Hunters Point Shipyard Redevelopment Plan and the Bayview Hunters Point Redevelopment Plan by ordinances 210-10 and 211-10, respectively (the “Redevelopment Plans”), the SFRA approved the Candlestick Point

Design for Development and the Hunters Point Shipyard Phase 2 Design for Development (the “Design for Development Documents”) by Resolution 62-2010 and the SFRA and CP Development Co., LP (“Master Developer”) entered into a Disposition and Development Agreement (Candlestick Point and Hunters Point Shipyard Phase 2), dated June 3, 2010 (the “DDA”) by Resolution 69-2010. The DDA was amended on December 18, 2012, a First Amendment to the DDA, by OCII Resolution No. 3-2012; and,

WHEREAS, The DDA establishes the Master Developer’s rights to develop within the parameters of the Redevelopment Plans and Design for Development Documents and incorporates through exhibits and attachments various Project documents including the Design Review and Document Approval Procedure (“DRDAP”), Below Market-Rate (“BMR”) Housing Plan, Transportation Plan, Infrastructure Plan, Community Benefits Plan, Design for Development Documents, Open Space Plan and Sustainability Plan and other documents (together, “Project Documents”); and,

WHEREAS, The BMR Housing Plan stipulates that 31.36% or 3,345 units of 10,500 units be below-market rate units, including a one-for-one replacement of the existing Alice Griffith public housing units (“Alice Griffith Replacement Units”), OCII affordable units, inclusionary units and workforce units. Three primary groups of providers will develop the BMR units: (1) the OCII and qualified housing developers selected by OCII will develop the 1,140 OCII Affordable Units on the OCII Lots; (2) the developer of the Alice Griffith Replacement Units (“Alice Griffith Developer”) will develop 256 Alice Griffith Replacement Units and 248 OCII Affordable Units on the Alice Griffith lots; and (3) vertical developers, including Master Developer and its affiliates, will develop 809 Inclusionary Units and 892 Workforce Units in accordance with the BMR Housing Plan; and,

WHEREAS, McCormack Baron Salazar (“MBS”) has been selected by the Master Developer to form a limited liability company called Double Rock Ventures, LLC (the “Alice Griffith Developer”) to act as the developer for the Alice Griffith Replacement Units; and,

WHEREAS, All of the 256 Alice Griffith Replacement Units will be replaced and integrated into newly constructed buildings developed by the Alice Griffith Developer and will include 248 new affordable units. The first phases of new homes will be built on vacant land adjacent to the Alice Griffith site meaning that existing residents will have the opportunity to move directly from their existing homes into new homes without leaving their community or risking displacement; and,

WHEREAS, The DDA is an enforceable obligation under the Dissolution Law and shown on line HPSY 30 of the Recognized Obligation Payment Schedule for June to December 2014, which was approved by the Oversight Board and the California Department of Finance (“DOF”). On December 14, 2012, DOF issued a final and conclusive determination under California Health and Safety Code § 34177.5 (i), that the Phase 1 DDA and the Phase 2 DDA are enforceable obligations that survived the dissolution of the Redevelopment Agency; and,

WHEREAS, Under multiple resolutions, Commission has approved predevelopment loans, permanent loans, and schematic designs for the first three phases of development at Alice Griffith and those three phases are currently under construction; and

WHEREAS, The Alice Griffith Developer has submitted Alice Griffith Phase 4 Block 5 (“Phase 4”) Schematic Designs (“Alice Griffith Phase 4 Schematic Design”); and,

- WHEREAS, In accordance with the DRDAP, OCII staff has determined that the Alice Griffith Phase 4 Schematic Design submission is consistent with the DDA, the Bayview Hunters Point Redevelopment Plan and the Candlestick Design for Development Documents (“D for D”) and,
- WHEREAS, OCII staff informed the Mayor’s Hunters Point Shipyard Citizens Advisory Committee (“CAC”) of the details of the Alice Griffith Phase 4 Schematic Design during its meetings in, May and June 2015. At the CAC’s June meeting, the CAC recommended approval of the Alice Griffith Phase 4 Schematic Design; and,
- WHEREAS, On June 3, 2010, the SFRA Commission by Resolution No. 58-2010 and the San Francisco Planning Commission by Motion No. 18096, certified the Final Environmental Impact Report (“FEIR”) for the Project, a program environmental impact report that analyzed the Project, the DDA, the Project Documents, and the Redevelopment Plans, and made findings determining the FEIR to be adequate, accurate, and objective and in compliance with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) (“CEQA”) and the CEQA Guidelines (14 California Code of Regulations Sections 15000 et seq.); the Board of Supervisors affirmed the Planning Commission’s certification of the FEIR by Motion No. 10-110 on July 14, 2010; and,
- WHEREAS, As part of its approval of the Project on June 3, 2010, in addition to certifying the FEIR, the SFRA Commission, by Resolution No. 59-2010 adopted findings pursuant to CEQA, regarding the alternatives, mitigation measures, and significant environmental effects analyzed in the FEIR, 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; and,
- WHEREAS, Subsequent to the certification of the FEIR, the Planning Department, at the request of OCII, issued Addendum No. 1 to the FEIR (“Addendum No. 1”) (dated December 11, 2013) to the FEIR as part of the 2014 Major Phase 1 CP and Streetscape Plan; and,
- WHEREAS, Addendum No. 1 addressed changes to the phasing schedule for the Project and corresponding changes to the schedules for implementation of related transportation system improvements in the Transportation Plan, including the Transit Operating Plan, the Infrastructure Plan and other public benefits; and minor proposed revisions in two adopted mitigations measures, Mitigation Measure TR-16 Widen Harney Way, and Mitigation Measure UT-2 Auxiliary Water Supply System; and,
- WHEREAS, OCII as the lead agency, prepared, in consultation with the San Francisco Planning Department, Addendum No. 4 to the FEIR, (“Addendum No. 4”) which OCII staff issued on February 22, 2016. (Addenda Nos. 2 and 3 analyzed proposed changes to the Project, which are no longer being pursued.) Addendum No. 4 evaluated amendments to the D for D, Streetscape Plan and Major Phase 1 Application for Candlestick Point and the amendment of two adopted mitigation measures, that were, Mitigation Measure TR-16 to divide the Harney Way improvements into two phases and Mitigation Measure TR-23 to modify the cross-section design of Gilman Avenue; and,
- WHEREAS, OCII staff has reviewed the Alice Griffith Phase 4 Schematic Design and finds the proposed actions to be Implementing Actions and within the scope of the Project analyzed in the FEIS/EIR and subsequent addenda and no additional environmental

review is required pursuant to California Public Resources Code Section 21166 and Sections 15162, 15163, 15168, and 15180 of the CEQA Guidelines; and,

WHEREAS, Due to the development approvals that have proceeded the current proposed Implementing Action, including without limitation the development authorizations in the DDA and its Project Documents, and the approval and construction of infrastructure to serve the site, the remaining discretion available to the Commission, the Executive Director, and the City related to the Implementing Action is limited to design review and financing approvals; and,

WHEREAS, Copies of the FEIR, addenda and supporting documentation are on file with the Commission Secretary and are incorporated in this Resolution by this reference; and,

WHEREAS, The approval of the Alice Griffith Phase 4 Schematic Design is an undertaking pursuant to and in furtherance of the Project in conformance with CEQA Section 21166 and the CEQA Guidelines Sections 15180, 15162, 15163, and 15164; and,

WHEREAS, The FEIR and the CEQA Findings adopted by the SFRA Commission by Resolution No. 59-2010 on June 3, 2010, reflected the independent judgment and analysis of the SFRA Commission, remain adequate, accurate and objective, and were prepared and adopted following the procedures required by CEQA, and the findings in such resolution are incorporated by this reference as applicable to the approval of the Alice Griffith Phase 4 Schematic Design; and,

WHEREAS, OCII staff has reviewed the Alice Griffith Phase 4 Schematic Design, and finds it acceptable and recommends approval of the Alice Griffith Phase 4 Schematic Design described above; now, therefore, be it

RESOLVED, The Commission has considered the FEIR, the CEQA Findings that were previously adopted by the SFRA Commission, including the statement of overriding considerations and mitigation monitoring and reporting program and the addenda, and the Commission adopts the CEQA Findings as its own, which is hereby incorporated into this Resolution by this reference.

RESOLVED, The Commission finds and determines that the Alice Griffith Phase 4 Schematic Design, as recommended for approval, are consistent with the Project as analyzed in the FEIR and requires no additional environmental review beyond the FEIR and addenda pursuant to CEQA Section 21166 and the CEQA Guidelines Sections 15180, 15162, 15163, and 15164; for the following reasons:

(1) Implementation of the Alice Griffith Phase 4 Schematic Design does not require major revisions to the FEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant impacts; and,

(2) No substantial changes have occurred with respect to the circumstances under which the Project analyzed in the FEIR will be undertaken that would required 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; and,

(3) No new information of substantial importance to the Project analysis in the FEIR has become available, which would indicate that (i) the Alice Griffith Phase 4

Schematic Design will have significant effects not discussed in the FEIR; (ii) significant environmental effects will be substantially more severe; (iii) mitigation measures or alternatives found not feasible, which would reduce one or more significant effects, have become feasible; or (iv) mitigation measures or alternatives, which are considerably different from those in the FEIR, will substantially reduce one or more significant effects on the environment that would change the conclusions set forth in the FEIR; and, be it further

RESOLVED, That the Commission finds that the Alice Griffith Phase 4 Schematic Design submission is complete pursuant to the DRDAP subject to satisfaction of the conditions below, is consistent with the DDA including the schedule of performance, the Plan, and the D for D; and, be it further

RESOLVED, That the Commission conditionally approves the Alice Griffith Phase 4 Schematic Design submission and the associated variance, 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. The development team shall prepare a material and color mock-up of sufficient size to be built on the construction site during an early phase of construction; to ensure consistency with the Alice Griffith Phase 4 Schematic Design. Mock-ups should display the proposed materials, colors, and textures of exterior walls, window systems (including mullions and glazing materials), louvers, doors, soffits and all visible elements of the buildings comprising the proposed development for review and approval prior to installation.
2. The landscaping plan is subject to further study. The development team shall define and refine the proposed landscaping, including areas of the front setback not required for access to the building (ramps, stairs and stoops), landscaped areas shown at the rear or between buildings and the tot lot. The development team shall consider landscaping areas as part of the stormwater treatment, the use of native and climate appropriate plants that not require permanent irrigation and minimizing water demand.
3. The development team shall further study and define fencing of the open spaces and parking area (including the proposed gate) in order to provide security for residents, while complementing the urban character of the development shall be further defined and is subject to further review.
4. Any panels or devices for the collection of solar or wind energy shall be appropriately screened from view of neighboring buildings. The screens shall be part of the roof composition and consistent with the overall building colors and materials.
5. Any streetscape improvements associated with this project shall be consistent with the Candlestick Streetscape Master Plan.

RESOLVED, That the Commission authorizes the Executive Director to approve subsequent design documents related to this Alice Griffith Phase 4 Schematic Design submission, beginning with the Design Development phase, that the Executive Director reasonably determines are in OCII's best interest or are necessary or convenient to implement the development of Phase 2 under the DDA, and the

Major Phase as applicable, and further the goals of the Bayview Hunters Point
Redevelopment Plan and the DDA, 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 OCII counsel, 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
June 21, 2016.



Commission Secretary