

COMMISSION ON COMMUNITY INVESTMENT AND INFRASTRUCTURE

RESOLUTION NO. 9-2018

CONDITIONALLY APPROVING THE SCHEMATIC DESIGN FOR AN AFFORDABLE HOUSING MIXED-USE PROJECT AT CANDLESTICK POINT SOUTH BLOCK 11A, WHICH CONSISTS OF APPROXIMATELY 176 AFFORDABLE FAMILY RENTAL UNITS, INCLUDING 38 UNITS SET ASIDE FOR FORMERLY HOMELESS HOUSEHOLDS AND 23 UNITS SET ASIDE FOR PHYSICALLY DISABLED PERSONS, AND APPROXIMATELY 11,342 SQUARE FEET OF NEIGHBORHOOD RETAIL AND SERVICES SPACE; AND ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO CEQA; BAYVIEW HUNTERS POINT REDEVELOPMENT AREA

WHEREAS, In furtherance of the objectives of the California Community Redevelopment Law (Health and Safety Code, section 33000 et seq. the "CRL"), the Redevelopment Agency of the City and County of San Francisco (the "Former Agency") undertook programs for the reconstruction and construction of blighted areas in the City and County of San Francisco; and,

WHEREAS, In accordance with the CRL, the City, acting through its Board of Supervisors, approved a Redevelopment Plan for the Bayview Hunters Point Redevelopment Project Area (the "BVHP Redevelopment Plan") by Ordinance No.113-06, adopted on May 16, 2006. The BVHP Redevelopment Plan creates two sub-areas within its boundaries: Zone 1, also known as the Candlestick Point Sub-Area ("Candlestick Point"), and Zone 2 covering the remainder of the area within the Plan boundaries. In cooperation with the City, the Former Agency was responsible for implementing the Bayview Hunters Point Redevelopment Plan; and,

WHEREAS, On June 3, 2010, the Former Agency Commission approved the Candlestick Point and Hunters Point Shipyard Phase 2 Disposition and Development Agreement (the "Original DDA") between CP Development Co., LP and the Former Agency, which provides for the development of approximately 700 acres that includes Candlestick Point ("Project"). The Original DDA calls for up to 6,225 new housing units within Candlestick Point, including 1,388 Agency Affordable Units to be constructed by a Qualified Housing Developer selected by the Agency; and,

WHEREAS, Pursuant to California Health and Safety Code §§ 34170 et seq. (the "Dissolution Law"), the Former Agency was dissolved as of February 1, 2012; and,

WHEREAS, The Successor Agency to the Redevelopment Agency of the City and County of San Francisco (commonly known as the Office of Community Investment and Infrastructure herein, "OCII") is completing the enforceable obligations of the Former Agency with regard to the Project, under the authority of the CRL as amended by the Dissolution Law, and under San Francisco Ordinance No. 215- 12 (Oct. 4, 2012) (establishing the Successor Agency Commission ("Commission") and delegating to it state authority under the Dissolution Law); and,

- WHEREAS, On December 14, 2012, the California Department of Finance determined “finally and conclusively” that the DDA and tax allocation pledge agreements, including the affordable housing programs are enforceable obligations under the Dissolution Law; and,
- WHEREAS, OCII is completing the enforceable obligations of the Former Agency in the Redevelopment Plan area, including administration of the Project; and,
- WHEREAS, In connection with the Project, on December 18, 2012, OCII approved a First Amendment to the Original DDA, by Resolution No. 3-2012, and on December 1, 2014 OCII approved a Second Amendment to the DDA by Resolution No. 82-2014 (the Original DDA, as amended thereby, is referred to hereafter as the “DDA”); and,
- WHEREAS, On February 18, 2016, OCII issued a Housing Development Request for Proposals (the “RFP”, incorporated herein by this reference), for the development and management of up to 150 units of affordable rental housing for low-income and formerly homeless families, including the provision of three (3) four-bedroom units and one (1) five-bedroom unit specified as replacement units for the Alice Griffith HOPESF projects, on Lot 35 of that certain Final Transfer Map No. 7879-8583, recorded on August 16, 2016 and filed on pages 73-74 in Book GG of the County’s Survey Maps (the “Site”); and,
- WHEREAS, OCII received four submittals in response to the RFP and determined that the applicant team, consisting of Mercy Housing California and San Francisco Housing Development Corporation (together, the “CPS 11a Developer”), and the architecture firm Leddy Maytum Stacy Architecture, is well-suited to develop the Site. The CPS 11a Developer’s proposal included concept designs for a residential and commercial mixed-use development, with associated open space, services and management offices, and amenities (“CPS 11a” or the “Project”). On August 16, 2016, the OCII Commission approved the selection of the CPS 11a Developer by Resolution No. 40-2016; and,
- WHEREAS, On February 7, 2017, by Resolution 03-2017, the Commission approved an Exclusive Negotiations Agreement and associated form of Option to Ground Lease, as well as Predevelopment Loan Documents with the CPS 11a Developer, which provided funding in an amount not to exceed \$3,500,000 (the “Loan”) for predevelopment work associated with the construction of CPS 11a; and,
- WHEREAS, In accordance with the Design Review and Document Approval Procedure (“DRDAP”) for the Phase 2 Project, the CPS 11a Developer has submitted a Schematic Design for CPS 11a (“CPS 11a Schematic Design”). The CPS 11a Schematic Design includes a total of 176 residential units, 38 of which are set aside for formerly homeless households, and 23 are set aside for disabled persons, as well as approximately 11,342 square feet of Neighborhood Retail and Services space; and,
- WHEREAS, Consistent with DRDAP requirements, the Commission and OCII’s Executive Director respectively have granted Major Phase and Sub-Phase Approvals prior to CPS 11a Developer’s Schematic Design submittal (Major Phase 1-CP Application

approved by the Commission on January 7, 2014, as amended and approved by the Commission on March 15, 2016, and Sub-Phase CP-02-03-04 Application of Major Phase CP-01 approved by OCII's Executive Director on January 5, 2017); and,

WHEREAS, In accordance with the DRDAP, OCII staff has determined that the CPS 11a Schematic Design submission, subject to the satisfaction of the conditions of approval attached to this Resolution as **Exhibit A** (and incorporated herein by reference) (the "Conditions of Approval"), 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 CPS 11a Schematic Design during its meetings in January and February 2018. At the CAC's February meeting, the CAC reviewed, considered and recommended the CPS 11a Schematic Design to the Commission for approval; and,

WHEREAS, On June 3, 2010, the Former Agency 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 Candlestick Point-Hunters Point Shipyard Phase 2 Project, a Redevelopment Plan environmental impact report and project-level environmental impact report that analyzed the Project, the DDA, related Project Documents, and the BVHP Redevelopment Plan, 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 "CEQA Findings"); 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 Former Agency 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 Phase 2 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, Copies of the FEIR, addenda, the CP11a Schematic Design, 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 CPS 11a 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 Former Agency Commission by Resolution No. 59-2010 on June 3, 2010, reflected the independent judgment and analysis of the Former Agency 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 CPS 11a Schematic Design; and,

WHEREAS, OCII staff has reviewed the CPS 11a Schematic Design and finds it acceptable and recommends approval of the CPS 11a Schematic Design as conditioned by the Conditions of Approval; now therefore, be it

RESOLVED, The Commission has considered the CPS 11a Schematic Design, the FEIR, the CEQA Findings and addenda that were previously adopted by the Former Agency Commission and/or the Commission, and the Commission adopts as its own the CEQA Findings, including the statement of overriding considerations and Mitigation Monitoring and Reporting Program as updated by the addenda, which are hereby incorporated into this Resolution by this reference; and be it further

RESOLVED, The Commission finds and determines that the CPS 11a Schematic Design, as recommended for conditional approval, is consistent with the Project as analyzed in the FEIR (including its addenda) and require 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:

Implementation of the CPS 11a 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,

No substantial changes have occurred with respect to the circumstances under which the CPS 11a Schematic Design analyzed in the FEIR 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; and,

No new information of substantial importance to the project analysis in the FEIR has become available, which would indicate that (i) the CPS 11a 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 CPS 11a Schematic Design submission is Complete pursuant to the DRDAP, and subject to satisfaction of the Conditions of Approval is consistent with the DDA including the Schedule of Performance, the BVHP Redevelopment Plan, and the D for D; and, be it further

RESOLVED, That the Commission conditionally approves the CPS 11a Schematic Design submission, a copy of which is on file with the Secretary of the Commission, subject to (a) the Conditions of Approval being resolved to the satisfaction of the Executive Director and (b) any changes included in subsequent design stages, beginning with the Design Development phase; and, be it further

RESOLVED, That the Commission authorizes the Executive Director (or her designee) to approve subsequent design documents related to this CPS 11a 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 the Project under the DDA, and the Major Phase as applicable, and further the goals of the BVHP 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 March 20, 2018.

Commission Secretary

Exhibit A: Conditions of Approval for Candlestick Point South Block 11a

EXHIBIT A

CONDITIONS OF APPROVAL FOR CANDLESTICK POINT SOUTH BLOCK 11A

The 9-2018 Resolution to which these Conditions of Approval are attached conditionally approves the Schematic Design for the CPS 11A housing project within the Bayview Hunters Point Redevelopment Plan Area. The Schematic Designs are approved subject to satisfaction of the following Conditions:

1. **Green Roof.** Continue to pursue the green roof design in a financially feasible manner, using innovative design and construction technology.
2. **Louvers/fins.** Using the criteria below, carefully study the depth and materiality of the panel and fin elements centered on the window mullions and frame on the west elevations and turning on to the side elevations, in collaboration with OCII staff.
 - a. While maintaining a desirable architectural expression, continue to study the size, material, and depth of the fins to minimize the negative impact to bay views from the residential units.
 - b. Study the orientation, number, and placement of the fins at the building corners to reduce unfavorable view obstruction from the interior of residential units.
 - c. Metal panels, if used, must be of a gauge suitable to withstand anticipated wind loads and avoid an ‘oil canning’ appearance.
 - d. Attachment details of fins at each floor level shall not significantly alter the appearance of the overall façade.
3. **Screening and Materials.** Further develop the screening, materiality and architectural treatment of the following items in coordination with OCII staff:
 - a. Roof design and paving material selection for all roofs shall consider how to provide an attractive view when roofs are viewed from residential units above in nearby towers.
 - b. All rooftop mechanical equipment shall be architecturally screened and photovoltaic panel assemblies shall be architecturally side screened. Indicate screening materiality.
 - c. All utility connections and meters shall be architecturally screened from public view. Screening applies to setback areas, visible private spaces, and shared open spaces. Indicate screening materiality.
 - d. Review the size of the glazing panels in the floor-to-floor window systems occurring at the bedrooms for privacy.
 - e. Ensure that the metal panels on elevations are sufficiently strong and durable and achieve a high visual quality. Study the use of materials that avoid sound reverberation and heat trapping effects, especially in the courtyard.
 - f. Study and provide joint details of metal panels on all exterior and interior courtyard elevations.

- g. Provide an image that shows a closer view of the materiality of the roll-up metal garage door so that OCII staff can see and review the anticipated micro-perforation. Indicate the percentage transparency.
- 4. **Colors.** On the Carmen Policy Avenue and east courtyard elevations, consider reorganizing the cadence of the color panels to introduce harmony in the color patterns while maintaining variety.
- 5. **Planter and Wall Heights.** Ensure that the heights of solid wall planters in all setback areas will be less than three feet above ground. Wood screen walls may be up to four feet high above the three-foot wall, with a minimum 50% transparency.
- 6. **Lighting Plan.** Develop a detailed lighting plan. Lighting should be concealed, focused on the intended area of illumination, and directed away from surrounding land uses, in compliance with mitigation measures AE-7a.1 and AE-7a.2. Lighting for stoops and courtyards should be subtle and reinforce the overall façade design.
- 7. **Candlestick Park Drive Façade Lighting.** Consider lighting options to subtly illuminate the outer frames facing the open space along Candlestick Park Drive as a way to strengthen the ‘gateway lantern’ concept when viewed from a distance.

During Construction Documents and Tenant Improvements, the Sponsor or Tenant shall:

- 8. **Architectural Mock-Up.** Construct a physical material mock-up to allow for OCII and contractor review of material durability, texture, color, and detail installation.
- 9. **Retail Storefronts.** Ensure that modifications of retail storefront design, signage, awnings, and materiality continue to be compliant with the Candlestick Point Design for Development. Storefronts shall promote pedestrian interest at the ground level, provide visual connection to the store interior, and meet all glazing and transparency requirements.
- 10. **Storefront Setback.** Be afforded the option of moving up to half of the total number of storefront bays outward from the ground floor streetwall and within the setback area along Harney Way.