



San Francisco Public Works
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Public Works Order No: 204429

**CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF PUBLIC WORKS**

RECOMMENDING APPROVAL OF FINAL MAP NO. 10297, PORTIONS OF TREASURE ISLAND, THE MERGER OF LOTS 3, 4 AND THE RESUBDIVISION OF LOTS 5 AND 9 ALL OF FINAL MAP NO. 9235 RESULTING IN THREE LOTS INTENDED FOR 464 RESIDENTIAL CONDOMINIUM UNITS, 18 COMMERCIAL CONDOMINIUM UNITS AND 464 PARKING UNITS AND SUBJECT TO CERTAIN CONDITIONS.

FINDINGS

1. On December 7, 2015, the City and County of San Francisco (“City”) recorded Final Transfer Map No. 8674 in the Official Records of the City creating a series of parcels on Treasure Island eligible for financing and conveyance under San Francisco Subdivision Code Section 1712.1.
2. On December 15, 2016, Subdivider submitted an application requesting approval to merge and re-subdivide thirty-four (34) existing parcels being Lots A-R and 1-16 of Final Transfer Map No. 8674, being all of those portions remaining in two or more phases resulting in up to sixteen (16) development parcels, and twenty-five (25) street, utility, open space, and historic district parcels, and authorize up to 1,950 condominium units, including 1,884 residential condominium units (including 220 units on properties owned by the Treasure Island Development Authority “TIDA”), which map is referred to hereafter “Tentative Map No. 9235.”
3. On September 13, 2018, Final Map No. 9235 was recorded in the Official Records of the City subject to a public improvement agreement (“PIA”) between Treasure Island Community Development, LLC (“TICD”), TIDA and the City pursuant to Government Code Section 66462(A)(1) and the Treasure Island and Yerba Buena Island Subdivision Code.
4. On January 7, 2020, Treasure Island Development Group, LLC (“Subdivider”) submitted an application, being Tentative Map No. 10297, requesting the approval to merge and re-subdivide Lots 3, 4, 5 and 9 of Final Map No. 9235. The Tentative Map was conditionally approved pursuant to Department of Public Works (“Public Works” or “PW”) Order No. 203,556 on September 3, 2020.
5. In PW Order No. 203,556 the Acting PW Director determined that the Tentative Map was subject to the mitigation measures adopted by TIDA and the City Planning Commission pursuant to Motion No. 18325 and Resolution No. 11-34-04/21 respectively, which certified the Final Environmental Impact Report (“FEIR”) for the Treasure Island and Yerba Buena

Island Project, prepared pursuant to the California Environmental Quality Act (California Public Resources Code § 21000 et seq.). Since the City certified the FEIR and approved the Project (as defined by San Francisco Subdivision Code Section 1707(y)) on April 21, 2011, there have been: i) no substantial changes to the Project; ii) no substantial changes with respect to the surrounding circumstances; and iii) no new information of substantial importance that would result in new or more severe significant impacts than were addressed in the FEIR. Accordingly, no supplemental or subsequent environmental impact report or other environmental review is required.

6. On September 22, 2020, Subdivider filed an application for a final map including lots depicted on Tentative Map No. 10297, to merge and re-subdivide Lots 3, 4, 5 and 9 of Final Map 9235 for 464 residential condominium units, 18 commercial units, and 464 parking units ("Final Map No. 10297").
7. The PIA remains in effect, and the City continues to hold security to ensure the subdivider completes its obligations pursuant to that agreement. Final Map No. 10297 does not require changes to the previously-approved infrastructure that was evaluated by City agencies and is secured through the PIA.
8. The City Planning Department, in its letter dated March 11, 2020, found that the subdivision, on balance, is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1. TIDA submitted a letter dated January 19, 2021 from Robert P. Beck, Treasure Island Director, that determined Final Map No. 10297 is consistent with the Project Documents, as defined in San Francisco Subdivision Code Section 1707(z), the City Regulations, as defined in San Francisco Subdivision Code Section 1707(e), and all TIDA approvals related to the Project.
9. Final Map No. 10297 includes an easement for underground communication lines in favor of American Telephone and Telegraph ("AT&T") on Lot 3 ("Easement"). Government Code Section 66436 permits a Final Map to be recorded without an easement holder's signature provided that the procedures described in Government Code Section 66436 are implemented. Pursuant to Government Code Section 66436, Subdivider notified AT&T, in a letter dated September 23, 2020, that the subdivision boundary for Final Map No. 10297 encompasses the Easement, and that Subdivider was seeking City's approval of Final Map No. 10297. AT&T responded by e-mail on October 23, 2020, stating: "AT&T does not object to the Final Map recording without its signature or to the potential determination that the Final Map will not interfere with the Easement."
10. As contemplated by Government Code Section 66436(a)(3)(A)(i), the Acting Director finds that the proposed development and subdivision will not unreasonably interfere with the free and complete exercise of the Easement because it will remain on title after the recordation of the phased Final Map and is clearly delineated on the Final Map including by reference to its recording information. This determination is further informed by the easement holder's own written statement, after having received a copy of the Final Map and Government Code Section 66436, that the Final Map will not interfere with its easement.
11. The Acting PW Director and County Surveyor find that Final Map No. 10297 is consistent with the requirements and conditions imposed by the Subdivision Map Act, California Government Code Sections 66410 et seq., the San Francisco Subdivision Code, the

Subdivision Regulations and Tentative Map No. 10297, and substantially conforms to Tentative Map No. 10297.

12. The Acting Director and City Engineer recommend that the Board of Supervisors approve Final Map No. 10297 subject to the conditions specified herein.

Attachments & Transmittals

1. ATTACHMENT 1, Enlarged Copy of Map Notes Included on Final Map 10297.
2. Transmitted herewith are the following:
 - i. Four (4) paper copies of the Motion approving said map – one (1) copy in electronic format.
 - ii. One (1) mylar signature sheet and one (1) paper set of the “Final Map No. 10297”, each comprising 5 sheets.
 - iii. One (1) copy of the surety bond provided Subdivider on a form approved by the Office of the Treasurer and Tax Collector to secure the payment of taxes pursuant to Government Code Section 66493 in an amount approved by the Office of the Treasurer and Tax Collector.
 - iv. One (1) copy of the letter from the City Planning Department, dated March 11, 2020, verifying conformity of the subdivision with the General Plan and the Priority Policies set forth in City Planning Code Section 101.1.
 - v. One (1) copy of the letter from TIDA determining the consistency of the Final Map with the Project Documents, City Regulations, and TIDA Project approvals dated January 19, 2021.
 - vi. One (1) copy of the Public Improvement Agreement.

It is recommended that the Board of Supervisors adopt this legislation.

RECOMMENDED:

APPROVED:

X

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Ryan, James

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Acting City & County Surveyor

X

DocuSigned by:

Alan Degrafinried

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Acting Director of Public Works