



SAN FRANCISCO PLANNING DEPARTMENT

November 7, 2017

Subdivision and Mapping
Bureau of Street Use and Mapping
San Francisco Public Works
1155 Market Street
San Francisco, CA 94103

RE: 0 Treasure Island (Address of Permit Work)
2007.0903SUB-02/CND-02 (Subdivision Application Number)

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Treasure Island (TI) Major Phase 1 (Subphases 1B, 1C, 1E) Tentative Subdivision Map Findings

I. BACKGROUND

On April 21, 2011, the Planning Commission by Motion No. 18325 and the Board of Directors of Treasure Island Development Authority, by Resolution No.11-34-04/21, as co-lead agencies, certified the Final Environmental Impact Report ("FEIR") for the Treasure Island/Yerba Buena Island Development Project (the "Project"), and unanimously approved a series of entitlement and transaction documents relating to the Project, including certain environmental findings under the California Environmental Quality Act (Pub. Resources Code §§ 21000 et seq., "CEQA"), a mitigation and monitoring program ("MMRP"), and other transactions. As part of the Project approvals, the City and County of San Francisco ("City") approved the Disposition and Development Agreement ("DDA") by and between the Treasure Island Development Authority, and Treasure Island Community Development, LLC ("Subdivider"), inclusive of the Treasure Island and Yerba Buena Island Design for Development ("D4D"), and the Development Agreement ("DA") between the City and the Subdivider.

On November 6, 2015, Public Works approved DPW Order No. 184230 approving Final Transfer Map No. 8674 ("Final Transfer Map"). The Final Transfer Map was subsequently approved by the Board of Supervisors and recorded in the Official Records of the City and County of San Francisco, thereby establishing a series of parcels on Treasure Island and Yerba Buena Island eligible for transfer or financing, and eligible for development pending subsequent approval of a final subdivision map.

On April 14, 2017, Subdivider's application for a tentative subdivision map to merge and re-subdivide various parcels on Treasure Island Subphase 1 ("Tentative Subdivision Map") was deemed complete and circulated for review and comment by City agencies. The Tentative Subdivision Map is consistent with the D4D and the Treasure Island / Yerba Buena Island Special Use District (Planning Code § 249.52, "SUD"), and would authorize sixteen development parcels, twenty-three street and open space parcels, two public facility and other use parcels, and authorize up to 1,884 residential condominium units and 66 commercial condominium units for subphases 1B, 1C and 1E of Major Phase 1. As outlined in the D4D,

there are four Major Phases of development for Treasure Island. The Subdivider would be authorized to develop the foregoing after recording one or more phased final maps.

II. FINDINGS

A. CEQA

The San Francisco Planning Department (“Department”) makes the finding below pursuant to CEQA, based on the Department’s independent consideration of the entire administrative record, including, but not limited to, the FEIR, the Tentative Subdivision Map, and any public comments received concerning the Project.

Finding: No supplemental or subsequent environmental impact report is required for approval of the Tentative Subdivision Map pursuant to Public Resources Code § 21166 and § 15162 of the CEQA Guidelines (14 Cal. Code Regs., § 15000 et seq.)

Evidence in Support of Finding: The Department has considered the entire record to determine, pursuant to Section 15162(a) of the CEQA Guidelines, whether any of the criteria exist that would require preparation of a supplemental or subsequent environmental impact report:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

Comment: The Tentative Subdivision Map is an implementing approval of the Project evaluated in the FEIR. No substantive changes are proposed that would require changes to the FEIR.

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

Comment: No substantial changes have occurred with respect to the circumstances under which the Project will be undertaken that will 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 effects. The Department finds on the basis of the entire administrative record that there will be no new significant environmental effects, nor an increase in the severity of any significant effects identified in the FEIR. Subdivider shall be required to comply with all applicable mitigation measures identified in the FEIR’s Mitigation Monitoring and Reporting Program (“MMRP”) as described in Public Works Order No. ____.

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Comment: The Department is not aware of any new information that was not known and could not have been known with the exercise of reasonable diligence at the time the FEIR was certified. As such, approval of the Tentative Subdivision Map will not require major revisions to the FEIR, and will not result in any substantial increase in the severity of any significant impact identified in the FEIR. Moreover, no new information of substantial importance exists that indicates that mitigation measures or alternatives previously found not to be feasible in the FEIR would in fact be feasible, would substantially reduce one or more significant effects of the project as described in the FEIR, and that the Subdivider has declined to adopt the mitigation measure or alternative. Furthermore, no new information of substantial importance exists that there are mitigation measures or alternatives which are considerably different from those analyzed in the FEIR that will substantially reduce one or more significant effects on the environment, and the Subdivider has declined to adopt the mitigation measure or alternative.

Based on these considerations and after considering all evidence in the record, the Department concludes that the FEIR provides adequate substantial evidence to approve the Tentative Subdivision Map in compliance with CEQA.

B. Subdivision Map Act

The Department makes the below findings pursuant to the Subdivision Map Act (Gov't Code §§ 66410 et. seq.), based on the Department's independent consideration of the entire administrative record, including, but not limited to, the FEIR, the Tentative Subdivision Map, and any public comments received concerning the Project.

Finding: The Tentative Subdivision Map, together with the provisions for its design and improvement, is consistent with the San Francisco General Plan (“General Plan”).

Evidence in Support of Finding: The Department has evaluated the Tentative Subdivision Map in light of the requirement of Government Code § 66473.5, and finds that the map is consistent with the General Plan. The City has not adopted a specific plan governing the project site.

By means of explanation, but not limitation, the Department finds that the Tentative Subdivision Map is consistent with the General Plan for the reasons set forth in Planning Commission Resolution Number 18328. More specifically, the Tentative Subdivision Map directly implements the following General Plan Objectives and Policies, among others:

- *Housing Element Objective 1 – Identify and make available for development adequate sites to meet the City’s housing needs, especially permanent affordable housing.*

Comment: The Project includes an overall affordable housing requirement of 25%. Approval of the Tentative Subdivision Map, subphases of Major Phase 1, will add up to 1,884 residential units and will contribute toward the overall 25% Project affordable housing requirement.

- *Housing Element Policy 1.2 – Focus housing growth and infrastructure necessary to support growth according to community plans. Complete planning underway in key opportunity areas, such as Treasure Island, Candlestick Park and Hunters Point Shipyard.*

Comment: The Tentative Subdivision Map implements the D4D and the SUD and will facilitate the development of Treasure Island in the manner contemplated by these planning documents.

- *Housing Element Objective 12 – Balance housing growth with adequate infrastructure that serves the City’s growing population.*

Comment: The Tentative Subdivision Map implements the Treasure Island Infrastructure Plan and the infrastructure requirements therein for Treasure Island. The Conditions of Approval included in Public Works Order No. _____ require Subdivider to implement all infrastructure requirements necessary to serve the implementation or to secure the completion of said improvements through a public improvement agreement.

- *Recreation & Open Space Element Objective 2: Increase recreation and open space to meet the long-term needs of the City and Bay Region.*

Comment: The Tentative Subdivision Map area, representing subphases of Major Phase 1, incorporates nearly 16 acres of open space, including new public parks.

Approximately 210 acres of open space and parks are proposed for Treasure Island.

- *Recreation & Open Space Policy 2.5: Encourage the development of region-serving open spaces in opportunity areas: Treasure Island, Yerba Buena Island, Candlestick and Hunters Point Shipyard.*

Comment: The Tentative Subdivision Map area, representing subphases of Major Phase 1, incorporates nearly 16 acres of open space, including new public parks, on Treasure Island. When fully developed, approximately 210 acres of open space and parks will be incorporated throughout the four Major Phases.

Finding: The Department has evaluated the effect of approval of the Tentative Subdivision Map on the City's housing needs and balanced this need against the public service needs of its residents and available fiscal and environmental resources.

Evidence in Support of Finding: San Francisco's share of the Regional Housing Needs Assessment as determined by the Association of Bay Area Governments through 2022 is calculated at 28,870 units. The City's 2014 General Plan Housing Element recognizes the area encompassed by the Tentative Subdivision Map as a "housing opportunity site." (See pg. 1.67.) Indeed, as many as 8,000 houses are reflected as being potentially developed on Treasure Island and Yerba Buena Island, collectively (per the 2014 Housing Element), with the map authorizing up to 1,884 residential condominium units for subphases 1B, 1C and 1E of Major Phase 1. Environmental and fiscal impacts of this development were evaluated in the FEIR and addressed in the DDA and DA, as applicable. As such, approval of the Tentative Subdivision Map represents an appropriate balance of the City's housing needs compared to public service needs and available fiscal and environmental resources.

Finding: Denial of the Tentative Subdivision Map Act is not mandated pursuant to Government Code Section 66474.

Evidence in Support of Finding: The Department has considered the entire record to determine, pursuant to Government Code § 66474(a) – (g), whether any of the criteria exist that would require denial of the Tentative Subdivision Map, and finds that none of the criteria exist.

(a) That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451.

Comment: The Tentative Subdivision Map is consistent with the General Plan, for the reasons set forth in Planning Commission Resolution No. 18328, and there is no applicable specific plan, as detailed above in these findings.

(b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.

Comment: The design and improvement of the proposed subdivision is consistent with the General Plan, for the reasons set forth in Planning Commission Resolution No. 18328, and there is no applicable specific plan, as detailed above in these findings.

(c) That the site is not physically suitable for the type of development.

Comment: The site is physically suitable for the type of development. The FEIR evaluated potential environmental impacts associated with the development, which development is consistent with that described in the D4D. All required mitigation measures identified in the MMRP will be applied to the Tentative Subdivision Map as described in Public Works Order No. _____. The FEIR and corresponding mitigation measures address, among other issues, geotechnical and soils conditions and hazards and hazardous materials.

(d) That the site is not physically suitable for the proposed density of development.

Comment: The site is physically suitable for the proposed density of development. The density of development, including the 1,884 proposed residential condominium units and anticipated commercial square footage for these subphases of Major Phase 1, is consistent with the D4D and SUD as evaluated in the FEIR.

(e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

Comment: Neither the design of the subdivision nor the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The FEIR incorporates a comprehensive evaluation of biological resources, including fish and wildlife and their habitat. All feasible and applicable mitigation measures identified in the MMRP will be applied to the Tentative Subdivision Map as described in Public Works Order No. _____.

(f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.

Comment: Neither the design of the subdivision nor the type of improvements are likely to cause serious public health problems. Issues of public health, including, for example, geotechnical and soils stability, hazards and hazardous materials, and air quality impacts, were evaluated in the FEIR. All feasible and applicable mitigation measures identified in the MMRP will be applied to the Tentative Subdivision Map as described in Public Works Order No. _____.

(g) That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate

easements, for access or for use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

Comment: Neither the design of the subdivision nor the type of improvements will conflict with easements acquired by the public at large for access through or use of, property within the proposed subdivision. No such public easements for use or public access would be adversely affected by the proposed subdivision, and the Subdivider will be required to provide new easements as a condition of approval of the map as necessary for public access and use.

C. San Francisco Planning Code Section 101.1

The Department has reviewed the findings of the Planning Commission as memorialized in Planning Commission Resolution No. 18328 concerning the consistency of the Project with the General Plan and the Priority Policies listed in Planning Code Section 101.1(b)(1)-(8). The Tentative Subdivision Map is consistent with, and is an implementing approval of, the Project previously evaluated by the Planning Commission and described in Resolution No. 18328. As such, the Department finds that the Resolution No. 18328 (and the findings therein) extends to approval of the Tentative Subdivision Map.