



San Francisco Public Works
General – Director’s Office
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Public Works Order No: 207094

RECOMMENDING APPROVAL OF PARCEL MAP 10711, THE MERGER AND RESUBDIVISION OF LOTS 11, F, J AND P OF FINAL MAP NO. 9235, AND THE FIRST AMENDMENT TO THE TREASURE ISLAND PUBLIC IMPROVEMENT AGREEMENT, TREASURE ISLAND - SUBPHASE 1B, 1C, & 1E IMPROVEMENTS.

FINDINGS

1. On September 4, 2018, the Board of Supervisors approved Final Map No. 9235 pursuant to Motion No. M18-115 and authorized the Director of Public Works (“Director”) to enter into the Public Improvement Agreement (Treasure Island - Sub-Phase 1B, 1C & 1E Improvements), dated for reference purposes as of September 7, 2018, and recorded as Document No. 2018-K672370 of Official Records (“TI PIA”). The TI PIA describes the obligations of Treasure Island Series 1, LLC (“TIS1”), as assignee of said TI PIA, to complete public improvements to serve the development within Treasure Island’s initial development subphases, including improvements located within and outside the boundaries of Final Map No. 9235.
2. On August 18, 2020, TIS1 and the Treasure Island Development Authority (“TIDA”) submitted an application for Tentative Parcel Map No. 10711, requesting the approval of a merger and resubdivision of Lots 11, F, J, and P within the larger Final Map No. 9235 subdivision boundary (“Tentative Parcel Map”).
3. On September 2, 2021, the Department of Public Works (“Public Works”) conditionally approved the Tentative Parcel Map pursuant to Public Works Order No. 205,388. Public Works Order No. 205,388 included the Director’s Conditions of Approval for the Tentative Parcel Map.
4. In Public Works Order No. 205,388, the Director determined that the Tentative Parcel 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.
5. On May 18, 2021, TIS1 submitted an application for approval of a Street Improvement Permit #22IE-00277 for the purpose of realigning future Avenue of the Palms (Lots E and J of Final Map No. 9235), such that Avenue of the Palms will intersect with future Bruton Street rather than ending in a cul-de-sac. Lots E and J of Final Map No. 9235 are subject to easements in favor of the City and to irrevocable offers of dedication for street and utility improvements.

Modifications to the TI Required Infrastructure to account for the realignment of Avenue of the Palms are referred to hereafter collectively as the "Avenue of the Palms Improvements."

6. On July 13, 2022, TIS1 filed an application for Parcel Map No. 10711 ("Parcel Map") for the merger and resubdivision of Lots 11, F, J, and P within the larger Final Map No. 9235 subdivision boundary.
7. PG&E is the grantee of an easement located within the proposed subdivision as described in Document No. 2021157217 of the Official Records of the City and County of San Francisco, recorded October 15, 2021 ("PG&E Easement") which is shown on the face of the Parcel Map. On August 30, 2022, PG&E confirmed via e-mail that it does not object to the filing of the Parcel Map without PG&E's signature.
8. The subdivision contemplated by Final Map No. 9235 includes open space areas that will continue to be owned by TIDA and upon which TIS1 will install various public improvements that will be offered for dedication to TIDA ("Park Improvements"), which constitute a portion of the TIDA Infrastructure. The Park Improvements are comprised of infrastructure and landscaping in seven TIDA park and open space areas referred to as "Causeway Park," "Waterfront Plaza 1," "Cultural Park," "Cityside Park," "Building 1 Plaza," "Marina Plaza," and "Clipper Cove Promenade 1" and which are described in the Park Plans and Specifications. These Park Improvements were not included as part of the TI Required Infrastructure in the TI PIA.
9. TIS1 is in the process of building the Park Improvements as required by the Project Documents (as defined in Subdivision Code Section 1707(z)). TIS1 and the City propose to amend the TI PIA to document procedures for permitting, inspection, dedication and acceptance of the Park Improvements.
10. Public Works, the San Francisco Public Utilities Commission ("SFPUC"), the San Francisco Municipal Transportation Agency, and TIDA are parties to the Memorandum of Agreement Regarding Ownership and Maintenance of Public Improvements on Treasure Island and Yerba Buena Island, dated for reference purposes as of April 26, 2017 ("MOA"). As part of the MOA, the parties developed the TI/YBI Improvement Matrix ("Improvement Matrix") which identifies the party responsible for jurisdiction, ownership, maintenance, and liability of various improvements, as well as the instrument for funding maintenance and the anticipated source of funding for maintenance. A nonbinding draft of the Improvement Matrix is included as Appendix A to the MOA.
11. Pursuant to Section 3.2 of the MOA, the "parties intend that subsequent, binding Improvement Agreements will finally and specifically identify the Improvements that Developer will offer to the City and TIDA and the specific City agency or agencies that will have, for specific Improvements, jurisdiction and control, and responsibility for maintenance and liability."
12. Public Works, SFPUC, the Infrastructure Task Force, SFMTA and TIS1 developed a revised Improvement Matrix for use in association with Yerba Buena Island and the initial development phase for Treasure Island. As contemplated by the MOA, the City, TIDA, and TIS1 propose to incorporate the revised Improvement Matrix into the TI PIA to establish the Improvement Matrix as a binding document only as applied to the areas covered by the TI PIA.

13. The First Amendment to the TIA PIA is a product of a collaborative effort between TIS1, TIDA, and the City. The First Amendment will allow TIS1 to proceed with the realignment of the Avenue of the Palms, address the timing for completion of TI Required Infrastructure, account for the dedication of Park Improvements to TIDA, and incorporate the revised Improvement Matrix, as described above.
14. TIS1 has been required to increase surety bonds to the Director corresponding with an approved engineer's cost estimate for the Avenue of the Palms Improvements. Realignment of Avenue of the Palms to connect to the Bruton Street intersection, instead of terminating in a cul-de-sac, will improve vehicular and pedestrian circulation throughout the subdivision area. Inclusion of the Park Improvements in the TI PIA will secure the terms under which TIS1 will complete the improvements and the procedure by which TIS1 will dedicate the improvements to TIDA. Incorporation of the binding Improvement Matrix will also secure the rights and obligations of the parties in relation to the improvements covered by the TI PIA and reduces the potential for any future uncertainty as contemplated by the MOA.
15. The City Planning Department, in its letter dated November 18, 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 August 3, 2022, memorializing TIDA's determination that Parcel Map No. 10711 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.
16. The Director and County Surveyor find that Parcel Map No. 10711 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, and Tentative Map No. 10711, and substantially conforms to Tentative Map No. 10711.
17. The Director and City Engineer recommend that the Board of Supervisors approve Parcel Map No. 10711.
18. The Parcel Map includes certain offers of improvements required by the First Amendment to the TI PIA and various easements. The Director recommends that the Board of Supervisors conditionally accept on behalf of the public the offers of improvements described in TIS1 and TIDA Owners' Statements on the Parcel Map, and required by the TI PIA, subject to the City Engineer's issuance of a Notice of Completion for the improvements and subsequent action by the Board of Supervisors. The Director further recommends that the Board of Supervisors acknowledge that the Director of the Division of Real Estate shall accept the easements and easement agreements by separate instrument in accordance with the terms of the Treasure Island / Yerba Buena Island Development Agreement (Ordinance No. 95-11) and related approvals.

Attachments & Transmittals

1. ATTACHMENT 1, Enlarged Copy of Map Notes Included on Parcel Map 10711.

2. Transmitted herewith are the following:

- i. Four (4) paper copies of the Motion approving said Parcel Map – one (1) copy in electronic format.
- ii. One (1) mylar signature sheet and one (1) paper set of the “Parcel Map No. 10711”, each comprising 16 sheets.
- iii. One (1) copy of the Tax Certificates from the Office of the Treasurer and Tax Collector certifying that there are no liens against the property for taxes or special assessments collected as taxes.
- iv. One (1) copy of all offers of improvement described on the Parcel Map.
- v. One (1) copy of the offer of dedication in fee for Lot of the Parcel Map.
- vi. One (1) copy of the letter from the City Planning Department, dated November 18, 2020, verifying conformity of the subdivision with the General Plan and the Priority Policies set forth in City Planning Code Section 101.1.
- vii. One (1) copy of the letter from TIDA, determining the consistency of the Parcel Map with the Project Documents, City Regulations, and TIDA Project approvals.
- viii. One (1) copy of the TI Public Improvement Agreement.
- ix. One (1) copy of the First Amendment to the TI Public Improvement Agreement.
- x. One (1) copy of the August 30, 2022, e-mail from PG&E authorizing the filing of the Parcel Map without PG&E’s signature.

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

X DocuSigned by:
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City and County Surveyor

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