

Entertainment Commission of the City and County of San Francisco

RESOLUTION ADOPTING ENVIRONMENTAL FINDINGS AND CONDITIONALLY GRANTING A PLACE OF ENTERTAINMENT PERMIT FOR THE GOLDEN STATE WARRIORS EVENT CENTER AT MISSION BAY SOUTH REDEVELOPMENT PROJECT AREA BLOCKS 29-32

WHEREAS, On October 8, 2015, the GSW Arena, LLC, an affiliate of Golden State Warriors, LLC, which owns and operates the Golden State Warriors National Basketball Association team ("Applicant"), submitted to the Entertainment Commission an application for a Place of Entertainment Permit pursuant to Article 15.1 of the Police Code for a mixed use event center to be located at Mission Bay South Blocks 29-32 ("the GSW Event Center"); and

WHEREAS, The GSW Event Center capacity is 18,064 seats and a total crowd capacity of 18,500 with the addition of floor seats and/or standing room only space; and

WHEREAS, Under the Applicant's proposal, the Event Center will host up to 60 Warriors basketball games (including pre-season and potential playoff games) per year during the basketball season running from mid-October through mid-June, and approximately 160 non-Warriors game events per year; and

WHEREAS, Applicant proposes to use the GSW Event Center as a Place of Entertainment open seven days a week. The hours of operation will vary depending on the nature of the activities programmed for the venue, but may begin as early as 7:00 AM and end as late as 2:00 AM. The proposed entertainment uses include family shows, professional basketball games, collegiate athletic events, and concerts for a wide variety of audiences and ages. Food and beverages will be served on-site, including alcoholic beverages; and

WHEREAS, On November 10, 2015, the Entertainment Commission held a duly noticed public hearing on the Applicant's Place of Entertainment Permit application; and

WHEREAS, The Office of Community Investment and Infrastructure, successor to the former Redevelopment Agency of the City and County of San Francisco ("OCII"), in accordance with California Environmental Quality Act, California Public Resources Code Sections 21000 et seq. ("CEQA"), and acting in its capacity as lead agency, as such term is defined in Public Resources Code Section 21067, prepared a Final Subsequent Environmental Impact Report ("FSEIR") for the Golden State Warriors Event Center and Mixed-Use Development at Mission Bay Blocks 29-32 (the "Event Center Project") consisting of the Draft Subsequent Environmental Impact Report (GSW DSEIR"), the comments received during the review period, any additional information that became available after the publication of the GSW DSEIR, and the Draft Summary of Comments and Responses, all as required by law, copies of which are available through the Secretary of the Entertainment Commission, and are incorporated herein by reference; and

WHEREAS, On November 3, 2015, the Commission on Community Investment and Infrastructure reviewed and considered the FSEIR and, by Resolution No. 69-2015, certified the FSEIR in compliance with CEQA. Said certification included minor technical errata as set forth

in the November 3, 2015 memorandum from Environmental Science Associates to Sally Oerth, Office of Community Investment and Infrastructure, and incorporated herein by reference; and

WHEREAS, On November 3, 2015, the San Francisco Municipal Transportation Agency ("SFMTA") Board of Directors, acting in its capacity as a responsible agency, as such term is defined in CEQA, Public Resources Code Section 21069, after a duly noticed public hearing, adopted Resolution No. 15-154, which includes required findings under CEQA and a Statement of Overriding Considerations ("CEQA Findings"), the abovementioned errata, and various approval actions in regard to the Event Center Project. Said Resolution and the SFMTA CEQA Findings are incorporated herein by reference; and

WHEREAS, The FSEIR files, other Project-related OCII files, and other materials have been available for review by the Entertainment Commission and the public with the OCII Board Secretary at 1 S. Van Ness, 5th Floor, San Francisco, CA 94103, through this Commission's Secretary, and at www.gsweventcenter.com, and those files are incorporated herein by reference and made part of the record before this Commission; and

WHEREAS, The Entertainment Commission, acting in its capacity as a responsible agency under CEQA, has reviewed and considered the information contained in the FSEIR for the Event Center Project and the SFMTA CEQA Findings; now, therefore, be it

RESOLVED, That the Entertainment Commission, in relation to the actions set forth herein, adopts the SFMTA CEQA Findings as its own and acknowledges that mitigation measures M-NO-4a and M-NO-4b, or parts thereof, in the Mitigation Monitoring and Reporting Program attached to the SFMTA CEQA Findings identify the Entertainment Commission as having monitoring and reporting responsibility to ensure the project sponsor complies with these measures as applicable to this permit; and, be it

FURTHER RESOLVED, That the Entertainment Commission hereby conditionally grants to Applicant a Place of Entertainment Permit for the Event Center (Permit No. EC-1352). The Permit is subject to the requirements of Article 15.1 of the Police Code and the following conditions:

- Permit holder shall adhere to the Entertainment Commission's Good Neighbor Policy, attached hereto as Exhibit A.
- Permit holder shall comply with the Security Plan, attached hereto as Exhibit B (pages 8-12 of the application), and the requirements pertaining thereto in Section 1060(n) of the Police Code.
- Permit holder shall comply with the Noise Control Plan, attached hereto as Exhibit C.
- Permit holder shall comply with the noise restrictions in Article 29 of the Police Code, and Article 1, Section 49 of the Police Code.
- Per Police Code Section 1060.15, Permit holder shall allow the Commission to conduct a sound test to ensure compliance with the allowable noise limits under Section 49 and Article 29 of the Police Code or any alternative noise limits set by the Commission in the

permit as authorized by subsection (e) of Section 2909 of the Police Code. Permit holder may not commence operations unless and until this sound test is conducted.

- Permit holder shall comply with all applicable provisions of the Police Code.
- [Placeholder for any SFPD conditions]
- [Placeholder for any additional EC conditions added at the November 10 hearing]

Exhibits: **A – Good Neighbor Policy**
 B – Security Plan
 C – Noise Control Plan

AYES:

NOES:

Adopted on November ____, 2015

Executive Director, Jocelyn Kane