

City of Brisbane

Agenda Report

TO: Honorable Mayor and City Council

FROM: Community Development Director and City Attorney via City Manager

SUBJECT: Ordinance 568-Development Agreement- Sierra Point Office Project -
SUPPLEMENTAL INFORMATION

DATE: Meeting of March 5, 2012

In addition to the information contained in the previous agenda packets regarding the above-referenced matter, the following is provided for the City Council's information:

Implications of Adopting Ordinance 568

In the event Ordinance 568 is not adopted and the development agreement is not executed, the project approvals are scheduled to expire in April 2014 and the project would comply with City's Green Building Ordinance in effect at the time building permits are obtained. The City's current green building standard is LEED Silver. It is unknown if State law will further extend the life of the tentative map approval associated with the project, but the state has a history of extending subdivision approvals in slow economic times.

Adoption of Ordinance 568 will allow for the execution of the referenced development agreement. Execution of the Development Agreement will require the subject Sierra Point Office Project to be constructed to the LEED Gold standards in effect at the time building permits are obtained. In exchange for this consideration the project approval would be extended to April 3, 2022. This date is determined as follows: If Ordinance 568 is adopted by the City Council on March 5, 2012, the Ordinance would become effective 30 days thereafter, or April 4, 2012. Section 2.2 of the Development Agreement provides for a term of 10 years from the Effective Date, which would be April 3, 2022.

Implications of LEED Gold Compliance

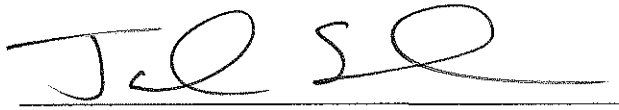
The applicant has provided the attached LEED Checklist which indicates how they might achieve LEED Gold compliance and the projected cost.

Implications of the Development Agreement on Future Green Building Ordinance Compliance

The Development Agreement requires the applicant to comply with the LEED Gold Standards in effect at the time building permits are obtained for the project. In the event the City has adopted

citywide Green Building Ordinance that is more stringent than LEED Gold, the project would need to comply with those requirements. If the City adopts Green Building standards not based upon LEED (such as Tiers of CALGREEN), the project would need to comply with the City adopted standards as well as LEED Gold.

Attachment
Applicant-Prepared LEED Checklist



John Swiecki, Community Development Director



Hal Toppel, City Attorney

Projected

LEED for Core and Shell Development

June 21, 2011

Project Checklist

Opus Center Sierra Point 8-story, 10-story, Parking Structure



19	7	2
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Sustainable Sites

Possible Points: 28

Assoc. Cost
(Project)

Y	N	?	d/C
Y			
	1		
	5		
1			
6			
2			
3			
2			
	1		
1			
		1	
1			
1			
1			
		1	
1			
6	0	4	

- c Prereq 1 Construction Activity Pollution Prevention
- d Credit 1 Site Selection 1
- d Credit 2 Development Density and Community Connectivity 5
- d Credit 3 Brownfield Redevelopment 1
- d Credit 4.1 Alternative Transportation--Public Transportation Access 6
- d Credit 4.2 Alternative Transportation--Bicycle Storage and Changing Rooms 2
- d Credit 4.3 Alternative Transportation--Low-Emitting and Fuel-Efficient Vehicles 3
- d Credit 4.4 Alternative Transportation--Parking Capacity 2
- c Credit 5.1 Site Development--Protect or Restore Habitat 1
- d Credit 5.2 Site Development--Maximize Open Space 1
- d Credit 6.1 Stormwater Design--Quantity Control 1
- d Credit 6.2 Stormwater Design--Quality Control 1 \$50,000
- c Credit 7.1 Heat Island Effect--Non-roof 1
- d Credit 7.2 Heat Island Effect--Roof 1 \$15,000
- d Credit 8 Light Pollution Reduction 1
- d Credit 9 Tenant Design and Construction Guidelines 1

Water Efficiency

Possible Points: 10

Y	N	?
Y		
2		2
		2
4		

- d Prereq 1 Water Use Reduction--20% Reduction
- d Credit 1 Water Efficient Landscaping 2 to 4
 - Reduce by 50% 2
 - No Potable Water Use or Irrigation 4
- d Credit 2 Innovative Wastewater Technologies 2
- d Credit 3 Water Use Reduction 2 to 4
 - Reduce by 30% 2
 - Reduce by 35% 3
 - Reduce by 40% 4

Energy and Atmosphere

Possible Points: 37

19	12	6
Y	N	?
Y		
Y		
10	9	2

- c Prereq 1 Fundamental Commissioning of Building Energy Systems
- d Prereq 2 Minimum Energy Performance
- d Prereq 3 Fundamental Refrigerant Management
- d Credit 1 Optimize Energy Performance 3 to 21 \$400,000
 - Improve by 12% for New Buildings or 8% for Existing Building Renovations 3
 - Improve by 14% for New Buildings or 10% for Existing Building Renovations 4
 - Improve by 16% for New Buildings or 12% for Existing Building Renovations 5
 - Improve by 18% for New Buildings or 14% for Existing Building Renovations 6
 - Improve by 20% for New Buildings or 16% for Existing Building Renovations 7
 - Improve by 22% for New Buildings or 18% for Existing Building Renovations 8
 - Improve by 24% for New Buildings or 20% for Existing Building Renovations 9
 - Improve by 26% for New Buildings or 22% for Existing Building Renovations 10

					Improve by 28% for New Buildings or 24% for Existing Building Renovations	11	
					Improve by 30% for New Buildings or 26% for Existing Building Renovations	12	
					Improve by 32% for New Buildings or 28% for Existing Building Renovations	13	
					Improve by 34% for New Buildings or 30% for Existing Building Renovations	14	
					Improve by 36% for New Buildings or 32% for Existing Building Renovations	15	
					Improve by 38% for New Buildings or 34% for Existing Building Renovations	16	
					Improve by 40% for New Buildings or 36% for Existing Building Renovations	17	
					Improve by 42% for New Buildings or 38% for Existing Building Renovations	18	
					Improve by 44% for New Buildings or 40% for Existing Building Renovations	19	
					Improve by 46% for New Buildings or 42% for Existing Building Renovations	20	
					Improve by 48%+ for New Buildings or 44%+ for Existing Building Renovations	21	
			4	d Credit 2	On-Site Renewable Energy	4	
2				c Credit 3	Enhanced Commissioning	2	\$75,000
2				d Credit 4	Enhanced Refrigerant Management	2	\$200,000
3				d Credit 5.1	Measurement and Verification--Base Building	3	\$10,000
	3			d Credit 5.2	Measurement and Verification--Tenant Submetering	3	
2				c Credit 6	Green Power	2	\$75,000

2	6	5
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Materials and Resources

Possible Points: 13

Y	N	?
Y		
	5	

d Prereq 1	Storage and Collection of Recyclables		
c Credit 1	Building Reuse--Maintain Existing Walls, Floors, and Roof	1 to 5	
	Reuse 25%	1	
	Reuse 33%	2	
	Reuse 42%	3	
	Reuse 50%	4	
	Reuse 75%	5	

1		1
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c Credit 2	Construction Waste Management	1 to 2	
	50% Recycled or Salvaged	1	
	75% Recycled or Salvaged	2	

	1	
1		1

c Credit 3	Materials Reuse	1	
c Credit 4	Recycled Content	1 to 2	
	10% of Content	1	
	20% of Content	2	

		2
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c Credit 5	Regional Materials	1 to 2	
	10% of Materials	1	
	20% of Materials	2	

		1
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c Credit 6	Certified Wood	1	
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10	2	0
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Indoor Environmental Quality

Possible Points: 12

Y	N	?
Y		
Y		
1		
1		
1		
1		
1		
1		
1		
1		
1		

d Prereq 1	Minimum Indoor Air Quality Performance		
d Prereq 2	Environmental Tobacco Smoke (ETS) Control		
d Credit 1	Outdoor Air Delivery Monitoring	1	\$40,000
d Credit 2	Increased Ventilation	1	
c Credit 3	Construction Indoor Air Quality Management Plan--During Construction	1	
c Credit 4.1	Low-Emitting Materials--Adhesives and Sealants	1	
c Credit 4.2	Low-Emitting Materials--Paints and Coatings	1	
c Credit 4.3	Low-Emitting Materials--Flooring Systems	1	
c Credit 4.4	Low-Emitting Materials--Composite Wood and Agrifiber Products	1	
d Credit 5	Indoor Chemical and Pollutant Source Control	1	\$5,000

	1			d	Credit 6	Controllability of Systems—Thermal Comfort	1
1				d	Credit 7	Thermal Comfort—Design	1
	1			d	Credit 8.1	Daylight and Views—Daylight	1
1				d	Credit 8.2	Daylight and Views—Views	1

6	0	0	Innovation and Design Process				Possible Points: 6
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	Y	N	?				
1				d/C	Credit 1.1	Innovation in Design: Specific Title	1
1				d/C	Credit 1.2	Innovation in Design: Specific Title	1
1				d/C	Credit 1.3	Innovation in Design: Specific Title	1
1				d/C	Credit 1.4	Innovation in Design: Specific Title	1
1				d/C	Credit 1.5	Innovation in Design: Specific Title	1
1				d/C	Credit 2	LEED Accredited Professional	1

4	0	0	Regional Priority Credits				Possible Points: 4
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	Y	N	?				
1				d/C	Credit 1.1	Regional Priority: Specific Credit	1
1				d/C	Credit 1.2	Regional Priority: Specific Credit	1
1				d/C	Credit 1.3	Regional Priority: Specific Credit	1
1				d/C	Credit 1.4	Regional Priority: Specific Credit	1

66	27	17	Total				Possible Points: 110
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Certified 40 to 49 points	Silver 50 to 59 points	Gold 60 to 79 points	Platinum 80 to 110
Project Associated Cost Subtotal			\$870,000
Admin/Consultants			\$75,000
Fees			\$15,000
Basic Commissioning			\$50,000
Contingency			\$350,000
Total Estimated Cost Impact			\$1,360,000