

File No. 180549 Committee Item No. 5  
Board Item No. \_\_\_\_\_

**COMMITTEE/BOARD OF SUPERVISORS**  
AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation Committee Date June 25, 2018

Board of Supervisors Meeting Date \_\_\_\_\_

**Cmte Board**

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**OTHER (Use back side if additional space is needed)**

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Completed by: Erica Major Date 6/21/18  
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1 [Below-Market Rate Housing Plan Amendment - Candlestick Point-Hunters Point Shipyard  
2 Phase 2 Project]

3 **Resolution of the Board of Supervisors, acting in its capacity as the Successor Agency**  
4 **to the former Redevelopment Agency of the City and County of San Francisco,**  
5 **approving an amendment to the Below-Market Rate Housing Plan for the Candlestick**  
6 **Point-Hunters Point Shipyard Phase 2 Project in the Hunters Point Shipyard**  
7 **Redevelopment Project Area and Bayview Hunters Point Redevelopment Project Area,**  
8 **subject to Oversight Board and California Department of Finance approval; and making**  
9 **environmental findings under the California Environmental Quality Act.**

10  
11 WHEREAS, On July 14, 1997, by Ordinance No. 285-97, the Board of Supervisors  
12 approved and adopted the Hunters Point Shipyard Redevelopment Plan ("HPS Plan"), which  
13 establishes basic policies for development of the Hunters Point Shipyard Redevelopment  
14 Project Area ("HPS Project Area"), pursuant to the Military Base Conversion Chapter of the  
15 California Community Redevelopment Law (California Health and Safety Code, Sections  
16 33492 et seq.); and

17 WHEREAS, On May 23, 2006, by Ordinance No. 113-06, the Board of Supervisors  
18 approved and adopted the Redevelopment Plan for the Bayview Hunters Point  
19 Redevelopment Project ("BVHP Plan"), which establishes basic policies for development of  
20 the Bayview Hunters Point Redevelopment Project Area ("BVHP Project Area"); and

21 WHEREAS, On August 3, 2010, by Ordinance Nos. 0210-10 and 0211-10, the Board of  
22 Supervisors approved and adopted amendments to the BVHP Plan and the HPS Plan,  
23 respectively, in connection with development of the proposed Candlestick Point-Hunters Point  
24 Shipyard Phase 2 Project (the "Project"); and

1           WHEREAS, To implement the Project, the former Redevelopment Agency of the City  
2 and County of San Francisco (the "Redevelopment Agency") and CP Development Co., LP, a  
3 Delaware limited partnership ("Developer") entered into various agreements, including a  
4 Disposition and Development Agreement (Candlestick Point and Phase 2 of the Hunters Point  
5 Shipyard), dated as of June 3, 2010, which the parties previously have amended on two  
6 occasions (the "DDA"); and

7           WHEREAS, The DDA proposed a cohesive, overall plan for development of Phase 2 of  
8 the HPS Project Area (which excludes previously authorized development in the Hunters  
9 Point Hill Residential District, referred to as "HPS Phase 1"), and development of Zone 1 of  
10 the BVHP Project Area B (known as "Candlestick Point"); and

11           WHEREAS, The DDA includes a Below-Market Rate Housing Plan ("BMR Plan") that  
12 establishes the parties' obligations to develop affordable housing, and requires that  
13 approximately 32% of all housing built within the Project be affordable at several levels of  
14 income(the "CP/HPS2 housing ladder" of affordability); and

15           WHEREAS, On July 13, 2010, the Board of Supervisors approved Motion No. 10-110,  
16 affirming the Planning Commission's certification of the final environmental impact report for  
17 the Candlestick Point-Hunters Point Shipyard Phase 2 Project ("FEIR") in compliance with the  
18 California Environmental Quality Act ("CEQA") (California Public Resources Code, Sections  
19 21000 et seq.); and

20           WHEREAS, A copy of this Motion is on file with the Clerk of the Board of Supervisors in  
21 File No. 100862 and available on the Board's website, and is incorporated herein by reference  
22 as though fully set forth; and

23           WHEREAS, Together with approval actions taken in 2010, this Board adopted  
24 Resolution No. 347-10, making findings in relation to the Project pursuant to CEQA, including  
25

1 a statement of overriding considerations and a mitigation monitoring and reporting program  
2 (“CEQA Findings”); and

3 WHEREAS, Copies of this Resolution and supporting materials are in the Clerk of the  
4 Board of Supervisors File No. 100572 and available on the Board’s website, and the  
5 Resolution and supporting materials are incorporated herein by reference as though fully set  
6 forth; and

7 WHEREAS, On February 1, 2012, the State of California dissolved all redevelopment  
8 agencies in the state and established successor agencies to assume certain rights and  
9 obligations of the former agencies, as set forth in California Health & Safety Code, Sections  
10 34170 et seq. (the “Redevelopment Dissolution Law”); and

11 WHEREAS, On October 2, 2012, by Ordinance No. 215-12, this Board (i) delegated its  
12 state authority under the Redevelopment Dissolution Law to the Successor Agency to the  
13 former Redevelopment Agency of the City and County of San Francisco (the “Successor  
14 Agency”); (ii) established the Commission on Community Investment and Infrastructure  
15 (“CCII”), to implement and complete the Major Approved Development Projects and Retained  
16 Housing Obligations as those terms are defined in Ordinance No. 215-12, including  
17 implementation of the Project in accordance with the DDA; and (iii) acknowledged that the  
18 Successor Agency held all transferred assets and obligations of the dissolved Redevelopment  
19 Agency under the Redevelopment Dissolution Law; and

20 WHEREAS, On December 4, 2012, the California Department of Finance determined  
21 that the DDA and related agreements were enforceable obligations of the Successor Agency;  
22 and

23 WHEREAS, In delegating its rights to the Successor Agency, this Board required that  
24 the CCII obtain the approval of the Board of Supervisors of any modifications to the Major  
25

1 Approved Development Projects or Retained Housing Obligations that would materially  
2 change the Successor Agency's obligations to provide affordable housing; and

3 WHEREAS, On April 17, 2018, after holding a duly noticed public hearing and  
4 consistent with its authority under Redevelopment Dissolution Law and Ordinance  
5 No. 215-12, CCII conditionally approved, by Resolution No. 16-2018, a third amendment to  
6 the DDA ("DDA Third Amendment"), including an amendment to the BMR Plan ("BMR Plan  
7 Amendment"), which authorizes the following: (i) construction, at Developer's discretion, of  
8 a 105-unit residential project (104 BMR units plus one manager's unit) for residents aged 62  
9 and over at 60% area median income ("AMI") and below, to be located within Sub-Phase  
10 CP-02 in Candlestick Point (the "Senior BMR Project"); (ii) the relocation of approximately 172  
11 residential units from HPS Phase 1, requiring 10.5% of those units (a total of 18 units) to be  
12 affordable at 80% AMI; and (iii) priority in assignment of parking spaces to Certificate of  
13 Preference holders who occupy affordable housing units in residential projects with less than  
14 1 parking space for every unit; and

15 WHEREAS, The Senior BMR Project would fulfill affordable housing requirements for  
16 several market-rate residential projects within the Project area, provided that the Senior BMR  
17 Project is constructed prior to or at the same time as the first of those market-rate projects,  
18 thereby accelerating the delivery of affordable housing units, with deeper affordability levels,  
19 than called for in the existing BMR Plan; and

20 WHEREAS, Under the BMR Plan Amendment, approximately 32% of housing built  
21 within the Project would continue to be affordable in accordance with the CP/HPS2 housing  
22 ladder and if Developer elects to develop the Senior BMR Project, the CP/HPS2 housing  
23 ladder would be adjusted to reflect the Senior BMR Project at 60% AMI; and

24 WHEREAS, The Successor Agency determined in Addendum No. 5 for the Project that  
25 proposed modifications to the Project, including the BMR Plan Amendment, will not result in

1 any new significant impacts or a substantial increase in the severity of previously identified  
2 significant effect that would alter the conclusions reached in the FEIR; and

3 WHEREAS, A copy of Addendum No. 5 and supporting materials are in the Clerk of the  
4 Board of Supervisors File No. 180476 and available on the Board's website, and the findings  
5 in Addendum No. 5 and supporting materials are incorporated herein by reference as though  
6 fully set forth; and

7 WHEREAS, On April 17, 2018, CCII determined by Resolution No. 11-2018 that the  
8 analysis conducted and the conclusions reached in the FEIR as to the environmental effects  
9 of the Project, together with further analysis provided in Addendum No. 1, Addendum No. 4  
10 and Addendum No. 5 to the FEIR, remain valid and can be relied upon for approval of the  
11 BMR Plan Amendment in compliance with the CEQA; and

12 WHEREAS, As part of Resolution No. 11-2018, CCII made findings regarding the  
13 modifications to 16 previously adopted mitigation measures as recommended in Addendum  
14 No. 5, and approved the modifications to the adopted mitigation measures; and

15 WHEREAS, For two of these mitigation measures, Mitigation Measure TR-16 (Widen  
16 Harney Way) and UT-2 (Auxiliary Water Supply System), the language reflects minor changes  
17 previously approved based on Addendum No. 1 and Addendum No. 4 as reflected in CCII  
18 Resolution Nos. 01-2014 and 13-2016; and

19 WHEREAS, In addition, CCII Resolution No. 13-2016 approved modifications to  
20 Mitigation Measure TR-23.1 (Maintain Proposed Headways of the 29 Sunset), to assure that  
21 transit travel times would be consistent with the FEIR analysis; and

22 WHEREAS, A copy of Resolution No. 11-2018 and supporting materials, including  
23 without limitation Addendum No. 1 and Addendum No. 4, and copies of Resolution  
24 Nos. 01-2014 and 13-2016 are in the Clerk of the Board of Supervisors File No. 180516 and  
25

1 available on the Board's website, and are incorporated herein by reference as though fully set  
2 forth; and

3 WHEREAS, Under Redevelopment Dissolution Law, the Oversight Board of the City  
4 and County of San Francisco must review and approve any amendment to an enforceable  
5 obligation, such as the BMR Plan Amendment, but only if it finds that the amendment would  
6 be in the best interests of the taxing entities; and

7 WHEREAS, Under Redevelopment Dissolution Law, the California Department of  
8 Finance ("DOF") must receive notice and information about all Oversight Board actions, which  
9 do not take effect until DOF has either not requested additional review within five business  
10 days of the notice or requested additional review and approved the action within 40 days of its  
11 request for additional review ("DOF Approval"); and

12 WHEREAS, The Board of Supervisors held a public hearing on \_\_\_\_\_,  
13 on the adoption of the proposed BMR Plan Amendment; the hearing has been closed; and

14 WHEREAS, The Board has reviewed and considered the recommendations of CCII,  
15 the FEIR, and the CEQA Findings, including the statement of overriding considerations that  
16 this Board previously adopted in Resolution No. 0347-10, the findings in Addendum No. 5, the  
17 findings in CCII Resolution No. 11-2018, and the findings in CCII Resolutions Nos. 01-2014  
18 and 13-2016 concerning amendments to adopted mitigation measures; now, therefore, be it

19 RESOLVED, That the Board finds that the actions contemplated by this resolution are  
20 included in the actions identified in CCII Resolution No. 11-2018 for purposes of compliance  
21 with CEQA; and, be it

22 FURTHER RESOLVED, That the Board hereby adopts the additional CEQA Findings  
23 in CCII Resolution No. 11-2018 as its own, including approving the modifications to the 16  
24 adopted mitigation measures recommended for modification in Addendum No. 5; and, be it  
25

1 FURTHER RESOLVED, Additionally, the Board approves the modifications previously  
2 approved by CCII to Mitigation Measures TR-16, TR-23.1, and UT-2 for the reasons set forth  
3 in CCII Resolution Nos. 1-2014 and 13-2016; and, be it

4 FURTHER RESOLVED, That the Board of Supervisors conditionally approves the  
5 proposed BMR Plan Amendment on file with the Board in File No. 180549 subject to approval  
6 of the BMR Plan Amendment by the Oversight Board and DOF; and, be it

7 FURTHER RESOLVED, That the Board of Supervisors authorizes, subject to Oversight  
8 Board and DOF approval, the Executive Director of the Successor Agency or her designee to  
9 execute the DDA Third Amendment including the BMR Plan Amendment in substantially the  
10 form of the BMR Plan Amendment on file with the Clerk of the Board of Supervisors in File  
11 No. 180516; and, be it

12 FURTHER RESOLVED, That all actions taken by City officials and CCII in preparing  
13 and submitting the BMR Plan Amendment to the Board of Supervisors for review and  
14 consideration are hereby ratified and confirmed, and the Board of Supervisors hereby  
15 authorizes all subsequent action to be taken by Successor Agency, CCI and City officials  
16 consistent with this resolution.

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Member, Board of Supervisors  
District 4



City and County of San Francisco

Leg. Clerk  
Leg. Dep.

**KATY TANG**

2018 JUN 18 PM 2:49  
AK  
BOARD OF SUPERVISORS  
SAN FRANCISCO

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DATE: June 18, 2018

TO: Angela Calvillo  
Clerk of the Board of Supervisors

FROM: Supervisor Katy Tang, Chair, Land Use and Transportation Committee

RE: Land Use and Transportation Committee  
COMMITTEE REPORTS

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Pursuant to Board Rule 4.20, as Chair of the Land Use and Transportation Committee, I have deemed the following matters are of an urgent nature and request they be considered by the full Board on Tuesday, June 26, 2018, as Committee Reports:

**180475 General Plan Amendment - Candlestick Point and Hunters Point Shipyard**

Ordinance amending the General Plan in connection with revisions to the Candlestick Point and Hunters Point Shipyard Phase 2 Project in order to facilitate redevelopment; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, and eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare under Planning Code, Section 340.

**180476 Planning Code, Zoning Map - Candlestick Point Activity Node Zoning Map Amendments**

Ordinance amending the Planning Code by amending the Zoning Map Sheets to remove Assessor's Parcel Block No. 4991, Lot No. 276, from the Candlestick Point (CP) Activity Node Special Use District and the CP Height and Bulk District; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making findings of public necessity, convenience, and welfare under Planning Code, Section 302.

**COMMITTEE REPORT MEMORANDUM**

Land Use and Transportation Committee

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**180549      Below-Market Rate Housing Plan Amendment - Candlestick  
Point-Hunters Point Shipyard Phase 2 Project**

Resolution of the Board of Supervisors, acting in its capacity as the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco, approving an amendment to the Below-Market Rate Housing Plan for the Candlestick Point-Hunters Point Shipyard Phase 2 Project in the Hunters Point Shipyard Redevelopment Project Area and Bayview Hunters Point Redevelopment Project Area, subject to Oversight Board and California Department of Finance approval; and making environmental findings under the California Environmental Quality Act.

These matters will be heard in the Land Use and Transportation Committee at a Regular Meeting on Monday, June 25, 2018, at 1:30 p.m.

OFFICE OF THE MAYOR  
SAN FRANCISCO




MARK J. FARRELL  
MAYOR

RECEIVED  
BOARD OF SUPERVISORS  
SAN FRANCISCO

2018 MAY 22 PM 2:53

BY AK

TO:  Angela Calvillo, Clerk of the Board of Supervisors  
FROM: Mayor Farrell  
RE: Successor Agency - Consent to Candlestick Point-Hunters Point Shipyard  
Phase 2 Project Below-Market Rate Housing Plan Amendment  
DATE: May 22, 2018

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Attached for introduction to the Board of Supervisors is of the Board of Supervisors acting in its capacity as the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco approving an amendment to the Below-Market Rate Housing Plan for the Candlestick Point-Hunters Point Shipyard Phase 2 Project in the Hunters Point Shipyard Redevelopment Project Area and Bayview Hunters Point Redevelopment Project Area, subject to Oversight Board and California Department of Finance approval; and making environmental findings under the California Environmental Quality Act.

Should you have any questions, please contact Andres Power (415) 554-5168.