



# SAN FRANCISCO PLANNING DEPARTMENT

## Planning Commission Resolution No. 20163

HEARING DATE: APRIL 26, 2018

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*Case Nos.:* 2007.0946GPA-02 MAP-02  
*Project:* Candlestick Point and Hunters Point Shipyard Phase II (see attached Map)  
*Zoning:* Jamestown Parcel at Candlestick Point:  
Existing: RH-2 / Candlestick Point Activity Node Special Use District / CP  
Height and Bulk District  
Proposed: RH-2 / 40-X Height and Bulk District  
Hunters Point Shipyard:  
HPS Use District / Hunters Point Shipyard SUD / HP Height and Bulk  
District  
*Block/Lot:* Jamestown Parcel at Candlestick Point:  
Block 4991 / Lot 276  
Hunters Point Shipyard:  
Block 4591A / Lots 007, 079, 080, 081; Block 4591D / Lots 136 and 137

**ADOPTING A RESOLUTION TO APPROVE AMENDMENTS TO THE SAN FRANCISCO ZONING MAPS BY AMENDING SECTIONAL MAPS SU10 TO AMEND THE BOUNDARIES OF THE CANDLESTICK POINT ACTIVITY NODE SPECIAL USE DISTRICT; AMENDING SECTIONAL MAP HT10 BY AMENDING THE BOUNDARIES OF THE CP HEIGHT AND BULK DISTRICT.**

**WHEREAS**, Section 4.105 of the Charter of the City and County of San Francisco provides to the Planning Commission the opportunity to periodically recommend Planning Code Map Amendments to the Board of Supervisors; and

The Planning Department is proposing amendments to the Planning Code by amending the Zoning Maps by amending the boundaries to the Candlestick Activity Node Special Use District ("SUD") and the CP Height and Bulk District by removing Assessor's Bock 4991, Lot 276 from both. The Jamestown parcel would be redesignated as being within a 40-X Height and Bulk District.

The proposed amendments will facilitate the development of the Hunters Point Shipyard ("HPS") and Candlestick Point ("CP"), as envisioned in the Hunters Point Shipyard Redevelopment Plan, and the Bayview Hunters Point ("BVHP") Redevelopment Plan.

In 2010, the City approved combining the planning and redevelopment of these two areas to provide a more cohesive overall plan, including comprehensive public recreation and open space plans and integrated transportation plans, and improve opportunities to finance the development of affordable housing and the public infrastructure necessary to expedite the revitalization of both areas. This project is referred to as the Candlestick Point – Hunters Point Shipyard Phase 2 Project ("CP HPS2 Project" or "Project").

Approval actions in 2010 (“Original Approvals”) included, but were not limited to, General Plan amendments including the creation of the CP Sub-Area Plan and the HPS Area Plan, Planning Code amendments creating the CP Activity Node Special Use District (“SUD”) and the HPS Phase 2 SUD, amendments to the BVHP Redevelopment Plan and the HPS Redevelopment Plan and the adoption of Design for Development documents for both CP and HPS Phase 2.

More specifically, the Original Approvals included amendments to the BVHP Redevelopment Plan that divided the subject BVHP Project Area into Zone 1 and Zone 2. The Candlestick Point portion was designated as Zone 1, indicating that the Office of Community Investment and Infrastructure (“OCII”, the successor agency to the San Francisco Redevelopment Agency) would retain jurisdiction over land use and would be the approval body for development approvals pursuant to California Redevelopment Law. The rest of the BVHP Redevelopment Project Area was designated as Zone 2, indicating that the Planning Department would have jurisdiction over land use regulations, in accordance with a Delegation Agreement between the Planning Department and OCII.

Zone 1 includes the property once occupied by the Candlestick Stadium, its parking lot, the Candlestick Point State Recreational Area (“CPSRA”), the Alice Griffith Housing Authority site, several private parcels that are generally surrounded by the stadium site and the CPSRA, and Assessor’s Lot 276 of Block 4991, which is located on Jamestown Avenue above the stadium site (“Jamestown Parcel”).

The Original Approvals anticipated the potential construction of a new stadium at Hunters Point Shipyard for the San Francisco 49ers, as one of several potential development scenarios.

As a part of the Original Approvals, OCII and the City and County of San Francisco, entered into a Disposition and Development Agreement (“DDA”) with CP Development Co., LLC (“Developer”) entitling the Developer to implement the Project pursuant to the provisions therein.

As part of the Original Approvals, an Area Plan under the General Plan was created for Hunters Point Shipyard to specifically align the HPS Redevelopment Plan with the General Plan. Similarly, the HPS Phase 2 SUD and HP Height and Bulk District were created to specifically refer all land use and development regulations to the HPS Redevelopment Plan. Consistent with the HPS Redevelopment Plan, the HPS Area Plan anticipated the construction of a stadium as one of several development scenarios.

As part of the Original Approvals, a Sub-Area Plan under the BVHP Area Plan of the General Plan was created for Candlestick Point (the Candlestick Point Subarea Plan) to specifically align provisions for Zone 1 of the BVHP Redevelopment Plan with the General Plan. Similarly, the Candlestick Point Activity Node SUD and the CP Height and Bulk District were created under the Planning Code to refer all land use and development regulations to the BVHP Redevelopment Plan for Zone 1. Consistent with the BVHP Redevelopment Plan, the boundaries of the CP Sub-Area Plan, the CP Activity Node SUD, and the CP Height and Bulk District include the Jamestown Parcel.

Subsequent to the Original Approvals, a new stadium for the 49ers was constructed in Santa Clara, removing the need to accommodate a stadium as a part of the Project.

Subsequent to the Original Approvals, the voters of San Francisco approved Proposition O, the “Hunters Point Shipyard/Candlestick Point Jobs Stimulus Proposition”, which established that office development would not be subject to the annual office cap regulated by Planning Code Sections 320 – 325.

As a result of these circumstantial changes, the Developer and OCII are pursuing refinements to the Project (“Project Refinements”). As a part of the Project Refinements, the BVHP Redevelopment Plan

is proposed to be amended to remove the Jamestown Parcel from Zone 1 to clarify that it is not a part of the Project being implemented by the Developer under the DDA. Similarly, as a part of the Project Refinements, the HPS Redevelopment Plan is proposed to be amended by removing description of a stadium and updating the text descriptions and graphic representations of the Project, among other changes.

This Planning Code Map amendment would (1) amend Sectional Map SU10 by removing the Jamestown Parcel from the Candlestick Point Activity Node SUD; and (2) amend Sectional Map HT10 by redesignating the Jamestown Parcel from “CP” Height and Bulk to a “40X” Height and Bulk.

The San Francisco Redevelopment Agency (“Redevelopment Agency”), together with the San Francisco Planning Commission of the City and County of San Francisco (“Planning Commission”) acting as lead agencies under the California Environmental Quality Act (“CEQA”) (California Public Resources Code sections 21000 et seq.) and the CEQA Guidelines (14 California Code of Regulations Sections 15000 et seq.), certified a Final Environmental Impact Report (hereinafter “FEIR”) for the Candlestick Park-Hunters Point Shipyard Phase II Project (“Project”) on June 3, 2010 by Motion No. 18096 and Resolution No. 58-2010, respectively. On July 14, 2010, the San Francisco Board of Supervisors affirmed the Planning Commission’s certification of the FEIR (Motion No. M10-110). The FEIR analyzed a mixed used development, including a stadium use at the Hunters Point Shipyard and various project variants, including the development of up to 5,000,000 square feet of office, research and development space in lieu of a stadium.

On June 3, 2010, the Redevelopment Agency, by Resolution No. 59-2010 adopted findings pursuant to the California Environmental Quality Act, including a Mitigation Monitoring and Reporting Program (“MMRP”) and a Statement of Overriding Considerations for the Project, and took various actions to approve the Project. On the same day, by Motion No. 18097 the Planning Commission also adopted findings pursuant to CEQA (“CEQA Findings”) and took various approval actions related to the Project.

Since the certification of the FEIR the Planning Department, working with the Office of Community Investment and Infrastructure (“OCII”, the successor agency to the San Francisco Redevelopment Agency), has issued several addenda to the FEIR to address project changes. The OCII has determined in Addendum No. 5 for the CP-HPS Phase 2 Project that the actions contemplated at this time related to modifications to the Project (the “Modified Project”) will not result in any new significant impacts or a substantial increase in the severity of previously identified significant effect that would alter the conclusions reached in the FEIR. A copy of Addendum No. 5 and supporting materials are in the Clerk of the Board of Supervisors File No. \_\_\_\_\_ and available on the Board’s website, and the findings in Addendum No. 5 and supporting materials are incorporated herein by reference as though fully set forth.

On April 17, 2018, the Commission on Community Investment and Infrastructure (“CCII” or “Successor Agency Commission”) adopted CCII Resolution No. 11-2018, by which the Successor Agency Commission determined that the analysis conducted and the conclusions reached in the FEIR as to the environmental effects of the Project, together with further analysis provided in Addendum No. 1, Addendum No. 4 and Addendum No. 5 to the FEIR, remain valid and can be relied upon for approval of the Modified Project in compliance with the CEQA.

As part of Resolution No. 11-2018, the CCII made findings regarding the modifications to 16 previously adopted mitigation measures as recommended in Addendum No. 5 and as further set forth in Resolution No 11-2018 and approved the modifications to the adopted mitigation measures. For two of

these mitigation measures, Mitigation Measure TR-16, Widen Harney Way, and UT-2, Auxiliary Water Supply System, the language reflects minor changes CCII previously approved based on Addendum No. 1 and Addendum No. 4 as reflected in CCII Resolutions Nos. 1-2014 and 13-2016. In addition, CCII Resolution No. 13-2016 approved modifications to Mitigation Measure TR-23.1, Maintain Proposed Headways of the 29 Sunset, to assure that transit travel times would be consistent with the FEIR analysis. A copy of Resolution No. 11-2018 and supporting materials, including without limitation Addendum No. 1 and Addendum No. 4, and copies of Resolution Nos. 1-2014 and 13-2016 are available under Case No. 2007.0946E, and are incorporated herein by reference as though fully set forth.

The Planning Commission has reviewed and considered the CEQA Findings, including the statement of overriding considerations that it previously adopted in Motion No. 18097, the findings in Addendum No. 5, the findings in CCII Resolution No. 11-2018, and the findings in CCII Resolutions Nos. 1-2014 and 13-2016 concerning amendments to adopted mitigation measures.

On April 26, 2018, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on the proposed Planning Code Map Amendments and has considered the information included in the File for these Amendments, the staff reports and presentations, public testimony and written comments, as well as the information provided about the Project from other City departments.

A draft ordinance, **attached hereto as Exhibit A**, would amend the Candlestick Point Activity Node Special Use District by removing the Jamestown Parcel from it and would redesignate the Jamestown Parcel from the CP Height and Bulk District to a 40X Height and Bulk District.

NOW THEREFORE BE IT RESOLVED, that the Planning Commission finds that the actions contemplated by this Resolution are included in the actions identified in CCII Resolution 11-2018 for purposes of compliance with CEQA. The Planning Commission hereby adopts the additional CEQA Findings in CCII Resolution 11-2018 as its own, including approving the modifications to the 16 adopted mitigation measures recommended for modification in Addendum No. 5. Additionally, the Planning Commission approves the modifications previously approved by CCII to Mitigation Measures TR-16, TR-23.1, and UT-2 for the reasons set forth in CCII Resolution Nos. 1-2014 and 13-2016.

**AND BE IT FURTHER RESOLVED**, That the Planning Commission hereby finds that the Planning Code Map amendments promote the public welfare, convenience and necessity for the following reasons:

1. The Project would continue to enable development that would eliminate blight in the Hunters Point Shipyard Redevelopment Project Area and Zone 1 (Candlestick Point) of the Bayview Hunters Point Redevelopment Project Area.
2. The Planning Code Map amendments would provide clarity to the Project by removing the Jamestown Parcel. The Project would continue to provide a wide range of employment opportunities in wide range of fields and employment levels.
3. The Project with the amendments would continue to enable new development that would strengthen the economic base of the neighborhood and the City as a whole. By removing the Jamestown Parcel from the CP HPS2 Project, additional development potential could be realized that could further strengthen the economic base of the neighborhood and City.
4. The Project with the amendments would continue to enable development that would include substantial new housing opportunities, including a substantial amount of below market rate


housing including the replacement of the Alice Griffith Public Housing development. By removing the Jamestown Parcel from the CP Activity Node SUD, the Jamestown Parcel could develop with additional housing beyond what is planned for within the Project.

**AND BE IT FURTHER RESOLVED**, That the Planning Commission finds the Planning Code Map Amendments are in general conformity with the General Plan, and Planning Code section 101.1(b). On May 3, 2010, by Motion No. 18099, the Planning Commission adopted “Master General Plan and Planning Code Section 101.1 Finding” (“Original General Plan Findings”) establishing that on balance, the Project under the Original Approvals consistent with the General Plan and Planning Code Section 101.1.

The Planning Commission finds that in light of the changes to the Project, including the subject Planning Code Map Amendments, the Original General Plan Findings are still relevant and can be applied to the Project with the Project Refinements; therefore the Project with the Project Refinements, including the subject Amendments are, on balance, consistent with the General Plan and Planning Code Section 101.1. The findings attached to Resolution No. 18099 as Exhibit A, are hereby incorporated herein by this reference as if fully set forth.

**AND BE IT FURTHER RESOLVED**, That pursuant to Planning Code Section 302, the Planning Commission recommends to the Board of Supervisors **approval** the Planning Code Map amendments.

I hereby certify that the foregoing Resolution was ADOPTED by the San Francisco Planning Commission on April 26, 2018.



Jonas P. Ionin  
Commission Secretary

AYES: Fong, Hillis, Johnson, Koppel, Moore, Richards

NOES: None

ABSENT: Melgar

ADOPTED: April 26, 2018