

File No. 171280

Committee Item No. \_\_\_\_\_

Board Item No. 39

## COMMITTEE/BOARD OF SUPERVISORS

### AGENDA PACKET CONTENTS LIST

Committee: \_\_\_\_\_

Date: \_\_\_\_\_

Board of Supervisors Meeting

Date: January 23, 2018

#### Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/>            | Motion                                       |
| <input type="checkbox"/> | <input type="checkbox"/>            | Resolution                                   |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Ordinance                                    |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Legislative Digest                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Budget and Legislative Analyst Report        |
| <input type="checkbox"/> | <input type="checkbox"/>            | Youth Commission Report                      |
| <input type="checkbox"/> | <input type="checkbox"/>            | Introduction Form                            |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/>            | MOU  |
| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Information Form                       |
| <input type="checkbox"/> | <input type="checkbox"/>            | Grant Budget                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Subcontract Budget                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Contract/Agreement                           |
| <input type="checkbox"/> | <input type="checkbox"/>            | Form 126 – Ethics Commission                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Award Letter                                 |
| <input type="checkbox"/> | <input type="checkbox"/>            | Application                                  |
| <input type="checkbox"/> | <input type="checkbox"/>            | Public Correspondence                        |

#### OTHER

- |                          |                                     |  |
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| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Exhibit A - Office of Community Investment and Infrastructure</u><br><u>Report - November 27, 2017</u>        |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Commission on Community Investment and Infrastructure</u><br><u>Resolution No. 40-2017 - October 17, 2017</u> |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Office of Community Investment and Infrastructure Memo -</u><br><u>April 7, 2017</u>                          |
| <input type="checkbox"/> | <input type="checkbox"/>            | _____  |

Prepared by: Brent Jalipa

Date: January 18, 2018

Prepared by: \_\_\_\_\_

Date: \_\_\_\_\_

1 [Redevelopment Plan Amendments - Mission Bay South]

2  
3 **Ordinance approving amendments to the Mission Bay South Redevelopment Plan to**  
4 **remove a 0.3 acre parcel known as P20 from the Mission Bay South Redevelopment**  
5 **Plan Area; making findings under the California Environmental Quality Act; and making**  
6 **findings of consistency with the General Plan, and the eight priority policies of Planning**  
7 **Code, Section 101.1.**

8  
9 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
10 **Additions to Codes** are in *single-underline italics Times New Roman font*.  
11 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.  
12 **Board amendment additions** are in double-underlined Arial font.  
13 **Board amendment deletions** are in ~~strikethrough Arial font~~.  
14 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code  
15 subsections or parts of tables.

16 Be it ordained by the People of the City and County of San Francisco:

17 Section 1. FINDINGS.

18 (a) CEQA Findings. The actions contemplated in this ordinance are within the  
19 scope of the project for which the Board adopted the resolution in Board File No.

20 \_\_\_\_\_, affirming the Planning Commission's certification of the Final Environmental  
21 Impact Report for the Seawall Lot 337 and Pier 48 Mixed-Use Project ("FEIR") and making  
22 findings in accordance with the California Environmental Quality Act (California Public  
23 Resources Code section 21000 et seq.) and the Administrative Code Chapter 31. Said  
24 resolution is incorporated herein by this reference.

25 (b) General Plan and Planning Code Section 101.1 Findings. On October 5, 2017,  
the Planning Commission, in Motion No. 20019 adopted findings that the actions contemplated

1 in this ordinance are consistent, on balance, with the City's General Plan and eight priority  
2 policies of Planning Code Section 101.1. The Board adopts these findings as its own. A copy  
3 of said Motion is in Board File No. \_\_\_\_\_, and available on the Board's website, and is  
4 incorporated herein by reference.

5 (c) On November 2, 1998, the Board of Supervisors approved and adopted the  
6 Mission Bay South Redevelopment Plan (Redevelopment Plan) by Ordinance No. 335-98. On  
7 July 9, 2013, the Board of Supervisors adopted the first amendment to the Redevelopment  
8 Plan by Ordinance No. 143-13. The Redevelopment Plan establishes, among other things, the  
9 land use controls for the approximately 238-acre Mission Bay South Redevelopment Plan  
10 Area.

11 (d) Seawall Lot 337 is public trust property under the jurisdiction of the Port of San  
12 Francisco (Port) and subject to the terms and conditions of Chapter 1333 of the Statutes of  
13 1968, as amended (the Burton Act). The Redevelopment Plan Area lies to the west and south  
14 of Seawall Lot 337. It includes within its boundary an approximately 0.3-acre narrow,  
15 undeveloped strip of land located at the southern boundary of Seawall Lot 337, referred to in  
16 the Redevelopment Plan as P20. The Redevelopment Plan identifies P20 for open space.  
17 The Redevelopment Plan originally intended P20 to function as an open space buffer between  
18 previously anticipated industrial uses on Seawall Lot 337 and residential uses to the south of  
19 Mission Rock Street. The Port currently leases P20 and Seawall Lot 337 to the China Basin  
20 Ballpark Company, LLC for surface parking primarily servicing AT&T Ballpark.

21 (e) To facilitate the redevelopment of Seawall Lot 337, the Legislature adopted  
22 Assembly Bill 815 (Chapter 660, Statutes of 2007) and Assembly Bill 2797 (Chapter 529,  
23 Statutes 2016). Assembly Bill 815 authorizes the Port to enter into a 75-year lease for Seawall  
24 Lot 337. Assembly Bill 2797 contemplates the removal of P20 from the Redevelopment Plan  
25 Area and exempts certain actions effecting such removal from Department of Finance review



1 that would otherwise be required under the law governing former redevelopment agencies in  
2 the California Health and Safety Code.

3 (f) On February 1, 2012, the State of California dissolved all redevelopment  
4 agencies in the state and established successor agencies to assume certain rights and  
5 obligations of the former agencies. Cal. Health & Safety Code §§ 34170 et seq.  
6 (Redevelopment Dissolution Law). On October 2, 2012, the Board of Supervisors delegated  
7 its state authority under the Redevelopment Dissolution Law to the Successor Agency  
8 Commission, commonly referred to as the Commission on Community Investment and  
9 Infrastructure (CCII or Successor Agency Commission). The Successor Agency Commission  
10 is to implement and complete, among other things, the surviving enforceable obligations of the  
11 Redevelopment Agency of the City and County of San Francisco (Redevelopment Agency).  
12 On January 24, 2014, the California Department of Finance finally and conclusively determined  
13 that an Owner Participation Agreement executed by the Redevelopment Agency on  
14 September 17, 1998, by Resolution No. 190-98 with the developer of the Mission Bay South  
15 Redevelopment Plan Area was an enforceable obligation of the Successor Agency.

16 (g) As set forth more fully below, the Successor Agency Commission recommends  
17 amendments of the Redevelopment Plan to remove P20 from the Redevelopment Plan  
18 boundary, finding that it is not furthering the objectives and policies of the Redevelopment Plan  
19 and the future use of P20 as a small open space buffer is no longer viable or desirable. These  
20 amendments to the Redevelopment Plan would (1) implement the intent of the Legislature as  
21 manifested in AB 2797 and of local voters in the “Mission Rock Affordable Housing, Parks,  
22 Jobs and Historic Preservation Initiative” (Proposition D), approved November 2015; (2)  
23 advance several key objectives of the Redevelopment Plan, including integration of the  
24 Redevelopment Plan Area with surrounding neighborhoods, increasing retail use and  
25 employment opportunities and opportunities and visitors to the area, and increasing open

1 space and access to the San Francisco Bay, and (3) eliminate blighting influences immediately  
2 adjacent to the Redevelopment Plan Area by activating the under-utilized and often vacant  
3 Seawall Lot 337.

4 (h) In accordance with §§ 33352 and 33457.1 of the Community Redevelopment  
5 Law (CRL) (Health & Safety Code §§ 33000 et seq.), the Successor Agency has prepared a  
6 Report to the Board of Supervisors on the Amendments to the Redevelopment Plan (Report to  
7 the Board). The Successor Agency made the Report to the Board available to the public on or  
8 before the date of the notice of the public hearing held in accordance with CRL § 33452, on  
9 this ordinance approving the Redevelopment Plan Amendments; said hearing is referenced  
10 below.

11 (i) On October 15, 2017, the master developer of the Mission Bay South  
12 Redevelopment Plan Area, FOCIL-MB, LLC, consented to the Successor Agency's approval of  
13 the Amendments to the Redevelopment Plan, as provided for under the Owner Participation  
14 Agreement.

15 (j) Successor Agency Commission Action. On October 17, 2017, after holding a  
16 duly noticed public hearing in accordance with CRL § 33452, the Successor Agency  
17 Commission, in Resolution No. 39-2017, approved the Report to the Board and made certain  
18 findings. By Resolution No. 40-2017, it recommended to the Board the adoption of the  
19 Redevelopment Plan Amendments. It determined, consistent with its authority under the CRL,  
20 as amended by the Redevelopment Dissolution Law, that the Redevelopment Plan  
21 Amendments are necessary and desirable, approved the Redevelopment Plan Amendments  
22 and recommended forwarding them to the Board of Supervisors for approval. The Successor  
23 Agency Commission has transmitted to the Board of Supervisors a certified copy of Resolution  
24 No. 39-2017 and attached its Report to the Board. Copies of these documents and Resolution  
25



1 No. 40-2017 are in Board File No. \_\_\_\_\_, and available on the Board's website, and  
2 incorporated herein by reference.

3 (k) The Board of Supervisors held a public hearing on \_\_\_\_\_, on the adoption  
4 of the Redevelopment Plan Amendments. The hearing has been closed. Notice of such  
5 hearing was published in a newspaper of general circulation in the City and County of San  
6 Francisco once per week for three successive weeks prior to the date of such hearing in  
7 accordance with CRL § 33452. At such hearing, the Board considered the report and  
8 recommendations of the Successor Agency Commission, Planning Commission Motion No.  
9 20019, and all evidence and testimony regarding the Redevelopment Plan Amendments. The  
10 Board hereby adopts findings to the extent required by the CRL as set forth in this Section 1.

11 Section 2. PURPOSE AND INTENT. The purpose and intent of the Board of  
12 Supervisors with respect to the Redevelopment Plan Amendments are to implement AB 2797  
13 and Proposition D by removing P20 from the Redevelopment Plan Area. The Redevelopment  
14 Plan Amendments will facilitate the redevelopment of an area immediately adjacent to the  
15 Redevelopment Plan Area, contribute to, and complement the overall goals and objectives of  
16 the Redevelopment Plan to foster the integration of the Redevelopment Plan Area with  
17 adjacent neighborhoods, increase economic opportunities, add open space and improved  
18 access to San Francisco Bay, and eliminate blight.

19 Section 3. PLAN INCORPORATION BY REFERENCE. The Redevelopment Plan as  
20 amended by this ordinance is incorporated in and made a part of this ordinance by this  
21 reference with the same force and effect as though set forth fully in this ordinance.

22 Section 4. REDEVELOPMENT PLAN AMENDMENTS.

23 (a) Attachment 1 to the Redevelopment Plan is hereby replaced with  
24 Attachment 1 - Land Use Plan and Legal Description, a copy of which is in Board File No.  
25 \_\_\_\_\_ and available on the Board's website.

1 (b) Attachment 2 to the Redevelopment Plan is hereby replaced with  
2 Attachment 2 – Plan Area Map, a copy of which is in Board File No. \_\_\_\_\_ and available  
3 on the Board’s website.

4 (c) Attachment 3 to the Redevelopment Plan is hereby replaced with  
5 Attachment 3 – Redevelopment Land Use Map, a copy of which is in Board File No.  
6 \_\_\_\_\_ and available on the Board’s website.

7 Section 5. FURTHER FINDINGS AND DETERMINATIONS UNDER COMMUNITY  
8 REDEVELOPMENT LAW. The Board of Supervisors hereby makes the following findings,  
9 determinations, and declarations, based on the record before it, including but not limited to  
10 information contained in the Report to the Board.

11 (a) The purpose of the Redevelopment Plan Amendments is to implement  
12 Assembly Bill 2797, pursuant to which the Legislature determined that the removal of P20 to  
13 facilitate the reconfiguration and redevelopment of Seawall Lot 337 is of “particular importance  
14 to the state.”

15 (b) The Redevelopment Plan Amendments contribute to the Redevelopment  
16 Plan’s goals and objectives of integrated neighborhoods, economic advancement and job  
17 opportunities, increased open space and San Francisco Bay access, and the elimination of  
18 blight.

19 (c) As set forth in the Report to the Board, the Redevelopment Plan  
20 Amendments will facilitate the redevelopment of an area adjacent to the Redevelopment Plan  
21 Area in conformity with the CRL and promote the public peace, health, safety, and welfare.

22 (d) The redevelopment and activation of Seawall Lot 337 will benefit the  
23 Redevelopment Plan Area by providing jobs, parks and open space and by increasing property  
24 values in an area immediately adjacent to the Redevelopment Plan Area. The Redevelopment  
25 Plan Amendments do not propose any new Successor Agency capital expenditure, involve any



1 new indebtedness or financial obligation of the Successor Agency, or change the Successor  
2 Agency's overall method of financing the redevelopment of the Redevelopment Plan Area.

3 (e) For the reasons set forth in Section 1 above, the Redevelopment Plan  
4 Amendments are consistent with the General Plan of the City and County of San Francisco  
5 and in conformity with the policies in Planning Code Section 101.1.

6 (f) The Redevelopment Plan Amendments do not authorize the  
7 condemnation of real property.

8 (g) The Redevelopment Plan Amendments will not result in the displacement  
9 of any persons, temporarily or permanently, from housing facilities. Accordingly, no residential  
10 relocation plan is required.

11 (h) There are no non-contiguous areas in the Redevelopment Plan Area.

12 (i) The elimination of blight and redevelopment of the Redevelopment Plan  
13 Area could not be reasonably expected to be accomplished by private enterprise acting alone  
14 without the application of the appropriate land use controls.

15 (j) The Redevelopment Plan Amendments do not change the time limitation  
16 or the limitation on the number of dollars to be allocated to the Successor Agency.

17 (k) The Redevelopment Plan Amendments change the boundary of the  
18 Redevelopment Plan Area. As such, the Successor Agency provided notice to the Department  
19 of Finance and the Department of Community Housing on September 1, 2017, notifying the  
20 aforementioned agencies of the Successor Agency Commission's October 17, 2017, hearing  
21 to consider the Plan Amendments, pursuant to CRL § 33451.5.

22 Section 6. OFFICIAL PLAN. As required by CRL §§ 33457.1 and 33367, the Board of  
23 Supervisors hereby approves and adopts the Redevelopment Plan, as amended by the  
24 Redevelopment Plan Amendments, as the official redevelopment plan for the Redevelopment  
25 Plan Area.



1           Section 7. CONTINUED EFFECT OF PREVIOUS ORDINANCES AS AMENDED.  
2 Ordinance Nos. 335-98 and 143-13 shall continue in full force and effect as amended by this  
3 ordinance.

4           Section 8. TRANSMITTAL OF PLAN AS AMENDED. The Clerk of the Board of  
5 Supervisors shall (a) transmit a copy of this ordinance to the Successor Agency, whereupon  
6 the Successor Agency shall be vested with the responsibility for carrying out the  
7 Redevelopment Plan as amended, and (b) record or ensure that the Successor Agency  
8 records a notice of the approval and adoption of the Redevelopment Plan Amendments  
9 pursuant to this ordinance, containing a statement that proceedings for the redevelopment of  
10 the Redevelopment Plan Area pursuant to the Redevelopment Plan Amendments have been  
11 instituted under the CRL.


12           Section 9. RATIFICATION OF PRIOR AND SUBSEQUENT ACTS. All actions taken  
13 by the officers and agents of the City and the Successor Agency Commission in preparing and  
14 submitting the Redevelopment Plan Amendments to the Board of Supervisors for review and  
15 consideration, as consistent with the documents herein and this ordinance, are hereby ratified  
16 and confirmed, and the Board of Supervisors hereby authorizes all subsequent action to be  
17 taken by City officials and the Successor Agency Commission consistent with this ordinance.  
18 Any such actions are solely intended to further purposes of the ordinance, and are subject in  
19 all respects to the terms of this ordinance.

20           Section 10. EFFECTIVE DATE. In accordance with CRL §§ 33378(b)(2) and 33450,  
21 this ordinance shall become effective 90 days after enactment. Enactment occurs when the  
22 Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not sign the  
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ordinance within ten days of receiving it, or the Board of Supervisors overrides the Mayor's veto of the ordinance.

APPROVED AS TO FORM:  
DENNIS J. HERRERA, City Attorney

By:   
Elaine Warren  
Deputy City Attorney  
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**LEGISLATIVE DIGEST**

[Redevelopment Plan Amendments - Mission Bay South]

**Ordinance approving amendments to the Mission Bay South Redevelopment Plan to remove a 0.3 acre parcel known as P20 from the Mission Bay South Redevelopment Plan Area; making findings under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.**

Existing Law

On November 2, 1998, the Board of Supervisors approved and adopted the Mission Bay South Redevelopment Plan (Redevelopment Plan) by Ordinance No. 335-98. On July 9, 2013, the Board of Supervisors adopted the first amendment to the Redevelopment Plan by Ordinance No. 143-13. The Redevelopment Plan establishes, among other things, the land use controls for the approximately 238-acre Mission Bay South Redevelopment Plan Area.

Seawall Lot 337 is public trust property under the jurisdiction of the Port of San Francisco (Port) and subject to the terms and conditions of Chapter 1333 of the Statutes of 1968, as amended (the Burton Act). The Redevelopment Plan Area lies to the west and south of Seawall Lot 337. It includes within its boundary an approximately 0.3-acre narrow, undeveloped strip of land located at the southern boundary of Seawall Lot 337, referred to in the Redevelopment Plan as P20. The Redevelopment Plan identifies P20 for open space.

To facilitate the redevelopment of Seawall Lot 337, the Legislature adopted Assembly Bill 815 (Chapter 660, Statutes of 2007) and Assembly Bill 2797 (Chapter 529, Statutes 2016). Assembly Bill 815 authorizes the Port to enter into a 75-year lease for Seawall Lot 337. Assembly Bill 2797 contemplates the removal of P20 from the Redevelopment Plan Area and exempts certain actions effecting such removal from Department of Finance review that would otherwise be required under the law in the California Health and Safety Code governing former redevelopment agencies.

On November 3, 2015, San Francisco voters approved Proposition D, the "Mission Rock Affordable Housing, Parks, Jobs and Historic Preservation Initiative," which establishes policies and modifications to the San Francisco General Plan and Planning Code for the Mission Rock site. The Mission Rock site includes Seawall Lot 337, parcel P20, portions of Terry A. Francois Boulevard, Pier 48, and the wharf between Piers 48 and 50.

Amendments to Current Law

The ordinance would amend the Redevelopment Plan to remove P20 from the Redevelopment Plan Area. The amendments include a revised legal description of the Redevelopment Plan Area, an updated Redevelopment Plan Area map, and an updated land



use map. The revised legal description and revised maps are identical to the existing legal description and maps except for the removal of P20.

Background Information

The Redevelopment Plan originally intended P20 to function as an open space buffer between previously anticipated industrial uses on Seawall Lot 337 and residential uses to the south of Mission Rock Street. The Port currently leases P20 and Seawall Lot 337 to the China Basin Ballpark Company, LLC for surface parking primarily servicing AT&T Ballpark. The Commission on Community Investment and Infrastructure, as the Successor Agency to the former San Francisco Redevelopment Agency, recommended removal of P20 from the Mission Bay South Redevelopment Plan by Resolution No. 40-2017 on October 17, 2017.

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**EXHIBIT A**

**REPORT TO THE BOARD OF SUPERVISORS  
ON THE AMENDMENTS TO THE  
REDEVELOPMENT PLAN  
FOR THE MISSION BAY SOUTH REDEVELOPMENT PROJECT**

**(AS UPDATED BY INCLUSION OF THE ACTIONS OF THE COMMISSION ON  
COMMUNITY INVESTMENT AND INFRASTRUCTURE)**

**Prepared By:**

**The Office of Community Investment and Infrastructure,  
as the Successor Agency to the San Francisco Redevelopment Agency**

**October 17, 2017  
as updated November 27, 2017**

**REPORT TO THE BOARD OF SUPERVISORS  
ON THE AMENDMENTS TO THE  
REDEVELOPMENT PLAN  
FOR THE MISSION BAY SOUTH REDEVELOPMENT PROJECT**

**INTRODUCTION**

The Successor Agency to the Redevelopment Agency of the City and County of San Francisco, commonly known as the Office of Community Investment and Infrastructure (“Successor Agency” or “OCII”), has prepared this report (“Report”) to the Board of Supervisors of the City and County of San Francisco (“Board of Supervisors”) on the amendments (“Plan Amendments”) to the Redevelopment Plan for the Mission Bay South Redevelopment Project (“Redevelopment Plan”).

The Redevelopment Plan establishes the boundaries of the Mission Bay South Redevelopment Project (“Redevelopment Plan Area”). The 237-acre Redevelopment Plan Area, generally bounded by Mission Bay Creek to the north, Seventh Street to the west, Mariposa street to the south, and Terry Francois Boulevard and Third Street to the east, includes Block P20 (“P20”), a narrow, undeveloped 0.3-acre strip of land located in the northeastern corner of the Redevelopment Plan Area. P20 is bounded on the south by the northern line of Mission Rock Street in its former location, and runs between Third Street and Terry Francois Boulevard.

P20 is situated in the southern portion of Seawall Lot 337. Seawall Lot 337—including P20—is public trust property owned by, and subject to the jurisdiction of, the Port of San Francisco (“Port”). However, P20 is the only portion of Seawall Lot 337 located within the Redevelopment Project. The Redevelopment Plan designates the land use for P20 as open space. As a narrow, undeveloped strip of land, P20 is not furthering the Mission Bay South Redevelopment Plan’s objectives and policies. Refer to Attachment 1 for a map of the Redevelopment Plan Area, P20, and Seawall Lot 337.

Under Assembly Bill 2797 (“AB 2797”), signed by the Governor in 2016, the Legislature adopted findings recognizing that the Port was engaged in negotiations with a developer to lease and revitalize Seawall Lot 337, a portion of Terry Francois Boulevard, Pier 48 and the marginal wharf between Piers 48 and 50. The Legislature determined that the proposed revitalization “is of particular importance to the state.” As such, AB 2797 acknowledges that P20 is part of the reconfiguration of Seawall Lot 337 and that removal of P20 from the Redevelopment Plan and related plans and agreements is necessary for the revitalization of Seawall Lot 337. AB 2797 provides that the Successor Agency may amend the Redevelopment Plan and related plans and agreements to remove P20 from the Redevelopment Plan Area boundary and to undertake related actions without the need for action by the Department of Finance that would otherwise be required under the Redevelopment Dissolutions Law, California Health & Safety Code Sections 34170 et seq.

The Plan Amendments remove P20 from the Redevelopment Plan Area. They are narrow in scope and involve only modifications to the Redevelopment Plan’s Attachment 1 – Land Use



Plan and Legal Description, Attachment 2 – Redevelopment Plan Area Map, and Attachment 3-Development Land Use Map. The Plan Amendments are limited to adjusting these attachments such that P20 is no longer reflected in the plan’s legal description and in corresponding maps. Subsequent to the Plan Amendments taking effect, the Redevelopment Plan will continue to function without any modification less the removal of the 0.3-acre area.

This Report is prepared pursuant to Section 33457.1 of the California Community Redevelopment Law, Health and Safety Code Sections 33000 *et seq.*, (“CRL”), which delineates the information that the Successor Agency must provide to the Board of Supervisors for its consideration of amendments to a redevelopment plan. Section 33457.1 provides as follows:

“To the extent warranted by a proposed amendment to a redevelopment plan, (1) the ordinance adopting an amendment to a redevelopment plan shall contain the findings required by Section 33367 and (2) the reports and information required by Section 33352 shall be prepared and made available to the public prior to the hearing on such amendment.”

Because the scope of the Plan Amendments is minor and technical in nature – removing a small and isolated sliver of land from the Redevelopment Plan Area consistent with AB 2797 – the contents of the Report to the Board are limited, consistent with the CRL, to the following: the reason for the Plan Amendments; the determination of General Plan consistency; the report on the environmental review required by Section 21151 of the Public Resources Code; and the neighborhood impact report.

## **DESCRIPTION OF THE PLAN AMENDMENTS**

### **Background**

The Board of Supervisors adopted the Redevelopment Plan on November 2, 1998, by Ordinance No. 335-98. The Board of Supervisors adopted by Ordinance No. 143-13 the first amendment to the Redevelopment Plan on July 9, 2013. The Redevelopment Plan establishes land use controls for the Redevelopment Plan Area.

The Redevelopment Plan establishes the powers, duties and obligations to implement the development program with respect to all real property. Policies in the Redevelopment Plan are intended to achieve conformity with the Central Waterfront Area Plan adopted by the Planning Commission in 1990, and a “Preliminary Plan” adopted pursuant to Planning Commission Motion No. 14483 on October 23, 1997.

P20 is a 0.3 acre strip of land on the southern side of Seawall Lot 337. Seawall Lot 337 is public trust property owned by, and subject to the jurisdiction of, the Port. Of that area, only P20 is included within the Redevelopment Plan. Seawall Lot 337 (including P20) is not part of the Central Waterfront Plan, and is separated from the remainder of the Redevelopment Plan Area by Mission Rock Street. Seawall Lot 337 is subject to the Port’s Waterfront Land Use Plan, and is the focus of development objectives and criteria established by the Port in part through its Seawall Lot 337 Commission Committee. P20, however, is included within the Redevelopment Plan boundary, and identified as open space by that plan.

The Legislature adopted two bills for the purpose of facilitating the redevelopment of Seawall Lot 337. AB 215 (2007) authorized the Port to enter into 75-year leases for Seawall Lot 337. AB 2797 (described above) both clarified the duration of permissible leases and expedited the procedure for removal of P20 from the Redevelopment Plan and related plans and agreements. These State-level approvals corresponded with the Port's effort to conduct comprehensive land use planning for Seawall Lot 337 and initiate a private developer solicitation process.

The proposed Seawall Lot 337 and Pier 48 Mixed-Use Project ("Mixed-Use Project") contemplates a 75-year lease by the Port to a private developer pursuant to which Seawall Lot 337 would be redeveloped for a mix of residential, commercial and open space uses. Project improvements would also include enhancements to Pier 48, the marginal wharf between Piers 48 and 50, and to adjacent streets. The area currently identified as P20 in the Redevelopment Plan is contemplated as a portion of a development parcel, as described in the Final Environmental Impact for the Seawall Lot 337 and Pier 48 Mixed-Use Project ("FEIR").

### **Purpose of the Plan Amendments**

The purpose of the Plan Amendments is to remove P20 from the Redevelopment Plan consistent with AB 2797 and Proposition D (November 2015). Specifically, the Plan Amendments would make the following changes:

- Redevelopment Plan Attachment 1 (Land Use Plan and Legal Description) - the legal description would be amended to remove P20;
- Redevelopment Plan Attachment 2 (Plan Area Map) – adjust the boundary and remove reference to P20; and
- Redevelopment Plan Attachment 3 (Redevelopment Land Use Map) – adjust the boundary.

In addition to effectuating the Legislature's intent and promoting the Port's development goals, the amendments will benefit the adjacent development in the Redevelopment Plan Area. The Redevelopment Plan controls applicable to P20 are an impediment to the redevelopment of Seawall Lot 337. Seawall Lot 337 is an under-utilized and non-activated space that is not integrated with the adjacent Redevelopment Plan Area. Removing P20 from the Redevelopment Plan will facilitate and expedite the redevelopment and activation of Seawall Lot 337, which will in turn benefit the Redevelopment Plan Area by providing jobs, parks and open space (including eight acres of open space as contemplated by the Mixed-Use Project), and by increasing property values.

### **OCH'S OCTOBER 17, 2017 ACTIONS**

OCH-The Commission on Community Investment and Infrastructure ("CCIP") conducted a noticed public hearing to consider the Plan Amendments on October 17, 2017. At the conclusion of the public hearing, the Commission voted unanimously to approve the Plan Amendments

pursuant to Resolution No. 40-2017. –In addition to approving the Plan Amendments, the Commission, through Resolution No. 40-2017, adopted findings under the California Environmental Quality Act (determining that no additional CEQA evaluation is required) and recommended that the Board of Supervisors adopt the Plan Amendments. Relatedly, the Commission unanimously adopted Resolution No. 39-2017, which authorizes transmittal of this report to the Board of Supervisors.

## **SCOPE OF THE REPORT**

In accordance with Section 33457.1 of the CRL, this Report contains only the information required by Section 33352 of the CRL that is warranted by the Plan Amendments. Because the Plan Amendments, as described above, are minor and technical, the contents of this Report are limited to the following:

- Reason for the Plan Amendments (subsection (a) of Section 33352 of the CRL);
- Description of how the Plan Amendments will improve or alleviate blighting conditions (subsection (b) of Section 33352 of the CRL);
- OCII’s findings adopting the Planning Commission’s findings concerning consistency with the General Plan. (Charter, Section 4.105.)
- The report on the environmental review required by Section 21151 of the Public Resources Code as applicable to the Plan Amendments (subsection (k) of Section 33352 of the CRL); and
- The neighborhood impact report (subsection (m) of Section 33352 of the CRL).

Other information that Section 33352 requires to support a new redevelopment plan is not necessary for the conforming Plan Amendments because of their minor and limited scope.

In approving the Redevelopment Plan in 1998 and amending it in 2013, the Board of Supervisors relied on information about the conditions of physical and economic blight within the Redevelopment Plan Area, the need for tax increment financing to carry out redevelopment in the Redevelopment Plan Area, and other factors justifying the establishment of the Redevelopment Plan Area. The Plan Amendments do not change financing limits or extend the duration of the Redevelopment Plan, and instead merely adjust the boundary of the plan to remove a relatively insignificant 0.3-acre portion of the approximately 238-acre Redevelopment Plan Area. Moreover, the Plan Amendments do not change the allowable land uses within the remaining area subject to the Redevelopment Plan. The Plan Amendments do not alter the blight and financial determinations made at the time the Redevelopment Plan was originally adopted, but rather, provide a development opportunity that will benefit the adjacent Redevelopment Plan Area.

The Plan Amendments do not contemplate changes in the specific goals, objectives or expenditures of OCII for the Redevelopment Plan Area.



## **REASON FOR THE PLAN AMENDMENTS**

The purpose of the Plan Amendments is to remove P20 from the Redevelopment Plan consistent with AB 2797 and Port land use policy for Seawall Lot 337. The integration of P20 into the Mixed-Use Project will enhance the existing and proposed development in the Redevelopment Plan Area and thus assist the Successor Agency in fulfilling the following objectives and policies as described in Sections 103 and 104 of the Redevelopment Plan:

- A. Eliminating blighting influences and correcting environmental deficiencies in the Redevelopment Plan Area, including, but not limited to, abnormally high vacancies, abandoned buildings, incompatible land uses, depreciated or stagnant property values, and inadequate or deteriorated public improvements, facilities and utilities. (§103, Objective A)
- B. Replanning, redesigning, and developing undeveloped and underdeveloped areas which are improperly utilized. (§103, Objective D)
- C. Achieving the objectives described above [in Section 103 of the Redevelopment Plan] in the most expeditious manner feasible. (§103, Objective L)
- D. Integrate Mission Bay South land uses, scale and circulation systems with surrounding districts and San Francisco Bay. (§104, Policy A.2)
- E. Create a variety of retail and other visitor-serving uses that benefit residents, workers and visitors, including regional retail, entertainment, recreational and hotel uses. (§104, Policy A.3)
- F. Where appropriate, design building forms and ground floor uses that enliven and activate streets and open space and which provide visual interaction between building occupants and pedestrians (“eyes on the street”) for safety and security. (§104, Policy A.5)
- G. Create visual and physical access to San Francisco bay and the channel of China Basin. (§104, Policy B.3)
- H. Provide a variety of open spaces adequate to serve the Mission Bay South community and to augment the City’s open space network. (§104, Objective 6)

## **DESCRIPTION OF HOW THE AMENDMENT WILL IMPROVE OR ALLEVIATE BLIGHT**

Portions of the Redevelopment Plan Area are characterized by remaining blighting conditions, including, but are not limited to, vacant property, incompatible land uses, and inadequate public improvements, particularly parks and open space.

The Plan Amendments will help to alleviate adverse conditions that contribute to blight remaining within portions of the Redevelopment Plan Area by expediting the redevelopment of Seawall Lot 337 (as well as Pier 48 and adjacent streets) as a vibrant mixed-use development with affordable and below market rate housing, commercial use and new parks and open space. Because Seawall Lot 337 is immediately adjacent to the Redevelopment Plan Area, its redevelopment will create new employment and ownership opportunities for Redevelopment Plan Area residents and can be reasonably expected to increase property values within the Redevelopment Plan Area. Redevelopment of Seawall Lot 337 will contribute to an integrated and enhanced waterfront area that includes both the Redevelopment Plan Area and the area within the Mixed-Use Project.

## **REFERRAL TO THE PLANNING DEPARTMENT**

On October 5, 2017, the Planning Commission, in Motion No. 20019, determined that the Plan Amendments are consistent with the General Plan, and adopted a specific finding in that regard. OCII has considered Motion No. 20019 and adopts the Planning Commission’s findings as its own as applicable.

## **ENVIRONMENTAL REVIEW**

On October 5, 2017, the Planning Commission by Motion No. 20017 certified the FEIR under the California Environmental Quality Act (“CEQA”) for the Mixed-Use Project. The FEIR evaluated the environmental impacts associated with the Plan Amendments. OCII reviewed the Planning Department’s findings as stated in Motion No. 20017 in light of the Plan Amendments, and determined that development resulting from the Plan Amendments requires no additional environmental review pursuant to State CEQA Guidelines Section 15162, and that all environmental effects have been considered and analyzed in the FEIR.

## **NEIGHBORHOOD IMPACT REPORT**

The Plan Amendments do not impact or alter the Redevelopment Plan’s commitment to provide affordable housing. The Redevelopment Plan provides for the development of up to approximately 3,440 residential units, approximately 1,100 of which will be offered at below market rates. The inclusion of P20 in the Redevelopment Plan Area is not necessary to fulfill the housing objectives of the Redevelopment Plan. The process and requirements for the development of approximately 3,440 homes within the Redevelopment Plan Area is designed to provide new housing opportunities for households of diverse income, ages, lifestyles and family size. As of August 2017, 2,332 housing units have been completed, of which 350 are affordable homes. Another 612 units are under construction, of which 262 are affordable. Another 496 units are planned for the Project Area. OCII continues to promote the development of a wide variety of affordable housing including mixed-use development, development of new and rehabilitation of existing rental and ownership units, infill development, mixed income development, and an array of senior housing possibilities. The housing opportunities within the Redevelopment Plan Area address the demand for housing suitable for families, seniors, young adults, and others with

special needs. The amount and timing of this development has been and will continue to be dependent on the amount and pace of the overall development in the Redevelopment Plan Area.

The Plan Amendments do not change the number of residential units or the amount of affordable housing to be developed. Moreover, the Plan Amendments will not cause the destruction or removal of housing units from the low-and moderate-income housing market and no persons will be displaced, temporarily or permanently, from dwelling units as a result of the Plan Amendments. In summary, the Plan Amendments will have no impact on housing within the Redevelopment Plan Area or in any way impact housing obligations or objectives as described in the Redevelopment Plan, and will, by contrast, facilitate the development of affordable and market-rate housing adjacent to the Redevelopment Plan Area.

# ATTACHMENT 1

## Location of P20, Mission Bay South Redevelopment Plan Area, and Seawall Lot 337





**COMMISSION ON COMMUNITY INVESTMENT AND INFRASTRUCTURE**

**RESOLUTION NO. 40-2017**

*Adopted October 17, 2017*

**APPROVING THE AMENDMENTS TO THE REDEVELOPMENT PLAN FOR THE MISSION BAY SOUTH REDEVELOPMENT PROJECT TO REMOVE A 0.3-ACRE PORTION OF SEAWALL LOT 337 KNOWN AS “P20” AND ADOPTING ENVIRONMENTAL REVIEW FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; RECOMMENDING ADOPTION OF THE REDEVELOPMENT PLAN AMENDMENTS BY THE BOARD OF SUPERVISORS AND SUBMITTING THE RECOMMENDATION, INCLUDING THE REDEVELOPMENT PLAN AMENDMENTS, TO THE BOARD OF SUPERVISORS; MISSION BAY SOUTH REDEVELOPMENT PROJECT AREA**

WHEREAS, The Successor Agency to the Redevelopment Agency of the City and County of San Francisco, commonly known as the Office of Community Investment and Infrastructure, (“Successor Agency” or “OCII”) proposes to adopt amendments (“Plan Amendments”) to the Mission Bay South Redevelopment Plan for the Mission Bay South Redevelopment Project (“Redevelopment Plan”); and,

WHEREAS, The Board of Supervisors of the City and County of San Francisco (“Board of Supervisors”) adopted the Mission Bay South Redevelopment Plan on November 2, 1998 by Ordinance No. 335-98 (“Redevelopment Plan”) and amended the Redevelopment Plan on July 9, 2013 by Ordinance No. 143-13; and,

WHEREAS, The Redevelopment Plan establishes the land use controls for the Mission Bay South Redevelopment Project Area (“Project Area”). The 238-acre Redevelopment Plan designates the boundaries for the Project Area (“Redevelopment Plan Area”). The 238-acre Redevelopment Plan Area includes a 0.3-acre portion of Seawall Lot 337 that is subject to the public trust and administered by the Port of San Francisco (“Port”), identified as “P20” in the Redevelopment Plan. The Redevelopment Plan identifies P20 as an “open space” area, however, the future use of P20 as a small open space buffer is no longer viable or desirable; and,

WHEREAS, The State Legislature adopted Assembly Bill 815 in 2007, which suspended application of certain public trust use restrictions to Seawall Lot 337 in order to facilitate its redevelopment. In addition, the State Legislature has declared, pursuant to Assembly Bill 2797, (Chapter 529 of the Acts of 2016) (“AB 2797”), that redevelopment of Seawall Lot 337 is of “particular importance to the state,” and on that basis, has authorized expedited procedures to facilitate the reconfiguration of Seawall Lot 337, including the removal of P20 from the Redevelopment Plan. Consistent with the foregoing, and as the result of an extended public process, the Port engaged with a private developer to redevelop

Seawall Lot 337, Pier 48 and adjacent streets, all as described in the Final Environmental Impact Report (“FEIR”) for the Seawall Lot 337 and Pier 48 Mixed-Use Project (“Mixed Use-Project”). The Mixed-Use Project calls for the redevelopment of the aforementioned areas as a mixed-use residential and commercial development that will be integrated with the adjacent neighborhood as well as provide parks, open space and enhanced San Francisco Bay connectivity; and,

WHEREAS, Seawall Lot 337 is underutilized and frequently vacant, thereby contributing to blight within the adjacent Redevelopment Project Area, and both the State Legislature and the Port have acknowledged that P20 should be removed from the Redevelopment Plan in order to effectuate the reconfiguration of Seawall lot 337 and the redevelopment of that site consistent with AB 2797; and

WHEREAS, Removal of P20 from the Redevelopment Plan would be consistent with AB 2797 and Proposition D (Nov. 2015), advance the Port’s land use planning efforts for Seawall Lot 337, and promote the objectives and policies of the Redevelopment Plan; and,

WHEREAS, OCII is recommending the Plan Amendments to remove P20 to implement the intent of the State Legislature and the Port and to advance the objectives and policies of the Redevelopment Plan by removing P20 from the Plan. The Plan Amendments do not change the authorized land uses under the Redevelopment, and do not increase financing limits or the duration of the Redevelopment Plan; and,

WHEREAS, Sections 33450-33458 of the CRL sets forth the process for amending a redevelopment plan. This process includes a publicly noticed hearing of the redevelopment agency; environmental review to the extent required, and adoption of the amendments by the redevelopment agency after the public hearing; preparation of the report to the legislative body, a determination of General Plan conformity; a publicly noticed hearing of the legislative body, and legislative body consideration after its hearing. Section 33352 of the CRL further requires the preparation of a report to the legislative body regarding the plan amendment in order to provide relevant background information in support of the need, purpose and impacts of the plan amendment; and,

WHEREAS, In accordance with Section 33457.1 of the of the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.) (“CRL”), the Successor Agency has prepared the Report to the Board of Supervisors on the Amendments to the Mission Bay South Redevelopment Plan (“Report to the Board”) that contains only the information required by Health and Safety Code Section 33352 that is warranted by the Plan Amendments; and,

WHEREAS, On September 14, 2017, the Mission Bay Citizens Advisory Committee (“CAC”) considered the proposed Plan Amendments and recommended approval of the Plan Amendments by the CCII and adoption by the Board of Supervisors; and,

WHEREAS, On October 5, 2017, the Planning Commission by Motion 20019 certified the Final Environmental Impact Report (“FEIR”) under the California Environmental Quality Act (“CEQA”) for the Seawall Lot 337 and Pier 48 Mixed-Use Project (the “Project”), and adopted findings and statement of overriding considerations as required under CEQA; and,

WHEREAS, On October 5, 2017, the San Francisco Planning Commission (“Planning Commission”) certified the Final Environmental Impact Report (“FEIR”) for the Mixed-Use Project under the California Environmental Quality Act (“CEQA”) by Motion 20019. The Planning Commission found that the Mixed-Use Project is consistent with the General Plan and in conformity with the priority policies in Planning Code Section 101.1. The Planning Commission findings encompass the Plan Amendments. The Plan Amendments as described and evaluated in the Report are consistent with the amendments to the Redevelopment Plan as considered and evaluated in the certified FEIR, such that no subsequent or supplemental environmental impact report is required pursuant to Public Resources Code section 21166 or CEQA Guidelines Section 15162; and,

WHEREAS, The Commission held a public hearing on October 17, 2017 on adoption of the Plan Amendments, notice of which was duly and regularly published in a newspaper of general circulation in the City and County of San Francisco once a week for three successive weeks beginning 21 days prior to the date of the hearing, and a copy of that notice and affidavit of publication are on file with OCII; and,

WHEREAS, Copies of the notice of public hearing were mailed by first-class mail to the last known address of each assessee of land in the Redevelopment Project Area as shown on the last equalized assessment role of the City; and,

WHEREAS, Copies of the notice of public hearing were mailed by first-class mail to all residential and business occupants in the Redevelopment Project Area; and,

WHEREAS, Copies of the notice of public hearing were mailed, by certified mail, return receipt requested, to the governing body of each taxing agency which receives taxes from property in the Redevelopment Project Area; and,

WHEREAS, The Commission has provided an opportunity for all persons to be heard and has considered all evidence and testimony presented for or against any and all aspects of the conforming Plan Amendments; and,

WHEREAS, Development within the Project Area is subject to an Owners Participation Agreement between the Successor Agency and FOCIL-MB, LLC that requires, among other things, that the Successor Agency shall obtain the consent of FOCIL-MB, LLC to amend the Redevelopment Plan, which consent has been, or will be, provided prior to the Successor Agency's approval of the Plan Amendments; and,

WHEREAS, OCII staff has reviewed the Plan Amendments and finds them acceptable and recommends approval thereof; now, therefore, be it

RESOLVED, That the Commission on Community Investment and Infrastructure finds and determines that the Plan Amendments are within the scope of the project analyzed by the FEIR, and require no additional environmental review pursuant to CEQA Guidelines Sections 15162, 15163, as: (a) the Plan Amendments do not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (b) no substantial changes have occurred with respect to the circumstances under which the project analyzed in the FEIR will be undertaken that would require major revisions to the FEIR due to new significant environmental effects, or a substantial increase in the severity of effects identified in the FEIR; and (c) no new information of substantial importance to the project analyzed in the FEIR has become available that would indicate that (i) the Plan Amendments will have significant effects not discussed in the FEIR; (ii) significant environmental effects will be substantially more severe; (iii) mitigation measures or alternatives found not feasible that would reduce one or more significant effects have become feasible; or (iv) mitigation measures or alternatives that are considerably different from those in the FEIR/EIR will substantially reduce one or more significant effects on the environment; and, be it further

RESOLVED, That the Commission approves the Plan Amendments attached hereto as Exhibit A and recommends forwarding the Plan Amendments to the San Francisco Board of Supervisors for its approval.

I hereby certify that the foregoing resolution was adopted by the Successor Agency Commission at its meeting of October 17, 2017.

  
\_\_\_\_\_  
Commission Secretary

Exhibit A: Plan Amendments



## EXHIBIT A

### **AMENDMENTS TO THE MISSION BAY SOUTH REDEVELOPMENT PLAN**

The following amendments are proposed to the Mission Bay South Redevelopment Plan Adopted July 9, 2013 (“Redevelopment Plan”):

**Proposed Amendment #1.** Attachment 1 (Land Use Plan and Legal Description)

Attachment 1 – Land Use Plan and Legal Description to the Redevelopment Plan

**Proposed Amendment #2.** Attachment 2 (Plan Area Map)

Attachment 2 – Plan Area Map to the Redevelopment Plan

**Proposed Amendment #3.** Attachment 3 (Redevelopment Land Use Map)

Attachment 3 – Redevelopment Land Use Map to the Redevelopment Plan

ATTACHMENT 1

LAND USE PLAN AND LEGAL DESCRIPTION

All that certain real property situate in the City and County of San Francisco, State of California, more particularly described as follows:

Commencing at the intersection point of the northeasterly line of Sixth Street (82.50 feet wide) with the southeasterly line of Berry Street (82.50 feet wide), said intersection having a coordinate of north 468817.32, east 1451868.98 in the California Coordinate System of 1927, Zone 3; thence along said southeasterly line of Berry Street south  $46^{\circ} 18' 07''$  west 990.05 feet to the southwesterly line of Seventh Street (82.50 feet wide); thence along said southwesterly line of Seventh Street south  $43^{\circ} 41' 53''$  east 440.00 feet to the southeasterly line of Channel Street (200.00 feet wide), and being the true point of beginning; thence continuing along said southwesterly line of Seventh Street south  $43^{\circ} 41' 53''$  east 2017.19 feet to the westerly line of Pennsylvania Street (90.00 feet wide); thence along said westerly line of Pennsylvania Street south  $3^{\circ} 10' 56''$  east 600.92 feet to the southerly line of Mariposa Street (66.00 feet wide); thence along said southerly line of Mariposa Street north  $86^{\circ} 49' 04''$  east 1690.17 feet to the westerly line of Illinois Street (80.00 feet wide); thence along said westerly line of Illinois Street south  $3^{\circ} 10' 56''$  east 63.85 feet; thence north  $86^{\circ} 49' 04''$  east 80.00 feet to a point on the easterly line of Illinois Street, last said point being on the Mission Bay Project boundary; thence along said Mission Bay Project boundary the following courses and distances; thence north  $35^{\circ} 06' 05''$  east 616.30 feet; thence northeasterly along an arc of a curve to the left, tangent to the preceding course with a radius of 440.00 feet through a central angle of  $12^{\circ} 49' 53''$  an arc distance of 98.54 feet; thence tangent to the preceding curve north  $22^{\circ} 16' 12''$  east 700.07 feet; thence northerly along an arc of a curve to the left, tangent to the preceding course with a radius of 340.00 feet through a central angle of  $12^{\circ} 28' 00''$  an arc distance of 73.98 feet; thence tangent to the preceding curve north  $9^{\circ} 48' 12''$  east 86.42 feet; thence northerly along the arc of a curve to the left, tangent to the preceding course with a radius of 340.00 feet, through a central angle of  $11^{\circ} 58' 09''$ , an arc distance of 71.03 feet; thence tangent to the preceding curve north  $2^{\circ} 09' 57''$  west 121.44 feet; thence north  $3^{\circ} 10' 56''$  west 198.86 feet; thence north  $2^{\circ} 19' 47''$  west 292.70 feet; thence northwesterly along an arc of a curve to the left, tangent to the preceding course with a radius of 481.57 feet through a central angle of  $24^{\circ} 30' 49''$ , an arc distance of 206.04 feet; thence tangent to the preceding curve north  $26^{\circ} 50' 36''$  west 402.03 feet; thence northwesterly along an arc of a curve to the right, tangent to the preceding course with a radius of 236.29 feet, through a central angle of  $9^{\circ} 00' 04''$  an arc distance of 37.12

feet; thence tangent to the preceding curve north  $17^{\circ} 50' 32''$  west 652.35 feet to the easterly prolongation of the northerly line of future Mission Rock Street (65.25 feet wide); thence leaving said Mission Bay Project boundary, along said easterly prolongation and along said northerly line of future Mission Rock Street, south  $86^{\circ} 49' 04''$  west 673.43 feet to the easterly line of Third Street; thence along said easterly line of Third Street north  $3^{\circ} 10' 56''$  west 23.36 feet to an angle point therein; thence along said easterly line of Third Street south  $86^{\circ} 49' 04''$  west 12.50 feet to an angle point in the easterly line of Third Street; thence along said easterly line of Third Street north  $3^{\circ} 10' 56''$  west 1265.04 feet; thence south  $64^{\circ} 21' 26''$  west 95.76 feet to the intersection of the westerly line of Third Street with said southeasterly line of Channel Street; thence along said southeasterly line of Channel Street south  $46^{\circ} 18' 07''$  west 3578.74 feet to the true point of beginning.

Containing 10,340,343 square feet, more or less.

The bearings used in the above description are on the California Coordinate System of 1927, Zone 3. Multiply the above distances by 0.999928 to obtain grid distances.

**ATTACHMENT 2**  
**PLAN AREA MAP**

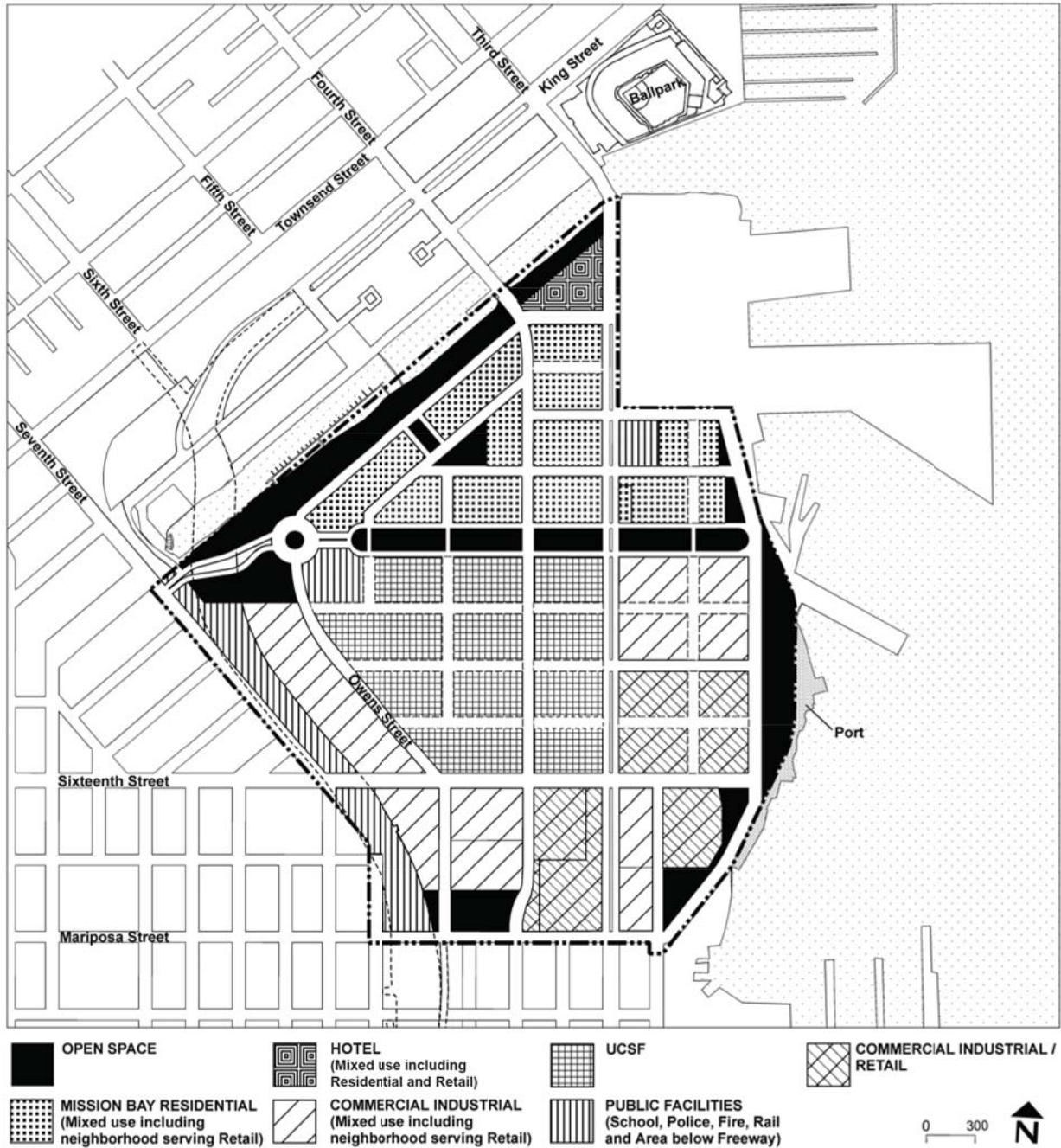


Note: Street alignments and open space configurations shown on the figure are not exact and are indicated for illustrative purposes.



ATTACHMENT 3

**REDEVELOPMENT LAND USE MAP**



Note: Street alignments and open space configurations shown on the figure are not exact and are indicated for illustrative purposes.



450-2192017-002

Agenda Item **Nos. 5(b) & 5(c)**  
Meeting of April 4, 2017

**MEMORANDUM**

**TO:** Community Investment and Infrastructure Commissioners

**FROM:** Nadia Sesay, Interim Executive Director

**SUBJECT:** Approving the Report to the Board of Supervisors on amendments to the Redevelopment Plan for the Hunters Point Shipyard Redevelopment Project Area and the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project Area to implement the voter-approved Proposition O, which exempts Phase 2 of the Hunters Point Shipyard Redevelopment Project Area and Zone 1 of the Bayview Hunters Point Redevelopment Project Area from the office development limitations set forth in Planning Code Sections 320-325 and authorizing transmittal of the Report to the Board of Supervisors; Hunters Point Shipyard Redevelopment Project Area and Bayview Hunters Point Redevelopment Project Area

Adopting environmental review findings pursuant to the California Environmental Quality Act and approving amendments to the Redevelopment Plan for the Hunters Point Shipyard Redevelopment Project Area and the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project Area to implement the voter-approved Proposition O, which exempts Phase 2 of the Hunters Point Shipyard Project Area and Zone 1 of the Bayview Hunters Point Project Area from the office development limitations set forth in Planning Code Sections 320-325, referring the plan amendments to the Planning Department for its report on conformity with the General Plan, and recommending the plan amendments to the Board of Supervisors for adoption; Hunters Point Shipyard Redevelopment Project Area and Bayview Hunters Point Redevelopment Project Area

Edwin M. Lee  
MAYOR

Nadia Sesay  
INTERIM  
EXECUTIVE DIRECTOR

Mara Rosales  
CHAIR

Miguel Bustos  
Marily Mondejar  
Leah Pimentel  
Darshan Singh  
COMMISSIONERS

**EXECUTIVE SUMMARY**

On November 8, 2016, the voters of San Francisco adopted Proposition O, the Hunters Point Shipyard/Candlestick Point Jobs Stimulus Proposition ("Prop. O"). Prop. O exempts new office space to be developed within Hunters Point Shipyard Phase 2 ("HPS Phase 2") and Candlestick Point Project ("HPS/CP Project") from the annual office development limitations set forth in Planning Code Sections 320-325, originally approved by voters in 1986 as Proposition M ("Prop. M").

📍 One S. Van Ness Ave.  
5th Floor  
San Francisco, CA  
94103

📞 415 749 2400

🏠 [www.sfocii.org](http://www.sfocii.org)

The HPS/CP Project spans portions of two redevelopment project areas, and each project area has an associated redevelopment plan that governs development within each area. HPS Phase 2 falls within a portion of the Hunters Point Shipyard Redevelopment Project Area ("HPS Project Area"), which is governed by the Hunters Point Shipyard Redevelopment Plan ("HPS Plan"). Candlestick Point is Zone 1 of the Bayview Hunters Point Project Area ("BVHP Project Area"), which is governed by the Bayview Hunters Point Redevelopment Plan ("BVHP Plan"). Refer to Attachments A and B for maps delineating the boundaries of HPS Phase 2 and Zone 1 of the BVHP Project Area. The HPS Project Area together with the BVHP Project Area are referred to as the "Project Areas". The HPS Plan with the BVHP Plan are referred to as the "Redevelopment Plans.")

The Redevelopment Plans currently include references to Prop. M. These references were not deleted by Prop. O itself because local ballot measures may not amend redevelopment plans. The proposed amendments to the Redevelopment Plans ("Plan Amendments") implement Prop. O by exempting office development within the portions of the Projects Areas that include the HPS/CP Project from the annual office development limitations established by Prop M (Planning Code Sections 320-325). (Research and development space is considered office space and therefore subject to the Prop. M limitations. Thus, as used in this memo, the term "office space" includes both office space and research and development space.)

Prop. O and the Plan Amendments do not change the amount of permitted office space in the HPS/CP Project. Rather, the Plan Amendments exempt office space development from Prop. M's annual office space limits. These limits, depending on the pace of growth elsewhere in the City over time, could affect the timing of delivery of office development within the HPS/CP Project. The Plan Amendments will help achieve the Redevelopment Plans' economic goals and objectives by ensuring that the pace of job-generating office development is not interrupted by the office development limitations and the job opportunities and the associated economic and community benefits of the HPS/CP Project can be delivered in a timely manner.

In addition to acting on the Plan Amendments, the Commission on Community Investment and Infrastructure ("Commission") will consider forwarding the Report to the Board of Supervisors on the Plan Amendments ("Report to the Board"). The Report to the Board provides relevant background information in support of the need, purpose, and impacts of the Plan Amendments. Because the scope of the Plan Amendments is minor and technical in nature, the contents of the Report to the Board are more limited, consistent with the requirements of the California Community Redevelopment Law, Health and Safety Code Sections 33000 et seq., ("CRL").

*Staff recommends the Commission (i) approve the Report to the Board and authorize its transmittal to the Board of Supervisors; (ii) adopt environmental review findings pursuant to the California Environmental Quality Act; (iii) approve the Plan Amendments; (iv) refer the Plan Amendments to the Planning Department for its report on General Plan conformity; and (v) and recommend the Plan Amendments to the Board of Supervisors for adoption.*

## **BACKGROUND**

The Board of Supervisors adopted the HPS Plan on July 14, 1997 (Ordinance No. 285-97). The Board of Supervisors adopted the BHVP Plan on January 20, 1969 (Ordinance No. 25-69), and amended it on June 2, 2006 (Ordinance No. 113-06). On August 3, 2010, the Board of Supervisors amended both the HPS Plan (Ordinance 211-10) and the BVHP Plan (Ordinance No. 210-10) in connection with approval of the HPS/CP Project.

The Redevelopment Plans were adopted with the primary objective of revitalizing the Bayview Hunters Point community. They authorize the following development for the HPS/CP Project: 10,500 housing units, (approximately one-third of which will be priced below-market); up to 5,150,000 square feet of office space; 885,000 square feet of regional and neighborhood-serving retail and entertainment uses; and approximately 330 acres of parks and open space.

In furtherance of this objective, the former San Francisco Redevelopment Agency, now the Office of Community Investment and Infrastructure (“OCII”), approved the Candlestick Point and Phase 2 of the Hunters Point Shipyard Disposition and Development Agreement (as amended, the “Phase 2 DDA”). The Phase 2 DDA entitles the HPS/CP Project with the right to build up to 10,500 new homes, approximately 32 percent of which will be below market rate and will include the rebuilding of the Alice Griffith public housing development consistent with the City’s HOPE SF public housing revitalization program; more than 3 million square feet of office space; 885,000 square feet of regional and neighborhood-serving retail and entertainment uses and more than 325 acres of new parks in the southeast portion of San Francisco. In total, the HPS/CP Project will generate over \$6 billion of new economic activity to the City, more than 12,000 permanent jobs, hundreds of new construction jobs each year, new community facilities, new transit infrastructure, and provide approximately \$90 million in community benefits. The HPS/CP Project’s full buildout will occur over 20 to 30 years.

Both Redevelopment Plans provide that “[t]he only sections of the Planning Code that shall apply, pursuant to the provisions of this Plan are Sections 101.1, 295, 314, and 320-325, as such sections are in effect as of the 2010 Plan Amendment Date.” (Section II.D of the HPS Plan; Section 4.3 of the BVHP Plan.) The HPS Plan and the BVHP Plan also describe application of the office limitations under Planning Code Sections 320-325 to office development in Phase 2 of the HPS Project Area and Zone 1 of the BVHP Project Area, respectively. (Section II.D.5 of the HPS Plan; Section 4.3.16 of the BVHP Plan.)

Planning Code Sections 320-325 (Prop. M), which apply to new office developments of 25,000 square feet or greater, place a cap on the annual amount of office development permitted in the City to 950,000 square feet per year. Depending on the pace of development in other areas of the City, the annual limit on new office development set forth under Planning Code Sections 320-325 could impede the Bayview Hunters Point office development and delay the revitalization and delivery of jobs to the Bayview Hunters Point community.

## **DISCUSSION**

On November 8, 2016, San Francisco voters enacted Prop. O, exempting the HPS/CP Project from the City’s Prop. M annual 950,000 square foot limit on new office space development. It also amended the Planning Code to permanently exempt any new office space in the HPS/CP Project from counting toward the City’s limits. The Plan Amendments would amend the Redevelopment Plans to achieve consistency with Prop. O. The Plan Amendments specify that Planning Code Section 324.1, which was added by Prop. O in 2016 and contains the exemption from the office limitations of Sections 320-325, applies to the HPS/CP Project once the Plan Amendments are effective. The Plan Amendments do not change the amount of permitted office space.

The Plan Amendments will allow office development already authorized under the Redevelopment Plans and Phase 2 DDA to be delivered predictably, reliably and efficiently, which will encourage economic and employment investment within the Project Areas. The Plan Amendments will also allow for the coordinated development of



the complementary and interrelated other HPS/CP Project uses and features, such as parks and open space and the expansion of a wide variety of public transit systems.

The Plan Amendments require the following process: a publicly noticed Commission hearing; preparation of a report to the legislative body to the extent warranted by the Plan Amendments; environmental review to the extent required; Commission approval of the Plan Amendments after the public hearing; Planning Department report on General Plan conformity; a publicly noticed Board of Supervisors hearing; and Board of Supervisors adoption of the Plan Amendments after its public hearing.

As required by CRL, OCII staff have prepared the Report to Board. Because the scope of the Plan Amendments is minor and technical in nature—conforming the Redevelopment Plans to reflect passage of Prop. O with no changes to allowable land uses or any other HPS/CP Project elements—the contents of the Report to the Board are limited to the reason for the Plan Amendments; description of how the minor amendment will improve or alleviate blight; proposed method of financing/economic feasibility of Plan Amendments; report of the Planning Department (to be incorporated upon receipt); environmental review; and the neighborhood impact report.

## **PUBLIC REVIEW PROCESS**

In compliance with CRL, the following actions have been undertaken in connection with the Plan Amendments:

- February 13, 2017, the Hunters Point Shipyard Citizens Advisory Committee unanimously recommended adoption of the Plan Amendments;
- March 3, 2017, the notice for the Commission's public hearing was mailed to property owners and occupants in the Project Areas by first class mail, and to taxing entities by certified mail;
- March 3, 2017, the CCII public hearing notice was posted on OCII's website; and
- March 13, 2017, March 20, 2017, and March 27, 2017, the Commission public hearing notices were published in the San Francisco Examiner.

## **ENVIRONMENTAL REVIEW**

On June 3, 2010, the Former Redevelopment Agency Commission by Resolution No. 58-2010 and the Planning Commission by Motion No. 18096, acting as co-lead agencies, approved and certified the Environmental Impact Report for the HPS/CP Project. On the same date, both co-lead agencies adopted environmental findings, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations, for the HPS/CP Project by Former Redevelopment Agency Commission Resolution No. 59-2010 and by Planning Commission Motion No. 18097. On July 14, 2010, the Board of Supervisors affirmed the certification and findings by Resolution No. 347-10 and found that various actions related to the HPS/CP Project complied with the California Environmental Quality Act ("CEQA"). Subsequent to the certification, the Commission and the Planning Commission approved Addenda 1 through 4 to the Environmental Impact Report for the HPS/CP Project analyzing certain HPS/CP Project modifications (together, the "HPS/CP EIR").

When an environmental impact report ("EIR") has been prepared for a project, no subsequent or supplemental EIR is required unless one or more of the following occurs: (1) substantial changes are proposed in the project that will require major revisions of the EIR due to new significant impacts or a substantial increase in the severity



of previously identified impacts; (2) substantial changes occur with respect to the circumstances under which the project is being undertaken that will require major revisions in the EIR due to new significant impacts or a substantial increase in the severity of previously identified impacts; (3) new information that was not known and could not have been known at the time the EIR was certified as complete becomes available and shows new significant impacts, an increase in severity of a previously identified significant impact, or changes related to the feasibility of, or new, mitigation measures and alternatives that would substantially reduce significant impacts and which are rejected. (CEQA Guidelines Section 15162)

The HPS/CP EIR analyzed full buildout of the HPS/CP Project based on buildout by 2029 and occupancy in 2030. The HPS/CP EIR's impact analyses, conclusions, and mitigation measures did not rely on potential timing/phasing constraints under Planning Code Sections 320-325. Because the timing or phasing of office development due to the City's annual office limitation was not a factor considered in the HPS/CP EIR assessment of impacts, removal of the annual office limitation approval process from the Redevelopment Plans would not change any aspect of the HPS/CP Project, project variants, or project circumstances assumed for the HPS/CP EIR environmental impact analysis.

The Plan Amendments would not make any changes to the HPS/CP Project and do not impact the allowable land uses or the amount of permitted office development in the Redevelopment Plans for the HPS/CP Project.

Further, no changes have occurred with respect to circumstances surrounding the HPS/CP Project that would cause significant environmental impacts, and no new information has become available that shows that the HPS/CP Project would cause significant environmental impacts. The HPS/CP EIR findings and statement of overriding considerations adopted on June 3, 2010 in accordance with CEQA by the Former Redevelopment Agency Commission by Resolution No. 59-2010 and by the Planning Commission by Motion No. 18097 were and remain adequate, accurate and objective and are applicable. Therefore, the analyses conducted and the conclusions reached in the HPS/CP EIR remain valid and no further environmental review is required.

## **NEXT STEPS**

Per the CRL, upon the Commission's approval and the Planning Department's finding of consistency with the General Plan, the Board of Supervisors will consider adoption of the Plan Amendments. Staff anticipates the Board of Supervisors consideration of the Plan Amendments in June 2017.

*(Originated by Tamsen Drew, Senior Project Manager and Marie Munson, Senior Development Specialist)*



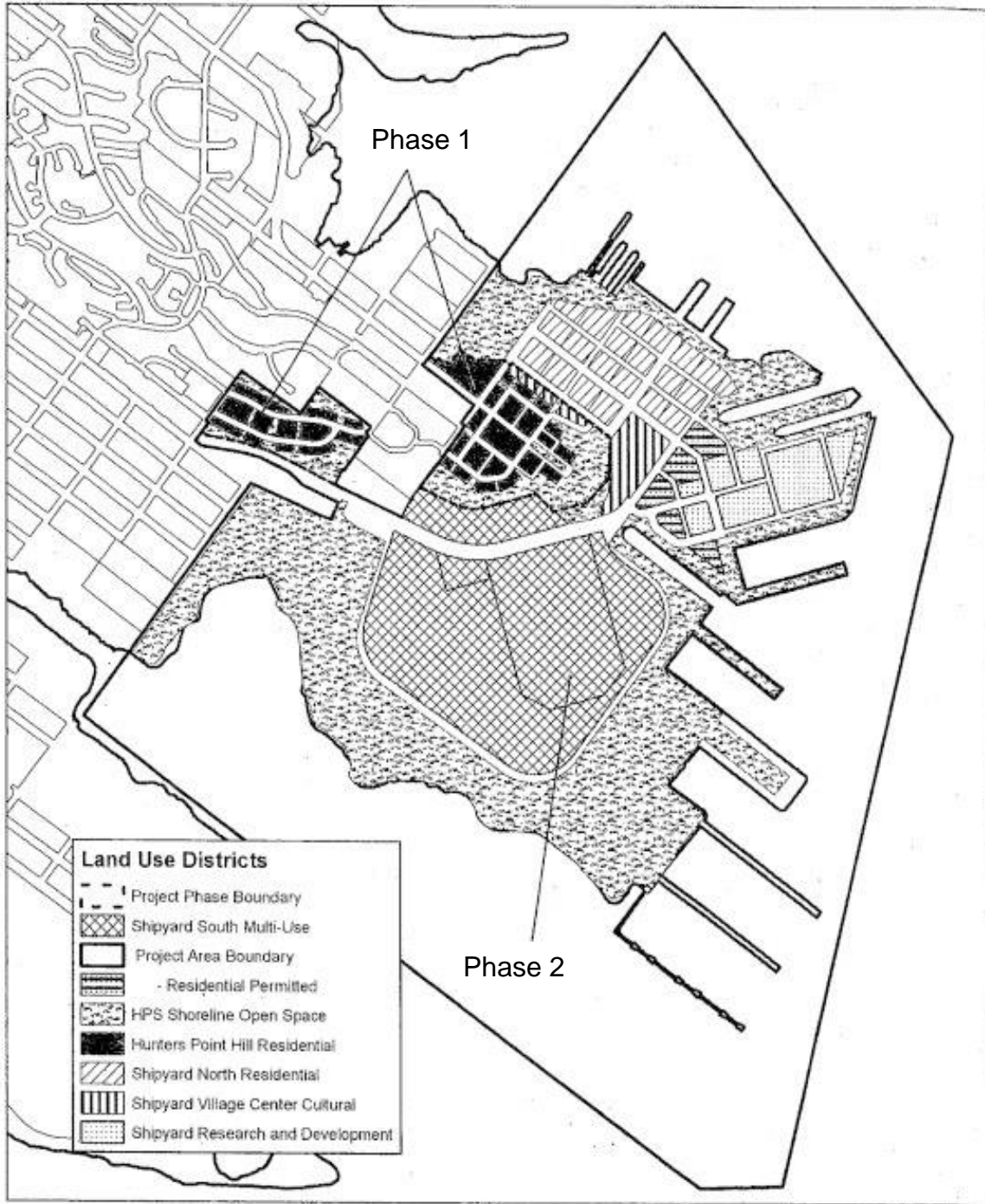
Nadia Sesay  
Interim Executive Director

Attachment A: Map of HPS Project Area, delineating Phases 1 and 2  
Attachment B: Map of BVHP Project Area, delineating Candlestick Point

**ATTACHMENT A**  
**Map of Project Phase Boundaries**  
**Hunters Point Shipyard Project Area**

Map excerpted from Hunters Point Shipyard Redevelopment Plan, August 3, 2010:  
Map 2: Land Use District Maps

**Map 2: Land Use Districts Map**



**Map 2: Land Use Districts Map**  
Hunters Point Shipyard Redevelopment Plan  
San Francisco Redevelopment Agency  
2010

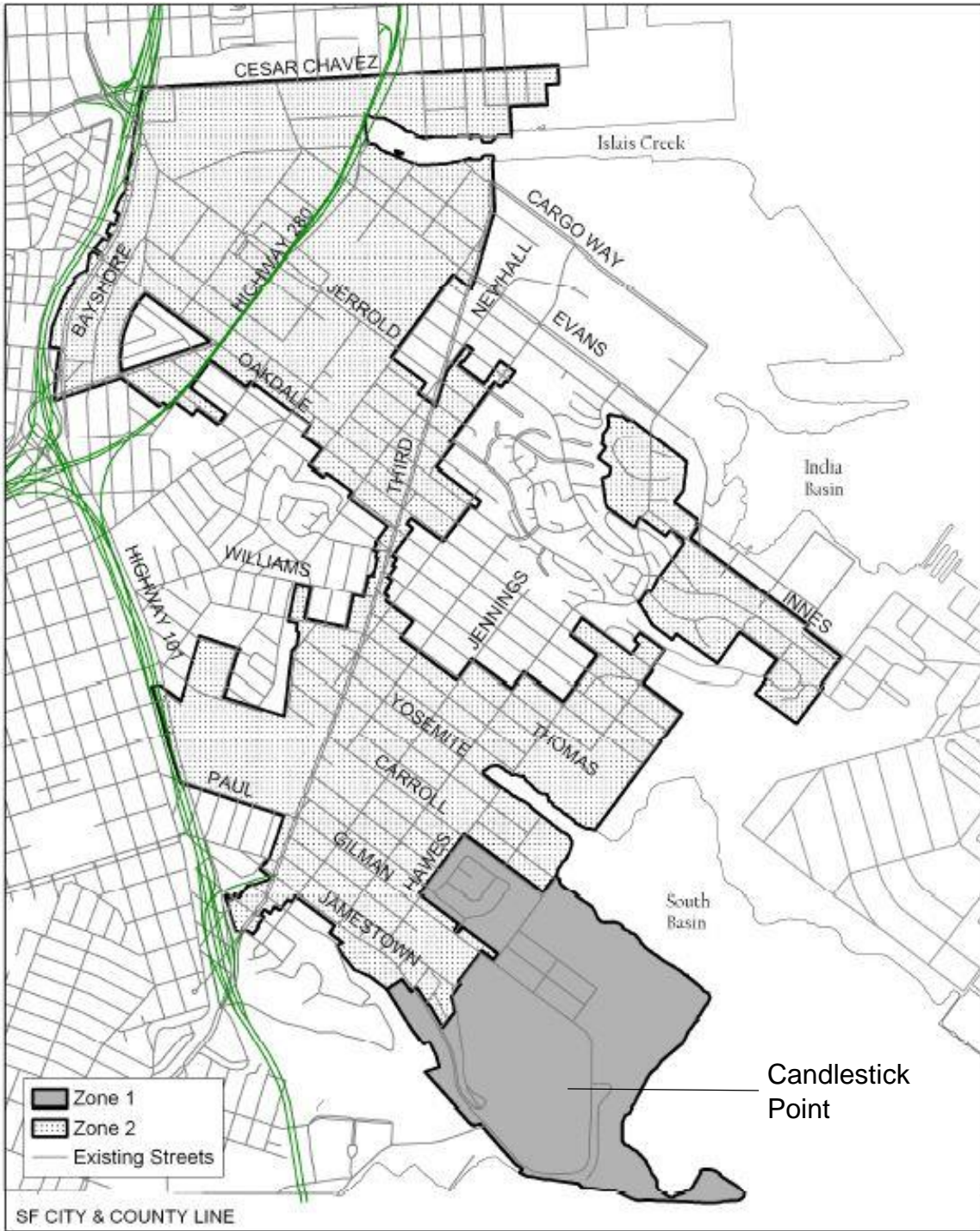
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**ATTACHMENT B**  
**Map of Candlestick Point**  
**Bayview Hunters Point Project Area**

Excerpted from Bayview Hunters Point Redevelopment Plan, August 3, 2010:  
Map 2 – Project Area B Redevelopment Zones



**MAP 2 – Project Area B Redevelopment Zones**



**SRA** Map 2: Project Area B Redevelopment Zones Map  
 Bayview Hunters Point Redevelopment Plan  
 San Francisco Redevelopment Agency  
 2010





OFFICE OF THE MAYOR  
SAN FRANCISCO



EDWIN M. LEE

RECEIVED  
12/5/2017 @ 5:35pm  
g

TO: Angela Calvillo, Clerk of the Board of Supervisors  
FROM: For Mayor Edwin M. Lee  
RE: Redevelopment Plan Amendments – Mission Bay South  
DATE: December 5, 2017

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Attached for introduction to the Board of Supervisors is an Ordinance approving amendments to the Mission Bay South Redevelopment Plan to remove a 0.3 acre parcel known as P20 from the Mission Bay South Redevelopment Plan Area; making findings under the California Environmental Quality Act; and making findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1.

Please note that this legislation is co-sponsored by Supervisor Kim.

Should you have any questions, please contact Mawuli Tugbenyoh (415) 554-5168.