

COMMISSION ON COMMUNITY INVESTMENT AND INFRASTRUCTURE

RESOLUTION NO. 17-2020

Adopted July 21, 2020

APPROVING THE REPORT TO THE BOARD OF SUPERVISORS ON THE AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE MISSION BAY SOUTH REDEVELOPMENT PROJECT IN CONNECTION WITH AN INCREASE IN HOTEL ROOMS ON THE MISSION BAY SOUTH BLOCK 1 HOTEL PARCEL, AND AUTHORIZING TRANSMITTAL OF THE REPORT TO THE BOARD OF SUPERVISORS, PROVIDING NOTICE THAT THIS APPROVAL IS WITHIN THE SCOPE OF THE MISSION BAY REDEVELOPMENT PROJECT APPROVED UNDER THE MISSION BAY FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT (“FSEIR”), A PROGRAM EIR, AND IS ADEQUATELY DESCRIBED IN THE FSEIR FOR THE PURPOSES OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; MISSION BAY SOUTH REDEVELOPMENT PROJECT AREA

WHEREAS, On September 17, 1998, the former Redevelopment Agency of the City and County of San Francisco (“Redevelopment Agency”) approved, by Resolution No. 190-98, the Redevelopment Plan for the Mission Bay South Redevelopment Project (“Redevelopment Plan”). On November 2, 1998, the Board of Supervisors of the City and County of San Francisco (“Board of Supervisors”) adopted, by Ordinance No. 335-98, the Redevelopment Plan; and,

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 an amendment to the Redevelopment Plan (“Plan Amendment”) that would increase the total permitted number of hotel rooms on the Block 1 Hotel Parcel from 250 to 300, without authorizing any additional development; and,

WHEREAS, The Plan Amendment is consistent with the Redevelopment Plan objectives to provide flexibility in the development of the Plan Area, to respond readily and appropriately to market conditions and to strengthen the economic base of the Plan Area; and,

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

WHEREAS, Development within the Plan Area is subject to an Owner 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 approval of the Plan Amendment by the Successor Agency Commission,

commonly known as the Commission on Community Investment and Infrastructure (“Commission”); and,

WHEREAS, On January 9, 2020, the Mission Bay Citizens Advisory Committee considered the Plan Amendment and recommended approval of the Plan Amendment by the Commission and adoption by the Board of Supervisors; and,

WHEREAS, On September 17, 1998, the Redevelopment Agency Commission adopted Resolution No. 182-98 which certified the Final Subsequent Environmental Impact Report (“FSEIR”) for Mission Bay North and South pursuant to CEQA and State CEQA Guidelines Sections 15168 (Program EIR) and 15180 (Redevelopment Plan EIR). On the same date, the Redevelopment Agency Commission also adopted Resolution No. 183-98, which adopted environmental findings (and a statement of overriding considerations), in connection with the approval of the Redevelopment Plan and other Mission Bay project approvals (the “Mission Bay Project”). The San Francisco Planning Commission (“Planning Commission”) certified the FSEIR by Resolution No. 14696 on the same date. On October 19, 1998, the Board of Supervisors adopted Motion No. 98-132 affirming certification of the FSEIR by the Planning Commission and the Former Agency, and Resolution No. 854-98 adopting environmental findings and a statement of overriding considerations for the Mission Bay Project; and,

WHEREAS, Subsequent to certification of the FSEIR, the Redevelopment Agency and the Successor Agency issued several addenda to the FSEIR (the “Addenda”). The Addenda do not identify any substantial new information or new significant impacts or a substantial increase in the severity of previously identified significant effects that alter the conclusions reached in the FSEIR; and,

WHEREAS, The FSEIR is a program EIR under CEQA Guidelines Section 15168 and a redevelopment plan EIR under CEQA Guidelines Section 15180. Approval of the Report to the Board is consistent with the project analyzed in the FSEIR; and,

WHEREAS, OCII is making the necessary findings for the Plan Amendment contemplated herein, considered and reviewed the FSEIR, and has made documents related to the Plan Amendment and the FSEIR files available for review by the Commission and the public, and these files are part of the record before the Commission; and,

WHEREAS, The FSEIR findings and statement of overriding considerations adopted in accordance with CEQA by the Redevelopment Agency Commission by Resolution No. 183-98 dated September 17, 1998, reflected the independent judgment and analysis of the Redevelopment Agency, were and remain adequate, accurate and objective and were prepared and adopted following the procedures required by CEQA, and the findings in said resolutions are incorporated herein by reference as applicable to the Plan Amendment; and,

WHEREAS, Copies of the FSEIR, Addenda, and supporting documentation are on file with the Commission Secretary and are incorporated in this Resolution by this reference; and, now, therefore be it,

RESOLVED, The Commission has reviewed and considered the FSEIR and Addenda, and hereby adopts the CEQA findings set forth in Resolutions No. 182-98 and No. 183-98 and

hereby incorporates such findings by reference as though fully set forth in this Resolution; and, be it further

RESOLVED, The Commission finds and determines that the approval of the Plan Amendment is within the scope of the Mission Bay Project analyzed in the FSEIR (as modified by the addenda) and requires no further environmental review beyond the FSEIR pursuant to the State CEQA Guidelines Sections 15180, 15162 and 15168 for the following reasons:

- (1) The implementation of the Plan Amendment is consistent with the project analyzed in the FSEIR and does not require major revisions to the FSEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant impacts; and,
- (2) no substantial changes have occurred with respect to the circumstances under which the “Mission Bay Project” analyzed in the FSEIR will be undertaken that would require major revisions to the FSEIR due to the involvement of new significant environmental effects, or a substantial increase in the severity of effects identified in the FSEIR; and,
- (3) no new information of substantial importance to the project analyzed in the FSEIR has become available, which would indicate that (i) the project as modified by the Plan Amendment will have significant effects not discussed in the FSEIR; (ii) significant environmental effects will be substantially more severe; (iii) mitigation measures or alternatives found not feasible, which would reduce one or more significant effects, have become feasible; or (iv) mitigation measures or alternatives, which are considerably different from those in the FSEIR, will substantially reduce one or more significant effects on the environment that would change the conclusions set forth in the FSEIR; and, be it further

RESOLVED, That the Commission hereby approves the Report to the Board of Supervisors on the Amendment to the Redevelopment Plan for the Mission Bay South Redevelopment Project, which Report is attached to this Resolution as Exhibit A; and, be it further

RESOLVED, That the Executive Director of the Successor Agency is hereby authorized to transmit said Report to Board to the Board of Supervisors of the City and County of San Francisco as required under Section 33457.1 of the Community Redevelopment Law for its consideration in reviewing the Plan Amendment.

I hereby certify that the foregoing resolution was adopted by the Successor Agency Commission at its meeting of July 21, 2020.



Commission Secretary

EXHIBIT A: Report to the Board of Supervisors on the Amendment to the Mission Bay South Redevelopment Project