

RESOLUTION NO. 64-2010

Adopted June 3, 2010

**APPROVING THE PROPOSED REDEVELOPMENT PLAN
AMENDMENT FOR THE BAYVIEW HUNTERS POINT
REDEVELOPMENT PROJECT AREA AND MAKING FINDINGS
UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT;
RECOMMENDING ADOPTION OF THE PROPOSED
REDEVELOPMENT PLAN AMENDMENT BY THE BOARD OF
SUPERVISORS; AND SUBMITTING THE AGENCY'S
RECOMMENDATION, INCLUDING THE PROPOSED
REDEVELOPMENT PLAN AMENDMENT, TO THE BOARD OF
SUPERVISORS; BAYVIEW HUNTERS POINT REDEVELOPMENT
PROJECT AREA**

BASIS FOR RESOLUTION

1. The Redevelopment Agency of the City and County of San Francisco ("Agency"), the Planning Department ("Planning Department"), the Mayor's Office, and other Departments of the City and County of San Francisco ("City") have been working on a proposed redevelopment plan amendment for the Bayview Hunters Point Redevelopment Project Area ("Redevelopment Plan Amendment").
2. On May 23, 2006, the Board of Supervisors of the City and County of San Francisco ("Board of Supervisors") approved and adopted, by Ordinance No. 113-06, the Bayview Hunters Point Redevelopment Plan ("Redevelopment Plan"), which expanded and renamed the Hunters Point Redevelopment Project Area (the "Bayview Hunters Point Redevelopment Project Area" or "Project Area"). The Redevelopment Plan established Activity Nodes in the Project Area, including the Candlestick Point Activity Node. In adopting the Redevelopment Plan, the Board of Supervisors acted pursuant to the California Community Redevelopment Law (Cal. Health and Safety Code Sections 33000 *et seq.*) ("CCRL").
3. In May 2007, the Board of Supervisors approved Resolution No. 264-07, endorsing a conceptual framework ("Conceptual Framework") for the integrated development for a portion of the Hunters Point Shipyard Redevelopment Project Area ("HPS Phase II") and the Candlestick Point Activity Node of the Project Area (together, the "Project Site"). The Conceptual Framework envisioned a major mixed-use project, including hundreds of acres of new and restored open space, thousands of new units of housing, including a robust affordable housing program, extensive job-generating retail and research and development space, permanent space for the artist colony that exists in the Hunters Point Shipyard ("Shipyard") and a site for a new stadium for the 49ers on the Shipyard (the "Project").

4. On June 3, 2008, the City's voters passed Proposition G, the Jobs Parks and Housing Initiative, which: (i) adopted policies for the revitalization of the Project Site; (ii) authorized the conveyance of City land under Recreation and Park jurisdiction within Candlestick Point in furtherance of the Project, provided that the transferred property is replaced with other property of at least the same acreage that will be improved and dedicated as public parks or open space in the Project; (iii) repealed Proposition D and Proposition F (June 1997) relating to prior plans for the development of a new stadium and retail entertainment project on Candlestick Point; and (iv) urged the City, the Agency, and all other governmental agencies with jurisdiction to proceed expeditiously with the Project.
5. The Agency, working with the Bayview Hunters Point Project Area Committee ("PAC"), has prepared the Redevelopment Plan Amendment and related documents consistent with the CCRL, the Conceptual Framework, and Proposition G. The Redevelopment Plan Amendment designates the Candlestick Point Activity Node as Zone 1, and the balance of the Project Area as Zone 2. Additionally, the Redevelopment Plan Amendment revises the land uses within Zone 1 of the Project Area to facilitate the new development envisioned by the Conceptual Framework and Proposition G, increases the limit on the amount of bonded indebtedness and establishes certain development fees and exactions applicable to Zone 1. The Redevelopment Plan Amendment, however, does not change the boundaries of the Project Area.
6. Over the past three years, more than 230 public meetings, workshops and presentations have been held on every aspect of the Project with the PAC, the Mayor's Citizens Advisory Committee for the Hunters Point Shipyard Redevelopment Project Area ("CAC"), Agency Commission, Planning Commission, Board of Supervisors and other City commissions and community groups.
7. The PAC has reviewed and considered the Redevelopment Plan Amendment on numerous occasions, including PAC meetings held on January 28, 2010, April 5, 2010, and April 22, 2010. On May 27, 2010, the PAC voted and recommended approval of the Redevelopment Plan Amendment by the Agency Commission and the Board of Supervisors.
8. Pursuant to Section 33457.1 of the CCRL, a proposed amendment to a redevelopment plan requires the preparation and public availability of reports and information that would otherwise be required for a redevelopment plan adoption "to the extent warranted" by the proposed amendment. The Agency has prepared the Report on the Plan Amendment for the Bayview Hunters Point Redevelopment Project Area ("Report to the Board") and the Agency Commission has approved, by Resolution No. 63-2010, the Report to the Board. The environmental document prepared in conjunction with the consideration of this proposed Redevelopment Plan Amendment has been included as part of the Report to the Board.

9. On May 6, 2010, the Agency transmitted the proposed Redevelopment Plan Amendment to the Planning Commission pursuant to Section 33346 of the CCRL for the Planning Commission's report and recommendation concerning the Redevelopment Plan Amendment and its conformity with the General Plan. On June 3, 2010, the Planning Commission certified, by Motion No. 18096, the Final Environmental Impact Report for the Candlestick Point-Hunters Point Shipyard Phase II Development Plan Project ("Final EIR") and, by Resolutions Nos. 18098, 18099, and 18100, adopted amendments to the General Plan, Planning Code and Zoning Map. The Planning Commission also adopted Motion No. 18102, which found that the Redevelopment Plan Amendment was consistent with the General Plan as amended and further recommended approval of the Redevelopment Plan Amendment.
10. On June 3, 2010, the Agency Commission held a duly noticed public hearing on the Redevelopment Plan Amendment. In accordance with Section 33349 of the CCRL, the Agency published, once a week for four successive weeks beginning at least 30 days prior to the June 3, 2010 hearing, notice of the hearing in the San Francisco Chronicle, a newspaper of general circulation, printed, published and distributed in the City and County of San Francisco ("Notice"). A copy of the Notice and affidavit of publication are on file with the Agency. The Notice described the boundaries of the Project Area, provided a general statement of the scope and objectives of the Redevelopment Plan Amendment, and stated the day, hour and place when and where any interested persons may appear before the Agency Commission to comment on the Redevelopment Plan Amendment.
11. On May 4, 2010, the Agency mailed, by first class mail, the Notice to all residents and businesses and to the last known assessee or owner of each parcel of land in the Project Area, as shown on the last equalized assessment roll of the City.
12. The Agency mailed by certified mail, return receipt requested, copies of the Notice to the governing body of each taxing agency that receives taxes from property in the Project Area.
13. The environmental effects of the Redevelopment Plan Amendment have been analyzed in the environmental documents, which are described in Resolution No. 59-2010. Copies of the environmental documents are on file with the Agency.
14. On June 3, 2010, after reviewing and considering the information contained in the Final EIR, the Agency Commission adopted Resolution No. 58-2010 and certified the Final EIR for the Project as adequate, accurate, and objective and in compliance with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.)("CEQA") and the CEQA Guidelines (14 California Code of Regulations Sections 15000 et seq.).
15. The Agency Commission hereby finds that the Redevelopment Plan Amendment is part of the Project for purposes of compliance with CEQA.
16. In Resolution No. 59-2010, adopted on June 3, 2010, the Agency Commission adopted findings that various actions related to the Project, including the

Redevelopment Plan Amendment, were in compliance with CEQA. Said findings are on file with the Secretary of the Agency and are incorporated herein by reference. Said findings are in furtherance of the actions contemplated in this Resolution and are made part of this Resolution by reference herein.

17. Staff finds and recommends that the Agency Commission adopt the findings required under Section 33457.1 of the CCRL and that the Agency submit these findings to the Board of Supervisors. These findings are explained in detail in the Report to the Board, are incorporated herein by reference, and include, but are not limited to, the following:
 - a) Significant blight (as described in the Report to the Board) remains within the Project Area, the redevelopment of which is necessary to effectuate the public purposes declared in the CCRL.
 - b) The remaining significant blight in the Project Area cannot be eliminated without the increase on the amount of bonded indebtedness from \$400 million to \$1.2 billion.
 - c) The Redevelopment Plan Amendment will redevelop the Project Area in conformity with the CCRL and is in the interests of the public peace, health, safety and welfare.
 - d) The adoption and carrying out of the Redevelopment Plan Amendment is economically sound and feasible as described in the Report to the Board.
 - e) The Redevelopment Plan Amendment, once effective, will be consistent with the City's General Plan, as amended, for the reasons stated in the General Plan and Priority Policy Consistency findings, as approved by the Planning Commission in Resolutions Nos. 18101 and 18102, which findings are incorporated herein by reference as though fully set forth herein.
 - f) The carrying out of the Redevelopment Plan Amendment will promote the public peace, health, safety and welfare of the community and effectuate the purposes and policies of the Redevelopment Law.
 - g) The Redevelopment Plan Amendment does not change the existing limitations on the condemnation of real property established in the Redevelopment Plan.
 - h) The Redevelopment Plan Amendment does not authorize the use of eminent domain to displace persons from residentially-zoned areas and legally occupied dwelling units and in other contexts. Nonetheless, if displacement occurs through other means, the Agency has a feasible method or plan for the relocation of families and persons displaced from the Project Area. There are, or shall be provided, in the Project Area or in other areas not generally less desirable in regard to public utilities and public and commercial facilities and at rents or prices within the financial means of the families and persons displaced from the Project Area, decent, safe, and sanitary dwellings equal in number to the number of and available to the displaced families and persons and reasonably accessible to their places of employment.


- i) Families and persons shall not be displaced prior to the adoption of a relocation plan pursuant to Sections 33411 and 33411.1 of the CCRL. Dwelling units housing persons and families of low or moderate income shall not be removed or destroyed prior to the adoption of a replacement housing plan pursuant to Sections 33334.5, 33413, and 33413.5 of the CCRL.
 - j) The elimination of blight and the redevelopment of the Project Area could not reasonably be expected to be accomplished by private enterprise acting alone without the aid and assistance of the Agency.
 - k) The Project Area continues to be predominantly urbanized, as defined by Subdivision (b) of Section 33320.1 of the CCRL.
 - l) The implementation of the Redevelopment Plan Amendment will improve or alleviate the physical and economic conditions of the remaining significant blight that are described in the Report to the Board prepared pursuant to Sections 33457.1 and 33352 of the CCRL.
18. The Agency 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 proposed Redevelopment Plan Amendment.

RESOLUTION

ACCORDINGLY IT IS RESOLVED by the Redevelopment Agency of the City and County of San Francisco that:

1. Resolution No. 59-2010, adopted by the Agency Commission on June 3, 2010, provides the Agency's CEQA Findings for this action.
2. The Agency Commission hereby approves the proposed Bayview Hunters Point Redevelopment Plan Amendment, which is attached to the Commission Memorandum accompanying this Resolution and incorporated herein by this reference and recommends that the Board of Supervisors adopt the Redevelopment Plan Amendment.
3. The Executive Director is hereby directed to submit a copy of this Resolution, including the proposed Redevelopment Plan Amendment, to the Board of Supervisors for its consideration in acting on the adoption of the proposed Redevelopment Plan Amendment.

APPROVED AS TO FORM:



James B. Morales
Agency General Counsel