RESOLUTION NO. 166-2005

Adopted October 18, 2005
5 ayes, 2 nays

ADOPTING ENVIRONMENTAL FINDINGS AND A STATEMENT OF OVERRIDING CONSIDERATIONS, WHICH INCLUDES A MITIGATION MONITORING AND REPORTING PROGRAM, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR THE MID-MARKET REDEVELOPMENT PLAN AND RELATED DOCUMENTS AND ACTIONS; MID-MARKET REDEVELOPMENT SURVEY AREA

BASIS FOR RESOLUTION

1. The Mid-Market Redevelopment Plan (the “Redevelopment Plan”) is a project subject to the California Environmental Quality Act (“CEQA”), which the Redevelopment Agency of the City and County of San Francisco (the “Agency”) has proposed to: 1) assist in the revitalization of the primary downtown thoroughfares, Market and Mission Streets, in the City and County of San Francisco through promoting and participating in compatible urban infill and rehabilitation projects and programs that capitalize on existing assets, including the district’s historic commercial, arts, culture and entertainment infrastructure; 2) provide incentives for the development and rehabilitation of approximately 3,300 housing units and directly assist with the preservation and development of housing affordable by extremely low-, very low- and moderate-income persons, including single room occupancy (“SRO”) residential hotels; 3) create a more vibrant and balanced mixed-use district than currently exists by modification of development controls in the City Planning Code (the “Planning Code”) through the adoption of a Mid-Market Special Use District (“SUD”); 4) improve the existing public infrastructure, including community facilities, open space, streetscapes and transit facilities; and 5) provide for balanced transportation and parking options, while minimizing impacts to transit, pedestrians and bicyclists.

2. The adoption of the Redevelopment Plan requires a number of actions by various public agencies which include the approval and implementation of the Redevelopment Plan and other actions by the Agency, more particularly defined in Attachment C to the memorandum presented to the Agency Commission by its staff, containing CEQA Findings, a Statement of Overriding Considerations, and as Exhibit 1 thereto, a Mitigation Monitoring and Reporting Program, and a copy of such Attachment C is also attached to this Resolution.

3. The Agency (acting through its Commission) and the City and County of San Francisco (the “City,” acting through its Planning Commission), as CEQA co-lead agencies, have certified the Final Environmental Impact Report for the proposed Redevelopment Plan (the “FEIR”) as follows:
A. On September 18, 2003, by adoption of Motion No. 16657, the Planning Commission adopted findings and certified the FEIR for the Redevelopment Plan and related documents and actions as adequate, accurate, and objective and in compliance with the CEQA, the CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code.

B. On September 18, 2003, by adoption of Resolution No. 153-2003, the Agency adopted findings and certified the FEIR for the proposed Redevelopment Plan and related documents and actions as adequate, accurate, and objective and in compliance with the CEQA, the CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code.

C. The Agency and the Planning Department subsequently prepared an Addendum to the FEIR ("FEIR Addendum") which provides additional information on the revised Project description resulting from the modification of the Mid-Market Redevelopment Project Area’s (the “Project Area”) boundaries to add two additional parcels and updated the FEIR’s analysis in light of such boundary modification.

D. On June 23, 2005, the Planning Commission adopted a number of actions related to the Project including, but not limited to, 1) the adoption of Motion No. 17050, formulating the preliminary plan for the Project Area, as amended (the “Preliminary Plan”); finding said Preliminary Plan in conformity with the City’s General Plan and making findings pursuant to CEQA, based on the FEIR, including the FEIR Addendum; and 2) Resolution No. 17051 and No. 17052, respectively recommending the adoption of the amendments to the Planning Code providing for the SUD Regulations and amendment of the Zoning Maps in light of the SUD Regulations.

4. The FEIR prepared by the Agency, working with the Planning Department, consists of the draft EIR, any consultations and comments received during the review process, any additional information that became available, and the Summary of Comments and Responses, all as required by law, and the FEIR Addendum.

5. The FEIR and related Agency files are available for review at 770 Golden Gate Avenue, 3rd Floor, and are incorporated by this reference as a part of the record before the Agency pertaining to the Project, which also includes other documents and public comments pertaining to the Redevelopment Plan (collectively referred to as the “Project Record”).

RESOLUTION

ACCORDINGLY, IT IS RESOLVED by the Redevelopment Agency of the City and County of San Francisco based on its independent judgment, and its review and
consideration of the FEIR, the Project Record, and the proposed Redevelopment Plan, as follows:

1. The attached CEQA Findings and Statement of Overriding Considerations for the Redevelopment Plan (which include, but are not limited to, determinations concerning consideration and of certain project alternatives and mitigations, a description of actions within the Agency’s jurisdiction and a Statement of Overriding Considerations in regard to significant unavoidable impacts of the Redevelopment Plan), and related documents and actions including the mitigation measures contained in the Mitigation Monitoring and Reporting Program (attached as Exhibit 1 to the CEQA Findings and Statement of Overriding Considerations).

2. The Agency also finds and determines that those mitigation measures described in the Mitigation and Monitoring Program which are outside of the Agency’s jurisdiction should be imposed by the Planning Commission and other City agencies with the authority to impose mitigations on development projects and other actions implementing the Redevelopment Plan.

3. The Agency also approves and adopts such Mitigation Monitoring and Reporting Program and the mitigation measures which are within the jurisdiction and authority of the Agency.

APPROVED AS TO FORM:

\[Signature\]
James B. Morales
Agency General Counsel