

COMMISSION ON COMMUNITY INVESTMENT AND INFRASTRUCTURE

RESOLUTION NO. 42-2017

Adopted October 17, 2017

APPROVING AMENDMENTS TO THE MISSION BAY SOUTH DESIGN FOR DEVELOPMENT TO REMOVE A 0.3-ACRE PORTION OF SEAWALL LOT 337 KNOWN AS “P20”; MISSION BAY SOUTH REDEVELOPMENT PROJECT AREA

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. The Redevelopment Plan establishes land use controls for the Mission Bay South Project Area; and,

WHEREAS, The Mission Bay South Design for Development (“Design for Development”) was originally adopted by the former Redevelopment Agency Commission on September 17, 1998 (Resolution No. 191-98), and amended on February 17, 2004 (Resolution No. 24-2004), March 16, 2004 (Resolution No. 34-2004), and March 17, 2015 (Resolution No. 15-2015), and November 3, 2015 (Resolution No. 71-2015); and,

WHEREAS, The Design for Development sets forth certain design standards and guidelines for development of buildings within the Mission Bay South Project Area; and,

WHEREAS, The Redevelopment Plan and Design for Development include an approximately 0.3 acre portion of Seawall Lot 337 that is subject to the public trust and owned and administered by the Port of San Francisco (“Port”), identified as “P20” in the Redevelopment Plan, which is underutilized and is not furthering the objectives and policies of the Redevelopment Plan. The Redevelopment Plan and the Design for Development identify P20 as an “open space” area; and,

WHEREAS, On February 1, 2012, the former San Francisco Redevelopment Agency (“Former Agency”) was dissolved pursuant to California State Assembly Bill No. 1X 26 (Chapter 5, Statutes of 2011-12, First Extraordinary Session) (“AB 26”), codified in relevant part in California’s Health and Safety Code Sections 34161 - 34168 and upheld by the California Supreme Court in California Redevelopment Assoc. v. Matosantos, No. S194861 (Dec. 29, 2011). On June 27, 2012, AB 26 was amended in part by California State Assembly Bill No. 1484 (Chapter 26, Statutes of 2011-12) (“AB 1484”), which among other things, provide that a successor agency is a separate public entity from the public agency that provides for its governance (together, AB 26 and AB 1484, as amended from time to time, are referred to as the “Redevelopment Dissolution Law”); and,

WHEREAS, Subsequent to the adoption of AB 1484, on October 2, 2012, the Board of Supervisors, acting as the legislative body of the Successor Agency, adopted Ordinance No. 215-12, which was signed by the Mayor on October 4, 2012, and which, among other matters, delegated to the Successor Agency Commission,

commonly known as the Commission on Community Investment and Infrastructure (“Commission”), the authority to (i) act in the place of the Redevelopment Commission to, among other matters, implement, modify, enforce and complete the Former Agency’s enforceable obligations; (ii) approve all contracts and actions related to the assets transferred to or retained by the Successor Agency, including, without limitation, the authority to exercise land use, development, and design approval, consistent with applicable enforceable obligations, and; and (iii) take any action that the Redevelopment Dissolution Law requires or authorizes on behalf of the Successor Agency and other action that the Commission deems appropriate, consistent with the Redevelopment Dissolution Law, to comply with such obligations; and,

WHEREAS, The Board of Supervisors’ delegation to the Commission includes authority grant approvals under specified land use controls for the Mission Bay South Redevelopment Project Area consistent with the Redevelopment Plan and enforceable obligations, including amending the Redevelopment Plan and related documents; and,

WHEREAS, The State Legislature has declared, pursuant to Assembly Bill 2797 (“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; and,

WHEREAS 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 project 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 the Mixed-Use Project; and,

WHEREAS, The Commission on October 17, 2017, proposed to adopt amendments to the Redevelopment Plan (“Plan Amendments”) and its supporting documents to remove P20 from the Mission Bay South Project Area; and,

WHEREAS, Removal of P20 from the Design for Development is consistent with the Plan Amendments, AB 2797 and Proposition D (Nov. 2015); advances the Port’s land use planning efforts for Seawall Lot 337; and assists the Agency in fulfilling the objectives and policies of the Redevelopment Plan; and,

WHEREAS, OCII staff is recommending amending the Design for Development to eliminate reference to P20 (“Design for Development Amendments”) 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 Design for Development; and,

WHEREAS, On October 5, 2017, the San Francisco Planning Commission (“Planning Commission”) certified the FEIR by Motion No. 20017, and the FEIR considered and analyzed all environmental effects of the Plan Amendments, such that no subsequent or supplemental environmental impact report is required pursuant to CEQA; and,

WHEREAS, OCII has reviewed the FEIR and determined that the Design for Development Amendments are consistent with the project 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 environmental findings and statement of overriding considerations adopted in accordance with CEQA by the Planning Commission pursuant to Motion No. 20017 were and remain adequate, accurate and objective and are incorporated herein by reference as applicable; 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 and related documents and agreements, which consent has been, or will be, provided prior to the Successor Agency approval of the Design for Development Amendments; and,

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

RESOLVED, The Commission finds and determines that the Design for Development 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 Design for Development 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 Design for Development 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 will substantially reduce one or more significant effects on the environment; and, be it further

RESOLVED, That the Commission approves the Design for Development Amendments attached hereto as Exhibit A.

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: Design for Development Amendments

EXHIBIT A

AMENDMENTS TO THE DESIGN FOR DEVELOPMENT FOR THE MISSION BAY SOUTH PROJECT AREA

The following amendments are proposed to the Design for Development for the Mission Bay South Project Area to remove the P20 area:

Proposed Amendment #1. Map 1 (Plan Boundary, Development Block and Street Grid)

Map 1 – Plan Boundary, Development Block and Street Grid, is hereby deleted and replaced with Exhibit A hereto.

Proposed Amendment #2. Map 2 (Land Use Plan)

Map 2 – Plan Area Map to the Redevelopment Plan is hereby deleted and replaced with Exhibit B hereto.

Proposed Amendment #3. Map 3 (Plan Boundary, Development Block and Street Grid)

Map 3 – Redevelopment Land Use Map to the Redevelopment Plan is hereby deleted and replaced with Exhibit C hereto.

Proposed Amendment #4. Map 4 (Height)

Map 4 – Height, is hereby deleted and replaced with Exhibit D hereto.

Proposed Amendment #5. Map 5 (Required Setbacks)

Map 5 – Required Setbacks, is hereby deleted and replaced with Exhibit E hereto.

Proposed Amendment #6. Map 6 (Primary Streets for Streetwalls)

Map 6 Attachment – Primary Streets for Streetwalls, is hereby deleted and replaced with Exhibit F hereto.

Proposed Amendment #7. Map 7 (Neighborhood Streets for 55' Average Height)

Map 7 – Neighborhood Streets for 55' Average Height, is hereby deleted and replaced with Exhibit G hereto.

Proposed Amendment #8. Map 8 (Open Space)

Map 8 – Open Space, is hereby deleted and replaced with Exhibit H hereto.

Proposed Amendment #9. Map 9 (Shadow Analysis: Open Space)

Map 9 – Shadow Analysis: Open Space, is hereby deleted and replaced with Exhibit I hereto.

Proposed Amendment #10. Map 10 (Street Hierarchy)

Map 10 – Street Hierarchy, is hereby deleted and replaced Exhibit J hereto.

Proposed Amendment #11 Figure 15 (Urban Design Framework)

Figure 15 – Urban Design Framework, is hereby deleted and replaced with Exhibit K hereto.

Proposed Amendment #12. Figure 16 (Mission Bay South Open Space)

Figure 16 – Mission Bay South Open Space, is hereby deleted and replaced with Exhibit L hereto.

Proposed Amendment #13. Figure 18 Figure 18 (Mission Bay South Residential)

Figure 18 – Mission Bay South Residential, is hereby deleted and replaced with Exhibit M hereto.

Proposed Amendment #14. Figure 35 (Mission Bay South Commercial Industrial)

Figure 35 – Mission bay South Commercial Industrial, is hereby deleted and replaced with Exhibit N hereo.

Proposed Amendment #15. Figure 51 (City-Serving Retail Locations)

Figure 51 – City-Serving Retail Locations, is hereby deleted and replaced with Exhibit O hereto.

Proposed Amendment #16. Figure 53 (Mission Bay South Hotel)

Figure 53 – Mission Bay South Hotel, is hereby deleted and replaced with Exhibit P hereto.

The Redevelopment Plan (“Redevelopment Plan”) for the Mission Bay South Redevelopment Project, as approved by the San Francisco Board of Supervisors, establishes the basic land use standards for the Mission Bay South Plan Area (“Plan Area”), and includes general objectives, including planning objectives, that apply to the Plan Area. This Mission Bay South Design for Development (“Design for Development”) is a companion document containing Design Standards and Design Guidelines which apply to all development within the Plan Area. The Redevelopment Plan and this Design for Development supersede the San Francisco Planning Code in its entirety, except as otherwise provided in the Redevelopment Plan. In the event of any conflict between this Design for Development and the Redevelopment Plan, the Redevelopment Plan provisions shall control. The Redevelopment Agency Commission may also enter into one or more owner participation agreements related to development projects in the Plan Area. Such agreements may contain design guidelines as well as design review and document approval procedures.

Section II. of this Design for Development Document contains a listing of definitions used in this document. Section III. contains Design Standards that govern development of the Plan Area. Section IV. consists of Design Guidelines that apply to the Plan Area. Section V. contains, for informational purposes, Design Objectives that were adopted by the Mission Bay Citizen’s Advisory Committee (CAC).

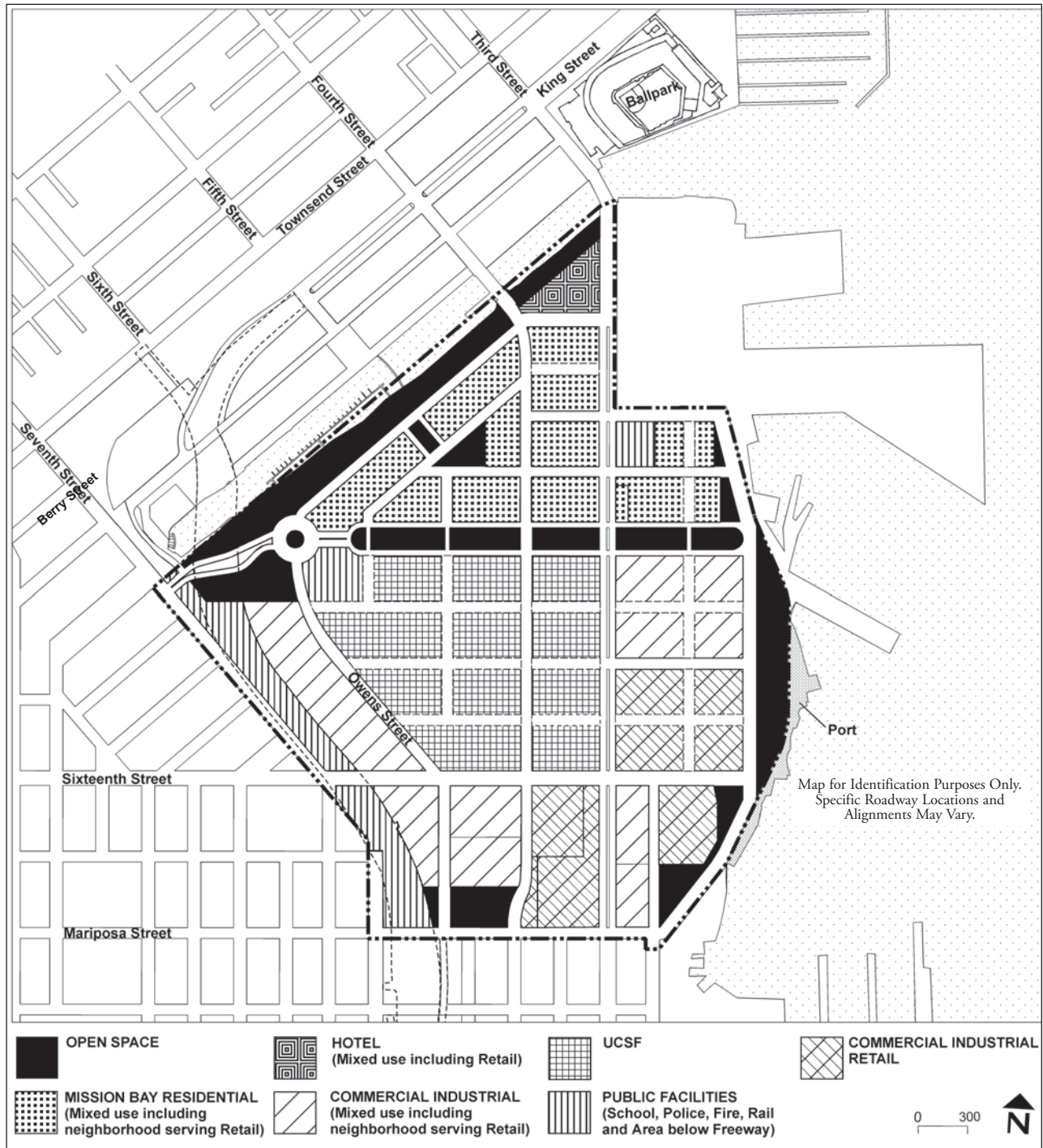
**Plan Boundary,
Development Block and Street Grid Map**



Map 1

Exhibit B

Land Use Plan



Maximum Development

The maximum development program that has been established for the Plan Area is outlined in the Redevelopment Plan.

Plan Boundary,
Development Block and
Street Grid Map

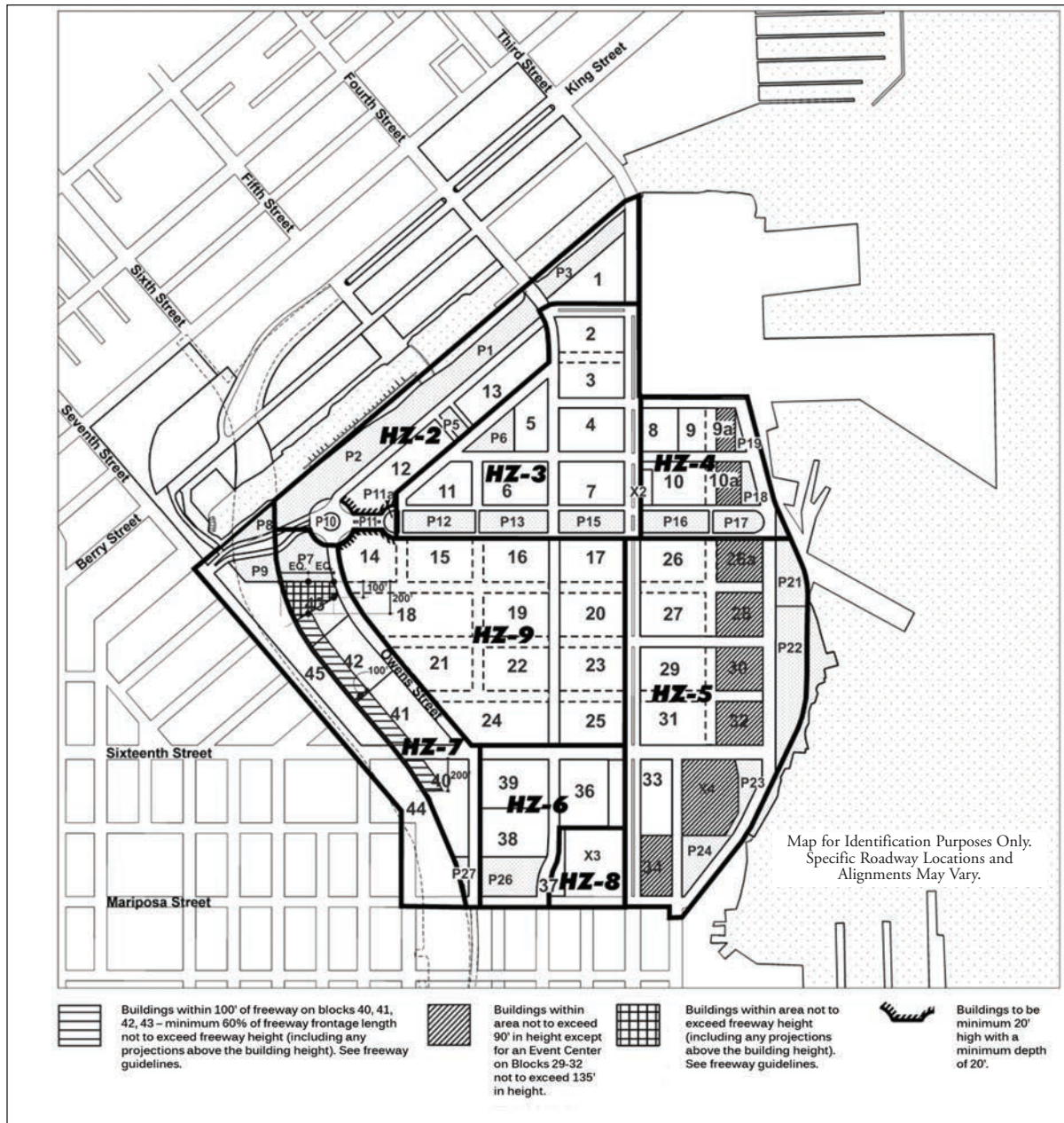


Map 3

Exhibit D

Height

For the purposes of establishing height limits within the Plan Area, Height Zones are established as generally illustrated on the Height Zone Chart and Height Zone Diagram included herein. Refer to Definition of Terms section for “Building Height” and “Developable Area.” The percentage of Developable Area at a specified height is calculated for the entire developable area within a height zone, not on a block by block basis.

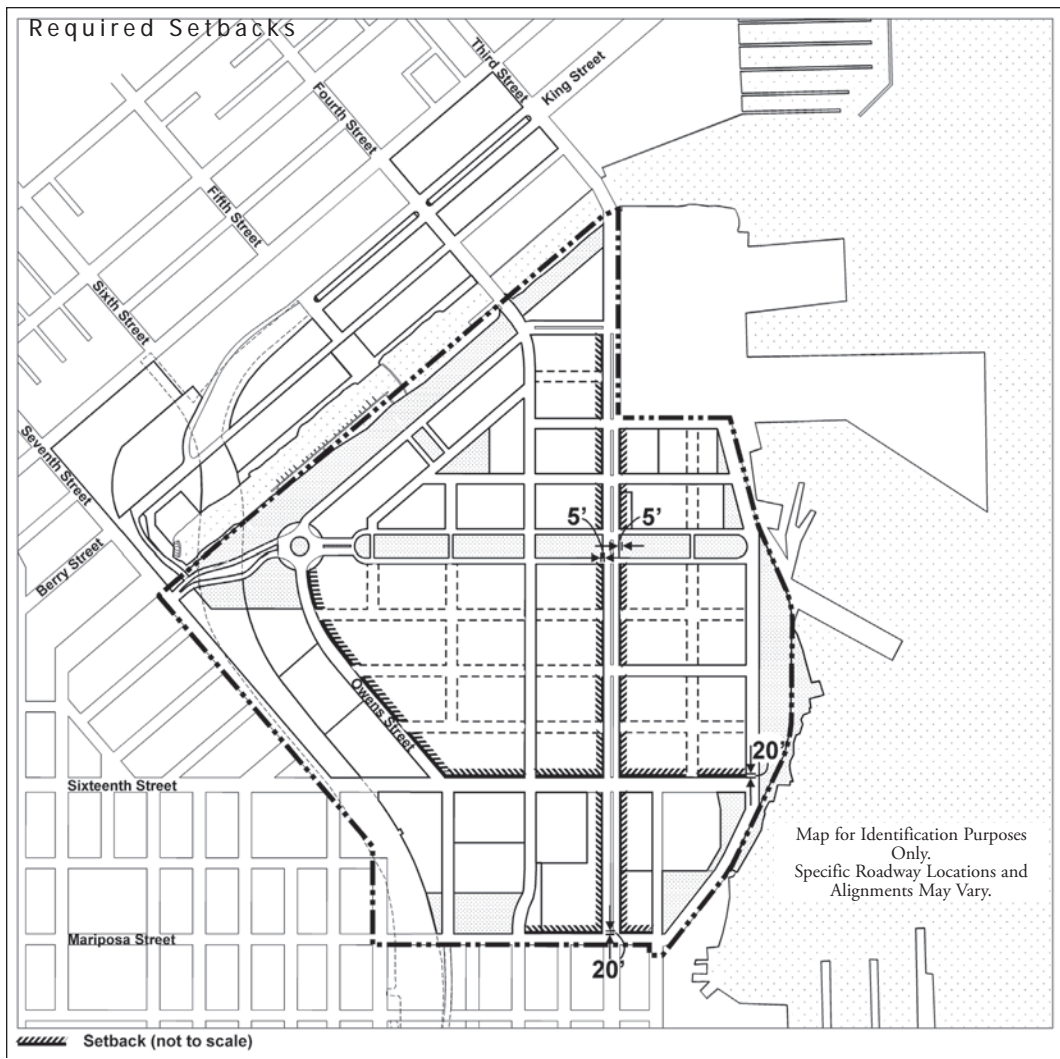


Map 4

Setbacks

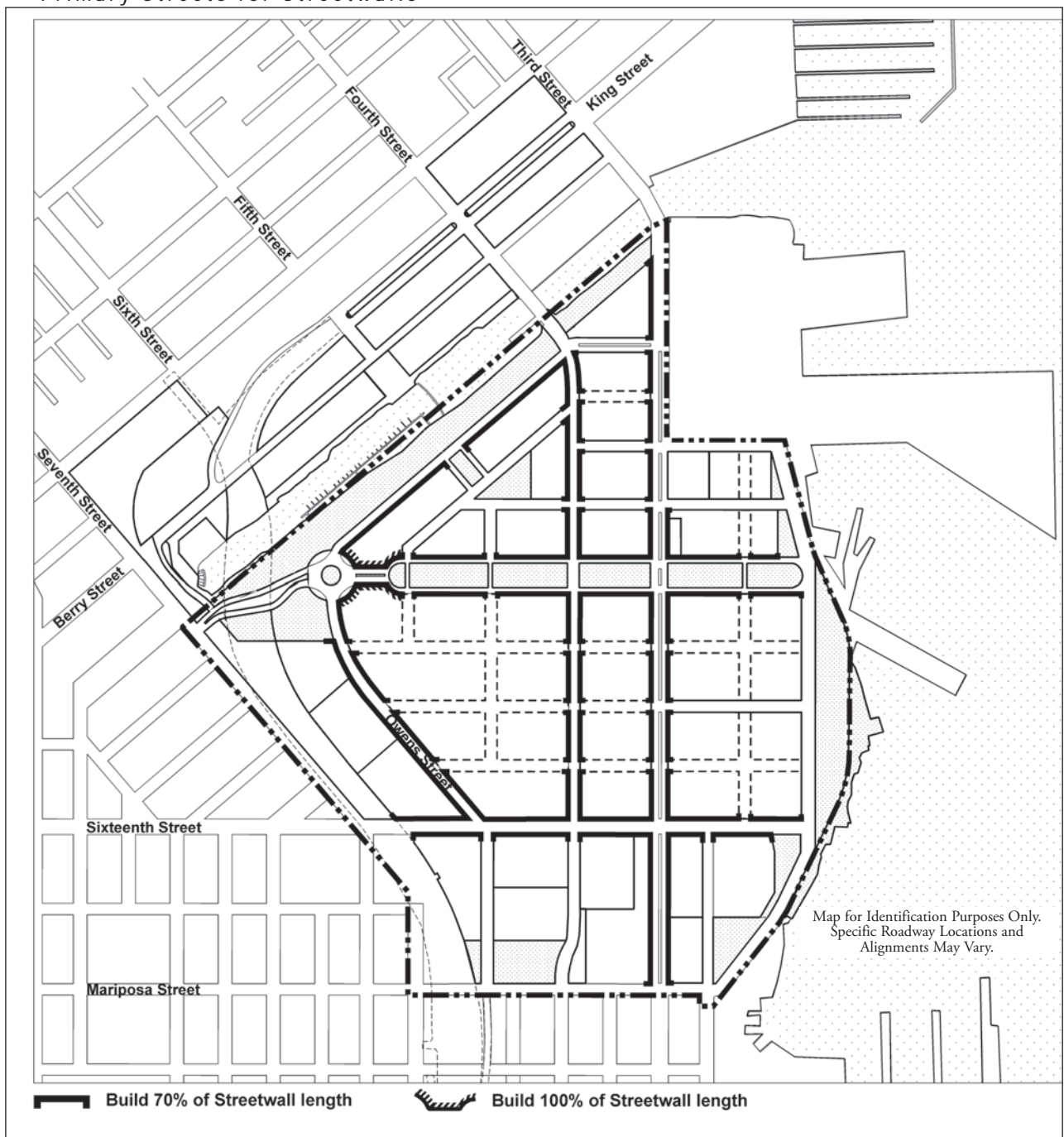
Setbacks are required to provide space for certain pedestrian and bike path links and for connection of major open spaces. Setbacks shall be generally as indicated in the Setbacks Diagram and Setbacks Chart included herein. These setbacks are in addition to specified sidewalk widths on these streets and may be used for paved pathways and landscaping as appropriate.

Residential/Hotel Commercial Industrial



Map 5

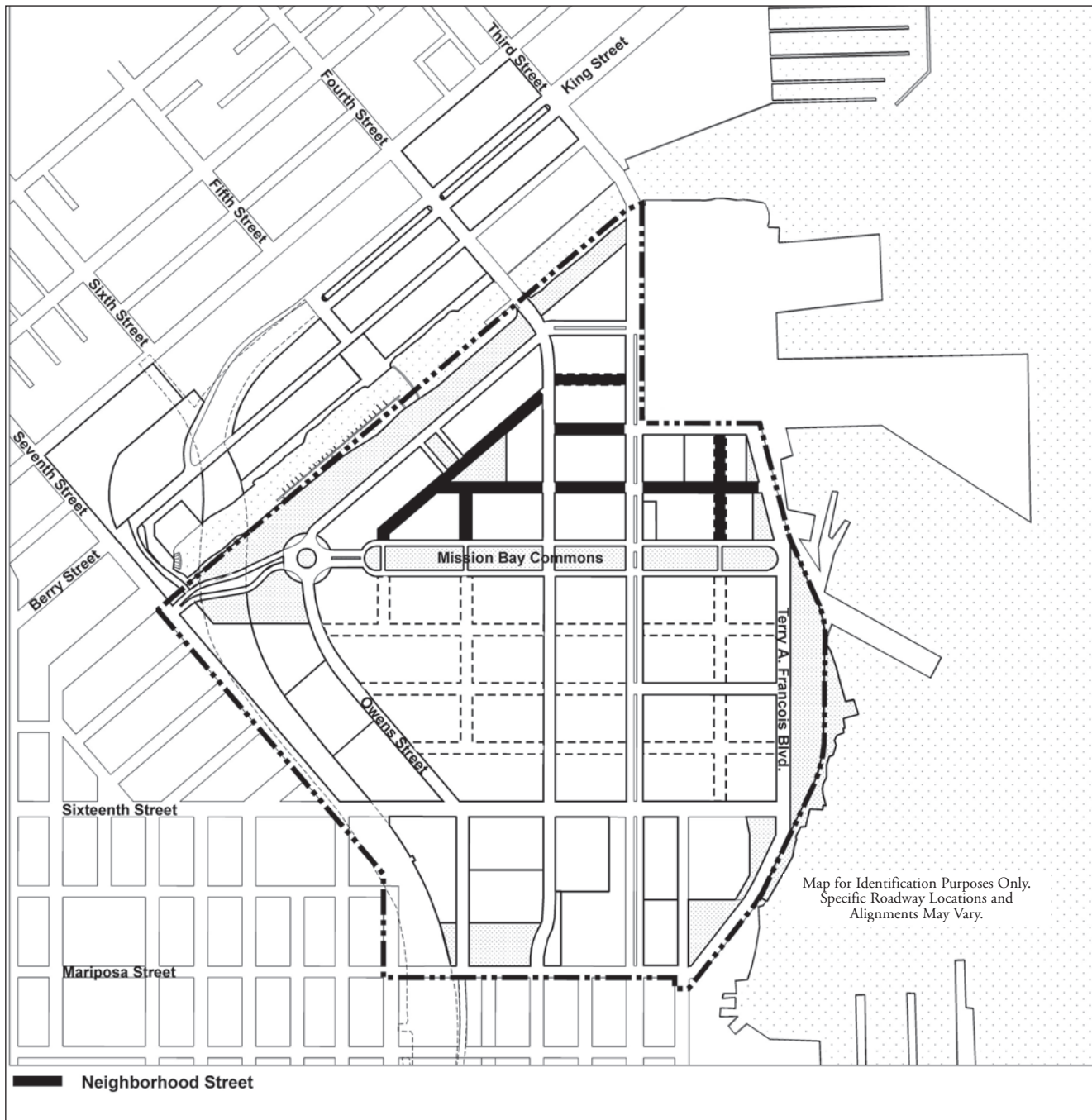
Primary Streets for Streetwalls



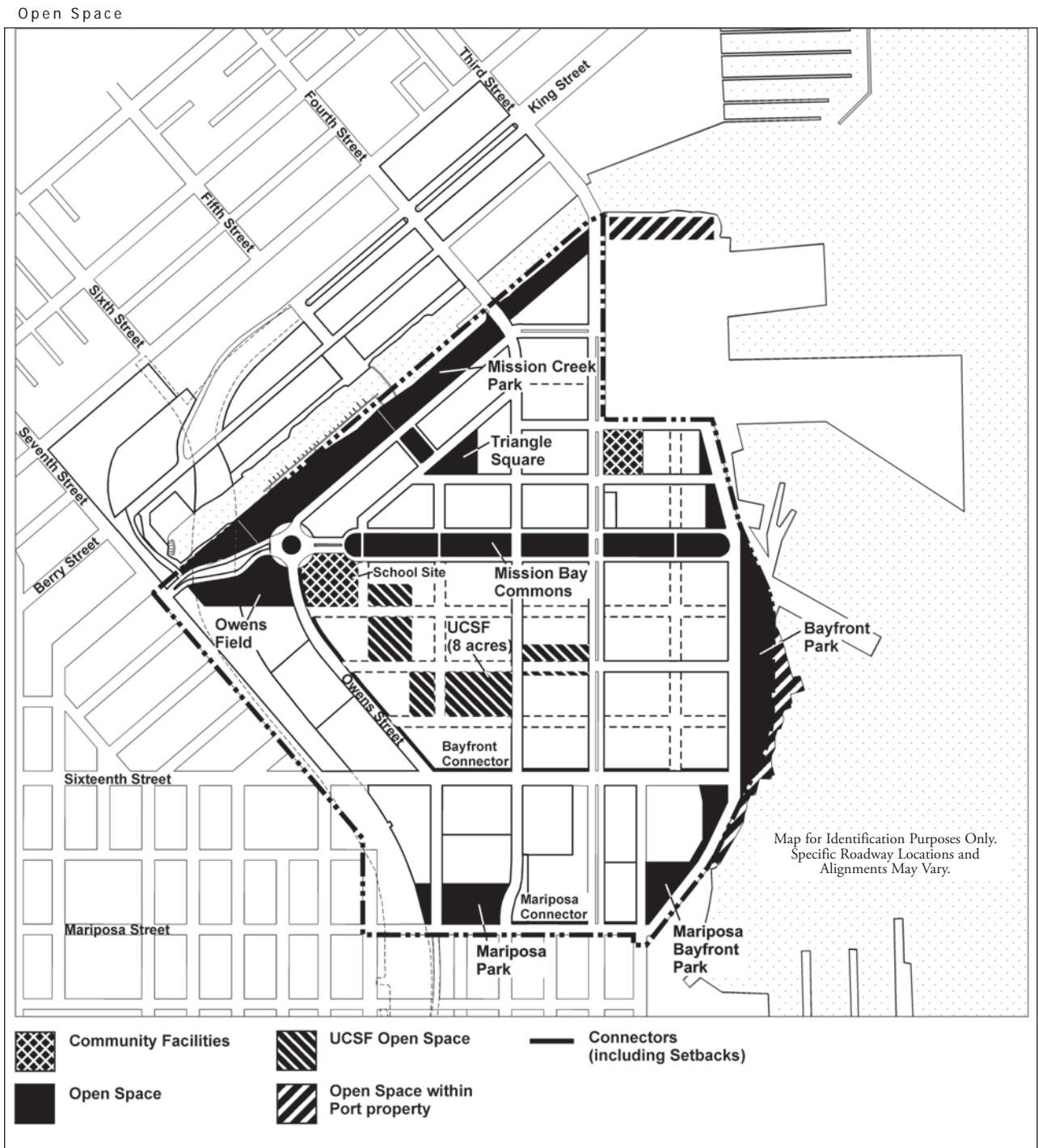
Map 6

Exhibit G

Neighborhood Streets for 55' Average Height



Map 7

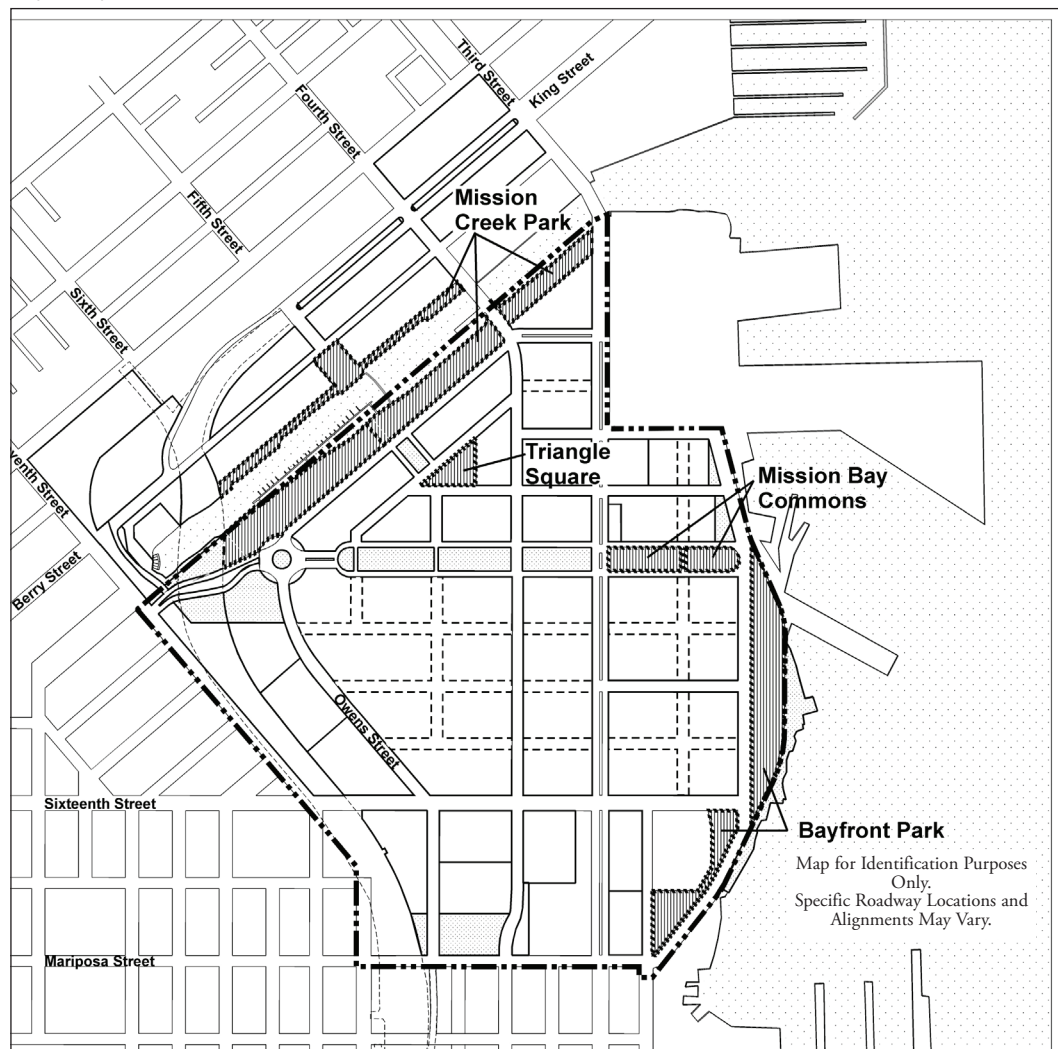


Map 8

4. The total area of each of the described public open spaces should be the basis for shadow calculation. To reasonably limit areas of open space in continuous shadow for extended periods of time, the area of public open space in continuous shadow for a period of one hour from March to September between 10am and 4pm should not exceed the following percentages:

Mission Creek Park		13%
Bayfront Park	20%	
Triangle Square		17%
Mission Bay Commons		11%

Shadow Analysis:
Open Space



Map for Identification Purposes
Only.
Specific Roadway Locations and
Alignments May Vary.

Street Hierarchy



Map 10

Introduction

The Design Guidelines contained in this document provide design recommendations for both private and public design and construction consistent with the Redevelopment Plan.

A few key urban design concepts work together to provide a framework for all elements of future design and construction in the Plan Area. These concepts are reflected to the extent feasible in this Design for Development. First is an urban street grid which builds off of the primary existing streets and a traditional San Francisco pattern of Vara blocks, to allow for the transformation of an industrial pattern to one which welcomes the buildings and open spaces of a living/working/shopping neighborhood. In the tradition of cities by the water, this same framework of streets serves as view corridors that visually connect Mission Bay to the Bay and the City's downtown. A network of varied open spaces located to take advantage of the area's distinctive natural features, sized to serve area needs, and linked visually and physically to invite intensive use is a third key urban design feature. Finally, the concept of interesting, urban scale buildings which establish a clear and consistent building edge along primary streets in both residential and commercial areas will complete a flexible urban design framework within which incremental development can occur to create a new City district.

Taken together, and as illustrated on the attached Urban Design Framework diagram, the pattern of streets, open space and buildings will bring an awareness of the Channel and the Bay front into all subdistricts of Mission Bay. It will open vistas to the City and region -- the downtown skyline, Twin Peaks, Buena Vista Park, Potrero Hill, the Embarcadero and the East Bay. And, it will showcase Mission Bay's own distinctive open spaces and new residential and commercial structures.

Urban Design Framework

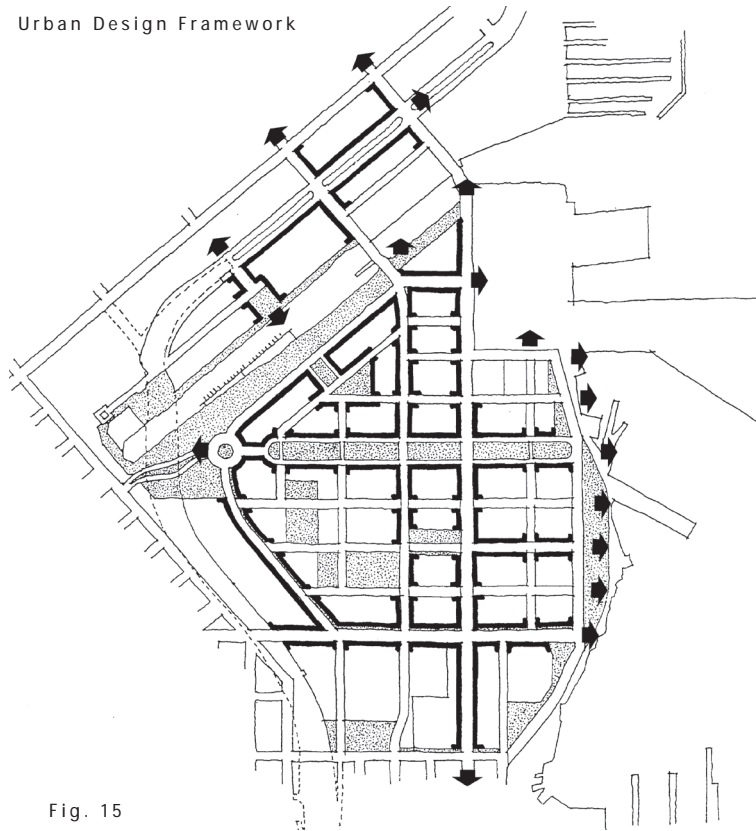


Fig. 15

Mission Bay South Open Space

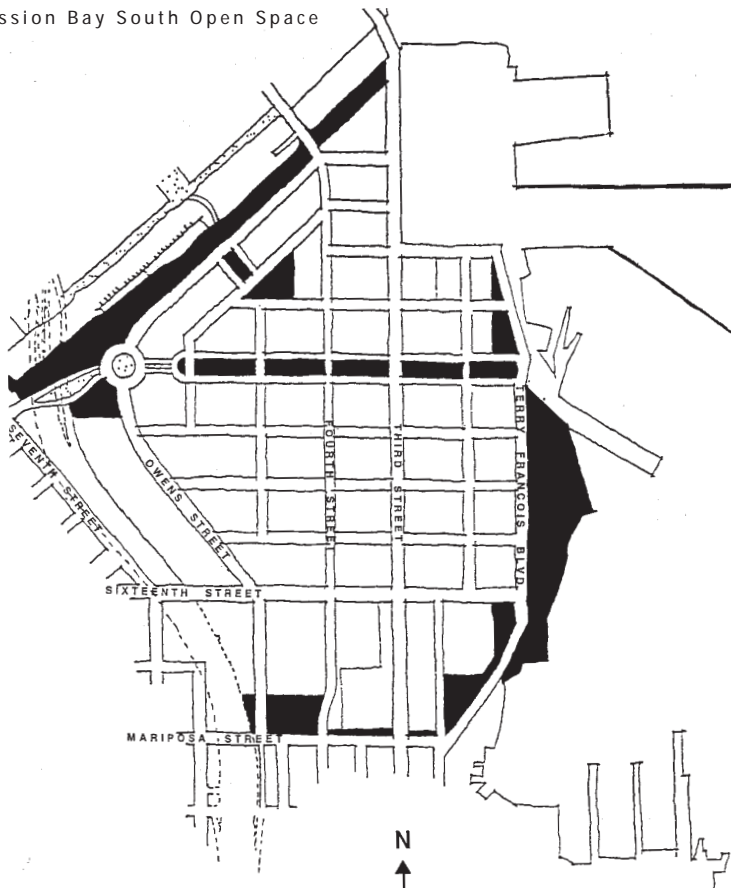


Fig. 16

The Mission Bay South open space system creates a linked system of parks, plazas, and play areas providing a variety of public amenities and spaces for passive and active recreation which are appropriate in their location and respond to adjacent uses.

The system is reinforced by its visual and physical connections to features and activities within Mission Bay South, ties into the minimum 8 acres of publicly accessible open space provided by UCSF within its campus, and integrates into the citywide distribution of public open space existing and proposed. Existing and proposed bicycle and pedestrian pathways connect the Mission Bay South Open Space and Street System with adjacent uses, surrounding neighborhoods, and the citywide network of bicycle and pedestrian routes.

It is anticipated that Mission Bay South open spaces will serve a wide range of constituents with a variety of active and passive uses. Open spaces will be designed to include essential accessory facilities, where appropriate, including bicycle parking areas and adequate lighting.

The Mission Bay South Residential District, located in the northern portion of the Plan Area is a mix of market-rate and affordable family units, and neighborhood retail, forming a tightly knit urban community in the heart of an emerging, vibrant mixed use district in San Francisco.

Situated along major access routes, and bordered by UCSF to the south, and the Channel to the north, the District combines the excitement of living in a bustling city with the potential for respite through orientation towards the Channel, neighborhood parks, the Bayfront, and the life of mid block open spaces.

It is envisioned as a district of walkable streets with a network of private and public open spaces. It is a district that is built to the street edge with a lively pedestrian-friendly ground level of residential entries, neighborhood stores, and well designed sidewalks. It is a district of buildings that are sensitively scaled and that accommodate variations in design features and materials, providing interest and character in a way that is reminiscent of the best architecture of San Francisco.

Residential Guidelines, outlined and illustrated in the following pages provide recommendations for all new housing construction on blocks designated Mission Bay South Residential in the Land Use Plan on page 20.

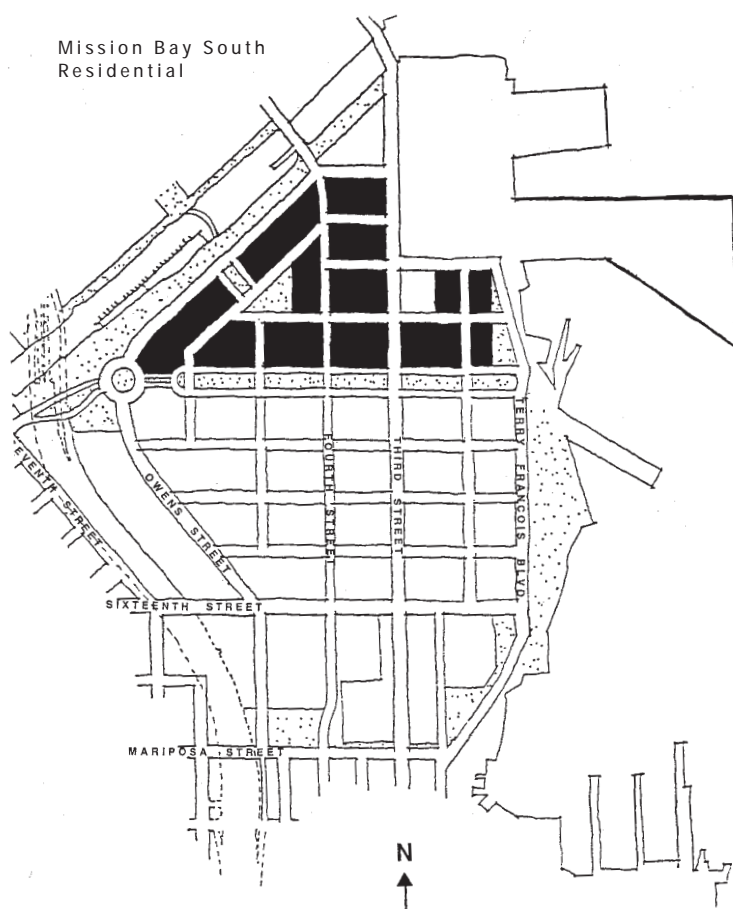


Fig. 18

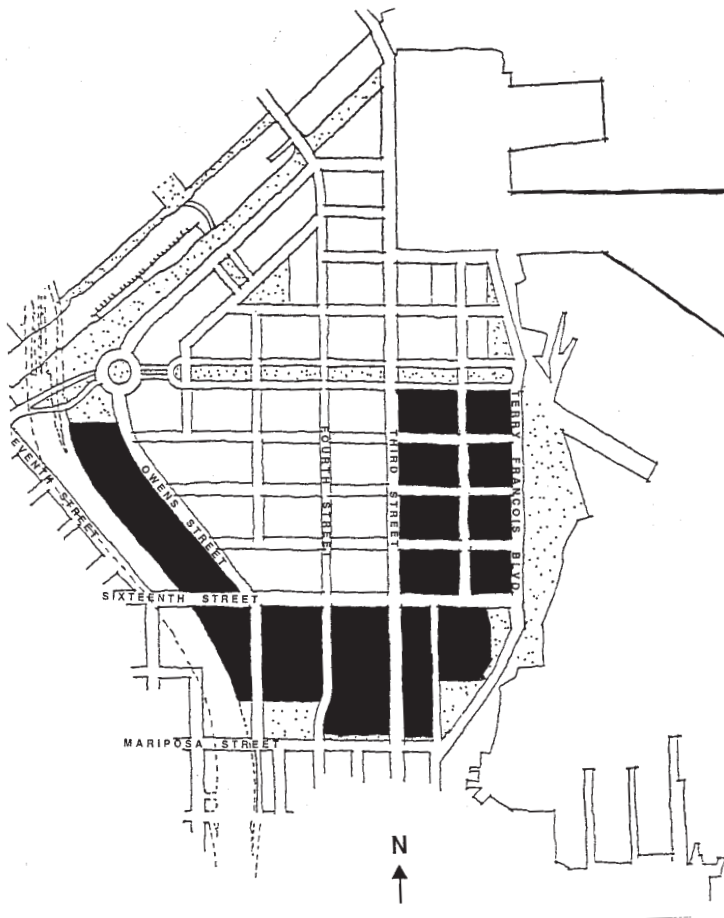


Fig. 35 Mission Bay South Commercial Industrial

The following guidelines refer to uses such as office, research and development, light industrial, general commercial and retail uses in areas designated Commercial Industrial and Commercial Industrial Retail in the Plan Area. It is anticipated that these commercial uses will complement the planned UCSF research campus and will contribute to the mixed-use vibrancy of the Mission Bay community. The guidelines encourage an active and visually interesting pedestrian environment and building placement and character that will give the commercial areas a distinctive identity and one that will complement the overall visual perception of Mission Bay.

CITY-SERVING RETAIL USES WITHIN COMMERCIAL INDUSTRIAL LAND USE

The following guidelines refer to city-serving retail uses in commercial areas in parcels 29, 30, 31, 32, 36, 37, X3, and X4 in Mission Bay South. City-serving refers to retail uses offering goods and services to a population greater than the immediate neighborhood. The guidelines are directed at integrating such retail activities into the fabric of Mission Bay and minimizing impacts they have on the adjacent residential neighborhoods.

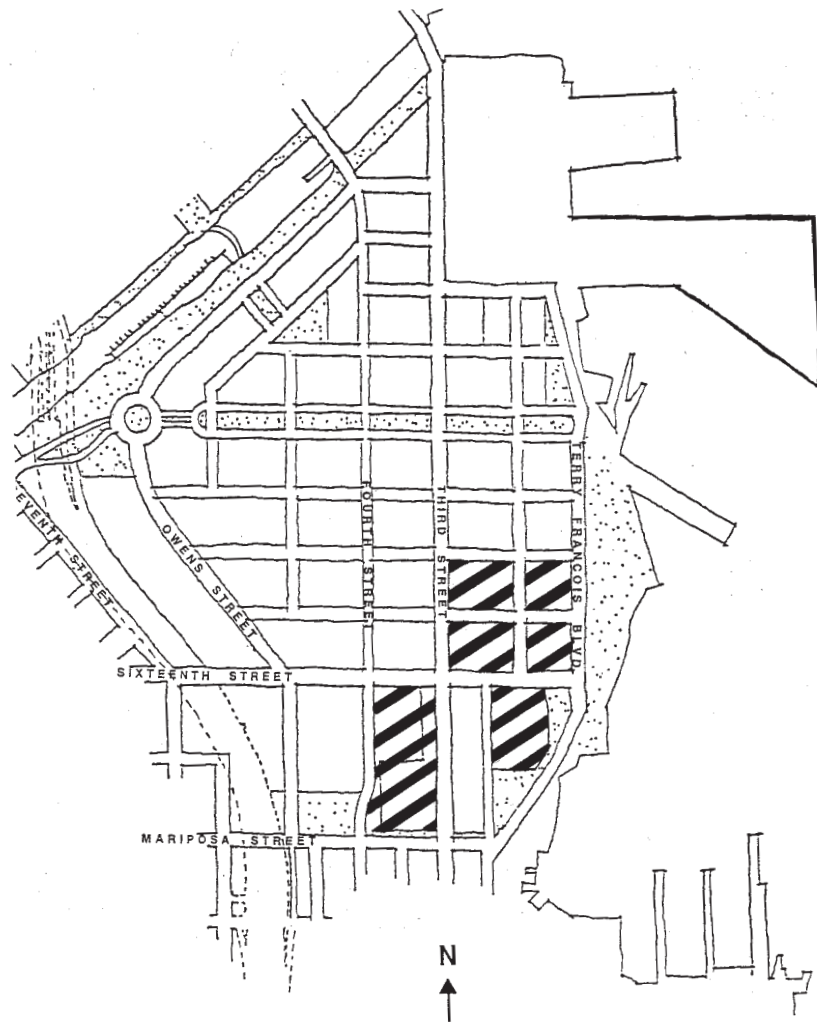


Fig. 51 City-Serving Retail Locations

The following guidelines are directed at integrating the planned hotel development on Block 1 in the Plan Area with the quality and character of the overall Mission Bay development. It is expected that this block will include a 500 room hotel with retail/entertainment, restaurants, and conferencing facilities.

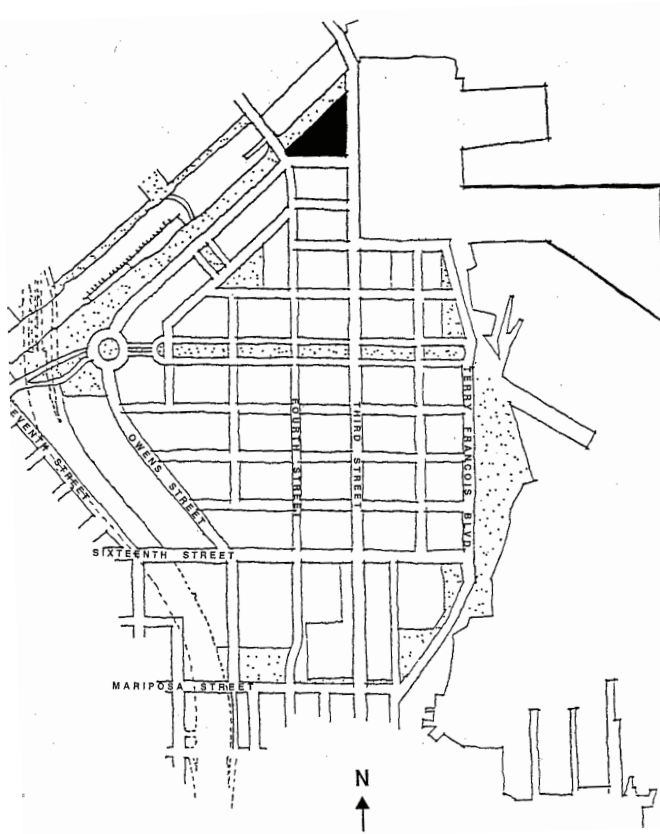


Fig. 53 Mission Bay South Hotel