

COMMISSION ON COMMUNITY INVESTMENT AND INFRASTRUCTURE

RESOLUTION NO. 08-2024

APPROVING A SECOND AMENDMENT TO THE AMENDED MAJOR PHASE FOR MISSION BAY SOUTH BLOCKS 8- 10A, AND PARKS P18 AND P19 FOR THE DESIGN OF LOT B OF BRIDGEVIEW WAY, A PRIVATE MID-BLOCK VARA CORRIDOR, BETWEEN BLOCKS 9 AND 9A; 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 ARE ADEQUATELY DESCRIBED IN THE FSEIR FOR THE PURPOSES OF CEQA; AND, ADOPTING ENVIRONMENTAL REVIEW FINDINGS UNDER CEQA; 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) (the “Successor Agency” or “OCII”) is completing the enforceable obligations of the Redevelopment Agency of the City and County of San Francisco (the “Former Agency”) in the Mission Bay North and Mission Bay South Project Areas (the “Project Areas”) under the authority of the California Community Redevelopment Law, Cal. Health & Safety Code §§ 33000 et seq., as amended by the Redevelopment Dissolution Law, Cal. Health & Safety Code §§ 34170 et seq., and under San Francisco Ordinance No. 215-12 (Oct. 4, 2012) (establishing the Successor Agency Commission and delegating to it state authority under the Redevelopment Dissolution Law); and,

WHEREAS, On September 17, 1998, the Former Agency approved, by Resolution No. 190-98, the Redevelopment Plan for the Mission Bay South Redevelopment Project Area (“Redevelopment Plan”). The Redevelopment Agency Commission also adopted related documents, including Resolution No. 193-98 conditionally authorizing execution of an Owner Participation Agreement (“South OPA”) with Catellus Development Corporation, a Delaware corporation (“Catellus”). On November 2, 1998, the San Francisco Board of Supervisors (“Board of Supervisors”) adopted, by Ordinance No. 335-98, the Redevelopment Plan. The Redevelopment Plan and its implementing documents, as defined in the Redevelopment Plan, constitute the “Plan Documents;” and,

WHEREAS, The Redevelopment Plan and the Plan Documents, including the Design Review and Document Approval Procedure, designated as Attachment G to the South OPA (“DRDAP”), provide that development proposals in Mission Bay South will be reviewed and processed in “Major Phases,” as defined in and consistent with the Redevelopment Plan and the Plan Documents. Submission of design plans and documents for any specific building, related public infrastructure, and park improvements must be consistent with the requirements established for each Major Phase, though the DRDAP allows for a Major Phase if the overall submittal is still consistent with the Redevelopment Plan and Plan Documents. The DRDAP sets forth the review and approval process for Major Phases and Projects; and,

- WHEREAS, Catellus, the original master developer of the Mission Bay North and South Redevelopment Project Areas, has sold most of its remaining undeveloped land in Mission Bay to FOCIL-MB, LLC, ("FOCIL-MB"), a subsidiary of Farallon Capital Management, LLC, a large investment management firm. FOCIL-MB has assumed all of Catellus's obligations under the South OPA and the Owner Participation Agreement for Mission Bay North (together the "OPAs"), as well as all responsibilities under the related public improvement agreements and land transfer agreements with the City and County of San Francisco. FOCIL-MB is bound by all terms of the OPAs and related agreements, including the requirements of the affordable housing program, equal opportunity program, and design review process; and,
- WHEREAS, On February 1, 2012, the State of California dissolved all redevelopment agencies, including The Redevelopment Agency of the City and County of San Francisco, a public body, corporate and politic, the ("Former Agency"), by operation of law pursuant to California Health and Safety Code Sections 34170 et seq. ("Redevelopment Dissolution Law"). Under the authority of the Redevelopment Dissolution Law and under San Francisco Ordinance No. 215-12 adopted on Oct. 4, 2012 (establishing the Successor Agency Commission ("Commission") and delegating to it state authority under the Redevelopment Dissolution Law), OCII is administering the enforceable obligations of the Former Agency; and,
- WHEREAS, San Francisco Ordinance No. 215-12 delegated, among other things, certain authority under the Redevelopment Dissolution Law to the Successor Agency Commission, commonly known as the Commission on Community Investment and Infrastructure ("Commission"), including the authority to (i) exercise land use, development, and design approval, consistent with applicable redevelopment plans and enforceable obligations; and (ii) 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, On February 17, 2004, the Former Agency approved, by Resolution No 25-2004, the Major Phase for Blocks 8 - 10a, and Parks P18 and P19 ("2004 Major Phase") that included Bridgeview Way, a private mid-block corridor, that bisects market rate residential developments at Blocks 10 and 10a and OCII affordable housing at Blocks 9 and 9A; and,
- WHEREAS, Subsequently, the 2004 Major Phase was amended by a first amendment approved by the Commission, on February 16, 2021, by Resolution No. 07-2021, with the approval of the Basic Concept and Schematic Design of a 148-unit affordable housing project on Block 9a, by increasing the allowable height, number of units, and density ("Major Phase"); and,
- WHEREAS, All development including infrastructure and open space within the Major Phase is complete or imminently under construction, with the exception of Bridgeview Way between Blocks 9 and 9A depicted as Lot B within the Major Phase; and,

- WHEREAS, FOCIL is obligated to construct Bridgeview Way and upon completion ownership and maintenance will be transferred to the Mission Bay homeowner's association; and,
- WHEREAS, The Major Phase identified Bridgeview Way to provide public pedestrian access, utilities, and view corridors, along with local vehicular and access to the parking garages for Block 9 and 9a. Vehicular access is no longer necessary, Block 9 has no parking and access to the parking garage on Block 9a is provided on China Basin Street; and,
- WHEREAS, Pursuant to the Plan and Plan Documents, including the DRDAP, FOCIL has submitted an amendment to the Major Phase to update the design of Lot B of Bridgeview Way to create a more pedestrian oriented mid-block corridor by removing local vehicular access to and adding removeable bollards for emergency vehicle access ("Major Phase Amendment pertaining to Lot B"); and,
- WHEREAS, The proposed Major Phase Amendment pertaining to Lot B promotes the planning objectives and policies the Redevelopment Plan for the Mission Bay South Project Area ("Plan") by enhancing pedestrian circulation with public pedestrian-dominated streets with limited vehicular access; and,
- WHEREAS, In accordance with the DRDAP, OCII staff has determined that the Major Phase Amendment pertaining to Lot B is consistent with the Plan and Plan Documents, and promotes the planning objectives and policies the Plan by enhancing pedestrian circulation with public pedestrian-dominated streets with limited vehicular access; and,
- WHEREAS, FOCIL hired Adavant Consulting, a transportation consultant, to complete a Transportation and Circulation analysis, dated March 13, 2024, for the current design of Lot B including its closure to local vehicular access. The study concluded that the design for Lot B is consistent with the transportation and circulation impacts studied in the 1998 Final Subsequent Environmental Impact Report ("FSEIR") for Mission Bay North and South and no new mitigation measures are required. The analysis also included a review of Lot B using the San Francisco Planning Department's Transportation Guidelines and found that its closure to vehicular traffic would be defined as a minor project that does not add motor vehicle capacity and thus does not meet the significance threshold for screening criteria; and,
- WHEREAS, In addition to its review, OCII staff informed the Mayor's Mission Bay Citizens Advisory Committee ("CAC") of the details of the Major Phase Amendment pertaining to Lot B during its January 2024 meeting and at that meeting, the CAC recommended Commission approval of the amendment; and,
- WHEREAS, On September 17, 1998, the Redevelopment Agency Commission adopted Resolution No. 182-98 which certified the 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 approved Motion No. 98-132 affirming certification of the FSEIR by the Planning Commission and the Former Agency, and approved 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. Approving the Major Phase Amendment pertaining to Lot B is consistent with the project analyzed in the FSEIR, is in furtherance of the Plan and applicable redevelopment documents, is deemed to be an Implementing Action; and,

WHEREAS, OCII is making the necessary findings for the approval of the Major Phase Amendment pertaining to Lot B contemplated herein, has considered and reviewed the FSEIR, and has made documents related to the Major Phase Amendment pertaining to Lot B 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 approval of the Major Phase Amendment pertaining to Lot B; and,

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 its approval of the Major Phase Amendment pertaining to Lot B is within the scope of the Mission Bay Project analyzed in the FSEIR and requires no further environmental review beyond the FSEIR pursuant to the State CEQA Guidelines Sections 15180 and 15162 for the following reasons:

1. The Implementing Actions are consistent with the project analyzed in the FSEIR and do 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 relating to the Implementing Actions has become available, which would indicate that (i) the Implementing Actions 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 approves the Major Phase Amendment pertaining to Lot B and authorizes the Executive Director to take such other actions as may be necessary or appropriate, in consultation with OCII counsel, to effectuate the purpose of the intent of this resolution.

I hereby certify that the foregoing resolution was adopted by the Commission at its meeting of April 16, 2024.

Commission Secretary

Exhibit A: Amendments to Major Phase for Mission Bay South Blocks 8- 10a, and Parks P18 and P19

Exhibit A: Amendments to Major Phase for Blocks 8-10a and Parks P18 and P19

Location	Topic	Approved Major Phase Application	Proposed Amendment
Bridgeview Way Lot B - Northernmost Segment between MBS 9 and 9a	Infrastructure Description p 10-11 <u>Vara easements</u>	They will be local private streets accessible by the public, to be used for local vehicular and pedestrian access, utility corridors and preservation of the view corridors.	They will be local private streets accessible by the public, to be used for local vehicular and pedestrian access, utility corridors and preservation of the view corridors. <u>Lot B will be closed to vehicular traffic excepting emergency vehicle access.</u>
	Infrastructure Description p 12 <u>Access</u>	Full vehicular access to the site is proposed along Mission Rock Street and China Basin Street, as well as via the Vara easement corridors	Full vehicular access to the site is proposed along Mission Rock Street and China Basin Street, as well as <u>Lot A of the</u> Vara easement corridors
	Infrastructure Description p 13 <u>Pedestrian Circulation</u>	A north-south pedestrian corridor will be provided on the Vara easements bisecting Blocks 9 and 9a and Blocks 10 and 10a, which is a combined vehicular and pedestrian corridor.	A north-south pedestrian corridor will be provided on the Vara easements bisecting Blocks 9 and 9a and Blocks 10 and 10a, which is a combined vehicular and pedestrian corridor, <u>excepting Lot B which will only provide emergency vehicle access.</u>
	Infrastructure Description p 16 <u>Circulation - Vehicular, Pedestrian & Bicycle</u>	Diagram shows local residential vehicular to access to Lot B off of Mission Rock and China Basin Street	<u>Lot B will be shown as emergency vehicle access only.</u>
	Parks P18 and P19 Concept Plan p 30 <u>Landscape Design</u>	Design of mid-block Lots A and B provides for vehicular and pedestrian access to the residential communities and creates landscape zones which aid in the development of building entries and residential common areas	Design of mid-block Lots A and B provides for vehicular and pedestrian access to the residential communities and creates landscape zones which aid in the development of building entries and residential common areas. <u>The design of Lot B provides for emergency vehicle access only.</u>