

RESOLUTION NO. 57-99

(Adopted May 11, 1999)

**APPROVING THE N2 MAJOR PHASE SUBMISSION IN THE
MISSION BAY NORTH REDEVELOPMENT PROJECT AREA
PURSUANT TO AN OWNER PARTICIPATION AGREEMENT
BETWEEN THE REDEVELOPMENT AGENCY OF
THE CITY AND COUNTY OF SAN FRANCISCO
AND CATELLUS DEVELOPMENT CORPORATION;
MISSION BAY NORTH REDEVELOPMENT PROJECT AREA**

BASIS FOR RESOLUTION

1. On September 17, 1998, by Resolution No. 185-98, the Redevelopment Agency of the City and County of San Francisco ("Agency") approved a proposed Redevelopment Plan for the Mission Bay North Redevelopment Plan Area ("Plan"). On the same date, the Commission adopted related documents, including Resolution No. 188-98 authorizing execution of an Owner Participation Agreement ("North OPA") and related documents between Catellus Development Corporation and the Agency. The Plan and its implementing documents, as defined in the Plan, constitute the "Plan Documents."

2. The Plan and the Plan Documents, including the Design Review and Document Approval Procedure, Attachment G to the North OPA ("DRDAP"), provide that development proposals in Mission Bay North will be reviewed and processed in certain development phases or "Major Phases," consistent with the Plan and the Plan Documents. The DRDAP sets forth the review and approval process for Major Phases.

3. Pursuant to the Plan and Plan Documents, including the DRDAP, Catellus submitted a Major Phase application for development block N2 (the "N2 Major Phase Submission") to the Agency. The application was deemed complete on March 4, 1999.

4. The Agency reviewed the N2 Major Phase Submission as provided in the DRDAP. Pursuant to the DRDAP, other City agencies have completed review of portions of the N2 Major Phase Submission within their respective jurisdictions.

5. The Agency held a workshop on the N2 Major Phase Submission on April 27, 1999. Public comments were heard by the Commission at that time. The March 4, 1999 submission was subsequently revised to incorporate minor comments as set forth in the current submission before the Commission dated May 5, 1999.

6. Agency staff has reviewed the N2 Major Phase Submission and found it acceptable, subject to the conditions in Exhibit A hereto.

7. Pursuant to North OPA Attachment C (Housing Program) Section 3.6, Catellus will deliver a fully executed Memorandum of Option for the N2 Major Phase Agency Affordable Housing Parcel ("Affordable Housing Parcel") within ten (10) days after approval of the N2 Major Phase.

8. Attachment K to the North OPA (Environmental Investigation and Response Program for North Plan Area Affordable Housing Parcels, Open Space Parcels and Street Parcels) provides in Article IV.A.3.b that Catellus and the Agency will enter into a Memorandum of Understanding ("MOU") regarding implementation of certain Investigation and Response Measures. Attachment K further provides that this MOU shall be finally executed as a condition of the Agency's approval of the first Major Phase containing an Agency Affordable Housing Parcel. Agency staff has provided a draft MOU to Catellus and the parties are in negotiations. Agency staff has recommended to the Commission that the date for compliance with the MOU execution condition be sixty (60) days after approval by the Regional Water Quality Control Board ("RWQCB") of the Risk Management Plan ("RMP") for Mission Bay described in Attachment K.

9. Prior to and on the same date as the consideration of this Resolution, the Agency made certain findings in accordance with the California Environmental Quality Act, and such findings are hereby incorporated as though fully set forth herein.

RESOLUTION

ACCORDINGLY, IT IS RESOLVED by the Redevelopment Agency of the City and County of San Francisco that the N2 Major Phase Submission is hereby approved substantially in the form lodged with Agency General Counsel and dated May 5, 1999, subject to satisfaction of the conditions included in Exhibit A hereto; and

FURTHER RESOLVED, that the Agency hereby: (i) extends the date for execution of an MOU pursuant to North OPA Attachment K, Article IV.A.3.b, until sixty (60) days after approval by the RWQCB of the RMP; (ii) authorizes the Executive Director to execute such MOU on behalf of the Agency; and (iii) authorizes the Executive Director to take any and all actions that are necessary or proper to implement the MOU and accomplish the transfer of the Affordable Housing Parcel.

APPROVED AS TO FORM:



Robert A. Firehock
Acting Agency General Counsel

EXHIBIT A

(N2 Major Phase)

1. Streetscape. Owner shall submit to the Arts Commission and Redevelopment Commission streetscape surface drawings of Block N2 which depict the application of the design standards and guidelines in the North Plan Area Streetscape Master Plan as it applies to Block N2 for street tree planting, street lighting fixtures, street furnishings and paving materials ("Streetscape Drawings"). The Streetscape Drawings shall be submitted no later than sixty (60) days after this approval of the Block N2 Major Phase Concept Plan, and shall be consistent with the North Plan Area Streetscape Master Concept Plan ("Concept Plan") as approved by the Agency Commission on May 11, 1999, and the North Plan Area Streetscape Master Design Detail Plan ("Design Detail Plan") required by Exhibit A to the Concept Plan, as approved. Submittal of construction Improvement Plans for street surface improvements covered by the Design Detail Plan and the Streetscape Drawings is subject to approval by the Agency Commission of the Design Detail Plan submitted in accordance with such Exhibit A and the Streetscape Drawings.

2. Mid-Block Walkway. Design review and development of the Mid-Block Walkway shall be completed prior to or in connection with the design review and development of Parcel 3.