

RESOLUTION NO. 81-2011

Adopted June 21, 2011

AUTHORIZING A FIRST AMENDMENT TO THE GROUND LEASE AGREEMENT WITH THE CITY AND COUNTY OF SAN FRANCISCO TO CHANGE THE PERMITTED USES AND RELATED TERMS TO ALLOW FOR NON-PARKING USES ON A PORTION OF ASSESSOR'S PARCEL 831, LOT 24, KNOWN AS CENTRAL FREEWAY PARCEL O; CITYWIDE TAX INCREMENT HOUSING PROGRAM

BASIS FOR RESOLUTION

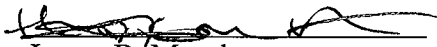
1. On March 19, 2002, the Redevelopment Agency of the City and County of San Francisco (the "Agency") and the City and County of San Francisco (the "City") executed a Transfer of Real Estate Agreement, to transfer seven Central Freeway parcels to the Agency for the express purpose of developing affordable housing. This transfer included certain real property consisting of parcels known as Parcels A, C, G, K, O, Q, and U.
2. Subsequently, the Agency executed a Ground Lease (the "Ground Lease") with the City, authorized by Resolution No. 38-2002, adopted February 26, 2002, concerning the lease of a portion of Block 831, Lot 24, (the "Premises"), known as Central Freeway Parcel O, on a month-to-month term for the parking uses and for use as a staging area for construction purposes in connection with the City's Octavia Boulevard Project.
3. The Premises have been designated as a future site for housing development as part of the Agency's Citywide Tax Increment Housing Program.
4. The City owns the property known as Central Freeway Parcel P ("Parcel P"), which is adjacent to the Premises, and has entered into an agreement with San Francisco Parks Trust and the Hayes Valley Farm ("City's Tenant") to allow for the installation of a temporary community garden on Parcel P.
5. Due to the contiguous nature of the Premises and Parcel P, and the lack of any boundary between the two parcels, the City's Tenant has expanded their gardening operation on to the Premises, which is not a permitted use under the Ground Lease.
6. The City has requested that terms of the Lease be amended to allow for uses other than parking or construction staging in order to bring their tenancy of the Premises into compliance with our Ground Lease.
7. The Agency and the City desire to modify certain terms of the Ground Lease and are entering into a First Amendment to the Ground Lease (the "First Amendment").

8. Agency authorization of the First Amendment to the Ground Lease Agreement will allow for interim, non-parking uses on Central Freeway Parcel O, which may result in minor alterations to land and/or temporary placement of minor structures. The activities would not result in a significant adverse change in the physical environment and are categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Sections 15304 and 15311.

RESOLUTION

ACCORDINGLY, IT IS RESOLVED by the Redevelopment Agency of the City and County of San Francisco that the Executive Director is authorized to execute a First Amendment to the Ground Lease Agreement with the City and County of San Francisco, a municipal corporation, to change the permitted uses and related terms to allow for non-parking uses for a portion of Assessor's Parcel 831, Lot 24, known as Central Freeway Parcel O, substantially in the form lodged with the Agency General Counsel.

APPROVED AS TO FORM:


James B. Morales
Agency General Counsel