RESOLUTION NO. 35-2001
Adopted February 27, 2001

APPROVING THE AMENDED BLOCK N2 MAJOR PHASE FOR PART OF THE SITE BOUNDED BY KING, BERRY, THIRD AND FOURTH STREETS, PURSUANT TO AN OWNER PARTICIPATION AGREEMENT WITH CATPELLUS 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 the Redevelopment Plan for the Mission Bay North Redevelopment Project Area ("Plan"). On the same date, the Agency adopted related documents, including Resolution No. 188-98 authorizing execution of an Owner Participation Agreement ("North OPA") and related documents between Catellus Development Corporation, a Delaware corporation ("Catellus"), 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, designated as Attachment G to the North OPA ("DRDAP"), provide that development proposals in Mission Bay North will be reviewed and processed in Major Phases, as defined in and consistent with the Plan and the Plan Documents. Submission of design plans and documents for any specific building ("Project") must be consistent with the requirements established for each Major Phase. The DRDAP sets forth the review and approval process for Major Phases and Projects.

3. The DRDAP provides that if a Project application deviates materially from a Major Phase already approved, an amended Major Phase application must be submitted in accordance with the review and approval process for Major Phases and Projects.

4. On May 11, 1999, the Agency took the following related actions:

   A. Adopted Resolution No. 56-99, which found that the potential environmental impacts of the Block N2 Major Phase were within the scope of impacts discussed in the Final Subsequent Environmental Impact Report (FSEIR) certified on September 17, 1998, by the Agency (Resolution No. 182-98) and the San Francisco Planning Commission (San Francisco Planning Commission Resolution No. 14696).

   B. Adopted Resolution No. 57-99 which approved the Block N2 Major Phase Submission.
5. Pursuant to the Plan and Plan Documents, including the DRDAP, Catellus submitted an application to amend the Major Phase proposal for Block N2, which changes the proposed development program for Parcel 1, one of the three development parcels on Block N2, to permit land use and development program changes. These changes are for the reduction of the maximum proposed retail development from 60,000 square feet to 10,000 square feet, and addition of residential development consisting of a maximum of 40 residential units to be built on Parcel 1, while retaining the proposed development of approximately 24,000 square feet of office space. The application was deemed complete on December 1, 2000, pursuant to the DRDAP.

6. The FSEIR is a program EIR as defined by State CEQA Guidelines Section 15168, prepared for the Mission Bay North Redevelopment Plan pursuant to State CEQA Guidelines Section 15180. Approval of the amended Block N2 Major Phase is an undertaking pursuant to and in furtherance of such Plan in conformance with Section 15180 (“Implementing Action”).

7. The Agency has reviewed the proposal to amend the Block N2 Major Phase, in accordance with the DRDAP, and finds the amended Major Phase proposal acceptable.

8. The Agency finds and determines that the amended Block N2 Major Phase proposal is an Implementing Action whose environmental impacts are within the scope of those analyzed in the FSEIR certified on September 17, 1998, by the adoption of Agency Resolution No. 182-98 and San Francisco Planning Commission Resolution No. 14696, which findings are incorporated by this reference. The Agency also finds and determines that none of the conditions described in State CEQA Guidelines Section 15162, subdivision (a), and Section 15163 has occurred. Hence, no additional environmental review or documentation is required.

RESOLUTION

ACCORDINGLY, IT IS RESOLVED by the Redevelopment Agency of the City and County of San Francisco that the proposal for the amended Block N2 Major Phase is hereby approved pursuant to the Design Review and Document Approval Procedure and other provisions of the Mission Bay North Owner Participation Agreement with Catellus Development Corporation, and the Redevelopment Plan for the Mission Bay North Redevelopment Project Area.

APPROVED AS TO FORM:

Bertha A. Ontiveros
Agency General Counsel