RESOLUTION NO.  55–2001

Adopted April 3, 2001

AUTHORIZING THE EXECUTIVE DIRECTOR TO RE-ENTER
EXCLUSIVE NEGOTIATIONS WITH ASIAN, INC.,
FOR THE DISPOSITION OF AN AGENCY OWNED PARCEL
AT 474 NATOMA STREET TO DEVELOP AFFORDABLE HOUSING
FOR FIRST TIME HOMEBUYERS; SOUTH OF MARKET
EARTHQUAKE RECOVERY REDEVELOPMENT PROJECT AREA

BASIS OF RESOLUTION

1. The Redevelopment Agency of the City and County of San Francisco ("Agency") offered the property at 474 Natoma Street (the "Site") under a Request for Proposals ("RFP") issued February 22, 2000 for the purchase and development of the Site as affordable housing for first time homebuyers.

2. Pursuant to Section II of the RFP and the review, analysis and evaluation by Agency staff of the RFP responses submitted, the Agency Commission selected Asian, Inc. ("Developer") to negotiate with exclusively for the purchase and development of the Site, and issued a 90-day Exclusive Negotiations Resolution (ENR) by Resolution No. 75-2000 on May 23, 2000.

3. The ENR required the Developer to perform certain tasks and complete negotiations for a Disposition and Development Agreement ("DDA") within the ENR period. The Developer has substantially completed all required tasks, except with respect to finalization of a project budget and negotiation of the DDA.

4. In light of the progress the Developer has made on the development to date, and the impending completion of the DDA negotiations, including budget approval, the Agency staff recommends re-entering exclusive negotiations with the Developer for an additional 60-day period, pursuant to Section V(A) of the RFP.

5. The disposition of the Site will be subject to the approval of the Agency Commission after public hearing, as required by law.

RESOLUTION

ACCORDINGLY, IT IS RESOLVED BY THE REDEVELOPMENT AGENCY OF
THE CITY AND COUNTY OF SAN FRANCISCO THAT:

1. The Executive Director is authorized to re-enter Exclusive Negotiations with Asian, Inc., for a period of 60 days, until June 4, 2001, for the purchase and development of the property at 474 Natoma Street.
2. Exclusive Negotiations shall expire if the requirements of subparagraphs 3(a) through 3(l) below have not been met by the date specified, unless extended by the Executive Director. In any event, Exclusive Negotiations shall expire at 5:00 p.m. on June 4, 2001, unless extended by the Commission or the Executive Director pursuant to the terms of Paragraph 4 below.

3. The Developer, as part of the Exclusive Negotiations and as a condition precedent to the Agency’s consideration of the DDA at or after the public hearing shall, within the time specified:

   (a) By no later than April 15, 2001, obtain a Permit to Enter to conduct on-site investigations of the Site.

   (b) By no later than April 15, 2001, submit for Agency approval a revised Sources & Uses budget with a hard construction cost estimate or construction cost comparables acceptable to the Agency.

   (c) By no later than April 15, 2001, submit for Agency approval a predevelopment budget.

   (d) By no later than April 15, 2001, apply to the Mayor’s Office of Housing for a development reservation of Mortgage Credit Certificates.

   (e) By no later than April 15, 2001, apply to the San Francisco Department of Public Health for case closure for the Underground Storage Tank removed from the Site in April 1993.

   (f) By no later than May 1, 2001, obtain a Geotechnical/Soils report for the Site prepared by a qualified consultant.

   (g) By no later than May 1, 2001, conduct soils testing for purposes of determining the quantity and cost, if any, of soil requiring off-haul due to total lead content.

   (h) By no later than May 1, 2001, provide to the Agency current, written conditional commitments of equity sources including short term and long term financing for the development.

   (i) By no later than May 15, 2001, submit, with Agency authorization, a Tentative Subdivision Map application to the San Francisco Department of Public Works.

   (j) By no later than May 15, 2001, provide to the San Francisco Department of City Planning all studies, reports and information necessary to obtain a Conditional Use Permit, statutory exemption from the California...
Environmental Quality Act, and City Planning design approval, including, but not limited to, shadow and wind studies.

(k) By no later than May 15, 2001, submit for Agency review and approval Schematic Drawings by the approved architect for the project.

(l) By no later than May 15, 2001, complete negotiations of a Disposition and Development Agreement for the purchase and development of the Site.

4. The Executive Director is further authorized to grant an extension of said Exclusive Negotiation Period, not to exceed thirty (30) days from June 4, 2001, if the Developer has executed a Disposition and Development Agreement, and such additional extension is deemed necessary and appropriate by the Executive Director to permit the Agency to comply with statutory public notice requirements.

5. As a condition to the effectiveness of said Negotiations, the Developer shall execute a written acceptance thereof on a copy of this Resolution and file it with the Agency within fifteen (15) days of the adoption of this Resolution.

APPROVED AS TO FORM:

[Signature]

Bertha A. Ontiveros
Agency General Counsel