

**RESOLUTION NO. 78-2002**

Adopted May 14, 2002

**AUTHORIZING AN AMENDED OWNER PARTICIPATION AGREEMENT AND SECOND AMENDMENT TO THE AGREEMENT FOR DISPOSITION OF LAND FOR PRIVATE DEVELOPMENT WITH 1210 SCOTT STREET, LLC, A DELAWARE LIMITED LIABILITY COMPANY, FOR THE RENOVATION AND CONSTRUCTION OF THE PROPERTY LOCATED AT 1210 SCOTT STREET, BOUNDED BY SCOTT, PIERCE, ELLIS AND EDDY STREETS; WESTERN ADDITION REDEVELOPMENT PROJECT AREA A-2**

**BASIS FOR RESOLUTION**

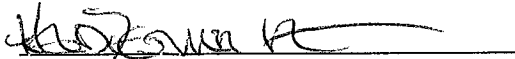
1. On August 14, 1973, by Resolution No. 170-73, the Redevelopment Agency of the City and County of San Francisco (the "Agency") authorized the execution of an Owner Participation Agreement ("OPA"), and an Agreement for Disposition of Land for Private Development (the "LDA") with the California College of Podiatric Medicine, a California corporation (the "College"), for the development of Agency Disposition Parcels 729-A, 729-A-1, and 729-B, being portions of Lot 44 of Assessor's Block 729 (the "Site") in the Western Addition Redevelopment Project Area A-2.
2. The Agency issued to the College two Certificates of Completion of Improvements both dated December 29, 1975, of which one Certificate certified completion of the College's Phase I development obligations contemplated under the LDA; and, the other Certificate acknowledged completion of the College's improvements contemplated under the OPA.
3. On May 20, 1980, by Agency Resolution No. 134-80, a First Amendatory Agreement to the LDA postponed the commencement of the Phase Two construction on this Site.
4. The College did not complete the Phase II development and reconveyed the undeveloped Parcels 729-A-1 and 729-B, containing 20,250 square feet (the "Current Agency Parcels") back to the Agency in August 2001.

5. Concurrent with the conveyance of the Current Agency Parcels to the Agency, the College conveyed the remainder of its property containing 88,237 square feet to 1210 Scott Street, LLC, a Delaware limited liability company, organized by Keren Keshet, The Rainbow Foundation, a New York not-for-profit corporation (the "Owner").
6. The Owner plans to rehabilitate and develop the Site as a private, coeducational high school facility in accordance with the Redevelopment Plan of the Western Addition Redevelopment Project Area A-2.
7. The Owner and the Agency desire to enter into an Amended Owner Participation Agreement and Second Amendment to the Agreement for Disposition of Land for Private Development ("Amended OPA") in connection with rehabilitation, reconstruction and new construction on the Site.
8. The proposed rehabilitation, as well as development project proposed by the Amended OPA and the Master Plan are exempt from environmental review requirements pursuant to the Class 2, Class 5 and Class 14 categorical exemptions from CEQA, since the proposed development site will result in little or no increase in student capacity and the proposed development is consistent with the Western Addition A-2 Redevelopment Plan.

#### RESOLUTION

**ACCORDINGLY, IT IS RESOLVED** by the Redevelopment Agency of the City and County of San Francisco, that the Executive Director is authorized to enter into and execute an Amended Owner Participation Agreement and Second Amendment to the Agreement for Disposition of Land for Private Development with 1210 Scott Street, LLC, a Delaware limited liability company, for the renovation and construction of the property located at 1210 Scott Street, bounded by Scott, Ellis and Eddy Streets in the Western Addition Redevelopment Project Area A-2, substantially in the form lodged with Agency General Counsel.

**APPROVED AS TO FORM:**



*see* Bertha A. Ontiveros  
Agency General Counsel