RESOLUTION NO. 25-2004

Adopted February 17, 2004

ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING THE BLOCK 8-10A MAJOR PHASE SUBMISSION IN THE MISSION BAY SOUTH REDEVELOPMENT PROJECT AREA PURSUANT TO AN OWNER PARTICIPATION AGREEMENT WITH CATELLUS DEVELOPMENT CORPORATION; MISSION BAY SOUTH REDEVELOPMENT PROJECT AREA

BASIS FOR RESOLUTION

1. On September 17, 1998, by Resolution No. 190-98, the Redevelopment Agency of the City and County of San Francisco (the “Agency”) approved a proposed Redevelopment Plan for the Mission Bay South Redevelopment Project Area (the “Plan”). On the same date, the Agency adopted related documents, including Resolution No. 193-98 authorizing execution of an Owner Participation Agreement (the “South OPA”) and related documents between Catellus Development Corporation (“Catellus”) and the Agency. The Plan and its implementing documents, as defined in the Plan, constitute the “Plan Documents.”

2. The Agency and the Planning Department, together acting as co-lead agencies for conducting environmental review for the Plan, the South OPA and other permits, approvals and related and collateral actions (the “Project”), prepared and certified a Final Subsequent Environmental Impact Report (“FSEIR”). On September 17, 1998, the Agency adopted Resolution No. 182-98 which certified the FSEIR for the Project, and adopted Resolution No. 183-98, which adopted environmental findings (and a statement of overriding considerations), pursuant to the California Environmental Quality Act (“CEQA”) and State Guidelines in connection with the approval of the Plan, the South OPA, and other Project approvals.

3. The San Francisco Planning Commission certified the FSEIR by Resolution No. 14696 on September 17, 1998.

4. On October 19, 1998, the Board of Supervisors adopted Motion No. 98-132 affirming certification of the FSEIR by the Planning Commission and the Agency, and Resolution No. 854-98 adopting environmental findings (and a statement of overriding considerations).

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

6. Pursuant to the Plan and Plan Documents, including the DRDAP, Catellus submitted a Major Phase application for the development of Blocks 8, 9, 9a, 10, and 10a ("Blocks 8-10a"), which was deemed complete on December 17, 2003 and which, as revised to incorporate minor changes, is dated February 10, 2004 (the "Major Phase Submission").

7. Concurrently herewith, certain changes to the Design for Development for the Mission Bay South Redevelopment Plan Area were adopted by Resolution No. 21-2004. Those changes were required, among other things, to accommodate the Block 8-10a Major Phase Submission, which provides for the development of two towers on Block 10, Parcel 1 with floor plates of a maximum of 7,775 square feet each and building heights of a maximum of 160 feet each.

8. Agency staff has analyzed the potential environmental impacts of the Amendment to the Design for Development as documented in the Addendum to the FSEIR, dated February 10, 2004. The Addendum analyzed the environmental effects of the Amendment to the Design for Development and any potential changes in circumstances since the FSEIR and concluded that the Amendment to the Design for Development does not require a Supplemental or Subsequent EIR, and that no new information has been presented which indicates the potential for new significant environmental impacts or any substantial increase in the severity of previously identified significant effects. Environmental findings for the Design for Development Amendment were adopted by Agency Resolution No. 21-2004 prior to the consideration of this resolution.

9. The FSEIR is a program EIR under CEQA Guidelines Section 15168 and a redevelopment plan EIR under CEQA Guidelines Section 15180. Approval of the Major Phase Submission is an undertaking pursuant to and in furtherance of the Plan in conformance with Section 15180 (the "Implementing Action").

10. In accordance with the Plan and Plan Documents, Agency staff has reviewed the Block 8-10a Major Phase Submission and found it acceptable.

FINDINGS

The Agency finds and determines that the Implementing Action is within the scope of the Project analyzed in the FSEIR and no new environmental documentation is required for the following reasons:

1. The Implementing Action does not incorporate modifications into the Project analyzed in the FSEIR, and will not require important revisions to the FSEIR due
to the involvement of new significant environmental effects or a substantial increase in the severity of previously-identified significant effects.

2. No substantial changes have occurred with respect to the circumstances under which the Project analyzed in the FSEIR was undertaken which would require major revisions to the FSEIR due to the involvement of new significant environmental effects, or a substantial increase in the severity of effects identified in the FSIER.

3. No new information of substantial importance to the Project analyzed in the FSEIR has become available which would indicate (a) the Implementing Action will have significant effects not discussed in the FSEIR; (b) significant environmental effects will be substantially more severe; (c) mitigation measures or alternatives found not feasible which would reduce one or more significant effects have become feasible; or (d) mitigation measures or alternatives which are considerably different from those in the FSEIR will substantially reduce one or more significant effects on the environment.

RESOLUTION

ACCORDINGLY, IT IS RESOLVED by the Redevelopment Agency of the City and County of San Francisco that the Findings incorporated herein are hereby adopted and the Block 8-10a Major Phase Submission is approved.

APPROVED AS TO FORM:

[Signature]
James B. Morales
Agency General Counsel