RESOLUTION NO. 34-2004

Adopted March 16, 2004

ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND AUTHORIZING AN AMENDMENT TO THE MISSION BAY SOUTH DESIGN FOR DEVELOPMENT TO INCREASE THE MAXIMUM PARKING TO 2 SPACES PER 1,000 GROSS SQUARE FEET OF LIFE SCIENCES/BIOTECHNOLOGY SPACE; MISSION BAY SOUTH REDEVELOPMENT PROJECT AREA

BASIS FOR RESOLUTION


2. The conditions to the effectiveness of Resolution No. 191-98 were satisfied by the final adoption of the Board of Supervisors of the City and County of San Francisco adopting Ordinance No. 335-98 adopting the Mission Bay South Redevelopment Plan (the "Plan").

3. The Agency Commission is currently considering the following actions: (a) this Resolution No. 34-2004 Authorizing an Amendment to the Mission Bay South Design for Development that would increase the maximum permitted parking ratio from 1 to 2 spaces per 1,000 gross square feet for up to 1,734,000 gross square feet of life sciences, biotechnology, biomedical and similar research facility uses (the "Amendment"); and (b) Resolution No. 35-2004 Authorizing a second amendment to the Mission Bay North Owner Participation Agreement (the "North OPA"). Collectively, the Amendment and the second amendment to the North OPA are hereinafter referred to as the "Actions."

4. In connection with the September 17, 1998 Mission Bay approvals, the Agency Commission and the San Francisco Planning Department, together acting as co-lead agencies for conducting environmental review for the Redevelopment Plan for the North Project Area and the South Project Area (collectively, the "Plans"), the North OPA and the Mission Bay South Owner Participation Agreement (collectively, the "OPAs"), and other permits, approvals and related and collateral actions (the "Project"), prepared and certified a Final Subsequent Environmental Impact Report ("FSEIR").
5. On September 17, 1998, the Agency Commission 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 environmental considerations), pursuant to the California Environmental Quality Act ("CEQA") and State Guidelines in connection with the approval of the Plans, the OPAs, and other Project approvals.

6. The FSEIR, findings of significant impacts, and overriding considerations adopted by the Agency Commission by Resolution No. 183-98 dated September 17, 1998, reflected the independent judgment and analysis of the Agency, were adequate, accurate and objective and were prepared and adopted following the procedures required by CEQA, and the findings in such resolution are incorporated herein by reference as applicable to the Actions.

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

8. 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 Commission, and Resolution No. 854-98 adopting environmental findings and a statement of overriding considerations.

9. Agency staff and consultants have analyzed the potential environmental impacts of the Actions as documented in an addendum to the FSEIR dated March 9, 2004 (the "Addendum"), which was prepared and reviewed in compliance with CEQA and reflects the independent judgment and analysis of the Agency. The Addendum analyzed the environmental effects of the Actions and any potential changes in circumstances since the FSEIR and concluded that the Actions do 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.

10. Documents related to the Actions, the FSEIR files, and the Addendum have been made available for review by the Agency Commission and the public, and these files are part of the record before the Agency Commission.

11. The FSEIR is a program EIR under CEQA Guidelines Section 15158 and a redevelopment plan EIR under CEQA Guidelines Section 15180. The Actions are an undertaking pursuant to, and in furtherance of, the plan pursuant to CEQA Guidelines Section 15180.
12. Agency staff have reviewed and considered the proposed Amendment, the FSEIR, the Addendum and other information contained in the Agency's files and find them acceptable and recommend approving the Amendment as the same has been described herein.

FINDINGS

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

1. The Actions do 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 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 FSEIR.

3. No new information of substantial importance to the Project analyzed in the FSEIR has become available which would indicate that (a) the Actions 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 (1) that it has reviewed and considered the FSEIR and the Addendum and hereby adopts the Findings set forth herein; and (2) that the Executive Director is authorized to amend the Design for Development in the manner set forth in Exhibit A hereto.

APPROVED AS TO FORM:

[Signature]

James B. Morales
Agency General Counsel
EXHIBIT A

MISSION BAY SOUTH; AMENDMENT TO DESIGN FOR DEVELOPMENT
Parking

The number of off-street parking spaces required and/or allowed for uses within Mission Bay North shall be as prescribed in the table included herein. Parking calculations shall be based on the total aggregate anticipated square footage by structure rather than applied to any single tenant. When the calculation of off-street parking spaces results in a fractional number, it must be adjusted to the closest whole number of spaces.

- Parking for residential and retail uses shall be screened from view of pedestrians. (See guidelines for recommended methods).

- One secure bicycle parking space must be provided for every 20 vehicular parking spaces or fraction thereof.

- The entrance to any offsite parking facility shall not be more than 600' from the entrance to the building in which units are located.

- Rooftop parking in residential and mixed-use areas shall be screened from views of above utilizing such methods as landscaping, trellises or structures.

- The required ratio of compact spaces to standard size spaces is 50%.

- The minimum size requirement for parking spaces is: compact = 127.5 s.f.; standard = 160 s.f.
<table>
<thead>
<tr>
<th>Use</th>
<th>Number of Parking Spaces</th>
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<tbody>
<tr>
<td>Residential</td>
<td>Maximum of one space for each dwelling unit</td>
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<tr>
<td>Retail (Excepting specific uses addressed below)</td>
<td>Maximum of one space for each 500 square feet of gross floor area up to 20,000 square feet, plus one space for each 250 square feet in excess of 20,000 square feet.</td>
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<tr>
<td></td>
<td>For retail greater than 20,000 square feet, the minimum amount of parking required is 75% of the maximum number of parking spaces allowed.</td>
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<tr>
<td></td>
<td>For retail greater than 50,000 gross square feet, a ratio could be established by the Redevelopment Agency based on development specific parking demand and not to exceed 10% greater than the limit stated herein.</td>
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<tr>
<td>Restaurants, bars, clubs, pool hall, dance hall, or similar enterprise.</td>
<td>Maximum of one space for each 200 square feet of gross floor area, where the occupied floor area exceeds 5,000 square feet.</td>
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<tr>
<td></td>
<td>For these uses greater than 20,000 square feet, the minimum amount of parking required is 75% of the maximum number of parking spaces allowed.</td>
</tr>
<tr>
<td>Commercial Industrial</td>
<td>Maximum of one space for each 1,000 square feet of gross floor area shall be provided (maximum and minimum); except that two spaces for each 1,000 square feet of gross floor area shall be permitted for up to 1,734,000 feet of gross floor area of life sciences, biotechnology, biomedical, or similar research facility uses.*</td>
</tr>
<tr>
<td>Commercial Industrial Retail</td>
<td>Commercial Industrial uses subject to Commercial Industrial standards Retail subject to applicable Retail standards.</td>
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<tr>
<td>Theater</td>
<td>Maximum of one space for each eight seats up to 1,000 seats where the number of seats exceeds 50 seats, plus one for each 10 seats in excess of 1,000 seats. The minimum amount of parking required is 75% of the maximum number of parking spaces allowed.</td>
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</tbody>
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* For purposes of this parking provision only, "life sciences, biotechnology, biomedical or similar research facility uses" shall refer to any structure occupied primarily for such use or uses; provided, however, that any structure occupied primarily for administrative functions shall be subject to the one space per 1,000 square feet of floor area standard.