RESOLUTION NO. 154-2005

Adopted October 4, 2005

ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT IN CONNECTION WITH THE APPROVAL OF THE COMBINED BASIC CONCEPT AND SCHEMATIC DESIGN FOR A 268 UNIT RESIDENTIAL PROJECT ON PARCEL 1 OF BLOCK N4 IN THE MISSION BAY NORTH REDEVELOPMENT PROJECT AREA, PURSUANT TO AN OWNER PARTICIPATION AGREEMENT WITH FOCIL-MB, LLC; MISSION BAY NORTH REDEVELOPMENT PROJECT AREA

BASIS FOR RESOLUTION

1. The Redevelopment Agency of the City and County of San Francisco (the "Agency") and the San Francisco Planning Department, together acting as co-lead agencies for conducting environmental review for the Redevelopment Plan for the Mission Bay North Redevelopment Project Area and the Redevelopment Plan for the Mission Bay South Redevelopment Project Area (the "Plans"), the Mission Bay North Owner Participation Agreement and the Mission Bay South Owner Participation Agreement (the "North OPA" and "South OPA"), and other permits, approvals and related and collateral actions (the "Project"), prepared and certified a Final Subsequent Environmental Impact Report (including addenda thereto, collectively referred to as the "FSEIR"). The Plan and its implementing documents, as defined in the Plan, constitute the "Plan Documents." The Plan and the Plan Documents include the North Design for Development and South Design for Development and the North Design Review and Document Approval Procedure and the South Design Review and Document Approval Procedure (the "North DRDAP" and "South DRDAP").

2. 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 environmental considerations), pursuant to the California Environmental Quality Act ("CEQA") and State CEQA Guidelines in connection with the approval of the Plans, OPAs, and other Project approvals.

3. The San Francisco Planning Commission ("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 Agency Commission is currently considering the following action related to the Project: conditionally approving the Combined Basic Concept and Schematic Design for a 268 unit market rate condominium project on Parcel 1 of Block N4 in the Mission Bay North Redevelopment Project Area (the "Action").

6. The Agency has issued several addenda to the FSEIR. The first Addendum, dated March 21, 2000, analyzed temporary parking lots to serve the ballpark. The second, dated June 20, 2001, analyzed revisions to 7th Street bike lanes and relocation of a storm drain outfall provided for in the Mission Bay South Infrastructure Plan, a component of the South OPA. The third, dated February 10, 2004, analyzed revisions to the Mission Bay South Design for Development with respect to the maximum allowable number of towers, tower separation and requires step-backs. The fourth, dated March 9, 2004, analyzed the Mission Bay South Design for Development with respect to the permitted maximum number of parking spaces for bio-technical and similar research facilities and the North OPA with respect to changes to reflect a reduction in permitted commercial development and associated parking.

7. On March 17, 2005, the Regents of the University of California ("The Regents") certified a Final Environmental Impact Report for the University of California San Francisco Long Range Development Plan Amendment #2 ("LRDP #2 FEIR"). The LRDP #2 FEIR analyzed several proposed scenarios for hospital facilities in San Francisco including hospital facilities of various sizes and locations in Mission Bay. On March 17, 2005, The Regents approved amendments to the Long Range Development Plan ("LRDP") that provide for development of three integrated specialty hospitals with about 210 beds at Mission Bay by 2012 while maintaining about 600 beds at Parnassus Heights during the LRDP phase. The amendments additionally call for UCSF acquisition of property in the Mission Bay South Plan area, specifically, Blocks 36-39 and X-3.

8. Agency staff has prepared a fifth Addendum ("Addendum #5") to the Mission Bay FSEIR that considers the conclusions reached in the LRDP #2 FEIR compared to the prior Mission Bay FSEIR analysis. Agency staff prepared Addendum #5 in compliance with CEQA and the State Guidelines and it reflects the independent judgment and analysis of the Agency. Addendum #5 explains that of the hospital scenarios analyzed in the LRDP #2 FEIR, the reasonably foreseeable scenario in the Mission Bay area is the up to 400-bed hospital facility scenario in the Mission Bay South Plan area located on Blocks 36-39 and X-3, as approved by The Regents in the March 17, 2005 LRDP amendment. All of the impacts identified in the LRDP #2 FEIR that would occur from hospital facilities in Mission Bay were either identified in the Mission Bay FSEIR, would affect only areas outside of Mission Bay, or would occur only from one of the hospital scenarios considered but not
approved by The Regents and are not reasonably foreseeable at this time. Therefore, Addendum #5 concludes that the LRDP #2 FEIR, in light of The Regent's approval actions, does not identify any new significant impacts or a substantial increase in the severity of previously identified significant effects that alter the conclusions reached in the Mission Bay FSEIR.

9. Agency staff, in making the necessary findings for the Action contemplated herein, considered and reviewed the FSEIR, and has made documents related to the Action, the FSEIR files (including Addendum #5), available for review by the Agency Commission and the public, and these files are part of the record before the Agency Commission.

10. The FSEIR is a program EIR under CEQA Guidelines Section 15168 and a redevelopment plan EIR under CEQA Guidelines Section 15180. The Action is an undertaking in pursuant to and in furtherance of the Plan in conformance with CEQA Guidelines Section 15180.

11. 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 and remain 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 Action.

FINDINGS

The Agency finds and determines that the Action is within the scope of the Project analyzed in the FSEIR and is exempt from additional environmental review requirements pursuant to State CEQA Guidelines Sections 15180, 15162 and 15163 for the following reasons:

1. The Action does not incorporate substantial changes into the Project analyzed in the FSEIR, and will not require major 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 FSEIR.

3. No new information of substantial importance to the Project analyzed in the FSEIR has become available which would indicate that (a) the 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 HEREBY RESOLVED by the Redevelopment Agency of the City and County of San Francisco that it has reviewed and considered the FSEIR (including any Addenda) and hereby adopts the Findings incorporated herein.

APPROVED AS TO FORM:

[Signature]
James B. Morales
Agency General Counsel