

RESOLUTION NO. 137-2006

Adopted October 3, 2006

APPROVING REVISIONS TO THE SOUTH PLAN AREA STREETSCAPE MASTER PLAN FOR THE MISSION BAY SOUTH REDEVELOPMENT PROJECT AREA, AND ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; 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 ("Agency") approved the Redevelopment Plan for the Mission Bay South Redevelopment Project Area ("Plan"). On the same date, the Agency adopted related documents, including Resolution No. 193-98 authorizing execution of an Owner Participation Agreement ("South OPA") and related documents between Catellus Development Corporation, a Delaware corporation ("Catellus"), and the Agency. On November 2, 1998, the San Francisco Board of Supervisors ("Board of Supervisors"), by Ordinance 335-98, adopted the Plan. The Plan and its implementing documents, as defined in the Plan, constitute the "Plan Documents."
2. On September 17, 1998, the Agency adopted Resolution No. 182-98 which certified the Final Subsequent Environmental Impact Report (including any addenda thereto, hereinafter collectively referred to as the "FSEIR") as a program EIR for Mission Bay North and South pursuant to the California Environmental Quality Act ("CEQA") and State CEQA Guidelines Section 15180. On the same date the Agency also adopted Resolution No. 183-98, which adopted environmental findings (and a statement of overriding considerations), in connection with the approval of the Plan and other Mission Bay project approvals. The San Francisco Planning Commission ("Planning Commission") certified the FSEIR by Resolution No. 14696 on the same date. 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.
3. The Plan and Plan Documents, including the Design Review and Document Approval Procedure ("DRDAP"), Attachment G to the South OPA, provide that development proposals in the South Plan Area will be reviewed and processed in certain development phases, or Major Phases. The DRDAP sets forth the review and approval process for Major Phases. The DRDAP requires approval of a Streetscape Master Plan for the entire South Plan Area concurrent with, or prior to, the approval of the first Major Phase in the South Plan Area.

4. Pursuant to the Plan and Plan Documents, including the DRDAP, Catellus submitted a South Plan Area Streetscape Master Plan, which submission was deemed complete on October 12, 1999.
5. The Arts Commission has approval authority over certain portions of the South Plan Area Streetscape Master Plan as provided in the Mission Bay South Memorandum of Understanding between the Arts Commission and the Agency dated January 4, 1999. The Arts Commission approved the portions of the South Plan Area Streetscape Master Plan within its jurisdiction on December 6, 1999.
6. Agency staff reviewed the South Plan Area Streetscape Master Plan and found it acceptable. On January 13, 2000, the Agency approved the Streetscape Master Plan for Mission Bay South (Resolution No. 6-2000).
7. Catellus, the original master developer of the Mission Bay North and South Redevelopment Project Areas, has sold most of its remaining undeveloped land in Mission Bay to FOCIL-MB, LLC, ("FOCIL-MB"), a subsidiary of Farallon Capital Management, LLC, a large investment management firm. The sale encompasses approximately 71 acres of land in Mission Bay, and the remaining undeveloped residential parcels in Mission Bay South. FOCIL-MB has assumed all of Catellus's obligations under the South OPA and the Agency's Owner Participation Agreement for Mission Bay North (collectively, the "OPAs"), as well as all responsibilities under the related public improvement agreements and land transfer agreements with the City and County of San Francisco. FOCIL-MB is bound by all terms of the OPAs and related agreements, including the requirements of the affordable housing program, equal opportunity program, and design review process.
8. Since its adoption in 1999, the South Plan Area Streetscape Master Plan has been implemented in several sections of the Mission Bay South Redevelopment Project Area. Implementation has allowed Agency staff to assess the relative success of many of the approved design standards and recommend certain revisions to the Streetscape Master Plan for Mission Bay South, related to paving, lighting and most notably, the selected street tree species.
9. On September 18, 2006, FOCIL-MB submitted a Revised South Plan Area Streetscape Master Plan.
10. Agency staff has reviewed the Revised South Plan Area Streetscape Master Plan and finds it acceptable and recommends approval.
11. The FSEIR is a program EIR under CEQA Guidelines Section 15168 and a redevelopment plan EIR under CEQA Guidelines Section 15180. Approval of the Revised South Plan Area Streetscape Master Plan is an undertaking pursuant to and in furtherance of the Plan in conformance with CEQA Section 15180 ("Implementing Action").

12. Agency staff, in making the necessary findings for the Implementing Action contemplated herein, considered and reviewed the FSEIR and has made documents related to the Implementing Action and the FSEIR files available for review by the Agency Commission and the public, and these files are part of the record before the Agency Commission.
13. The FSEIR findings and statement of overriding considerations adopted in accordance with CEQA by the Agency Commission by Resolution No. 183-98 dated September 17, 1998, were and remain adequate, accurate and objective and are incorporated herein by reference as applicable to the Implementing Action.

FINDINGS

The Agency finds and determines that the Revised South Plan Area Streetscape Master Plan submission is an Implementing Action within the scope of the Project analyzed in the FSEIR and requires no additional environmental review pursuant to State CEQA Guidelines Sections 15180, 15162 and 15163 for the following reasons:

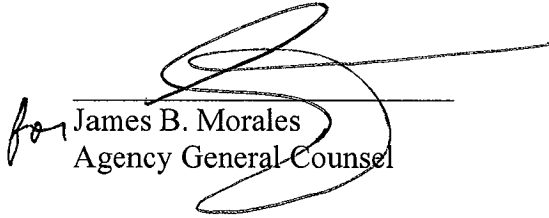
1. The Implementing Action does not incorporate substantial changes into the Project analyzed in the FSEIR and will not require major revisions to the FSEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
2. No substantial changes have occurred with respect to the circumstances under which the Project analyzed in the FSEIR was undertaken that 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 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 (1) that it has reviewed and considered the FSEIR findings and statement of overriding considerations and hereby adopts the CEQA Findings set forth in Resolution No. 183-98 incorporated herein and those set forth above; and (2) that the Revised South Plan Area Streetscape Master Plan for the Mission Bay South

Redevelopment Project Area is hereby approved pursuant to the Mission Bay South
Owner Participation Agreement with FOCIL-MB.

APPROVED AS TO FORM:


for James B. Morales
Agency General Counsel