

File No. 130297

Committee Item No. 2

Board Item No. 25

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date June 10, 2013

Board of Supervisors Meeting Date June 10, 2013

Cmte Board

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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Legislative Digest |
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| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | DPW Order No. 181147 |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Redevelopment Agency Ltr, dtd 1/30/12 |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | General Plan Referral Ltr, dtd 12/15/11 |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Offer of Improvements |
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Completed by: Alisa Miller Date June 7, 2013
Completed by: Alisa Miller Date June 13, 2013

1 [Improvements - Mission Bay Drive Extension Public Infrastructure]

2
3 **Ordinance accepting the irrevocable offer of public infrastructure improvements**
4 **associated with the Mission Bay Drive Extension, including acquisition facilities on**
5 **Mission Bay Drive, Mission Bay Circle, and a portion of Owens Street; accepting**
6 **additional property on a portion of Owens Street; declaring City property and additional**
7 **property as shown on official Department of Public Works maps as open public right-**
8 **of-way; dedicating such improvements for public use and designating such areas and**
9 **improvements for street and roadway purposes; establishing street grades and**
10 **sidewalk widths; accepting said facilities for City maintenance and liability purposes,**
11 **subject to specified limitations; adopting environmental findings and findings that**
12 **such actions are consistent with the General Plan, eight priority policy findings of**
13 **Planning Code, Section 101.1, and the Mission Bay South Redevelopment Plan;**
14 **accepting a Department of Public Works Order; and authorizing official acts in**
15 **connection with this Ordinance.**

16
17 Note: Additions are single-underline italics Times New Roman;
18 deletions are ~~striketrough italics Times New Roman~~.
19 Board amendment additions are double underlined.
20 Board amendment deletions are ~~striketrough normal~~.

21 Be it ordained by the People of the City and County of San Francisco:

22 Section 1. Findings.

23 (a) All capitalized terms relating to Mission Bay shall have the definitions ascribed to
24 them pursuant to the Mission Bay South Redevelopment Plan and Plan Documents described
25 therein, approved and adopted by the Board of Supervisors of the City and County of San

1 Francisco by Ordinance No. 335-98, on November 2, 1998, a copy of which is in the Clerk of
2 the Board of Supervisors File No. 981441.

3 (b) The San Francisco Redevelopment Agency, in a letter dated January 30, 2012,
4 determined that the acceptance of the Mission Bay Drive Extension Public Infrastructure
5 Improvements constructed pursuant to Permit #10IE-016, dated March 9, 2010 ("Project") and
6 other actions herein set forth are consistent with the Mission Bay South Redevelopment Plan
7 ("Plan") and Plan Documents described therein. A copy of the Redevelopment Agency letter
8 is on file with the Clerk of the Board of Supervisors in File No. 130297 and is incorporated
9 herein by reference.

10 (c) The San Francisco Planning Department, in a letter dated December 15, 2011,
11 determined that the acceptance of the Mission Bay Drive Extension Public Infrastructure
12 Improvements and other actions herein set forth are within the scope of the General Plan
13 consistency findings of Case No. 2011.1139R, the eight priority policies of Planning Code,
14 Section 101.1, and the contemplated actions do not trigger the need for subsequent
15 environmental review pursuant the California Environmental Quality Act (CEQA) (California
16 Public Resources Code, Sections 21000 et seq.). A copy of the Planning Department letter is
17 on file with the Clerk of the Board of Supervisors in File No. 130297 and is incorporated herein
18 by reference.

19 (d) In Department of Public Works (DPW) Order No. 181147 dated March 26, 2013,
20 including Map No. A-17-172, dated March 26, 2013, and the Drawing No. Q-20-715, dated
21 March 26, 2013, and entitled "Proposed Official Street Grades and Sidewalk Widths on
22 Mission Bay Drive, Mission Bay Circle and a Portion of Owens Street," the City Engineer and
23 Director of Public Works certified that: (i) FOCIL-MB, LLC ("Focil") has irrevocably offered the
24 Project Improvement facilities to the City ("Offer"), (ii) the Mission Bay Drive Extension Public
25 Infrastructure Improvements have been inspected and were certified as complete on March

1 26, 2013; (iii) the Project has been constructed in accordance with the Project Plans and
2 Specifications and all City codes, regulations, standards and Mission Bay South
3 Redevelopment Plan and Plan Documents governing this project and such Improvements are
4 ready for their intended use; (iv) the facilities are recommended for acceptance as acquisition
5 facilities; dedication as public right-of-way, dedication for public use and designation for street
6 and roadway purposes; establishment of street grades and sidewalk widths on Mission Bay
7 Drive, Mission Bay Circle and a portion of Owens Street, and (v) acceptance for City
8 maintenance and liability purposes, but excluding therefrom the sanitary sewer, storm drain,
9 low pressure water and auxiliary water supply system facilities located east of Mission Bay
10 Circle. These facilities have been excluded and are proposed for delayed acceptance. A
11 copy of the DPW Order, including official City maps, and Offer are on file with the Clerk of the
12 Board of Supervisors in File No.130297 and are incorporated herein by reference.

13 Section 2. Adoptions and Approvals.

14 (a) The Board of Supervisors adopts as its own the Redevelopment Plan consistency
15 findings of the San Francisco Redevelopment Agency in connection with the acceptance of
16 the Project and other actions set forth herein.

17 (b) The Board of Supervisors adopts as its own the General Plan and Planning Code,
18 Section 101.1, consistency findings and CEQA findings of the Planning Department in
19 connection with the Project and other actions set forth herein.

20 (c) The Board of Supervisors has reviewed and approves the City Engineer's
21 certification and Director's recommendation concerning the acceptance of the Focil
22 Irrevocable Offer of Improvements dated January 23, 2012, the Project; acceptance of said
23 facilities and Mission Bay Drive, Mission Bay Circle and Owens Street rights-of-way for City
24 maintenance and liability responsibilities; establishment of the street grades and sidewalk
25 widths; and other related actions, subject to Section 1 (d).

1 (d) Authority to accept the delayed public facilities specified in Section 1 (d) and to
2 acknowledge the Conditional Assignment of Warranties and Guaranties is hereby delegated
3 to the Director of Public Works acting on behalf of the Board of Supervisors to accept said
4 public facilities in the future together with the future public facilities on Mission Bay Drive,
5 located east of Mission Bay Circle, and Mission Bay Boulevard South as depicted in those
6 certain Public Improvement Plans entitled "The Infrastructure Plans for Block 11 and Block 12
7 at Mission Bay" ("Blocks 11 and 12 Infrastructure Plans") and will be constructed pursuant to
8 Street Improvement Permit No. 13IE-0198 in accordance with the Mission South Acquisition
9 Agreement and when facilities have been inspected and determined to be ready for their
10 intended uses by the Director of Public Works.

11 (e) The authority to accept an Irrevocable Offer of the Improvements for the delayed
12 public improvements and the delayed facilities specified in Section 1 (d) in the future together
13 with the future public facilities pursuant to the Blocks 11 and 12 Infrastructure Plans for
14 maintenance and liability purposes, designate future Mission Bay Drive and Mission Bay
15 Boulevard South as open right-of-way and establish street grades, when facilities have been
16 have been inspected and determined to be ready for their intended uses by the Director of
17 Public Works. Such acceptance shall be in accordance with the same limitations and
18 exceptions this Board has imposed on the public facilities accepted in this Ordinance.

19 Section 3. Acceptance of New Acquisition Facilities and Assumption of Maintenance
20 Responsibilities.

21 (a) The Board of Supervisors accepts the Focil Irrevocable Offer of Improvements
22 and Focil irrevocable Offer of Dedication of real property for additional right-of-way purposes,
23 including the acceptance of a Grant Deed. The Board of Supervisors hereby delegates
24 authority to the Director of Property to execute said Grant Deed.

1 (b) The Board of Supervisors approves Map No. A-17-172, and designates the areas
2 shown hatched on said Map No. A-17-172, to be open public right-of-way, and hereby directs
3 the Department of Public Works to revise the official City Street Right-of-Way Maps in
4 accordance with this Ordinance.

5 (c) Pursuant to California Streets and Highways Code, Section 1806 and San
6 Francisco Administrative Code, Sections 1.51 et seq., the Acquisition Agreement dated June
7 1, 2001, by and between the Redevelopment Agency of the City and County of San Francisco
8 and Catellus Development Corporation, a Delaware Corporation, and the Department of
9 Public Works Order No. 181147 dated March 26, 2013, the Board of Supervisors hereby
10 dedicates facilities described in the Focil Irrevocable Offer of Improvements for public use;
11 designates such facilities for street and roadway purposes; and accepts such facilities for City
12 maintenance and liability purposes, subject to the conditions listed in Section 1 (d) and
13 Section 2 (d). The Board's acceptance of improvements pursuant to this Subsection is for the
14 Mission Bay Drive Extension Infrastructure Improvements only and is subject to the warranty
15 obligations under the Mission Bay Drive Extension Public Improvements Permit No. 10IE-016.

16 (d) The Mission Bay Drive Extension Public Infrastructure Improvements accepted by
17 the Board pursuant to Subsections (b) and (c) are subject to the following: (1) the portions of
18 streets being accepted for street and roadway purposes are constructed from back of
19 sidewalk to back of median curb, unless specified otherwise or as shown on Project
20 Improvement Plans, (2) acceptance of project facilities for City maintenance and liability
21 purposes is from back of curb to back of curb, unless specified otherwise, (3) encroachments
22 that are permitted, not permitted, or both are excluded from acceptance, and (4) the
23 acceptance of the streets does not obviate, amend, alter, or in any way affect existing
24 maintenance agreements between the City and parties to such agreements.
25

1 (e) The Board of Supervisors hereby acknowledges Focil's Conditional Assignment of
2 Guaranties and Warranties in accordance with the related Street Improvement Permit and the
3 Mission Bay South Acquisition Agreement.

4 Section 4. Establishment of Street Grades.

5 (a) Notwithstanding California Streets and Highways Code, Sections 8000 et seq.,
6 the Board of Supervisors, in accordance with San Francisco Administrative Code, Sections
7 1.51 et seq., chooses to follow its own procedures for the establishment of street grades. The
8 Board of Supervisors hereby establishes the street grades for Mission Bay Drive, Mission Bay
9 Circle and a portion of Owens Street as set forth in Department of Public Works Order No.
10 181,147, Drawing No. Q-20-715, dated March 26, 2013, and hereby directs the Department of
11 Public Works to revise the Official City Street Grade Maps in accordance with this Ordinance.

12 Section 5. Establishment of Sidewalk Widths.

13 (a) In accordance with the recommendation in Department of Public Works Order No.
14 181147, Board of Supervisors Ordinance No. 1061, entitled Regulating the Width of
15 Sidewalks, a copy of which is in the Clerk of the Board of Supervisor's Book of General
16 Ordinances, in effect May, 11, 1910, is hereby amended by adding thereto a new section to
17 read as follows:

18 Section 1598. The width of sidewalks on Mission Bay Drive, Mission Bay Circle and a portion
19 of Owens Street shall be modified as shown on the Department of Public Works Drawing No. Q-
20 20-715, dated March 26, 2013.

21 (b) The street sidewalk widths established by the Board of Supervisors pursuant to
22 Subsection (a) for those portions of Mission Bay Drive, Mission Bay Circle and Owens Street
23 do not obviate, amend, alter, or in any other way affect the maintenance obligations of the
24 adjacent property owners as set forth in the Public Works Code.

1 (c) The Board of Supervisors hereby directs the Department of Public Works to add
2 these sidewalk segments to its Official City Maps in accordance with this Ordinance.

3 Section 6. Authorization for Implementation.

4 a) All actions heretofore taken by the officers of the City with respect to such
5 Ordinance are hereby approved, confirmed and ratified, and the Mayor, Clerk of the Board
6 and Director of Public Works are hereby authorized and directed to take any and all actions
7 which they or the City Attorney may deem necessary or advisable in order to effectuate the
8 purpose and intent of this Ordinance, including, but not limited to, the recordation of this
9 Ordinance and the accompanying A-17 Map and Q-20 Map in the Official Records of the City
10 and County of San Francisco.

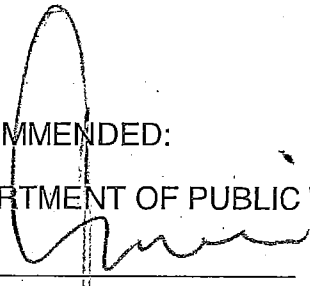
11 b) The Director of Public Works is hereby authorized to review, approve, and record
12 any A-17 Maps and Q-20 Maps associated with the delayed acceptance and future
13 acceptance of the public improvements specified in Section 1 (d).

14 Section 6. Effective Date. This ordinance shall become effective 30 days from the date
15 of passage.

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RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

By: 

Mohammed Nuru

Director of Public Works

APPROVED AS TO FORM:

Dennis J. Herrera

City Attorney

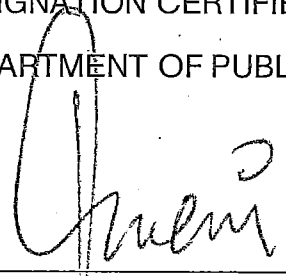
By: 

John D. Malamut

Deputy City Attorney

DESIGNATION CERTIFIED BY:

DEPARTMENT OF PUBLIC WORKS

By: 

Fuad S. Sweiss

Deputy Director of Engineering
and City Engineer

LEGISLATIVE DIGEST

[Improvements - Mission Bay Drive Extension Public Infrastructure]

Ordinance accepting the irrevocable offer of public infrastructure improvements associated with the Mission Bay Drive Extension, including acquisition facilities on Mission Bay Drive, Mission Bay Circle, and a portion of Owens Street; accepting additional property on a portion of Owens Street; declaring City property and additional property as shown on official Department of Public Works maps as open public right-of-way; dedicating such improvements for public use and designating such areas and improvements for street and roadway purposes; establishing street grades and sidewalk widths; accepting said facilities for City maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the General Plan, eight priority policy findings of Planning Code, Section 101.1, and the Mission Bay South Redevelopment Plan; accepting a Department of Public Works Order; and authorizing official acts in connection with this Ordinance.

Existing Law

The Board of Supervisors adopted and approved the Redevelopment Plan for the Mission Bay South Project Area by Ordinance No. 335-98 on November 2, 1998. This Ordinance and related Mission Bay legislation established a process by which the project developer (FOCIL-MB, LLC) would construct specified public improvements and dedicate said improvements to the City. Upon dedication, the City would initiate the local and State law procedures to establish the areas as open public right-of-ways, and take related actions.

Amendments to Current Law

This legislation would accept offers of dedication for improvements and real property and designate new public right-of-way; approve Map No. A-17-172, declaring said right-of-way open to the public; designate the improvements for street and roadway purposes; establish official street grades and sidewalk widths; accept the public infrastructure improvements on Mission Bay Drive, Mission Bay Circle and a portion of Owens Street for maintenance and liability purposes, subject to limitations, all in accordance with the procedures established for the Mission Bay South Redevelopment Project and applicable local and State law. This Ordinance would make certain findings related to the legislation, including environmental findings and findings that the legislation is consistent with the Mission Bay South Redevelopment Plan, the General Plan, and the priority policy findings of the Planning Code Section 101.1.

Background Information

This legislation relates to the Infrastructure Improvements lying east of Seventh Street on Mission Bay Drive, Mission Bay Circle and a portion of Owens Street within the Mission Bay South Redevelopment Plan.



Edwin M. Lee, Mayor
Mohammed Nuru, Director



Patrick Rivera, Division Manager

Mission Bay Task Force

March 29, 2013

Angela Calvillo, Clerk of the Board
Board of Supervisors
1 Dr. Carlton B. Goodlet Place, Room 244
San Francisco, Ca 94102-4689

RE: Acceptance of Land and Public Infrastructure Improvements for Mission Bay Drive-Mission Bay Circle-Owens Street

Dear Ms. Calvillo:

Attached please find an original and four copies of the proposed Mission Bay Ordinance for the Acceptance of Land on a portion of Owens Street and Public Infrastructure Improvements located on Mission Bay Drive, Mission Bay Circle and a portion of Owens Street for Board of Supervisors approval which will accept land and improvements and designate facilities for public use.

The following is a list of accompanying documents (five sets):

1. Department of Public Works Order No. 181,147
2. Formal letter from the San Francisco Redevelopment Agency (SFRA) consistency determination and recommendation for Board of Supervisors acceptance of improvements for the Mission Bay Drive and Circle Improvements.
3. Formal letter from the Department of City Planning determining consistency with General Plan and making environmental findings with regard to the Mission Bay Drive and Circle Improvements.
4. Offer of Improvements for the Mission Bay Drive and Circle improvements.
5. A-17 Map showing the city right-of-way with regard to the Public Infrastructure Improvements on Mission Bay Drive, Mission Bay Circle and a portion of Owens Street
6. Q-20 Map showing the official grades and sidewalks with regard to the Public Infrastructure Improvements on Mission Bay Drive, Mission Bay Circle and a portion of Owens Street.

Please feel free to contact me for any assistance needed.

Sincerely,

Barbara Moy
Task Force Manager
Department of Public Works
Phone: (415) 558-4050
Email: barbara.moy@sfdpw.org

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
27 APR - 1 AM 11:02
AK





GENERAL - DIRECTOR'S OFFICE
City Hall, Room 348
1 Dr. Carlton B. Goodlett Place, S.F., CA 94102
(415) 554-6920 ■ www.sfdpw.org



Edwin M. Lee, Mayor
Mohammed Nuru, Director

DPW Order No: 181147

March 26, 2013

Re: Recommendation for formal acceptance of the Mission Bay South Public Infrastructure Improvements located on Mission Bay Drive, Mission Bay Circle and a portion of Owens Street and acceptance of additional property for right-of-way and roadway purposes on a portion of Owens Street; declaring the additional property and City property as open public right-of-way; designating City Property, additional property and improvements for street and roadway purposes; establishing street grades and sidewalk widths, acceptance and maintenance and liability for said facilities, subject to specified limitations.

WHEREAS, On November 2, 1998, the Board of Supervisors adopted the Mission Bay South Redevelopment Plan by its Ordinance No. 335-98; and

WHEREAS, On November 16, 1998, the Redevelopment Agency of the City and County of San Francisco ("Redevelopment Agency") and Catellus Development Corporation ("Catellus") entered into the Mission Bay South Owner Participation Agreement; and

WHEREAS, On November 16, 1998, the City and County of San Francisco ("City") and the Redevelopment Agency entered into the South Interagency Cooperation Agreement; and

WHEREAS, On June 1, 2001, the Redevelopment Agency and Catellus entered into the Mission Bay South Acquisition Agreement; and

WHEREAS, On December 1, 2003, Catellus merged into Catellus Operating Limited Partnership, a Delaware limited partnership ("COLP"), and on December 31, 2003 COLP, as successor by merger to Catellus contributed most of its interests in Mission Bay to Catellus Land and Development Corporation ("CLDC") a Delaware Corporation, thereby making CLDC a wholly owned subsidiary of COLP following the merger, including all rights and obligations under the Project Permit and the Permit to Enter related to the Project; and

WHEREAS, In a letter (attached as Exhibit A) dated December 15, 2011 the San Francisco Planning Department determined that the acceptance of the Mission Bay Drive and Circle Public Improvements and other actions are consistent with the General Plan consistency findings of Case No. 2011.1139R, the Eight Priority Policies of Planning Code Section 101.1 and the



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contemplated actions do not trigger the need for subsequent environmental review pursuant to the California Environmental Quality Act (CEQA) (California Public Resources Code Sections 21000 et seq.); and

WHEREAS, On March 9, 2010, the City and County of San Francisco Department of Public Works issued Street Improvement Permit No. 10IE-016 to construct the "Mission Bay Drive Extension Improvements Project"; and

WHEREAS, On January 23, 2012, FOCIL irrevocably offered to the City the public infrastructure improvements and facilities as constructed or installed pursuant to the Improvement Plans for Mission Bay Drive Extension approved by the Department of Public Works on March 9, 2010, and any authorized revisions or contract change orders thereto, but excluding there from those portions of the Improvements which are identified on the As-Built drawings as "Pacific Gas and Electric (PG&E), AT&T, Comcast and RCN Cable service conduits" facilities (Focil Irrevocable Offer); and together with an assignment of all guaranties and warranties related to the construction of all the improvements; and

WHEREAS, In a letter (attached as Exhibit B) dated January 30, 2012 the Redevelopment Agency found the acceptance of the Mission Bay Drive and Circle Public Improvements and other actions are "consistent with the Mission Bay South Redevelopment Plan and Plan Documents, described therein, and recommends Board of Supervisors approval"; and

WHEREAS, On March 26, 2013, the Department of Public Works (DPW) issued a notice determining that the work for "Mission Bay Drive Extension Project" is substantially complete as of March 26, 2013 pursuant to Improvement Permit No. 10IE-016 and is ready for its intended use; and

WHEREAS, On, March 26, 2013 the Director of Public Works signed and accepted the Conditional Assignment of Warranties and Guaranties with regard to the project; and

WHEREAS, The City Engineer and Director of Public Works hereby certify the following:

- a. All inspections have been performed, test results have been obtained, permit conditions and mitigation measures have been complied with, punch list items have been resolved, and improvement plan As-Built drawings have been received for the Mission Bay Drive and Circle Public Infrastructure Improvements, but excluding therefrom said improvements are the sanitary sewer, low pressure water and auxiliary water supply system facilities located east of the Mission Bay Circle surface improvements, which are under construction and are recommended for delayed acceptance as further described in item (e).
- b. The construction for a part of this Project was for joint trench underground utilities, in addition to the construction and sale of some public utility conduits, vaults, and boxes. Certain conduits, vaults, and boxes were: 1) designated for City utility purposes, 2) intentionally unassigned or 3) the public utilities identified as participants in the trench may have cancelled their contract of purchase, or otherwise declined to use or occupy the



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facilities, and these unassigned or otherwise unused facilities are available for future lease or sale under the Mission Bay South Acquisition Agreement.

- c. Mission Bay Development Group, LLC on behalf of FOCIL, has submitted a copy of record Notice of Completion, Assignments of Warranties and Guaranties, Assignments of Reimbursements to the Agency from third parties, if applicable, and evidence of acceptability of the facilities from all applicable public entities and/or non-City utilities.
- d. By the letter dated March 26, 2013, DPW has determined that as of March 26, 2013 the work is ready for its intended use and has been completed substantially in conformance with the Plans and Specifications for Mission Bay Drive and Circle Public Improvements Project approved by the Department of Public Works on March 9, 2010 in Permit No. 10IE-016, or any authorized revision thereto, and has been constructed in accordance with all City codes, regulations, standards and the Mission Bay South Plan and Plan Documents governing this Project with the noted exceptions mentioned in item (a).
- e. A letter of determination completeness will be issued for the sanitary sewer, low pressure water, storm drain and auxiliary water supply system facilities after the facilities have been inspected and determined that they are ready for their intended use.

NOW THEREFORE BE IT ORDERED THAT,

With respect to facilities and right-of-way acceptance:

I hereby recommend the Board of Supervisors accept the FOCIL Irrevocable Offer of Improvements.

I further hereby recommend that the Board of Supervisors accept the FOCIL Irrevocable Offer of Dedication of additional property for right-of-way and roadway purposes, including the acceptance of the Grant Deed.

I further recommend the Board of Supervisors approve Map No. A-17-172, dated March 26, 2013 and dedicate the area shown hatched as open public right-of-way and designate said areas for street and roadway purposes, subject to the following limitations: (1) the portions of streets being accepted for street and roadway purposes are constructed from back of sidewalk to back of median curb, unless specified otherwise or as shown on Project Improvement Plans, (2) a portion of Owens Street to be accepted for street and roadway purposes shall be constructed from back of sidewalk to back of sidewalk, unless specified otherwise or shown on Project Improvement Plans (3) encroachments that are permitted, not permitted, or both are excluded from acceptance, and (4) the acceptance of the streets does not obviate, amend, alter, or in any way after existing maintenance agreements between the City and parties to such agreements.

I further recommend the Board of Supervisors direct the Department of Public Works to revise the Official City Street Right-of-Way Maps to reflect the above mentioned actions.



I recommend that the Board of Supervisors acknowledge FOCIL's Conditional Assignment of Warranties and Guaranties to the City and County of San Francisco with regard to the Mission Bay Drive and Circle Infrastructure Improvements.

As set forth above, some of the facilities have been delayed in construction and said improvements are not recommended for acceptance at this time. However, I recommend that the Board of Supervisors authorize the Director of Public Works to act on its behalf with the respect to future acceptance of Focil's Irrevocable Offer of Improvements and future acceptance of the sanitary sewer, low pressure water, storm drain and auxiliary water supply system facilities together with the Public Improvements for Mission Bay Drive and Mission Bay Boulevard South as depicted on those certain Public Improvement Plans entitled "The Infrastructure Plans for Block 11 and Block 12 at Mission Bay" dated February 11, 2013 and will be constructed under Street Improvement Permit No. 13IE-0198 ("Blocks 11 and 12 Infrastructure Plans"), located east of the Mission Bay Circle and acknowledgement of the Conditional Assignment of Warranties and Guaranties as set forth above in accordance with the Mission Bay South Acquisition Agreement.

I further recommend that the Board of Supervisors authorize the Director of Public Works to act on its behalf with the respect to future approval of a DPW A-17 Map, depicting Mission Bay Drive and Mission Bay Boulevard South pursuant to the Blocks 11 and 12 Infrastructure Plans, and dedicate the area to be shown hatched as open public right-of-way and designate said areas for street and roadway purposes, subject to the following limitations: (1) the portion of Mission Bay Drive to be accepted for street and roadway purposes are constructed from back of sidewalk to back of median curb, unless specified otherwise or as shown on Project Improvement Plans, (2) the portion of Mission Bay Boulevard South to be accepted for street and roadway purposes shall be constructed from back of sidewalk to back of median curb, unless specified otherwise or shown on Project Improvement Plans, (3) encroachments that are permitted, not permitted, or both are excluded from acceptance, and (4) the acceptance of the streets does not obviate, amend, alter, or in any way after existing maintenance agreements between the City and parties to such agreements.

I further recommend the Board of Supervisors authorize the Director of Public Works to direct the Department of Public Works to revise the Official City Street Right-of-Way Maps to reflect the actions by this action.

With Respect to the Street Grades:

I hereby recommend the Board of Supervisors, relying on its own procedures pursuant to Administrative Code Section 1.51 et seq., and notwithstanding California Streets and Highways Code Sections 8000 et seq., establish the street grades for those portions of Mission Bay Drive, Mission Bay Circle and Owens Street as shown on the Department of Public Works Drawing No. Q-20-715, dated March 26, 2013.

I further recommend the Board of Supervisors direct the Department of Public Works to revise the Official City Street Grade Maps to reflect the aforementioned action.



I further recommend that the Board of Supervisors authorize the Director of Public Works to act on its behalf to establish the street grades for those portions of Mission Bay Drive and Mission Bay Boulevard South, pursuant to the Block 11 and 12 Infrastructure Plan, as shown on a future Department of Public Works' Q-20 drawing and direct the Department of Public Works to revise the Official City Street Grade Maps to reflect this action.

With Respect to the Sidewalk Widths:

I hereby recommend the Board of Supervisors amend Ordinance No. 1061 entitled "Regulating the Width of Sidewalks" by adding thereto a new section to read as follows:

Section 15-1568 The widths of sidewalks on those portions of Mission Bay Drive, Mission Bay Circle and Owens Street shall be modified as shown on Department of Public Works Drawing No. Q-20-715, dated March 26, 2013;

The establishment of sidewalk widths does not obviate, amend, alter, or in any other way affect existing maintenance obligations of the adjacent property owners.

I further recommend the Board of Supervisors direct the Department of Public Works to revise the Official City Sidewalk Width Maps to reflect the aforementioned action.

With Respect to Street Maintenance and Liability:

Pursuant to California Streets and Highways Code Section 1806 and San Francisco Administrative Code Sections 1.51 et seq., I hereby recommend that the Board of Supervisors accept the facilities for maintenance and liability purposes, subject to the limitations specified herein and below.

The acceptance is subject to the following: (1) acceptance of project facilities for City maintenance and liability purposes is from back of curb to back of curb, unless specified otherwise.

I recommend that the Board of Supervisors authorize the Director of Public Works to act on its behalf for the future acceptance of the sanitary sewer, low pressure water, storm drain and auxiliary water supply system facilities together with the Public Improvements for Mission Bay Drive and Mission Bay Boulevard South as depicted on those certain Public Improvement Plans entitled "The Infrastructure Plans for Block 11 and Block 12 at Mission Bay" dated February 11, 2013 and will be constructed under Street Improvement Permit No. 13IE-0198 ("Blocks 11 and 12 Infrastructure Plans") facilities, located east of the Mission Bay Circle for maintenance and liability purposes, subject to the limitations specified herein and below.

The acceptance is subject to the following: (1) acceptance of project facilities for City maintenance and liability purposes is from back of curb to back of curb, unless specified otherwise.



3/26/2013

3/27/2013

X

Sweiss, Fuad
Approver 2

X

Mohammed Nuru

Nuru, Mohammed
Approver 3

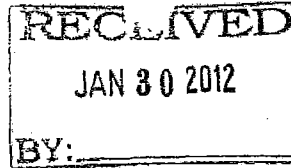


San Francisco Department of Public Works
Making San Francisco a beautiful, livable, vibrant, and sustainable city.

San Francisco
Redevelopment Agency

One South Van Ness Avenue
San Francisco, CA 94103

415.749.2400



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Tiffany Bohee, Interim Executive Director

January 30, 2012

126-007.12-206

Ms. Grace Kwak
Project Manager
Mission Bay Task Force
Department of Public Works
30 Van Ness, Room 4200
San Francisco, CA 94102

RE: Mission Bay South-Mission Bay Drive Extension Public Infrastructure Improvements
Consistency Determination

Dear Ms. Kwak:

The Agency has received your request regarding the Mission Bay Drive Extension public infrastructure improvements and their consistency with the Mission Bay South Redevelopment Plan and Plan Documents.

The Agency has reviewed the documents and related materials concerning the acceptance of the Mission Bay Drive Extension public infrastructure improvements and other related actions thereto, finds these consistent with the Mission Bay South Redevelopment Plan and Plan Documents, and recommends that the Board of Supervisors accept the facilities on behalf of the City.

Sincerely,

Catherine Reilly
Assistant Project Manager

Cc: Barbara Moy, MBTF
Tiffany Bohee, SFRA
Kelley Kahn, SFRA



SAN FRANCISCO PLANNING DEPARTMENT

General Plan Referral

1650 Mission St.
Suite 400
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Information:
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Date: December 15, 2011
Case No. Case No. 2011.1139R
Mission Bay South Acceptance of Land and Public Infrastructure:
Mission Bay South Blocks 2-7 & 13 Phase 1 (AB 8711/ 013-032);
Mission Bay Blocks 2-7 & 11-13 Phase 2 (AB 8710/005, 008),
Mission Bay Drive Extension and Mission Bay Drive Circle (AB
8726/001, 002, AB 8709/002, 003); Mission Bay Drive Median and
Park P10 (AB 8709/002, 003); 4th Street/16th Street Signalization
(AB 8722/010, 8711/011)

Block/Lot No.: AB 8711/013-032, 8710/005, 008); 8726/001, 002, 8709/002-003;
AB 8709/002-003); AB 8722/010, 8711/011

Project Sponsor: FOCIL-MB LLC
Mission Bay Development Group LLC
255 Channel Street
San Francisco, CA 94158

Referred By: Grace Kwak
Department of Public Works / Mission Bay Task Force
30 Van Ness Avenue, Suite 4200
San Francisco, CA 94102

Staff Contact: Stephen Shotland - (415) 558-6308
stephen.shotland@sfgov.org

Recommendation: Finding the project, on balance, is in conformity with
the General Plan

Recommended By: 
John Rahaim, Director of Planning

PROJECT DESCRIPTION

We are in receipt of your letter dated October 3, 2011, as revised on October 14, 2011 and December 12, 2011, requesting that the Planning Department consider a General Plan Referral application concerning City acceptance of land, infrastructure improvements and related actions related to the Mission Bay South Redevelopment Project, pursuant to Section 4.105 of the Charter and Section 2A.53 of the Administrative Code. The proposed project calls for the acceptance of real property and acceptance and dedication of public infrastructure located in the Mission Bay South Redevelopment Project Area.

PROPOSED ACTIONS BY BOARD OF SUPERVISORS

The Board of Supervisors will consider taking actions to accept land located in the Mission Bay South Project Area, and to accept and dedicate Public Infrastructure. The infrastructure improvements have been constructed in the Mission Bay South Project Area, generally consistent with the Redevelopment Plan for the Mission Bay South Redevelopment Project, which was considered in earlier actions by the Planning Commission, and other official bodies. The property and public infrastructure improvements related to this action are summarized below and reviewed in the body of this General Plan Referral. Plans of the project elements are available for review in the Case 2011.1139R docket and are at the offices of the Planning Department.

LIST OF PROJECT ELEMENTS ¹

1. **Blocks 2-7 & 13 Phase 1 Improvements**
 - a. Acceptance of Land (Assessor's Block 8711, Lots 15, 16, 18, 19, 22, 27, and 30). The Board of Supervisors will act to approve the Grant Deeds for the land and authorize the Director of Property to accept the land. The subject case includes property shown on the Blocks 2-7 & 13 Phase 1 Final Map (Exhibit C-1) and Offers of Dedication (Exhibits B-1 and B-2), available for review at the offices of the Planning Department.
 - b. Acceptance and Dedication of Public Infrastructure, constructed per the approved plans
 - c. Excerpts of the Blocks 2-7 & 13 Phase 1 Improvement Plans (Excluding Parks)
2. **Blocks 2-7 & 11-13 Phase 2 Improvements**
 - a. Acceptance of Land (Assessor's Block 8710, Lot 5, and Lot 8. The Board of Supervisors will act to approve the Grant Deeds for the land and authorize the Director of Property to accept the land.
 - b. Acceptance and Dedication of Public Infrastructure, constructed per the approved plans
 - c. Excerpts of the Blocks 2-7 & 11-13 Phase 2 Improvement Plans
3. **Mission Bay Drive Extension and Mission Bay Drive Circle Improvements**
 - a. Acceptance and Dedication of Public Infrastructure, constructed per the approved plans
 - b. Excerpts of the Mission Bay Drive Extension and Mission Bay Drive Circle Improvement Plans
4. **Park P10 and Mission Bay Drive Median Public Improvements**
 - a. Acceptance and Dedication of Public Infrastructure, constructed per the approved plans
5. **4th Street and 16th Street Intersection Improvements**
 - a. Acceptance and Dedication of Public Infrastructure, constructed per the approved plans

¹ Attachment 1 describes the Project elements in greater detail; Exhibits are in Planning Case 2011.1139R docket and are available for review at the offices of the Planning Department.

Acceptance of Dedication of the Public Infrastructure Improvements

The Department of Public Works (DPW) has determined that the public infrastructure improvements listed as part of Case 2011.1139R have been installed and constructed in accordance with the approved Plans and Specifications and are ready for their intended use. Accordingly, the Developer is obligated to dedicate the Infrastructure Improvements to the City. The Project includes acceptance of the following types of infrastructure improvements: streets, roadways, curbs, gutters, sidewalks, street lighting, traffic controls, low pressure, high pressure and reclaimed water lines, sewer, stormwater, gas distribution and electric distribution lines and services, joint utility trenches, fire hydrants, as well as landscape materials installed as part of the infrastructure improvements.

PREVIOUS ACTIONS RELATED TO THIS PROJECT

The Board of Supervisors, the Planning Department and Planning Commission, and the Redevelopment Agency and Redevelopment Commission have taken a number of actions related to this project. Exhibits listed below are available for review in Docket 2011.1139R at the offices of the Planning Department. The following actions related to the project have been taken.

1. The Planning Commission found the Mission Bay North and Mission Bay South Redevelopment Plans, dated September 4, 1998, consistent with the San Francisco General Plan, by adopting Resolution No. 14699 on September 17, 1998. The projects included all of the elements included in the subject case, which were proposed as part of the Mission Bay South Redevelopment Plan.
2. The Mission Bay Tentative Map and Land Transfers were found to be consistent with the General Plan and Section 101.1 of the Planning Code, as stated in a letter dated Nov., 13, 1998 from the Planning Department to Mr. Mark Primeau, Department of Public Works. The Tentative Map and Land Transfer document, and are available for review as Exhibit K in the Planning Case 2011.1139 docket.
3. An Owner Participation Agreement (OPA) was executed between the Redevelopment Agency of the City and County of San Francisco and the project sponsor, on November 16, 1998. The OPA included the Infrastructure Plan that defined the horizontal infrastructure plans and improvements that are incorporated into the subject project. The OPA is available for review as Exhibit L in the Planning Case 2011.1139R docket.
4. The Final Land Transfer Map was approved by the Board of Supervisors by Motion No. M99-79 and recorded in Book Z of Maps, on Pages 97-117, Official Records.
5. The Mission Bay South Blocks 2-7 and 11-13 Tentative Map (Phase 1 & 2), conditionally approved on August 10, 2004 was found to be consistent with the General Plan and Section 101.1 of the Planning Code subject to the CEQA mitigation measures adopted by the Board of Supervisors and the Redevelopment Commission as part of the Mission Bay Development Plans. The Planning Department found the project, subject to Conditions of Approval, in conformity with the General Plan and the priority policies of Planning Code Section 101.1, in a letter dated August 6, 2004. A copy of the letter (Exhibit M) is available for review in the Planning Case 2011.1139R docket.

6. In a letter dated August 5, 2004, the SFRA determined that the Blocks 2-7 & 11-13 Tentative Map, conditionally approved on August 10, 2004, was consistent with the Mission Bay South Redevelopment Plan, including the Mission Bay South Plan, the Scope of Development and the Design for Development Document, pursuant to Section 1434 of the Mission Bay Subdivision Code and that the project is in substantial conformance with the Major Phase approved by the Redevelopment Commission. A copy of the SFRA letter of August 5, 2004 is available for review as Exhibit M in the Planning Case 2011.1139R docket.
 - a. The Mission Bay South Blocks 2-7 & 13 Phase 1 Final Map, Tract No. 3936, was approved by the Board of Supervisors and recorded on February 22, 2006, in Book BB of Maps, at Pages 54 through 58. A copy of the Map is available for review as Exhibit C-1 in the Planning Case 2011.1139R docket. The Mission Bay South Blocks 11 and 12 Phase 2 Final Map was approved by the Board of Supervisors and recorded on April 8, 2011 in Book DD of Survey Maps, at Pages 116 through 121. A copy of the Map is available for review as Exhibit C-2 in the Planning Case 2011.1139R docket.

ENVIRONMENTAL REVIEW

The Major Environmental Analysis section of the Planning Department completed Environmental Review of the Mission Bay Final Subsequent Environmental Impact Report (FSEIR). The FSEIR included analysis of regulatory and physical aspects of the Plan, including: the vacation of public rights-of-way, property acquisition, acceptance of offers of dedication of land for road rights-of-way, and acceptance of offers of Dedication of horizontal improvements (street and public rights-of-way, stormwater and sanitary sewer pump stations), among other actions.

The Final Subsequent Environmental Impact Report for Mission Bay (FSEIR) was prepared pursuant to the California Environmental Quality Act and was certified as adequate, accurate and objective in the following actions:

1. Redevelopment Commission Resolution No. 182-98 on 9/17/1998
2. Planning Commission Case 1996.771E, Resolution No. 14696 on 9/17/1998, certifying the FSEIR
3. Board of Supervisors affirmed the Planning Commission's certification of the EIR by Resolution No. 854-98 on 10/19/1998.
4. Redevelopment Agency issued Addendum #6 to the FSEIR on 9/10/2008.
5. All of the projects included and referenced as part of this Project were analyzed in the FSEIR and Addendum # 6; it is available for review in the subject case docket (Exhibit J).

The Environmental Planning Section of the Planning Department determined that further Environmental Analysis is not required, as the subject project (acceptance real property and acceptance of dedication of public infrastructure including the referenced project) was analyzed as part of the FSEIR certified by the Planning Commission and affirmed by the Board of Supervisors, as amended by subsequent Addenda. In addition, acceptance of infrastructure improvements (non-physical actions) is exempt from further environmental review, pursuant to Sec. 15060(c) (2) of CEQA guidelines.

GENERAL PLAN COMPLIANCE AND BASIS FOR RECOMMENDATION

The Project is consistent with the following relevant objectives and policies of the General Plan. The Project is consistent with the following General Plan Objectives and Policies. The Objectives and Policies are shown in **bold font**, policy text is in regular font, and staff comments are in *italic font*.

COMMERCE & INDUSTRY ELEMENT

Policy 6.7

Promote high quality urban design on commercial streets.

Comment: Streets and other public infrastructure improvements will be constructed consistent with the Mission Bay South Redevelopment Plan, which calls for high quality design features in public rights-of-way and adjacent development. Implementation of the Project would permit development of neighborhood commercial uses and new residential development

COMMUNITY FACILITIES ELEMENT

POLICY 10.1

Provide facilities for treatment of storm and wastewater prior to discharge into the Bay or ocean. Locate such facilities according to the Wastewater and Solid Waste Facilities Plan.

Comment: The project includes acceptance and dedication of sewer and stormwater lines constructed as part of the Project. Note: Mission Bay South Stormwater Pump Station # 4 was reviewed in Case No. 2011.1094R; Mission Bay Sanitary Sewer Pump Station was reviewed separately in Case No. 2011.1224R. Unlike most areas of the City, Mission Bay has separate systems for stormwater and wastewater. Wastewater will continue to be delivered to facilities for treatment before discharge.

ENVIRONMENTAL PROTECTION ELEMENT

POLICY 1.2

Improve the quality of natural resources.

OBJECTIVE 3

MAINTAIN AND IMPROVE THE QUALITY OF THE BAY, OCEAN AND SHORELINE AREAS.

POLICY 3.3

Implement plans to improve sewage treatment and halt pollution of the Bay and Ocean.

Comment: New development in Mission Bay will construct separate systems for stormwater and wastewater management. Wastewater will continue to be delivered to facilities for treatment before discharge, reducing the amount of untreated (combined) sewage/wastewater that is discharged to the Bay after storm events. Stormwater

and sanitary sewer lines have been incorporated into the project and would be accepted and dedicated for use as part of the project.

POLICY 5.1

Maintain an adequate water distribution system within San Francisco.

Comment: The project includes acceptance and dedication of water distribution lines in the public rights-of-way.

POLICY 5.5

Improve and extend the Auxiliary Water Supply system of the Fire Department for more effective fire fighting.

Comment: The public infrastructure systems to be accepted by the City include water supply lines, sewage lines, reclaimed water lines, as well as elements of the auxiliary water supply system (where appropriate). Accepting the public infrastructure improvements implements the referenced General Plan policies.

HOUSING ELEMENT

OBJECTIVE 12

Balance housing growth with adequate infrastructure that serves the City's growing population.

Policy 12.1 Encourage new housing that relies on transit use and environmentally sustainable patterns of movement.

Policy 12.2

Consider the proximity of quality of life elements, such as open space, child care, and neighborhood services, when developing new housing units.

Policy 12.3

Ensure new housing is sustainably supported by the City's public infrastructure systems.

The Mission Bay project will provide a significant amount of new housing, including affordable housing units, consistent with these policies. The subject project is limited City-acceptance of property and public improvements, including provision of streets, sidewalks and related infrastructure in Assessor's Block (AB) 8709 Lots 002 and 003, AB 8710 Lots 005 and 008, AB 8711 Lots 011 and 013-032, AB 8722 Lot 010, AB 8726 Lots 001 and 002. The proposed project is generally consistent with the plans considered in earlier official actions by the Planning Commission, including Res. No. 14699, finding the Mission Bay North and Mission Bay South Redevelopment Plans in conformity with the General Plan. The proposed Project is required in order to implement the Mission Bay South Redevelopment Project, including construction of public infrastructure that will support development of a significant number of new housing units, including market rate and low-cost dwelling units.

RECREATION AND OPEN SPACE ELEMENT

OBJECTIVE 2

DEVELOP AND MAINTAIN A DIVERSIFIED AND BALANCED CITYWIDE SYSTEM OF HIGH QUALITY PUBLIC OPEN SPACE.

POLICY 2.1

Provide an adequate total quantity and equitable distribution of public open spaces throughout the City.

Comment: The proposed Project includes acceptance of park landscaping and other improvements associated with Park P10, and other landscape features associated with Mission Bay Drive Extension and the Mission Bay Circle Project. These improvements would provide amenities that would benefit residents of the Mission Bay South neighborhood, as well as other City residents.

POLICY 2.6

Make open spaces accessible to people with special needs.

Comment: The proposed open space and other amenities provided as part of this Project would be compliant with ADA accessibility standards.

POLICY 3.1

Assure that new development adjacent to the shoreline capitalizes on its unique waterfront location, considers shoreline land use provisions, improves visual and physical access to the water, and conforms with urban design policies.

Comment: The new parks affiliated with Mission Bay South this Project is part of the east/west linear park extending to Third Street, located close to the Bay.

OBJECTIVE 4

PROVIDE OPPORTUNITIES FOR RECREATION AND THE ENJOYMENT OF OPEN SPACE IN EVERY SAN FRANCISCO NEIGHBORHOOD.

POLICY 4.6

Assure the provision of adequate public open space to serve new residential development.

POLICY 4.7

Provide open space to serve neighborhood commercial districts.

Comment: Mission Bay will create substantial new residential and commercial development. The park and roadway median landscape improvements dedicated as part of this Project, along with others proposed as part of the Mission Bay Redevelopment Project will provide open space improvements serving the new development.

TRANSPORTATION ELEMENT

OBJECTIVE 23

IMPROVE THE CITY'S PEDESTRIAN CIRCULATION SYSTEM TO PROVIDE FOR EFFICIENT, PLEASANT, AND SAFE MOVEMENT.

POLICY 23.2

Widen sidewalks where intensive commercial, recreational, or institutional activity is present, sidewalks are congested and where residential densities are high.

Comment: The project includes acceptance of real property to accommodate placement of public streets and related infrastructure improvements, as well as acceptance of dedication of public infrastructure improvements associated with the public rights-of-way and landscape improvements. The street, sidewalk and landscape improvements would be located within the Mission Bay South Redevelopment Project Area.

They include acceptance of the following properties to be improved with public streets and associated infrastructure: Lot 5 in Assessor's Block 8710 to provide land for a portion of Channel Street between the future Mission Bay Circle and future El Dorado Street; and Lot 8 in Assessor's Block 8700 to provide land for a portion of Long Bridge Street between Mission Bay Boulevard North and future China Basin Street for street and roadway purposes.

The project also includes Acceptance and dedication of Public Infrastructure and improvements including streets, with travel, parking and bicycle lanes, curbs, sidewalks, lighting. The improvements will also include water supply, sanitary sewer, stormwater sewer, gas and electric lines, and landscaping, among other improvements.

- Channel Street between Fourth Street and the future El Dorado South;
- Long Bridge Street between China Basin Street and Fourth Street;
- Fourth Street between Mission Rock Street and Channel;
- Fourth Street between Mission Rock Street and Mission Bay Boulevard North;
- Fourth Street between Mission Bay Boulevard North and Mission Bay Boulevard South;
- Fourth Street between Mission Bay Boulevard South and UCSF Lane;
- Mission Rock west of Third Street; China Basin Street west of Third Street;
- Mission Bay Boulevard South between Third Street and Merrimac Street;
- Mission Bay Boulevard North between Third Street and Fifth Street;
- Merrimac Street;
- El Dorado Street.
- Mission Bay landscape and related improvements to Mission Bay Drive sidewalks being provided as part of this project meet, and often exceed, standards for sidewalk width.

OBJECTIVE 24

IMPROVE THE AMBIENCE OF THE PEDESTRIAN ENVIRONMENT.

POLICY 24.2

Maintain and expand the planting of street trees and the infrastructure to support them.

POLICY 24.3

Install pedestrian-serving street furniture where appropriate.

Comment: Sidewalks adequate to accommodate expected levels of pedestrians have been incorporated as part of the design of all public rights-of-way. The improvements incorporate sidewalks, landscaping, street lighting, and crosswalks, as well as signage and street furniture, where desirable and appropriate.

OBJECTIVE 27

ENSURE THAT BICYCLES CAN BE USED SAFELY AND CONVENIENTLY AS A PRIMARY MEANS OF TRANSPORTATION, AS WELL AS FOR RECREATIONAL PURPOSES.

POLICY 27.1

Expand and improve access for bicycles on city streets and develop a well-marked, comprehensive system of bike routes in San Francisco.

POLICY 27.6

Accommodate bicycles on local and regional transit facilities and important regional transportation links wherever and wherever feasible.

Comment: Bicycle Lanes have been constructed on some of the public rights-of-way proposed to be accepted and dedicated for public use, including on Fourth Street between Mission Rock Street and Chunnel (southbound lane with bike lane), and on Fourth Street between Mission Bay Boulevard North and Mission Bay Boulevard South (bike lane on both sides of the street)

URBAN DESIGN ELEMENT

OBJECTIVE 4

IMPROVEMENT OF THE NEIGHBORHOOD ENVIRONMENT TO INCREASE PERSONAL SAFETY, COMFORT, PRIDE AND OPPORTUNITY.

POLICY 4.3

Provide adequate lighting in public areas.

POLICY 4.4

Design walkways and parking facilities to minimize danger to pedestrians.

POLICY 4.8

Provide convenient access to a variety of recreation opportunities.

POLICY 4.10

Encourage or require the provision of recreation space in private development.

POLICY 4.12

Install, promote and maintain landscaping in public and private areas.

POLICY 4.13

Improve pedestrian areas by providing human scale and interest.

Comment: The project sponsor has constructed streets and infrastructure and amenities necessary as part of redevelopment of the Mission Bay South Redevelopment Project. The improvements include establishing new public roadways and associated sidewalks, lighting and other improvements, consistent with the level of amenities provided on other City streets. The improvements have been designed to accommodate neighborhood residents and other users. The project includes landscaping that would be installed along the streets to be accepted by the City and County, and landscaping improvements as part of Park P10.

RECOMMENDATION:	Finding the Project, on balance, in-conformity with the General Plan
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Attachments:

Att. 1 Project Description, listing all project elements, including acceptance of land and acceptance and dedication of Public Infrastructure. Attachment 1 provides a list of the Exhibits contained in Planning Department Case 2011.1139R docket, available for review at the Planning Department offices.

PLANNING CODE SECTION 101.1(B) PROVISIONS- EIGHT PRIORITY POLICIES

Planning Code Section 101.1(b) establishes the following eight priority planning policies and requires review of permits for consistency with said policies. The subject project is found to be consistent with the Eight Priority Policies of Planning Code Section 101.1(b) in that:

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced.
The project would not affect neighborhood serving retail uses or opportunities for employment in or ownership of such businesses.
2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.
The Project would not affect the City's housing stock or neighborhood character.
3. That the City's supply of affordable housing be preserved and enhanced.
The Project in itself (accepting real property and infrastructure improvements) would have no effect on the City's supply of affordable housing. Implementation of the Mission Bay North and South Redevelopment Plans, as adopted and approval of the Project actions would ultimately result in increasing the City's supply of affordable housing through adherence to the Community Redevelopment Law that requires at least 15% of all new and substantially rehabilitated dwelling units developed within the Project Area be affordable and occupied by, persons and families of low- or moderate income as defined by the California Health and Safety Code.
4. That commuter traffic not impede Muni transit service or overburden our streets or neighborhood parking.
The Project would not adversely impede MUNI transit service or overburden city streets and neighborhood parking. The land proposed to be accepted by the City and infrastructure improvements proposed to be accepted and dedicated for public use have been designed and constructed consistent with approved plans for the Mission Bay Redevelopment Project Area. The public rights-of-way and related infrastructure proposed to be accepted for public dedication have been designed to accommodate all users and would enhance a mix of transportation modes.
5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.
The Project would not affect the industrial or service sectors or future opportunities for resident employment or ownership in these sectors. The property was once the site of rail yards and related development; however, it has subsequently been vacant
6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.
The Project, limited to acquisition of real property and acceptance of public infrastructure improvements (once constructed consistent with approved plans) would not adversely affect City preparedness against injury or loss of

life in an earthquake. All development would be constructed consistent with current Building and Seismic Codes and regulations.

The Project would not negatively affect preparedness against injury and loss of life in an earthquake.

7. That landmarks and historic buildings be preserved.

The Project would not affect any landmark or historic buildings.

8. That our parks and open space and their access to sunlight and vistas be protected from development.

The Project includes acceptance and dedication of real property and infrastructure improvements including streets and related infrastructure and landscape improvements. The project would have no adverse effect on parks and open space or their access to sunlight and vistas.

DESCRIPTION OF PROJECT ELEMENTS INCLUDED IN CASE 2011.1139R

ATTACHMENT 1

Note: Referenced Exhibits available for review in Docket 2011.1139R)

1. Blocks 2-7 & 13 Phase 1 Improvements

a. Acceptance of Land

FOCIL-MB, LLC is granting Assessor's Block 8711 Lots 14-16, 18, 19, 22, 27 and 30 being portions of Long Bridge Street, China Basin Street, Merrimac Street, Fourth Street, Channel Street and Mission Rock Street to the City and County of San Francisco for street and roadway purposes as shown on the Blocks 2-7 & 13 Phase 1 Final Map (Exhibit C-1) and Offers of Dedication (Exhibits B-1 and B-2). The Board of Supervisors will act to approve the Grant Deeds for the land and authorize the Director of Property to accept the land as shown on the Exhibits.

b. Acceptance of Dedication of Public Infrastructure

The Infrastructure will have been constructed per the Improvement Plans, together with curb, gutter, sidewalks, street lighting, traffic controls, low pressure, high pressure and reclaimed water, sewer, storm, gas and electric lines and services, joint utility trench, fire hydrant and landscaping. The Department of Public Works (DPW) will have determined that the facilities have been constructed in accordance with the Plans and Specifications and are ready for their intended use. Accordingly the Developer is obligated to dedicate the infrastructure facilities to the City. The dedication will be for improvements located on portions of Channel Street, Long Bridge Street, Merrimac Street, Mission Bay Boulevard North, Mission Bay Boulevard South, Fourth Street, China Basin Street and Mission Rock Street as shown on Exhibit A. The Board of Supervisors must act to accept the dedication of the Public Facilities. The description of the detail of the infrastructure is as shown below.

c. Excerpts of the Blocks 2-7 & 13 Phase 1 Improvement Plans (excluding Parks)-Exhibit D

- a. Channel between Fourth Street and future El Dorado South: approximately 950 feet in length, two northbound lanes, two southbound lanes, sidewalk on the south side of street with parking on the north side of street. (Sheets C3.01, C3.01A and C3.02)
- b. Long Bridge Street between China Basin Street and Fourth Street: approximately 900 feet in length, one northbound lane, one southbound lane, with sidewalk and parking on both sides of street. (Sheets C3.07, C3.09 and C3.10)
- c. Fourth Street between Mission Rock Street and Channel: approximately 500 feet in length, one northbound lane, one southbound lane with bike lane, sidewalk and parking on both sides of street. (Sheet C3.07)
- d. Fourth Street between Mission Rock Street and Mission Bay Boulevard North: approximately 650 feet in length, two northbound lanes, one southbound lane, bike lane and sidewalk on both sides and parking on the west side of street. (Sheet C3.05 and C3.06)
- e. Fourth Street between Mission Bay Boulevard North and Mission Bay Boulevard South: approximately 150 feet in length, one northbound lane with a left turn lane approaching Mission Bay Boulevard North, one southbound lane with a left turn lane approaching Mission Bay Boulevard South, bike lane and sidewalk on both sides of street (no parking). (Sheet C3.05)
- f. Fourth Street between Mission Bay Boulevard South and UCSF Lane: approximately 300 feet in length, one northbound, one northbound lane, one southbound lane with sidewalk on both sides of street (no parking). (Sheet C3.36)
- g. Mission Rock west of Third Street: approximately 350 feet in length, one eastbound lane, one westbound lane with sidewalk and parking on both sides of street. (Sheet C3.06 and 3.11)

- h. China Basin Street west of Third Street; approximately 650 feet in length, one eastbound lane, one westbound lane with sidewalk and parking on both sides of street. *(Sheets C3.12 and C3.13)*
- i. Mission Bay Boulevard South between Third Street and Merrimac Street; approximately 600 feet in length, one eastbound lane with sidewalk and parking on the south side of street. *(Sheets C3.16 and C3.17)*
- j. Mission Bay Boulevard North between Third Street and Fifth Street; approximately 600 feet in length, one westbound lane with sidewalk and parking on the north side of street. *(Sheets C3.14 and C3.15)*
- k. Merrimac Street; approximately 300 feet in length, one northbound lane, one southbound lane with sidewalk and parking on both sides of street. *(Sheet C3.08)*
- l. El Dorado Street; approximately 250 feet in length, two northbound lanes, two southbound lanes, sidewalk adjacent to Block 13W and sidewalk adjacent to Block 12E (no parking). *(Sheet C3.18)*

2. Blocks 2-7 & 11-13 Phase 2 Improvements

a. Acceptance of Land

FOCIL-MB, LLC is granting Assessor's Block 8710 Lot 5 being a portion of Channel Street between future Mission Bay Circle and future El Dorado Street and Assessor's Block 8710 Lot 8 being a portion of Long Bridge Street between Mission Bay Boulevard North and future China Basin Street to the City and County of San Francisco for street and roadway purposes as shown on the Blocks 11 & 12 Phase 1 Final Map (Exhibit C-2) and Offer of Dedication (Exhibit B-3). The Board of Supervisors will act to approve the Grant Deeds for the land and authorize the Director of Property to accept the land as shown on the Exhibits.

b. Acceptance of Dedication of Public Infrastructure

The Infrastructure will have been constructed per the Improvement Plans, together with curb, gutter, sidewalks, street lighting, low pressure, high pressure and reclaimed water, sewer, storm, gas and electric lines and services, joint utility trench, fire hydrant and landscaping. The Department of Public Works (DPW) will have determined that the facilities have been constructed in accordance with the Plans and Specifications and are ready for their intended use. Accordingly the Developer is obligated to dedicate the Infrastructure facilities to the City. The dedication will be for improvements located on portions of Channel Street, Long Bridge Street, Mission Bay Boulevard North, Mission Bay Boulevard South as shown on Exhibit A. The Board of Supervisors must act to accept the dedication of the Public Facilities. The description of the detail of the infrastructure is as follows:

c. Excerpts of the Blocks 2-7 & 11-13 Phase 2 Improvement Plans-Exhibit E

- a. Channel Street between Mission Bay Circle and El Dorado Street: approximately 750 feet in length, two northbound lanes, two southbound lanes with sidewalks on both sides of street (no parking). *(Sheets C3.1 and Sheets C3.2)*
- b. Long Bridge Street between Mission Bay Boulevard North and China Basin Street: approximately 400 feet in length, one eastbound lane, one westbound lane with sidewalks on both sides of street (no parking). *(Sheet C3.3)*
- c. Mission Bay Boulevard North between Merrimac Street and Mission Bay Circle: approximately 700 feet in length, one westbound lane with sidewalk on the north side of street (no parking). *(Sheet C3.4 and C3.5)*
- d. Mission Bay Boulevard South between Fifth Street and Mission Bay Circle: approximately 700 feet in length, one eastbound lane with sidewalk on the south side of street (no parking). *(Sheet C3.6 and C3.7)*

3. Mission Bay Drive Extension and Mission Bay Drive Circle Improvements

The Mission Bay Drive Extension and Mission Bay Drive Circle improvements are located on City property and

The Infrastructure will have been constructed per the Improvement Plans. The Department of Public Works (DPW) will have determined that the facilities have been constructed in accordance with the Plans and Specifications and are ready for their intended use. Accordingly the Developer is obligated to dedicate the Infrastructure facilities to the City. The dedication will be for the Signalization of the 4th and 16th Street Intersection improvements as shown on Exhibit A. The Board of Supervisors must act to accept the dedication of the Public Facilities. The improvements include but are not limited to, traffic signal poles, traffic signal controller, masts, and heads in each corner of the intersection as shown on excerpts of the "4th Street and 16th Street Intersection Improvements Plan" attached as Exhibit G.

Note: The following Exhibits, referenced herein, are contained in Planning Dept. Docket No. 2011.1139R and are available for review at the Planning Department offices.

1. Exhibit A – Location Map
2. Exhibit B-1 – Offer of Dedication (per Blocks 2-7 and 11-13 Final Map)
3. Exhibit B-2 – Offer of Dedication (portion of Channel Street and Fourth Street)
4. Exhibit B-3 – Offer of Dedication (portions of Channel Street and Long Bridge Street)
5. Exhibit C-1 – Mission Bay Blocks 2-7 & 13 Phase 1 Final Map
6. Exhibit C-2 – Mission Bay Blocks 11 & 12 Final Map
7. Exhibit D – Excerpts of the Blocks 2-13 Phase 1 Improvement Plans
8. Exhibit E – Excerpts of the Blocks 2-13 Phase 2 Improvement Plans
9. Exhibit F – Excerpts of the Mission Bay Drive Extension Improvement Plans
10. Exhibit G – Excerpts of the 4th Street & 16th Street Intersection Improvement Plans
11. Exhibit H – Excerpts of the Park P10 and Mission Bay Drive Median Improvement Plans
12. Exhibit I – Excerpts of the Sanitary Sewer Pump Station Improvement Plans
13. Exhibit J – RSEIR Addendum #6
14. Exhibit K – DCP General Plan Consistency for Land Transfers
15. Exhibit L – Owner Participation Agreement, Attachment D, Text descriptions and Cross Sections of Improvements (excerpts from South Infrastructure Plan)
16. Exhibit M – DCP General Plan Consistency for Blocks 2-7 & 11-13 Tentative Map
17. Exhibit N – SFRA approval of Blocks 2-7 & 11-13 Tentative Map

I:\Citywide\General Plan\General Plan Referrals\2011\2011.1139R Mission Bay South Acceptance of Land and Infrastructure final 12_15_11.doc

[Not for Recording]
City and County of San Francisco
Director of Property
25 Van Ness Avenue
Suite 400
San Francisco, CA 94102

OFFER OF IMPROVEMENTS

(Mission Bay Drive Extension)

FOCIL-MB, LLC, a Delaware limited liability company ("FOCIL"), does hereby irrevocably offer to the City and County of San Francisco, a municipal corporation ("City"), and its successors and assigns, all of the open space, right-of-way improvements and underground public utility facilities constructed or installed by or on behalf of FOCIL pursuant to the Street Improvement Permit #10IE-0106, dated March 9, 2010, issued thereunder, for Mission Bay Drive Extension, and the improvement plans and specifications described therein, but excepting therefrom those portions of the facilities which are identified on the "as-built" drawings delivered to and on file with the City as PG&E service conduits and vaults, and SBC service conduits."

The property where the improvements are located is shown on Exhibit A hereto, constituting City property located in the City.

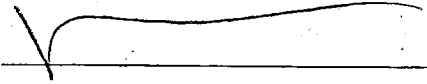
It is understood and agreed that: (i) upon acceptance of this offer of public improvements the City shall own and be responsible for maintenance of the offered public facilities and improvements, and (ii) the City and its successors or assigns shall incur no liability or obligation whatsoever hereunder with respect to such offer of public improvements, and, except as may be provided by separate instrument, shall not assume any responsibility for the offered improvements, unless and until such offer has been accepted by appropriate action of the Board of Supervisors.

The provisions hereof shall inure to the benefit of and be binding upon the heirs, successors, assigns and personal representatives of the respective parties hereto.

IN WITNESS WHEREOF, the undersigned has executed this instrument this 23 day of January, 2012.

FOCIL-MB, LLC,
a Delaware limited liability company

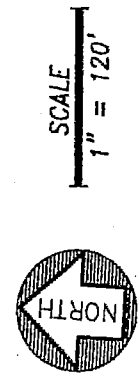
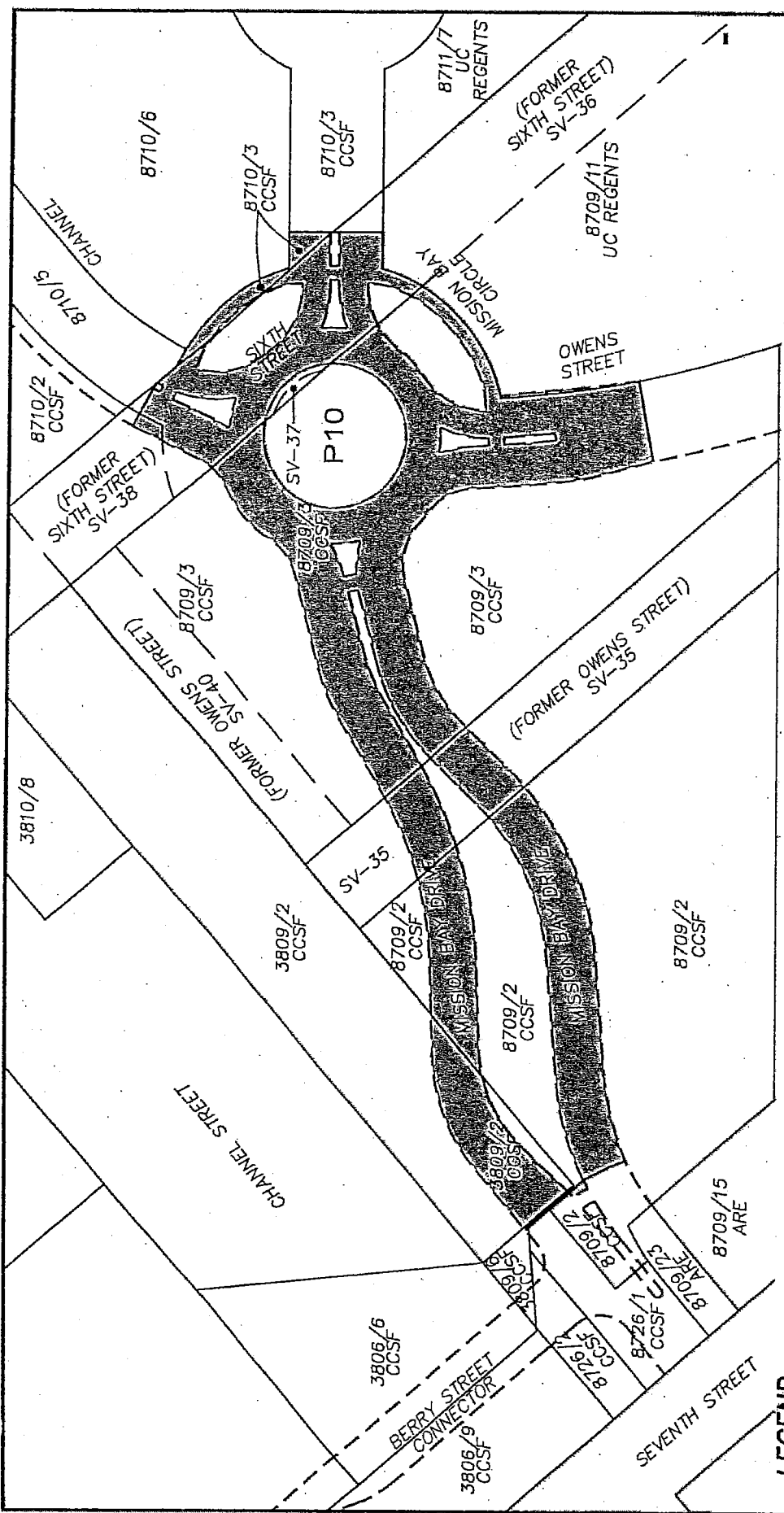
By: Farallon Capital Management, L.L.C.,
a Delaware limited liability company,
Its Manager

By: 

Name: Richard B. Fried
Managing Member

Title: _____

EXHIBIT A
[Plat Map]



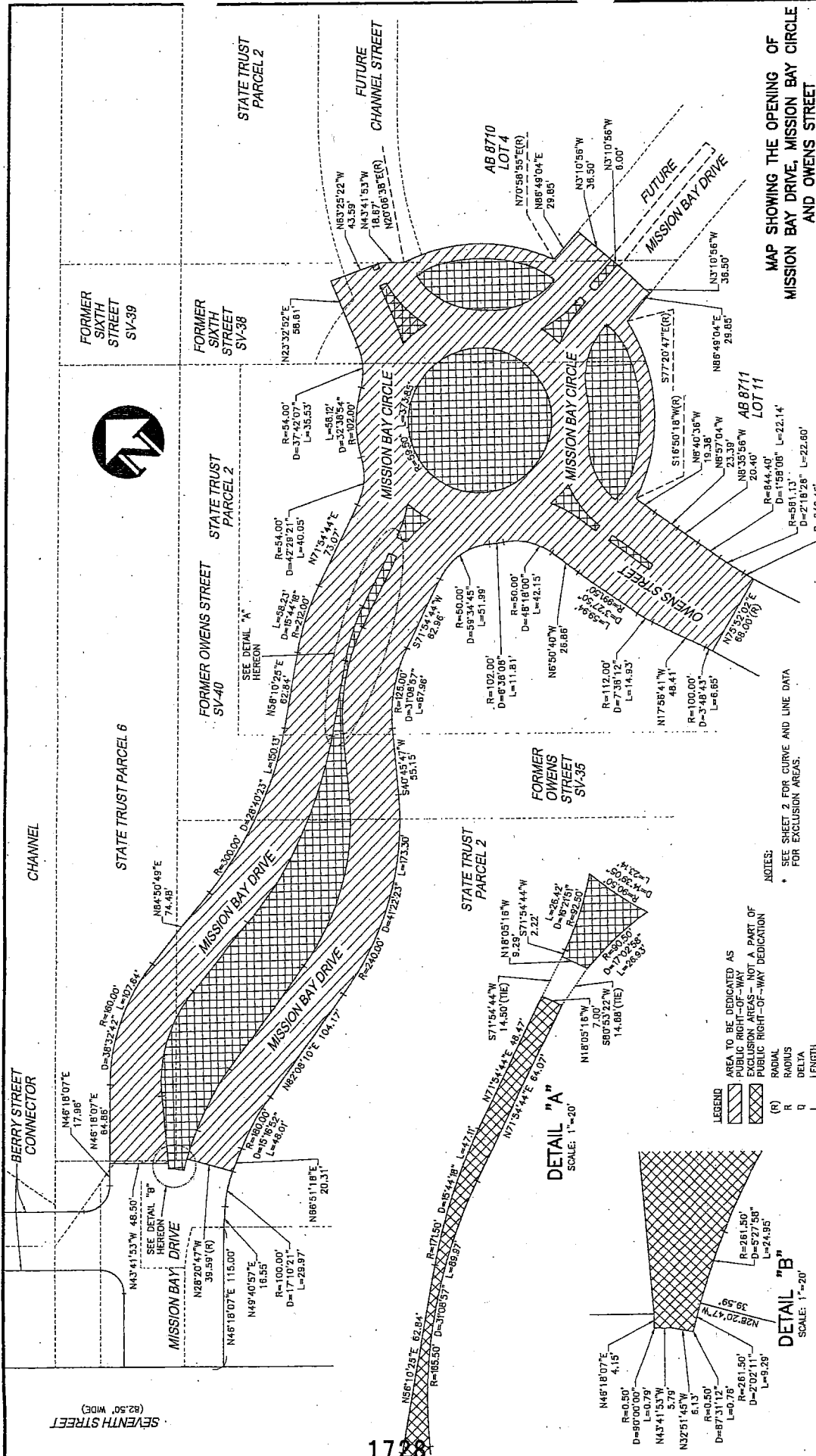
LEGEND

- LIMIT OF IMPROVEMENTS AREA
 - EXISTING PROPERTY LINE
 - PROPOSED STREET LINE
 - EXISTING STREET VACATION LINE
- | | |
|--------|--------------------------|
| SV | STREET VACATION |
| 8709/2 | ASSESSOR'S BLOCK/LOT |
| P10 | MISSION BAY BLOCK NUMBER |

CITY AND COUNTY OF SAN FRANCISCO 5/11/2012

**MISSION BAY DRIVE EXTENSION
OFFER OF IMPROVEMENTS
EXHIBIT A**

FL FREYER & LAURETA, INC.
 CIVIL ENGINEERS • SURVEYORS • CONSTRUCTION MANAGERS
 144 North San Mateo Drive • San Mateo, CA 94401
 (650)344-9901 • Fax (650)344-9920
 www.freyerlaureta.com



CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF PUBLIC WORKS
BUREAU OF STREET USE AND MAPPING

SCALE: 1" = 50'

REFERENCES:
 BOOK DD OF SURVEY MAPS, PAGES 118-121
 BOOK CC OF SURVEY MAPS, PAGES 123-131
 BOOK Z OF SURVEY MAPS, PAGES 9-13

SHEET 1 OF 2 SHEET -172

THIS MAP, COMPRISING OF ONE (1) SHEET, IS APPROVED AND MADE OFFICIAL AND THE PARCELS SHOWN HEREON ARE DECLARED TO BE OPEN PUBLIC STREET, DEDICATED TO PUBLIC USE TO BE KNOWN BY NAME AS SHOWN ON THIS MAP BY ORDINANCE NO. _____ DAY OF _____, 2013.

APPROVED AS TO FORM:
 BY: _____ CITY AND COUNTY SURVEYOR

APPROVED THIS _____ DAY OF _____, 2013
 BY ORDER NO. _____ DIRECTOR OF PUBLIC WORKS

RECORDER'S STATEMENT

FILED THIS _____ DAY OF _____, 2013, AT _____ M.
 IN BOOK _____ OF SURVEY MAPS, AT PAGE _____ AT THE REQUEST OF THE COUNTY SURVEYOR OF THE CITY AND COUNTY OF SAN FRANCISCO.

SIGNED _____ COUNTY RECORDER

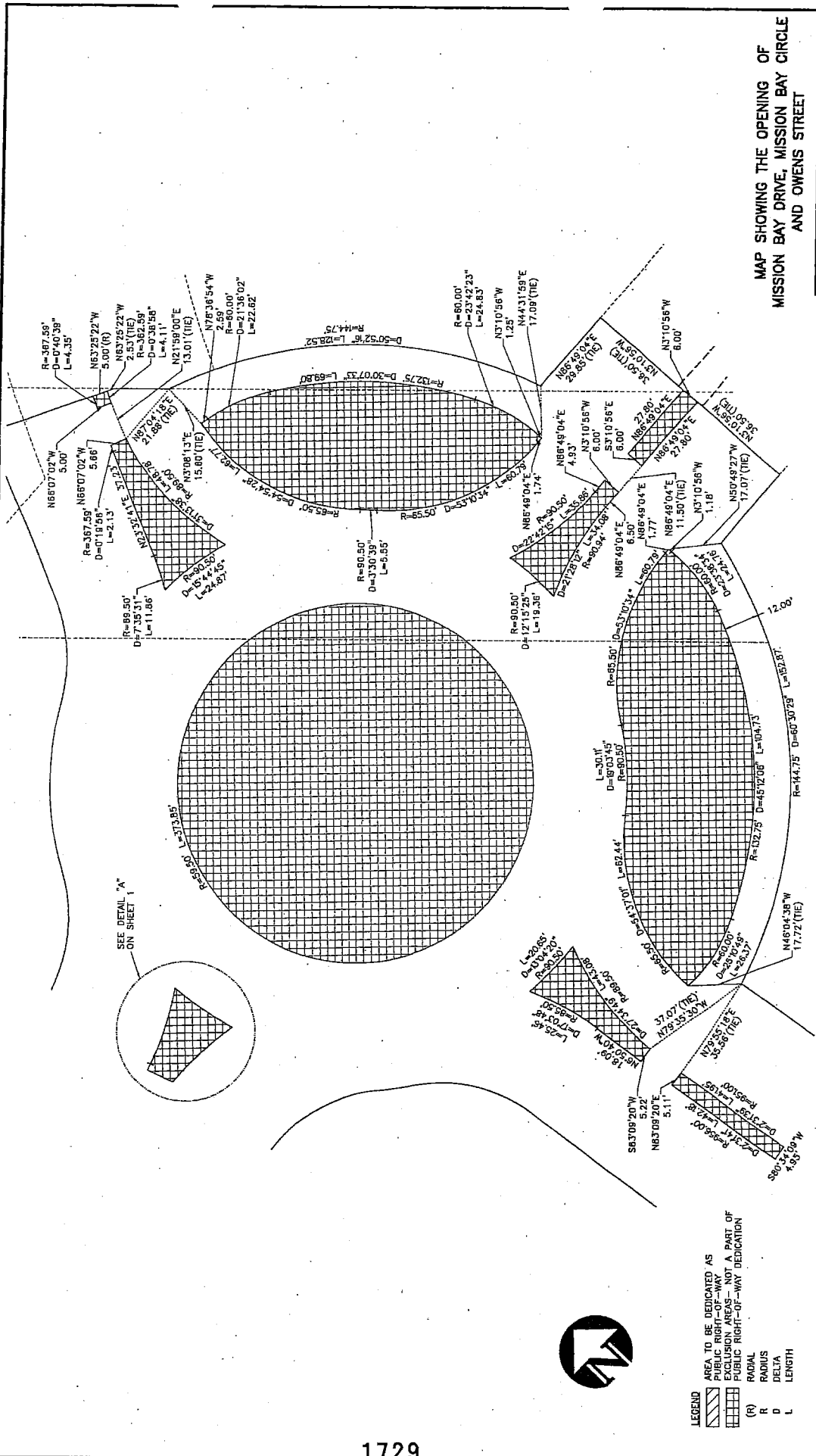
MAP SHOWING THE OPENING OF
MISSION BAY DRIVE, MISSION BAY CIRCLE
AND OWENS STREET

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF PUBLIC WORKS
BUREAU OF STREET USE AND MAPPING

SCALE: 1" = 20'

REFERENCES:
BOOK DD OF SURVEY MAPS, PAGES 116-121
BOOK CC OF SURVEY MAPS, PAGES 123-131
BOOK Z OF SURVEY MAPS, PAGES 97-113

SHEET 2 OF 2 SHEET A-17-172



LEGEND

AREA TO BE DEDICATED AS PUBLIC RIGHT-OF-WAY

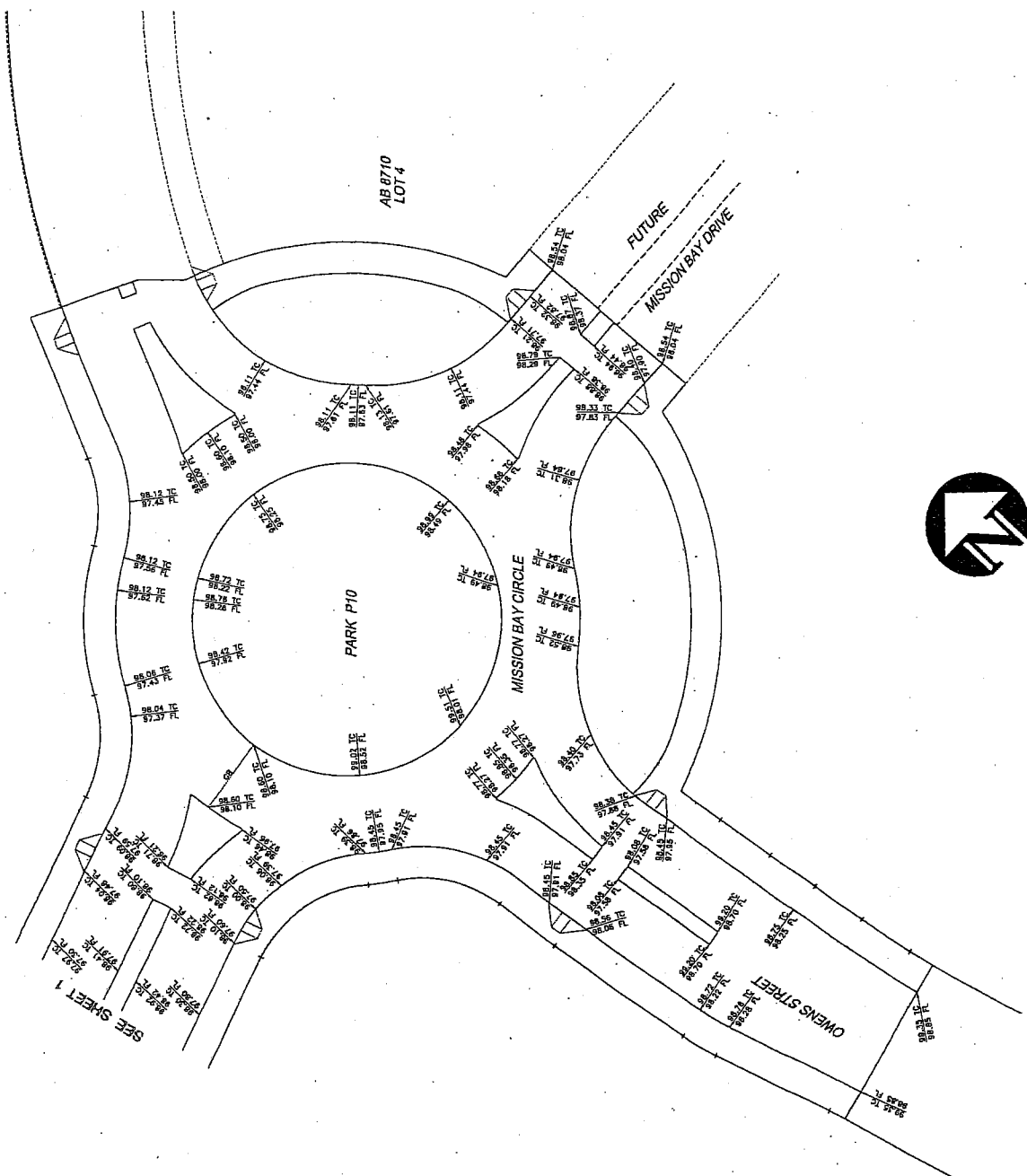
EXCLUSION AREAS - NOT A PART OF PUBLIC RIGHT-OF-WAY DEDICATION

RADIAL

R RADIUS

D DELTA

L LENGTH



CITY AND COUNTY OF SAN FRANCISCO
 DEPARTMENT OF PUBLIC WORKS
 BUREAU OF STREET USE
 AND MAPPING

MAP
 SHOWING THE OFFICIAL SIDEWALKS AND CURB
 LINES OF THE PROPOSED
 MISSION BAY DRIVE, MISSION BAY CIRCLE
 AND OWENS STREET

SCALE: 1"=20'
 APPROVED: _____ SHEET 2 OF 2 SHEETS
 FILE: _____ DATE: _____ Q-20-175

NO.	DATE	DESCRIPTION	BY	CHECKED
TABLE OF CHANGES				

