

1 [Acceptance of an Easement.]

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3 **Resolution authorizing the acceptance of an avigation easement by the City and**
4 **County of San Francisco from Martin/Regis San Bruno Associates, L.P. for the**
5 **development of the former United States Navy Site in the City of San Bruno, at no cost**
6 **to the City and County of San Francisco.**

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8 WHEREAS, Martin/Regis San Bruno Associates, L.P., a Delaware limited partnership,
9 own an approximate 20.1 acre former United States Navy site on which they plan to build a
10 mixed-use development. This project, known as The Crossing/San Bruno, includes a
11 minimum of 600 low and moderate-income housing units, with 200 reserved for senior use;
12 and

13 WHEREAS, The specific plan adopted by the City of San Bruno for this approximate
14 20.1 acre site incorporates the noise insulation requirements established by the FAA to meet
15 45 dB CNEL acoustical standards in all habitable rooms; and

16 WHEREAS, The specific plan includes the requirement that all potential buyers or
17 tenants receive a disclosure statement describing the proximity of the project to "SFO", the
18 San Francisco International Airport, and the adverse impact of aircraft over-flight noise; and

19 WHEREAS, As a condition for approval of The Crossing/San Bruno Project, the
20 specific plan mandates that the developer execute an avigation easement for all residential
21 units in the project in favor of the City and County of San Francisco, a copy of which is on file
22 with the Clerk of the Board of Supervisors in File No. _____ ; and

23 WHEREAS, Acceptance of this easement is consistent with State Title 21 which
24 requires that a grant-of-easement be obtained for all dwellings constructed after January 1,
25 1989 that are situated within the 65 dB CNEL State noise contour; now, therefore, be it

1 RESOLVED, That in accordance with Airport Commission Resolution No. 02-0236, a
2 copy of which is on file with the Clerk of the Board of Supervisors in File No. _____, the
3 San Francisco Airport Commission recommends to the San Francisco Board of Supervisors
4 that the Director of Property accept an avigational Grant of Easement from Martin/Regis San
5 Bruno Associates, L.P. for the development of The Crossing/San Bruno at no cost to the City
6 and County of San Francisco.

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8 RECOMMENDED:

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10 _____
11 John L. Martin
12 Airport Director

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15 Steve Legnitto
16 Acting Director of Property

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