

FILE NO. 98-1501

RESOLUTION NO.

1 [License Agreement - 1900 Third Street LLC]

2 APPROVING LICENSE AGREEMENT WITH 1900 THIRD STREET LLC RELATING TO USE
3 OF FORMER CITY STREETS WITHIN THE MISSION BAY DEVELOPMENT PROJECT
4 AREA; ADOPTING FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL
5 QUALITY ACT; AND ADOPTING FINDINGS THAT THE LICENSE IS CONSISTENT WITH
6 THE CITY'S GENERAL PLAN AND EIGHT PRIORITY POLICIES OF CITY PLANNING
7 CODE SECTION 101.1.

8 WHEREAS, On April 4, 1995 the City filed an action in San Francisco Superior Court
9 under the Destroyed Land Records Relief Law, known as the McEnerney Act, to clear title to
10 certain City property within the Mission Bay Development Project area described more
11 specifically in Exhibit A to the Complaint ("Property"); and,

12 WHEREAS, The Property consists of former City streets which were vacated in 1892,
13 the title to which has been disputed with the adjoining owner, 1900 Third Street LLC, over
14 many years; and,

15 WHEREAS, The Board of Supervisors is considering a settlement by stipulation with
16 1900 Third Street LLC; and,

17 WHEREAS, As part of the settlement the City agreed to enter into a License
18 Agreement with 1900 Third Street LLC ("Licensee") and Catellus Development Corporation
19 ("Catellus"), providing Licensee with a license to enter upon and use the Property and
20 portions of Catellus owned property for ingress and egress, the turning and maneuvering of
21 vehicles, parking of vehicles used in the course of business and the encroachment of certain
22 building improvements onto City and Catellus property, all as further provided in the proposed
23 License Agreement which is on file with the Clerk of the Board of Supervisors in File No. 98-
24 1501; and,

25 ///

SUPERVISOR YAKI, TENG, NEWSOM, BIERMAN, MEDINA, BROWN, AMMIANO, KATZ, LENO, YEE
BOARD OF SUPERVISORS

1 WHEREAS, On October 9, 1998, the Planning Director determined that the License
2 Agreement is consistent with the City's General Plan, as proposed to be amended, and with
3 the Eight Priority Policies of City Planning Code Section 101.1, which findings are
4 incorporated herein by this reference thereto; and,

5 WHEREAS, On September 17, 1998, the Planning Commission, by Motion No.14696,
6 and the Redevelopment Agency Commission, by Resolution No.182-98, certified the Final
7 Subsequent Environmental Impact Report for the Mission Bay Project ("Final SEIR") as
8 accurate, adequate and objective and in compliance with the California Environmental Quality
9 Act ("CEQA") and this Board of Supervisors affirmed such certification, by Motion
10 No. M98-132; and,

11 WHEREAS, This Board of Supervisors has reviewed and considered the information
12 contained in the Final SEIR; and,

13 WHEREAS, For purposes of compliance with CEQA, the License Agreement is part of
14 the Mission Bay project for which the Board of Supervisors, by Resolution No. 854 -98,
15 has adopted findings with the respect to the Final SEIR as required by CEQA, which findings
16 are on file with the Clerk of the Board of Supervisors under file No.98-1427, and which
17 findings are incorporated herein by this reference; now, therefore, be it:

18 RESOLVED, That the approval of the settlement with 1900 Third Street LLC by this
19 Board of Supervisors shall also constitute approval of the License Agreement; and, be it

20 FURTHER RESOLVED, That the Board of Supervisors finds that the License
21 Agreement is in conformity with the General Plan and is consistent with the Eight Priority
22 Policies of Planning Code Section 101.1 for the same reasons as set forth in the Planning
23 Director's letter dated October 9, 1998 and hereby incorporates by reference such findings as
24 though fully set forth in this Resolution; and, be it
25

SUPERVISOR YAKI
BOARD OF SUPERVISORS

1 FURTHER RESOLVED, That the Board of Supervisors finds that the License
2 Agreement is part of the Mission Bay Project described in the Final SEIR and hereby adopts
3 and incorporates the findings under CEQA contained in Resolution No. _____ 854 -98 by
4 this reference thereto as though such findings were fully set forth in this Resolution; and, be it



5 FURTHER RESOLVED, That the Director of Property is authorized to execute the
6 License Agreement and the accompanying Memorandum of License Agreement in
7 substantially the form presented to this Board, and to take all action necessary to effectuate
8 the purposes of the settlement, the License Agreement and this resolution.
9
10
11

12 APPROVED AS TO FORM:

13 LOUISE H. RENNE
14 City Attorney

15 
16 WILLIAM M FLEISHHACKER
Deputy City Attorney

17 RECOMMENDED:

18 
19  Director of Property
20

21 
22 Director of Public Works
23
24
25

SUPERVISOR YAKI
BOARD OF SUPERVISORS



City and County of San Francisco

Tails

Resolution

Veterans Building
401 Van Ness Avenue, Room 308
San Francisco, CA 94102-4532

File Number: 981501

Date Passed:

Resolution approving license agreement with 1900 Third Street LLC relating to use of former City streets within the Mission Bay Development Project Area; adopting findings pursuant to the California Environmental Quality Act; and adopting findings that the license is consistent with the City's General Plan and Eight Priority Policies of Planning Code Section 101.1.

October 19, 1998 Board of Supervisors — CONTINUED

Ayes: 9 - Ammiano, Bierman, Brown, Katz, Leno, Medina, Teng, Yaki, Yee

Absent: 1 - Newsom

Excused: 1 - Kaufman

October 26, 1998 Board of Supervisors — ADOPTED

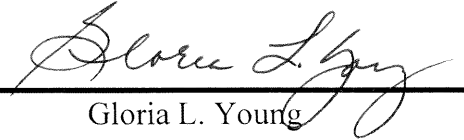
Ayes: 9 - Ammiano, Bierman, Brown, Leno, Medina, Newsom, Teng, Yaki, Yee

Absent: 1 - Katz

Excused: 1 - Kaufman

File No. 981501

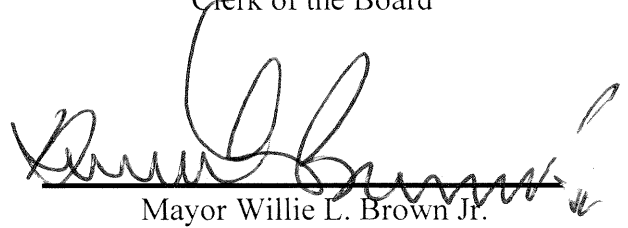
I hereby certify that the foregoing Resolution
was ADOPTED on October 26, 1998 by the
Board of Supervisors of the City and County
of San Francisco.



Gloria L. Young
Clerk of the Board

OCT 30 1998

Date Approved



Mayor Willie L. Brown Jr.

File No. 981501 continued...