

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. 180821-121

WHEREAS, California Government Code section 65864 *et seq.* (the Development Agreement Statute) and San Francisco Administrative Code Chapter 56 authorize the City to enter into a development agreement regarding the development of real property; and,

WHEREAS, Under San Francisco Administrative Code Chapter 56, BUILD Inc. (Developer) filed an application with the City's Planning Department for approval of a development agreement (Development Agreement) relating to the 700 Innes Avenue Development Project, a 17.12-acre mixed-use project on 1700 Innes Avenue site, which is part of the larger India Basin Mixed-Use Development Project (India Basin Project); and,

WHEREAS, the City and Developer have undergone a joint environmental review process for the India Basin Project, and are in the process of negotiating the Development Agreement, which would authorize Developer to proceed with its portion of the India Basin Project in exchange for its delivery of various public benefits; and,

WHEREAS, The India Basin project would create up to 1,575 new housing units, 25% of which would be permanently below market rate, 121,915 gross square feet of new office space, up to 87,191 gross square feet of retail space, and would create or improve fifteen acres of public open space; and,

WHEREAS, the Developer has developed and will implement a Transportation Demand Management Plan that results in the India Basin Project producing 20% fewer driving trips than identified by the project's Transportation Impact Study and promotes measures that encourage sustainable modes of travel such as transit, bicycling and walking; and,

WHEREAS, Under the terms of the Development Agreement, the Developer will pay the Transportation Fee, which the SFMTA will expend in accordance with San Francisco Planning Code Section 411A.7 to address the impacts of development on the City's transportation system, including projects that expand the transportation system's connectivity, reliability, and capacity; and,

WHEREAS, On July 26, 2018, the San Francisco Planning Commission, in Motion No. 20247, certified the India Basin Project (Case No. 2014-002541ENV) Final Environmental Impact Report (FEIR); on that same date, in Motion No. 20248 the San Francisco Planning Commission adopted California Environmental Quality Act (CEQA) Findings, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program (MMRP) (collectively, the India Basin CEQA Findings); and,

WHEREAS, Since that time, there have been no changes to the India Basin Project, changes to the circumstances under which the project will be undertaken, or substantial new information that would trigger the need for a subsequent environmental impact report; and,

WHEREAS, A copy of the Planning Commission Resolution, the CEQA findings, and the CEQA determination are on file with the Secretary to the SFMTA Board of Directors, and may be found in the records of the Planning Department at 1650 Mission Street in San Francisco, and are incorporated herein by reference; and,

WHEREAS, The India Basin Project requires horizontal infrastructure development, including the design and creation of new streets; and,

WHEREAS, Exhibit I to the Development Agreement includes the Infrastructure Plan that outlines the project's responsibility to construct horizontal infrastructure upon the review and approval of various city agencies, including the SFMTA; and,

WHEREAS, Exhibit Q to the Development Agreement includes a Transportation Exhibit, which includes the Transportation Plan, Transportation Demand Management Plan, agreements between the City and Developer as to required parking-garage consultations and payment for transit-only lanes, and the Transportation Fee; and,

WHEREAS, Exhibit U to the Development Agreement includes Applicable Impact Fees and Exactions, including the Transportation Fee; now, therefore be it

RESOLVED, That the SFMTA Board of Directors adopts the India Basin California Environmental Quality Act (CEQA) findings as its own, and to the extent the above actions are associated with any mitigation measures or improvement measures including Improvement Measures I-TR-6, I-TR-7, I-TR-10, the SFMTA Board of Directors adopts those measures as conditions of this approval; and, be it

FURTHER RESOLVED, That the SFMTA Board of Directors does hereby consent to the Development Agreement, including its exhibits containing the Infrastructure Plan, Transportation Exhibit, and Applicable Fees and Exactions, substantially in the form and terms as outlined in the Development Agreement with respect to the items under the SFMTA's jurisdiction, and authorizes the SFMTA Director of Transportation to execute the SFMTA Consent to the Development Agreement; pending approval by the Board of Supervisors; and, be it

FURTHER RESOLVED, That, subject to appropriation of any necessary funds, the SFMTA Board of Directors authorizes the Director of Transportation to take any and all steps (including, but not limited to, the execution and delivery of any and all agreements, notices, consents and other instruments or documents) necessary, in consultation with the City Attorney, to consummate and perform SFMTA obligations under the Development Agreement, or otherwise to effectuate the purpose and intent of this Resolution; and, be it


FURTHER RESOLVED, That, by consenting to the SFMTA matters in the Development Agreement between the City and the Developer, the SFMTA Board of Directors does not intend to in any way limit, waive or delegate the exclusive authority of the SFMTA; and, be it

FURTHER RESOLVED, That, subject to appropriation of any necessary funds, the Board of Directors authorizes the Director of Transportation to take any and all steps (including, but not limited to, the execution and delivery of any and all agreements, notices, consents and other instruments or documents) necessary, in consultation with the City Attorney, to consummate and perform SFMTA obligations under the Development Agreement, or otherwise to effectuate the purpose and intent of this Resolution; and, be it

FURTHER RESOLVED, That, by consenting to the SFMTA matters in the Development Agreement between the City and the Developer, the SFMTA Board does not intend to in any way limit, waive or delegate the exclusive authority of the SFMTA; and, be it

FURTHER RESOLVED, That the approval under this Resolution shall take effect upon the effective date of the Board of Supervisors legislation approving the India Basin Development Agreement.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of August 21, 2018.



Secretary to the Board of Directors
San Francisco Municipal Transportation Agency