

SAN FRANCISCO
MUNICIPAL TRANSPORTATION AGENCY
BOARD OF DIRECTORS

RESOLUTION No. 240521-055

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, Stonestown NW Parcel LLC, a Delaware limited liability company, Stonestown Shopping Center, L.P., a Delaware limited partnership, and Stonestown Anchor Acquisition, L.P., a Delaware limited partnership (Developer) filed an application with the City's Planning Department for approval of a development agreement (Development Agreement) relating to the Stonestown Development Project, a 43-acre mixed-use project; and,

WHEREAS, The City and Developer negotiated the Development Agreement, which would authorize Developer to proceed with the Stonestown Development Project in exchange for its delivery of various public benefits; and,

WHEREAS, The Project would create up to 3,500 new housing units, 20% of which would be permanently below market rate, 63,000 square feet of institutional use, a childcare facility, 160,000 square feet of new retail sales and service uses, 96,000 square feet of non-retail sales and service use, and six acres of public open space; and,

WHEREAS, Under the terms of the Development Agreement, the Developer shall pay the Transportation Sustainability Fee; and,

WHEREAS, The Project will implement street improvements that enhance pedestrian safety, bicycling connectivity, and transit access as described in the Project's Infrastructure Plan; and,

WHEREAS, Exhibit S to the Development Agreement includes a Transportation Exhibit, which includes the transportation demand management plan, the SFMTA and Developer responsibility for ownership, maintenance, liability, enforcement and control of publicly accessible private streets and Winston Drive, the Developer's obligation to provide a transit easement and bus stops and transit shelters, and the Developer's provision of a replacement SFMTA Restroom and a new SamTrans restroom; and,

WHEREAS, On May 9, 2024, the San Francisco Planning Commission, in Motion No. R-21559, certified the Stonestown Development Project (Case No 2021-012028ENV) Final Environmental Impact Report (FEIR); on that same date, in Motion No. M-21560 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 Stonestown Development Project CEQA Findings); and,

WHEREAS, A copy of the FEIR, Planning Commission motions and the CEQA findings, including the MMRP and statement of overriding considerations, are on file with the Secretary to

the SFMTA Board of Directors, and may be found in the records of the Planning Department at 49 South Van Ness in San Francisco, and are incorporated herein by reference; now therefore be it

RESOLVED, That the SFMTA Board of Directors has reviewed the Final Environmental Impact Report (FEIR) for the Project and finds that the FEIR is adequate for its uses as the decision-making body for the actions taken herein, does hereby adopt the Stonestown Development Project CEQA Findings as its own and to the extent the above actions are associated with any mitigation measures (including M-TR-1: Construction Coordination Plan, M-TR-4a: Reduce Project Vehicle Trips, M-TR-4b: Transit Travel Time Reduction Measure, M-TR-3: Signal Coordination along 19th Avenue, M-TR-6: Develop a Driveway and Loading Operations Plan (DLOP)) as conditions of this approval; and, be it further

RESOLVED, That the SFMTA Board of Directors does hereby consent to the Stonestown Development Project Development Agreement and its exhibits, including the Infrastructure Plan and Transportation Exhibit, substantially in the form and terms as outlined in the Development Agreement with respect to the items under the SFMTA's jurisdiction; and, be it further

RESOLVED, That the SFMTA Director of Transportation is authorized to execute the SFMTA Consent to the Development Agreement; pending approval by the Board of Supervisors; 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 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, and implementation of traffic modifications) 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, Consistent with the terms of the Development Agreement, the Director of Transportation is authorized, in consultation with the City Attorney, to concur with any additions, amendments or other modifications to the Development Agreement that the Director of Transportation determines are in the best interests of the SFMTA and that do not materially increase the obligations or liabilities of the SFMTA or materially decrease the benefits to the SFMTA as provided in the Development Agreement; 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 Stonestown Development Project Development Agreement.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of May 21, 2024.



Secretary to the Board of Directors
San Francisco Municipal Transportation Agency