

SAN FRANCISCO  
MUNICIPAL TRANSPORTATION AGENCY  
BOARD OF DIRECTORS

RESOLUTION No. 170221-021

WHEREAS, On April 20, 2010, the SFMTA Board of Directors authorized the acquisition of the property at 266 4th Street (the Property) so that the Yerba Buena/Moscone Station serving the Central Subway Project may be constructed there; and,

WHEREAS, The Station will occupy a portion of the Property, while the remainder will remain vacant and is suitable for development; and,

WHEREAS, “The SFMTA’s Real Estate and Facilities Vision for the 21<sup>st</sup> Century,” an extensive report on properties under SFMTA jurisdiction, issued in February 2013, concluded that a portion of the Property is a candidate site for transit oriented development; and,

WHEREAS, The Property was identified as an initial site for the Public Land for Housing Program, a program established by the City and County of San Francisco in 2014 to maximize the use and public benefit of publicly owned properties; and,

WHEREAS, SFMTA staff explored various alternatives for developing the vacant area of the Property site and determined that an affordable housing development in partnership with the Mayor’s Office of Housing and Community Development (MOHCD) represents the best use of the site with minimal risk and cost to the SFMTA (“the Proposed Project”); and,

WHEREAS, The Central Subway Project and the acquisition of the site are funded in large part by the Federal Transit Administration (FTA) of the U.S. Department of Transportation, whose regulations require that the SFMTA retain jurisdiction over the entire Property, including the portion to be developed; and,

WHEREAS, On January 24, 2017, the SFMTA, under authority delegated by the Planning Department, determined that the 266 4<sup>th</sup> Street Memorandum of Understanding is not defined as a “project” under the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations Sections 15060(c) and 15378(b), because the MOU would not result in direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment; and,

WHEREAS, A copy of the CEQA determination is on file with the Secretary to the SFMTA Board of Directors and is incorporated herein by reference; and,

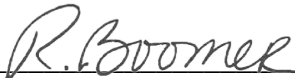
WHEREAS, SFMTA and MOHCD staff have negotiated the terms of a Memorandum of Understanding (MOU) whereby MOHCD will oversee the development of the Proposed Project as an affordable housing development with ground floor commercial use, and the SFMTA will review the design and construction of the Proposed Project to ensure the development does not damage the Yerba Buena/Moscone Station or impede its transit functions; and,

WHEREAS, The MOU does not limit the SFMTA or MOHCD's discretion to fully review and consider the Proposed Project and to (i) make such modifications deemed necessary to mitigate significant environmental impacts, (ii) select other feasible alternatives to avoid such impacts; (iii) balance the benefits against unavoidable significant impacts prior to taking final action if such significant impacts cannot otherwise be avoided, or (iv) determine not to proceed with the Ground Lease or the Proposed Project; and

WHEREAS, The development of the Proposed Project as memorialized in the MOU will assist the SFMTA in meeting the objectives of SFMTA Strategic Plan Goal No. 2 (Make transit, walking, bicycling, taxi, ridesharing and car-sharing the preferred means of travel) and Goal No. 3 (Improve the environment and quality of life in San Francisco); now, therefore be it

RESOLVED, That the San Francisco Municipal Transportation Agency Board of Directors authorizes the Director of Transportation to execute a Memorandum of Understanding between the SFMTA and the Mayor's Office of Housing and Community Development to establish the terms of a ground lease and agreement to develop a proposed affordable housing project with ground floor commercial use at 266 4th Street, and to memorialize the agencies' respective roles and responsibilities in the planning, review, design, construction, oversight, and public outreach for the Proposed Project.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of February 21, 2017.

  
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Secretary to the Board of Directors  
San Francisco Municipal Transportation Agency