

SAN FRANCISCO  
MUNICIPAL TRANSPORTATION AGENCY  
BOARD OF DIRECTORS

RESOLUTION No. 191001-125

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, Laurel Heights Partners, LLC. (Developer) filed an application with the City's Planning Department for approval of a development agreement (Development Agreement) relating to the 3333 California Street Development Project, a 10.25-acre mixed-use project; and,

WHEREAS, The City and Developer negotiated the Development Agreement, which would authorize Developer to proceed with the 3333 California Project in exchange for its delivery of various public benefits; and,

WHEREAS, The 3333 California project would create up to 744 new housing units, 25% of which would be permanently below market rate for low-income seniors, a 15,000 gross square foot child-care center, up to 35,000 gross square feet of retail space, and would create or improve 2.87 acres of public open space; and,

WHEREAS, The Project will implement street improvements that enhance pedestrian safety; and,

WHEREAS, The San Francisco Municipal Transportation Agency has received a request, or identified a need for parking and traffic modifications as follows to support the street improvements:

- A. ESTABLISH – TOW AWAY NO STOPPING ANYTIME: Presidio Avenue, west side, from Pine Street to 40 feet northerly.
- B. ESTABLISH – TOW AWAY NO STOPPING ANYTIME: Masonic Avenue, west side, from intersection of Presidio Avenue to 60 feet southerly.
- C. ESTABLISH – TOW AWAY NO STOPPING ANYTIME: Masonic Avenue, west side, from Euclid Avenue to 100 feet northerly.
- D. ESTABLISH – TOW AWAY NO STOPPING ANYTIME: Euclid Avenue, north side, from Masonic Avenue to 40 feet westerly.
- E. ESTABLISH – TOW AWAY NO STOPPING ANYTIME: Euclid Avenue, north side, from Laurel Street to 40 feet easterly.
- F. ESTABLISH – TOW AWAY NO STOPPING ANYTIME: Laurel Street, east side, from Euclid Avenue to 40 feet northerly.
- G. ESTABLISH – TOW AWAY NO STOPPING ANYTIME: Laurel Street, east side, from intersection of Mayfair Drive to 20 feet southerly.
- H. ESTABLISH – TOW AWAY NO STOPPING ANYTIME: Laurel Street, east side, from

intersection of Mayfair Drive to 20 feet northerly.

- I. ESTABLISH – TOW AWAY NO STOPPING ANYTIME: California Street, south side, from Walnut Street to 40 feet westerly.
- J. ESTABLISH – TOW AWAY NO STOPPING ANYTIME: California Street, south side, from Walnut Street to 40 feet easterly.
- K. ESTABLISH – CROSSWALK: Pine Street, north side, crossing Presidio Avenue; and,

WHEREAS, The Developer has developed and will implement a Transportation Demand Management Plan that exceeds the project’s requirements within the Planning Code; and,

WHEREAS, Under the terms of the Development Agreement, the Developer will pay the Transportation Sustainability 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 September 5, 2019, the San Francisco Planning Commission, in Motion No. 20512, certified the 3333 California Project (Case No 2015-014028ENV) Final Environmental Impact Report (FEIR); on that same date, in Motion No. 20513 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 3333 California CEQA Findings); and,

WHEREAS, Since that time, there have been no changes to the 3333 California 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, Exhibit J to the Development Agreement includes a Transportation Exhibit, which includes the Transportation Demand Management Plan and a Slip Lane Reconfiguration; and,

WHEREAS, Schedule 1 in the Development Agreement includes Applicable Impact Fees and Exactions, including the Transportation Sustainability Fee; 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 use as the decision-making body for the actions taken herein, does hereby adopt the California Environmental Quality Act Findings set forth in Planning Commission Motion No. 20513, including the statement of overriding consideration, as its own and adopts the Mitigation Monitoring and Reporting Program items related to transportation and circulation (M-TR-2: Reduce Retail Parking Supply, M-TR-4: Monitor and Provide Fair-Share Contribution to

Improve 43 Masonic Capacity, I-TR-1: Project Construction Updates, I-TR-3: Driveway Queue Abatement, I-TR-9a: Schedule and Coordinate Deliveries, and I-TR-9b: Monitor Loading Activity and Implement Loading Management Strategies as Needed), which are incorporated into this Resolution by this reference; and be it

FURTHER RESOLVED, That the SFMTA Board of Directors does hereby consent to the 3333 California Project Development Agreement, including its exhibits containing the 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 Board of Directors approves the various parking and traffic modifications as set forth in Items A-K above; 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 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 the approval under this Resolution shall take effect upon the effective date of the Board of Supervisors legislation approving the 3333 California Development Agreement.

I certify that the foregoing resolution was adopted by the San Francisco Municipal Transportation Agency Board of Directors at its meeting of October 1, 2019.

  
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Secretary to the Board of Directors  
San Francisco Municipal Transportation Agency