



SAN FRANCISCO PLANNING DEPARTMENT

Planning Commission Resolution No. 20613

HEARING DATE: JANUARY 9, 2020

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Record Number: **2016-013312GPA**

Project Address: **542-550 Howard Street (Transbay Parcel F)**

Existing Zoning: C-3-O(SD) Downtown-Office (Special Development) Zoning District
750-S-2 and 450-S Height and Bulk Districts
Transit Center C-3-O(SD) Commercial and
Transbay C-3 Special Use Districts
Downtown and Transit Center District Plan Areas

Block/Lot: 3721/016, 135, 136, 138

Project Sponsor: F4 Transbay Partners, LLC
101 California Street, Suite 1000
San Francisco, CA 94111

Property Owner: Parcel F Owner, LLC
101 California Street, Suite 1000
San Francisco, CA 94111

Staff Contact: Nicholas Foster, AICP, LEED GA
nicholas.foster@sfgov.org, (415) 575-9167

RESOLUTION TO ADOPT A GENERAL PLAN AMENDMENT, PURSUANT TO PLANNING CODE 340, INCLUDING REVISIONS TO FIGURE 1 OF THE TRANSIT CENTER DISTRICT SUBAREA PLAN AND MAP 1 AND MAP 5 OF THE DOWNTOWN AREA PLAN. THE PROPOSED AMENDMENT WOULD REVISE THE HEIGHT AND BULK DESIGNATIONS FOR PORTIONS OF THE 542-550 HOWARD STREET PROJECT SITE, ASSESSOR'S PARCEL BLOCK NO. 3721, LOTS 016, 135, 136, AND 138, ALSO KNOWN AS TRANSBAY PARCEL F, AS SHOWN ON FIGURE 1 OF THE TRANSIT CENTER DISTRICT SUBAREA PLAN, AND REVISE THE USE DESIGNATIONS ON MAP 1 AND HEIGHT AND BULK DESIGNATIONS ON MAP 5 OF THE DOWNTOWN AREA PLAN. THE PROPOSED GENERAL PLAN AMENDMENT IS RELATED TO PLANNING CODE TEXT AND MAP AMENDMENTS TO ALLOW THE CONSTRUCTION OF A NEW MIXED-USE BUILDING PROPOSED ON THE SUBJECT SITE.

WHEREAS, Section 4.105 of the Charter of the City and County of San Francisco mandates that the Planning Commission shall periodically recommend to the Board of Supervisors for approval or rejection proposed amendments to the General Plan; and

WHEREAS, Parcel F Owner, LLC ("Project Sponsor") has filed an application requesting amendments to the General Plan, Planning Code, and Zoning Maps to facilitate the construction of a mixed-use project known as the Transbay Parcel F Mixed-Use Project ("Project"); and

WHEREAS, pursuant to Planning Code Section 340(C), the Planning Commission ("Commission") initiated a General Plan Amendment for the 542-550 Howard Street ("Parcel F") Mixed-Use Project ("Project"), per Planning Commission Resolution No. 20586 on December 5, 2019; and

WHEREAS, the General Plan Amendment would: revise Map 5 of the Downtown Area Plan to reclassify the height and bulk designations for the western 15 feet of Assessor's Block 3721, Lot 016 from 450-S to 750-S2, a 3'-5" wide area located 111'-7" west of the eastern edge of Assessor's Parcel Block No. 3721, Lot 136 from 450-S to 750-S2, and an area measuring 109' by 69' of the northwest corner of Assessor's Parcel Block No. 3721, Lot 138 from 750-S2 to 450-S; revise Map 1 of the Downtown Area Plan to reclassify the land use designations for Assessor's Block 3721, Lots 016, 135, 136, and 138 from "Downtown Service (C-3-O(SD))" and "P" to "Downtown Service (C-3-O(SD)); and revise Figure 1 of the Transit Center District Subarea Plan to reclassify the height limits for the western 15 feet of Assessor's Block 3721, Lot 016 from 450' to 750', a 3'-5" wide area located 111'-7" west of the eastern edge of Assessor's Parcel Block No. 3721, Lot 136 from 450' to 750', and an area measuring 109' by 69' of the northwest corner of Assessor's Parcel Block No. 3721, Lot 138 from 750' to 450'.

WHEREAS, the General Plan Amendment would enable the Project. The Project includes the construction of a new 61-story mixed-use building reaching a height of 749'-10" tall (800' inclusive of rooftop screening/mechanical equipment). The Project would include 165 dwelling units, 189 hotel rooms, approximately 276,000 square feet of office use floor area, approximately 79,000 square feet of floor area devoted to shared amenity space, approximately 9,000 square feet of retail space, approximately 20,000 square feet of open space, 177 Class 1 and 39 Class 2 bicycle parking spaces, and four below-grade levels that would accommodate up to 183 vehicle parking spaces provided for the residential, hotel, and office uses. The Project also would construct a pedestrian bridge providing public access to Salesforce Park located on the roof of the Transbay Transit Center.

WHEREAS, a Proposed Ordinance has been drafted in order to make the necessary amendments to the General Plan to implement the Project. The Office of the City Attorney has approved the Proposed Ordinance as to form; and

WHEREAS, this General Plan Amendment Initiation is covered by San Francisco Planning Commission Motion No. 18628, Final Environmental Impact Report certification for the Transit Center District Plan ("FEIR") and the August 27, 2019 Planning Department issuance of a Community Plan Evaluation ("CPE") determining that the environmental effects of the Project, including the actions contemplated herein, were adequately analyzed in the FEIR and that no further environmental review is required in accordance with the California Environmental Quality Act ("CEQA", California Public Resources Code Sections 21000 et seq.) and Administrative Code Chapter 31; and

WHEREAS, the environmental effects of the Project were determined by the San Francisco Planning Department to have been fully reviewed under the Transit Center District Plan Environmental Impact Report (hereinafter "EIR"). On May 24, 2012, the Commission reviewed and considered the Final EIR ("FEIR") and found that the contents of said report and the procedures through which the FEIR was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California

Public Resources Code Sections 21000 et seq.) ("CEQA"), 14 California Code of Regulations Sections 15000 et seq. ("the CEQA Guidelines"), and Chapter 31 of the San Francisco Administrative Code ("Chapter 31").

WHEREAS, On August 27, 2019, the Department determined that the proposed application did not require further environmental review under Section 15183 of the CEQA Guidelines and Public Resources Code Section 21083.3. The Project is consistent with the adopted zoning controls in the Transit Center District Plan and was encompassed within the analysis contained in the Transit Center District Plan FEIR. Since the Transit Center District Plan FEIR was finalized, there have been no substantial changes to the Transit Center District Plan and no substantial changes in circumstances that would require major revisions to the FEIR due to the involvement of new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the FEIR. The file for this Project, including the Transit Center District Plan FEIR and the Community Plan Exemption certificate, is available for review at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, California.

WHEREAS, Planning Department staff prepared a Mitigation Monitoring and Reporting Program (MMRP) setting forth mitigation measures that were identified in the Transit Center District Plan FEIR that are applicable to the project. These mitigation measures are set forth in their entirety in the MMRP attached to the draft Motion for the Downtown Project Authorization Case No. 2016-013312DNX, as Exhibit C.

WHEREAS, this Resolution approving this General Plan Amendment is a companion to other legislative approvals relating to the Project, including recommendation of approval of Planning Code Text and Map Amendments. This companion ordinance is on file with the Clerk of the Board of Supervisors in File No. 191259.

WHEREAS, the Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of Department staff and other interested parties; and

WHEREAS, the Commission has reviewed the proposed General Plan Amendment; and

WHEREAS, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the General Plan Amendment on January 9, 2020; and,

MOVED, that pursuant to Planning Code Section 340, the Commission adopts a Resolution to amend the General Plan based on the following:

FINDINGS

1. The General Plan Amendment would give effect to the Project, thereby facilitating the development of currently under-utilized land for much-needed housing, commercial office space, tourist hotel guest rooms, as well as a new open space. These new uses would create a new mixed-use development that would strengthen and complement nearby neighborhoods.

2. The General Plan Amendment would enable construction of new housing, on the Site including in addition to off-site inclusionary affordable housing located within the Transbay Redevelopment Plan Area.
3. The General Plan Amendment would help ensure a vibrant neighborhood with active streets and open spaces, a high quality and well-designed building, and thoughtful relationships between the building and the public realm. This new development would integrate with the surrounding city fabric and the existing neighborhood and would constitute a beneficial development.
4. The General Plan Amendment would give effect to the Project, which in turn will provide employment opportunities for local residents during construction and post-occupancy.
5. **General Plan Compliance.** The Planning Code and General Plan Compliance Findings set forth in Motion No. 20616, Case No. 2016-013312DNX (Downtown Project Authorization, pursuant to Planning Code Section 309) apply to this Motion and are incorporated herein as though fully set forth.
6. **Planning Code Section 101.1(b).** The Planning Code Priority Policy Findings set forth in Motion No. 20616, Case No. 2016-013312DNX (Downtown Project Authorization, pursuant to Planning Code Section 309) apply to this Motion and are incorporated herein as though fully set forth.
7. **Planning Code Section 340 Findings.** The Planning Commission finds from the facts presented that the public necessity, convenience and general welfare require the proposed amendments to the Planning Code as set forth in Section 340.

NOW THEREFORE BE IT RESOLVED that the Commission hereby APPROVES the proposed Ordinance as described in this Resolution and attached as Exhibit A.

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on January 9, 2020.


Jonas P. Ionin
Commission Secretary

AYES: Diamond, Fung, Johnson, Koppel, Melgar, Moore

NAYS: None

ABSENT: Richards

ADOPTED: January 9, 2020

1 [General Plan Amendments - 542-550 Howard Street/Transbay Parcel F Project]

2
3 **Ordinance amending the General Plan by revising the height and bulk designations for**
4 **portions of the 542-550 Howard Street project site, Assessor's Parcel Block No. 3721,**
5 **Lots 016, 135, 136, and 138, also known as Transbay Parcel F, and revising the use**
6 **designations and height and bulk designations of the Downtown Area Plan for this site;**
7 **adopting findings under the California Environmental Quality Act; making findings of**
8 **consistency with the General Plan, as proposed for amendment, and the eight priority**
9 **policies of Planning Code, Section 101.1; and adopting findings of public necessity,**
10 **convenience, and welfare under Planning Code, Section 340.**

11 **NOTE:** **Unchanged Code text and uncodified text** are in plain Arial font.
12 **Additions to Codes** are in *single-underline italics Times New Roman font*.
13 **Deletions to Codes** are in *strikethrough italics Times New Roman font*.
14 **Board amendment additions** are in double-underlined Arial font.
15 **Board amendment deletions** are in ~~strikethrough Arial font~~.
16 **Asterisks (* * * *)** indicate the omission of unchanged Code
17 subsections or parts of tables.

18 Be it ordained by the People of the City and County of San Francisco:

19 Section 1. Findings and Environmental Findings.

20 (a) The 542-550 Howard Street project, also known as Transbay Parcel F (Assessor's
21 Parcel Block No. 3721, Lots 016, 135, 136, and 138), referred to herein as the ("Project"), is
22 planned for an approximately 0.74 acre site extending from the north side of Howard Street
23 extending to the south side of Natoma Street in the block between First and Second Streets in
24 the Transit Center District Plan Area. The Project site includes an underground train box to
25 accommodate future rail service to the Transbay Transit Center.

///

1 (b) The Project would construct a new 61-story, mixed-use high-rise tower with
2 approximately 240,000 gross square feet (gsf) of hotel uses (189 tourist guest rooms);
3 approximately 434,000 gsf of residential uses (165 dwelling units); approximately 274,000 gsf
4 of office uses; approximately 8,700 gsf of retail space; approximately 20,000 gsf of open
5 space; and four below-grade levels that would accommodate up to 183 vehicle parking
6 spaces. The Project also would construct a pedestrian bridge providing public access to
7 Salesforce Park located on the roof of the Transbay Transit Center.

8 (c) On May 24, 2012, the Planning Commission, in Motion No. 18628, certified the
9 Final Environmental Impact Report for the Transit Center District Plan ("FEIR") and related
10 actions as in compliance with the California Environmental Quality Act ("CEQA") (Public
11 Resources Code Sections 21000 et seq.).

12 (d) On that same date, the Planning Commission conducted a duly noticed public
13 hearing and, by Motion No. 18629, adopted findings pursuant to CEQA for the Transit Center
14 District Plan and related actions. In Ordinance No. 181-12, the Board of Supervisors adopted
15 the Planning Commission's environmental findings as its own and relies on these same
16 findings for purposes of this ordinance. Copies of Planning Commission Motion Nos. 18628
17 and 18629 and Ordinance No. 181-12 are on file with the Clerk of the Board of Supervisors in
18 File No. 120665 and incorporated herein by reference.

19 (e) On August 27, 2019, the Planning Department issued a Community Plan
20 Exemption Determination ("CPE") determining that the environmental effects of the Project,
21 including the actions contemplated in this ordinance, were adequately analyzed in the FEIR
22 and that no further environmental review is required in accordance with CEQA and
23 Administrative Code Chapter 31. A copy of the CPE and related documents, including
24 applicable mitigation measures, are on file with the Clerk of the Board of Supervisors in File
25 No. _____ and are incorporated herein by reference. In addition, other documents,

1 reports, and records related to the CPE and Project approvals are on file with the Planning
2 Department custodian of records, located at 1650 Mission Street, Fourth Floor, San
3 Francisco, California 94103. The Board of Supervisors treats these additional Planning
4 Department records as part of its own administrative record and incorporates such materials
5 herein by reference.

6 (f) In accordance with the actions contemplated in this ordinance, this Board relies on
7 its environmental findings in Ordinance No. 181-12 and the Planning Department's
8 determination that the environmental effects of the Project were adequately analyzed in the
9 FEIR and CPE and that no further environmental review is required.

10 (g) This ordinance is companion legislation to an ordinance that amends the Planning
11 Code to modify Zoning Map ZN1 to rezone a portion of the Project site from the P (Public)
12 district to the C-3-O(SD) Downtown Office Special Development District, to modify Zoning
13 Map HT1 to reclassify the height and bulk district designations for a portion of the project site;
14 to modify the application of Planning Code Section 248(d)(2) to permit the footprint of the
15 portion of the Project site dedicated to dwellings to exceed 15,000 square feet; and to modify
16 the application of Planning Code Section 249.28(b)(6)(B) to permit the Project's required
17 inclusionary affordable housing units to be provided off-site within the Transbay
18 Redevelopment Project Area subject to specified conditions. This companion ordinance is on
19 file with the Clerk of the Board of Supervisors in File No. _____.

20
21 **Section 2. General Plan and Planning Code Section 340 Findings.**

22 (a) Section 4.105 of the Charter provides that the Planning Commission shall
23 periodically recommend to the Board of Supervisors, for approval or rejection, proposed
24 amendments to the General Plan.

25 ///

1 (b) Planning Code Section 340 provides that the Planning Commission may initiate an
2 amendment to the General Plan by a resolution of intention, which refers to, and incorporates
3 by reference, the proposed General Plan amendments. Section 340 further provides that the
4 Planning Commission shall adopt the proposed General Plan amendments after a public
5 hearing if it finds from the facts presented that the public necessity, convenience, and general
6 welfare require the proposed amendment or any part thereof. If adopted by the Commission
7 in whole or in part, the proposed amendments shall be presented to the Board of Supervisors,
8 which may approve or reject the amendments by a majority vote.

9 (c) After a duly noticed public hearing on October 17, 2019 in Motion No.
10 _____, the Planning Commission initiated amendments to the General Plan ("Plan
11 Amendments"). Said Motion is on file with the Clerk of the Board of Supervisors in File No.
12 _____ and incorporated herein by reference.

13 (d) On _____, the Planning Commission, in Resolution No. _____,
14 adopted findings regarding the City's General Plan, eight priority policies of Planning Code
15 Section 101.1, and Planning Code Section 340. A copy of said Resolution is on file with the
16 Clerk of the Board of Supervisors in File No. _____ and is incorporated herein by
17 reference.

18 (e) Section 4.105 of the City Charter further provides that if the Board of Supervisors
19 fails to act within 90 days of receipt of the proposed Plan Amendments, then the Plan
20 Amendments shall be deemed approved.

21 (f) The Board of Supervisors finds that the Plan Amendments are, on balance, in
22 conformity with the General Plan, as it is proposed for amendment by this ordinance, and the
23 eight priority policies of Planning Code Section 101.1 for the reasons set forth in Planning
24 Commission Resolution No. _____. The Board hereby adopts these Planning
25 Commission findings as its own.

1 (g) The Board of Supervisors finds, pursuant to Planning Code Section 340, that the
 2 Plan Amendments set forth in this ordinance and in documents on file with the Clerk of the
 3 Board in File No. _____ will serve the public necessity, convenience and general
 4 welfare for the reasons set forth in Planning Commission Resolution No. _____.
 5 The Board hereby adopts these Planning Commission findings as its own.

6
 7 **Section 3. Amendments to the Downtown Area Plan and Transit Transit Center District**
 8 **Subarea Plan to Reclassify Heights.**

9 (a) The General Plan is hereby amended by revising the height and bulk designations
 10 of the Downtown Area Plan and Transit Center District Subarea Plan as follows.

11 (b) As described in the chart below, Map 5 of the Downtown Area Plan and Figure 1 of
 12 the Transit Center District Subarea Plan shall reclassify the height limits for:

- 13 (1) the western 15 feet of Assessor's Block 3721, Lot 016 from 450' to 750',
- 14 (2) a 3'-5" wide area located 111'-7" west of the eastern edge of Assessor's
 15 Parcel Block No. 3721, Lot 136 from 450' to 750'; and
- 16 (3) an area measuring 109' by 69' of the northwest corner of Assessor's Parcel
 17 Block No. 3721, Lot 138 from 750' to 450':

Description of Property	Height/Bulk Districts to be Superseded
Assessor's Parcel Block No. 3721, Lot 016 (western 15 feet)	450'
Assessor's Parcel Block No. 3721, Lot 136 (3'-5" wide area located 111'-7" west of the eastern edge of Lot 136)	450'

1	Assessor's Parcel Block No. 3721, Lot 138	750'
2	(area measuring 109' by 69' of the	
3	northwest corner of Lot 138)	
4	Description of Property	Height/Bulk Districts Hereby Approved
5	Assessor's Parcel Block No. 3721, Lot 016	750'
6	(western 15 feet)	
7	Assessor's Parcel Block No. 3721, Lot 136	750'
8	(3'-5" wide area located 111'-7" west of the	
9	eastern edge of Lot 136)	
10	Assessor's Parcel Block No. 3721, Lot 138	450'
11	(area measuring 109' by 69' of the	
12	northwest corner of Lot 138)	

13

14 Section 4. Amendments to the Downtown Area Plan to Reclassify Land Use

15 Designation. The General Plan is hereby amended by revising the Downtown Area Plan Map

16 1 to reclassify the land use designation of the Assessor's Block and Lots as described below:

17

18	Description of Property	Land Use Designation to be
19		Superseded
20	Assessor's Parcel Block No. 3721, Lots	Downtown Service C-3-O(SD); and
21	016, 135, 136, and 138	unzoned

22		
23	Description of Property	Land Use Designation Hereby
24		Approved
25		

1 Assessor's Parcel Block No. 3721, Lots
2 016, 135, 136, and 138

Downtown Office C-3-O(SD)

3
4 Section 5. Effective and Operative Dates.

5 (a) This ordinance shall become effective 30 days after enactment. Enactment occurs
6 when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or does not
7 sign the ordinance within ten days of receiving it, or the Board of Supervisors overrides the
8 Mayor's veto of the ordinance.

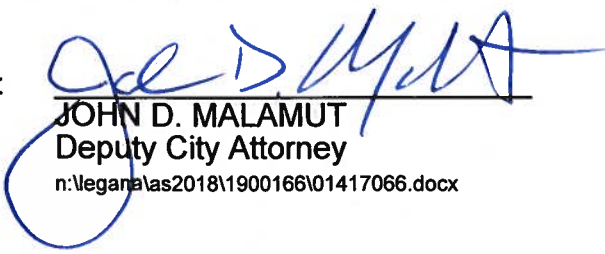
9 (b) This ordinance shall become operative on its effective date or on the effective date
10 of the General Plan Amendment, enacted by the ordinance in Board of Supervisors File No.
11 _____, whichever date occurs later; provided, that this ordinance shall not become operative
12 if the ordinance regarding the General Plan Amendment is not approved.

13
14 Section 6. Scope of Ordinance. In enacting this ordinance, the Board of Supervisors
15 intends to amend only those words, phrases, paragraphs, subsections, sections, articles,
16 numbers, punctuation marks, charts, diagrams, or any other constituent parts of the General
17 Plan that are explicitly shown in this ordinance as additions, deletions, Board amendment
18 additions, and Board amendment deletions in accordance with the "Note" that appears under
19 the official title of the ordinance.

20
21 APPROVED AS TO FORM:

22 DENNIS J. HERRERA, City Attorney

23
24 By:


25 JOHN D. MALAMUT
Deputy City Attorney

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