



# SAN FRANCISCO PLANNING DEPARTMENT

## Planning Commission Resolution No. 19572

HEARING DATE: FEBRUARY 25, 2016

*Project Name:* General Plan Amendment for Map 5 of the Downtown Plan  
*Case Number:* 2016-000003GPA  
*Initiated by:* Planning Commission  
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*Reviewed by:* Joshua Switzky, Senior Planner  
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*Recommendation:* **Recommend Approval**

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**RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT A PROPOSED ORDINANCE AMENDING THE GENERAL PLAN BY REVISING MAP 5 OF THE DOWNTOWN AREA PLAN TO INCLUDE A NOTE STATING THAT THE PROPOSED HEIGHT AND BULK DISTRICTS ON ASSESSOR'S BLOCK 5 3740, LOTS 027, 029, 030, 031, AND 032 (TRANSBAY BLOCK 1) AND ASSESSOR'S BLOCK 3739, LOT 004 WITHIN THE TRANSBAY REDEVELOPMENT PROJECT AREA SHALL BE CONSISTENT WITH THOSE PROVIDED IN THE TRANSBAY REDEVELOPMENT PLAN DEVELOPMENT CONTROLS; AND MAKING FINDINGS, INCLUDING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND THE EIGHT PRIORITY POLICIES OF PLANNING CODE SECTION 101.1.**

### PREAMBLE

WHEREAS, The Transbay Redevelopment Plan ("Plan") adopted in 2005 and amended in 2006 laid out development controls for parts of downtown adjacent to the Transbay Terminal within two major zones: Zone 1 and Zone 2. The Plan changed the development controls, including height limits, on several parcels within Zone 1 of the Plan area. Zone 1 consists of primarily publicly-owned parcels along Folsom Street that formerly housed the now-demolished Embarcadero Freeway; and

WHEREAS, The Final Environmental Impact Report for the Transbay Redevelopment Plan was certified by the Planning Commission Motion No. 16733 on April 22, 2004.

WHEREAS, On June 15, 2004, the Board of Supervisors approved Motion No. M04-67 affirming the Planning Commission's certification of the final environmental impact report for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project ("FEIR") in compliance with the California Environmental Quality Act ("CEQA") (California Public Resources Code sections 21000 et seq.)

A copy of said Motion is on file with the Clerk of the Board of Supervisors in File No. 040629 and is incorporated herein by reference;

WHEREAS, The Board of Supervisors in Resolution No. 612-04, adopted environmental findings in relation to the Transbay Terminal, Caltrain Downtown Extension, and Transbay Redevelopment Plan. Copies of said Resolution and supporting materials are in the Clerk of the Board of Supervisors File No. 041079. The Board of Supervisors in Ordinance No. 124-05, as part of its adoption of the Transbay Redevelopment Plan, adopted additional environmental findings. Copies of said Ordinance and supporting materials are in the Clerk of the Board of Supervisors File No. 050184. The FEIR analyzed development on Transbay Redevelopment Project Area Block 1 of a project extending up to 300 feet in height. Said Resolution and Ordinance and supporting materials are incorporated herein by reference;

WHEREAS, On January 14, 2016, in response to a proposed height increase from 300 to 400 feet on Block 1, the Successor Agency to the Redevelopment Agency of the City and County of San Francisco, commonly known as the Office of Community Investment and Infrastructure, ("Successor Agency" or "OCII") in conjunction with the Planning Department prepared an Addendum to the FEIR in accordance with CEQA Guidelines Section 15164 (the "Addendum");

WHEREAS, On January 19, 2016, after a duly noticed public hearing, the Community Investment and Infrastructure Commission ("CCII") in Resolution No 2-2016, approved development actions for Block 1 and adopted the Addendum along with other environmental review findings pursuant to CEQA. A copy of the Addendum and CCII Resolution are on file with the Secretary of the Planning Commission and are incorporated herein by reference;

WHEREAS, Based on this Commission's review of the FEIR and the Addendum, the Commission concurs that the analysis conducted and the conclusions reached in the FEIR remain valid and the proposed Block 1 height amendment will not cause new significant impacts not identified in the FEIR, and no new mitigation measures will be necessary to reduce significant impacts. Further, other than as described in the Addendum, no Block 1 changes have occurred, and no changes have occurred with respect to circumstances surrounding Block 1 that will cause significant environmental impact to which the height amendment will contribute considerably; and no new information has become available that shows the height amendment will cause significant environmental impacts not previously discussed in the FEIR, that significant effects previously examined will be substantially more severe than shown in the FEIR, or that mitigation measures or alternatives previously found infeasible are feasible, or that new mitigation measures or alternatives considerably different from those in the FEIR would substantially reduce significant impacts. Therefore, the Commission finds that no environmental review is required under CEQA other than the Addendum and hereby adopts CCII's environmental findings as its own.

WHEREAS, The Ordinances adopting the Redevelopment Plan in 2006 included relevant General Plan Amendments that reflected the height and zoning changes. Map 5 of the Downtown Plan, which identified recommended height and bulk limits in the Downtown, was amended with a notation: *'Remove 80-x label from freeway lands in Transbay and replace with notation that says "See Redevelopment Plan Development Controls.'* With this notation the General Plan defers the zoning and height designation for Zone 11 parcels to the Transbay Redevelopment Plan. The amendment to Map 5 intended to reflect height changes to all parcels within the Zone 1 of the Transbay Redevelopment Plan. Prior to the adoption of the Transbay Redevelopment Plan in 2006, the lots within the boundary of Zone 1 were mostly zoned for 80-X height zone, along with six lots that were in the 200-X height zone (See Exhibit F & G). However, the notation added to Map 5 in 2006 inadvertently excluded six lots in Zone 1 that are

within the original 200-X height zone and for which the Redevelopment Plan included different height limits. The excluded lots are: Transbay Block 1 (Assessor Block 3740, lots 027, 029, 030, 031, and 032) and one lot in Transbay Block 2 (Assessor Block 3739, lot 004). Exhibits C & D shows the Zone 1 Plan Map in the Transbay Redevelopment Plan adopted in 2006. This map shows the maximum height limit for Transbay Block 1 as 300 feet. Comparing this map with the Map 5 of the Downtown Plan illustrates that the General Plan is currently out of synch with the adopted Redevelopment Plan currently in effect.

WHEREAS, The proposed amendment would correct and clean up Map 5 of the Downtown Plan by adding another notation to Map 5: *Remove the 200-S label from Assessor Block 3740, lots 027, 029, 030, 031, and 032 and Assessor Block 3739 Lot 004 and replace it with a notation that states "See Transbay Redevelopment Plan Development Controls."* This notation would complete the intention of the original amendment to the subject General Plan Map in 2006 to defer the height and zoning designation of *all* parcels within Zone 1 to the Transbay Redevelopment Plan.

WHEREAS, On January 14, 2016 the Commission adopted a Motion of Intent to Initiate the proposed amendments to the Map 5 of the Downtown Plan (Resolution No. 19549);

**MOVED**, that the Commission hereby *adopts* this Resolution to recommend approval of the draft Ordinance to the Board of Supervisors; and

## FINDINGS

The proposed General Plan Amendment would correct and clean up Map 5 of the Downtown Plan to reflect the existing adopted heights for Transbay Block 1 (Block 3740, lots 027, 029, 030, 031, and 032) and one lot in Transbay Block 2 (Block 3739, lot 004). For original Planning Code Section 101 Findings of the Transbay Redevelopment Plan in 2006 See Exhibit xx, Resolution No. 16906 for the General Plan Amendments related to the Transbay Redevelopment Plan and 16907 for General Plan Consistency of the Transbay Redevelopment Project. These Resolutions are incorporated herein by reference (See Exhibit K). In addition, the proposal is consistent with the General Plan and Planning Code Section 101.1 for the following reasons.

### Planning Code Section 101 Findings.

The proposed amendments to the Planning Code are consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code in that:

- 1 That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

*The proposed General Plan Amendment to clean up Map 5 of the Downtown Plan would not affect neighborhood-serving retail uses.*

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

*The proposed General Plan Amendment to clean up Map 5 of the Downtown Plan would not affect the existing housing and neighborhood character.*



3. That the City's supply of affordable housing be preserved and enhanced;

*The proposed General Plan Amendment to clean up Map 5 of the Downtown Plan would not affect the supply of affordable housing.*

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

*The proposed General Plan Amendment to clean up Map 5 of the Downtown Plan would not affect the existing housing and neighborhood character.*

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

*The proposed General Plan Amendment to clean up Map 5 of the Downtown Plan would not affect the diverse economic base of the city.*

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

*The proposed General Plan Amendment to clean up Map 5 of the Downtown Plan would not affect the City's preparedness for earthquake.*

7. That the landmarks and historic buildings be preserved;

*The proposed General Plan Amendment to clean up Map 5 of the Downtown Plan would not affect the landmarks and historic buildings.*

8. That our parks and open space and their access to sunlight and vistas be protected from development;

*The proposed General Plan Amendment to clean up Map 5 of the Downtown Plan would not affect parks and open space.*

**General Plan Compliance.** The proposed Ordinance and the Commission's recommended modifications are consistent with the following Objectives and Policies of the General Plan:

**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.

I hereby certify that the foregoing RESOLUTION was ADOPTED by the San Francisco Planning Commission on February 25, 2016.



Jonas P. Ionin  
Planning Commission Secretary

AYES: Antonini, Hillis, Fong, Richards, Wu

NOES: Moore

ABSENT: Johnson

