



August 18, 2022

Ms. Angela Calvillo, Clerk
Honorable Supervisor Dorsey
Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: Transmittal of Planning Department Case Number 2018-015785GPR GPA MAP
Transbay Block 4 – 200 Main Street – General Plan Amendment, Zoning Map Amendment, General Plan Consistency
Findings for Transbay Redevelopment Plan Amendments
Board File No. 220836 (Map Amendment)

Planning Commission Recommendation: Approval

Dear Ms. Calvillo and Supervisor Dorsey,

On July 28, 2022, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider several actions that would enable a Project at 200 Main Street, otherwise referred to as Transbay Block 4. The Transbay Block 4 Project includes a 681-unit project of which 306 units (45%) would be affordable. Block 4 is within Zone 1 of the Transbay Redevelopment Project Area, for which the Office of Community Investment and Infrastructure (OCII) has general jurisdiction over approval of development projects.

The Ordinances on which the Commission acted are as follows:

- 1. General Plan Amendments** -- Recommending to the Board of Supervisors approval of General Plan Amendments by amending Figure 1 of the TCDP by changing the height limit on Transbay Block 4 from 450 feet to 513 feet. Staff is also recommending two additional amendments to bring the TCDP into alignment with other previously implemented policy changes subsequent to adoption of that plan. These proposed amendments include: (1) amending Figure 1 by changing the allowed height on Transbay Block 1 from 50/85/300 feet to 400 feet¹; and (2) amending Policy 4.36 to reflect changes in bike routing on Fremont Street and Beale Street. This was initiated by the Planning Commission on June 23 by Resolution No. 21133.
- 2. Zoning Map Amendment** -- Recommending to the Board of Supervisors approval of Planning Code Map Amendments by amending Planning Code Height and Bulk Map No. HT-01 by changing the Height and Bulk Designation on Block 4 from 50/85/450-TB to 513-TB. This was initiated by Supervisor Dorsey on July 12, 2022.

Relatedly, the Commission made General Plan Consistency Findings for proposed Amendments to the Transbay Redevelopment Plan, which is also now before the Board of Supervisors pursuant to a transmittal provided by OCII.

3. Transbay Redevelopment Plan Amendment -- Making General Plan Consistency findings that find the Redevelopment Plan Amendment to be consistent with the General Plan and Planning Code Section 101.1. The proposed Redevelopment Plan Amendment – like the amendments to Figure 1 and Planning Code Height Map No. HT-01 -- would change the height limit on Transbay Block 4 from 450 feet to 513 feet. In addition to the height increase, the Redevelopment Plan Amendment allows greater bulk by increasing the floor plate limits for the tower portion of the Project from 13,000 square feet to 15,200 square feet for the lower portion of the tower (between heights of 85 feet and 122 feet); and increases the floor plate limit for the mid-rise portion of the Project from 7,500 to 13,500 square feet for portions of the building(s) above 85 feet in height.

Please find attached documents relating to the actions of the Commission. If you have any questions or require further information, please do not hesitate to contact me.

Sincerely,



Aaron D. Starr
Manager of Legislative Affairs

cc: Peter Miljanich, Deputy City Attorney
Madison Tam, Aide to Supervisor Dorsey
Erica Major, Office of the Clerk of the Board
Jose Campos, OCII

Attachments :

Proposed Ordinances
Legislative Digest
Planning Commission Resolutions No. 21152, 21153 and 21154
Planning Department Executive Summary

1 [Zoning Map - Transbay Block 4 Redevelopment Project]

2

3 **Ordinance amending the Zoning Map of the Planning Code to facilitate development of**
4 **the Transbay Block 4 Redevelopment Project (located on the south side of Howard**
5 **Street between Beale and Main Streets) by increasing height limits; adopting findings**
6 **under the California Environmental Quality Act; making findings of consistency with**
7 **the General Plan, and the eight priority policies of Planning Code, Section 101.1; and**
8 **making public necessity, convenience, and general welfare findings under Planning**
9 **Code, Section 302.**

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

14

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

16

17 Section 1. General Findings.

18 (a) The proposed project on Block 4 of the Transbay Redevelopment Project Area
19 (Assessor's Parcel Block No. 3739, Lot 010) (the "Project") consists of a multi-part, mixed-
20 use, mixed income residential development. Transbay Block 4 is an approximately 45,375
21 square foot site along the south side of Howard Street between Beale Street and Main Street.
22 The tower portion of the Project would extend to a height of 513 feet.

23 (b) The Project is within Zone One of the Redevelopment Plan for the Transbay
24 Redevelopment Project Area ("Redevelopment Plan"). Within Zone One, the land use
25 regulations of the Redevelopment Plan are applicable.

1 (c) This ordinance is related to two companion ordinances: (1) an amendment to the
2 Redevelopment Plan that would increase the height limit for Block 4 from 450 feet to 513 feet
3 to accommodate the proposed Project (the “Plan Amendment”); and (2) an amendment to the
4 Transit Center District Plan, a Sub-Area Plan of the Downtown Plan, to modify the Transit
5 Center District height map to accommodate the proposed Project (the “General Plan
6 Amendment”). The companion ordinances are on file with the Clerk of the Board of
7 Supervisors in File Nos. _____ and _____, respectively.

8 (d) This ordinance would amend the Zoning Map to conform the Zoning Map with
9 the height limit specified in the Redevelopment Plan Amendment and the General Plan
10 Amendment.

11
12 Section 2. Environmental and Planning Code Findings.

13 (a) On April 22, 2004, after a duly noticed joint public hearing with the Peninsula
14 Corridor Joint Powers Board (the “JPB”), in Motion No. 16773, the Planning Commission
15 certified as adequate and complete the final Environmental Impact Statement/Environmental
16 Impact Report (“EIS/EIR”) for the Transbay Terminal/Caltrain Downtown
17 Extension/Redevelopment Project (Planning Department Case No. 2000.048E) in accordance
18 with the California Environmental Quality Act (California Public Resources Code Sections
19 21000 et seq.), the CEQA Guidelines (Cal. Code of Regulations Title 14, sections 15000 et
20 seq.), and Chapter 31 of the San Francisco Administrative Code. Said Motion is on file with
21 the Clerk of the Board of Supervisors in File No. 041079 and is incorporated herein by
22 reference.

23 (b) On April 20, 2004, in Resolution No. 45-2004, the former San Francisco
24 Redevelopment Agency (“Former Agency”), at a duly noticed public hearing, also certified the
25

1 Final EIR and made findings similar to those of the Commission and JPB in regard to CEQA
2 and the CEQA Guidelines.

3 (c) In Resolution No. 612-04, effective October 7, 2004, the Board of Supervisors
4 adopted findings that various actions related to the Transbay Terminal/Caltrain Downtown
5 Extension/Redevelopment Project complied with CEQA. Said Resolution and the CEQA
6 Findings are on file with the Clerk of the Board of Supervisors in File No. 041079 and are
7 incorporated herein by reference.

8 (d) Subsequent to the State of California's dissolution of the Former Agency and the
9 transfer of certain of the Former Agency's assets and obligations to the Successor Agency to
10 the Redevelopment Agency of the City and County of San Francisco ("Successor Agency,"
11 commonly known as the Office of Community Investment and Infrastructure), the Board of
12 Supervisors, acting as the legislative body of the Successor Agency, established the
13 Successor Agency Commission ("OCII Commission") and delegated to it the authority to
14 approve all actions related to the Successor Agency's assets, including the authority to
15 exercise land use and development approval.

16 (e) The Successor Agency, as lead agency under CEQA and in consultation with the
17 Planning Department, prepared Addendum No. 9 to the FEIS/EIR, dated June 13, 2022
18 ("Addendum"). The Addendum evaluates the environmental effects of the Project.

19 (f) On June 21, 2022, after a duly noticed public hearing, the OCII Commission
20 considered various approvals related to the Project, and by Resolution No. 18-2022,
21 determined that: the Project would not cause new significant impacts that were not identified
22 in the EIS/EIR; the Project would not cause significant impacts that were previously identified
23 in the EIS/EIR to become substantially more severe; no new mitigation measures would be
24 necessary to reduce significant impacts; no changes have occurred with respect to
25 circumstances surrounding the Project that would cause significant environmental impacts to

1 which the Project would contribute considerably; and no new information has become
2 available that shows that the Project would cause significant environmental impacts. For these
3 reasons, no supplemental environmental review is required. This determination is on file with
4 the Clerk of the Board of Supervisors in File No. _____ and is incorporated herein by
5 reference.

6 (g) Also on June 21, 2022, the OCII Commission, by Resolution Nos. 19-2022 and 20-
7 2022, referred the Plan Amendment to the Planning Commission for its report and
8 recommendation on the Plan Amendment and its conformance to the General Plan; found and
9 determined that the Plan Amendment is within the scope of the project analyzed by the
10 EIS/EIR and the Addendum; approved the Plan Amendment; and recommended the Plan
11 Amendment to the Board of Supervisors for its approval. Copies of the Plan Amendment and
12 OCII Commission Resolution Nos. 18-2022, 19-2022, and 20-2022 are on file with the Clerk of
13 the Board of Supervisors in File No. _____, and are incorporated herein by reference.

14 (h) The Board of Supervisors, acting in its capacity as a responsible agency under
15 CEQA, has reviewed and considered the EIS/EIR and the Addendum, and hereby adopts the
16 CEQA findings set forth in Successor Agency Commission Resolution Nos. 18-2022, 19-2022,
17 and 20-2022 and Planning Commission Motion No. _____ and hereby incorporates such
18 findings by reference as though fully set forth in this ordinance.

19 (i) On _____, the Planning Commission, in Resolution No. _____,
20 adopted findings that the actions contemplated in this ordinance are consistent, on balance,
21 with the City's General Plan and eight priority policies of Planning Code Section 101.1. The
22 Board adopts these findings as its own. A copy of said Resolution is on file with the Clerk of
23 the Board of Supervisors in File No. _____, and is incorporated herein by reference.

24 (j) On _____, the Planning Commission, in Resolution No. _____,
25 adopted findings that the actions contemplated in this ordinance will serve the public

1 necessity, convenience, and welfare. The Board adopts these findings as its own. A copy of
 2 said Resolution is on file with the Clerk of the Board of Supervisors in File No. _____,
 3 and is incorporated herein by reference.

4
 5 Section 3. The Planning Code is hereby amended by amending Height and Bulk
 6 District Map HT01 of the Zoning Map as follows:

<u>Assessor's Block</u>	<u>Lot</u>	<u>Height and Bulk</u> <u>District to be</u> <u>Superseded</u>	<u>Height and Bulk</u> <u>District to be Hereby</u> <u>Approved</u>
3739	010	50/85/450-TB	513-TB

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 13 Section 4. Effective Date. This ordinance shall become effective 30 days after
 14 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
 15 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
 16 of Supervisors overrides the Mayor's veto of the ordinance.

17
 18 APPROVED AS TO FORM:
 19 DAVID CHIU, City Attorney

20 By: Peter R. Miljanich
 21 PETER R. MILJANICH
 22 Deputy City Attorney

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FILE NO.

LEGISLATIVE DIGEST

[Zoning Map - Transbay Block 4 Redevelopment Project]

Ordinance amending the Zoning Map of the Planning Code to facilitate development of the Transbay Block 4 Redevelopment Project (located on the south side of Howard Street between Beale and Main Streets) by increasing height limits; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and making public necessity, convenience, and general welfare findings under Planning Code, Section 302.

Existing Law

The Planning Code and Zoning Map limit the height and bulk of buildings in the City.

Amendments to Current Law

This legislation would increase the height limit applicable to Assessor's Block 3739, Lot 010 to accommodate development of the Transbay Block 4 development project.

Background Information

The Transbay Block 4 development project is a proposed mixed-use residential development project generally consisting of a 513-foot tall residential tower, a townhouse adjunct, a 163-foot tall affordable residential building, an underground shared parking facility, and public open space and streetscape improvements within and surrounding the site. This ordinance is related to two companion ordinances that would also facilitate development of the Transbay Block 4 development project: (1) an amendment to the Transbay Redevelopment Plan that would increase the height limit for the project site from 450 feet to 513 feet; and (2) an amendment to the Transit Center District Plan, a Sub-Area Plan of the Downtown Plan, to similarly modify the Transit Center District height map.

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1 [General Plan Amendments - Transbay Block 4 Redevelopment Project]

2

3 **Ordinance amending the General Plan to revise the Transit Center District Plan, a Sub-**
4 **Area Plan of the Downtown Plan, to facilitate development of the Transbay Block 4**
5 **Redevelopment Project by revising height limits and bicycle network policy; adopting**
6 **findings under the California Environmental Quality Act; making findings of**
7 **consistency with the General Plan, and the eight priority policies of Planning Code,**
8 **Section 101.1; and making public necessity, convenience, and general welfare findings**
9 **under Planning Code, Section 340.**

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15 **Asterisks (* * * *)** indicate the omission of unchanged Code
16 subsections or parts of tables.

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

18

19 Section 1. Environmental Findings.

20 (a) On April 22, 2004, in Motion No. 16773, the Planning Commission certified as
21 adequate and complete the final environmental impact statement/environmental impact report
22 (“EIS/EIR”) for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project
23 (Planning Department Case No. 2000.048E) in accordance with the California Environmental
24 Quality Act (California Public Resources Code Sections 21000 et seq.) and Administrative
25 Code Chapter 31. Said Motion is on file with the Clerk of the Board of Supervisors in File No.
_____ and is incorporated herein by reference.

1 (b) On _____, 2004, in Motion No. _____, the Planning Commission
2 adopted findings under the California Environmental Quality Act (“CEQA Findings”) related to
3 the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project. The Board
4 adopts these CEQA Findings as its own. Said Motion and the CEQA Findings are on file with
5 the Clerk of the Board of Supervisors in File No. _____ and are incorporated herein
6 by reference.

7 (c) The Successor Agency to the Redevelopment Agency of the City and County of
8 San Francisco, also known as the Office of Community Investment and Infrastructure (“OCII”),
9 proposes to amend the Redevelopment Plan for the Transbay Redevelopment Project Area
10 (Redevelopment Plan) to facilitate a multi-part, mixed-use development project on Block 4 of
11 the Transbay Redevelopment Project Area (“Transbay Block 4 Development Project,” or
12 “Project”). The Transbay Block 4 Development Project would require an increase of the height
13 limit applicable to the Project site, along with other development controls provided in the
14 Transit Center District Plan, the Redevelopment Plan, and the Development Controls and
15 Design Guidelines (“DCDG”) for the Transbay Redevelopment Project. Other Transit Center
16 District Plan amendments presented below are needed to align with other policy revisions
17 associated with the Project.

18 (d) On June __, 2022, the Planning Department determined that: the Project would not
19 cause new significant impacts that were not identified in the EIS/EIR, nor would the Project
20 cause significant impacts that were previously identified in the EIS/EIR to become
21 substantially more severe; no new mitigation measures would be necessary to reduce
22 significant impacts; no changes have occurred with respect to circumstances surrounding the
23 Project that would cause significant environmental impacts to which the Project would
24 contribute considerably; and no new information has become available that shows that the
25 Project would cause significant environmental impacts. For these reasons, the Planning

1 Department determined that no supplemental environmental review is required. This
2 determination is on file with the Clerk of the Board of Supervisors in File No. _____
3 and is incorporated herein by reference.

4 (d) This ordinance is companion legislation to other ordinances relating to the Project,
5 including Zoning Map amendments. The companion ordinances are on file with the Clerk of
6 the Board of Supervisors in File Nos. _____ and _____, respectively.

7

8 Section 2. General Plan and Planning Code Section 340 Findings.

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

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

20 (c) After a duly noticed public hearing on _____, 2022, in Motion No.
21 _____, the Planning Commission initiated amendments to the General Plan. Said
22 Motion is on file with the Clerk of the Board of Supervisors in File No. _____ and
23 incorporated herein by reference.

24 (d) On _____, the Planning Commission, in Resolution No. _____,
25 adopted findings regarding the City's General Plan, the eight priority policies of Planning Code

1 Section 101.1, and Planning Code Section 340. A copy of said Resolution is on file with the
2 Clerk of the Board of Supervisors in File No. _____ and is incorporated herein by
3 reference.

4 (e) Section 4.105 of the City Charter further provides that if the Board of Supervisors
5 fails to act within 90 days of receipt of the proposed General Plan amendments, then the
6 amendments shall be deemed approved.

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

12 (g) The Board of Supervisors finds, pursuant to Planning Code Section 340, that the
13 General Plan amendments set forth in this ordinance and in documents on file with the Clerk
14 of the Board in File No. _____ will serve the public necessity, convenience, and
15 general welfare for the reasons set forth in Planning Commission Resolution No.
16 _____. The Board hereby adopts these Planning Commission findings as its own.
17

18 Section 3. The General Plan is hereby amended by revising the Transit Center District
19 Plan, as follows:

20 * * * *

21 **Figure 1. Proposed Height Limits:** Revise the indicated height limit for the Transbay
22 Block 4 site from 450 feet to 513 feet. Revise the indicated height limit for the Transbay Block
23 1 site from 50/85/300 feet to 400 feet.

24 * * * *

25 **Policy 4.36**

1 **Expand the Bicycle Network in the area.**

2 Create dedicated north-south bicycle facilities on ~~the following streets:~~any possible
3 combination of the Transit Center’s north-south streets, which could include Main, Beale, and
4 Fremont Streets.

5 ~~Fremont Street (northbound)~~
6 ~~Beale Street (southbound)~~
7 ~~Main Street (northbound)~~

8 * * * *

9 Section 4. Effective Date. This ordinance shall become effective 30 days after
10 enactment. Enactment occurs when the Mayor signs the ordinance, the Mayor returns the
11 ordinance unsigned or does not sign the ordinance within ten days of receiving it, or the Board
12 of Supervisors overrides the Mayor’s veto of the ordinance.

13
14 APPROVED AS TO FORM:
15 DAVID CHIU, City Attorney

16 By: /s/ Peter R. Miljanich
17 PETER R. MILJANICH
18 Deputy City Attorney

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PLANNING COMMISSION RESOLUTION NO. 21152

HEARING DATE: JULY 28, 2022

Project Name: Transbay Block 4 – 200 Main Street - Zoning Map Amendments
Case Number: 2018-015785MAP
Initiated by: Planning Commission
Staff Contact: Mat Snyder, Citywide Planning
Mathew.snyder@sfgov.org, (628) 652-7460
Reviewed by: Joshua Switzky, Land Use & Community Planning Program Manager, Citywide Planning
Joshua.switzky@sfgov.org, (628) 652-7464

RESOLUTION RECOMMENDING THAT THE BOARD OF SUPERVISORS APPROVE AMENDMENTS TO PLANNING CODE HEIGHT AND BULK MAP HT-01 BY REDESIGNATING TRANSBAY BLOCK 4, ASSESSOR’S BLOCK 3739, LOT 010 FROM 50/85/450-TB TO 513-TB; ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 302 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1.

WHEREAS, on July 12, 2022, Supervisor Matt Dorsey introduced an ordinance (Board File 220836) for Zoning Code Map Amendments by amending Planning Code Height and Bulk Map HT-01, for the Assessor’s Block and Lot as listed above; and

WHEREAS, pursuant to Planning Code Section 302(b), on July 12, 2022, the San Francisco Board of Supervisors initiated these Planning Code Map Amendments; and,

WHEREAS, the proposed amendments to Height and Bulk Map HT-01 would enable the Transbay Block 4 Project as described below; Transbay Block 4 is bordered by Howard Street on the north, Main Street on the east, Beale Street on the east and a proposed new portion on Tehama Street on the south in Zone One of the Transbay Redevelopment Project Area, and is comprised of Assessor Block 3739, Lot 10; and,

WHEREAS, the Board of Supervisors of the City and County of San Francisco (“Board of Supervisors”) approved the Redevelopment Plan for the Transbay Redevelopment Project Area (“Redevelopment Plan”) by Ordinance No. 124-05 (June 21, 2005) and by Ordinance No. 99-06 (May 9, 2006), as amended by Ordinance No. 84-15 (June 18, 2015) and Ordinance No. 62-16 (April 28, 2016); and,

WHEREAS, the Redevelopment Plan establishes the land use controls for the Project Area and divides the Project Area into two subareas: Zone One, in which the Redevelopment Plan and Development Controls and Design

Guidelines for the Transbay Redevelopment Project (“DCDG”) regulate land uses, and Zone Two, in which the San Francisco Planning Code regulates land uses. Zone One is intended to be developed with predominantly residential uses. The Successor Agency to the San Francisco Redevelopment Agency, commonly referred to as the Office of Community Investment and Infrastructure (“OCII”) solely administers and enforces land use entitlements for property and projects in Zone One and has delegated its authority over projects that do not require OCII action in Zone Two to the San Francisco Planning Department pursuant to that certain Delegation Agreement between the Former Agency and the Planning Department for the Transbay Redevelopment Project Area; and,

WHEREAS, a major focus of the Redevelopment Plan is to redevelop 10 acres of former highway access ramp properties owned by the State of California to generate funding for the Transbay Joint Powers Authority (“TJPA”) to construct what is now the Salesforce Transit Center (the “Transit Center”). OCII’s role is to complete the enforceable obligations that the Department of Finance has finally and conclusively approved under Redevelopment Dissolution Law. These enforceable obligations include the Implementation Agreement between TJPA and the Former Agency, which requires OCII to facilitate the sale and development of certain State-Owned Parcels to third parties, to implement the Redevelopment Plan, and to comply with California Assembly Bill 812, codified in Section 5027.1 of the California Public Resources Code (“AB 812”), which requires that 35% of all new residential units in the Project Area be affordable to low- and moderate-income households; and,

WHEREAS, in February 2012, the State of California dissolved all redevelopment agencies pursuant to California Health and Safety Code Sections 34170 et seq. (“Redevelopment Dissolution Law”), and under Ordinance No. 215-12 (Oct. 4, 2012), the Board of Supervisors established and delegated its authority under the Redevelopment Dissolution Law to the Successor Agency Commission and the Successor Agency to the Redevelopment Agency of the City and County of San Francisco (commonly referred to as the Commission on Community Investment and Infrastructure, or “CCII” and the Office of Community Investment and Infrastructure or “OCII,” respectively); and,

WHEREAS, in April 2016, the CCII the Successor Commission to the Redevelopment Agency Commission approved an Agreement for Option to Purchase Transbay Block 4 (“Options Agreement”) with F4 Transbay Partners LLC, a Delaware limited liability company (“Project Sponsor”). At the time, the Project Sponsor sought to acquire Transbay Parcel F from TJPA and required as a condition of that purchase that OCII enter into the Option Agreement so that the Developer could fulfill the affordable housing obligations of Parcel F through the development of Block 4.; and,

WHEREAS, in September 2018, CCII approved a non-binding Term Sheet outlining the mixed-use, mixed-income development program for Block 4 (the “Project”) along with the First Amendment to the Option Agreement. The 2018 Term Sheet served as the basis for negotiation of the Disposition and Development Agreement (“DDA”) and development of the Schematic Design; and,

WHEREAS, between September 2018 and September 2021, OCII negotiated with the Project Sponsor in determining the parameters for the Transbay Block 4 Schematic Design and the DDA. Objectives for OCII in their negotiations with the Project Sponsor included, in part, ensuring a maximum number of affordable units such that, at full buildout, at least 35% of the units within Transbay Project Area would be affordable; ensuring project feasibility; and maintaining the general land use and urban design principles of the vision established by the

Design for Development (“D4D”). To meet these objectives, OCII determined that the building envelope then proscribed by the Redevelopment Plan (and as reflected in the height maps within the Transit Center District Area Plan of the General Plan and Planning Code Height and Bulk Map HT-01), and the DCDG would need to be amended to allow greater development potential. As described above, an amendment to the Redevelopment Plan requires the Commission adopt findings of consistency with the General Plan and Planning Code Section 101.1. Amendments to the General Plan and the Planning Code Height Map require legislation requiring Commission action. However, the DCDG is under the sole jurisdiction of OCII and CCII; the Planning Department and Commission have no role in administering this document, including review of approval of any amendments to it; and,

WHEREAS, through the negotiations described above, OCII and the Project Sponsor agreed upon a Project Description for the Project: The Block 4 Project would include a 47-story tower with 6-story townhouse adjunct, a 16-story mid-rise building, and a single-story shared podium with shared underground facilities. The Project would provide 681 total residential units, of which 45% would be affordable. The 681 units would include 155 market-rate condominium units in the upper portion of the tower and townhouse adjunct, 324 rental units in the lower portion of the tower (including 219 market rate units and 105 below market rate units affordable to moderate income households) (the “Tower Project”), as well as 202 rental units in a 100% affordable project in the mid-rise building (including one unrestricted manager’s unit) (the “Mid-Rise Project”). In addition, the Project includes ground floor retail (a portion of which is restricted for community-serving uses), public and private open space, the construction of Tehama Street (which will be conveyed to the City upon completion), streetscape improvements, and underground utility rooms, auto and bicycle parking; and,

WHEREAS, Planning Code Height and Bulk Map HT-01 specifies a 50/85/450-TB Height designation for the subject site limiting the maximum height of the site to 450-feet; the Planning Code refers to the Redevelopment Plan for further specifications of the “TB” Height and Bulk designation. The proposed Map Amendment would provide for a maximum height limit of 513 feet for Block 4; and

WHEREAS, related conforming amendments to the Redevelopment Plan, and amendments to Figure 1, “Proposed Height Limits” to the Transit Center District Area Plan (“TCDP”) of the General Plan, both of which also limit the site to 450 feet in height. At their July 28, 2022 Hearing, the Planning Commission approved the Planning General Plan Amendments to the TCDP and found the proposed Redevelopment Plan Amendments consistent with the General Plan; and

WHEREAS, OCII maintains land use and California Environmental Quality Act (“CEQA”) review authority of the Transbay Redevelopment Project Area, including the site of the proposed amendment (Block 4) and,

WHEREAS, on June 21, 2022 at a public hearing the CCII adopted Resolution Nos. 18-2022, 20-2022, 21-2022, 22-2022, and 23-2022, which (1) made CEQA findings confirming the analysis and conclusion of Addendum of the Final Environmental Impact Statement/Environmental Impact Report for the Transbay Terminal/Caltrain Downtown Extension/ Redevelopment Project (“Final Environmental Document”) as further described below, (2) approved the Redevelopment Plan Amendments and referred it to the Planning Commission, (3) approved the amendments to the DCDG, (4) approved the DDA for the Project, and (5) conditionally approved the Schematic Design for the Project; and,

WHEREAS, on June 15, 2004, the Board of Supervisors affirmed, by Motion No. 04-67, the certification under the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq., and the CEQA Guidelines (14 California Code of Regulations Sections 15000 et seq. ("CEQA Guidelines," and collectively "CEQA")) of the Final Environmental Document, which included the Redevelopment Plan. Subsequently, the Board of Supervisors adopted, by Resolution No. 612-04 (October 7, 2004), findings that various actions related to the Project complied with CEQA and the Former Agency Commission adopted, by Resolution No. 11-2005 (January 25, 2005), findings and a statement of overriding considerations and a mitigation monitoring and reporting program, adopted in accordance with CEQA. Subsequent to the adoption of the Final Environmental Document and the findings, the Former Agency or the Successor Agency or other responsible agencies under CEQA/NEPA have approved and incorporated eight addenda into the analysis of the Final Environmental Document (as incorporated, the "FEIS/EIR") and made requisite findings under CEQA (findings referenced in this recital collectively referred to as the "CEQA Findings"). OCII staff has made the FEIS/EIR, (including the addenda), and related documents available to the Commission and the public, and these files are part of the record before the Commission; and,

WHEREAS, OCII, as lead agency and in consultation with the San Francisco Planning Department, has prepared Addendum No. 9 to the FEIS/EIR (the "Addendum"), dated June 13, 2022 ([link](#)). The Addendum evaluates the potential environmental effects associated with approval of the Redevelopment Plan Amendments and related action ("Proposed Actions"); and,

WHEREAS, OCII prepared the Addendum in compliance with CEQA and the Addendum reflects the independent judgment and analysis of OCII, and the OCII concludes that the Proposed Actions are within the scope of impacts analyzed in the FEIS/EIR and will not result in any new significant impacts or a substantial increase in the severity of previously identified significant effects that alter the conclusions reached in the FEIS/EIR for the reasons stated in the Addendum; and,

WHEREAS, based on the analysis in the Addendum, by Motion No. 18-2022, the CCII concluded that the analyses conducted and the conclusions reached in the FEIS/EIR remain valid and the Proposed Actions will not cause new significant impacts not identified in the FEIS/EIR or substantially increase the severity of previously identified significant impacts, and no new mitigation measures will be necessary to reduce significant impacts. Further, as described in the Addendum, no changes have occurred, with respect to either the development or the circumstances surrounding the development contemplated in FEIS/EIR, that will require major revisions of the FEIS/EIR due to the involvement of new significant effects or a substantial increase in the severity of previously identified significant effects, and no new information has become available that shows that the Block 4 Project will cause new or more severe significant environmental impacts. Therefore, no subsequent or supplemental environmental review is required under CEQA beyond the Addendum to approve the Proposed Actions, the Block 4 Project and other actions necessary for the Block 4 Project;

A draft ordinance, **attached hereto as Exhibit A**, would amend Planning Code Height and Bulk Map HT-01 for Assessor's Block 3739, Lot 010 from a 50/85/450-TB designation to a 513-TB designation.

NOW THEREFORE BE IT RESOLVED, that the Planning Commission hereby finds that the Planning Code Text Amendments and Zoning Map Amendments promote the public welfare, convenience and necessity for the following reasons:

- The Proposed Zoning Map Amendment would enable a project that would add 681 of much needed residential dwelling units to San Francisco’s housing stock. Moreover, 45% will be affordable to households with incomes that range between 40% to 120% of AMI with a broad mix of unit types.
- Though the actions required by the Planning Commission, CCI, and the Board of Supervisors would increase the allowed building envelope in multiple ways, OCII staff has worked carefully with the Project Sponsor and Planning staff to assure these increases are well considered to still meet the general urban design principles of the Transbay Redevelopment Plan, Design for Development, and DCDG. The tower will still be shorter than towers immediately to the north, thereby working within the Downtown urban design vision to create a Downtown “mound” at the Transit Center Tower (Salesforce Tower) location and tapering down toward Folsom Street and the waterfront, and other taller portions of the Project would be proportional to the tower portion. Additionally, the design of the ground plane and its interaction with the public realm are of high quality and will assure the Project fits in with its immediate context.
- The Proposed Zoning Map Amendment would enable a project that includes improvements to Beale, Howard and Main Streets, helping fulfill the public realm vision for Transbay. Beale and Main Streets are envisioned as pedestrian dominated “living streets”. The Project will also include constructing a new portion of Tehama Street on the south, which will be designed to feel like a linear plaza that provides a border between the Project and a new park to the south. The Project also includes a central publicly-accessible courtyard that will feature a grand stair from Tehama Street. The open space and public realm improvements will be well-integrated and enhance the public realm and open space network of Transbay and Downtown in general.
- The Proposed Zoning Map Amendment would not create significant shadow impacts as described in Addendum No. 9 and in the draft Planning Commission Motion regarding the Redevelopment Plan Amendment;
- The Proposed Zoning Map Amendment would enable a project that would enable a project that includes 681 units (of which 306 will be affordable) will be located in Downtown San Francisco, which has excellent access to transit and other non-vehicular modes of transportation. Transbay is also rich in other amenities, including multiple parks, that make this location particularly well suited for high density residential development.

AND BE IT FURTHER RESOLVED, that the Commission finds the India Basin Planning Code Amendments are in conformity with the General Plan and Planning Code Section 101.1 as set forth in Motion No.21154 and

AND BE IT FURTHER RESOLVED, that the Commission has reviewed and considered the CEQA Findings and statement of overriding considerations that the Successor Agency previously adopted, and reviewed and considered the CEQA Findings contained in the Addendum, which the Successor Agency adopted in Resolution No. 18-2022, and hereby adopts these additional CEQA Findings as its own. The Commission finds that the conclusions reached in the FEIS/EIR remain valid and the Proposed Actions will not cause new significant impacts not identified in the FEIS/EIR or substantially increase the severity of previously identified significant impacts, and no new mitigation measures will be necessary to reduce significant impacts. Further, as described in the

Addendum, no changes have occurred, with respect to either the development or the circumstances surrounding the development contemplated in FEIS/EIR, that will require major revisions of the FEIS/EIR due to the involvement of new significant effects or a substantial increase in the severity of previously identified significant effects, and no new information has become available that shows that the Project will cause new or more severe significant environmental impacts. Therefore, no subsequent or supplemental environmental review is required under CEQA beyond the Addendum to approve the Proposed Actions, the Project and other actions necessary for the Project; and

AND BE IT FURTHER RESOLVED, that pursuant to Planning Code Section 302, the Planning Commission Adopts a Resolution to Recommend to the Board of Supervisors to approve the Draft Ordinance.

I hereby certify that the foregoing Resolution was ADOPTED by the San Francisco Planning Commission on July 28, 2022.



Jonas P. Ionin
Commission Secretary

AYES: Ruiz, Diamond, Imperial, Koppel, Moore, Tanner

NOES: None

ABSENT: Fung

ADOPTED: July 28, 2022



PLANNING COMMISSION RESOLUTION NO. 21153

HEARING DATE: JULY 28, 2022

Project Name: Transbay Block 4 – 200 Main Street - Amendments to the Transit Center District Sub Area Plan
Case Number: 2018-015785GPA
Initiated by: Planning Commission
Staff Contact: Mat Snyder, Citywide Planning
Mathew.snyder@sfgov.org, (628) 652-7460
Reviewed by: Joshua Switzky, Land Use & Community Planning Program Manager, Citywide Planning
Joshua.switzky@sfgov.org, (628) 652-7464

RESOLUTION RECOMMENDING THAT THE BOARD OF SUPERVISORS APPROVE AMENDMENTS TO THE TRANSIT CENTER DISTRICT AREA PLAN (TCDP), A SUB-AREA OF THE DOWNTOWN PLAN, BY AMENDING TCDP FIGURE 1 BY CHANGING THE HEIGHT LIMIT ON TRANSBAY BLOCK 4 FROM 450 FEET TO 513 FEET, AND THE HEIGHT LIMIT ON TRANSBAY BLOCK 1 FROM 50/85/300 TO 400 FEET, AND AMENDING POLICY 4.36 REGARDING BIKE ROUTING; ADOPTING FINDINGS, INCLUDING ENVIRONMENTAL FINDINGS, PLANNING CODE SECTION 340 FINDINGS, AND FINDINGS OF CONSISTENCY WITH THE GENERAL PLAN AND PLANNING CODE SECTION 101.1.

WHEREAS, section 4.105 of the Charter of the City and County of San Francisco provides to the Planning Commission the opportunity to periodically recommend General Plan Amendments to the Board of Supervisors; and

WHEREAS, pursuant to Planning Code Section 340(C), the Planning Commission (“Commission”) initiated a General Plan Amendment in association with the Transbay Block 4 project, per Planning Commission Resolution No. 21133, on June 23, 2022.

WHEREAS, the proposed amendments to the TDCP would, in part, enable the Transbay Block 4 Project as described below; Transbay Block 4 is bordered by Howard Street on the north, Main Street on the east, Beale Street on the east and a proposed new portion on Tehama Street on the south in Zone One of the Transbay Redevelopment Project Area, and is comprised of Assessor Block 3739, Lot 10; and,

WHEREAS, the Board of Supervisors of the City and County of San Francisco (“Board of Supervisors”) approved the Redevelopment Plan for the Transbay Redevelopment Project Area (“Redevelopment Plan”) by Ordinance No. 124-05 (June 21, 2005) and by Ordinance No. 99- 06 (May 9, 2006), as amended by Ordinance No. 84-15 (June 18, 2015) and Ordinance No. 62-16 (April 28, 2016); and,

WHEREAS, the Redevelopment Plan establishes the land use controls for the Project Area and divides the Project Area into two subareas: Zone One, in which the Redevelopment Plan and Development Controls and Design Guidelines for the Transbay Redevelopment Project (“DCDG”) regulate land uses, and Zone Two, in which the San Francisco Planning Code regulates land uses. Zone One is intended to be developed with predominantly residential uses. The Successor Agency to the San Francisco Redevelopment Agency, commonly referred to as the Office of Community Investment and Infrastructure (“OCII”) solely administers and enforces land use entitlements for property and projects in Zone One and has delegated its authority over projects that do not require OCII action in Zone Two to the San Francisco Planning Department pursuant to that certain Delegation Agreement between the Former Agency and the Planning Department for the Transbay Redevelopment Project Area; and,

WHEREAS, a major focus of the Redevelopment Plan is to redevelop 10 acres of former highway access ramp properties owned by the State of California to generate funding for the Transbay Joint Powers Authority (“TJPA”) to construct what is now the Salesforce Transit Center (the “Transit Center”). OCII’s role is to complete the enforceable obligations that the Department of Finance has finally and conclusively approved under Redevelopment Dissolution Law. These enforceable obligations include the Implementation Agreement between TJPA and the Former Agency, which requires OCII to facilitate the sale and development of certain State-Owned Parcels to third parties, to implement the Redevelopment Plan, and to comply with California Assembly Bill 812, codified in Section 5027.1 of the California Public Resources Code (“AB 812”), which requires that 35% of all new residential units in the Project Area be affordable to low- and moderate-income households; and,

WHEREAS, in February 2012, the State of California dissolved all redevelopment agencies pursuant to California Health and Safety Code Sections 34170 et seq. (“Redevelopment Dissolution Law”), and under Ordinance No. 215-12 (Oct. 4, 2012), the Board of Supervisors established and delegated its authority under the Redevelopment Dissolution Law to the Successor Agency Commission and the Successor Agency to the Redevelopment Agency of the City and County of San Francisco (commonly referred to as the Commission on Community Investment and Infrastructure, or “CCII,” and the Office of Community Investment and Infrastructure or “OCII,” respectively); and,

WHEREAS, in April 2016, the CCII the Successor Commission to the Redevelopment Agency Commission approved an Agreement for Option to Purchase Transbay Block 4 (“Options Agreement”) with F4 Transbay Partners LLC, a Delaware limited liability company (“Project Sponsor”). At the time, the Project Sponsor sought to acquire Transbay Parcel F from TJPA and required as a condition of that purchase that OCII enter into the Option Agreement so that the Developer could fulfill the affordable housing obligations of Parcel F through the development of Block 4.; and,

WHEREAS, in September 2018, CCII approved a non-binding Term Sheet outlining the mixed-use, mixed-income development program for Block 4 (the “Project”) along with the First Amendment to the Option Agreement. The 2018 Term Sheet served as the basis for negotiation of the Disposition and Development Agreement (“DDA”) and development of the Schematic Design; and,

WHEREAS, between September 2018 and September 2021, OCII negotiated with the Project Sponsor in determining the parameters for the Transbay Block 4 Schematic Design and the DDA. Objectives for OCII in their negotiations with the Project Sponsor included, in part, ensuring a maximum number of affordable units such that, at full buildout, at least 35% of the units within Transbay Project Area would be affordable; ensuring project

feasibility; and maintaining the general land use and urban design principles of the vision established by the Design for Development (“D4D”). To meet these objectives, OCII determined that the building envelope then proscribed by the Redevelopment Plan (and as reflected in the height maps within the Transit Center District Area Plan of the General Plan and Planning Code Height and Bulk Map HT-01), and the DCDG would need to be amended to allow greater development potential. As described above, an amendment to the Redevelopment Plan requires the Commission adopt findings of consistency with the General Plan and Planning Code Section 101.1. Amendments to the General Plan and the Planning Code Height Map require legislation requiring Commission action. However, the DCDG is under the sole jurisdiction of OCII and CCII; the Planning Department and Commission have no role in administering this document, including review of approval of any amendments to it; and,

WHEREAS, through the negotiations described above, OCII and the Project Sponsor agreed upon a Project Description for the Project: The Block 4 Project would include a 47-story tower with 6-story townhouse adjunct, a 16-story mid-rise building, and a single-story shared podium with shared underground facilities. The Project would provide 681 total residential units, of which 45% would be affordable. The 681 units would include 155 market-rate condominium units in the upper portion of the tower and townhouse adjunct, 324 rental units in the lower portion of the tower (including 219 market rate units and 105 below market rate units affordable to moderate income households) (the “Tower Project”), as well as 202 rental units in a 100% affordable project in the mid-rise building (including one unrestricted manager’s unit) (the “Mid-Rise Project”). In addition, the Project includes ground floor retail (a portion of which is restricted for community-serving uses), public and private open space, the construction of Tehama Street (which will be conveyed to the City upon completion), streetscape improvements, and underground utility rooms, auto and bicycle parking; and,

WHEREAS, Transit Center District Plan Figure 1, “Proposed Height Limits” currently limits Transbay Block 4 to 450 feet. Figure 1 also limits Transbay Block 1 to 300 feet in height. TCDP Policy 4.36 specifies certain bike routing on Main, Beale and Fremont Streets. The proposed TDCP Amendments would change the height designation for Block to 513 feet, would change the height designation for Transbay Block 1 to 400 feet, and would provide more flexibility in determining bike routing on Main, Beale and Fremont Streets; and

WHEREAS, separately, the allowed maximum height increase also requires amendments to the Redevelopment Plan, and amendments Planning Code Height and Bulk Map HT-01, both of which also limit the Project site to 450 feet in height. At their July 28, 2022 Hearing, the Planning Commission approved the Zoning Map Amendment and found the proposed Redevelopment Plan Amendments consistent with the General Plan and Planning Code section 101.1; and

WHEREAS, OCII maintains land use and California Environmental Quality Act (“CEQA”) review authority of the Transbay Redevelopment Project Area, including the site of the proposed amendment (Block 4) and,

WHEREAS, on June 21, 2022 at a public hearing the CCII adopted Resolution Nos. 18-2022, 20-2022, 21-2022, 22-2022, and 23-2022, which (1) made CEQA findings confirming the analysis and conclusion of Addendum of the Final Environmental Impact Statement/Environmental Impact Report for the Transbay Terminal/Caltrain Downtown Extension/ Redevelopment Project (“Final Environmental Document”) as further described below, (2) approved the Plan Amendment and referred it to the Planning Commission, (3) approved the amendments to the

DCDG, (4) approved the DDA for the Project, and (5) conditionally approved the Schematic Design for the Project; and,

WHEREAS, on June 15, 2004, the Board of Supervisors affirmed, by Motion No. 04-67, the certification under the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq., and the CEQA Guidelines (14 California Code of Regulations Sections 15000 et seq. ("CEQA Guidelines," and collectively "CEQA")) of the Final Environmental Document, which included the Redevelopment Plan. Subsequently, the Board of Supervisors adopted, by Resolution No. 612-04 (October 7, 2004), findings that various actions related to the Project complied with CEQA and the Former Agency Commission adopted, by Resolution No. 11-2005 (January 25, 2005), findings and a statement of overriding considerations and a mitigation monitoring and reporting program, adopted in accordance with CEQA. Subsequent to the adoption of the Final Environmental Document and the findings, the Former Agency, the Successor Agency or other responsible agencies under CEQA/NEPA have approved and incorporated eight addenda into the analysis of the Final Environmental Document (as incorporated, the "FEIS/EIR") and made requisite findings under CEQA (findings referenced in this recital collectively referred to as the "CEQA Findings"). OCII staff has made the FEIS/EIR (including the addenda), and related documents available to the Commission and the public, and these files are part of the record before the Commission; and,

WHEREAS, OCII, as lead agency and in consultation with the San Francisco Planning Department, has prepared Addendum No. 9 to the FEIS/EIR (the "Addendum"), dated June 13, 2022 ([link](#)). The Addendum evaluates the potential environmental effects associated with approval of the Redevelopment Plan Amendments and related actions ("Proposed Actions"); and,

WHEREAS, OCII prepared the Addendum in compliance with CEQA and the Addendum reflects the independent judgment and analysis of OCII, and the OCII concludes that the Proposed Actions are within the scope of impacts analyzed in the FEIS/EIR and will not result in any new significant impacts or a substantial increase in the severity of previously identified significant effects that alter the conclusions reached in the FEIS/EIR for the reasons stated in the Addendum; and,

WHEREAS, based on the analysis in the Addendum, by Motion No. 18-2022, the CCII concluded that the analyses conducted and the conclusions reached in the FEIS/EIR remain valid and the Proposed Actions will not cause new significant impacts not identified in the FEIS/EIR or substantially increase the severity of previously identified significant impacts, and no new mitigation measures will be necessary to reduce significant impacts. Further, as described in the Addendum, no changes have occurred, with respect to either the development or the circumstances surrounding the development contemplated in FEIS/EIR, that will require major revisions of the FEIS/EIR due to the involvement of new significant effects or a substantial increase in the severity of previously identified significant effects, and no new information has become available that shows that the Block 4 Project will cause new or more severe significant environmental impacts. Therefore, no subsequent or supplemental environmental review is required under CEQA beyond the Addendum to approve the Proposed Actions, the Block 4 Project and other actions necessary for the Block 4 Project;

Whereas, a draft ordinance, **attached hereto as Exhibit A**, That pursuant to Planning Code Section 340, the Planning Commission Adopts a Resolution to Recommend to the Board of Supervisors to approve the Draft Ordinance.

NOW THEREFORE BE IT RESOLVED, that the Commission has reviewed and considered the CEQA Findings and statement of overriding considerations that the Successor Agency previously adopted, and reviewed and considered the CEQA Findings contained in the Addendum, which the Successor Agency adopted in Resolution No. 18-2022, and hereby adopts these additional CEQA Findings as its own. The Commission finds that the conclusions reached in the FEIS/EIR remain valid and the Proposed Actions will not cause new significant impacts not identified in the FEIS/EIR or substantially increase the severity of previously identified significant impacts, and no new mitigation measures will be necessary to reduce significant impacts. Further, as described in the Addendum, no changes have occurred, with respect to either the development or the circumstances surrounding the development contemplated in FEIS/EIR, that will require major revisions of the FEIS/EIR due to the involvement of new significant effects or a substantial increase in the severity of previously identified significant effects, and no new information has become available that shows that the Project will cause new or more severe significant environmental impacts. Therefore, no subsequent or supplemental environmental review is required under CEQA beyond the Addendum to approve the Proposed Actions, the Project and other actions necessary for the Project; and

BE IT FURTHER RESOLVED, that pursuant to Planning Code Section 340, the Planning Commission Adopts a Resolution to Recommend to the Board of Supervisors to approve the Draft Ordinance.

I hereby certify that the foregoing Resolution was ADOPTED by the San Francisco Planning Commission on July 28, 2022.



Jonas P. Ionin
Commission Secretary

AYES: Ruiz, Diamond, Imperial, Koppel, Moore, Tanner
NOES: None
ABSENT: Fung
ADOPTED: July 28, 2022



PLANNING COMMISSION MOTION NO. 21154

HEARING DATE: JULY 28, 2022

Project Name: Transbay Block 4 – 200 Main Street – Amendment to the Transbay Redevelopment Plan
Case Number: 2018-015785GPR
Initiated by: Planning Commission
Staff Contact: Mat Snyder, Citywide Planning
Mathew.snyder@sfgov.org, (628) 652-7460
Reviewed by: Joshua Switzky, Land Use & Community Planning Program Manager, Citywide Planning
Joshua.switzky@sfgov.org, (628) 652-7464

ADOPTING ENVIRONMENTAL FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND RECOMMENDING APPROVAL OF THE AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE TRANSBAY REDEVELOPMENT PROJECT AREA TO INCREASE THE MAXIMUM HEIGHT LIMIT FROM 400 FEET TO 513 FEET, AND TO INCREASE THE ALLOWED BULK ON BLOCK 4 OF ZONE 1 OF THE TRANSBAY REDEVELOPMENT PROJECT AREA, ADOPTING GENERAL PLAN AND PLANNING CODE SECTION 101.1 FINDINGS, AND RECOMMENDING THE TRANSBAY REDEVELOPMENT PLAN AMENDMENT TO THE BOARD OF SUPERVISORS FOR APPROVAL.

WHEREAS, the Board of Supervisors of the City and County of San Francisco (“Board of Supervisors”) approved the Redevelopment Plan for the Transbay Redevelopment Project Area (“Redevelopment Plan”) by Ordinance No. 124-05 (June 21, 2005) and by Ordinance No. 99- 06 (May 9, 2006), as amended by Ordinance No. 84-15 (June 18, 2015) and Ordinance No. 62-16 (April 28, 2016); and,

WHEREAS, the Redevelopment Plan establishes the land use controls for the Project Area and divides the Project Area into two subareas: Zone One, in which the Redevelopment Plan and Development Controls and Design Guidelines for the Transbay Redevelopment Project (“DCDG”) regulate land uses, and Zone Two, in which the San Francisco Planning Code regulates land uses. Zone One is intended to be developed with predominantly residential uses. The Successor Agency to the San Francisco Redevelopment Agency, commonly referred to as the Office of Community Investment and Infrastructure (“OCII”) solely administers and enforces land use entitlements for property and projects in Zone One and has delegated its authority over projects that do not require OCII action in Zone Two to the San Francisco Planning Department pursuant to that certain Delegation Agreement between the Former Agency and the Planning Department for the Transbay Redevelopment Project Area; and,

WHEREAS, a major focus of the Redevelopment Plan is to redevelop 10 acres of former highway access ramp properties owned by the State of California (the “State-Owned Parcels”) to generate funding for the Transbay Joint Powers Authority (“TJPA”) to construct what is now the Salesforce Transit Center (the “Transit Center”). OCII’s role is to complete the enforceable obligations that the Department of Finance has finally and conclusively approved under Redevelopment Dissolution Law. These enforceable obligations include the Implementation Agreement

between TJPA and the Former Agency, which requires OCII to facilitate the sale and development of certain State-Owned Parcels to third parties, to implement the Redevelopment Plan, and to comply with California Assembly Bill 812, codified in Section 5027.1 of the California Public Resources Code (“AB 812”), which requires that 35% of all new residential units in the Project Area be affordable to low- and moderate-income households; and,

WHEREAS, Section 4.105 of the City Charter and 2A.53 of Administrative Code require General Plan referrals to the Planning Commission (“Commission”) for certain matters, including determination as to whether a Redevelopment Plan amendment is in conformity with the General Plan prior to consideration by the Board of Supervisors. Similarly, Section 33346 of the California Health and Safety Code regarding California Redevelopment Law, the Redevelopment Plan must be submitted to the Planning Commission for its report and recommendation concerning the proposed plan amendments; and,

WHEREAS, on July 20, 2020, the Planning Department received a General Plan Referral application to amend the Redevelopment Plan for the Transbay Redevelopment Project Area (“Plan Amendment”) to increase the maximum height limit for Block 4 from 400 feet to 513 feet, and to increase the maximum floor plate limits within different portions of the building envelope within the same block; and,

WHEREAS, Transbay Block 4 is bordered by Howard Street on the north, Main Street on the east, Beale Street on the west and a proposed new segment of Tehama Street on the south in Zone One of the Transbay Redevelopment Project Area, and is comprised of Assessor Block 3739, Lot 10; and,

WHEREAS, in February 2012, the State of California dissolved all redevelopment agencies pursuant to California Health and Safety Code Sections 34170 et seq. (“Redevelopment Dissolution Law”), and under Ordinance No. 215-12 (Oct. 4, 2012), the Board of Supervisors established and delegated its authority under the Redevelopment Dissolution Law to the Successor Agency Commission and the Successor Agency to the Redevelopment Agency of the City and County of San Francisco (commonly referred to as the Commission on Community Investment and Infrastructure, or “CCII,” and the Office of Community Investment and Infrastructure or “OCII,” respectively); and,

WHEREAS, in April 2016, the CCII approved an Agreement for Option to Purchase Transbay Block 4 (“Option Agreement”) with F4 Transbay Partners LLC, a Delaware limited liability company (“Project Sponsor”). At the time, the Project Sponsor sought to acquire Transbay Parcel F from TJPA and required as a condition of that purchase that OCII enter into the Option Agreement so that the Developer could fulfill the affordable housing obligations of Parcel F through the development of Block 4; and,

WHEREAS, in September 2018, CCII approved a non-binding Term Sheet outlining the mixed-use, mixed-income development program for Block 4 (the “Project”) along with the First Amendment to the Option Agreement. The 2018 Term Sheet served as the basis for negotiation of the Disposition and Development Agreement (“DDA”) and development of the Schematic Design; and,

WHEREAS, between September 2018 and September 2021, OCII negotiated with the Project Sponsor in determining the parameters for the Transbay Block 4 Schematic Design and the DDA. Objectives for OCII in their negotiations with the Project Sponsor included, in part, ensuring a maximum number of affordable units such that, at full buildout, at least 35% of the units within Transbay Project Area would be affordable; ensuring project

feasibility; and maintaining the general land use and urban design principles of the vision established by the Design for Development (“D4D”). To meet these objectives, OCII determined that the building envelope then proscribed by the Redevelopment Plan (and as reflected in the height maps within the Transit Center District Area Plan of the General Plan and Planning Code Height and Bulk Map HT-01), and the DCDG would need to be amended to allow greater development potential. As described above, an amendment to the Redevelopment Plan requires the Commission adopt findings of consistency with the General Plan and Planning Code Section 101.1. Amendments to the General Plan and the Planning Code Height Map require legislation requiring Commission action. However, the DCDG is under the sole jurisdiction of OCII and CCII; the Planning Department and Commission have no role in administering this document, including review of approval of any amendments to it; and,

WHEREAS, through the negotiations described above, OCII and the Project Sponsor agreed upon a Project Description for the Project: The Project would include a 47-story tower with 6-story townhouse adjunct, a 16-story mid-rise building, and a single-story shared podium with shared underground facilities. The Project would provide 681 total residential units, of which 45% would be affordable. The 681 units would include 155 market-rate condominium units in the upper portion of the tower and townhouse adjunct, 324 rental units in the lower portion of the tower (including 219 market rate units and 105 below market rate units affordable to moderate income households) (the “Tower Project”), as well as 202 rental units in a 100% affordable project in the mid-rise building (including one unrestricted manager’s unit) (the “Mid-Rise Project”). In addition, the Project includes ground floor retail (a portion of which is restricted for community-serving uses), public and private open space, the construction of Tehama Street (which will be conveyed to the City upon completion), streetscape improvements, and underground utility rooms, auto and bicycle parking; and,

WHEREAS, the Transbay Redevelopment Plan specifies a 450-foot maximum height limit on Block 4 and limits the floor plates of the Tower Project to 13,000 square feet (“sf”) above 85-feet, and limits the floor plates of the Mid-Rise Project between build heights of 85 feet and 250 feet to 7,500 sf. The proposed Plan Amendment would provide for a maximum height limit of 513 feet, a maximum floor plate size of 13,500 sf between heights of 85-feet and 250-feet for the Mid-Rise Project, and a maximum floor plate size of 15,300 sf at the lower portion of the tower (85 feet to 122 feet) for the Tower Project; these proposed Redevelopment Plan controls would only apply to Block 4 and no other portion of the Plan Area. Similarly, the DCDG contained several controls that needed to be amended to enable the Project including, in part, allowing additional heights at other portions of the site, allowing the public open space to be constructed above grade, allowing temporary parking and valet operations on the ground floor, eliminating or revising setback and townhouse location requirements on the Beale, Howard, and Main Street frontages, revising floor plate ratio requirements, and revising some modulation requirements; and

WHEREAS, related conforming amendments to the Transit Center District Area Plan of the General Plan (Figure 1 – “Proposed Height Limits”), and Planning Code Height and Bulk Map HT-01 are necessary to reflect the proposed maximum height increase in the Redevelopment Plan Amendment. On June 23, 2022, the Commission adopted Motion No. 21133 initiating the General Plan Amendments. On July 12, 2022, Supervisor Dorsey introduced legislation to amend Planning Code Height and Bulk Map HT-01 and referred the legislation to the Planning Commission for their action. At their July 28, 2022 Hearing, the Planning Commission approved the General Plan Amendment and Zoning Map Amendment; and

WHEREAS, OCII maintains land use and California Environmental Quality Act ("CEQA") review authority of the Transbay Redevelopment Project Area, including the site of the proposed amendment (Block 4) and,

WHEREAS, on June 21, 2022 at a public hearing the CCII adopted Resolution Nos. 18-2022, 20-2022, 21-2022, 22-2022, and 23-2022, which (1) made CEQA findings confirming the analysis and conclusion of Addendum of the Final Environmental Impact Statement/Environmental Impact Report for the Transbay Terminal/Caltrain Downtown Extension/ Redevelopment Project ("Final Environmental Document") as further described below, (2) approved the Plan Amendment and referred it to the Planning Commission, (3) approved the amendments to the DCDG, (4) approved the DDA for the Project, and (5) conditionally approved the Schematic Design for the Project; and,

WHEREAS, on June 15, 2004, the Board of Supervisors affirmed, by Motion No. 04-67, the certification under the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq., and the CEQA Guidelines (14 California Code of Regulations Sections 15000 et seq. ("CEQA Guidelines," and collectively "CEQA")) of the Final Environmental Document, which included the Redevelopment Plan. Subsequently, the Board of Supervisors adopted, by Resolution No. 612-04 (October 7, 2004), findings that various actions related to the Project complied with CEQA and the Former Agency Commission adopted, by Resolution No. 11-2005 (January 25, 2005), findings and a statement of overriding considerations and a mitigation monitoring and reporting program, adopted in accordance with CEQA. Subsequent to the adoption of the Final Environmental Document and the findings, the Former Agency, the Successor Agency or other responsible agencies under CEQA/NEPA have approved and incorporated eight addenda into the analysis of the Final Environmental Document (as incorporated, the "FEIS/EIR") and made requisite findings under CEQA (findings referenced in this recital collectively referred to as the "CEQA Findings"). OCII staff has made the FEIS/EIR (including the addenda), and related documents available to the Commission and the public, and these files are part of the record before the Commission; and,

WHEREAS, OCII, as lead agency and in consultation with the San Francisco Planning Department, has prepared Addendum No. 9 to the FEIS/EIR (the "Addendum"), dated June 13, 2022 ([link](#)). The Addendum evaluates the potential environmental effects associated with approval of the Redevelopment Plan Amendment and related actions ("Proposed Actions"); and,

WHEREAS, OCII prepared the Addendum in compliance with CEQA and the Addendum reflects the independent judgment and analysis of OCII, and the OCII concludes that the Redevelopment Plan Amendment and related actions "Proposed Actions" are within the scope of impacts analyzed in the FEIS/EIR and will not result in any new significant impacts or a substantial increase in the severity of previously identified significant effects that alter the conclusions reached in the FEIS/EIR for the reasons stated in the Addendum; and,

WHEREAS, based on the analysis in the Addendum, by Motion No. 18-2022, the CCII concluded that the analyses conducted and the conclusions reached in the FEIS/EIR remain valid and the Proposed Actions will not cause new significant impacts not identified in the FEIS/EIR or substantially increase the severity of previously identified significant impacts, and no new mitigation measures will be necessary to reduce significant impacts. Further, as described in the Addendum, no changes have occurred, with respect to either the development or the circumstances surrounding the development contemplated in FEIS/EIR, that will require major revisions of the

FEIS/EIR due to the involvement of new significant effects or a substantial increase in the severity of previously identified significant effects, and no new information has become available that shows that the Project will cause new or more severe significant environmental impacts. Therefore, no subsequent or supplemental environmental review is required under CEQA beyond the Addendum to approve the Proposed Actions, the Project and other actions necessary for the Project;

FINDINGS

Staff analyzed the proposed Redevelopment Plan Amendment with regards to conformity to the General Plan as described below.

DOWNTOWN PLAN

OBJECTIVE 9

PROVIDE QUALITY OPEN SPACE IN SUFFICIENT QUANTITY AND VARIETY TO MEET THE NEEDS OF DOWNTOWN WORKERS, RESIDENTS, AND VISITORS.

POLICY 9.1

Require usable indoor and outdoor open space, accessible to the public, as part of new downtown development.

OBJECTIVE 10

ASSURE THAT OPEN SPACES ARE ACCESSIBLE AND USABLE.

POLICY 10.3

Keep open space facilities available to the public.

The Redevelopment Plan Amendment will enable development of the proposed Project, which is an amenity rich 681-unit development with 45% affordability. The Project will feature 12,500 square feet of open space for the residents and the public including 6,000 square feet central un gated courtyard that will be open to the public. The central open space will be accessible by a grand exterior stair from the new segment of Tehama Street, which in turn, will border a new planned public park to its south. Separately, the Project would also entail building out new streetscape portions of Beale and Main Streets, which are envisioned as pedestrian-dominated living streets. The on-site publicly accessible open space will thereby be integrated and connected to the Transbay and Downtown public realm networks.

OBJECTIVE 13

CREATE AN URBAN FORM FOR DOWNTOWN THAT ENHANCES SAN FRANCISCO'S STATURE AS ONE OF THE WORLD'S MOST VISUALLY ATTRACTIVE CITIES.

POLICY 13.1

Relate the height of buildings to important attributes of the city pattern and to the height and character of existing and proposed development.

The Transbay Redevelopment Project Area Design for Development, completed in 2003, envisions transforming an area formerly containing the Embarcadero Freeway, its ramps and Terminal Separator Structure into a transit-oriented residential district in the heart of downtown. The DCDG for this area, adopted in 2005, called for Zone One to "become a complementary and exciting addition to the downtown skyline, designed as designed as a grouping of slender towers that would visually extend the Downtown high-rise office skyline."

The proposed Redevelopment Plan Amendment would allow a 513-foot residential tower on Block 4, an additional 63 feet above what is currently allowed on the site; the proposed Redevelopment Plan Amendment would also allow buildings with larger floor plates than currently allowed on portions of the site. The increased bulk and heights have been designed so that taken together, the different components of the overall Block 4 development continue to be proportional to each other while enabling a significant increase in unit count overall and affordable unit count more specifically.

The Downtown Plan, the Transit Center District Plan, and the Urban Design Element all call for a tapering of tower heights from the location of the Transit Center Tower down toward Folsom Street and the waterfront, with towers heights tapering upward south of Folsom toward Rincon Hill. The additional height of Block 4 to allow 513-feet would be shorter than the 550-foot tower immediately north and other towers further north thereby respecting this urban design goal.

Policy 13.2

Foster sculpturing of building form to create less overpowering buildings and more interesting building tops, particularly the tops of towers.

POLICY 13.3

Create visually interesting terminations to building towers.

OBJECTIVE 15

CREATE A BUILDING FORM THAT IS VISUALLY INTERESTING AND HARMONIZES WITH SURROUNDING BUILDINGS.

The proposed Project will feature a 513-foot tower with a 49-foot mechanical penthouse. The proposed design control amendments have been carefully tailored to assure that height of the Project's tower and penthouse work within the envisioned tapering of towers from Mission Street to Folsom Street – that is that the overall tower height continues to read as being shorter than the towers to the north. The penthouse is designed as an extension of one of the tower masses thereby accentuating the tower's verticality and not creating a separate element that could otherwise call undo attention to itself.

The proposed amendments to the design controls (both with the Redevelopment Plan and the DCDG) have been carefully considered so that additional height and bulk across the site both horizontally and vertically work together proportionally. For example, floor plate limits for the tower have been increased so that they podium portion of tower is at a higher height proportional to the proposed new tower height.

OBJECTIVE 16

CREATE AND MAINTAIN ATTRACTIVE, INTERESTING URBAN STREETSCAPES

As noted above, the proposed Project includes streetscape improvements to all bordering streets accordance with the Transbay Streetscape Master Plan.

POLICY 16.2

Provide setbacks above a building base to maintain the continuity of the predominant streetwalls along the street. Setbacks will be provided along the newly created portion of Tehama Street to provide residential stoops to the townhouse units and a portion of Main Street. Setbacks will not be provided for the remainder portion of Main Street, Beale Street and Howard Street consistent with other buildings along those streets.

TRANSIT CENTER DISTRICT PLAN: A SUB-AREA PLAN OF THE DOWNTOWN PLAN

OBJECTIVE 2.1

MAXIMIZE BUILDING ENVELOPE AND DENSITY IN THE PLAN AREA WITHIN THE BOUNDS OF URBAN FORM AND LIVABILITY OBJECTIVES OF THE

OBJECTIVE 2.2

CREATE AN ELEGANT DOWNTOWN SKYLINE, BUILDING ON EXISTING POLICY TO CRAFT A DISTINCT DOWNTOWN "HILL" FORM, WITH ITS APEX AT THE TRANSIT CENTER, AND TAPERING IN ALL DIRECTIONS.

OBJECTIVE 2.4

PROVIDE DISTINCT TRANSITIONS TO ADJACENT NEIGHBORHOODS AND TO TOPOGRAPHIC AND MAN-MADE FEATURES OF THE CITYSCAPE TO ENSURE THE SKYLINE ENHANCES, AND DOES NOT DETRACT FROM, IMPORTANT PUBLIC VIEWS THROUGHOUT THE CITY AND REGION.

POLICY 2.5

Transition heights down to adjacent areas, with particularly attention on the transitions to the southwest and west in the lower scale South of Market areas and to the waterfront to the east.

As noted above, while the proposed Redevelopment Plan Amendment would increase the height and bulk of the Project at Block 4, the additional height and bulk have been carefully considered to assure that the skyline conforms to Downtown "hill" and Folsom Street "saddle" urban form.

OBJECTIVE 2.9

PROVIDE BUILDING ARTICULATION ABOVE A BUILDING BASE TO MAINTAIN OR CREATE A DISTINCTIVE STREETWALL COMPATIBLE WITH THE STREET'S WIDTH AND CHARACTER.

OBJECTIVE 2.11

PURSUE BUILDING SETBACKS TO AUGMENT A SIDEWALK WIDENING PROGRAM ON STREET FRONTAGES WHERE SIGNIFICANT CONTIGUOUS STRETCHES OF PARCELS ARE LIKELY TO BE REDEVELOPED.

OBJECTIVE 2.12

ENSURE THAT DEVELOPMENT IS PEDESTRIAN-ORIENTED, FOSTERING A VITAL AND ACTIVE STREET LIFE.

Policy 2.15

Establish a pedestrian zone below a building height of 20 to 25 feet through the use of façade treatments, such as building projections, changes in materials, setbacks, or other such architectural articulation.

The Redevelopment Plan Amendment along with other design control amendments proposed by Project facilitate a high-quality interface with the pedestrian realm at the ground plane. While building heights along all frontages would be taller than under existing controls, they would be in keeping with nearby buildings. Special attention has been paid to uses and building design at the ground level. The Project would align the new block of Tehama with fronting townhouse units featuring stoops and planting. Also, along Tehama would be a grand stair with seating terraces that would lead to the Project's publicly accessible mid-block open space one story above grade. Retail uses and lobby entries would be featured along Howard, Beale and Main Streets. As noted above the Project Sponsor would improve Beale, Howard and Main Street pursuant to the Transbay Streetscape and Open Space Concept Plan. Most significantly, an extension of Tehama Street would be constructed to the south of the Project. Tehama's design would feature low curbs and special pedestrian-oriented design treatment of the street through raised crosswalk creating a sense of a linear plaza.

URBAN DESIGN ELEMENT

OBJECTIVE 3

MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT

Fundamental Principles for Major New Development

1. The relationship of a building's size and shape to its visibility in the cityscape, to important natural features and to existing development determines whether it will have a pleasing or a disruptive effect on the image and character of the city.

The Urban Design Element along with the Downtown Area Plan and the Transit Center District Area Plan call for a tapering of building heights from a central Downtown location (Salesforce Tower) and tapering in each direction. Although the additional 63-foot height would bring the proposed Project closer to the height of tower immediately to the north (Block 5), the differentiation of the two is still significant enough to maintain the tapering of building heights.

RECREATION AND OPEN SPACE ELEMENT

POLICY 1.9

Preserve sunlight in public open spaces.

The proposed Redevelopment Plan Amendment would allow a taller residential tower to be built on the site of Block 4. The additional height and building envelope area that would be allowed under the proposed Plan Amendment would not create any net new shadow on a park under the jurisdiction of Department of Recreation and Parks that are subject to Planning Code Section 295. Shadow analysis conducted as a part of the addendum identified two existing parks and one proposed new park that are not subject to Planning Code Section 295 and seven privately

owned publicly open spaces (“POPOS”) onto which the proposed Project could cast net new shadow. In all cases, the additional duration and area of shadow created by the Project compared to a project that would be compliant to current standards was found to be insignificant in terms of duration, area, and the overall impact of quality to the open space; the net new shadow from the proposed Project would not substantially and adversely affect the public’s use and enjoyment of the respective open space.

HOUSING ELEMENT

OBJECTIVE 1

IDENTIFY AND MAKE AVAILABLE FOR DEVELOPMENT ADEQUATE SITES TO MEET THE CITY'S HOUSING NEEDS, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING.

POLICY 1.10

Support new housing projects, especially affordable housing, where households can easily rely on public transportation, walking and bicycling for the majority of daily trips.

OBJECTIVE 12

BALANCE HOUSING GROWTH WITH ADEQUATE INFRASTRUCTURE THAT SERVES THE CITY'S GROWING POPULATION.

POLICY 12.1

Encourage new housing that relies on transit use and environmentally sustainable patterns of movement.

The proposed Redevelopment Plan Amendment would allow 63 additional feet in height to the tower, along with increased floor plate sizes at two locations within the site. Similarly, amendments to the DCDG allow additional height and building area at other locations at the site. OCII staff indicates that the additional building envelope allowed by the subject Redevelopment Plan Amendment along with the DCDG Amendment would enable 126 additional units on the site. The new configuration of allowable building area also enables a standalone 100% affordable housing project that will include 201 affordable units at a variety of bedroom sizes made available to households ranging from 40% to 100% AMI. The Redevelopment Plan Amendment will further enable a project that will provide 105 affordable units within the Tower Project for moderate income households ranging from 100% to 120% AMI.

The proposed height increase is suitable for this area of Downtown first because of the convenient access to public transit and the Project’s various heights still fit within the D4D’s urban design vision for Transbay and Downtown. The proximity to a variety of transit options within the city and to the Bay Area would allow for sustainable development.

Also, the location is suitable for the proposed height due to the dense context of the neighborhood. The residential neighborhoods near Downtown and in Rincon Hill include dense tall residential towers. After the Transbay Redevelopment Plan was enacted in 2006 additional towers were built in the Rincon Hill or are currently under construction in the Transit Center area. This neighborhood context provides flexibility for additional height on Block 4 within the confines of maintaining a cohesive skyline as discussed in the previous section.

OBJECTIVE 7

SECURE FUNDING AND RESOURCES FOR PERMANENTLY AFFORDABLE HOUSING, INCLUDING INNOVATIVE PROGRAMS THAT ARE NOT SOLELY RELIANT ON TRADITIONAL MECHANISMS OR CAPITAL.

POLICY 7.5

Encourage the production of affordable housing through process and zoning accommodations, and prioritize affordable housing in the review and approval processes.

The Redevelopment Plan Amendment would enable a Project that would include 45% affordable units. Based on building to date in the Plan Area and OCII development projections, the affordable units within the proposed Project will contribute to ensuring that at least 35% of all new residential units within the Plan Area will be restricted for affordability as required by State Law.

OBJECTIVE 11

SUPPORT AND RESPECT THE DIVERSE AND DISTINCT CHARACTER OF SAN FRANCISCO'S NEIGHBORHOODS.

POLICY 11.4

Continue to utilize zoning districts which conform to a generalized residential land use and density plan and the General Plan.

Zoning changes in the City occur through a community planning process for a neighborhood or sub-set of a neighborhood. The proposed Redevelopment Plan Amendment was discussed with the OCII's Transbay Citizen's Advisory Committee ("CAC") and other means in the community. In May 2022, the Transbay CAC approved the Project, which included the proposed height increase. Staff finds the proposed height change to serve the public good through additional affordable housing units and transit-oriented development.

Eight Priority Policies of Planning Code Section 101.1

The subject project is found to be consistent with the Eight Priority Policies of Planning Code Section 101.1 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 Redevelopment Plan Amendment will not result in change in neighborhood-serving retail businesses. The Project will include street level retail to enhance the neighborhood commercial environment and the residential units in the project will provide more customers for neighborhood retail.

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

The proposed Redevelopment Plan Amendment will not affect existing housing and will help add to the City's housing stock. The proposed residential tower project will transform former Embarcadero Freeway land into 681 dwelling units of which 45% will be Below Market Rate Units affordable to households with income at various levels of AMI.

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

The proposed Redevelopment Plan Amendment would increase the supply of affordable housing in San Francisco. OCII has indicated that the additional height and other building envelope increases will enable 126 additional units. Moreover, the additional height and bulk of the Project allowed by the Redevelopment Plan Amendment and the resulting increased residential development area is essential to the feasibility of the Project with 45% affordability. The Project's affordable units will contribute to meeting the requirement of having 35% of new residential units within the Plan Area restricted for affordability.

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

The Redevelopment Plan Amendment and Project would not impede MUNI transit service or overburden our streets or neighborhood parking; rather it would create additional residential units in this transit rich neighborhood. Parking requirements would be set by limits of the Redevelopment Plan. The proposed parking ratio is under the prescribed ratio of 0.5 space/unit in the adjacent Downtown C-3 Zoning District. The limited parking and easy access to transit and other non-vehicular modes of transportation would help enable residents to get around without having to use private vehicles.

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 residential employment and ownership in these sectors be enhanced.

The proposed Redevelopment Plan Amendment would not result in displacing existing industrial and service uses or change the existing economic base in this area. The site of Block 4 was most recently used as a temporary bus terminal, for which the surface lot is no longer needed.

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

The proposed Redevelopment Plan Amendment will not affect the City's preparedness to protect against injury and loss of life in an earthquake. The proposed Project would be built to the current building code and seismic standards and otherwise will not affect the City's preparedness.

7. That landmarks and historic buildings be preserved.

The site of Project does not include any landmark or historic building and the proposed Redevelopment Plan Amendment will 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 Redevelopment Plan Amendment would allow a taller residential tower to be built on the site of Block 4. The additional height and building envelope area that would be allowed under the proposed

Redevelopment Plan Amendment would not create any net new shadow on a park under the jurisdiction of Department of Recreation and Parks and that are subject to Planning Code Section 295. Shadow analysis conducted as a part of Addendum No. 9 identified two existing parks and one proposed new park that are not subject to Planning Code Section 295 and seven privately owned publicly open spaces (“POPOS”) onto which the proposed Project could cast net new shadow. In all cases, the additional duration and area of shadow created by the Project compared to a project that would be compliant to current standards was found to be insignificant in terms of duration, area, and the overall impact of quality to the open space; the net new shadow from the proposed Project would not substantially and adversely affect the public’s use and enjoyment of the respective open space.

NOW THEREFORE BE IT MOVED, that the Commission has reviewed and considered the CEQA Findings and statement of overriding considerations that the Successor Agency previously adopted and reviewed and considered the CEQA Findings contained in the Addendum, which the Successor Agency adopted in Resolution No. 18-2022, and hereby adopts these additional CEQA Findings as its own. The Commission finds that the conclusions reached in the FEIS/EIR remain valid and the Proposed Actions will not cause new significant impacts not identified in the FEIS/EIR or substantially increase the severity of previously identified significant impacts, and no new mitigation measures will be necessary to reduce significant impacts. Further, as described in the Addendum, no changes have occurred, with respect to either the development or the circumstances surrounding the development contemplated in FEIS/EIR, that will require major revisions of the FEIS/EIR due to the involvement of new significant effects or a substantial increase in the severity of previously identified significant effects, and no new information has become available that shows that the Project will cause new or more severe significant environmental impacts. Therefore, no subsequent or supplemental environmental review is required under CEQA beyond the Addendum to approve the Proposed Actions, the Project and other actions necessary for the Project; and

BE IT FURTHER MOVED, That the Commission hereby finds the proposed amendment to the Transbay Redevelopment Plan, as described above, to be on balance consistent with the General Plan as proposed for amendment, including, but not limited to the Housing Element, Urban Design, Recreation and Open Space Element, Transit Center District Plan, and is consistent with the eight Priority Policies in City Planning Code Section 101.1 for reasons set forth in this motion, and recommend to the Board of Supervisors approval of the Plan Amendment.

I hereby certify that the foregoing Motion was adopted by the Commission at its meeting on July 28, 2022.



Jonas P. Ionin
Commission Secretary

AYES: Ruiz, Diamond, Imperial, Koppel, Moore, Tanner
NOES: None
ABSENT: Fung
ADOPTED: July 28, 2022



EXECUTIVE SUMMARY

TRANSBAY BLOCK 4 GENERAL PLAN, ZONING MAP, AND REDEVELOPMENT PLAN AMENDMENTS

HEARING DATE: JULY 28, 2022

Project Name: Transbay Block 4 – 200 Main Street – Amendments to the Transit Center District Area Plan, Planning Code Height and Bulk Map HT-01 and the Transbay Redevelopment Plan

Case Number: 2018-015785GPR GPA MAP

Initiated by: Planning Commission

Staff Contact: Mat Snyder, Citywide Planning
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Reviewed by: Joshua Switzky, Land Use & Community Planning Program Manager, Citywide Planning
Joshua.switzky@sfgov.org, (628) 652-7464

Recommendation: Find Redevelopment Plan Amendment in General Conformity with the General Plan and Planning Code Section 101.1;

Recommend Approval to the Board of Supervisors the Amendments to the General Plan and Planning Code Height and Bulk Map

Project Description

The Office of Community Investment and Infrastructure (“OCII”) is proposing to amend the Redevelopment Plan for the Transbay Redevelopment Project Area (“Redevelopment Plan”) to facilitate a mixed-use residential development project on Block 4 of the Transbay Redevelopment Project Area (“Project”) located at 200 Main Street, Assessor’s Block 3739, Lot 010 (“Project Site”). The amendment includes increasing the height limit for the Project Site, which will also require conforming amendments to Figure 1 – “Proposed Height Limits” of the Transit Center District Plan (“TCDP”), a Sub-Area Plan of the Downtown Area Plan, and to Planning Code Height and Bulk Map HT-01.

Block 4 is the northern portion of the former Temporary Transbay Terminal site bounded by Howard, Folsom, Main and Beale Streets. For redevelopment purposes, the Redevelopment Plan delineates this area as Blocks 2, 3, and 4, separated by new extension of Clementina Street and Tehama Street across the site. Block 4 is bounded by Howard Street to the north, Beale and Main Streets to the west and east, respectively, and the planned new segment of Tehama Street to the south.

The Block 4 Project is proposed to include a 47-story tower with 6-story townhouse adjunct, a 16-story mid-rise building, and a single-story shared podium with shared underground facilities. The Project will provide 681 total residential units, of which 45% would be affordable. The 681 units would include 155 market-rate condominium units in the upper portion of the tower and townhouse adjunct, 324 rental units in the lower portion of the tower (including 219 market rate units and 105 below market rate units affordable to moderate income households) (the “Tower Project”), as well as 202 rental units in a 100% affordable project in the mid-rise building (including one unrestricted manager’s unit) (the “Mid-Rise Project”). In addition, the Project includes ground floor retail (a portion of which is restricted for community-serving uses), public and private open space, the construction of Tehama Street (which will be conveyed to the City upon completion), streetscape improvements, and underground utility rooms, auto and bicycle parking.

Details of the Project’s programming is provided below:

Block 4 Project Summary	
Residential Units	681 total units, 306 (45%) restricted for affordability
Tower/townhouse condominiums	135 market rate condominium units located on floors 28 to 47 of the tower; and 20 units in floors 1 to 6 of the townhouses along Tehama
Tower Market rate rental units	219 rental units located on floors 2 to 27 of the tower, in the following sizes: 123 one-bedrooms 96 two-bedrooms
Tower BMR units	105 affordable rental units located on floors 2 to 20 of the tower, including 21 units at 100% AMI, 22 units at 110% AMI, and 62 units at 120% AMI in the following sizes: 12 studios 47 one-bedrooms 34 two-bedrooms 12 three-bedrooms
Mid-Rise Affordable Units	201 affordable rental units and one unrestricted manager’s unit located on floors 2 to 16 of the mid-rise, with tiered AMIs at 40%, 45%, 50%, 60% 70%, 80%, 90%, and 100% in the following sizes: 20 studios 75 one-bedrooms 86 two-bedrooms 21 three bedrooms
Commercial space	8,389 square feet of commercial/retail space, 6,431 of which is restricted for community-serving uses
Resident amenity spaces	Tower 35 th floor amenity space, with programming to be determined, accessible to condominium unit residents only Tower 12 th floor amenity including solarium spaces and an outdoor terrace, accessible to residents throughout the Project Tower 2 nd floor amenity space including a fitness amenity, club room and adjacent terrace, cooking accessories and seating, accessible to residents throughout the Project

	Mid-Rise 2 nd floor community room with kitchen and resident lounge, accessible to residents of the Mid-Rise Affordable Project Mid-Rise 7 th and 12 th floor outdoor terraces, accessible to residents of the Mid-Rise Affordable Project and Tower Mixed-Income Rental Project (note: may be limited to Mid-Rise Affordable Project residents due to Low Income Housing Tax Credit regulations)
Open space	12,584 total square feet of open space, including a central raised courtyard providing approximately 8,330 square feet of ungated publicly accessible open space, (accessible via contiguous stairs from Howard Street and Tehama Street and elevators from inside of buildings) and terraced seating area with views to the future Transbay Park along Tehama Street
Streetscape improvements	Improvements include widened sidewalks and bulb-outs, street trees and other plantings, public seating, streetlights, and bicycle racks
Tehama Street	Construction of a new segment of Tehama Street between Beale and Main Streets for vehicular access, as designed by the Transbay Block 3 Park design team from the Department of Public Works. Ownership of the Tehama Parcel and Tehama Street improvements will be granted back to the City for acceptance after completion.
Parking	Parking for up to 275 vehicles in an underground garage parking facility with valet services; the garage includes 224 physical spaces with the use of stackers, including 2 car-share spaces, remaining capacity may be possible with enhanced valet operations
Bicycle parking	Class I secured spaces for 556 bicycles in two below-grade bike rooms

The approval of the Project itself will not be before the Planning Commission, as it is in Zone One of the Redevelopment Area under the jurisdiction of the Successor Agency Commission (commonly referred to as the Commission on Community Investment and Infrastructure or “CCII”).

Required Planning Commission Actions

The three actions before the Planning Commission that relate to the Project described above are as follows:

- 1. General Plan Amendments** -- Recommending to the Board of Supervisors approval of General Plan Amendments by amending Figure 1 of the TCDP by changing the height limit on Transbay Block 4 from 450 feet to 513 feet. Staff is also recommending two additional amendments to bring the TCDP into alignment with other previously implemented policy changes subsequent to adoption of that plan. These proposed amendments include: (1) amending Figure 1 by changing the allowed height on Transbay Block 1 from 50/85/300 feet to 400 feet¹; and (2) amending Policy 4.36 to reflect changes in bike routing on Fremont Street and Beale Street.

¹ In 2016, the Commission, CCII, and the Board of Supervisors took several actions to increase the height of Block 1 from 300 feet to 400 feet by amending the Redevelopment Plan and Map 5 of the Downtown Area Plan, but not Figure 1 of the TCDP. The Ordinance would correct that omission.

2. **Zoning Map Amendment** -- Recommending to the Board of Supervisors approval of Planning Code Map Amendments by amending Planning Code Height and Bulk Map No. HT-01 by changing the Height and Bulk Designation on Block 4 from 50/85/450-TB to 513-TB.
3. **Transbay Redevelopment Plan Amendment** -- Making General Plan Consistency findings that find the Redevelopment Plan Amendment to be consistent with the General Plan and Planning Code Section 101.1. The proposed Redevelopment Plan Amendment – like the amendments to Figure 1 and Planning Code Height Map No. HT-01 -- would change the height limit on Transbay Block 4 from 450 feet to 513 feet. In addition to the height increase, the Redevelopment Plan Amendment allows greater bulk by increasing the floor plate limits for the tower portion of the Project from 13,000 square feet to 15,200 square feet for the lower portion of the tower (between heights of 85 feet and 122 feet); and increases the floor plate limit for the mid-rise portion of the Project from 7,500 to 13,500 square feet for portions of the building(s) above 85 feet in height.

Required Actions by the CCII and Board of Supervisors

In addition to the actions required by the Planning Commission, the Project requires the following actions by the CCII and the Board of Supervisors. At their June 21, 2022 regular meeting, the CCII approved the Project as described below:

1. **CEQA Findings.** By Resolution 18-2022, CCII adopted findings that confirm the analysis and conclusion of Addendum No. 9 to the Transbay FEIR. These CEQA findings will be incorporated into all Board of Supervisors actions for the Project.
2. **Amendments to the Redevelopment Plan.** By Resolution 20-2022, CCII approved the Redevelopment Plan Amendment and referred it to both the Planning Commission and the Board of Supervisors for their action.
3. **Amendment to the Transbay Development Controls and Design Guidelines (“DCDG”).** By Resolution 21-2022, CCII approved an amendment to the DCDG. The DCDG provides most of the development controls for Transbay Zone One essentially acting as its Planning Code. Board of Supervisors action is not required for this.
4. **Disposition and Development Agreement (“DDA”).** By Resolution 22-2022, CCII approved the DDA, which establishes the rights and obligations of OCII and the Project Sponsor governing the sale of the subject site, and development and operation of the Project, including the affordable housing requirements and the requirement to set aside at least 6,431 square feet of the retail space for community use.
5. **Schematic Design.** By Resolution 23-2022, CCII conditionally approved the actual proposed schematic design for Block 4; the Block 4 schematic design set is provided in this packet for informational purposes. Board of Supervisors action is not required for this.

Background

Transbay Project Area

The Redevelopment Plan for the Transbay Project Area (“Project Area”) was first approved in 2005 and subsequently amended twice in 2015 and 2016. The Project Area is divided in two zones: Zone One falls under the jurisdiction of OCII with its development requirements controlled by the DCDG; Zone Two falls under the jurisdiction of the Planning Department with its development requirements controlled by the Planning Code. Zone One is largely comprised of parcels created by the demolition of the previous freeway ramps that had been owned by the State of California (“Zone One Parcels”). A major focus of the Redevelopment Plan is to redevelop the Zone One Parcels to generate funding for the Transbay Joint Point Powers Authority (“TJPA”) to construct the Transit Center program, which includes the Transbay (Salesforce) Transit Center, the Caltrain Downtown Extension (DTX), and related improvements. OCII is responsible for implementing the Redevelopment Plan; its duties include facilitating the sale and development of the Zone One Parcels to third parties, ensuring that at least 35% of all new residential units in the Project Area be affordable to low- and moderate-income households (required by California Resource Code Section 5027.1, also referred to as AB 812), and implementing other aspects of the Redevelopment Plan, including the overseeing the design and construction of new streetscape and open space improvements in the Project Area.

Block 4 Relationship to Parcel F

Parcel F (542-550 Howard Street) is another formerly State-owned parcel, located in Zone Two (under Planning Department jurisdiction). Unlike Zone One parcels, such as Block 4, that were and are under control of OCII for disposition and development, Parcel F was under the ownership of the TJPA. In early 2016 the TJPA entered into an agreement with the same Project Sponsor as Block 4 to purchase Parcel F, contingent on CCII approval of an Option Agreement for the Sponsor’s purchase of Block 4. On January 28, 2021, the Planning Commission took several actions approving a development on Parcel F, including approving a Development Agreement (Resolution No 20841), which among other things, enabled the Project Sponsor to satisfy its affordable housing requirement pursuant to Planning Code Section 415 by paying an in-lieu fee instead of providing below-market rate units on site as required by Planning Code Section 249.28 for development projects within Zone Two. The DA set the in-lieu fee at 150% of what would be otherwise be charged elsewhere in the City for a similar project under Planning Code Section 415.5. The DA stipulated that the fee would be administered by OCII to create affordable units within the Project Area, thereby helping to ensure that at least 35% of new units within the Project Area are affordable to low- and moderate-income households as required by the State law cited above. Planning Commission Resolution 20841 stipulates that the in-lieu fee revenue generated by Parcel F could be used to increase the number of affordable units created on Block 4.

Block 4 - Proposed Increase in Development Capacity

OCII staff negotiated with the Project Sponsor through an Option Agreement in the programming and design of Block 4. Objectives for the Block 4’s programming and design include maximizing the number of affordable units possible while assuring the Project is feasible and meets the design intent of the Redevelopment Plan, the Transbay Design for Development, and DCDG. In developing the program for Block 4, OCII staff has set a target of 45% affordable units across the Site in various unit types and affordability levels as described above. OCII staff

has stated that the proposed affordable units at Block 4 will contribute to meeting or exceeding the 35% affordability requirement for the Project Area. However, to achieve 45% affordability and ensure the Project is feasible, OCII staff determined that it is necessary to enable greater development capacity at the site than allowed by the adopted Redevelopment Plan and DCDG. To enable this greater development capacity, development controls provided in the Redevelopment Plan and the DCDG, and restated in the General Plan (TCDP Figure 1 – Proposed Height Limits) and Planning Code (Height and Bulk Map HT-01), would need to be amended to change the controls for (1) height, (2) bulk (floor plate square footage, plan dimension, and floor plate aspect ratio), (3) setbacks, (4) townhouse frontage location and modulation, and (5) location of open space, among other development controls.

OCII staff has indicated through an initial analysis that the proposed increase in development capacity would facilitate an additional 126 units overall on the site and bring the proposed heights and massing consistent with the adjacent high-rise buildings in TCDP and Rincon Hill neighborhoods

Issues and Other Considerations

- **Public Comment & Outreach.** On May 12, 2022, the Transbay Citizens Advisory Committee (“CAC”) voted unanimously to recommend that the OCII Commission approve (1) the amendment to the Redevelopment Plan, (2) the amendment to the DCDG, (3) the terms of the DDA, and (4) the Schematic Design for Block 4. According to OCII staff, CAC members were pleased to see the Project moving forward and were complimentary of the proposed design. In addition to the Transbay CAC and public hearings, the Project Sponsor presented the Project to the Bay Area Council on May 26, 2022, the San Francisco Housing Action Coalition on June 15, and has reached out to other organizations including the East Cut Community Benefit District to schedule presentations.
- **CCII Approval.** On June 21, 2022, CCII took several actions, described above, approving the Project.
- **Development Control Amendments.** Amendments to both the Redevelopment Plan and the DCDG included allowing a greater building envelope by increasing heights along all frontages of the site, allowing greater bulk at the lower portion of the tower and at the upper portions of the mid-rise affordable component, eliminating setbacks along Beale, Howard, and most of Main, allowing the publicly accessible open space be provided above grade, allowing parking operations at the ground level, reducing townhouse location requirements, among others.

Basis for Recommendation

- The proposed Project will add 681 of much needed residential dwelling units to San Francisco’s housing stock. Moreover, 45% will be affordable to households with incomes that range between 40% to 120% of AMI with a broad mix of unit types.
- Though the actions required by the Planning Commission, CCII, and the Board of Supervisors would increase the allowed building envelope in multiple ways, OCII staff has worked carefully with the Project Sponsor and Planning staff to assure these increases are well considered to still meet the general urban design principles of the Transbay Redevelopment Plan, Design for Development, and DCDG. The tower will still be shorter than towers immediately to the north, thereby working within the Downtown urban design

vision to create a Downtown “mound” at the Transit Center Tower (Salesforce Tower) location and tapering down toward Folsom Street and the waterfront, and other taller portions of the Project would be proportional to the tower portion. Additionally, the design of the ground plane and its interaction with the public realm are of high quality and will assure the Project fits in with its immediate context.

- The Project includes improvements to Beale, Howard and Main Streets, helping fulfill the public realm vision for Transbay. Beale and Main Streets are envisioned as pedestrian dominated “living streets”. The Project will also include constructing a new portion of Tehama Street on the south, which will be designed to feel like a linear plaza that provides a border between the Project and a new park to the south. The Project also includes a central publicly-accessible courtyard that will feature a grand stair from Tehama Street. The open space and public realm improvements will be well-integrated and enhance the public realm and open space network of Transbay and Downtown in general.
- The Project will not create significant shadow impacts as described in Addendum No. 9 and in the draft Planning Commission Motion regarding the Redevelopment Plan Amendment;
- The 681 units (of which 306 will be affordable) will be located in Downtown San Francisco, which has excellent access to transit and other non-vehicular modes of transportation. Transbay is also rich in other amenities, including multiple parks, that make this location particularly well suited for high density residential development.
- The subject Project, and associated required Commission actions, are, on balance, consistent with the General Plan and Planning Code Section 101.1; findings of consistency are described in the Draft Motion regarding the Redevelopment Plan amendments.

Environmental Review

On June 13, OCII and the Planning Department published Addendum No. 9 to the Final Environmental Impact Statement/Environmental Impact Report for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project, which analyzed the Project and associated Board of Supervisors, CCII, and Planning Commission actions needed for the Project. On June 21, 2022, the CCII adopted Resolution No. 18-2022, which adopted CEQA findings associated with Addendum No. 9 confirming its adequacy under CEQA. Addendum No. 9, along with the original FEIR can be found at this link: [Transbay Environmental Documents](#).

Recommendation:	Find Redevelopment Plan Amendment in General Conformity with the General Plan and Planning Code Section 101.1; and Recommend Approval to the Board of Supervisors the Amendments to the General Plan and Planning Code Height and Bulk Map
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Attachments:

General Plan Amendments
Draft Resolution

Draft Ordinance

Zoning Map Amendments

Draft Resolution

Draft Ordinance

Redevelopment Plan Amendment

Draft Motion

Redline Version of Redevelopment Plan

Amended pages of DCDG (pp. 21-23) (for informational purposes) – full clean version of revised DCDG
can be found at this link: https://sfocii.org/sites/default/files/20180906_TB_DCDG_Revision.pdf

Transbay Block 4 Schematic Development Plans and Renderings

Addendum No. 9