

COMMISSION ON COMMUNITY INVESTMENT AND INFRASTRUCTURE

RESOLUTION NO. 20 – 2022

Adopted June 21, 2022

APPROVING AN AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE TRANSBAY REDEVELOPMENT PROJECT AREA IN CONNECTION WITH THE DEVELOPMENT OF A MIXED-USE RESIDENTIAL PROJECT ON BLOCK 4 OF ZONE ONE OF THE TRANSBAY REDEVELOPMENT PROJECT AREA; REFERRING THE PLAN AMENDMENT TO THE PLANNING COMMISSION FOR ITS REPORT AND RECOMMENDATION TO THE BOARD OF SUPERVISORS; RECOMMENDING THE PLAN AMENDMENT TO THE BOARD OF SUPERVISORS FOR ADOPTION; TRANSBAY REDEVELOPMENT PROJECT AREA

- WHEREAS, In furtherance of the objectives of the California Community Redevelopment Law (Health and Safety Code, section 33000 et seq. the “CRL”), the Redevelopment Agency of the City and County of San Francisco (“Former Agency”) undertook programs for the redevelopment of blighted areas in the City and County of San Francisco (“City”), including the Transbay Redevelopment Project Area (“Project Area”); 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 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) (“Redevelopment Plan”); 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 the Development Controls and Design Guidelines for the Transbay Redevelopment Project (as currently amended, the “Development Controls”) define and regulate land uses, and Zone Two, in which the San Francisco Planning Code applies. Zone One is intended to be developed with predominantly residential uses. The Successor Agency 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 Successor Agency 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 (May 3, 2005); and,
- WHEREAS, On February 1, 2012, the State of California dissolved all redevelopment agencies including the Former Agency and required the transfer of certain of the Former Agency's assets and obligations to the Successor Agency to the Redevelopment Agency of the City and County of San Francisco (“Successor Agency”), commonly known as the Office of Community Investment and Infrastructure (“OCII”) (Cal. Health & Safety Code §§ 34170 et seq., “Redevelopment Dissolution Law”). On June 27, 2012, the Redevelopment Dissolution Law was amended to clarify that successor agencies are separate public entities from the city or county that had originally established a redevelopment agency and they succeed to the organizational status of the former redevelopment agency to complete any work related to an approved enforceable obligation, Cal. Health & Safety Code § 34173 (g); and,

WHEREAS, The Board of Supervisors, acting as the legislative body of the Successor Agency, adopted Ordinance No. 215-12 (Oct. 4, 2012), which, among other matters: (a) acknowledged and confirmed that the Successor Agency is a separate legal entity from the City, and (b) established this Successor Agency Commission (“Commission”) and delegated to it the authority to (i) implement, modify, enforce and complete the Former Agency’s enforceable obligations; (ii) approve all contracts and actions related to the assets transferred to or retained by OCII, including, without limitation, the authority to exercise land use, development, and design approval, consistent with the applicable enforceable obligations; and (iii) take any action that the Redevelopment Dissolution Law requires or authorizes on behalf of the Successor Agency and any other action that the Commission deems appropriate, consistent with the Redevelopment Dissolution Law, to comply with such obligations; and,

WHEREAS, The authority of the Commission includes authority to grant approvals under land use controls for the Project Area specified in the Redevelopment Plan and to recommend amendments to the Redevelopment Plan, subject to Board of Supervisors’ approval, as provided under the CRL; and,

WHEREAS, The Successor Agency now proposes to take actions related to Transbay Block 4 and the adjacent future Tehama Street right of way within Zone One of the Project Area, an approximately 56,375 square-foot area generally located at 200 Main Street, bounded by Howard, Main and Beale Streets and extending approximately 205 feet southeast from Howard Street (Assessor's Block 3739 Lot 010 ("Block 4") and Lot 011 ("Tehama Parcel", and collectively the "Site")); and

WHEREAS, The Redevelopment Plan specifies the land use of Block 4 as "Transbay Downtown Residential" and provides for a maximum height limit of 450 feet and maximum floor plate sizes of (i) 7,500 square feet for buildings between 85 and 350 feet in height, (ii) 13,000 square feet for buildings over 500 feet in height, and sets an overall maximum floor plate size of 13,000 square feet for all buildings within Zone One of the Project Area; and,

WHEREAS, OCII staff negotiated the terms of a Disposition and Development Agreement (“DDA”) with the F4 Transbay Partners LLC, a Delaware limited liability company and Transbay Block 4 Housing Partnership, L.P., a California limited partnership (“Developer”) for the sale of the Block 4 and conveyance the Tehama Parcel to Developer and authorization of construction of the improvements on the Site and Tehama Parcel. The DDA would authorize development of a mixed-use residential development project ("Project") generally consisting of (a) a residential tower 552 feet in height (513 feet at the roof of the last occupiable floor plus a rooftop mechanical screening/parapet element of a maximum 39 feet in height), including an attached wing up to 71 feet in height, collectively containing 155 for-sale residential condominium units, 219 market-rate rental residential units and no fewer than 105 rental units affordable to households earning from 100 to 120 percent of area median income, neighborhood retail uses, amenities spaces, open spaces and related supporting spaces; (b) an affordable residential building 179 feet in height (163 feet at the roof of the last occupiable floor, and a rooftop mechanical screening/parapet element of a maximum 16 feet in height) containing 201 rental units affordable to households earning from 40 to 100 percent of area median income (and one managers unit), with supporting facilities, amenities, open spaces and neighborhood retail, (c) an approximately 66,496 square foot underground shared parking garage accommodating up to 275 private vehicles valet-parked and/or parked via stackers, two car share spaces and a parking for a minimum of 556 bicycles; (d) open space and streetscape improvements within and surrounding the Site and including the extension of Tehama Street on the Tehama Parcel; and,

WHEREAS, Developer has requested the Plan Amendment to allow the Project to be constructed in accordance with the design proposed by the Developer and described in detail in the DDA. Specifically, the Plan Amendment would increase the maximum height limit for development on Block 4 from 450 feet to 513 feet and increase the maximum building floor plate sizes applicable to Block 4: (a) from 7,500 square feet to 13,500 square feet for buildings 85 feet to 250 feet in height, and (b) from 13,000 square feet to 15,200 square feet for buildings over 500 feet in height but limited to that portion of the building that is between 85 feet and 122 feet in height; and,

WHEREAS, In addition to the Plan Amendment, Developer has requested that the Successor Agency take a series of actions related to the Site, consisting of: (1) approval of necessary amendments to the Development Controls for the Project, (2) authorization to enter into the DDA governing the sale and development of the Site with the Project, (3) conditional approval of Schematic Designs for the development of the Site, and (4) recommendations of related actions to agencies responsible therefor, including but not limited to the General Plan Amendment (defined below), Zoning Map Amendment (defined below), Plan Amendment, and approval of the sale of the Site by the Board of Supervisors of the City and County of San Francisco for the purpose of compliance with Section 33433 of the California Health and Safety Code (collectively, items 1 through 4 and the Plan Amendment are the “Proposed Actions”); and

WHEREAS, In addition to the Proposed Actions, Developer has applied to the San Francisco Planning Department requesting amendments to (i) the height classification for Block 4 in the Transit Center District Plan, a Sub Area Plan of the Downtown Plan (the “General Plan Amendment”) and (ii) the height classification for Block 4 in the Planning Code’s Height Map (the “Zoning Map Amendment”). The General Plan Amendment and the Zoning Map Amendment will provide for consistency between the General Plan, Planning Code, Redevelopment Plan, and Development Controls, and will allow the Project to be constructed in accordance with the design proposed by the Developer and described in detail in the DDA. The General Plan Amendment and Zoning Map Amendment must be reviewed and approved by the San Francisco Planning Commission and the San Francisco Board of Supervisors as a condition to the effectiveness of this Resolution and the DDA approved hereunder; and,

WHEREAS, OCII is recommending the Plan Amendment to achieve the goals and objectives set forth in the Redevelopment Plan, including among others, the creation of a community identity and built form that ensure that high-rise buildings reflect high quality architectural and urban design standards, and the creation of housing opportunities that provide a mixture of housing types and sizes to attract a diverse residential population, including families and people of all income levels. A 513-foot tower on Block 4 would complement the downtown skyline, and together with specified increases in maximum floor plate area, would permit a more efficient design that allows for the production of a greater number of total housing units and a greater number of affordable housing units, as described in further detail in the Commission Memorandum provided together with this resolution and incorporated herein by this reference; and,

WHEREAS, Sections 33450-33458 of the CRL set forth a process to amend a redevelopment plan. This process includes a publicly noticed, environmental review to the extent required, adoption of the after the public hearing, referral of the amendment to the planning commission, a publicly noticed hearing of the legislative body, and legislative body consideration after its hearing. CRL Section 33352 further requires the preparation of a report to the legislative body regarding the plan to provide relevant background information in support of the need, purpose and impacts of the plan amendment; and,

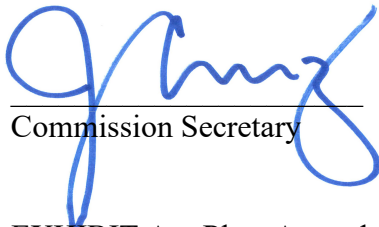
- WHEREAS, Pursuant to Sections 33352 and 33457.1 of the CRL, the OCII staff has prepared the Report to the Board of Supervisors on the Amendment to the Redevelopment Plan for the Transbay Redevelopment Project Area (“Report to the Board of Supervisors”), which the Commission has approved by Resolution No. 19-2022; and,
- WHEREAS, On June 21, 2022, the Commission opened a public hearing on the adoption of the Plan Amendment, notice of which was duly and regularly published in a newspaper of general circulation in the City and County of San Francisco once a week for three successive weeks beginning 21 days prior to the date of the hearing, and a copy of the notice and affidavit of publication are on file with OCII; and,
- WHEREAS, Copies of the notice of public hearing were mailed by first-class mail to the last known address of each assessee of land in the Project Area as shown on the last equalized assessment roll of the City; and,
- WHEREAS, Copies of the notice of public hearing were mailed by first-class mail to all residential and business occupants in the Project Area; and,
- WHEREAS, Copies of the notice of public hearing were mailed, by certified mail, return receipt requested, to the governing body of each taxing agency that receives taxes from property in the Project Area; and,
- WHEREAS, The Commission has provided an opportunity for all persons to be heard and has considered all evidence and testimony presented for or against any and all aspects of the Plan Amendment; and,
- WHEREAS, On June 21, 2022, the Commission adopted Resolution No. 18-2022 by which the Commission determined that the Final Environmental Impact Statement/ Environmental Impact Report for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project (the "FEIS/EIR" as defined in said resolution), together with further analysis provided in Addendum No. 9 to the FEIS/EIR (the "Addendum" as defined in said resolution), remains adequate, accurate, and objective and in compliance with 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., collectively "CEQA") for purposes of evaluating the potential environmental effects of the Proposed Actions (including the Plan Amendment) and the Project; and,
- WHEREAS, The environmental effects of the Plan Amendment have been analyzed in the environmental documents as described in Commission Resolution No. 18-2022. Copies of the FEIS/EIR and Addendum No. 9 are on file with the Commission Secretary;
- WHEREAS OCII staff has reviewed the Plan Amendment, and, in accordance with its Commission Memorandum and supporting information provided to the Commission and incorporated herein by reference, finds it acceptable and recommends approval thereof, now therefore, be it
- RESOLVED, That in Resolution No. 18-2022, the Commission adopted findings that the Proposed Actions, including the Plan Amendment, are in compliance with CEQA, said findings, which are on file with the Commission Secretary, being in furtherance of the actions contemplated in this Resolution and made part of this Resolution by reference herein; and, be it further

RESOLVED, That for the purposes of compliance with CEQA, the Commission hereby adopts the findings and determinations set out in Resolution 18-2022 that the Plan Amendment is within the scope of the project analyzed by the FEIS/EIR and Addendum No. 9; and, be it further

RESOLVED, That the Commission refers the Plan Amendment to the San Francisco Planning Commission for its report and recommendation on the Plan Amendment and its conformance with the General Plan, and, be it further

RESOLVED, That the Commission approves the Plan Amendment as consistent with the goals and objectives of the Redevelopment Plan and recommends the Plan Amendment to the Board of Supervisors for its approval.

I hereby certify that the foregoing resolution was adopted by the Successor Agency Commission at its meeting of June 21, 2022.



Commission Secretary

EXHIBIT A: Plan Amendment to the Redevelopment Plan for the Transbay Redevelopment Project Area

Exhibit A. Redevelopment Plan Amendment

Changed text shown in red. Additions shown in bold and underline, deletions shown in strikeout and underline

3.5.2 Height and Size of Buildings

The Zone One Plan Map and the table and text below illustrate the heights and floor plate sizes permitted for residential buildings in Zone One.

Maximum Floor Plates for Residential Buildings

| <i>Building Height (feet)</i> | <i>Maximum Floor Plate Size (square feet)</i> |
|-------------------------------|---|
| 85 – 250 | 7,500 ² |
| 251 – 300 | 10,000 |
| 301 – 350 | 10,500 |
| 351 - 400 | 11,000 |
| 401 – 450 | 11,500 |
| 451 – 500 | 12,000 |
| 501 – 550 | 13,000 ³ |

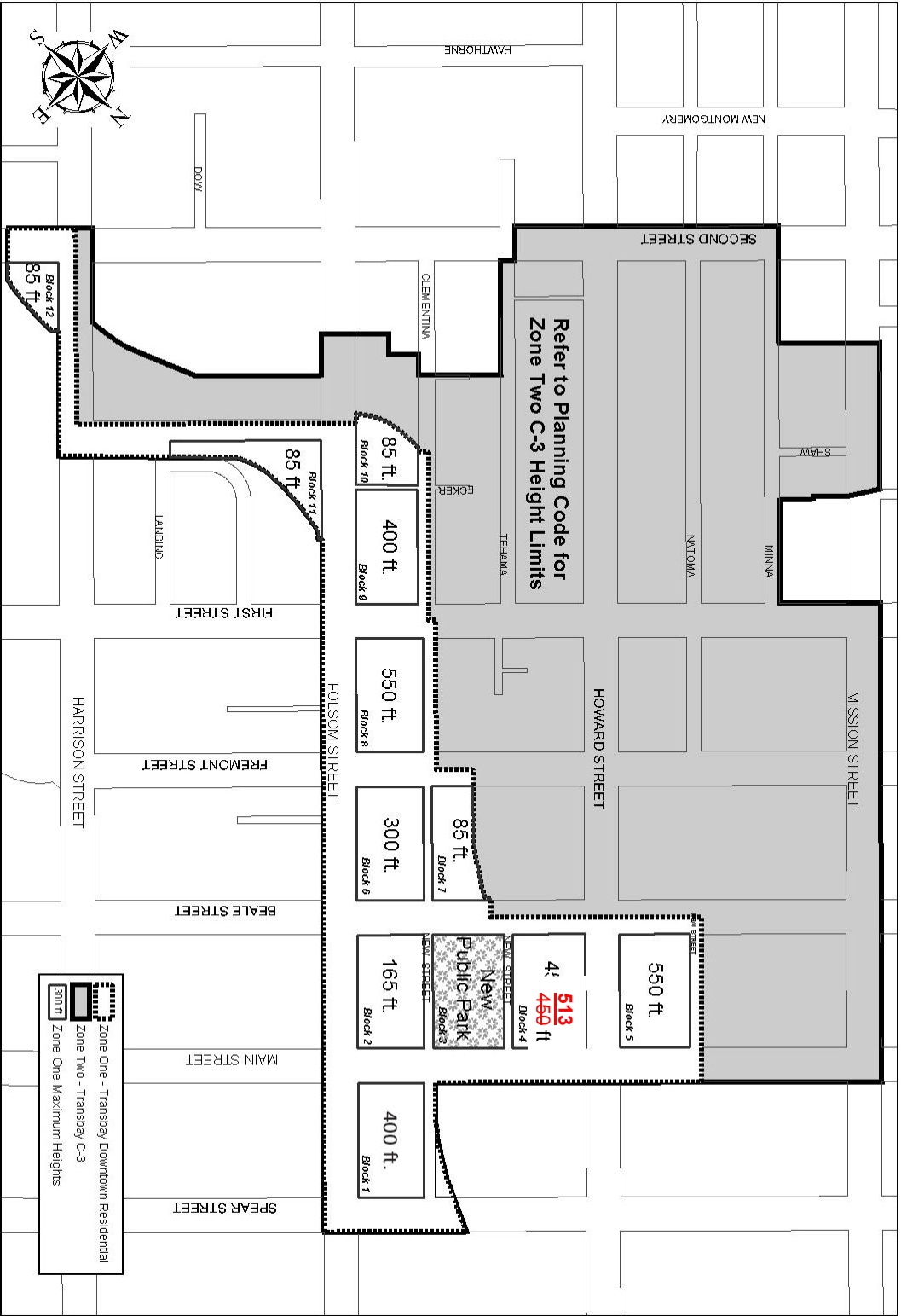
For residential towers above 500 feet in total height, the average floor plate size of the portion of the tower above 350 feet must not exceed 12,000 square feet. Below 85 feet, no bulk controls will apply.

The bulk controls for residential buildings prescribed in this section have been carefully considered in relation to the objectives and policies for Zone One of the Project Area. The maximum average floor plate size above 350 feet for residential towers with heights of 501-550 feet has been written to conform to the San Francisco Downtown Area Plan. There may be some exceptional cases in which the maximum average floor plate above 350 feet for residential towers with heights of 501-550 feet could be permitted to be exceeded. The Successor Agency Commission may approve exceptions to this control provided that the project sponsors demonstrate that all of the design guidelines for residential towers in the Development Controls and Design Guidelines are incorporated into the tower design. ~~In no case shall~~ **Except as otherwise provided herein,** residential tower floor plates **shall not** exceed 13,000 square feet.

For general office buildings in Zone One, the maximum floor plate sizes shall be consistent with the bulk limits permitted by Sections 270 (Bulk Limits: Measurement) and 272 (Bulk Limits: Special Exceptions in C-3 Districts) of the San Francisco Planning Code, as amended from time to time, for the C-3-O District (Downtown Office).

² **On Transbay Block 4, a Maximum Floor Plate Size of 13,500 square feet is permitted.**

³ **On Transbay Block 4, a Maximum Floor Plate Size of 15,200 square feet is permitted for portions of buildings between 85 feet and 122 feet in height.**



SIN Exhibit 4 :
IRN Zone One Plan Map

Transbay Redevelopment Project Area