



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