

**THIS STAFF REPORT COVERS CALENDAR ITEM NO.: 11
FOR THE MEETING OF: April 9, 2009**

TRANSBAY JOINT POWERS AUTHORITY

BRIEF DESCRIPTION:

Requesting that the Board: (1) adopt a Fifth Addendum to the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project FEIS/EIR for public right-of-way vacations for the Transit Center and its design modifications; and (2) authorize the Executive Director to submit a public right-of-way vacation application to the City and County of San Francisco to vacate those areas required for the Transit Center, including the design modifications.

REPORT:

Transit Center Design Modifications

In 2004, the TJPA Board of Directors approved the Transbay Program Locally Preferred Alternative. The Locally Preferred Alternative included, among other things, the new Transit Center and associated structures, such as bus ramps connecting I-80 to the Transit Center, the train box, bus deck bridges, and utility relocations (collectively, the "Transit Center"). Based on the results of the Design Competition and refinement of the design of the Transit Center, certain modifications to the Transit Center design have occurred, specifically (1) the addition of above-ground outer wall basket structures, and (2) the possible addition of a pedestrian bridge over Beale Street (the "Design Modifications").

Public ROW and Vacations

The Transit Center, including the Design Modifications, will need to occupy portions of the public ROW. Public streets and sidewalks are owned by the City and County of San Francisco as a public right of way ("ROW"). The public ROW includes those areas above and below public streets and sidewalks.

In particular, the Transit Center will need to occupy the following:

- Air space for the Transit Center outer wall basket structures over Minna, Natoma, and Beale Streets.
- Air space for the proposed pedestrian bridge over Beale Street.
- Air space for the Transit Center bus deck bridges over First and Fremont Streets.
- Below ground for the train boxes under Minna, Natoma, First, and Fremont Streets.
- Air space for the bus ramps connecting the Transit Center to I-80 where the bus ramps cross over Natoma, Howard, Tehama, Clementina, Folsom, First and Harrison Streets.

The TJPA must apply to the City to vacate the public ROW in those areas that need to be occupied by the Transit Center. The City has agreed that the TJPA's vacation application can roughly describe some of the areas to be vacated, with the understanding that final dimensions will be captured in legal descriptions when the Transit Center design has progressed further. Staff estimates that the City fee for review of the TJPA's vacation application will be up to \$33,103.

The proposed vacations would result in the vacated areas no longer being designated for public ROW or street uses. After vacation, the City would convey the property to the TJPA. The vacated areas would no longer be owned by the City and used as a public ROW, but instead would constitute new parcels owned by the TJPA in fee title and occupied by the Transit Center.

Fifth Addendum

In April 2004, the City and County of San Francisco, the Peninsula Corridor Joint Powers Board, and the San Francisco Redevelopment Agency certified the Final EIS/EIR (SCH #95063004) for the Transbay Program under the California Environmental Quality Act (CEQA). The Final EIS/EIR analyzed the potentially significant environmental impacts of the Program's Locally Preferred Alternative. The impacts associated with the Locally Preferred Alternative that were previously analyzed in the Final EIS/EIR are not a part of the Fifth Addendum.

The TJPA developed a CEQA environmental checklist to address whether the Design Modifications that require public ROW vacation would trigger the need for subsequent environmental review pursuant to Public Resources Code 21166 and Sections 15162 and 15163 of the CEQA guidelines. The Fifth Addendum presents the findings of the environmental checklist.

Based on the Fifth Addendum, the Design Modifications will not trigger the need for subsequent environmental review pursuant to Public Resources Code Section 21166 and Sections 15162 and 15163 of the CEQA guidelines. The ROW vacations for the Transit Center and its Design Modifications, would not require major revisions to the FEIS/EIR due to new or substantially increased significant environmental effects. Furthermore, there have been no substantial changes with respect to the circumstances under which the ROW vacations would be undertaken that would require major revisions of the FEIS/EIR due to new or substantially increased significant environmental effects; and there has been no discovery of new information of substantial importance that would trigger or require major revisions to the FEIS/EIR due to new or substantially increased significant environmental effects. Therefore, no subsequent or supplemental environmental impact report is required prior to submission and approval of the ROW vacations.

RECOMMENDATION:

The Staff recommends that the Board approve the resolution adopting the Fifth Addendum to the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project FEIS/EIR for public right-of-way vacations for the Transit Center and its design modifications, and authorize the Executive Director to submit a public ROW vacation application to the City and County of San Francisco to vacate those areas required for the Transit Center and associated structures.

ENCLOSURES:

1. Fifth Addendum to the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project Final Environmental Impact Statement/Environmental Impact Report for certain Transit Center design modifications that require public right of way vacation.
2. Resolution

**TRANSBAY JOINT POWERS AUTHORITY
BOARD OF DIRECTORS**

Resolution No. _____

WHEREAS, In April 2004, the City and County of San Francisco, the Peninsula Corridor Joint Powers Board, and the San Francisco Redevelopment Agency certified the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project Final Environmental Impact Statement/Environmental Impact Report ("Final EIS/EIR") (SCH # 95063004) for the Transbay Transit Center Program ("Program"); and

WHEREAS, The Final EIS/EIR analyzed the Program's Locally Preferred Alternative. The Locally Preferred Alternative included, among other things, the new Transit Center and associated structures, such as bus ramps connecting I-80 to the Transit Center, the train box, the Transit Center bus deck bridges, and utility relocations (collectively, the "Transit Center"); and

WHEREAS, The TJPA proposes certain modifications to the design for the Transit Center that would include outer wall basket structures and the possibility of a pedestrian bridge over Beale Street (the "Design Modifications"); and

WHEREAS, The Design Modifications would encroach on the public right-of-way and would require the City and County of San Francisco to vacate portions of the public right of way; and

WHEREAS, The TJPA has prepared a Fifth Addendum to the Final EIS/EIR, which contains an analysis of the environmental impacts that may result from the Design Modifications that require public right of way vacations; and

WHEREAS, The Board has reviewed the information in the Fifth Addendum to the Final EIS/EIR, a copy of which is attached hereto as Exhibit A, which concludes that no further environmental review is required for the public right-of-way vacations for the Transit Center and its design modifications; now, therefore, be it

RESOLVED, That the TJPA Board: (1) determines that the Fifth Addendum to the Final EIS/EIR for public right-of-way vacations for the Transit Center and its design modifications, Exhibit A hereto, reflects the independent judgment of the TJPA; (2) adopts the Fifth Addendum to the FEIS/EIR; and (3) authorizes the Executive Director to submit a public right-of-way vacation application to the City and County of San Francisco to vacate those areas required for the Transit Center.

I hereby certify that the foregoing resolution was adopted by the Transbay Joint Powers Authority Board of Directors at its meeting of April 9, 2009.

Secretary, Transbay Joint Powers Authority

**Fifth Addendum to the
Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project
Final Environmental Impact Statement/Environmental Impact Report
(SCH #95063004)**

I. INTRODUCTION

In April 2004, the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project Final Environmental Impact Statement/Environmental Impact Report (FEIS/EIR) (SCH #95063004) was certified by the City and County of San Francisco (the City), the Peninsula Corridor Joint Powers Board, and the San Francisco Redevelopment Agency.

Pursuant to Section 15164 of the Guidelines implementing the California Environmental Quality Act (CEQA), the following addenda to the FEIS/EIR have been prepared.

- A first addendum to the FEIS/EIR identified modifications to the Transbay Transit Center design and construction staging and revisions to the Temporary Terminal site plan. The first addendum was adopted by the Transbay Joint Powers Authority (TJPA) Board of Directors on June 2, 2006.
- A second addendum revised the Locally Preferred Alternative for the Caltrain Downtown Extension Project (DTX), including design provisions to allow future construction of a Townsend/Embarcadero/Main Loop and the delay in construction of tail tracks on Main Street pending the outcome of future rail planning studies to accommodate California High-Speed Rail. The second addendum was adopted by the TJPA Board on April 17, 2007.
- A third addendum amended the list of properties identified for full acquisition to include 546 Howard Street, which was identified in the FEIS/EIR for partial acquisition. The third addendum was adopted by the TJPA Board on January 17, 2008.
- A fourth addendum revised configuration, boarding platforms and waiting areas, bus staging areas, and street design associated with the Temporary Terminal. The fourth addendum was adopted by the TJPA Board on October 17, 2008.

II. SUMMARY DESCRIPTION OF FIFTH ADDENDUM

The Transbay Transit Center (TTC or Transit Center) is designed to occupy portions of the public right-of-way (ROW). Accordingly, the TJPA will apply to the City and County of San Francisco to vacate the public ROW in those areas. The impacts associated with most of the TTC structures that require public ROW vacation were previously analyzed in the FEIS/EIR. *See* Section III. Accordingly, analysis of these structures will not be a part of this addendum. However, minor changes to the building design, specifically (1) exterior façade of the upper levels and (2) a pedestrian bridge over Beale Street, were not analyzed in prior environmental documents. Accordingly, a

CEQA environmental checklist was developed to address the question of whether these proposed changes to the project would trigger the need for subsequent environmental review pursuant to Public Resources Code section 21166 and sections 15162 and 15163 of the CEQA guidelines. This addendum presents the findings of the environmental checklist.

III. PRIOR ENVIRONMENTAL REVIEW

The FEIS/EIR evaluated the following natural resources and urban systems: Land Use/Wind/Shadow, Displacements and Relocations, Socio-economics, Community Facilities and Services/Safety and Security, Parklands/Schools/Religious Institutions, Air Quality, Noise and Vibration, Geology and Seismology, Water Resources and Floodplains, Utilities, Historic and Cultural Resources, Hazardous Materials, Visual and Aesthetics, Transit/Traffic/Parking, and Construction Methods and Impacts. Analysis of cumulative impacts was included in the discussion for each topic area.

A. Bus Ramp Overpasses

Pages 2-16 through 2-21, and 5-161 of the FEIS/EIR addressed the potential impacts associated with the bus ramps connecting the terminal, bus storage areas, and I-80. Addendum No. 1 to the FEIS/EIR found that by eliminating one bus level, the bus ramp linking the TTC with I-80 could be confined to a single-level structure replacing the two-level, stacked ramp concept described for the Locally Preferred Alternative (LPA). The addendum identified the ramp as a single-level ramp approximately 40 feet above street level and approximately 20 feet lower than the top of the stacked ramp. Thus, the current ramp configuration design consists of a single level connector between I-80 and the TTC.

B. Train Box

The FEIS/EIR evaluated the potential environmental impacts associated with the terminal, including the train box, which was identified as a component of the project. The FEIS/EIR evaluated a train box with space to accommodate six tracks for platform berthing locations at the TTC. The train box remains in the location identified in previous environmental documents.

C. Transit Center Bridges Over First and Fremont

Chapter 2, and pages 5-112, 5-161, and 5-208 of the FEIS/EIR addressed the environmental impacts associated with the Transit Center bus deck bridges over First and Fremont.

D. Utility Relocation

Pages 5-81, 5-83, 5-216, and 5-164 of the FEIS/EIR addressed the potential environmental impacts associated with the relocation of utilities that will be required during construction of the TTC.

IV. DESIGN MODIFICATIONS

A. Basket Structures

Modifications to the Transit Center Design evaluated in this addendum include a structural shell that would undulate in a convex and concave shape, suspended from a series of “Y” columns in a curtain wall fashion (the basket structure or the baskets). This basket structure would be attached to the superstructure on the side of the proposed TTC. The structure would be suspended above the sidewalk on levels two and three, leaving the first level open for pedestrian circulation allowing for a continuous sidewalk thoroughfare underneath the TTC. The basket structure would begin approximately 18 feet above the sidewalk and gradually curve up to a height of approximately 87 feet and out to a maximum horizontal reach of approximately 16 feet from the property line. The new curved structural design is more organic in appearance than the original design, with a shape that resembles a webbed basket. This changes the original window fenestration to an exterior skin consisting mostly of transparent panels that would fill in the webbed basket with a square-grid pattern. This will allow for more daylight to filter through the building, providing a translucent appearance.

B. Beale Street Pedestrian Bridge

This addendum also evaluates the potential addition of a pedestrian bridge spanning from the east side of Beale Street to the upper levels of the Transit Center on the west side of Beale Street. The TTC pedestrian bridge over Beale Street would connect to land currently owned by Caltrans that would be developed as part of the Redevelopment Plan for the area, as described in Chapter 2 of the FEIS/EIR. The pedestrian bridge would allow for pedestrian crossover approximately 65 feet above the street, and would still allow for continuing traffic and pedestrian circulation along Beale Street. The pedestrian bridge crossing Beale Street would not impact previously proposed vertical circulation for the TTC (*See* FEIS/EIR pp. 2-14 and 2-21). The Final EIS/EIR did not evaluate the impact of crossing Beale Street with a pedestrian bridge; however, impacts associated with this crossing would be similar to or less than the impacts associated with the bridge structure for the TTC bus deck bridge crossing over Fremont and First Streets (*See* FEIS/EIR p. 5-112 [analyzing visual and aesthetic impacts of the Transbay Terminal]). The pedestrian bridge would be at most 30 feet wide, which is approximately one-quarter to one half the width of the TTC and bus deck bridges.

Construction of the basket structures and Beale Street pedestrian bridge would occur simultaneously with, and as a part of, construction of the Transit Center. The Beale Street bridge and basket structures would be designed to the same construction standards identified in the FEIS/EIR for the TTC.

V. PUBLIC RIGHT-OF-WAY VACATIONS

Public streets and sidewalks are owned by the City and County of San Francisco as a public right-of-way (ROW). The public ROW includes the areas above and below public streets and sidewalks. The TTC would occupy portions of the public ROW above ground, starting at approximately 18 feet, where the building, ramps, and bridges hang

over the street, and below ground where the proposed train box extends below the street. *See Figure 1.* In addition, bus ramps that connect I-80 to the Transit Center would occupy the public ROW approximately 40 feet above city streets. Because the TTC would occupy portions of the public ROW, the TJPA will apply to the City to vacate the public ROW in those areas. The proposed public ROW vacations would result in the vacated areas no longer being designated for public ROW or street uses. After vacation, the City would convey the property to the TJPA. The vacated areas would no longer be owned by the City and used as a public ROW, but instead would constitute property owned by the TJPA in fee title and occupied by the TTC. The surface level streets would remain City property for continued use as public ROWs. Traffic and pedestrian flows would only temporarily be impeded during construction, as previously evaluated in the FEIS/EIR. Pedestrian circulation will be enhanced after construction to allow for continuous passage on the street levels. In addition, during construction of the Transit Center, underground utility lines in the public ROW would need to be relocated.

The following above and below street-level vacations are necessary to allow for the TTC as now proposed:

- First Street between Minna and Natoma Streets
- Fremont Street between Minna and Natoma Streets
- Beale Street between Minna and Natoma Streets
- Minna Street between Second and First Streets
- Natoma Street between First and Second Streets
- Bus ramp overpasses at Natoma, Howard, Tehama, Clementina, Folsom and Harrison Streets

Appendix 1 shows the area of the proposed vacations, which are described in more detail below.

A. First Street Between Minna and Natoma Streets

The project's rail station box requires the full-width of the public ROW along First Street between Minna and Natoma Streets for approximately 186 horizontal feet beginning at a depth of approximately 4'-9" below grade and extending downward vertically. During construction, utilities would be relocated on an interim basis with utilities configured in their final location over the train box at a depth no greater than approximately 4'-5" vertically.

The air space required for project's bridge structure over First Street would be approximately 18' above grade and extend to approximately 87 vertical feet to the top level of the proposed TTC, which is the roof park. The bridge would become part of a continuous platform for the Bus Deck with an extension horizontally from west of First Street to the eastside of Beale Street. The above ground vacation area on First Street between Minna and Natoma Streets would measure approximately 180 horizontal feet.

B. Fremont Street Between Minna and Natoma Streets

The project's rail station box requires the full-width of the public ROW along Fremont Street between Minna and Natoma Streets for approximately 186 horizontal feet

beginning at a maximum depth of 4'-9" below grade and extending downward vertically. During construction, utilities would be relocated on an interim basis with utilities configured in their final location over the train box at a depth no greater than 4'-5."

The air space required for the TTC's bridge structure would be approximately 18' above grade and extend vertically skyward for approximately 87 feet to the top level of the proposed TTC, which is the roof park. The bridge over Fremont Street would become part of a continuous platform for the Bus Deck from west of First Street to the eastside of Beale Street. The above ground vacation area on Fremont Street between Minna and Natoma Streets would measure approximately 180 horizontal feet.

C. Beale Street Between Minna and Natoma Streets

The project's rail station box requires the full-width of the public ROW along Beale Street between Minna and Natoma Streets beginning at a maximum depth of 4'-9" vertically below grade and extending downward to the base of the train box. Vacation would include approximately 188 horizontal feet on the western side of Beale Street and approximately 220 horizontal feet on the eastern side of Beale Street. During construction, utilities would be relocated on an interim basis with utilities configured in their final location over the train box at a depth of approximately 4'-5."

The air space required for project's proposed Beale Street pedestrian bridge structure and baskets would begin approximately 18' above grade and extend vertically skyward up to approximately 87 feet to the top level of the proposed TTC. The above ground vacation area on Beale Street between Minna and Natoma Streets would measure at approximately 180 horizontal feet.

D. Minna Street between Second and First Streets

The project's train box would require vacation of the southern half of the public ROW from 1'-6" below grade and extending downward, beginning at the TTC property line and extending approximately 16 horizontal feet to the north along Minna Street between Second and First Streets. Utilities in the southern half of the ROW would be relocated to the northern half.

The air space required for the basket structure would be approximately 18' above grade, continuing skyward vertically up to approximately 87 feet to the top level of the proposed TTC. The basket structure would extend approximately 16 horizontal feet north of the property line over Minna Street.

E. Natoma Street between First and Fremont Streets

Beginning at the TTC property line and extending approximately 15 feet horizontally to the south along Natoma Street between First and Fremont Streets, the project's train box would require the north-half of the public ROW from 1'-6" below grade and extend downward vertically. Utilities in the north half of the ROW would be relocated to the southern half.

The air space required for the basket structure would be approximately 18 feet above grade, continuing skyward vertically for approximately 87 feet to the top level of the proposed TTC. The basket structure would extend approximately 16 horizontal feet south of the property line over Natoma Street.

F. Eastern Section of Natoma Street between First and Second Streets

From the property boundary at First Street and running westward horizontally along Natoma Street, the TTC would occupy approximately 171 horizontal feet of ROW below and above grade. Beginning at a distance of 1'-6", the below ground train box would require approximately 10' of the north-half of the public ROW as measured horizontally from the Transit Center's property boundary. Utilities in the northern half of the ROW would be relocated to the southern half of the ROW.

The air space required for the basket structure would be approximately 18' above grade, continuing skyward vertically up to approximately 87 feet to the top level of the proposed TTC. The basket structure would extend approximately 16 horizontal feet south of the property line over Natoma Street.

G. Western Section of Natoma Street between First and Second Streets

The project's train box would require the full-width of the public ROW along Natoma Street beginning 1'-6" below grade and extending vertically downward. The areas that would be affected would begin at approximately 59' east of the property boundary on the eastern side of intersection of Second and Natoma Streets and would continue horizontally to approximately 171' east of the western property boundary at the intersection of First and Natoma Streets. Utilities would be relocated outside of this approximately 596 horizontal-foot section of Natoma Street.

The air space required for the basket structure would be 18' above grade, continuing skyward up to approximately 87 feet to the top level of the proposed TTC, extending horizontally approximately 16' south of the property line.

H. Bus ramp overpasses at Natoma, Howard, Tehama, Clementina, Folsom, First and Harrison Streets

The bus ramps connecting I-80 to the TTC will cross; 1) Harrison Street between Essex and Second streets; 2) Folsom Street between Essex and Second Streets; 3) Clementina Street between Ecker and Second Streets; 4) Tehama Street between First and Second Streets; 4) Howard Street between First and Second Streets; 5) First Street between Clementina and Tehama Streets and 5) Natoma Street between First and Second Streets. The air space required to be vacated for the project's bus ramps would begin approximately 18' above grade and extend vertically to the sky. Horizontally, the bus ramps require vacation of the full-width of the public ROW at the crossings and extend lengthwise for approximately 95 feet. On First Street the vacation will extend lengthwise for approximately 30 feet.

VI. ENVIRONMENTAL ISSUES

As discussed previously, most of the TTC structures that require public ROW vacation were previously analyzed in the FEIS/EIR. This addendum focuses on the following Transit Center design changes that require public ROW vacation: (1) the addition of exterior façade wall basket structures and (2) the addition of a pedestrian bridge over Beale Street.

A. Land Use, Wind, and Shadow

Public ROW vacation would allow for the beneficial land use impacts described in the FEIS/EIR (pp. 5-2 and 5-3), including the intensification of land uses, the freeing of land for development, and enhanced pedestrian circulation. All streets identified in this addendum were previously evaluated for shadow impacts with the exception of the pedestrian bridge over Beale Street. The Beale Street bridge would cast a shadow smaller in extent and similar in duration to that described in the FEIS/EIR for Fremont and First Streets (FEIS/EIR pp. 5-19 to 5-21). Because the bridge would not be located near existing open space under the jurisdiction of the San Francisco Recreation and Park Commission, it would not cast shadows on City-owned open spaces (*See* FEIS/EIR and Addendum No. 1). Modifications to terminal design would comply with City Planning Code Section 148 for the reduction of ground-level wind currents as specified on page 5-18 of the FEIS/EIR. The design of the basket structure would conform to required building and planning standards. The Redevelopment Plan described and evaluated in the FEIS/EIR included future development of the block immediately to the east of the terminal along Beale Street. The extension of a pedestrian bridge over Beale Street would not limit or constrain the uses in the area and would be compatible with future development as evaluated by the Redevelopment Plan for the area. Pedestrian circulation will be maintained along the street.

The City's General Plan Urban Design Element Policy 2.8 creates a presumption against vacating street areas. Policy 2.9 lists criteria under which a vacation may occur. Under Policy 2.9(B), vacations for the baskets and pedestrian bridge may be considered favorably. The basket structures enhance the visual appeal of the TTC and will enhance the character of the TTC as a visual focal point for the Transbay Redevelopment Project area. The baskets also further the public values of streets; they do not interfere with adequate light and air to pedestrians below the baskets, and provide views to the outside for people within the TTC. The bridge over Beale Street is a small-scale pedestrian crossing. It will span from one side of Beale street to the other, and be at most 30 feet wide, and likely less. The bridge is necessary for public access to and from the Transit Center. It will connect to a proposed building on the east side of Beale, which would provide for egress from the underground train box levels of the TTC. Pedestrian access to the retail and park levels of the TTC would be facilitated by providing a means to cross Beale Street. Additional access to the rooftop park will encourage use of the park.

Vacation for the baskets and pedestrian bridge are also consistent with the criteria listed in Urban Design Element Policy 2.9(A). Because the design modifications will only occupy air space, they will not eliminate street space, disrupt vehicular or pedestrian circulation, or interfere with the rights of access to private property. Further, because the

pedestrian bridge will improve access to the 5.4 acre park atop the TTC, it will enhance public recreation activities and open space. The impacts on the scale and character of the surrounding development will be similar to the visual and aesthetic impacts discussed for the TTC in the FEIS/EIR, pages 5-112-121. The basket structures will begin approximately 18 feet above the streets and the pedestrian bridge will be located approximately 65 feet above the street. This is sufficient clearance to allow emergency vehicles to access the streets. Overhead trolley lines currently exist on Beale Street. The TJPA is working with the MTA to permanently relocate those utilities and will reimburse the MTA for relocation costs. The basket structures and pedestrian bridge do not add to the height of the building. Although the basket structures increase the width of the Transit Center, they add visual interest and appeal to the building design.

There is not a significant view along Beale Street that would be obstructed or diminished by the pedestrian bridge. Currently, the view looking southwest along Beale Street from the corner of Mission and Beale Streets is impeded by the existing Transbay Terminal bus ramps. Beyond the bus ramps is the Harrison Street and I-80 freeway crossings over Beale. Existing buildings obstruct the view from Beale Street to Rincon Hill. The view northwest from Howard and Beale Streets similarly is impeded by the existing bus ramps. Beyond the bus ramp is a view of highrise buildings. Similarly, the views looking up and down Minna and Natoma Streets consist of industrial and highrise buildings. There is no existing view to the San Francisco Bay along these streets.

The TTC pedestrian bridge over Beale Street would connect the TTC to property currently owned by Caltrans that would be developed as part of the Redevelopment Plan for the area, as described in Chapter 2 of the FEIS/EIR. The property along the east side of Beale would be transferred from Caltrans to the TJPA according to a Cooperative Agreement.¹ The property is zoned for public use. Future use of the property is planned to be for a building to accommodate egress stairs from the below-ground train box levels of the TTC and mechanical equipment to support the TTC. (See FEIS/EIR Addendum No. 1 p. 10 and Recommended Program Implementation Strategy, Transbay Joint Powers Authority, Feb. 10, 2006 (showing building on east of Beale)).

Under Urban Design Element Policy 2.10, release of street areas is permitted in the least extensive and least permanent manner appropriate. Here, only air rights are sought to be vacated for the proposed basket structures and pedestrian bridge, and surface streets would remain public ROW. Although the TJPA seeks to have the vacated properties conveyed in fee simple, this is appropriate given the long-term and public use of the property for the TTC.

The basket structures and pedestrian bridge are consistent with other General Plan Urban Design Policies. Existing street patterns will not be disrupted. The basket structures would add a design element that makes the TTC a more prominent center of activity. They will assist in distinctively identifying the TTC, making it easily understood and

¹ State of California Department of Transportation District Agreement No. 4-1984-C (effective date July 11, 2003), City and County of San Francisco Resolution No. 441-03 (approved July 11, 2003), and Transbay Joint Powers Authority Board of Directors Resolution No. 03-004 (approved May 30, 2003).

remembered as a transit stop. The basket structures would not interfere with views downward to the proposed park from higher surrounding view points. See Section M, below, for additional discussion of the visual and aesthetic impacts of the basket structure. The pedestrian bridge would create a continuous design connection between the rooftop park and the adjacent property, providing additional access the park from the outside in addition to access from inside the TTC. The bridge will also provide an additional point from which to view the rooftop park and downtown.

The pedestrian bridge may have some adverse impacts, however these would not be significant. As discussed above, the pedestrian bridge's shadow impacts on the street will not be significant. The bridge will slightly clutter the air space surrounding the TTC and rooftop park. The existing conditions along this stretch of Beale Street, however, includes several overhead crossings. The existing bus ramps for the Transbay Terminal currently cross Beale Street in two locations, north and south of Howard Street. South of that, Harrison Street crosses over Beale. I-80 crosses over Beale Street south of Harrison Street. The existing bus ramps will be demolished during construction of the TTC. The proposed pedestrian bridge will allow for a lighter, more visually pleasing design than the existing bus ramps. In addition, the pedestrian bridge would be located approximately 65 feet above the street. Thus, pedestrians would still have relatively expansive views through the street beneath the bridge.

B. Displacements and Relocations

The proposed public ROW vacations necessary for the basket structure and bridge over Beale Street would not divide an established community or conflict with applicable land uses plans, policies, or regulations, but would allow a portion of the building to overhang (but not obstruct) the sidewalk on Minna, Natoma, and Beale Streets. The City currently owns all property to be conveyed to the TJPA following the public ROW vacations. As noted above, property along the east side of Beale would be transferred from Caltrans to the TJPA according to a Cooperative Agreement.² The new design of the basket structure would continue along the entire side of the TTC connecting several blocks together in a cohesive fashion. The pedestrian bridge would also provide pedestrian circulation vertically and horizontally connecting the blocks and improving land use compatibility.

C. Socio-economics

The beneficial socio-economic impacts resulting from the increased activity and economic vitality generated by the project would remain as described in the FEIS/EIR (p. 5-35).

D. Community Facilities and Services/Safety and Security

The public ROW vacation process during TTC construction would comply with FEIS/EIR mitigation, which includes, but is not limited, to a combination of construction contract specifications, drawings, and provisions, as well as public affairs and a public construction coordination programs (FEIS/EIR pp. 5-198 to 200). The vacation has been

² State of California Department of Transportation District Agreement No. 4-1984-C effective date July 11, 2003, City and County of San Francisco Resolution No. 441-03 approved July 11, 2003, and Transbay Joint Powers Authority Board of Directors Resolution No. 03-004 signed May 30, 2003.

designed to reduce impacts to area businesses and property owners, and so that project mitigation would best meet community needs. Construction within the vacated areas would comply with the Safety and Security guidelines in the FEIS/EIR (pp. 5-122 and 5-225). The additional construction activities, which represent a small portion of the entire TTC construction effort, would not require additional staff or public service capacity to respond to emergencies in the area.

E. Parklands/Schools/Religious Institutions

Public ROW vacations would not alter the finding in the FEIS/EIR (pp. 5-44, 5-45, and 5-204) that the project would not produce adverse impacts to parks, schools, and religious institutions, since none of these uses are located in the immediate vicinity of the vacations identified. The project includes additional park space that can be accessed by the public.

F. Air Quality

Construction of the Beale Street pedestrian bridge and the basket structures would result in no change to potential air quality impacts previously evaluated in the FEIS/EIR. As stated on page 5-205 of the FEIS/EIR, there are no quantitative emissions thresholds for construction activities, which are by their nature temporary and occur over a large area, potentially affecting different receptors at different times. The project would comply with the Bay Area Air Quality Management District's (BAAQMD) approach to the analysis of construction impacts through the implementation of control measures. The public ROW vacations and construction of the Beale Street bridge would comply with measures listed on pages 5-205 and 5-206 of the Final EIS/EIR, which includes but is not limited to watering all active construction areas at least twice daily; covering all trucks hauling soil, sand, and other loose materials or requiring all trucks to maintain at least two feet of freeboard; and sweeping daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites.

G. Noise and Vibration

Construction of the baskets and Beale Street bridge would not result in new significant or substantially increased operational impacts to noise or vibration levels. Construction would be conducted in compliance with previously adopted FEIS/EIR Mitigation Measures NoiC 1 to NoiC 6, which would reduce impacts to less than significant.

H. Geology and Seismology

The TTC has been designed with pile supported foundations sufficient to support all functions (FEIS/EIR pp. 5-79 to 5-80, 5-225). The new basket-like curtain wall structure would be designed to connect into the existing superstructure intended to support the TTC. The design elements would be evaluated along with the entire structure to conform to required code standards for seismicity. Structural components of the project would be designed and constructed to resist strong ground motions approximating the maximum anticipated earthquake (0.5g) (FEIS/EIR p. 5-80). As identified in the FEIS/EIR, supports would serve to minimize settlement and lateral displacement resulting from seismic shaking (FEIS/EIR p. 5-80). The Beale Street bridge would be designed to the same construction standards identified in the FEIS/EIR for the TTC. Therefore no additional

significant impacts are anticipated due to geology or soils than those previously evaluated.

I. Water Resources and Floodplains

No long-term adverse impacts on water resources and floodplains were identified in the FEIS/EIR. The limited area affected by construction activities for the Beale Street bridge would not change the risk of impact to water resources or floodplains from that described in the FEIS/EIR (p. 5-80).

J. Utilities and Energy

As discussed in the FEIS/EIR, the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project would result in an increase in demand for and use of water and energy, but not in excess of amounts expected and provided for in the area (FEIS/EIR p. 5-81). The Beale Street bridge and basket construction activities would require minor amounts of water and energy, as compared to the project, and operation would not require additional sources beyond those previously evaluated in the project's environmental documents. As identified on page 2-11 of the FEIS/EIR, design of the terminal would incorporate sustainable features that would allow the building to use site-specific wind, daylight and shading to reduce the building's energy needs. The basket structures would allow for the passage of more light through the TTC. The use of more translucent materials would provide transparency during the day and at night. The additional light that would filter into the space during the day would reduce energy needs.

K. Historic and Cultural Resources

The public ROW vacation above ground would occur in air space above street level and would not impact historical resources in the area. The new design of the elevation consisting of a basket-like structure will provide a modern style of architecture that is not currently represented in the area. However, the TTC design modifications do not significantly change the impacts already analyzed in the FEIS/EIR as the features described in this addendum would remain visually cohesive with the area, and analysis of impacts to historic districts and resources, as evaluated on pages 5-112, 5-116, and 5-117, would be consistent with current design proposals. The transparency of the design would allow for views through the space reducing the visual obstruction of existing historic architecture in the vicinity, a beneficial effect. Historic properties are not located on the east side of Beale Street where the pedestrian bridge would extend over Beale Street. Although, below ground construction associated with public ROW vacation and construction of the Beale Street bridge may not result in new or more severe impacts to cultural resources, it has the potential to impact unknown cultural resources. TTC construction activities would comply with previously adopted mitigation as indicated in the Memorandum of Agreement between the local and federal lead agencies and the State Historic Preservation Officer (FEIS/EIR Appendix G), and potential impacts would be less than significant (FEIS/EIR pp. 5-86 to 5-90, 5-216, and Appendix G).

L. Hazardous Materials

If hazardous materials are encountered during utility relocation for public ROW vacation, they would be handled as indicated in the FEIS/EIR (pp. 5-222 to 5-224).

M. Visual and Aesthetic

Design of the TTC elevation now proposes an organic basket-like structure with an undulating appearance that alternates between concave and convex curves, suspended over the side walk. This specific design feature would provide more visual interest along the street and would not result in a more severe impact to the existing visual character of the site than previously evaluated in the FEIS/EIR.

The new curved design of the basket structure would be constructed of materials allowing for better transparency when compared to the design originally analyzed in the FEIS/EIR. This will allow for the passage of daylight into the space on the concourse and bus levels during the daytime and the illumination of inside light onto the street during the nighttime when the TTC is operating. The new design would enhance views into the TTC space from the street so that functions and activities would be identifiable and easier to locate. The transparency of the structure would also allow for more continuous views outward for users of the TTC. The basket structure would be suspended over the sidewalk creating an overhead covering, providing a translucent quality that would allow for light to filter down to the street level.

View corridors along the street would be interrupted at First and Fremont Streets where bridge portions would cross over the streets. This would alter the public view at the ground level to some extent; however, the structure would frame views down the street and views to the north and south are still possible. The view obstruction looking upward from the street would not be substantial, and this impact would not be considered significant. Additionally, the new transparent design would allow for some views through the structure. The new design would enhance the pedestrian visual experience at the roof park and bridge levels over the street. Views at this height would be provided in multiple directions that are not currently achievable from the street level.

The design modification impacts from above ground light and glare would be within the envelope of those previously evaluated by the FEIS/EIR as the materials and equipment to be used are anticipated to be similar to those previously analyzed. Construction-related light and glare would be consistent with FEIS/EIR findings that construction would generate additional night lighting but not in amount unusual for a transportation hub in a developed urban area (FEIS/EIR p. 5-120). Short-term visual changes as a result of temporary construction activities are common and accepted elements in the redevelopment area; therefore mitigation is not required (FEIS/EIR p. 5-224). However, as addressed in the FEIS/EIR, TJPA would require project contractors to ensure that at night artificial lightings would be directed to minimize “spill over” light or glare effects.

Once the project is complete, the new TTC design modifications would allow for the passage of more light through the TTC. The use of translucent materials would provide transparency during the day and at night. During the nighttime, the lighting on the

interior would provide some illumination that would also filter onto the street. This would provide a level of light similar to street lamps. Lighting would be designed to limit glare and reflectance upon surfaces to reduce any potential negative effect to users in the vicinity.

See Section A, above, for additional discussion of visual and aesthetic impacts of the pedestrian bridge over Beale Street.

N. Transportation

Construction activities would not impact area traffic with the exception of altering lane configuration during utility relocating or construction of the bridge over Beale Street. The FEIS/EIR previously identified Natoma Street between First and Second Streets; Minna Street between First and Second Streets; and First, Fremont, and Beale Streets between Howard and Mission Streets for street closures during construction (FEIS/EIR pp. 5-160 to 5-161). The construction in vacated areas would comply with FEIS/EIR mitigation which includes, but is not limited to a combination of construction contract specification, drawings, and provisions, as well as public affairs programs. Public ROW vacation would not result in new or additional impacts to transportation as previously identified by the FEIS/EIR.

VII. ENVIRONMENTAL FINDINGS

Based on the above information and analysis, the proposed public ROW vacations for the Transit Center and its design modifications will not trigger the need for subsequent environmental review pursuant to Public Resources Code section 21166 and sections 15162 and 15163 of the CEQA guidelines. The proposed public ROW vacations described in this addendum would not require major revisions to the FEIS/EIR due to new or substantially increased significant environmental effects. Furthermore, there have been no substantial changes with respect to the circumstances under which the public ROW vacations would be undertaken that would require major revisions of the FEIS/EIR due to new or substantially increased significant environmental effects; and there has been no discovery of new information of substantial importance that would trigger or require major revisions to the FEIS/EIR due to new or substantially increased significant environmental effects. Therefore, no subsequent or supplemental environmental impact report is required prior to approval of the public ROW vacations for the Transit Center and its design modifications as described in this addendum.

Figure 1



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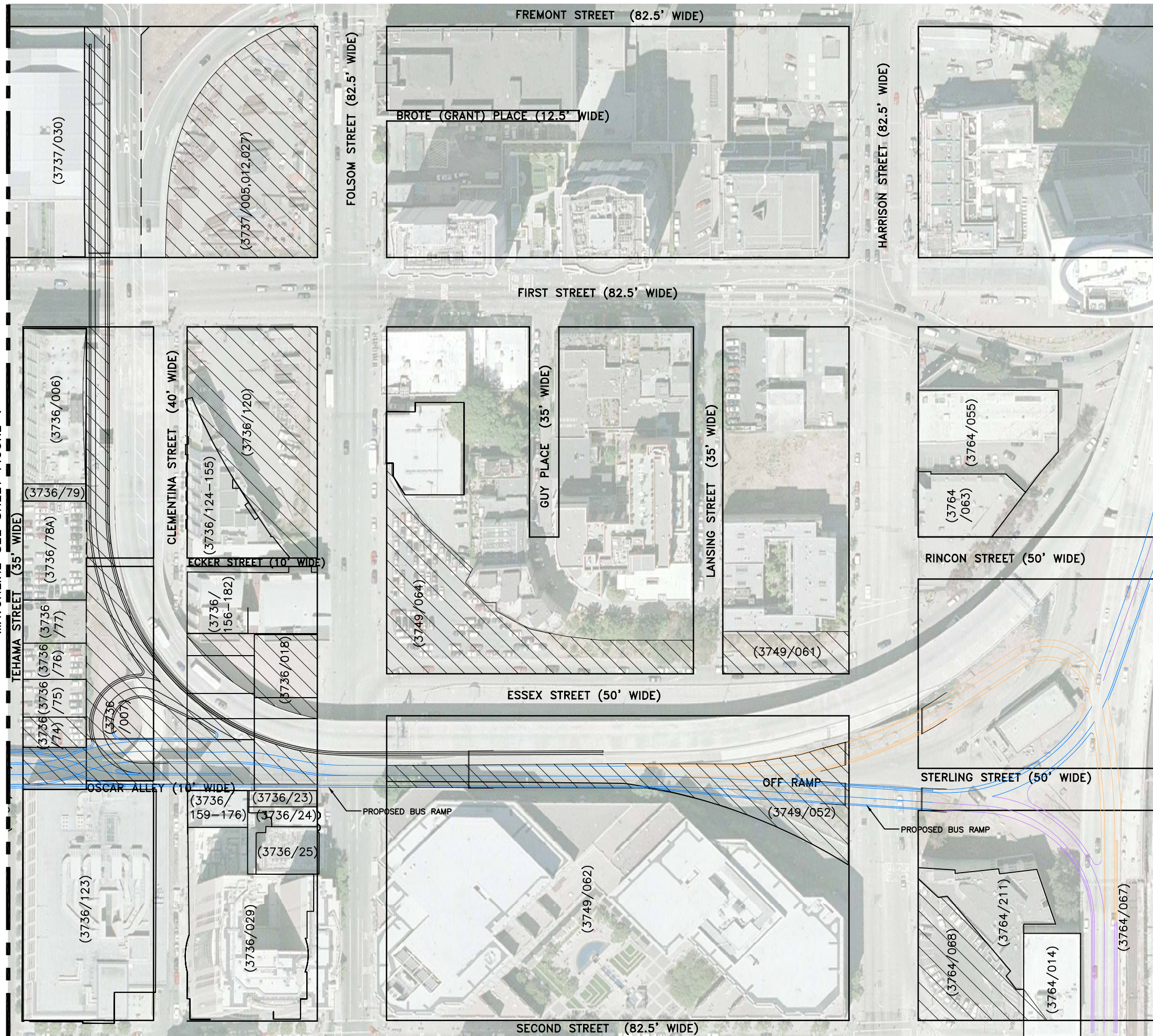
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FIGURE 1

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agres.kotatrics Map 26, 2009 - 12:38pm T:\TJPA\Streets and Properties\RDV Vacation\Figure 02.dwg

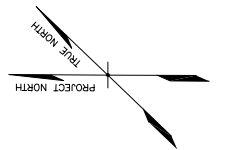
MATCHLINE SEE SHEET FIGURE 1



LEGEND



PHASE 1 PROPERTIES NOTED IN
FEIS/EIR FOR TJPA ACQUISITION

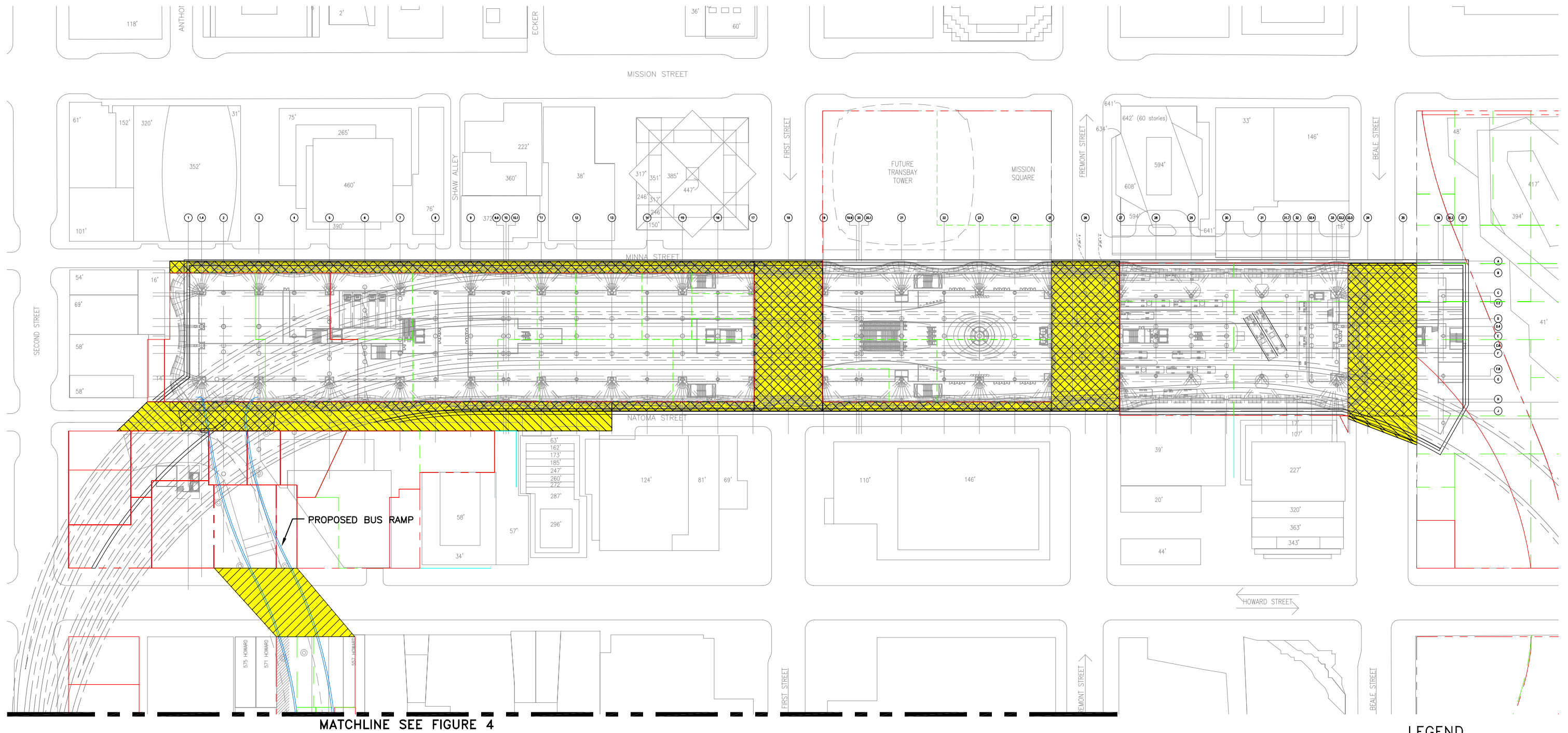


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ROW VACATION – BUS RAMP
AERIAL PHOTO, JULY 2008
TRANSBAY TRANSIT CENTER PROJECT
SAN FRANCISCO, CALIFORNIA

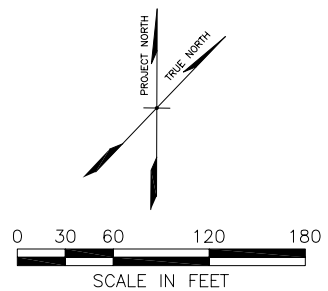
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FIGURE 2



LEGEND

-  ABOVE STREET REQUESTED VACATION
-  BELOW STREET REQUESTED VACATION

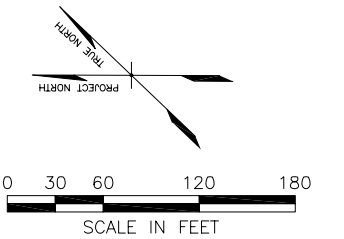
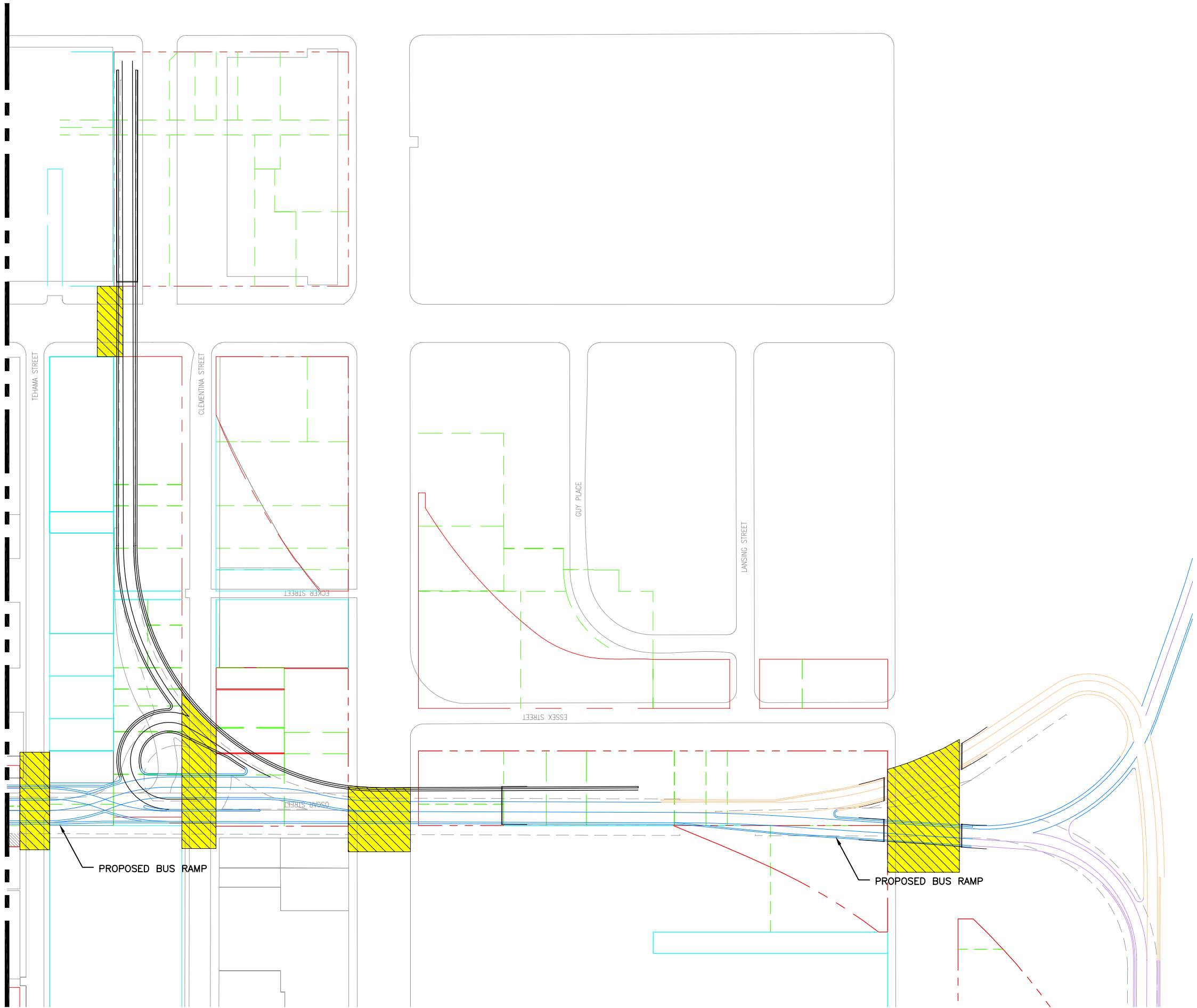


LEGEND

 ABOVE STREET
REQUESTED VACATION

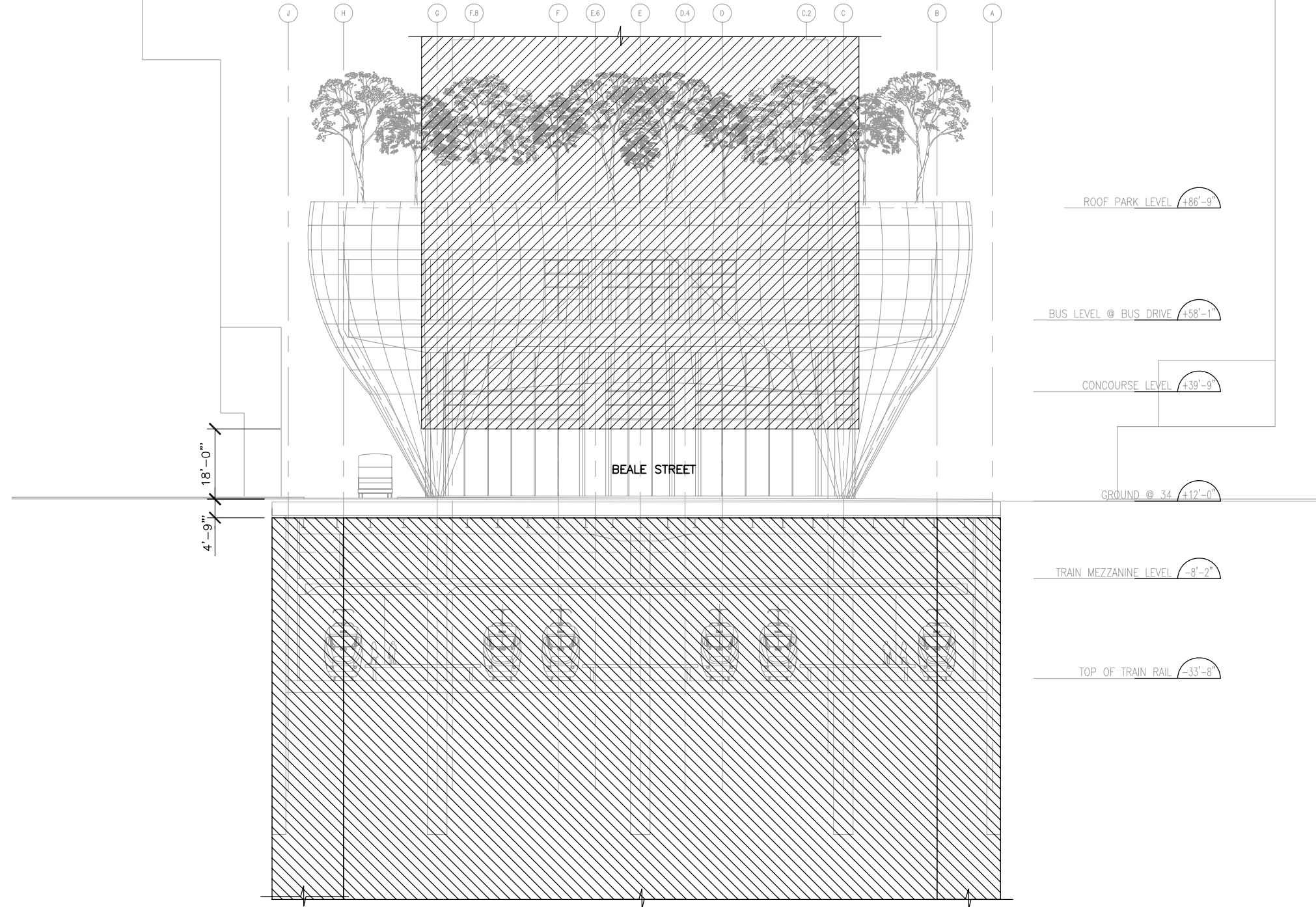
MATCHLINE SEE FIGURE 3

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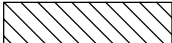


**ROW VACATION
BUS RAMP**
**TRANSBAY TRANSIT CENTER PROJECT
SAN FRANCISCO, CALIFORNIA**
FIGURE 4

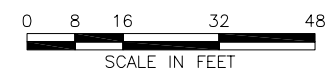
APRIL 2009
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LEGEND

-  ABOVE STREET REQUESTED VACATION
-  BELOW STREET REQUESTED VACATION

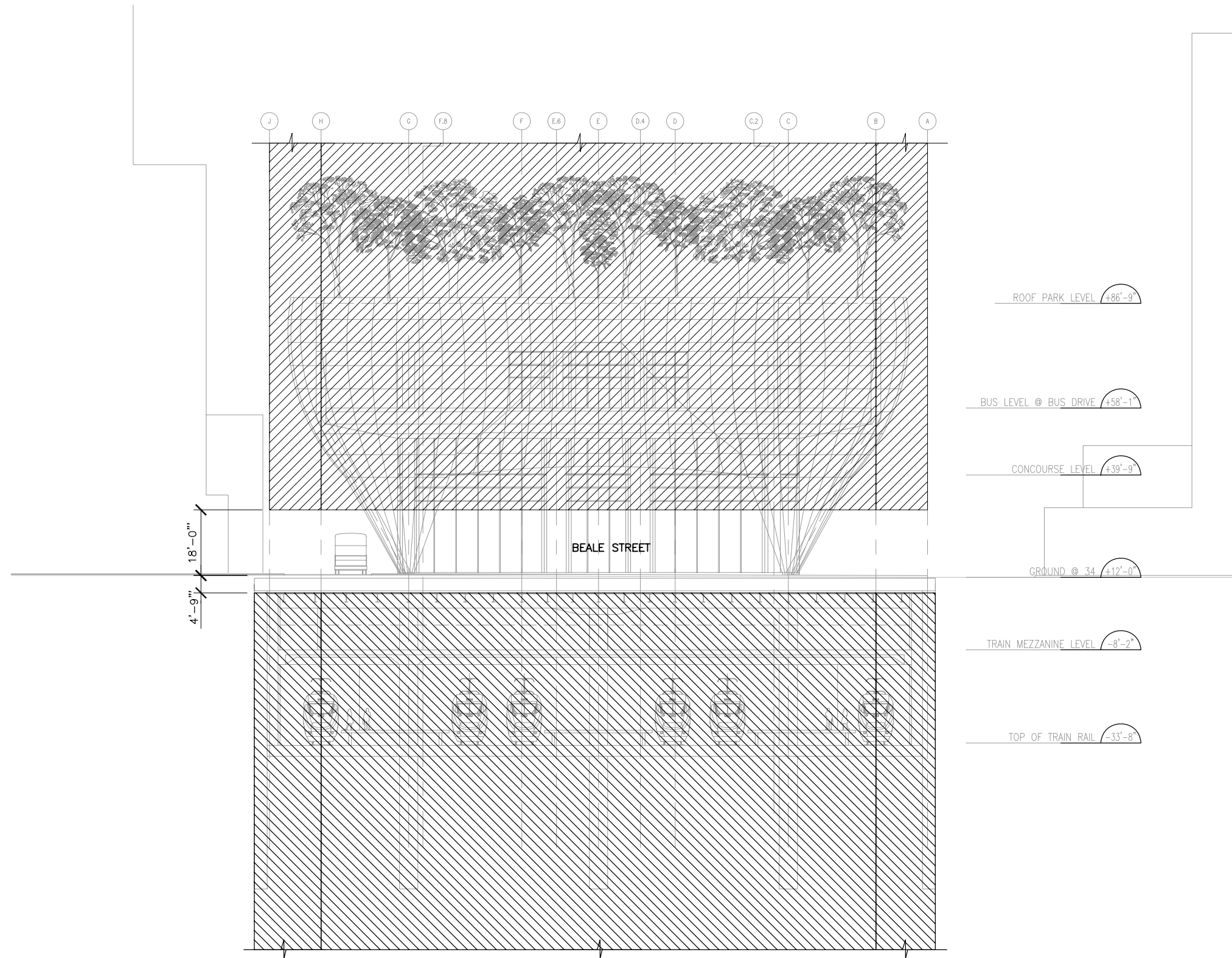
LOOKING WEST
SECTION AT BEALE STREET
SCALE: 1/16"=1'-0"



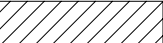
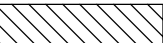
ROW VACATION
BEALE STREET BRIDGE
TRANSBAY TRANSIT CENTER PROJECT
SAN FRANCISCO, CALIFORNIA

APRIL 2009
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FIGURE 5



LEGEND

-  ABOVE STREET REQUESTED VACATION
-  BELOW STREET REQUESTED VACATION

LOOKING WEST
SECTION AT BEALE STREET
SCALE: 1/16"=1'-0"

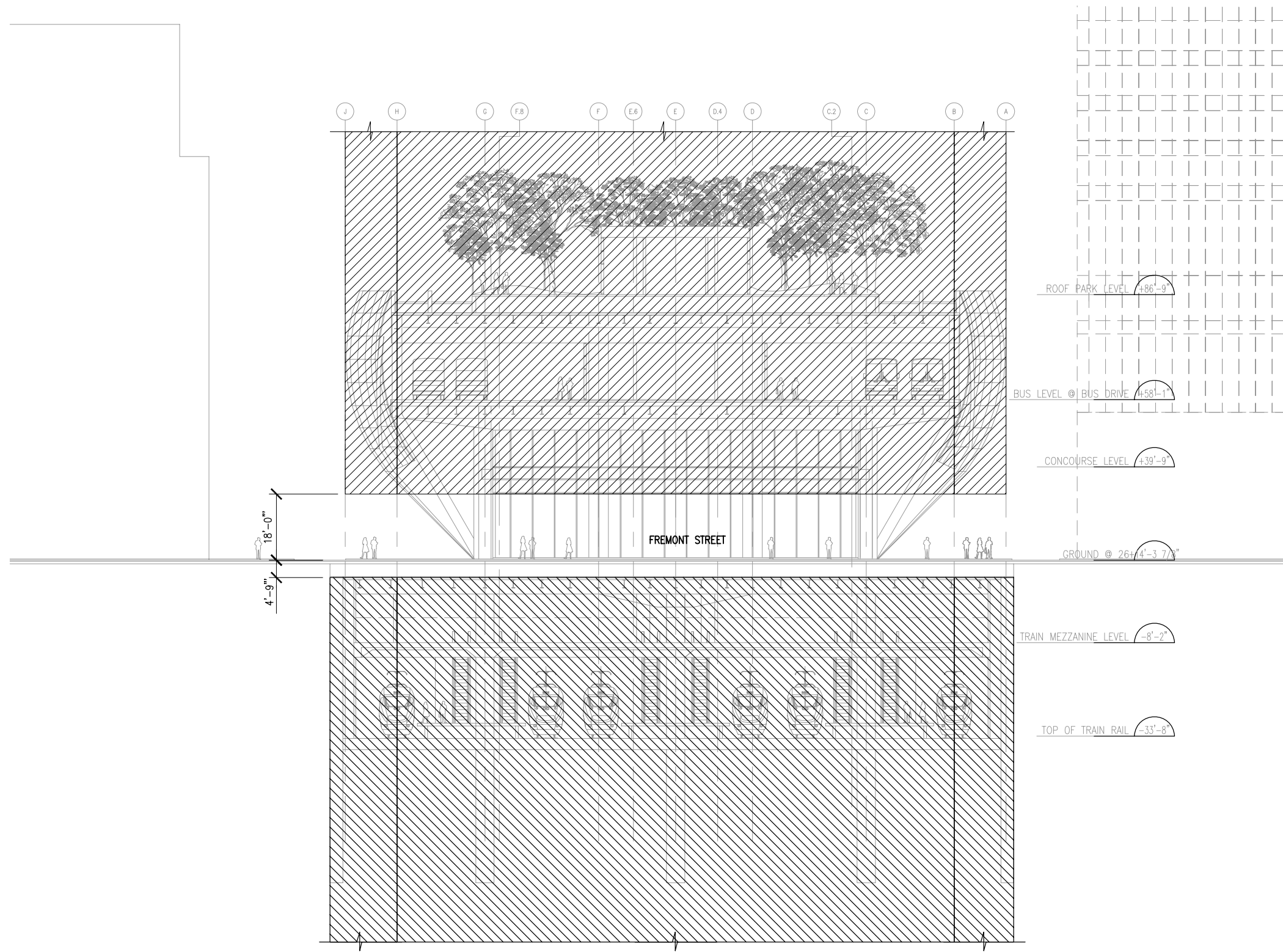
0 8 16 32 48
SCALE IN FEET

ROW VACATION
BEALE STREET



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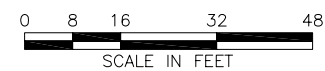
FIGURE 6





LEGEND

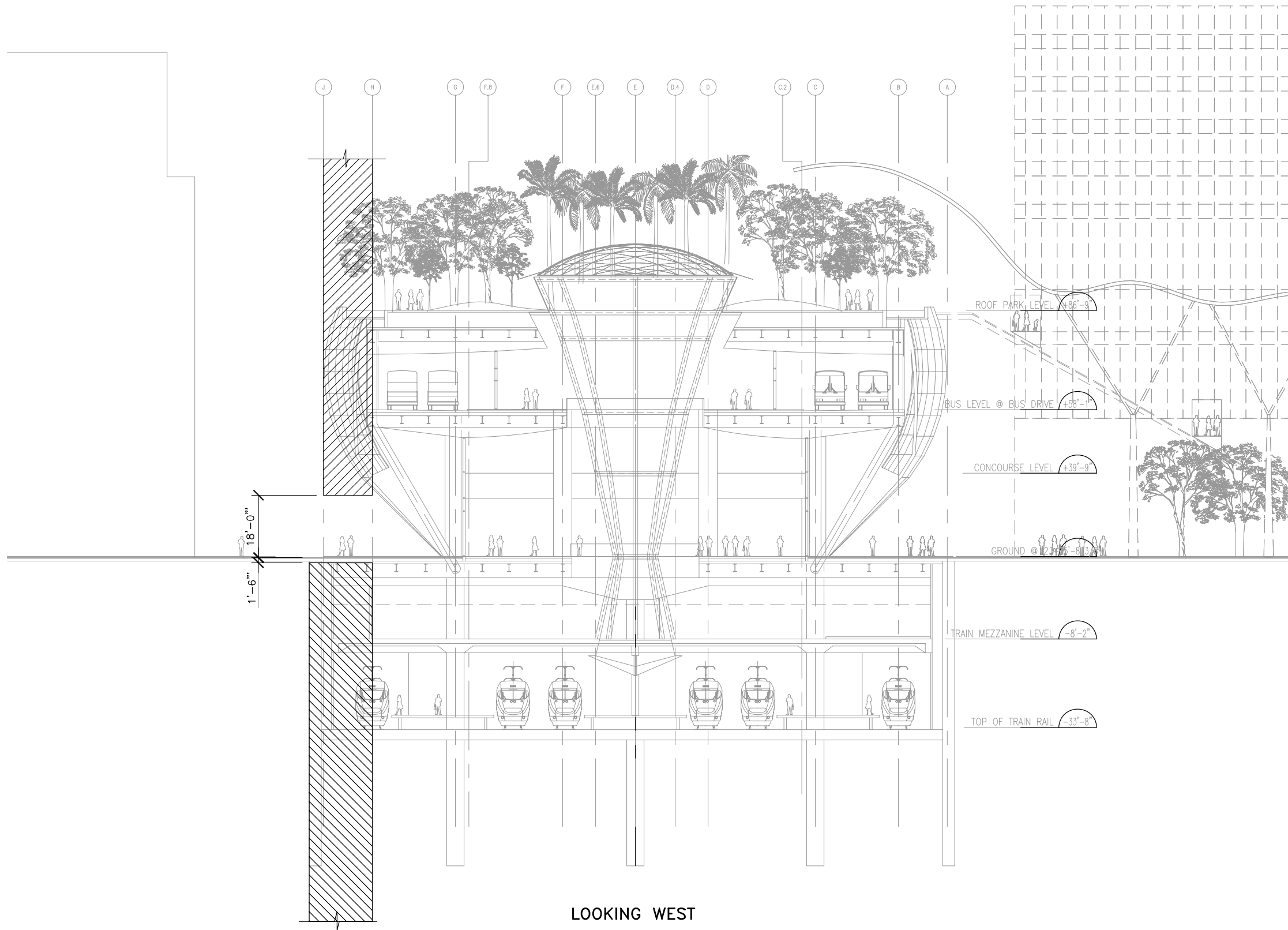
-  ABOVE STREET REQUESTED VACATION
-  BELOW STREET REQUESTED VACATION

LOOKING WEST
SECTION AT FREMONT STREET
SCALE: 1/16"=1'-0"



LEGEND

-  ABOVE STREET REQUESTED VACATION
-  BELOW STREET REQUESTED VACATION



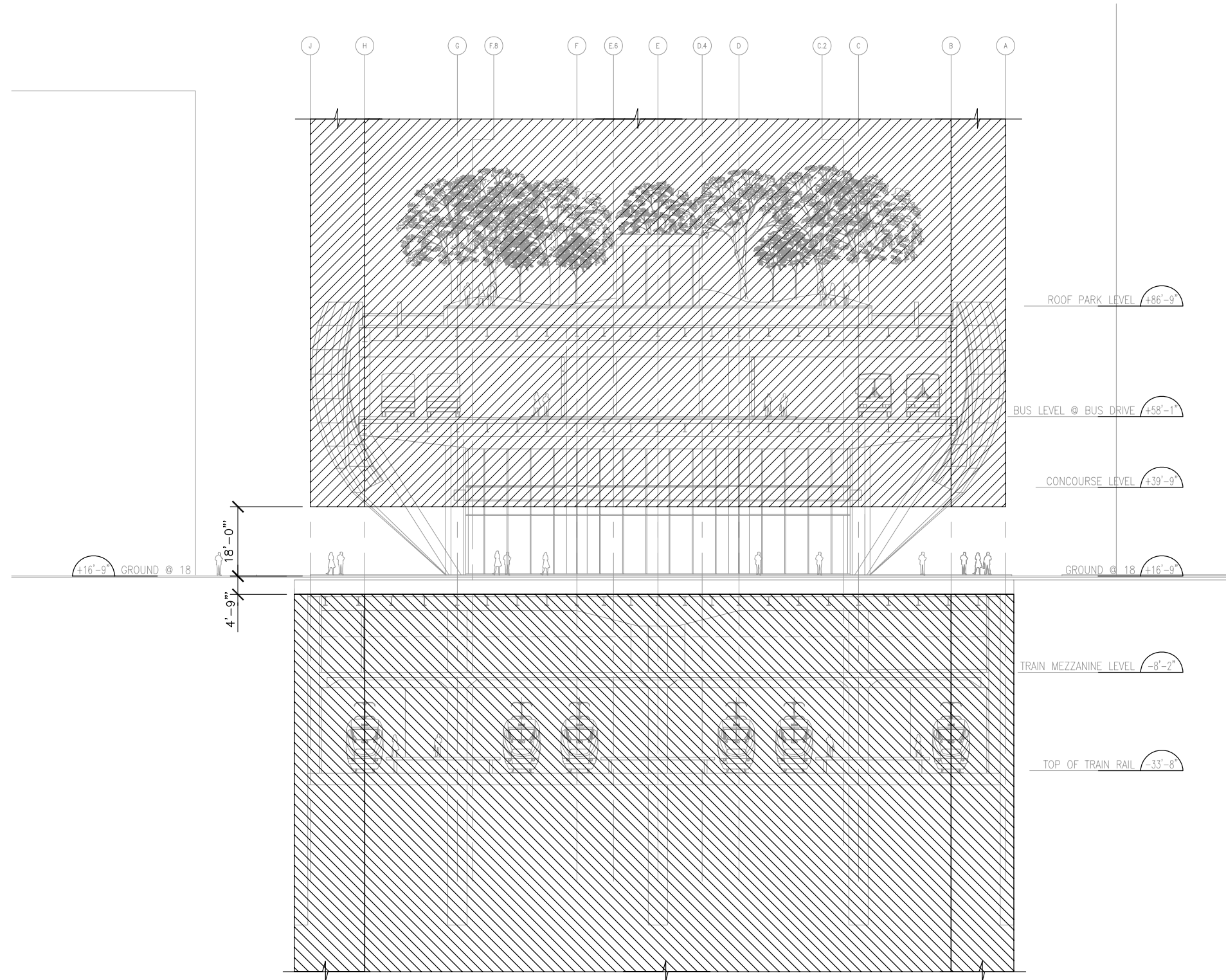
LOOKING WEST
SECTION BETWEEN FREMONT AND FIRST STREET
SCALE: 1/16" = 1'-0"



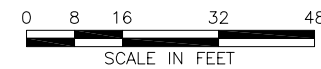
ROW VACATION
BETWEEN FREMONT AND FIRST STREET
TRANSBAY TRANSIT CENTER PROJECT
SAN FRANCISCO, CALIFORNIA

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FIGURE 8



LOOKING WEST
SECTION AT FIRST STREET
SCALE: 1/16"=1'-0"



LEGEND



-  ABOVE STREET REQUESTED VACATION
-  BELOW STREET REQUESTED VACATION

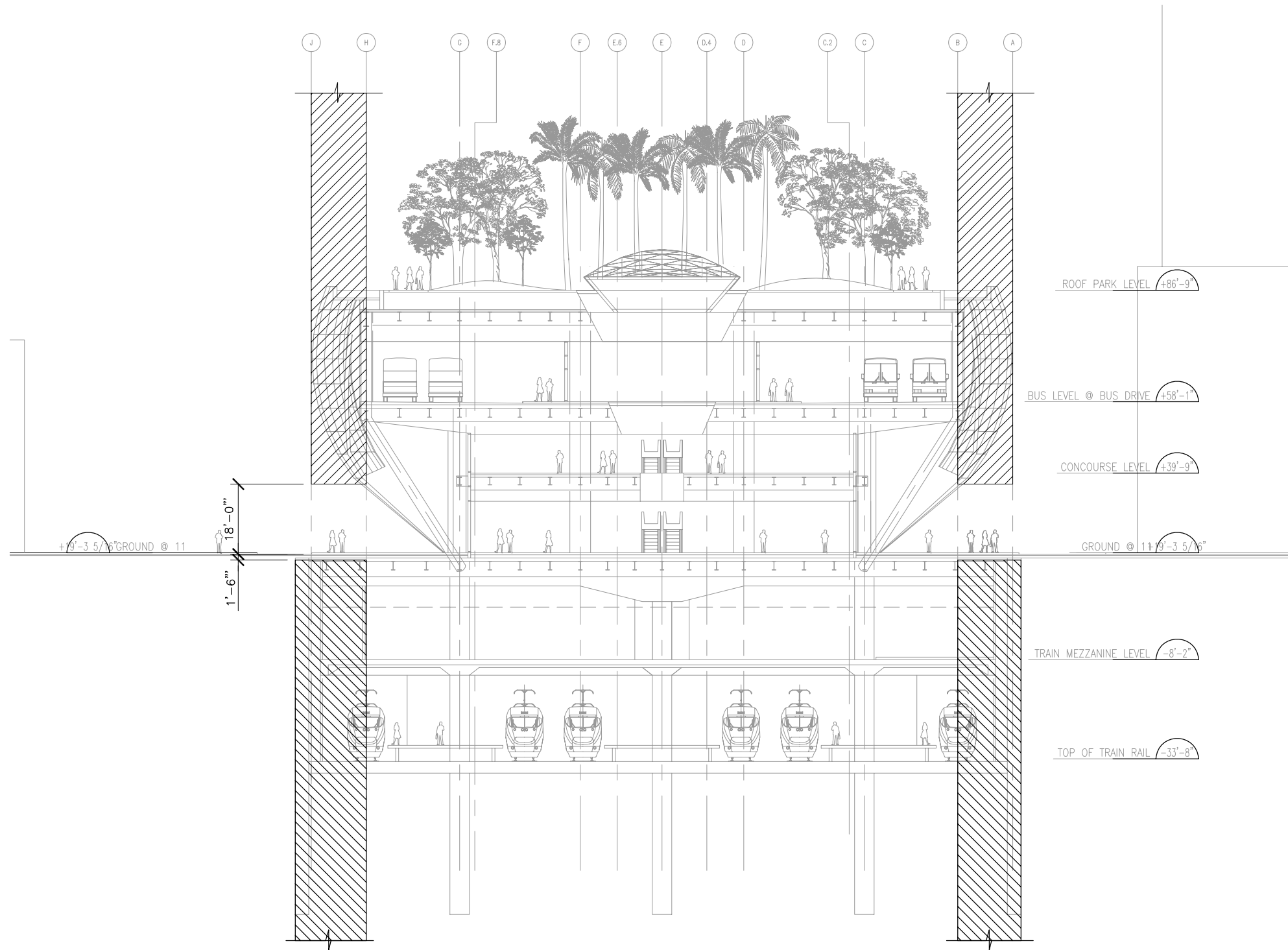
ROW VACATION
FIRST STREET
TRANSBAY TRANSIT CENTER PROJECT
SAN FRANCISCO, CALIFORNIA

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FIGURE 9

LEGEND

-  ABOVE STREET REQUESTED VACATION
-  BELOW STREET REQUESTED VACATION



LOOKING WEST

SECTION - WEST OF FIRST STREET
SCALE: 1/16"=1'-0"





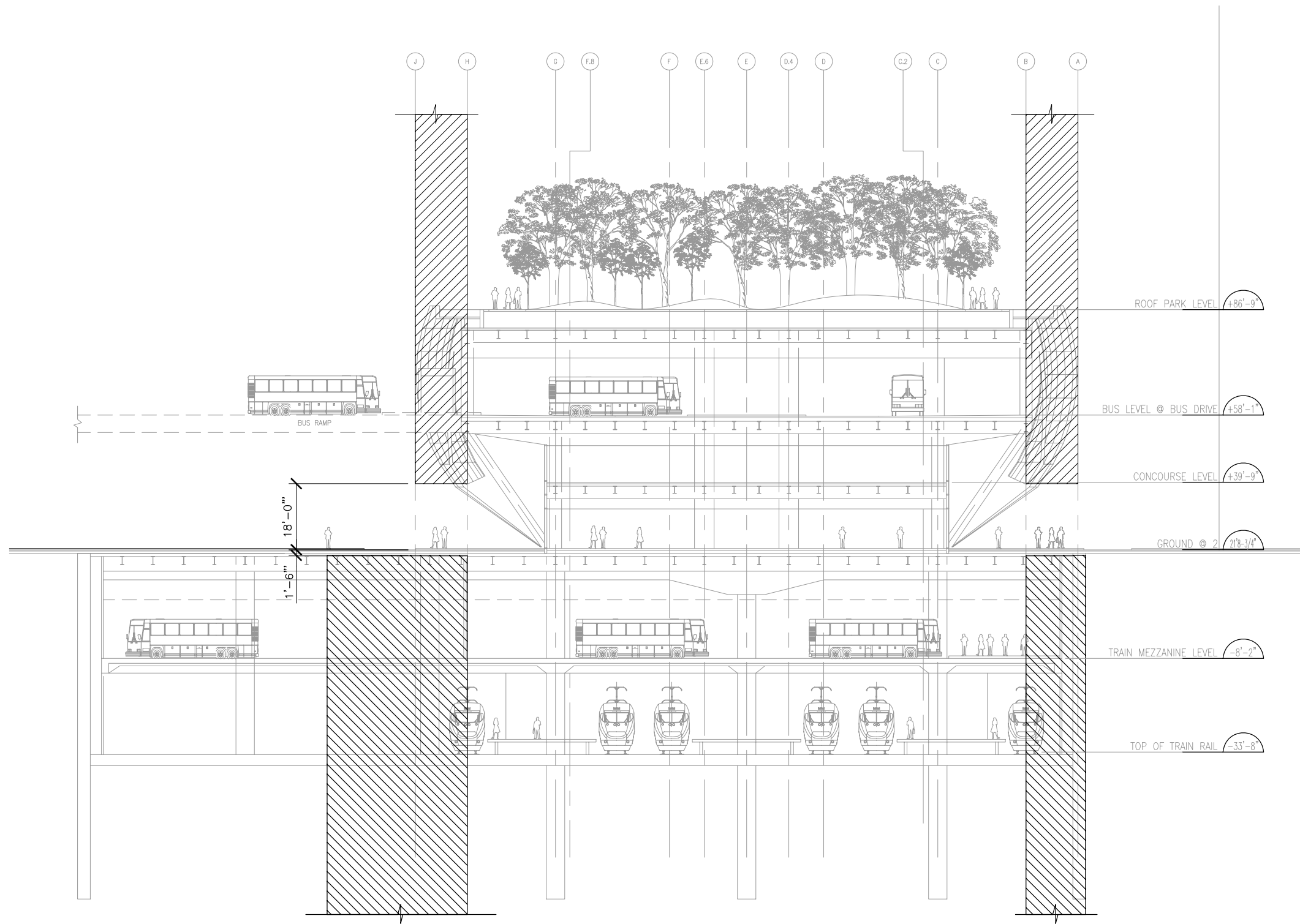
ROW VACATION
WEST OF FIRST STREET
TRANSBAY TRANSIT CENTER PROJECT
SAN FRANCISCO, CALIFORNIA

APRIL 2009
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FIGURE 10

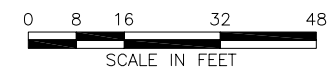
LEGEND

-  ABOVE STREET REQUESTED VACATION
-  BELOW STREET REQUESTED VACATION



LOOKING WEST

SECTION AT WEST END
SCALE: 1/16" = 1'-0"



ROW VACATION
WEST END

TRANSBAY TRANSIT CENTER PROJECT
SAN FRANCISCO, CALIFORNIA

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FIGURE 11