

COMMISSION ON COMMUNITY INVESTMENT AND INFRASTRUCTURE

RESOLUTION NO. 2 – 2016

Adopted January 19, 2016

ADOPTING ENVIRONMENTAL REVIEW FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING THE AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE TRANSBAY REDEVELOPMENT PROJECT AREA TO AREA TO INCREASE THE MAXIMUM HEIGHT LIMIT FROM 300 FEET TO 400 FEET ON BLOCK 1 OF ZONE ONE OF THE TRANSBAY REDEVELOPMENT PROJECT AREA, REFERRING THE REDEVELOPMENT PLAN AMENDMENT TO THE PLANNING COMMISSION FOR ITS REPORT AND RECOMMENDATION ON THE REDEVELOPMENT PLAN AMENDMENT AND ITS CONFORMANCE WITH THE GENERAL PLAN, AND RECOMMENDING THE REDEVELOPMENT PLAN AMENDMENT TO THE BOARD OF SUPERVISORS FOR APPROVAL; TRANSBAY REDEVELOPMENT PROJECT AREA

- WHEREAS, The Successor Agency to the Redevelopment Agency of the City and County of San Francisco, commonly known as the Office of Community Investment and Infrastructure (“Successor Agency” or “OCII”), proposes to adopt an amendment to the Redevelopment Plan for the Transbay Redevelopment Project Area that would increase the maximum height limit from 300 feet to 400 feet on Block 1 of Zone One of the Transbay Redevelopment Project Area (“Plan Amendment”, see Exhibit A); 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) (“Redevelopment Plan”); and,
- WHEREAS, Under state and local law, the Successor Agency Commission, commonly known as the Commission on Community Investment and Infrastructure (“Commission”), has the authority to (i) implement, modify, enforce and complete the Former Redevelopment 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. See California Health and Safety Code Section 39170 et seq and San Francisco Ordinance No. 215-12 (October 4, 2012); and,
- WHEREAS, The authority of the Commission, includes authority to grant approvals under specified land use controls for the Transbay Redevelopment Project Area (“Project Area”) consistent with the approved Redevelopment Plan and enforceable obligations, including amending the Redevelopment Plan as allowed under the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.)

(“CRL”); 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 Development Controls and Design Guidelines for the Transbay Project (“Development Controls”) define the land uses, and Zone Two, in which the San Francisco Planning Code applies. Zone One is intended to be developed with predominantly residential uses; and,

WHEREAS, The Redevelopment Plan specifies the land use of Block 1 as Transbay Downtown Residential and provides for a maximum height limit of 300 feet. The Development Controls also specify a Block 1 maximum height limit of 300 feet for a residential tower on a portion of the site; and,

WHEREAS, Block 1 is an approximately 54,098-square-foot site located on Folsom Street between Main and Spear Streets in Zone One of the Project Area. It is comprised of Assessor’s Block 3740, Lots 027, 029, 030, 031, and 032. Lot 027 (approximately 34,133 square feet) is owned by OCII; the balance of the properties (approximately 19,965 square feet) is held by Block One Property Holder, L.P., an affiliate of Tishman Speyer (“Developer”); and,

WHEREAS, On November 18, 2014, the Commission authorized an Exclusive Negotiations Agreement (the “ENA”) with the Developer for (a) the sale to the Developer of the portion of Block 1 owned by OCII (Block 3470, Lot 027) and (b) the development of a combined affordable and market rate homeownership project consisting of a residential tower, two residential podium buildings, and townhouses surrounding open space on Block 1. The ENA contemplates two project alternatives: one with a tower height of 300 feet, as allowed under the Redevelopment Plan, and a second with a tower height of 400 feet, that would require the Plan Amendment; 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 400-foot tower on the Block 1 site would complement the downtown skyline and allow for a more elegant design. In addition, the current 400-foot development proposal for the site would provide approximately 73 additional housing units on Block 1, for a total of 391 units. Under this proposal, 156 (40%) of the units would be affordable to moderate income households. The 300-foot development proposal for Block 1 would provide approximately 318 total residential units, of which 112 (35%) would be affordable to moderate income households. The Plan Amendment would make no other substantial change in the authorized land uses under the Redevelopment Plan; 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 Section 33352 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. 1-2016; and,
- WHEREAS, On January 19, 2016, 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, The Board of Supervisors affirmed, by Motion No. 04-67 (June 15, 2004), the certification under the California Environmental Quality Act (“CEQA”) of the Final Environmental Impact Statement/Environmental Impact Report (“FEIS/EIR”) for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project (“Project”), 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 adopted in accordance with CEQA. Subsequent to the adoption of the FEIS/EIR and the findings, seven addenda to the FEIS/EIR have been approved and incorporated into the FEIS/EIR by reference. OCII staff has made the FEIS/EIR, 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 the lead agency, has prepared, in consultation with the San Francisco Planning Department, an eighth addendum to the FEIS/EIR dated January 14, 2016 (“Addendum”, see Exhibit B) to evaluate the increase in maximum height limit for Block 1 allowed by the Plan Amendment. The Addendum assesses whether the modified project is within the scope of the FEIS/EIR and whether additional environmental review would be required; and,
- WHEREAS, Under the Plan Amendment, the only substantive modification to the proposed project that was not previously studied in the EIS/EIR would be the proposed tower height limit change from 300 feet to 400 feet. Therefore, the only CEQA topics requiring additional evaluation are those for which impacts could worsen due to additional building height. These topics include wind, and shadow. All other features of the

Block 1 development, including demolition, land use types, building square footage, retail square footage, and number of dwelling units, would be consistent with the Redevelopment Plan and the FEIS/EIR; and

WHEREAS, Based on the Addendum's analyses, OCII determined that the Plan Amendment would not cause new significant impacts not identified in the FEIS/EIR and would not cause significant impacts previously identified and analyzed in the FEIS/EIR to become substantially more severe. No new mitigation measures would be necessary to reduce significant impacts. No changes have occurred with respect to circumstances surrounding the proposed project that would cause significant environmental impacts to which the project would contribute considerably, and no new information has become available that shows that the project would cause significant environmental impacts. Therefore, the Plan Amendment will not trigger the need for subsequent environmental review pursuant to California Public Resources Code section 21166 and sections 15162 and 15163 of the CEQA Guidelines, and the analyses conducted and the conclusions reached in the FEIS/EIR certified on April 22, 2004 remain valid and no supplemental environmental review is required beyond this Addendum; and,

WHEREAS, The FEIS/EIR findings and statement of overriding considerations adopted in accordance with CEQA by the Former Agency Commission by Resolution No. 11-2005 dated January 25, 2005 were and remain adequate, accurate and objective and are incorporated herein by reference as applicable; and,

WHEREAS, OCII staff has reviewed the Plan Amendment, and finds it acceptable and recommends approval thereof; now, therefore, be it

RESOLVED, That the Commission finds and determines that the Plan Amendment is within the scope of the project analyzed by the FEIS/EIR and the Addendum; and, be it further

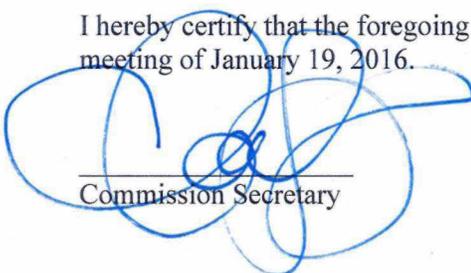
RESOLVED, That the Commission refers the Plan Amendment to the San Francisco Planning Commission for its report and recommendation on the Plan Amendment and its conformance with the General Plan; and, be it further

RESOLVED, That the Commission approves the Plan Amendment and recommends the Plan Amendment to the Board of Supervisors for its approval.

EXHIBIT A: Plan Amendment to the Redevelopment Plan for the Transbay Redevelopment Project Area (Existing Redevelopment Plan available at www.sfocii.org)

EXHIBIT B: Eighth Addendum to the FEIS/EIR

I hereby certify that the foregoing resolution was adopted by the Successor Agency Commission at its meeting of January 19, 2016.



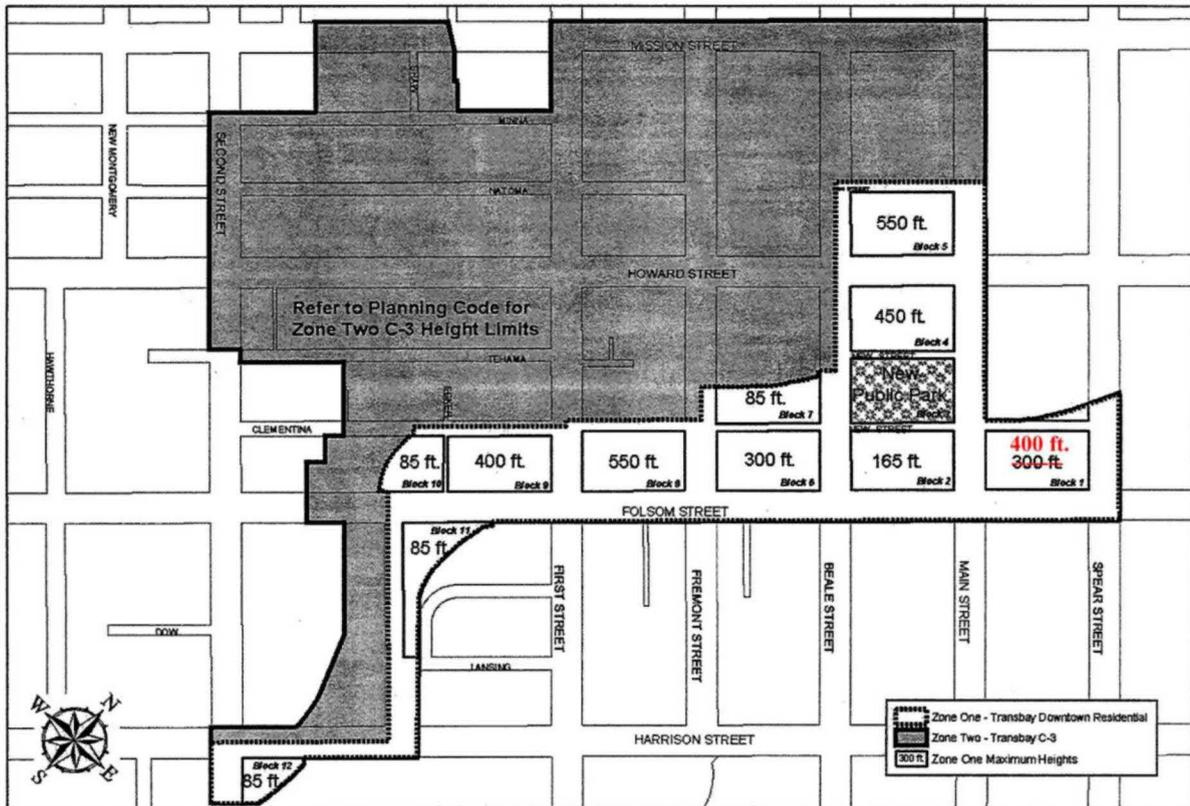
Commission Secretary

EXHIBIT A

Plan Amendment to the Redevelopment Plan for the Transbay Redevelopment Project Area

Transbay Redevelopment Plan, p. 40

Exhibit 4: Zone One Plan Map



KSIA Exhibit 4 :
IRA Zone One Plan Map

Transbay Redevelopment Project Area



Addendum to Environmental Impact Report

Addendum Date: January 14, 2016

Case No.: **2014-000953GEN**

Project Title: **Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project – Block 1 (100-160 Folsom Street/289 Main Street)**

EIR: Case No. 20 00.048E, State Clearinghouse No. 95063004, certified April 22, 2004

Project Sponsor:

Andre Krause, Tishman Speyer – (415) 344-6210

akrause@tishmanspeyer.com

Shane Hart, OCII – (415) 749-2510

shane.hart@sfgov.org

Staff Contact:

Kansai Uchida, San Francisco Planning Department – (415) 575-9048

kansai.uchida@sfgov.org

REMARKS

The San Francisco Office of Community Investment and Infrastructure (OCII), also known as the Successor Agency to the Redevelopment Agency of the City and County of San Francisco, proposes an amendment to the Transbay Redevelopment Plan to increase the maximum height from 300 feet to 400 feet on the Transbay Block 1 site, which consists of lots 027, 029, 030, 031, and 032 on Assessor's block 3740, located at 100-160 Folsom Street and 289 Main Street in the Transbay Redevelopment Project Area (the "Proposed Plan Amendment"). Also, OCII owns Lot 27, a 33,782 square foot parcel, and seeks to develop, with the private owner of the adjacent lots, approximately 391 residential units (40 percent of which will be permanently affordable units) in a tower and podium building by means of an Owner Participation/Development and Disposition Agreement ("OP/DDA"). As described below, the proposed project qualifies as a residential project on an infill site within a transit priority area under Section 21099 (d) (1) of the California Public Resources Code and is hereinafter referred to as the "Proposed Project" or the "Block 1 Transit-Oriented Infill Project." The project site is bounded by Main Street to the west, Folsom Street to the south, Spear Street to the east, and an existing office building (221 Main Street) to the north, and is located across Main Street from the Temporary Transbay Terminal, and approximately one-and-one-half blocks north of the Bay Bridge (Interstate 80). Curb cuts are present along all three of the site's street frontages (Main, Folsom, and Spear Streets), and a Muni bus stop is proposed in front of the project site on Main Street. The site measures approximately 53,876 square feet (sf) in area, and is currently occupied by parking lots and two single-story commercial buildings serving as offices for nearby construction projects. The site consists of one publicly-owned lot (lot 027 on Assessor's block 3740), a remnant of the former Embarcadero Freeway right-of-way owned by OCII, which is to be merged with four adjacent lots (lots 029, 030, 031 and 032 of Assessor's block 3740), owned by Tishman Speyer, to effectuate the joint

development of Block 1.

The Proposed Project includes demolition of all existing structures on the project site and construction of a new 559,030-sf building containing 391 dwelling units (116 one-bedroom units, 220 two-bedroom units, 37 three-bedroom units, and 18 penthouse units), 9,126 sf of ground floor retail space, 334 off-street parking spaces located underground within three basement levels accessed from a ramp off Spear Street, 150 bicycle parking spaces and two loading spaces, and a - 22,297 sf of open space including a roof deck, courtyards and residential porches and balconies. Clementina Street would be extended through the project site to provide loading and bicycle access, with connections to Main and Spear Streets. The tallest part of the Proposed Project, the tower section, located at the eastern (Spear Street) side of the site, would measure approximately 400 feet in height (39 stories), with rooftop mechanical enclosures and circulation penthouses reaching up to approximately 425 feet in height. The western portion of the site would contain a podium building ranging in height from approximately 50 feet at the northern (Clementina Street) edge of the site to approximately 85 feet at the western (Main Street) edge of the site. The central core of the site would contain open space, surrounded by the tower and podium buildings. At the ground floor, the Main, Folsom, and Spear Street frontages would contain retail space and residential lobbies. The Clementina Street frontage would contain residential townhouse units and access to mechanical utility rooms.

The Proposed Project qualifies as a transit-oriented infill project under Section 21099 of the California Public Resources Code because it meets the definition of a project on an "infill site" in a "transit priority area." The Block 1 Transit-Oriented Infill Project is located within a fully urbanized area of the South of Market neighborhood. The site is within three blocks of the multimodal Transbay Transit Center, currently under construction and funded by a locally-administered State Transportation Improvement Program. It is also located one block from the Folsom Street and The Embarcadero Station of the Muni Metro system, frequently serviced by the Muni N-Judah and Muni T-Third light rail lines.

Background

A Final Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project, Planning Department case number 2000.048E and State Clearinghouse number 95063004, was certified on April 22, 2004 at a joint hearing of the San Francisco Planning Commission and the Transbay Joint Powers Board ("the EIS/EIR Project").¹ The EIS/EIR Project consisted of: 1) proposed alternative designs

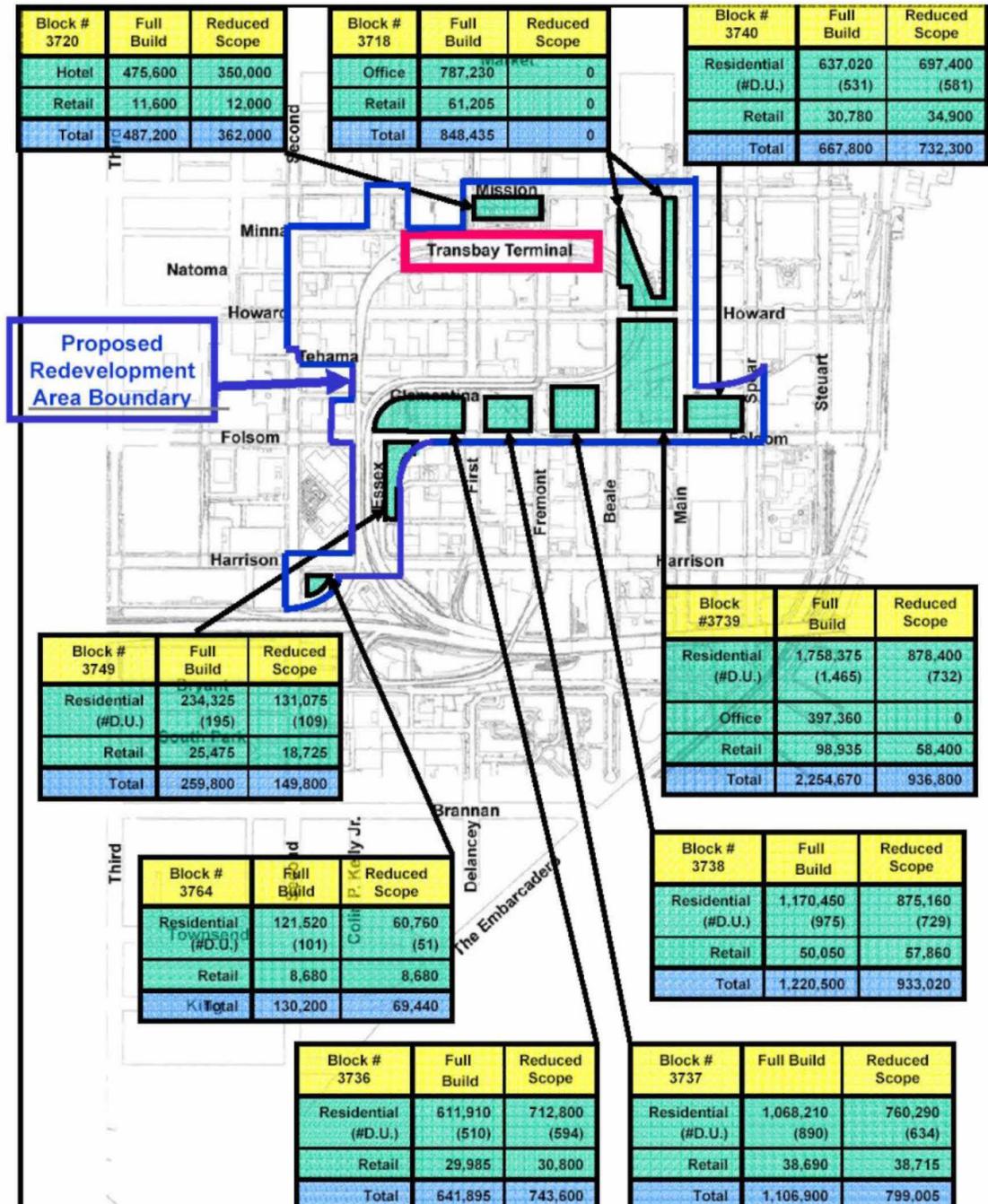
¹ U.S. Department of Transportation Federal Transit Administration and the City and County of San Francisco, Peninsula Corridor Joint Powers Board and San Francisco Redevelopment Agency, *Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project Final Environmental Impact Statement/Environmental Impact Report and Section 4(f) Evaluation*, March 2004. This document is available for review upon request from the Planning Department, 1650 Mission Street, Suite 400 as part of Case Number 2000.048E.

for the new Transbay Terminal, 2) the underground extension of the Caltrain commuter rail system 1.3 miles from its current terminus at 4th and King Streets into Downtown San Francisco, and 3) several land use redevelopment alternatives as part of the Transbay Redevelopment Plan. The Transbay Redevelopment Plan sets forth land use and zoning standards and public street and streetscape improvements on blocks to the south of the Transbay Terminal and would provide additional office, retail/hotel, and residential (including affordable housing) development in the Plan area. OCII, as the Successor Agency to the Redevelopment Agency of the City and County of San Francisco, under the Transbay Redevelopment Plan, has land use and California Environmental Quality Act (CEQA) review authority of the Transbay Redevelopment Project Area.

Development of lots 027, 029, 030, 031, and 032 on Assessor's block 3740 (the site of the Block 1 Transit-Oriented Infill Project, collectively referred to as "Block 1" for the purposes of the Transbay Redevelopment Plan), was included in the Transbay Redevelopment Plan and EIS/EIR analysis. The EIS/EIR analyzed development on Block 1 of up to 637,020 gsf of residential space (531 dwelling units) and 30,780 sf of retail space under the Full Build Alternative, and up to 697,400 gsf of residential space (581 dwelling units) and 34,900 gsf of retail space under the Reduced Scope Alternative.² The EIS/EIR studied the two alternatives as representations of the range of reasonable development that could occur, rather than specific development proposals. Figure 1 shows the location of the Block 1 (Assessor's Block 3740) in the Transbay Redevelopment Project Area and the development levels assumed for each of the redevelopment sites.

² The Reduced Scope Alternative includes less overall development throughout the Redevelopment Plan area than the Full Build Alternative. However, some individual sites, including Block 1, were anticipated to have more intensive development under the Reduced Scope Alternative than under the Full Build Alternative.

Figure 1: Development Levels Analyzed in the EIS/EIR³



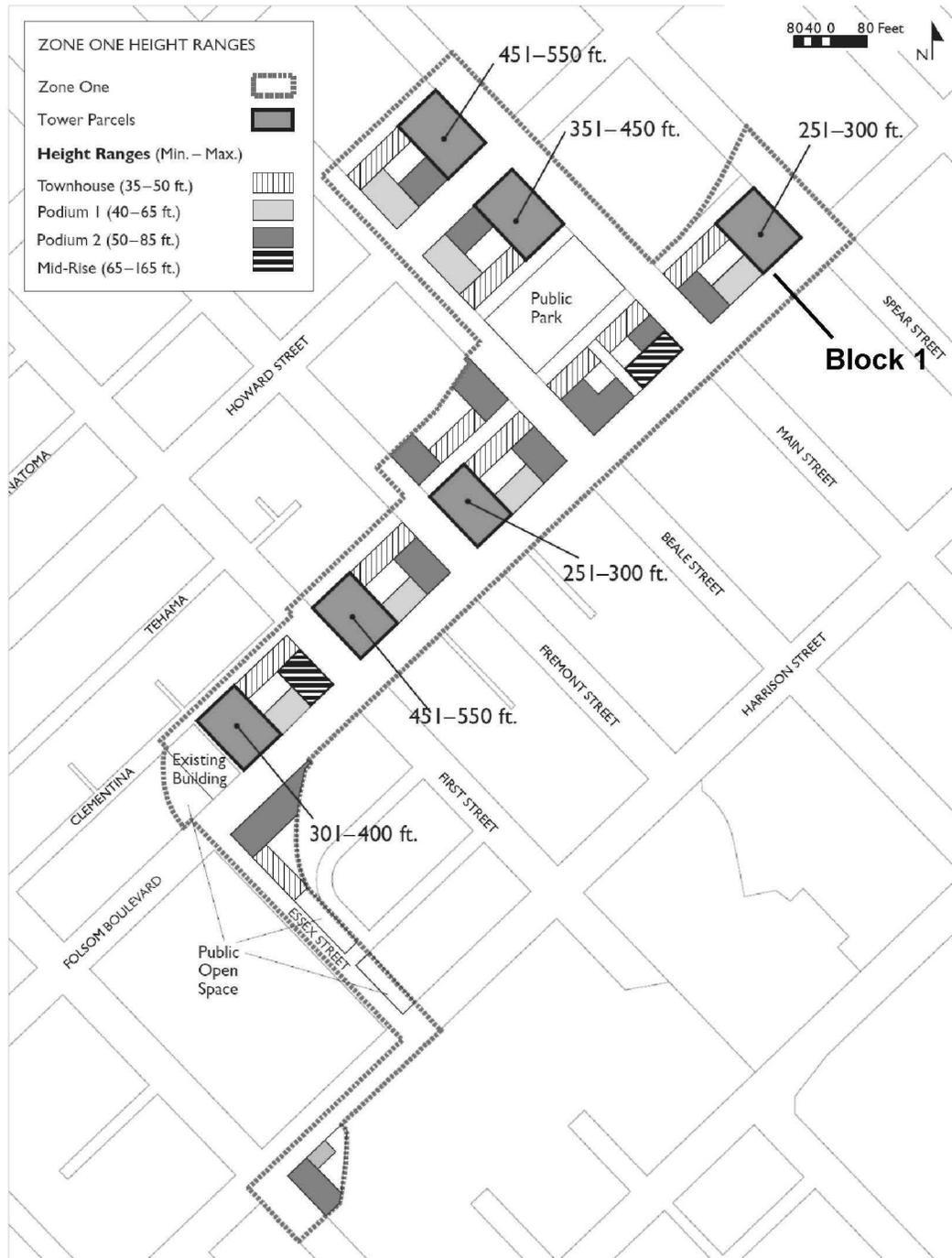
³ This image is sourced from the EIR/EIS. The "Proposed Redevelopment Boundary" is the adopted Transbay Redevelopment Project Area.

As part of the Redevelopment Plan, the building height limit on the Block 1 site was changed from 200 feet to 300 feet.⁴ The 300-foot height limit for Block 1 was included within the Draft Transbay Redevelopment Project Area Design for Development Vision released for public review in August 2003. This document was reviewed in connection with the Final EIS/EIR and determined not to introduce any new adverse impacts beyond those identified in the Draft EIS/EIR Full Build Alternative. (EIR/EIS Summary pg. S-10/Chapter 5, pg. 5-11). The *Development Controls and Design Guidelines* added further specificity to the proposed massing on the site, calling for townhomes up to 50 feet in height on the northwestern portion of the site, a podium up to 65 feet in height on the southern portion of the site, a podium up to 85 feet in height on the southwestern portion of the site, a tower up to 300 feet in height on the eastern portion of the site, and open space in the central core of the site.⁵

⁴ San Francisco Redevelopment Agency, *Redevelopment Plan for the Transbay Redevelopment Project Area*, June 21, 2005. Available online at:
[http://sfocii.org/sites/default/files/ftp/uploadedfiles/Projects/TB%20Redevelopment%20Plan\(2\).pdf](http://sfocii.org/sites/default/files/ftp/uploadedfiles/Projects/TB%20Redevelopment%20Plan(2).pdf)
(Accessed December 7, 2015).

⁵ San Francisco Redevelopment Agency, *Development Controls and Design Guidelines for the Transbay Redevelopment Project*, January 25, 2005. Available online at:
<http://sfocii.org/sites/default/files/ftp/uploadedfiles/Projects/TB%20Dev%20Controls%20&%20Design%20Guidelines.pdf> (Accessed December 7, 2015).

Figure 2: Redevelopment Plan Height Limits Analyzed in the EIS/EIR



A minor discrepancy exists in the EIS/EIR regarding the height analyzed on the Block 1 site. Table 5.1-1 in the Redevelopment Land Use Impacts section indicates a 250-foot proposed height limit on the site. This table was based on an earlier version of the Draft Redevelopment Plan, and was included in the EIS/EIR in error. The actual height limit analyzed in the EIS/EIR for the Block 1 site was 300 feet, as confirmed by the Development Controls and Design Guidelines, the Urban Form Program⁶ in Appendix F of the EIS/EIR, and by the shadow and wind analysis model.⁷ All analysis and conclusions in the EIS/EIR were based on an assumption of a tower at least 300 feet in height at the eastern end of the Block 1 site with podium buildings up to 85 feet in height on other parts of the site.

The EIS/EIR characterized the anticipated development in the Redevelopment Area as transit-oriented land uses in the vicinity of the Transbay Terminal that would provide a mix of residential and commercial space. The land use plan studied in the EIS/EIR identified a development program for the Block 1 site consisting of primarily residential uses with ground floor retail and services.

Proposed Revisions to the EIS/EIR Project

The Block 1 Transit-Oriented Infill Project site differs from the development described in the EIS/EIR in that a 400-foot-tall tower is now proposed at the eastern edge of the Block 1 site instead of a previously-cleared 300-foot-tall tower. The non-tower components of the Proposed Project would conform to the existing Redevelopment Plan height and massing limits studied in the EIS/EIR. Despite the increased tower height, the currently-proposed land use program would be smaller and would consist of 140 fewer dwelling units and less square footage than the Full Build Alternative program studied in the EIS/EIR, despite the increased tower height. Table 1, below, compares the Proposed Project to the assumptions studied for the EIS/EIR Project.

⁶ The Block 1 site is referred to as “Block 9” in the Urban Form Program, Appendix F of the EIS/EIR.

⁷ Environmental Science Associates, *Transbay Redevelopment Plan EIR: Building Heights Analyzed in Shadow and Wind Analysis for Block 1*, October 28, 2015, on the basis of files developed in conjunction with the original EIR analysis, circa 2000. In an effort to provide a conservative analysis, the shadow and wind model assumed two towers on the Block 1 site: a 350-foot-tall tower at the eastern edge of the site and a 400-foot-tall tower at the western edge of the site. A single-tower, 300-foot-tall height limit was ultimately approved as part of the Redevelopment Plan.

Table 1: Comparison of the Proposed Project to the Redevelopment Plan Program for Block 1

Project Feature	Redevelopment Plan and EIS/EIR Full Build Alternative⁸	Proposed Project
Demolition	All Existing Buildings and Parking Lots on Site	All Existing Buildings and Parking Lots on Site
Total Square Footage	Up to 667,800 gsf	559,030 gsf
Land Use Types	Residential, Retail	Residential, Retail
Number of Residential Units	Up to 531 units	391 units
Retail Square Footage	Up to 30,780 gsf	9,126 gsf
Tower Height – Eastern Portion of the Site	Up to 300 feet	400 feet*
Podium Height – Northwestern Portion of the Site	Up to 50 feet (Townhomes)	48 feet (Townhomes)
Podium Height – Southern Portion of the Site	Up to 65 feet	65 feet
Podium Height – Southwestern Portion of the Site	Up to 85 feet	85 feet
Central Core of the Site	Open Space	Open Space

* indicates nonconformance with the Redevelopment Plan and the EIS/EIR analysis

As shown in Table 1, all features of the Proposed Project would conform to the Redevelopment Plan land use program studied in the EIS/EIR, with the exception of the tower height. At 400 feet tall, the Proposed Project’s tower would be 100 feet taller than the 300-foot height limit established in the Redevelopment Plan and analyzed in the EIS/EIR. OCII is therefore seeking an amendment to the Redevelopment Plan. Subsequently, OCII will seek an amendment to the Development Controls and Design Guidelines to increase the height limit on the Block 1 site from 300 feet to 400 feet and the approval of an OP/DDA and Schematic Design of the Block 1 Transit-Oriented Infill Project.

⁸ The Reduced Scope Alternative includes less overall development throughout the Redevelopment Plan area than the Full Build Alternative. However, some individual sites, including Block 1, were anticipated to have more intensive development under the Reduced Scope Alternative than under the Full Build Alternative. The Full Build Alternative land use program for Block 1 is used in this table in an effort to provide a conservative analysis, as any proposed project on the Block 1 site that is consistent with the Full Build Alternative would also be consistent with the Reduced Scope Alternative.

Analysis of Potential Environmental Effects

CEQA Guidelines Section 15164 provides for the use of an addendum to document the basis for a lead agency's decision not to require a Subsequent or Supplemental EIR for a project that is already adequately covered in an existing certified EIR. The lead agency's decision to use an addendum must be supported by substantial evidence that the conditions that would trigger the preparation of a Subsequent EIR, as provided in CEQA Guidelines Section 15162, are not present. This Addendum documents the assessment and determination that the modified project is within the scope of the Final EIS/EIR and no additional environmental review is required.

The change proposed in the project will not require major revisions of the EIS/EIR. The total square footage of the Proposed Project, including the square footage of retail uses and the number of dwelling units, does not exceed the assumptions studied in the EIS/EIR Project and the Proposed Project will not cause new significant impacts not identified in the EIS/EIR. In addition, no new mitigation measures will be necessary to reduce significant impacts. No changes have occurred with respect to circumstances surrounding the project that will cause significant environmental impact to which the Proposed Project will contribute considerably; and no new information has become available that shows the Proposed Project will cause significant environmental impacts not previously discussed in the EIS/EIR, that significant effects previously examined will be substantially more severe than shown in the EIS/EIR, or that mitigation measures or alternatives previously found infeasible are feasible, or that new mitigation measures or alternatives considerably different from those in the EIS/EIR would substantially reduce significant impacts.

As discussed in the "Proposed Revisions to the Project" section above, the only substantive modification to the proposed project that was not previously studied in the EIS/EIR is the proposed tower height limit change from 300 feet to 400 feet. Moreover, as a Transit-Oriented Infill Project, neither aesthetic nor parking impacts are considered significant impacts on the environment. Therefore, the only CEQA topics requiring additional evaluation are those for which impacts could worsen due to additional building height. These topics include wind and shadow. These two CEQA topics, in addition to aesthetics and transportation, are discussed in further detail in the subsections below. Although the Proposed Project would not generate more trips than anticipated in the EIS/EIR, transportation is analyzed in further detail to allow full discussion of design-specific site circulation issues.

All other features of the Proposed Project, including demolition, land use types, building square footage, retail square footage, and number of dwelling units, would be consistent with the maximum development for Block 1 analyzed in the EIS/EIR. CEQA topics that are evaluated based on those features would not require further analysis because no new or more severe significant impacts beyond those studied in the EIS/EIR could occur and no new mitigation measures would be required. Therefore, the Proposed Project revisions require no further analysis of the following CEQA topics:

- Land Use
- Population and Housing
- Cultural Resources
- Noise
- Air Quality
- Greenhouse Gas Emissions
- Recreation
- Utilities and Service Systems
- Public Services
- Biological Resources
- Geology and Soils
- Hydrology and Water Quality
- Hazards/Hazardous Materials
- Mineral/Energy Resources
- Agricultural and Forest Resources
- Construction Impacts

Prior addenda to the EIS/EIR have generally covered changes to the transportation infrastructure related to the Transbay Terminal/Caltrain Downtown Extension portions of the EIS/EIR, and were administered by the Transbay Joint Powers Authority (“TJPA”) and the Golden Gate Bridge Highway and Transportation District.

In addition, a recent draft environmental review document also analyzed transportation infrastructure related to the Transbay Terminal/Caltrain Downtown Extension. On December 28, 2015, the Federal Transit Administration, in conjunction with the Federal Railroad Administration and the TJPA, published a Draft Supplemental Environmental Impact Statement/Environmental Impact Report to EIS/EIR (“Draft SEIS/SEIR”) to evaluate refinements to the Caltrain Downtown Rail Extension (“DTX”) component of the Transbay Program, as well as other transportation improvements and development opportunities associated with the Transbay Program. The Draft SEIS/SEIR does not contain information that would alter the determination not to require a Subsequent or Supplemental EIR in connection with the Proposed Plan Amendment and Proposed Project, pursuant to CEQA Guidelines Section 15164.

The project evaluated in the Draft SEIS/EIR (the “Draft SEIS/EIR Project”) includes refinements to the DTX component of the Transbay Program; some additional transportation improvements within the Transbay Program area; and potential new development opportunities including:

(1) adding two floors (approximately 45,000 gsf) above the proposed intercity bus facility located between Maine and Beale Streets north of Howard Street, for a total structure of 4-stories above grade, which may contain office or residential development; and

(2) development of approximately 76,000 square feet of new development adjacent to the vent structure at either of the optional locations at Third and Townsend Streets, which may include a mix of uses.

The Draft SEIS/EIR Project does not propose modifications at or adjacent to the Block 1 site, or to the Redevelopment Plan component of the Transbay Program.

Overall land use impacts from the Draft SEIS/EIR Project analyzed in the Draft SEIS/EIR would be minimal, and none of the proposed components would conflict with any applicable land use, policy, or regulation in the Program area. (Draft SEIS/EIR, p.3.3-18.) The potential above-grade development opportunities analyzed under the Draft SEIS/EIR are compatible with the development intensity and uses of nearby land uses. (Id.) The proposed above-grade development would have no shadow impact on any parks under the jurisdiction of the San Francisco Recreation and Park Department. (Draft SEIS/EIR, p. 3.3-20–21.) The Draft SEIS/EIR notes that the proposed intercity bus facility discussed under the Draft SEIS/EIR would occupy the roof level of the Transit Center, and would therefore be located adjacent to the proposed City Park. However, this facility would be only slightly higher than the elevation of City Park (approximately 5 feet) (Id.) and therefore would not cast shadow onto the park that would alter the analysis conducted for the Proposed Plan Amendment and the Block 1 Transit-Oriented Infill Project.

Aesthetics

The Visual and Aesthetics analysis in the EIS/EIR anticipated that the Redevelopment Plan would cause a relatively large increase in the number and size of buildings in the Redevelopment Project Area. The EIS/EIR also found that public views within and across the Redevelopment Project Area would generally be limited by new development. The EIS/EIR found that new buildings and vehicles would also produce additional glare, though it would not be expected to result in a substantial visual change. Visual simulations were prepared for the EIS/EIR based on the 2003 *Draft Transbay Redevelopment Project Area Design for Development Vision*, and the EIS/EIR noted that actual development proposals would undergo individual environmental review for aesthetics in subsequent steps of the redevelopment process if necessary. The EIS/EIR specifically contemplated that the northern side of Folsom Street between First and Spear Streets would undergo the most visible aesthetic change in the district, as it would be “developed with a mix of uses in structures that could range in height from 350 to 400 feet.” (5-117). The EIS/EIR determined that, although the proposed new development would alter the existing aesthetic nature of the area, the visual features that would be introduced by the project are commonly accepted in urban areas and would not substantially degrade the existing visual quality, obstruct publicly accessible views, or generate obtrusive light or glare. For those reasons, no significant impacts were found, and no mitigation measures were proposed.

The modified project will not involve substantial changes which would require major revisions of the EIS/EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant impacts. The only substantive modification to the Proposed Project is the proposed Block 1 tower height limit change from 300 to 400 feet. The Proposed Project would not alter the overall land uses or development concept proposed for Block 1 under the Transbay Redevelopment Plan analyzed in the EIS/EIR. Further, the total square footage of the Proposed Project, including the square footage of retail uses and the number of dwelling units, does not exceed the maximum development assumptions for the Block 1 site studied in the EIS/EIR. In addition, no substantial changes have occurred with respect to circumstances surrounding the project that will cause significant environmental impact to which the Proposed Project will contribute considerably; and no new information has become available that shows the Proposed Project will cause significant environmental impacts not previously discussed in the EIS/EIR, that significant effects previously examined will be substantially more severe than shown in the EIS/EIR, or that mitigation measures or alternatives previously found infeasible are feasible, or that new mitigation measures or alternatives considerably different from those in the EIS/EIR would substantially reduce significant impacts.

The Proposed Plan Amendment and the Proposed Project would increase the height of the Block 1 tower from 300 feet to 400 feet. The 400-foot height matches the height of towers constructed within the immediate vicinity of Block 1 yet would be the sole tower on Block 1, providing ample tower separation from nearby towers. Between Block 1 and the Embarcadero waterfront are Rincon Park and the block containing the Gap Building at Folsom Street between Spear Street and the Embarcadero roadway. The Gap Building's architecture provides a tower element height of approximately 290 feet and a podium base height of approximately 90 feet. This results in an aesthetically-pleasing stepping-down of the skyline from the Proposed Project to the waterfront. In addition, considering the approved building heights within the districts to the north, the west and the south of Block 1, which include approved height ranges between 400 and 1000 feet, the Proposed Project's height will blend appropriately into the San Francisco skyline as planned.

On September 27, 2013, Governor Brown signed Senate Bill (SB) 743, which became effective on January 1, 2014. SB 743 added Section 21099 to the Public Resources Code and eliminated the analysis of aesthetics and parking impacts for certain urban infill projects under CEQA. The Proposed Project meets the definition of a mixed-use project on an infill site within a transit priority area as specified by Section 21099.⁹ Accordingly, this EIS/EIR Addendum does not contain a separate discussion of the topic of aesthetics, which can no longer be considered in determining the significance of the Proposed Project's physical environmental effects under CEQA. Therefore, the proposed height increase could not result in significant aesthetics impacts under CEQA, and no mitigation measures would be necessary.

⁹ San Francisco Planning Department, *Transit-Oriented Infill Project Eligibility Checklist, Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project – Block 1 (100-160 Folsom Street/289 Main Street)*, December 3, 2015. This document is available for review at the Planning Department, 1650 Mission Street, 4th Floor, as part of Case File No. 2014-000953GEN.

Transportation

As noted at the beginning of the Analysis of Potential Environmental Effects section, the Proposed Project would not exceed the EIS/EIR assumptions for, retail square footage, and number of dwelling units anticipated for the Block 1 site. Therefore, the Proposed Project would not generate more person trips or vehicle trips than previously analyzed, and would not cause traffic to worsen to a greater degree than reported in the EIS/EIR, as explained further in the Traffic section below.

Transportation Impact Studies prepared by the San Francisco Planning Department for CEQA purposes estimate future cumulative traffic volumes based on cumulative development and growth identified by the San Francisco County Transportation Authority's SF-CHAMP travel demand model. The SF-CHAMP model uses zoning as part of the basis for its growth calculations. SF-CHAMP data prepared after adoption of the Transbay Redevelopment Plan takes into account the revised zoning for the Transbay Redevelopment Area, including the Zone One TB DTR (Transbay Downtown Residential) Use District and 50/85/300-TB Height and Bulk District established for the Block 1 site. Therefore, CEQA Transportation Impact Studies prepared after adoption of the Transbay Redevelopment Plan include the potential growth enabled by the plan in their cumulative analysis.

OCII has reviewed a conceptual site layout provided by the project sponsor in connection with the Proposed Project, which illustrates how pedestrians, bicycles, cars, and delivery vehicles would access the proposed building.

This conceptual site layout contains no new information which would generate significant effects not discussed in the EIS/EIR, nor alter analysis contained in the EIS/EIR regarding transportation mitigation measures or alternatives pursuant to Section 15162(a)(3) of the CEQA Guidelines. However, since this level of conceptual project detail was not available when the EIS/EIR was prepared, the subsections below contain remarks about site circulation and any potential for conflicts between modes.

Traffic

The EIS/EIR evaluated four traffic scenarios: 1) existing conditions, 2) year 2020 with no project, 3) year 2020 plus project (the Transbay Terminal and Redevelopment Plan), and 4) a year 2020 cumulative scenario that included concurrent and reasonably foreseeable projects. The EIS/EIR analysis showed that background traffic volumes would grow over time, and that traffic delays would lengthen at nearly all 27 intersections studied even if the Redevelopment Plan was not implemented. The EIS/EIR identified significant traffic impacts at the following seven intersections, under the year 2020 plus project and the year 2020 cumulative scenarios:

- 1st Street and Market Street
- 1st Street and Mission Street

- 1st Street and Howard Street
- Fremont Street and Howard Street
- Beale Street and Howard Street
- 2nd Street and Folsom Street
- 2nd Street and Bryant Street

The EIS/EIR stated that improvements at individual intersections and implementation of an integrated transportation management system could somewhat reduce localized congestion, but may not fully mitigate the increase in traffic congestion resulting from the Transbay Terminal and Redevelopment Plan to a less than significant level. The EIS/EIR therefore concluded that the significant traffic impacts would be unavoidable. No mitigation measures applicable to individual development projects were identified.

Vehicle trip volumes for proposed development projects are calculated using commercial square footage and dwelling unit counts. Since the Proposed Project would have less retail square footage and fewer dwelling units than analyzed for the Block 1 site in the EIS/EIR, as shown in Table 1 above, the Proposed Project would generate fewer vehicle trips than studied in the EIS/EIR analysis.¹⁰ Therefore, the Proposed Project's contribution to the significant unavoidable traffic impacts identified in the EIS/EIR would not be worse than previously reported, and no new mitigation measures would be required. While existing and future conditions have changed since the original analysis, the contribution of a smaller project to traffic congestion is no worse than for the project as originally conceived.

Transit

Transit ridership forecasts were performed for the EIS/EIR, which predicted that transit ridership would increase over time. It also identified the potential for transit usage to increase with implementation of the Redevelopment Plan. Along with the Redevelopment Plan, the project analyzed in the EIS/EIR included the new Transbay Terminal and the downtown extension of Caltrain. Ridership generated by the Redevelopment Plan was estimated using year 2020 forecasts based on the San Francisco County Transportation Authority's transportation model outputs. The EIS/EIR predicted that the project would cause linked transit trips¹¹ to increase by about 10,000 per day throughout the region. Since the project would enhance transit connectivity and capacity, the EIS/EIR found no significant transit impacts, and no mitigation measures were identified.

¹⁰ Kittelson & Associates, Inc., *Transbay Block 1 Transportation Assessment – Results of Preliminary Transportation Significance Evaluation (Updated)*, August 11, 2015. This document is available for review at the Planning Department, 1650 Mission Street, 4th Floor, as part of Case File No. 2014-000953GEN.

¹¹ A linked trip consists of a full one-way transit trip, including transfers. For example, a bus trip involving two transfers would count as a single linked trip, or three unlinked trips.

The Proposed Project on the Block 1 parcel would not modify the transit infrastructure or service in the area, and would not preclude the proposed future addition of a Muni bus stop on Main Street adjacent to the project site. The Proposed Project would conform to the density of commercial and residential uses identified for the Block 1 parcel in the EIS/EIR, so it would not generate additional transit ridership beyond what was forecasted in the EIS/EIR analysis. Therefore, the Proposed Project would not result in new or more severe significant transit impacts, and no new mitigation measures would be required.

Pedestrians

The EIS/EIR modeled peak period walking trips with and without the Transbay Terminal and Redevelopment Plan in place. Baseline pedestrian surveys were taken, and future year 2020 volumes were projected based on the level of transit, retail, commercial, and other activity anticipated in the area. Pedestrian volumes were anticipated to increase regardless of whether the project is implemented. The EIS/EIR predicted that the volume of pedestrians in the area during the PM peak hour would increase by approximately 141,000 by the year 2020, though only about 9,000 of those trips would be attributable to the project (including the Redevelopment Plan). The EIS/EIR found that the 9,000 additional trips would not be a considerable contribution to the overall increase in pedestrian trips, and determined that the project would not have a significant pedestrian impact. No pedestrian mitigation measures were identified. The Proposed Project would conform to the residential and commercial densities assumed for Block 1 in the EIS/EIR, so it would not generate more pedestrian trips than previously analyzed.

A Site Access and Circulation Review Memorandum¹² was prepared for the Proposed Project to examine the potential for hazards and conflicts between modes, including pedestrians. Pedestrian access to the Proposed Project would be provided on all four of the building's street frontages. The project would also include streetscape improvements, such as street trees, loading areas, and pedestrian amenities consistent with San Francisco's Better Streets Plan. The proposed truck access route to the site would require trucks to cross sidewalks at the intersections of Clementina Street with Main and Spear Streets. To facilitate pedestrian crossings at these intersections, the segment of Clementina Street to be constructed on the project site would be designed as a raised roadway at sidewalk height. This configuration would encourage vehicles to travel at reduced speeds and be more aware of pedestrian crossings. A stop sign would also be installed on Clementina Street's eastbound approach toward Spear Street, which would further reduce the potential for conflicts between trucks and pedestrians. No substantial modal conflicts involving pedestrians are anticipated, and the Proposed Project would not result in any new or more severe significant pedestrian impacts.

Bicycles

¹² Kittelson & Associates, Inc., *Transbay Block 1 Transportation Assessment – Site Access and Circulation Review (Final)*, October 13, 2015. This document is available for review at the Planning Department, 1650 Mission Street, 4th Floor, as part of Case File No. 2014-000953GEN.

The EIS/EIR analyzed bicycle traffic growth using field surveys and estimated year 2020 bicycle trip volumes. Year 2020 volumes were based on the San Francisco County Transportation Authority's transportation model outputs. The EIS/EIR estimated that the new Transbay Terminal and Redevelopment Plan could add up to 425 bicycle trips at the intersections studied during the peak 15-minute window, compared to a total of 45 bicycles counted in 2001. The EIS/EIR noted that there is no standard for determining bicycle level of service. Bicycle trips generated by proposed development are calculated using commercial square footage and residential unit counts. Given that the Proposed Project would have less retail square footage and fewer residential units than analyzed for Block 1 in the EIS/EIR, this analysis assumes that it would not generate more bicycle trips than previously analyzed.

The Site Access and Circulation Review Memorandum prepared for the Proposed Project examines the potential for hazards and conflicts between modes. The Proposed Project would not include curb cuts (driveways) that intersect bicycle lanes, thereby avoiding conflicts between bicycles traveling on the street and vehicles exiting project driveways. Access to the project's bicycle parking area would be located on a street with low vehicle and truck volumes (Clementina Street) that would function primarily as an alleyway, which would facilitate bicycle access to the site. Bicycles would need to pass the loading dock entrance/exit, so an audible and visual warning device would be included at the loading dock to alert bicyclists of oncoming vehicle and avoid conflicts. The Proposed Project would conform to the commercial and residential density envisioned in the Redevelopment Plan, and therefore would create no more bicycle trips than analyzed in the EIS/EIR. The Proposed Project would not cause new bicycle hazards or conflicts with other modes. No new significant impacts related to bicycles would result from the Proposed Project and no mitigation measures would be required.

Loading

The EIS/EIR did not identify any significant impacts related to passenger or commercial loading associated with the Redevelopment Plan. Since the Proposed Project would have less square footage and fewer residential units than assumed in the EIS/EIR, it would not result in any further increase in loading trips. The Proposed Project would have an off-street loading dock fronting Clementina Street, and all trucks would need to enter from northbound Main Street and exit to southbound Spear Street. Trucks traveling into and out of the loading dock would cross four pedestrian facilities: the sidewalk along the east side of Main Street, the sidewalk along the west side of Spear Street, the mid-block crosswalk on Clementina Street, and the sidewalk on the south side of Clementina Street. Although Project-related loading vehicles would only represent a portion of the total vehicular activity on the alleyway, the generally low speeds of truck movements may temporarily impede pedestrian circulation, but would not result in significant impacts such as hazards. In addition, trucks may temporarily block the right-hand travel lane on northbound Main Street or the garage exit to Spear Street while waiting for pedestrians to clear the sidewalks, similar to other vehicles attempting to turn onto or off of Clementina Street. These site circulation features of the Proposed Project would not cause hazards or substantial conflicts between modes, and would not result in significant impacts.

Emergency Access

The EIS/EIR did not find any significant impacts related to emergency vehicle access to the individual development parcels identified in the Redevelopment Plan. The Proposed Project would not include vehicular lane removal on any streets, or the introduction of physical impediments to emergency vehicle access. The building would be accessible from frontages along four streets (Folsom, Main, Spear, and Clementina Streets), and would be designed to meet Building Code standards for egress and emergency vehicle access. Since the Proposed Project would conform to the development density specified in the Redevelopment Plan, it would not result in demand for emergency services beyond levels assumed in the EIS/EIR. Therefore, no significant impacts pertaining to emergency vehicle access would occur, and no mitigation measures would be required.

Parking

As noted in the Aesthetics section above, SB 743 added Section 21099 to the Public Resources Code and eliminated the analysis of aesthetics and parking impacts for certain urban infill projects under CEQA. The Proposed Project meets the definition of a mixed-use project on an infill site within a transit priority area as specified by Section 21099.¹³ Accordingly, parking deficits can no longer be considered in determining the significance of the Proposed Project's physical environmental effects under CEQA. Therefore, the Proposed Project would not result in significant impacts related to parking deficits, and no mitigation measures would be necessary.

The EIS/EIR stated that approximately 14 percent of the parking in the Redevelopment Area (1,950 spaces) would be removed as a result of the Full Build Alternative, some of which are located on the Block 1 site. The EIS/EIR also noted that some of the parking would be replaced in new buildings constructed on the Redevelopment Plan sites. The available parking spaces in the area were filled to approximately 85 percent capacity on weekdays at the time of EIS/EIR preparation. The EIS/EIR anticipated that a reduction in parking spaces would constrain parking availability, forcing some drivers to park farther away from their destinations or use other modes of transportation. The displacement of parking spaces is generally not considered a physical environmental effect, but is a social effect and an inconvenience to drivers who must seek alternate parking. Accordingly, the EIS/EIR did not identify any significant impacts related to parking.

Site Circulation

The Site Access and Circulation Review Memorandum prepared for the Proposed Project examines the potential for hazards and conflicts caused by vehicles entering and exiting the Proposed Project's parking garage ramp along Spear Street. The memorandum found that vehicles attempting to enter the garage from northbound Spear Street would have to wait for a

¹³ San Francisco Planning Department, *Transit-Oriented Infill Project Eligibility Checklist, Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project – Block 1 (100-160 Folsom Street/289 Main Street)*, December 3, 2015. This document is available for review at the Planning Department, 1650 Mission Street, 4th Floor, as part of Case File No. 2014-000953GEN.

gap in southbound traffic to complete a left turn. However, given that volumes along Spear Street are anticipated to be relatively low, vehicles waiting to enter the garage are not expected to affect northbound street operations.¹⁴ Additionally, the Proposed Project's parking demand would not exceed the amount reported in the EIS/EIR because the commercial square footage and number of residential units would be less than the totals assumed in the Redevelopment Plan, as shown in Table 1 above. In any event, parking impacts of a transit-oriented infill project are not considered significant impacts on the environment. Cal. Public Resources Code § 21099 (d) (1). Therefore, no significant site circulation impacts associated with vehicles accessing the on-site parking facilities would occur.

Wind

A wind tunnel test was performed for the EIS/EIR, which included the proposed Transbay Terminal and conservative assumptions for the buildings that would be constructed in accordance with the land use program on the redevelopment parcels, including Block 1. Though the land use program ultimately adopted for the Block 1 site as part of the Redevelopment Plan included a maximum tower height limit of 300 feet, the wind tunnel test analyzed two potential towers on the Block 1 site: a 400-foot-tall tower at the western edge of the site and a 350-foot tall tower at the eastern edge of the site. These assumptions were sufficient to capture the maximum impacts of the ultimately-approved 300-foot tower height limit, as the wind speeds generated by the smaller 300-foot tower would be slower than those generated by a 350-foot or 400-foot tower in the same location. Wind speeds were modeled at 69 locations throughout the Redevelopment Area, as summarized in Table 2 below. The Full Build Alternative modeling resulted in nine locations that exceeded the comfort criterion (ground level wind speeds in excess of 11 mph) and one location that exceeded to hazard criterion (ground level wind speeds in excess of 26 mph). The Reduced Scope Alternative modeling resulted in seven locations that exceeded the comfort criterion and one location that exceeded the hazard criterion. None of the comfort criterion or hazard criterion exceedances were located on Block 1 or adjacent blocks. For the purposes of CEQA, only exceedances of the hazard criterion are considered significant impacts.

¹⁴ The Transit Center District Plan Final EIR reported that the existing southbound PM peak hour traffic volume on Spear Street is 481 vehicles, which would rise to 701 vehicles by the year 2030.

Table 2: Comparison of the Proposed Project’s Wind Impacts to the EIS/EIR Wind Analysis

Wind Study Scenario	Number of Test Points Studied	Comfort Criterion (11 mph) Exceedances – Less than Significant Impacts	Hazard Criterion (26 mph) Exceedances – Significant Impacts
EIS/EIR: Full Build Alternative	69	9	1
EIS/EIR: Reduced Scope Alternative	69	7	1
Current Existing Conditions	24	None	None
Existing Conditions Plus Proposed Project	24	None	None
Cumulative Conditions Plus Proposed Project	24	1	None

To address the modeled hazard criterion exceedances, the EIS/EIR included a mitigation measure requiring wind tunnel testing to be performed for all subsequent individual development projects proposed within the Redevelopment Area. If any exceedances of the hazard criterion occur, design modifications or other mitigation measures would be required to mitigate or eliminate the exceedances.

Accordingly, a wind tunnel test was performed for the Proposed Project. The test modeled the proposed massing with the 400-foot-tall tower.¹⁵ Three scenarios were examined: 1) existing conditions, 2) existing conditions plus the Proposed Project, and 3) cumulative conditions plus the Proposed Project. The cumulative conditions included all buildings from the existing conditions scenario plus nearby approved and reasonably foreseeable projects, such as high-rise developments studied in the EIS/EIR and the EIR prepared for the nearby Transit Center District Plan. As shown in Table 2, wind speeds were modeled at 24 test points on and near the project site. Test points were selected to sample an area that is larger than the area within which wind speeds may be adversely affected by the Proposed Project. No exceedances of the comfort criterion were found for the existing conditions or existing-plus-project scenarios, and one exceedance was found for the cumulative conditions scenario near the northeast corner of Folsom and Beale Streets. No exceedances of the hazard criterion were found under any of the scenarios, therefore no design modification of the Proposed Project in accordance with the EIS/EIR wind mitigation measure would be required. Based on the above analysis, no significant wind impacts would occur as a result of the Proposed Project, including the proposed height limit increase to 400 feet. No new mitigation measures would be required.

¹⁵ Environmental Science Associates, *Potential Wind Conditions – Transbay Redevelopment Area, Block 1 – 160 Folsom Street*, April 9, 2015. This document is available for review at the Planning Department, 1650 Mission Street, 4th Floor, as part of Case File No. 2014-000953GEN.

Shadow

The EIS/EIR included a shadow analysis performed in accordance with CEQA and Planning Code Section 295. The methodology analyzes the potential shadow impacts of Proposed Project on public parks and open spaces as a percentage of theoretical annual available sunlight (TAAS) consumed. TAAS is a measure of the square-foot-hours of sunlight that would theoretically be available at a given park or open space during a typical year, assuming that it is sunny during all daylight hours. The first hour of the day after sunrise and the last hour before sunset are excluded from TAAS calculations. Though the land use program ultimately adopted for the Block 1 site as part of the Redevelopment Plan included a maximum tower height limit of 300 feet, the shadow study analyzed two potential towers on the Block 1 site: a 400-foot-tall tower at the western edge of the site and a 350-foot tall tower at the eastern edge of the site. These assumptions were sufficient to capture the maximum impacts of the ultimately-approved 300-foot tower height limit, as the shadow cast by the smaller 300-foot tower would be less than that of a 350-foot or 400-foot tower in the same location. The EIS/EIR shadow analysis found that the Transbay Terminal and the Redevelopment Plan would not cast shadow on any parks or open spaces subject to Section 295.¹⁶ Other public parks and open spaces not subject to Section 295 were still evaluated for potential impacts under CEQA. In San Francisco, a significant shadow impact would occur under CEQA if a proposed project would create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas. The EIS/EIR indicated that some public accessible open spaces would see a diminution in sunlight during certain periods of the day and year, but that additional shading would not amount to a significant impact requiring mitigation measures. The EIS/EIR required all subsequent development projects in the Redevelopment Area to perform a shadow analysis. Specific to the Block 1 site, the EIS/EIR found that the tower proposed at the corner of Folsom and Spear Streets could shade the southern portion of Rincon Park in the late afternoon.

In accordance with the requirements of the EIS/EIR, a shadow analysis was prepared for the Proposed Project.¹⁷ The shadow analysis includes a 300-foot-tall tower and a 400-foot-tall tower scenario for the Block 1 site, in order to measure the difference in shadow that would be caused by the proposed tower height change from 300 feet to 400 feet. All other features of the project (townhouse and podium buildings) would fit within the massing envelope assumed in the EIS/EIR, as shown in Table 1, and therefore would not result in any additional shadow beyond what was previously studied. Accordingly, this section focuses only on new shadow that would be cast by the part of the Proposed Project that is between the 300-foot and 400-foot levels. Reasonably foreseeable projects were included in the analysis of cumulative shadow conditions, including forthcoming Transit Center District Plan and other Transbay Redevelopment Plan

¹⁶ Section 295 of the Planning Code only applies to public parks and open spaces that are under the jurisdiction of the San Francisco Recreation and Park Commission.

¹⁷ Prevision Design, *CEQA Evaluation of Shadow Impacts for 160 Folsom Street/Transbay Block 1, San Francisco, CA*, October 14, 2015. This document is available for review at the Planning Department, 1650 Mission Street, 4th Floor, as part of Case File No. 2014-000953GEN.

projects. Projects that would subsume (lessen) shadow cast by the Proposed Project were not included in the cumulative analysis unless they were already substantially under construction and completion was imminent. The shadow analysis found that the Proposed Project could cast new shadow on the following parks and open spaces. None are subject to Section 295 of the Planning Code, but were still evaluated for potential impacts under CEQA.

- Rincon Park – located along the Embarcadero at Folsom Street
- Transbay Park (future)¹⁸ – bounded by Beale, Clementina, Main, and Tehama Streets
- Spear Street Terrace – located on Spear Street south of Howard Street
- Howard/Fremont Plaza – located near Howard and Fremont Streets
- Main Street Plaza – located near Howard and Main Streets
- Transbay Terminal Park (future) – on the roof of the new Transbay Terminal

The results of the shadow analysis are shown in Table 3 below, which shows the amount of new shadow the proposed 100 foot height increase would add to each park or open space. The additional shading at each park and open space caused by the proposed tower height increase from 300 feet to 400 feet would be less than one half of one percent (0.5%) of the TAAS (ranging from 0.00% to 0.49% of TAAS). Table 4 shows how much shadow the proposed 100-foot height increase would add on the days when shadows would be the largest, and how many more days per year shadow would occur at each park. As shown, the maximum shadow size at any park would grow by less than one percent due to the proposed height increase, and the additional shadow duration on the maximum days would range from 18 to 45 minutes.

¹⁸ Future parks were included in an effort to provide a conservative analysis, though shadow impacts on future parks are not typically considered significant.

Table 3: Comparison of the Proposed Project's Shadow Impacts on Theoretically Available Annual Sunlight (TAAS) Due to Height Increase from 300 Feet to 400 Feet

	Rincon Park	Transbay Park (future)	Spear Street Terrace	Howard/Fremont Plaza	Main Street Plaza	Transbay Terminal Park (future)
<i>Existing Conditions</i>						
Size (acres)	3.23	1.31	0.73	0.20	0.11	3.97
Shadow due to Existing Structures	23.51%	30.22%	75.36%	70.57%	61.43%	26.32%
<i>Existing Conditions Plus Proposed Project</i>						
Potential Shadow Added by 300' Tower (already covered by EIS/EIR)	0.39%	2.37%	0.94%	0.10%	0.10%	0.003%
Potential Shadow Added by 400' Tower (modified project)	0.72%	2.42%	1.43%	0.22%	0.29%	0.026%
New Shadow due to Height Increase from 300' to 400' (shadow due to modification)	0.34%	0.03%	0.49%	0.12%	0.19%	0.02%
<i>Cumulative Conditions Plus Proposed Project</i>						
Potential Shadow Added by 300' Tower and Cumulative Projects (already covered by EIS/EIR)	2.09%	12.57%	1.23%	11.50%	5.75%	20.21%
Potential Shadow Added by 400' Tower and Cumulative Projects (modified project)	2.42%	12.62%	1.72%	11.62%	5.94%	20.21%
New Shadow due to Height Increase from 300' to 400' (shadow due to modification)	0.33%	0.05%	0.49%	0.12%	0.19%	0.00%

All shadow amounts are shown as a percentage of TAAS.

Table 4: Additional Shadow Size and Duration at Periods of Maximum Shadow Due to Height Increase from 300 Feet to 400 Feet

	Rincon Park	Transbay Park (Future)	Spears Street Terrace	Howard/ Fremont Plaza	Main Street Plaza	Transbay Terminal Park (Future)
Additional Days Per Year When New Shadow Would Occur (Any Size)	28	None	28	43	None	70
Day(s) of Maximum Shadow	Feb 23 & Oct 18	June 21	Feb 23 & Oct 18	May 10 & Aug 2	May 10 & Aug 2	Apr 5 & Sep 6
Additional Percentage of Park/Open Space Square Footage Shaded on Day of Maximum Shadow	0.65%	0.28%	0.75%	0.30%	0.41%	0.21%
Additional Duration of Shadow on Day of Maximum Shadow	45 mins	18 mins	18 mins	18 mins	44 mins	18 mins

Qualitative descriptions of the areas that would be shaded by the proposed tower height increase from 300 feet to 400 feet (shadow cast by the portion of the proposed building between the 300-foot and 400-foot levels) are provided below:

- Rincon Park: New shading from the proposed height increase on Rincon Park would occur on a small portion of the San Francisco Bay Trail near the center of the park and over existing restaurant structures during mid- to late-afternoon. The proposed height increase would result in some new shadow for 28 days of the year. The new shadow would last approximately 45 minutes on days when shadows would be the largest, between February 23rd and October 18th. Based on park use observations, usage was varied throughout the day with mornings and afternoons having less activity than midday periods.
- Transbay Park (Future): New shading from the proposed height increase would occur in early-morning in July, August, and early May, and would depart the park before 10 am. The proposed sculptured topography feature and the intersecting paved pathways would be the areas principally affected by new shadow. Due to the dense pattern of tree planting proposed along the park's periphery, the perceived impact of new shading may be somewhat diminished. As Transbay Park has not yet been constructed, no park usage observations could be conducted. The proposed 100-foot height increase would result in

approximately 18 minutes of additional shade duration on the summer solstice, when shadows would be the largest.

- Spear Street Terrace: New shading from the proposed height increase on Spear Street Terrace would fall primarily in the northeast corner of the open space during mid- to late-afternoon between August and May. The proposed 100-foot height increase would result in some new shadow for 28 days of the year. The new shadow would last approximately 18 minutes on days when shadows would be the largest, February 23rd and October 18th. Use observations revealed that the number of users during a given 30-minute period ranged from zero on the weekend to 28 during weekday midday periods. On weekdays, visitors were observed using seating areas to eat and make phone calls.
- Howard/Fremont Plaza: New shading from the proposed height increase would primarily shade the eastern part of the plaza during morning hours. The proposed 100-foot height increase would result in some new shadow for 43 days of the year. The new shadow would last approximately 18 minutes on days when the shadows would be the largest, May 10th and August 2nd. Plaza use observations revealed that the number of users during a given 30-minute period ranged from zero on the weekend to 20 during weekday midday periods. Visitors on weekdays tended to use the plaza as informal meeting space. No visitors were present during weekend observation times.
- Main Street Plaza: New shading from the proposed height increase would shade the southeast corner of the plaza during morning hours. The proposed 100-foot height increase would result in approximately 44 minutes of additional shade duration on days when shadows would be the largest, May 10th and August 2nd. Plaza use observations revealed that the number of users during a given 30-minute period ranged from zero on the weekend to 44 during weekday midday periods. Visitors were observed using the plaza as a place to rest or eat lunch.
- Transbay Terminal Park (Future): The areas affected by new shadow from the proposed height increase would be at the eastern end of the park and a portion of the central park during early morning in the spring and fall. Less than five percent of the park area would be shaded at the time of maximum impacts. The proposed 100-foot height increase would result in some new shadow for 70 days of the year. The new shadow would last approximately 18 minutes on days when shadows would be the largest – April 5th and September 6th. Though plans for the park are not finalized, the shaded area would likely contain benches, pathways, or passive recreation features. As Transbay Terminal Park has not yet been constructed, no park usage observations could be conducted.

As discussed above, the new shadow created by the proposed 100-foot height increase would consume less than one-half of one percent of TAAS at any of the six affected parks and open spaces. On the day(s) of maximum shading, less than one percent of each park's square footage would receive additional shading at the time when shadows are the largest. Shadows (of any size) would last from 18 to 45 minutes longer on the day of maximum shading, and the increase

in shadow duration would be smaller on other days of the year. Based on site visits, all of the affected parks were observed to have low to moderate usage. Activities in the affected portions of the parks and open spaces consisted primarily of passive activities, such as eating lunch, resting, and making phone calls. Areas that would be newly shaded would, in most cases, be located at the edges of the affected parks and open spaces. Given the limited increase in shadow size and duration, the proposed height increase from 300 to 400 feet would not create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas. Therefore, the Proposed Project changes would not result in any new or more severe significant impacts compared to those identified in the EIS/EIR, and no new mitigation measures would be required.

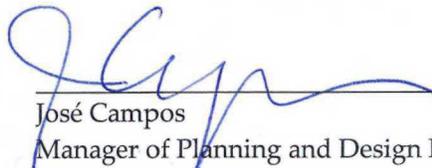
Conclusion

Based on the foregoing, it is concluded that the analyses conducted and the conclusions reached in the Final EIS/EIR certified on April 22, 2004 remain valid. The proposed revisions to the project would not cause new significant impacts not identified in the EIS/EIR, nor would the project cause significant impacts previously identified in the EIS/EIR to become substantially more severe. No new mitigation measures would be necessary to reduce significant impacts. No changes have occurred with respect to circumstances surrounding the Proposed Project that would cause significant environmental impacts to which the project would contribute considerably, and no new information has become available that shows that the project would cause significant environmental impacts. Therefore, no supplemental environmental review is required beyond this Addendum.

Date of Determination:

January 14, 2016

I do hereby certify that the above determination has been made pursuant to State and Local requirements.



José Campos
Manager of Planning and Design Review,
Office of Community Investment and Infrastructure

cc:

Bulletin Board / Master Decision File
Distribution List