

## **RESOLUTION NO. 25-2009**

*Adopted March 3, 2009*

### **GRANTING AN EXCEPTION FROM THE HEIGHT LIMIT RESTRICTION FOR BUILDING SIGNS IN THE YERBA BUENA CENTER REDEVELOPMENT PLAN RELATED TO TENANT SIGNAGE AT THE METREON SITE LOCATED AT THE NORTHEAST CORNER OF FOURTH STREET BETWEEN MISSION AND HOWARD STREETS; YERBA BUENA CENTER APPROVED REDEVELOPMENT PROJECT AREA D-1**

#### **BASIS FOR RESOLUTION**

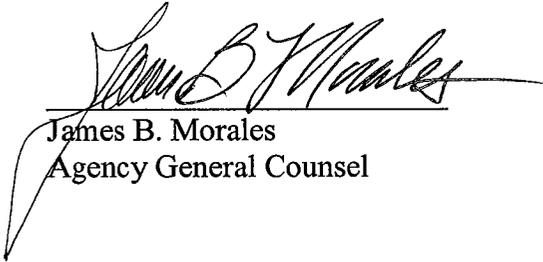
1. The Redevelopment Agency of the City and County of San Francisco (the "Agency") is the fee owner of that portion of the Yerba Buena Center Approved Redevelopment Project Area D-1 located on the block bounded by Mission Street, Third Street, Howard Street and Fourth Street, known as Central Block 2 ("CB-2"). On May 9, 1997, the Agency entered into the Central Block 2 Entertainment and Retail Lease (the "Ground Lease") for the portion of CB-2 which includes the Metreon Site (defined below) with Yerba Buena Entertainment Center LLC. The Ground Lease was recorded in the Official Records of the San Francisco Recorder's Office ("Official Records") on May 13, 1997 as Document No. 97-G159383-00.
2. On April 18, 2006, the Agency Commission adopted Resolution No. 57-2006 approving the Assignment and Assumption of the Ground Lease by Westfield Metreon, LLC, a Delaware limited liability company, and FC Metreon LLC, a Delaware limited liability company (jointly the "Project Sponsor") as successor-in-interest to Yerba Buena Entertainment Center LLC. The Assignment and Assumption was recorded in the Official Records as Document No. 2006-I166666-00.
3. Pursuant to the Subsequent Construction provisions of Section 10 of the Ground Lease, Westfield/Forest City is undertaking certain improvements to the approximately 360,000 square foot Metreon building located at 101 Fourth Street, San Francisco, California (the "Metreon"). The land under the Metreon is legally known as Assessor's Block 3723, Lots 114 and 115 (the "Metreon Site").
4. The Project Sponsor is proposing substantial interior and exterior improvements to the Metreon including an interior reconfiguration that would enable new commercial uses, including new retail, entertainment, and restaurant uses.
5. In connection with such improvements, the Project Sponsor seeks approval of an exception, as permitted under Section II.C.19 of the Yerba Buena Center Redevelopment Plan (the "Plan") to the Plan standards that restrict exterior signage height fifty (50) feet above plaza grade.

6. The Plan stipulates that building signs shall be an integral design element of the building. The Plan further states that exceptions may be granted if the literal interpretation of the standards for the development conflict with the intent of the general purposes of the Plan.
7. To capture the visibility of the proposed new fourth floor tenant from the Gardens below, Westfield/Forest City proposes a cut out letter type sign to be mounted atop a window canopy over the outdoor terrace. The height of the top of the sign's letters will be sixty-three (63) feet above the Gardens plaza grade at the east side of the complex. The Plan limits such signage to fifty (50) feet above plaza grade. Therefore, this sign would require an exception to the Plan standards of thirteen (13) feet.
8. At sixty-three (63) feet high, the proposed tenant sign at the east side of the building is visible from the Gardens and from the Howard Street entries to the Moscone Center. At a lower height of fifty (50) feet above the plaza, and as seen from the Gardens, the sign would be partially obscured by and visually conflict with the tall building wall at the foreground. At the sixty-three (63) feet height, the sign is clearly a distinct building element that integrates into the overall design of the complex.
9. On February 20, 2009, staff mailed, pursuant to Agency Resolution No. 1-78 (March 21, 1978), a notice of the public hearing regarding the proposed exception to the Plan's Development Standards to the owners of all real property within a 300-ft radius of the boundaries of the Metreon Site.
10. Agency approval of the proposed exception from the height limit restriction for the tenant sign at the Metreon building is an activity that is an alteration to an existing facility that would have no resultant significant environmental impacts and are categorically exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15301(a).

## RESOLUTION

**ACCORDINGLY, IT IS RESOLVED** by the Redevelopment Agency of the City and County of San Francisco that an exception is granted from the height limit restriction for building signs in the Yerba Buena Center Redevelopment Plan related to tenant signage at the Metreon Site located at the northeast corner of Fourth Street between Mission and Howard Streets, Yerba Buena Center Approved Redevelopment Project Area D-1.

**APPROVED AS TO FORM:**

  
James B. Morales  
Agency General Counsel