MEMORANDUM

TO: Community Investment and Infrastructure Commissioners

FROM: Tiffany Bohee
Executive Director

SUBJECT: Conditionally approving, pursuant to the Transbay Implementation Agreement, the schematic design for a proposed high-density residential project on Transbay Blocks 6/7, located on Folsom Street between Fremont and Beale Streets, and making environmental findings pursuant to the California Environmental Quality Act; Transbay Redevelopment Project Area

Conditionally authorizing, pursuant to the Transbay Implementation Agreement and the Option Agreement, the Executive Director to exercise an option to purchase Blocks 6/7 (Block 3738, Lot 004), located on Folsom Street between Fremont and Beale Streets, from the Transbay Joint Powers Authority and to execute a Disposition and Development Agreement with Golub Real Estate Corp., an Illinois corporation, and Mercy Housing California, a California non-profit public benefit corporation, for a proposed residential project with 409 market-rate and 70 affordable units on Block 6, and adopting environmental findings pursuant to the California Environmental Quality Act; Transbay Redevelopment Project Area

EXECUTIVE SUMMARY

The Transbay Redevelopment Project Area (the “Project Area”) was adopted in 2005 with the purpose of redeveloping 10 acres of property owned by the State of California (the “State-owned parcels”) in order to generate funding for the Transbay Joint Powers Authority to construct the new Transbay Transit Center (the “TTC”). The Transbay Redevelopment Project Area Implementation Agreement (the “Implementation Agreement”) is an enforceable obligation that requires the Office of Community Investment and Infrastructure (“OCII”), as the Successor Agency (the “Successor Agency”) to the former San Francisco Redevelopment Agency (the “Former Agency”), to “prepare and sell [certain State-owned parcels that OCII is authorized to acquire] to third parties.” (Section 2.1 (a) of the Implementation Agreement at p. 4). The Option Agreement for the Purchase and Sale of Real Property (the “Option Agreement”) provides the means by which OCII can fulfill its obligations under the Implementation Agreement to prepare and sell the State-owned parcels. The Option Agreement grants to OCII “the exclusive and irrevocable option to purchase” the former State-owned parcels in the Project Area that are programmed for development, which are listed in the Option Agreement, including Blocks 2-12 and Parcel F (Section 2.1 of the Option Agreement at p. 4).
On July 6, 2011, pursuant to the Implementation Agreement, the Former Agency issued a Request for Proposals (the “RFP”) from development teams to design and develop a high-density, mixed-income residential project on Blocks 6/7 in the Transbay Redevelopment Project Area. The development program for Blocks 6/7 includes approximately 550 market-rate and affordable housing units, neighborhood serving retail, and a child-care facility integrated into two master-planned blocks. Development teams were asked to submit qualifications, a basic development concept, and a financial proposal, including a minimum total purchase price of $18 million for the land attributable to the market-rate portion of the project and a maximum Agency subsidy of $200,000 per unit for the affordable housing.

On December 6, 2011, after a competitive selection process, the Former Agency Commission authorized staff to enter into negotiations for the development of Blocks 6/7 with the development team lead by Golub Real Estate Corp. (“Golub”) and Mercy Housing California (“Mercy), along with Solomon Cordwell and Buenz (“SCB”) as the lead architect for the market-rate component of the development and Santos Prescott and Associates (“Santos Prescott”), a small business enterprise, as the architect for the affordable component. The proposal from Golub/Mercy included a purchase price of $30,000,000, 545 residential units (409 market-rate units, including 61 inclusionsary units and 136 stand-alone affordable units), and a requested subsidy from the Former Agency for the stand-alone affordable units of less than $200,000 per unit.

Due to the dissolution of the Former Agency on February 1, 2012, and the challenges that created for funding the affordable component of the development, the original proposal from Golub/Mercy was revised. Instead of providing inclusionary units in the market-rate component of the project, Golub will pay a fee of $24,300,000 to cover a portion of the anticipated Former Agency subsidy for the affordable component. The fee will cover the entire subsidy needed for the affordable component on Block 6, and a portion of the subsidy needed for Block 7. Based on this revised proposal, OCI II staff negotiated the terms of a disposition and development agreement (the “DDA”) with Golub/Mercy for the sale of Blocks 6/7 and the development of Block 6 with 409 market-rate units, 70 affordable units, shared open space, and a shared underground parking garage. The DDA, however, does not cover the development of Block 7, which includes 77 affordable units, a child care facility and shared open space, because it will be constructed at a future date by Mercy, when additional affordable housing funding becomes available. OCI II will own Block 7 until it is developed by Mercy, prior to which time the DDA authorizes Golub and Mercy to use Block 7 for staging related to the construction of Block 6.

The California Department of Finance (“DOF”) is currently reviewing the Successor Agency’s request that DOF determine “finally and conclusively” that the Implementation Agreement and other Transbay obligations are enforceable obligations that will not require additional DOF review in the future. Until DOF issues a Final and Conclusive Determination acknowledging OCl II’s obligations to dispose of the State-owned parcels, OCl II’s acquisition and disposition of Blocks 6/7 will be subject to additional review and approval by the Oversight Board of the City and County of San Francisco (the “Oversight Board”) and DOF.
Staff recommends: (1) conditional approval of the schematic design; (2) conditional authorization of the exercise of OCII’s option and approval of the Disposition and Development Agreement.

DISCUSSION

Project Description

Blocks 6/7 comprise two adjacent development sites connected by a proposed extension of Clementina Alley. Block 6 is a 42,625-square-foot parcel on Folsom Street between Fremont and Beale Streets, two blocks south of the future Transbay Transit Center. Block 7 is a 27,728-square-foot parcel located between Fremont and Beale Streets, immediately north of Block 6. Per the RFP, the two sites will share an underground parking garage.

Blocks 6/7 are part of the Transbay Redevelopment Project Area (the “Project Area”), a 40-acre redevelopment district at the foot of Rincon Hill which includes the Transbay Transit Center (under construction) and approximately 10 acres of vacant public land. The Project Area was established in June 2005 with the adoption of the Redevelopment Plan for the Transbay Project Area (the “Redevelopment Plan”) by the Board of Supervisors. In addition, the Former Agency entered into several agreements to implement the Redevelopment Plan, including, among others, the Implementation Agreement, the Transbay Redevelopment Project Tax Increment Allocation and Sales Proceeds Pledge Agreement (the “Pledge Agreement”), and the Option Agreement. Pursuant to the Pledge Agreement, all of the land sales proceeds from Blocks 6/7 have been pledged to the TJPA to help pay the cost of constructing the new TTC.

The Implementation Agreement requires OCII to take the lead role in facilitating the development of the State-owned parcels. Specifically, the Implementation Agreement requires OCII to: (1) prepare and sell the State-owned parcels to third parties, (2) deposit the sale proceeds into a trust account to help the TJPA pay the cost of constructing the TTC, (3) implement the Redevelopment Plan to enhance the financial feasibility of the Project, and (4) fund the state-mandated affordable housing program. The Option Agreement provides the means by which OCII can fulfill its obligations under the Implementation Agreement to prepare and sell the State-owned parcels, by granting OCII an option to purchase certain State-owned parcels in order to facilitate their development. The California Department of Finance (“DOF”) is currently reviewing the Successor Agency’s request that DOF determine “finally and conclusively” that the Implementation Agreement, the Pledge Agreement, and the statutory housing obligations in Section 5027.1 of the California Public Resources Code¹ are enforceable obligations under the Redevelopment Dissolution Law, Section 34177.5 (i) of the California

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¹ Section 5027.1 of the Public Resources Code was added by Assembly Bill No. 812 (2003). It states, in part: “Notwithstanding any other law, any redevelopment plan adopted to finance, in whole or in part, the demolition of the Transbay Terminal building and the construction of a new terminal, including its associated vehicle ramps, shall ensure that at least 25 percent of all dwelling units developed within the project area shall be available at affordable housing cost to, and occupied by, persons and families whose incomes do not exceed 60 percent of the area median income, and that at least an additional 10 percent of all dwelling units developed within the project area shall be available at affordable housing cost to, and occupied by, persons and families whose incomes do not exceed 120 percent of the area median income.”
Health and Safety Code. Until DOF issues a Final and Conclusive Determination acknowledging OCI’s obligations to dispose of the State-owned parcels, OCI’s acquisition and disposition of Blocks 6/7 will be subject to additional review and approval by the Oversight Board and DOF.

The development program for Blocks 6/7 conforms to the goals and requirements of the Redevelopment Plan, the Development Controls and Design Guidelines for the Transbay Redevelopment Project (the “Development Controls”), and the Transbay Redevelopment Project Area Streetscape and Open Space Concept Plan (the “Streetscape and Open Space Plan”). The development program, as proposed by Golub/Mercy for Blocks 6/7 and shown in the site plan and renderings in Attachment 1, includes:

- A market-rate residential project on Block 6, consisting of (1) a 32-story tower on the west end of the block and an attached six-story podium building on Folsom Street with a combined 402 units and (2) a row of two-story townhouses on the south side of Clementina Street with 7 units, for a total of 409 market-rate units (the “Market-Rate Project”);
- An affordable project on Block 6, consisting of an eight-story podium building on the east end of the block with 70 units (the “Block 6 Affordable Project”);
- An affordable project on Block 7, consisting of four-story buildings on the east and west ends of the block and a four-story row of stacked townhouses along the north side of Clementina Street, with a total of 77 units (the “Block 7 Affordable Project”);
- A shared underground parking garage with approximately 133 spaces, entirely under Block 6, which will accommodate parking for the Market-Rate Project, the Block 6 Affordable Project and the Block 7 Affordable Project;
- A shared open space on Block 6, which will be used by both the Market-Rate Project and the Block 6 Affordable Project, and which will be open to the public during daytime hours;
- A child care facility on the ground floor of the podium building at the east end of Block 7, which will be open to all children of appropriate age (an operator will be selected at a future date during the development process for Block 7);
- A shared open space on Block 7, which will be shared by the residents of the Block 6 Affordable Project, the Block 7 Affordable Project and the child care facility on Block 7 and which will not be open to the public; and
- Streetscape improvements conforming to the Streetscape and Open Space Plan.

Selection Process and Dissolution

Under the Implementation Agreement, the Former Agency was required, among other things, to “prepare and sell the Agency Transfer Parcels to third parties” and to fulfill the “affordable housing requirements of Section 5027.1 of the California Public Resources Code.” Implementation Agreement, (§§ 2.1 (a) & (d) at pp. 4-5). The Former Agency issued the RFP on July 6, 2011. It publicized the RFP to developers, architects, and real estate professionals, including SBEs from the Former Agency’s certified SBE list, through direct mailing, advertisements in newspapers of general circulation and community newspapers, and postings on the Former Agency’s and City of San Francisco’s (the “City”) websites. The RFP asked
development teams to submit a land purchase offer and a development concept for Blocks 6/7. The stated goals of the RFP were to: 1) achieve the highest purchase price for the market-rate component of the development, 2) maximize the total number of units in the affordable component of the development, 3) achieve the lowest possible per unit subsidy for the affordable component of the project, and 4) maximize efficiencies and cost savings across the entire project. The RFP also stated that the selected development team would be required to comply with all of the Former Agency’s policies, including the SBE Program, Minimum Compensation Policy, Health Care Accountability Policy, Construction Workforce Agreement Permanent Workforce Agreement and Prevailing Wage Policy.

The scoring criteria in the RFP included a total of 100 points, including points for the market-rate financial proposal (40 points), the affordable component financial proposal (15 points), the development concepts for the market-rate and affordable components (15 points each), the market-rate development team experience (10 points), and the affordable development team experience (5 points). The proposals were reviewed and evaluated by a selection panel consisting of Former Agency staff, a member of the Transbay Citizen’s Advisory Committee (the “CAC”), and a representative of the San Francisco Planning Department. The selection panel received assistance from Keyser Marston Associates, a real estate consulting firm, which produced an analysis of the financial proposals submitted by the teams. Four proposals were submitted to the Former Agency and the Golub/Mercy team received the highest total score. On December 6, 2011, staff recommended and the Former Agency Commission approved entering into negotiations with Golub/Mercy as the development team for Blocks 6/7.

After the dissolution of the Former Agency on February 1, 2012, OCII staff, working with the Mayor’s Office of Housing (“MOH”), worked with Golub/Mercy to change some aspects of their development proposal. The RFP had contemplated that the market-rate component of the development would include 15 percent affordable inclusionary housing within the tower and townhouses and that the affordable component of the development would be subsidized by the Former Agency. However, after the dissolution of the Former Agency, OCII no longer had any current funding available to subsidize the affordable component of the development. As a result, OCII negotiated a revised deal with Golub/Mercy under which Golub would pay a fee to cover a portion of the anticipated Former Agency subsidy for the affordable components of the development instead of building any inclusionary housing within the tower and townhouses. Per the affordable housing projections shown in Attachment 1, despite the reduction in the number of affordable housing units on Block 6 compared to the original proposal from Golub/Mercy, the Project Area will still be able to achieve the 35 percent affordable housing for the area that is required under the Section 5027.1 of the California Public Resources Code (“AB 812”).

Golub/Mercy’s original response to the RFP included: (1) the Market-Rate Project consisting of the tower, podium and townhouses with a total of 409 residential units, including 61 inclusionary units; and (2) an Affordable Project consisting of 70 units in a podium building on Block 6, and approximately 80 units in two podium buildings and townhouses on Block 7, for a total of 150 units affordable to families whose incomes do not exceed 50 percent of the area median income. The revised proposal, described above, has the Market-Rate Project and the Affordable Project in the same buildings as originally proposed. However, instead of building 61 inclusionary units in the Market-Rate Project, Golub will pay an affordable housing fee of $24.3 million to OCII, which will cover the entire subsidy for the Block 6 Affordable Project and a large portion of the
subsidy for the Block 7 Affordable Project. The $24.3 million figure is based on the standard in-lieu fee amount in the City Planning Code, adjusted upward by approximately $3 million based on the higher affordability requirement in the Project Area. The land purchase price for the Market-Rate Project, $30 million, has not changed from the original proposal submitted by Golub in response to the RFP. Because the purchase price has been pledged to the TJPA and the TJPA had relied on the original purchase offer that Golub proposed, the purchase price could not be changed.

In addition to the changes to the Affordable Project described above, due to the lack of funding available for the Block 7 Affordable Project, the construction of Blocks 6/7 will be phased. Block 6, including the Market-Rate Project, the Block 6 Affordable Project, the shared open space on Block 6, and the shared underground parking garage, will be constructed first beginning Fall 2013. The Block 7 Affordable Project, including the child care facility and the shared open space on Block 7, will be constructed at a future date by Mercy, when additional affordable housing funding becomes available.

**Proposed DDA Terms**

Based on the proposal submitted by Golub/Mercy in response to the RFP, as revised in response to the dissolution of the Former Agency, OCII staff has negotiated a DDA with Golub/Mercy for the sale of Blocks 6/7 to Golub and the construction of the Market-Rate Project, the Block 6 Affordable Project, the shared open space on Block 6 and the shared underground parking garage. The proposed Block 6 DDA terms include:

- A non-refundable negotiation deposit of $350,000, which Golub shall pay to OCII within five days of the effective date of the DDA and which shall be used by OCII to fund its staffing costs;
- A good faith deposit of $2,000,000, which Golub shall pay to OCII within 30 days of the effective date of the DDA and which shall be applied to the purchase price;
- A purchase price for Block 6 of $30,000,000, which Golub shall pay to OCII at or prior to close of escrow;
- An affordable housing fee of $24,300,000 (the “Affordable Housing Fee”), which Golub shall pay to OCII at or prior to close of escrow. The affordable housing fee shall be allocated as follows: 1) $14,000,000 for the Block 6 Affordable Project (or $200,000 per unit, the maximum amount of the subsidy allowed by the original RFP) and 2) $10,300,000 for the Block 7 Affordable Project. Note that this amount is not enough to fully fund the Block 7 Affordable Project and therefore that project must be phased to begin construction at a future date when additional public funding is available;
- Predevelopment activities for the Block 6 Affordable Project and the Block 7 Affordable Project, which shall be funded by Golub in advance of the payment of the Affordable Housing Fee as follows: 1) an amount not to exceed $3,000,000 for completion of predevelopment activities for the Block 6 Affordable Project and 2) an amount not to exceed $2,000,000 for predevelopment activities for the Block 7 Affordable Project. Funds advanced by Golub for predevelopment activities will be credited against the Affordable Housing Fee;
- Construction of the Block 6 improvements by Golub, including the Market-Rate Project, the Block 6 Affordable Project, the shared open space on Block 6, the streetscape
improvements, and the shared underground parking garage, which shall include parking spaces for the future Block 7 Affordable Project. Golub shall be responsible for hiring the construction contractor, in compliance with OCIII’s contracting policies, and for paying its pro-rata share of the cost of the shared improvements, including the open space, the streetscape improvements and the underground parking garage. The Block 6 Affordable Project will be funded with the Affordable Housing Fee, as well as other affordable housing funding sources to be secured by Mercy, and will pay its pro-rata share of the cost of the shared improvements. The Block 7 share of the cost of the underground parking garage shall be paid out of the Affordable Housing Fee for the Block 7 Affordable Project;

- Commencement of construction occurring as soon Fall 2013, but no later than 18 months from execution of the DDA, and completion of construction occurring as soon as Spring 2015, but no later than 48 months from execution of the DDA.

Approval of the DDA is critical to the TJPA’s funding plan for the new Transbay Transit Center (“TTC”). The TJPA is relying on the $30 million purchase price to help pay the cost of the structural steel contract for the above-ground structure, and any delay in the closing date could delay the construction schedule for the TTC. The DDA includes additional terms related to insurance and liability, as well as a detailed schedule of performance and remedies in the event that the schedule is not met. The essential terms described above were approved by the CAC at its January 10, 2013, meeting.

The action before the Commission to approve of the DDA includes an authorization for the Executive Director to purchase Blocks 6/7 from the TJPA pursuant to the Option Agreement between the TJPA, the City and OCIII. The Option Agreement grants to OCIII “the exclusive and irrevocable option to purchase” the former State-owned parcels in the Project Area that are programmed for development, which are listed in the Option Agreement, including Blocks 2-12 and Parcel F (Section 2.1 of the Option Agreement at p. 4). The Option Agreement further states that OCIII may exercise its option only after certain conditions have been met, including that the Commission has “adopted a resolution approving and authorizing the transactions contemplated by this Agreement.” (§§ 4.1 (a) – (d) at pp. 5-6) Provided that the Commission authorizes the exercising of the option, OCIII will deliver written notice to the TJPA and acquire Blocks 6/7 prior to close of escrow with Golub under the DDA. Golub will acquire all of Blocks 6/7 from OCIII then subdivide the larger parcel into separate parcels, including Block 6 and Block 7. Once the properties are subdivided, Block 7 will be reconveyed to OCIII for development at a later date, subject to a separate agreement between OCIII and Mercy. The DDA provides that, prior to its development, OCIII will permit Golub and Mercy to use Block 7 for staging related to the construction of Block 6, pursuant to a license agreement that will be executed at a future date.

The schedule for the development of Block 7 is dependent on when sufficient funding becomes available to provide the subsidy required for the 77 affordable units to be constructed. OCIII is working closely with MOH to identify funding sources, including tax increment, which can be used for Block 7. Given the need to use Block 7 for construction staging, the earliest construction could begin on Block 7 would be 2015.
Design

OCII staff requested that the development team complete the schematic design for Blocks 6/7 all at once, even though the Block 7 Affordable Project will be constructed later. The Development Controls and the RFP envisioned both parcels being developed as a fully integrated project, so that the blocks will complement each other and work together, even though they are being designed by different architects. The development team agreed and SCB and Santos Prescott worked together and with OCII staff to prepare a unified schematic design that was reviewed and approved by the CAC at its January 10, 2013, meeting. OCII has reviewed the design and it conforms to all of the requirements of the Redevelopment Plan, the Development Controls and the Streetscape and Open Space Plan.

As shown in the site plan and renderings in Attachment 2, the proposed design for Blocks 6/7 includes a sleek, elegant residential tower alongside podium buildings and ground-floor townhouses lining the proposed new Clementina Alley. Per the requirements of the Development Controls and the RFP, the different buildings have been designed by different architects in order to provide variety and visual interest in the architecture of the project. SCB is responsible for the Market-Rate Project, which is on Block 6 and includes the tower and an attached podium building on Block 6, as well as townhouses on the south side of Clementina Alley. Santos Prescott is responsible for the Block 6 Affordable Project, which is an 85-foot podium building, and the Block 7 Affordable Project, which includes two 50-foot podium buildings and townhouses on the north side of Clementina Street.

In addition to an attractive, modern design, the Blocks 6/7 project focuses on two key goals: 1) creating opportunities for social interaction between the residents of the different buildings and 2) creating an innovative sustainable design program. Unlike other high-density developments, where residents only interact in elevators and lobbies, the Blocks 6/7 project attempts to create a true community by providing access to large, open balconies and roof decks in addition to the shared open space at the ground level. As shown in the renderings in Attachment 2, the tower will include “sky parks” – shared balconies – at every third floor, in lieu of private balconies, where residents of the tower can meet informally in much the same way a front porch or a pocket park creates chance meetings in other neighborhoods. In the same way, the roof decks and shared ground floor open space provide attractive areas for social interaction that will draw people together. In fact, the Block 6 shared open space will be open to the public, and therefore will serve as a neighborhood meeting place, in addition to an amenity for the residents. The Blocks 6/7 design will achieve the Green Point equivalent of LEED Gold certification (125 Green Points) and centers around an integrated, high-performance façade that reduces energy consumption, substantially reduces the first cost and operating cost of the mechanical systems, and produces up to 70 percent of the energy needed for domestic hot water and heating.

As required by the Development Controls, the design for Blocks 6/7 includes ground-floor retail on Folsom Street, which will activate this new neighborhood “main street” with pedestrian activity. Also, as required by the Development Controls, the design includes individually-accessible townhouses on Clementina Alley, in order to create a more pedestrian-friendly neighborhood environment. Finally, as required by the RFP, the Block 7 Affordable Project includes a child care facility, along with an associated open space, which can be used by the
residents of the Block 6 Affordable Project and the Block 7 Affordable Project during evenings and weekends.

The Market-Rate Project will be a rental development and includes 65 studio/junior 1-bedroom units, 247 1-bedroom/1-bedroom + den units and 97 2-bedroom units. There are no requirements for any particular unit sizes for market-rate developments in the Project Area, due to the need to maximize land values and generate needed funding for the TJPA. Both the Block 6 Affordable Project and the Block 7 Affordable Project units will be rentals and available to households earning 50 percent of area median income. The Block 6 Affordable Project includes 56 1-bedroom units and 14 2-bedroom units. The Block 7 Affordable Project includes 30 1-bedroom units, 30 2-bedroom units and 17 3-bedroom units.

As is typical, there remain a number of detailed issues that must be resolved in subsequent design stages (i.e., design development or construction documents). Staff recommends the conditions of approval listed in Attachment 3, and approval of the schematic design subject to these conditions.

**Compliance with OCII’s Contracting Policies**

Blocks 6/7 will generate 860 job-years of construction jobs and will be subject to all of OCII’s contracting policies, including the Small Business Enterprise (“SBE”) Program, which provides first consideration in awarding contracts to SBEs and sets a goal of 50 percent SBE participation for professional, personal services, and construction contracts, the Minimum Compensation Policy, the Health Care Accountability Policy, the Construction Workforce Agreement, the Permanent Workforce Agreement and the Prevailing Wage Policy. The development team has already brought several SBEs on board, including Santos Prescott, the lead architect for the Block 6 Affordable Project and the Block 7 Affordable Project. During construction, OCII requires that the developer ensure equal opportunities for its construction workforce and sets a 50 percent goal for hiring San Francisco residents.

**CALIFORNIA ENVIRONMENTAL QUALITY ACT**

On April 20, 2004, the Former Agency Commission adopted Resolution No. 45-2004, certifying the Final Environmental Impact Statement/Environmental Impact Report (the “Final EIS/EIR”) for the Transbay Redevelopment Project, and on January 25, 2005 adopted Resolution No. 11-2005, adopting findings under the California Environmental Quality Act (“CEQA”), a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program in connection with the adoption of the Redevelopment Plan. The Board of Supervisors and the Planning Commission adopted similar findings. Because the Final EIS/EIR includes evaluation of the proposed Transbay Terminal, the TJPA also adopted environmental findings.

The Final EIS/EIR includes by reference a number of addenda. The addenda include the following:

- Addendum #1 – adopted by the TJPA on June 2, 2006, assessed the additional use of the temporary Transbay Terminal by Greyhound, another transit carrier.
• Addendum #2 - adopted by the TJPA on April 19, 2007, assessed modifications of the rail tracks and underground tunnels leading to the new Transit Center.
• Addendum #3 - adopted by the TJPA on January 17, 2008, evaluated the addition of 546 Howard Street to the Transit Center.
• Addendum #4 - adopted by the TJPA on October 17, 2008, evaluated the configuration, boarding platforms and passenger waiting areas, and bus staging areas of the temporary Terminal, and associated modifications to bus lanes on surrounding streets.
• Addendum #5 - adopted by the TJPA on April 9, 2009, evaluated the building design of the new Transit Center.
• Addendum #6 - adopted by the TJPA on December 8, 2011, evaluated minor refinements to the proposed bus ramp component of the Transit Center.

In adopting each Addendum, the TJPA determined that modifications to the Project would not require subsequent environmental review and would not require major revisions to the Final EIS/EIR.

The Final EIS/EIR is a program EIR under CEQA Guidelines Section 15168 and a redevelopment plan EIR under CEQA Guidelines Section 15180. The Final EIS/EIR is also a project EIR under CEQA Guidelines Section 15161 for certain structures and facilities, including the Temporary Terminal. The Block 6 DDA is an undertaking pursuant to and in furtherance of the Redevelopment Plan in conformance with CEQA Sections 15180 and 15168 (the “Implementing Action”).

Staff has reviewed the DDA and related actions for Block 6/7 and has considered and reviewed the Final EIS/EIR and addenda and finds the proposed action is an Implementing Action and within the scope of the Project analyzed in the Final EIS/EIR and subsequent addenda and no additional environmental review is required pursuant to State CEQA Guidelines Sections 15180 and 15168. The Final EIS/EIR and addenda were distributed to the Commission (see Attachment 4) and are available for review at OCII’s offices.

(Originated by Christine Maher, Development Specialist, and Mike Grisso, Senior Project Manager)

Tiffany Bohee
Executive Director

Attachment 1: Transbay Residential Development Projections
Attachment 2: Renderings and Site Plan for Block 6/7
Attachment 3: Conditions of Approval – Blocks 6/7 Schematic Design
Attachment 4: Transbay Final EIS/EIR