

COMMISSION ON COMMUNITY INVESTMENT AND INFRASTRUCTURE

RESOLUTION NO. 36-2015

Adopted June 16, 2015

ADOPTING ENVIRONMENTAL REVIEW FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND CONDITIONALLY AUTHORIZING AN AMENDMENT TO THE DEVELOPMENT CONTROLS AND DESIGN GUIDELINES FOR THE TRANSBAY REDEVELOPMENT PROJECT FOR CONSISTENCY WITH THE PROPOSED MINOR AMENDMENT TO THE TRANSBAY REDEVELOPMENT PLAN AND TO ADD CLARIFYING LANGUAGE FOR OPEN SPACE, PARKING, AND IMPACT FEE REQUIREMENTS SPECIFIC TO GENERAL OFFICE LAND USES IN ZONE ONE; TRANSBAY REDEVELOPMENT PROJECT AREA

- WHEREAS, The Successor Agency to the Redevelopment Agency of the City and County of San Francisco, a public body organized and existing under the laws of the State of California, commonly known as the Office of Community Investment and Infrastructure (“Successor Agency” or “OCII”), proposes to adopt amendments to the Development Controls and Design Guidelines for the Transbay Redevelopment Project (the “Development Controls”), for consistency with a proposed minor amendment to the Redevelopment Plan for the Transbay Redevelopment Project Area, approved by the Commission on Community Investment and Infrastructure (“Commission”) on April 7, 2015 and approved by the Board of Supervisors of the City and County of San Francisco (“Board of Supervisors”) on June 9, 2015; and,
- WHEREAS, The Board of Supervisors approved the Redevelopment Plan for the Transbay Redevelopment Project Area (“Redevelopment Plan”) by Ordinance No. 124-05, adopted on June 21, 2005 and by Ordinance No. 99-06, adopted on May 9, 2006; and,
- WHEREAS, The Redevelopment Plan establishes the land use controls for the Transbay Redevelopment Project Area (“Project Area”) and divides the Project Area into two subareas: Zone One, in which the Redevelopment Plan defines the land uses, and Zone Two, in which the Planning Code applies. Zone One is intended to be developed with predominantly residential uses; however, general office uses are authorized on specific sites within Zone One by the Redevelopment Plan and supporting documents including the Development Controls and Design Guidelines for the Transbay Redevelopment Project (the “Development Controls”); and,

- WHEREAS, The Development Controls set forth development requirements and design recommendations that apply to development within the Project Area and implement the Redevelopment Plan's authorization for the development of office uses within Zone One and provide additional guidance for the development of Block 5. The Development Controls state that "In the event that the commercial land use alternative is applied to Block 5 ... the development density for such development shall be that of the downtown commercial C-3-O district in the Planning Code."; and,
- WHEREAS, On April 7, 2015, pursuant to Resolution No. 16-2015, the Commission on Community Investment and Infrastructure approved a minor amendment to the Redevelopment Plan, to provide that the maximum floor plate sizes for general office buildings in Zone One shall be consistent with the bulk limits permitted by Sections 270 (Bulk Limits: Measurement) and 272 (Bulk Limits: Special Exceptions in C-3 Districts") of the San Francisco Planning Code, as amended from time to time, for development within the C-3-O ("Downtown Office") Zoning District (the "Minor Amendment"); and,
- WHEREAS, The Commission forwarded the Minor Amendment to the Board of Supervisors with a recommendation for approval and the Board of Supervisors approved the first reading of the ordinance authorizing the Minor Amendment on June 9, 2015 and will consider approval of the second reading of the ordinance on June 16, 2015. The Minor Amendment will become effective 90 days after the Mayor signs the legislation amending the Redevelopment Plan; and,
- WHEREAS, The Office of Community Investment and Infrastructure, as the successor agency to the Redevelopment Agency of the City and County of San Francisco ("OCII or the "Successor Agency"), is now recommending amendments to the Development Controls consistent with the Redevelopment Plan, as amended, to specify the applicable bulk controls for commercial land use, and to clarify additional standards applicable to general office development in the commercial development alternative for Block 5 in Zone One, including open space, parking, and impact fee requirements (the "Development Controls Amendment"); and,
- WHEREAS, The Commission is concurrently considering approval of an Owner Participation/Disposition and Development Agreement with MA West, LLC , a Delaware limited liability company, and a Schematic Design for a proposed commercial project consisting of 766,745 gross square feet of office area and 8,642 square feet of retail area on Block 5; and,
- WHEREAS, On April 20, 2004, the Commission of the Former Redevelopment Agency of the City and County of San Francisco ("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 City Planning

Commission adopted similar findings. Because the Final EIS/EIR includes evaluation of the new Transbay Transit Center ("TTC"), the Transbay Joint Powers Authority ("TJPA") also adopted environmental findings. The FEIS/EIR expressly contemplated the development of commercial office and hotel uses within the Project Area, including up to 848,435 square feet of mixed-use office and retail development on Block 5 of Zone One; and,

WHEREAS, The Final EIS/EIR includes by reference a number of addenda. A total of eight addenda to the Final EIS/EIR were adopted by the TJPA between June 2, 2006 and December 8, 2011, all related to the development of the TTC site and transportation infrastructure supporting the TTC; and,

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

WHEREAS, The Commission finds that the Development Controls Amendment is part of the Transbay Redevelopment Project analyzed under the Final EIS/EIR for purposes of compliance with CEQA and that the Development Controls Amendment requires no additional environmental review pursuant to State CEQA Guidelines Sections 15180, 15168, 15162, and 15163. All environmental effects of the Development Controls Amendment have been considered and analyzed in the prior environmental FEIS/EIR; now, therefore, be it

RESOLVED, That the Commission hereby approves the Development Controls Amendment, which is attached to this Resolution as Exhibit A, conditioned upon the effectiveness of the Minor Amendment to the Redevelopment Plan.

I hereby certify that the foregoing resolution was adopted by the Commission at its meeting of June 16, 2015.



Commission Secretary

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LAND USE AND DENSITY

The objectives of the Transbay Redevelopment Plan are implemented through the following two land use areas that allow the creation of a new downtown neighborhood and the enhancement of the connection between the new Transbay Terminal and downtown San Francisco. The conceptual land use framework for the Project Area is described in the Design for Development. The specific permitted land uses are listed in the Redevelopment Plan. On page 11, Map 2 shows the land use zones. The land use zones shown on this map are:

Zone One (Transbay Downtown Residential) is a mixed-use, high-density residential district that also provides convenience goods and services to the immediately surrounding neighborhoods, as well as comparison shopping goods for a wider market.

Density: There is no maximum residential density for living units. In the case that the commercial land use alternative is applied on Block 5, as discussed on page 22, the development density shall be that of the downtown commercial C-3-O district in the Planning Code **bulk controls and maximum floor plate sizes for the commercial tower shall be consistent with the bulk limits permitted by Bulk District S in Sections 270 (Bulk Limits: Measurement) and 272 (Bulk Limits: Special Exceptions in C-3 Districts) of the San Francisco Planning Code, as amended from time to time, for the C-3-O District (Downtown Office).**

Zone Two (Transbay C-3). As part of downtown San Francisco, this portion of Transbay is subject to the Planning Code requirements for downtown zoning districts, in addition to some additional requirements that are described further in Chapter IV.

Density: The applicable downtown C-3 zoning districts of the Planning Code set the development densities in Zone Two.

The Development Controls and Design Guidelines in this document refer to these land use zones.

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Building Height Ranges

1. Building heights within Zone One must conform to the Zone One Height Ranges Map (Map 5) on page 19. In order to ensure full use of the development opportunities in Transbay, the parcels within this district have both a minimum and a maximum height control. Non-tower parcels in this area fall under four distinct height ranges.
2. Tower parcels have been assigned very specific height ranges on the height map. The Design for Development determined appropriate placements and heights for each residential tower according to a set of criteria that included sunlight access for public space, preservation of views through the Project Area, contributions to cityscape, and skyline transitions between downtown, Rincon Hill, the South of Market district and the Embarcadero.
3. The height limits are to be measured from the average street grade elevation to the roof of the top occupied floor of each development and do not include rooftop elements such as mechanical equipment, facilities for rooftop open space, or structures for tower caps.
4. Towers may be extended an additional 10 percent of the allowed height for non-habitable architectural elements to screen mechanical equipment and to resolve the top of the tower design. **The Residential tower extensions** must have an average cross section square footage not more than 66 percent of the square footage of the top occupied floor of the building.

TABLE I—BUILDING HEIGHT RANGES

Parcel Typology*	Minimum Building Height	Maximum Building Height	Maximum Number of Floors
Townhouse	35 feet	50 feet	4
Podium 1	40 feet	65 feet	6
Podium 2	50 feet	85 feet	8
Mid-Rise	65 feet	165 feet	

*Refer to Height Ranges Map for specific height ranges for each tower parcel.

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Block Development Alternatives

Due to unresolved factors in the Project Area, three of the development blocks have alternative parcel configurations and thus different height district locations than described in the preceding building envelope discussion. The development pattern shown on Maps 3 and 5 is the preferred plan; however, the alternatives, ~~some of~~ which are shown in Figure 3, can be applied if specific conditions exist at the time of development. The alternative block patterns and the conditions triggering their application are described below.

Block 5 Alternatives

Block 5 has two alternative development scenarios. Either of these alternatives may be affected by the potential alignment for the underground railroad spur. One Block 5 development option, **illustrated in Figure 3D**, may be exercised if the Agency determines that economic conditions create a strong preference for commercial development over residential development. **This alternative allows a commercial tower upon the southwestern portion of the block.** ~~The following Planning Code Sections shall apply to commercial development:~~

In its approval of a commercial tower on Block 5, the Agency shall apply standards on the tower parcel in Figure 3D based on the following Planning Code sections, as amended from time to time, to the extent that they are consistent with the Redevelopment Plan, including its Planning Goals and Objectives and requirements that exactions shall be paid to the Agency and benefit the Project Area:

– Section 137. *Modifications of Certain Plazas, Arcades and Sidewalks*

– **Section 138. Privately-Owned Public Open Space Requirements in C-3 Districts as applied in C-3-O Districts; however, where the developer has reached agreement with the Transbay Joint Powers Authority (“TJPA”) to provide the required amount of open space on TJPA property, the Agency may modify the Section 138 requirements to accommodate the temporary use of the property by TJPA for activities related to the construction of the Transbay Transit Center.**

– **Section 145.1(c)(4)(B) Street Frontages in Neighborhood Commercial, Residential-Commercial, Commercial, and Mixed-Use Districts - Controls – Ground Floor Ceiling Height.**

– Section 149. *Artwork, Recognition of Architect and Artists and Model Requirements in C-3 Districts*

– Section 151.1. Schedule of Permitted Off-Street Parking Spaces in Specified Districts; however, the requirement for space devoted to off-street parking shall not exceed 3.5% of gross floor area, consistent with the standard for non-residential uses set forth in Table 151.1 of Section 151.1 of the San Francisco Planning Code, for the C-3-O(SD) District.

--Section 152.1. Required Off-Street Freight Loading and Service Vehicle Spaces in C-3-0(SD)

--Section 153(a)(6). Rules for Calculation of Required Spaces

– Section 155. General Standards as to Location and Arrangement of Off-Street Parking, Freight Loading and Service Vehicle Facilities as applied in C-3 Districts.

– Section 155.1. Bicycle Parking: Definitions and Standards

– Section 155.2. Bicycle Parking: Applicability and Requirements for Specific Uses

– Section 155.4. Requirements for Shower Facilities and Lockers

– Section 163. *Transportation Management Programs and Transportation Brokerage Services in C-3 and South of Market Districts*

– Section 164. *San Francisco Resident Placement and Training Program*

– Section 165. *Child Care Plans and Child-Care Brokerage Services in C-3 Districts*

– Section 166. Car Sharing

– Section 270. Bulk Limits: Measurement (Bulk District S)

– Section 272. Bulk Limits: Special Exceptions in C-3 Districts.

– Section 411. Transit Impact Development Fee.

– Section 412. Downtown Park Fee

– Section 413. Jobs-Housing Linkage Program; Housing Requirements for Large-Scale Development Projects

– Section 414. Child-Care Requirements for Office and Hotel Development Projects

– Section 427. Payment in Cases of Variance or Exception for Required Open Space

– Section 429. Artworks, Options to Meet Public Art Fee Requirement, Recognition of Architect and Artists, and Requirements in C-3 Districts

Since the Agency shall apply development standards based on the Planning Code sections above to the tower parcel in Figure 3D, the following sections and controls of these Development Controls and Design Guidelines for the Transbay Redevelopment Project shall therefore not apply to that parcel:

B. Development Envelope – Setbacks and Bulk Controls

C. General Controls and Guidelines – Ground Floor Commercial Design Development Controls 7 and 8, Parking, and Open Space

The second alternative for Block 5, illustrated in Figure 3A, applies if a development proposal maintains the residential land use but determines through additional site planning and urban design analysis that the residential tower would be better placed upon the southwestern portion of the block.

Block 8 Alternative

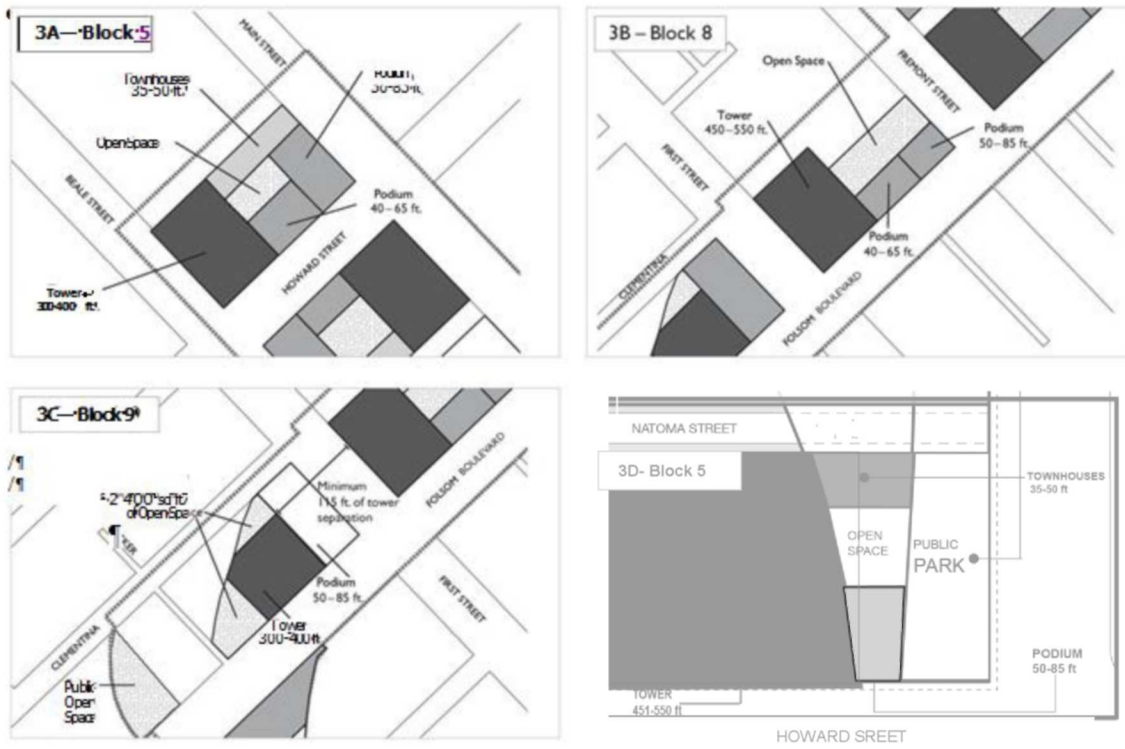
Block 8 may need to be reconfigured if the Fremont Street off ramp from the Bay Bridge is designed with a curved alignment to intersect with Folsom Boulevard. The alternative block configuration shown in Figure 3B would eliminate portions of Clementina Street and the potential for townhouse development along the northwestern portion of the block.

Block 9 Alternative

Block 9 may be constrained by residential development on a portion of the block not under public ownership. The potential constraints are shown in Figure 3C. Alternative building configurations will be considered given this constraint, but block designs must ensure that at least 2,400 square feet of shared open space is built to function as the open space parcel for the block. Any proposed tower site must maintain a 115-foot minimum tower separation from other buildings above 85 feet in the area.



FIGURE 3—BLOCK-DEVELOPMENT ALTERNATIVES



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C. GENERAL CONTROLS AND GUIDELINES

Overall Building Design

New buildings in the district shall become models for future urban development creating a high-density pedestrian-oriented neighborhood, incorporating sustainable design principles.

Development Controls

1. Each building on a development block shall be designed with individual facade characteristics that distinguish it from neighboring structures. Additionally, buildings with facade lengths greater than 100 feet along a side shall use modulation and facade articulation to create a finer grained street wall.
2. Along all townhouse setback frontages, buildings are to be designed with individually accessible residential units. These units must conform to the standards described in the Building Type Development Controls and Design Guidelines.
3. Ground floor commercial spaces are required along the Folsom Boulevard frontage, along the retail mews of Block 2, and at the corners of buildings on Howard Street. These commercial spaces must conform to the general standards and guidelines for ground floor retail development below.
4. Building designs should provide at least one break in the street wall per block to provide physical access for residents and visual access for the public to the private open space from the street.
5. In order to create a cohesive public realm and pedestrian environment throughout the district, project sponsors must ensure that their building designs are compatible with and contribute to the Streetscape and Public Open Space Plan.
6. All residential dwelling units are required to have primary exposure to a street, an alley or the central open space of the block.
7. All residential and commercial buildings are required to create facilities for recycling operations. All garbage and recycling facilities must be placed fully within the building and shall not be visible from the public right-of-way.
8. **All projects are encouraged to use the Leadership in Energy and Environmental Design (LEED) standards throughout the building design process. Buildings must be designed to meet or exceed the sustainability standards as specified in the San Francisco Green Building Code and the City of San Francisco Department of Building Inspection Administrative Bulletin No. AB-093, as amended from time to time. Building designs should be reviewed by a LEED certified professional.**

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Design Guidelines

- ~~1. All projects are encouraged to use the Leadership in Energy and Environmental Design (LEED) standards throughout the building design process. Buildings should be designed to meet or exceed a LEED Silver level of certification. Building designs should be reviewed by a LEED-certified professional.~~
2. **1.** Prominent entrance lobbies should be designed as the primary access to upper floor residential units. From the street, these entry lobbies should provide visual interest, orientation, and a sense of invitation. Townhouse units will have direct access to the sidewalk in addition to the lobby, and should be oriented toward the street.
3. **2.** Exit door alcoves on the sidewalk are discouraged when they do not share space with any active public surveillance such as primary entrances or store windows.
4. **3.** Garbage / recycling facilities and other utility services are to be provided for all buildings in a location that balances residential access, convenient pick-up and maintenance, and screening of visual impact from the street.
5. **4.** All retail establishments and residential units should be designed with operable windows to allow for natural ventilation of indoor areas.
6. **5.** Space for the location of ducts, exhaust pipes and other appurtenances associated with commercial uses adjacent to the open space parcels should be integrated into the building. No ducts or exhaust pipes should encroach within areas designated for open space.