

COMMISSION ON COMMUNITY INVESTMENT AND INFRASTRUCTURE

RESOLUTION NO. 21 – 2022

Adopted June 21, 2022

APPROVING AN AMENDMENT TO THE DEVELOPMENT CONTROLS AND DESIGN GUIDELINES FOR THE TRANSBAY REDEVELOPMENT PROJECT IN CONJUNCTION WITH THE APPROVAL OF A MIXED-USE RESIDENTIAL PROJECT AT TRANSBAY BLOCK 4; TRANSBAY REDEVELOPMENT PROJECT AREA

- WHEREAS, In furtherance of the objectives of the California Community Redevelopment Law (Health and Safety Code, section 33000 et seq. the “Community Redevelopment Law”), the Redevelopment Agency of the City and County of San Francisco (“Former Agency”) undertook programs for the redevelopment of blighted areas in the City and County of San Francisco (“City”), including the Transbay Redevelopment Project Area (“Project Area”); and,
- WHEREAS, The Board of Supervisors of the City and County of San Francisco (“Board of Supervisors”) originally 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) and Ordinance No. 62-16 (April 28, 2016) (“Redevelopment Plan”); 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 Redevelopment Plan and Development Controls and Design Guidelines for the Transbay Redevelopment Project (as currently amended, the “Development Controls”) regulate land uses, and Zone Two, in which the Planning Code applies. Zone One is intended to be developed with predominantly residential uses. The Successor Agency solely administers and enforces land use entitlements for property and projects in Zone One and has delegated its authority over projects that do not require Successor Agency action in Zone Two to the San Francisco Planning Department pursuant to that certain Delegation Agreement between the Former Agency and the Planning Department for the Transbay Redevelopment Project Area (May 3, 2005); and,
- WHEREAS, On February 1, 2012, state law dissolved all redevelopment agencies including the Former Agency and required the transfer of certain of the Former Agency's assets and obligations to the Successor Agency to the Redevelopment Agency of the City and County of San Francisco (“Successor Agency”), commonly known as the Office of Community Investment and Infrastructure (“OCII”) (Cal. Health & Safety Code §§ 34170 et seq., “Redevelopment Dissolution Law”). On June 27, 2012, the Redevelopment Dissolution Law was amended to clarify that successor agencies are separate public entities from the city or county that had originally established a redevelopment agency and they succeed to the organizational status of the former redevelopment agency to complete any work related to an approved enforceable obligation, Cal. Health & Safety Code § 34173 (g); and,
- WHEREAS, The Board of Supervisors, acting as the legislative body of the Successor Agency, adopted Ordinance No. 215-12 (Oct. 4, 2012), which, among other matters: (a) acknowledged and confirmed that the Successor Agency is a separate legal entity from the City, and (b) established this Successor Agency Commission (“Commission”) and delegated to it 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.

WHEREAS, The authority of the Commission includes authority to grant approvals under land use controls for the Project Area specified in the Redevelopment Plan and to recommend amendments to the Redevelopment Plan, subject to approval by the Board of Supervisors as allowed under the CRL; and,

WHEREAS The Successor Agency now proposes to take actions concerning Transbay Block 4 and the adjacent future Tehama Street right of way within of Zone One of the Project Area, an approximately 56,375 square-foot area generally located at 200 Main Street, bounded by Howard, Main and Beale Streets and extending approximately 205 feet southeast from Howard Street (Assessor's Block 3739 Lot 010 ("Block 4") and Lot 011 ("Tehama Parcel") and collectively the "Site"). Specifically, Successor Agency seeks to enter into a disposition and development agreement ("DDA") with F4 Transbay Partners LLC, a Delaware limited liability company ("Developer") and Transbay Block 4 Housing Partnership, L.P., a California limited partnership ("Affordable Developer") for conveyance of the Site to Developer and subsequent development of a residential development project ("Project") generally consisting of (a) a residential tower 552 feet in height (513 feet at the roof of the last occupiable floor plus a rooftop mechanical screening/parapet element of a maximum 39 feet in height), including an attached wing up to 71 feet in height, collectively containing 155 for-sale residential condominium units, 219 market-rate rental residential units and no fewer than 105 rental units affordable to households earning from 100 to 120 percent of area median income, neighborhood retail uses, amenities spaces, open spaces and related supporting spaces; (b) an affordable residential building 179 feet in height (163 feet at the roof of the last occupiable floor, and a rooftop mechanical screening/parapet element of a maximum 16 feet in height) containing 201 rental units affordable to households earning from 40 to 100 percent of area median income (and one managers unit), with supporting facilities, amenities, open spaces and neighborhood retail, (c) an approximately 66,496 square foot underground shared parking garage accommodating up to 275 private vehicles valet-parked and/or parked via stackers, two car share spaces and a parking for a minimum of 556 bicycles; (d) open space and streetscape improvements within and surrounding the Site and including the extension of Tehama Street on the Tehama Parcel; and;

WHEREAS In connection with the Project, Successor Agency has, by Resolution No. 20-2022, approved and recommended to the Board of Supervisors for its review and approval an amendment the Redevelopment Plan to increase the maximum height limit for development on Block 4 from 450 feet to 513 feet and increase the maximum building floor plate sizes applicable to Block 4: (a) from 7,500 square feet to 13,500 square feet for buildings 85 feet to 250 feet in height, and (b) from 13,000 square feet to 15,200 square feet for buildings over 500 feet in height but limited to that portion of the building that is between 85 feet and 122 feet in height (the "Plan Amendment"). The Plan Amendment must be provided to the San Francisco Planning Commission for its review and recommendation, and to the San Francisco Board of Supervisors for its approval, the effectiveness of such approval by the Board of Supervisors being a condition to the effectiveness of this Resolution and the Development Controls Amendment; and,

WHEREAS, In addition, the Successor Agency proposes to take a series of conforming planning actions, consisting of: (1) approval of this Resolution amending the Development Controls as further described below, (2) authorization to enter into the DDA, (3) conditional approval of the Schematic Design for the development of the Site, and (4) recommendations of related actions to agencies responsible therefor, including but not limited to the General Plan Amendment (defined below), Zoning Map Amendment (defined below), Plan Amendment, and approval of the sale of the Site by the Board of Supervisors of the City and County of San Francisco for the purpose of compliance with Section 33433 of the California Health and Safety Code (collectively, the Plan Amendment, items 1 through 4 and related actions of responsible agencies are the “Proposed Actions”); and,

WHEREAS, Development of the Project as described in the DDA would require amendment of certain provisions of the Development Controls affecting the entirety of Block 4, the tower and its townhouse adjunct, and allowing the creation of a new Mid-Rise Parcel (“Development Controls Amendment,” as depicted in the attached Exhibit A); and,

WHEREAS, The Development Controls Amendment would add an alternative development program for Block 4 (“Alternative Development”) that would modify the block’s parcel designations, its setback requirements, and its height limits. It would allow construction over the Open Space Parcel to accommodate ground-floor driveway aisles and parking, with open space on the roof of this construction. It would allow off-street valet or temporary parking at grade within the Open Space Parcel. The Alternative Development would also eliminate townhouse frontage requirements and setback requirements on Beale Street, reduce them on Main Street, and reduce setback requirements on Tehama Street; and,

WHEREAS, The Alternative Development would increase the maximum heights of the Tower Parcel and the Townhouse Parcel from 450 to 513 feet and from 50 to 71 feet, respectively, as it would increase the maximum number of floors of the Townhouse Parcel from four to six. It would reduce the maximum height of Tower rooftop screening to 39 feet while requiring adequate screening of rooftop mechanical equipment to ensure the outline of the Tower does not exceed 552 feet in height; and,

WHEREAS, With respect to bulk limitations, the Alternative Development would increase the maximum floor plate area from 13,000 square feet to 15,200 square feet for the portions between 85 feet and 122 feet in height of a tower over 500 feet tall. Also, for a tower over 500 feet tall, it would increase the maximum plan dimension from 130 feet to 150 feet and the maximum floor plate ratio from 1:1.2 to 1:1.46; and,

WHEREAS, The Alternative Development would allow the application of the maximum 30-foot width of each townhouse to the expression of 30-foot-wide architectural modulations on the façade of the townhouse frontage thereby permitting townhouse units of a larger width; and,

WHEREAS, The Alternative Development would merge the Podium 1 Parcel, the Podium 2 Parcel and a portion of the Townhouse Parcel to create a new Mid-Rise Parcel on Block 4. It would increase the maximum heights of the former Podium 1 Parcel from 65 feet to 163 feet, of the former Podium 2 Parcel from 85 feet to 115 feet, and of the former portion of the Townhouse Parcel, proposed as part of the Mid-Rise Parcel, from 50 feet to 68 feet. With respect to the bulk of the Mid-Rise Parcel, the Alternative Development would increase the maximum plan dimension for buildings below 250 feet in height on Block 4 from 100 feet to 147 feet; and,

WHEREAS, The proposed maximum tower height is lower in height than the adjacent Transbay Block 5 “Park Tower” building and helps maintain the concept of a “saddle” shaped by building heights along the skyline between Rincon Hill and the Financial District, as viewed from the east and the west, and as proposed by the Transit Center District Plan. The increased height is similar to or lower than the height of nearby buildings immediately surrounding the Project. The increase in heights of all parcels in the Alternative Development produces a proportional “stepping up” effect of building heights from Block 3 Transbay Park north to the higher heights of buildings in the Transit District Subarea and Zone Two of the Project Area. The increases in height and bulk produces a minimal increase in new shadow over Transbay Block 3 Park; and,

WHEREAS, Transbay Block 5’s “Park Tower,” located immediately to the north of Block 4 across Howard Street, is a commercial office building with a much larger floorplate than allowed by the Development Controls. In 2015 the Development Controls were amended to allow for the Park Tower development. As a result of the expansion of the Tower Parcel on Block 5 and its increased bulk, to avoid placing the Block 4 Tower directly across Howard Street from the Park Tower, the Block 4 Tower would be required to carry a longer dimension along Main Street and a shorter dimension on Howard Street, which results in a need for an increased maximum plan dimension along Main Street and an increase of the tower’s floor plate aspect ratio. The increase in floor plate area in the lower quarter of the Tower extends the Tower base from 85 feet to 122 feet to provide a proportional tapering of the Tower massing; and,

WHEREAS, Increasing the maximum plan dimension for buildings under 250 feet in height is needed to effectuate the merging of the Podium Parcels to allow for a mid-rise building on Block 4. Removing or reducing townhouse frontages and setbacks around the perimeter of Block 4 is consistent with existing and proposed development surrounding Block 4, and allows for active ground floor uses, as well as additional dwelling unit floor area. The changes to Block 4 allowed by the Alternative Development provide appropriately-tailored additional floor area that increases the number of units that could be developed on Block 4, which contributes to the Project’s ability to deliver 45 percent of its units as affordable housing. Allowing ground-floor, lobby-level valet drop-off, and the resulting construction over the Open Space Parcel, enhances the marketability of the Tower units, and therefore, the financial feasibility of the Project; and,

WHEREAS, In addition to the Proposed Actions, Developer has applied to the San Francisco Planning Department requesting amendments to (i) the height classification for Block 4 in the Transit Center District Plan, a Sub Area Plan of the Downtown Plan (the “General Plan Amendment”) and (ii) the height classification for Block 4 in the Planning Code’s Height Map (the “Zoning Map Amendment”). The General Plan Amendment and the Zoning Map Amendment will provide for consistency between the General Plan, Planning Code, Redevelopment Plan, and Development Controls, and will allow the Project to be constructed in accordance with the design proposed by the Developer and described in detail in the DDA. The General Plan Amendment and Zoning Map Amendment must be reviewed and approved by the San Francisco Planning Commission and the San Francisco Board of Supervisors; and,

WHEREAS, On June 21, 2022, the Commission adopted Resolution No. 18-2022 by which the Commission determined that the Final Environmental Impact Statement/ Environmental Impact Report for the Transbay Terminal/Caltrain Downtown Extension/Redevelopment Project (the "FEIS/EIR" as defined in said resolution), together with further analysis provided in Addendum No. 9 to the FEIS/EIR (the "Addendum" as defined in said resolution), remains adequate, accurate, and objective and in compliance with the California Environmental Quality Act

(California Public Resources Code Sections 21000 et seq., "CEQA") and the CEQA Guidelines (14 California Code of Regulations Sections 15000 et seq.) for purposes of evaluating the potential environmental effects of the Proposed Actions (including the Development Control Amendment); and,

WHEREAS, The environmental effects of the Development Control Amendment have been analyzed in the environmental documents as described in Commission Resolution No. 18-2022. Copies of the FEIS/EIR and Addendum No. 9 are on file with the Commission Secretary; and,

WHEREAS OCII staff has reviewed the Development Control Amendment and in accordance with its Commission Memorandum and supporting information provided to the Commission and incorporated herein by reference finds it acceptable and recommends approval thereof; now therefore, be it

RESOLVED, That in Resolution No. 18-2022, the Commission adopted findings that various actions, including the Development Controls Amendment, were in compliance with CEQA and the CEQA Guidelines, said findings, which are on file with the Commission Secretary, being in furtherance of the actions contemplated in this Resolution and made part of this Resolution by reference herein; and, be it further

RESOLVED, That for the purposes of compliance with CEQA and the CEQA Guidelines, the Commission hereby adopts the findings and determinations set out in Resolution No. 18-2022, adopted concurrently herewith, that the Development Controls Amendment is within the scope of the project analyzed by the FEIS/EIR and Addendum No. 9; and, be it further

RESOLVED, That the Commission finds and determines that the Development Controls Amendment is consistent with and advances the objectives of the Redevelopment Plan as amended by the Plan Amendment; and be it further

RESOLVED, That the Commission approves the Development Controls Amendment; provided that the effectiveness of the Development Controls Amendment is subject to the effectiveness of the Plan Amendment.

I hereby certify that the foregoing resolution was adopted by the Successor Agency Commission at its meeting of June 21, 2022.



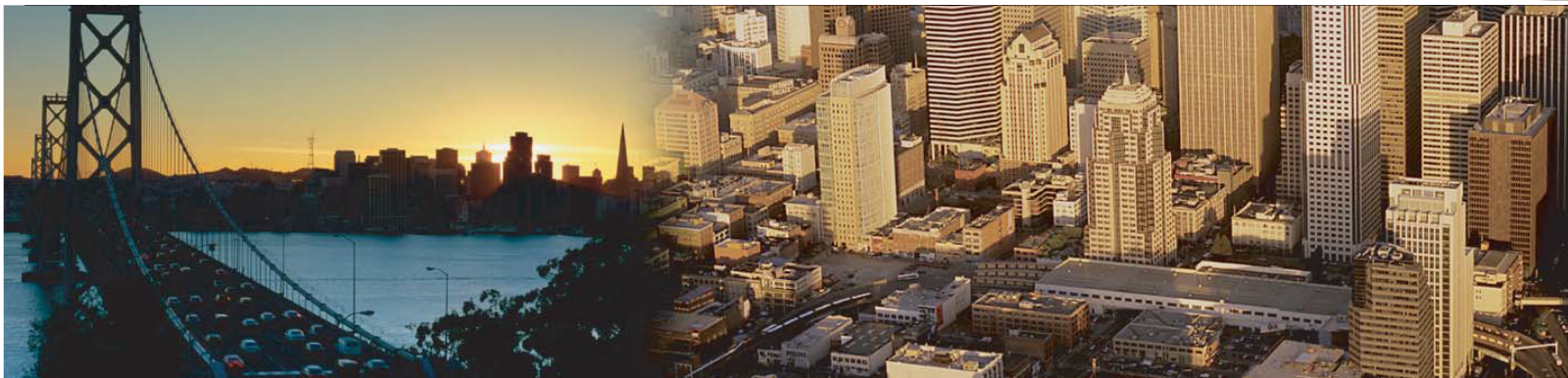
Commission Secretary

EXHIBIT A: Development Controls Amendment

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DEVELOPMENT CONTROLS AND DESIGN GUIDELINES FOR THE TRANSBAY REDEVELOPMENT PROJECT

Successor Agency to the Redevelopment Agency of the City and County of San Francisco



Adopted on January 25, 2005 by
The San Francisco Redevelopment Agency
Resolution No. 15-2005

Amended on June 16, 2015 by
The Commission of Community Investment and Infrastructure
Resolution No. 36-2015

Amended on June 21, 2016 by
The Commission of Community Investment and Infrastructure
Resolution No. 28-2016

Amended on XX ##, 2022 by
The Commission of Community Investment and Infrastructure
Resolution No. ##-2022

TABLE 2–BULK CONTROLS FOR RESIDENTIAL BUILDINGS

Building Height	Maximum Floor Plate	Maximum Plan Dimension	Maximum Floor Plate Aspect Ratio
85–250 feet	7,500 square feet	100 feet	1:1.6
251–300 feet	10,000 square feet	120 feet	1:1.4
301–350 feet	10,500 square feet	120 feet	1:1.4
351– 400 feet	11,000 square feet	120 feet	1:1.3
401– 450 feet	11,500 square feet	130 feet	1:1.2
451– 500 feet	12,000 square feet	130 feet	1:1.2
501– 550 feet	13,000 square feet*	130 feet	1:1.2

* The average floor plate above 350 feet must not exceed 12,000 square feet.

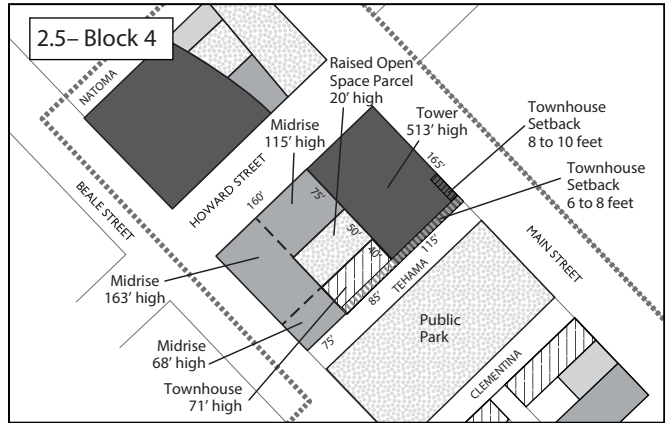
- The residential bulk controls prescribed in this section have been carefully considered in relation to the objectives and policies for Zone One of the Transbay Redevelopment Project Area. The maximum average floor plate above 350 feet and the maximum plan dimension for residential towers with heights of 451–550 feet have been written to conform to the San Francisco Downtown Area Plan. There may be some exceptional cases in which the maximum average floor plate above 350 feet and the maximum plan dimension for residential towers with heights of 451–550 feet could be permitted to be exceeded. The Agency may approve exceptions to these two residential controls provided that the project sponsors demonstrate that all of the design guidelines for towers are incorporated into the tower design. Except as otherwise provided herein, residential tower floor plates shall not exceed 13,000 square feet or plan dimensions shall not be in excess of 140 feet.

Block Development Alternatives

Due to unresolved factors in the Project area, four 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, which are shown in Figures 2.5 and 3, can be applied if specific conditions exist at the time of development. The alternative block patterns and the conditions triggering their applications are described here.

FIGURE 2.5 – BLOCK DEVELOPMENT ALTERNATIVE

Block 4 Alternative



Block 4 may be developed in a manner that optimizes development intensity, achieved primarily through height and bulk increases, to meet affordable housing targets in the Project Area.

The alternative development scenario for Block 4 envisions proportional height and bulk increases on all Parcels within the block. The maximum height of the Tower Parcel is increased from 450 feet to 513 feet. Accordingly, the Podium 1 and Podium 2 Parcels and portions of the Townhouse Parcels are combined and redesignated as a Mid-rise Parcel with maximum heights of 68 feet at Tehama Street, 163 feet along Beale Street, and 115 feet at the midblock of Howard Street. The Townhouse Parcels' maximum height is increased from 50 feet to 71 feet. Ground-floor setback requirements on Main and Beale Streets are eliminated to maximize retail and building-supporting facilities in lieu of ground floor units.

To facilitate the Block 4 Alternative, Figure 2.5 above and the following development controls shall supersede their corresponding development controls found elsewhere in this document:

Block 4 Alternative Development Controls: Overall Block

1. The Open Space Parcel may be raised up to 20 feet in height to house drive aisles and temporary parking via valet service on the ground level but, if raised, shall include a publicly-accessible, landscaped courtyard occupying the entirety of the roof accessed by steps from Tehama and Howard Streets, with no gates.
2. Off-street valet or temporary parking may be allowed at grade, under the Raised Open Space Parcel.

Block 4 Alternative Development Controls: Tower and Townhouse Parcel

3. Tower rooftop mechanical screening shall be no more than 39 feet in height measured from the roofline. All rooftop mechanical facilities shall not exceed the height of this screening.
4. The "Maximum Number of Floors" in the Townhouse Parcel shall be six.
5. The "Maximum Plan Dimension" for the Tower Building shall be 150 feet.
6. The "Maximum Floor Plate Aspect Ratio" for the Tower Building shall be 1:1.46.
7. The "Maximum Floor Plate" area for a portion of the Tower Building between 85 feet and 122 feet shall be 15,200 square feet.
8. Townhouse frontages on Main and Beale Streets are not required.
9. The 30-foot maximum width of the Townhouse modules shall be applied to the architectural façade expression of the Townhouse Parcel, and not to the interior demising walls of the units.

Block 4 Alternative Development Controls: Mid-Rise Parcel

10. The "Maximum Floor Plate Aspect Ratio" shall be 1:1.7.
11. The "Maximum Plan Dimension" shall be 147 feet.
12. The "Maximum Floor Plate" area shall be 13,500 square feet.

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.

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 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-O(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

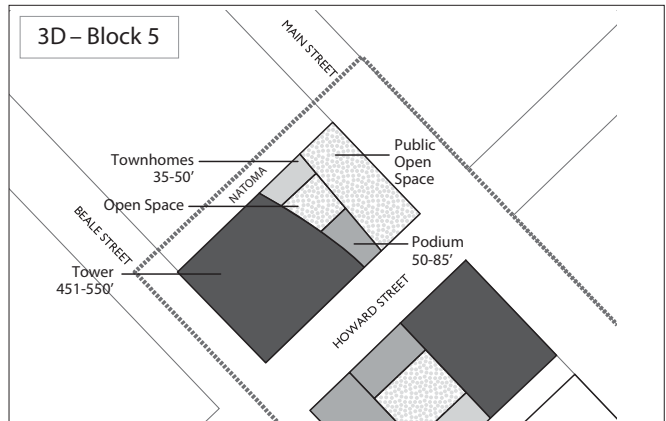
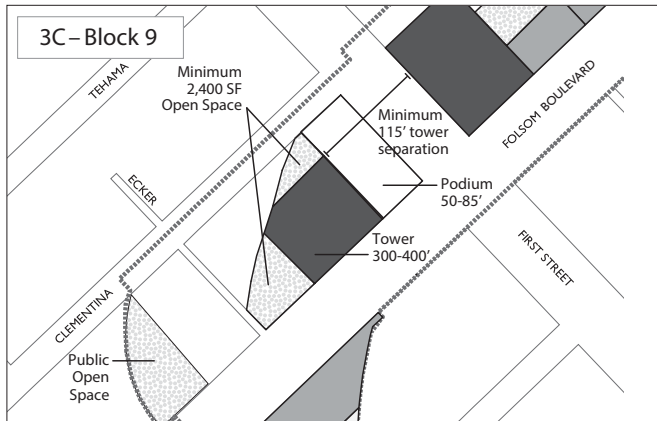
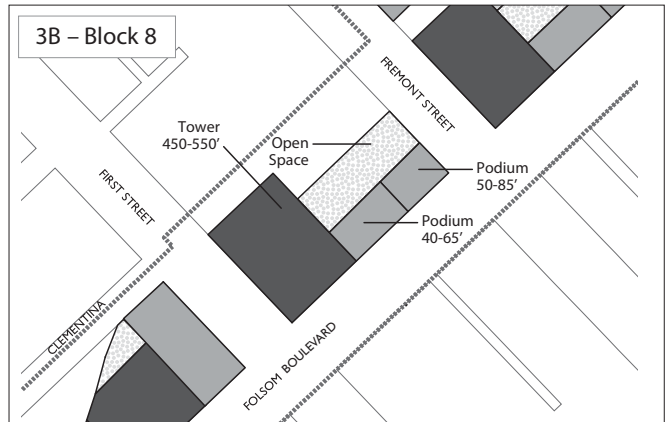
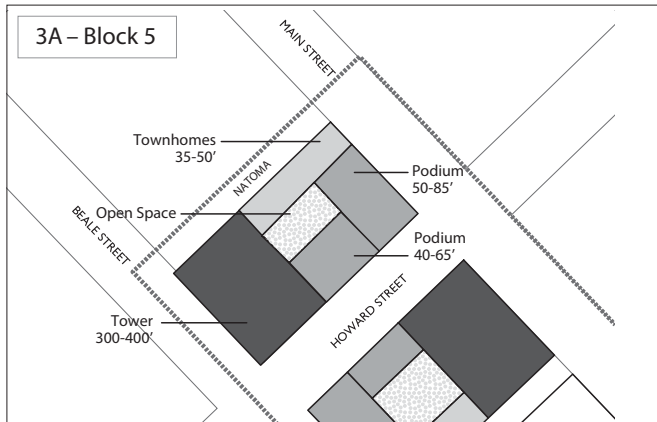
Since the Agency shall apply development standards based on the Planning Code sections above to the tower parcel in Figure 3D, the following sections and controls of these *Development Controls and Design Guidelines for the Transbay Redevelopment Project* shall therefore not apply to that parcel:

Section B: Development Envelope – Setbacks and Bulk Controls

Section 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.

FIGURE 3 – BLOCK DEVELOPMENT ALTERNATIVES (CONTINUED)



Block 8 Alternative

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

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.