



# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Motion No. 18629

HEARING DATE MAY 24, 2012

*Date:* May 24, 2012  
*Case No.:* **2007.0558EMTZU**  
*Project:* *Transit Center District Plan –  
Adoption of CEQA Findings*  
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**ADOPTING ENVIRONMENTAL FINDINGS AND A STATEMENT OF OVERRIDING CONSIDERATIONS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND STATE GUIDELINES IN CONNECTION WITH THE ADOPTION OF THE TRANSIT CENTER DISTRICT PLAN AND RELATED ACTIONS NECESSARY TO IMPLEMENT SUCH PLAN.**

WHEREAS, the Planning Department, the Lead Agency responsible for the implementation of the California Environmental Quality Act ("CEQA") has undertaken a planning and environmental review process for the proposed Transit Center District Plan and provided appropriate public hearings before the Planning Commission.

In 1985, the City adopted the Downtown Plan into the General Plan to guide growth in the Downtown area. Recognizing the potential for transit-oriented growth in the vicinity of the Transbay Terminal south of Market Street, the Downtown Plan called for concentrating the City's greatest densities and building heights in this area, as well as creating a system to transfer development rights from other parts of the downtown to this area.

Since the adoption of the Downtown Plan several major infrastructure changes have happened or are being undertaken. The Embarcadero Freeway was removed following the 1989 Loma Prieta earthquake, allowing for the renovation of the waterfront and rethinking of the southern side of the downtown. The City and region have embarked on a multi-billion dollar investment in improving and expanding transit infrastructure, further enhancing the transit accessibility of the area, through construction of a new Transbay Transit Center on the site of the former Transbay Terminal and an extension of intra-city rail from the current terminus at 4<sup>th</sup> and King Streets into the Transit Center. This is the single largest investment in public transit in San Francisco since the construction of BART in the early 1970s. In 2005 the City adopted the Transbay Redevelopment Plan to direct funding toward the Transit Center project and direct the redevelopment of underutilized publicly-owned lands, primarily those that formerly housed the Embarcadero Freeway, into a new high-density residential neighborhood.

In 2006, a Mayor's Interagency Working Group published a report calling for the City to investigate further land use studies around the Transit Center as to whether building densities and heights could be increased further in recognition of the transit investment and as to whether such growth could be leveraged to generate substantial new revenues to help fund the full Transit Center project, including the Downtown Rail Extension.

In 2007, the Planning Department initiated a public planning effort called the Transit Center District Plan, focused on the area roughly bounded by Market Street, Embarcadero, Folsom Street, and Hawthorne Street, whose five fundamental goals were to:

- (1) Build on the General Plan's Urban Design Element and Downtown Plan, establishing controls, guidelines and standards to advance existing policies of livability, as well as those that protect the unique quality of place;
- (2) Capitalize on major transit investment with appropriate land use in the downtown core, with an eye toward long-term growth considerations;
- (3) Create a framework for a network of public streets and open spaces that support the transit system, and provides a wide variety of public amenities and a world-class pedestrian experience;
- (4) Generate financial support for the Transit Center project, district infrastructure, and other public improvements; and
- (5) Ensure that the Transit Center District is an example of comprehensive environmental sustainability in all regards.

The Planning Department held numerous public workshops and worked with consultants throughout 2008 and 2009, resulting in the publication of a Draft Transit Center District Plan in November 2009. In April 2012 the Planning Department published a Plan Addendum revising and clarifying aspects of the Draft Plan.

The Transit Center District Plan ("the Plan"), a sub-area plan of the Downtown Plan, supports and builds on the Downtown Plan's vision for the area around the Transbay Transit Center as the heart of the new downtown. The Plan enhances and augments the Downtown Plan's patterns of land use, urban form, public space, circulation, and historic preservation, and makes adjustments to this specific sub-area based on today's understanding of the issues and constraints facing the area, particularly in light of the Transit Center project. The Plan's core recommendations include:

- Increasing allowable density and strategic increases to height limits in the Plan area to increase the transit-oriented growth capacity of the area while recognizing the importance of these buildings with respect to city form and impacts to the immediate and neighboring districts;
- Ensuring that major development sites incorporate commercial space in order to preserve the job growth capacity for the downtown;
- Enhancing the public realm and circulation system to accommodate growth and provide a world-class pedestrian experience, including widening sidewalks, providing dedicated transit lanes, augmenting the bicycle network, adding signalized mid-block crosswalks, and converting certain alleys into pedestrian plazas;

- Identifying and funding opportunities for new public open space and improved access to planned spaces, including at 2<sup>nd</sup>/Howard, Transbay Park, Mission Square and City Park on the roof of the Transit Center, as well as providing additional funding for park improvements in the downtown outside of the Plan area;
- Enlarging the New Montgomery-2<sup>nd</sup> Street Conservation District and updating individual resource ratings based on a newly-adopted survey;
- Identifying opportunities to explore advanced district-level energy and water utility systems to improve environmental performance beyond individual buildings; and
- Adopting a funding program including two new key revenue mechanisms – impact fees and a Mello-Roos Community Facilities District – to ensure that new development contributes substantially toward the implementation of necessary public infrastructure, including the Transit Center/Downtown Extension project.

The San Francisco Planning Department is seeking to adopt and implement the Transit Center District Plan. The core policies and supporting discussion in the Plan have been incorporated into a Sub-Area Plan proposed to be added to the Downtown Plan. The Sub-Area Plan, together with other General Plan, Planning Code, Zoning Map, and Administrative Code Amendments, and approval of an Implementation Document provide a comprehensive set of policies, regulatory controls and implementation programming to realize the vision of the Plan.

The actions listed in Attachment A hereto (“Actions”) are part of a series of considerations in connection with the adoption of the Transit Center District Plan and various implementation actions (“Project”), as more particularly described in Attachment A hereto.

The Planning Department determined that an Environmental Impact Report (hereinafter “EIR”) was required for the proposed Transit Center District Plan and provided public notice of that determination by publication in a newspaper of general circulation on July 20, 2008.

Notices of availability of the DEIR and of the date and time of the public hearing were posted in the project area by Department staff on September 28, 2011.

On September 28, 2011, copies of the DEIR were mailed or otherwise delivered to a list of persons requesting it, to those noted on the distribution list in the DEIR, to adjacent property owners, and to government agencies, the latter both directly and through the State Clearinghouse.

Notice of Completion was filed with the State Secretary of Resources via the State Clearinghouse on September 28, 2011.

The Commission held a duly advertised public hearing on said DEIR on November 3, 2011 at which opportunity for public comment was given, and public comment was received on the DEIR. The period for acceptance of written comments ended on November 28, 2011.

The Department prepared responses to comments on environmental issues received at the public hearing and in writing during the 60 day public review period for the DEIR, prepared revisions to the text of the DEIR in response to comments received or based on additional information that became available during the public review period, and corrected errors in the DEIR. This material was presented in a Draft Comments and Responses document, published on May 10, 2012, distributed to the Commission and all parties who commented on the DEIR, and made available to others upon request at the Department.

A Final Environmental Impact Report (hereinafter "FEIR") was prepared by the Department, consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available, and the Comments and Responses document all as required by law.

The Planning Commission, on May 24, 2012, by Motion No. 18628 reviewed and considered the FEIR and found that the contents of said report and the procedures through which the FEIR was prepared, publicized and reviewed complied with the provisions of CEQA, the CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code.

Also by Motion No. 18628 , the Planning Commission, finding that the FEIR was adequate, accurate and objective, reflected the independent judgment of the Planning Commission and that the Comments and Responses document contains no significant revisions to the DEIR, adopted findings of significant impacts associated with the Project and certified the completion of the FEIR for the Project in compliance with CEQA and the CEQA Guidelines.

The Planning Department prepared proposed Findings, as required by CEQA, including mitigation measures and significant environmental impacts analyzed in the FEIR, adoption of such measures, rejection of alternatives, and overriding considerations for approving the Project, including all of the actions listed in Attachment A hereto, and a proposed mitigation monitoring and reporting program, attached as Exhibit 1 to Attachment A. These materials were made available to the public and this Planning Commission for the Planning Commission's review, consideration, and actions.

THEREFORE BE IT RESOLVED, that the Planning Commission has reviewed and considered the FEIR and hereby adopts the Project Findings attached hereto as Attachment A, including adoption of Exhibit 1, the mitigation monitoring and reporting program, and imposition of those mitigation measures in that are within the Planning Commission jurisdiction as project conditions, and incorporates the same herein by this reference.

I hereby certify that the foregoing Motion was ADOPTED by the Planning Commission at its regular meeting of May 24, 2012.

Linda D. Avery

**Motion No. 18629**  
**Hearing Date: May 24, 2012**

**CASE NO. 2007.0558EMTZU**  
**Adoption of CEQA Findings Related to the**  
**Transit Center District Plan and Related Actions**

Commission Secretary

AYES: Commissioners Fong, Wu, Antonini, Borden, and Sugaya

NOES: Commissioner Moore

ABSENT: Commissioner Miguel

ADOPTED: May 24, 2012