

San Francisco Bay Conservation and Development Commission

375 Beale Street, Suite 510, San Francisco, California 94105 tel 415 352 3600
State of California | Gavin Newsom – Governor | info@bcdca.gov | www.bcdca.gov

June 2, 2023

Application Summary

Kilroy Oyster Point Life Sciences Complex

(For Commission consideration on June 15, 2023)

Permit Application Number: 2022.003.00
Applicant: KR Oyster Point III, LLC
Project Description: Construct an approximately 27-acre life sciences office campus, including a waterfront park.
Location: Within the 100-foot shoreline band, and within a San Francisco Bay Plan-designated “Waterfront Park, Beach” Priority Use Area, at 385 Oyster Point Boulevard, in the City of South San Francisco, San Mateo County.
Application Filed Complete: June 2, 2023
Deadline for Commission Action: August 31, 2023
Staff Contact: Ethan Lavine (415/352-3618; ethan.lavine@bcdca.gov)

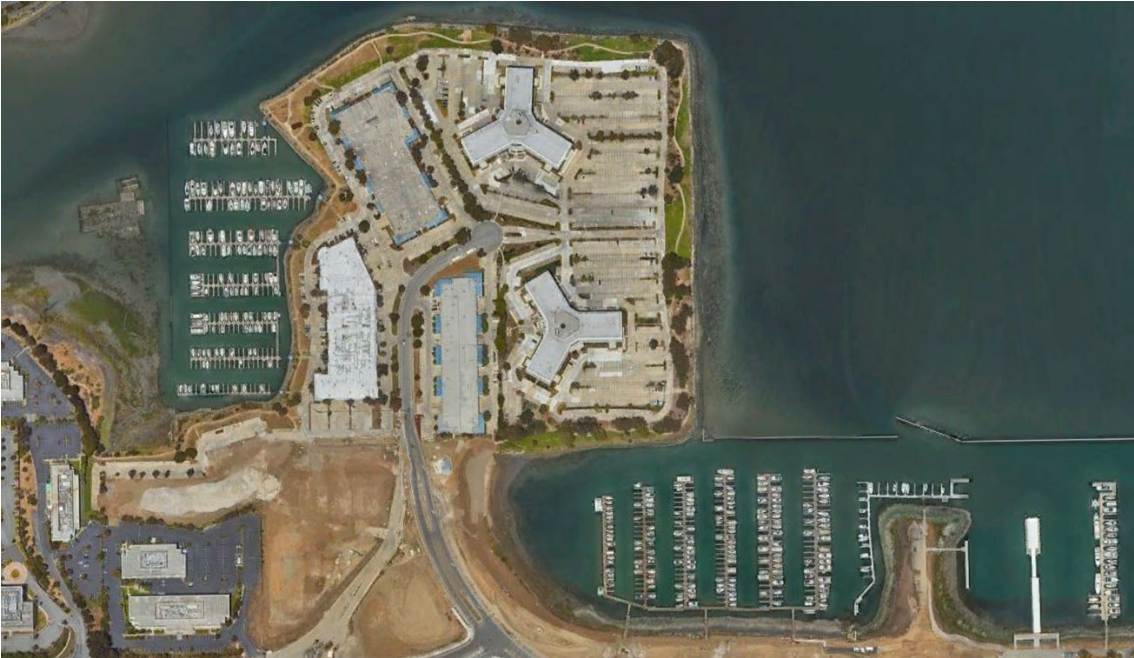


Figure 1. The project site is located at Oyster Point, in the City of South San Francisco, San Mateo County.



Project Overview

Project Description

The proposed project would develop an approximately 27-acre life sciences office campus, including a waterfront park. The work within the Commission's permitting jurisdiction is associated with Phases 3 and 4 of the Oyster Point Waterfront District, in the City of South San Francisco. (Phase 2D is also part of the total Kilroy Oyster Point Life Sciences Project, although development associated with this phase is located outside of the Commission's permitting jurisdiction). The Commission previously authorized the work associated with Phases 1 and 2C of the Oyster Point Waterfront District as part of BCDC Permit No. 2017.007.



Figure 2. A site plan of the overall Oyster Point Waterfront District. The initial phases, which include an Office/R&D complex, a hotel, and approximately 9.9 acres of public access and waterfront parks, were authorized by the Commission in 2018. The Kilroy Oyster Point Life Sciences Complex is located within the outlined area on the site plan above.

Use

The project site is partially located within a San Francisco Bay Plan (Bay Plan)-designated "Waterfront Park, Beach" Priority Use Area, identified on Bay Plan Map No. 5. Within the portions of the site carrying this designation, the proposed project includes only public access facilities compatible with a waterfront park. These facilities would include an improved segment of the San Francisco Bay Trail, a ramp down to the water's edge to provide for launching small boats and paddleboards, picnic and exercise facilities, planted areas, and other improvements typical of a waterfront park.

Public Access

The project site today includes an approximately 3.79-acre public access area constructed in association with BCDC Permit No. 1982.004.01(B), which includes an 8-foot-wide segment of the San Francisco Bay Trail running along the western perimeter of the project site. This area would be entirely redesigned as part of the proposed project to accommodate a wider, minimum 20-foot-wide Bay Trail segment, flanked by a mix of improvements compatible with a waterfront park, including open lawn areas, picnic areas, terraced seating, a “perched beach” (the beach area does not touch the water, but is located along the water’s edge and provides an area for lounging and recreation), 15 “Public Shore” public access parking spaces, and other public access facilities. Overall, the original 3.79-acre public access area will be expanded by 12 percent, to 4.25 acres.



Figure 3. Site Plan highlighting public access facilities to be provided along the waterfront park

Flooding and Sea Level Rise

The primary resilience measure incorporated into the design of the proposed project would be to raise the grade of the site to an elevation at or above +13 feet NAVD88, where project elements would not be subject to flooding in extreme events before mid-century, as projected by the “medium-high” risk aversion scenario in the State of California’s 2018 Sea Level Rise Guidance. Most of the major elements in the waterfront park would be constructed between +13.8 and +16.6 feet NAVD88, and are designed to avoid anticipated flooding for the life of the project. An exception is a lower-lying “Wetland Terrace” area. This planted area would include salt-tolerant plantings and is anticipated to be subject to inundation within the life of the project.

Should adaptive measures be required during the life of the project to protect public access facilities from flooding resulting from rising sea levels, the applicants have provided an adaptation plan that proposes options including: “1) Incorporating a parapet wall along the edge of the trail or project shoreline; 2) Increasing the height of the outer 1’ wide concrete band of the Bay Trail in areas where the trail is close to the water’s edge; or 3) Placing an array of boulders in areas with gardens and other vegetated features to create a barrier.”

Environmental Justice and Social Equity

The Commission has developed a Community Vulnerability Mapping Tool to help inform its analysis of how socioeconomic indicators and contamination burdens contribute to a community’s vulnerability. According to the Community Vulnerability Mapping Tool, the project is located in an area of “moderate social vulnerability.” The applicant conducted outreach that included approximately 41 public meetings between May 2017 and Summer 2021. These included in-person events at an office established near the project site prior to the pandemic, and online meetings in the time since the onset of the pandemic.

The application states that aspects of the project were modified in response to community input, resulting in, among other things: the inclusion of a larger wetland area to provide for more wildlife habitat; modifications to enhance accessibility of public features; and implementing phasing to reduce burdens to park users. The application states that “[t]he only requests from the community that have not yet been addressed involve requests for additional marina facilities. Because KOP is currently working on a long-term solution for the marina, which it will be bringing to BCDC as a separate project (*sic*). [The applicant] has not included any additional marina amenities in the [project], but will incorporate public comments into any proposed future marina concepts that it brings to [the Commission] for review.”

Schedule and Cost

Construction would begin as soon as late 2024. By this schedule, the project may be built out as early as 2027. The estimated total project cost is approximately \$497 million.



Issues Raised

The staff believes the primary issues raised by the proposed project are:

- (1) **Use.** Are the facilities proposed within the Bay Plan-designated “Waterfront Park, Beach” Priority Use Area are consistent with that use?
- (2) **Public Access.** Would the project provide the maximum feasible public access consistent with the project, in accordance with the relevant McAteer-Petris Act and Bay Plan polices?
- (3) **Sea Level Rise.** Would the project continue to provide maximum feasible public access in the future given anticipated sea level rise?
- (4) **Environmental Justice and Social Equity.** Is the project consistent with Bay Plan policies on Environmental Justice and Social Equity?

Staff Notes

The staff notes the following considerations for the Commission:

- **Design Review Board.** The Commission’s Design Review Board reviewed the project at its meeting on February 10, 2020, where it provided feedback to the applicant and staff on elements of the design which could be strengthened to better utilize the public shoreline. Overall, the Board felt that the design was of high quality and that it provided for a commendable increase in public programming compared to the existing conditions for the site. Several board members commented on opportunities to enhance activation further, by adding elements that would draw visitors on weekends, or adding workout equipment along the Bay Trail to draw people to the shoreline edge from within the campus. The current design incorporates elements from this feedback, including a new area dedicated for outdoor fitness equipment. Members of the Board expressed that the programming fit in well with the overall mix of uses at Oyster Point, specifically those being developed as part of Phase 1, and enhanced this mix by providing additional opportunities for passive recreation. The Board asked that the staff work closely with the applicant to establish the details of the public access parking areas, which is reflected in the design of the project before the Commission.

Applicable Laws and Policies

The following laws and policies are applicable in the Commission’s review of the proposed project:

- McAteer-Petris Act: Sections 66602 (Water-Oriented Land Uses and Public Access) and 66632.4 (Maximum Feasible Public Access).
- San Francisco Bay Plan policies on: Environmental Justice and Social Equity; Climate Change; Recreation; Public Access; and Appearance, Design, and Scenic Views.

