DOCUMENTS RECEIVED FROM PUBLIC DURING 9/12/16 REGULAR MEETING

AND

EMAILS RECEIVED FROM PUBLIC VIA BRCAC@SFGOV.ORG

Period: 8/9/16 – 9/13/16
Recommended Changes:

HOUSING
ADD: Principle #4 Honor Overall City Policy

To fulfill the obligation to honor the City Policy to develop in a way compatible with the surrounding area, build no more than 500 units.

URBAN DESIGN
CHANGE AND ADD: to principle #2c: Building heights should fall within a range of 25 ft to 65 ft. Heights over 40 ft, up to 65 ft, will be on the southern part of the east side only.

NOTE: The impetus for Supervisor Yee to request the formation of a CAC was because of neighbors’ concerns about the impact of a Balboa Reservoir project on the surrounding area. The SIZE of the project is the single most important factor that effects impact.

NOTE: RFPs rarely get changed to DECREASE density. It is in the developers’ interest to maximize density; and the Planning Department gets 90% of it’s funding from developer fees, and so logically, they listen to developers and their interests. Because of this, it is important that the RFP be written with a DEFINED SIZE or building mass (/number of units).

PROJECT’S RELATIONSHIP TO CITY COLLEGE
ADD: to Principle 3c: Phase the project in such a way that changes to the current parking lot can occur gradually, rather than wholesale removal of all parking spaces at once. Ensure that the total number of City College parking spaces will be at least the same number of spaces in the new development as is currently provided to City College students.

PUBLIC REALM
CHANGE: Principle 1b: This contiguous significant open space ... should strive to be at least 2 acres (no less than 1.5 acres) strive to be at least 3 acres (no less than 2 acres). This park will constitute a portion of the minimum 4-acres 5 acres of at-grade open space ...
The SNA Balboa Reservoir Committee would like to express our appreciation of the addition of a preamble that provides context for the many principles and parameters we have worked on individually. In focusing on principles and parameters, it can be easy to lose sight of the big issues affecting the adjoining neighborhoods and City College.

We would like to add to the existing preamble that open space is important to integrating the development with its surrounding neighborhoods.

I also have a question. We understand that changes to the Citywide residential guidelines are being discussed. We would like to understand what is being proposed, the process for approval, and how changes to current guidelines might affect the Balboa Reservoir project.

I would also like to express my thanks to everyone on the CAC for committing so much of your own time and energy in this long-term process. We also thank the OEWD and Planning Department for your responsiveness and professionalism.
Balboa Reservoir CAC  
September 12, 2016

Public comment from Rita Evans  
Sunnyside resident since 1987  
Member, Sunnyside Neighborhood Association Balboa Reservoir Committee  

The Principles and Parameters for the proposed development is very focused on details but has some omissions in terms of a broader perspective:

- How to replace parking used by City College student, faculty and staff has not been adequately addressed, nor has the link between access to parking and CCSF’s enrollment; continued decline in enrollment poses an ongoing threat to this unique community asset

- Even in its revised form, the Principles and Parameters document continues to assume that residents of existing neighborhoods will absorb the impacts of increased traffic, greater parking demand, more transit demand, etc. rather than directing those impacts to the new residents and the developer

- We have pressing transportation and environmental concerns; a clear commitment to concrete solutions such as a developer-funded shuttle and construction of replacement parking are needed for neighbors to support the project
PREAMBLE:  YES

DEVELOPMENT PARAMETERS:  NO

UNADDRESSED FLAWS IN BALBOA RESERVOIR PROJECT (9/9/2016)

Here is a digest of critiques that have remained unaddressed by the City Team.

CONCEPTUAL FRAMEWORK: PUBLIC LAND FOR THE PUBLIC GOOD

1. Public land should be used for the public good.
2. Affordable housing for homeless, low-income and moderate-income people contributes to the public good.
3. The California State Surplus Land Statute and the City’s Surplus City Property/Public Lands Ordinance were set up to help address housing targeted for homeless, low-income and moderate-income people.
4. The intent of both State and City laws were not meant to subsidize high-cost housing.
5. As defined by law, “Affordable Housing” covers moderate-income housing going up to 120% Area Median Income only.
6. Balboa Reservoir Project only requires that 33% of the BR housing to be legally-defined “Affordable Housing.” The remaining 67% of housing falls outside the bounds of the original intent of State and City targets of Affordable Housing—as defined by law—for low-income, and moderate-income people.
7. The result of this 33% Affordable Housing/67% non-Affordable Housing ratio is that public land will be transferred to private interests/higher income owners in the guise of “Affordable Housing.”
8. Using 33% “Affordable Housing” to subsidize the 67% high-cost housing is contrary to the intent of the original legislation.

CEQA CONSIDERATIONS

CEQA requires public agencies to avoid or mitigate significant adverse environmental impacts caused by a project.

1. City College is a critical public service that serves the entire Bay Area. CCSF is the central economic, educational and cultural feature of the Reservoir vicinity. However the Balboa Reservoir Project has failed to acknowledge CCSF’s primacy.
2. Housing on Balboa Reservoir is a component of the Balboa Park Station Area Plan, based on an Initial Study conducted in 2006, referenced in the BPS Final EIR.
3. The proposal of 425-500 units in the Reservoir was arbitrary. There was no documentation, evidence, or argumentation presented to support the proposal for 425-500 units in the 2006 BPS Initial Study/BPS Final EIR/BPS Area Plan.
4. The BPS Area Plan, Final EIR/Initial Study determined that, on the BPS Program-Level, that there would be no significant impact to school facilities.

5. The BR Project’s 2014 AECOM Study incorrectly extended the Program-Level determination of non-significance to the Balboa Reservoir Project’s Plan-Level. This caused the BR Project to ignore adverse impacts that the Project will have on City College and neighboring schools.

6. The City Team has refused to acknowledge the reality that the use of the Reservoir for student parking is an existing public benefit. It is a benefit that helps provide access to quality education.

7. Instead, the Balboa Park Station Area Plan mischaracterizes the Reservoir as simply being an “unpleasant void in the neighborhood” despite the reality that it serves an important and needed public purpose for students.

8. The Balboa Reservoir Project can be characterized as constituting an eviction of an important Bay Area-wide public service—City College. A public good is being eliminated for the benefit of private developer interests.

9. The City Team operates on the unfounded assumption that housing on the Reservoir is of higher importance than the importance of City College to the community.

10. The City Team shifts the burden of mitigation of impending adverse impacts of the Project onto the surrounding neighborhoods and CCSF stakeholders. It addresses the BR Project’s adverse impacts by calling for the impactees to bear the burden by practicing TDM and requesting Residential Permit Parking.

11. The City Team argues that it is too expensive to build parking. If the Reservoir were to be left as-is to provide student access to education, there would be no need to build new parking. It’s cheaper to keep it as-is.

12. Eviction of CCSF from western Reservoir will harm student access to education.

13. The State Surplus Property Statute (Govt Code 54220) targets use of housing for those of “low” or “moderate” income (up to 120% of Area AMI). It was under this concept that San Francisco’s Public Lands for Housing Program was originally formulated. The idea was for surplus public property to be used for the public good to create Affordable Housing (120% AMI).

14. “Affordable Housing” is legally defined as up to 120% AMI (Administrative Code 23.A.4). The Principles & Parameters only requires 33% to be legally-defined Affordable Housing.

15. In reality 67% will be unaffordable housing. Although the City Team presents the Project as market-rate housing subsidizing affordable housing, this is an inversion of reality. In reality, the 33% affordable housing is cover for the reality that this transfer of public property will benefit private interests at the expense of the public. The reality is that the 33% “affordable housing” will be subsidizing private interests.

**PUC LAND USE POLICY**

1. PUC’s Land Use Framework policy allows sale only if: "Use of the land sold will not result in creating a nuisance."
PARKING vs. TDM

1. The City Team argues that it is too expensive to build parking. If the Reservoir were to be left as-is to provide student access to education, there would be no need to build new parking. If construction cost is the consideration, then the best option is to leave the western Reservoir as-is.

2. TDM is the third component of the City’s Transportation Sustainability Program. TDM requires new developments to provide on-site amenities that prioritize sustainable alternatives to driving.

3. The Balboa Reservoir Project will not exist in isolation from the surrounding neighborhoods. The TDM outcomes within the boundaries of the Project itself will probably be highly successful. However, BR Project’s internal TDM success will come at the expense of the surrounding neighborhoods when BR residents park their privately-owned vehicles and drive their privately-owned vehicles outside the Reservoir Project’s own boundaries.

4. FROM EARLIER SUBMISSION TO CAC REGARDING TDM:

   - Most importantly: TDM Study is not a comprehensive and unbiased assessment of parking and circulation issues in the Reservoir vicinity; and it was never meant to be a comprehensive study. The scope/parameters of Nelson-Nygaard’s study were very specific according to SFCTA documentation:

     The Planning Department and SFMTA are proposing a Transportation Demand Management (TDM) study in coordination with CCSF Ocean Campus to reduce single-occupant vehicle trips by college staff, faculty, students, and neighborhood residents.

PROJECT DESCRIPTION AND BENEFITS

The Balboa Area Transportation Demand Study will develop clear strategies for reducing single-occupant vehicle trips and outline a coordinated framework for future TDM programs and policies between CCSF, the Balboa Reservoir project, and the City of San Francisco. Potential TDM activities will produce a wide-range of benefits to individuals and the transportation system as a whole, from reducing traffic congestion, vehicle emissions, and fuel consumption to supporting physical activity and enhancing safety. Additionally, TDM activities will make existing transportation investments perform better, extending the life of existing infrastructure and improving the outcomes for new transportation investments.

- **TDM Program** proposing TDM solutions unique to the area comprising CCSF Ocean campus, Balboa Reservoir and neighborhoods as consistent with emerging TDM policy.

Bottom-line: TDM solutions, by definition and intent, exclude parking. Within TDM parameters, the issue of parking is given significance only via the TDM solution of making parking “more difficult and expensive.” That’s why the elimination of student parking is ignored. That’s why the City Team promotes 0.5 parking spaces per residential unit.

   - Fatuous TDM arguments:
"Parking Produces Traffic Congestion—Every parking space is a magnet for cars' and "If you build it......they will come."

In earlier submissions I had written:

As I have pointed out in another e-mail, there are 3 main traffic magnets in our area: schools, freeway entrance/exits, and the BP Station transit hub. If reduction of car traffic in the area is the goal, these magnets need to removed. Obviously, this is neither an appropriate nor realistic solution.

BP Station and freeway entrance/exits are part of transportation infrastructure. However CCSF is different. CCSF is not transportation infrastructure. People are not just passing through on the way to someplace else. CCSF is a destination in and of itself.

Rather than parking producing congestion, it's the existence of a desired destination that induces traffic. Parking is but a means to accommodate those who want to get to the desired destination.

Case-in-point: When school is not in session, there are very few cars in the Reservoir parking lot and there's very little traffic on Phelan. This demonstrates the falsehood of the "parking produces traffic congestion" premise.

**Bottom line:** Parking, in and of itself, does not promote congestion. Rather, congestion is the product of people trying to get to a desired destination. Student access to education, which includes driving and parking, should not be subordinate to the Balboa Reservoir Project.

- "Spillover [parking] from City College"
  - Both Sunnyside Neighborhood Assn and Westwood Park Assn have made clear that the neighborhood supports CCSF and its students. The Nelson-Nygard Study calls for preventing "spillover from City College" by making parking for them difficult via RPP and enforcement. Rather than making parking difficult for students, the neighbors have called for the Balboa Reservoir Project to provide adequate on-site parking for student needs.

**Bottom line:** Instead of shifting the burden of mitigation for the elimination of student parking by the TDM solution of "reducing single-occupant trips by college staff, faculty, students, and neighborhood residents", the Reservoir Project needs to take responsibility for replacing lost student parking.

--aj
Hi Maria,

My name is Allison Allbee. I was born, raised, and still live in the OMI, two blocks from Brooks park. I have been following the Balboa Reservoir project a bit and would love to learn more about your experience on the Community Advisory Council and how to get involved.

Let me know if you have time to meet.
Thanks!
Allison

--
Allison Bird Allbee

“You just try to do everything that comes up. Get up an hour earlier, stay up an hour later, make the time. Then you look back and say, 'Well, that was a neat piece of juggling there -- school, marriage, babies, career.' The enthusiasms took me through the action, not the measuring of it or the reasonableness.” - Ruby Dee
BR CAC, City Team, PUC, PUC CAC--

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--aj
Hi Phillip--

Please enter the below into the Balboa Reservoir record.

Thanks,

aj

----- Forwarded Message ----- 
From: "ajahjah@att.net"
To: Wpa Balboa. Reservoir <wpa.balboa.reservoir@westwoodpark.com>
Sent: Tuesday, July 26, 2016 1:55 PM
Subject: Fw: TDM and New Definitions of Level of Service

Westwood Park, CCSF folks:

One of the SNA Balboa Reservoir Committee people had asked me about transportation impact measures and "reasonable parking" for the Reservoir Project.

I feel the City Team has not given the public an accurate picture of what their solution of Transportation Demand Management really entails. They have not stated out-front to the public the following reality: Replacement CCSF parking is not part of the TDM toolkit. Furthermore, TDM point-count will reward the developer for minimal car parking and penalize for more parking for its own residents.

Here were some of my responses to the SNA BRC person:

----- Forwarded Message ----- 
From: 
Sent: Monday, July 25, 2016 8:47 PM
Subject: Re: TDM and New Definitions of Level of Service

Regarding Level of Service: 

"Level of Service" (LOS) is completely dead now. The new measure for transportation impacts is Vehicle Miles Traveled (VMT).

Look at "Transportation Sustainability Program" for City's perspective: Transportation Sustainability Program | Planning Department
Transportation Sustainability Program has three components:

- invest
- align [move from LOS to VMT]
- shift [to TDM] (Something that I've pointed out before, but I don't think everybody realizes: "Reasonable parking" is not part of TDM solutions and measures. According to TDM measures/point count, the less car parking that is provided by a developer, the better the TDM score will be. In contrast, the more bicycle parking that is provided, the better the TDM score will be.)

This is from Planning Dept:

ORP's proposed changes to the guidelines recommend replacing automobile delay as described by level of service with a vehicle miles traveled criteria. Vehicle miles traveled, also known as VMT, measures the amount and distance that a project might lead people to drive, including the number of passengers within a vehicle, rather than the congestion it creates at an intersection. The use of the Transportation Authority's state-of-the-art travel demand forecasting model, SF-CHAMP, provides a strong technical backing to calculate VMT for environmental review within San Francisco. The robust approach of San Francisco's overall technical team has helped shape the State's proposal and is a resource for other jurisdictions seeking to implement this change in practice.

Here's my take:

The fundamental and inherent drawback to this new measure of VMT is that VMT only measures traffic/trips that originate from within the boundaries of the new BR Project itself.

What this means for the neighborhoods and CCSF is that if a Reservoir resident parks outside of the Reservoir (and in the surrounding neighborhoods outside the confines of the Reservoir, instead) there has been no trip generated from the BR Project—which translates in TDM-speak to no transportation impact. TDM will not measure what happens outside of the Reservoir Project's boundaries.

I've been harping on the issue of the BR Project shifting parking and transportation impacts onto the surrounding neighborhoods and CCSF. The above is an example of this.

Regarding pushing for reasonable parking requirement:
I think the only real leverage for "reasonable parking" from the BR Project would come from SF Community College District, Riordan, Lick Wilmerding and other schools based on CEQA adverse impact on public services. The push would be based on the fact that elimination of existing student parking would severely reduce access to education.

--aj

From: ----
To: 
Sent: Monday, July 25, 2016 10:51 AM
Subject: TDM and New Definitions of Level of Service

Alvin,
This occurred to me this morning while indexing a research paper proposing a Green Safety Index based on travel time, air pollution, and traffic safety.

Do you know if any of the LOS measures or performance measures for new development in SF take into account emissions? I know the old standards for LOS focused on time delay for motor vehicles at signalized intersections and that no longer has high (or any?) priority, but is air quality now a significant factor? A significant amount of traffic in many neighborhoods is generated by people circling while looking for parking spaces and I’m sure we experience that now with CCSF commuters. What happens when we add in new residents at Balboa Reservoir? That type of cruising is pollutant-heavy. Does that increased traffic also translate into less traffic safety, whether more crashes, near-crashes, or a sense of an environment that’s less safe for pedestrians and cyclists and that therefore has fewer cyclists and walkers?

Might any of this be ammunition for pushing for a reasonable parking requirement? Or improving the connection between BR/CCSF and the Balboa Park Station to encourage transit use (better MUNI service, dedicated developer-funded shuttle, Ingleside Zipline Adventure)?

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Chair Spinali, Balboa Reservoir CAC:

The Preamble that has been added to the Principles & Parameters reflects the true concerns that have been expressed by the public through the CAC process.

In the Preamble, you accurately express the community’s concerns regarding Transportation & Congestion, City College, and Affordable Housing. The Preamble correctly indicates that these three subjects are “key areas of overall importance and priority for us.”

I have submitted a 9/9/2016 written comment entitled “Unaddressed Flaws in the Balboa Reservoir Project.” Although not in the same order, “Unaddressed Flaws in the Balboa Reservoir Project” aligns with the Preamble. I hope all of you read it.

So, thank you for accurately reflecting the community’s concerns.

DIVERGENCE BETWEEN PREAMBLE AND PRINCIPLES & PARAMETERS
That the Preamble was needed to express the public’s priorities points to a problem. It points to the fundamental problem that the Principles & Parameters, written by the City Team, fails to substantively reflect the input of the public. The City Team has only allowed minor tinkering of the Principles & Parameters. It has failed to substantively incorporate community concerns in the Principles & Parameters.

HOW WILL DEVELOPERS TREAT PRINCIPLES & PARAMETERS DOCUMENT?
In one place, the Preamble states: “No development proposal is likely to garner community support if it would worsen these conditions.” Unfortunately, I believe that developers will not worry too much about community support. They won’t worry too much about community opposition because the real power is in the hands of the City Team—not the community. The meat & potatoes that will guide the developer responses to the RFP will be in the enumerated Principles & Parameters, not the Preamble. I’m pretty sure that the developers will know where the actual levers of power and decision-making lie.

AGENDA ITEM 3d: CAC VOTE
The City Team’s Principles & Parameters do not align with the Preamble. Until the Preamble and the Principles & Parameters substantially align, I urge CAC members to vote NO. Don’t let the City Team pressure and railroad you into passing Principles & Parameters that fail to reflect the priorities contained in the Preamble.

The vote asks you: “Is the CAC satisfied with the current version of the Development Parameters, to be included in the…RFQ and RFP?”
I’m pretty sure that the community’s consensus is:
  • YES to the Preamble;
  • NO to the Development Parameters

I urge CAC members to vote to express the sentiments of the community; not that of the City Team.

Submitted by:
Alvin Ja
9/11/2016
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Submitted by:

Alvin Ja 9/11/2016
Chair Spinali, CAC members--

I suggest that the vote on Item 3d be separated into two parts: 1) Preamble, and 2) Development Parameters.

Don't be fooled into thinking that the Preamble will cause the developers to make community concerns their priority, because their meat is contained in the Development Parameters, not in the Preamble.

--aj

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Submitted by:
Alvin Ja 9/11/2016
Minor correction to my email from yesterday: The height limit of most of the Ocean Ave Commercial District (including the parcels abutting Westwood Park) is actually 45 ft, with the exception of the 55 ft AvalonBay and Mercy Housing lots (which are not adjacent to Westwood Park). This does not change my point that a 40 ft height limit for the entire west basin of the Balboa Reservoir that some commenters have demanded would be unjustifiably low.

Yonathan

On Mon, Sep 12, 2016 at 2:32 PM, Yonathan wrote:

Dear Balboa Reservoir Community Advisory Committee,

Thank you for your patience in sorting out all the different concerns and requests about the Balboa Reservoir. I would like to respond to a few statements that have been repeated by some of the members of the public.

A few members of the public claimed that the Balboa Park Station Area Plan called 500 units the “worst-case scenario” (for example, Anita Theoharis, Francine Lofrano, and Kate Favetti of Westwood Park according to the Aug 8, 2016, draft minutes and Anita in the June 13, 2016, minutes, and Francine in the March 16, 2016, minutes, among others). But as the staff indicated in their response to the August 8, 2016, meeting, this is a misinterpretation of the response to public comments in the Balboa Station Area Plan EIR (available on the Area Plan EIRs page). The EIR was a technical analysis of the worst-case traffic impacts subject to the parameters of the proposed plan area (which were 1780 housing units and 123600 sq ft of retail). It does NOT say that 500 units is the worst-case that the reservoir can support. Therefore, it is a mistake to think that 500 units was the “worst-case scenario” implied by the EIR.

As for the Balboa Park Station Area Plan itself, it does not contain a unit limit for the west reservoir. Instead, Policy 1.4.2 (misnumbered; should have been 1.4.2) is entitled, “Develop the west basin of the reservoir the greatest benefit of the city as a whole as well as for the surrounding neighborhoods” (emphasis added), and policy 4.4.1 similarly calls for housing with no unit limit: “it should consider development of a mixed-use residential neighborhood on part of the site to address the city-wide demand for housing.”

Another repeated demand is for the new development to contain at least one parking spot per unit. Although many commenters who emailed for the June 13, 2016, meeting and spoke at the June, July, and August meetings have repeated the Westwood Park Board’s request for a 1:1 parking to unit ratio, almost all of them gave no rationale for this request. A few did provide a rationale that was clearly misinformed, for example that a 1:1 parking ratio is necessary for the new residents’ quality of life (despite the fact that many residential developments in San Francisco already are built with 0.5 or fewer off-street parking spaces per unit and that the reservoir is well-served by many transit lines), or that a higher parking ratio would reduce traffic (on the contrary, the April 13, 2016, TDM presentation contained a slide titled “Parking Produces Traffic Congestion” (emphasis added)). The one legitimate concern that a minority of commenters have given is spillover of students and new residents parking in Westwood Park. The City’s standard solution to the problem of spillover parking is the Residential Parking Permit program. Some streets in Westwood Park and the Ingleside have already opted in to the RPP program in order to prevent spillover from customers of City College and
Ocean Ave retail. Perhaps we should discuss what concerns the residents have with this program, and what mitigations should be in the parameters.

Similarly, the some members of the public have requested height limits of 28 ft next to Westwood Park and 40 ft for the entire development (e.g., public comments by Kate Favetti and Anita Theoheris in the Aug 8, 2016, draft minutes). I do not believe that specific height limits should be a part of the Urban Design parameters. At my college in Berkeley, we had 107 ft dormitories that coexisted harmoniously with nearby 2-story single-family detached houses. But 40 ft height limits in particular do not make any sense for the entire Balboa Reservoir, since the Ocean Ave corridor which also abuts Westwood Park is already zoned for 55 ft! Rather than arguing over whose height limits should end up in the Urban Design parameters, perhaps we ought to clarify what specific impacts the height limits are intended to protect against (e.g., shadows, wind, peeping) and put protection from those impacts in the Urban Design parameters.

I welcome our neighbors to voice their concerns about the proposed development. I only ask that they interact with other neighbors, clarify, and refine their demands so that the parameters can contain the most appropriate protections.

All of us have different interests, and it can be difficult to strike a balance that adequately protects neighbors while doing our part to provide for the needs of the changing City and region. I think that especially those of us who were low-income residents but benefited from the transit accessibility and opportunities of the City owe it to the next generation to allow similar opportunities for those who grew up after us. My hope is that the Balboa Reservoir will show the Bay Area that we can be serious about addressing our severe housing shortage by putting significant housing development adjacent to transit. My fear is that we might instead show that we value our own desire for short-term convenience above the long-term needs of the many who need affordable places to live, and that other communities on the Peninsula and Bay Area might then legitimately ask why they should put any effort into allowing their fair share of housing production when even progressive San Francisco doesn’t care enough to do so.

Yonathan Randolph, resident of Ingleside