

BRCAC, BOT, Planning Commission, PUC, BOS:

DPW's Nuru alerted his superior in the City bureaucracy, City Administrator Naomi Kelly, about the FBI's corruption investigation. By doing so, Nuru took the bullet so that those in higher positions could evade being targeted in the corruption investigation.

Today's 2/6/2020 Chronicle has an article entitled "Suit Seeks to gut SF political ad measure" by Dominic Francasa. The article states: *"A handful of prominent San Francisco political operatives are seeking to gut a ballot measure voters overwhelmingly passed last year that pulls back the curtain on who's paying for campaign advertisements."*

Todd David, a prominent backer of the Balboa Reservoir Project, is quoted in the article opposing Prop F which requires disclosure of financial backers in election campaigns:

"The additional disclosure requirements strike me as being illegal," said Todd David, the group's principal officer and executive director of the Housing Action Coalition, an organization closely aligned with the mayor's office. "I'm very concerned that this limits the ability of campaigns, particularly small campaigns to communicate."

What this Todd David quote really means is that Housing Action Coalition's façade of being representative of the citizenry would be stripped away by disclosure that HAC is financially backed by big money developers. Prop F requirements would show that HAC is in reality a front group that actually represents the interests of big money developers.

From the very beginning of the Balboa Reservoir public engagement process, the Reservoir Project has fundamentally been a done-deal. Planning Dept, PUC, and OEWD have confidently procedurally set up the ducks-in-a row with the CAC process, with the Balboa Park Area TDM, with the Fiscal Responsibility & Feasibility Report, and with the Planning Dept's biased SEIR which takes liberty to misinterpret the Balboa Park Station Program EIR.

The environmental review process requires that Planning Dept provide Responses to Comments (RTC). Planning Dept will publish the RTC's soon to fulfill the requirement. Unfortunately, there appears to be no requirement that Planning Dept provide valid, well-argued, and fact/evidence-based responses. Much of the Planning Dept RTC's consist of mere restatements and re-assertions already contained in the SEIR.

Planning Dept's FEIR (draft SEIR + RTC) fail the adequacy standard required for EIR's.

The corruption that the FBI was looking for via Nuru, likely existed in the behind-closed doors planning for the Reservoir Project by OEWD, Planning, and PUC.

I urge BRCAC, BOT, Planning Commission, PUC, and BOS to stop enabling, or at least question, possible corruption in the Reservoir Project steamroller to privatize public land.

Submitted on 2/6/2020:

Alvin Ja, District 7 resident

Lutenski, Leigh (ECN)

From: Christopher Pederson <chpederson@yahoo.com>
Sent: Friday, February 28, 2020 1:32 PM
To: BRCAC (ECN)
Cc: Hong, Seung Yen (CPC); ECN, BalboaReservoirCompliance (ECN)
Subject: Re: Balboa Reservoir - proposed public parking garage

Hi Leigh,

Thanks to you and the developer team for providing this response. My takeaway from this is that, although there's a good deal of uncertainty about the details of what the exact pricing will be, the parking fees are expected to cover only a portion of the operating costs of the garage and that they won't cover the expense of building and financing the public garage at all. Is that correct?

If the project didn't include the public parking garage, could the money that would've paid for the garage instead go to paying for more of the affordable housing component of the project or paying for more bike/ped/transit improvements?

Christopher

On Feb 28, 2020, at 1:11 PM, BRCAC (ECN) <brcac@sfgov.org> wrote:

Hi Christopher,

Thanks for your patience - here is the reply to your questions from the developer team.

Thanks, Leigh

At last night's BRCAC meeting, a person from the Planning Department stated that the developer of the Balboa Reservoir project would be responsible for building the proposed public parking garage at the developer's own expense. Does that mean that people parking in the garage will be able to park there for free? **The public parking is currently assumed to have market rate pricing.**

If the operator will be allowed to charge parking fees, how will those fees be determined? For example, will the amount of the fees be calculated to recover the costs of building, financing, and/or operating the garage? Will fees be calculated on an hourly or daily basis or will users also have the option to reserve spaces by the week, month, semester, or other longer-term basis? Will discounted or free parking be provided to City College faculty, students, and/or staff or to any other user groups? **Fees will be based on neighborhood market pricing – currently the market is SFTMA meters which use dynamic pricing system based on time of day (\$1.75-\$2hr between 9am – 6pm). We will be studying demand/pricing as we develop the garage to determine the proper pricing. We also plan to use the temporary parking lots during phase 1 construction to test different pricing levels and determine optimal usage. Our initial thinking leads us to between \$8-\$12 /per day which does not recover the cost of financing additional spaces but does cover a portion of the operations for additional spaces.**

Will fees be calculated on an hourly or daily basis or will users also have the option to reserve spaces by the week, month, semester, or other longer-term basis? **We have not determined how parking will be calculated and are open to feedback. Initial analysis will be completed prior to building temporary lots during construction. The solution will be refined based on usage of temporary lots during Phase 1.**

Will discounted or free parking be provided to City College faculty, students, and/or staff or to any other user groups? **We do not plan to offer free parking, but are open to an arrangement with CCSF for discounted parking for CCSF community members. We have not finalized any agreement regarding the parking with CCSF to date.**

-----Original Message-----

From: Christopher Pederson <chpederson@yahoo.com>

Sent: Tuesday, February 11, 2020 10:53 AM

To: BRCAC (ECN) <brcac@sfgov.org>; Hong, Seung Yen (CPC) <seungyen.hong@sfgov.org>

Subject: Balboa Reservoir - proposed public parking garage

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

At last night's BRCAC meeting, a person from the Planning Department stated that the developer of the Balboa Reservoir project would be responsible for building the proposed public parking garage at the developer's own expense. Does that mean that people parking in the garage will be able to park there for free?

If the operator will be allowed to charge parking fees, how will those fees be determined? For example, will the amount of the fees be calculated to recover the costs of building, financing, and/or operating the garage? Will fees be calculated on an hourly or daily basis or will users also have the option to reserve spaces by the week, month, semester, or other longer-term basis? Will discounted or free parking be provided to City College faculty, students, and/or staff or to any other user groups?

I would be interested in receiving electronic copies of any documents that address these issues.

Just to clarify, these questions are specifically about the public parking garage component of the project, not the parking reserved for residents of the project.

If you have any questions about my request, feel free to email me or call me at 415-990-4876.

Thank you for your assistance.

Sincerely,

Christopher Pederson

Lutenski, Leigh (ECN)

From: Dennis Caliyo <dcaliyo@gmail.com>
Sent: Tuesday, March 17, 2020 10:41 AM
To: BRCAC (ECN)
Subject: Balboa Area Development

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Greetings Sir/Ma'am,

I am requesting information on the developments and the plans for future projects in the 94112.

The purpose of my inquiry is to gain a situational understanding of what is happening in order for me to provide input and participation.

Sincerely,
Dennis Caliyo
US Army, Retired

Lutenski, Leigh (ECN)

From: BRCAC (ECN)
Sent: Friday, March 27, 2020 10:54 AM
To: Dennis Caliyo; BRCAC (ECN)
Subject: RE: Question-City College Dormitories

Hello Dennis,

My apologies for such a delayed reply. I hope you are safe and healthy given all that is happening right now.

In response to your question about development projects in 94112, please visit the Planning Department's website to see current projects. Specifically, the Balboa Reservoir project has a dedicated page here:

<https://sfplanning.org/project/balboa-reservoir-and-citizens-advisory-committee-cac>

In terms of your question about student dormitories, the City College Facilities Master Plan contemplates student housing at the main campus but in the future. You could visit the City College webpage to access the Facilities Master Plan (https://www.ccsf.edu/en/about-city-college/administration/vcfa/facilities_planning/facilities-master-plan.html) and inquire for more details with the College.

Thanks, Leigh

Leigh Lutenski
OEWD Joint Development
City Hall, Room 448
leigh.lutenski@sfgov.org
(415) 554-6679

From: Dennis Caliyo <dcaliyo@gmail.com>
Sent: Tuesday, March 17, 2020 10:51 AM
To: BRCAC (ECN) <brcac@sfgov.org>
Subject: Question-City College Dormitories

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Sir/Ma'am,

Has there been discussion on building dormitories for full time SFCC students pursuing an AA or certificate degrees? This would be an additional option for students and a viable solution for students.

Hi hank you for taking my question.

Sincerely,
Dennis Caliyo

Lutenski, Leigh (ECN)

From: aj <ajahjah@att.net>
Sent: Wednesday, April 1, 2020 12:43 PM
To: CPC-Commissions Secretary; Ionin, Jonas (CPC)
Cc: BRCAC (ECN)
Subject: For 4/9/2020 Commission meeting--Balboa Reservoir General Plan Amendment Initiation
Attachments: Copy of 5. zoning map 0-0-0-1591.pdf; Copy of 6. Open Space Maps-- BPS Area Plan, General Plan, GPA.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Planning Commission:

March 31, 2020

SUBJECT: Balboa Reservoir General Plan Amendment Initiation

You are being asked by Staff to initiate a General Plan Amendment to accommodate Reservoir Community Partners, LLC's development of the Balboa Reservoir.

The proposed General Plan Amendment makes substantial changes in the City & County's General Plan and the associated Balboa Park Station Area Plan.

The proposed change in zoning contained in the GPA is a BIG DEAL.

The biggest deal is the change in zoning from P-Public to a Special Use District. "P" zoning prohibits private ownership. The proposed Special Use District eliminates this public use requirement.

Instead, the rezoning to "Special Use District" will pave the way for the privatization of public land. This privatization scam has been deceptively marketed as 50% affordable. "50% affordable" is a misrepresentation. Here are the facts:

Reservoir Community Partners will develop:

- 550 market-rate units, and
- 363 affordable units

The 550 market-rate/ 363 affordable unit split is the reality of the Reservoir Community Partners development. Reservoir Community Partners is NOT developing 50% affordable.

"50%" only comes about by Reservoir Community Partners taking undeserved credit for an additional 187 units that would be paid for with public monies, as confirmed by the BOS Budget Analyst's Fiscal Responsibility and Feasibility Report.

Please vote NO on the staff's Resolution to initiate the GPA.

AMENDMENTS TO HOUSING ELEMENT

The Balboa Park Station Area Plan's Housing Element proposed 425-500 units. This number is eliminated in the GPA to allow for the proposed 1100+ units.

- The BPS Area Plan's figure of 500 units took into account the limited roadway network in the Reservoir area. Even with proposed mitigations in the EIR, the Reservoir vicinity will be unable to sustain the doubling of units from the BPS Area Plan's 500 units to the Reservoir Community Partners, LLC's 1100 units. The Reservoir Project's True Believers, with ideological blinders, just wish away the problem.

Planning Dept Staff asserts in its documents that the current PUC Reservoir bulk-height zoning is 40-X and 65-A. THIS IS FACTUALLY INCORRECT.

The adoption of the BPS Area Plan included the rezoning/upzoning of the PUC Reservoir to 40-X (NOT 65 ft. as the GPA erroneously presents--see attached Zoning Map for proof). As shown in the Zoning Map, the 65-A zoning applies **solely** to the CCSF Reservoir; not to PUC Reservoir.

AMENDMENTS TO OPEN SPACE ELEMENT

The maps contained in the General Plan and BPS Area Plan show open space taking up at least **50%** and up to **90%** of the 17.6 acre PUC Reservoir.

The GPA shrinks it down a fraction : a 2-acre Reservoir Park (2 acre park /17.6 acre plot = **11%**), but with an additional 2 acres of privately-owned publicly-accessible open space. Please refer to attached maps of General Plan, BPS Area Plan, and GPA.

The BPS Area Plan's Policy 5.1.1 description of Open Space for the Reservoir is removed in its entirety. Privatization is not a good reason to eliminate this section in its entirety.

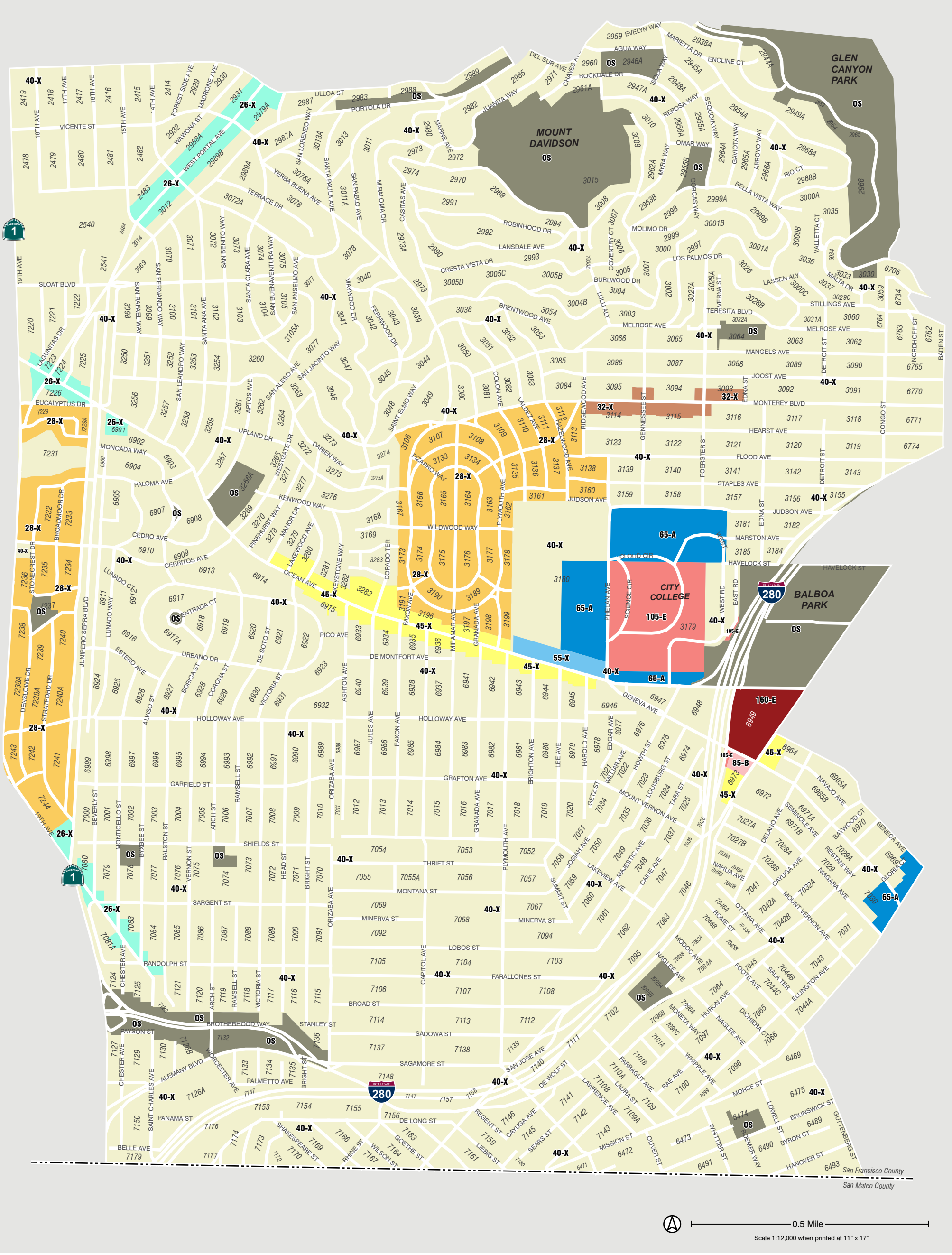
BOTTOM-LINE:

The Reservoir Community Partners development has been deceptively marketed as a "50% affordable" project. The facts tell otherwise.

The essence of the General Plan Amendment is to facilitate the privatization of public land. Please do not intitate the GPA. Keep public land in public hands. VOTE NO TO STEALTH PRIVATIZATION.

Submitted by:

Alvin Ja, District 7



San Francisco Zoning Map

HEIGHT AND BULK DISTRICTS

OS

“Open Space” District

“Numbers” are Height Limits in feet. See Planning Code Section 250 and following.

“Letters” refer to Bulk Limits. See Planning Code Section 270.

00-Z-14

“Suffix Numbers” identify districts in which special regulations apply. See Planning Code Sections 263 and following.

The Zoning Map of the City and County of San Francisco is established by sections 105 and 106 of the Planning Code, a part of the San Francisco Municipal Code. Zoning Use Districts are established by sections 201, 702, 802, and 902 of the Planning Code. This map incorporates Board of Supervisors’ ordinances enacted through January 2017.

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San Francisco Planning

PRESIDIO

GOLDEN GATE PARK

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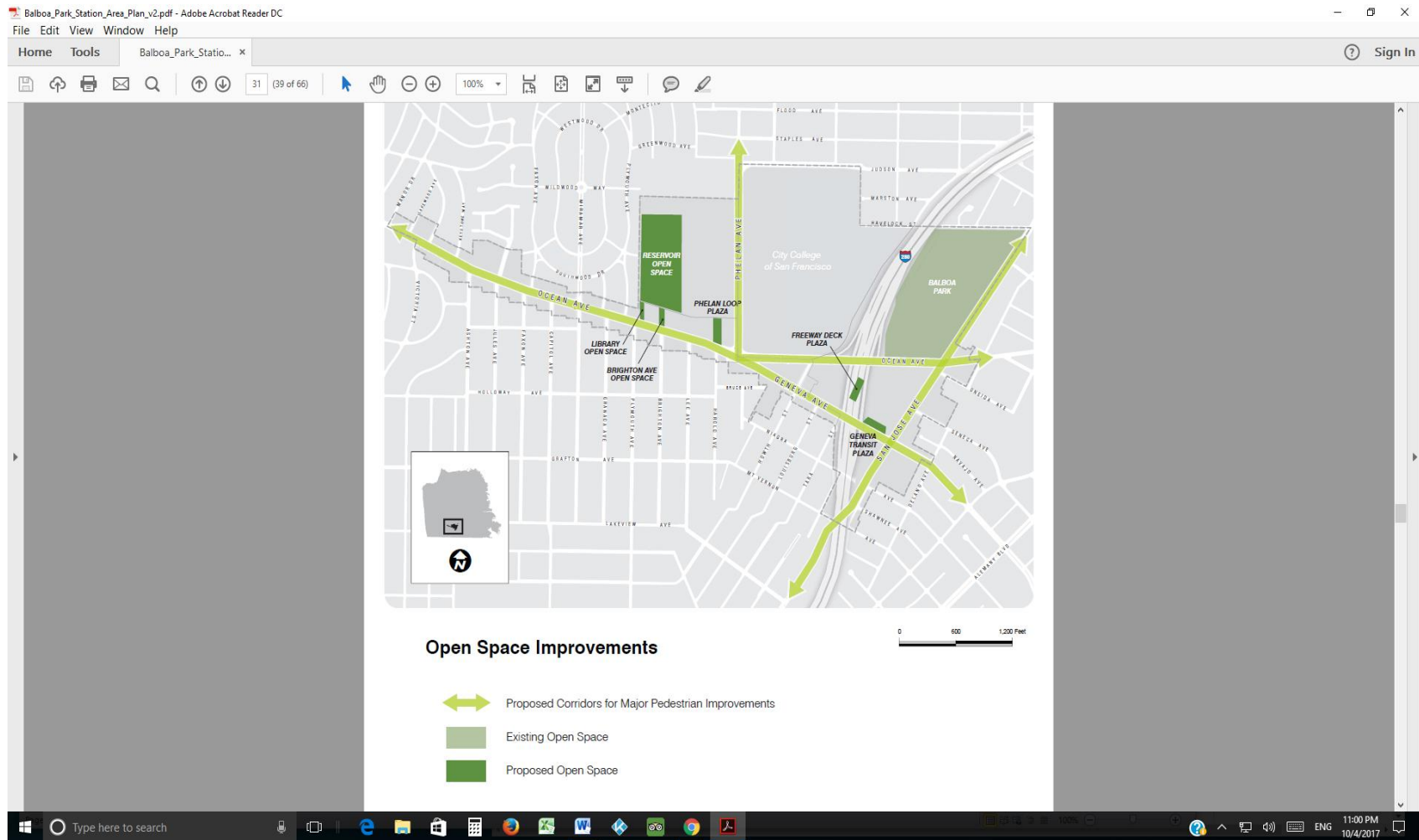
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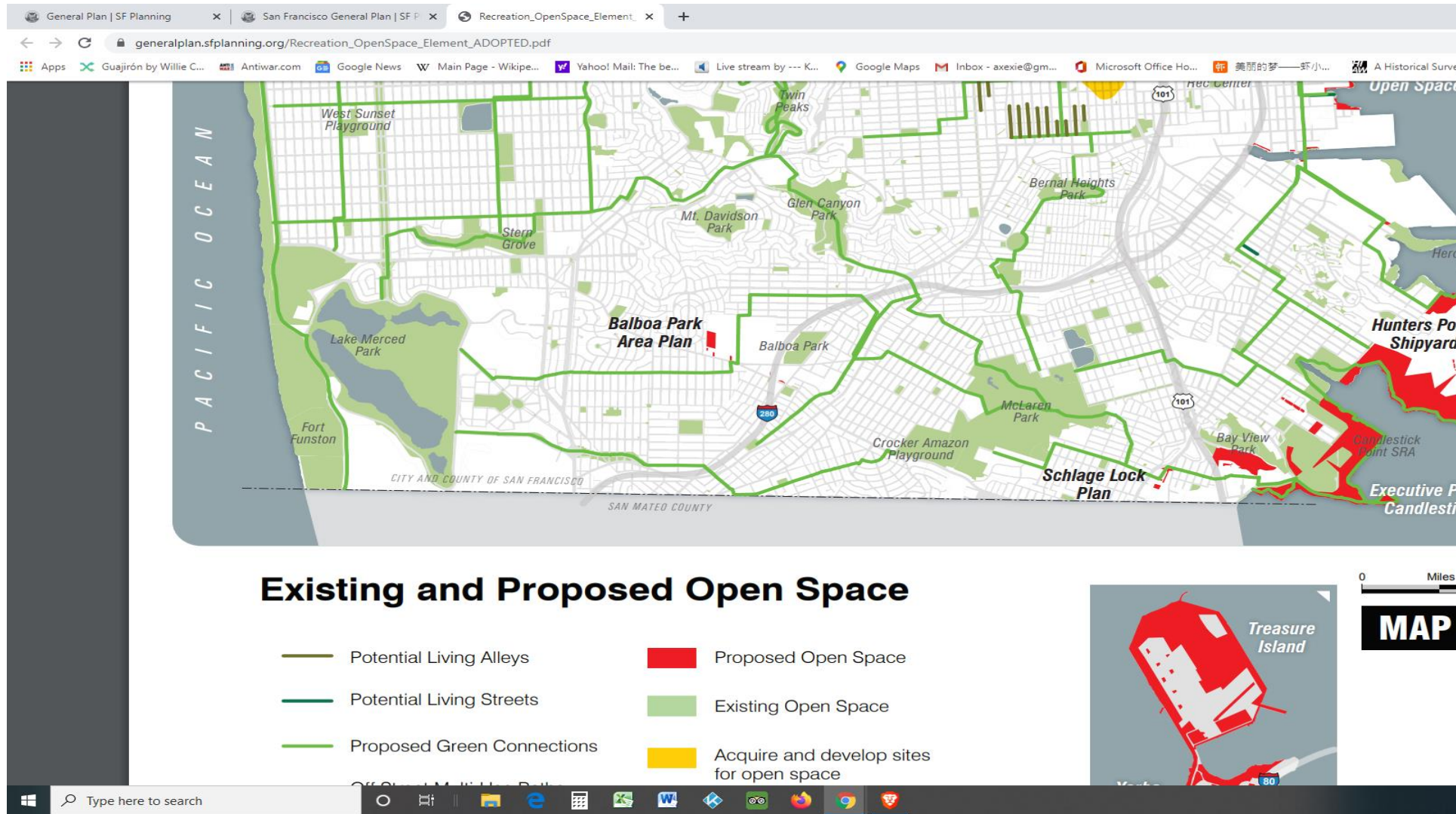
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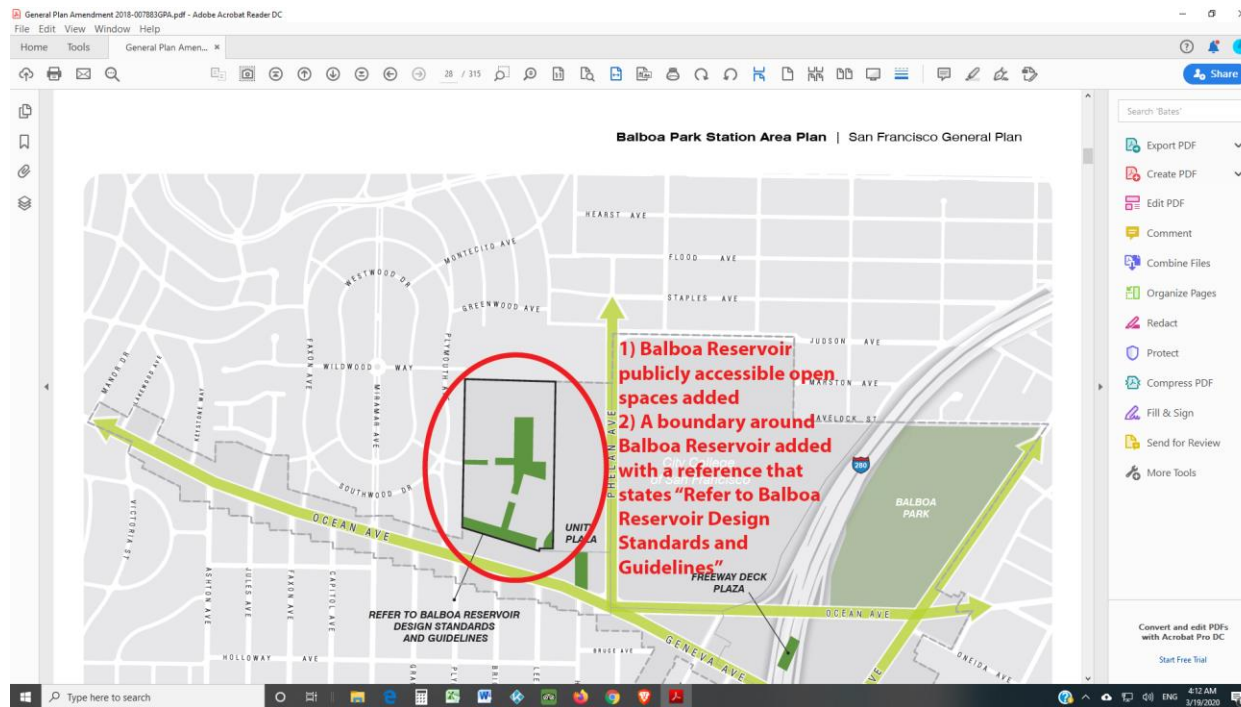
BPS Area Plan Open Space Map: about 90% of PUC Reservoir



EXISTING GENERAL PLAN OPEN SPACE MAP: about 50% of PUC Reservoir



AMENDED GPA OPEN SPACE MAP: 2-acre Reservoir Park (11% of PUC Reservoir) plus 2-acres of privately-owned publicly-accessible open space



Lutenski, Leigh (ECN)

From: Jennifer Heggie <jdheggie@gmail.com>
Sent: Thursday, April 2, 2020 3:24 PM
To: BRCAC (ECN)
Subject: As requested, hard copies for those not on the internet

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

As I wrote to Amy O'Hair a few days ago, the public education and participation portion of this meeting will be seriously flawed if you do not send out presentations/graphics in hard copy via US Post to those on your mailing list who cannot participate online.

It is positive that you will be offering participation by phone, but important that those who can only participate by phone have hard copies of the materials for comment.

Thank you for in advance for considering your diverse public.

Jennifer Heggie

Lutenski, Leigh (ECN)

From: Crizer <hweave@earthlink.net>
Sent: Sunday, April 5, 2020 10:44 AM
To: BRCAC (ECN)
Subject: Balboa Reservoir

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

The on line meeting scheduled for Monday, April 6 should be cancelled. This proposal should stop until the community is able to meet in person. I feel that the powers that be are trying to sneak this short sighted plan in without a full hearing in public. This piece of property has already been voted on by the citizens of this city three times and defeated each time. The attempt to "hold" meetings on line is a way to get around the will of the people.

Sincerely,

Ken Crizer

Lutenski, Leigh (ECN)

From: aj <ajahjah@att.net>
Sent: Monday, April 6, 2020 12:10 PM
To: BRCAC (ECN); sunnyside.balboa.reservoir; mikeahrens5; jumpstreet1983; bd@brigittedavila.com; bdavila@ccsf.edu; rmuehlbauer; Howard Chung; marktang.cac@gmail.com; cgodinez; Jon Winston
Cc: SNA BRC
Subject: Comment on Implementation Documents: 1. Special Use District (4/6/2020 BRCAC meeting)
Attachments: Copy of 5. zoning map 0-0-0-1591.pdf; Copy of 6. Open Space Maps-- BPS Area Plan, General Plan, GPA.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

BRCAC members:

You need to be clear on the significance of the Special Use District.

The current zoning for the Reservoir is "P" Public. Public zoning means exactly that--PUBLIC. The Reservoir parcel is currently zoned for public, not private ownership. The essence of the rezoning from Public to a Special Use District is the PRIVATIZATION OF PUBLIC PROPERTY.

The current P zoning is intrinsic to the Balboa Park Station Area Plan that came out of the BPS Program-level EIR.

The lower-level Reservoir Project does not comply with the existing higher-level BPS Area Plan.

Because the lower-level Project is non-compliant with the higher-level BPS Area Plan, the project sponsors seek to change the higher-level BPS Area Plan. They seek to rezone the Reservoir parcel from Public to a Special Use District to enable the privatization of public property.

The project sponsors will be presenting a "General Plan Amendment" to the Planning Commission on 4/9/2020. The main feature of the General Plan Amendment will be to rezone the Reservoir from P to Special Use District.

The following, with 2 attachments (Zoning Map and Open Space Maps), has been submitted to the Planning Commission:

- Planning Commission: March 31, 2020

SUBJECT: Balboa Reservoir General Plan Amendment Initiation

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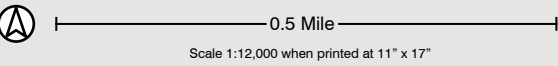
BOTTOM-LINE:

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Submitted by:

Alvin Ja, District 7



HEIGHT AND BULK DISTRICTS

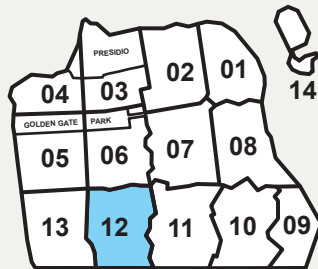
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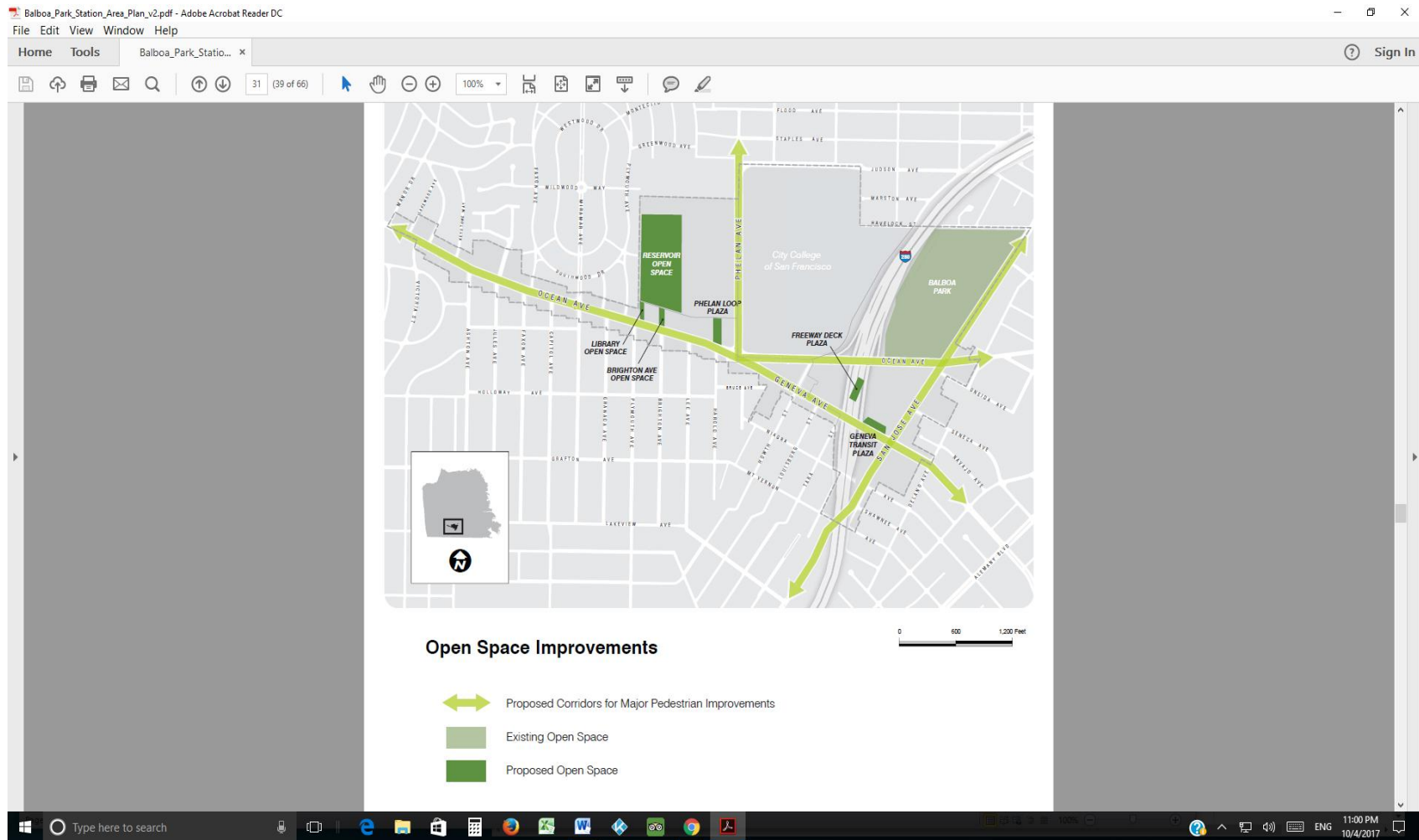
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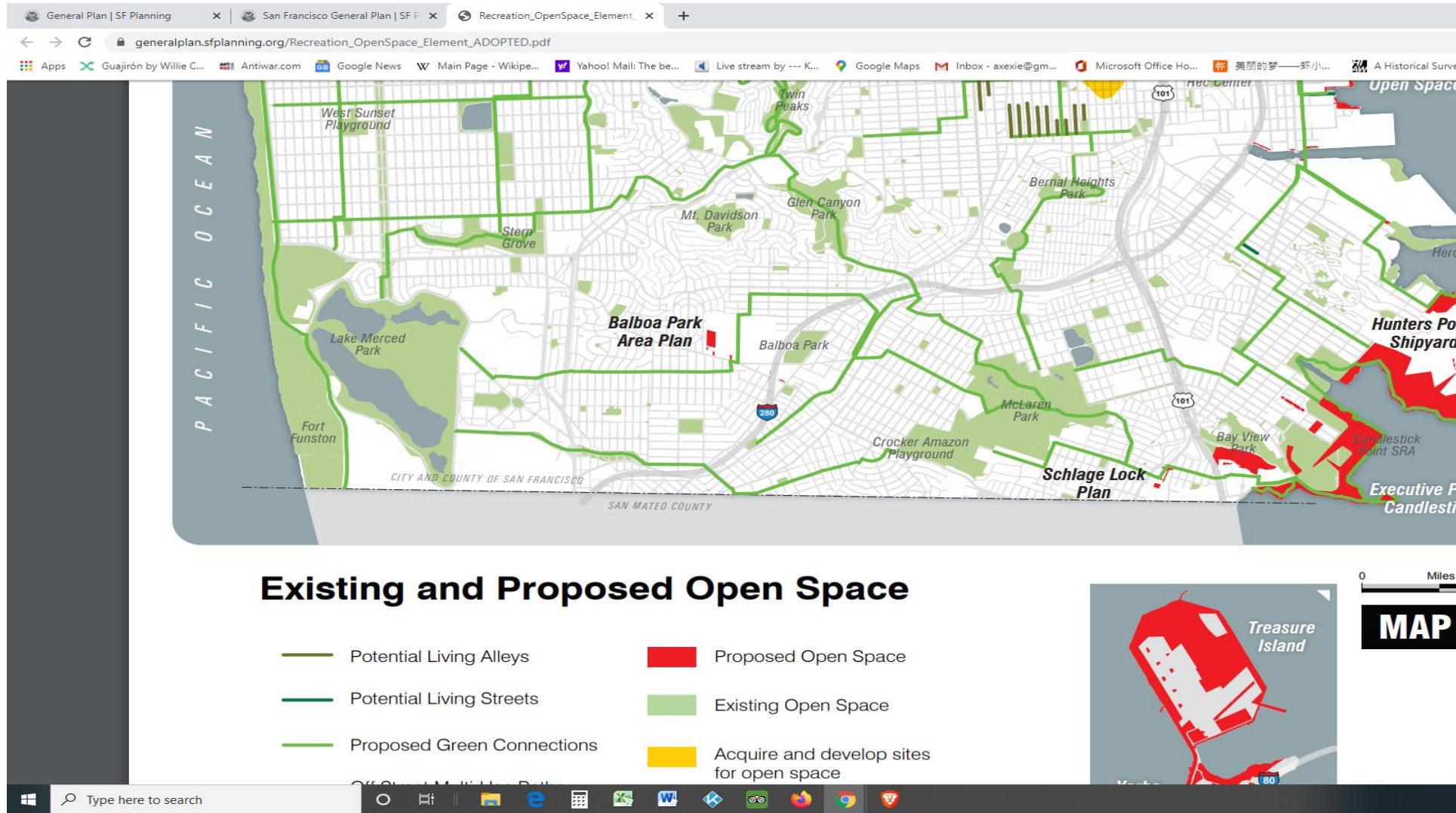
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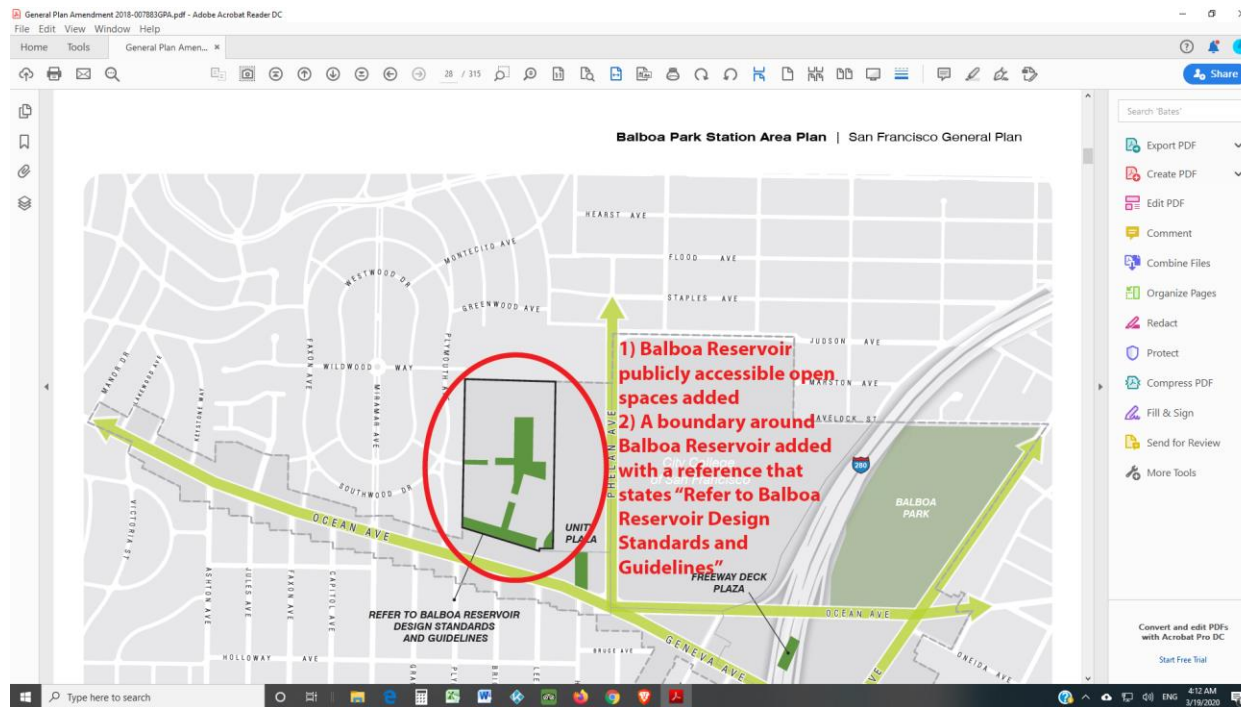
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AMENDED GPA OPEN SPACE MAP: 2-acre Reservoir Park (11% of PUC Reservoir) plus 2-acres of privately-owned publicly-accessible open space



Lutenski, Leigh (ECN)

From: Christopher Pederson <chpederson@yahoo.com>
Sent: Monday, April 6, 2020 2:02 PM
To: BRCAC (ECN)
Subject: Comments on Design Standards & Guidelines

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Thank you for this opportunity to submit comments on the draft Balboa Reservoir Design Standards & Guidelines. Overall, they look excellent, but I have a few concerns:

1. Sidewalks. One of the challenges along Ocean Avenue is that the sidewalks are often too narrow, e.g., along the recently built Avalon Apartments/Whole Foods and the Mercy Housing apartments at 1100 Ocean Ave. According to the draft Guidelines, although the overall width of most sidewalks will be 12', the "throughway" portion of the sidewalks will generally be only 6' wide. That is too narrow for two pedestrians walking in opposite directions to maintain social distancing, much less to allow two couples walking in opposite directions to comfortably pass each other. Please revise the Guidelines to widen the throughway portion of sidewalks enough to allow safe and pleasant walking.
2. Natural gas. The draft Guidelines leave the door open for the use of natural gas within the development. Given the need to build new housing responsibly in light of the climate crisis, please remove any allowance for natural gas on the site.
3. Color. The draft Guidelines specify that the upper portions of the buildings should be a light color. My concern is that that could result in a sea of beige. Please do not rule out the use of some stronger - even darker - colors. I'd rather see some colors that stand out than see a dull, deadening expanse of beige.
4. Seating areas. Please require that at least some seating in the central park be in areas that receive shade from late morning through early afternoon. Not everyone wants to sit in the harsh, unrelenting glare of the sun when it is most intense.

Sincerely,
Christopher Pederson

Lutenski, Leigh (ECN)

From: aj <ajahjah@att.net>
Sent: Tuesday, April 7, 2020 9:55 PM
To: Ionin, Jonas (CPC); CPC-Commissions Secretary; Hood, Donna (PUC); Board of Supervisors, (BOS); BRCAC (ECN)
Cc: Yee, Norman (BOS); Low, Jen (BOS); Maybaum, Erica (BOS)
Subject: Reservoir Project: Tail Wagging the Dog--General Plan Amendment, and DSG Relationship to Planning Code
Attachments: 2020-4-7 GPA comment.pdf

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

April 7, 2020
Planning Commission, PUC, BOS:

SUBJECT: Balboa Reservoir Project: Tail Wagging the Dog

The Balboa Reservoir Project proposes your initiation and acceptance of their General Plan Amendment (GPA) and their Design Standards & Guidelines (DSG).

Both the GPA and the DSG are cases of the Tail Wagging the Dog.

1. General Plan Amendment

- The urban planning hierarchy from high to low is:
 1. General Plan
 2. Balboa Park Station Area Plan (BPS Area Plan)
 3. Balboa Reservoir Project

The proposed Reservoir Project does not conform to the existing General Plan and BPS Area Plan. That is why they are asking you to Initiate a General Plan Amendment.

In a sane and logical world. the Reservoir Project would draw up the Project to fit within the specifications of the General Plan and BPS Area Plan.

However, in the Red Queen world of the Planning Dept, the project sponsors are changing the higher-level Plans instead. The project sponsors are intent on dictating their own terms into higher-level policy contained in the General Plan and BPS Area Plan.

This is one example of the Tail Wagging the Dog.

2. Design Standards and Guidelines

- The packet for the Planning Commission's proposed Initiation of a General Plan Amendment for the PUC Balboa Reservoir parcel 3180 includes "Design Standards & Guidelines" for the Reservoir Project.
- The Preface of the DSG document states:

Relationship to the Planning Code

References to the Planning Code or Code herein are references to the City of San Francisco Planning Code as it exists as of the effective date of the Development Agreement.

In the event provisions in this DSG directly conflict with those in the Planning Code, this DSG will control so long as the DSG remains consistent with the SUD.

By asking you, the Planning Commission, to approve the General Plan Amendment and the DSG, the project sponsors are asking to be placed above the law (Planning Code)!

This is another example of the Tail Wagging the Dog.

Don't allow the Tail to Wag the Dog.



Don't allow the project sponsors act like the Red Queen.

THE RESERVOIR PROJECT SHOULD BE SUBORDINATE TO THE GENERAL PLAN AND BALBOA PARK STATION AREA PLAN; NOT THE OTHER WAY AROUND!

Don't let big money developers dictate privatization of public property.

Vote against the Initiation of the General Plan Amendment.

Submitted by Alvin Ja, District 7