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San Francisco Planning Commission
1650 Mission Street, Suite 400
San Francisco, CA 94103-2479

Re: Balboa Reservoir Project, Case No. 2018-007883ENV
FSEIR Approval and Other Issues

Dear Commissioners,

I am writing regarding a number of important decisions you will be making about the Balboa Reservoir Project, on the Agenda for your May 28, 2020 meeting.

You will be considering resolutions regarding the Final Subsequent Environmental Review; the Development Agreement; Design Standards Guidelines; General Plan Amendments; and, Planning Code Amendments.

Before setting forth concerns about these issues, I wish to repeat my request, originally submitted to you on May 21, 2020 that you postpone making any decisions impacting the Project and remove all Balboa Reservoir Project decisions from the May 28 Agenda.

These decisions should be postponed until underlying agreements between the City and/or the developers and City College of San Francisco have been fully executed. According to a May 1, 2018, letter from Ken Rich, SF OEWD, there was supposed to be an MOU with CCSF covering issues of importance to CCSF, including parking and transportation, an "Academic Village," and a Performing Arts Education Center. The letter said the completion of the MOU would precede Project decisions by the Planning Commission and the Board of Supervisors. This was confirmed by CCSF consultant Charmaine Curtis at a CCSF Board of Trustees meeting on October 30, 2018. To date an MOU has not been executed.

Further, according to the Draft Minutes of the April 9, 2020 meeting of the CCSF Board of Trustees Facilities Master Planning and Oversight Committee, CCSF and the City need to renegotiate an Easement Agreement permitting a roadway that will transect CCSF property and enable an extension of Lee Avenue. This Easement Agreement has not been completed. Several members of the CCSF Board of Trustees are concerned about the impact of this Easement on CCSF.

The City and developers have consistently said they are collaborating and cooperating with CCSF to assure the Project will help meet CCSF's goals. This commitment has not occurred.

Unless and until the interests of CCSF have been fully vetted and satisfied, this Project should not move forward. The future of CCSF hangs in the balance.

Should the Commission disregard this request for postponement, I submit the following for your consideration.

General Comments

This Project should not be approved because it privatizes public land that has been used by City College of San Francisco for decades. This land should be owned by CCSF and used to meet the growing demand for education, vocational training and lifelong learning. CCSF is San Francisco's educational treasure. Selling this public land to the highest bidder for a private housing development is unacceptable.

This Project should be not be approved because it does not meet the City's pressing need for affordable housing, especially for lower-income residents. At best, only 50% of the units will be affordable, and many of these units will be available to people earning 120% of the City's AMI. The City does not need more market rate housing. There is already more than enough in the pipeline. What is desperately needed is more affordable housing for lower-income and working-class households.

This Project should not be approved because it will remove thousands of parking spaces that students who drive to CCSF from throughout the City depend on. Removal of this parking will make it impossible for students to attend classes, depriving them of the education they need and deserve. Analysis of the impact of this Project on parking is inadequate. An April 26, 2020, memo to Leigh Lutenski, OEWD, detailing this parking issue is here: [https://go.boarddocs.com/ca/ccsf/Board.nsf/files/BPHPXE61935D/\\$file/Ahrens-Lutenski%20Memo%20Facilities%20Committee%20May%2014%202020.pdf](https://go.boarddocs.com/ca/ccsf/Board.nsf/files/BPHPXE61935D/$file/Ahrens-Lutenski%20Memo%20Facilities%20Committee%20May%2014%202020.pdf)

This Project should not be approved because it does not provide adequate public transit, further exacerbating the impact of the loss of parking. SF MTA has stated several times that transit improvements are not firm, are merely "aspirational," and "sketchy." And so far there are no specific plans to improve and increase transit in this already congested area. Additionally, the Final SEIR states that the Project will create significant transportation impacts that cannot be mitigated.

This Project should not be approved because it is an oversized, dense housing development right across the street from City College of San Francisco, adjoining a neighborhood of single-family homes. It is out of scale with the surrounding community, and is shoehorning thousands of people into a few acres of land with very little open space.

This Project should not be approved because it gentrifies one of the last working-class neighborhoods in San Francisco, which will drive out families who are the backbone of the City, the hard working men and women we all depend on to drive our buses, repair our streets, and teach our children.

This Project should not be approved because the Final SEIR has identified three significant environmental impacts, construction noise, air quality, and transportation, that cannot be mitigated.

Project Approval Concerns

CEQA Review

The Commission is being asked to Certify the Final Subsequent Environmental Report and Adopt Findings and a Statement of Overriding Consideration. For the following reasons, I respectfully object to the Certification and Approval of this FSEIR.

I respectfully Object to a number of the Findings:

- The land is not underutilized. It is currently used for parking, enabling student access to City College. It is also used for other City College and public events. Additionally, should it be purchased by City College, it would be an ideal site for City College buildings, especially important during a time when City College anticipates considerable growth.
- The Balboa Area Plan Final EIR, which is superior to this Plan EIR, called for a much smaller development of 500 units at this site, with a proposed height limit of 40 feet. This project is much bigger and much taller. It does not conform to the Balboa Area Plan FEIR, approved several years ago.
- The public transportation in this area is not sufficient to meet the needs of the hundreds of additional residents who will be living in the Project and students who will not have parking. So far, there are no specific transit improvement plans or designs.

- Some of the units in this Project will be 78 feet tall. Buildings of this height are out of scale with the homes in the surrounding neighborhoods. Additionally, the population density of this Project acres is much greater than the density in the surrounding areas.
- Infrastructure improvements are only necessary because a development is planned for thousands of people. Should this land not be converted into a dense housing development, infrastructure needs would be reduced.
- The City and developer have failed to work with City College to address parking needs. Despite the fact that over 1,000 parking spaces will be needed, the Project will provide no more than 450 public parking spaces available to the public. These spaces will be available to anyone, including but not limited to City College students/faculty/staff.

Further, for the following reasons I object to the Planning Commission's rejection of Reduced Density Alternative as infeasible

- Increasing density just because it can be done is not a good enough reason to increase the size of the Project. Housing does not exist in a vacuum. And cramming a 1,100 unit Project onto a few acres, especially when it's surrounded by single-family homes, is not appropriate even if it is doable.
- Although the current plans call for only 50% affordable units, that does not have to be the maximum number of affordable units. With adequate funding, the project could be up to 100% affordable. Fifty-percent is not a magic number that must be applied everywhere. One hundred percent affordable developments have been built elsewhere, and they could be built here, too.
- San Francisco does not need more market rate housing. There are tens of thousands of market rate units in the pipeline, more than enough to satisfy the demand for years to come. The only kind of housing needed in San Francisco is affordable housing.
- Once the development is built, transit needs will significantly increase, especially since a great deal of parking will be eliminated. But current transit is running at capacity, and plans for added transit are just speculative.
- The parking lot is not underused. And even if not always filled to capacity, it meets a critical need for students who rely on their cars to travel between school, one or more jobs, and their homes.

I also object to the approval of the Statement of Overriding Considerations. The recitation of overriding considerations is merely a reiteration of the advantages of the oversized Project proposed by the Developer, and fails to consider all of the reasons

cited above why the Project should either be rejected, or, alternatively, a smaller project should be approved.

Development Agreement and Design Standards and Guidelines

The Development Agreement and the Design Standards and Guidelines have significant flaws.

According to Exhibit D, Section D, of the Development Agreement, 150 units of “Educator” housing will be built. This housing will be available to both CCSF and SFUSD staff and faculty. But this housing will not be available to students, even students with families. The Developers have said that student housing is a different kind of project they are not prepared to build. Yet not all students are the same. And if apartments will be available to faculty and staff, they should also be available to students, many of whom have economic needs greater than those of faculty and staff.

Exhibit J of the Development Agreement, the Transportation Plan, also has several flaws:

- Transportation and parking decisions are based on a TDM prepared by the Developer. Yet despite the fact that this Project will significantly impact available parking for CCSF students/faculty/staff, this TDM does not include a parking analysis. CCSF had a parking analysis prepared by Fehr & Peers, which showed that the project could cause the loss of up to over one thousand parking spaces. Yet this CCSF report was not considered by the City or the Developer in developing a plan to mitigate parking loss.
- The developer has agreed to provide up to 450 units of public parking. But these spaces will not be dedicated to CCSF students/faculty/staff. They will be available to all non-residents.
- Parking will be priced at market-rate. This will make it difficult or impossible for the working-class students who typify City College students to access the school, and attend classes...classes they need to enroll in a 4-year college, or acquire the vocational training that will enable them to enter the workforce with a good, well-paying job.
- There are no specific plans for increasing public transit in the area to accommodate increased transit needs due to significantly reduced parking and an increase in both student and residential population. Plans have been described as “aspirational,” and “sketchy.”

- Many CCSF students and faculty have stated they would like a shuttle from the Balboa Park Station BART station to the CCSF campus. This would facilitate the use of BART, which is a long walk from CCSF. There are no plans for the developers to provide a shuttle.

The Design Standards Guidelines are also problematic. In order to engage the surrounding community in the design process of this Development, the Balboa Reservoir Community Advisory Board was created, with representatives of all stakeholders participating.

Early in the process the BRCAC proposed Principles & Parameters for the Project. Yet the final project design does not comply with the intent of many of these Parameters, most notably solutions to problems with traffic congestion, transit and parking. The BRCAC expressed concern that the project would displace parking utilized by City College students, and urged the developer to work with CCSF to identify transportation solutions and parking alternatives.. But that has not happened, and there is great concern that CCSF's parking needs will not be met.

Additionally, the Project design is inconsistent with many of the core elements set forth in the BRCAC's Parameters, including project size, density, and height. In its mass and density, it is completely out of scale with the surrounding residential neighborhood. This is a very large development for thousands of residents in a low-density neighborhood with a limited transportation system.

And most recently, in a May 14, 2020, letter from the Developer to the Planning Department, the Developer submitted a last minute Revised Project Description that will increase the height of a block of buildings from 35 to 48 feet. This design change will significantly alter the character of the Project, and was added as a last-minute change to plans with no regard for the concerns of surrounding residents. This bait-and-switch is unacceptable. The Design Standards Guidelines cannot be approved by the Planning Commission until there has been a full vetting by CCSF and community members of these new plans.

For the foregoing reasons, the Development Agreement and Design Standards and Guidelines should not approved.

General Plan Amendments, Special Use District and other Zoning Changes

San Francisco's General Plan is designed to guide the City's evolution and growth. It comprises general objectives and policies that guide public and private actions. The General Plan reflects community values and priorities through its public adoption process, ensuring both private development and public action conform to this vision.

The zoning changes proposed for the Balboa Reservoir Project are inconsistent with the General Plan. They are not simple variances. Rather, they violate the very intention and purpose of the General Plan. Unless there are General Plan Amendments, therefore, the proposed zoning changes would constitute unpermitted spot zoning.

Accordingly, to assure conformance with the General Plan and to avoid unpermitted spot zoning, you are considering General Plan Amendments. But these General Plan Amendments are merely spot zoning with a different name.

Amending the General Plan is an exceptional and unusual action, and should not be made simply to allow conformance of an individual project. By approving General Plan Amendments to avoid unpermitted spot zoning, you are subordinating the City's overarching planning policies to benefit one privately initiated project. Approving the General Plan Amendments is simply spot zoning by another name.

Changes to the General Plan require an independent review by the Planning Commission with public comment, as a noticed agenda item. General Plan Amendments should not be a truncated action subordinated to planning approval of a specific proposed private project. In fact, Item 19 on the May 28 Agenda is an Informational Update regarding Amending the Housing Element of the General Plan. According to the Agenda, this process will take two years. This is compelling evidence that General Plan Amendments should not be done in haste.

These proposed General Plan Amendments, therefore, should not be hastily approved on May 28 just to assure that rezoning of this one project conforms.

Without approval of General Plan Amendments, the Resolution to Amend the Planning Code and Map to create a Special Use District should be deferred.

Conclusion

The future of City College of San Francisco hangs in the balance. The Balboa Reservoir Project, an oversized, largely market-rate development that will be built on land used by City College for years, will cause City College to shrink and become a shadow of its former self. The decline of City College will significantly impact thousands of people

throughout San Francisco: students who need a class to matriculate to a four-year college; students who need certification for a vocational training program; seniors for whom classes provide the physical and emotional support they need to stay healthy, vital, and engaged; and people of all ages who are taking non-credit classes to learn new skills, such as ESL, or who simply want to become more productive and fulfilled members of the community.

In 2013, a Budget and Legislative Analyst evaluation estimated that City College's value to the City was over \$300 million by providing job training, skills training, jobs for 2400 faculty, administrators, and classified staff, market value of jobs attained by CCSF graduates, state and federal grants, low-cost higher education compared to for-profit two year programs. But it's not just economic. It's also about improving the quality of life of everyone in City by providing well educated and well trained San Franciscans, from home health aides to tech workers to engineers to artists and musicians.

Thank you for valuing CCSF and considering these issues.

Sincerely,

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cc: San Francisco Board of Supervisors
City College of San Francisco Board of Trustees
San Francisco MTA Board of Directors
San Francisco Planning Commission
San Francisco Public Utilities Commission
San Francisco Office of Workforce and Economic Development