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Sent: Tuesday, July 7, 2020 6:25 PM
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Subject: FW: Non-conformity of Development Agreement with Principles & Parameters

From: aj <ajahjah@att.net>
Sent: Tuesday, July 7, 2020 2:26 PM
To: BRCAC (ECN) <brcac@sfgov.org>; Major, Erica (BOS) <erica.major@sfgov.org>; Wong, Linda (BOS) <linda.wong@sfgov.org>; Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>; Yee, Norman (BOS) <norman.yee@sfgov.org>; Low, Jen (BOS) <jen.low@sfgov.org>
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Subject: Non-conformity of Development Agreement with Principles & Parameters

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BRCAC, Land Use & Transportation Committee, Budget & Finance Committee, BOS, Files 200422, 200423, 200635:

As the Reservoir Project approvals reach the final stages, I urge a review of how the Development Agreement conforms with the Principles & Parameters:

Preamble:

- Transportation and Neighborhood Congestion: Traffic congestion and the availability of street parking are already major problems facing the local community. No development proposal is likely to garner community support if it would worsen these conditions.

- City College: The community cares deeply about City College's long-term health and growth. We are especially concerned that the Balboa Reservoir development will displace a surface parking lot currently utilized by City College students. It will be critical for the Balboa Reservoir developer to work with City College to address parking needs by identifying alternative parking and transportation solutions that do not compromise students' ability to access their education.

- Affordable Housing: Members of the CAC and the community are deeply concerned about housing affordability. We would like to see a significant proportion of the housing at Balboa Reservoir be affordable to a combination of low, moderate, and middle-income people. However, housing cannot come at the cost of increased congestion.

Principles & Parameters:

HOUSING

Principle #1: Build new housing for people at a range of income levels. Parameters:

a. Make at least 50% of total housing units permanently affordable in perpetuity to low (up to 55% of Area Median Income (AMI)), moderate (up to 120% of AMI), and middleincome (up to 150% AMI)

households, provided that this can be achieved while also ensuring project feasibility and providing the economic return to SFPUC ratepayers that is required by law.

1. Make at least 33% of total housing units permanently affordable in perpetuity to low or moderate-income households, consistent with Proposition K (2014).

aj comment:

Contrary to "permanently affordable in perpetuity" the Development Agreement's Exhibit D 'AFFORDABLE HOUSING PROGRAM' states:

4. Affordability Restrictions.

(a) Each Affordable Parcel will be subject to a recorded regulatory agreement approved by MOHCD to maintain affordability levels for the life of the Project or fifty-seven (57) years,

A cautionary tale for people to look into the future, 57 years from now:

[‘There’s nowhere to go.’ Peninsula tenants face eviction as rent control expires](#)

‘There’s nowhere to go.’ Peninsula tenants face eviction as rent control...

The Foster’s Landing complex has for years provided housing for low-income families.

https://www.smdailyjournal.com/news/local/affordable-rents-to-expire-at-foster-city-apartment-building/article_198deaa8-6024-11ea-9440-33aa98e33239.html

Principle #3: Help to alleviate City’s undersupply of housing.

Parameters:

b. Create housing without compromising the quality of design or construction or outpacing needed transportation infrastructure.

aj comment:

The Transit Mitigation Measures in the Development Agreement has 3 elements: 1) A boarding island for the southbound 43 Masonic at Frida Kahlo/Ocean-Geneva; 2) Signal timing changes at Ocean/Brighton with no westbound to southbound left turns, and protected EB to NB left turn phase; 3) Signal timing changes at Ocean/Plymouth (?! shouldn't this be Lee?!!) with no WB to SB left turns, and protected EB to NB left turn phase.

These 3 mitigation measures are token measures that are incommensurate with transit delay that will be caused by the 1,100-unit project. The limiting factor is the fact that the 1100-unit project will only have ingress/egress at Lee and at one location on Kahlo Way. Tinkering with

signal changes and adding a boarding island will not be able to solve the inherent problem of the limited roadway access to a landlocked parcel.

TRANSPORTATION

Principle #1: Manage parking availability for onsite residents while managing parking to meet City College enrollment goals and coordinating with City parking policies for the surrounding neighborhoods.

c. Working with City College and the City, describe an appropriate parking and transportation demand management plan that accommodates all appropriate City College student and employee demand at full enrollment, including access to the City College's future Performing Arts and Education Center. The TDM plan (including assumptions such as data and projections) should be coordinated with City College and consistent with recommendations in the forthcoming Balboa Area TDM Plan. If expert analysis demonstrates that shared parking is a viable approach, explore accommodating City College affiliates and other non-residents in shared parking facilities (garages where the same parking spaces are utilized by residents during non-peak hours and accessible to all others, including City College students and employees at other times).

aj comment:

The Development Agreement does not conform with this Principle. The Development Agreement calls for an absolute maximum of 450 spaces, deliberately ignoring "full enrollment, including access to the...future PAEC." The Fehr & Peers CCSF TDM & Parking Plan--which accounts for PAEC-- shows " there would be unserved demand for around 980 to 1,767 parking spaces."

PROJECT'S RELATIONSHIP TO CITY COLLEGE

Principle #3: In coordination with City College, design and implement the project's transportation program in such a way that also creates new sustainable transportation opportunities for City College students, faculty, and staff.

b. Working with City College and the City, develop an appropriate parking and TDM strategy that accommodates City College students and employees. If expert analysis demonstrates that shared parking is a viable approach, explore accommodating City College affiliates and other non-residents in shared parking facilities (garages where the same parking spaces are utilized by residents during non-peak hours and accessible to all others, including City College students, faculty, and staff, at other times).

aj comment:

The Development Agreement does not conform with this Principle. The Development Agreement calls for an absolute maximum of 450 spaces. And if nobody had been looking at the fine print, the DA would only specify 220 spaces, based on a cherry-picked figure from the Fehr Peers TDM Study. Even the current 450 spaces deliberately ignores "full enrollment, including access to the...future PAEC."

The Fehr & Peers CCSF TDM & Parking Plan--which does account for PAEC-- shows " there would be unserved demand for around 980 to 1,767 parking spaces."

c. Phase the project in such a way that changes to the current parking lot can occur gradually, allowing

for incremental adaptations rather than the wholesale removal of all parking spaces at once.

aj comment:

The Development Agreement does not conform with Principle 3c. Exhibit J of the DA, "Transportation" states:

b. Interim Parking

During the initial site-wide grading phase of construction of the Project no publicly-available parking spaces will be provided.

Principle #4: To ensure that the Balboa Reservoir project is sensitive to City College's mission and operations, work with City College and its master planning consultants to ensure that the Balboa Reservoir site plan and City College's forthcoming new Facilities Master Plan are well coordinated and complementary.

b. Assume that City College's planned Performing Arts & Education Center, designed for City College property immediately to the east of the Balboa Reservoir site, will be built. Working with City College and the City, describe an appropriate parking and transportation demand management plan that accommodates access to the future Performing Arts and Education Center (see Transportation parameter 1c).

aj comment:

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--Alvin Ja