

8 WASHINGTON STREET / SEAWALL LOT 351 PROJECT

COMMENTS AND RESPONSES

Volume 2 - Appendices



CITY AND COUNTY OF SAN FRANCISCO PLANNING DEPARTMENT:
CASE NO. 2007.0030E

STATE CLEARINGHOUSE NO. 2007122027

DRAFT EIR PUBLICATION DATE: JUNE 15, 2011

DRAFT EIR PUBLIC HEARING DATE: JULY 21, 2011

DRAFT EIR PUBLIC COMMENT PERIOD: JUNE 15, 2011 TO AUGUST 15, 2011

FINAL EIR CERTIFICATION HEARING DATE: JANUARY 19, 2012

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**APPENDIX A. PUBLIC HEARING TRANSCRIPT
COMMENTS**

In The Matter Of:
*PUBLIC HEARING ON THE DRAFT ENVIRONMENTAL
IMPACT REPORT*

July 21, 2011

*CLARK REPORTING & VIDEO CONFERENCING
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1 BEFORE THE SAN FRANCISCO PLANNING COMMISSION

2

3

REGULAR MEETING

4

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ITEM E.13, 2007.0030

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8 WASHINGTON STREET

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PUBLIC HEARING ON THE

8

DRAFT ENVIRONMENTAL IMPACT REPORT

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3:00 P.M.

11

July 21, 2011

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Commission Chambers - Room 400

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City Hall, 1 Dr. Carlton B. Goodlett Place

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San Francisco, California

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REPORTED BY: FREDDIE REPPOND, STENOGRAPHIC REPORTER

1 A P P E A R A N C E S

2 SAN FRANCISCO PLANNING COMMISSION:

3 Vice-President Ron Miguel

4 Jonas Ionin, Commission Secretary

5 COMMISSIONERS:

6 Michael Antonini

7 Gwyneth Borden

8 Hisashi Sugaya

9 PRESENTATION:

10 Nannie Turrell, Senior Environmental Planner,
11 San Francisco Planning Department

12 FOR THE PLANNING DEPARTMENT:

13 John Rahaim, Director

14 FROM THE PUBLIC:

15 Bob Planthold

16 Marvin Kasoff

17 Kathleen Dooley

18 Ernestine Waters Weiss

19 Jane Connors

20 Dave Stockdale

21 Paul Wermer

22 Sarah Karlinsky

23 Sally Tooley

24 Bill Hannan

25 Charles Dutkin

1	Alec Bash	
2	Bill Sauro	
3	James Joannides	
4	Lisa Schreiber	
5	Paula Aspin	
6	Justin Allamano	
7	Irene Glassgold	
8	Al Glassgold	
9	Veronica Sanchez	
10	Nan McGuire	
11	Frederick Allardyce	
12	Lee Radner	
13	Nan Roth	
14	Tim Colon	
15	Bob Iverson	
16	Joel Rosenblatt	
17	Jim Chappell	
18	John Huang	
19	Brad Paul	
20	Jill Tannenbaum	
21	Sue Hestor	
22	Jamie Whitaker	
23		--oOo--
24		
25		

1 Thursday, July 21, 2011 3:36 o'clock p.m.

2 ---o0o---

3 P R O C E E D I N G S

4 SECRETARY IONIN: Welcome back to the San
5 Francisco Planning Commission's regular hearing for July
6 21st.

7 Please be reminded that the Commission does
8 not tolerate any outbursts of any kind. If you have
9 any mobile devices that may sound off during the
10 proceedings, please turn them off or in the mute
11 position. And, finally, when speaking before the
12 Commission, speak directly into the microphone and do
13 state your name for the record.

14 Commissioners, we are on your 3:00 p.m.
15 regular calendar at Item No. 13 for Case No. 2007.0030E
16 at 8 Washington Street, public hearing on the draft
17 environmental impact report. Please note that written
18 comments will be accepted at the Planning Commission
19 until 5:00 p.m. on August 15th, 2011.

20 MS. TURRELL: Good afternoon, Commissioners.
21 Nannie Turrell, planning department staff and
22 environmental coordinator for this project.

23 This is a hearing to receive comments on the
24 draft environmental impact report for Case No.
25 2007.0030E, the 8 Washington Street Seawall Lot 351

1 project. The purpose of today's hearing is to take
2 public testimony or comment on the adequacy, accuracy,
3 and completeness of the draft environmental impact
4 report. There is no approval action requested at this
5 time.

6 The subject properties are located on the
7 north side of Washington Street between the Embarcadero
8 and Drumm Street. The proposed project would replace a
9 private health-club facility and a surface parking lot
10 with two residential buildings and underground parking,
11 private athletic-club facilities, and a park. The
12 residential buildings would range in height from
13 48 feet to 136 feet and with the underground parking
14 would encompass approximately 575,000 square feet.

15 The planning department prepared an
16 environmental impact report for this project because it
17 would have significant effects on the environment. The
18 draft EIR found that the proposed project would have a
19 significant and unavoidable impact -- transportation
20 impact -- under 2035, cumulative conditions, and would
21 also have significant and unavoidable impacts related
22 to sea-level rise and air quality.

23 Staff published a draft EIR on July 15th --
24 June 15th -- I'm sorry -- and the public review period
25 will end on August 15th. Those who are interested in

1 commenting on the draft EIR in writing may submit
2 comments up until 5:00 p.m., August 15th, to the
3 environmental review officer at the planning department
4 at 1650 Mission Street, Suite 400, San Francisco.

5 Staff is not here today to answer questions.
6 Comments will be transcribed and responded to in
7 writing in a comments-and-responses document, which
8 will be spoken to all verbal and written comments
9 received and make revisions to the draft environmental
10 impact report as appropriate.

11 Commenters should speak slowly and clearly so
12 that the court reporter can produce an accurate
13 transcript. Commenters should state their names and
14 addresses so that they can be properly identified and
15 receive a copy of the response-to-comments document
16 when completed.

17 After hearing comments from the public, we
18 will also take any comments on the draft EIR from the
19 Commissioners.

20 This concludes my presentation at this time.
21 And unless the Planning Commission members have any
22 questions, I suggest the public hearing be opened.

23 VICE-PRESIDENT MIGUEL: Thank you.

24 I'll be calling names as a group, but you can
25 come up at any point if your name has been called.

1 Comment time will be the full three minutes. And as
2 you've just heard, this has to do with the adequacy,
3 accuracy, and completeness of the EIR document, not the
4 project comments themselves. That will come before the
5 Commission at a later date. All right?

6 Bob Planthold, Marvin Kasoff, Kathleen
7 Dooley, Ernestine Weiss, Jane Connors, Dave Stockdale.

8 BOB PLANTHOLD: I'm Bob Planthold here in my
9 role as chair of the board of directors of California
10 Walks.

11 I question the adequacy and completeness of
12 this; and I'll cite as an example the transportation
13 section, especially page 35. It makes an amazing
14 statement, that there's not going to be any safety
15 problems because, quote, Pedestrians have the
16 right-of-way. The audience reaction is appropriate. I
17 mean there's laws against burglary, arson, theft,
18 murder, and it still happens.

19 I made that because it's not meant to be a
20 joke but to point out there was no real analysis. The
21 statistics provided in there talks of two cars or six
22 people per minute, which amounts to 120 cars or 360
23 people per minute. What they didn't do is figure out
24 how many pedestrians are walking across the garage on
25 average during that time frame. Now, the California

TR.1.1

1 Traffic Control Devices Committee allows for a walking
2 speed of 2.8 feet per second where seniors are present,
3 which is everywhere. That's something that needs to be
4 addressed.

5 They say there's no danger to pedestrians,
6 yet they also talk of a mitigation of an audible and
7 visual device to alert pedestrians. Well, if there's
8 no danger, why have the device?

9 And why isn't there anything for car drivers
10 coming out?

11 Here you have to simply visually the way
12 underground garages are, that cars are coming up at an
13 angle. There's often a central pillar between in- and
14 outbound, often. So a driver coming out may not see
15 somebody coming from the other side of the garage.

16 There's often the fact, also, drivers often
17 lurk across pavement while waiting for car traffic to
18 open up. When they lurk that means the sidewalk is
19 blocked. That means a pedestrian there has to go out
20 into a curb or traffic lane or go down partway the ramp
21 to get around the car or be stuck -- be stuck between
22 an inbound and an outbound car. Here again, that's not
23 responsive.

24 They say there's no danger, but I'm also
25 going to point out state law under SWITRS -- Statewide

1 Integrated Traffic Recording System -- does not record
2 collisions that are not in the street. Driveways and
3 parking lots are exempt, so you don't know from state
4 data how many pedestrians are injured at a garage
5 entrance. That's why this is incomplete; it's
6 under-responsive; it's unreliable. And just in that
7 one section of simple facts on file in practice now.
8 And I'm going to say what else is wrong.

TR.1.1,
cont'd

9 They talk of Muni having additional service
10 projected, but they maintain it will be the current
11 pedestrian level of service now, even though the
12 Exploratorium will come in. There will be more
13 pedestrians, but they're not counting on that, but
14 they're counting on the projection of possible Muni
15 extra service. That's unreliable.

TR.1.2

16 VICE-PRESIDENT MIGUEL: Thank you.

17 MARVIN KASOFF: Good afternoon. My name is
18 Marvin Kasoff. I'm here representing a group called
19 Renew SF. We've been working on various projects in
20 and around North Beach. Our largest project is a
21 project to rebuild Columbus Avenue, but we have been
22 involved in several other related projects all around
23 the area.

24 We've been watching the 8 Washington Square
25 [sic] project since its inception. And one or other of

1 our members, I think, have been at every public
2 hearing. We note that the original project has been
3 modified many times in response to community input. On
4 our board we have a number of world-class architects
5 and planners who have looked at the project and at the
6 EIR and have voted unanimously to support the project
7 based on the fact that the mitigating items far
8 outweigh any potential negative impacts to the project
9 itself.

TR.2.1

10 On that note, I think I will just summarize.
11 And I'm at 48 San Antonio Place in San Francisco,
12 94133. Thank you.

13 VICE-PRESIDENT MIGUEL: Thank you.

14 KATHLEEN DOOLEY: Good afternoon,
15 Commissioners. Kathleen Dooley, 216 Filbert Street.

16 There are so many issues with this draft EIR,
17 but I'm just going to talk about a couple and let the
18 folks continue on. The things I want to talk about
19 today are their talks about this project being
20 transit-oriented. We have the statistics showing that
21 the more people earn the less they use public transit.
22 These apartments are going to start being sold at \$2.5
23 million and go up. So we really do not believe that
24 this is a transit-oriented project.

TR.3.1

25 The other thing is that they mention that



TR.3.2

1 this helps meet the projected city housing needs. And,
 2 you know, we're wondering how the officials can know
 3 how a project at this price point is going to help with
 4 any city housing needs, except for the extremely,
 5 extremely wealthy.

TR.3.2,
 cont'd

6 The height limits were raised last year
 7 through an approval of the planning department's
 8 Northeast Embarcadero Study without any EIR reviews.
 9 So that is a real question mark for us. The planning
 10 department's argument in the NES is that the city needs
 11 a solid wall of development along the Embarcadero and
 12 that we need to allow this project to go through at the
 13 136 height limit of the proposed height. This violates
 14 the city's urban-design guidelines and the waterfront
 15 plan. So we really questioning the validity, once
 16 again, of that.

TR.3.3

17 Thank you very much.

18 VICE-PRESIDENT MIGUEL: Thank you.

19 ERNESTINE WATERS WEISS: Good afternoon. My
 20 name is Ernestine Waters Weiss; and I'm an activist
 21 representing thousands of people who are against this
 22 project.

23 There is no need for an ill-conceived condo,
 24 especially on this corner. It will block the historic
 25 view of the Ferry Building. It violates the waterfront

TR.4.1

TR.4.2

1 land use plan recommendation, which is from your
 2 department, to connect the land to the waterfront. The
 3 Bay should be reviewed every five years. It hasn't

TR.4.2,
 cont'd

4 been. Washington Street is a busy, narrow intersection
 5 that cannot absorb traffic now, plus the cumulative
 6 effect of traffic from Pier 27, 29, Exploratorium, et

TR.4.3

7 cetera. The garage capacity, 420 spaces, will
 8 negatively add to the congestion and dangers to
 9 pedestrians on narrow Washington Street. This is the
 10 wrong corner to put up a huge building as such.

TR.4.4

11 There's a New York Times recent article that
 12 reveals European governments making extreme efforts to
 13 discourage car use in cities. We should learn from
 14 them.

TR.4.5

15 Incidentally, I don't know if you know about
 16 this, but families are leaving the city by the droves
 17 because there's no affordable housing. The amount of
 18 affordable housing given on this project is peanuts.
 19 It will not solve anything.

TR.4.6

20 The sea-level rise is another question. 136
 21 feet is way out of the ballpark. There's so many
 22 negatives. There's nothing positive about this
 23 project.

TR.4.7

TR.4.8

24 And I say the very fact that the planning
 25 department has done an EIR is grossly slanted towards

TR.4.9

1 the City. This should be done by an independent
2 agency. I've said that more than once. This is not
3 just warfare. And all the people who are have taken
4 time and effort to attend all the community meetings
5 are against it. That's 99 percent. So there are very
6 few people who want this project. Please take their
7 advice. They know. They live there. I defeated a
8 garage under Ferry Park of the same nature -- 600
9 cars -- because it was a foolish idea. So this is the
10 same thing over and over again. Please do not vote for
11 it. It would be a disrespect for the people and for
12 the people you represent; and you're paid to represent
13 the people.

14 Thank you.

15 JANE CONNORS: Good afternoon, Commissioners.
16 My name is Jane Connors. I'm the senior property
17 manager of the Ferry Building. Thank you for the
18 opportunity to comment on this draft EIR.

19 For reasons I will review briefly, the draft
20 EIR is deficient because it fails to describe
21 accurately critical facts and omit or understates
22 substantially the potential impacts of the project.

23 For ten years EOP has been the steward of the
24 Ferry Building and responsible for restoring the crown
25 jewel of the waterfront. Parking is critical to the

TR.4.9,
cont'd

TR.4.10

TR.5.1

1 Ferry Building's success. Not only does the Ferry
2 Building serve local residents, it is a major draw to
3 the city and a major tourist destination for visitors
4 who drive to the city. Many patrons who shop at the
5 Marketplace and the farmers' market must park near the
6 Ferry Building. Other patrons, including those with
7 mobility challenges, are able to visit the Ferry
8 Building only if accessible parking is available
9 nearby.

10 From the onset adequate parking was
11 recognized as essential to make the renovation of the
12 Ferry Building successful. That is why EOP entered
13 into the lease agreement for the Ferry Building. It
14 insisted that the Port make a parking agreement to
15 ensure parking for Ferry Building tenants and patrons.
16 The parking agreement grants EOP the exclusive rights
17 to control the entirety of Seawall Lot 351 for Ferry
18 Building parking while reserving ten unassigned spaces
19 for parking for Port vehicles and visitors. The
20 parking agreement provided additional spaces on Pier
21 Half. But in 2008 the Port closed that pier for safety
22 reasons.

23 Seawall Lot 351 is the most highly used
24 parking area for the Ferry Building tenants and
25 patrons, due to, one, its close proximity to the Ferry

1 Building; two, the availability of parking validation;
2 and, three, its easy access and visibility directly off
3 the Embarcadero. Under the parking agreement, if the
4 Port provides to EOP the same number of spaces
5 currently located at Seawall Lot 351, then the Port may
6 develop Lot 351 as a parking facility to serve the
7 Ferry Building area. The Port's ability to take away
8 the parking from EOP at Seawall Lot 351 is conditioned
9 explicitly on the provision to EOP of equal parking,
10 both temporary and permanent.

11 The project proposed by San Francisco
12 Waterfront Partners that is the subject of this draft
13 EIR does not meet these criteria. The problems with
14 the draft EIR include -- EOP will be submitting
15 comments, but we wanted to alert you to a few of the
16 major deficiencies now -- is the project description
17 does not state accurately the facts about the parking
18 agreement and the rights of EOP and the obligations of
19 the Port. The project description omits from the list
20 of required approvals the Port's obligation under the
21 parking agreement to provide to EOP temporary and
22 permanent replacement spaces through the expiration of
23 our ground lease and parking agreement in 2066 [sic].
24 The most glaring omissions and inadequacies in the
25 draft EIR's analysis of transportation and parking

↑ TR.5.1,
cont'd
↓

1 impacts --

2 VICE-PRESIDENT MIGUEL: Thank you.

3 MS. CONNERS: Is that it? Okay. Thanks.

4 VICE-PRESIDENT MIGUEL: You can submit,
5 obviously, comments in writing. And just to remind
6 everyone, there is no Commission vote today. This is
7 just a hearing to take testimony on the EIR.

8 DAVE STOCKDALE: Good afternoon. My name is
9 Dave Stockdale. I'm the director of CUESA. We're the
10 educational nonprofit that operates the Ferry Plaza
11 Farmers Market at the Ferry Building.

12 Our comments are similarly addressed to the
13 transportation component of the EIR and specifically
14 the section regarding parking, where we find that the
15 data is out of date and restrictive in its scope. By
16 its own description, most of the data dates to 2006 and
17 2007, only slightly after our Farmers Market had moved
18 into the area. Our business continues to grow each
19 year. The number of customers accessing the area
20 continues to grow, increasing demands on parking in the
21 area. As noted in the EIR, the Pier Half has
22 disappeared, diminishing the total number of spots.
23 There is one error that is actually an increase. It
24 refers to the fact that 40 parking meters along
25 Washington Street are used on Tuesdays and Saturdays by

TR.5.1,
cont'd

TR.6.1

1 Farmers Market vehicles. That is actually not the
2 case. That is 20 spots only in emergency situations on
3 Saturdays only. So that's an update.

4 But this also does not reflect the fact that
5 not only is our business increasing, creating more
6 demand, that there are other new businesses in the area
7 adding to that demand. The Piers 1 1/2, 3, 5 project
8 with restaurants bringing more patrons to the south of
9 the Ferry Building. There's Epic Roast House, another
10 area of restaurants.

11 And so, in summary, we just want to point out
12 that this particular section of the EIR does not
13 accurately represent the current level of use and
14 perhaps more importantly the current and -- excuse
15 me -- getting ahead of myself here -- does not
16 represent the current level of actual available spaces;
17 and the ever-increasing demand that we anticipate will
18 continue to have impact. And so we want to ensure that
19 this report clearly considers all the impacts on
20 parking when considering other planning that goes for
21 the area.

22 So thank you very much.

23 VICE-PRESIDENT MIGUEL: Thank you.

24 Paul Wermer, William Hannan, Sarah Karlinsky,
25 Sally Tooley, and Charles Dutkin.

↑
TR.6.1,
cont'd

1 PAUL WERMER: Good afternoon, Commissioners.
2 My name is Paul Wermer. I live at 2309 California
3 Street in San Francisco.

4 This is an area I go to regularly most
5 Saturday mornings and occasionally during the week.

6 I guess I have two comments. One is a very
7 focused one. The report asserts that the view of Coit
8 Tower from the Ferry Building is not considered a
9 significant view in the waterfront design and access
10 element and, therefore, the fact this obscures this
11 building means it's not significant. I would argue
12 that we should consider the fact that perhaps the
13 waterfront design and access element is deficient in
14 that it failed to identify what is one of the
15 significant views from the waterfront and from the
16 Embarcadero, which is Coit Tower.

TR.7.1

17 In a more general approach, I think we have a
18 fundamental problem in the way the EIRs treat housing
19 development. We are talking about a housing
20 development where the units are expensive. I think
21 \$2.5 million is expensive in almost anyone's standard.
22 So here you're putting very expensive housing in a city
23 that already has adequate, very expensive housing,
24 which in turn places demands on services. In other
25 words, it will bring in the need for more employees in

TR.7.2

1 various areas. What we're not doing with this is
2 providing housing that is affordable to the middle of
3 the population, the people who most likely will be
4 providing services, which is the underserved area of
5 the community.

6 Where the EIR, I think, is deficient is it
7 fails to look at opportunity costs. In other words, if
8 I have a certain amount of money, do I spend it
9 building a highly complex engineered garage to support
10 luxury condos? Or do I put it in developing housing
11 that supports the broader population?

12 From a financial standpoint, clearly \$2.5
13 million condos win the day. But from an environmental
14 standpoint and a net benefit to the quality of life in
15 the city, it may very well be that using those
16 resources elsewhere makes more sense. That's not
17 considered. It's not considered part of the
18 environmental impact. But we're making very
19 significant decisions that by their nature force
20 environmental impacts and in this particular case
21 encourage far more transit from people out of the city
22 into the city because they can't afford to live here.

23 Thank you.

24 VICE-PRESIDENT MIGUEL: Thank you.

25 SARAH KARLINSKY: Good afternoon,

TR.7.2,
cont'd

1 Commissioners. My name is Sarah Karlinsky. I'm the
2 deputy director of the San Francisco Planning and Urban
3 Research Association.

4 We believe that this draft EIR is complete.
5 We believe that the proposed development at 8
6 Washington is a significant improvement for a key
7 intersection on the city's northern waterfront. 8
8 Washington presents a unique opportunity to replace a
9 surface parking lot and private tennis club with
10 pedestrian-friendly, publicly accessible open-space
11 housing, a renovated space-efficient club, ground-floor
12 retail, and a much needed and some needed underground
13 parking.

TR.8.1

14 Per the DEIR, all of these uses will be
15 consistent with the surrounding area. According to the
16 DEIR, the development proposed for this area would not
17 obstruct the existing public- or street-level scenic
18 vista of the Bay. The DEIR states that the proposed
19 project would not substantially affect scenic vistas'
20 and scenic resources' visibility for publicly
21 accessible areas in the project vicinity. We agree
22 with this analysis.

TR.8.2

23 Incidentally, when this project first came
24 forward, I actually had the opportunity to visit the
25 Ferry Building and look at the view of Coit Tower. And

1 much has been made of this in this discussion. And as
2 you walk along the Embarcadero from the Ferry Building
3 and you look up at Coit Tower, the views of Coit Tower
4 are actually obscured a variety of different times
5 episodically by palm trees and other buildings. And I
6 don't view this as problematic. I mean it seems to me
7 that episodic views of Coit Tower is a nice thing when
8 you're walking along the street.

9 Finally, I'd like to state that we believe
10 that this project would radically improve the
11 pedestrian experience on the western side of the
12 Embarcadero. As somebody who lives in North Beach and
13 walks this area frequently, I can tell you that the
14 eastern side of the Embarcadero is very pleasant, but
15 the western side of the Embarcadero is not a very fun
16 place to walk. And particularly when you come to this
17 particular area, right now, you're confronted with a
18 14-foot-high fence -- green fence -- that is not very
19 friendly to the street. It's not very friendly for
20 pedestrians. And it's very unpleasant. So I would
21 assert, from a pedestrian experience, this proposed
22 project would be a great improvement and you can -- I
23 guess the boo is the new yea, perhaps.

24 So I would urge you to review our comments
25 and thank you for very much for this opportunity to

↑
TR.8.2,
cont'd

1 speak.

2 VICE-PRESIDENT MIGUEL: Thank you.

3 SALLY TOOLEY: Good afternoon. My name is
4 Sally Tooley. I have lived on Telegraph Hill for 45
5 years.

6 This draft shows that this project will have
7 more open space than the City requires. I am in favor
8 of moving this draft forward and making the waterfront
9 available for all with more open space. It certainly
10 is better than the parking lot and the high fence that
11 exists now.

TR.9.1

12 Thank you very much.

13 VICE-PRESIDENT MIGUEL: Thank you.

14 BILL HANNAN: Good afternoon, Commissioners.
15 My name is Bill Hannan. I'm president of the Golden
16 Gateway Tenants Association. Our members live
17 immediately adjacent to the proposed construction site.
18 And I am here today to question the completeness of the
19 draft report in two respects.

20 First, as to the impact of construction noise
21 in the neighborhood, specifically with respect to
22 pile-drivers, the draft report shows at Figure II-2
23 that the Davis building is located 60 feet away from
24 the construction site, just across Drumm Street. The
25 report indicates that there will be 27 to 29 months of

TR.10.1

1 construction, including seven months of foundation work
2 that will be pile-driving and the piles will be, on
3 average, 130 feet long.

4 Table I-3 states that the impact of the
5 pile-driving noise will be significant unless it is
6 mitigated. Several mitigation measures are proposed,
7 including pre-drilling to the extent possible and use
8 of state-of-the-art muffling equipment.

9 Information I did not find in the draft
10 report includes these: How many piles will be driven?
11 No numbers are provided. How far or to what depth
12 would be it possible to pre-drill the holes for these
13 piles? And, finally, what is the number of decibels
14 that would be generated by pile-drivers using
15 state-of-the-art muffling equipment? None of that
16 information is present in the draft report. And we'd
17 ask that if that information is available it be
18 included in the final report.

19 I have personal memories of pile-driver noise
20 from my childhood. I lived a few blocks from a
21 construction site. And one entire summer for me was
22 taken up by listening to pile-drivers eight hours a day
23 five days a week. I don't want to repeat that and I
24 don't know think any of my neighbors do either.

25 The second area of possible incompleteness

TR.10.1,
cont'd

TR.10.2

1 has to do with the scheduling conflict between this
2 project and the America's Cup. There is now a draft
3 EIR for the America's Cup and there a couple of points
4 in that that might be imported into this draft report,
5 including this. There's a proposal to shut down
6 northbound traffic on the Embarcadero for some race
7 days. That's shown in Figure VI.9. And, secondly,
8 there's a report of a possible choke point or
9 bottleneck at the intersection of the Embarcadero and
10 Washington Street at page VI.6-178. If that is
11 accurate, it would have a significant impact on the
12 construction site for 8 Washington and that probably
13 should be added to this report.

14 Based on the information we have now, our
15 association is opposed to the project. Thank you.

16 VICE-PRESIDENT MIGUEL: Thank you.

17 Charles Dutkin, Alex Bash, Bill Sauro, Paula
18 Aspin, James Joannides, Lisa Schreiber.

19 CHARLES DUTKIN: Commissioners, thank you.
20 I'm Charles Dutkin. I live at -- in the Davis Building
21 across from the project.

22 I'm going to address one area, the recreation
23 section of the report, which is inadequate. In my work
24 as a real estate agent in Marin County, one of the
25 first things that a prospective buyer was given were

TR.10.2,
cont'd

TR.10.3

TR.11.1

1 the CCNRs. The CCNRs were very, very important and
2 they had to sign off on them within ten days. We have
3 no paperwork that suggests how in the world the
4 remaining public facilities are to be operated, the
5 hours of operation, who can have membership. Will
6 there be limitations on the use by nonresident members,
7 such as exists at San Francisco State, another public
8 institution with limited hours and reservation
9 requirements?

10 All of this is in a four-color brochure and
11 in representations that have been made along the line.
12 But we saw this in the bond crisis. We saw lots of
13 people having big files of paperwork that were not read
14 or not completed or not signed. How do we know that
15 people purchasing a limited number of condos in a small
16 site -- I've never seen a project like this, where the
17 public had access. You might find this in a community
18 with a homeowners association where there was a golf
19 course and they needed to underwrite some of the
20 expenses and so they had nonresident memberships. But
21 you'll never find it, I don't believe, in a compact
22 residential situation where a purchaser for \$2.5
23 million might foresee 1600 people walking and out of
24 the facilities. I don't believe that those homeowners
25 would allow it. And I think the first chance that the

TR.11.1,
cont'd

1 developer left and the seller of the property was no
2 longer around, they would exercise their legal rights
3 to change the homeowner document, which they can do
4 under California law.

5 So I would like to see what legal
6 arrangements have been made so that the protections for
7 the remaining facilities run with the land, no matter
8 whether the current parties are involved in the project
9 or not.

10 Thank you.

11 VICE-PRESIDENT MIGUEL: Thank you.

12 ALEC BASH: Good afternoon, Mr. President and
13 members of the Commission, I'm Alec Bash at 936 Church
14 Street. And in a prior life I started up the
15 environmental review process here in San Francisco in
16 1972 and was an environmental review officer from '79
17 until '85, just as an aside.

18 But the state of the art on the EIR has
19 advanced quite a bit since then. But having read
20 through the EIR, I do believe that it is largely
21 adequate, accurate, and objective.

22 There are some points, however, which could
23 be improved for the final. Certainly Jane Connors'
24 points about Ferry Building parking are à propos and
25 the final EIR should be as accurate as possible in

TR.11.1,
cont'd

TR.12.1

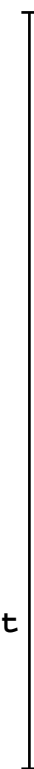
TR.12.2

1 that.



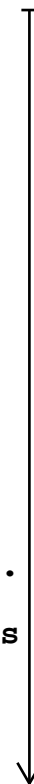
TR.12.2,
cont'd

2 Then on page IV.B.11, where it talks about
3 View F from Calhoun Terrace on Telegraph Hill looking
4 southeast, this is one of three places from public
5 areas on Telly Hill where it's possible viewing the
6 Ferry Building. The other two are on Alta Street,
7 which is a short dead-end street where one can look
8 through trees and make out the Ferry Building tower
9 last time I was there. Also, the Pioneer Park on the
10 south side of Coit Tower one can also see the Ferry
11 Building. And I think that is an important view and it
12 would be desired to have a photo montage from there
13 along with the one from Calhoun Terrace.



TR.12.3

14 Then on page IV.H.3 where it mentions Sue
15 Bierman Park and Blocks 202 and 203, I think it would
16 be worthwhile to mention in the final EIR that Block
17 203, which is the one next to One Maritime Plaza has
18 from time to time been discussed as being able to
19 accommodate four tennis courts or three tennis courts
20 and one basketball court, which potentially could be
21 funded by the 8 Washington developer. There are
22 concerns over having inadequate recreation in the area.



TR.12.4

23 Now, on pages IV.H.10 to 12 the EIR concludes
24 that the project would not create a need for a
25 physically altered park and would not have any



1 significant adverse effect on recreation opportunities.
2 I concur with that, but believe that would certainly
3 help to include that in the EIR for informational
4 purposes.

TR.12.4,
cont'd

5 Then on page VI.24 and 30 where we talk about
6 Alternative E, which is to develop only 8 Washington
7 under existing height and bulk and the alternative with
8 the environmentally superior alternative, it does not
9 include the fact that those alternatives would have
10 aesthetic impacts compared with the proposed project of
11 a more abrupt step-down from the Golden Gateway Center
12 tower to the Embarcadero. And it would not contribute
13 to the visual interests and improve the pedestrian
14 experience along the Embarcadero. I think that should
15 be included in the environmentally superior
16 alternative.

TR.12.5

17 VICE-PRESIDENT MIGUEL: Thank you.

18 BILL SAURO: Good afternoon, Commissioners.
19 My name is Bill Sauro. I'm president of the Barbary
20 Coast Neighborhood Association. We represent 5,000
21 residents and businesses all along the northeast
22 Embarcadero.

23 And two words come to mind when I read the
24 draft EIR: Incomplete and inadequate.

TR.13.1

25 First point, won't change the character of

TR.13.2

1 the neighborhood. Are you kidding? This development
 2 will totally forever ruin many of the iconic views and
 3 aspects of life along the Embarcadero for tourists and
 4 citizens alike. / Gridlock is already common on the
 5 Embarcadero, particularly at the intersection of
 6 Washington.

TR.13.2,
cont'd

TR.13.3

7 The traffic portion of this study is totally
 8 inadequate, addressing such issues as pedestrians
 9 walking along Washington, blocking the ingress of cars
 10 going into this massive parking garage. That is not
 11 mentioned at all in the EIR.

TR.13.4

12 This garage itself is literally blowing away
 13 the City's' transit policy. To add this many more
 14 parking spaces to an area that is already under such
 15 stress is not clearly delineated in the EIR.

TR.13.5

16 Water-displacement issues. When you put a
 17 garage down that far, the water is going to go
 18 somewhere, that's being displaced, likely into the
 19 garages of nearby residential buildings.

TR.13.6

20 The demographics of this project. \$2.5 to 5,
 21 7, 10 million -- who knows how much the penthouse is

TR.13.7

22 going to cost? / Not considered in the EIR are the car
 23 trips of house cleaners, dog walkers, caterers,
 24 dry-cleaning trucks, plant-watering services -- the
 25 many, many services that super-rich people demand and

TR.13.8

1 get in their buildings. Not covered.

2 Finally, I'd like to read to you the City's
3 host and venue agreement of the America's Cup. The
4 City will use all lawful means to restrict noise- and
5 debris-generating activities on public works and large
6 private construction projects in areas reasonably
7 proximate to the event during the America's Cup. This
8 is ground zero for the America's Cup. Not covered in
9 the EIR at all.

10 Thank you.

11 VICE-PRESIDENT MIGUEL: Thank you.

12 JAMES JOANNIDES: Good afternoon,
13 Commissioners. My name is James Joannides. I live on
14 Polk Street.

15 And I am handing you some views that were
16 part of the original planning of the Golden Gateway
17 done by Skidmore before Vernon DeMars built it --
18 eventually was the lead architect.

19 My -- I find the draft EIR inadequate in that
20 it does not address how the significant views of Coit
21 Tower and San Francisco are going to be occluded. They
22 are very important for tourists to orient themselves
23 by. This is huge mass of a building. In a way, it's
24 like bringing back the Embarcadero Freeway. It has
25 that kind of impact.

↑
TR.13.8,
cont'd

TR.13.9

TR.14.1

1 And, also, the historic intent of the
2 planning, beginning with the demolition of the produce
3 market, is not addressed in the report.

4 Here's the first version of the Golden
5 Gateway. And you can see that there are no large
6 buildings. Everything -- all the buildings are --
7 relate to each other -- the placement of each other.
8 There's nothing that's sort of just stuck in. And they
9 build backwards and up. They don't come forward and
10 build up.

11 After that a student won an award doing this
12 version, which is kind of an Oscar Niemeyer, round,
13 curved building. And so Skidmore seems to have sort of
14 been influenced in the second version of what Golden
15 Gateway was supposed to look like. But, again, you see
16 all the open space.

17 And one last thing I wanted to quote is when
18 the Embarcadero buildings went in in 1967, Portman said
19 in his presentation today that all the office
20 structures will be so designed and located on the site
21 that a clear east/west view is retained to the Bay
22 around the Ferry Building. Further, it is felt the
23 lines of sight for viewers high on the hills will tend
24 to slide over the center's building toward the Bay.
25 North/south views within the center would be preserved

1 through sharply etched breaks in the structures. So
2 this is an overall planning. This isn't something
3 that's stuck in. Everything was related to each other.
4 And I don't think this building does.

5 Thank you.

6 VICE-PRESIDENT MIGUEL: Thank you.

7 Paula Aston, Lisa Schreiber.

8 LISA SCHREIBER: I have some handouts.

9 VICE-PRESIDENT MIGUEL: Just leave them right
10 there. Thank you.

11 LISA SCHREIBER: And, also, for the
12 attendees, if they'd like some. I don't have a lot,
13 but you can share them.

14 My name is Lisa Schreiber. I'm a
15 professional pedestrian, working mother, and 13-year
16 resident of the area. This is in response to the draft
17 EIR, 8 Washington Street, which I agree is inadequate
18 and incomplete. And so let me go over a few facts to
19 start.

20 First of all, it relies a bit on the
21 Northeast Waterfront study, which I and my family --
22 and I've brought my children here today. My husband is
23 parking the car, after getting them from camp. It
24 shouldn't be -- it wasn't accepted by the planning
25 department and it shouldn't be so well-referenced in

↑
TR.14.2,
cont'd

↓
TR.15.1

1 the EIR, since it wasn't accepted by you. There's a
2 lot of flawed conclusions, not the least of which it
3 was not representative of the community. I and my
4 family were in practically every single meeting. And I
5 am yet to really read the comments and the thoughts and
6 the sentiment. The community did not support the
7 waterfront study.

TR.15.1,
cont'd

8 At the time there was financial
9 consideration. The Port was in dire need of money.
10 They came -- they went into a noncompetitive
11 negotiation process with 8 Washington to try to solve
12 their financial problems, which are vast. And,
13 hopefully, I'm pretty sure the America's Cup -- and I
14 work at Oracle -- coming to the Port will help relieve
15 some of their financial pressures and maybe they'll
16 rethink this noncompetitive negotiation process. But 8
17 Washington was not a response to this proposal. It's a
18 moneymaking deal. We all know that.

TR.15.2

19 So a few more facts to talk about. This
20 community that we live in has the highest density of
21 all districts in San Francisco. I've been trying to
22 live there with my family for 13 years. My children
23 were born when we were living in this property. The
24 least amount of active recreational space in all of San
25 Francisco. You can say that this is private if you

TR.15.3

1 will, but it's reasonably priced and it's the only
2 active recreational space we have. My children, when
3 they play soccer practice now, my son and his school,
4 they have to reserve space. I've talked to Phil
5 Ginsberg about this and I've talked to David Chiu about
6 it. They just can't go out to any park and say, oh,
7 let's have a pickup game. All of the schools reserve
8 space. This is just not a single problem. There's not
9 enough in the entire city, and there's definitely not
10 enough where we live. My son can play a little soccer
11 perhaps across the street, but there's no pickup games
12 in soccer. The field is not very even. And even when
13 we just redid the park near the Embarcadero, there's no
14 soccer space, football space, baseball space. You name
15 the sport, there's no place you're going to go and run
16 around and get any kind of great activity going. So
17 there's a big issue with active recreational space.
18 You're taking away what's very important to the
19 community.

20 There's some omissions --

21 VICE-PRESIDENT MIGUEL: Thank you.

22 PAULA ASPIN: My name is Paula Aspin. I work
23 in the tourist industry and I work out at Golden Gate
24 Tennis and Swim Club.

25 I speak to people all the time -- tourists.

1 I've never heard one tourist say, Gee, I really like
2 that highrise. But what they talk about are the views,
3 the ambience, the general -- the water, the parks, the
4 spaces, and the healthy-looking people in San
5 Francisco. We have very healthy-looking people.

6 Okay. I went onto the Website of the
7 planning organization to figure out what I'm trying to
8 say here. And the first thing I came about was, number
9 one, they said the planning department places
10 protection and preservation at the very top of its list
11 of priorities. Interesting. Because this is a club
12 that's going to be demolished. Okay?

13 Second, improvement of the city as a place
14 for living by aiding and making it more healthful,
15 safe, pleasant, and satisfying with housing
16 representing good standards for all residents and
17 providing adequate open spaces and appropriate
18 community facilities.

19 And the third point I found was that the
20 established priority policies of your planning says our
21 parks and our open space and their access to sunlight
22 and vistas be protected from demolition.

23 So here I've got this health club that's
24 going to be demolished, proposed. It's healthful.
25 It's pleasant. It's been there for 50 years. Right

TR.16.1,
cont'd

1 now if I wasn't here, I'd be out there swimming with,
2 like, 50 other people; playing tennis. There's a camp
3 out there. I live at Market and Castro. I go on the
4 Muni every day and back to get there. I'm not rich,
5 but I'm healthy because of this club. It's the only
6 health club like this in the city and in the state; and
7 I'm willing to say in America, because it's in the
8 center of an urban development. You've got nine tennis
9 courts and two open pools. This is unheard of.

10 You guys, you have the most amazing amenity
11 right in front of your city and you want -- it's in
12 danger. Playland is gone. And, you know, I'm old so I
13 can talk about it. What's in Playland now? Something
14 very similar to 8 Washington Street. Very nice. Now,
15 no tourist is standing at that Playland, where it was,
16 looking at, Gee, it's beautiful, I just love this
17 apartment building. Okay.

18 Come on. You've got to protect your city.
19 This is all we've got. We don't have much left here.
20 Okay.

21 Cities across America are considering how to
22 bring life to urban centers, but San Francisco, with
23 Seawall 351, is promoting the destruction of a lively,
24 long-lived, thriving sports community within its
25 center. And make no mistake. Demolish and it will be

1 destroyed. It's the only San Francisco sports facility
2 like it, like I said. Okay. It's a retrograde step.
3 Demolition of a functioning and thriving community
4 sports center goes against green thinking, but also
5 goes against its own planning guidelines. Innovators
6 and town planners are now not demolishing. They're
7 using what they've got.

TR.16.1,
cont'd

8 Thank you.

9 VICE-PRESIDENT MIGUEL: Please. We ask there
10 are no demonstrations.

11 Justin Allamano, Irene Glassgold, Alfred
12 Glassgold, Veronica Sanchez.

13 JUSTIN ALLAMANO: Good afternoon,
14 Commissioners. My name is Justin Allamano. I'm the
15 founder and spokesperson for Waterfront for All. We
16 are a grassroots organization of San Francisco
17 residents committed to proactive engagement on
18 waterfront development and other activities from AT&T
19 Park to Fort Mason.

20 The Embarcadero has the potential to be one
21 of the world's great boulevards, bringing a vibrant,
22 open waterfront. First and foremost, we should make
23 better use of the seawall lots that currently serve as
24 parking lots.

25 And while I understand how many people here

TR.17.1

1 are troubled with the loss of their private club and
2 some of the way their community is today, there is a
3 much better use for that lot. We should encourage land
4 uses that serve as a transition between the Bay and the
5 rest of the city. Ideally, these uses would promote an
6 active and publicly accessible waterfront.

7 I will be providing more detailed comments on
8 the draft EIR, but from my initial review I'm convinced
9 that there are no impacts that outweigh the benefit of
10 the project. The project is a meaningful opportunity
11 to replace one of the surface parking lots and the
12 infamous green tennis wall with pedestrian-friendly,
13 publicly accessible open space with ground-floor
14 commercial, dense housing along one of our major
15 transit thoroughfares.

16 And given the number of public and private
17 recreation facilities in the area -- I, for one, am a
18 member of the Dolphin Club. I swim down there all the
19 time, I run along the Embarcadero, I run up to Coit
20 Tower about two or three times a week. I think that
21 the project sponsor's efforts to maintain some of the
22 club adequately addresses the recreation needs.

23 I appreciate this opportunity to support
24 smart development. And I hope that this development
25 will serve as a catalyst to change and create better

↑
TR.17.1,
cont'd

↓
TR.17.2

↓
TR.17.3

1 uses on the other surface parking lots as well.



TR.17.3,
cont'd

2 Thank you for your time.

3 VICE-PRESIDENT MIGUEL: Thank you.

4 IRENE GLASSGOLD: My name is Irene Glassgold
5 and I live at 155 Jackson Street in San Francisco.

6 My focus is directed to Part IV.H,
7 recreation, which is biased for concluding demolition
8 and reduction of the Golden Gateway Tennis and Swim
9 Club insignificantly impacts the recreation in the
10 project area. If the 8 Washington development
11 proceeds, this club will be demolished and unavailable
12 for at least 24 months; and when it reappears will be
13 reduced from nine tennis courts to four. The green
14 open space will be replaced with a restaurant, retail
15 and residential buildings. The swimming pools will be
16 on top of a fitness building, making entry difficult
17 for seniors and kids now using level entrance.

TR.18.1

18 The DEIR, page 7, classifies this an
19 insignificant impact because the site area is not
20 considered high-need, mainly using information from the
21 1980 U.S. census, updating from the 2000 census but
22 failing to reference the recent 2010 census, which has
23 been partly available from early 2011.

24 On page 12 and 13 some of the consequences of
25 the two-year closure of the club are cited, and I



1 quote. The interim closure would displace current
2 users of the club. They would be forced to find other
3 recreational opportunities. Users might choose
4 different forms of recreation. Others might search for
5 replacement tennis/swim facilities. These facilities
6 could be further from users' home or workplace. Other
7 private facilities could cost more than the Golden
8 Gateway Tennis and Swim Club. And public facilities
9 might not be of equal quality. The DEIR finds this
10 insignificant.

11 Page 8 cites a 2004 recreation and parks
12 assessment evaluating the needs of San Francisco
13 residents, which reports that the 8 Washington Street
14 site is not within the defined service area for pool,
15 tennis, basketball courts. Yet the DEIR concludes the
16 impact of the closure and reduction of the club is
17 insignificant, overlooking this salient fact: The club
18 is in District 3, which has the lowest level of
19 recreation resources per capita of any district in the
20 city. Any reduction in the size or access to the club
21 forcing residents of the Golden Gateway Apartments to
22 depend on city swimming and tennis facilities must be
23 considered significant.

24 Thank you for your attention.

25 VICE-PRESIDENT MIGUEL: Thank you.

1 AL GLASSGOLD: Commissioners, my name is Al
2 Glassgold. I live at 155 Jackson Street. From my
3 apartment I have a view of the Embarcadero, Drumm, and
4 Jackson Streets.

5 I wish to address transportation issues in
6 Part IV of the EIR, namely TR-1, transportation; TR-3,
7 pedestrians; TR-5, parking.

8 It is amazing that the EIR regards these as
9 insignificant and proposes only minor remedies for what
10 is a serious increase in traffic and congestion. Part
11 4.d of the EIR is based on a study of peak-hour traffic
12 on a single weekday afternoon in May four years ago.
13 Actually, there are two rush hours every day; and then
14 there are several rush hours on the weekend. At these
15 times traffic is almost bumper to bumper and the nearby
16 streets are clogged with cars escaping the Embarcadero.
17 Due to the random nature of traffic, near-gridlock
18 conditions can occur at almost any time.

19 We all know that bumper-to-bumper traffic
20 generates pollution, including soot. A significant
21 component of automobile soot are polycyclic aromatic
22 hydrocarbons, well-known as a carcinogen. A 165 luxury
23 condo with many stores and a garage with more than 400
24 spaces will aggravate the current nexus of congestion
25 at the proposed project site, Washington and

TR.19.1

TR.19.2

TR.19.3

1 Embarcadero.

2 In addition to the increase in automobile
3 traffic, the proposed narrowing of Washington Street
4 will further magnify congestion, as will the
5 elimination of the double turn from the Embarcadero.
6 Thus, the EIR characterization of TR-1, traffic, is off
7 the mark; as are TR-3, pedestrians; and TR-5, parking.

8 Crossing the Embarcadero is dangerous right
9 now, what with the very congested intersection at
10 Embarcadero and Washington Street, the turning traffic,

11 and the short crossing times. It is naive to think
12 that cars going to the project will simply enter the
13 project garage and not roam the streets looking for
14 street parking. The specific sources of the congestion
15 would be generated by the 8 Washington Street project
16 are the parking entrance on Washington Street and the
17 two driveways and loading dock around the corner on

18 Drumm. The west side of Drumm Street already has two
19 garage entrances, a waste facility, and a moving space.
20 Thus, the last block of Drumm Street would become an
21 ugly alley, certainly a poor way to connect the city to
22 the waterfront.

23 In conclusion, this EIR is grossly inadequate
24 with regard to automobile congestion and pollution,
25 while failing to protect the rights of pedestrians.

TR.19.3,
cont'd

TR.19.4

TR.19.5

TR.19.6

TR.19.7

1 Thank for your attention.

2 VICE-PRESIDENT MIGUEL: Thank you.

3 Veronica Sanchez.

4 VERONICA SANCHEZ: Good afternoon, Mr.

5 President, Commissioners. Veronica Sanchez speaking on
6 behalf of two maritime unions, the Master Mates and
7 Pilots and the Inland Boatmen's Union of the Pacific,
8 an affiliate of the ILWU. We are the people that work
9 the ferries in San Francisco Bay as captains and
10 deckhands.

11 And you would ask, well, what would two
12 maritime unions care so much about this project? We do
13 because 8 Washington is actually a linchpin for the
14 second phase of development of the ferry terminal
15 expansion right there next to the Ferry Building. We
16 probably are -- no pun intended -- in a similar boat as
17 the Ferry Building tenants and CUESA in being very much
18 interested in replacing the parking there next to the
19 Ferry Building, because if that parking is not replaced
20 and their economic interests are not protected and the
21 Port's economic interests are not protected, then the
22 expansion of the ferry terminal project for Treasure
23 Island for additional capacity and for earthquake
24 response for the city and the region does not go
25 forward.

TR.20.1

1 At stake is \$20 million of bridge toll money
2 and millions more of state bond money that the city
3 would lose if that replacement parking cannot be found.

4 So we have spent many years attending these
5 hearings, seeing the effort -- the great effort -- that
6 the developer has put into studying the concerns of the
7 community. And as we read this EIR report that they
8 have, we believe that they have a good job in assessing
9 the impacts and that the public benefits outweigh the
10 impacts to the local community.

11 Thank you very much.

12 VICE-PRESIDENT MIGUEL: Thank you.

13 Nan McGuire, Frederick Allardyce, Lee Radner,
14 and Nan Roth.

15 NAN MCGUIRE: Good afternoon, Commissioners.
16 My name is Nan McGuire and I live at 994 Union Street.

17 It's interesting what Ms. Sanchez just said
18 about the developer being sensitive to the community.
19 I recall one of the first meetings that the developer
20 had with the community to explain his project. And
21 that was a very good first step for him. However,
22 during this meeting, someone -- not myself -- asked him
23 if he could give us a sense how much these condominiums
24 would cost. And he didn't respond immediately. He
25 stood there. He thought. And his response was, They

TR.20.1,
cont'd

TR.21.1

1 will be the most-expensive condominiums in the city.
2 This did not have a very positive effect on me, for
3 sure, and I suspect many people in the room.

4 We don't need more most-expensive
5 condominiums in this city. And you know that. You
6 know that. And you know who buys there? Not people
7 who are going to be there and contribute to the
8 community. People who are going to fly in. They're
9 called pied-à-terres. That's going to be a high
10 percentage of the people who will buy there.

11 I want to address the recreation aspect of
12 this because that's why I go to the club. I walk from
13 Russian Hill, where I live. I swim. I have a back
14 problem and recreation is very important to me. I
15 would take issue with what Ms. Karlinsky said about
16 this project providing more open space. This just is
17 false. This is false. And it certainly doesn't
18 provide more recreational open space, which is what we
19 are sorely lacking of in the city.

20 And the other comment I'd like to make -- I
21 know I'm not citing pages. Sorry about that. But the
22 other comment I'd like to make is that every hearing
23 that I have been to -- and I haven't been able to
24 attend all of them -- people keep saying this is a
25 private club, as if it's a horrible, horrible place

TR.21.1,
cont'd

TR.21.2a

TR.21.2b

1 where, you know, private things take place. It's no
2 more private than the YMCA or the YWCA, which you have
3 to pay to attend. And now it's no more private than
4 recreation facilities in the city because of the budget
5 crisis that we're in and the recreation department is
6 now charging. So I think the use of "private" wherever
7 it appears in the EIR is a bogus attack on a wonderful
8 facility that will not remain as it is and will be
9 closed down for three years and in their estimation a
10 minor inconvenience.

11 Unfortunately, this development has been in
12 bed with the mayor and the Port from the beginning.
13 And so I hope it's not in bed with the Planning
14 Commission.

15 VICE-PRESIDENT MIGUEL: Thank you.

16 FREDERICK ALLARDYCE: Good afternoon,
17 Commissioners. Thank you for your patience in
18 listening to what the community has to address the
19 significance of this environmental impact report. My
20 name is Frederick Allardyce. And I've lived in
21 different parts of the waterfront and have for over 40
22 years. I was the founder of the Waterfront Action
23 Group that was successful in reducing the height of a
24 hotel on the corner of Broadway and the Embarcadero
25 after five years of fighting with the Port about that.

↑
TR.21.2b
cont'd

↓
TR.21.3

1 And we finally got Aaron Peskin and the Board of
2 Supervisors to approve the reduction of that from 84
3 feet to 40 feet.

4 This project is much more significant because
5 it takes one of the most successful projects the San
6 Francisco Redevelopment Agency has ever done and one of
7 the most controversial projects that they have ever
8 done, taking everything from Market Street to Broadway,
9 bulldozing it all, building the iconic Embarcadero
10 Center, and allowing a winner of five bids to build the
11 Golden Gateway Center and its neighborhood that goes
12 with it. That was a significant, significant struggle
13 going back in the 1960s. The main focus of the fact
14 that project was approved and Perini Land and
15 Development won because they proposed a recreational
16 complex that supported the residential needs of this
17 neighborhood.

18 Our esteemed Senator Dianne Feinstein today,
19 if she was here, would tell you she made a critical
20 mistake by not zoning this parcel open space just like
21 Sidney Walton Park. Mr. Ramsdell, the head of the
22 redevelopment agency will tell you that today too.
23 Everybody in town knows that this recreational facility
24 is very important to the success of this neighborhood.
25 Taking it away from all the seniors that reside in the

TR.22.1

TR.22.2

1 neighborhood will be a sin. Taking nine courts that's
2 open to anybody that wants to play -- and you could
3 that 14-foot fence down and paint it white or you could
4 make it one-half the size and you wouldn't have this
5 issue about building a 14-story building there for the
6 iconic use of multimillionaires. Nevertheless, there's
7 so many things in this.

↑
TR.22.2,
cont'd

8 And I have to read from the EIR, page 2,
9 Section III, that the redevelopment agency in 1962
10 agree to maintain community facilities for a permanent
11 nature designed primarily for use on a nonprofit basis.
12 That was the whole intent of creating Golden Gate Swim
13 and Tennis club. And that's the jewel that
14 neighborhood enjoys now. This developer wants to take
15 it and make it into four courts and two pools. And I
16 will guarantee you the people that will use that will
17 be the 180 new condominiums that use it and the 1600
18 people that use it today will never have a chance to
19 use it again.

TR.22.3

TR.22.4

20 Thank you for your patience, and thanks for
21 the patience of the audience.

22 VICE-PRESIDENT MIGUEL: Thank you.

23 LEE RADNER: Am I doing this right?

24 VICE-PRESIDENT MIGUEL: When you start
25 talking, Mr. Radner, it will come up.

1 LEE RADNER: Good afternoon. I'm a novice at
2 that sort of thing. Thank you, Commissioners. My name
3 is Lee Radner, Friends of Golden Gateway.

4 I'd like to focus on the recreation section,
5 IV.H.9, which starts out with the sentence, Impact on
6 environment less than significant.

7 Let me divert here for just a second. Last
8 year, Friends of Golden Gateway started a scholarship
9 program for young people, particular in our neighbors
10 of the Chinatown area, to be able to attend kids camp.
11 Thanks to our supporters' donations, we were able to
12 send a number of young kids to kids camp. And this
13 year we were able to expand that to include not only
14 Chinatown but young people south of Market Street. We
15 feel it's been a very successful program. And the
16 closing down of this club as you see it -- and it sure
17 is ugly, isn't it? I would derail such a program and
18 it would never come back if it were done at half the
19 size that is presently planned.

20 Over 700 young people each summer for the
21 last 15 years have been attending this kids camp. We
22 now are able to provide the space for a number of young
23 people who could not come before. You multiply that by
24 15 years, you know how many thousands of kids we have
25 been able to support. You translate that into

TR.23.1



1 families. And I heard two weeks ago when I was here, a
2 number of you discussing why families are leaving the
3 city.

4 We recognize housing and education are
5 important -- very important. But recreational space
6 and the limited space is also very important. And
7 taking away this area would be devastating, not only to
8 the community but to hundreds and hundreds of families
9 who live in this community.

10 I was a little late today. And I had some
11 other young people to come, but we do have Joyce Lu
12 here.

13 Joyce, where are you? Joyce?

14 Joyce is one of the members of the kids camp
15 that FOGG proudly was able to support. There's some of
16 them still over there till five o'clock, so we couldn't
17 bring them all here.

18 The two pools that you see down here --
19 already? Thank you very much. I hope you get the
20 message.

21 NAN ROTH: Hello. My name is Nan Roth. I
22 was one of the very earliest members of the Golden
23 Gateway Tennis Club, back in the days when you couldn't
24 get a court there to save your soul. It was a very
25 carefully controlled big in-group used the courts. I

TR.23.1,
cont'd

TR.24.1

1 must say since the Western Athletic Club has taken
2 over, it's become much diplomatic.

3 I would like to note that in this report,
4 although it's often referred to as an ongoing
5 commitment from the Western Athletic Club to run this
6 facility, I see no direct evidence of that whatsoever.
7 And I am very concerned about that and I will submit
8 that in my comments. I find many aspects of this
9 report have hearsay in them without any supporting
10 documentation, when indeed it should be present.

11 I object to there being no alternative
12 omitting the garage. This project is driven by the
13 garage. The need is leveraged by the garage. The size
14 of the housing component is leveraged by the garage;
15 and it's required to keep the garage from popping out
16 of the ground. The need for -- that's true. I mean
17 its weight because of the water and the hydraulics
18 under this site, which is again not adequately
19 addressed, are substantial. And you need weight to

20 keep that down. The need for ultra-luxury housing is
21 driven by the extraordinary cost for a parking stall,
22 which I also could not find in the EIR. Why do we have
23 no data comparing this cost to that of parking
24 facilities on solid dry land or even on the nearby
25 lot -- Seawall Lot 322-1, which would be perfectly

TR.24.1,
cont'd

TR.24.2

TR.24.3

TR.24.4

1 adequate for this purpose.



TR.24.4,
cont'd

2 I would also like to address the issue of the
3 way that the -- when I first started reading the
4 project description, the first thing I came across was
5 that this project was going to be a boon to housing
6 needs in San Francisco. It certainly does nothing to
7 support equal access and diversity. It is highly
8 privatized and does not include any affordable units.
9 Any fee due to the affordable housing fund is not
10 commensurate with the total value of the housing and it
11 should be. The fee is standard, whether the project is
12 affordable or über-luxury housing such as 8 Washington,
13 thus making it more advantageous for this type of
14 project to not elect to include affordable housing
15 on-site. I think this issue needs to be addressed.



TR.24.5

16 I would also like to say that -- I lost it --
17 okay, we'll skip that. We'll go on.

18 I would like to comment on the status of the
19 pools and recreation facilities here in San Francisco,
20 which is not referenced in this; and that is that many
21 of the facilities that we've taken for granted are
22 being closed or partially closed down. That includes
23 the recreation center at the Joe DiMaggio Playground.
24 The pools have been reduced hours and the fees have
25 gone up. It actually costs more to swim at the North



TR.24.6

1 Beach pool than it does to pay the membership rate and
2 swim at the pool at the Golden Gateway Swimming Club.
3 To what extent are these alternatives currently
4 operating at capacity?

5 VICE-PRESIDENT MIGUEL: Thank you.

6 NAN ROTH: Thank you very much.

7 VICE-PRESIDENT MIGUEL: Tim Colon, Bob
8 Iverson.

9 TIM COLON: Good afternoon, Commissioners.
10 Tim Colon on behalf of the San Francisco Housing Action
11 Coalition.

12 We believe that this project opens up the
13 opportunity for a long overdue civic conversation on
14 urban land use and environmental values. We believe
15 that the EIR provides a map on thoughtfully increasing
16 the intensity of land use in this area. And we believe
17 that the EIR is thorough, balanced, and fair, although
18 this is probably not relevant to this discussion. The
19 EIR on the 8 Washington project opens an opportunity to
20 have a much more basic civic conversation. Again, this
21 is about two simple questions: Should the city
22 preserve a surface parking lot on public land at this
23 unusual location? And, two, should San Francisco be
24 able to realize the economic value of this land or
25 should it provide an economic subsidy to local

TR.24.6,
cont'd

TR.25.1

1 neighbors who want to preserve the parking lot; that is
2 subsidize a private purpose?

3 Opposition to changing the surface parking
4 lot from our good friends at FOGG comes from folks who
5 are living in housing that itself displaced businesses
6 and residences. Does anyone seriously think that this
7 was sand dunes before the Golden Gateway was built?
8 And it's fair to assume that the building of the Golden
9 Gateway employed driving lots of piles into the ground.
10 But in one of San Francisco's delicious and all too
11 common ironies there is now a narrative that the
12 present use must be the last and best word on land use
13 on the waterfront. That is no further change is
14 allowed here and certainly not increasing height and
15 density. And we might again recall that this site is
16 next to the tallest buildings in the city's skyline,
17 many 30 and 40 years old. This proposed project is
18 half as tall as the immediately adjacent residential
19 building and one-fifth as tall as the closest
20 commercial building. By contrast, the 8 Washington
21 project displaces no one and certainly not any
22 recreational use. Instead, it proposes environmental
23 uses and values that we as a city, after years and
24 exhaustive public process, say we applaud. That is
25 opening access to the waterfront, activating the

TR.25.1,
cont'd

1 streetscape, increasing public open space, and
2 subsidizing housing affordability as well as funding
3 repair of degraded civic infrastructure. How do we as
4 a city compare these values against the surface parking
5 lot for the benefit of a few? This on public land.

6 Finally, as to the actual opportunity costs
7 of the two choices here, we would like to know which
8 does the City value more highly -- five private tennis
9 courts or 33 below-market-rate housing units?

10 Thank you.

11 BOB IVERSON: My name is Bob Iverson. I'm
12 hear to speak about many portions of the EIR.

13 The EIR has been around for a while, but I am
14 convinced they can be tailored to your needs. And I
15 think this document is particularly slanted as well.
16 For instance, with the environmental settings and
17 impact on recreation, 168 public tennis courts and 52
18 private courts are cited. But they do not talk about
19 quality. For organized tennis, there are really only a
20 handful of options -- the Olympic Club, Cal Club, SFTC,
21 and Golden Gate Park as well as the Golden Gateway.
22 Without that, we are down to four, two of which are
23 probably left over for the people who move into this
24 complex.

25 It also slights the fact that, while the SF

TR.25.1,
cont'd

TR.26.1

1 population will increase, loss of recreation is not
2 really that important. That conclusion seems fairly
3 odd to me.

↑
TR.26.1,
cont'd

4 Also, with the housing, the San Francisco
5 General Plan and housing element speaks of achieving
6 decent, suitable, and affordable housing for current
7 and future San Franciscans. This document cites that
8 170 exceptionally expensive units and 31 affordable
9 units, somewhere else, fills this need. I don't know
10 where a six-to-one ratio fills the housing element
11 need, but it's a conclusion drawn by this document.

↑
TR.26.2

12 Parking, to address many of these people who
13 cite parking as such a great need for the issue,
14 they're citing as many as 520 spaces -- we don't if
15 that's going to be the case when it comes out -- 170 of
16 which are slated for the residents. That's one per
17 person at these -- one per unit of these highly
18 expensive units. I don't think these people will
19 settle for one unit. Now, you can force their hand,
20 but at the same time the project sponsor is trying to
21 achieve some more parking for his parcel across the
22 way. What's that leave for the Ferry Building and all
23 these people who cite the need for it is not that many
24 parking spaces, not really any more than they probably
25 have already. So I disagree with that.

↑
TR.26.3

1 Finally, alternatives. I'm disappointed with
2 the alternatives. Both FOGG and Asian Neighborhood
3 Design have come up with much more creative
4 alternatives than the ones cited in this project. I'm
5 not sure if -- here's one possibility. So I think
6 there's much more creative solutions that come out of
7 this and make everybody here who is in favor of this
8 project also happy.

9 That's all. I have some copies of this if
10 you care to see another alternative.

11 VICE-PRESIDENT MIGUEL: Thank you.

12 Is there additional public comment on this
13 item?

14 JOEL ROSENBLATT: Hi. My name is Joel
15 Rosenblatt. I live in Potrero Hill.

16 I'm an avid tennis player. I'm a wife -- I'm
17 a husband to a wife who is a swimmer and I'm a father
18 to a seven-month-old baby who is beginning to swim.
19 I'm also a club member. So I guess it's probably
20 pretty clear where I come down on this.

21 But I just wanted to speak to something that
22 other people have spoken to. And that is the notion
23 that this is a private club. Technically it's true.
24 But before I became a club member, before I was a
25 father or a husband, I played at the park -- at Golden

TR.26.4

TR.27.1

1 Gate Park -- on public courts. And this private club
2 hosts public matches routinely for very young people
3 and for very old people and invites them in for free.
4 And I will say, as a -- before I became a member, it
5 was a privilege to play at that place. They are
6 important tennis courts. The environmental report
7 cites in Part IV, Section H, the recreation element --
8 it cites the impact to recreation; and it says that
9 there are 158 public tennis courts in the city. That
10 may be true if you count them. If you take the court
11 in my neighborhood, in Potrero Hill, it's not playable.

12 I'm not taking -- I'm not saying it's not like to my
13 liking. People cannot play tennis on that court. So
14 the notion that this is just a private, exclusive club
15 mischaracterizes the nature of the club.

16 And as a last kind of word, I just encourage
17 you, before you make any decision, to please go to the
18 club. Go there on a Saturday and see the people like
19 my seven-month-old baby swimming next to
20 90-plus-year-old people, how many people enjoy that
21 club, both members and non-members.

22 Thanks.

23 VICE-PRESIDENT MIGUEL: Thank you.

24 Followed by John Huang.

25 JIM CHAPPELL: Good afternoon. My name is

1 Jim Chappell and I'm here representing myself. I have
2 been, at I think, every workshop and hearing on this
3 project over the many years it has been in planning.

4 I'm a professional planner and I have read
5 and studied the DEIR in detail. In my best
6 professional opinion, the EIR is adequate, accurate,
7 and complete.

8 As this planning document points out, the
9 existing surface parking lot and private club are
10 inconsistent with the grand boulevard and transit line
11 that have been constructed with tens of millions of
12 dollars of public money. This is exactly where new
13 housing should be located, in an area that is flat,
14 with good weather, beautiful views. The current
15 conditions of the site are a blight on the landscape.

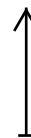
16 I hear some individuals here today who are
17 concerned they'll lose access to the existing private
18 club. I'd like to point out that there is no way that
19 165 residential units can support operation of the
20 club. The operator will need their memberships
21 today -- will need their memberships in the future just
22 as they do today. So while I sympathize with the fear
23 of these individuals, the fear of loss of the club are
24 unfounded.

25 The public benefits of this project far

TR.28.1

TR.28.2

1 outweigh any negative impacts. The DEIR is adequate,
2 accurate, and complete.



TR.28.2,
cont'd

3 Thank you.

4 VICE-PRESIDENT MIGUEL: Thank you.

5 John Huang.

6 JOHN HUANG: Good afternoon, Commissioners.
7 My name is John Huang. I'm a business representative
8 for electricians' union. Today I'm speaking on behalf
9 of San Francisco Building and Construction Trades
10 Council. Because our council is having the monthly
11 meeting, so I'm here.

12 After reviewing the draft EIR, we believe
13 that it is adequate and complete, so we recommend you
14 to move this project forward.



TR.29.1

15 Thank you.

16 VICE-PRESIDENT MIGUEL: Thank you.

17 Is there additional public comment?

18 BRAD PAUL: Members of the Commission, Brad
19 Paul.

20 I want to just quickly address two of the
21 objectives of the project. One has to do with housing.
22 Other people have spoken to it.

23 I just want to show you where this number two
24 and a half million comes from. They weren't kidding
25 when they said it was going to be pretty expensive.



TR.30.1

1 Can we shrink this down a little bit? Anyway, it's the
2 total development costs of the project -- 345 million
3 divided by 165 condos equals \$2.1 million per condo
4 just to build it. Assuming a 20-percent return minimum
5 to get any kind of financing, that gets you up above
6 2.5 million. That's what it's going to cost to build
7 -- \$2.1 million.

8 I also want to address the revenue to the
9 Port. Several speakers said, well, this is going to
10 create revenue to help the Port. It's actually not.
11 It's going to cost the City money. Let me explain why.

12 Down here is a picture of the site. In
13 yellow is Seawall Lot 351, owned by the Port. The rest
14 of the site is City planned. They are proposing as one
15 of their major sources of revenue to create an
16 infrastructure finance district that I believe is
17 supposed to generate over a period of time over \$40
18 million. The Port is entitled to 20 percent of that,
19 which I believe is 8 million. 32 million belongs to
20 the City, to the general fund. The term sheet says
21 that that money all goes to the Port. The
22 environmental impacts of that are that if this were
23 ever to come to pass -- I can't imagine a Board of
24 Supervisors giving up 32 million -- but if were to
25 happen, then the question we have to ask is what

TR.30.1,
cont'd

TR.30.2

1 recreation centers would have to be closed because of
2 that loss of revenue? What Muni lines would have to be
3 shut down because of that loss of revenue? There are,
4 as many people have said, consequences to the economics
5 of this project that have real environmental impacts.
6 And I think those have to be addressed. If we lose
7 this revenue -- and there's other sources of revenue
8 they claim that don't exist. So there is no revenue
9 coming from this. And we have the America's Cup now to
10 take care of the cruise ship terminal, which is the
11 other big reason for doing this.

↑
TR.30.2,
cont'd

12 I also wanted to suggest a couple of things
13 that needed to be added to this. Nowhere in here does
14 this mention this is the fourth attempt to develop
15 condos on this site. And I have to confess. I thought
16 this was only the third attempt. But Perini tried it
17 in the 1980s; tried it again in the 1990s. There are
18 letters from Mayor Feinstein, Senator Feinstein, former
19 directors -- and there will be some more letters from
20 more former directors -- saying the intention has
21 always been to keep both Sidney Walton Park and the
22 Golden Gate Recreation Center permanently there as
23 community benefits for the deal.

↑
TR.30.3

24 And, finally, I would like to ask that in the
25 no-project alternative, which is the environmentally

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TR.30.4
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1 superior one, do one thing: Put in a clear fence. The
2 developer has a great rendering in his proposal for
3 taking those ugly green fences down and putting up nice
4 clear fences. The only reason it's not happening is
5 because the owner of the property won't let it happen.
6 But he's a partner in the deal. It's to his advantage,
7 to get this deal approved, to keep it ugly. But on a
8 month-to-month lease the Western Athletic Club cannot
9 go out and spend money to get rid of that green fence.
10 But it's not the members of that group's fault. It's
11 not the Western Athletic Club's fault. It is the owner
12 of the property, who is one of the partners in this
13 deal, who stands to make a lot of money if this goes
14 through. So please include that nicer fence.

15 Thank you.

16 JILL TANNENBAUM: Hello. My name is Jill
17 Tannenbaum. I live at 1915 Greenwich Street. I moved
18 to San Francisco 17 years ago. Golden Gateway was the
19 only place I could find to join to play tennis and swim
20 out side. This is the only place that is still only
21 available to swim and play tennis outside. People from
22 all over the city come to Golden Gateway to swim and
23 play tennis, to socialize, to meet people, to do
24 things, or just to be outside, because it's one of the
25 only sunny places in the city during the summer. So I

TR.30.4,
cont'd

TR.31.1

1 really would not enjoy the fact that the club be
2 closed. I would leave the city because I would have
3 nowhere to go.

4 Thank you.

5 VICE-PRESIDENT MIGUEL: Thank you.

6 SUE HESTOR: Sue Hestor.

7 I'm showing page II-2, which is the area
8 along the waterfront. I tried calling up any EIR that
9 had an underground parking garage. All of this area
10 east of Sansome Street all way to the waterfront.
11 There is no EIR that has ever been developed with an
12 underground parking garage along the waterfront. From
13 Greenwich Street down. I tried. Nannie Turrell can
14 confirm this. The redevelopment has none because all
15 the redevelopment area was done before CEQA. No EIRs
16 at all for Golden Gateway Embarcadero Center. And
17 there was an EIR for a hotel at 8 Mission Street.
18 Doesn't have an underground garage. That's the parking
19 that is the former turnaround area for the PUC.

20 What you have is a 420-car garage that has
21 excavation of 38 to 40 feet on old ships. It's all
22 fill. The entire area that I was looking for an EIR is
23 all fill. It is above the high-tide line. There is no
24 soil drainage. When there's rain storms, the water
25 table is so high. This is going to be excavating into

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TR.31.1,
cont'd

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TR.32.1

1 a site that is going to have 110,000 cubic yards of
2 debris, fill, and soil. And you're going to have
3 sea-level rise -- sea-level rise on a site that has --
4 this is one of the significant impacts of the
5 project -- on fill. The elevation is 0.95 to 0.1 San
6 Francisco city data. It is basically at sea level.
7 The sea level is rising. You're building a gigantic
8 bathtub three stories down for a 420-car garage. And,
9 as Nan Roth, said it's basically the building has to
10 keep the garage from popping up because the water level
11 is so high.

12 There is a flooding risk associated with this
13 project. The seawall lot -- the original seawall lot
14 goes straight through this site. The current seawall
15 lot is on the other side of the Embarcadero. There is
16 no discussion of hydrology in this EIR. There is no
17 discussion except for the archeology of the old ships.
18 That's historic. You cannot find any of this in the
19 EIR. It's totally missing a discussion of the impact
20 of building an underground garage on Bay fill with the
21 sea level rising and a water table that is already very
22 high. This is an environmental issue just not there at
23 all. And it wasn't there in the EIR because no EIRs
24 have ever been done for this kind of a situation.

25 Thank you.

1 VICE-PRESIDENT MIGUEL: Is there additional
2 public comment?

3 JAMIE WHITAKER: Good evening, Commissioners.
4 My name is Jamie Whitaker and I live in the Rincon Hill
5 neighborhood.

6 And I just want to say that I oppose 8
7 Washington as is. 420 parking spaces for -- was it
8 180-something units seems insane to me. And living
9 between the Bay Bridge and the Financial District,
10 approximately where this will be, this is just more
11 opportunities for pedestrians and bicyclists to get
12 hit, seriously injured, and killed, putting these
13 parking spots up here. At least that many -- 0.5 cars
14 per one unit. That's Rincon Hill's ratio. I think
15 that should be the ratio throughout downtown.

TR.33.1

16 The recreation center, I think, is really
17 important. Sure, there may be 800 tennis courts
18 throughout the city, but my life pretty much stays east
19 of Van Ness. And I would guess most of the folks who
20 live downtown stay east of Van Ness. Look east of Van
21 Ness and north of 16th, how many recreation centers
22 there are. We're underserved, but yet we are sort of
23 the ATM for money for a lot of things that happen
24 city-wide. I think we should give some consideration
25 to the people that live in the area that also helps

TR.33.2

1 provide a lot of money.



TR.33.2,
cont'd

2 I oppose this. Thank you.

3 VICE-PRESIDENT MIGUEL: Thank you.

4 Is there additional public comment on this
5 item? If not, public comment is closed.

6 Commissioner Antonini.

7 COMMISSIONER ANTONINI: Thank you for your
8 comments. I just wanted to comment on those things that
9 I did hear that have relationships to the EIR, questions
10 that I think need to be answered. And I'm sure staff
11 has been listening to it all, too.

12 I think at the very beginning Bob Planthold
13 was talking about correcting, you know, cars coming in
14 and out of garages. This would be no different than
15 any garage, but apparently it may be something that if
16 it isn't analyzed completely in the report as yet, it
17 has to be looked and see if that's anything
18 extraordinary about those entrances and if they're
19 adequately spoken about.



TR.34.1

20 And, of course, there were questions about
21 the adequacy of the traffic analysis. And, you know,
22 that's always something to look at.



TR.34.2

23 And there were a lot of comments on the type
24 of the housing type and the price of the unit, which is
25 not an EIR consideration. And that could be something



TR.34.3

1 that's discussed at another time.

2 There were questions about the recreational
3 uses of the club, which I believe in the report it does
4 say that this future club would be open to residents
5 that -- obviously not just for the residents, but it
6 will be to open the public and there are examples of
7 that.

8 Let's see what else I spotted in here. The
9 water displacement issue is one that is spoken to in
10 there. It is mentioned as an impact. And I just want
11 to make sure that the analysis takes into account all
12 of the possibilities that might occur because of the
13 garage space and the displacement that might occur from
14 that.

15 And that is probably about it on things that
16 I think relate to the EIR itself.

17 VICE-PRESIDENT MIGUEL: Commissioner Sugaya.

18 COMMISSIONER SUGAYA: Yes. I'll probably
19 submit stuff in writing later. But one of the -- I
20 think, deficiencies or maybe an enhancement -- put it
21 that way -- that could be done with respect to the
22 visual sort of vistas and view analysis is to -- I think
23 it's time that we considered maybe moving in a direction
24 that can take advantage of some technology, I guess.
25 Every EIR we've been getting takes a photograph and then

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TR.34.3,
cont'd

TR.34.4

TR.34.5

TR.35.1
↓

1 superimposes a building. And it seems to in this case
2 it's awfully static; and we are talking about moving
3 along the Embarcadero and trying to get some idea of how
4 it is, not from five -- or really only four vantage
5 points. But maybe in a continuous sweep of some kind.
6 And maybe you have to do it in video. But that would
7 give, I think, the public a much clearer idea of where
8 the views are already blocked by trees, palm trees, or
9 whatever they may be -- other buildings -- where views
10 of -- I'm talking about specifically Coit Tower and
11 Telegraph Hill, Pioneer Park, and that area. And where
12 they come into view, where they disappear from view.
13 And that might give us a little better visual sense of
14 what the impact of these particular buildings are going
15 to be.

↑ TR.35.1,
cont'd

16 Secondly, based on testimony, we're hearing
17 arguments that swim and tennis club is supposed to
18 serve the neighborhood. And yet more than one person
19 has come forward and said, Well, either I don't live in
20 the neighborhood or there are people from all over the
21 city coming here. So I'd like to have some discussion
22 in the EIR. I don't know if that's an appropriate
23 discussion, but some consideration of that issue and
24 maybe take a look at the -- and I don't know if this is
25 private or not. But if we could see what the

↓ TR.35.2

1 membership geographic locations are of the people who
2 are members of the club at the moment.



TR.35.2,
cont'd

3 VICE-PRESIDENT MIGUEL: Commissioner Borden.

4 COMMISSIONER BORDEN: Yeah, a follow-up to
5 that thought might actually be a new club specifically.
6 If you're going to look at reductions between existing
7 and net new, obviously new athletic facilities tend to
8 attract more guests. So whatever the traffic and
9 transportation impacts would be relative to a more
10 modern club. That would be interesting to address.



TR.36.1

11 I think it's important to address the things
12 that Ms. Hestor referenced about the underground garage
13 and the water table.



TR.36.2

14 I think for sure some of the
15 statements about the transportation section of the EIR
16 need to be better examined, looking at all the



TR.36.3

17 different intersections and actual impacts on



TR.36.4

18 pedestrians and then looking at other sort of parking
19 and demand management strategies that might make sense
20 for that area.



TR.36.5

21 Otherwise, those are just the few things that
22 I saw.

23 VICE-PRESIDENT MIGUEL: I think that
24 Commissioner Sugaya's comments as to using more modern
25 technology as to the view corridor are quite well taken
and I would welcome that.



TR.37.1

1 I will have written comments later. But just
2 a few now.

3 I do not think that the public trust
4 informing Alternative C with the hotel was sufficiently
5 analyzed in the EIR.

TR.37.2

6 Just a comment to those who were talking
7 about the 1962 agreement with the Golden Gate Center,
8 that was superseded in '76 in exchange for Sidney
9 Walton Park, if I'm not mistaken.

TR.37.3

10 In my mind, this project is driven by
11 probably a couple of things but mainly by the Port's
12 inability to create parking sufficient to service
13 itself. My wife and I are at the Farmers Market at the
14 Ferry Building 7:30 every Saturday morning. We used to
15 park on Pier Half. That was taken away a couple of
16 years ago. And other than a few motorcycle spaces, the
17 Port has done absolutely nothing to replace those
18 spaces.

TR.37.4

19 I disagree with the statements that this in
20 any way takes care of any of San Francisco's housing
21 needs. This is -- and I have to agree with the
22 comments -- I think it may have been Nan Roth --
23 someone who said these are extremely expensive
24 pied-à-terres. I know that you're talking about the
25 dollar equivalent for 34 BMR spaces, but that's based

TR.37.5

1 on the number of units, not the value and cost of the
2 units, because that's the way that particular
3 legislation was crafted. So 34 BMR units on \$2.5
4 million dollars pied-à-terres would be the same 34
5 units if they were \$600,000 middle-income-type units.
6 I really find a disparity in that ratio.

7 I have to agree the west side of the
8 Embarcadero is an absolute mess. It's tragic for a
9 main thoroughfare in San Francisco. We've seen a
10 number of plans that would take care of that in a
11 manner that the city is deserving of. But that is
12 somewhat aside from the particular project that is
13 examined in this EIR.

14 SECRETARY IONIN: Commissioners, if that's all
15 for Item 13, we can move on to public comment.

16 At this time members of the public may
17 address the Commission on items interest to the public
18 that are within the subject matter jurisdiction of the
19 Commission, except agenda items.

20 I have no speaker cards.

21 VICE-PRESIDENT MIGUEL: And I will remind
22 people that public comments in written form can be
23 submitted to the department until close of business on
24 August 15th.

25 Is there any general public comment on

TR.37.5,
cont'd

TR.37.6

1 non-agendized items? None appearing, public comment is
2 closed and this hearing is concluded.

3 [Hearing closed at 5:18 p.m.]
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1
2 STATE OF CALIFORNIA)
3 COUNTY OF SAN FRANCISCO)

4
5 CERTIFICATE OF REPORTER

6
7 I, FREDDIE REPPOND, a duly authorized
8 Shorthand Reporter and licensed Notary Public, do hereby
9 certify that on the date indicated herein that the above
10 proceedings were taken down by me in stenotype and
11 thereafter transcribed into typewriting and that this
12 transcript is a true record of the said proceedings.

13 IN WITNESS WHEREOF I have hereunto set my hand
14 on this 24th day of July, 2011.

15
16 _____
17 FREDDIE REPPOND
18
19
20
21
22
23
24
25

**APPENDIX B. DRAFT EIR COMMENT
LETTERS**

Thomas E.
Harvey/SFFD/SFGOV
07/08/2011 02:56 PM

To Bill Wycko/CTYPLN/SFGOV@SFGOV
cc Nannie Turrell/CTYPLN/SFGOV@SFGOV
bcc
Subject Fw: Request for EIR Assessment Request Form; 8
Washington Street/ Seawall Lot 351 Project (2007.0030E)

Bill and Nannie,

I realized that the previous e-mail may have indicated it was sent from former Fire Marshal Barbara Schultheis.
Please discard the previous comments and use this e-mail as comments from me. No changes were made.
Thank you.

Thomas E. Harvey
Fire Marshal

Environmental Review Officer,

Based on the information you have provided, we do not anticipate the project you are proposing to substantially impact Fire Department services to the area. One change in the Initial Study Section, page 73, is that Station 35 is closed for the foreseeable future. The pier is going to be renovated as a part of bond project for use by the Fire Department fireboats.

A.1.1

Thomas E. Harvey
Fire Marshal
San Francisco Fire Department
698 2nd St.
San Francisco, CA 94107
(415) 558-3320 ph.
(415) 558-3322 fax

JUL 21 2011
CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
M E A

Department of Toxic Substances Control

Linda S. Adams
Acting Secretary for
Environmental Protection

Deborah O. Raphael, Director
700 Heinz Avenue
Berkeley, California 94710-2721

Edmund G. Brown Jr.
Governor

July 22, 2011

Ms. Nannie Turrell
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, California, 94103

Dear Ms. Turrell:

Thank you for the opportunity to comment on the Draft Environmental Impact Report for 8 Washington/Seawall Lot 351 Project (SCH# 2007122027). As you may be aware, the California Department of Toxic Substances Control (DTSC) oversees the cleanup of sites where hazardous substances have been released pursuant to the California Health and Safety Code, Division 20, Chapter 6.8. As a potential Responsible Agency, DTSC is submitting comments to ensure that the environmental documentation prepared for this project to address the California Environmental Quality Act (CEQA) adequately addresses any required remediation activities which may be required to address any hazardous substances release.

The project description does not include a description of the property's past uses. Without this information, we are unable to determine whether hazardous substances may have been released into the soil at the Site. We strongly recommend that a historical assessment of past uses be done. Based on that information, sampling should be conducted to determine whether there is an issue which will need to be addressed in the CEQA compliance document. If hazardous substances have been released, they will need to be addressed as part of this project.

For example, if the remediation activities include the need for soil excavation, the CEQA document should include: (1) an assessment of air impacts and health impacts associated with the excavation activities; (2) identification of any applicable local standards which may be exceeded by the excavation activities, including dust levels and noise; (3) transportation impacts from the removal or remedial activities; and (4) risk of upset should there be an accident at the Site.

DTSC and the Regional Water Quality Control Boards (Regional Boards) signed a Memorandum of Agreement, March 1, 2005 (MOA) aimed to avoid duplication of efforts among the agencies in the regulatory oversight of investigation and cleanup activities at

A.2.1



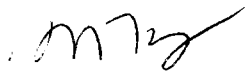
Nannie Turrell
July 22, 2011
Page 2

brownfield sites. Under the MOA, anyone requesting oversight from DTSC or a Regional Board must submit an application to initiate the process to assign the appropriate oversight agency. The completed application and site information may be submitted to either DTSC or Regional Board office in your geographical area. The application is available at <http://www.calepa.ca.gov/brownfields/MOA/application.pdf>.

↑ A.2.1,
cont'd

Please contact Ryan Miya (510) 540-3775 if you have any questions or would like to schedule a meeting. Thank you in advance for your cooperation in this matter.

Sincerely,



Denise Tsuji, Unit Chief
Northern California - Coastal Cleanup
Operations Branch

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95814-3044

Guenther Moskat
CEQA Tracking Center
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806



Edwin M. Lee, Mayor
Philip A. Ginsburg, General Manager

August 12, 2011

Bill Wycko, Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103
bill.wycko@sfgov.org

Re: Draft Environmental Impact Report (DEIR) for the 8 Washington Street/Seawall Lot 351 Project

Dear Mr. Wycko,

Thank you for providing the City of San Francisco's Recreation and Parks Department (RPD) with the opportunity to review the Draft Environmental Impact Report (DEIR) for the 8 Washington Street/Seawall Lot 351 Project. As the DEIR indicates, several properties owned and managed by RPD are within a ½ mile radius of the proposed project, including Sue Bierman Park (previously Ferry Park), Maritime Plaza and Justin Herman Plaza.

RPD notes that the Draft EIR indicates an additional net new shadow of 0.001% on Sue Bierman Park as a result of the proposed project. Please analyze and discuss the effects of this net new shadow thoroughly, reviewing Proposition K guidelines.

A.3.1

It is also noted that the project proposes to remove street trees along Drumm, Washington and Embarcadero. The project sponsor is encouraged to replace as many trees as possible to maintain the views from the Embarcadero and Drumm Street and to maintain vegetation as much as possible within the urban environment surrounding the site for both habitat and aesthetic purposes.

A.3.2

Conducting thorough community outreach on the proposed work with nearby residents, concerned stakeholders, and park visitors is always encouraged.

Thank you for taking these comments into consideration.

Sincerely,

A handwritten signature in cursive script that reads "Sarah Ballard".

Sarah Ballard
Director of Policy and Public Affairs
City of San Francisco, Recreation and Parks Department
Sarah.Ballard@sfgov.org

RON MIGUEL

Vice-President, San Francisco Planning Commission
 600 De Haro St., San Francisco, CA 94107
 C-415-601-0708 F-415/641/8621 E-rm@well.com

RECEIVED

30 July 23, 2011

JUL 23 2011

Bill Wycko, Environmental Review Officer
 San Francisco Planning Department
 1650 Mission St., Suite 400
 San Francisco, CA 94103

CITY & COUNTY OF S.F.
 PLANNING DEPARTMENT
 M E A

RE: 8 Washington Street / Seawall Lot 351 Project -- Draft Environmental Impact Report -- #2007.0030E

Mr. Wycko:

Please accept the following comments on the above DEIR:--

- | | | |
|--|---|-------|
| <p>1. Intro.2, A -- This section misleads the reader. Although the details of the proposed project are given in some detail, there is no such detail as to the demolition which is required. This is approached further in the DEIR; however, the Introduction is deficient in not allowing an immediate accurate comparison.</p> | } | B.1.1 |
| <p>2. Pg. 1.2, LU-2: To state that "The proposed project would not have a substantial impact on the existing character of the vicinity." is an absolutely false statement. The proposed project is intentionally altering the existing character of the Embarcadero's west side. This is consistent with the goals of the <i>Northeast Embarcadero Study</i> and Asian Neighborhood Design's <i>A community vision for San Francisco's Northeast Waterfront</i>. This statement calls into question the criteria used by the DEIR preparer in making such an erroneous judgment call.</p> | } | B.1.2 |
| <p>3. Pg. 1.2, AE-1: Individual photo simulations are not sufficient to accurately support this statement. The observer from a distance -- such as Telegraph Hill -- scans this section of the Waterfront and takes it in as a whole. The observer's view of Telegraph Hill from the Embarcadero as a pedestrian walks from Pier 24 to Pier 15 (or reverse) cannot be captured by static methods. A moving point of observation is central for the ecological approach to visual perception. There is sufficient available technology to incorporate this in the DEIR.</p> | } | B.1.3 |
| <p>4. Pg. 1.2, AE-2: (See 2 above.) This statement is absolutely false. To "substantially alter the existing visual character of the project site and its surroundings" is the very essence of both the Department's <i>Northeast Embarcadero Study</i> and the Asian Neighborhood Design's, <i>A Community Vision for San Francisco's Northeast Waterfront</i>.</p> | } | B.1.4 |
| <p>5. Pg. 1.9& 10, TR-1, 2, 3, 4, 5, 9, 10: There is insufficient substantiation for the conclusion of a Less than Significant Impact. The cumulative impact of known future projects in the immediate vicinity, i.e. The Exploratorium at Piers 15 & 17; the new James R. Herman Cruise Terminal and Northeast Wharf Plaza Project at Pier 27 while retaining Pier 35 as a secondary terminal; the revitalization of the Jefferson St. business district; all must be taken into consideration insofar as cumulative traffic impacts are considered. The DEIR's analysis does not support these considerations.</p> | } | B.1.5 |
| <p>6. Pg.1.13, GG-1: (See 5.) The same facts must be taken into consideration.</p> | } | B.1.6 |

7. Pg. 1.14, RE-3: The non-replacement of over half the tennis courts (5) in an area and Supervisorial District already deficient in recreation facilities does have a substantial impact. Even though the number of courts is small, their availability for a major concentration of housing needs further consideration. Recreation is a major goal of both the Port and our city as a whole. B.1.7
8. Pg. 1.14 & 15, SLR 1, 2, 3, 4: Inasmuch as this project is virtually at sea level, the conclusions make little sense and are not substantiated by actual scientific data. In both the Hunter's Point and Treasure Island EIR's, the impact of sea level rise was a major consideration. The details as to the required number of feet above sea level, etc. are not discussed in a similar manner with this project. B.1.8
9. Pg. 1.24, Table 1-3: Insufficient consideration and analysis is given to Alternative C – the Public Trust Conforming alternative. B.1.9
10. Pg. II.20, C, Objectives of the Project Sponsor: The fourth Objective, "To increase the supply of public underground parking to support the continued economic viability of the Ferry Building Farmer's Market and the retail and restaurant uses at the Ferry Building, Pier 1 and Piers 1½ -5" is not a supported objective of the Project Sponsor, but is on the wish list of the Port of San Francisco. And yet in the *Introduction* it is stated that "The Port is not a co-sponsor of the proposed project ..." Either they are or they aren't! There is no direct correlation substantiated in the DEIR between a residential (or residential and hotel) project on the west side of the Embarcadero and the needs of the Port of San Francisco on the east side of the Embarcadero. If the Port of San Francisco wishes to build parking for its tenants and patrons, it should submit such a project and have it vetted. This attempt to have a private entity carry the burden of justification is, in my opinion, dishonest. B.1.10
11. San Francisco's interpretation of CEQA requirements does not consider parking as part of the permanent physical environment (Pg. IV.D 18, Parking). However, in this particular instance parking is not merely a "social effect", but a key factor in the project's design, being a required objective of the Port. (See 10 above.) Nowhere in the DEIR is there consideration of the project only providing the code-required parking for its own use. In my opinion, it is very doubtful if the Port would even enter into a development agreement on Seawall Lot 351 without parking consideration. Thus, in this instance, parking must become a CEQA issue – it cannot be ignored – it is integral to the project. B.1.11
12. Pg. III.7: The proposed project definitely conflicts with the *Waterfront Design & Access Element* in not orienting the building's entrance to the Embarcadero. The DEIR does not articulate an overriding reason for this variance. B.1.12
13. Pg IV.D, 23, Improvement Measure TR-1: Garage Signage: This is good insofar as it goes. Although it refers to the Golden Gateway Garage, it does not incorporate a mitigation which would integrate electronic signage in all area garages together with way-finding signage directing drivers to available parking. All present signage is minimal at best. Inasmuch as the Port is the prime motivator for Embarcadero parking, it should embrace this concept into the requirements for development of Seawall Lot 351. B.1.13

The above references, although not delving further into the body of the DEIR, are, I believe, sufficient to express my concerns.

Sincerely,


 Ron Miguel, Vice-President
 San Francisco Planning Commission



SAN FRANCISCO
PLANNING + URBAN RESEARCH
ASSOCIATION

CPC Received July 21, 2011
N. Turrell 2007.0030E

654 Mission Street
San Francisco, California
94105

415.781.8726 t Letter C.1
415.781.7291 f

www.spur.org

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Andy Barnes
Linda Jo Fitz

July 21st, 2011

Executive Director
Gabriel Metcalf

San Francisco Planning Commission

1650 Mission Street, Suite 400

San Francisco, CA 94103

Urban Center Director
Diane Filippi

Vice Chairs
Lee Blitch
Mary McCue
Bill Rosetti
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Dear Commissioners,

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Michael Teitz
Will Travis
Jeff Tumlin
Steve Vettel
Debra Walker
Brooks Walker, III
Cynthia Wilusz-Lovel

The San Francisco Planning and Urban Research Association (SPUR) supports the adoption of the 8 Washington/Sea Wall Lot 351 Project EIR. We believe that the proposed development is a significant improvement for a key intersection on the City's northern waterfront. In particular, we are impressed with the public access components of the project – the public park and landscaped commons – and appreciate the efforts to re-connect the city streets to the waterfront with view corridors and pedestrian access.

C.1.1

8 Washington presents a unique opportunity to replace a surface parking lot and private tennis club with pedestrian friendly, publically accessible open space, housing, a renovated space-efficient club, ground-floor retail and much-needed underground parking. Per the DEIR, all of these uses would be more consistent with the surrounding area.

According to the DEIR, the development proposed for SWL 351 would not obstruct existing public or street level scenic vistas of the Bay. The DEIR states that the proposed project would not substantially affect scenic vistas and scenic resources visibility from publicly accessible areas in the project vicinity (AE-1). We agree with this analysis.

C.1.2

SPUR supports the proposed project heights, which are appropriate for the area and fit the scale of the surrounding neighborhoods. The project sponsor has made adjustments to the design and scale of the buildings, which reflect the topography of the surrounding hills and allow for appropriate density. Given the proximity of this project to much taller buildings, including the Golden Gateway, the scale of this project is modest and appropriate.

C.1.3

The project is proposed for a major transit corridor. The DEIR states that 8 Washington's proximity to transit, services, places of employment and other neighborhoods, would encourage residents and visitors to bicycle, walk and ride transit instead of making new car trips (Table IV.D-4). We support the Transportation Demand Management (TDM) elements that are being provided as part of the proposed project.

C.1.4

California WALKS . . . advocating walkable communities for everyone



**1904 Franklin St., Ste. 709
Oakland, CA 94612
Phone 510-292-4435
Fax 510-292-4436
www.californiawalks.org**

8 August 2011

San Francisco Planning Commission
1650 Mission St., Suite 400
San Francisco, CA 94103-2414

Re: 8 Washington St., Draft EIR

Commissioners,

California Walks, a statewide advocacy and training non-profit corporation maintains that the transportation element of the draft EIR for 8 Washington St. is inadequate and unresponsive.

C.2.1

It makes unqualified and inaccurate statements of existing and projected conditions for pedestrians, but these are not backed up by facts or current standards.

C.2.2

The transportation section alludes to MUNI plans that MIGHT bring new or increased transit service into the area, but then maintains that pedestrian traffic will somehow stay the same. It wants the reader to believe that a possibility [more MUNI service] WILL benefit the immediate area, but that somehow no more pedestrians will be present. Somehow, this projection of possible increased MUNI service allows this draft EIR to claim no additional plans or accommodations need be made for pedestrians.

How and why increased MUNI service won't bring in people who then walk to/ from MUNI stops is illogical--and another example of how unreliable is this draft EIR for 8 Washington St.

Then, on Page IV.D.25 the draft EIR makes another statement that flies in the face of reality, namely the claim that, because pedestrians have the right-of-way, conflicts between cars coming out from the garage and pedestrians will be reduced.

This totally ignores the interactions between cars turning INTO the garage and pedestrians travelling along the sidewalk. As well, it assumes no cars ever will lurk on the sidewalk, waiting to drive down into the garage or waiting to drive off the sidewalk into the flow of traffic.



Yet, if this were so, then why should they plan to put in some audible warning device, to alert a pedestrian a car was coming out from the garage?

*Planning to include that device indicates a belief there is a need for warning pedestrians.

*Further, if pedestrians have the right-of-way, why should pedestrians have to stop? For a pedestrian to have the right-of-way means that the CARS need to stop.

*In addition, this ignores the accessibility need for those who have no capacity to hear any audible device.

Further, nothing is said about whether there will be a central pillar, between inbound and outbound car traffic. That also can obscure vision--by the driver of the pedestrian who has the right-of-way and by the pedestrians of the scofflaw driver.

Also, nothing is said about providing bright lighting to make traffic easily visually discernable on a rainy or foggy night.

Planning to have pedestrians yield their right-of-way, by responding to an audible warning device is made worse by allowing some people with disabilities--those who cannot hear--to unknowingly and unnecessarily be put at risk.

The claim of little hazard to pedestrians on the sidewalk, in front of a garage cannot be validated by looking at the injury and fatality data from SWITRS [Statewide Integrated Traffic Records System], which is based on the CHP's Form 555. This form is applicable ONLY to injuries and collisions suffered IN a street, but not in a parking lot or driveway. Injuries suffered in a driveway are not reported to nor tracked by the state; so, it's impossible to verify any claim of safety or risk for pedestrians in a driveway, due to any factor.

Finally, nothing is reported or calculated about how long it might take for a pedestrian to walk across the width of this driveway. Though the Federal Highway Administration [FHWA] now uses a walking speed of 3.5 feet per second, the California Traffic Control Devices Committee [CTCDC] allows a walking speed of 2.8 feet per second "where seniors are present". That seniors are everywhere--and are especially concentrated in SF-- means 2.8 feet per second ought to be the applicable walking rate, to determine how long it takes to walk across the driveway.

Calculating an estimate on the walking time for a pedestrian to cross the driveway is necessary. Having an estimated walking time to cross the driveway then allows for another simple calculation -- how much total time per hour a pedestrian will actually be in the driveway, based on the hourly estimate for pedestrians and cars to flow through that block.

Just from this small sample of claims and plans in the transportation section of the draft EIR, it is not reliable and not fully and properly responsive. So, if one expands this logical analysis of incompleteness to other sections of the transportation section, it seems clear this draft EIR needs to be re-worked.

This draft EIR for 8 Washington St. should not be accepted, because it lacks responsiveness

C.2.2
cont'd

C.2.3

to currently applicable standards and is incomplete in how it analyzes matters relating to pedestrian and transit changes.

Sincerely,

Bob Planthold

Bob Planthold, Chair
California Walks Board of Directors



William Hannan
<whann@att.net>
08/08/2011 12:23 PM

To nannie.turrell@sfgov.org
cc david chiu <david.chiu@sfgov.org>, coaches@fogg.us
bcc
Subject 8 Washington Street draft environmental impact report

Dear Ms.Turrell,

Attached is a copy of my letter to Bill Wyco commenting on the 8 Washington draft environmental in Mr.Wyco by US mail.

Bill Hannan, president
Golden Gateway Tenants Association



comment on 8 wash DEIR.doc

William E. Hannan, III
550 Battery Street, Apt. 1512
San Francisco, CA 94111
(415) 291-0822
whann@att.net

August 8, 2011

Bill Wyco, Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: Draft Environmental Impact Report for 8 Washington Street/Seawall Lot 351
Case No. 2007.0030E

Dear Mr. Wyco:

I am president of the Golden Gateway Tenants Association. Our members live in the Golden Gateway Center, a residential complex of 1254 units bounded by Battery, Washington, Jackson and Drumm Streets adjacent to the proposed building site for the 8 Washington Street/Seawall Lot 351 project.

I appreciate the work the Planning Department has done to prepare the lengthy and informative Draft Environmental Impact Report. However, in my opinion the DEIR is incomplete in that it lacks certain information about the two subjects identified below.

Impact of Construction Noise on Local Residents:

Figure II-2 shows the Davis Building of Golden Gateway Center, which has 440 residential units, is located directly across Drumm Street from the proposed construction site, a distance of 60 feet. Page 2.19 - 2.20 states construction will last 27 – 29 months, including 7 months of foundation work, that foundation work will include pile driving, and that average pile length will be 130 feet. Table I – 3 declares that there will be “significant” effects of pile driving noise on people unless mitigation measures are taken, including pre-drilling of holes as far as soil conditions allow, and use of state of the art muffling or shielding equipment to limit noise.

C.3.1

If this information is available, it would be helpful to know the following:

- a) how many piles will be driven during the foundation work;
- b) of those piles, how many will have holes pre-drilled, and to what depth; and

Bill Wyco, Environmental Review Officer
 August 8, 2011
 Page 2

- c) how many decibels per pile strike will be generated at a distance of 100 feet from a pile driver if state of the art muffling or shielding equipment is used? C.3.1
cont'd

Traffic Impact During America's Cup Races in 2012 and 2013 and Beyond:

The 34th America's Cup sailing races are coming to the San Francisco waterfront during the summer months (July, August and September) of 2012 and 2013; if the Cup is successfully defended, the races are likely to return in future years. More than one million four hundred thousand visitors are expected to watch the races in 2012, most of them from positions along the waterfront, and many more than that number during the following summer of 2013. C.3.2

Increased traffic in our area caused by America's Cup spectators will probably have a severe impact on the proposed 8 Washington construction process, and on the future residents of 8 Washington if the races return in future years. Likewise, the trucks and construction equipment involved in the 8 Washington construction project will probably have an impact on America's Cup spectator traffic during the summers of 2012 and 2013, when the 8 Washington construction work would presumably be underway.

A Draft Environmental Impact Report has been prepared for the America's Cup races that discusses anticipated traffic effects, including a note at Figure 5.6.9 that northbound traffic on the Embarcadero will be halted on some race days, and a report at page 5.6 – 178 that there may be an unavoidable traffic obstruction at the intersection of Washington Street and the Embarcadero, the exact location of the 8 Washington project. Information on these points should be usefully added to the 8 Washington final Report.

If additional information could be provided on these subjects in the final Report, it would be appreciated by the many residents of our neighborhood who are personally interested in this project. Thank you for your attention to this request.

Very truly yours,

William E. Hannan, III
 President, Golden Gateway
 Tenants Association

Bill Wyco, Environmental Review Officer
August 8, 2011
Page 3

cc: nannie.turrell@sfgov.org

cc: david.chiu@sfgov.org

cc: coaches@fogg.us

Justin L. Allamano
Waterfront For All

August 10, 2011

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

Re: 2007.0030E 8 Washington Street Draft Environmental Impact Report

Dear Commisioners,

My name is Justin Allamano, I'm a San Francisco waterfront resident and founder of Waterfront For All (WFA). WFA is a grassroots coalition of SF residents committed to proactive engagement in northern waterfront activities and development - from Fort Mason to AT&T Park.

The Embarcadero has the potential to be one of the world's great boulevards, framing a vibrant, open waterfront. First and foremost we must make better use of the seawall lots that are currently surface parking lots. We should encourage land uses that serve as a transition between the bay and the rest of the city. Ideally, these uses would promote an active and publicly accessible waterfront.

C.4.1

We have reviewed the 8 Washington DEIR and are convinced that there are no impacts that outweigh the benefits of the project. The project is a meaningful opportunity to replace one of the surface parking lots and the infamous green tennis wall with pedestrian friendly, publicly accessible open space, ground-floor activity and density along one of our major transit thoroughfares. Given the number of public and private recreation facilities in the area, we think that the DEIR adequately addresses any loss of recreation and agree that this impact would be insignificant given the fact that the project seeks to incorporate a new club into its design.

As for the project heights, WFA thinks the heights are appropriate for the area. In fact, slightly higher project heights would also be appropriate given the proximity of significantly taller buildings, such as the Golden Gateway and Embarcadero Center.

Additionally, WFA agrees with the DEIR's conclusion regarding transportation and thinks that this project will improve and enlivened the pedestrian experience near the intersection of Washington and Embarcadero.

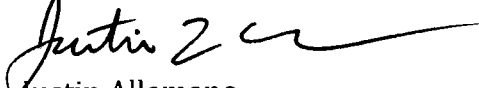
WFA agrees that the proposed project will have a less than significant impact on scenic resources. Views of Coit Tower are currently obscured at various times when walking from the Ferry Building. These views are episodic and pleasant.

Justin L. Allamano
Waterfront For All

In short, WFA believes the DEIR is adequate, accurate and complete. We appreciate this opportunity to support a smart development that will hopefully serve as a catalyst for future surface parking lot reuse.

↑
C.4.1
cont'd

Regards,


Justin Allamano

August 11, 2011

Ms. Nannie Turrell
San Francisco Planning Department
1650 Mission Street Suite 400
San Francisco, CA 94103

RE Draft Environmental Impact Report (DEIR)
8 Washington Street/Seawall Lot 351 Project

Dear Ms. Turrell:

As Chair, Friends of Golden Gateway (FOGG) representing over 2700 supporters, I find the above DEIR to be fatally flawed. It contains many misrepresentations of fact, omissions and does not deserve to be considered for approval by the Planning Commission...

C.5.1

The consultants who prepared the DEIR did not seem to understand or cared to ignore the needs and concerns of the local community and the neighborhood that would be most directly impacted by this study.

For clarity and brevity I wish to discuss particular issues of concern under the **Recreation (H)** section.

C.5.2a

The first sentence states ***The NOP/Initial Study prepared for the proposed project (included in Appendix A to this EIR) concluded that potential impacts to recreation would be less than significant.***

This could not be further from the truth. How can one close down a recreational facility for three years to construct a millionaires 165 condominium high rise complex, and 420 underground parking garages for possibly 330 residents. Then reopen the recreational facility with 52% less open recreational space, replacing over 2200 members who represent an important part of the City's residential middle class families, their children, seniors and individuals throughout the Bay area (not including 2500 guests each year, and 700 youngsters who attend Summer Kids Camp for 12 weeks each summer), and say ***“that potential impacts to recreation would be less than significant.”*** It is total arrogance.

How long would it take before the millionaire residents of the luxury condominiums insist that they be given high priority to the remaining outdoor recreational facilities, .

C.5.2b



And shut out many of the few remaining members who could not afford what we believe would be an increased dues structure.

C.5.2b
cont'd.

To suggest that the present members can find other venues for their recreational activities is really insulting to our member's intelligence. Facts do not bear out that other recreational facilities are easily reached, readily available, or not already overcrowded.

C.5.2c

Facts are that the Golden Gateway Tennis & Swim Club is open 364 days (It is closed on Christmas day), and open 12-to 14 hours every day.

We live in one of the most densely populated areas in the City, with a large proportion of retired seniors., many who live at the Gateway (formerly the Golden Gateway Center), a rent controlled project originally constructed in the 1960's with the proviso that it would include an active recreational area, now occupied and managed by the Golden Gateway Tennis & Swim Club, serving not only its neighbors but many throughout the Bay area.

C.5.2d

A good number of the seniors from the Gateway and neighboring community use the facilities on a daily basis. Some come in their scooters, wheel chairs and walkers to work out in the Aqua Fit program offered Monday through Saturday, at no charge, in the morning and evening on alternate days. Others still do lap swimming and play tennis.

C.5.2e

The EIR does not offer any explanation as to how these seniors would find alternative venues for these important physical activities, or how they would be transported.

C.5.2f

It is insulting to say the least that they could wait 3 years while construction goes on before they could return as members of the Club, if they are still with us, and could afford what will be a limited membership.

I am focusing mainly on the swimming element of the recreational center as others are directing their comments to the tennis program.

C.5.2g

There is hardly any mention that the two present swimming pools, located at ground level, with an expansive grass open area for family gatherings, receptions, picnics, barbeques, and fund raising events for community groups will disappear and be relocated on top of the proposed athletic club building.

This building will be located next to the Embarcadero roadway and the proposed open pools on the roof top will be vulnerable to all the traffic noise, air pollution and winds that are the norm along this heavily traveled roadway.

To say as the EIR does ***“there would be no significant negative changes to these facilities”*** is so totally incorrect and misleading that it is difficult to respond to such lack of interest in what is definitely a **QUALITY OF LIFE AND HEALTH** issue.

C.5.2g
cont'd.

We don't dispute that there are roof top pools, but they are mostly located on hotels and resort buildings where the traffic and swimmers are minimal. Here we are talking about hundreds of daily swimmers and Aqua Fit members arriving for their exercise, lessons, physical rehabilitations and social gatherings.

To reach the proposed roof pools how does one ingress and egress the roof top? Are there stairs and or elevators, inside or on the outside? Will swimmers have to walk through the gym and exercise rooms to the disturbance to those working out? Will swimmers have to shower and change downstairs or upstairs? These are just a few of the unanswered questions that require an honest response from those who prepared this flawed EIR.

Under the section **IMPACT EVALUATION (IV.H.9)** the EIR states that the summer Kids Camp would still be operating at “full capacity.” How can that be when the outdoor recreational area would be reduced by over 50% with 5 less tennis courts, loss of the 1/2 basketball court and 2 swimming pools on a roof.

It is obvious that the consultants who wrote this EIR have no idea what the negative impact would be on the closing of the GGT&SC on the Kids Camp program. They did not study the impact of the loss of five outdoor tennis courts where the youngsters meet on one or two tennis courts in the morning and 1/2 basketball court for activities important in their introduction to the physical and creative programs they will participate in during the day filled with physical activities (swimming and tennis lessons), and a number of creative educational projects.

By reducing the tennis courts from 9 to 4 as proposed in the EIR, and the Kids Camp use of one or two of the courts at times during the day there would only be two courts available for tennis in the summer after construction.. Where is the benefit to the members in that.

The summer Kids Camp has been operating for 15 years with an average of 700 young people for 15 years over a 12 week summer period. – Do the math – it means that thousand of youngsters have had the opportunity to enjoy and participate in a creative and physical experience that no other recreational facility provides in the City, and the developer wants to reduce and end this program to build 165 pied-a-tiers for their own profit.

Where is the equitable trade-off?

It important to note that a number of Kids Camp participants go on to become well trained counselors and instructors as they wish to pay back their previous experience at Kids Camp.

↑ C.5.2g
cont'd.

We must also add that FOGG began a scholarship program for youngsters from Chinatown's low income housing projects last year so that they could enjoy this one of a kind Kids Camp. Thanks to donations from FOGG supporters we succeeded in underwriting a number of the young ones.

This year FOGG with the cooperation of GGT&SC management we were able to double the number of participants, and added a few youngsters south of Market Street. We plan on continuing this outreach program for many years to come.

Youngsters are fed a lunch, and if there is a need for a special diet it is taken care of. Every Friday during summer Kids Camp there is a barbeque that the parents are invited to attend.

The use of the present ground level swimming pools provide easy access for the Kids Camp programs, under the careful and watchful eyes of the instructors, and provide a security that would not be available on a roof top setting.

More important would be the serious concerns for the negative environmental impact of using a roof top facility that is directly parallel to the Embarcadero roadway This EIR review does not show a study that reflects the obvious need to review air pollution, traffic noise or wind factors on an open deck next to the Embarcadero roadway. Parents would rightfully be concerned as to the health hazards their youngsters would encounter.

In conclusion we can only reiterate that this EIR is flawed and totally unreliable

The **NO PROJECT** is the only acceptable alternative assuring that the Community's open recreational center (GGT&SC) remains to benefit not only the neighborhood community, but for those throughout the City and Bay Area who enjoy and share in this family orientated oasis.

C.5.3a

The AND "***A COMMUNITY VISION FOR SAN FRANCISCO'S NORTHEAST CORRIDOR***," that has been presented to the San Francisco Planning Commission should become operative and implemented as the real alternative to this flawed DEIR.

C.5.3b

We look forward to your response after reviewing our critique.

Lee Radner

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Attachments:

Letters from Mayor/Senator Diane Feinstein
Letter from John Rumsey
Kids Camp Brochure
Letters from Kids Camp Participants (Chinatown Housing)

┌ C.5.4
└
┌ C.5.5
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The Barbary Coast Neighborhood Association

Comments On The 8 Washington/Seawall Lot 351 Draft Environmental Impact Report

Case No. 2007.0030E

Introduction

As the local neighborhood association that is MOST affected by the proposed development of 8 Washington and Seawall Lot 351, we hereby submit the following comments on the Draft Environmental Impact Report dated June 15, 2011.

First, a foundational objection: When Supervisor David Chiu convinced the Port and the Planning Department to undertake a special study of our area--the NE Embarcadero Study--the 5,000 residents and business that comprise the Barbary Coast had high hopes. But we were disappointed at the outcome. The NE Embarcadero Study does not represent a consensus of the community. It appears to be a design study primarily aimed at justifying the subject of this draft EIR. The study lacked details concerning the other Seawall Lots, and basically sets up a continuation of the one-lot-at-a-time development fights that plague our City. Since the process was faulty, we believe that the only option that makes sense for the City of San Francisco is **ALTERNATIVE A - NO PROJECT ALTERNATIVE**.

C.6.1

C.6.2

Specific Objections

LU-2: The proposed project would not have a substantial impact on the existing character of the vicinity.	Loss of recreation: This conclusion is defective due to the fact that the 8 Washington project will forever decimate an important outdoor recreational facility that was created part-and-parcel with the Redevelopment Agency's Embarcadero Center/Gateway project. What more impact could a development have than to cut the legs out from under an honor-bound compact made between the developers and the future tenants of the rent-controlled Gateway apartment building? This loss is not mitigated by a "partial" tennis and swim club, which will likely only be available to the wealthy and typically part-time resident owners of 8 Washington luxury condos. A better approach: ALTERNATIVE A - NO PROJECT ALTERNATIVE.	C.6.3
LU-2: The proposed project would not have a	Unneeded garage spaces and additional auto	C.6.4

<p>substantial impact on the existing character of the vicinity. (Continued)</p>	<p>traffic: What would have more impact on an area than a massive underground parking garage with hundreds of new automobiles traversing an already grid-locked series of intersections along the Embarcadero? The EIR ignores the true impacts of additional parking, automobiles, and the tossing away of San Francisco's Transit First policies.</p> <p>A better approach: ALTERNATIVE A - NO PROJECT ALTERNATIVE.</p>	<p>↑ C.6.4 cont'd</p>
<p>AE-1: The proposed project would not substantially affect scenic vistas and scenic resources visible from publicly accessible areas in the project vicinity.</p>	<p>Loss of iconic views: If 8 Washington is built, a walk out of the Ferry Building North on the Embarcadero will never be the same. Instead of the quintessential San Francisco vista of Telegraph Hill and Coit Tower, visitors and residents will see another bulky condo building that will create a wall between our most important City Boulevard and the views up to the Telegraph Hill neighborhoods.</p> <p>A better approach: ALTERNATIVE A - NO PROJECT ALTERNATIVE.</p>	<p>C.6.5</p>
<p>TR-1: The proposed project would not result in significant transportation impacts in the proposed project vicinity due to vehicle traffic.</p>	<p>To claim that an enormous underground parking garage, built primarily to aid in the developer's leasing activities at Piers 1 ½, 3 and 5, will have no traffic impact, is truly faulty. The developer's "traffic studies" are flawed and based on unrealistic trip counts and extremely dated traffic analysis. The EIR's traffic counts are based on 2007 numbers, fully four years ago. As anyone who lives or works on the Embarcadero can testify, the amount of traffic in this neighborhood has increased substantially in recent years, due to rental of Pier buildings, added restaurants, increased Ferry Building activity and sell-outs for every San Francisco Giants baseball game in 2011. The EIR is inadequate by this measure alone.</p> <p>A better approach: ALTERNATIVE A - NO PROJECT ALTERNATIVE.</p>	<p>C.6.6</p>
<p>TR-3: The proposed project would not result in significant impacts to pedestrians in the proposed project vicinity.</p>	<p>It is already quite difficult to cross the Embarcadero due to the steady streams of both north and south bound traffic. It is counter-intuitive to believe that a huge parking garage with 420 spaces will not affect the safety and walking paths of pedestrians. The proposed garage has only one entrance, and cars will be backed up on Washington to both Drumm and Embarcadero on a routine basis, BCNA believes.</p> <p>A better approach: ALTERNATIVE A - NO PROJECT</p>	<p>C.6.7</p>

TR-5: The proposed project would not result in a significant impact related to an increase in the number of vehicles parking in the project vicinity.	ALTERNATIVE. A \$40 million, 420-car underground garage built below sea level will create big problems for our neighborhood transit/traffic/pedestrians. Table IV.D-3 (IV.D.15) shows there are 459 off street parking spaces currently available adjacent to the project eliminating the need for this superfluous underground garage at 8 Washington. A better approach: ALTERNATIVE A - NO PROJECT ALTERNATIVE.	C.6.8
Additional Response to TR-1 through TR-10.	The concept of making parking easier and encouraging more cars in one of the most congested areas of San Francisco flies in the face of everything that our City’s leaders have been emphasizing for nearly two decades. We adopted a policy known as “Transit First.” It was a precursor to similar policies instituted around the country. Now, one developer seeks to ignore this important policy by building a parking garage that not only is obscenely excessive in its capacity, but one that clearly primarily benefits his own self-interest in leasing commercial space at his Piers 1 ½, 3 and 5 buildings. It is important to note how the rest of the world is looking at the automobile. The following is an article that appeared in the June 28, 2011 edition of the New York Times. We place this article into our comments because of its pertinence. <i>ZURICH — While American cities are synchronizing green lights to improve traffic flow and offering apps to help drivers find parking, many European cities are doing the opposite: creating environments openly hostile to cars. The methods vary, but the mission is clear — to make car use expensive and just plain miserable enough to tilt drivers toward more environmentally friendly modes of transportation.</i> <i>Cities including Vienna to Munich and Copenhagen have closed vast swaths of streets to car traffic. Barcelona and Paris have had car lanes eroded by popular bike-sharing programs. Drivers in London and Stockholm pay hefty congestion charges just for entering the heart of the city. And over the past two years, dozens of German cities have joined a national network of “environmental zones” where only cars with low carbon dioxide emissions may enter.</i> <i>Likeminded cities welcome new shopping malls and</i>	C.6.9

	<p>apartment buildings but severely restrict the allowable number of parking spaces. On-street parking is vanishing. In recent years, even former car capitals like Munich have evolved into “walkers’ paradises,” said Lee Schipper, a senior research engineer at Stanford University who specializes in sustainable transportation.</p> <p>“In the United States, there has been much more of a tendency to adapt cities to accommodate driving,” said Peder Jensen, head of the Energy and Transport Group at the European Environment Agency. “Here there has been more movement to make cities more livable for people, to get cities relatively free of cars.”</p> <p>To that end, the municipal Traffic Planning Department here in Zurich has been working overtime in recent years to torment drivers. Closely spaced red lights have been added on roads into town, causing delays and angst for commuters. Pedestrian underpasses that once allowed traffic to flow freely across major intersections have been removed. Operators in the city’s ever expanding tram system can turn traffic lights in their favor as they approach, forcing cars to halt.</p> <p>Around Löwenplatz, one of Zurich’s busiest squares, cars are now banned on many blocks. Where permitted, their speed is limited to a snail’s pace so that crosswalks and crossing signs can be removed entirely, giving people on foot the right to cross anywhere they like at any time.</p> <p>As he stood watching a few cars inch through a mass of bicycles and pedestrians, the city’s chief traffic planner, Andy Fellmann, smiled. “Driving is a stop-and-go experience,” he said. “That’s what we like! Our goal is to reconquer public space for pedestrians, not to make it easy for drivers.”</p> <p>While some American cities — notably San Francisco, which has “pedestrianized” parts of Market Street — have made similar efforts, they are still the exception in the United States, where it has been difficult to get people to imagine a life where cars are not entrenched, Dr. Schipper said. Europe’s cities generally have stronger incentives to act. Built for the most part before the advent of cars, their narrow roads are poor at handling heavy traffic. Public transportation is generally better in Europe than in the United States, and gas often costs over \$8 a gallon, contributing to driving</p>
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C.6.9
cont'd
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	<p><i>costs that are two to three times greater per mile than in the United States, Dr. Schipper said. What is more, European Union countries probably cannot meet a commitment under the Kyoto Protocol to reduce their carbon dioxide emissions unless they curb driving. The United States never ratified that pact.</i></p> <p><i>Globally, emissions from transportation continue a relentless rise, with half of them coming from personal cars. Yet an important impulse behind Europe's traffic reforms will be familiar to mayors in Los Angeles and Vienna alike: to make cities more inviting, with cleaner air and less traffic. Michael Kodransky, global research manager at the Institute for Transportation and Development Policy in New York, which works with cities to reduce transport emissions, said that Europe was previously "on the same trajectory as the United States, with more people wanting to own more cars." But in the past decade, there had been "a conscious shift in thinking, and firm policy," he said. And it is having an effect.</i></p> <p><i>After two decades of car ownership, Hans Von Matt, 52, who works in the insurance industry, sold his vehicle and now gets around Zurich by tram or bicycle, using a car-sharing service for trips out of the city. Carless households have increased from 40 to 45 percent in the last decade, and car owners use their vehicles less, city statistics show.</i></p>	<p>↑</p> <p>C.6.9 cont'd</p>
<p>TR-5: The proposed project would not result in a significant impact related to an increase in the number of vehicles parking in the project vicinity.</p>	<p>Buyers who purchase \$2-10 million dollar condominiums have "people" who attend to their needs. The EIR makes no mention of dry cleaning deliveries, plant watering services, catering trucks, pet care services, massage technicians, maids, cleaning services, and dozens of other service people who will be going in and out of the area and the garage. A better approach: ALTERNATIVE A - NO PROJECT ALTERNATIVE.</p>	<p>C.6.10</p>
<p>TR-7: The proposed project would not impair emergency vehicle access near the project site.</p>	<p>With a 420-space parking garage entrance/exit and Washington, emergency vehicles could be impeded by cars backed up waiting for pedestrians to cross the entrance, and contribute to even worse gridlock on the Embarcadero. A better approach: ALTERNATIVE A - NO PROJECT ALTERNATIVE.</p>	<p>C.6.11</p>

TR-8: Construction of the proposed project would not cause a significant increase in traffic near the project site.	Another specious and erroneous conclusion: How can a 420-car underground parking garage with limited ingress and egress NOT cause a significant increase in traffic in the Barbary Coast Neighborhood? A better approach: ALTERNATIVE A - NO PROJECT ALTERNATIVE.	C.6.12
AQ-2: The proposed project would not result in significant impacts related to fugitive dust resulting from project construction activities.	With a possible year-long pile-driving undertaking, the amount of dust emitted directly into the ventilation systems of both The Gateway and the Commons condominiums will be substantial in our view. The developer's conclusion is hopelessly inadequate. A better approach: ALTERNATIVE A - NO PROJECT ALTERNATIVE.	C.6.13
AQ-3: Construction of the proposed project would expose sensitive receptors to substantial levels of PM2.5 and other TACs, including DPM.	There are a significant number of senior citizens with health issues at both The Gateway and the Commons condominiums. The mitigation measures proposed by the developer are inadequate and according to the DEIR, "infeasible." A better approach: ALTERNATIVE A - NO PROJECT ALTERNATIVE.	C.6.14
SLR-3: The proposed project would expose people or structures to increased risk of flooding due to climate-induced sea level rise.	Mitigate proposed inadequate. A better approach: ALTERNATIVE A - NO PROJECT ALTERNATIVE.	C.6.15
NOISE: The proposed project would expose persons to pile driving noise during foundation construction	Mitigate proposed inadequate. A better approach: ALTERNATIVE A - NO PROJECT ALTERNATIVE.	C.6.16
Pg II.14 Housing Impacts	Who is actually proposing to develop 8 Washington? How much will the units cost? Our estimates place their cost at about \$2 million per unit, but the sales prices will be much higher. How can public officials ascertain the sustainability of this project or its real impact on transit, when these facts are not in the DEIR? In addition, what proof has the developer offered that the 8 Washington project will actually be built, as opposed to simply selling off the entitlements to the project? Who are the real parties-in-interest within San Francisco Waterfront Partners II? We believe this is crucial to properly evaluate the Final EIR. A better approach: ALTERNATIVE A - NO PROJECT ALTERNATIVE.	C.6.17
Public Trust Issues	The 8 Washington development proposes to swap	↓ C.6.18

	<p>Seawall Lot 351 for a small triangle of unused land at the Northern portion of the Golden Gate Recreation Facility. This swap has no public benefit and is simply a work-around to meet a developer's wishes. The DEIR is incomplete and deficient on this subject.</p> <p>A better approach: ALTERNATIVE A - NO PROJECT ALTERNATIVE.</p>	<p>↑</p> <p>C.6.18 cont'd</p>
America's Cup Impact	<p>The DEIR is deficient with regard to the recognition that the San Francisco waterfront will be hosting one of the biggest events in its history at the same time the developers plan to demolish and pile-drive.</p> <p>There is little recognition of the America's Cup in the 8 Washington DEIR. In fact, it ignores the fact that the City has signed a contract with America's Cup that says specifically, <i>"The City will use all lawful means to restrict noise and debris-generating activities on public works and large private construction projects in areas reasonably proximate to the Event during the America's Cup World Series Pre-regattas and the Regatta."</i> The Port's Seawall Lot 351 is City property.</p> <p>There should be no construction permitted during the America's Cup events, and a better approach would be ALTERNATIVE A - NO PROJECT ALTERNATIVE.</p>	<p>C.6.19</p>
Loss of Active Recreation	<p>It is a misnomer to call the Golden Gate Tennis and Swim Club a "private" facility. It is private in the same way the YMCA is private... very modest dues, open to anyone and everyone, with fees covering the basic operation and maintenance of the recreation amenities. With today's SF Recreation and Parks budget problems, even if the Golden Gateway recreation facility became "public," it would have no resources for operation, and fees would have to be charged to play tennis or swim. How would this be any different from today's "private" scenario? The developer is trying to paint this modest family facility as a "country club." Ironically, it will only be exclusive and limiting if the developer builds "his" version of a recreation club and ends up with millionaire condo owners as the only people who can use the facility. The best way to maintain this important recreation facility for San Francisco is to move toward ALTERNATIVE A - NO PROJECT ALTERNATIVE.</p>	<p>C.6.20</p>

Neighborhood “Community Vision” Plan	The SF Planning Department Northeast Embarcadero Study referenced in the DEIR does not represent a consensus of the community. As an alternative, the BCNA and nearly a dozen other neighborhood groups and individuals financed and created a Community Vision Plan that is far more citizen-based and provides a blueprint for development of all the Seawall Lots, not just 351. By adopting the Vision Plan, the Planning Commission could avoid the “one-at-a-time” development battles that paralyze this City.	C.6.21

SIERRA CLUB
SAN FRANCISCO GROUP
85 Second Street, Box SFG, San Francisco, CA

August 12, 2011

Bill Wyko, Environmental Review Officer
Planning Department, FAX 558-6409
1660 Mission Street
San Francisco CA 94103-2414

Re: Washington DEIR Case No. 2007.0030E

Dear Mr. Wycko,

Thank you for the opportunity to comment on the subject DEIR. The Sierra Club appreciates your electronic publishing of the DEIR to save printing and mailing cost. However, we strongly suggest that your website increase the number of separate items available for individual downloading to be the same as the book marks (which work nicely) rather than by volumes. This would allow commenters to download and study the project in small pieces similar to opening a whole volume. I first look at the summary including the covering letter and Table of Contents. Then I read the chapter of major interest followed by the Appendixes, if necessary; and then back to the chapters when I start writing. I would use your book marks instead of scrap paper tabs in the entire volume with my written comments in the margins. I could write my comments on paper as I first read and then I could easily go back.

Sierra Club comments are as follows:

This EIR shows a need for a change in the way that an EIR analyzes transportation issues.

The EIR should have considered the uses that the Port/City might have for funds from a higher land price that did not require the supply of so much subsidized parking. An EIR is supposed to provide information on impacts for the public and approving levels of government. In the same way that a public transportation project shows capital and operating cost per rider a private public partnership parking project should show the capital cost to the Port (reduced selling price of the land) and the subsidy to drivers resulting from the reduced price of parking.

C.7.1

The EIR should have studied the above and the impacts of a zero or reduced parking alternative for the following reasons:

C.7.2

1) The parking section of the study as usual includes the excellent generality that parking is not an environmental impact but a social need that people adjust to. The study then counts nearby parking spaces and shows a utilization of 90% as if that shows a need for more parking. What 90% utilization shows are utilization levels as a product of a pricing

C.7.3

policy by private and City owned garages. This is also the policy of the SFMTA, SFparks, to set curbside parking meter fees to produce a utilization rate of 85-90%. This maximizes income, for a garage owner or Muni, while assuring drivers that they will easily find a parking space. A developer provides close by parking not because parking is needed but because this is felt to be good for project businesses and more parking moderates the price of other nearby parking. This is considered to be a necessity for housing and businesses even though SF demonstrates that this is not so. However, for the City the additional parking reduces parking fee and tax income to Muni and puts additional traffic on the streets which impacts transit and deliveries, both essential for a prosperous San Francisco.

C.7.3,
cont'd

2) This EIR, like many others, also includes a map showing all of all of the nearby transit lines and then goes on to discuss the need, or not, for more transit service. A need for additional transit may be an environmental impact in other areas but in San Francisco increased utilization of transit is merely the expected outcome of good planning and providing for this use is a requirement of the City Charter.

3) This EIR's section on LOS shows no adverse impacts on nearby intersections in 2030. This is not an attribute of this project but a product of years of: good planning; less parking and more available transit. These are features which this project should contribute to not just benefit from. However, this finding is questionable because the Central Subway EIR, for a project less than a mile away, included increased congestion levels, in 2030, which increased surface transit running time by 70% compared to the current travel slow travel times. The Central Subway EIR did not include future LOS data because an underground transit project doesn't impact LOS.

4) During the planning process for the South of Market the planning Department produced a excellent paper which showed that only 0.5 spaces per housing unit would be adequate.

5) Professor Donald Shoup, in the High Cost of Free Parking, shows how minimum parking requirements were established as a method to preserve the free or low cost parking for existing businesses or residents of an area. Now this amount of parking is considered to be a "necessity". The last thirty years of San Francisco history show that less parking does not limit prosperity but congestion will.

6) San Francisco studied and found that an under park garage, adjacent to this project, proposed to meet the "needs" of Ferry Building businesses was financially infeasible, even though the land was "free". It seems that this garage becomes feasible only because Port land was provided at a reduced price, less than the maximum obtainable from the site and views, in order for the project to provide Port parking. Meanwhile the businesses in the Ferry Building prosper with minimal day time parking supply. The EIR also shows only 50% utilization of nearby parking facilities in the evening which shows that most of the area parking is used as long term parking for commuters, which is counter to City policy.

7) San Francisco has to comply with the reduced driving requirements of AB 32 and SB 375 and every project should also comply.

The EIR should have included a more practical alternative to reduce the maximum height. The project is proposed for an area with historical and ordinance height limitations. The project has the good feature of mixed use with commercial below housing and roof top pools over an exercise facility. We suggest that the excessive height of portions of the project and shadows on park land, can be reduced or the number of housing units increased with better cooperation between the developer and the tennis club by including housing as the mixed use for the tennis courts and pool and that this alternative should been studied.

C.7.4

Very truly yours,

Howard Strassner, Emeritus Chair Transportation Committee
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August 15, 2011

Bill Wycko, Environmental Review Officer
Planning Department
1650 Mission Street 4th fl
San Francisco CA 94103**COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT
2007.0030E - 8 Washington Street/Seawall Lot 351 Project**

Dear Mr. Wycko:

These comments are submitted on behalf of Friends of Golden Gateway (FOGG).

State Lands Commission Role

Because a key part of the site is located on Seawall Lot 351, which is under the Public Trust, State Lands Commission approval is necessary for this project to go forward. DEIR II.24. As a state agency they will consider information in the EIR as part of their review and approval process. But the State Lands Commission is not listed in the DEIR text as a body that was consulted in the preparation of the EIR, nor are they on the list of Persons Consulted on DEIR Preparation. VII 1-3.

C.8.1

The sponsor proposes a land swap so that majority of SWL 351, which will be developed as housing (NOT an allowable use under the Public Trust -II-5) will be swapped for other portions of the 8 Washington site. III-11. Please confirm that PWP and the Port are not considering state legislation to remove the trust. What discussions have been held between the Port, the City and/or any aspect/agent of project sponsor with State Lands regarding a potential swap of land?

Please provide a map/plan showing the proposed land swap area (similar to Figure II-8 - Proposed Ground Floor Plan) delineating (a) the area of SWL 351 proposed to be relieved of the Public Trust via a Public Trust Exchange Agreement (p. II.23) and (b) the open space and restaurant use areas proposed to have the public trust imposed on them. Are the spaces those described on II.18 (Jackson Common, Pacific Avenue Park, Drumm pedestrian walk) shown on II.6 the ones to have the public trust applied to them? Are there any easements that benefit the buildings adjacent to the Drumm pedestrian area that would affect transfer of Drumm? Apply the shadow analysis in IV.G (and also any wind analysis - yet to be done) to the proposed areas - so that State Lands can determine the quality of the new area under the public trust. Does so-called "private" recreational use (e.g. the tennis courts) meet the public benefit standards of the public trust?

Please note the State Lands Commission requirement that the value of the site acquired be equal to or of greater value than the land encumbered by the Public Trust. (III.10)

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Distorted history of Redevelopment of Golden Gateway

C.8.2a

The Golden Gateway Redevelopment area was created as a PLANNED COMMUNITY. The DEIR assiduously avoids that term, e.g. in the description of existing uses on p. II-1, and in its evaluation of the land Use changes on IV.A.1-11, because the proposed project is an assault on the recreation amenities which were *intentionally* designed to be an integral part of services for the middle-income renters (mostly in apartment towers) of that community.

The PLANNED COMMUNITY was intended to provide housing for middle class residents - not ultra luxury housing for wealthy persons. The project was financed by the FHA and there was real focus on keeping the Golden Gateway affordable to middle class persons. Community facilities - what eventually became the Tennis and Swim Club - were emphasized to serve that population.

The proposed shift decimates the community facility designed to serve a middle-income population so that luxury "housing" can be provided for an extremely wealthy population. This goes against the avowed intention of developing Golden Gateway as it is set out in Redevelopment AND PLANNING DEPARTMENT files.

In 1960 the San Francisco Redevelopment Agency solicited development proposals for the Golden Gateway Redevelopment area. Perini Land and Development Company submitted a proposal and was awarded the site. The Agency's Architectural Advisory Panel, which reviewed their proposal as a whole and noted that it included a park and recreational facilities.¹ In a pre-award conference between Redevelopment and Perini, Perini indicated it would conduct studies on the need for community and recreational facilities.² Several weeks later Perini sweetened its offer by guaranteeing \$1 million for community facilities and guaranteeing their maintenance.³ Redevelopment authorized acceptance of Perini's offer in reliance on the terms of the 9/22/60 letter and others.⁴ It publicly announced the selection of Perini, reciting the addition of a term mandating \$1 million to be invested by Perini in community facilities to be maintained at developer's expense "at a level in keeping with the quality of the entire project."⁵ The community and recreational facilities were not designed to be a for-profit facilities.

The details of those community facilities were worked out in the following months. The community facilities were to be operated on a non-profit basis, e.g tennis courts, playground.⁶ Perini immediately asked to be relieved of some parking requirements so that the community facilities (educational, athletic, cultural are listed possibilities) could be integrated into the planned community.⁷ **In order to get FHA financing for the Golden Gateway housing** at the level Perini desired, it was advisable to "include permanent-type amenities [which] will appraised favorably for additional allowances if they

¹ 8/1/60 Architectural Advisory Panel, Evaluation Report, Redevelopment of the Golden Gateway

² 8/30/60 Memo of M Justin Herman on Perini Proposal-Golden Gateway

³ 9/22/60 letter Perini to SF Redevelopment Agency

⁴ 10/5/66 SF Redevelopment Agency Resolution 2129

⁵ 10/566 SF Redevelopment Press Release

⁶ 12/12/60 Letter Perini to Redevelopment Agency

⁷ 12/16/60 Redevelopment Planning Division Memo to File

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enhance the project and the security of the mortgage.”⁸ The Agency set about nailing down the nature of the \$1 million allocation for community facilities.⁹ The list included potential gymnasium facilities, squash courts, handball and badminton courts, swimming pools, tennis courts.¹⁰ To increase the financial viability of the project with the community facilities Perini went to the Agency and asked for an amendment to allow more commercial spaces. The Agency was concerned that the apartments were becoming “*too much of a luxury product*” and insisted that the community facilities were “essential elements in the design and essential elements in the award to Perini.”¹¹ Provision of Community Facilities were noted as integral to the land disposition agreement - the obligation exists independent of whether it is included in FHA financing.¹²

Perini then sought relief from the PLANNING DEPARTMENT by filing for a Conditional Use/Planned Unit Development to be allowed to *increase the amount of commercial shopping area*. The application is based in part on the Golden Gateway as a **planned community** and recites that “**generous areas for both active and passive recreation will be provided.**”¹³ The Planning Commission approved a PUD to increase the shopping area on 8/2/62 contingent on conformity with the Redevelopment Plan for the Golden Gateway.¹⁴ Again that Plan required the provision of \$1 million in community facilities.

The Disposition Agreement with Perini was amended on 8/27/62 specifying that the community facilities to be developed were of a permanent nature.¹⁵ A variance application was filed with the Planning Department to reduce the amount of required parking in the second phase of the project because of **excessive costs of building parking in this “totally planned community” due to the high water table.** “The basements of the parking structures are from 4’ to 7’ below the water level.”¹⁶

The Zoning Administrator granted a parking variance on 10/7/64 citing that Golden Gateway is a **self-contained community** with a high water table that makes construction of underground parking expensive. In granting the variance the Zoning Administrator cites that open space for landscaping and **outdoor recreation are key to the livability for the residents.**¹⁷ Once the parking variance was granted, land in the Golden Gateway became available for other uses¹⁸ and Perini was able to take down another development parcel.¹⁹ The variance had dollar value to the developer. The Golden Gateway went to the RHA on 10/14/66 and recited anew their commitment (and obligation) to proceed on developing community facilities, specifically **community swim and recreation facilities.**²⁰ Redevelopment requested clarification of the location of the “most appropriate” tennis facility and

⁸ 1/5/61 Meeting Summary between FHA, and Perini re Golden Gateway financing

⁹ 3/21/61 Agency memo to M Justin Herman

¹⁰ 3/28/61 Internal Redevelopment Memo on Golden Gateway Disposition Agreement

¹¹ 5/26/61 Internal Redevelopment Memo of meeting between M Justin Herman and Perini

¹² 10/13/61 Agency letter to Perini attached to 10/18/61 notes of M Justin Herman meeting

¹³ 7/10/62 Planning Department Conditional Use Application for shopping center

¹⁴ 8/2/62 Planning Commission Resolution No. 5569

¹⁵ 8/27/62 Agreement for Disposition of Land for Private Developer, see p. 25

¹⁶ 7/3/63 Golden Gateway letter to Zoning Administrator

¹⁷ 10/7/64 Variance VZ64.42 and VZ63.39

¹⁸ 10/7/64 Planning Department letter to Golden Gateway

¹⁹ 10/16/64 Deed from Redevelopment Agency to Golden Gateway Center

²⁰ 10/14/66 Golden Gateway letter w/funding application to FHA

C.8.2a
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swimming club and their permanent nature.²¹ Golden Gateway responded the tennis club would be located (at the current site) east of Drumm Street.²² Construction of the tennis and swim club were complete on 10/24/68.²³

Redevelopment revisited the continuing obligation of Golden Gateway to spend \$1 million for community facilities, "a first rate club,"²⁴ and reviewed the amount of money expended on those facilities. As of 6/30/72 only \$652,801 of the required \$1 million had been spent to develop a health club, a tennis club and a swimming club.²⁵ The Agency replied to questions Golden Gateway Center posed on relocation of the swimming club and reminded Perini that the **community facilities were to be of a PERMANENT NATURE.**²⁶

One of San Francisco's first Environmental Impact Reports (**17 pages** plus exhibits) was issued on 11/14/72 for development of **Golden Gateway Center Phase III, including shopping, health and RECREATION FACILITIES.**²⁷ This is the 5 block area (AB 167, 168, 169, 170, 171) currently known as Golden Gateway Commons AND the Golden Gateway Tennis and Swim Club. Although the housing was later changed from housing towers to low-rise development, Blocks 169 and 170 were to be developed with additional tennis and swimming pools to the east of the housing. They were to be transformed from TEMPORARY facilities leased from the Redevelopment Agency to permanent facilities. A Redevelopment press release noted that the 11 tennis courts were to be designed of the highest championship caliber to accommodate international tournaments.²⁸

Throughout the entitlement and development process Golden Gateway was a PLANNED COMMUNITY providing RENTAL HOUSING for a MIDDLE INCOME POPULATION to be served with needed services including community facilities of a permanent nature, which community facilities were eventually designated as a first class tennis and swim club. Based on those representations of the nature of the PLANNED COMMUNITY (a) the FHA financed the Development of Golden Gateway, (b) the Planning Commission approved a PUD to allow (additional revenue from) more commercial space, and (c) the Zoning Administrator reduced the amount of required parking so that Golden Gateway could develop more lucrative uses on space otherwise designated for parking.

Throughout the entire period of development of this area the elevated Embarcadero Freeway and its associated Washington and Clay Street ramps surrounded the Golden Gateway. The Tennis and Swim Club was tucked up against the elevated freeway. Once the freeway was demolished land that had been next to the freeway now faced The Embarcadero with potential views of the Bay. Those who want to make money from this site want the readers of the DEIR to forget the origins of Golden Gateway as a PLANNED COMMUNITY for middle income renters, who were to be provided with first rate recreational facilities.

²¹ 10/26/66 M Justin Herman letter to Golden Gateway

²² 12/22/66 Golden Gateway letter to M Justin Herman

²³ 10/24/68 Golden Gateway letter to Redevelopment Agency

²⁴ 3/4/69 internal Redevelopment memo to file

²⁵ 7/31/72 Golden Gateway letter to Redevelopment

²⁶ 8/11/72 Redevelopment letter to Perini Land & Development

²⁷ 11/14/72 EIR Golden Gateway Center, Phase III, Residential Complex & Auxiliary Shopping, Health & Recreation Facilities

²⁸ 11/14/72 Redevelopment Agency Press Release on completion of Golden Gateway

C.8.2a
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The description of the development of the Golden Gateway - and the underlying public policies - is distorted in the DEIR and must be revised. The impact of economic gentrification of this site must be addressed as facilities for middle-income renters are taken over to accommodate extreme upper income condo facilities. Conclusions as to lack of Land Use impacts from the changing character of the area are based on erroneous assumptions. There **IS** an established community at Golden Gateway (Impact LU-1) that will be physically divided. The history shown in Redevelopment files shows that the site INCLUDING THE TENNIS AND SWIM CLUB was intended to be an integrated community. Demolishing the club and replacing it with a shell of its former facilities - including the loss of a majority of the tennis courts - tied to VERY upscale condos guts the community that was intentionally established by the Redevelopment Agency with FHA financing. There **IS** a substantial impact on the existing character of the vicinity. (Impact LU-2)

C.8.2a
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C.8.2b

The obsessive language of “private” athletic club is a further distortion. At no point in the extensive record on these community recreation facilities is it EVER called a private athletic club. It was negotiated at all steps of the development as a community facility to benefit the mostly renter population of the area. The community will be physically divided.

C.8.2a,
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The existing character of Golden Gateway (but for the illegal rental policies of the current owner of Golden Gateway) of this is middle-income rental housing. It is not designed to be ultra luxury condos. This project will result in economic gentrification that will make middle-income renters second class citizens in the complex designed to serve their needs.

Aesthetics of “the fence”

There have been obsessive comments by persons associated with this development team that the fence surrounding the Tennis and Swim Club is an unaesthetic barrier. That the “green fence” has a negative visual character and should be eliminated. There have been similar comments about fences around the two parking lots. THOSE FENCES HAVE BEEN ERECTED BY THE PEOPLE WHO WISH TO DEVELOP THIS SITE, not by users of the Tennis and Swim Club. Golden Gateway OWNS the Tennis and Swim Club site. THEY are responsible for its appearance. THEY have a role in this development, as the entity that owns the underlying land. THEY are responsible for the fences.

C.8.3

Please clarify all language regarding the appearance of the current Tennis and Swim Club site so that it is rightfully attributed to the DEVELOPMENT TEAM for the project. Similarly the fences around the parking lots are the responsibility of Golden Gateway (parking for the Club) and the Port (SWL 351 parking).

Transportation analysis

Please note the distance to all transit lines/stops in terms of feet from the pedestrian entrances to this complex, not blocks. San Francisco blocks have very different lengths and distances in “blocks” are meaningless.

C.8.4

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The project proposes to reconfigure the sidewalks and medians, and their associated plantings, around this site. Please explain which aspects, including the median currently on Washington between The Embarcadero and Drumm were consciously developed as part of the redevelopment plan for the Golden Gateway planned community. Was that median designed to buffer traffic making turns off The Embarcadero? Please explain in detail the assumptions being made regarding cars that will turn left onto Washington Street to access the 8 Washington garage, the amount of time on the signal that allows for turning, how many cars can get through in one phase and their CURRENT dispersal pattern since very few cars turn into the tennis club parking lot compared to the future volume for the 420 car garage? How fast will cars be going to make it through on the left turn signal to enter the garage? How many of them can enter the garage without queuing over the sidewalk? Will patrons seated at the outdoor café tables that extend into the sidewalk on Washington obstruct views of cars entering and exiting the garage, particularly in light of the dropoff zone on Washington? If the median is removed, what will prevent an eastbound car from crossing traffic to enter the garage?

C.8.5

Explain the history of the width of Washington Street relative to its role as both an exit from The Embarcadero and its role as the touch-down street from the Freeway. Please explain the justification used for 4-hour meters along The Embarcadero. This does not appear consistent with a Transit First policy. How does the PORT justify those lengths - which discourage turnover (that could better serve the Farmers market) and enables nearby workers to "feed" the meters.

C.8.6

There is no explanation, no history of the most signal events dealing with transportation circulation around this site - the erection of the elevated Embarcadero Freeway (which affected both street patterns and how buildings were developed with blank walls next to the freeway and ramps) and its demolition. The reconfiguration of the Embarcadero clearly involved a lot of conscious effort. However, neither Washington nor Broadway - both of which directly abut this site - were given a major overhaul so that they could better serve both the adjacent area AND the areas to the west in Chinatown and North Beach/Telegraph Hill. Broadway still is designed to move large amounts of traffic up and down the hill without much thought to the impact that traffic on those communities. Washington, and the adjacent Golden Gateway garages/buildings, continues to close off pedestrians from any (pleasant) relation to their surroundings. Reconfiguration of Washington to better connect to Chinatown and provide a nicer experience could generate a lot more pedestrian activity to/from Chinatown and the Embarcadero.

C.8.7

Because the Planning Department's Northeast Embarcadero Study paid so little attention to the street context connecting Chinatown and North Beach to The Embarcadero, community residents retained Asian Neighborhood Design to develop "**A Community Vision for San Francisco's Northeast Waterfront.**" A copy of that February 2011 study is provided with these comments. When that community planning process occurred for this area, a process involving low income residents, with residents from Chinatown and North Beach actively participating, the main streets that were identified as **needing improved public access and connections to those existing residents and neighborhoods** were WASHINGTON STREET and BROADWAY. Those streets should provide real connections of "landside" neighborhoods to the waterfront. Those areas were/are cut off from the waterfront by same action that now makes the 8 Washington Street site so valuable - the **construction of the Embarcadero Freeway AND ITS CONNECTING RAMPS on BROADWAY and WASHINGTON/CLAY,**

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followed over 40 years later by its DEMOLITION along The Embarcadero. Pacific Waterfront Properties wants to capture the value conferred on the 8 Washington site from the freeway demolition and cloak it as a *huge* public benefit by driving pathways through the existing recreation facilities - which did not have much value when they were in the shadow of the Embarcadero Freeway.

C.8.7
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Compare the value to the public and residents of Chinatown and North Beach of restoring walkable, pleasant access (as opposed to broad streets built to accommodate heavy rapid traffic) down Washington to the Embarcadero and down Broadway to the Embarcadero. The proposed project will not affect Washington Street west of Drumm - even though part of the development team owns the Golden Gateway project which includes an inhospitable black wall the 3 blocks from Battery to Drumm Streets. Please note that Muni has truncated routes that used to connect Chinatown to the waterfront so that people with difficulty walking and children have a much harder time to reach the waterfront as well as comments on the difficulties for pedestrians to use Washington and Broadway.

Please review the AND study and its aspects that are relevant to Transportation, pedestrian activity and reconfiguration of sidewalks and adjacent buildings. This should be given at least the same amount of attention in this chapter as that given to the recommendations of the unadopted Northeast Embarcadero Study.

In light of the reduced Muni service to this area, please explain why spaces are reserved for busses on Davis between Washington and Clay. The statement that no Muni stops would be relocated by the project (IV.D.31) should be set out into the context of the LACK of Muni bus service to the immediate area.

C.8.8

OTHER QUESTIONS

How did SWL Lot 351 get subdivided into a city block (BL 201) w/ City lot no - Lot 13? This parcel is an anomaly in a Port sea wall lot?

C.8.9a

Does the Port still intend to retain for its own use the **10 parking spaces** it currently has on the SWL 351 parking lot? (Initial Study p. 4)

C.8.9b

At the time of the **Initial Study** (12/8/07) the Redevelopment Plan was in effect for Block 171 thru 5/19/08 and for Block 168 thru January 1, 2009. At the time of the initial study the project was contemplated to be constructed while the Redevelopment Plan was in effect over part of the site. The 2002 proposal (with its associated Neg Dec) was approved by the Planning Commission as though there was no change to or effect on Redevelopment property. Had the January 2007 proposal ever been reviewed by the Redevelopment Agency as to whether it complied with the Redevelopment Plan, particularly in light of the Agency's approval of the Golden Gate Tennis & Swim Club as part of the original Golden Gateway Redevelopment project? What was the nature of that determination?

C.8.10

Change all graphics to eliminate the **former elevated pedestrian bridge** to Sue Bierman park from Maritime Plaza. Start with the shadow diagrams and go from there. It has been demolished.

C.8.11

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Please provide a summary of the **changes to the project since the 1/3/07 proposal** described in the Initial Study to the current proposal set out in the DEIR. If additional changes resulted from the Northeast Embarcadero Study, please set those out clearly.

C.8.12

The population using the Golden Gateway Tennis & Swim Club includes a **substantial population of seniors** living in the immediate area (including a significant population over 80 years old) who swim at the club to sustain their health. Others are sensitive to chlorine and are able to use an open air pool because, unlike enclosed pools, chlorine does not sit in a layer on the surface of the water. The "alternatives" for these people do not exist during the so-called "temporary removal." It is highly likely that the construction period has been seriously understated, particularly in light of operations related to the America's Cup and the amount of excavated materials to be removed, and that they will be cut from needed exercise. What arrangements has developer made to locate and provide reasonably similar exercise for that population?

C.8.13

Compliance with **LEED standards** for new construction is THE LAW in San Francisco. It is not an option. Please correct all apple-polishing references to LEED compliance unless it is EXPLICITLY stated what is the required level of compliance and how it may be exceeded. Please also explain how an AUTOMOBILE - HEAVY project can even purport to be at a high level of LEED certification. Does the U.S. Green Building Council weigh excess parking in its evaluation standards?

C.8.14

Please explain how the rights in SWL351, granted to the **Ferry Building lessee** (II.1) are intended to be transferred to project sponsor

C.8.15

Why is it desirable - as a matter of PUBLIC POLICY - to have a **net increase of 133 publicly available parking spaces** at this site? II.17 This is AFTER existing parking spaces are replaced AND parking is constructed for the new luxury housing. The amount of parking provided in the Embarcadero Center, Maritime Plaza, and Golden Gateway is based on 1960s standards and priorities. The City has since adopted policies, including the Downtown Plan and residential parking standards, that greatly reduces the amount of parking allowed for commercial development downtown. (The Ferry Building is "downtown.") Billions of dollars have been invested in providing TRANSIT service so that workers, visitors and residents of this area do NOT have to drive. The City's assumptions are that auto driving is to be discouraged. The Embarcadero Center buildings, and the Alcoa Building, have substantial parking, much of which is vacant in the evenings and weekends. Much of this parking is closer to the Ferry Building and its Farmer's Market, than the proposed 420 car garage.

C.8.16

Please explore as an **alternative to BUILDING MORE EXPENSIVE UNDERGROUND PARKING** better utilization of existing parking resources. This would include a universal validation system so that Ferry Building farmers/merchants only need ONE sticker or stamp to provide subsidized parking for their customers. Using those garages would have the additional benefit of getting cars off The Embarcadero, instead of forcing all the garage traffic to enter the garage after driving on The Embarcadero.

C.8.17

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Please justify the lack of any **wind analysis** when outdoor recreation facilities have changed locations. The tennis courts will be located adjacent to new tall buildings. The current ground level swimming pool will be 20' above grade AND DIRECTLY ADJACENT TO THE HEAVILY TRAVELLED EMBARCADERO.

C.8.18

There is a rooftop open space on top of the residential building. Such open space, when it is accessible to residents must meet ADA accessibility standards, which results in increased elevator penthouses. Please explain the increased elevator height (and resulting shadows) from providing part of the open space on the roof.

C.8.19

The **schedule for construction and completion** on II.20 is unrealistic. Construction is to BEGIN in 2012.

C.8.20

This is already August 2011. / Please take all the Approvals listed on II.22-25 and give a realistic completion date for each action/approval. Where discussions have already commenced with any of the listed bodies (e.g Recreation and Park on Prop K limits, State Lands on public trust swap, Port lease) provide information stating the scope of those discussions. Which of the listed agencies were (a) provided with a copy of the DEIR, (b) were consulted to determine whether the DEIR provided relevant information they would need for their approval, and (c) submitted comments.

C.8.21

The **financial terms with the Port** - including but not limited to matters set out in the Term Sheet - need approval from the Mayor and Supervisors. What assurance does sponsor/the Port have that it is acceptable to take money away from the General Fund and dedicate it to the Port. The justification for the Infrastructure Finance District and allocating funds from real estate transfers to the Port, instead of the General Fund, was the need for funds to repair the waterfront. Those terms were worked out before the America's Cup came to the City - and before revenues from that event were "dedicated" to Port operations. Is the Port still trying to sequester funds from this project - and justify its adverse impacts - because the project is a revenue source for the Port?

C.8.22

This project proposes to use a Special Use District (as described on III.5) to change the zoning map of the City and dramatically increase the height limit. Special Use Districts have basically been used to give more height/density to AFFORDABLE HOUSING projects. Please explain the rather dramatic change in an allowance for increased height and density for a project that the developer has stated he intends to be the MOST EXPENSIVE HOUSING IN THE CITY. What are the public policy implications of THAT - particularly for a site that is under the Public Trust.

C.8.23

Please discuss fully the **Policy Issues in Prop M** in the Plans and Policies section of the DEIR. They should not be kicked over to a later date.

C.8.24

Please explain whether the PORT has the ability to ignore the Charter's adopted **Transit First Policy** (III.6) to expand the amount of parking on a site involving Port property? Can the Port just say, We want more parking? Please also explain the "midday parking demand" on III.6. M-F midday? Saturday midday? The last sentence in second full paragraph on III.6 is VERY confusing. Please say it in plain language.

C.8.25

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Respectfully submitted,

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For Friends of Golden Gateway

Cc: Nannie Turrell
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August 15, 2011

Bill Wycko, Environmental Review Officer
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1650 Mission Street 4th fl
San Francisco CA 94103**COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT - Sea level rise & hydrology
2007.0030E - 8 Washington Street/Seawall Lot 351 Project**

Dear Mr. Wycko:

These comments are submitted on behalf of Friends of Golden Gateway (FOGG).

Hydrology and ground water improperly ignored in DEIR

Project site is on Bay fill and is surrounded by blocks of other Bay fill sites. The historic shore of the Bay abutting Yerba Buena Cove north of Market Street extended west to the base of Telegraph Hill then extending along a line close to what is now Montgomery Street. The Golden Gateway area was exposed water. The water table is very close to the surface along the northern waterfront, as well as in south of Market, because the land was created by extending piers into the Bay, sinking abandoned ships, then adding fill over those ships. Some tidal action still exists on many fill lots. Because the water table is so high on this site accompanied by poor drainage, when there are heavy rains on project site, nearby residents regularly confront large puddles that collect because it cannot drain into the soil underground.

There has never been an EIR for a project with an underground parking garage constructed on bay fill anywhere north of Market Street. No opportunity to do a thorough review of the effects of excavating so deeply into bay fill, set out the information so that it is reviewed by and commented on by the public. Even projects with some underground garage levels, e.g. the Embarcadero Center and Golden Gateway, were developed and entitled as Redevelopment projects before CEQA mandated project EIRs. Please provide a list of on ALL projects on bay fill downtown that have massive underground garages and the level of environmental analysis done on effects of signification depth into bay fill or into the water table. Many garages in the fill area north of Mission are mostly above ground. The most recent project constructed with an EIR - the Hotel Vitale at Mission and the Embarcadero - has no basement and no underground parking.

Concerns about the high level of the water table have affected proposed development along the waterfront for many decades. As recently as when the ballpark was constructed on Port property along King Street, even though it did not propose underground construction, there was substantial concern and comments by owners of nearby apartment complexes about the level of the Bay and tidal

C.9.1

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action which occasionally results in tides that are higher than the wet weather overflow pipe that drains into the bay.

The 8 Washington project proposes huge 3-level 420 car underground garage which will be excavated 38-40 feet. It will go through and demolish the historic SEAWALL. It will require excavation of the ship that was sunk to create this parcel. The information in the DEIR is mostly focused in two areas - the archeological remains that will be exposed and the effects thereon. The most significant discussion is in the analysis of Sea Level Rise, where Significant Impact is found on flooding:

Impact SLR-3: The proposed project would expose people or structures to increased risk of flooding due to climate-induced sea level rise. (*Significant and Unavoidable*)

The project site is treated as though it was almost literally. The garage itself will be a massive, waterproof underground concrete “bathtub” supposedly impervious to seepage of water. At a bare minimum two questions should have been asked and analyzed:

- Is there any provision to pump out water that manages to get thru the “waterproof” barrier? San Francisco has a lot of experience with underground garages in such places as the CIVIC CENTER which also happens to have been built over a water source. Those garages have a lot of NOISY de-watering pumping and garage exhaust ventilation systems. On the way into and out of City Hall for the hearing on THIS DEIR the noise from those mechanical operations in the garage was VERY audible. If water manages to work its way into the garage, what will be the environmental impacts of de-watering and exhaust operations, including noise impacts.
- When water confronts a barrier, such as a 3-story concrete bathtub, doesn’t it seek to *go around* that barrier. This will occur at various levels - regular tidal action, increased flow from sea level rise, and action associated with a seismic event. How will “protecting” the 8 Washington garage affect nearby properties? Including the part of the 8 Washington site that does NOT have the garage underneath it.

Is there any relevant experience from other underground garages built on sites of former deep Bay fill?

When the Golden Gateway was proposed as a Redevelopment site in 1960, there was conscious effort to avoid constructing underground parking. That was 50 years ago when there was no concern about global climate change and rising sea levels. In 1960 the City was aware of the high water table and the advisability of avoiding the expense of excavating garages

Mr. Foo, owner of the Golden Gateway complex, is part of the development team as the owner of the Golden Gateway Tennis and Swim Club site which is 80% of the project site. He should be required to provide the following information for the entire Gateway complex:

The depth in feet to which each individual building was constructed, how many garage levels, and their depths, amount of water that is annually pumped out of each building.

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C.9.1
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The project description at II.19 discusses how landscaping on the site will be handled along with stormwater management to help gain LEED certification. What analysis has been done of the high water table on site in particular for that part of the site that does not have the garage underground. The discussion on that page is confusing in that regard.

Also please explain how the demolition of the Old Seawall (1867-69) , which runs through this site, could affect the flow of water through this site and how it might affect nearby properties.

The 2007 initial study (page 87) stated that the project is not located in the 100-year flood plain and that analysis of that issue was not needed. Have you revisited *that* issue given recent reports by the federal government?

Please discuss the ability of the site itself to handle sea level rise and storm water if it remains in its current configuration as a Tennis and Swim Club (with minor improvements if they are needed) vs the massive construction and reconfiguration proposed.

The public is somewhat aware of problems in this area tied to Loma Prieta affects on the Embarcadero Freeway. Was there any analysis of how Loma Prieta affected this area near to the waterfront (not just the site itself) which was substantially built up in 1989?

Crosswalks and pedestrians - are the crosswalks shown on II.6 and II.13 reasonably accurate in location and dimensions? Please explain the length and amount of time necessary to cross Washington Street at both the Drumm and Embarcadero ends of project block. Explain the phasing of the Embarcadero signal and the left turn pattern off The Embarcadero for the 420 car garage and how it affects the amount of time to cross Washington. If the Drumm Street median is eliminated, a “safe haven” for those crossing Washington will disappear. This will affect the time for pedestrians to safely cross Washington. Please note the substantial senior and disabled person population in the area that is has difficulty walking, as well as the presence of adults with small children. The addition of traffic using the 420 car garage exit/entrance on this block face at the same time that the median has been eliminated the pedestrian experience will become more difficult. The rendering on II.13 shows sidewalk seating along Washington for the restaurant at Washington and The Embarcadero intruding into the public right-of-way/sidewalk. How will it affect pedestrian circulation and the pedestrian experience, particularly in conjunction with those going by for the garage and it is adjacency to vehicular drop off?

Respectfully submitted,

Sue C. Hestor
for Friends of Golden Gateway (FOGG)

Cc: Nannie Turrell
Supervisor David Chiu
Lee Radner, FOGG
Brad Paul

C.9.1
cont'd

C.9.2



August 15, 2011
Via E-Mail

Bill Wycko
Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: **COMMENTS ON DRAFT EIR FOR 8 WASHINGTON STREET / SEAWALL LOT 351 PROJECT** (Case No. 2007.0030E)

Dear Mr. Wycko:

On behalf of the Telegraph Hill Dwellers (THD) a non-profit community group founded in 1954, I write to provide comments on the Draft Environmental Impact Report ("DEIR") prepared for the 8 Washington Street/Seawall Lot 351 project. For the reasons listed below, we believe that the DEIR is incomplete and inadequate. Our main areas of concerns are that the DEIR fails to adequately analyze the proposed project's: (1) conflicts with existing zoning, plans and policies; (2) incompatibility with the Port's Design Objectives for Seawall Lot 351; (3) aesthetic impacts including blocking iconic views of Telegraph Hill; (4) population and housing impacts; (5) shadow impacts on parks and open spaces; (6) impacts to historic resources; and (7) failure to meet the Port's objectives for Seawall Lot 351. In addition, the *Northeast Embarcadero Study*, itself prepared without the benefit of any EIR review, was improperly relied upon by the DEIR.

As set forth below, the 8 Washington Street/Seawall Lot 351 DEIR is incomplete and inadequate, fails to present objective information and analysis, and is filled with judgments and conclusions not based on facts. Our comments correspond to the section headings in the DEIR. C.10.1

INTRODUCTION

The DEIR states (on page Intro.1) that: "The Port is not a co-sponsor of the proposed project, but has authorized San Francisco Waterfront Partners II to submit an EE application that includes Seawall Lot 351," which application was filed on January 3, 2007. Please respond to the following: C.10.2

- When and by what action did the Port Commission authorize the project sponsor to submit the 2007 environmental evaluation (EE) application for Seawall Lot 351? Please provide a resolution/motion number and date of such action by the Commission.
- What were the Port's objectives for Seawall Lot 351 at the time it authorized the project sponsor to submit an EE application including this seawall lot?
- At the time of the Port's authorization, had the Port determined that the project sponsor's proposal

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met the Port's objectives for Seawall Lot 351?

- Why did the Port authorize the project sponsor to file an EE application for Seawall Lot 351 before it issued its RFP for this seawall lot? When was the RFP issued?
- Compare and discuss the relationship between the project description contained in the project sponsor's 2007 EE application and the Port's subsequent RFP.

C.10.2
cont'd.

The DEIR states (on page Intro.1) that: "On February 24, 2009, the Port Commission authorized Port staff to enter into an exclusive negotiating agreement with San Francisco Waterfront Partners II, finding that the proposal submitted by San Francisco Waterfront Partners II meets the requirements of the RFP and meets the Port's objectives for Seawall Lot 351." Please respond to the following:

- What were the requirements of the RFP issued on August 15, 2008? What were the Port's objectives for Seawall Lot 351 at this time?
- Why was the RFP re-issued on November 10, 2008? Explain any differences between the RFP issued on August 15, 2008 and that subsequently issued on November 10, 2008.
- Why did the Port receive only one proposal? How did staff explain this to the Port Commission?
- Have the Port's objectives for Seawall Lot 351 changed since November 10, 2008? If so, explain the changes in detail.

As stated in the DEIR (on page Intro.1), Supervisor David Chiu urged the Port of San Francisco by his letter dated February 19, 2009, to "work with" (not "to engage" as stated in the DEIR) the City's Planning Department to lead a public planning process for the Port's surface parking lots, which began in May 2009 and was completed in May 2010. Please respond to the following:

- What is the relationship between this planning process and the exclusive negotiating agreement with San Francisco Waterfront Partners II?
- Explain the timing of Supervisor Chiu's letter of February 19, 2009 and the Port Commission's authorization 5 days later to enter into the exclusive negotiating agreement.
- Does the exclusive negotiating agreement reference the *Northeast Embarcadero Study*, its process, its completion or its recommendations? In what regard?
- Please disclose the relationship between the *Northeast Embarcadero Study* and the performance benchmarks contained in the exclusive negotiating agreement?
- Under the terms of the exclusive negotiating agreement, what is the relationship of the Planning Department's *Northeast Embarcadero Study* to the Developer's plan of development required to be submitted to the Port?
- A discussion must be added to the EIR disclosing the fact that the Department's planning process failed to gain the "broad community support" requested by Supervisor Chiu. Many members of the community did not feel the planning process was adequate or comprehensive and grew frustrated with the Planning Department's efforts to focus on justifying private development proposals. An alternative community planning process grew out of this frustration resulting in a report dated February 2011, published in a document entitled *A Community Vision for San Francisco's Northeast Waterfront*, prepared by Asian Neighborhood Design, the results of which were presented to the Planning Commission on July 7, 2011.¹

The DEIR Incorrectly Determines that Certain Environmental Effects Do No Require Further Study in the EIR. The DEIR concludes (on page Intro.3) that certain potential individual and cumulative environmental effects were identified as less than significant or less than significant with mitigation in the December 8, 2007 NOP/Initial Study for the initial project proposal and, therefore, do not require further study in this DEIR for the proposed project. As will be discussed below, we disagree that the potential

C.10.3

¹ *A Community Vision for San Francisco's Northeast Waterfront* is available on line at <http://www.andnet.org/storage/pdfs-cp/NE%20Waterfront%20Community%20Vision-FINAL-2%2009%202011.pdf>

environmental impacts to Land Use, Population and Housing, Historical “Architectural” Resources and Wind were adequately studied in the NOP/Initial Study. Each of these environmental impacts should have been analyzed in the DEIR.

C.10.3
 cont'd.

PROJECT DESCRIPTION (Chapter II)

A. PROJECT LOCATION

The first sentence describing the Project Location is deceptive and misleading. The project site is not located “in downtown San Francisco.” Revise the description of the project location to state that: “The project site is located in the Northeast Waterfront on The Embarcadero roadway immediately to the north of Sue Bierman Park and across from the Ferry Building and Piers 1 through 5, which are each individually listed on the National Register of Historic Resources and are contributors to the Port’s Embarcadero National Register Historic District.”

C.10.4

EXISTING USES ON THE SITE

The DEIR’s description of the Golden Gateway Tennis and Swim Club as a “private athletic club” rather than a “community recreation center” is misleading and biased. An accurate and complete description of its rich history and relationship to the *Golden Gateway Redevelopment Plan* must be included for context. At a minimum, the following description from *A Community Vision for San Francisco’s Northeast Waterfront* should be added and considered in the EIR:

C.10.5

“The plan led to the construction of 1,400 new housing units at Golden Gateway, 3.5 million square feet of office space at the Embarcadero Center and Maritime Plaza, an 840-room hotel, and open space and recreation facilities, including Justin Herman Plaza, Sue Bierman Park/Ferry Park, Sydney Walton Square, and the Golden Gateway Tennis & Swim Club. Golden Gateway is the second largest rent controlled apartment complex in the city. Like Sydney Walton Square, the Tennis & Swim Club, constructed in 1968 and used as a health and recreation club both by immediate residents and the general public, was the result of a requirement by the Redevelopment Agency for community space. Now that the Redevelopment Area has expired, the Planning Department claims ‘any and all covenants and land use restrictions...no longer apply.’ However, letters from Mayor/Senator Feinstein (1984/2003) and Robert Rumsey (1990), Deputy Director of Redevelopment at the time the *Golden Gateway Redevelopment Project* was approved and built, and a recent letter (2011) from Edward Helfeld, Executive Director from 1987 to 1994, clearly state that Sidney Walton Square and the Tennis & Swim Club were supposed to remain in their current uses in perpetuity as part of the original entitlement agreement.²” The original *Golden Gateway Redevelopment Plan* clearly shows Golden Gateway’s community recreation center.

The statement contained in the DEIR that “[t]he entire Seawall Lot 351 is controlled by the ground lessee of the Ferry Building pursuant to a Parking Agreement with the Port, in satisfaction of parking rights granted to the Ferry Building ground lessee” is misleading without the addition of information as to the requirements of the April 10, 2001 Parking Agreement between the Port and the Ferry Building which includes language that legally obligates the Port to provide replacement parking for any of the 110 parking spaces at Seawall Lot 351 that it removes. The Agreement identifies several different areas for locating potential parking spaces for the Ferry Building including, for example, the 1 Maritime Plaza Garage and the Golden Gateway Garage, as well as the white zone in front of the Ferry Building and (previously) Pier ½.

C.10.6

² *A Community Vision for San Francisco’s Northeast Waterfront*, page 15.

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APPLICABLE LAND USE CONTROLS

On the date of the publication of the NOP/Initial Study, the Golden Gateway Redevelopment Plan was still in effect for Blocks 171 and 168. Was the Port aware of this issue when it authorized the project sponsor to file the EE application in 2006?

C.10.7

SITE ACCESS

The DEIR states that: "The project site is well served by local and regional transit." The DEIR must note that there have been recent cuts to the 10- Townsend and 12-Folsom routes, which have resulted in a reduction in service from/to the project site from the north.

C.10.8

The DEIR should also reference the conclusion contained in *A Community Vision for San Francisco's Northeast Waterfront*, that lack of transit access along the Northeast Waterfront back to the neighborhoods is of major concern to local residents, and the frequency and hours of the current F-line service are well known to be inadequate to serve local residents, workers and visitors. See page 32 of *A Community Vision for San Francisco's Northeast Waterfront* for a discussion and map of Muni service and service cuts on the Northeast Waterfront.

C.10.8a

ADJACENT USES

The DEIR's description of the adjacent public open spaces as "Assessor's Blocks 202 and 203" is biased in its purposeful avoidance of disclosing that the project site is immediately adjacent to Sue Bierman Park, a Recreation and Park Department park protected by Proposition K, the citizen-enacted ordinance prohibiting any new shadow on this park.

C.10.9

This description is also inadequate in its failure to disclose that the project site is located on The Embarcadero Promenade (Herb Caen Way) and is across from Pier 7, both important public open spaces. Please revise this section of the DIR to provide an accurate and complete description of all open spaces and public uses adjacent to the project site.

B. PROJECT CHARACTERISTICS

PROJECT OVERVIEW

The DEIR inaccurately states that: "the **existing** Golden Gateway Tennis & Swim Club facility would be **temporarily** removed from the project site." [emphasis added] Please amend this misleading statement to disclose that the existing Golden Gateway Tennis & Swim Club facility would be demolished.

C.10.10

Please also amend this misleading statement and clarify in the Project Overview that the proposed project would include new smaller "athletic club facilities," which would reduce the number of tennis courts from 9 to 4 and would eliminate the half basketball court.

The DEIR states unequivocally that: "The Golden Gateway Tennis & Swim Club would operate the proposed fitness center in a new one-story building north of Jackson Street, as well as tennis courts and other outdoor recreational facilities on the northern part of the project site."

C.10.11

- Is there any written agreement between the developer and Western Athletic Club (WAC) re: how WAC would manage the new club? If so, please describe and discuss the terms of this agreement.
- Golden Gateway Center will no longer own or control the new athletic club and facilities. Since tenants of the Golden Gateway Apartments are provided with "Preferred Membership at the Golden

Gateway Tennis & Swim Club” how will tenants be compensated for the loss or reduction of this benefit, which will be caused by the implementation of Project?

- Will the tenants’ rents be reduced during construction while they are deprived of all services, and following construction to reflect the significantly reduced tennis facilities? Please discuss how the “reduction of services” section of San Francisco’s rent control ordinance would apply.

C.10.11,
cont'd

The Project Overview touts the project sponsor’s intention to design the proposed project to LEED Gold standards as a project benefit and typical marketing tool for all proposed new building projects in San Francisco today.

C.10.12

- Please address the issues raised regarding the proposed project in the San Francisco Bay Guardian article, *Is LEED really green?* <http://www.sfbg.com/2011/07/05/leed-really-green>
- We note that the DEIR on page II.14 states that in order to help the project obtain LEED credits, a “green roof” will be installed – “an active garden area with raised hardscape paths” – that would be accessible only to the residents of the penthouse units. Access to this rooftop garden and its bay views would obviously substantially increase the value of these penthouse units. How do the people of San Francisco – not just the project developer – benefit from the LEED rating for this project?
- Discuss the City’s existing requirements for new buildings to meet LEED standards and compare those requirements to the project sponsor’s “goal” to achieve a LEED Gold certification from the U.S. Green Building Council.

PROPOSED BUILDINGS

The DEIR’s description of the proposed new buildings, including the Athletic Club Building, fails to disclose that their construction will result in the loss of 5 of the existing 9 tennis courts and the elimination of the existing basketball court.

C.10.13

PROPOSED PARKING

According to the DEIR, the proposed project will have 420 underground parking spaces on three levels below the condo buildings, comprising approximately 185,900 gsf. Of these 420 spaces, the DEIR states that 165 spaces would be for residents, and 255 spaces would be for the project’s retail, restaurant, and health club uses, including 90 spaces “required to serve the Ferry Building...”

C.10.14

The following discussion, which concludes with a statement that the project would result “in a net increase of 133 publicly available parking spaces” is confusing and raises several questions that must be addressed in this section in greater detail. Please address each of the following:

- Under existing Planning Code provisions, how many off-street parking spaces would be allowed (the maximum accessory amount) for the proposed 165 residential units as of right without a special exception to increase this amount?
- Under existing Planning Code provisions, how many off-street parking spaces would be required for the proposed project’s approximately 81,900 gsf of non-residential uses without a special exception to reduce this amount? Include in these calculations, all of the following types and sizes of uses (from pages II.7 and II.17):
 - 17,000 gsf of Retail
 - 12,100 gsf of Restaurant/Bar
 - 12,800 gsf of fitness center (including a 1,850 gsf cafe)
 - 40,000 gsf of athletic club (27,000 sq ft of tennis courts plus 13,000 sq ft of pools and related outdoor space)

PROPOSED ATHLETIC CLUB FACILITIES

C.10.15a

The DEIR again states that the Western Athletic Clubs would continue to control and operate the proposed new athletic club facilities, and states that there would be “additional space allocated to the general public.”

- What is meant by “additional space allocated to the general public?” Please explain where this space is and what this statement is intended to mean.
- What guarantee is there the Western Athletic Clubs would continue to control and operate the proposed new athletic club facilities? Is there a contract between the project sponsor and Western Athletic Club to require, as claimed in the this section of the DEIR that “the club would also continue to be used for children’s summer camps” and that “camp activity levels are anticipated to be similar with the proposed project”?
- What is the basis for the DEIR’s estimate that “the project construction, including demolition, site and foundation work, construction of the parking garage and construction of buildings” will take only 27-29 months.
- In addition, please explain and disclose the basis for the DEIR’s assumption that the proposed new athletic club building, tennis courts, and swimming pools will be completed and available for use within 24 months of commencement of construction.

C.10.15b

C.10.16

PROPOSED OPEN SPACE AND LANDSCAPING AND SIDEWALKS

The DEIR discloses in its discussion of landscaping that the proposed project will require the removal of 136 trees.

C.10.17

- Please provide a new figure showing the locations of each of the 136 existing trees proposed to be removed to accommodate the project, identifying each of the 50 “street trees” and 36 “significant” trees that are subject to the Public Works Code.
- Please indicate on the new figure the species and size of each tree to be removed.

The DEIR states that the proposed new landscaping, the design of which has not yet been developed, would be required by the City’s stormwater management ordinance to achieve LEED Sustainable Sites. Yet, the DEIR states that such compliance would also provide the developer with credits toward its LEED certification.

C.10.18

- Will the project sponsor’s compliance with the City’s mandated requirements allow for points toward the proposed project’s LEED certification?
- Are LEED points taken away for a project that requires the removal of 136 existing trees?

The DEIR further discloses in its discussion of Sidewalks that the existing landscaped median on Washington Street between The Embarcadero and Drumm Street would be eliminated as a part of the proposed project “in order to widen the sidewalk” on the north side of Washington Street providing for the construction of a “bulb-out defining a vehicle drop-off area for the proposed project’s residential lobby and for the restaurant.”

C.10.19

- How many street trees are located in this median strip?
- Are they already counted in the 136 existing trees to be removed as disclosed under Landscaping above?
- The DEIR fails to disclose the fact that the elimination of the landscaped median will further accommodate the project’s proposed garage entry off of Washington Street.

- The DEIR should also disclose the fact that the elimination of the landscaped median will remove a visual barrier between the proposed project (and its garage entry, vehicle drop-off area, etc.) and the adjacent Sue Bierman Park.

C.10.20

PROJECT CONSTRUCTION

The DEIR states that: “Project construction, including demolition, site and foundation work, construction of the parking garage, and construction of the buildings, would take 27 to 29 months. Assuming that construction would begin in 2012, the buildings would be ready for occupancy in 2014. The first phase of construction would take about 16 months and would include demolition (2 months), excavation and shoring (7 months), and foundation and below-grade construction work (7 months).”

C.10.21

- Please explain and provide the basis for the DEIR’s estimate that project construction, including demolition, site and foundation work, construction of the parking garage and construction of buildings” will take only 27-29 months.
- Please consider and discuss the conflicts between the construction activities associated with the proposed project between 2012 and 2014 and the America’s Cup activities scheduled within the same period. See the Draft EIR for The 34th America’s Cup at pages 3-79 - 3-81 for discussion of construction related to the AC34, including the “AC34 Construction Schedule” and “Summary of In-Water Construction Activities for AC34.”
- Please consider and discuss potentially significant cumulative construction impacts of the proposed project and the construction that will be taking place on Piers 27-31 and elsewhere on the Northeast Waterfront in connection with America’s Cup-related development and construction of the Port’s Cruise Terminal.
- Please consider and discuss the projects conflicts with the Port’s construction of the cruise terminal on Piers 27-31 following the conclusion of the AC34 race events.

C. OBJECTIVES OF THE PROPOSED PROJECT

PROJECT SPONSOR’S OBJECTIVES

Those project sponsor’s objectives related to reaping economic benefits from the project or complying with development requirements are inappropriate “project objectives” for the purposes of CEQA and should be deleted.

C.10.22

In addition, project objectives should not reflect subjective conclusions or judgment concerning the project’s consistency with the character of it’s setting. These are the subjects of environmental analysis.

Several of the project sponsor’s primary objectives are to develop a high quality project that will to reap economic benefits for the project sponsor. For CEQA purposes, making money is not a valid project objective or purpose to be considered in the EIR. For this reason, the following objectives should be deleted:

- A primary objective of the project sponsor’s is “[t]o construct a high-quality project that includes a sufficient number of residential units to produce a reasonable return on investment for the project sponsor and its investors and is able to attract investment capital and construction financing, while generating sufficient revenue to finance the recreation, parking, and open space amenities proposed as a part of the project.” This should be deleted because it is irrelevant to CEQA analysis.
- The project sponsor’s objective “[t]o complete the project on time and within budget” also reflects the sponsor’s desire for economic gain. How is this unique to the proposed project? This should be deleted because it is irrelevant to CEQA analysis.

- The project sponsor's objective "*to increase the supply of public underground parking to support the continued economic viability of ... the retail and restaurant uses at ... Piers 1-1/2 – 5*" in particular appears to be about reaping economic benefits for the project sponsor, since he was also the developer of Piers 1-1/2-5 and maintains a direct financial interest in its continued economic viability. This should be deleted because it is irrelevant to CEQA analysis.

C.10.22
 cont'd

Other listed objectives of the project sponsor are not project "objectives" or "purposes" at all, but are development requirements. For this reason, the following objectives should be deleted:

- The project sponsor's objective to "*help meet projected City housing needs*" by "*satisfying the City's inclusionary affordable housing requirements.*" In order to build the proposed high-density luxury condo project, the developer is *required* to satisfy the City's inclusionary affordable housing requirements, so is not an appropriate purpose or objective of the project. This should be deleted.
- The project sponsor's objective "*to increase the supply of public underground parking to support the continued economic viability of the Ferry Building Farmer's Market...*" According to statements in other locations in the DEIR providing 90 spaces for the Ferry Building is a *requirement* of the RFP rather than a purpose or objective of the project. This should be deleted.
- The project sponsor's objective to develop a "sustainable" or "LEED" project is another requirement of existing City law. This should be deleted.

PORT OF SAN FRANCISCO'S OBJECTIVES

Port's Design Objectives: It is abundantly clear that the proposed project fails to meet almost all of the Port's design objectives for the development of Seawall Lot 351.

C.10.23

- The design of the new development does not "respect the character of the Ferry Building," but is incompatible with the Ferry Building's design details, height, bulk and scale. The new development would not only cast new shade on Sue Bierman Park, but would create a giant new wall on the Park's northern side, and the removal of the Washington Street median and its trees would effectively remove a buffer between the Park and the development on the project site.
- The design of the new development does not "compliment the rich architectural character of the Embarcadero National Register Historic District" nor is it "complementary to the architectural features of the pier bulkhead buildings." Rather, the design of the new building is incompatible with the height, bulk and scale and architectural detail of these historic buildings and detracts from the significance of the historic district.
- Because of the height and scale of the proposed new development, it does not "acknowledge the massing and street enclosure relationship with the bulkhead buildings across The Embarcadero" and is clearly not "of similar height" as the bulkhead buildings.
- The proposed building does not "maintain and enhance the view corridors along the Embarcadero" nor does it "[r]ecognize the visual connection from the Ferry Building and Pier 1 to Coit Tower in a manner that preserves the iconic vista and acknowledges the landmark status of these sites." Instead it completely blocks views to Coit Tower from the Ferry Building and Pier 1.
- The height and massing of the proposed new building clearly does not "fit within the neighborhood context" given its sharp contrast with "the heights of the historic Pier 1 through 5 bulkhead buildings."
- The main entrance to the residential towers faces Washington Street and not The Embarcadero, as a Port design objective requires.
- The main garage vehicle entrance, as well as a separate elevator entrance to the garage, will be located on the project's Washington Street elevation – immediately across from Sue Bierman Park – obstructing views into the ground floor and creating blank walls in these areas. The DEIR fails to

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address how this design treatment will help ‘enliven’ Washington Street and create better connections from Chinatown to the Waterfront. Please address this in the DEIR.

- In addition, it appears that most of the ground floor wall of the recreation facility on The Embarcadero will be blank (housing the swimming pools behind them). Please add a description of this wall and how it meets the Port’s design objectives.
- Placing the parking garage entrance on the Washington Street elevation, along with the vehicle drop-off area for the residential lobby and restaurant, immediately across from Sue Bierman Park, will impact the Park aesthetically, particularly with cars exiting and entering the 420 space garage and queuing in Washington Street. This will have an even greater aesthetic impact on the Park because the proposed project will remove the median strip and its trees from Washington Street that would otherwise provide at least a visual buffer between the Park and the car traffic generated by the project.

C.10.23
cont'd

Port’s Development Program Objectives: The proposed project also fails to meet several of the Port’s development program objectives for Seawall Lot 351.

- The project would not “[p]romote public enjoyment of ... the adjacent public open spaces including Sue Bierman Park” for the reasons described immediately above relating to project-generated traffic and queuing on Washington Street. In addition, the proposed project would add new shade to Sue Bierman Park.
- It is unlikely that a 420 space parking garage can be operated in a manner to “minimize impact on traffic and the neighborhood.” Consideration must be given to reducing the number of parking spaces for the residential units.

D. REQUIRED APPROVALS

Planning Commission:

- Set forth the existing Planning Code requirements for each of the following Planning Code sections that specify for each the exceptions or exemptions that would be required for the proposed project:

C.10.24

Section 303 (Conditional Use)

Section 253 (review of structures over 40 feet in any “R” District)

Section 271(b) (Bulk Limit Exception)

Sections 151 & 204.5(c) (off-street parking for residential uses in excess of maximum accessory amounts)

Section 151 (reduction in off-street parking requirements for non-residential uses)

Section 209.7(d) (provision of a public parking garage for spaces to serve the Ferry Building)

Section 209.8(c) (commercial use above ground floor for the health club)

Section 209.8(f) (non-residential use exceeding 6,000 gross square feet)

Section 134 (rear yard requirement)

- Explain the basis for requesting the creation for a Special Use District (SUD) for this single project.
- Compare the existing height and bulk limits for the project site to that required for the proposed project.

Planning Commission and Recreation & Park Commission:

- As discussed in greater detail below regarding the Shadow Impacts of the proposed project, we disagree with the statement in the DEIR that “no cumulative limit currently exists for Sue Bierman Park.” The criteria adopted by the Planning Commission and Recreation & Park Commission in 1989 established absolute cumulative limits for additional shadows on 14 downtown parks throughout San

C.10.25

Francisco, including an **absolute cumulative limit of zero for Embarcadero Plaza I (North)**, which became a part of Sue Bierman in 2001, after the demolition of the Embarcadero Freeway. The notion that no absolute cumulative limit has ever been set for the expanded Sue Bierman Park is an apparently biased attempt to get around the absolute cumulative limit of zero new shadows on the areas of the park to be shaded by the proposed project – i.e the original Embarcadero Plaza I (North). The Planning Commission and Recreation & Park Commission cannot establish a new cumulative limit for allowable shadow on this portion of the Park in order to approve the proposed project's new shadow under Section 295 of the Planning Code.

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 C.10.25
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Port Commission:

C.10.26

- What portions of Seawall Lot 351 will be retained by the Port?
- What improvements will be “developed and operated” by the project sponsor on those portions of Seawall Lot 351 to be retained by the Port?
- What public facilities does the project sponsor propose to finance through CFDs and an IFD?
- Can those public facilities even be built with IFD funding, given that a) the IFD is predicated on the Port capturing 100% of the tax increment generated by 8 Washington even though the Port only owns 20% of the site, and b) according to recent testimony before the Planning Commission by Michael Yarne (OEWD), under state law IFD's are prohibited on land that “is currently, or was previously part of a redevelopment area” (the 80% of the 8 Washington site a previous redevelopment area).
- Under what circumstances does the Port anticipate that the current (or a future) members of the Board of Supervisors would voluntarily give up its 80% of this tax increment (\$32 million out of \$40 projected by the Port) to fund public improvements for 8 Washington or other Port projects?
- Has the Port had discussions with the Board of Supervisors regarding its proposal to capture 100% of the tax increment discussed in the IFD (8 Washington Term Sheet? What was their reaction?
- Has the Port or project sponsor had state legislation passed (or introduced) that provides the necessary waivers from the current state prohibition against setting up IFD's in former redevelopment areas?

C.10.27

Port Commission/State Land Commission:

C.10.28

- Were those areas within the former Pacific Avenue and Jackson Street public rights-of-way (now a part of the project site) officially vacated by the City at the time the Redevelopment project was approved?
- Will public trust limitations be placed on any of the open space that is included in the “Residential Open Space” areas described on page II.18 of the DEIR? Specifically, will public trust limitations be placed on any of the proposed 14,900 sq. ft. of “private open space”? Will public trust limitations be placed on any of the proposed 8,700 sq. ft. of “common open space”?
- Provide a figure showing the open space areas upon which the public trust limitations will be placed.
- Explain how public trust limitations can be placed on restaurant uses when there are going to be residential uses above and in the same building. Cite precedents for imposing trust limitations in this manner.

Department of Public Works:

C.10.29

- No mention is made of the required curb cuts on Drumm Street for the proposed loading dock and trash area.
- No mention is made of the of the additional curb cut on Washington Street for the proposed vehicular drop-off area to serve the proposed project's residential lobby and restaurant (this is in addition to a separate curb cut required for the garage entrance).

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Other Required Approvals:

- Will the project require a permit from the Regional Water Quality Control Board in connection with dewatering the site, given its location on a seawall lot?
- Will the project require approval from BCDC given the proposed development on a seawall lot?

C.10.29
cont'd

PLANS AND POLICIES (Chapter III)

This section of the DEIR fails in a number of ways to adequately evaluate the proposed project's conflicts with applicable land use plans and policies that may result in physical environmental impacts. As discussed below under Aesthetics and Historic Resources, the proposed project, as currently designed, *would* have a substantial impact on the existing character of the vicinity and *would* result in a significant cumulative impact related to Land Use, which impacts require mitigation.

C.10.30

A. CITY PLANS AND POLICIES

The DEIR fails to define the existing character of the vicinity that will be impacted. To adequately evaluate the proposed project's conflicts with existing land use plans and policies and impacts on the existing character of the vicinity, it is necessary for the DEIR to include in this section the definition of the "urban design character of the area" from the Port's *Design and Access Element for the Ferry Building Area*:

"The urban design character of this area derives from the historic Ferry, Agriculture and bulkhead buildings which line The Embarcadero. Together, these buildings provide a civic architectural character and mark the center of the waterfront and the beginning of Market Street. This area also contains some of the waterfront's most expansive and celebrated views and opens spaces, including the 1800 foot long Embarcadero Promenade walkway south of the Agriculture Building, Justin Herman Plaza, and the Ferry Plaza on the waterside of The Embarcadero. These open spaces are used by office workers on a daily basis, by residents of the adjacent Golden Gateway, Telegraph Hill and South Beach neighborhoods, and by visitors for a variety of celebrations and ceremonies."

The DEIR fails to disclose and analyze the physical environmental impacts resulting from the proposed project's conflicts with Priority Planning Policies. Although the DEIR lists the Priority Planning Policies in an abbreviated form, it fails to describe or analyze how the height and massing of the proposed project would conflict with them. Instead, the DEIR improperly says the Planning Commission will do this later "during its final review of the required project approvals..." The DEIR is required to analyze the project's conflicts with the Priority Planning Policies that would result in significant physical environmental impacts. (See our comments on the project's conflicts with the Priority Planning Policies set forth below under Chapter IV. Environmental Setting and Impacts -- A. Land Use).

C.10.31

The Planning Department's Northeast Embarcadero Study cannot legally be utilized as the basis for environmental analysis of the 8 Washington Project. The *Northeast Embarcadero Study*, prepared without the benefit of any EIR review, disclosed an intent to "guide the development of properties along the west side of the Embarcadero," starting at Washington Street. The Draft EIR indeed concedes on its very first page that the City's Planning Commission adopted a resolution proclaiming that it "urges the Port of San Francisco to consider the recommendations of the Northeast Embarcadero Study when considering proposals for development in the study area." The EIR also concedes that "the proposed project is intended to respond to the urban design recommendations" contained in the Study. (DEIR at Intro.2.)

C.10.32

Since the *Northeast Embarcadero Study* received no environmental review, it cannot legally be utilized as the basis for environmental analysis of the 8 Washington Project. Please revise the EIR to so state in the Introduction and also at pages III.8 and 9, at pages IV.D.33 through 35. The EIR's assessment of project environmental impacts and alternatives should not reference consistency with the *Study* until the *Study* itself is subjected to environmental review.

C.10.32,
cont'd

The DEIR should be revised to include analysis of the environmental impacts, and alternatives to, the *Northeast Embarcadero Study*, before applying any of the Study's recommendations to the 8 Washington project. The revised EIR should then be recirculated.

The DEIR is biased because it fails to include a discussion of *A Community Vision for San Francisco's Northeast Waterfront*. The DEIR is biased because it discusses the Planning Department's *Northeast Embarcadero Study*, while failing to include an equally detailed and professional discussion of the background and recommendations of the study by a coalition of community organizations. Prepared by Asian Neighborhood Design, *A Community Vision for San Francisco's Northeast Waterfront*, dated February 2011, was presented to the Planning Commission on July 7, 2011. The DEIR should describe the reasons why an alternative community planning process was undertaken and should discuss the recommendations contained in *A Community Vision for San Francisco's Northeast Waterfront*.

C.10.33

B. STATE PLANS AND POLICIES -- TIDELANDS TRUST AND STATE LANDS COMMISSION

According to the DEIR, "[t]he project sponsor proposes to exchange privately held property within the project site that is not currently subject to the public trust (portions of Block 168 and 171, as well as portions of former street rights-of-way along Jackson Street, Pacific Avenue, and Drumm Street) with the portion of SWL 351 south of the former Jackson Street right-of-way that would be occupied by residential and other non-trust development." This information is insufficient to provide for an adequate understanding of the project sponsor's proposed public trust exchange. The DEIR should include a new figure showing all of the following areas on a detailed sketch of the proposed project on the project site:

C.10.34

- The privately owned portions of Blocks 168 and 171, and of former street rights-of-way along Jackson Street, Pacific Avenue and Drum Street (not currently subject to the public trust) that are proposed for exchange into trust.
- The specific area of SWL 351 that would be exchanged out of the public trust.
- The specific area of SWL 351 that would remain in the public trust.
- The specific area of SWL 351 that would be occupied by residential and other non-trust development.
- All open space areas upon which the public trust limitations will be placed.
- Any developed areas upon which the public trust limitations will be placed.

The DEIR states that among the property to be transferred into the public trust would be "widening of the existing Drumm Street pedestrian walkway." How does the project's proposed use of the Drumm Street elevation for the project's trash area and loading zones (uses which require curb cuts and access over the sidewalks) conflict with the transfer of this "sidewalk" into the public trust?

ENVIRONMENTAL SETTING AND IMPACTS (Chapter IV)

The DEIR Incorrectly Determines that Certain Environmental Effects Do Not Require Further Study in the EIR. The DEIR concludes (on page Intro.3) that certain potential individual and cumulative environmental effects were identified as less than significant or less than significant with mitigation in the December 8, 2007 NOP/Initial Study for the previous project proposal and, therefore, do not require further study in this DEIR for the currently proposed project.

C.10.35

As will be discussed below, we disagree that the potential environmental impacts to Land Use, Population and Housing, Historical (Architectural) Resources, Geology and Soils, Hydrology and Water Quality were adequately studied in the NOP/Initial Study. Each of these environmental impacts must be addressed in this EIR as to the currently proposed project.

C.10.35
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A. LAND USE

The evaluation of Land Use impacts contained in this section of the DEIR is incorrect. As explained on page III.1 of the DEIR, the required evaluation under CEQA with respect to Land Use is to evaluate the proposed project's conflicts with land use plans and policies to determine if these conflicts may result in physical environmental impacts. Here, such conflicts would clearly result in substantial impacts on the existing character of the vicinity and in significant cumulative impact related to Land Use.

C.10.36

The DEIR incorrectly determines that the project would not have a substantial impact on the existing character of the vicinity (Impact LU-2).

C.10.37

1. The proposed project conflicts with the Port's *Design and Access Element for the Ferry Building Area* and *Design Criteria for Seawall Lot 351*, which were adopted for the purpose of avoiding or mitigating physical environmental impacts of new development.

The DEIR fails to adequately evaluate the proposed project's conflicts with the Port's *Design and Access Element for the Ferry Building Area*, which defines the urban design character of this area as follows:

"The urban design character of this area derives from the historic Ferry, Agriculture and bulkhead buildings which line The Embarcadero. Together, these buildings provide a civic architectural character and mark the center of the waterfront and the beginning of Market Street. This area also contains some of the waterfront's most expansive and celebrated views and opens spaces, including the 1800 foot long Embarcadero Promenade walkway south of the Agriculture Building, Justin Herman Plaza, and the Ferry Plaza on the waterside of The Embarcadero. These open spaces are used by office workers on a daily basis, by residents of the adjacent Golden Gateway, Telegraph Hill and South Beach neighborhoods, and by visitors for a variety of celebrations and ceremonies."

Further defining this urban design character, the *Design Criteria for Seawall Lot 351* specify that the massing of any development on the site should acknowledge the massing and street enclosure relationship with the bulkhead buildings across The Embarcadero and be of similar height:

"MASSING: To define the north edge of adjacent open space, new development should acknowledge the massing and street enclosure relationship with the bulkhead buildings across The Embarcadero (e.g. bold forms of similar height, constructed to the Embarcadero edge)."

The following physical environmental impacts result from the proposed project's conflicts with the Port's *Design and Access Element for the Ferry Building Area* and *Design Criteria for Seawall Lot 351*:

- (1) Impacts on Architectural Character. The height and massing of the proposed project, which conflict with the existing zoning, height and bulk districts, impact the area's architectural character because the proposed new buildings are not of similar height and massing with the bulkhead buildings across The Embarcadero. The character of the area is not derived from the high-rise, high-density buildings of the Golden Gateway, One Maritime Plaza and the Embarcadero Center, as emphasized in the DEIR, but from the architectural character of the *"historic Ferry, Agriculture and bulkhead buildings which line The Embarcadero."*

- (2) Impacts on Views and Open Spaces. The height and massing of the proposed project, which conflict with the existing zoning, height and bulk districts, impact the areas “*celebrated views and opens spaces*” that further define the character of this area. The proposed project would completely block the iconic views to Coit Tower from the Ferry Building and Pier 1. In addition, the proposed project would negatively impact public open spaces including The Embarcadero Promenade walkway and Sue Bierman Park by casting new shadows on them. Other impacts to Sue Bierman Park include traffic impacts from locating the project’s garage entrance and drop-off area on Washington Street across from the park and the elimination of the buffer (the Washington Street median and its trees) between the park and the proposed project.

C.10.38.a

C.10.38.b

2. The proposed project conflicts with the Priority Planning Policies related to environmental impacts. The DEIR fails to evaluate the physical environmental impacts that would result from the project’s conflicts with the Priority Planning Policies, including the following impacts:

C.10.39

- Policy 2 – Because the height and massing of the proposed project is incompatible with that of historic Ferry, Agriculture and bulkhead buildings on The Embarcadero, the proposed project will impact neighborhood character.
- Policy 3 – Because the proposed project creates 165 luxury condominium units, it fails to preserve and enhance the City’s supply of affordable housing.
- Policy 4 – Because the proposed project seeks exceptions to the City’s minimum parking requirements, it will encourage, and therefore impact, commuter traffic in the area.
- Policy 7 – Because the proposed project is incompatible with the height and bulk of the historic Ferry, Agriculture and bulkhead buildings that line The Embarcadero, it will impact the character of the Port’s Embarcadero National Register Historic District and the nearby buildings individually listed on the National Register.
- Policy 8 – Because the proposed project will cast new shadows on the Embarcadero Promenade walkway, Sidney Walton Square and Sue Bierman Park (as well as on the proposed Jackson Common and Pacific Avenue Park), it will impact parks and open space and their access to sunlight.

The DEIR incorrectly determines that the project would not result in significant cumulative impacts related to Land Use (Impact LU-3).

C.10.40

The DEIR fails to include and evaluate all other anticipated development cumulatively with the proposed project, including those projects more than 0.5 miles of the project site for purposes of assessing cumulative impacts to traffic.

- The DEIR avoids consideration of the impacts of the America’s Cup by characterizing it as “temporary in nature.” In fact, the duration of the America’s Cup event is not merely temporary, but potentially long-term. The winner of the America’s Cup gets to determine where the next race will be held. The races were held in Rhode Island for more than half of a century. Therefore, if the Golden Gate Yacht Club (GGYC) retains the America’s Cup title, the race events will likely continue to be held in San Francisco. This must be disclosed and considered in the EIR’s cumulative impact analysis relating to increased vehicle and pedestrian activity in the project area since this is a reasonably likely outcome. Assuming the America’s Cup is merely “temporary in nature” is speculative at best.
- As to the long-term development that will result from the America’s Cup, the DEIR states that “it is likely that they would be similar in uses and intensities to those projects previously developed for those sites under consideration (Piers 19/23, Piers 26/28, Piers 30/32, etc.), which are included in the current land use and traffic projections.” Please describe and discuss each of the development projects assumed by the DEIR in its cumulative impact analysis.

C.10.41

- The DEIR fails to disclose or evaluate the construction impacts of the proposed project cumulatively with the construction of the proposed the America's Cup Village on Piers 27-29, which is proposed to include demolishing all of the Pier 27 shed and a portion of the Pier 29 shed to create a 160,000 sq. ft. public viewing platform or outdoor amphitheater at the eastern end of Pier 27-29 to accommodate up to 10,000 spectators. According to the DEIR, construction of the proposed project is estimated to occur during the same time period.
- How will the construction of the proposed project impact the America's Cup planned activities on The Embarcadero?
- How is the gsf of the proposed new cruise ship terminal related to cumulative transportation analysis? A much better measure of traffic impacts would be its estimated use, the number of cruise ship calls, estimated numbers of passengers, special event planning for the space, etc.
- Include in the analysis of the cumulative impacts of the proposed project the following estimates from the current DEIR for the Port's proposed cruise terminal: "The annual number of ship calls is expected to remain the same in the future, with approximately 40 to 80 calls per year. However, in anticipation of the current trends in the cruise ship industry towards larger cruise ships, the proposed cruise terminal would be designed to better accommodate newer, larger ships holding larger numbers of passengers than are currently served at Pier 35. Optimally, the proposed terminal would handle vessels carrying 2,600 passengers, but it would have additional capacity at key areas to serve vessels carrying up to 4,000 passengers." As to special events, the Port's DEIR for the cruise terminal provides that: "The proposed cruise terminal would allow for shared uses in down times between cruise ship calls. These shared uses could include events such as conferences, public or private gatherings, and maritime-oriented events. It is estimated that up to 100 shared-use events could occur at the cruise terminal site annually." [Emphasis added]

↑ C.10.41
 cont'd

Because of the DEIR's failure to include an adequate evaluation of the impacts of all other planned and anticipated development in the area, its conclusion that cumulative development would not result in significant changes in land use character is unsound and not based on substantial evidence.

C.10.42

B. AESTHETICS

The DEIR does not adequately address the project's impacts on Aesthetics. The DEIR's descriptions of the visual character of the project vicinity, its scenic resources and existing scenic vistas are inadequate, biased and misleading. In addition, contrary to the DEIR's conclusions, it is clear that the proposed project would have significant adverse effects on the visual quality of the area because it would cause substantial and demonstrable negative changes in the physical environment that affects the public.

C.10.43.a

DEIR's description of the Visual Character of the Project Vicinity is inadequate and biased:

- Add into the description of the area's visual character a clear description of Piers 1, 1-1/2, 3, and 5 bulkhead buildings, which line the east side of The Embarcadero across from the project site, as visual resources defining the visual character of the project vicinity. As stated in the Port's *Design and Access Element for the Ferry Building Area*, the urban design character of this area derives from these historic buildings.
- Remove the biased description of these Piers 1-5 bulkhead buildings as "obstructing scenic views of the Bay and East Bay Hills." This statement is an obvious attempt to evade the conclusion that the proposed project's height, massing and design would significantly impact the visual character of these historic and scenic resources, which define the visual character of the project vicinity.
- Add to the first sentence under Photographic Views a statement that the project site occupies a prominent position along The Embarcadero "across from the significant historic resources which line the east side of The Embarcadero."



DEIR's description of Existing Scenic Vistas and Scenic Resources inadequate and biased:

- Include in the DEIR's description of the area's scenic resources a description of the visual qualities of Piers 1, 1-1/2, 3, and 5 bulkhead buildings which qualified them for individual listing on the National Register of Historic Places and as contributing resources to the Port's Embarcadero National Register Historic District.
- Remove the two biased statements (on pages IV.B.11 and IV.B.12) that Piers 1-5 bulkhead buildings obstruct views of the Bay and East Bay Hills. This statement is an obvious attempt to deflect the fact that the proposed project itself will block the iconic views of Coit Tower and Telegraph Hill from the Ferry Building and Pier 1, as well as views of the Ferry Building from public locations on Telegraph Hill.

C.10.43.a
 cont'd

The DEIR incorrectly determines that the proposed project would not substantially affect scenic vistas or scenic resources visible from publicly accessible areas in the project vicinity (Impact AE-1).

The DEIR's conclusion that the project's impacts on scenic vistas and scenic resources would be considered "*Less than Significant*" is a subjective judgment not based on an independent presentation of the facts. Impacts to the following scenic vistas and scenic resources would be significant without adequate mitigation:

C.10.43.b(1)

1. Views of Coit Tower and Telegraph Hill Obstructed. As clearly demonstrated in Figure IV.B-3: View B (page IV.B.7), the height and mass of the proposed project would completely obstruct views of Coit Tower and Telegraph Hill currently seen from the Embarcadero Promenade at the northern end of the Ferry Building. This significant adverse effect on the visual quality and scenic vistas enjoyed by the public conflicts with all of the following objectives and plans:

- The Port's project objective for Seawall Lot 351, which provides that the proposed project "maintain and enhance the view corridors along the Embarcadero" and that it "[r]ecognize the visual connection from the Ferry Building and Pier 1 to Coit Tower in a manner that preserves the iconic vista and acknowledges the landmark status of these sites."
- The Port's *Waterfront Design and Access Element* which provides that design policies will be applied to new development and open space projects along the waterfront to address ways to preserve and enhance existing views and to create a variety of new views.
- Policy 10.1 of the *Northeastern Waterfront Area Plan* provides that new development "preserve the physical form of the waterfront and reinforce San Francisco's distinctive hill form by maintaining low structures near the water, with an increase in vertical development near hills or the downtown core area."
- The *Urban Design Element* of the City's *General Plan* calls for preserving and enhancing views and visual quality, and calls for new development to complement existing patterns of development.

The DEIR's conclusion this would not create a substantial adverse effect on a scenic vista because "Coit Tower and Telegraph Hill would continue to be visible from numerous vantage points in the vicinity of the Project site and the City" is a biased and subjective judgment that is not based on fact.

- What will prevent other buildings from being constructed along The Embarcadero that would further block views of Coit Tower and Telegraph Hill? How is this project unique?

C.10.43.b(2)

2. Views of the Ferry Building Obstructed. As demonstrated in Figure IV.B-7: View F (page IV.B.12), the height and mass of the proposed project would obstruct views of the Ferry Building from locations on Telegraph Hill. Although the view from only one location is chosen to show this impact, it is

C.10.43.c

clear that the proposed project will have a potentially significant adverse effect on the visual quality and scenic vistas enjoyed by the public.

- The DEIR must analyze how such obstruction of views of the Ferry Building would comply with Policy 10.7 of the *Northeastern Waterfront Area Plan*, which provides that new development enhance and maintain the physical prominence of the Ferry Building.
- Please explain the statement on page IV.B.18 that: “The proposed project would not obstruct the view of the Ferry Building Clock Tower from any of the proposed viewpoints.” What are “any of the proposed viewpoints”? Why is it relevant that only the view of the Clock Tower would remain?

The DEIR’s conclusion that the proposed project would not create a substantial adverse effect on a scenic vista by obstructing views “because the Ferry Building would continue to be visible from numerous vantage points on Telegraph Hill” is a plainly subjective judgment not based on the facts presented.

C.10.43.c
cont'd

3. Views from a Significant Number of Private Residences Obstructed. As described in the DEIR, a significant number of private residences will have their views completely blocked or obstructed by the construction of the proposed project, in particular by the 12-story building on the southern portion of the project site that would require the City to approve a zoning amendment to accommodate a site-specific height increase or spot zoning.

- Discuss why these private residential owners and tenants do not have a reasonable expectation that the City will uphold its existing height and bulk limits and respect its prior redevelopment plans and approvals.
- Given the facts of the instant case, where a site-specific up-zoning and deviations from existing plans and policies would result in blocking views and light to a significant number of residential units, discuss the basis for the DEIR’s statement that such impacts are “a commonly expected and experienced consequent of new construction within a densely populated urban setting.”

C.10.43.d

The DEIR incorrectly determines that the proposed project would not substantially alter the existing visual character of the project site and its surroundings (Impact AE-2).

C.10.43.e

There is simply no basis for the DEIR’s conclusion that the proposed project would not substantially alter the existing visual character of the area surrounding the project site. For the reasons set forth below, the DEIR’s conclusion is biased, subjective and not based on evidence or fact.

1. Conflicts with the “Urban Design Element” of the General Plan. The DEIR states that “[t]he proposed project is *intended* to further the following policies of the *Urban Design Element*” of the *General Plan*, but the DEIR fails to provide evidence that the proposed project furthers these policies, including the following:

- Policy 3.4 (promote building forms that will respect and improve the integrity of open spaces and other public areas). The proposed project does not further this policy. The height and massing of the proposed project would damage and deteriorate open spaces and other public areas by casting new shade on the Embarcadero Promenade walkway, Sidney Walton Square and Sue Bierman Park (as well as on the proposed Jackson Common and Pacific Avenue Park). As shown in Figure IV.B-4: View C and Figure IV.B-5: View D, the massive new walled-in effect that the proposed project would create on the Park’s northern side would further enclose and darken Sue Bierman Park. Additional damage to Sue Bierman Park would result from the proposed removal of the Washington Street median and all its trees, which would eliminate a buffer between the Park and the increased traffic impacts from the garage and drop off proposed immediately across from the Park. The impacts of the proposed project on these parks and open spaces and their access to sunlight would also conflict with Policy 8 of the City’s *Priority Planning Policies*.

- Policy 3.5 (relate the height of buildings to important attributes of the City pattern and to the height and character of existing development) and Policy 3.6 (relate the bulk of buildings to the prevailing scale of development to avoid an overwhelming or dominating appearance in new construction). The DEIR fails to consider that the size and massing of the proposed project would contrast significantly with the smaller, finer-scale character and height of the structures and bulkheads in the Port's Embarcadero National Register Historic District, and in particular with the Ferry Building and Piers 1 through 5, which are each individually listed on the National Register of Historic Resources. The contrast between the size, scale and character of these historic buildings, the horizontal mass of which are no more than 37 feet in height, and the proposed height and massing of the proposed project would constitute a "substantial degradation" of the visual character of the area. The DEIR presents no facts to support a different conclusion.

C.10.43.e
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2. Conflicts with the *Northeastern Waterfront Area Plan*. The DEIR states that "[t]he proposed project is *intended* to further the following policies of the *Northeastern Waterfront Area Plan*," but the DEIR fails to provide evidence that the proposed project furthers these policies, including the following:

C.10.43.f

- Policy 10.1 (preserve the physical form of the waterfront and reinforce San Francisco's distinctive hill form by maintaining low structures near the water, with an increase in vertical development near hills or the downtown core area). Given the height of the proposed project in relation to the 37-foot tall historic bulkhead buildings across The Embarcadero, how can the DEIR conclude that it maintains low structures near the water?
- Policy 10.7 (enhance and maintain the physical prominence of the Ferry Building). Given the height and mass of the proposed project, how does it enhance and maintain the Ferry Building?
- Policy 10.11 (maintain and enhance existing grade-level view corridors to the bulkhead buildings). The DEIR claims (on page IV.B.19) that the addition of the new project buildings would "frame and direct views along the Embarcadero and along Washington Street toward the Pier 1 Bulkhead Building." However, as shown in Figure I.B.6: View E, a clear and open grade-level view corridor looking east along Washington Street to the Pier 1 Bulkhead Building currently exists. As shown in the figure with the addition of the proposed project, the existing view would not be enhanced. Rather, the new buildings would create a tunnel effect along Washington Street and impede the existing view of the Pier 1. Thus, the evidence provided in the DEIR does not support the DEIR's conclusion. Please explain the statement in the DEIR that the proposed project would "frame and direct views along the Embarcadero ... toward the Pier 1 Bulkhead Building." Please include a photomontage to support this conclusion.

3. Conflicts with the *Waterfront Design & Access Element*. The DEIR states that "[t]he proposed project is *intended* to further the policies of the Port's *Waterfront Design & Access Element* of the *Waterfront Land Use Plan* specific to Seawall Lot 351," but the DEIR fails to provide evidence that the proposed project furthers these policies, including the following:

C.10.43.g

- **Massing** (acknowledge the massing and street enclosure relationship with the bulkhead buildings across The Embarcadero [e.g., bold forms of similar height, constructed to The Embarcadero edge]). In spite of this clear guiding principle that development on the project site be of similar height and massing and detailing with the bulkhead buildings across The Embarcadero, the DEIR repeatedly refers to the site as being located near (or in) the downtown high-rise office core in a clear and biased attempt to defend the excessive height and massing of the proposed project.
- **Orientation** (locate primary uses and pedestrian entrances on The Embarcadero) and **Transparency** (avoid blank ground floor walls along The Embarcadero by providing views into the ground floor of buildings). Please describe the ground floor wall along the length of the proposed new swimming

pools on the east elevation along The Embarcadero. Will there be views into the swimming pool? What is the length of this blank ground floor wall? Describe all the uses (including the secondary entrance to the condominium units) that will occupy the ground floor walls along the length of the project on The Embarcadero.

C.10.43.g
 cont'd

- **Embarcadero Character** (reinforce the large scale of The Embarcadero by using bold forms, deep recessed building openings, and strong detailing on building facades facing The Embarcadero). Describe the character of the proposed new building along its entire east elevation. Please describe how the “recessed bays” that according to the DEIR are to “contribute to a greater sense of human scale ...” are compatible with the detailing of the bulkhead buildings across The Embarcadero. Are there any bay windows on any of these bulkhead buildings? How are projected awnings consistent with the bulkhead buildings?

4. Conflicts with the *Port’s Design Objectives*. The design of the proposed project conflicts with substantially all of the *Port’s Design Objectives* set forth in this EIR (pages II.21-II.22) and articulated in the Port’s RFP for this project, which the DEIR completely ignores in its discussion and conclusions regarding the proposed project’s impacts on the existing visual character of the area surrounding the project site. The EIR should disclose each of the following conflicts with the *Port’s Design Objectives* as a part of its analysis of the aesthetic impacts of the proposed project:

C.10.43.h

- The design of the new development does not “respect the character of the Ferry Building” because it is incompatible with the Ferry Building’s design details, height, bulk and scale.
- The design of the new development does not “respect the character of ... Sue Bierman Park” because it would not only cast new shade on Sue Bierman Park, but would create a giant new wall on the Park’s northern side and, with the removal of the Washington Street median and its trees, would effectively remove a buffer between the Park and the development on the project site.
- The design of the new development would not “compliment the rich architectural character of the Embarcadero National Register Historic District” nor is it “complementary to the architectural features of the pier bulkhead buildings.” Rather, the design of the new building is incompatible with the height, bulk and scale and architectural detail of these historic buildings and detracts from the significance of the historic district.
- Because of the height and scale of the proposed new development, it does not “acknowledge the massing and street enclosure relationship with the bulkhead buildings across The Embarcadero” and is clearly not “of similar height” as the bulkhead buildings.
- The proposed building does not “maintain and enhance the view corridors along the Embarcadero” nor does it “[r]ecognize the visual connection from the Ferry Building and Pier 1 to Coit Tower in a manner that preserves the iconic vista and acknowledges the landmark status of these sites.” Instead it completely blocks views to Coit Tower from the Ferry Building and Pier 1 and impedes views of the Ferry Building from Telegraph Hill.
- The height and massing of the proposed new building clearly does not “fit within the neighborhood context” given its sharp contrast with “the heights of the historic Pier 1 through 5 bulkhead buildings.”
- The DEIR provides no design or consideration of “the appearance of all rooftop equipment as seen from the street and elevation of neighboring buildings and hills.” As rooftop equipment impacts aesthetics, this must be considered in the EIR.
- The proposed project’s “primary uses and pedestrian entrance,” i.e. the main entrance to the residential units, face Washington Street instead of The Embarcadero.
- As noted above, the proposed project will have “blank ground floor walls along The Embarcadero and Washington Street.” Washington Street will have the project’s garage vehicle entrance as well as a separate elevator entrance to the garage. The Embarcadero will have a blank ground floor wall along the length of the swimming pool.

5. Light and glare impacts should have been considered in the DEIR. The proposed project's potential aesthetic impacts from light and glare should have been discussed in the DEIR and should not have been dismissed based on the 2007 Initial Study, which simply concluded that "the project would have less than significant light and glare impacts because the project would comply with City Planning Commission Resolution 9212, which prohibits mirrored or reflective glass, and because it would not result in additional glare beyond that of other typical buildings in the area." Why was there no consideration of the project's cumulative impacts considered together with other nearby projects, including the Embarcadero Center, the new cruise ship terminal, the Exploratorium project, the America's Cup long-term development projects, and the Yerba Buena/Treasure Island development? What is the measurable additional light impact generated by the proposed project? What is the increase in light pollution individually and cumulatively?

C.10.43.i

The DEIR incorrectly determines that the proposed project would not result in a significant cumulative impact related to Aesthetics (Impact AE-3).

C.10.43.j

There is no basis for the DEIR's conclusion that the cruise terminal at Pier 27, the Exploratorium project at Piers 15-17, and the proposed America's Cup development are not a part of the visual setting for the proposed project. All of these projects are within the Port's Embarcadero National Register Historic District and each project individually and cumulatively will impact the visual environment of this historic resource. Absolutely no design details or other aspects of these projects were discussed in the EIR.

In addition, the DEIR failed to consider the impacts on the visual environment of the proposed project cumulatively with the impact of the Treasure Island development project on the visual environment of the waterfront in the project area. The final certified EIR for the Treasure Island development project found that that project would have a significant effect on the visual environment that could not be mitigated.

The DEIR's cumulative analysis of the proposed project's cumulative impact related to Aesthetics is inadequate and incomplete. There is simply no factual basis or evidence for the DEIR's conclusion that the proposed project and cumulative development would not contribute to a significant degradation of the visual environment of the greater project area.

C. HISTORICAL RESOURCES

Impacts on Historic Resources are not Adequately Analyzed in the DEIR. Unbelievably, the DEIR concludes that potentially significant impacts to historic "architectural" resources will not be discussed in the DEIR because the 2007 NOP/Initial Study found that the proposed project would not adversely affect them. The 2007 NOP/Initial Study incorrectly assumed that because "[t]he project site contains no buildings included in, or determined eligible for inclusion in, any federal, State, or adopted local register of historic resources," the proposed project could not result in any impacts to historic "architectural" resources. This reasoning and its conclusion are flawed for at least three reasons: First, the proposed project must be analyzed for its potentially significant impacts on historic resources within its setting and context. Second, the Old Seawall, which runs through the project site within Seawall Lot 351, has been determined eligible for listing on the National Register of Historic Places and therefore constitutes a historic resource for all purposes of CEQA. Third, the construction of the proposed project must be analyzed for its potentially significant physical damage to historic resources.

C.10.44.a

1. The proposed project must be analyzed for its potentially significant impacts on historic resources within its setting and context. The DEIR is inadequate, incomplete and biased in its failure to analyze the potentially significant impacts of the proposed project on its immediate environmental setting and context, including Pier 1 and the Ferry Building, which are individually listed on the National

C.10.44.b

Register of Historic Places; the Central Embarcadero Piers National Register Historic District, which includes Piers 1, 1-1/2, 3, and 5 located across The Embarcadero from the project site; and the Port's Embarcadero National Register Historic District. The EIR must analyze the proposed project's potentially significant impacts on these historic resources resulting from its conflicts with the City's *General Plan* and the Port's plans and objectives applicable to the project, including the following:

C.10.44.b
 cont'd

(a) Conflicts with the Port's *Waterfront Design & Access Element*. The EIR must analyze the proposed project's potentially significant impacts on these historic resources resulting from its conflicts with the *Waterfront Design & Access Element* as to massing and design character. (See also our comments above relating to the proposed project's aesthetic impacts, which are included here by reference.)

- Analyze and discuss how the proposed project acknowledges the massing and street enclosure relationship with these historic resources (the Ferry Building and bulkhead buildings) across The Embarcadero. Explain how the height of the proposed project is "similar" to the historic bulkhead buildings.
- Analyze and discuss how the character and design of the proposed project reinforces the scale of the historic resources along The Embarcadero. Describe how the project's proposed "recessed bays" are compatible with the detailing of the historic resources. Are there any bay windows on any of these bulkhead buildings? How are projected awnings consistent with the bulkhead buildings?

(b) Conflicts with the Port's *Design Objectives*. The EIR must disclose and acknowledge the proposed project's potentially significant impacts on these historic resources resulting from its conflicts with substantially all of the *Port's Design Objectives* (set forth in this EIR pages II.21-II.22) which are articulated in the Port's RFP for this project. The objectives relating specifically to historic resources are the following:

- "*The design of new buildings should respect the character of the Ferry Building.*" Disclose and acknowledge the project's incompatibility with the Ferry Building's design details and, in particular, with its height, bulk and scale, which impacts the significance of the Ferry Building.
- "*Construct new development which compliments the rich architectural character of the Embarcadero National Register Historic District and is complementary to the architectural features of the pier bulkhead buildings.*" Disclose and discuss the design details of the proposed project, in particular, its height and massing in relation to the architectural character of the historic district and bulkhead building, disclosing and acknowledging the project's conflict with this objective and resulting impact on the significance of these historic resources.
- "*[N]ew development should acknowledge the massing and street enclosure relationship with the bulkhead buildings across The Embarcadero (e.g. bold forms of similar height...)*" As the proposed project is clearly *not* of similar height or massing as the bulkhead buildings, the DEIR must disclose and acknowledge this impact on the significance of these historic resources.
- "*Recognize the visual connection from the Ferry Building and Pier 1 to Coit Tower in a manner that preserves the iconic vista and acknowledges the landmark status of these sites.*" As the proposed new building would completely block views to Coit Tower from the Ferry Building and impede views of the Ferry Building from Telegraph Hill, the DEIR must disclose and acknowledge this impact on the significance of these historic resources.

(c) **Conflict with General Plan Objective 12, Policy 12.3.** The EIR must disclose and acknowledge the proposed project's potentially significant impacts on these historic resources resulting from its conflicts with General Plan Objective 12, Policy 12.3: *"Design new buildings to respect the character of older development nearby."*

C.10.44.b
cont'd

2. The proposed project would have a significant impact on the Old Seawall. Because the Old Seawall is a "historic resource" for all purposes of CEQA, the proposed project's substantial adverse change in its significance cannot be mitigated.

C.10.44.c

The DEIR discloses that: "A segment of the Old Seawall runs through the project site within Seawall Lot 351 along The Embarcadero, approximately 10 feet below the ground surface." The DEIR further reveals that:

"The Old Seawall was determined eligible for listing on the National Register of Historic Places in 1979 under Criterion A as a resource associated with "events that made a significant contribution to the broad pattern of our history" (i.e., for its connection with waterfront infrastructure development). As such, it is deemed a historical resource under CRHR Criterion 1 (Events). It may also be significant under CRHR Criterion 3 (Design/Construction) and Criterion 4 (Information Potential) if the actual construction of the seawall is found to deviate from the BSHC's detailed construction plans and specifications for the Old Seawall. Deviation (including changes in size, extent, location, of materials) may contribute information to our understanding of the construction of this feature that is not available in the documentary record."

Therefore, the Old Seawall must be considered a "historic resource" for all purposes of CEQA. As admitted by the DEIR, the construction of the proposed project would require the destruction of a significant segment of the Old Seawall causing "the largest disturbance of the Old Seawall to date," thereby diminishing the overall integrity of the this historic resource. This effect would constitute a substantial adverse change in the significance of this historic resource and, therefore, a significant impact under CEQA, which cannot be adequately mitigated by the mitigation measures M-CP-1a (Archeological Testing, Monitoring and Data Recovery and Reporting) and M-CP-1b (Interpretation) proposed by the DEIR.

- Include a description of seawall lots and how they relate to the city's historic seawall.³
- Include a sketch of the project site and proposed development showing the location of the Old Seawall.
- Because of this substantial adverse change in the significance of an historical resource, the EIR must include project alternatives that avoid this significant impact while accomplishing most of the project objectives.
- Please explain in detail how the project can be re-designed so as to avoid any adverse effect on the Old Seawall and include this in the EIR as a project alternative.

3. The proposed project must be analyzed for its potentially significant impacts on historic resources from pile driving, dewatering, and other construction-related impacts. The EIR fails to analyze the potentially significant impacts on nearby historic resources, and on the Old Seawall and the New Seawall (a contributing resource to the Port's National Register Historic District), resulting from the

C.10.44.d

³ The "seawall" refers to the foundation upon which the waterfront was constructed and consists of a linear embankment of stone, concrete, and wood. The "bulkhead wharf" consists of the pile-supported platform that runs parallel to the seawall between piers and upon which bulkhead buildings, pier entrances and other supporting structures are constructed. The seawall is integrated with the bulkhead wharf to form a continuous, unifying structure. Seawall lots are parcels that are landward of the city's historic seawall, west of The Embarcadero.

pile driving and dewatering that will be a part of the construction of the project. As disclosed on page II.20 of the DEIR:

“[T]he proposed buildings would have a pile foundation system supporting a thick mat. The estimated depth of proposed excavation would be as much as 38 feet below the ground at the site of the proposed residential buildings (with excavation of as much as about 40 feet deep for elevator pits), and 2 feet to 4 feet beneath the tennis courts and proposed athletic club building north of Jackson Street. Pile driving would be required; pile lengths would average about 130 feet. Approximately 110,000 cubic yards of soil would be removed from the project site.”

Include a professional assessment of all potential construction impacts to the nearby historic bulkhead buildings, the Old Seawall and the New Seawall, including without limitation, damage that could be caused by the vibration from pile driving and from the impacts of excavation and dewatering the project site during construction. Include proposed mitigation measures for all such potential impacts.

C.10.44.d
cont'd

4. The project's impacts on Archeological Resources are not adequately analyzed and mitigated. Please address the following questions and comments:

C.10.44.e

- Include more detailed information as to the exact location of the New Seawall, a contributing resource within the Embarcadero Historic District, in relation to the project site and explain in greater detail why it would or would not be affected by the proposed project's construction, excavation and pile driving.
- The DEIR states that “[c]onstruction activities within or near the area along the north side of the Jackson Street alignment and The Embarcadero may disturb the remains of the scuttled ship *Bethel*.” Please provide a more specific estimated location of the *Bethel* in relation to the proposed buildings on the project site?
- According to the DEIR, the *Bethel* “could be eligible for inclusion in the California Gold Rush Shipwreck Thematic Group and is thus eligible for listing in the National Register of Historic Places.” Three other ships may also be present within the project site and would likewise be eligible. Please explain why it would not be feasible to maintain the *Bethel* in place.
- If the *Bethel* is in fact present on the site and eligible for listing in the National Register, how is it possible that its destruction by the proposed project “would not cause a substantial adverse change to the significance of this resource” as claimed by the DEIR? The mitigation plan is inadequate to address the potentially significant impacts on this known historic resource.
- Please explain in detail how the project can be re-designed so as to avoid any adverse effect on the *Bethel*.

C.10.44.f

D. TRANSPORTATION AND CIRCULATION

The DEIR does not adequately address or analyze the proposed project's impacts on Transportation and Circulation. Not only are the DEIR's descriptions of the existing conditions inadequate, but also contrary to the DEIR's conclusions, it is clear that the proposed project would have significant adverse effects on traffic, transit and pedestrian safety.

C.10.45a

1. Condition of Regional Freeways Not Adequately Described. The DEIR does not adequately describe the condition of the regional freeways. Given that regional access to and from the project site and the East Bay will be provided by I-80 and the San Francisco-Oakland Bay Bridge, the numerous

significant and unavoidable impacts of the YBI/Treasure Island project must be disclosed as a part of the description of the project setting and taken into consideration in the analysis of the proposed project. The impacts of the America's Cup and the Cruise Terminal undergoing environmental review at this time must also be disclosed as a part of the description of the project setting and taken into consideration.

C.10.45a,
 cont'd

- Include a list and discussion of all significant and unavoidable transportation and circulation impacts of the Yerba Buena Island/Treasure Island project as set forth in the final certified EIR for that project.
- Include a list and discussion of the transportation and circulation impacts of the America's Cup project and the Cruise Ship Terminal project as set forth in the draft EIR for those projects.

2. Impacts on Local Streets Not Adequately Analyzed. The DEIR states that "[v]ehicle access to the parking below the buildings would be through a two-way entrance ramp directly off Washington Street west of the lobby entrance," near Drumm Street. The *General Plan* identifies Washington Street as a "Major Arterial in the Congestion Management Network between Kearny and The Embarcadero. Washington Street operates two ways between The Embarcadero and Drumm and on way west bound between Drumm and Powell."

C.10.45b

These facts raise the following questions not addressed in the DEIR's analysis of local traffic impacts:

- How wide will this entrance ramp on Washington Street be?
- How wide will the curb cut be?
- How will queuing be accomplished?
- How many metered parking spaces will be lost on Washington Street, including those to accommodate the garage entrance and passenger zones for the main entrance to the residential units and the restaurant to be located at the corner of Washington and The Embarcadero?

C.10.45c

Because Washington Street is one way westbound between Drumm and Powell Streets, this means that all vehicles entering the garage will have to turn off of The Embarcadero onto Washington Street. This raises the following questions:

- How will this impact traffic flow on The Embarcadero?
- Will queuing on Washington Street result in traffic back-ups onto The Embarcadero?
- How will an electronic sign installed at the garage entrance on Washington Street (suggested as Improvement Measure TR-1) eliminate the impacts of queuing? Will the proposed signage provide directions to drivers as to how to get to a nearby alternative garage or just indicate that it is full?
- Obtain and include in the EIR an assessment by MTA as the impacts of queuing and the adequacy of queuing space provided for the garage.

C.10.45d

3. Traffic and Transit Data are Out of Date.

The traffic data relied upon by the DEIR in reaching its conclusion that the project would not result in significant transportation impacts due to vehicle traffic (Impact TR-1) is stale, having been based on surveys done in 2006-2007 with 2000 census data (page IV.D.5 of the DEIR). These studies must be updated with accurate, recent information based on 2010 census data.

C.10.45e

For example, the assumption made in the DEIR that the existing conditions at the Embarcadero/Broadway and Embarcadero/Washington intersections are "satisfactory" (at LOS D) conflicts with actual conditions.

Also out of date is the transit information relied upon by the DEIR in reaching its conclusion that the project would not result in significant transportation impacts to transit systems (Impact TR-2), having been based upon screenline data on capacity and utilization of individual MUNI lines from 2007 (page IV.D.9 of the DEIR). This data should also be updated. For example, based on an assumption that the existing condition on the F-Line along The Embarcadero is not at capacity during peak periods, the DEIR concludes that an additional "44 trips to/from the proposed project on the F-line" would have "less-than-significant impact on MUNI service." The assumption made in the DEIR that the F-Line is not at capacity during peak periods conflicts with actual conditions, which show the F-Line is at capacity during peak periods.

C.10.45e,
 cont'd

In addition, the DEIR states that "[t]he travel, parking and freight/service loading demand estimates for the proposed project were based on the methodology and assumptions developed by the San Francisco Planning Department...in October 2002." Assumptions that are nearly a decade old are out-of-date, given the rapidly changing conditions along San Francisco's waterfront.

C.10.45f

4. The Proposed Project Will Impact Pedestrian Safety. Based on the information presented in the DEIR, the proposed project could create potentially hazardous conditions for pedestrians, considered a significant effect on the environment under CEQA.

C.10.46

The DEIR states that: "Conflicts between pedestrians and vehicles could occur at the project garage driveway, which could cause the potential inbound vehicles to queue onto Washington Street. Outbound vehicles would queue inside the garage and would not affect street traffic. Conflicts between outbound vehicles and pedestrians could still occur, but their effect on pedestrians would be reduced because pedestrians on the sidewalk have the right-of-way." [emphasis added] (page IV.D.25)

In the very next paragraph it makes the following statement about these potential vehicular and pedestrian conflicts at the garage driveway:

"The number of vehicles and pedestrians per minute are relatively small (about one vehicle and three pedestrians every 30 seconds on average) and it is therefore not anticipated that the proposed project would cause any major conflict or interfere with pedestrian movements in the area." (page IV.D.25)

The numbers given translate to 2 cars and 6 pedestrians every minute or 120 cars and 360 pedestrians an hour (or approximately 1,440 cars and 4,320 pedestrians coming into potential conflict in any given 7 am to 7 pm period). The DEIR's conclusion that such conflict between vehicles and pedestrian movement would be "less than significant" is questionable and simply not supported by the facts presented in the DEIR. The additional statement in the DEIR that because "pedestrians on the sidewalk have the right-of-way" such conflicts would be reduced is a further faulty assumption that is not based in fact.

5. Amount of Parking Conflicts with the Transit First Policy and Other City Ordinances, Plans & Policies. The proposed 240-space, three level underground parking garage conflicts with existing Planning Code provisions, Priority Planning Policy No. 4 (discouragement of commuter automobiles), the Transit First Policy, and the Transportation Element of the *General Plan*. These conflicts would impact the physical environment because they would cause more people to drive to and from the already congested area, thereby impacting transportation and circulation, pedestrian safety and air quality. The impacts resulting from the proposed project's failure to conform to these ordinances, plans and policies must also be (but are not) considered cumulatively with other projects that impact local and regional transportation systems, including the Exploratorium, the America's Cup, the Cruise Ship Terminal and Treasure Island.

C.10.47

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- Please disclose and discuss the project's conflicts with the Transit First Policy.
- Please disclose and discuss the project's conflicts with Priority Planning Policy No. 4 (discouragement of commuter automobiles).
- Please disclose and discuss the project's conflicts with the Transportation Element of the *General Plan*.

C.10.47
cont'd

The DEIR's conclusion that "[t]he proposed project would not result in significant transportation impacts in the proposed project vicinity due to vehicle traffic" (Impact TR-1) is not substantiated. The DEIR fails to disclose exactly how the project will comply with existing Planning Code provisions applicable to the project site. Please explain exactly how the proposed project will comply with each of the following Planning Code provisions:

C.10.48a

- How many off-street parking spaces are allowed (the maximum accessory amount) for 165 residential units as of right without a special exception to increase this amount?
- How many off-street parking spaces would be required for approximately 81,900 gsf of non-residential uses without a special exception to reduce this amount? Include in these calculations, all of the following types and sizes of uses (from DEIR pages II.7 and II.17):
 - 17,000 gsf of Retail
 - 12,100 gsf of Restaurant/Bar
 - 12,800 gsf of fitness center (including a 1,850 gsf cafe)
 - 40,000 gsf of athletic club (27,000 sq ft of tennis courts plus 13,000 sq ft of pools and related outdoor space)

C.10.48b

- Information presented in the DEIR in Table IV.D-3 (on pg IV.D.15), shows that there are 459 off-street parking spaces currently available close to the project site. Please discuss why this would not eliminate the need for the proposed 420-car underground garage.
- Please respond to and discuss the following comment: The residential parking ratio proposed for the project, one parking space per dwelling unit, is far too high, and will make this project yet another unsustainable automobile-oriented development. The ratio should be reduced to one space for every two units. Reducing residential parking below 1 space per unit has also been proven effective as a housing affordability strategy, which lowers the cost of housing for households willing to do without a private car. In this case, eliminating a level of parking would significantly lower the construction cost of the project, lowering the cost of the units, and would lessen project impacts on traffic and circulation, pedestrian safety, and air quality.

C.10.49

- A reduced parking alternative should be analyzed in the EIR.

C.10.50

6. Construction Impacts Must Be Considered Cumulatively With Other Projects. The DEIR's conclusion that the construction of the proposed project would not cause a significant increase in traffic (Impact TR-8) does not take into consideration other major projects that will be under construction during the same time period.

C.10.51

The DEIR failed to consider the proposed project's construction related impacts on traffic, transit, and pedestrian movement, cumulatively with the following:

- America's Cup events and related construction. According to the DEIR, the project's proposed underground garage will require the removal of 110,000 cubic yards of soil from the project site over a

period of 7 to 8 months (4 trucks/hour) which will overlap with the 2012/2013 America's Cup events and, therefore, violate the City's *Host and Venue Agreement* which provides:

10.4 The City will use all lawful means to restrict noise and debris generating activities on public works and large private construction projects (if any) in areas reasonably proximate to the Event during America's Cup World Series Pre-regattas and the Regatta.

C.10.51,
cont'd

- How can the project construction take place without violating the America's Cup Host Agreement?
- Because the construction schedule for the proposed project coincides with America's Cup-related construction,⁴ all traffic-related construction impacts (construction truck traffic, street and sidewalk closures, etc.), including the initial and final phases of the Cruise Ship Terminal, must be considered cumulatively with the proposed project.
- Because the construction schedule for the proposed project coincides with America's Cup-related race events, construction-related conflicts with the significant levels of spectator traffic and pedestrians must be taken into consideration.
- Also taken into consideration should be the significant traffic-related construction impacts of the Treasure Island development project, including hauling significant amounts of soil to the Island for geologic stabilization and increased ground elevations which, if trucks are used, will alone require as many as 110,000 round trips on I-80 and the Bay Bridge.

Considered cumulatively, it is clear that the project's construction related impacts on traffic, transit, and pedestrian movement would be very significant. The DEIR's suggested Improvement Measure TR-8b (Agency Consultation to determine the best method to minimize the traffic impacts during construction) would likely result in significant construction delays necessary to time construction to avoid the above-listed conflicts. Delays in the construction of the proposed project would be inconsistent with the project sponsor's objective to "[t]o complete the project on time and within budget."

7. Cumulative Future Conditions. The DEIR says that, if the recommendations of the Department's *Northeast Embarcadero Study* were adopted, the proposed project would make a significant and unavoidable, "considerable contribution" to cumulative traffic impacts at the study intersections. (Impact TR-9, DEIR at IV.D.34). Since the *Northeast Embarcadero Study* received no environmental review, it cannot legally be utilized as the basis for environmental analysis of the proposed project. Please revise the EIR to so state at pages III.8 and 9 and at pages IV.D.33 - 35. The EIR's assessment of project environmental impacts and alternatives should not reference consistency with the Study until the Study itself is subjected to environmental review.

C.10.52a

This section of the DEIR raises several questions and issues:

- The DEIR contains an extensive discussion of the recommendations contained in the Planning Department's *Northeast Embarcadero Study* in determining that the proposed project would make a "considerable" contribution to cumulative traffic impacts only if the proposed changes in the street geometry for The Embarcadero, Broadway, and Washington recommended in the *Northeast Embarcadero Study* are adopted. And that otherwise, there would merely need to be "minor adjustments in traffic signal timings." The DEIR's conclusion that "both intersections would operate at an acceptable level of service in 2035 if the number of lanes were maintained at the status quo, and

⁴ Demolition and construction would occur over a 28-month period assumed to occur between January 1 2012 and May 1 2014. (DEIR page IV.E.18)

with minor adjustments to the traffic signal timings” is unsupported by the facts contained in the DEIR.

- Proposed Mitigation Measure M-TR-9, is inadequate. It provides that the project sponsor will develop and implement a “Travel Demand Management Plan” that will “build upon elements already being provided as a part of the proposed project, such as secured bicycle parking and car share spaces, to which it will add additional components such as facilitating maps of local pedestrian and bicycle routes and a taxi call service for the restaurant.” Car share spaces and bicycle parking are already required. A taxi call service is a typical benefit to the restaurant. Therefore, no additional mitigation is being offered that will mitigate significant traffic impacts. The DEIR also states that this so-called mitigation measure will only be triggered if and at the time the changes to The Embarcadero/Washington Street recommended by the Department’s *Northeast Embarcadero Study* are adopted. As stated above, the *Study* cannot be legally utilized as the basis for environmental analysis in this DEIR.
- Explain why cumulative traffic volumes were developed based on the gross square feet of other developments instead of based on their anticipated traffic generation from their proposed uses. For example, the proposed Cruise Ship Terminal at Pier 27 will not generate traffic based on its gsf, but based on its use – how often cruise ships come into port. Likewise, traffic generated by the Exploratorium will not be similar to that generated by a residential development. Please explain why the DEIR’s assumptions are accurate in this regard.
- The DEIR incorrectly avoids consideration of the very significant traffic and transit impacts of the America’s Cup races by characterizing them as “temporary in nature.” As noted in our comments above, the duration of the event is highly unclear since the winner of the America’s Cup race will determine the location of the next race. The races were held in Rhode Island for more than half of a century. So, if the Golden Gate Yacht Club retains the America’s Cup title, the race events will continue to be held in San Francisco, and the significant transportation and circulation impacts of these race events must be considered (at least as a project variant) in the EIR’s cumulative impact analysis of foreseeable vehicle and pedestrian activity in the project area.
- Add a discussion of the proposed project’s traffic conflicts with striped bicycle lanes in both directions on Washington Street between Drumm Street and The Embarcadero.
- The conclusion in the DEIR that the proposed project would not make a “considerable contribution” to a significant cumulative impact on transit systems (Impact TR-10) is not based on facts presented in the DEIR. Basically, this conclusion is based on the reasoning that because in the future all MUNI capacity will be at overcapacity and no matter how many additional riders will be generated from the proposed project it will still be at overcapacity, so it cannot be significant. This is an inadequate analysis and conclusion.
- Does the regional transit screenline analysis for AC Transit take into consideration the significant impacts of the Treasure Island development project?

C.10.52a,
cont'd

C.10.52b

C.10.52c

C.10.52d

C.10.52e

C.10.52f

E. AIR QUALITY

A number of the proposed project’s impacts on air quality have been identified as “significant and unavoidable” because it would expose sensitive receptors to significant levels of fine particulate matter (PM) and toxic air contaminants (TAC), including traffic-related air pollutants.

C.10.53a

- The DEIR provides factual evidence that the impacts of the proposed project's on air quality are among the most significant impacts of the project, saying these impacts will have the greatest effect on seniors and children. Please discuss how the benefits of the proposed luxury condo project outweigh this serious impact. C.10.53a, cont'd
- According to the project description, ingress/egress to the underground 420-space parking garage would be provided from Washington Street. What are the air quality impacts of this increased volume of cars, taking into consideration the impacts of them being queued up on Washington Street right across from Sue Bierman Park? C.10.53b
- How would the garage be vented? How many vents will be required? Where will they be located? What will be the physical dimensions of each vent? Would it be vented onto pedestrian sidewalks or onto the new open space areas to be created as a part of the project, or would it be vented on the Washington Street side toward Sue Bierman Park? Such air quality impacts on pedestrians and those using the existing and proposed open spaces must be considered in the EIR. C.10.53c
- According to the project description in the DEIR, the project sponsor will seek to have the proposed buildings "LEED" certified. How does exceeding the Planning Code's minimum parking amounts and the resulting traffic and air impacts relate to LEED certification? Wouldn't a "green" project alternative be one that minimizes parking rather than proposing more parking than the code allows? Reducing the amount of parking would lessen project impacts on traffic/circulation as well as on air quality. Please include a reduced-parking alternative. C.10.53d
- Although the DEIR touts the proposed project's consistency with the Bay Area Air Quality Management District's *2010 Clean Air Plan*, Transportation Control Measure (TCM D-3 – Local Land Use Strategies), the DEIR fails to mention that the project is *inconsistent* with that Plan's Transportation Control Measure (TCM E□2 □ Promote Parking Policies to Reduce Motor Vehicle Travel), which calls for parking policies to reduce the amount of parking and parking ratios in new development well served by transit and close to places of employment, services and other attractions. This measure acknowledges that reducing the number of parking spaces impacts travel behavior and encourage non-auto trips. C.10.53e
- The 1-to-1 ratio of parking spaces to residential units, as requested by the project sponsor, should be denied and the amount of parking spaces substantially reduced as a mitigation measure to lessen the significant impacts of the project on air quality. C.10.53f

F. GREENHOUSE GASES

The DEIR's conclusion that the proposed project "would generate greenhouse gas emissions, but not in levels that would result in a significant impact on the environment or conflict with any policy, plan, or regulation adopted for the purpose of reducing greenhouse gas emissions"(Impact GG-1) is not based on an accurate assessment of the programs collectively referred to as San Francisco's GHG Reduction Strategy. C.10.54

- The proposed 420-space, three level underground parking garage would conflict with the City's *Transit First Policy* that adopts parking policies to discourage increased automobile traffic. The *Transit First Policy* is part of the City's GHG Reduction Strategy. Please address this issue.
- The proposed 420-space parking garage also conflicts with the *Transportation Element* of the *General Plan, Priority Planning Policy No. 4* (discouragement of commuter automobiles), and Planning Code Sections 151 & 204.5(c), which were all adopted to limit the amount of parking in

new development in order to discourage increased automobile traffic and encourage the use of transit, bicycling and walking instead of single-occupant vehicles as a part of the City's GHG Reduction Strategy. Please address each of these issues.

↑ C.10.54
 cont'd

- The proposed 420-space parking garage also conflicts with the *Climate Action Plan for San Francisco*, which includes in its proposed actions: “**Cap or Reduce the Number of Parking Spaces.** Change requirements for new developments to lower parking minimums or switch to parking maximums. Reduce parking in areas well-served by transit.” (page 3-13) Please address this issue.
- Explain how the proposed project, with its 420-space parking garage, will help to achieve the City's *Greenhouse Gas Reduction Ordinance*, which was adopted to establish GHG emissions targets and departmental action plans. In particular, how will it further a shift to sustainable modes of transportation?

G. SHADOW AND WIND IMPACTS

The DEIR Does Not Adequately Address or Analyze Impacts on Impacts on Shadow and Wind.

↑ C.10.55

The conclusions of the DEIR that the proposed project would not create new shadows that would adversely affect any park or open space, outdoor recreation facility or other public area is not supported by the facts presented in the DEIR. The shadow analysis prepared for the project sponsor and included in the DEIR clearly shows that the proposed project will cast new shadows on the Embarcadero Promenade walkway, Sidney Walton Square and Sue Bierman Park (a Prop K protected park), and will cast significant shadows on the project's proposed new tennis courts and pool area, and on its new “Jackson Common” and “Pacific Avenue Park.”

C.10.56a

SETTING

The description of Sue Bierman Park is inaccurate, misleading and biased.

C.10.56b

First, the statement in the DEIR that “no cumulative limit currently exists for Sue Bierman Park in its current configuration” is misleading and biased. The criteria adopted by the Planning Commission and Recreation & Park Commission in 1989 established absolute cumulative limits for additional shadows on 14 downtown parks throughout San Francisco, including an **absolute cumulative limit of zero for Embarcadero Plaza I**, which consisted of the northern portion of Assessor's Block 202, including the area to be shadowed by the proposed project. Although the southern portion of Assessor's Block 202 (previously occupied by an on-ramp to the Embarcadero Freeway) was transferred to the Recreation and Park Department in 2001 and added to the park, the notion that the absolute cumulative limit established in 1989 for the area of the park previously known Embarcadero Plaza I somehow vanished appears to be an attempt to get around the absolute cumulative limit of zero new shadows on that very area of the park to be shaded by the proposed project.

Second, the DEIR is biased in its detailed description of a 2004 Planning Commission action that found new shadow cast by a previous development on Embarcadero Plaza I to be “*de minimis*.” Such reference is inappropriate and unrelated. Not only was the 2004 action of the Planning Commission of no effect because the Board of Supervisors overturned the Department's negative declaration for the project, but the action of the Commission was inconsistent with the absolute cumulative limit of zero established for this park established pursuant to Proposition K, the Sunlight Ordinance (Section 295 of the Planning Code).

Corrections: The reference to Block 203 at the end of the first paragraph on page IV.G.3 should be changed to Block 202. The last 3 sentences at the end of the second paragraph should be deleted, as they do not apply to Block 203, but just repeats what is in the first paragraph. The western block is not fenced and work is not ongoing. However, the pedestrian bridge has already been removed, which should be noted, and footnote 1 on this page should be deleted.

C.10.56c

REGULATORY FRAMEWORK

1. Clarify the Requirements of Planning Code Section 295. The description of the requirements of Planning Code Section 295 (Proposition K) contained in the DEIR is incomplete and inaccurate without the addition of the following clarification of the requirements of Proposition K: The Planning Commission Resolution 11595, adopted in 1989, which set the absolute cumulative shadow limits for the 14 downtown parks throughout San Francisco, specifically provides that “*any shadow cast beyond this limit would be considered significant and could not be allowed.*” Therefore, the Planning Commission and Recreation & Park Commission cannot establish a new cumulative limits or find that new shadow beyond the absolute cumulative shadow limit is insignificant or *de minimis* in order to permit new shadow on any park that is subject to an absolute cumulative limit of zero.

C.10.56d

2. Add a Discussion of Priority Planning Policy No. 8 from Section 101.1 of the Planning Code. Add a description of the applicable Priority Planning Policy No. 8: “That our parks and open space and their access to sunlight and vistas be protected from development.” According to Section 101.1 these Priority Planning Policies “shall be the basis upon which inconsistencies in the Master Plan are resolved.”

C.10.56e

SHADOW IMPACTS

1. The DEIR incorrectly concludes that the new shadow cast by the proposed project would not cause a significant adverse affect on Sue Bierman Park under the jurisdiction of the Recreation and Park Commission (Impact SH-1).

C.10.56f

The size of Embarcadero Plaza I (Lot 18 of Assessor’s Block 202) is 58,385 sq feet. Therefore there are 217,250,585 of square-foot-hours of potential sunlight. In 1989, approximately 76,254,955 square-foot-hours (35.1%) were consumed by shadows from existing buildings. Since the park is subject to an absolute cumulative limit of zero, any new shadow would be considered “significant” and would not be allowed.

The Planning Commission and Recreation & Park Commission cannot establish a new cumulative limits or find that new shadow beyond the absolute cumulative shadow limit is insignificant or *de minimis* in order to permit new shadow on that portion of Sue Bierman Park (Embarcadero Plaza I) that is subject to absolute cumulative limit of zero.

2. The DEIR incorrectly concludes that the new shadow cast by the proposed project would not cause a significant adverse affect on existing public open spaces (Impact SH-2).

C.10.56g

Based on a review of the Shadow Diagrams presented in the DEIR, the proposed project will cast significant new shadow on existing public open spaces in clear conflict with Priority Planning Policy No. 8, which provides that “our parks and open space and their access to sunlight and vistas be protected from development.” Each of the following parks and open space would be receive less sunlight as a result of the proposed project:

- The Embarcadero Promenade -- As shown in Shadow Diagrams IV.G.5, IV.G.6, IV.G.10, IV.G.11, IV.G.15, IV.G.16, IV.G.19 IV.G.21, IV.G.22, and IV.G.23, the proposed project would add

significant new shadow to the Embarcadero Promenade throughout the entire year. The basis for the DEIR's determination that this impact would be "less than significant" is subjective and inaccurate – it says that, as to the "cyclists, in-line skaters, pedestrians, and runners" that use this promenade, that: "Their enjoyment of the Embarcadero Promenade is not dependent on upon access to sunlight." How does the DEIR reach this conclusion? Particularly when this shadow impact is considered cumulatively with the project's new shadow on other public open space, it would constitute a significant adverse impact on a high-use public open space.

C.10.56g,
cont'd

- Sidney Walton Square – As shown in Shadow Diagrams IV.G.2, IV.G.12 and IV.G.24, the proposed project would add significant new shadow to Sidney Walton Square in the spring and fall. The DEIR's conclusion that this impact would be "less than significant" based on a "field observation" conducted on a single day in October is highly subjective. Even so, 420 people were observed using the park on that day. Particularly when this shadow impact is considered cumulatively with the project's shadow impacts on other public open space, the project's addition of shadow on Sidney Walton Square would constitute a significant adverse impact on this well-used public open space.
- Drumm Street Pedestrian Path and Sidewalk -- As shown in Shadow Diagrams IV.G.2, IV.G.3, IV.G.4, IV.G.7, IV.G.8, IV.G.9, IV.G.12, IV.G.13, IV.G.14, IV.G.17, IV.G.18, IV.G.24 and IV.G.25, the proposed project would add new shadow throughout the entire year to the existing Drumm Street Pedestrian Path and sidewalk that is proposed to be widened in by the project. The DEIR's conclusion that this impact would be "less than significant" based on an unsupported assumption that "the shadows of the proposed project would not be harmful to the growth or health of landscaping and vegetation and would not significantly affect the use of the pedestrian path" is highly subjective, particularly when considered cumulatively with the project's shadow impacts on other public open space.
- Jackson Street and Pacific Avenue Sidewalks -- The DEIR fails to mention that the proposed project would also add new shadow on Jackson Street sidewalks between Drumm and Front Streets; and on the Pacific Avenue sidewalk between Drumm and Davis Streets.
- Port Walk Promenade -- As shown in Shadow Diagrams IV.G.2 through IV.G.6 and IV.G.12 through IV.G.16, the proposed project would add new shadow to the Port Walk Promenade in the summer and winter. The DEIR conclusion that this impact would be "less than significant" based on a subjective assumption that new shadows on the Port Walk Promenade would not substantially affects its use "for passive recreation such as sitting or strolling." Again, when this new shadow is considered cumulatively with the project's other shadow impacts on public open space, it cannot be considered less than significant.

3. The DEIR incorrectly concludes that the new shadow cast by the proposed project would not cause a significant adverse affect on the proposed project's new on-site outdoor recreation facilities, parks and open space created as a part of the project (Impact SH-2).

C.10.56h

- Proposed Jackson Common – As shown in Shadow Diagrams, the proposed project would shade most of the Jackson Common during spring and autumn and would cast significant shade on Jackson Common during summer and winter. See Shadow Diagram IV.G.25. But, according to the DEIR, this shadow would be "less than significant" because they would plant shade-loving plants and pedestrians would only be passing through. This is not an objective analysis of the project's shadow impacts on this new proposed open space.
- Proposed Pacific Avenue Park -- The Shadow Diagrams clearly show that this new park would be in shade most of the year, with the proposed project adding new net shadow in the spring and winter.

Again, the DEIR assures us that the shadow impacts would be “less than significant” because they would plant shade-loving plants and because it will not affect the park’s use “for passive recreation such as sitting or strolling.” This is not an objective analysis of the project’s shadow impacts on this new proposed open space.

C.10.56h,
 cont'd

- Golden Gate Tennis and Swim Club – The DEIR admits that “[t]he relocated tennis courts would receive less sunlight during the day than the existing tennis courts.” How much less is unclear. The DEIR is inadequate and incomplete because it does not include side-by-side diagrams of the shadow cast by existing buildings on the *existing* tennis and swimming facilities along with its diagrams of the proposed project’s shadows on the proposed *new* recreational facilities.

C.10.56i

Just how much shadow the project would cast on the *new* courts is very clearly shown in Shadow Diagrams IV.G.2, IV.G.7, IV.G.12 and IV.G.18, which reveal that the proposed project would completely shadow all four new tennis courts at certain times in the spring, summer, autumn, and winter – throughout the entire year. The DEIR concludes that these significant shadows are really “less than significant” based on the following set of flawed, highly subjective assertions:

“Since outdoor tennis courts and outdoor swimming pools can be illuminated, the enjoyment of these two activities is not dependent on sunlight. People can play tennis or swim outdoors at night if a facility has lighting. Weather conditions have a greater impact on outdoor tennis than a lack of sunlight. Rain can make an outdoor tennis court slippery, thus posing a danger to participants. For these reasons, the shadow impact of the proposed project on the tennis courts and swimming pools would be considered less than significant, and no mitigation measures are required.” (Page IV.G.45)

4. The DEIR incorrectly concludes that the proposed project would have a “less than significant” cumulative impact related to Shadow (Impact SH-3).

C.10.56j

Given the project’s impacts on each of the existing parks and public open space discussed above, it is clear that the proposed project will contribute to the cumulative yearly shadow loads on these public open spaces. Each new shadow that the proposed project will cast on Sue Bierman Park, the Embarcadero Promenade, Sidney Walton Square, the Drumm Street Pedestrian Path, the Port Walk Promenade, and the Drumm Street, Jackson Street and Pacific Avenue sidewalks must be considered cumulatively. The only reasonable, objective conclusion that can be reached is that the proposed project will have a significant impact related to Shadow.

WIND IMPACTS

The DEIR is inadequate and incomplete because it fails to analyze the proposed project’s impacts related to Wind.

C.10.57

The proposed project that was the subject of the Initial Study was of a different height and configuration. An independent consultant should study the potential pedestrian-level wind impacts of the currently proposed project as a part of this EIR.

H. RECREATION

The DEIR's use of the word "private" throughout the DEIR to describe existing recreation activities at the Golden Gateway is biased, misleading and inaccurate. The term "private" appears to have been used in an attempt to diminish the impact of closing the Golden Gateway Tennis and Swim Center for 3-4 years during construction, along with the permanent loss of five of nine existing tennis courts, a basketball court and the current, family-friendly ground level swimming pools.

C.10.58

The DEIR must include and analyze the City's existing recreation facilities in comparison to the Golden Gateway Tennis and Swim Center, including the following information:

- The Recreation & Park Department (RPD) has been increasing user fees, reducing hours and leasing (23 of its 47) recreation centers to "private" interests. Out of a total of 47 city recreation centers, city workers staff only 12 of them where they oversee programs, many of them for a fee, during reduced days and hours. The RPD also runs nine "public" swimming pools in neighborhoods such as North Beach, the Mission, Bayview and Visitacion Valley. These pools were previously open five or six days a week and were free for residents. Today, residents pay \$5 for each swim and \$7 for adult swim lessons/water exercise. Children under 17 pay \$1 per swim and \$2 for swim lessons/water exercise (\$3 for a swim & a class together).
- Given the recent shift by the City's RPD toward "privatization" and imposition of a fee system for the use of the City's "public" recreation facilities and pools, what is the real difference between "private" and "public" in terms of accessibility and affordability? Isn't the result that both the "private" Golden Gateway facility and the "public" pools are open to anyone who is willing to pay to use them since neither is free to the public?
- A complete and factual explanation of this issue must be included in the EIR. Further, as requested in other comments, a chart must be added to the EIR comparing the costs to San Francisco residents of the City's 9 "public" swimming pools to the current costs of the Golden Gateway community recreation facility.

Without such information and analysis, critical information is lacking that the Planning Commissioners, the Park and Recreation Commission, the Port Commission and the members of the Board of Supervisors will need in order to accurately assess the validity of the developer's claims as to who is being served by the current facilities versus who will be served by the proposed project.

I. SEA LEVEL RISE

The DEIR finds that because of the location and elevation of the project site, the proposed project would expose people and structures to increased risk of flooding due sea level rise and that such impact is "Significant and Unavoidable" (Impact SLR-3).

C.10.59

- The DEIR does not adequately address the applicability of BCDC's Climate Change Program on the proposed project. Specifically, because the project site is located in an area "vulnerable to future climate-induced shoreline flooding" due to sea level rise, please address the relevancy of the proposed amendment to the Bay Plan (quoted on page IV.I.10) to the considerations by the Port Commission, Planning Commission and Board of Supervisors in determining whether development on the project site should be allowed.
- The DEIR does not adequately address the applicability of the State Lands Commission's directive to its staff "to evaluate proposed development projects in relation to sea level rise scenarios of 16 and 55

inches...” Specifically, because the project site is located within the inundation zones for 16 and 55 inches, how will this apply to the proposed project? How could this staff evaluation affect the developer’s proposed public trust exchange?

C.10.59
 cont'd

- In light of the project site’s vulnerability to future to sea level rise, which according to the DEIR cannot be mitigated, discuss how the benefits of the proposed project would outweigh the risks to people and structures.
- As disclosed in other sections of the DEIR, the old seawall runs underground and parallel to The Embarcadero through Seawall Lot 351. Seawall Lot 351 was created when the bay was filled in. Is there still tidal action under the surface of that lot? How close is the water table to the surface of the seawall lot? Explain how excavation and dewatering will take place and how the 3-level underground garage will be kept dry.

J. BIOLOGICAL RESOURCES

- Please explain in detail the proposed features of the buildings as to their compatibility with the City’s adopted *Standards for Bird Safe Buildings*.
- Specifically, would it contain *any* of the design features that are identified in the *Standards for Bird Safe Buildings* as posing the greatest hazards to birds? Please list any of these design features.
- As a matter of law under the existing *Urban Forestry Ordinance* (Article 16 of the Public Works Code), the removal of 75 “significant” trees is a clear conflict with local ordinance and would constitute a significant impact on biological resources. This would be the largest number of “significant” trees that have been removed since the enactment of the Ordinance. The DEIR’s conclusion that “the proposed project would not conflict with any local policies or ordinances protecting trees” is simply incorrect and must be corrected.
- Explain in detail why 136 trees have to be removed to accommodate the proposed project and discuss alternatives.
- Explain in detail why the existing landscaped median (and all its trees) on Washington Street must be removed to accommodate the proposed project and discuss alternatives.

C.10.60a

C.10.60b

C.10.60c

K. POPULATION AND HOUSING

Impacts on the City’s Housing Needs were Not Analyzed in the DEIR. The DEIR incorrectly concludes that potentially significant impacts to Population and Housing will not be discussed in the DEIR because the 2007 NOP/Initial Study found that the proposed project would not adversely affect them.

C.10.61a

- One of the project “objectives” (Pg II.14) is to “help meet the projected City housing needs.” The final EIR must state the average cost to build each unit and the range of sales prices expected so that public officials can assess how the project will meet this objective. Estimates are that these condos will cost \$2 million/unit to build⁵ with projected sales prices of \$2.5 - \$5 million and up (\$6-8 million for penthouses).

⁵ This number was derived by taking the project’s total cost (\$345 million), deducting the cost of the non-residential parking (165 residential spaces out of 420 total spaces leaves 255 non-residential spaces [60.6%] X the \$40 million garage cost = \$24.2 million) and dividing this by the 165 units: \$345 million - \$24.2 million =

- The Draft Housing Element, recently approved by the Planning Commission, says that the housing need in San Francisco is more than 60% below market rate. How does this project relate to the objectives, policies and goals of the Housing Element of the General Plan? What portion of San Francisco's affordable and middle-income housing needs will the proposed project meet? C.10.61a, cont'd
- What are the requirements for including permanent below market rate (BMR) units of housing for this project? There is no discussion of affordable housing, no mention of considering on-site BMR units or any mention of how, or where, in-lieu funds would be used. Would they be used within a 1-mile radius of the project? C.10.61b
- Please discuss the following finding from the Bay Area Air Quality Management District's *2010 Clean Air Plan*, Transportation Control Measure TCM E-2 (on pg C-79) in relation to the proposed project's 240 space parking garage:

“An oversupply of parking and ineffective parking management policies creates a number of adverse impacts. For example, parking in dense areas requires using high-value land for parking lots and structures. The high cost of land and construction to build parking drives up development costs. Construction costs for structured parking can range from \$30,000 to \$60,000 per parking spot. These costs are typically hidden in purchase prices and rents. This exacerbates the shortfall of affordable housing in the Bay Area, creates obstacles to transit-oriented development, and reduces the land available for other uses.”

C.10.61c
- The DEIR fails to analyze the cumulative impacts on affordable housing in the City of past, present and future market rate condo projects. C.10.61d
- What the total number of existing market rate condominium units available for purchase in San Francisco? What is the total number of approved market rate condominium units that will be available? How many units of market rate condominiums have already been approved, but not yet completed? Include a list of all market rate condos currently on the market, including the total number of units sold and still available, and a list of those that have already been approved, including the number of units in each. Include those projects listed in the appraisal report prepared by Martorana•Bohegian & Co in connection with the proposed 555 Washington Street project (see the attached list from this report) and any new projects that have been approved by the City since. C.10.61d
- Given the total number of market rate condos currently on the market and those that have been approved, the EIR must evaluate how the proposed project will “help meet the projected City housing needs” for market rate housing in San Francisco.

CONCLUSION AND RECOMMENDATIONS

This proposed project, if approved, would forever alter the appearance of one of the world's spectacular urban waterfronts, with profound implications on the urban form of the San Francisco waterfront.

For all the reasons stated in this letter, we believe this DEIR is seriously incomplete and inadequate to address the potentially significant impacts of this precedent-setting project. We urge you to revise the document and re-circulate it in draft form.

Bill Wycko
August 15, 2011
Page 37

We hope the information provided in this letter will contribute to the Department's and the Commission's thorough review and decision on the proposed project.

Lastly, we request that THD be included on the list to receive all notices and documents relating to this project and its environmental review.

Sincerely,

A handwritten signature in black ink, appearing to be 'Jon Golinger', with a stylized initial 'J' and a horizontal line extending to the right.

Jon Golinger
President
Telegraph Hill Dwellers

cc: Nannie Turrell, Environmental Planning Division
John Rahaim, Director, Planning Department
Phil Williamson, Port of San Francisco
San Francisco Planning Commission
Supervisor David Chiu, District 3
Susan Brandt-Hawley, Esq.

Enclosure

MARTORANA • BOHEGIAN & CO.

Project/ Location	Stories	Total Units	Units Sold	Units Available	Units Size Range	HOA Fees
EXISTING PROJECTS						
The Millennium (1) 301 Mission Street	60	419	99	320	700 – 3,300	\$775 - \$1,750
The Infinity 300 Spear Street	37/42	650	348	302	(Not Available)	-
One Rincon Hill (1) 425 First Street	50+	382 (Phase I)	267	115	600 – 2,000	\$675 - \$1,000
Blu (1) 631 Folsom Street	21	108	11	97	950 – 1,300	\$650 - \$900
Radiance 330 Mission Bay	16	99 (Phase I)	62	37	850 – 2,175	\$650 - \$750
Total Existing Units Available				871		
FUTURE APPROVED PROJECTS						
340 Berry Street		129	0	129		
Radiance II		319	0	319		
One Rincon		312	0	312		
340 Fremont Street		338	0	338		
Mission Bay (Pcl. 5)		270	0	270		
Mission Bay (Pcl. 11)		270	0	270		
Mission Bay (Pcl. 12)		273	0	273		
Mission Bay (Pcl. 13W)		273	0	273		
201 Folsom Street		725	0	725		
45 Lansing Street		217	0	217		
399 Fremont Street		432	0	432		
Total Approved Units Available		3,558	0	3,558		
Total Existing & Approved Units Available				4,429		
(1) Units sold include units under contract.						



Jennifer Clary
<jenclary@sbcglobal.net>

08/15/2011 04:55 PM

To Bill Wycko <bill.wycko@sfgov.org>, Nannie Turrell
<nannie.turrell@sfgov.org>, John Rahaim
<John.Rahaim@sfgov.org>

cc

bcc

Subject SFT Comments on 8 Washington DEIR

Please find attached SFT's comments on the 8 Washington Draft EIR

Thank you,



Jennifer DEIR comments SFTCase No. 2007.0030E.doc



San Francisco Tomorrow

Since 1970, Working to Protect the Urban Environment

August 15, 2011

Via E-Mail

Bill Wycko
Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Re: **COMMENTS ON DRAFT EIR FOR 8 WASHINGTON STREET / SEAWALL
LOT 351 PROJECT (Case No. 2007.0030E)**

Dear Mr. Wycko:

On behalf of San Francisco Tomorrow, I would like to submit the following comments on the draft EIR referenced in the subject line.

Project Description. The Project Description requires clarification, as followings

- Describing the project location as “Downtown San Francisco” is incomplete and inaccurate. The immediately adjacent uses to the project are recreational and residential, obviously not “downtown” uses. Please modify the description. C.11.1
- The description of the Golden Gateway Swim and Tennis Club as “private athletic club” is incomplete and therefore inaccurate. The club was established as a required community space in the original Redevelopment agreement. This document must recognize this use as an essential part of this planned community. C.11.2

Project Objectives –

A profit motive is not an appropriate objective for CEQA. For that reason, the following objectives should be deleted:

- “construct a high-quality project that includes a sufficient number of residential units to produce a reasonable return on investment for the project sponsor and its investors and is able to attract investment capital and construction financing, while generating sufficient revenue to finance the recreation, parking, and open space amenities proposed as a part of the project.” C.11.3
- “complete the project on time and within budget”
- “increase the supply of public underground parking to support the continued economic viability of ... the retail and restaurant uses at ... Piers 1-1/2 – 5” Since the project sponsor is also a leaseholder/manager of Piers 1-1/2-5, this reflects a direct financial gain.

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Port's Design Objectives – the project design fails to achieve several Port Design objectives, in terms of the height and bulk of the building and its relationship to the buildings in the Embarcadero National Register Historic District. Most significantly, it not only fails to “Recognize the visual connection from the Ferry Building and Pier 1 to Coit Tower in a manner that preserves the iconic vista and acknowledges the landmark status of these sites,” it actually obscures the view of Coit Tower from the Ferry Building.

C.11.3
cont'd

Project Overview.

- The DEIR inaccurately states that: “the existing Golden Gateway Tennis & Swim Club facility would be temporarily removed from the project site.” This statement should instead be written as “the existing Golden Gateway Tennis & Swim Club facility would be demolished.”
- The statement in the Project Overview that the proposed project would include new smaller “athletic club facilities,” should be clarified to indicate the specific changes in the facilities, including the reduction in the number of tennis courts from 9 to 4 and the elimination of the half basketball court.

C.11.4

C.11.5

Project Parking – The parking provided by this project significantly exceeds the parking standards in the General Plan. Please specifically identify how many spaces are reserved for each use and how that complies with Planning Code standards for this area.

C.11.6

The project is inconsistent with that the Bay Area Air Quality Management District's 2010 Clean Air Plan, which calls for parking policies to reduce the amount of parking and parking ratios in new development well served by transit and close to places of employment, services and other attractions.

C.11.7

This project will provide market-rate parking. The assumption should be made that the parking in the project will attract a similar level and pattern of use of other nearby garages, specifically the underground parking at Embarcadero Four. If the additional parking provided by this project is used by fewer cars than the available parking at that garage, or if both garages are filled to capacity only during weekday business hours, then the excess parking does not fulfill its stated function to provide parking for Ferry Building users. Since it is actually a longer walk from the Ferry Building to the Project than it is to Embarcadero Four, this lot will always be a secondary lot.

C.11.8

Tree Removal. The plan must describe how the removal of 136 trees, particularly the 50 street trees and 36 “significant” trees will be mitigated. The limited tree cover in the area increases the impact of the proposed tree removal, and replaced of significant trees cannot be mitigated by simply planting replacement trees, as the time period for them to grow to maturity will ensure that the impact is felt for years, if not decades. Further, there should be some discussion of the

C.11.9

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proposed size of new trees; that is, which if any of the trees planted as mitigation for the removal of significant trees be of a species or in a location that will allow it to become a significant tree. In particular, the removal of the median on Washington street essentially removes the best location for allowing trees to reach maturity and significant status.

↑
C.11.9
cont'd

Timing of Construction Activities. The construction of this project is scheduled to occur in 2012-2014. This will create a cumulative impact with the construction of the Pier 27 Cruise Terminal and construction and other actions related to the America's Cup races that must be identified and addressed in this document.

↑
C.11.10

The document fails to identify and mitigate the significant impact on Sue Bierman Park.

Specifically, the document

- Fails to conduct an analysis of the wind impacts of the project on the Park.
- Fails to note the aesthetic impact of changes north of the park created by the construction of a large wall, coupled with the removal of the median strip along Washington Street and its mature trees
- Fails to analyze the increase in traffic, noise and emissions due to the creation of a 420-space parking garage that would have its entrance and exit on Washington Street, including the impacts of queuing along Washington Street.
- Fails to identify the location of vents for the underground garage and their potential impact on Sue Bierman Park and area sidewalks.

↑
C.11.11

↑
C.11.12

↑
C.11.13

↑
C.11.14

Thank you for considering our comments.

Sincerely,

Jennifer Clary
President

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ARCHITECT

JUL 21 2011

William Wycko
Environmental Review Officer
San Francisco Planning Department
1650 Missions St. Suite 400
San Francisco, CA 94103

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
M E A

July 19, 2011

RE: 8 Washington Street /Seawall 351 Project
Planning Department Case File No.2007.0030E

Dear Mr. Wycko,

After reviewing the DEIR for this project I strongly object to the building heights, which are proposed. I have attended nearly all the meetings and workshops for this project and have made the same comments in meetings and in writing to the Planning Department during the Northeast Waterfront Study process. I still feel the same about this extremely important project.

Unfortunately I will be out of town during the June 21, 2011 hearing on the DEIR, so I'm sending my abbreviated comments here and with the 4 enclosures herein.

Simply stated, I am not opposed to a residential mixed-use project on this extremely important site and am happy to see the parking lot on Seawall Lot 351 appropriately utilized. I'm also happy to see that the Developer has chosen one of the best Architects in the Country in SOM.

But, I am strongly opposed to the proposed height and massing and bulk of the present proposal. I am aware of the fact that the Northeast Waterfront Study suggests the heights that the project presently shows, but as far as I know, this document has not been officially adopted yet and I have objected to this part of The NES in writing more than once during the time of the Study and think it is absolutely wrong.

So, to make my position clear, I propose the following height limits:

1. 38' along the Embarcadero (The same height as the pier heads on the Bay side.)
2. 220' in a very slender tower at the corner of Drum St. and Washington St.... **(And, I mean only at the corner, not all along Drum St.)**
3. 65' on the western half of Washington St. **(not to the corner of Washington and Embarcadero)**
4. 38' at the northern corner of Drum St. and Jackson St.

Please see the enclosures for further clarification of these height proposals.

I know it may seem presumptuous of me to make such finite suggestions for this project and many of my neighbors who are totally opposed to this project will be upset with me, but I believe this is one of the most visible and critical sites in San Francisco and any development on this parcel should be the best possible and absolutely the state of the art.

Sincerely,

Robert J. Geering FAIA
Architect

177 HAZEL AVENUE,
550 DAVIS STREET NO. 45,

CA 94941

CA 94111

415 383 3627 415 383 3627


415 398 1929

D.1.1

ENCLOSURE: NO 1.

7/10/11

Comments on Northeast Embarcadero study

From: **Kate McGee** (Kate.McGee@sfgov.org) 
Sent: Wed 3/24/10 12:27 PM
To: robert geering (r_geering@msn.com)

Hi Mr. Geering,

Thank you for taking the time to submit your comments to us, both in November and today. As you know, we record your comments and use them to inform our future work. Thanks for your continued interest.

Sincerely,

Kate McGee, AICP, LEED AP
Planner, Citywide Policy and Analysis
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103-2414

From: **robert geering** (r_geering@msn.com)
Sent: Wed 3/24/10 12:12 PM
To: kate.mcgee@sfgov.org

Hello Kate,

I know this is the last day to comment on the Feb. 24th study. So here goes.

In general I think The Preliminary Design Recommendations & Urban Design Guidelines is a very well conceived document.

But there is one **major flaw in the height limits** which is included in Guideline 7.1.1 on pgs.23 & 24 **"Carefully sculpted", they should be, but not the way it is stated in 7.1.1!!!!** As I have included in my original comments in my email to you of 11.05.2009 (I know you probably don't have time to look them up, but if you do have time please do)....

Anyway, I reiterate;

From Washington to Jackson along the Face of The Embarcadero the height should not be 67' to 70', but should be kept to The same height as the Pier Heads on the East side of the Boulevard which is about 35 to 38'. This should be the maximum height allowed on this portion of this very important site!!!!

* I agree that some leeway should be considered in the height limit on Drum St., and specifically on the Drum and Washington corner. This obviously would require further discussion and consideration.

I also think that the heights North of Jackson St. to Pacific Ave. along the Embarcadero should be no higher than 15' and no development should be allowed from Pacific to Broadway.

I sincerely hope that you will seriously consider these comments for your final document.

Robert J. Geering FAIA
Architect & Urban Designer

* ONLY ON THE CORNER NOT ALL ALONG DRUM ST.!!

D.1.1,
cont'd

ENCLOSURE: NO. 2

7/10/15

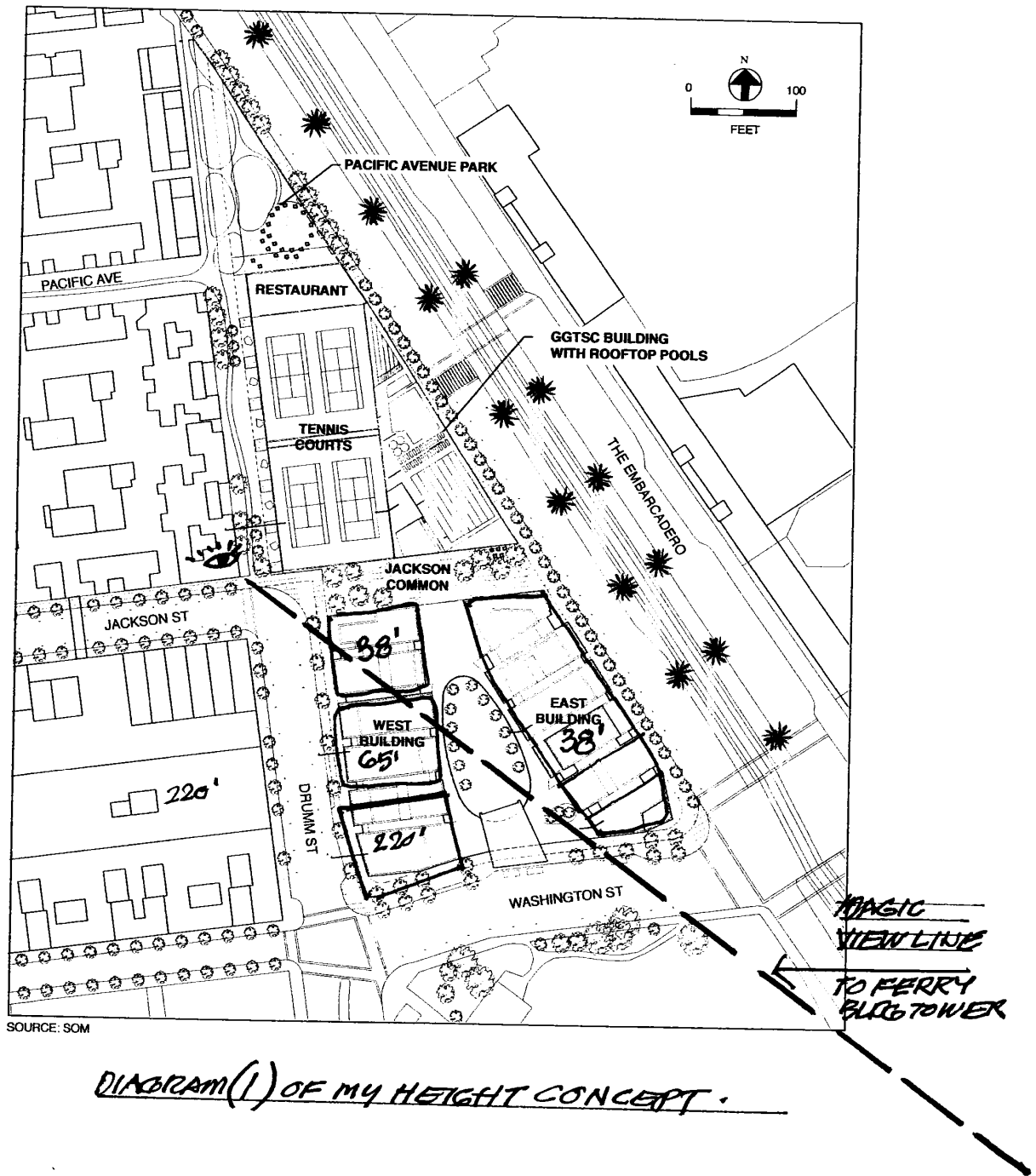


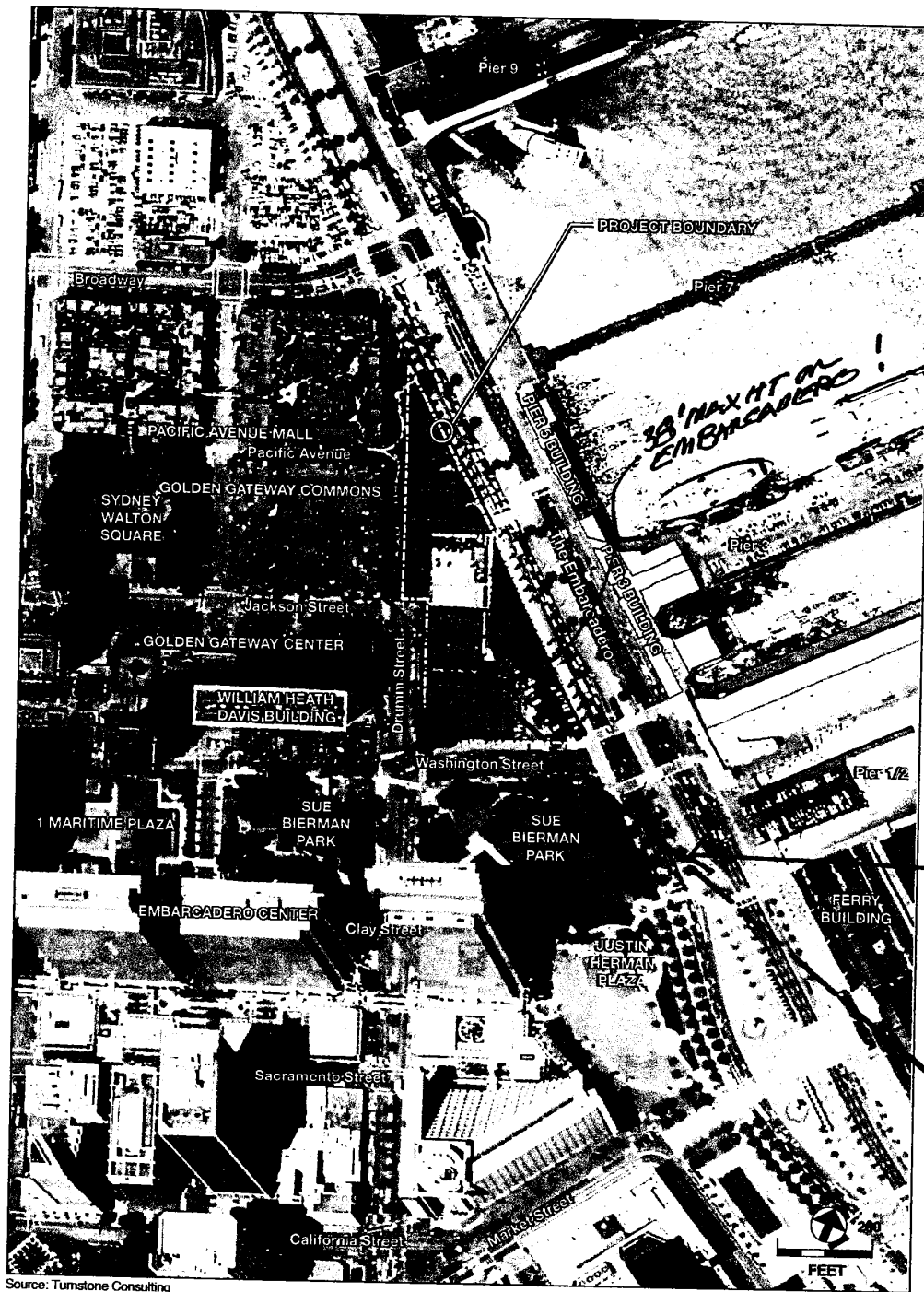
DIAGRAM (1) OF MY HEIGHT CONCEPT.

8 WASHINGTON STREET / SEAWALL LOT 351
2007.0030E

FIGURE II-3: PROPOSED SITE PLAN

ENCLOSURE: NO. 8.

7/13/11



8 WASHINGTON STREET / SEAWALL LOT 351

2007.0030E

FIGURE IV.A-1: EXISTING LAND USES IN THE PROJECT SITE VICINITY

DIAGRAM (2) OF MY HEIGHT CONCEPT

ENCLOSURE: NO. 4. 7/18/11

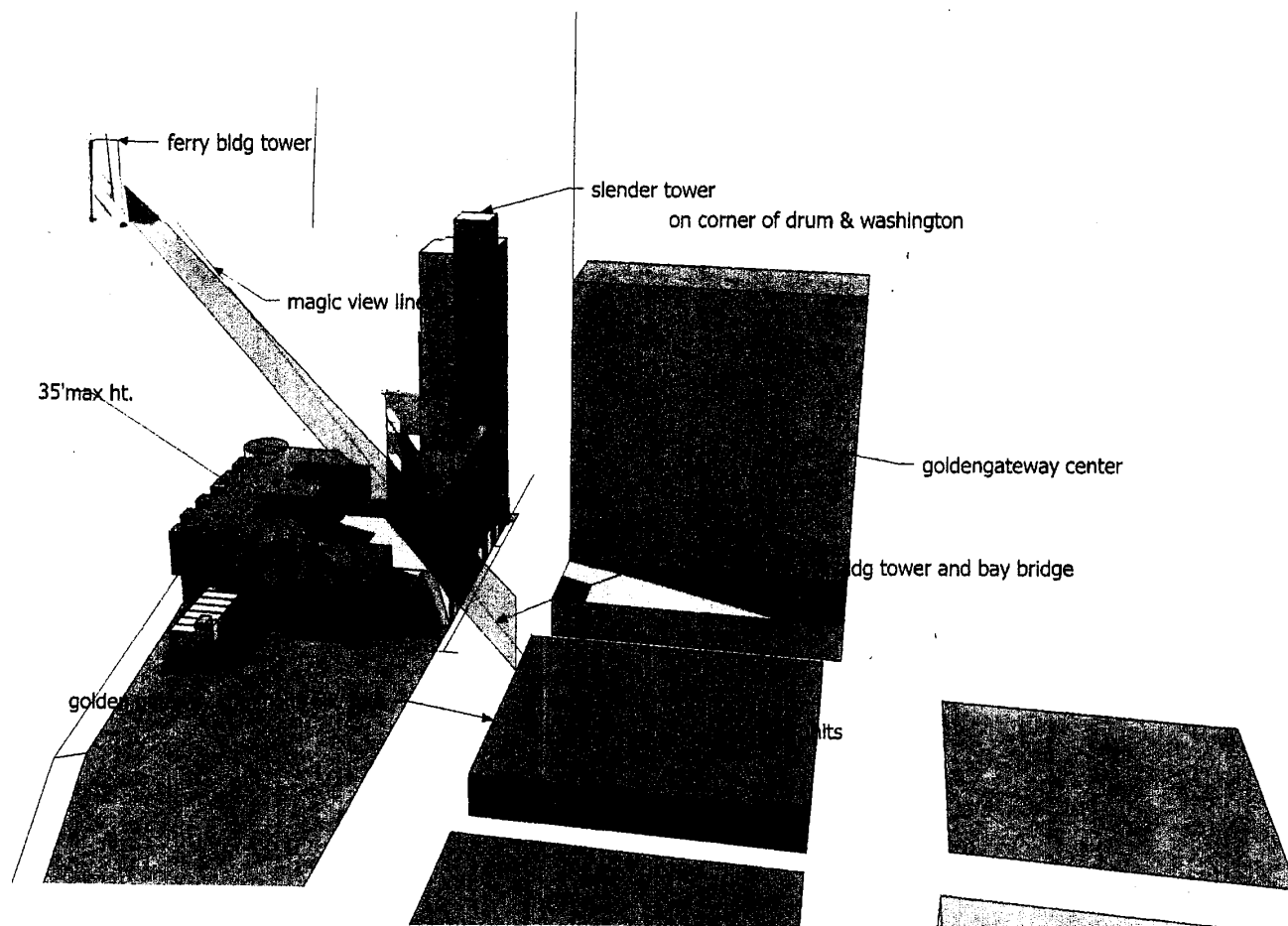
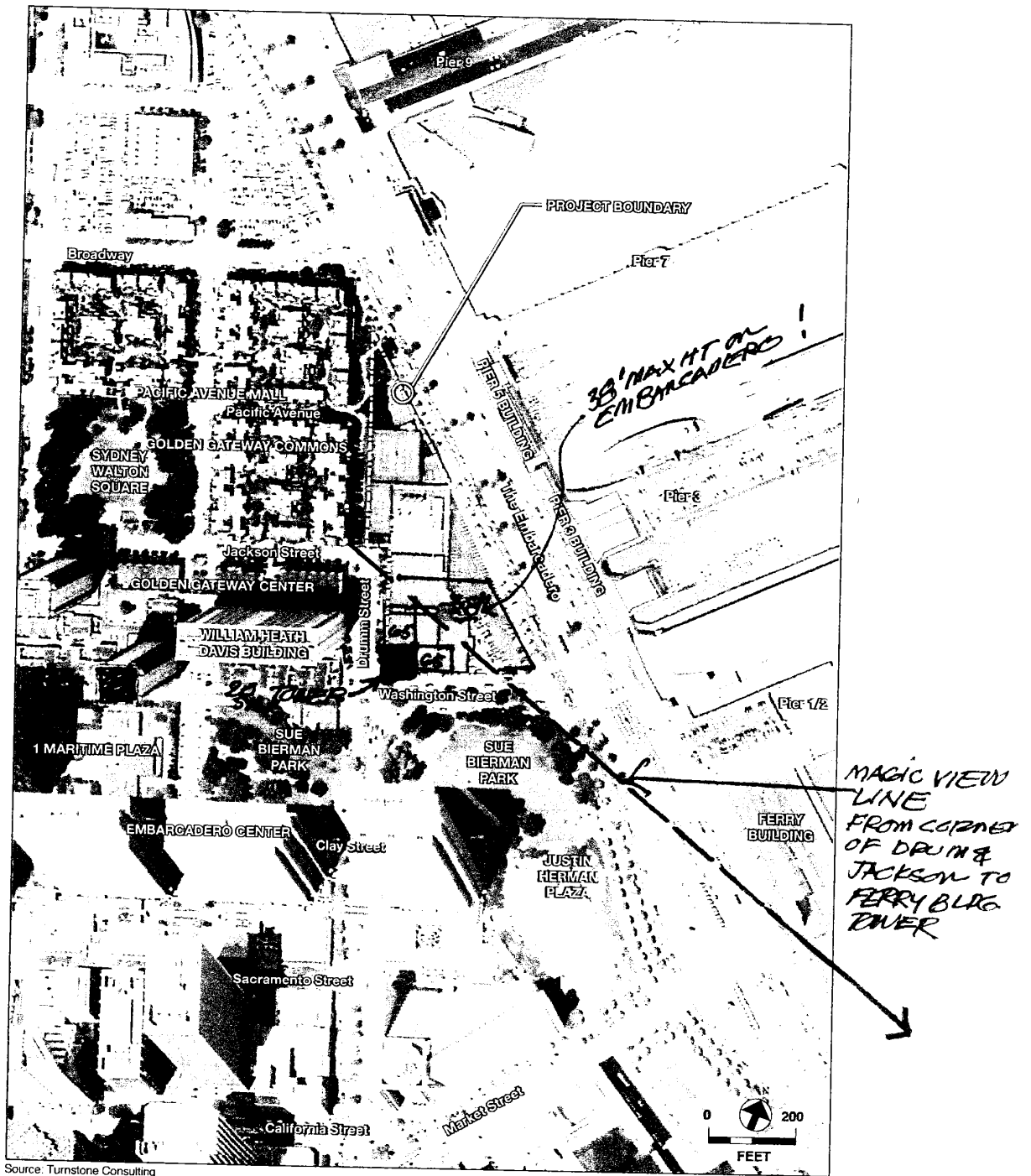


DIAGRAM (I-A) OF THE (MY) HEIGHT CONCEPT

ENCLOSURE: NO. 8.

7/18/11



8 WASHINGTON STREET / SEAWALL LOT 351

2007.0030E

FIGURE IV.A-1: EXISTING LAND USES IN THE PROJECT SITE VICINITY

DIAGRAM (2) OF MY HEIGHT CONCEPT

ENCLOSURE: NO. 4. 7/18/11

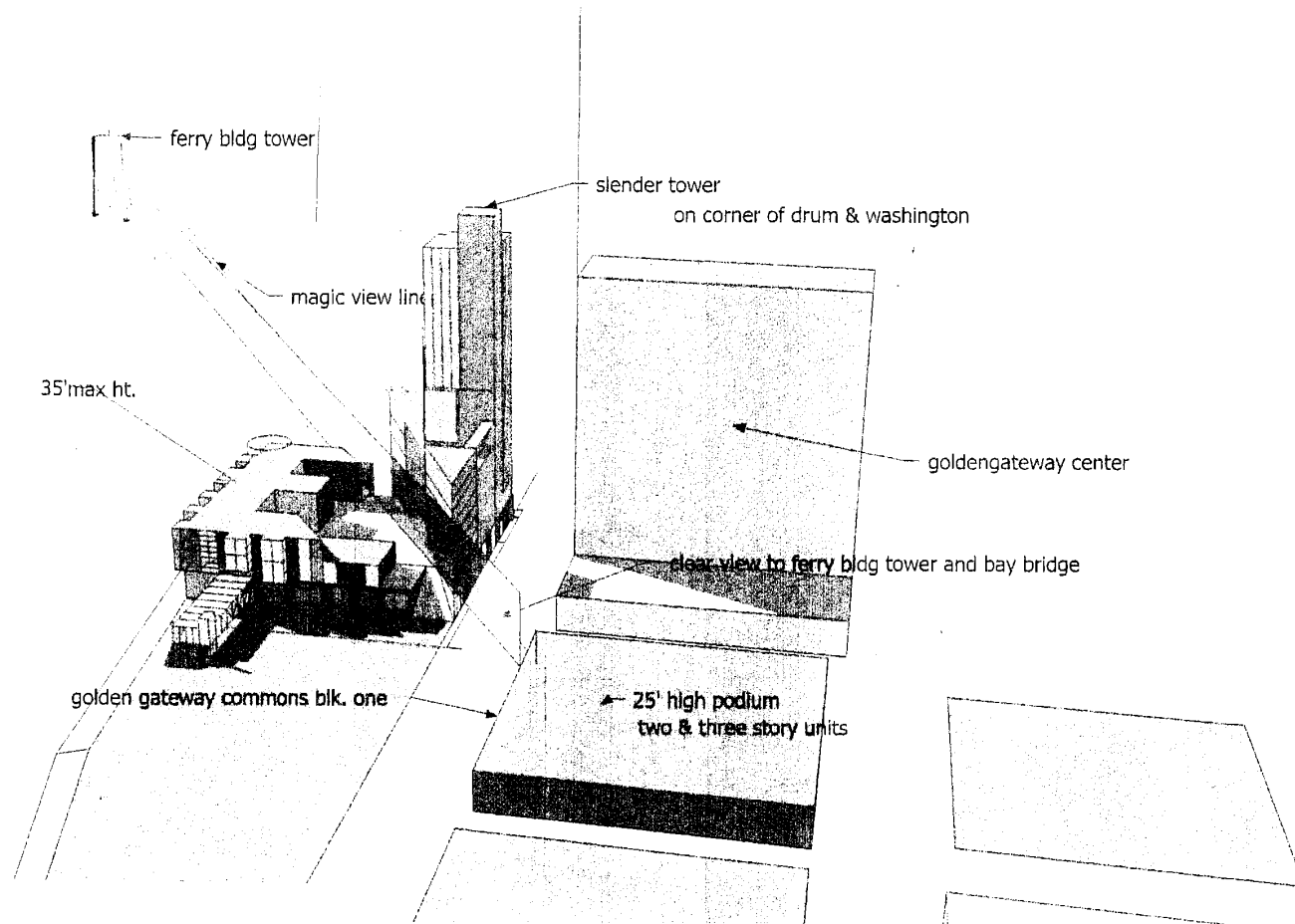


DIAGRAM (I-A) OF THE (MY) HEIGHT CONCEPT

JUL 20 2011

Letter D.2

8 Washington St/Seawall Lot 351 DEIR Comments – Alec Bash

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
M.E.A.

In a prior life, I initiated and staffed San Francisco's CEQA process as a Planner II in 1972, and was the Environmental Review Officer from 1979 to 1985.

I have reviewed the Draft EIR and consider it adequate, accurate and complete. Having said that, there's always room for improvement before certification as a Final EIR, and I urge three additions:

- | | | |
|--|----------|--------------|
| <p>1) <u>Page IV.B.11: Photographic Views from Telegraph Hill</u> – The Ferry Building and the Project Site are visible from three public spaces on Telegraph Hill: Calhoun Terrace, Alta Street, and Coit Tower with its south-facing Pioneer Park area. View F provides the Calhoun Terrace view. I suggest adding a View G for the Pioneer Park view, the highest and most public point on Telegraph Hill. An Alta Street view is not necessary, as it is a dead end street on the Hill between Calhoun Terrace and Pioneer Park, and its view was largely obstructed by trees when I last looked.</p> | <p>]</p> | <p>D.2.1</p> |
| <p>2) <u>Page IV.H.3: Sue Bierman Park's Assessor's Block 203 across Washington Street</u> from the Project and next to One Maritime Plaza has been discussed as a possible site for four public tennis courts or three tennis and one basketball court, constructed at the Project Sponsor's expense. While the DEIR on Pages IV.H.10-12 concludes that the Project would not have a significant adverse effect on recreational opportunities or create a need for physically altered park facilities, a Less Than Significant Impact with which I agree, it would be useful for the Final EIR to include the potential for adding public courts nearby.</p> | <p>]</p> | <p>D.2.2</p> |
| <p>3) <u>Page IV.27 and IV.30: Alternative E: Develop Only 8 Washington Lots Under Existing Height and Bulk; and Environmentally Superior Alternative</u> – This discussion ignores the undesirable aesthetic impacts of failing to improve existing visual conditions and the pedestrian experience along The Embarcadero, and having a more abrupt step down in heights from the Golden Gateway Center towers to The Embarcadero. This should be noted in Alternative E. I suggest this be reflected in the Environmentally Superior Alternative discussion as follows:</p> <p><i><u>"Beside the No Project Alternative, Alternative E: Develop Only 8 Washington Lots Under Existing Height and Bulk would be the environmentally superior alternative on balance, due to its reduced development program, and site disturbance, and building heights. However, it would not improve existing visual conditions or the pedestrian experience along The Embarcadero, and the step down from the Golden Gateway Center towers to The Embarcadero would be more abrupt."</u></i></p> | <p>]</p> | <p>D.2.3</p> |

RECEIVED

Letter D.3

Comments on the Draft EIR Report
for the 8 Washington Street/Seawall Lot 351
Case No. 2007.0030E

JUL 2 2011
CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
M.F.A.

Comments presented at the Public Hearing, July 21, 2011
by A. E. Glassgold, 155 Jackson St. San Francisco, 94111

From my apartment in the Golden Gateway, I have a view of The Embarcadero, Drumm and Jackson Streets. My comments address several transportation issues in Part IV D of the EIR:

TR-1 Impact on transportation

TR-3 Impact on pedestrians

TR-5 Impact due to an increase in parking

It is incredible that the EIR regards these impacts as insignificant and that it proposes only minor remedies for what will be serious increases in traffic and congestion.

Part IV D of the EIR is based on a study of peak hour traffic on a single weekday afternoon in May four years ago. Actually there are two rush hour peaks on weekdays; plus a morning and afternoon/evening peak on Saturdays; and an afternoon/evening peak on Sundays. At these times, traffic is often bumper to bumper, and the nearby streets are clogged with cars escaping the Embarcadero. Due to the random and turbulent nature of traffic, near gridlock conditions can occur at almost any time. We all know bumper to bumper traffic generates pollution, including soot: a significant component of automobile soot are polycyclic aromatic hydrocarbon molecules, a well known carcinogen.

A 165 luxury condo with many stores and a garage with over 400 spaces will aggravate the current nexus of congestion at the proposed project location at the intersection of The Embarcadero and Washington St. In addition to the increase in auto traffic, the proposed narrowing of Washington St. will further magnify congestion, as will the elimination of the double left turn from the Embarcadero.

Thus the EIR characterization of TR-1 (impact on transportation) is off the mark, as are TR-3 (impact on pedestrians) and TR-5 (impact on an increase in parking). Crossing the Embarcadero is dangerous right now, what with the very congested intersection at Embarcadero and Washington St., turning traffic, and short crossing times. It is naive to think that cars going to the project will simply enter the project garage without first roaming for street parking.

D.3.1

D.3.2

D.3.3

D.3.4

D.3.5

Letter D.3

The specific sources of the congestion that would be generated by the 8 Washington project are the parking entrance on Washington and the two driveways and loading dock around the corner on Drumm. The west side of Drumm St. already has two garage entrances, a waste facility, and a moving location. Thus the last block of Drumm St. would become an ugly alley - a poor way to connect the city with the waterfront.

D.3.5,
cont'd

D.3.6

In conclusion, this EIR is grossly inadequate with regard to automobile congestion and pollution, while failing to protect the rights of pedestrians. It is also deficient in not being based on adequate studies of traffic and pollution in the neighborhood to the project.

D.3.7

JUL 2 2011

Reference to Draft DEIR Report Case NO 2007.0030E , 8 Washington Street/Seawall Lot 351, partially presented at the Public Hearing , July 7,2011 by Irene Glassgold ,155 jackson St., San Francisco 94111.

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
M E A

Because of limited time, I shall focus on part IV H, Recreation.

D.4.1a

This section of the DEIR is biased toward proving that the demolition and reduction of the Golden Gateway Tennis and Swimming Club is of unsubstantial impact, to recreation in the project site district, though there is ample evidence that it would be of substantial negative impact.

If the proposed project is approved, the Golden Gateway Swim and Tennis Club will be demolished . The conclusions the DEIR draws on the impact on the recreation needs of those living and working in the neighborhood are mistaken. And they sometimes use out of date statistics..to support their conclusions. For instance, on page 7. statistics are partly cited based on the 1980 U.S. census , before the Embarcadero Expressway was destroyed, to show the 8 Washington Project site is not considered a “high need’ recreation area. They fail to reference the 2010 census statistics which would be more relevant to a 2011 DEIR, census statistics which have been available since the beginning of the year.

The Golden Gateway Tennis and Swim Club is an affordable

D.4.1b

place to play tennis and swim in the open air. It is green. It was built as a part of an affordable rental development, Golden Gateway Apartments. and is a low key simple place. It has green grass and ivy. It provides summer day camps for kids and swimming and tennis lessons.

The DEIR underestimates membership which consists of 1750 members plus 650 members who have access to all Western Athletic Clubs. In addition, there were 3000 guests who used the club this year. The swimming pools and tennis courts are in constant use.

D.4.1b
cont'd

According to the DEIR, the time frame for the demolition of the club and the rebuilding of a much modified recreation club will be two years which is optimistic, considering the many impediments listed in the DEIR which can interfere with construction. However even for the two years, the lack of the club would prove a hardship for those who avail themselves of the club's facilities, that is seniors, those who work in the area, and swim and play tennis before and after the work day and in lunch hours and to families citywide. There are not adequate substitute facilities for these tennis players and swimmers.

D.4.1c

The DEIR has classified the impact as less than significant, even though they state on {p.12} and [13], and I quote, "The interim closure of the facilities would displace current users and they would be forced to find other recreational opportunities. Some users might choose different forms of recreation; others might search for replacement tennis swim /and or basketball facilities. These facilities could be further or closer from the users' homes or workplace. Other private facilities could cost more than Golden Gateway and Swim Club and public facilities might not be of equal quality.

What the DEIR doesn't acknowledge is The Golden Gateway Swimming and Tennis Club is in District 3 which has the lowest level of recreational resources per capita of any district in the city. Any reduction in the size or access to

D.4.1d

the Golden Gateway Tennis & Swim Club that forced Golden Gateway residents to depend on City swimming and tennis facilities must be considered significant.

D.4.1d
cont'd.

On page 13 and following, the claim is there would be no significant impact on recreation when the construction is finished, even though there will only be 4 tennis courts instead of 9, the green lawn near the swimming pools will be gone as will the basketball court. Some of the open space of the former tennis courts will be replaced by buildings for retail/restaurant/ residence purposes. The swimming pools will be less accessible as they will be on the roof of the fitness building rather than on the entrance level as they are now. This will make it difficult for seniors to enter the pools and less safe for families with young children without the green grass play area. Though the DEIR claims the day camps will proceed as before with the same activities, this is improbable, considering the enormous reduction of outdoor recreation area.

D.4.1e

On p.8, in the methodology section, there is a statement. "This report assumes that if there are recreational facilities within a service distance with sufficient capacity to provide a variety of recreational opportunities, there wouldn't be significant adverse effect.. But even when they cite a 2004 Recreation and Parks Department Report evaluating the needs of San Francisco residents which states the project site is not within the defined service areas for existing public ball fields, recreation centers, pool, basketball courts, tennis courts, the DEIR still maintains the demolition and change of the Golden Gateway Tennis and Swim Club is of less than significant impact. A more logical conclusion consistent with the information in the DEIR would be that if the 8 Washington Street development proceeds, it will

D.4.1f

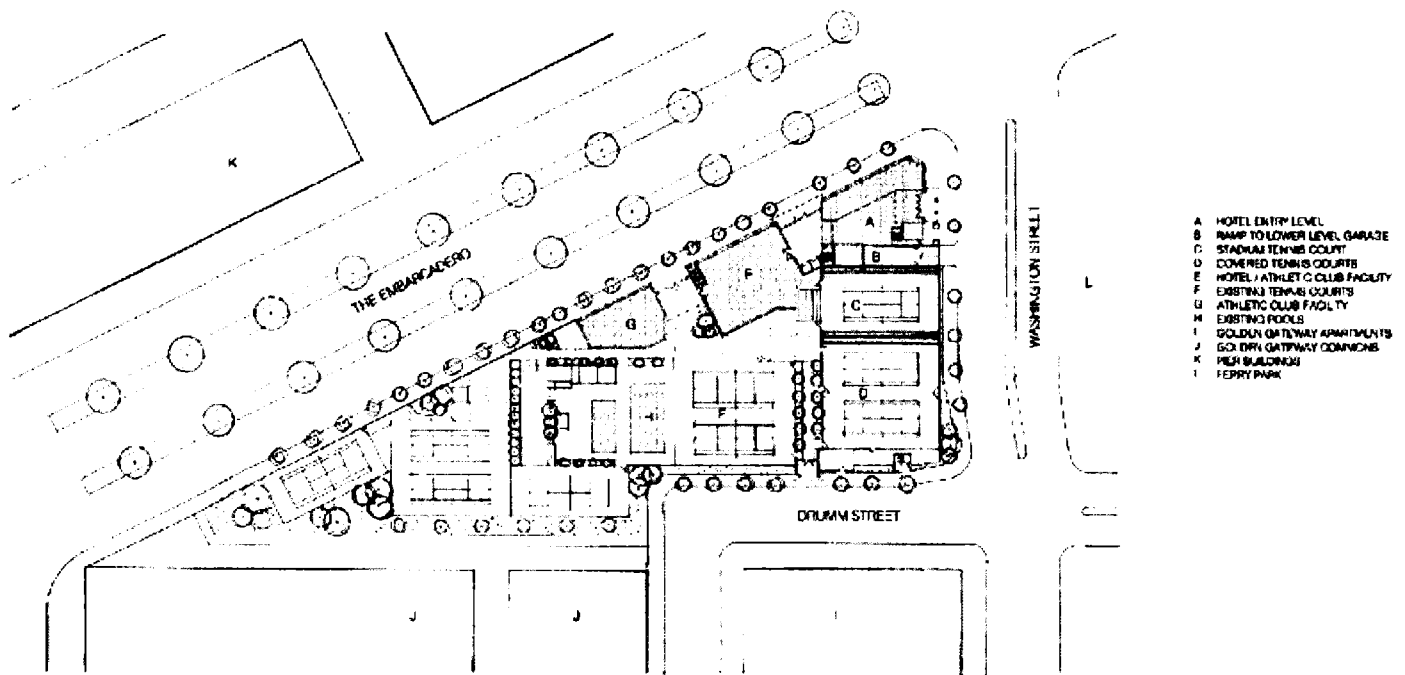
have a significantly deleterious effect on the recreation in the neighborhood and in San Francisco.

D.4.1f
cont'd.

T

A Proposal

The following diagrams a possible solution that would bring all of the above to the site. This is only an example, but illustrates a very possible and real solution to the area.



SITE AND GROUND LEVEL PLAN

FOGG FEASABILITY STUDY FOR 8 WASHINGTON

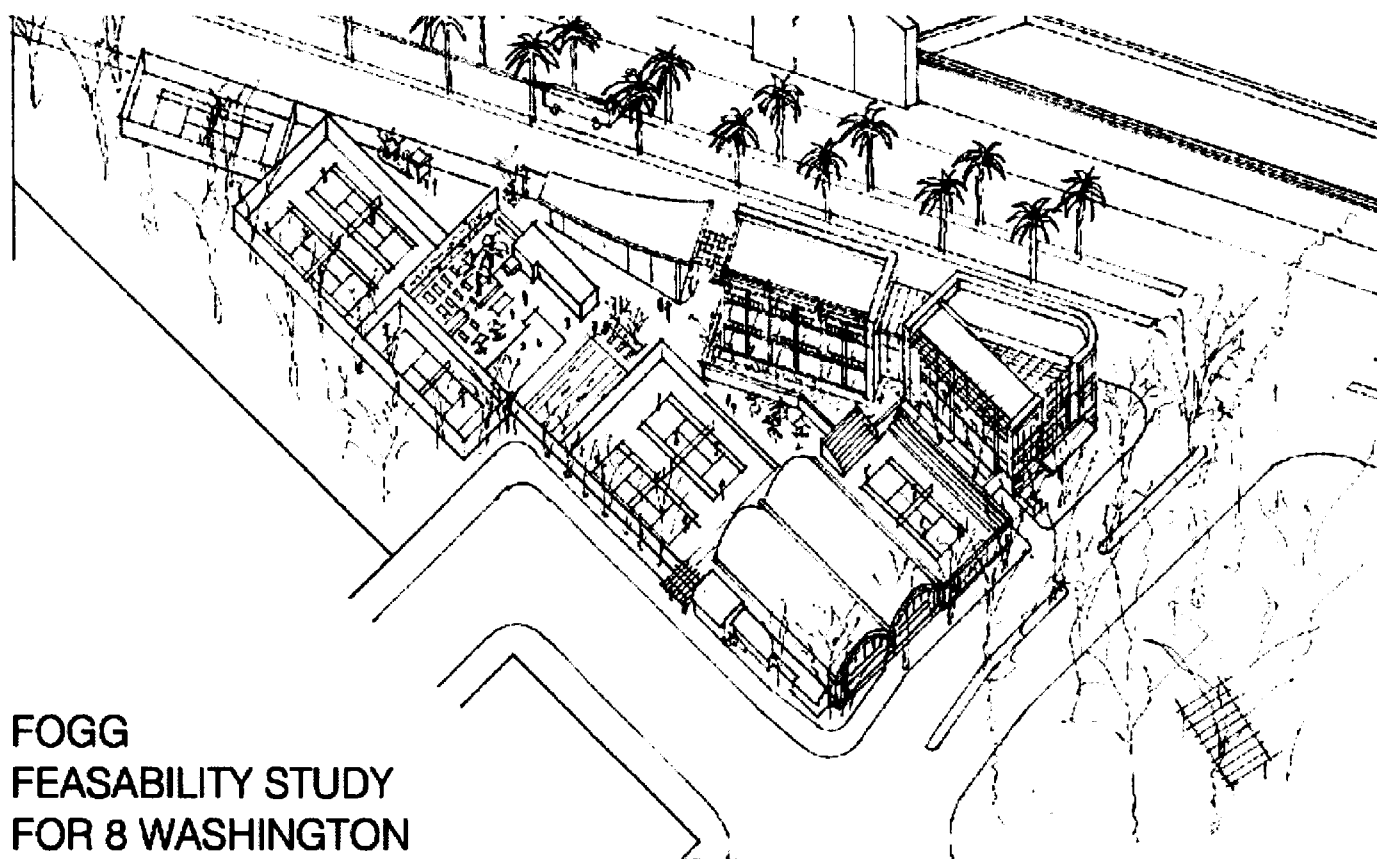


WASHINGTON STREET ELEVATION



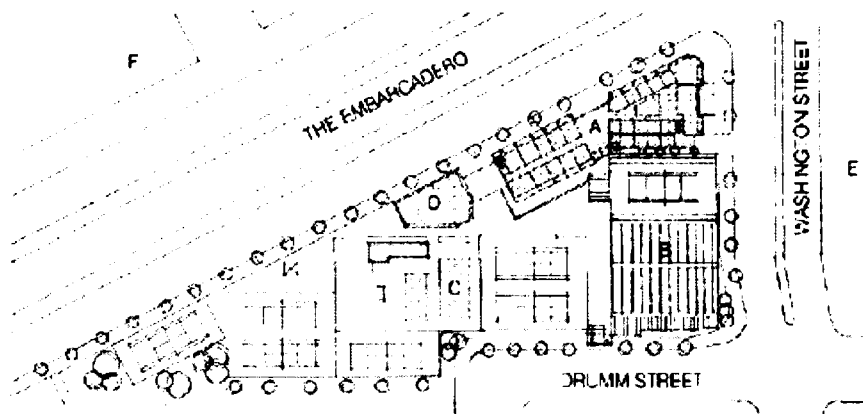
EMBARCADERO ELEVATION

FOGG FEASIBILITY STUDY FOR 8 WASHINGTON



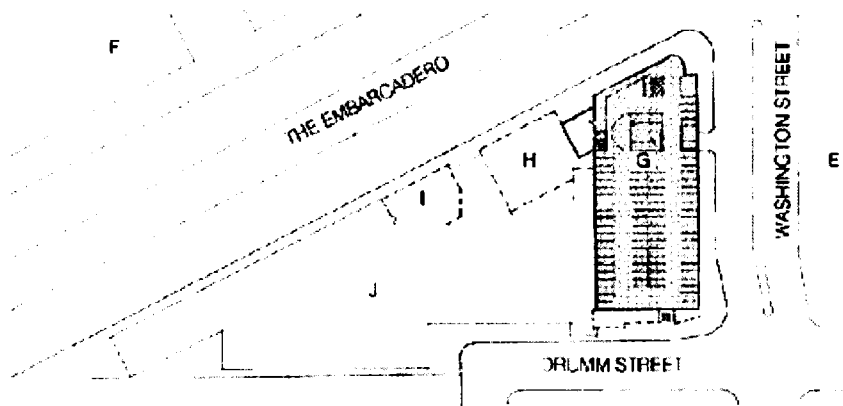
FOGG
FEASIBILITY STUDY
FOR 8 WASHINGTON

PART III



UPPER LEVEL PLANS

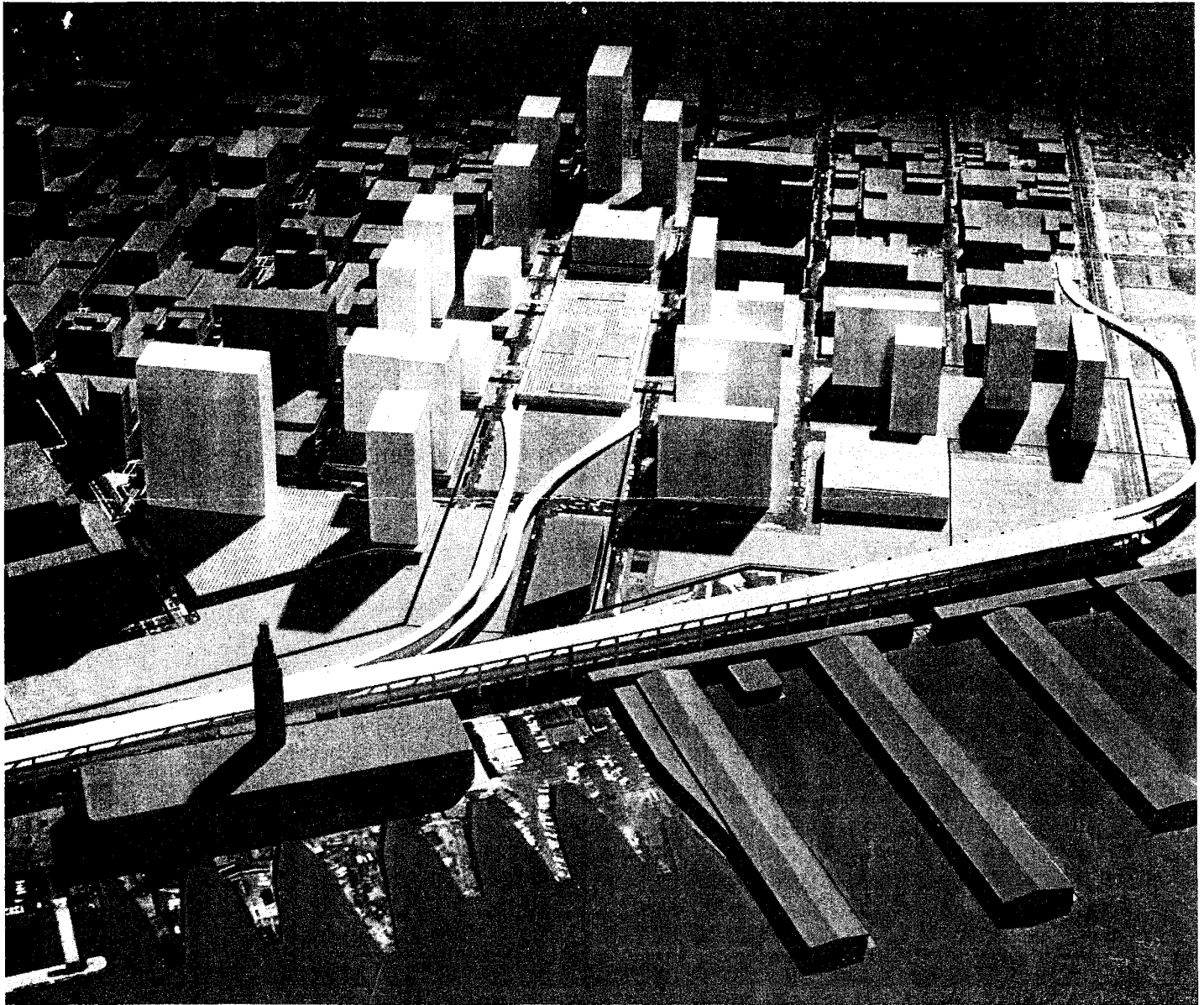
- A ROOM LEVELS AT 3-4-STORY HOTEL
- B COVERED TENNIS COURTS
- C EXISTING SWIMMING POOLSD
- D 2 STORY CLUB FACILITY
- E FERRY PARK
- F PER BUILDINGS



GARAGE LEVEL PLAN

- G 200-220 CAR PARKING GARAGE
- H HOTEL ABOVE
- I NEW ATHLETIC CLUB FACILITY ABOVE
- J EXISTING CLUB FACILITY ABOVE

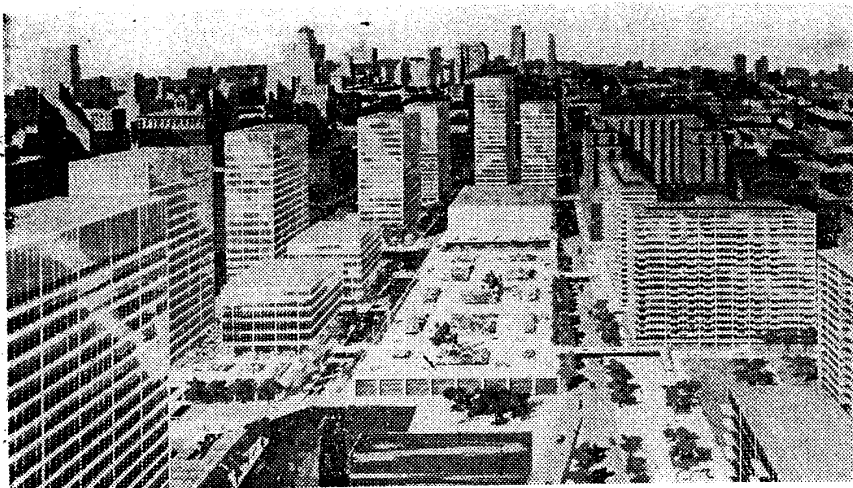
FOGG FEASABILITY STUDY FOR 8 WASHINGTON



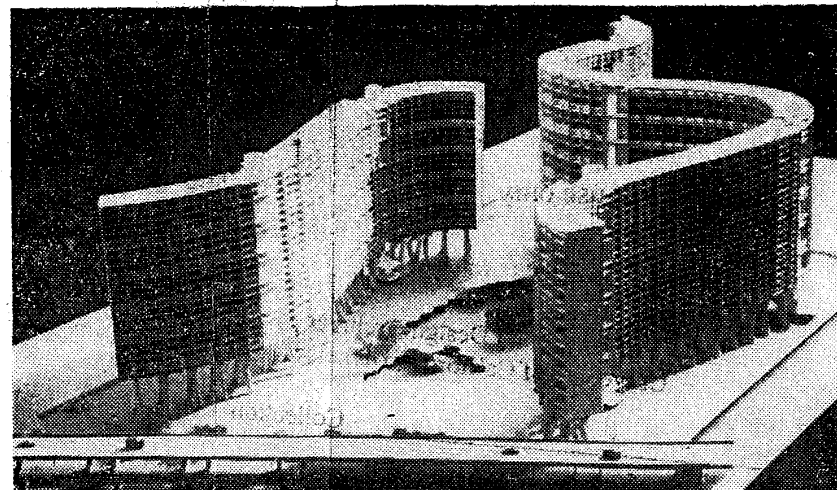
*The Golden Gateway
Redevelopment Project*



SF Chronicle Sunday, July 27, 1958



The city's plan for the Golden Gateway redevelopment project, as prepared by Skidmore, Owings & Merrill. Central Mall and surrounding buildings are shown.



A model of Charles Perry's plan shows four-block-long curved apartment buildings which would be built on stilts at one side of proposed Golden Gateway Mall.

Young Architect Throws Curve at the Golden Gateway

A radically redesigned Golden Gateway redevelopment project for San Francisco earned Charles Perry his architecture degree from Yale last month.

Apartment buildings on the side of the proposed Mall of the \$200 million Golden Gateway should be curved, not

cubed, Perry asserted yesterday.

"Instead of sticking up more towers—which already are all over the place—we should use curvilinear shapes."

Perry said his version of Golden Gateway design would provide 1650 housing units,

parking for 1650 cars, and plenty of shopping area on the 15-acre site where the city's firm, Skidmore, Owings & Merrill, has suggested the use of towers.

The Golden Gateway project is planned to supplant the city's ramshackle wholesale produce district north of

Market street and west of the Embarcadero.

Perry, 28, of 2912 Claremont avenue, Berkeley, has just gone to work for a private firm in San Francisco.

Perry admitted his Yale professors found his ideas "controversial" because "nobody has designed two 'op-

posed' curves before," and because "they said I was putting curvilinear shapes in a rectilinear city."

But Perry's Golden Gateway apartments would be raised on 60-foot stilts to look over the Embarcadero Freeway—"and that's a curve, and Coit Tower is curved, and

the hills are curved."

"Besides," Perry added, "the way I have designed them, the large apartments would have views on both sides—plenty of light, plenty of sun."

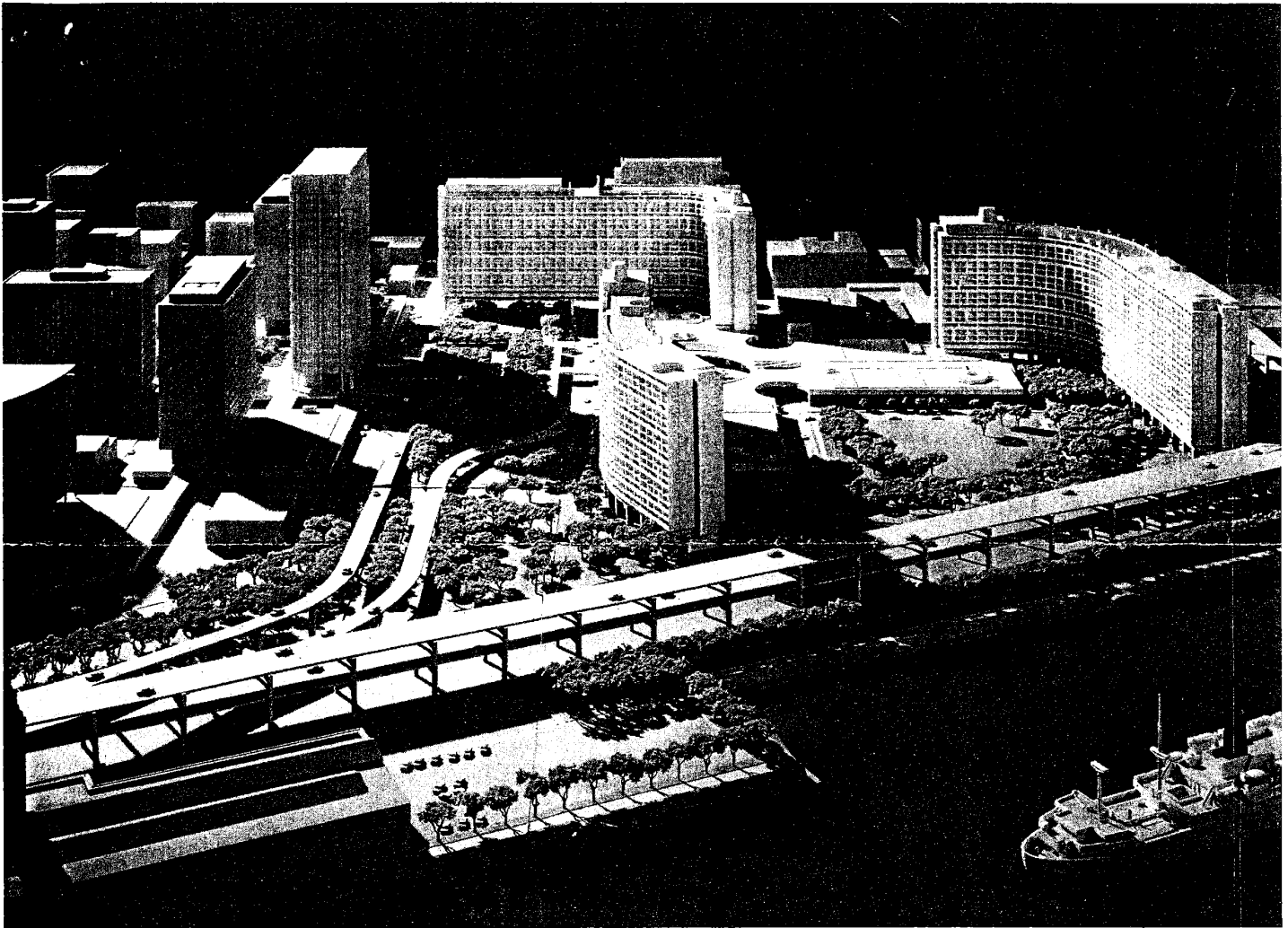
"Probably this curvilinear approach would be very expensive. I'm not equipped to

Shop Macy's San Francisco and Richmond Monday 'til 9; Hillsdale, Valley Fair, Bay Fair 'til 9:30; San Rafael

ORDER THESE FUN-TIME FAS

Macy's San Francisco
Stockton at O'Farrell

Item	Dept.	Size	Color



Golden Gateway Center

For reference use only
Environmental Design Archives
University of California, Berkeley
To: Mr. [illegible]
Project Folder Golden Gateway P.R. 3/20
Collection

A resumé of a proposal to the Redevelopment Agency for the Development of the Public Garage and Residential Areas of the old Produce Market area in San Francisco submitted by Golden Gateway Center.

Lewis E. Kitchen
Skidmore, Owings & Merrill
Keil and Connolly
William J. Moran Company
William Blair & Company
Crocker-Anglo National Bank
John F. Forbes & Company

Developer
Architects
Legal Counsel
Construction Management
Investment Banker
Banker
Auditor

■ BELL & STANTON INC., *public relations*

(Overall Story)

■ 757 THIRD AVENUE, NEW YORK 17, N.Y.
PLAZA 9-4800

BY: Alan Bell

100 California Street
San Francisco
(415) 989-6170

2106 Peachtree Center
Peachtree Street
Atlanta
(404) 688-3643

FOR RELEASE: 3:30 PM, Pacific Time,
Feb. 14, 1967

SAN FRANCISCO, Feb. 14 -- Details of a \$125 million extension of the San Francisco financial district were unveiled here today by an investing group consisting of David Rockefeller of New York, Trammell Crow of San Francisco and Dallas, John Portman of Atlanta and Cloyce K. Box of New York.

To be called Embarcadero Center, and comparable in scope to Rockefeller Center in New York, the complex is to cover five entire blocks in downtown San Francisco, adjacent to Market and California . . .

→ Mr. Portman said in his presentation today that all office structures will be so designed and so located on the site that a clear east-west view is retained of the Bay, around the Ferry Building. Further, it is felt, the lines of sight for viewers high on the hills will tend to "slide over" the Center's buildings, toward the Bay. North-south views within the Center will be preserved through sharply etched breaks in the structures.

Response to 8 Washington St Draft EIR

Case No. 2007.0030E

State Clearinghouse No. 200712207

Submitted by Lisa Schreiber, working mother and area resident.
Comments can be sent to Lisa@Schreibermail.net

A few facts

- Northeast Waterfront Study
 - Not accepted by the Planning Department and should not be so often referenced
 - Flawed conclusions – not representative of the community
 - The SF Port was in dire need of money and entered into a non-competitive negotiation process with 8 Washington; with the America's Cup coming to SF the Port of SF will gain financial relief and hopefully perspective.
 - 8 Washington is not a proposal in response to this study – it is a for profit project regardless of community sentiment

D.7.1

More facts

The Community

- Highest density of all districts in SF
- Least amount of Active Recreational Space in all of SF.
- Reserve fields for soccer practice.

D.7.2

EIR Omissions

- Impact to Fauna (CEQA Guidelines Section 15382)

(**Fauna** or **faunæ** is all of the animal life of any particular region or time.)

- | | | |
|---|---|--------|
| – Health Impact of a 2+ year loss of active recreational space with no replacement. | I | D.7.3a |
| – Permanent loss of active recreational space in an area that already has too little. | I | D.7.3b |
| – Personal Safety issues that arise with increased traffic of more people and vehicles. | I | D.7.4 |
| – Loss of the neighborhood. | I | D.7.5 |
| – Effect on those that cannot advocate for themselves – elderly and young. | I | D.7.6 |
| – Impact to the community long term when key things that attract a diverse group to a community are missing. Where are the children?? | I | D.7.7 |
| – Disturbance of residents – including old and young being exposed to the building noise and pollution. | I | D.7.8 |

EIR Correction Areas

- **Land Use** – LU 1 – LU 3 should be marked significant impact. D.7.9
- **Aesthetics** – AE 1 – AE 3 should be marked as significant impact. D.7.10
- **Transportation** – TR- 3, 5, and 6 should be marked as significant impact. D.7.11
- **Air Quality** - is missing asthma and allergy consideration. D.7.12
- **Recreation** – R1, 3, and 4 should be marked as significant impact. D.7.13
- **Geologic and Historical** features are well mitigated. D.7.14

Our Ask

Courage

“The mark of a great community is one that takes care of its weakest.”

Does this Draft EIR consider that?

(please allow responses electronically)



Ryan Clark
<rclark@gencap.com>
08/01/2011 09:13 PM

To "Nannie.turrell@sfgov.org" <Nannie.turrell@sfgov.org>
cc "coaches@fogg.us" <coaches@fogg.us>,
"david.chiu@sfgov.org" <david.chiu@sfgov.org>
bcc

Subject 8 Washington Street DEIR

History: This message has been forwarded.

Dear Ms. Turrell:

I work in the Financial District and wanted to share my thoughts on the Golden Gateway recreational area. I have lived in many cities – Boston, New York, and San Diego. I have found the Financial District one of the most enjoyable places to work because of all the amenities – from the bustling commercial offices, to the retail stores, to the Ferry Building, but most importantly, to the open recreational space the city has actively preserved. I applaud San Francisco and the enlightened planners who have preserved this treasure and made this a better community to live and work in. I am a regular user (every day) of the swim and tennis facilities and it is a large part of my social community outside of work, and consider this an important reason why I work in the Financial District (despite options outside of San Francisco). As I understand it, the Golden Gateway area was intended to be preserved as recreational facility – please honor this commitment and keep San Francisco one of the best cities to work in and be a citizen of.

D.8.1

Thank you,


J. Ryan Clark
Managing Director
Genstar Capital
Four Embarcadero Center
Suite 1900
San Francisco, CA 94111
415-834-2360 (w)
415-834-2383 (f)



Carol Parlette
<inq@pacbell.net>
08/01/2011 12:49 PM

To Nannie.turrell@sfgov.org
cc David Chiu <David.Chiu@sfgov.org>
bcc

Subject 8 Washington Project

History:  This message has been forwarded.

I live in the Golden Gateway Commons, nearer to the Broadway corner, close to Pacific. I know there are several issues bothering people about this project, but I want to object to something that may not be getting much attention, and that is the proposed restaurant at Pacific. This is a quiet neighborhood, and a restaurant is totally out of place in this location. The noise, the smells, the site of the rooftop with it's usual pipes and venting, leaves me very upset. We have some wonderful restaurants in the neighborhood, so it's not as if we're hurting for places to go to. Please consider eliminating this restaurant from consideration in the project. Thank you. - Carol Parlette

D.9.1



Aleem Choudhry
<aleem@cranestreetcapital.com>

08/02/2011 09:10 PM

To "Nannie.turrell@sfgov.org" <Nannie.turrell@sfgov.org>

cc "David.chiu@sfgov.org" <David.chiu@sfgov.org>,
"coaches@fogg.us" <coaches@fogg.us>

bcc

Subject 8 Washington Street DEIR

Dear Ms. Turrell:

I have lived in the Financial District for the last 6 years and wanted to share my thoughts on the Golden Gateway recreational area. Although I work in Menlo Park and commute every day, there are many good reasons why my wife and I have chosen to stay where we are (Golden Gate Commons) – the vibrant financial community, shopping, Ferry Building markets and restaurants, and most importantly, the open recreational space the city has actively preserved. This area in San Francisco is incredibly unique to have preserved this open space for sports and recreation. I am a regular user of the swim and tennis facilities and it is a large part of my social community outside of work, and consider this an important reason why I live in the Financial District (despite more convenient locations closer to my work outside of San Francisco). As I understand it, the Golden Gateway area was intended to be preserved as recreational facility – please honor this commitment and keep San Francisco one of the best cities to work in and be a citizen of.

D.10.1

Thank you,

Aleem

Aleem Choudhry
Partner
Crane Street Capital LLC
1142 Crane Street #1
Menlo Park, CA 94025

Office: 1-650-561-7227
Fax: 1-866-612-8115



Janet Lautenberger
<janetlautenberger1@mac.com>
m>

08/02/2011 01:55 PM

To Nannie.turrell@sfgov.org
cc David.chiu@sfgov.org, Coaches@fogg.us
bcc

Subject 8 Washington Street Project

Dear Ms. Turrell,

I am writing you as a neighbor of the proposed 8 Washington Street Project. I live two blocks away from the proposed project and I can tell you that if this project is approved and moves forward it will change my life and the lives of many other residents for the worse. I can not see myself living in San Francisco if the Golden Gateway Tennis and Swim Club is gone and million dollar apartments and parking are going in its place. I can not see living in a neighborhood that is all shops, restaurants, overpriced condos for the wealthy and traffic jams.

I LOVE San Francisco and have lived in this city and New York City for all my adult life. While the charms of San Francisco won me back as a resident I can tell you that if our city becomes just a bunch of high priced condos with no outdoor activity then I might as well move back to New York or to any number of suburban areas. I will definitely not stay in a city that does not provide outdoor space for activity and social venues that are not bars or restaurants (I am an avid tennis player and play at least 4 times a week). Much of my social life revolves around friends I have met through tennis and staying in shape together has grown those neighborhood bonds and friendships.

A new underground garage that does not promote the use of public transportation is the last thing that this city needs. We are just turning a corner to get people off the roads and using Muni, Bart and Ferries and now you want to promote clogging the neighborhood streets with a 400 car garage? That is NOT what I want in my neighborhood.

The Golden Gateway Tennis and Swim Club has kept me and thousands of San Francisco residents healthy and happy for over 40 years. It brings me and my fellow tennis players and swimmers such joy ... I literally can not imagine my life without it. It is such an important part of my life and such a unique place that I would have to leave the city to find another outlet like it and that would be a shame.

Please take the neighborhood and San Francisco residents into consideration when you plan this project. Please do not just take the developer and big business into consideration. This city can not lose the things about it that make it special like people who care about environmental impact, a healthy lifestyle, the charm of San Francisco and staying in a city that respects its citizens. Please do not allow this project to move forward as the developer has proposed.

Thank you for your attention to this matter.

Janet Lautenberger
733 Front Street, #404
San Francisco, CA 94111
Janetlautenberger1@mac.com

D.11.1

D.11.2

D.11.3



D Muratore
<dmuratore@gmail.com>
08/02/2011 12:16 PM

To Nannie.turrell@sfgov.org
cc David.Chiu@sfgov.org
bcc
Subject Golden Gate Tennis & Swim Club

The GGT&SC is an incredible asset to the City of San Francisco. They have wonderful programs all year long for every age group in this City. Their summer program for kids is a WOW.

Do we really need a condo complex and parking lot at that particular spot. If so build it in the open space directly across the street adjacent to Justin Herman Plaza.

Why destroy something so many San Franciscans want. Does it always have to be "follow the money"?

Dolores Muratore
170 Pacific #5

A native San Franciscan and proud of it. Let me continue to be.

D.12.1



"jim oakes, jr"
<jimoakes63@yahoo.com>

08/03/2011 10:06 AM

To nannie.turrell@sfgov.org

cc david.chiu@sfgov.org

Subject * Wahington Project

I am vehemently against the 8 Washington St. luxury condominium project. My main concern, among many, is environmental. There will be more cars, people, and pollution. The air quality will be severely negatively impacted which will seriously affect seniors and children especially.

D.13.1

The condominiums to be built are for the rich, not average, hard working San Franciscans.

D.13.2

In addition, the recreation space in the densest part of San Francisco will be eliminated not only for the current membership, but for the 500 plus underprivileged youths that use the club free every year.

D.13.3

This whole plan is ridiculous. It breaks previous agreements made years ago to preserve this area as an active recreation facility in perpetuity.

D.13.4

If this project goes forward, I and my family will move to the suburbs after more than 20 years in the neighborhood.

D.13.5

Do the right thing and kill this project. Sincerely, Jim Oakes



"Renne, Paul"
<rennepa@cooley.com>
08/03/2011 10:50 PM

To "Nannie.turrell@sfgov.org" <Nannie.turrell@sfgov.org>
cc "David.chiu@sfgov.org" <David.chiu@sfgov.org>,
"coaches@fogg.usa" <coaches@fogg.usa>, "Renne, Paul"
<rennepa@cooley.com>

bcc

Subject Response to draft EIR re: 8 Washington Street Project

Dear Ms. Turrell,

Attached you will find my response and comments to the Draft EIR for the proposed 8 Washington Street Project as requested by the San Francisco Planning Department for consideration by the San Francisco Planning Commission. These comments are my personal views and are not intended to represent those of the law firm with which I am associated. I look forward to a response at an appropriate time.

Paul A. Renne

Senior Counsel

Cooley LLP • 101 California Street • 5th Floor

San Francisco, CA 94111-5800

Direct: (415) 693-2073 • Fax: (415) 693-2222

Bio: www.cooley.com/prenne • Practice: www.cooley.com/litigation

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recommending to another party any transaction or matter addressed herein. SF-#1230236-v1-Draft_EIR.DOCX

Dear Commissioners & Staff of the San Francisco Planning Commission:

RESPONSE AND COMMENTS RE; DEIR IN CASE #2007.0030E

While believing that the DEIR for the 8 Washington Street Project contains numerous inaccuracies and misstatements, many of which I am certain will be pointed out by others who I know represent the overwhelming opposition to this proposed project, I wish to focus primarily on the discussion in Section IV B, "AESTHETICS" and particularly "Impact Evaluation" AE-3 where you conclude "The proposed project would not result to a significant cumulative impact

D.14.1

related to Aesthetics." **IT IS MY BELIEF THAT IF THE 8 WASHINGTON STREET PROJECT IS ALLOWED TO GO FORWARD IN ITS PRESENT FORM IT WILL BE THE OPENING WEDGE IN UNDERMINING THE OBJECTIVES AND POLICIES OF THE *NORTHEASTERN WATERFRONT AREA PLAN* AND WILL HAVE A**

SIGNIFICANT IMPACT ON THE LONG TERM AESTHETICS OF THE AREA. **ONLY**

D.14.2a

ALTERNATIVE A WILL GUARANTEE THE PRESERVATION OF THE AREA'S

AESTHETICS; ALTHOUGH, PROPERLY DESIGNED ALTERNATIVE B MIGHT BE

D.14.2b

DEEMED TO BE CONSISTENT WITH THAT *PLAN*. **Let me elaborate, but first I would**

D.14.3

like to discuss a little history about the destruction by high-rise development in San Francisco which I think illustrates why we have to be eternally vigilant in opposing any proposed project which would further negatively impact the aesthetics of the Northeastern Waterfront.

When I first approached San Francisco in the early 1950s on the Bay Bridge I could see the City's natural typography – the City business center in immediate view with the buildings climbing the hills culminating with the Mark Hopkins and Fairmont to the West and Telegraph Hill and Coit Tower to the North. When we moved here to live in 1964 that view had not changed dramatically; today all you see is a wall of big buildings from the Golden Gateway

Apartments on the North to the Millennium Towers on the South. With the building of the Alcoa Building (now One Maritime Plaza) and the erection of the Golden Gateway Apartments to the North, concerns were expressed that further high-rise development to the North and East of Jackson Street could adversely effect the northeastern waterfront area. In addition, with the construction of the Fontana Apartments at Northpoint which completely blocked off the waterfront and the threat of turning the North waterfront into another Miami Beach wall of buildings, the citizens became concerned that continued development of high-rise buildings along the Northeast waterfront would result in destroying the character of San Francisco's long connection with the Bay. Out of these concerns came the renovation of Ghirardelli Square and the Cannery – buildings that retained the charm and character of their original architecture. Also, out of these concerns came the adoption of the *Northeastern Waterfront Area Plan* which, as noted in the DEIR called “for maintaining low structures near the water and increasing vertical development toward downtown...” As a result, up to this point, from Market Street going North, the Commission has not approved any development East of Drumm Street nor closer to the waterfront than two block West of the Embarcadero that in anyway exceeded existing structure height or was out of keeping with the existing architecture. If the 8 Washington Street Project is approved it will be the first development North of Market Street that is to be built immediately adjacent to the Embarcadero and of a bulk and size totally out of keeping with the adjacent area and in clear violation of the policy of the *Northeastern Waterfront Area Plan*. To suggest that the development is consistent with the *Plan* by maintaining a “low structure” near the water in comparison to the higher building along Drumm Street is sheer nonsense. The “low structure” is almost double the height of any other structure in the adjacent area; it is not a “low structure” within the meaning of the *Plan*.

On page IB.17 the DEIR concedes that the proposed project will obstruct views of Coit Tower and Telegraph Hill when viewed from the Embarcadero by the Ferry Building, but seek to minimize the significance of that fact based on the ability of a pedestrian to move north along the Embarcadero to obtain the view. Based on that reasoning, a single structure never

D.14.4

“significantly” effects the view. However, if 8 Washington Street Project is allowed to go forward what would be the basis for denying a permit to build an equally massive structure at any other point along the west side of the Embarcadero? We will soon find the Embarcadero north of Market Street a wall of buildings similar to what exists in the immediate area South of Market, although even in that area no new high-rise development has occurred immediately adjacent to the Embarcadero.

D.14.5

On page II.20 of the DEIR the Project Sponsor’s list as the first objective of the proposed project is to meet the “projected City housing needs and satisfy the City’s inclusionary affordable housing requirements.” No explanation or support is given to show that there is a projected need for more multi-million dollar condominiums in San Francisco; it is ludicrous to suggest that the units projected at 8 Washington Street are intended to be occupied by individuals

D.14.6

who require “affordable housing.” The purpose of this Project is not to enhance or improve the surrounding environment or to meet some strongly felt need of the community, its only purpose is to make a profit for the developers. In that regard, there is inadequate discussion in the DEIR as to the real economic feasibility of this project without some form of economic support by the City or other governmental agency. In today’s economic climate it is difficult to see how this project can be completed and it may well be that the Project Sponsors are merely seeking to obtain the approval of the Commission in anticipation that they will be able to sell the development rights to some other entity.

D.14.7

Another area of concern is the lack of discussion about the fact that Seawall 351 is subject to the Public Rights doctrine which obligates that Port to utilize the property for a public use. I do not believe that the development by a private entity for its economic benefit on Seawall 351 meets the requirements of that Doctrine and I do not believe, absent an action by the California Legislature, that the Port has the authority to allow this project to go forward.

D.14.8

Finally, one glaring void in the DEIR is the lack of discussion about the impact of this proposed construction on the 2013 America's Cup races which are scheduled to take place in 2012 and 2013.. The construction timetable of this project would appear to be directly contrary to what the City promised to the Sponsors of the those races. Is it feasible, or even desirable, that the excavation for the project could go forward while the races are in progress? At a minimum, we submit that no DEIR can be finalized without careful consideration of this Project's impact on the City's commitment to the America's Cup races.

D.14.9

I STRONGLY RECOMMEND THAT THIS PROJECT NOT BE APPROVED IN ITS PRESENT FORM.

D.14.10

Respectfully submitted,

Paul A. Renne
640 Davis Street, Unit 8
San Francisco, CA 94111



John Siegel <jcs@jcs1.com>
08/04/2011 08:48 AM

To Nannie.turrell@sfgov.org
cc David.chiu@sfgov.org, coaches@fogg.us
bcc
Subject Golden Gateway

Dear Ms. Turrell

My wife and I are long time member of the Golden Gateway Swim and Tennis club. We have been following the proceedings and are compelled to write.

The GGSTC is a gem in this city and the proposed development would be a tragedy. I am old enough to remember the arguments pro and con for tearing down the freeway that used to be a waterfront eyesore, a traffic congestion problem and air quality disgrace on the embarcadero. If this proposed development were to proceed it would nullify in large part the benefits gained by opening up the waterfront. Traffic will be horrendous especially with the underground garage accommodating of 420 new cars.

The views of Telegraph Hill from the ever popular and Ferry Building currently enjoyed by San Francisco and Bay Area residents not to mention millions of tourists will be blocked. For what purpose or goal? To construct \$2.5-\$5 million+ condos? Further we are dumbfounded as to how the proposed project with units costing millions of dollars each meets San Francisco's affordable and middle-income housing needs. Moreover, these millionaire owners of their pie- a-tiers will likely never use public transit.

I am convinced that the *No Project Alternative* is environmentally superior because it eliminates the problems I raise.

Sincerely,

Jane and John Siegel
jcs@jcs1.com
San Francisco Residents

August 5, 2011

Bill Wyco, Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Subj: Draft Environmental Impact Report for 8 Washington Street/Seawall Lot 351
Case No. 2007.0030E

Dear Mr. Wyco,

Please see below my comments on the DEIR for the 8 Washington Street luxury condominium and underground parking garage project.

In summary, the DEIR statement that there is 'no significant impact' to Recreation is incorrect.

D.16.1

Further, the impact on seniors by this proposed project has not been addressed. It is imperative that this is addressed in the next revision of the DEIR.

Both of these issues cannot be mitigated with any of the alternatives cited in the DEIR except the most obvious: Alternative A: NO PROJECT.

D.16.2

What I found most disturbing is the overall theme of the DEIR regarding Recreation. It is the same theme that the SF Planning Department exhibited in their NES. It is very easy to conclude that all these words are being written to justify the proposed project at the expense of Recreation.

D.16.3

As I continue to look further into the DEIR, I am concluding that the overall reliability of the consultants who prepared the document must be challenged. There is a clear bias in their presentation to favor the proposed project.

You are requested to include the Asian Neighborhood Design (AND) Community Vision Plan as an additional alternative in the next revision of the DEIR. A link to this Plan is provided later in these comments.

D.16.4a

DEIR Comments – Item H – Recreation

D.16.4b

The DEIR Statement that there is 'no significant impact' to Recreation is incorrect.

This is based on the CEQA Guidelines statement; 'A social or economic change may be considered in determining whether the physical change is significant.'

There are 2,300 individuals who pay for membership to use the facility.

D.16.4c

What is the difference in requiring residents of SF to pay for use of city facilities?

Why does the DEIR make a distinction between public and private? Payment is required for both. There are examples where it is cheaper to play tennis at GGTSC than it is to play the same type of organized programs at public courts such as Golden Gate Park.

The four public courts listed are inadequate to support the existing programs offered at the GGTSC. If you go to these public courts, you would draw the same conclusion. **D.16.4d**

Concerning the private courts available, 2 miles or more from GGTSC, the DEIR makes no assessment of their willingness or capability of supporting existing programs. The existing programs at GGTSC will not be replaceable.

None of what is documented in DEIR address the aggregate loss to the immediate neighborhood of the existing tennis programs. These can never be reconstituted at another location, and certainly not at the proposed 'new' tennis courts. **D.16.4e**

The REGULATORY FRAMEWORK statement is misleading concerning 'high need'. It does not mention active recreation. **D.16.4f**

The element criteria fail to mention 'active recreation.'

The statement on page IV.H.7 quoting the 2004 Recreation Assessment Report says '*...the project site is not within the defined service areas for the existing public ball fields, multi-use/soccer fields, recreation centers, pools, basketball courts, or tennis courts in the City.*' Regardless of the remainder of the statements in that paragraph, it is clear that there are inadequate active recreation facilities in the project area. Coupled with the initial statement in the IMPACT section 'The City and County of San Francisco has not formally adopted significance thresholds for impacts related to recreation.'

Explain how the DEIR can state no significant impact based on what is quoted above. This must be in the next revision of the DEIR.

Request the next revision of the DEIR look at the senior population in the project area based on the 2010 Census. The 2000 Census shows the area has a senior population of over 25%, nearly twice the national average.

Impact on seniors losing active recreation for the term of project construction will be devastating and significant to us. Request that this be addressed in detail.

The METHODOLOGY assumptions are dismissive of what is presently available at the existing Club site. '*This report assumes that if there are recreational facilities within a service distance with sufficient capacity to provide a variety of recreational opportunities, there would not be a significant adverse effect. However, this analysis does not assume that a lack of prescribed capacity for each type of recreational activity, in itself, constitutes a significant adverse impact, provided that recreational options continue to be available to nearby and proposed project residents.*' There is no discussion of the effect on the aggregate of programs currently available. **D.16.4g**

Explain how the DEIR can state no significant impact when there will be City-wide impact as the existing facility serves more than nearby residents.

The IMPACT EVALUATION statements are dismissive of existing Club members and their loss of a community benefit. Again, there is no assessment of the aggregate impact of the proposed project. The following statements are particularly dismissive.

'Comments on the NOP/Initial Study indicate that the club's existing members may be inconvenienced by the reduced availability of tennis courts. The reduction in the number of tennis courts could result in longer wait times for tennis courts at the proposed new facility, and fewer scheduling options and longer

lead times for making reservations than those to which GGTSC tennis users are now accustomed. Some tennis users may seek courts elsewhere in the area or City.²⁴ As indicated above, 168 public tennis courts and 52 tennis courts at private facilities are available elsewhere within the City. Some tennis users may be deterred by inconvenience from playing tennis as often as they otherwise might have under existing conditions. Such inconvenience is not considered a significant impact for purposes of CEQA because it would not result in a significant change to the physical environment.'

D.16.4g
cont'd.

'The interim closure of the facilities would displace current users and they would be forced to find other recreational opportunities. Some users might choose different forms of recreation; others might search for replacement tennis, swim, and/or basketball facilities, which could temporarily or permanently increase the use of those tennis or swim facilities. These facilities could be further or closer from the users' homes and/or workplaces. Other private facilities might cost more than the Golden Gateway Tennis & Swim Club facilities, and other public facilities (and programs) might not be of equal quality to the private athletic club. Assuming users must substitute less convenient, more costly facilities for those available now, the changes are likely to be perceived negatively by those accustomed to existing conditions. However, the changes would, in some instances, be temporary, and at least some of the changes would result in social rather than environmental impacts. In addition, there would be other opportunities for recreation in the project area. Therefore, the loss of the existing recreational facilities on the project site during construction would not be considered a significant degradation of recreational resources under CEQA, and no mitigation measures are required.'

The last sentence conclusion is completely without support, merely a way to not address the impact on the existing community.

Further statements in the DEIR are equally dismissive.

'The reduction in the number of tennis courts would have negative impacts on some current tennis members, who would be forced to find recreational opportunities elsewhere. These people might have to travel longer distances to find a replacement private (or public) facility, but there are a number of such facilities available in the City. For these reasons, the proposed reduction in tennis courts would not constitute a significant degradation of recreational resources, and no mitigation measures are required.'

These statements completely disregard the existing community social structure that will be eliminated by the proposed project. CEQA guidelines can be used in this regard to support significant impact.

Explain how the DEIR can state no significant impact when this existing community social structure will be destroyed.

There are other considerations that need to be addressed in the DEIR.

The consultant who wrote the words in the DEIR about Recreation and not including the impact on the senior population must take an in-depth look at this issue, preferably as themselves as a senior, as I do. You must look at the seniors. We have movement challenges that are not addressed. They must be.

The Recreation loss is more than an inconvenience. This is devastating. We seniors do not have 3 years to go somewhere else as suggested in the DEIR. The impact on us is significant. For the DEIR to state no significant impact on Recreation from this project is an absolute failure of community awareness. I am most anxious to see your review of the 2010 Census for senior residents in this area. You must acknowledge that with the steady increase of the aging population, emphasis on a healthy

D.16.4h

and independent lifestyle and less isolation for us city dwellers must be addressed in the DEIR. The proposed project will decrease what is already working and available.

D.16.4h
cont'd.

I have lived in this immediate project area for over 31 years. I had my first date with my wife on court 3 at our community recreation center. Others who assemble here have similar stories. This existing recreation facility is our 'back yard' which my wife and I have happily shared with thousands of others. The DEIR dismisses all of us as insignificant, and my wife and I feel betrayed by the DEIR portrayal of us.

Alternative A: NO PROJECT is clearly superior to the proposed project and should be adopted.

D.16.5

This proposed development is eligible to seek PUD approval. The Golden Gateway Center is a PUD. The GGTSC is within the existing PUD. Explain the rationale for allowing the proposed project to be built within an existing PUD without violating its original '...integrated units of stable and desirable character...'. Request that you include a discussion of this in the next revision of the DEIR including how the term length of an existing PUD is determined.

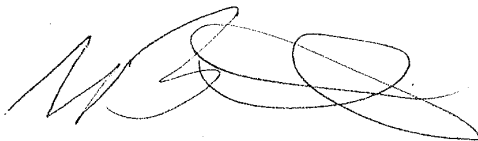
D.16.6

In addition, you are requested to include the AND Community Vision Plan in the next revision of the DEIR as an alternative. This Plan has community consensus. The SF Planning Department NES referenced in the DEIR and upon which the proposed project is based, does not. The AND Plan balances revenue generating, open space and active recreation uses across all seawall lots, including Seawall Lot 351, and is both financially and politically feasible.

D.16.7

This Vision Plan is available at this link. <http://www.andnet.org/storage/pdfs-cp/NE%20Waterfront%20Community%20Vision-FINAL-2%209%202011.pdf>

I look forward to receiving your detailed written response to my comments.



William Benkavitch
19 Whaleship Plaza
San Francisco CA 94111
bill.benkavitch@gmail.com

copy to (email): David Chiu; Friends of Golden Gateway



james cunningham
<jscsloanegdns@hotmail.com>
m>

08/05/2011 11:23 AM

To <nannie.turrell@sfgov.org>

cc

bcc

Subject David.chiu@sfgov.org; coaches@fogg.us

Dear Ms. Turrell:

I am writing concerning the project proposed for 8 Washington Street, and the Draft Environmental Impact Report (DEIR) recently submitted by the sponsor of the project, and discussed at a Planning Commission meeting. It is clearly a one-sided and deficient report, leaving out numerous matters that will be pertinent to the decisions the Planning Commission will be required to make. I believe the proposed project should be evaluated in conjunction with the comprehensive Asian Neighborhood Design Community Vision Plan, which addresses development of the entire seawall in a manner that is both financially and politically feasible. That Plan also has the benefit of wide community support, unlike the 8 Washington Street Project, which has the support only of the project sponsor, and the enmity of many people and groups in the community.

D.17.1

D.17.2

The last thing our community needs is a tall, view disturbing building along The Embarcadero, which the city has been in the process of so well enhancing and beautifying over the past 20 years. This is especially so when the building at the heart of the project will primarily provide housing only for those who can afford to purchase a condominium costing in the \$2,500,000 plus range. At the same time the project would destroy The Golden Gateway, a popular and well used recreational facility, enjoyed by many in the community both near and far for many years, and replacing it several years later by a much smaller, off the street facility that, as a practical matter, is likely to end up serving as a private club for those owning the \$2,500,000 condominiums.

D.17.3

D.17.4

D.17.5

The DEIR should be rejected as inadequate, and the project itself declined.

D.17.6

Thank you.

Yours sincerely,

James Cunningham
640 Davis Street - #18
San Francisco, CA 94111
415 291 0543



"Norman Patrick Doyle "
<norman.doyle@sbcglobal.net>

08/06/2011 10:39 AM

To "Nannie Turrell" <Nannie.turrell@sfgov.org>

cc "David Chiu" <David.chiu@sfgov.org>

bcc

Subject 8 Washington Project

Based on a reading of the recently released DEIR for the 8 Washington condominium project, I wish to state my opposition to this project as currently proposed.

My main concerns are, in brief:

- The loss of five tennis courts and the ground-level swimming pools will completely change the character of the Golden Gateway Swim and Tennis Club, a treasured neighborhood asset.
- The closure of the Club for two to three years during construction is unacceptable.
- The construction activity itself is also a most unwelcome prospect.
- The proposed structure is entirely too massive, blocking views of Telegraph Hill from the Embarcadero and creating a "canyon" on Drumm Street.
- It is unlikely that the type of luxury housing proposed will attract full-time residents who will be a positive addition to the life of the neighborhood.

Of the alternatives proposed in the DEIR, the "No Project Alternative" looks the best to me.

D.18.1a

D.18.1b

D.18.2

D.18.3

D.18.4

D.18.5

Norman Patrick Doyle, 640 Davis Street, #11; San Francisco; CA 94111
Phone/Fax: (415) 677-9734; Mobile: (415) 215-2781
Email: norman.doyle@sbcglobal.net



D & P Kretschmer
<krtschmr@comcast.net>
08/07/2011 09:18 AM

To Nannie.turrell@sfgov.org
cc David.chiu@sfgov.org
bcc
Subject 8 Washington project comment

Hello,

I'd just like you to know that a resident of the area impacted by the project (101 Lombard) is entirely enthusiastic about it. I like the fact that it will transform the ugly parking lots along the Embarcadero and turn the Golden Gateway area into a modern pedestrian friendly/family friendly area with parks and attractive landscaping. I see no need to keep an outdated recreation site when a new, more useful and efficient recreation site has been proposed.

D.19.1

Thanks for your attention,
Diane Kretschmer



David Burnett
<ddburnett@gmail.com>
08/08/2011 03:42 PM

To Nannie.turrell@sfgov.org
cc David.Chiu@sfgov.org, coaches@fogg.us
bcc
Subject Comment of 8 Washington Draft EIR

On page IV.D.34 the EIR states that the impacts of a 430 car garage on the Embarcadero and Washington St. intersection would be considerable. The predicted level of service drops to F in 2035 from D now. Even after mitigation measures the impact is deemed to **remain significant**. The developer's desire to remove the existing landscape median will only acerbate the situation as autos will make left turns into the proposed garage making pedestrian life very difficult. The developer could easily increase the setback of his proposed building to attain the wide sidewalk that he desires without removing the attractive median which provides a place for pedestrians to get out of the way of automobiles when the light changes. The proposed large garage is a non-starter in this location which is well served by mass transit.

D.20.1

D.20.2

--

Dave Burnett



sol silver
<ssilver7@comcast.net>
08/08/2011 05:05 PM

To Nannie.turrell@sfgov.org
cc

Letter D.21

Subject Comments on the DEIR for the 8 Washington Street Project

to: Nannie Turrell
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco CA , 94103

copies to: David.chiu@sfgov.org, and coaches@fogg.us

Based on my review of the draft EIR for the 8 Washington Street Project, I wish to submit my comments for your consideration.

1. I urge the Planning Commission to strongly consider keeping the existing recreational usage and open space of the Golden Gate Tennis and Swim Club and to reject the proposed destruction of this excellent facility. The many issues of Parking, Pedestrian Safety, Housing and both physical and esthetic damage that would be caused should this luxury condo development and parking project be approved, have not been adequately addressed by the draft EIR.

D.21.1

2. I urge the Planning Commission to carefully review " A Community Vision for the San Francisco Northeast Waterfront " , produced by a consortium of Community Groups as a more fitting development solution as it does respond to the public desire to retain what presently works well and advocates a No Project Alternative.

D.21.2

3. If the Planning Commission does consider approving an increase in the density of residential development by demolishing the existing facility, , it should consider 2 alternatives as part of the EIR.

D.21.3

One would be the relocation of the existing Tennis and Swim Club in its full footprint by relocating it to a portion of the existing low density townhouse section and the second alternative is to leave the existing recreation facility exactly where it is and replace a portion of the low density townhouses with higher density units. While I am not in favor of either of these alternatives, the EIR should discuss these as they are obvious logical alternatives to the proposed project.

respectfully submitted, Sol Silver,

Deborah Smith
2170 Vallejo Street, Apt. 401
San Francisco, CA 94123

August 8, 2011

Ms. Nannie Turrell
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

RE: Golden Gateway Tennis and Swim Club

Ms. Turrell,

I am writing to you as an 11 year member of the Golden Gateway Tennis and Swim Club. I am an avid tennis player and swimmer. I am at the club at least four times per week to be outside, active and social. I am appalled that the idea of destroying the club for yet another high-rise building in the city, and more parking, is still on the table.

I was under the impression that the city wanted to encourage families and healthy outdoor living; destroying a club that serves the community and it's children seems to contradict San Francisco's "family friendly" advertizing.

Here are the issues I see with the current proposal to destroy the club:

1. PARKING: the proposed project includes a \$40 million, 420-car underground (below sea level) garage creating big problems for transit/traffic/pedestrians. There are 459 off street parking spaces currently available adjacent to the project eliminating the need for a 420-car underground garage at 8 Washington.

D.22.1

Question: Why would a city with a clear "transit first" policy ever allow this?

2. IMPACT ON AMERICA'S CUP: The underground garage requires removing 110,000 cubic yards of soil from the site over 7-8+ months (4 trucks/hour) overlapping with the 2012/2013 America's Cup events and therefore violating the City's **Host and Venue Agreement** which states:

D.22.2

10.4 The City will use all lawful means to restrict noise and debris generating activities on public works and large private construction projects (if any) in areas reasonably proximate to the Event during America's Cup World Series Pre-regattas and the Regatta.

Question: What will be the truck route and what bus/streetcar lines will be impacted?

D.22.3

Question: How can the construction take place without violating the Host Agreement?

D.22.4

3. PEDESTRIAN SAFETY: Page IV.D.25 says: "Conflicts between outbound vehicles [from garage] and pedestrians could occur, but their effect on pedestrians would be reduced because pedestrians on the sidewalk have the right-of-way".

D.22.5

Question: Does knowing pedestrians have the right-of-way comfort the families of seniors, children and adults killed by cars as they cross streets and driveways?



Question: Does the city agree with this ridiculous and insensitive statement?

↑ D.22.5
cont'd.

The next paragraph states:

"The number of vehicles and pedestrians per minute are relatively small (about one vehicle and three pedestrians every 30 seconds on average) and it is therefore not anticipated that the proposed project would cause any major conflict or interfere with pedestrian movements".

This equals 2 cars/6 pedestrian trips a minute, 120 cars/360 pedestrian trips per hour or 1,440 vehicular/4,320 pedestrian trips in any given 7AM to 7PM period. No conflicts?

Question: How could any reasonable person view this level of activity as 'not significant' in terms of conflicts with cars or interference with pedestrian movement?

Question: Given the obvious inaccuracy of the two statements quoted above, is this indicative of the overall quality of the traffic/pedestrian consultant's work for this EIR?

4. HOUSING IMPACTS. A project "goal" is to "help meet the projected City housing needs". These condos will cost **\$2 million/unit** JUST TO BUILD with sales prices of \$2.5-\$5million and up (\$6-8 million for penthouses). Studies show transit use goes down as income goes up, with buyers like these—people making millions of dollars a year—being the least likely to use transit.

D.22.6

(This 'cost per unit' number was derived by taking the project's total cost (**\$345 million**), deducting the cost of the non- residential parking (165 residential spaces out of 420 total spaces leaves 255 non-residential spaces [60.6%] X the \$40 million garage cost = \$24.2 million) and dividing this by the 165 units: \$345 million – \$24.2 million = \$320.8 million/165 units = **\$2 million/unit to build.**)

Question: Exactly what portion of San Francisco's affordable and middle-income housing needs will these pied-a-tiers for millionaires actually meet?

Question: How likely is it that these new, part-time residents will use transit?

The final EIR must state the average cost to build each unit and the range of sales prices expected so that public officials can assess the unsubstantiated claims in DIER about "sustainability", the "transit oriented" nature of project or claims that it "helps meet the projected City housing needs".

5. BREAKING PREVIOUS AGREEMENTS tied to original approval by Redevelopment of the larger Golden Gateway project. The two major community benefits required by Redevelopment back then were Sidney Walton Sq. and an active recreation center (9 tennis courts, 2 swimming pools, a basketball court, etc.). Two former Redevelopment Directors and Mayor/Senator Feinstein have sent letters in the past confirming this.

D.22.7

Nowhere in the Draft EIR does it mention that this is now the 4th attempt to develop this site in violation of earlier public commitments to preserve it as an active recreation facility in perpetuity. You must include in the Draft EIR a summary of the 3 previous attempts (1980's, 1990's, early 2000's) and why each failed.

6. ACTIVE RECREATION: Public vs. Private—is there any real difference today?

D.22.8

I challenge the word "private" throughout the DEIR to describe recreation activities at the Golden Gateway as both misleading and inaccurate in the light of the recent privatization/fee system imposed on San Francisco's "public" recreation facilities/pools, a fee structure that can exceed prices charged by the "private" Golden Gateway facilities. The term "private" is being used here to minimize the loss

I challenge the word "private" throughout the DEIR to describe recreation activities at the Golden Gateway as both misleading and inaccurate in the light of the recent privatization/fee system imposed on San Francisco's "public" recreation facilities/pools, a fee structure that can exceed prices charged by the "private" Golden Gateway facilities. The term "private" is being used here to minimize the loss of the entire facility for 2-3 years during construction as well as the permanent loss of five (5) of nine (9) tennis courts and the current, family-friendly ground level swimming pools.

D.22.8
cont'd.

The Parks and Recreation Department keeps increasing user fees, reducing hours, and leasing recreation centers to 'private' interests (e.g. martial arts schools, private exercise classes). Today, both the 'private' Golden Gateway facility and 'public' pools are open to anyone who is willing to pay to use them. Neither is free.

7. ADDITIONAL ISSUE TO ADDRESS

Blocking iconic San Francisco views of Telegraph Hill from the Ferry Building, views currently enjoyed by millions of San Francisco and Bay area residents as well as tourists, commuters and office workers. And why? To build **\$2.5-\$5 million+** condos?

D.22.9

Creating Significant and Unavoidable Air Quality problems. The draft EIR documents these impacts as among the most significant, say they will have the greatest affect seniors and children. So the City should put the health of our most vulnerable citizens at risk for the crying public need of... **\$2.5-\$5 million+** condos?

D.22.10

Shadowing of Sue Bierman Park in violation of Prop. K protections.

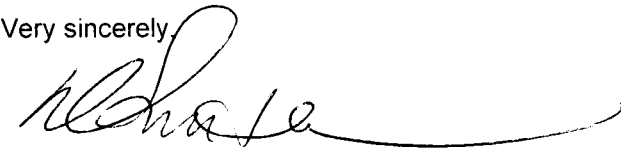
D.22.11

Asian Neighborhood Design (AND) Community Vision Plan. The AND Community Vision Plan must be included in the next revision of the DEIR as an alternative. This Plan has community consensus. The San Francisco Planning Department NES referenced in the DEIR and upon which the proposed project is based, does not. The AND Plan balances revenue generating, open space and active recreation uses across all seawall lots, including Seawall Lot 351, and is both financially and politically feasible.

D.22.12

Thank you for your attention to this matter. I certainly hope that the city of San Francisco does begin to consider its citizens first and recognize there is no better alternative to having the Golden Gateway Tennis and Swim club at its present location.

Very sincerely,



Deborah Smith

SARELLE T. WEISBERG, FAIA
ARCHITECT

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TEL 415 374-7606 • FAX 415 525-4352 • STW33@mindspring.com

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AUG 01 2011
CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
M E S

August 8, 2011

Mr. Bill Wycko, Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear Mr. Wycko,
These are my Comments on the Draft EIR for Washington Street/Seawall Lot 351 Project;
Planning Department Case File No. 2007.0030E:

As a resident of 440 Davis Court, the Golden Gateway apartment building adjacent to the proposed 8 Washington Street/Seawall Lot #351 project, I am sure I am joining many of my neighbors in our residential community that would vastly prefer Section VI, Alternatives to the proposed Project, Alternative A: No Project on that site, as we enjoy the existing relatively residential quality and the valued athletic facilities that exist today. This Alternative does not disturb our immediate neighborhood's relative quiet on streets and pedestrian access opportunities. In addition, the arduous and intrusive, as well as relatively unhealthy, construction period would be avoided.

D.23.1

As Architect and Planner, I must express my knowledge that the time frame that is given in the Draft EIR of 27 to 29 months is totally unrealistic. The engineering complexity to develop a major under-ground parking facility for so many cars (400+), as well as the necessary pilings and structural support systems required for new high rise residential towers, will require at least three to four years of construction down time on this site!

D.23.2

This also raises the issue of whether major construction activity will be desirable, or even legal, during the planned Americus Cup trials and races, scheduled within the next two years, which will require open access all along the Embarcadero, just when the proposed project would be launched!

We also feel that the Planing Commission's endorsement of the Northeast Embarcadero Study, as well as the Port Commission's approval of the project's term sheet, together interfered with the EIR process, as they essentially pre-approved this controversial project before we in the community could comment on the Draft EIR.

D.23.3

Having pursued the Draft Report of June 15, 2011 in some detail, I have a few specific comments and suggestions, in addition to the ones stated above. /As a non-driver myself these days, I have become very sensitive to the pedestrian realm as it exists, and the proposal's focus on Washington Street's becoming a widened 20-foot landscaped sidewalk experience, from the Embarcadero to Drumm Street. I do believe that the plan indicates several significant interruptions along this walkway, seriously endangering this new pedestrian route: (a) all traffic using the new garage will be entering and exiting along Washington Street, which will as well (b) be providing the only drop-off curb-side location serving both the new residences and the proposed commercial tenants. These represent relatively unsafe intrusions along this busy street, and I do not really accept that these will "have less than significant impact" or that the "pedestrian has the right of way" will sufficiently cover my safety concerns. Since Drumm Street has already been designated for deliveries and refuse collection (and will also be interrupting the pedestrian sidewalk), perhaps the garage access could be relocated here?

D.23.4

SARELLE T. WEISBERG, FAIA
ARCHITECT

440 DAVIS COURT #2212 • SAN FRANCISCO, CA 94111
TEL 415 374-7606 • FAX 415 525-4352 • STW33@mindspring.com

Regarding the major housing component, I found no reference to the stated planning goal of the “need to satisfy inclusionary affordable housing” here. What are the alternative options for the developer in San Francisco, as these project units have been described as upscale condos, which does not translate, for me, into “affordable housing.”

D.23.5

In referring back to my concern re the time that completing this project will require, it must be noted, that the number of restrictions and the extent of approvals that this multi-use development must meet, will add significant time and cost before being able to proceed, on the schedule proposed in your Draft. I counted a minimum of eight local and state Commissions and Departments that will have to be consulted and that must ultimately approve this project before it can proceed.

D.23.6

I am aware that if the No Project Alternative were to be the result of comments on this Draft EIR, that does not preclude other developers or sponsors from working toward developing another project on this site, but it would certainly delay our loss of some of the cherished and valuable athletic facilities and the disruption by major construction activities, which is to be desired at this time.

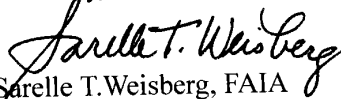
D.23.7

I did not comment on the aesthetics or the shadow studies for this project, as I feel that until the architects have developed their building designs more fully, under the new zoning and other constraints, these aspects will have to come to our attention at a later date. /Some impacts for sustaining quality and health standards are noted as having insignificant impacts, unless an identified level of safety has been noted as required.

D.23.8

I trust these issues will have been addressed in July; as I am unable to attend the City Hall session, the President of the Golden Gateway Tenants Association, William Hannan, will perhaps mention some of them at that time

Sincerely,


Sarelle T. Weisberg, FAIA
(Board Member, GGTA)

Nannie Turrell
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

David Chiu
Board President & District Supervisor
City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689

RECEIVED

AUG 11 2011

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
M E A

Dear Nannie Turrell and David Chiu,

August 9, 2011

RE: DEIR 2007.0030E - Remarks Arising from Planning Commission meeting July 21, 2011

“First life, then spaces, then buildings - the other way around never works.”

I am writing in support of Chapter IV, Alternatives to the Proposed Project, to endorse Alternative A: NO PROJECT.

D.24.1

‘The San Francisco General Plan is designed as a guide to the attainment of the following goals: Protection, preservation and enhancement of the economic, social, cultural, and esthetic values that establish the desirable quality and unique character of the city.’

Improvement of the city as a place for living, by aiding in making it more healthful, safe, pleasant, and satisfying with housing representing good standards for all residents and by providing adequate open spaces and appropriate community facilities.’

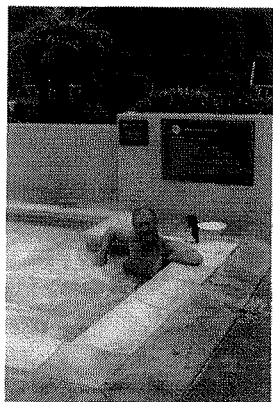
www.sfplanning.org

Approval of 8 Washington Street/Seawall Lot 351 Project thwarts the stated goals of the planning commission: the protection and preservation of social amenities. Demolishing a unique and thriving community recreational facility serving 3,000 plus members and visitors and replacing it with a high rise gated building complex, that shadows and mocks the esthetic values exemplified by the Golden Gateway Development, is an ill-advised precedent for carte blanche over-development of Seawall lots owned/managed by the San Francisco Port.

D.24.2

Points Addressed in this Letter

1. Aesthetics/ Blocking Views
2. Traffic/ Impacts on Pedestrians
3. Recreation
4. Environmental Effects Found to Be Less Than Significant in the NOP/Initial Study pertaining to wind.
5. The proposed project would not result in a significant cumulative impact related to Land Use.
6. A Gated Community
7. The Role of the Port of San Francisco



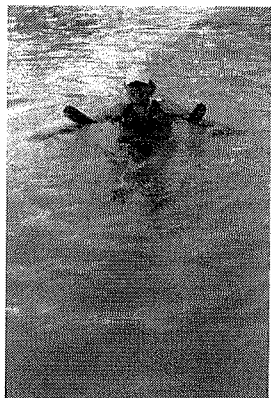
Bill with a Penguin 2011



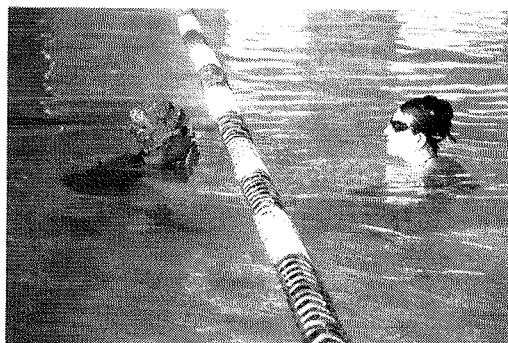
Bob's 85th at the GGT&SC 2007



Dr. Wong



Cynthia



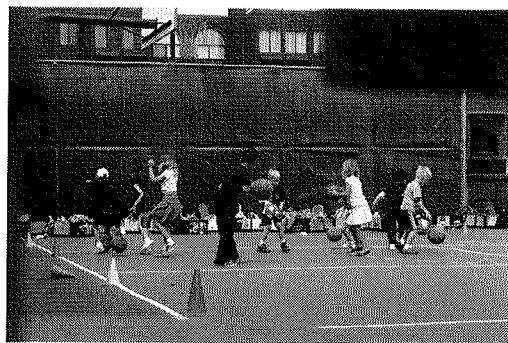
Dr. Karen and Dr. Danielle



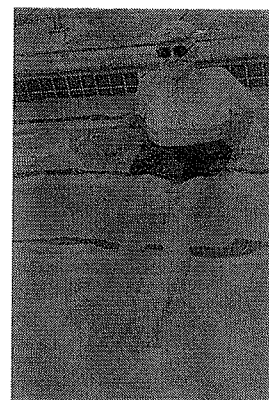
Bob & Cynthia



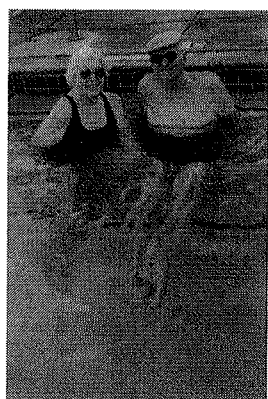
A guest at Bob's 85th



Kid's Camp 2011



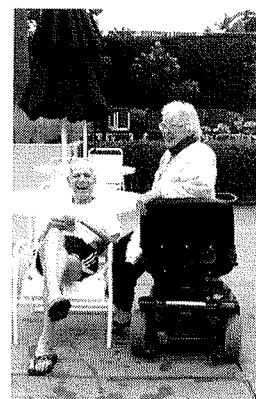
Bob



Annie & Bob



Danielle and George



Professor and Annie

1. AESTHETICS

*'San Francisco is a special place. Foremost is its dramatic physical beauty, created by bay and ocean surrounding a cluster of hills that are often illuminated by brilliant sun or shrouded in silvery fog. The views from these hilltops were given to us inadvertently. The early settlers, in their scramble to forge a new life, imposed a simple grid system on the land. So instead of streets winding themselves around the hills we have streets that can scale the hilltops to reveal extraordinary vistas. **These vistas give us a city that appeals from any perspective and sparks our imagination.**'*

This is the introduction to the general plan published by the San Francisco Planning Commission.

www.sfplanning.org

Impact AE-I:

The proposed project would not substantially affect scenic vistas and scenic resources visible from publicly accessible areas in the project vicinity. (Less than Significant)

IV.A.10 'The proposed project would result in the introduction of residential, retail and restaurant uses to the site.

D.24.3a

The Embarcadero walk from the Ferry Building north is a popular San Francisco activity for both tourists and locals. The Ferry Building provides remarkable local market stalls, shops and services at the start of their walk. There is no reason to shop or eat at the site of the proposed restaurants and shops, one small block into their walk. Nor is anyone on a quest to see a 12 story high rise housing complex (strangely reminiscent of the Bryant & 7th Street San Francisco City Jail) looming over and shading Sue Bierman park.

The tourists who walk along the Embarcadero are on a walking experience– not a buying jaunt. Their goals are to reach Pier 39, or TCHO chocolate tasting, Pier 33 for boat excursions to Alcatraz pier and/or in the future the Exploratorium and Fisherman's Wharf beyond.

Most pedestrians on the Embarcadero walk along the piers on the bay side of the Embarcadero. They do so for the views, both towards the bay and towards Telegraph Hill - best seen from the water's edge side.

The 8 Washington Street Project that aims to replace the car park, is not a pleasing prospect, as the development will in-fill the currently unblocked skyline site lines with bricks and mortar, cast large shadows, and obscure views forever for the hundreds of people living and walking, driving and walking and biking in the area. Additionally, 8 Washington Street/Seawall 351 project has no connection aesthetically to anything around it. This is an inappropriate alien outsized complex pushing its gigantic presence into a perfectly ordered development.

Seawall 351 is presently a useful ground level parking lot – unremarkable, casting no shadows, with ivy on fences and trees on the frontage. It is ripe for a landscaping 'make-over' and a few new trees would smarten it up nicely.

D.24.3b

There are, and have been for years, many empty units in SOMA available for the price point of these projected units. There are many, and have been for years, empty retail/restaurant units one block away in the Embarcadero Center.

D.24.3b
cont'd.

IMPACTS/BLOCKING VIEWS

'Impact LU-2: The Proposed project would not have a substantial impact on the existing character of the vicinity. (Less than Significant.)'

Traveling north of the Ferry Building, along the Embarcadero, the outstanding impression is that no buildings rising more than four stories/ 40 feet limit. The height constraint on the built environment is on a sympathetic human scale. Intentional and protected, the urban planners legislated to ensure a vista that gradually lowers in height, reaching the bay with minimum structural impediments to the iconic views.

This proposed twelve-story development would be a singular blot on the landscape at the proposed position. It would become the only high rise building complex along the Embarcadero north of the Ferry Building. This proposal is a blatant attempt to flaunt planning laws that prohibit buildings rising above four stories and to obscure our vista.

I refer to *'Figure III-1: Existing Use Districts and Figure III-2: Existing Height and Bulk Districts'*.

Strangely, the charts used to justify the erection of a 12 story building only reference buildings to the south of the Ferry Building on the Embarcadero. These maps are irrelevant as they outline buildings that are no where near the area proposed for 8 Washington Street/351 Seawall Lot Project. These two charts referenced should be covering the area to the north of the Ferry Building, starting at Sue Bierman park and covering a mile north westerly direction, which is actually the relevant frontage for height comparisons. Thus, the existing height and bulk districts are erroneously presented as relevant. They are not. They have included no relevant street plans because they would patently show that no such high-rise buildings exist to the north.

The existing policy referenced on page III-5 of the report explains as follows. *'The project would require Conditional Use authorization under Planning Code Section 253 because both buildings would exceed 40 feet in height in an R. district.'*

The authorization for conditional use would have an enormous impact on the character of the vicinity.

The *'Proposed Project Building in Figure IV.B-5 View D-Along Drumm Street, Looking Northeast'*, shows the present view of trees at street level to be replaced with the view of a monumental 12 story tower block situated where open space and trees currently stand. This is a vivid illustration of the enormous impact that we be place on the character of the vicinity.

In *'Figure IV.B-6 View E- along Washington Street, Looking East'*, the new proposed 12 story tower block shown behind the William Heath Davis Building, gives an excellent illustration of how 8 Washington Street/ Seawall 351 Project will be blocking available

D.24.4a

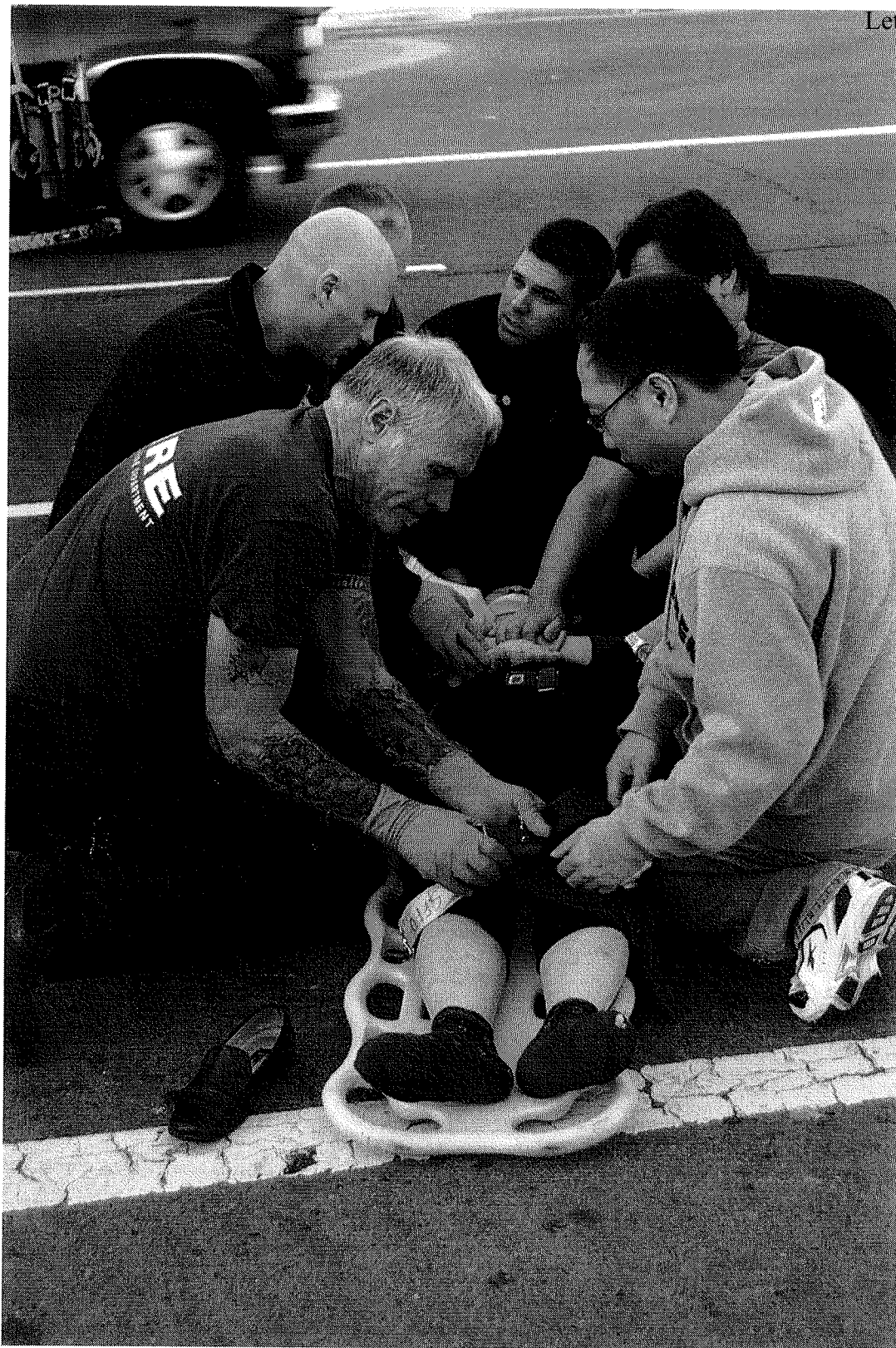
D.24.4b



8 Washington St/
Seawall lot 351



Dec 2008 Bike Hit & Run Embarcadero



light and filling in the sky obviously to the detriment to all who have at present these lovely vistas. And how is it that purchasers for 2.5 million dollars can buy the views provided by 8 Washington Street/ Seawall 351 Project, whilst these views will be obscured for the hundreds of residents currently in residence, who thought they were buying property with these views? (I do not live or own any property in this area but I would certainly not want this to happen next door to me i.e planning rules finessed to take away other's rights purely for the financial gain of developers.

↑ D.24.4b
cont'd.

2. TRAFFIC/IMPACTS ON PEDESTRIANS

The 8 Washington Street/Seawall Lot 351 proposes the following additions;

1. 450 underground parking spaces with an exit/entrance out onto Washington Street
2. A drop off and pick up space catering for the clients of an 8,000 square foot restaurant also located on Washington street,
3. *'A trash area and loading dock area along Drumm street would serve the buildings (i.e. 165 residential units plus restaurants and retail units).*

The loading dock would include three spaces for commercial vehicles plus an adjacent facility where residential and commercial trash would be handled and held for pick-up'.

Page II.8

This proposed Drumm street trash area serving 165 units, retail units, restaurants and the health club, will be situated opposite a similar existing trash area currently serving the 440 unit William Heath Davis building. Numerous large wheeled trash bins, the size of small trucks, line the street 3-4 mornings a week. They motor about and generally obstruct traffic. The proposed trash area and loading dock mirroring the one across the street, will add significantly to the traffic, noise and pollution levels.

D.24.5

This industrial traffic will spill on to the Embarcadero increasing loads and frequency at the intersection of the Embarcadero and Washington street as well as adding to the congestion at the intersections of both Drumm and Washington and Drumm and Jackson.

D.24.6

The Embarcadero is a busy thoroughfare. Cars, bikes, rickshaws, trucks, MUNI buses traveling back to the car barns, tour buses; the congestion is existing and quantifiable now. On Giants game days, there is a back-up of traffic to Bay street in a northerly direction directly affecting Washington and Embarcadero intersection. Accidents occur with regularity and I enclose photographs of a bike hit and run that occurred Dec 2008 at the Embarcadero near Washington street junction.

The proposed site of the 8 Washington/ Seawall 351 Project site is on a quiet tree lined street. The majority of pedestrians carry fruits, nuts, flowers and tennis racquets, against a background of ivy clad fencing system. However, this intersection is one of our cities major thoroughfares. Any proposal that creates intensification of traffic on such levels should be seen to be a frightening prospect for all pedestrians. It should also be seen to have a monumental impact.

D.24.7

3. RECREATION

Cities across the world strive for planning remedies to bring urban centers back to life. San Francisco is fortunate it has a lively urban community-based sports center thriving with activity seven days a week with participating people numbering 2,600 club members, 100 summer camp attendants, plus 1,000's of guests yearly. The Golden Gateway Tennis & Swim Club is San Francisco's premiere 'appropriate facility'. On par fees to all other city and private health clubs, but with stellar open air sports opportunities- this one is a keeper!

-Impact RE-3: The proposed project would not have a significant adverse effect on recreational opportunities. (Less than Significant)

- 'Impact RE-4: The proposed project would not result in a significant impact related to Recreation. (Less than Significant).

- 'Current members who chose not to re-join the athletic club would need to find alternative recreation opportunities elsewhere.

Every single one of the 2,300 members will need to find alternative recreation opportunities elsewhere, initially for at least three years, whether they plan to re-join or not. The Golden Gateway Development is physically connected of the Golden Gateway Tennis & Swim Club with the exercise area accessible from the William Heath Davis building. The pools and courts are located opposite with club participants walking, hobbling, scooting on their mobility scooters or jogging over to the club. However, many members are senior citizens, women with small children, people with disabilities, with no form of transport and additionally there are no nearby direct buses to any of the alternatives mentioned in the DEIR.

Actually, individual tennis courts, local municipal pools, random basketball courts miles away from the site of the Golden Gate Tennis & Swim Club provide no alternative whatsoever because Golden Gate Tennis & Swim Club is a well established community based entity, with continuity of membership and a shared communal interest in playing tennis together, swimming together, playing basketball together, working out in the gym side by side, sharing tips, trends and company.

The alternative put forward by the developers when they demolish this center is that people can 'go somewhere else'. Where?

- No club in the city has two open-air pools at ground level.
- No club in the city has nine open-air tennis courts.
- Add an outdoor basketball court and you have a list of facilities that no club or YMCA, or public tennis court/public pool locations can match.
- Sports activities are community activities, not solo, and clubs offer interactions on a personal level.
- The only city venue that mirrors the above criteria is The Golden Gate Tennis & Swim Club.

D.24.8



Two miles away the UCSF Mission Bay Club has two pools, one heavily chlorinated indoor pool, and 4 stories up, made of stainless steel, situated on a windswept roof rendering it highly unsuitable for family sports activity, is an outdoor pool. Even so, two miles away, as opposed to two minutes away makes for a preposterous community 'alternative'.

D.24.8
cont'd.

4. 'Intro. 4. Environmental Effects Found to Be Less Than Significant in the NOP/Initial Study pertaining to wind'.

D.24.9

'Because the proposed project would be...up to 12 stories, there is a potential from greater impacts related to wind.' Donald Ballantini, Certified Consulting Meteorologist, is quoted as ruling out any problems concerning the proposed development. It would be prudent to hear from a meteorologist who would present a counter-argument.

[Jan Gehl, Architect, author of Life Between Buildings, ... all buildings over 5 stories will create wind channels that are unpredictable in their direction with extraordinary wind patterns circulating from both above and from below. Wind levels at the foot of a high rise, notated as any building over 5 stories, are 4 times stronger and may come from all directions in hard gusts.]

5. 'Impact LU-3: The proposed project would not result in a significant cumulative impact related to Land Use. (Less than Significant.)'

D.24.10

'The policies currently in the San Francisco Bay Plan are in the process of being amended. These policies generally discourage building in shoreline areas that are vulnerable to current or future flooding (San Francisco Bay Plan, Safety of Fills).'

www.paladinlaw.com

8 Washington Street/Seawall 351 Project proposes to build the only underground car park servicing a high-rise building directly on the Embarcadero, which is land fill. Such proposed engineering is a radical departure from the status quo whereby it would appear that no other such underground car parks exist on the Embarcadero Seawall lands.

6. A GATED COMMUNITY

'II.2 'A private central courtyard accessible to residents, would be located in the ground floor area between the two buildings'

D.24.11

If this project is approved, San Francisco will gain short-term cash benefits, in exchange for allowing the protected height limits to be flaunted. San Francisco will exchange a protected vista, a homogenous community base, for a 12- story luxury gated complex.

I challenge whether the Planning Commission's decision makers appointed agenda is to destroy such a singular amenity that over 3,000 people currently benefit from and replace it with a gated community for millionaires. San Francisco depends on you to make honorable and equitable decisions that protect and preserve our valuable city.

7. PORT OF SAN FRANCISCO

'The Port of San Francisco is a public enterprise committed to promoting a balance of maritime, recreational, industrial, transportation, public access and commercial activities on a self-supporting basis through appropriate management and development of the waterfront for the benefit of the public.

D.24.12

In 1968, the State transferred its responsibilities for the San Francisco waterfront to the City and County of San Francisco through the Burton Act. As a condition of the transfer, the State required the City to create a Port Commission that has the authority to manage the San Francisco waterfront for the citizens of California. Although the Port is a department of the City and County of San Francisco, the Port receives no financial support from the City, and relies almost solely on the leasing of Port property for its revenues.' www.sfport.com

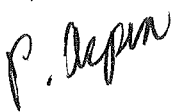
If the Port of San Francisco has ultimate jurisdiction over usage of Seawall Lot 351, what powers i.e. rights and decisions does the San Francisco Planning Commission have over such projects as 8 Washington Street/ Seawall 351 Project, which appears to have been developed primarily for the extraordinary amount of revenue to be reaped for the benefit of the Port of San Francisco/ State of California?

If the Port of San Francisco has the ultimate say in re-shaping its Seawall Properties along the Embarcadero into a newly constructed cement corridor of high rise buildings to reap such revenue, is there any point in rebuttal to 8 Washington Street/Seawall 351 Project?

'Throwing the baby out with the bathwater', an English saying, comes to mind with the actions of the Port of San Francisco Authority. Selling off and developing its seawall properties while flaunting the building height restrictions, to build high-rise buildings along the Embarcadero, will 100% block the very vistas that people come to see and the Port of San Francisco is meant to be protecting and promoting.

8 Washington Street/ Seawall 351 Project provides no real recreational, maritime, nor public access benefits, but instead heralds the erection of the Embarcadero's first luxury high rise gated community that will begin the blot on the landscape that will surely be mimicked by more such projects as the Port of San Francisco sells off and develops more 'block-the-vista tower blocks' to further shadow our city's pride.

Regards,



Paula Eve Aspin
25 Prosper Street
San Francisco, CA 94114

I have written this letter as a San Francisco resident, property owner, employee in the San Francisco hospitality industry, registered voter, and member of The Golden Gateway Tennis & Swim Club.



"Richard Cardello"
<richard@cardelldesign.com>
>

08/09/2011 12:37 PM

To <Nannie.Turrell@sfgov.org>

cc <dzlu@googlegroups.com>, "Tina Moylan"
<tinamoysf@yahoo.com>

bcc

Subject RE: RHN / DZLU -- 8 WASHINGTON STREET --
BLOCK/LOT: 168/58, 171/69, 201/12, SEAWALL 351
(201/13)

Nannie R. Turrell, Senior Environmental Planner
1650 Mission Street, Suite 400
San Francisco, CA 94103
nannie.turrell@sfgov.org

t. (415) 575-9047
f. (415) 558-6409

Nannie

Thank you for sending the "hugely voluminous" DEIR (Draft Environmental Impact Report) to me for the proposed 8 Washington / Seawall Lot 351 Project (SF Case no. 2007.0030E, CA no. 2007122027).

Although I certainly have not had time to read the entire document, I have begun to look at particular areas of it.

Certainly, such complex projects are dynamic and go through an evolutionary process. / If this proposed project were to have further revision, which differs from the project studied in the DEIR, how would these differences be accommodated by the DEIR?

D.25.1

The current condition has Jackson and Pacific Streets stop at Drumm Street with no direct pedestrian access to the Embarcadero due to the existing Club. The developers seem to have addressed this by creating direct pedestrian access.

D.25.2

Also, I am personally concerned about the "public scenic views", particularly the view of Coit Tower from the Ferry Building and North along the Embarcadero, and conversely, the view of the Ferry Building from the Coit Tower parking lot. What weight was given to this in the DEIR?

D.25.3

Please keep me posted, and thank you again for being so helpful and informative.

Has this project been assigned to a specific planner? If so, who?

Richard

Richard Cardello
999 Green #903
San Francisco, California 94133

Tel 415.923.5810
Fax 415.923.5812
E richard@cardellodesign.com
W www.cardellodesign.com

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

From: Richard Cardello [mailto:richard@cardellodesign.com]
Sent: Tuesday, August 02, 2011 3:08 PM
To: 'Nannie.Turrell@sfgov.org'
Subject: RE: RHN / DZLU -- 8 WASHINGTON STREET -- BLOCK/LOT: 168/58,
171/69, 201/12, SEAWALL 351 (201/13)

Nannie

Thank you so much for providing this information.
I very much appreciate any additional information you can provide as
it arises, regarding 8 Washington.
Richard

Richard Cardello
999 Green #903
San Francisco, California 94133

Tel 415.923.5810
Fax 415.923.5812
E richard@cardellodesign.com
W www.cardellodesign.com

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

From: Nannie.Turrell@sfgov.org [mailto:Nannie.Turrell@sfgov.org]
Sent: Tuesday, August 02, 2011 3:00 PM
To: Richard Cardello
Subject: Re: RHN / DZLU -- 8 WASHINGTON STREET -- BLOCK/LOT: 168/58,
171/69, 201/12, SEAWALL 351 (201/13)

This is the answer I received concerning the definition of
"high-rise":

"High-rise" is a term of art in the building code for a building that is 75' or more. Buildings of such height trigger different building code requirements.

Nannie R. Turrell, Senior Environmental Planner
1650 Mission Street, Suite 400
San Francisco, CA 94103
nannie.turrell@sfgov.org

t. (415) 575-9047

f. (415) 558-6409

"Richard

Cardello"

<richard@cardello

To

design.com>

<nannie.turrell@sfgov.org>

cc

07/29/2011 04:49

<dzlu@googlegroups.com>

PM

Subject

RHN / DZLU -- 8 WASHINGTON

STREET

-- BLOCK/LOT: 168/58,

171/69,

201/12, SEAWALL 351

(201/13)

Nannie Turrell
SF Planning, Environmental Review
415.575.9047

Nannie:

Thank you once again for being so helpful and informative over the phone this afternoon.

As we discussed, there seem to be quite diverse points of opposition to the proposed development.

One that I am interested in focusing on at this point are height limits.

My understanding from you, is that the current zoning for the blocks/lots

in question is eighty-five feet (85) -- 84-E height and bulk.

People have been using the term hi-rise, and I am wondering if there is a

specific legal / planning definition of that term what is a hi-rise?

Can you tell me the height of the adjacent existing Golden Gateway buildings?

Another point of opposition concerns public view, specifically the view

of Coit Tower from the Ferry Building and from along the Embarcadero. Has

this issue been addressed in the DEIR? Section?

I look forward to receiving the hard copy of the magnum opus from you.

D.25.4

Any additional information you think relevant, will be greatly appreciated.

I hope you have a wonderful weekend.
Richard

Richard Cardello
999 Green #903
San Francisco, California 94133

Tel 415.923.5810
Fax 415.923.5812
E richard@cardellodesign.com
W www.cardellodesign.com



"Charles Dutkin "
 <cdutkin@comcast.net>
 08/10/2011 04:35 PM

To <Nannie.turrell@sfgov.org>
 cc <Coaches@fogg.us>, <David.chiu@sfgov.org>
 bcc

Subject Objection To DEIR, Section H. Recreation - 8 Washington
 Street Project, As Inadequate

Although the City and County of San Francisco has not formally adopted significance thresholds for impacts related to recreation, the Planning Department Initial Study Checklist form provides a framework of topics to be considered in evaluating potential impacts under CEQA. Among such impacts is: Physically degrade existing recreational resources (IV.H.8).

The Impact Evaluation, Impact RE-3: The proposed project would not have a significant adverse effect on recreational opportunities (Less than Significant) is inadequate in at least 2 respects: **D.26.1**

1. The Evaluation assumes that after construction, the replacement facilities would remain open to membership by the general public, as non-residents of the proposed condominiums, and without significant restrictions favoring condominium owners and their guests.
 So the impact on Recreation is deemed less than significant.

However, what if the facts after construction are substantially different? Virtually unrestricted public access to membership in lively, often noisy, outdoor recreational facilities located in the common area of a compact urban condominium development, with such facilities in close proximity to residences (perhaps including as many as 1,300 public memberships after the attrition of 300 tennis members), where public members outnumber residents at least 5 or perhaps 10 to 1, has no precedent. An adequate DEIR would not assume that this would be the result, especially when the target market of the developer are purchasers qualified at \$2.5 million and above, many of whom likely have had or desire their own private pool and/or tennis court.

A memorandum from Monique Moyer dated 2/19/2009 to members of the Port Commission requesting approval of SWL 351 to be part of the 8 Washington project summarized the result of the transaction as follows: "The condominiums would be sold. The developer would lease the retail and restaurant portions of the project to private operators. The developer or future transferee would own the private recreation club."

Perhaps changes have been made to the Port's and the developer's strategies since that memorandum, but in the event the gist of that plan remains intact, the DEIR and Planning Commission should consider this: we know of no prior interest or experience by the developer in the operation of such club facilities, and also consider the reasonable assumption that the developer would instead intend to, at some point after garnering approvals and purchasing the lots, to next obligate himself to transfer the ownership of the recreation club to the condominium Homeowners Assn so that the listed Sales Prices actually made sense to prospective purchasers.



The DEIR does not question whether the general public will be protected on an ongoing basis, and whether the condominium owners and Homeowners Assn will be bound, by proper legal documents creating protective legal arrangements running with the land. No exhibits in this regard are made part of the DEIR. For this reason the DEIR is inadequate and should be rejected.

D.26.1
cont'd.

2. The Evaluation assumes that during the years of construction that the facilities of the North Beach Pool and of the UCSF Mission Bay will be available, and so the differences are only in distance, cost, and quality of these other facilities, thus "at least some of the changes would result in social rather than environmental impacts" (IV.H.13).

D.26.2

But what if these other facilities were not in fact available? Clearly, an environmental impact should result from the closing for years of the existing recreational facilities to Embarcadero office workers pressed for time, and for the thousands of residents in the area and kids alike if alternative facilities are in reality unavailable.

Beginning in September the North Beach Pool will be closed both Sundays and Mondays. On Tuesday and Thursdays it will not open for lap swimming until 10:00 am and then only until 11:30. On Tuesdays, Fridays and Saturdays there is no lap swimming at the lunch hour.

During the critical opening hours of 5:30 am - 8:30 am on Mondays, Wednesdays, and Fridays, the UCSF rooftop pool has only 2 lanes available for lap swimming. Only 2 lanes are available Saturday mornings as well from 7:30 - 9:00.

By contrast all facilities of the Golden Gateway Tennis and Swim Club are open every day of the year, with the exception of Christmas, from 5:30 am weekdays and from 7:00 am on the weekends. The entirety of the 6 lane larger pool is wholly allocated to lap swimming each and every day, all day long, and every lane remains fully utilized continuously all day until closing.

The DEIR did not include a review of the days the alternative facilities are closed, the limited hours available for lap swimming when they are open, and the restricted numbers of lanes made available to lap swimmers. The DEIR was predicated on only the existence of alternative facilities without examining the substance of the alternative offerings. The DEIR is therefore inadequate and so for this reason too, it should be rejected.

RECEIVED

AUG 1 2011

Nannie Turrell
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

August 10, 2011

CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
M E A

RE: 8 Washington Street/Seawall 351 project
Planning Dept. Case File 2007.0030E

Dear Ms.Turrell,

After further reviewing the DEIR for this project and watching the June 21 hearing I have found several more important points that have not been addressed in this document.

They are as follows:

- 1.The proposed Design for 8 Washington does not come close to meeting the present Planning Code height limit for this zone. Nor does it meet the newly proposed, but not adopted, heights shown in the Northeast Waterfront Study. This fact should certainly be included in The EIR.
2. The proposed project also does not come close to meeting the bulk limits shown in section 270 of the SF Planning Code. Again, this fact must be included in The EIR.

D.27.1

I have previously made additional comments about this DEIR for the subject project and for the sake of brevity I won't reiterate them here. But, please refer to my letter and diagrams which I sent to William Wycko on July 19,2011. I have enclosed a copy of this letter. Both of these letters should be part of the record.

Sincerely,

Robert J. Geering FAIA



Reinhard Ludke
<rludke@cdengineers.com>

08/12/2011 12:52 PM

To "Nannie.turrell@sfgov.org" <Nannie.turrell@sfgov.org>,
"David.chiu@sfgov.org" <David.chiu@sfgov.org>,
"Ed.Lee@sfgov.org" <Ed.Lee@sfgov.org>

cc

bcc

Subject 8 Washington Street Luxury Condomiums EIR

Ms. Turrell
Mr. Chiu
Honorable Mayor Lee

I request that the City of San Francisco Planning Department and the Planning Commission respond to the questions and consider the issues that I raise in the attached letter.

Reinhard Ludke, S.E.
170 Columbus Avenue, # 240
San Francisco, California 94133



GGTSC SF Planning Letter 110810.pdf

August 10, 2011

San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Attn: Nannie Turrell
Nannie.turrell@sfgov.org

Subject: 8 Washington Street Development
Planning Commission and EIR
Golden Gateway Tennis & Swim Club

Dear Ms. Turrell:

The City has authorized construction of 1000's of luxury high rise condominium projects along the waterfront in the past 10 years. Many of these luxury housing units are unsold or sit empty because wealthy absentee owners don't even live in them. The proposed 8 Washington Street luxury condominium project will replace an open, sunny, parklike, recreation center, with a dense, high, shadow creating barrier that eliminates a unique San Francisco neighborhood recreation asset. The proposed project creates an 85 feet high tall wall along the Embarcadero, Washington, and Drumm streets. It cast shadows and eliminates the existing open vista along the Embarcadero. I know the City, the Port and the Developer see only the money from the development and luxury condominiums. The price to San Francisco and our community is losing an open sunny park space; a unique, accessible, and diverse recreation site in the Chinatown, Telegraph Hill, and Financial District neighborhood(s); eliminates access to healthy exercise for 100,000 local people. The project violates development agreements stipulated by the City when the Golden Gateway Residential buildings were authorized by the Planning Commission. It makes no sense to add a high rise building, adjacent to the parks across the street including the recently improved public park at the Drumm/Washington/Embarcadero. The last thing San Francisco needs is another luxury condominium building that creates urban canyons, shadow, and wind along the waterfront. Make the right choice - SAVE RECREATION, HEALTH, OPEN SPACE AND A NEIGHBORHOOD and reject this development plan.

D.28.1

I strongly support maintaining the health, exercise, children camps, and recreation provided by the existing Golden Gateway Tennis & Swim Club. The club is one of the only outdoor lap swimming pools in the City and has nine (9) tennis courts. It is a unique recreation facility in San Francisco, and available to everyone.

D.28.2

Assets of the existing facility:

- Outside swimming pools – in the sun (not blocked by a high rise luxury condo building)
- Close to neighborhoods and financial district – making it accessible by walking to 100,000 people
- Senior water exercise, aerobics, and healthy life classes
- Kids camps

- Swim and tennis lessons
- Nine tennis courts fully booked within 10 minutes of sign up commencement every day of the week!

D.28.2
cont'd.

A project "goal" (Pg II.14) is to "help meet the projected City housing needs". The condo construction cost is over \$2 million/unit with sale prices of \$2.5million up to \$6-8 million for a penthouse. The residents of these luxury condos will not use public transit. .

D.28.3

EIR Question: How does this project meet the City of *San Francisco's* affordable and middle-income housing goals. *It does not.*

EIR Question: These luxury condos and parking structure will generate more local traffic and add to traffic and air pollution. Where does the EIR address these traffic and air quality issues?

D.28.4

Public vs. Private the EIR purposely distorts reality to tell a "negative" story.

D.28.5a


One can argue that a church is PRIVATE. Members of the congregation pay for the church and pastor. A recreation club like the GGTSC has members who pay to have recreation, swim and exercise. To many this part of their daily life is spiritual, healthy, and positive – not unlike attending church. The City of San Francisco swimming pools are PRIVATE – you have to pay to use the pool? This is the distortion represented in the EIR. This is also true of other Park & recreation facilities and field use. Pay to play – no longer a "free" public resource – the City collects taxes – and still charges for use? Anyone can pay the daily or monthly fee to use GGTSC. There is no discrimination.

EIR Comment: Remove the word "private", to describe the club, throughout the DEIR and modify the document to remove distortions of truth and fact.

I and many other members can use this facility during the day because of the location near our home and office. It is an oasis in the city that provides a welcome separation from business, work and stress. The popularity of the facility is demonstrated by lap lanes full of swimmers, summer camps full of laughter and happy children, and nine full tennis courts with practice and matches all day long. Do not certify the EIR and do not approve this project. Don't destroy our neighborhood, park, and recreation.

D.28.5b

Respectfully yours,



Reinhard Ludke, SE

Cc: Kate McGee
Edward Lee
David Chiu

City Planner – kate.mcgee@sfgov.org
Mayor of San Francisco
Board of Supervisors President and District 3 Supervisor



Eric McGhee
<emcghee73@gmail.com>
08/10/2011 10:11 PM

To Nannie.turrell@sfgov.org
cc David.chiu@sfgov.org
bcc
Subject Draft EIR

I am writing this message to express my concerns about certain aspects of the draft environmental impact report (EIR) for the 8 Washington Street luxury condominium and underground parking garage project.

First, the proposed project clearly violates the city's Transit First policy through the construction of a large, 420-car underground garage. This despite the 459 off-street parking spaces currently available adjacent to the project space, as detailed in Table IV.D-3 on page IV.D.15 of the EIR. I do not understand how a city that seeks to encourage the use of transit could believe that such a project is consistent with that goal, especially since the new housing units will cater to wealthy residents who are least likely to use transit. [The No Project Alternative is environmentally superior because it eliminates the need to build this congestion-inducing garage.

D.29.1

D.29.2

Second, the city has made a commitment to the America's Cup to use "all lawful means to restrict noise and debris generating activities" next to the Regatta site. The underground garage will remove massive amounts of earth, requiring untold amounts of "noise and debris" right during the Cup. It is upsetting that the project developers believe they can exempt themselves from the city's prior commitments in this fashion.

D.29.3

Thank you for considering my concerns as part of the project review.

Sincerely,
Eric McGhee

Stan G. Roman
3725 20th Street
San Francisco, CA 94110

August 10, 2011

Ms. Nannie Turrell
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

re: 8 Washington Street Draft Environmental Impact Report

Dear San Francisco Planning Department:

I write to express my deep concern with the draft EIR that has been prepared for this project, as well as to voice my overall opposition to the project.

By way of background, I have practiced law in San Francisco for 32 years. My wife and I moved to the City directly out of college, despite no ties here, because it is the most beautiful and enchanting city in the world. Despite many pressures, we stayed in the City and raised three sons in the Mission District. I have swum at the Golden Gateway Tennis and Swim Club (which is near my office) almost every day since 1995. Our children attended summer camps there. We love the City and hate to see it hurt.

I am opposed to the proposed condominium development for two reasons:

1. As a San Francisco resident, I think it would be an abomination to place a massive, multi-story condominium complex on what, since the 1989 earthquake, has become a jewel of a waterfront. I think you already allowed the Southern end of the Embarcadero to be compromised with the two restaurants and hotel directly on the street. But north of that is currently delightful open space along the Embarcadero – a pleasure to walk or drive along. Moving along that street, with piers to one side, and views of San Francisco's hills and skyscrapers on the other and then - **wham**, a huge, chunky condo building right on the waterfront. I cannot imagine that a planning department looking out for the greatness of San Francisco could possibly approve such a thing. There are multiple other locations for condos. There is no compelling need to destroy the Embarcadero waterfront that should belong to all residents of the City for a developer or a few parking spaces. Some have said that the Golden Gateway club is not such a beautiful sight along the Embarcadero, either. But it is much better than a huge condo complex would be because it allows the feeling of open space. And with clear (rather than green) enclosures the club would be an interesting enhancement of the waterfront's look and feel

2. It would be a true shame to get rid of the open recreational space offered by the Golden Gateway Tennis & Swim Club. I cannot think of anything like it in other

D.30.1

great cities. It has long been a very important part of the lives of a great many City residents.

↑ D.30.1,
cont'd

More specifically, I have read the draft EIR that you are considering and have the following concerns in addition to my general opposition to the project:

1. Recreational alternatives. The EIT suggests that there are ample alternatives for the users of the “private” GGTSC club. That ignores reality. It is not a “private” club in any real sense. There is not any waiting time or any requirements for any City resident to use the facility, and it is cheaper than “public” facilities suggested as alternatives. And anyone who says that the alternatives listed in the draft EIR are actually acceptable alternatives (particularly for the many older users of the GGTSC) is not being honest.

D.30.2

2. America’s Cup. The report does not adequately consider what the impact would be of having massive construction going on when we are showing our city off to the world. Even if active construction were held in abeyance during races, the blight of the sight would be awful.

D.30.3

3. Housing impact. The suggestion that the proposed project would address San Francisco’s housing needs is ludicrous. The few high-end condos it would provide are already (or could be) available elsewhere, and would likely be owned in significant part by non-residents. The low income housing that would be funded by the project would be negligible because based on the number of units in the project, not its value or impact.

D.30.4

4. Water table issues. I understand that the project will extend far below the water table, which is rising as is the water level in the Bay. I am not an engineer, but the draft EIR does not seem to adequately address this very significant issue.

D.30.5

Finally, I do not believe that these issues can be adequately addressed by modifications of this massive project, nor do I believe that any project alternative would address my concerns. I do believe that the Asian Neighborhood Design is certainly preferable to the currently proposed condo plan and it would seem to me should be considered as an alternative in the DEIR.

D.30.6

I thank you for your consideration of my views.

Sincerely,



Stan G. Roman

cc: David Chiu



Mstgeme@aol.com
08/10/2011 09:15 PM

To nannie.turrell@sfgov.org, david.chiu@sfgov.org
cc coaches@fogg.us
bcc
Subject DEIR 8 WASHINGTON PROJECT

I am a resident of the Waterfront neighborhood and reside at the intersection of Broadway and the Embarcadero. I have a bird's eye view of one of the busiest intersections in the City and I am writing to protest the DEIR for the 8 Washington Development which was presented to the Planning Commission on July 21, 2011.

D.31.1

As a resident of the NE Waterfront neighborhood for seventeen years, I find the city's denial of the well-being of thousands of fellow residents to be reprehensible.

I protest the findings of the DEIR that denies the effect of increased traffic, pedestrian safety, and upscale housing of the proposed development. Most of all, I disagree with the finding that this area has sufficient active recreation opportunities for the residents. The citing of Portsmouth Park as meeting the needs of our community for active recreation is insulting.

The Golden Gateway Tennis and Swim Club is private only in the sense that the YMCA is private. Monthly dues are required but membership is open and not controlled by a private group or board. It is central to the opportunity for active recreation for hundreds of residents of this neighborhood and open to all city residents.

D.31.2

This is the fourth attempt to develop this site since the 1980's, in violation of earlier public commitments. What makes this application for development any different than those of the past?

D.31.3

I am a senior member of the Golden Gateway Tennis and Swim Club and depend upon the facilities in my neighborhood for therapeutic exercise. I am not a person of great means and consider this "amenity" part of the civic compact to provide a safe and healthy environment for tax paying citizens of San Francisco.

D.31.4

I have observed the traffic patterns on the Embarcadero go from bad to worse over the past fifteen years. This development, which includes underground parking, will worsen the present bumper to bumper traffic every single day of the week, even in the attempt to divert vehicular traffic onto quieter adjacent streets.

D.31.5

Please consider the negative impact of this development on a vibrant new neighborhood of thousands in the Northeast Waterfront area.

Sincerely,
Monica St.Geme
640 Davis St. #14
San Francisco, CA 94111



"d amstein"
 <dm_amstein@comcast.net>
 08/11/2011 11:54 PM

To <Nannie.turrell@sfgov.org>
 cc <David.chiu@sfgov.org>
 bcc

Subject Citizen comments on the 8 Washington project DEIR

Nannie Turrell
 San Francisco Planning Department
 1650 Mission Street, Suite 400
 San Francisco, CA 94103

Assumptions. The 8 Washington DEIR is full of them. In my professional life, I deal with assumptions on a daily basis. I conduct training about assumptions. When I ask my trainees "what is an assumption?", I get many blank stares. It is a word that we use frequently, yet many of us do not know the definition. An assumption is something that we believe to be true at the point in time that it is stated. What I have learned over many years is that assumptions more often than not turn out to not be true months or years down the road.

And that is the fatal flaw of the 8 Washington DEIR. There are so many assumptions about how well things will turn out that it would be hard to make the tough decision to stop this project before it sees the light of day. Yet, if you factor in the fact that over 50% of those assumptions will turn out to be NOT true, you are left with only one conclusion; this is the WRONG project, at the WRONG time, at the WRONG place.

I live in a condo complex less than a mile from the Golden Gateway Tennis and Swim Club of which I am a member. The assumption when my condo complex was built was that one of the buildings would be dedicated to senior housing and therefore did not need parking spaces or fully functional kitchens, and the bedrooms and living areas were small. At the last minute, something changed and the City abandoned the senior housing requirement. That building is now predominantly rental units because the owners move out once they have children. A bad outcome all the way around.

So, the 8 Washington DEIR assumes:

1. that there will be no traffic congestion problems, D.32.1
2. that all the new residents of the \$2M+ condos will gladly use public transportation that is currently inadequate today (try climbing on a trolley during tourist season), D.32.2
3. that the members of the current club will find club memberships at nearby facilities that are clearly not able to add the capacity that will besiege them, D.32.3
4. that 3 to 4 years down the road the owners of the new club on the 8 Washington property will gladly accept all those current club members into the fold no questions asked, D.32.4
5. and last but not least, that locals and tourists will gladly rejoice at the inability to view Coit Tower as they stroll the Embarcadero due the preposterous height of the proposed building. D.32.5

I beg you to come to your senses and reject the 8 Washington project. It is the WRONG project, at the WRONG time, at the WRONG place.

San Francisco can do better.

Douglas Arnstein
415-291-9650 h
415-793-7504 m
dm_arnstein@comcast.net

August 12, 2011

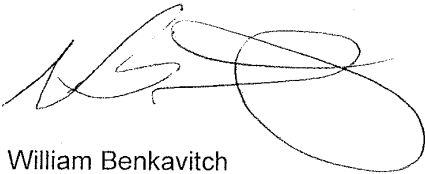
Bill Wycko, Environmental Review Officer
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Subj: Additional Comments Draft Environmental Impact Report for
8 Washington Street/Seawall Lot 351 Case No. 2007.0030E

Dear Mr. Wycko,

Please find attached an email I sent to Ms. Nannie Turrell dated August 11, 2011.

Please add this email to my letter to you dated August 5, 2011.

A handwritten signature in black ink, appearing to read 'W. Benkavitch', with a large, stylized loop at the end.

William Benkavitch
19 Whaleship Plaza
San Francisco CA 94111
bill.benkavitch@gmail.com



Bill Benkavitch <bill.benkavitch@gmail.com>

Additional Comments on Draft Environmental Impact Report for 8 Washington Street/Seawall Lot 351 - Case No.2007.0030E

2 messages

Bill Benkavitch <bill.benkavitch@gmail.com>

Thu, Aug 11, 2011 at 6:23 PM

To: nannie.turrell@sfgov.org

Cc: David Chiu <david.chiu@sfgov.org>, Coaches@fogg.us

Dear Ms. Turrell,

Please add these additional comments to the email I sent to you on August 6, 2011.

RECREATION - Request for more information to be included in next DEIR.

D.33.1a

There is no analysis on the number of people who will be negatively impacted by the loss of the existing tennis programs should this project be built. It is the tennis courts that are being demolished and there is a significant impact which is not addressed in the DEIR.

Request that the next DEIR provide the following analysis. A chart and/or table listing each existing program and the number of people who participate. Include the programs listed below as a minimum. Request this review cover at least the past 3 years so a trend can be established. All this information is readily available. Include data source so that information can be verified independently.

Specifically discuss the USTA Adult League Program including Men's, Women's, Senior, Combo Leagues. Include the number of players who participate, not just members of the GGTSC but all teams in the USTA Adult League who play matches at the GGTSC. List all teams and number of players on each.

Specifically discuss tennis lessons, both individual and group lessons and identify numbers both of GGTSC members and non-members. Include gender.

Specifically discuss the Circuit tennis program available and identify the numbers of players. Include gender.

Specifically identify the high school and college tennis teams that practice at the GGTSC and the number of players. Include gender.

Specifically discuss the junior tennis programs at the GGTSC and the number of players. Include gender.

Specifically discuss the tennis component of the Kids Camp program at the GGTSC and the number of kids in it. Include both GGTSC members and non-members. Include gender.

Specifically discuss spontaneous tennis and the number of players. Analyze how spontaneous play is managed in context with the other tennis programs.

Specifically provide the number of guests who play tennis at the GGTSC, including where they are from. Include gender.

Assess the impact on the existing tennis staff should the proposed project be built. Include number of existing



positions and number of positions should the proposed project be built.

D.33.1a
cont'd.

Concerning the analysis requested here, provide details about the consultant who prepares this information. This should include the consultant name, qualifications and previous experience doing the same or similar type of analysis. Further, request that the DEIR include the consultant work history with the developer of the proposed project and whether the consultant - or any of its principals and staff, past or present - have a financial interest in having this proposed project approved.

D.33.1b

As stated in my previous email, the DEIR is incorrect about no significant impact to Recreation. When these existing programs are viewed in the aggregate, it is illogical for the DEIR to state that there is no significant impact on Recreation. The information requested here will clearly show this.

D.33.1c

I look forward to seeing the requested information in the next DEIR.

Bill Benkavitch
19 Whaleship Plaza
San Francisco, CA 94111



"Liz Doyle"
<liz.doyle@sbcglobal.net>
08/11/2011 10:54 PM

To <nannie.turrell@sfgov.org>
cc
bcc
Subject Fw: DEIR Washington Plan

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

From: Liz Doyle
To: nannie.turrell@sfgov.org
Cc: Coaches@fogg.us ; board of supes
Sent: Thursday, August 11, 2011 1:17 PM
Subject: DEIR Washington Plan

Regarding the DEIR for 8 Washington Condo Development Plan

I very much object to the planned change to the Tennis and Swim Club on Drumm St. I have been a member for 6 years at a very reasonable cost per year, the equivalent of one dinner for two at a restaurant and attend their water aerobics classes 3 times a week.

D.34.1

The thought of the club being closed for three years is horrible. However that is not my main objection. **My reason** is the loss of the recreational feel that the pool and lawn area have at ground level, especially for families wanting to picnic and just hang out.

D.34.2

The loss of the lawn will be a great shame and the putting of the pools on the second level has to increase the wind and for the children and the elderly, it will be most uncomfortable.

Right now we have a very pleasing to the eye, gathering place for young and old. Hundreds of children attend swimming lessons and tennis camps. The elderly find great comfort in the recreational pool and the exposure to the outdoors. Open to all and a valuable asset to the city that wants to attract more families, the club is a gem.

To a city that says it wants to reduce the number of cars on the road, I suggest that instead of another parking lot that we concentrate on developing more ferries from the East and the Southern areas. We will need these desperately when the Exploratorium transitions to the Embarcadero and the American Cup begins.

D.34.3

I too dislike the parking lots along the Embarcadero but please find a solution that leaves the club and it's atmosphere intact.

Sincerely
Leah Doyle
640 Davis St. #11
SF 94111

EDWARD HELFELD

August 11, 2011

Bill Wycko, Environmental Review Officer
 San Francisco Planning Department
 1650 Mission Street, Suite 400
 San Francisco, CA 94103

Re: **Comments on the 8 Washington Street/SWL 351 Project DEIR**

Dear Mr. Wycko,

The conclusion of the EIR that, "... the proposed project would not have a significant adverse effect on recreational opportunities ..." is based on disingenuous and mechanistic quantitative analyses with no consideration of the qualitative. The EIR ignores the importance of (A) History, (B) Retaining Families with Children, (C) Economics and (D) Location. Consideration of these four factors, demonstrates that the proposed project would have a significant negative impact on recreational opportunities in San Francisco.

The 8 Washington Street project should not be built.

A. History

Golden Gateway Center is one of the highest density areas in the City. The Golden Gateway Tennis and Swim Club (GGTSC), an active recreation center, was seen as essential in the planning of the redevelopment project. It has been extraordinarily successful for more than forty years serving thousands of families and individuals. Many families with children are in its swimming and summer camp programs. The pools and tennis courts not only serve the residents of Golden Gateway Center, but also attract working people in the immediate downtown, who use the facilities over the lunch hour and both before and after work. Many members also reside throughout the city. The ground level lawn and pool area is a unique oasis in the heart of downtown.

D.35.1

This is the fourth attempt to build housing on this site and drastically reduce or eliminate the GGTSC. Earlier attempts were opposed by then Mayor and now Senator Dianne Feinstein (letters of May 9, 1984 and January 24, 2003.) Also opposed were the Boards and Staffs of the Redevelopment Agency. In his letter of August 8, 1990, former Executive Director Robert Rumsey notes that the land price for Gateway commons was discounted in exchange for keeping both the open space (Sidney Walton Square) and active recreation facilities (GGTSC) "in perpetuity". As Executive Director (1987-1994) I was in total support of retaining GGTSC.

D.35.2

Surely, drastically eliminating most of the ground floor footprint and reducing the number of tennis courts from nine (9) to four (4), while increasing the number of dwellings (“approximately 165”) for very wealthy occupants has a significant effect on recreation opportunities.

D.35.2
cont'd.

B. Retaining Families with Children

For many years, City elected officials have declared that retaining families with children is important for the health of the City. As noted in a July 24 (page 21A) article in the New York Times this year:

D.35.3

“Census data from 2010 revealed that even though the City’s population grew by 4 percent in the last decade, the City lost 5 percent of its children leaving it with just 116,000 or 14 percent of the total population.”

This percentage is lower than Manhattan’s. The same article notes that, “...a 2006 decree by then Mayor Gavin Newsom made it an official mission of the City’s Department of Children, Youth and Families to increase the number of children in the City...”

The Golden Gateway Tennis and Swim Club provides a significant amenity for middle class families. Drastically reducing the facilities, programs and ground floor footprint of the GGTSC is a major blow to the important goal of retaining families with children in San Francisco.

C. Economics

The EIR analysis ignores the need for active recreation facilities to serve a variety of income groups. GGTSC has provided superior recreational opportunities at affordable rates for lower middle class families. In the consideration of private tennis facilities, the EIR fails to include consumer fees (see Table A).

D.35.4a

D.35.4b

Table A: Private Tennis Facilities: Consumer Costs*

<i>Number Drink of courts minimums</i>	<i>Facility</i>	<i>Initiation fee</i>	<i>Monthly dues</i>	<i>Court fees</i>	<i>Food/</i>
9	Golden Gateway T&SC**	\$95	\$147	--	--
24	SF Tennis Club**	\$350	\$220	\$ 6/hr.	--
10	CA Tennis Club	\$9,500	\$165	--	\$100/mo.

8	Olympic Club	\$10,500	\$259	--	\$ 45/mo.	D.35.4b cont'd.
<hr/>						
<p>Club)</p> <p>* Updated 8/2/11 for individual membership</p> <p>** Part of same ownership (Western Athletic</p>						
<p>Clearly, the cost to members of the GGTSC is at the affordable range compared to the other clubs.</p> <p>The public tennis courts referenced in the EIR within two miles of the 8 Washington site all have problems with parking and no ability to reserve court time (GGTSC has 15 off street parking spaces available free to members and Drumm Street, in front of the club, has 2 hour meters).</p>						

D. Location

The EIR analysis fails to recognize the importance of location. The Golden Gate Tennis and Swim Club is conveniently sited to serve the immediate high density neighborhood and the large downtown workforce. The alternate swimming and tennis facilities listed in the EIR are particularly inconvenient for downtown users trying to fit their athletic programs in busy work schedules.

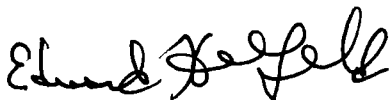
D.35.5

Conclusion

The proposed 8 Washington Street/Seawall Lot 351 project results in the emasculation of an existing, highly successful recreation amenity with significant deleterious environmental impacts. In exchange, some 165 very high income condominiums are proposed, many of which will serve as second homes for wealthy people from other parts of the country. If the city truly cares about keeping families, particularly middle class families, in San Francisco, this project should not be built. The NO PROJECT alternative would preserve this irreplaceable recreation resource for the long-term use of City residents and families.

D.35.6

Sincerely,



Edward Helfeld, FAICP, ASLA
10 Miller Place #1601

EDWARD HELFELD

Resume

Interim Director of Planning & Permitting, City of Pasadena, CA, August 2000 through February 2001.

City Planning Consultant serving public and private clients, January 1994 to the present.

Executive Director of three city redevelopment and housing agencies from 1966 through 1993: St. Paul, MN; Los Angeles, CA; and San Francisco, CA

- * Revitalization of neighborhood, downtown and industrial areas, working with citizen groups. In excess of \$7 billion of private investment made through agency negotiations.
- * Housing of all types, serving varied needs, by new construction or rehabilitation, totaling 30,000 dwellings, 1/3 market rate and 2/3 low and moderate income.
- * Economic empowerment through support of community development corporations, job training and aid to minority / women business enterprises.
- * Public infrastructure constructed by the redevelopment agencies - streets, utilities, parks, playgrounds and community buildings.
- * Design quality for public and private development emphasized; historic buildings preserved.
- * Culture and the arts advanced through subsidy and/or direct agency construction of cultural institutions, per-cent-for-art requirement of developers, agency direct art purchases, and subsidy for art festivals.

University teaching in planning, urban design and development at : Harvard University, University of Pittsburgh, and University of Southern California.

Member Fellow, American Institute of Certified Planners
American Society of Landscape Architects

Education Master of City Planning
Master of Landscape Architecture
(both from Harvard University)



Bob Iwersen
<biwersen@gmail.com>
08/11/2011 01:01 PM

To nannie.turrell@sfgov.org
cc david.chiu@sfgov.org, coaches <coaches@foggs.us>
bcc

Subject Draft Environmental Impact Report for 8 Washington
Street/Seawall Lot 351 - Case No. 2007.0030E

Dear Ms. Turrell,

The following are my comments on the DEIR for the 8 Washington Street project at the corner of Washington and the Embarcadero.

In all, as a practicing Architect, I believe this process has become broken exemplified by the matter that these documents that have become simply rote matter. This document indicates every aspect of this dysfunction. The result is nothing more than an engineered result - approval of the project in question. It is rife with unsupported opinion and conjecture masquerading as study and conclusion. There is no real careful and objective thought. Therefore, it is difficult and way too time consuming to pinpoint items upon which I can comment. Nonetheless, I have selected four items of discussion.

1. In the Environmental Settings and Impact Part H - Recreation.

- The statement and conclusion that because there are 168 public courts and 58 private courts within the city and the subsequent loss of 5 courts is "insignificant" lacks any incite and qualitative analysis. The quantity of courts at any given site is actually a critical matter. Single and up to 5 courts at any given location lack the ability to support many functions for which organizations, teaching professionals, team tennis and other functions are able to exist. If this were taken into account, one could see that within the city there are 5 lovcations for these activities to be vital - Golden Gateway Tennis and Swim Club (to be removed by this project), San Francisco Tennis Club, the Olympic Club, The Cal Club and Golden Gate Park. Both the Olympic Club and Cal Club are extremely exclusive and not readily available to most of the population. SFTC and Golden Gateway are affordable (Golden Gateway moreso) and the GGpark courts are under a plan to be downsized. Take away the Golden Gateway and you will have stressed the only two viable courts -SFTC and GGPark.
- This section also slights the fact that allthough there is a projected poulation increase, loss of recreation is not an issue.

D.36.1

D.36.2

2. Housing

- This document cites the SF General Plan and Housing Element. The housing element speaks of "achieveing decent, suitable, and affordable housing for current and future San Franciscans. Apparently 170 of the most expensive codominiums and a future 31 affordable units somewher else fills this need. I am fine with housing for the wealthy, but a 6:1 ratio hardly speaks to the demographics of the US, but could easliy do so for a future San Francisco as a playground for the wealthy. I do not believe this meets the intent of the Housing element and greater subsidies to affordable housing should be sought.

D.36.3

3. Parking (III.6)

- 420 new parking spaces - 165 for new residents, 255 for retail and general public, 90 for the Ferry Building. This should be highly scrutinized and strong provisions for use should be upheld. Not only do I believe that 5 owners paying a minimum of \$2 million for a unit will not accept being shut out of a parking space, I don't believe those paying \$5 million will accept just one space. Additionally, the general public uses should be carefully considered. The project sponsor has made it perfectly clear that his tenant across the Embarcadero at Piers 1.5-5 need parking. Are these spaces already spoken for? Finally, with 90 spaces for the Ferry Building, there are already more than that available in the existing lot.
- Also, at no point are the lost street parking, the tennis and swim club spaces, and the existing lot considered as a comparison in the net change. This project actually becomes no more than camouflage for the project sponsor providing parking for his own needs. Only statistics as to present conditions are presented (IV.D.13 -18)
- Page IV.D.18 concludes that parking is not static and therefore only defined by social impacts. Then no conclusion to parking is drawn and tangential ramblings about traffic and other transportation modes are part of an undefined set of pages.

D.36.4

D.36.5

D.36.6

4. Alternative Projects

- This section is particularly galling. The alternatives presented are unimaginative and clearly not worth an effort. No wonder they are discarded as uncompetitive with the proposal! They are plain and simply bad. Both Asian Neighborhood Design and FOGG have taken the issue further. These are limited funded groups providing better looks at the area than the Planning Department. I believe the solutions provided by AND and FOGG are just the beginning of what should be considered for the entire area. This one proposed project does little (I believe after a careful study it actually detracts) for the area as a whole. The alternatives only provide a substandard background for approval of the project.

D.36.7

Once again, I would like to iterate my thought that the EIR process lacks the teeth for which it is intended when these documents are guided toward a desired conclusion. This document is an clear indication of this. I wish I had more time to do a careful analysis, but alas.. I am but one person with a job. I wish the Planning Department would do my work for me. I do pay their salaries.

Sincerely,

Bob Iwersen
405 Davis Court #1906
San Francisco CA 94111



john lee
<jlee94111@yahoo.com>

08/11/2011 02:10 PM

Please respond to
john lee
<jlee94111@yahoo.com>

To david chiu <david.chiu@sfgov.org>

cc "nannie.turrell@sfgov.org" <nannie.turrell@sfgov.org>

bcc

Subject I am strongly opposed to approval of 8 Washington St project

History: This message has been forwarded.

As a resident of Telegraph Hill(1406 Montgomery) and a financial district business owner(555 Montgomery, suite 603), I feel that the demolition of a valuable recreational facility, and it replacement by luxury condos, is detrimental to the quality of life in the area.

D.37.1

John Lee



Etxalar@comcast.net
08/11/2011 03:03 PM

To Nannie.turrell@sfgov.org
cc David Chiu <David.Chiu@sfgov.org>, coaches@fogg.us
bcc
Subject 8 Washington DRAFT EIR

To Nannie Turrell:

On July 21 my husband and I were returning home after the presentation at your meeting re: 8 Washington's DEIR. After leaving the Embarcadero underground MUNI station, we walked to the corner of Washington and Drumm. When the pedestrian light turned to the white figure, we proceeded to cross to the middle of that intersection and were almost hit by a small SUV that was making a left hand turn onto Washington Street.

The driver was not on a cell phone and after I yelled at him to stop he continued his turn and just glared at us. This event was not the first time this has happened, but seemed particularly alarming when considering the DEIR claims that 420 more cars allowed in the underground garage for the development will have "no effect on pedestrians"....

Yesterday a similar experience happened to us and our guest while in the same intersection across the street. Two bikers almost rammed us as they turned right on to Washington going toward The Embarcadero. Their light was red, but they made no motion to stop.

How can you allow more traffic in this area when it is currently very unsafe for residents and any pedestrian? Closures of the streets due to marathons, Street Walks and the like make walking in this area even more dangerous at this time.

Please, vote no on the project.

Lloyd and Diane Root
440 Davis Court #921
San Francisco, CA 94111

D.38.1



"Harry Shulman"
<hshulman@HEALTH-LAW.COM>

08/11/2011 06:17 PM

To <Nannie.turrell@sfgov.org>

cc <David.chiu.@sfgov.org>, <coaches@fogg.us>

bcc

Subject DEIR for Golden Gateway Tennis and Swim Club Site

Dear Ms. Turrell,

This is to comment briefly on the DEIR for the GGTSC site.

The DEIR is a biased document that favors the proposed development project at the cost of destroying a facility that is tremendously important to those who use it. The DEIR cavalierly dismisses the negative impacts of the project by referring to them as merely "perceived," and by suggesting that the GGTSC facility will be substantially replaced by something as good or better, with adequate alternative options for those who are displaced in both the short term and the long term. The author of the DEIR appears not to have any direct familiarity with the facility or its place in the lives of those who use it. Much less does the author have any appreciation for the inherent value and beauty of the facility as it exists. The conclusions embraced by the DEIR are no more thoughtful or sound than if one were to say that the Palace of Fine Arts could be replaced with a nice new facility that would include housing and also have a theater; or that Crissy Field could be ripped out and it would not have a substantial impact on the people who use it because running, dog walking, and windsurfing can be done in other locations, just a bus ride away. There is nothing that cannot be dismissed as lacking sufficient importance to be saved using these types of arguments. /And, even if the new facility were to have pools and tennis courts that could be viewed as "substitutes" for those at the GGTSC, there is no guarantee that they would be available to current club members, as a practical matter. What would preclude the residents of the new building from simply changing their CC&Rs or using other means to price other users out of the market or exclude them altogether? The representations in the "plan" mean nothing. /If the Planning Department is truly dedicated to the City and protecting its assets, it should reject this project. The people who would buy the condos will never feel the loss; but if the GGTSC is destroyed, it will cause enormous harm to the hundreds of people who currently use it, need it, and love it.

D.39.1

D.39.2

D.39.3

Sincerely

Harry Shulman

hshulman@health-law.com

Tel 415.875.8480
Fax 415.875.8519



LnL <lnl433@att.net>

08/11/2011 11:07 PM

To nannie.turrell@sfgov.org, david.chiu@sfgov.org,
coaches@fogg.us

cc

bcc

Subject DEIR - 8 Washington St Project

Nannie Turrell
San Francisco Planning Department

Below are my comments on the DEIR - 8 Washington St luxury condominium
and underground parking lot project.

The City of San Francisco has a clear "Transit First" Policy in place.

There is no need for creating a 420-car underground parking garage at
the 8 Washington project location. There are already over 450 available
off-street parking spaces and a large number of on-street parking spaces
in the 8 Washington project area.

The City of San Francisco should not permit a 420-car underground
parking garage since there clearly is not a need for one.

With over 450 off-street parking spaces currently available in the 8
Washington project area, building (below sea level) a 420-car
underground parking garage would create major problems with pedestrian
safety, vehicle traffic, and public transit.

The No Project Alternative is far superior and more environmentally
sound, and eliminates this unnecessary, traffic-increasing underground
garage that violates the City's "Transit First" Policy.

Lorraine Sorensen
350 Union Street, Apt 610
San Francisco, CA 94133

cc: David Chiu, Board President and District 3 Supervisor

cc: Friends of Golden Gateway

D.40.1

D.40.2



"Tom Verhauz"
 <tverhauz@comcast.net>
 08/11/2011 07:00 PM

To <nannie.turrell@sfgov.org>, <david.chiu@sfgov.org>
 cc <coaches@fogg.us>
 bcc

Subject Opposed to 8 Washington

History: This message has been forwarded.

Dear Planning Department,

My name is Tom Verhauz and I've been a resident of the Golden Gateway Apartment community for 7 years and a member of the Golden Gateway Tennis & Swim Club for 6 years. I am writing a letter because I'm opposed to the proposed Luxury Condo project at 8 Washington.

I've reviewed and read as much as I could understand of the EIR (Recreation section) pertaining to the condo project and I'm concerned about some of the items presented in the report. And, I'm also concerned the report is biased or uses language designed to "tilt" the report toward minimizing the value of the tennis and swim club.

I'm opposed to the condo project and the language or conclusions of the EIR because:

1) The club is not all that "private". The club is open to any individual or family (at a reasonable cost of membership) seeking access to first class facilities designed for healthy lifestyles and a better quality of life. My membership allowing me access to the gym and the pool costs only \$80 dollars a month (approx. \$2.66 per day). The per day price for having access to these facilities is less than single day use prices at the alternatives suggested in the EIR. Also, the quality of the current facilities is much better and at a much higher level than the alternatives suggested (some of the alternatives are not even comparable). The potential for serving the community is much greater and unlimited if the site is allowed to remain as a health and fitness club. Whereas, it would become even more private and more restricted if the developer is allowed to destroy this valuable health facility and erode the quality of life for the current population and the financial district public the club currently serves.

D.41.1

2) The condo project will erode and damage the open space of the waterfront. The proposed design of the building is going to block the views of the millions of visitors to the ferry building, people in the park or along the waterfront. Also, I'd like to address something I'm certain I read in the EIR regarding the condo project helping to ensure the viability of the ferry building farmers market. All one needs to do is; visit the ferry building any day of the week right now and see for themselves, the farmers markets and the businesses in the ferry building are already "viable" and thriving and need no further assistance from a developer.

D.41.2

D.41.3

3) The 2-3 year construction timeline and the addition of 400+ parking spaces are not viable for the greater community in the short term or long term. In the short term, we (everyone who visits or lives in the bay area) will feel major pain from everything that comes with heavy equipment, materials and construction snarling a major transit artery of our world famous downtown/waterfront while the project is underway. In the long term, the area streets are not designed for the overload of vehicles navigating in/around and attempting to enter and exit the condo lot in the Jackson St., Embarcadero and/or Washington St. areas. I thought we were a "transit first" city by public policy. But, building a 400+ parking lot downtown (underground or otherwise) seems to contradict the public policy.

D.41.4

D.41.5

4) Finally, the most important is the trust of the public governance. It's my understanding the citizens of San Francisco and the greater public at large was given promises in the original re-development plan of the Golden Gateway Center that the health and fitness club is to remain as a community benefit in order to provide a "quality of life" commitment and benefit for the public and local community at large.

D.41.6

I'm almost 55 years old. And, over two years ago I realized if I wanted a better quality of life for myself in

D.41.7

my "retirement" years, I'd need a place near my home (walking distance) where I could have access to first class health and fitness facilities to help me live a better and longer life. And, I feel like the Golden Gateway Tennis and Swim Club helped save my life (its most assuredly extended my life). I'm not alone in this quest. There are others (even older than I) who utilize the health and fitness facilities for a better quality of life. The proposed replacement facility and the time it will take to build will not be satisfactory and is not a compromise to the previous "public benefit commitment" and other items mentioned above. Please do not allow a developer and a few wealthy private property owners to take this away from us and future generations.

↑
**D.41.7,
cont'd**

The condo project will surely do irreparable harm to our open space and overall quality of life in the waterfront and downtown district.

Sincerely,
Tom Verhauz



Marian Wallace
<marian.research@gmail.com>
m>

08/11/2011 02:34 PM

To Nannie.turrell@sfgov.org

cc David.chiu@sfgov.org, coaches@fogg.us

bcc

Subject 8 Washington Street development project and DEIR

Dear Nannie Turrell and the San Francisco Planning Department,

I am writing in regard to the proposed project at 8 Washington Street.

As a long-time resident of San Francisco, I have always appreciated being on the San Francisco bay and waterfront, starting out as a student at San Francisco Art Institute, and then remaining here in North Beach since 1976. I feel strongly that the view of the bay belongs to all of the residents and visitors to San Francisco, and to block it in any way, for only a few to have a better vantage point, is not in the interests of our city. It sounds much like someone or some people who have nothing to lose, i.e. a wealthy non-residents, are pushing this agenda for the benefit of themselves and a few others, much to the detriment of our city.

D.42.1

D.42.2

It would be a tragedy for construction to happen as described at this site. It is an unfair, and from the sounds of it quite possibly illegal project. Who will benefit? What is their interest in our city? Why would this be allowed to happen by our very own Planning Department?

There is no reason to build another luxury condominium in the San Francisco Northern Waterfront area, plenty of that type of housing remains vacant, for example on Fresno Alley - a project of 5 condominiums is at least 80% vacant after several years.

San Francisco should be looking to the future with more public transportation, affordable housing and preserving our beauty for everyone. Please help the long-time residents of San Francisco maintain our vistas and fabulous waterfront for all residents and our visitors.

D.42.3

Best regards,
Marian Wallace

1251 Pacific Avenue
San Francisco, CA 94109
(415) 776-3736 hm
(415) 362-1465 wk

cc: David Chiu
Board President & District 3 Supervisor
City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689
David.chiu@sfgov.org

cc: Friends of Golden Gateway
405 Davis Court #703
San Francisco, CA 94111
coaches@fogg.us

Mardi Kildebeck
405 Davis Ct #2406
San Francisco CA 94111

Letter D.43

August 12, 2011

Nannie Turrell
San Francisco Planning Department
1650 Mission St Ste 400
San Francisco CA 94103

RE: Project Known as 8 Washington Street

Dear Ms. Turrell:

If it can be said that San Francisco received a "gift" from the 1989 earthquake, it would be that we had to demolish the Embarcadero Freeway. Having lived in the City for over thirty years, I am still in awe of how an entire section of the waterfront opened up and was reborn when the Freeway disappeared. I am distressed that the Planning Department is now considering a six to twelve-story development at Embarcadero and Washington Streets to consume what little open space we have in the neighborhood of the Ferry Building. It was always my understanding that a trade-off was reached when Embarcadero Center was built. In exchange for breaking all height and square-footage limits near the waterfront, the City would maintain the existing open spaces in the Center's vicinity forever.

D.43.1

The most disturbing fact about this project is that our precious open space is to be lost to luxury condominiums and a parking garage. In San Francisco's quest for affordable housing, how can any average-income resident afford a \$2 to \$5 million condo? When the City is trying to implement a "Transit First" policy, constructing a 420-car garage on a major boulevard where we are trying to reduce the number of cars makes no sense. This entire project seems totally antithetical to San Francisco's stated goals for the waterfront.

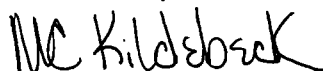
D.43.2

Unlike Market Street that continues to dream of becoming an attractive boulevard, The Embarcadero has achieved that dream and is one of the most appealing roadways in the City. With the water on one side and mostly low-rise buildings on the other, it is a wonderful place to walk, jog and bicycle. It is wide open and does not give one the feeling of being in a tunnel, like so many of the financial district streets. Residents and tourists alike flock to The Embarcadero.

I fear that if the proposed project at 8 Washington is approved, it will encourage similar construction along The Embarcadero, providing housing for a privileged few, blocking views both to the east and the west, and limiting the use and enjoyment of this lovely boulevard for the public at large.

Thank you for your consideration.

Sincerely,



Margaretta C. Kildebeck

cc: David Chiu



Joan rees
<joan.rees@gmail.com>
08/12/2011 05:39 PM

To Nannie.turrell@sfgov.org
cc
bcc
Subject Luxury condos and parking area

The location of this project certainly does not benefit the citizens and tax payers of this area. It mainly puts money in the pockets of the developer and creates unreasonable noise and construction traffic. Emphasis at this time should be on the America Cup and Exploratorium which are projects already underway. A city such as ours which prides itself on uniqueness and environmental issues should not even consider that the existing club facilities are to be changed. The atmosphere brings families together and the summer camp has been a great source to our children for many years. Yes, there is always a need for growth but not at 8 Washington .

Joan Rees

D.44.1



Matt Harris
<mbharris76@hotmail.com>
08/13/2011 04:53 PM

To <nannie.turrell@sfgov.org>
cc
bcc
Subject 8 Washington project

Dear Planning Staff,

As a resident of North Beach/Russian Hill, I support the 8W project because it presents a generous, creative reuse of underutilized urban land. Dense housing and retail are key to creating lively neighborhoods with pedestrian culture and urban energy.

D.45.1

It is ideal that the developer is willing to preserve part of the Golden Gateway Tennis and Swim Club as health and fitness are also paramount to creating a healthy urban community. I like that there will still be a large amount of recreational uses at the site - in both the public and private form. However, it seems like tennis courts would still consume a large proportion of the land, at the sacrifice of the fitness club and swimming pools. The planners should consider an alternative for more swimming facilities and open space that would afford greater utilization of the land by a greater diversity of people than would be afforded by the four tennis courts shown in the plan.

D.45.2

Thank you for your consideration.

Matt Harris



"Joan Knutson "
<jk@joanknutson.com>
08/14/2011 11:02 AM

To <nannie.turrell@sfgov.org>
cc
bcc
Subject DEIR Report - GGTSC

Nancy Turrell
San Francisco Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Please Stop!

I have been a resident of Golden Gate Commons III for 10 years. This is a quiet community with a pleasant feel of a neighborhood within a big city.

I have just reread the DEIR issues (<http://fogg.us/deir-issues/>). Each one of those items are detrimental to this section of San Francisco and would take away the privacy, the calm and the civilized atmosphere that surrounds those of us that live here every day of our lives.

Specifically, I am asking you to stop the partial destruction of the GGTSC to be replaced by a "luxury" condominium and 420 space underground parking garage.

Thank you for your consideration.

D.46.1

Joan Knutson
170 Pacific Ave. Apt 32



Joan Knutson.vcf



<lisa@schreibermail.net>

08/14/2011 02:00 PM

To Nannie.turrell@sfgov.org

cc David.chiu@sfgov.org, coaches@fogg.us, "Aabi Shapoorian" <aabi@shapoorian.com>

bcc

Subject Response to 8 Washington St Draft EIR Case No. 2007.0030E

Dear Nannie Turrell,

I object to the DEIR for four reasons.

1. The Northeast Waterfront Study was flawed and is referred to as supporting data for the DEIR.
2. The plan increased the density and reduces active recreational space in a neighborhood that has the highest density and lowest amount of active recreational space in all of San Francisco.
3. The DEIR does not consider at all the Impact to Fauna, the community residents, as per the CEQA Guidelines Section 15382.
4. The study is deficient in understanding significant impact areas.

Regards,

Lisa Schreiber - resident, mother, and active pedestrian in the Financial District of SF

Details

1. Northeast Waterfront Study Issues

- o Not accepted by the Planning Department and should not be so often referenced D.47.1
- o Flawed conclusions - not representative of the community. I attended many of the sessions and never once saw any comments from myself or my work groups included in the summary of comments.
- o The SF Port was in dire need of money and entered into a non-competitive negotiation process with 8 Washington; with the America's Cup coming to SF the Port of SF will gain financial relief and hopefully perspective. D.47.2
- o 8 Washington is not a proposal in response to this study - it is a for profit project regardless of community sentiment D.47.3

2. Density and Active Recreational Space Issues

- o Highest density of all districts in SF
- o Least amount of Active Recreational Space in all of SF.
- o My son's soccer team needs to reserve fields for soccer practice and are limited to 2 per week because there is not enough active recreational space in SF. This plan promises to remove an active recreational space for 2+ years and to reduce it drastically. The active recreational needs of the children and adults in this city need to be addressed and not made worse. D.47.4

3. (Fauna or faunæ is all of the animal life of any particular region or time.)

- o Health Impact of a 2+ year loss of active recreational space with no replacement. D.47.5
- o Permanent loss of active recreational space in an area that already has too little. D.47.6
- o Personal Safety issues that arise with increased traffic of more people and vehicles. D.47.7

- o Loss of the neighborhood. I D.47.8
- o Effect on those that cannot advocate for themselves - elderly and young. I D.47.9
- o Impact to the community long term when key things that attract a diverse group to a community are missing. Where are the children?? I D.47.10
- o Disturbance of residents - including old and young being exposed to the building noise/and pollution. I D.47.11
- o You need to consider why all the children are leaving SF, aren't they part of a thriving community? I D.47.12

4. **Areas of the DEIR that are deficient and need to be corrected:**

- Land Use - LU 1 - LU 3 should be marked significant impact. I D.47.13
- Aesthetics - AE 1 - AE 3 should be marked as significant impact. I D.47.14
- Transportation - TR- 3, 5, and 6 should be marked as significant impact. I D.47.15
- Air Quality - is missing asthma and allergy consideration. I D.47.16
- Recreation - R1, 3, and 4 should be marked as significant impact. I D.47.17

8 Washington Street/Seawall Lot 351 Project: Initial Study, December 2007
and the Draft Environmental Impact Review (DEIR), June 2011.

Comments of
Richard and Barbara Stewart
550 Davis Street #29
San Francisco, CA 94111

The San Francisco Planning Department has published a Draft Environmental Impact Report (DEIR) for 8 Washington Street and Seawall Lot 351, dated June 15, 2011, and an Initial Study, published December 8, 2007.

The San Francisco Planning Commission and Board of Supervisors are being asked to certify the DEIR as well as accepting the conclusions of the Initial Study as to which environmental impacts should be addressed in the DEIR and which can be ignored in the DEIR. Unfortunately in a number of important areas, the DEIR offers little convincing evidence concerning the environmental impact of the proposed project. They generally dismiss the potential for impact, a defect that renders both documents inadequate bases for administrative action. Many topics that are historically (earthquake) or obviously relevant (liqifaction) are brushed aside as not needing study or entrusted to the developer during construction.

Impact of project on environment “less than significant” includes:

1. Land use (all 3 variables)
2. Aesthetics (all 3 variables)
3. Air Quality, (5 of 11 variables)
4. Green house gases (1 of 1 variable)
5. Shadow (all 3 variables)
6. Recreation (all 4 variables)
7. Sea level rise (3 of 4 variables)
8. Transportation (9 of 10 variables)
9. Biological resources (2 of 4 variables)

Impact of project on environment judged to exist but mitigation measures can be taken

1. Air Quality, (6 of 11 variables)
2. Archeological resources (7 variables, all having some impact)
3. Biological resources (3 of 5 variables)
4. Hazards and hazardous materials (1 variable of some impact)
5. Noise (2 variables, both having some impact)
6. Sea level rise (1 of 4 variables)
7. Biological resources (2 of 5 variables)

Improvement Measures Identified in the DEIR

1. Transportation (all 3 variables would become “ less than significant”)

Variables for Which Mitigation and Improvement Measures Identified in the Initial Study

1. Noise (2 variables)
2. Air Quality (1 variable)
3. Biological resources

In all of the above, mitigation measures are to be undertaken by the project sponsor to reduce the impact to less than or of moderate significance.

POPULATION

The Initial Study concluded that the project would not result in substantial population growth. (Initial Study, 2007, pp. 47-50)

Comment: It would, however, result in a substantial increase in demand for the Tennis and Swim Club facilities which are to be replaced with a reduced Club with the added membership of the 165 condominiums at 8 Washington, roughly an additional 320 members.

D.48.1a

It also increases the number of people coming into the area surrounding the Club by extending Pacific Avenue at Front Street and Jackson Street at Drumm Street for pedestrian use by opening them up to the Embarcadero. At present, the streets and walkways around Sidney Walton Park, one of the loveliest parks in the City, are shielded from direct access from the Embarcadero, which has created a small neighborhood. This would be compromised by opening Pacific Avenue and Jackson Street to pedestrians on the Embarcadero.

D.48.1b

NOISE DURING CONSTRUCTION

The DEIR indicates that noise from construction would be prohibited from 8:00 pm until 7:00 am, would be subject to other mitigations and would therefore “not be significant or require further environmental analysis. (Initial Study, 2007, pp. 53-57)

Comment: The DEIR does not examine noise generated by the construction which would use the following construction equipment listed in the section on Air Quality, including excavators, backhoes, rubber-tired dozers, concrete boom pumps, concrete trailer pumps, concrete placing booms, soils mix drill rigs, soldier pile rigs, shoring drill rigs. This activity would be ongoing 13 hours a day (7:00 am until 8:00 pm)

D.48.2

GREENHOUSE GAS EMISSIONS

The Initial Study includes a lengthy discussion of emissions acknowledging “potential for substantial environmental, social, and economic consequences over the long term may be great.” But in the end it concludes that “the project would not conflict with the State’s goals of reducing GHG emissions to 1990 levels by 2020, and the project’s impact on GHG emissions would be less than significant and will not be discussed further in the EIR.” (Initial Study, 2007, pp. 61-63.)

D.48.3

RECREATION

The current DEIR does not discuss recreation, because the Initial Study considered it and concluded that “the proposed project would not result in a significant cumulative impact related to Recreation”. (Initial Study, 2007, pp. 65-68.)

Comment: Reference is made to the Tennis and Swim Club as private. It is private, but membership is open to anyone. No sponsorship is required.

D.48.4a

The study fails to consider that the project will reduce the Golden Gateway Tennis and Swim Club facilities to 4 tennis courts from the present 9 and remove the swimming

D.48.4b

pools from ground level to on top of the health facility but will increase the potential number of users by as many as 330 (165 new condominiums, or around twice as many persons).

D.48.4b
cont'd.

The study assumes that the existing membership can go to other recreation facilities in the city, but many of the members are unable to go out of the neighborhood, either because their mobility is impaired (one reason they go to the club) or they cannot travel. Also, the club is a social setting, for many a very meaningful one.

D.48.4c

TRANSPORTATION

The DEIR concludes that “the proposed project would make a considerable contribution to cumulative traffic impacts at study intersections. (Significant and Unavoidable with mitigation)”

(not result in significant impacts in the proposed project vicinity due to vehicle traffic.” (Nor) would there be impacts to pedestrians or bicycles or impair emergency vehicle access or a significant increase in traffic near the project site or study intersections.

The DEIR claims that the impact significance without mitigation would be “Less than Significant” (LS). It states that no mitigation measures are required.

Comment: In actuality, the garage with 420 parking spaces located with only one entrance and exit located on Washington Street between the Embarcadero and Drumm St. would produce as many as 1,350 cars daily in and out of the garage on to Washington Street, including 165 cars belonging to residents exiting and reentering every day, or 330 cars, and 255 cars belonging to public users entering and exiting 2 times daily, or 1,020 cars every day. These cars would all be using Washington Street where there is oncoming traffic in 2 lanes turning left from the Embarcadero and turning on to the two lanes of Washington Street.

D.48.5

The left-turning cars move at considerable speed in order to make the left-dedicated light that lasts about 15 seconds. During those 15 seconds there would be no opportunity to safely exit the garage, leaving about under 45 seconds in every minute when it would be safe to exit and turn on to Washington Street. The cars that leave the garage may head towards the Embarcadero, if a left turn is feasible. Otherwise they would go to Drumm, proceed up Washington or turn on Drumm to Davis or Front Street to Broadway. This could result in substantially more traffic on Davis and Front Streets and cause challenges to the cars using the Jackson Street garage for residents of Golden Gateway Commons and employees of Arden Realty.

SEA LEVEL RISE

Various documents are referenced:

A Preliminary Geotechnical Study made in April 2006 by Treadwell & Rollo for the Planning Department is referenced but not included in the DEIR. Publications by the City of San Francisco, Port of San Francisco, a State of California report on Sea-Level Rise (2011 but not to be released until 2012), City of San Francisco 2008 interim

floodplain map, San Francisco Bay Conservation and Development Commission (BCDC) sea level rise maps, a Final EIR for the Exploratorium. No EIR was prepared for the construction of the Embarcadero Center 4 which has a 2-level underground garage.

The Initial Study acknowledged that “future potential climate-induced sea level rise could pose risks of inundation to existing and proposed development located in low –lying areas close to San Francisco Bay like the project”. An earthquake in 1964 in the Gulf of Alaska was accompanied by a run-up of 3.6 feet at San Francisco. The BCDC maps show the inundation zone which includes the project site with 55 inches of sea level rise by 2100.

Comment: In spite of varying projections which point to sea-level rise, the DEIR concludes that the “proposed project would not expose people or structures to a significant risk of loss, injury or death involving flooding....”

D.48.6

Moreover, the DEIR does not include a discussion of the effect of rising sea level on the garage construction 3 levels below sea level.

GEOLOGIC HAZARDS

These hazards were considered in the Initial Study, but the conclusion was that further study would not be necessary and hence, these were not examined in the DEIR.

D.48.7a

Groundshaking

Although the USGS Working Group on California Earthquake Probabilities concluded there is a 62 percent probability of a magnitude earthquake of greater than or equal to 6.7 before 2032, the Initial Study concluded that “the project would not expose people or structures to substantial adverse effects related to ground shaking, because the construction would adhere to all San Francisco Building Code provisions for structural safety” and thereby stated there was no need for further analysis.

Liquifaction, lateral spreading, seismically induced densification

Reference is made to the Association of Bay Area Governments Hazard Maps. The Initial Study states that fill that could liquefy would be removed during construction of the garage below sea level. It does not indicate where the fill would be deposited. Nor does it discuss the possible lateral spread. It indicates a study should be underwritten by the project sponsor, but it does not state that such a study be undertaken prior to approval of the EIR. And it concludes that “impacts related to liquefaction-induced settlement and lateral spreading are considered less than significant” and will not be discussed in the EIR.

The study acknowledges that “ground settlement could result from excavation to a depth of as much as 38-40 feet for the given construction of 3 levels subsurface (i.e., below sea level), resulting from dewatering and heave during installation of piles. It claims that dewatering would not be required long-term, because the underground structure would be waterproof. But the study does not provide any data or require any expert analysis and concludes that “the effects of long-term dewatering do not need to be discussed further.”

D.48.7b

Excavation

The Initial Study calls for a rigid, water-tight internally braced secant walling as shoring but only recommends an inclinometer monitory program, not a preliminary study of the ground under the proposed 3-level garage.

Dewatering

The Initial Study acknowledges that “there is the potential for substantial water inflow into the excavation and dewatering could be necessary”. The geotechnical study by Treadwell & Rollo (2006) recommends a site-specific dewatering plan should be prepared. This is missing from the DEIR.

Heave as a Result of Pile Driving

“Ground may heave up to several inches, adversely affecting adjacent structures” (presumably the Golden Gateway Commons at Jackson between Drumm and Davis Streets and parts of the Golden Gateway apartments along Drumm Street. Monitoring of the process was recommended. No additional studies or data are provided. The conclusion: “With implementation of the recommendations of the detailed geotechnical study, subject to review and approval by the DBI, and monitoring by a DBI Special Inspector (if required), impacts related to the potential for settlement and subsidence due to construction on soil that is unstable, or could become unstable as a result of the project, are less than significant and will not be discussed in the EIR.”

D.48.7b
cont'd.

BIOLOGICAL RESOURCES

San Francisco Parrots

San Francisco’s parrots are completely overlooked in the DEIR discussion of the effects of the proposed project on animals and vegetation. (DEIR, IV.J.1-11.) Parrots may not be endangered but they are treasured members of the San Francisco community. Everyone, residents and visitors alike, finds great enjoyment in spotting, watching and listening to the parrots.

One place they live in the city is Telegraph Hill and the area near the Embarcadero. In daytime they travel around the city. But at night huge flocks roost in trees along the southern side of Washington Street across from the proposed project at 8 Washington and on either side of Drumm between Washington and Clay.

Every evening great “gangs” of parrots streak low over the Club tennis courts and swimming pools, heading towards their roosts in the trees just south of Washington Street at Drumm. Their flight path is on a collision course, one that would take them straight into the two proposed buildings.

D.48.8

Comments on 8 Washington Draft EIR

Is this really what “99% Midday Occupancy” looks like?



Photo of SWL 351 taken 08-15-2011 at 12:10 pm

Prepared by Theo Armour
theo@evereverland.net
2011-08-15

Executive Summary

The first section examines the San Francisco General Plan, its Transportation Plan, a number of recent EIRs and several other relevant documents relating to San Francisco transportation. In all these documents, without exception, there is a remarkable consensus of an ongoing and ubiquitous commitment to the Transit First policy. The second section attempts to verify the outcome these guidelines by looking at RFPs and various as-built projects in the general neighborhood of the proposed project. These works show a remarkable agreement with the goals of the planners. Finally this paper looks at the proposed project. The project proposes 165 parking spaces for residential use whereas all other similar recent projects would only supply 124 spaces. The Port of San Francisco RFP asked for 90 spaces. The developer proposes 255 spaces. This draft EIR is an apparent repudiation of all the good efforts and works that have made the Transit First policy such a success.

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Introduction

These comments are in three sections

1. An examination of current San Francisco planning guidelines regarding parking,
2. Outcomes from those guidelines
3. A comparison of the proposed project with the guidelines.

San Francisco Parking Guidelines

Eight documents that relate to transportation - and more specifically parking - in San Francisco are looked at. These documents were prepared by the San Francisco Planning Department, the Post of San Francisco and the San Francisco Office of Economic and Workforce Development and all have links provided.

The San Francisco General Plan

Prepared by San Francisco Planning Department
Undated.

The San Francisco Planning Department home page says the [General Plan](#) is San Francisco's "Guiding Document".

The *General Plan* includes the [Plan for Transportation](#). A vital element of the plan is the Transit First policy: "This policy encourages multi-modalism, including the use of transit and other transportation choices, including bicycling and walking, rather than the continued use of the single-occupant vehicle."

The Plan has forty objectives - each of which have a number of policies. Below are two of the objectives and their policies. Highlights are the author's.

OBJECTIVE 16

DEVELOP AND IMPLEMENT PROGRAMS THAT WILL EFFICIENTLY **MANAGE THE SUPPLY OF PARKING** AT EMPLOYMENT CENTERS THROUGHOUT THE CITY SO AS TO **DISCOURAGE SINGLE-OCCUPANT RIDERSHIP** AND ENCOURAGE RIDESHARING, TRANSIT AND OTHER ALTERNATIVES TO THE SINGLE-OCCUPANT AUTOMOBILE.

POLICY 16.1

Reduce parking demand through the provision of comprehensive information that encourages the use of alternative modes of transportation.

POLICY 16.2

Reduce parking demand where parking is subsidized by employers with "cash-out" programs in which the equivalency of the cost of subsidized parking is offered to those employees who do not use the parking facilities.

POLICY 16.3

Reduce parking demand through the provision of incentives for the use of carpools and vanpools at new and existing parking facilities throughout the City.

POLICY 16.4

Manage parking demand through appropriate pricing policies including the use of premium rates near employment centers well-served by transit, walking and bicycling, and progressive rate structures to encourage turnover and the efficient use of parking.

POLICY 16.5

Reduce parking demand through limiting the absolute amount of spaces and prioritizing the spaces for short-term and ride-share uses.

POLICY 16.6

Encourage alternatives to the private automobile by locating public transit access and ride-share vehicle and bicycle parking at more close-in and convenient locations on-site, and by locating parking facilities for single-occupant vehicles more remotely.

OBJECTIVE 17

DEVELOP AND IMPLEMENT PARKING MANAGEMENT PROGRAMS IN THE DOWNTOWN THAT WILL PROVIDE ALTERNATIVES ENCOURAGING THE EFFICIENT USE OF THE AREA'S LIMITED PARKING SUPPLY AND ABUNDANT TRANSIT SERVICES.

POLICY 17.1

Discourage the provision of new long-term parking downtown and near major employment centers.

POLICY 17.2

Encourage collaboration and cooperation between property owners, neighboring uses and developers to allow for the most efficient use of existing and new parking facilities.

Here is another policy that specifically mentions the northeastern portion of the city.

POLICY 34.3

Permit minimal or reduced off-street parking supply for new buildings in residential and commercial areas adjacent to transit centers and along transit preferential streets.

Where there is a high concentration of transit service, as in the northeastern portions of the city, census tract figures indicate that residents are less likely to own automobiles and more likely to use public transit. High-density housing and housing for the elderly are already eligible for reductions in the standard provisions for off-street parking, enabling the building sponsors to build more economically. These buildings should be encouraged where transit service is plentiful and comprehensive.

The Plan includes a map that shows where short term parking should be located
http://www.sf-planning.org/ftp/General_Plan/images/l4.transportation/tra_map14.pdf

Note that the 8 Washington Project is not in any of the specified areas.

NorthEastern Waterfront Area Plan

Prepared by San Francisco Planning Department
Undated

As part of the General Plan, the [NorthEastern Waterfront Area Plan](#) is very much in keeping with its parent. The local plan is specific about parking in the NorthEastern area.

OBJECTIVE 8

TO FACILITATE THE MOVEMENT OF PEOPLE AND GOODS WITHIN THE NORTHEASTERN WATERFRONT IN SUCH A WAY AS TO MINIMIZE THE ADVERSE IMPACT OF THIS MOVEMENT.

POLICY 8.1

Intercept and divert as much automobile traffic as feasible away from the water's edge and areas of intense pedestrian activity in order to make conditions more pleasurable, safe, and interesting for the pedestrian, and in order to facilitate the commercial and recreational development of the area.

POLICY 8.2

Limit additional parking facilities in the Northeastern Waterfront and minimize the impact of this parking. Discourage long-term parking for work trips which could be accommodated by transit. Restrict additional parking to: (a) Short-term (less than four hour) parking facilities to meet needs of additional business, retail, restaurant, marina, and entertainment activities; (b) Long-term parking facilities for maritime activities, hotel and residential uses. To the extent possible, locate parking away from areas of intense pedestrian activity. Encourage shared parking at adjacent or

nearby facilities.

Northeast Embarcadero Study

Prepared by San Francisco Planning Department
June 2010

The [Northeast Embarcadero Study](#) is a document that engendered significant controversy,, nevertheless still has many strong and valid points.

Page 50:

Recommendation 7.3

Discourage Automobile use

The portions of the study area south of Broadway have a diversity of uses and provision of transit unequalled in the City. **New development here should be expected to build on this diversity and discouraged from developing in ways that encourage the ownership and use of the automobile.**

Just as new development should relate to downtown, new development here should approximate parking levels allowed in the immediately adjacent C-3-O district.

Embarcadero Parking and Transportation Analysis

Prepared by Port of San Francisco
June 2005

The [Embarcadero Parking and Transportation Analysis](#) looks at parking all along Port Authority property.

Page 29:

The Port has incorporated Transit First principles into new waterfront revitalization projects. The Port's Waterfront Land Use Plan includes policies to "Promote the use of public transit as a primary mode of transportation and maximize the efficient use of new and existing parking facilities...by implementing any of the following, where applicable . . .":

- Shared parking among Port-operated facilities and non-Port facilities in adjacent areas;
- **Limit the amount of available long-term parking;**
- Promote ride sharing and use of public transit through the sale of transit passes, provision of van/car pool spaces, and joint promotional campaigns with transit providers;
- Provide shuttle service where sufficient nearby parking is not available; and
- Provide parking information and signage systems to nearby underutilized parking locations

Accordingly, new projects have been developed with little or no net increase in off-street parking.

Port parking lots in the Ferry Building subarea have been priced to create major disincentives for long-term parking, to avail spaces for visitors and customers of the Ferry Building and Marketplace, Pier 1, and Piers 1-1/2, 3 and 5 developments. New public access and open spaces promote increased travel by walking and bicycle. **Where new off-street parking has been proposed, they are at levels below the parking requirements set forth in the San Francisco Planning Code.**

Exploratorium Relocation Project EIR

Prepared by San Francisco Planning Department
July, 2009

The [Exploratorium Relocation Project](#) says

Pages III.E-31-32

Therefore, additional analysis was conducted to determine the available supply of off-street parking within a half-mile radius of the Project Site, which is typically considered a walkable distance. Based on field observations, it was found that during the weekday midday period, the current off-street parking occupancy is 78 percent during the weekday midday, 32 percent during the weekday evening, and 32 percent during the weekend midday.

...
Given that there is currently a surplus of available parking at other nearby facilities for all evaluated time periods, it is anticipated that any shortfalls in parking availability at Seawall Lot 321 would be accommodated in these facilities. The Project and Expanded Project occupancies would be 83 percent or less under weekday or weekend conditions.

America's Cup People Plan

Prepared by San Francisco Office of Economic and Workforce Development
March 2011

The [America's Cup People Plan](#) was prepared to solve transportation issues relating to the America's cup regattas in 2012 and 2013:

Page 1-1:

One of the most significant efforts will be to identify a package of transportation options to reliably transport racing teams, event personnel, event sponsors, members of the media and thousands of America's Cup spectators to and from their desired destinations on any given race day, while at the same time satisfying the daily transportation needs of residents, businesses and visitors not associated with the races.

...
These principles favor bicycling and transit over the private automobile while emphasizing the need for effective communication and information tools that allow large numbers of users to make individual decisions that support the success of the system as a whole.

An interesting sidelight is that in Figure 5: SWL 351 is shown as a possibly available parking lot. There is no footnote to say that it might not be available because it might become a construction site.

34th America's Cup and James R. Herman Cruise Terminal and Northeast Wharf Project EIR

Prepared by San Francisco Planning Department
July 11, 2011

This EIR followed the People Plan. It happens to includes clear and succinct summary of the Transit First Policy:

Page 5.6-37

Transit First Policy

In 1998, the San Francisco voters amended the City Charter (Charter Article 8A, Section 8A.115) to include a Transit-First Policy, which was first articulated as a City priority policy by the Board of Supervisors in 1973. The Transit-First Policy is a set of principles that underscore the City's commitment that travel by transit, bicycle, and foot be given priority over the private automobile. These principles are embodied in the policies and objectives of the Transportation Element of the San Francisco General Plan. All City boards, commissions, and departments are required, by law, to implement transit-first principles in conducting City affairs.

Rather than encouraging traffic, this EIR proposes abolishing cars altogether:

Page 5.6-43

The Embarcadero Northbound Roadway Closure

On AC34 event days that are projected to attract a large number of spectators, one of the strategies in the People Plan is closure of the northbound lanes of The Embarcadero to private vehicles between Howard Street and Bay Street; access for emergency response vehicles and Port tenants on piers within the restricted area would be provided

Conclusions

Only a small number of the salient pints have been transcribed here. In all of these documents there is an overarching consistency and consensus regarding the need to control the use of the automobile with single driver and to encourage the health, safety and beauty of people walking and riding collectively in a city.

D.49.1

RFPs and “As Built”

The best laid schemes of mice and men / Go oft awry. Robert Burns, 1785

Here we try to find examples where the planning considerations have been put into effect and the outcomes of the plans may be considered as to their success or lack thereof.

Request For Proposals - SWL 351 Mixed Use Development Opportunity

Prepared by Port of San Francisco
November 2008

This document defines what the Port of San Francisco needs:

Page 2

The overall project will require that no fewer than 90 parking spaces be provided for short-term visitors to the Ferry Building either on SWL 351 or by other means.

Page 4

The Site is currently paved with asphalt, striped with 80 parking stalls and is operated by Ace Parking. A very small building accommodates the parking operation. In the past, SWL 351 has accommodated up to 110 parking stalls.

Page 9

D. Parking Commitments

Currently, SWL 351 is used as a surface parking lot under a Parking Agreement between the Port and Ferry Building Investors, LLC as part of the \$100 million historic rehabilitation of the Ferry Building. Under that agreement, the Port must make available 150 parking spaces for short term visitors to the Ferry Building. Currently, SWL 351 provides a portion of the required 150 parking spaces. **This RFP requires that any mixed use development on SWL 351 would need to maintain at least 90 parking spaces available for short term visitors to the Ferry Building.**

Understanding the Port's parking commitment to the Ferry Building Investors requires review of the history of the Ferry Building project. The Board of Supervisors in 1996 (Resolution No. 828-96) gave preliminary endorsement to a two-level underground garage under Blocks 202 and 203 (now Sue Bierman Park) for up to 350 parking spaces, provided that construction not begin until the Port had entered into a contract to rehabilitate the Ferry Building.

Following that endorsement, the Port proceeded to offer the Ferry Building as a development opportunity, secure a developer, and negotiate a complex transaction for rehabilitation of that landmark structure. Just as the Port was completing the Ferry Building transaction, **the Board rejected the concept of creating an underground parking facility.** Consequently, prior to entering into a 66 year ground lease, the Ferry Building Investors sought the assurances provided in the Parking Agreement that no fewer than 150 parking spaces would be made available to visitors to the Ferry Building at a number of locations including Pier 1/2, SWL 351, and the Golden Gateway Garage.

Appendix C provides the Parking Agreement with the Ferry Building Investors, including the letters from 2003 and 2008 identifying the specific sites assigned under the agreement. The Parking Agreement is renewable at 10 year intervals until a new public parking garage of at least 150 parking spaces is built in the area. Either Ferry Building Investors or a parking operator under contract to the Port can operate the assigned parking. In responses to this RFP, the Port requires a minimum of 90 short term, public parking spaces beyond those required for the project's own use and the Port encourages additional parking to meet the needs of retail and restaurant uses along the waterfront.

It is worth noting:

1. The RFP asks to replace 110 spaces with just 90 spaces
2. The cancellation of a project to build 350 parking spaces is prominently detailed - very Transit First
3. Up to 150 spaces may be required but these spaces should be allocated to other lots besides SWL 351

Embarcadero Parking and Transportation Analysis

Prepared by Port of San Francisco
June 2005

This report was already mentioned above and is used again to try to highlight, at least anecdotally, some of the actual success of the Transit First policy.

Page 1

No great city is known for its abundant parking supply. San Francisco itself is one of the best examples in the United States of how limited parking can result in a compact, vibrant downtown and walkable neighborhood commercial districts. By reducing space allocated for private cars, San Francisco has achieved new development that creates or maintains a strong sense of urban place and pedestrian scale which make walking, cycling and public transit viable alternatives to the car.

Here's the evidence Transit First is working: The Port of San Francisco for its own uses and of its own volition projected in its own development projected a net drop of 400 parking spaces in the area surrounding the Ferry Building.

Page 20

The above development will result in changes to the parking supply as summarized in Table 5 and Figure 3, below. As shown in the table, there will be a net reduction in the future of about 400 spaces (approximately four percent of the current supply), with half of them being eliminated in the Northeast subarea between Pier 35 and Pier 7.

As Built Projects

Getting parking space statistics for these projects is not easy. It appears that the developers do

not want to make it known that the ratio 0.75 car spaces per residence is the state of affairs in these new projects

Millennium Tower

Delivered 2009

419 condos with just 340 parking spaces in the building

http://www.socketsite.com/archives/2007/11/the_millennium_a_few_things_you_might_know_and_a_few_yo.html
http://en.wikipedia.org/wiki/Millennium_Tower_%28San_Francisco%29

One Rincom Hill South Tower

Delivered 2008

709 residences, number of parking spaces not revealed Valet parking offered

http://en.wikipedia.org/wiki/One_Rincon_Hill
<http://www.sparkparking.com/blogs/cooper/?cat=14>

The Infinity

Delivered 2008

640 units, number of parking spaces not revealed. Valet parking offered

http://en.wikipedia.org/wiki/The_Infinity
<http://www.webcor.com/projects/all-projects/mixed-use/the-infinity/>

New SOMA Parking Controls

For SOMA, Minimum off-street residential parking requirements would be eliminated, and a maximum of 0.75 off-street parking spaces per dwelling unit would be put in place.

<http://transbayblog.com/2011/02/09/new-parking-controls-in-the-works-for-south-of-market-and-mission-bay/>

Will this happen north of Market?

Conclusions

Given an outcome based on the Transit fFirst policy, what sort of numbers would be indicated for the 8 Washington project?


165 residences at 0.75 spaces per unit = 123.75 spaces. Say 124 spaces.

The Port Authority RFP asks for 90 spaces.

The GGTSC currently has 17 spaces and this appears to be adeqaute. Membership will be cut and half and a significant portion of the membership will reside in the project and will thus not require spaces.

Therefore Club needs can be reduced from 17 down to 10 spaces.

D.49.2



Will the parking space needs of the new restarants and commercial facilities be greater than those of the Club which has two pools, four tennis courts etc, etc?

So we can allocate again 10 spaces for restaurants and commercial.

This all adds up to 234 parking spaces. Allowing for error, call it 250 spaces.

In other words, a Transit First policy for the 8 Washington project might call for approximately 250 parking spaces

↑
D.49.2
cont'd

Parking as Proposed

The Draft EIR states that the proposal “exceeds” Planning Code allowances. Very often the word exceed means “to perform better than...” In this case, please take it to mean “fail”.

Page II.14

The City’s Transit First Policy provides that “parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation” (City Charter, Section 8A.115). As discussed in EIR Section IV.D, Transportation, **the proposed project would exceed Planning Code allowances for accessory parking**, requiring Conditional Use authorization or adoption of a Special Use District to allow for the proposed parking ratio. Provision of parking in excess of required and accessory amounts could encourage additional residents and users of the proposed project to choose driving over other forms of travel.

The proposed parking would include up to approximately 420 spaces, with approximately 165 spaces for residents and 255 public spaces for retail, restaurant, and health club uses and the public, including 90 spaces required to serve the Ferry Building waterfront area under the Port of San Francisco’s Request for Proposals. All public spaces would be available with no access restrictions. The proposed vehicle parking would replace the existing 17 surface spaces used for the athletic club and 105 surface spaces on Seawall Lot 351 that serve the Ferry Building, resulting in a net increase of 133 publicly available parking spaces.

Please note that there is no mention of the Transit First policy in the objectives of the proposed project. Note also there is an objective not to decrease but to increase the supply of parking spaces.

Page II.20

C. OBJECTIVES OF THE PROPOSED PROJECT

...

To increase the supply of public underground parking to support the continued economic viability of the Ferry Building Farmer’s Market and the retail and restaurant uses at the Ferry Building, Pier 1 and Piers 1-1/2 - 5;

Page II.23

Review and approval of a Planned Unit Development/Conditional Use Permit pursuant to Planning Code Sections ... 151 and 204.5(c) (off-street parking for residential uses in excess of maximum accessory amounts)

The wording of the last line is quite subtle. Unless you really look for the word “not”, you will think that the project does indeed contribute to a net reduction in parking spaces.

Page III.6

The proposed project would provide a total of 420 parking spaces (165 spaces for project residents and 255 spaces for the retail uses and the general public, including 90 spaces required to serve the Ferry Building waterfront area under the Port of San Francisco’s Request for Proposals). These 420 parking spaces would meet the midday project parking demand of 298 spaces,¹ as well as replace and relocate the existing surface spaces on the project site that

would be removed as part of the proposed project (17 existing spaces for the Golden Gateway Tennis and Swim Club and 105 existing spaces on Seawall Lot 351. $298+17+105=420$). Thus, proposed project would **not** contribute to a net reduction of available parking spaces in the area that could encourage more project residents, project visitors, and visitors to the area, to choose alternative forms of transportation over driving.

Note that a ratio of 1.1 spaces per unit is significantly higher than the 0.75 spaces per unit as noted in other recent nearby projects.

Page IV.D15

This is the page that has the 99% Midday Occupancy Rate for SWL 351 that the cover of this document refers to.

Page IV.D.21

Parking and Loading Demand

Parking demand for the proposed project was determined based on methodology presented in the SF Guidelines. Parking demand consists of both long-term demand (typically residents and employees) and short-term demand (typically visitors). Long-term parking demand for the residential uses was estimated assuming 1.1 spaces for every studio/one-bedroom residential unit and 1.5 spaces for every residential unit with two or more bedrooms, then applying a midday or evening peak demand percentage. Long-term parking demand for the commercial uses (retail, restaurant, athletic club) was estimated by applying the average mode split and the vehicle occupancy from the trip generation estimation to the number of employees for each of the proposed land uses. Short-term parking for the commercial use was estimated based on the total daily visitor trips and average daily parking turnover rate (5.5 vehicles per space per day).

Again this section discusses “exceeding” the minimum - as if this were a good thing.

The spaces for residential, retail and restaurant use all conform to section 151 of the San Francisco Administrative code. I cannot find where the number of 80 spaces for the athletic club comes from. I note that the current number of spaces used by the club is 17. I also note that the proposal would cut the membership in half and that many of the members would actually be residents and if the current trend continued the great majority of members would live in the Gateway or Golden Gateway Commons. Also members of athletic clubs tend to be healthy people - they may well tend to walk or bike longer distances than the average person. So a number like 10 spaces might be more likely. This gives a total of 146 spaces needed for the new project and 236 when the 90 spaces are added due to the Port of San Francisco RFP - which is close to the 250 spaces suggested in the previous section.

Page IV.D.28

The proposed project would be required by the Planning Code to provide a total of 216 off-street parking spaces, of which 41 spaces would be for residential uses, 80 for the athletic club use, 34 for retail uses and 61 for restaurant uses. The proposed project would meet and exceed the minimum Planning Code requirements for off-street parking spaces.

Section 204.5(c) of the Planning Code allows a maximum accessory parking for the residential use of 150 percent of the required number of parking spaces, resulting in a total allowance of 62 parking spaces. Since the proposed project would have 165 parking spaces for the residential

units, it would exceed the Planning Code allowance for the provision of off-street residential parking and the Project Sponsor would need to seek a Conditional Use authorization (Sections 157 and 204.5 of the Planning Code), or seek adoption of a Special Use District under Section 235 that would allow for the proposed parking ratio.

Section 204.5(c) would also allow a maximum accessory parking for the restaurant, retail, and athletic club uses of 150 percent of the required number of parking spaces, resulting in a total allowance of 263 spaces permitted as accessory parking for the nonresidential uses of the project.

The proposed project would allocate 255 parking spaces for the commercial and other public uses, which would be within the Planning Code allowance for the provision of nonresidential offstreet parking.

Conclusions

My contention is that the following statement copied from page IV.D.28 of the 8 Washington Draft EIR is not valid.

Impact TR-5: The proposed project would not result in a significant impact related to an increase in the number of vehicles parking in the project vicinity. (Less than Significant)

The addition of an extra 312 car parking spaces (calculation 420 proposed - 90 in SWL 351 - 17 belonging to Club + 14 existing to be removed) to the vicinity of the Ferry Building subarea would increase parking by over 7%.

Calculation: $312 / 4440$ See page 21 of the [Embarcadero Parking and Transportation Analysis](#)

The addition of such a large number of parking spaces must be considered as contradictory to a Transit First policy that seek to reduce car parking.

It is further worth noting that the draft report explains that the sponsor will need to seek conditional use authorization in order to go over the maximum but offers no good reason or any sort of justification as to why providing so many more parking spaces would be a good thing thing for the city or who the scheme would help. The proposal simply seems to assume that everybody naturally wants more cars.

Even allowing for some development, using two separate (admittedly seat of the pants) calculations, I have come up with a total number of 250 spaces being suitable for use by a project of this type. The proposal call for 420.

This proposal is not a Transit First effort. This proposal is a More Cars More Better policy.

D.49.3

**Comment on Draft Environment Impact Report on
8 Washington Street/Seawall Lot 351 Project**

Mr. Bill Wycko
Environmental Review Office
San Francisco Planning Department
1650 Mission ST. Suite 400
San Francisco, CA 94105

August 15, 2011

RECEIVED

AUG 15 2011

**CITY & COUNTY OF S.F.
PLANNING DEPARTMENT
RECEPTION DESK**

Mr. Wycko:

With solemn delight I offer my comments and observations about this Draft Environment Impact Report (DEIR) by your department. It is an extraordinary demonstration of form (headings, mandated categories, pagination format etc.) per (Pub. Res. Code § 21002 et seq.), but lacking substance in examining and identifying areas of potential significant environmental impact as defined by CEQA legislation and its guidelines.

Your examination of the proposal record has led to your relegating 17 major topics to the category of **LS** (less than significant) designation as if to reassert the Department's previous conclusion that the proposed project in 2002 with the environment evaluation application at that time producing a PMND is appropriate today *for* the 2011 EIR consideration, but that plan and proposal is very different than the one being considered now. Even though the December 4, 2007 submission of a new EE application determination by reviewing officers Wycko and Muraoka found that the proposal project “may have significant effect on the environment and an *ENVIRONMENT IMPACT REPORT is required*. So to satisfy that determination, we have herewith a DEIR dated June 15, 2011

D.50.1

This 2011 DEIR is rendered almost the next best thing to the PMND submitted in 2002 in that this DEIR (with mitigation) has so many of the major areas for potential significant environmental impacts eliminated for consideration.

This report's relegation of major categories of consideration such as: “Land use, LU 1-3; Aesthetics 1-3; Transportation TR 1-8 only mitigating TR-9; Shadows SH1-1-3; to the less than significant (LS) category (on page Intro 3) consisting of 17 items is a maneuver to effect almost a negative declaration. What's left – all that which facilitates the development of the project as much as the lead agency had concluded in 2002 (Case No. 2007.00.30E) in the developer prepared NOP/Initial Study for which this lead agency concluded was worthy of a negative declaration (Neg Dec) based on the records submitted by the developers to to the Department. But, that was rejected on appeal to the Board of Supervisors. It appears in 2011, this same lead agency still pursues almost a **Neg Dec** option in tiering this report submitted as though there are no significant environmental impacts, except those due to construction with an entirely different plan and proposal before them to be analyzed.

D.50.1
cont'd

This DEIR is full of pronouncements that in themselves are contradicted by the stated descriptions of the proposal which it purports to examine in support of its pronouncements. It even even begins with quotes from *CEQA Guidelines Section 15382* to ensure our understanding of the “Purpose of this Impact Report” and the meaning of a “*significant effect on the environment*” as quoted on (B of page - Intro 2). But, in just quoting this section “g” of the guideline, it fails to include the description of the confusion surrounding the second and third sentence of this paragraph quoted with regard to social and economic effects. This confusion is cleared-up in the legislative annotation and uses another code citation which requires such considerations – the authority cited; case law (Hector v. People of the State of California, 58 Cal. App. 3d). The discussion follows:

D.50.2

Discussion: The first sentence combines the statutory language in the definitions of "significant effect" and "environment" in the interest of clarity because they are interrelated.

“The second and third sentence pose a problem of interpretation that has caused controversy for many years. The controversy centers around the

extent to which CEQA applies to economic and social effects of projects. In determining whether an effect is significant, however, Section 21083(c) requires an effect to be found significant if the activity would cause an adverse effect on people.”

D.50.2
cont'd

This 2011 DEIR, except for the format, is closer to a real estate sales promotion document of the developer – this is not surprising! Since it is an adaptation of the first *NOP Initial Study* of April 10, 2002 without any exception to the new plans and proposals prepared by the developers and those problematic conclusions are taken unto the bosoms of the environmental division of the Planning Department without the slightest earnest questioning of its applicability to the CEQA standards - quote:

D.50.3

“Although the NOP/Initial Study was prepared for the initial project proposal, the conclusion of the NOP/Initial Study continues to be applicable to the proposed project that are determined to be less than significant or to be reduced to a less than significant level through recommended mitigation measures included in the the NOP/Initial Study.” (pg - Intro. 4) of the 2011 DEIR.

The plausibility of the January 3, 2007 EE application adapting the NOP/Initial Study of 2002 needs to be challenged, then, as this adaptation now in a further integration of the July 2011 DEIR with the 2007 EE App. needs to be challenged.

D.50.4

How it must be comforting for planners in the department's environmental division who took on the responsibility of adapting the 2007 EE App for the 2011 DEIR herein provided, confident that facts that don't support assertions, won't be questioned since this over- burdensome form of this report overwhelms and befuddles common grasp of logical incoherence of the assertions, especially working on the interchangeability of the two reports (really three reports) rolled into one and by just declaring *ex cathedra* that these **topics** are less than significant, or with mitigation, rendered less than significant – indeed a unique approach to preparing a DEIR!

In so taking this approach, it may invoke Pub. Res. Code Chap 1 § 21005 (a) which states:

“(a) The Legislature finds and declares that it is the policy of the state that noncompliance with the information disclosure provisions of this division which precludes relevant information from being presented to the public agency, or noncompliance with substantive requirements of this division, may constitute a prejudicial abuse of discretion within the meaning of Sections 21168 and 21168.5, regardless of whether a different outcome would have resulted if the public agency had complied with those provisions.”

It is apparent that the City by its staff both at the Planning Department and the Port wishes to both influence 8 Washington Project development and facilitate it to happen. This has been cited in litigation filed by twelve neighborhood groups and John Does etc. in Superior Court of San Francisco, Case No. CPF -10-510634 in which the following statement on page 4 of the brief appears: D.50.5

Internal City documents confirm staff’s careful efforts to facilitate the 8 Washington project’s reductions in open space and to alter current restrictions on building height limits. (AR:3:1318; 1348.) The Study recommends height increases from 84 feet to 130 feet, despite the fact that, among other environmental concerns, acceptable land uses for Seawall Lot 351 must be consistent with the public trust and the purposes of the Waterfront Land Use Plan, prepared in response to a 1990 citizen’s ballot initiative. (AR1:65, 261; 2: 623, 662; 3:967; see Opening Brief at 10-11.) The Exclusive Negotiating Agreement and the term sheet resolution confirm the Study’s ambitious intentions to mold the 8 Washington project. (AR3:1558;1:33.)

The diminishing of CEQA, its content, timing and relevancy is patently clear and surely must constitute the prejudicial abuse of discretion *within the meaning of Sections 21168 and 21168.5,* D.50.6

The City's perilous course taken by its staff surely will result in reversal of much of these prejudicial abuses of discretion. So what should this come to?/The proper preparation of an EIR examining real and sound alternatives that are clearly presented without minimalist treatment of significant impacts that's reduced to less than significant by mere designation and explained away as merely changing the various adopted City plans (3 of them) affecting this proposal and possibly changing State legislation to exempt land from the constraints of the Public Trust Doctrine or exchange properties of equal value in order to effectuate the plan proposal by the developer. It almost appears that city staff has a larger stake in seeing this particular development to fruition that is beyond the normal role and just duties of public employees. Is there something fishy down by the waterfront?

D.50.7

What this DEIR has totally left out without even a casual reference as though it's irrelevant, but which is a major thrust of CEQA: is **feasibility!** This is where economics play an important role in CEQA and the CEQA guidelines.

D.50.8

To quote an eminent CEQA attorney on this topic, Arthur Pugsley on the significance of feasibility for CEQA as follows:

The concept of feasibility is essential to CEQA, and the word "feasible" appears throughout the statute (Pub. Res. Code. § 21000 et seq.) and the guidelines (14 Cal Code Reg §15000 et seq.). The concept of feasibility is built into CEQA's substantive mandate that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects" (my emphasis) Pub.Res. Code §21992). Central to the concept of feasibility is an economic evaluation – so central that the CEQA definition of feasibility lists economic factors first, ahead of of environmental factors, Feasible "means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors" [Pub. Res. Code §21061.1; Guidelines § 15002 (a)(3)].

The alternative and mitigation analysis, described as “the core of an EIR” [In Re Bay Delt Programmatic EIR Coordinated Proceedings (2008) 43 Cal. 4th 1143, 11621] is also firmly rooted in the concept of feasibility [Guidelines § 15128.6 (a) (alternatives studied must feasibly attain most of the basic objectives of the project while avoiding or lessening environmental impacts); Guidelines § 15126.6(f) (rule of reason based on feasibility).] Certified regulatory programs must also comply with the substantive mandate to avoid environment impacts when feasible. [guidelines § 15250]. Thus to comply with CEQA's substantive requirements, economic evaluation of both the proposed project and the potential alternatives and mitigation measures will likely prove necessary during the environmental review process.

In real estate development, economics is the ultimate criteria to measure feasibility. This DEIR has virtually no economic or financial information. What makes this proposal feasible as an investment? In terms of supporting real estate development data which any investor would want before signing a check for property acquisition and development of condominiums in San Francisco would want at a minimum: a) feasibility analysis, b) demand analysis, c) marketability and rate of absorption analysis. Although any such information produced for the developer may need be kept in confidence, but the City must for satisfying their own purpose the determination of financial feasibility of the proposal since Port property (SWL 351) would be involved. And accordingly, some intricate exchange of financing of public capital improvements for the developer to provide 250 public parking spaces in an outlandish three level below grade parking garage which would also include the replacement of the SWI 351 surface parking loss to building development on the site.

D.50.9

Such complex financial exchange will inevitably involve absorbing the excessive cost of the incredibly problematical three level below grade parking garage with the creating an *Infrastructure Financing District (IFD)*. A premise of financial possibility in theory although predicated on legislation by then State Senator Carroll Migden created for the Port, but, which now under the City's and the State's financial bind are not likely to allowed

materialize, just as the Redevelopment projects reliant on similar type of financing may see itself evaporating or already have been eliminated. Questions raised by Friends of Golden Gateway and Neighbors to Preserve the Waterfront back in September 28, 2010 addressing these questions of financial reality relating to the “Term Sheet for Seawall Lot 351 have never been properly answered, if even the Port is in the position to answer. All these shaky financial structures need be subject to CEQA analysis. Pub. Res. Code 21000 (g) requires it as follows:

D.50.9
cont'd

(g) Require governmental agencies at all levels to consider qualitative factors as well as economic and technical factors and long-term benefits and costs, in addition to short-term benefits and costs and to consider alternatives to proposed actions affecting the environment

CEQA also offers procedural protections that foster governmental transparency and accountability [Citizens of Goleta Vally v BD of Supervisors (1990) 52 Cal 3d 553, 564 (“Goleta II”)] And, an Agency must discharge its disclosure obligations: [In Re Bay-dlta Programmatic EIR coordinated Proceedings (2008) 43 Cal 4th 1143, 1162] My neighbors (referenced earlier) inform me that with the Port, it's a hide-and-seek game for information. Which game will we be engaged in with the new EIR, which litigation referenced earlier will surely by Court mandate require to be produced different terms than the present DEIR was authorized or will further Court action be necessary for the Lead Agency to discharge its disclosure obligations?

D.50.10

By way of illustrating a challenge to the Reports first LS conclusion - addressing the unaddressable of the Reports LS categorization of LS 1 & 2 i.e. “*the proposed project does not divide an established community*” and “*the proposed project will not have a substantial impact on the existing character of the vicinity.*”/Granted that CEQA has made it clear that CEQA does not require analysis of of potential project effects that do not result, directly or indirectly in “physical change”to the environment per CEQA (Section 21080 (e) and CEQA Guidelines (e.g., Section 15131), however, the same CEQA Guidelines provide that socioeconomic issues may be

D.50.11

considered if they would cause physical environmental effect.

This proposed “bunker for expensive furniture” is a vertical gated community comparable to the worst examples found in the suburbs (many more on the horizon in large cities) As such this proposed development will create significant environment impact. The price range publicly quoted by the development's lead spokesman is that these units will be the most expensive in the city. As per announcement of the projected cost for the development, it will average out to be \$2.1 million per condo.

This is a fortress island in an otherwise open integrated middle class neighborhood whose physical structures are accessible from all corners and streets at the street level and a story above with pedestrian crossing (in the case of GGG Apts) over streets. The contrast will be shockingly distinct. These units slated for multi-million/billionaire pied-a-terres will be vacant storage bins for expensive furniture until the owner's occasional weekend use from time to time. The socioeconomic impetus to produce this kind of development yields this kind of physical environment. These structures are built to achieve class distinctions not unlike private clubs such as the Bohemian Club or Virgin Island resorts which Sir Richard Branson owns and cater to the very rich. This development divides the community both physically and socioeconomically This should be analyzed under CCEQA.

Such a *product* proposal as 8 Washington, the lead agency surely need examine what the City's housing objectives are to be achieved. Just because City ordinance requires a 12 % affordable hosing units as part of the development (in this case off-site) are required for the development license so to speak, how many more such units would be secured with a development doubling the size. But then, these two City Departments are not in the business of promoting affordable housing for the City. From the standpoint of project feasibility, this city should closely examine the finances of the developer entity. Just because it has the ostensible commitment from the California Teachers Pension Fund, doesn't mean that when the actual time arrives to put in the equity, the California Teachers Pension Fund would be able to do so, especially when there are outstanding investigation by the

D.50.11
cont'd

various State Departments including the State Attorney's Generals office and the Department of Corporations of some of the funds placement agents who have cross certain line of propriety and investments improperly investigated have bellied-up. D.50.11
cont'd

MEE a national real estate surveyor of housing development has noted that in the downtown area/ Telegraph Hill South of Market the "Class A cap rates are a sub (-)5 percent. And if you understand cap rates - a sub -5% is not terribly exciting (really insupportable for investment) and would raise some serious questions about this project. D.50.12

It is clear that the litigation of the 12 neighborhood groups (the plaintive s) is likely to prevail according to knowledgeable CEQA litigants which implies that the EIR will have to start all over to before the pre-NorthEast Embarcadero Study and preTerm Sheet agreement etc. I trust with this prospect that you would be well advised to take my and my neighbors comments seriously and discharge your duty on disclosure and transparency and accountability.

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Ms. Nannie Turrell
Planning Department
City and County of San Francisco

Re: 8 Washington Street Project

Dear Ms. Turrell,

"These days you might meet a man,
heart missing, dumb as a plank...
When he talks, nothing you can understand comes out
of his mouth, except when he says, 'I don't care'. "
(Han Shan, Cold Mountain Poems, T'ang Era)

This poem was written over a 1000 years ago and sums up my
feelings of the 8 Washington DEIR.

This project is going to be shoved down the throats of the 2200
people who use the open space and recreation facilities at the
GGS&T facility and the people of Golden Gate Commons. The
people who use GGS&T are from almost all of the supervisor
districts, those who work in the Embarcadero, and those who
live in the Golden Gateway complexes.

The DEIR fails to adequately address the incredible hole that
is to be made to accommodate an underground garage and the
resulting effects from displacing water on the Embarcadero and
the Ferry Building. Will there be a water drainage problem?
Where will the water be pumped? Into the bay via pipes that
back up during high tide and a full moon?

Have federal and state agencies been consulted about toxic
waste being pumped into the bay? Does any one know the
chemical elements of the existing landfill?

This has the traits of another "BIG DIG of BOSTON. "

The height and mass of the project will destroy the openness
of the waterfront and, in my opinion, the design is very East
German, from the era of Walter Ulbricht.

"Qu'ils mangent de la brioche"

"Let them eat cake"

The 8 Washington Project is extremely elitist and
Machiavellian in nature, it replaces a facility FOR the PEOPLE

D.51.1

D.51.2

D.51.3

D.51.4

D.51.5

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with a very restrictive and expensive living facility and, more than likely, a very expensive and restrictive private club.

↑ D.51.5
cont'd.

The DEIR comments on area recreation facilities are sophisms and flawed. Did the author ever visit these sites, inspect them?

↑ D.51.6a

Does the author ever try to get on a bus with a hip whose implant has gone sour? Does the author ever exercise, does he/she live in this city?

↑ D.51.6b

"Here, sir, the people govern."

Alexander Hamilton

The people do not want this project.

The developers want this project. They do not live in this neighborhood.

↑ D.51.7

Sincerely yours,



Timothy F. Geraci
51 Ironship Plaza
San Francisco 94111
August 10, 2011