

File No. 120271

Committee Item No. 5

Board Item No. 27

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Economic Development Date June 4, 2012

Board of Supervisors Meeting Date June 12, 2012

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form (for hearings) |
| * <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
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OTHER (Use back side if additional space is needed)

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| * <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Port Commission Resolution No. 12-46</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Port Commission Resolution No. 12-47</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Planning Commission Resolution No. 18566</u> |
| * <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Planning Commission Motion No. 18561 & MMRP</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Planning Commission Resolution No. 18562</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Planning Commission Motion No. 18563</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Planning Commission Motion No. 18565</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Planning Commission Motion No. 18567</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>Site Plan</u> |

Completed by: Alisa Miller Date June 1, 2012
Completed by: Alisa Miller Date June 7, 2012

An asterisked item represents the cover sheet to a document that exceeds 25 pages.
The complete document can be found in the file.

1 [Zoning Map Amendment - 8 Washington Street Project]

2 **Ordinance: 1) amending the City and County of San Francisco Zoning Map Sheet HT01**
 3 **to change the height and bulk district classification of two areas along the Drumm**
 4 **Street frontage of the property located at Assessor's Block No. 0201, Lot No. 012 (8**
 5 **Washington Street), from 84-E to 92-E in one area and to 136-E in another area; and 2)**
 6 **making environmental findings, Planning Code Section 302 findings, and findings of**
 7 **consistency with the General Plan and the Priority Policies of Planning Code Section**
 8 **101.1.**

9
 10 Note: Additions are *single-underline italics Times New Roman*;
 11 deletions are *strikethrough italics Times New Roman*.
 12 Board amendment additions are double underlined.
 13 Board amendment deletions are ~~strikethrough-normal~~.

14 Be it ordained by the People of the City and County of San Francisco:

15 Section 1. Findings. The Board of Supervisors of the City and County of San
 16 Francisco hereby finds and determines that:

17 (a) On August 9, 2011, Neil Sekhri, acting on behalf of San Francisco Waterfront
 18 Partners II, LLC ("Project Sponsor"), filed an application to amend Sheet HT01 of the Zoning
 19 Map of the City and County of San Francisco to change the height and bulk classification of
 20 two areas of the western portion (along the Drumm Street frontage) of the property located at
 21 Assessor's Block 0201, Lot 012 (8 Washington Street) from 84-E to 92-E in one area
 22 measuring 88 feet by 86 feet, and to 136-E in another irregular, roughly rectangular area
 23 measuring 15,370 square feet ("Proposed Zoning Map Amendment").

24 (b) The Proposed Zoning Map Amendment is part of a project proposed by the Project
 25 Sponsor to demolish an existing surface parking lot and health club, and construct a new
 health club, residential buildings ranging from four to twelve stories in height containing 145

1 dwelling units, ground-floor retail uses totaling approximately 20,000 square feet, and 400 off-
2 street parking spaces ("Proposed Project").

3 (c) On March 22, 2012, at a duly noticed public hearing; by Motion No. 18560, the
4 Planning Commission certified the Final Environmental Impact Report ("FEIR") for the
5 Proposed Project, including the Zoning Map Amendment. The Planning Commission certified
6 that the FEIR for the Proposed Project reflects the independent judgment and analysis of the
7 City and County of San Francisco, is adequate, accurate and objective, contains no significant
8 revisions to the Draft EIR, and that the content of the FEIR and the procedures through which
9 it was prepared, publicized and reviewed comply with the provisions of the California
10 Environmental Quality Act ("CEQA") (California Public Resources Code section 21000 et
11 seq.), the State CEQA Guidelines (California Code of Regulations Title 14 sections 15000 et
12 seq.) and Chapter 31 of the San Francisco Administrative Code ("Chapter 31"). A copy of the
13 FEIR is on file with the Clerk of the Board of Supervisors in File No. 120271.

14 (d) On March 22, 2012, the Planning Commission adopted Motion No. 18561 adopting
15 CEQA Findings with respect to the approval of the Proposed Project, including the Proposed
16 Zoning Map Amendment. This Board of Supervisors hereby affirms and adopts said findings
17 based on the reasons set forth therein, and incorporates such reasons by reference.

18 (e) On March 22, 2012 the Planning Commission adopted Resolution No. 18566,
19 approving and recommended adoption by the Board of Supervisors of the Proposed Zoning
20 Map Amendment.

21 (f) The letter from the Planning Department transmitting the Proposed Zoning Map
22 Amendment to the Board of Supervisors, the Final EIR, the CEQA Findings adopted by the
23 Planning Commission with respect to the approval of the Proposed Project (including a
24 statement of overriding considerations and a mitigation monitoring and reporting program) are
25

1 on file with the Clerk of the Board in File No. 120271. These and any and all other
2 documents referenced in this Ordinance have been made available to, and have been
3 reviewed by, the Board of Supervisors, and may be found in either the files of the City
4 Planning Department, as the custodian of records, at 1650 Mission Street in San Francisco, or
5 in File No. 120271 with the Clerk of the Board of Supervisors at 1 Dr. Carlton B.
6 Goodlett Place, San Francisco, and are incorporated herein by reference.

7 (g) The Board of Supervisors has reviewed and considered the Final EIR, the
8 environmental documents on file referred to herein, and the CEQA Findings adopted by the
9 Planning Commission in support of the approval of the Proposed Project, including the
10 statement of overriding considerations and a mitigation monitoring and reporting program.
11 The Board of Supervisors has adopted the Planning Commission's CEQA Findings as its own
12 and hereby incorporates them by reference as though fully set forth herein.

13 (h) Pursuant to Planning Code Section 302, this Board of Supervisors finds that this
14 Zoning Map Amendment will serve the public necessity, convenience and welfare for the
15 reasons set forth in Planning Commission Motion No. 18567 (approving the Conditional Use
16 Authorization and Planned Unit Development for the Project), and incorporates such reasons
17 by reference herein.

18 (i) Pursuant to Planning Code Section 101.1, this Board of Supervisors finds that the
19 Proposed Zoning Map Amendment is consistent with the General Plan, as amended, and with
20 the Priority Policies of Planning Code Section 101.1 (b), and hereby adopts the findings of the
21 Planning Commission, as set forth in Planning Commission Motion Nos. 18565 and 18567,
22 and incorporates said findings by reference herein.

1 Section 2. Pursuant to Sections 106 and 302(c) of the Planning Code, the following
2 change in height and bulk district classification, duly approved and recommended to the
3 Board of Supervisors by Resolution of the Planning Commission, is hereby adopted as an
4 amendment to Zoning Map Sheet HT01 of the City and County of San Francisco:

<u>Description of Property</u>	<u>Height and Bulk Districts to be Superseded</u>	<u>Height and Bulk Districts to Be Approved</u>
Assessor's Block 0201 Lot 021	84-E	<u>92-E and 136-E</u>

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9 Section 3. Effective Date. This Ordinance shall become effective 30 days from the
10 date of passage.

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12 Section 4. This section is uncodified. In enacting this Ordinance, the Board intends to
13 amend only those words, phrases, paragraphs, subsections, sections, articles, numbers,
14 punctuation, charts, diagrams, or any other constituent part of the Planning Code that are
15 explicitly shown in this legislation as additions, deletions, Board amendment additions, and
16 Board amendment deletions in accordance with the "Note" that appears under the official title
17 of the legislation.

18
19 APPROVED AS TO FORM:
20 DENNIS J. HERRERA, City Attorney

21 By: 
22 ELAINE C. WARREN
23 Deputy City Attorney
24
25

LEGISLATIVE DIGEST

[Zoning Map Amendment - 8 Washington Street Project]

Ordinance: 1) amending Sheet HT01 of the Zoning Map of the City and County of San Francisco to change the height and bulk district classification of two areas along the Drumm Street frontage of the property located at Assessor's Block No. 0201, Lot No. 012 (8 Washington Street), from 84-E to 92-E in one area and to 136-E in another area; and 2) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

Existing Law

The Zoning Map of the San Francisco Planning Code currently shows the height and bulk district classification of Assessor's Block 0201, Lot 012 (8 Washington Street) as 84-E.

Amendments to Current Law

The proposed amendment would amend Sheet HT01 of the Zoning Map to change the height and bulk district classification of two areas at the western portion (along the Drumm Street frontage) of the property located at 8 Washington Street from 84-E to 92-E in one area measuring 88 feet by 86 feet), and to 136-E in another irregular, roughly rectangular area measuring 15,370 square feet.

Background Information

The proposed Zoning Map amendment is part of the 8 Washington Street Project, which proposes to demolish an existing surface parking lot and health club, and construct a new health club, residential buildings ranging from four to twelve stories in height containing 145 dwelling units, ground-floor retail uses totaling approximately 20,000 square feet, and 400 off-street parking spaces.



MEMORANDUM

May 24, 2012

TO: MEMBERS, PORT COMMISSION
Hon. Doreen Woo Ho, President
Hon. Kimberly Brandon, Vice President
Hon. Francis X. Crowley
Hon. Leslie Katz
Hon. Ann Lazarus

FROM: Monique Moyer
Executive Director *MMoyer*

SUBJECT: Request adoption of the required California Environmental Quality Act Findings and the Mitigation Monitoring and Reporting Program in connection with the development of a triangular lot located at Washington Street and The Embarcadero having an address at 8 Washington Street together with Seawall Lot ("SWL") 351 by San Francisco Waterfront Partners II, LLC, a Delaware limited liability company ("Developer"). (Resolution No. 12-46)

Request approval of the (1) Disposition and Development Agreement, (2) Lease No. L-15110 for a term of 66 years, (3) Purchase and Sale Agreement, and (4) Maintenance Agreement, all with San Francisco Waterfront Partners II, LLC, a Delaware limited liability company, (5) Trust Exchange Agreement with the California State Lands Commission, and (6) Schematic Drawings; all in connection with the development of SWL 351 and adjacent private parcel at 8 Washington Street (located on the Embarcadero at Washington Street). (Resolution No.12-47)

Director's Recommendation: Approve the Attached Resolutions

SUMMARY

The purpose of this memorandum is to provide the Port Commission and the public with information and analysis regarding Port staff's recommendation to approve the development of SWL 351 in conjunction with the adjacent 8 Washington property (the "Project"). The Port approval actions needed for the Project include approval of California Environmental Quality Act Findings, the Disposition and Development Agreement, Lease No. L-15110, the Purchase and Sale Agreement, the Trust Exchange Agreement, the Maintenance Agreement, and the Schematic Drawings.

THIS PRINT COVERS CALENDAR ITEM NO. 9A

**PORT COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

RESOLUTION NO. 12-46

WHEREAS, The 8 Washington/Seawall Lot 351 Project ("**Project**") comprises the development of approximately 134 residential units, ground floor restaurant and retail space, publicly accessible open spaces, a health club, and an underground parking garage with up to 389 parking spaces on a project site that includes Seawall Lot 351 ("**SWL 351**") and an adjacent, privately held parcel, and includes a public trust exchange to transfer the public trust designation from a portion of SWL 351 to that portion of the project site that will be improved with uses that benefit the public trust and which will be under the jurisdiction of the Port Commission; and

WHEREAS, On June 15, 2011, the San Francisco Planning Department published a Draft Environmental Impact Report ("**EIR**") which was available for public comment until August 15, 2011, and on July 21, 2011 the Planning Commission held a public hearing to solicit comments regarding the Draft EIR. On December 22, 2011, the Planning Department published the Comments and Responses on the Draft EIR which together with the Draft EIR constitute the Final EIR; and

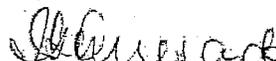
WHEREAS, On March 22, 2012, the Planning Commission reviewed and considered the Final Environmental Impact Report ("**Final EIR**") in Planning Department File No. 2007.0030E and found that the contents of said report and the procedures through which the Final EIR was prepared, publicized, and reviewed complied with the provisions of the California Environmental Quality Act ("**CEQA**"), the CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code and found further that the Final EIR reflects the independent judgment and analysis of the City and County of San Francisco, is adequate, accurate and objective, and that the Comments and Responses document contains no significant revisions to the Draft EIR, and certified the completion of said Final EIR in compliance with CEQA and the CEQA Guidelines; and

WHEREAS, The Port Commission has reviewed and considered the information contained in the Final EIR, all written and oral information provided by the Planning Department, the public, relevant public agencies and the administrative files for the Project and the Final EIR; and

WHEREAS, The Project and EIR files have been made available for review by the Port Commission and the public, and those files are part of the record before the Port Commission; and

- WHEREAS, The Planning Department, Linda Avery, is the custodian of records, located in Case Number 2007.0030E, and those files are part of the record before this Port Commission; and
- WHEREAS, Port staff has prepared findings, as required by CEQA ("**CEQA Findings**"), which are attached to this resolution as Attachment A, which includes a Mitigation Measure and Reporting Program ("**MMRP**"); and
- WHEREAS, The CEQA Findings and the MMRP were made available to the public and the Port Commission for the Port Commission's review, consideration and action; now therefore, be it
- RESOLVED, The Port Commission has reviewed and considered the Final EIR and adopts the CEQA Findings and MMRP for the Project, as presented in Attachment A, and incorporates those findings, including the Statement of Overriding Considerations, in this resolution by this reference; and, be it further
- RESOLVED, The Port Commission, in exercising its independent judgment, has relied upon and reviewed the information contained in the CEQA Findings, which describe the Project and Final EIR, and rejects alternatives to the Project for the reasons set forth in the CEQA Findings; and, be it further
- RESOLVED, The Port Commission adopts the CEQA Findings and the MMRP as the required mitigation measures to be implemented as part of the Project, where the Port Commission finds that all of the mitigation measures set forth in the Final EIR are feasible, and hereby adopts all mitigation measures as described in Attachment A in support of the approval of the Project, including any other actions necessary to secure other regulatory approvals to implement the Project, construction implementation, approval of the Development and Disposition Agreement, Purchase and Sale Agreement, Ground Lease, Trust Exchange Agreement with the California State Lands Commission, Maintenance Agreement, and related actions to implement the Project involving use of SWL 351 located along The Embarcadero waterfront between Washington Street and Broadway.

I hereby certify that the foregoing resolution was adopted by the Port Commission at its meeting of May 29, 2012.



Secretary



ATTACHMENT A TO RESOLUTION NO. 12-46

**PORT COMMISSION
CITY AND COUNTY OF SAN FRANCISCO**

RESOLUTION NO. 12-47

- WHEREAS, Charter Section B3.581 empowers the Port Commission ("**Port**") with the authority and duty to use, conduct, operate, maintain, manage, regulate and control the lands within Port jurisdiction; and
- WHEREAS, The Port of San Francisco Waterfront Land Use Plan, including the Design and Access Element (collectively, the "**Waterfront Plan**") is the Port's adopted land use document for property within Port jurisdiction, which provides the policy foundation for waterfront development and improvement projects; and
- WHEREAS, The Port owns Seawall Lot 351 ("**SWL 351**"), a triangular lot located at Washington Street and The Embarcadero, which lot is also within both of the Waterfront Plan's Ferry Building Waterfront area and Ferry Building Mixed Use Opportunity Area, and is adjacent to the Golden Gateway residential site having an address at 8 Washington Street ("**8 Washington site**;" together with SWL 351, the "**Project Site**"); and
- WHEREAS, SWL 351 is subject to the common law public trust for commerce, navigation, and fisheries and the statutory trust imposed by the Burton Act, Chapter 1333 of the Statutes of 1968, as amended, by which the State of California (the "**State**") conveyed to the City and County of San Francisco (the "**City**"), in trust and subject to certain terms, conditions and reservations, the State's interest in certain tidelands (collectively, the "**Public Trust**"); and
- WHEREAS, The Waterfront Plan includes the following Development Standards for the Ferry Building Mixed Use Opportunity Area:

"Explore the possibility of obtaining economic value from SWL 351 by combining it with the adjacent Golden Gateway residential site [the 8 Washington site] to provide expanded opportunities for mixed residential and commercial development.

"Maximize efficient use of new and existing parking to serve existing business, further promote public use of the Ferry and Agriculture Buildings, stimulate reuse of Piers 1, 1-1/2, 3 and 5.

"The design of new development should respect the character of the Ferry Building, the mid-Embarcadero open space improvements, and the Golden Gateway project.

"The design of new development should minimize the perceived barrier of The Embarcadero and encourage a pleasant pedestrian connection between the City and the waterfront.

"Allow...restaurants and other eating and drinking establishments that both attract and benefit from visitors to the waterfront. (Waterfront Plan, pp. 128-130);" and

- WHEREAS, The acceptable land uses for SWL 351 identified in the Waterfront Plan include open space, residential, parking, and retail (including restaurants), recreational enterprises and visitor services (*Waterfront Plan, Table (1, 2, 3, 4), p. 126*); and
- WHEREAS, By Resolution No. 08-45, the Port Commission authorized Port staff to issue a Request for Proposals (the "**RFP**") to solicit proposals from qualified parties to develop and operate on SWL 351 a mixed-use project to promote Public Trust purposes and the Waterfront Plan, including the Development Standards for the Ferry Building Mixed Use Opportunity Area; and
- WHEREAS, The Port Commission (i) reviewed and evaluated the summary and analyses of San Francisco Waterfront Partners II, LLC's ("**Developer**") proposal prepared by Port staff, its independent real estate economics consultant, and the evaluation panel, (ii) reviewed the Port staff recommendations set forth in the Staff Report accompanying Resolution 09-12, (iii) considered the public testimony on Developer's proposal given to the Port Commission, and (iv) determined that the Developer's proposal met the requirements set out in the RFP and achieved the Port's objectives for SWL 351; and
- WHEREAS, By Resolution 09-12, the Port Commission (i) awarded to Developer an exclusive right to negotiate with the Port to develop the Project Site, and (ii) directed Developer and Port staff to participate in a community planning process (the "**NES**") led by the San Francisco Planning Department, as recommended in the February 19, 2009 letter to the Port Commission from Supervisor David Chiu; and
- WHEREAS, The Port and Developer entered into an Exclusive Negotiating Agreement, effective August 26, 2009 (as may be amended from time to time, the "**ENA**"), setting forth the process, terms and conditions upon which the Port and Developer agreed to negotiate certain transaction documents for the development of the Project Site and requiring the Port and Developer to negotiate a term sheet to describe the basic elements of the proposed project, site plan, use program, economic parameters, and other fundamental terms that will serve as the basis for negotiating the transaction documents (the "**Term Sheet**"); and

- WHEREAS, By Resolution 10-66, the Port Commission approved the Term Sheet containing the business terms for the proposed Project (as defined below); and
- WHEREAS, Developer is proposing to build on portions of the Project Site that will be held in private ownership after the Trust Exchange (as defined below), the following improvements: (i) two mixed-use buildings containing approximately 134 residential units, (ii) an underground parking garage for residents of the buildings and the public, (iii) a new fitness and health club, and (iv) a café adjacent to the new fitness and health club (collectively, the "**Developer Improvements**"); and
- WHEREAS, Developer is proposing to build on portions of the Project Site the Port will own after the Trust Exchange, the following improvements: (i) approximately 10,450 square feet of public open space to be known as "**Jackson Commons**" located on the former Jackson Street right-of-way, (ii) approximately 11,840 square feet of public open space to be known as "**Pacific Park**" immediately north of the Trust Retail Parcel, (iii) approximately 2,890 square feet of additional public open space along the Drumm Street pedestrian path, (iv) an approximately 4,000 square foot, one-story, 18-foot-tall retail building on a parcel adjacent to Pacific Park (the "**Trust Retail Parcel**"), and (v) approximately 4,835 square feet of improved and widened sidewalk along the west side of The Embarcadero, immediately south of Pacific Park and fronting a portion of the east side of the newly built fitness and health club (collectively, the "**Public Improvements**;" together with the Developer Improvements, the "**Project**"); and
- WHEREAS, In connection with the use of Jackson Commons and Pacific Park as public open space, the Port and Developer are proposing that Jackson Commons and all or a portion of Pacific Park be dedicated as a public right-of-way for use as parks and open space only; and
- WHEREAS, In order to develop the proposed Project, the California State Lands Commission ("**State Lands Commission**") must approve a Public Trust exchange authorizing a realignment of the Public Trust between the 8 Washington site and SWL 351 pursuant to Section 5 of Chapter 310, Statutes of 1987 ("**Chapter 310**") (the "**Trust Exchange**") and the Port has negotiated with the State Lands Commission staff a trust exchange agreement (the "**Trust Exchange Agreement**") whereby the Public Trust will be lifted from approximately 23,020 square feet of SWL 351 (the "**Trust Termination Parcel**") in exchange for impressing the Public Trust on approximately 28,241 square feet of the 8 Washington site that is not currently subject to the Public Trust (the "**Trust Parcel**"); and
- WHEREAS, As required by Chapter 310, the Port Commission makes the following findings with respect to the Trust Termination Parcel:

1. *The Trust Termination Parcel has been filled and reclaimed.* The Trust Termination Parcel is a portion of SWL 351, which was filled as part of the Port's program of reclaiming lands between the new seawall and the previously existing City front, for the purpose of generating revenues used to support the improvement of the harbor.

2. *The Trust Termination Parcel is cut off from access to the waters of the Bay.* All of the Trust Termination Parcel is located on filled land, located on the landside of the 100 foot wide Embarcadero Roadway, which consists of 6 traffic lanes and the MUNI light-rail corridor. No immediate access to the waters of San Francisco Bay exists from any portion of the Trust Termination Parcel.

3. *The Trust Termination Parcel is a very small portion of the Port's trust grant.* The total area of the Trust Termination Parcel is approximately 22,650 square feet (approximately ½ acre). The total amount of granted tide and submerged lands held by the Port is approximately 725 acres, of which the Trust Termination Parcel represents 0.07%.

4. *The Trust Termination Parcel is no longer needed or required for the promotion of the Public Trust.* Except for ferry operations at the Ferry Building and limited boat docking at Pier 1½ and 3, maritime activities are no longer significant in the Ferry Building Waterfront area. The Ferry Building Waterfront area abuts downtown San Francisco's diverse mix of urban activities. SWL 351 is immediately adjacent to a private swim and tennis club and is near low to high-rise residential and commercial development. For many years, the site has been used as a surface parking lot. Because SWL 351 is physically cut-off from the water, serves no purpose in furthering maritime commerce, navigation or fisheries, and the existing surface parking will be replaced with more public parking spaces in an underground parking garage, it is no longer needed or required for the promotion of the Public Trust. In addition, the San Francisco Public Utilities Commission ("SFPUC") operates a force main that serves much of the northeast waterfront which runs through the entire width of SWL 351. No structures can be built over the length of the force main, including a buffer zone around the force main, which in effect, further divides SWL 351 into two smaller and separate areas, making development of Public Trust consistent commercial uses that much more difficult. SWL 351's relatively small size and unusual shape (as currently configured), in addition to the inability to build structures over the SFPUC force main that runs through the entire width of SWL 351 (i) does not allow for the development of any of the uses that would further the overall Public

Trust goals of the Waterfront Plan or promote other Public Trust uses such as useable or desirable open space or park use, and (ii) makes development of a Public Trust-consistent commercial use, such as hotel or retail, economically infeasible, as further evidenced by the withdrawal of the only other respondent to the RFP before the Port's review of the proposal even began. Its current use for parking serving the Ferry Building Waterfront area could be better continued as sub-surface parking (as proposed), which would improve the appearance of the site and allow for development of better and additional public-serving Public Trust uses, as further described in item #5 below.

5. The Trust Termination Parcel can be removed without causing substantial interference with Public Trust uses and purposes and the Trust Parcel is useful for the particular trust purposes authorized by the Burton Act. In exchange for the lifting of the Public Trust from the Trust Termination Parcel, a greater square footage of land immediately adjacent to SWL 351 will be impressed with the Public Trust. By combining SWL 351 and the 8 Washington site, the resulting land configuration allows for the development of a mixed use project that further promotes Public Trust uses and purposes and realizes the vision put forth in the Waterfront Plan, by, among other things, (i) creating important new visual and pedestrian public access linking Jackson Street to The Embarcadero; (ii) achieving a long term solution to parking needs of the Ferry Building Waterfront area, as well as a central parking location for visitors to the northeastern waterfront; (iii) improving the visual quality of the Ferry Building Waterfront area by locating parking underground and creating an attractive mixed use development that enhances the land side of The Embarcadero and reconnects San Francisco with the waterfront; (iv) creating new parks along The Embarcadero, enhancing the waterfront visitor experience; (v) providing visitor-serving retail uses, including a café in prominent location adjacent to the proposed Pacific Park with waterfront views, (vi) creating new view corridors of the San Francisco Bay through the Project Site, and (vii) creating significant structures that recognize and respect the Port's bulkhead structures across The Embarcadero; and

WHEREAS, The City's Director of Property has determined based on an independent MAI appraisal that the Trust Termination Parcel has an appraised value of \$7,560,000 and the Trust Parcel has an appraised value of \$8,630,000, confirming that the value of the land to be exchanged into the Public Trust equals or exceeds the value of the land to be exchanged out of the Public Trust; and

- WHEREAS, Developer is proposing to subdivide the Project Site into separate land and air space parcels such that, among other things, the Trust Retail Parcel and the portions of the Project Site that will be owned by the Port after the Trust Exchange (not including the Trust Retail Parcel, "**Open Space Parcel**") shall be their own separate legal parcels; and
- WHEREAS, On November 21, 2011, the Waterfront Design Advisory Committee reviewed the design of the Project and found it consistent with the Waterfront Design and Access goals, objectives and criteria; and
- WHEREAS, Schematic Drawings of the proposed Project, a copy of which is on file with the Port Commission are consistent with the Waterfront Plan applicable to the Ferry Building Waterfront Area; and
- WHEREAS, Port staff and Developer have negotiated the terms of the (1) Disposition and Development Agreement, (2) Lease No. L-15110, (3) Purchase and Sale Agreement, (4) Trust Exchange Agreement, (5) Maintenance Agreement, and (6) related exhibits and attachments to all of the foregoing (collectively, the "**Project Documents**") described in the Memorandum accompanying this Resolution, copies of which are on file with the Port Commission Secretary; and
- WHEREAS, The Purchase and Sale Agreement for the Project ("**PSA**") sets forth the terms and conditions under which (i) the Port will convey the Trust Termination Parcel to Developer, (ii) Developer will convey the Trust Parcel to the Port, (iii) Developer will develop the Developer Improvements, (iv) Developer will dedicate in perpetuity, no less than 175 parking spaces in the underground parking garage, which spaces may be provided on an independently accessible or valet basis to serve the Ferry Building Waterfront area, (v) the Port can exercise an option to purchase an air space parcel within the underground parking garage that can accommodate no less than 175 cars after completion of the Project until two years following the initial sale of the last residential condominium unit, and (vi) the Port may require Developer to provide replacement parking spaces in the event Developer fails to commence or complete construction of the underground parking garage; and
- WHEREAS, In addition to receiving the Trust Parcel, the Port shall receive the following payments from the sale of the Trust Termination Parcel: (i) a lump sum payment of \$3 million, (ii) transfer fees (equaling 1.0% of the purchase price) in perpetuity from and after but not including the first sale (or lease with a term of thirty-five (35) years or longer) of each of the (a) residential condominiums, and (b) commercial condominiums (excluding the new fitness and health club), and (iii) an ongoing revenue stream of \$120,000 per year for 66-years, commencing upon completion of Public Improvements, adjusted every 5 years by the CPI with a minimum increase of 10% and a maximum of 20%; and

- WHEREAS, Developer will pay to Port or a City agency or its designee, an amount that will be used to fund affordable housing projects in the City, which amount will be determined by the number and type of residential units built in the Project as described in the Memorandum accompanying this Resolution and Port staff estimates that based on the number and type of residential units approved by the Planning Commission for the Project, the additional contribution Developer will make for affordable housing projects in the City is estimated to be around \$2.2 million, which may be adjusted upwards or downwards depending on the final number and type of units set forth in the Project's building permit; and
- WHEREAS, The Disposition and Development Agreement ("**DDA**") sets forth Developer's obligations to construct the Public Improvements, the conditions upon which the Port will deliver Lease No. L-15110 to Developer for the Trust Retail Parcel (the "**Lease**"); and public financing provisions for certain qualified costs of the Project; and
- WHEREAS, Material terms of the Lease include a 66-year term, permitted uses for visitor-serving commercial/recreation, including restaurant and recreational facilities (e.g. bicycle rental), construction period rent of \$60,000/annum, and percentage rent equal to 15% of gross revenues received by Developer from future retail operator(s); and
- WHEREAS, Upon issuance of a Certification of Completion for the Project, Port and Developer will enter into a Maintenance Agreement for the management, maintenance, repair, and operation by Developer of the Open Space Parcel requiring Developer, or its successor or assignee (which may be the homeowner's association for the condominium project), to be responsible for the management, maintenance, repair and operation of the Open Space Parcel at its sole expense; and
- WHEREAS, On March 22, 2012, the San Francisco Planning Commission by Motion No. 120272 found that the Project is consistent with the objectives and policies of the San Francisco General Plan, and the Priority Policies of Section 101.1; and
- WHEREAS, The Project Documents conform to all local laws and regulations and are not prohibited by the City's Charter; and
- WHEREAS, The Project is consistent with the Waterfront Plan uses and policies as described above; and
- WHEREAS, The Port and Developer are committed to improvements consistent with the Waterfront Plan and San Francisco General Plan policies intended to preserve the strong architectural and historic character of the Ferry Building Waterfront area; and

WHEREAS, City and Port staff and consultants have conducted substantial economic analysis of the Project impacts and benefits on the Port and City; and

WHEREAS, The Project will generate additional significant public benefits for the Port and the City, including: (i) the replacement of an underutilized Port seawall lot currently used for surface parking with a below grade parking structure that meets the needs of Port businesses and visitors; (ii) the creation of significant new jobs and economic development; and (iii) both a lump sum payment and an ongoing revenue stream for the Port to help the Port continue to promote Public Trust uses and purposes; and

WHEREAS, On March 22, 2012, the Planning Commission held a duly-noticed public hearing to consider certification of the Final Environmental Impact Report for the 8 Washington Street/Seawall Lot 351 Project (Planning Dept. Case No. 2007.0030E) (the "FEIR"), and certified the FEIR and made findings ("CEQA Findings") as required by the California Environmental Quality Act ("CEQA") and certified the completion of the FEIR in compliance CEQA, the CEQA Guidelines and Chapter 31 of the San Francisco Administrative Code; now therefore, be it

RESOLVED That the Port Commission has reviewed and considered the information contained in the FEIR, the CEQA Findings, and the Project Documents and all other matters and actions approved by the Port Commission by this Resolution reflect the Project examined in the FEIR for which the Port Commission by Resolution No. 12-46 has adopted findings with respect to the FEIR as required by CEQA, including the Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program, which findings are on file with the Secretary of the Port Commission; and be it further

RESOLVED, For reasons set forth herein, the Port Commission finds that the Project is consistent with the Public Trust and the Waterfront Plan; and be it further

RESOLVED, For reasons set forth herein, the Port Commission finds that the Trust Termination Parcel (i) has been filled and reclaimed, (ii) is cut off from access to the waters of the Bay, (iii) is a very small portion of the Port's trust grant, and (iv) is no longer needed or required for the promotion of the Public Trust; and be it further

RESOLVED, For reasons set forth herein, the Port Commission further finds that (i) the Trust Termination Parcel can be removed without causing substantial interference with Public Trust uses and purposes, (ii) the Trust Parcel is useful for the particular trust purposes authorized by the Burton Act, and (iii) the value of the land to be exchanged into the Public Trust equals or exceeds the value of the land to be exchanged out of the

Public Trust; and be it further

- RESOLVED, The Trust Exchange Agreement is in conformance with the Burton Act and Chapter 310, subject to approval by the State Lands Commission; and be it further
- RESOLVED, That the Port Commission approves the form and the substance of the Project Documents, including all attachments and exhibits thereto, and the transactions which such Project Documents contemplate, incorporating the material business terms set forth in the Memorandum accompanying this Resolution; and be it further
- RESOLVED, That the Port Commission hereby approves the Schematic Drawings of the proposed Project, a copy of which is on file with the Port Commission Secretary, and authorizes the Executive Director to approve non-material changes in the Schematic Drawings; and be it further
- RESOLVED, That it is in the City's and Port's best interest to convey the Trust Termination Parcel to Developer, that the public interest or necessity demands, or will not be inconvenienced by the sale of the Trust Termination Parcel directly to Developer pursuant to the PSA; and be it further
- RESOLVED, That with the exchange of the Trust Termination Parcel for the Trust Parcel, the sales price of the Trust Termination Parcel is at least 100% of the City's Director of Property's appraisal of the Trust Termination Parcel; and be it further
- RESOLVED, That the Port Commission authorizes and directs the Executive Director of the Port (the "**Executive Director**") to forward Lease No. L-15110, the PSA, and the Maintenance Agreement to the Board of Supervisors for approval pursuant to its authority under Charter Sections 9.118(b) and (c), and upon the effectiveness of such approval, to execute the DDA, and the PSA, and subject to the terms of the DDA and the PSA, as applicable, execute the Lease and Maintenance Agreement, in substantially the form of such agreements on file with the Port Commission Secretary, and in such final form as is approved by the Executive Director in consultation with the City Attorney; and be it further
- RESOLVED, That the Port Commission authorizes and directs the Executive Director to forward the Trust Exchange Agreement to (i) the Board of Supervisors for approval pursuant to its authority under Charter Section 9.118(c), and (ii) the State Lands Commission for approval pursuant to its authority under Chapter 310, and upon the effectiveness of such approval and subject to the terms of the DDA and the PSA, as applicable, execute the Trust Exchange Agreement in substantially the form of such agreement on file with the Port Commission Secretary, and in such final form as is

approved by the Executive Director in consultation with the City Attorney; and be it further

RESOLVED, That the City's Director of Property and the Executive Director are hereby authorized and urged, in the name and on behalf of the City and the Port, to (i) accept the Trust Parcel from Developer, (ii) execute and deliver deeds conveying the Trust Termination Parcel and Trust Parcel to the State Lands Commission, (iii) accept the Trust Termination Parcel and the Trust Parcel from the State Lands Commission, and (iv) execute and deliver the deed to the Trust Termination Parcel to Developer, upon the closing in accordance with the terms and conditions of the Trust Exchange Agreement and the PSA, and to take any and all steps (including, but not limited to, the execution and delivery of any and all certificates, agreements, parking covenants, notices, consents, escrow instructions, closing documents and other instruments or documents) as they deem necessary or appropriate in order to consummate the conveyance of the Trust Termination Parcel to Developer and acceptance of the Trust Parcel from Developer pursuant to the PSA, or to otherwise effectuate the purpose and intent of this resolution, such determination to be conclusively evidenced by the execution and delivery by the Director of Property and/or Executive Director of any such documents; and be it further

RESOLVED, That the Executive Director shall determine satisfaction of the conditions precedent under the PSA to the conveyance of the Trust Termination Parcel and the acceptance by the Port of the Trust Parcel, such determination to be conclusively evidenced by the execution and delivery by the Executive Director and/or the City's Director of Property of the applicable deeds; and be it further

RESOLVED, That the Executive Director shall determine satisfaction of the conditions precedent under the DDA to the conveyance of the leasehold estate in the Trust Retail Parcel, such determination to be conclusively evidenced by the execution and delivery by the Executive Director of the Lease; and be it further

RESOLVED, That the Port Commission authorizes the Executive Director, and as to the PSA, Executive Director and/or the City's Director of Property, to enter into reciprocal easement agreements, easement agreements, and other covenants and property documents necessary to implement the transactions contemplated by the Project Documents, and to enter into any additions, amendments or other modifications to the Project Documents including preparation and attachment of, or changes to, any or all of the attachments and exhibits that the Executive Director, in consultation with the City Attorney, determines are in the best interests of the City, do not materially decrease the benefits or otherwise materially increase the obligations or liabilities of the City or Port, and

are necessary or advisable to complete the transactions that the Project Documents contemplate and effectuate the purpose and intent of this resolution, such determination to be conclusively evidenced by the execution and delivery by the Executive Director of such reciprocal easement agreements, easement agreements, and other covenants and property documents, additions, amendments or other modifications to the Project Documents; and be it further

RESOLVED, That the Port Commission authorizes the Executive Director and any other appropriate officers, agents or employees of the City to take any and all steps (including if necessary, obtaining Board of Supervisors approval and the execution and delivery of any and all applications, recordings, maps, certificates, agreements, notices, consents, and other instruments or documents) as they or any of them deems necessary or appropriate, in consultation with the City Attorney, in order to consummate the (i) dedication of Jackson Commons as a public right-of-way for parks and open space use only, (ii) widening of the sidewalk along the west side of The Embarcadero, immediately south of Pacific Park and fronting a portion of the east side of the newly built fitness and health club; and (iii) all or partial dedication of Pacific Park as a public right-of-way for parks and open space use only; and be it further

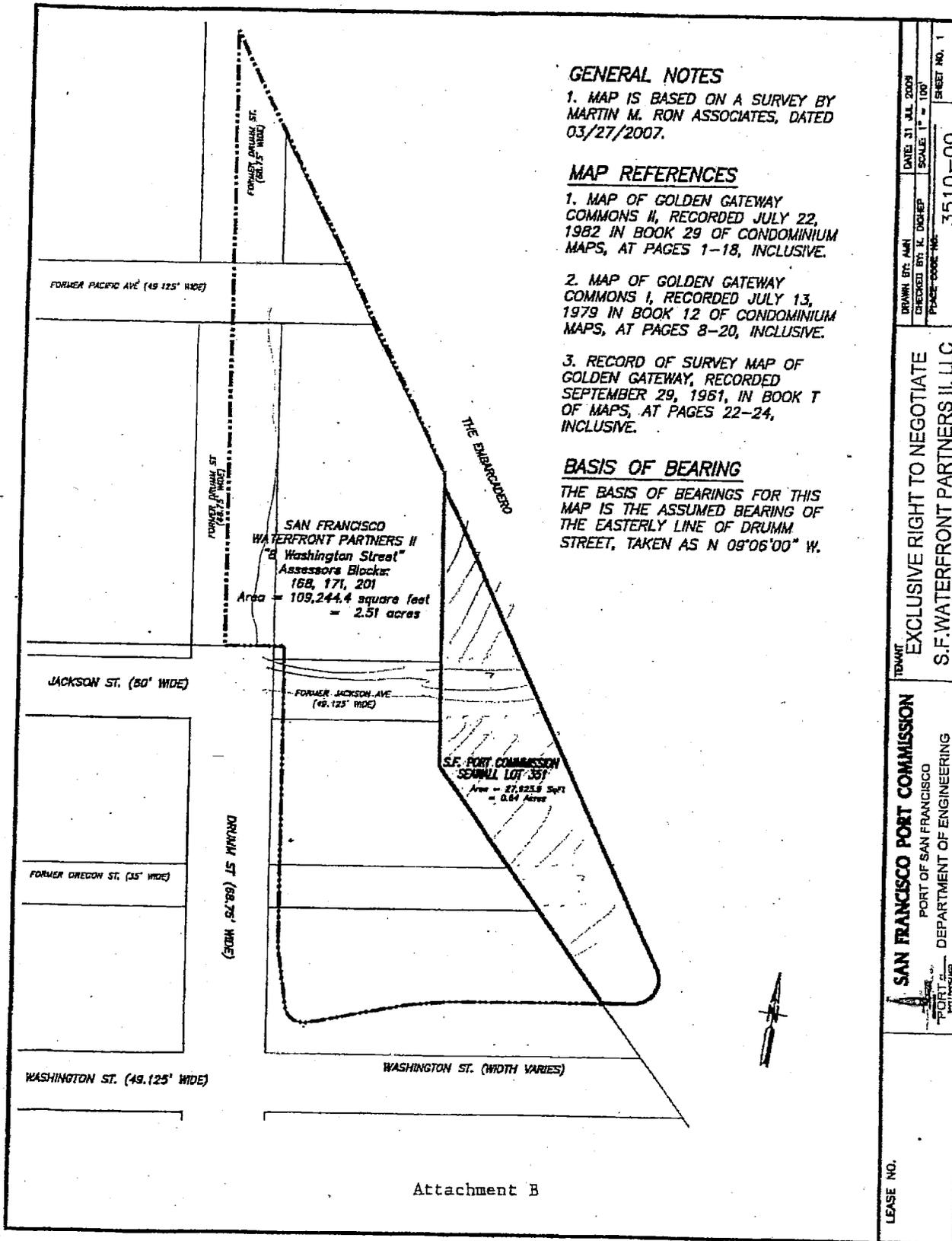
RESOLVED, That the Port Commission authorizes the Executive Director and any other appropriate officers, agents or employees of the City to take any and all steps (including the execution and delivery of any and all certificates, agreements, notices, consents, escrow instructions, closing documents and other instruments or documents) as they or any of them deems necessary or appropriate, in consultation with the City Attorney, in order to consummate the transactions contemplated under the Project Documents, in accordance with this resolution, or to otherwise effectuate the purpose and intent of this resolution, such determination to be conclusively evidenced by the execution and delivery by any such person or persons of any such documents; and be it further

RESOLVED, That the Port Commission approves, confirms and ratifies all prior actions taken by the officials, employees and agents of the Port Commission or the City with respect to the Project Documents.

I hereby certify that the foregoing resolution was adopted by the Port Commission at its meeting of May 29, 2012.

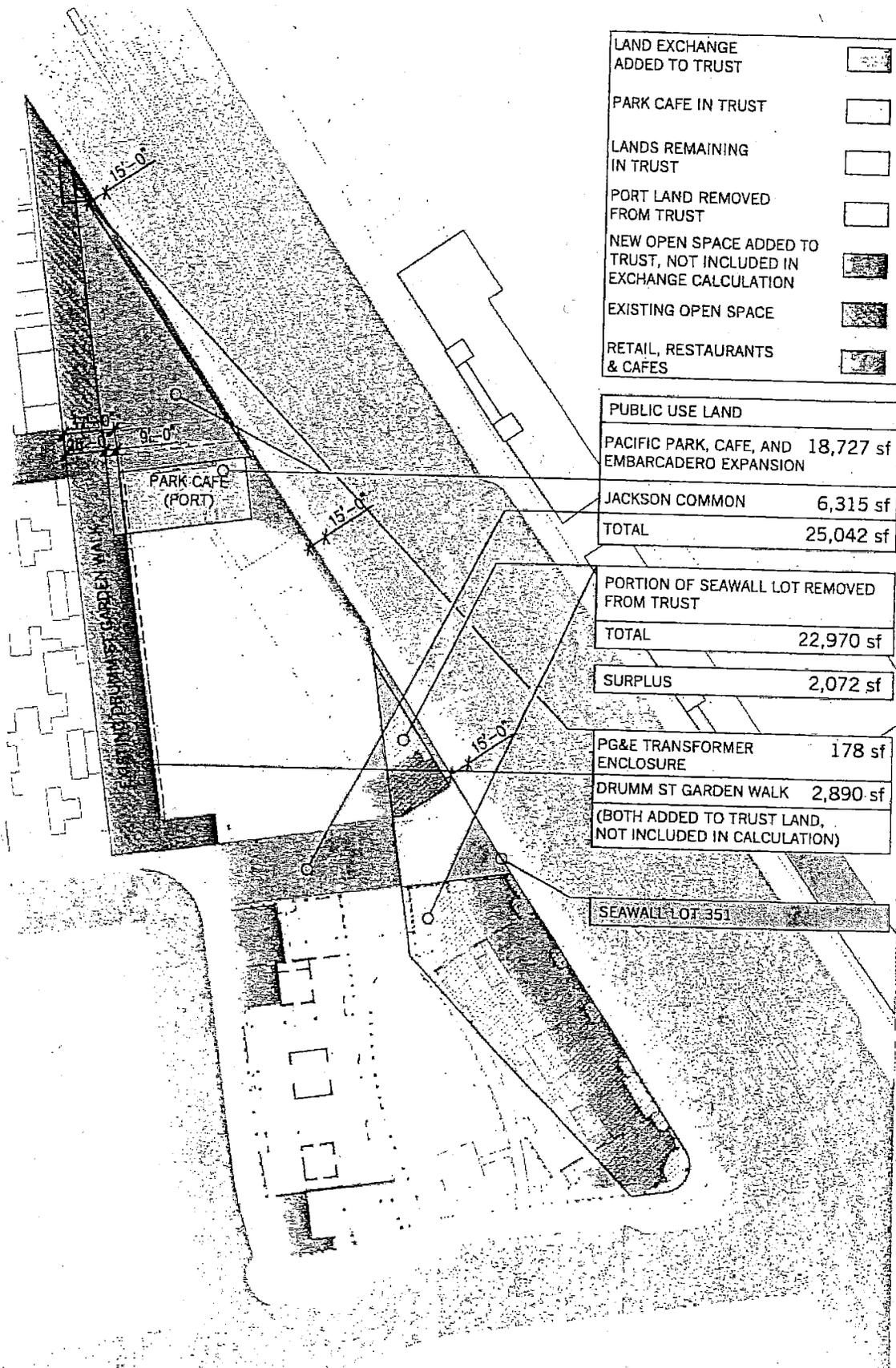


Secretary



Attachment B

DRAWN BY: AM CHECKED BY: K. DUBIEP PLATE CODE: 3510-00	DATE: 31 JUL 2009	SCALE: 1" = 100'	SHEET NO. 1 OF 1 SHEETS
	3510-00		
EXCLUSIVE RIGHT TO NEGOTIATE S.F. WATERFRONT PARTNERS II, LLC		SAN FRANCISCO PORT COMMISSION PORT OF SAN FRANCISCO DEPARTMENT OF ENGINEERING	
LEASE NO.			



LAND EXCHANGE ADDED TO TRUST	
PARK CAFE IN TRUST	
LANDS REMAINING IN TRUST	
PORT LAND REMOVED FROM TRUST	
NEW OPEN SPACE ADDED TO TRUST, NOT INCLUDED IN EXCHANGE CALCULATION	
EXISTING OPEN SPACE	
RETAIL, RESTAURANTS & CAFES	

PUBLIC USE LAND	
PACIFIC PARK, CAFE, AND EMBARCADERO EXPANSION	18,727 sf
JACKSON COMMON	6,315 sf
TOTAL	25,042 sf

PORTION OF SEAWALL LOT REMOVED FROM TRUST	
TOTAL	22,970 sf

SURPLUS	2,072 sf
----------------	-----------------

PG&E TRANSFORMER ENCLOSURE	178 sf
DRUMM ST GARDEN WALK	2,890 sf
(BOTH ADDED TO TRUST LAND, NOT INCLUDED IN CALCULATION)	

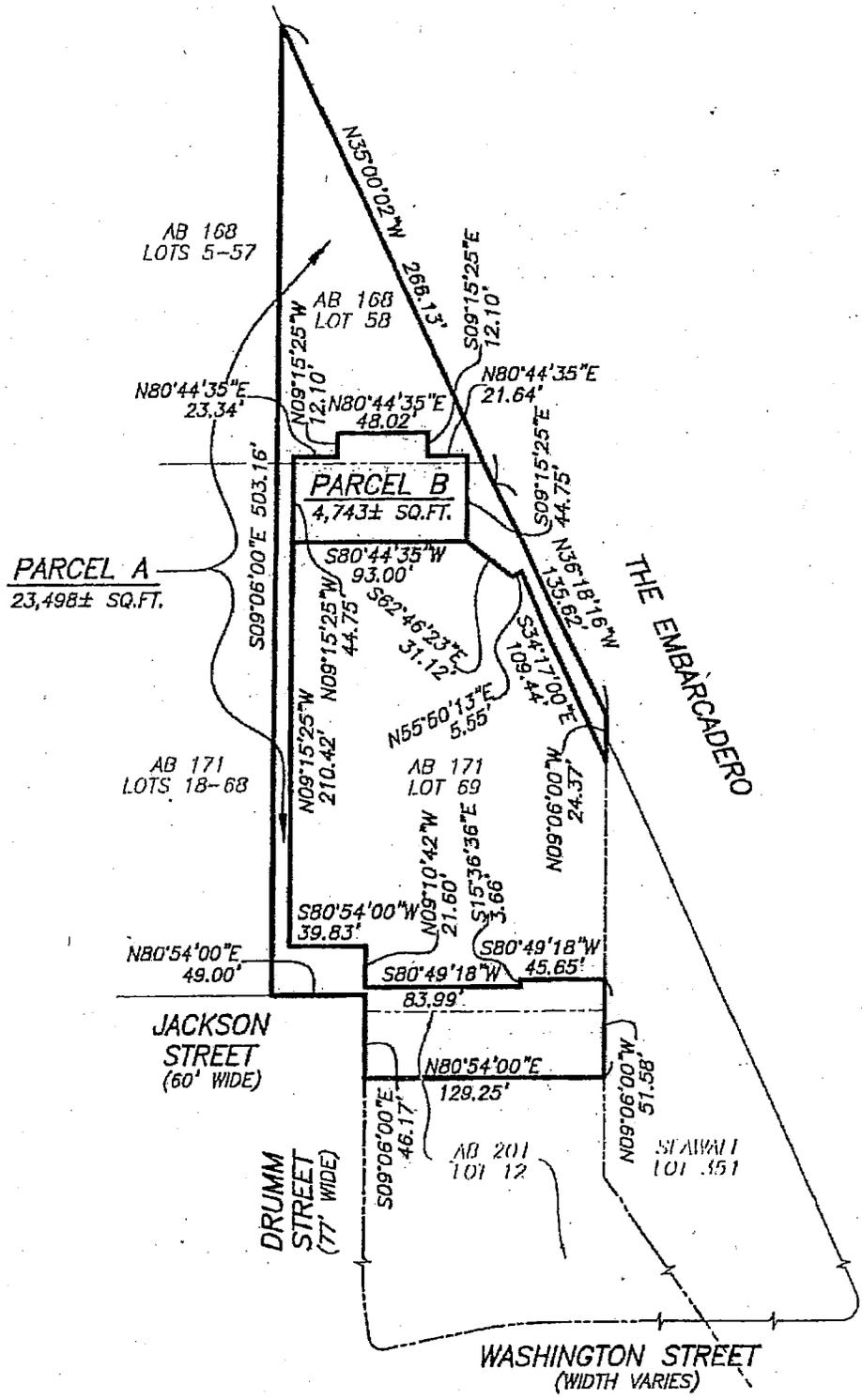
SEAWALL LOT 35

AREA USE SUMMARY
 1.6.1.2015

0 16' 32' 64'

WSP LONDON
 CONSULTING ENGINEERS

SOM



SUBJECT: **TRUST PARCEL**

BY JP CHKD. BR DATE 3-2-12 SCALE 1"=80' SHEET 1 OF 1 JOB NO. S-7935

MARTIN M. RON ASSOCIATES, INC.
LAND SURVEYORS

SAN FRANCISCO, CALIFORNIA
859 HARRISON STREET
SAN FRANCISCO, CA. 94107
(415) 543-4500

ATTACHMENT C

LEGAL DESCRIPTION

"TRUST PARCEL"

ALL THAT REAL PROPERTY SITUATED IN THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCELS A AND B OF FINAL MAP _____, FILED _____, BOOK _____ OF MAPS, PAGES _____, SAN FRANCISCO COUNTY RECORDS.

CONTAINING 28,241± SQUARE FEET.



LEGAL DESCRIPTION
"TRUST TERMINATION PARCEL"

ALL THAT REAL PROPERTY SITUATED IN THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

A PORTION OF PARCEL "A" AS SAID PARCEL IS SHOWN ON THAT MAP ENTITLED "MAP OF LANDS TRANSFERRED IN TRUST TO THE CITY AND COUNTY OF SAN FRANCISCO," FILED IN BOOK "W" OF MAPS, PAGES 66 THROUGH 72, INCLUSIVE, OFFICIAL RECORDS OF THE CITY AND COUNTY OF SAN FRANCISCO, STATE OF CALIFORNIA AND AS PARCEL "A" IS FURTHER DESCRIBED IN THAT DOCUMENT RECORDED MAY 14, 1976 IN BOOK C169, PAGE 573, OFFICIAL RECORDS OF THE CITY AND COUNTY OF SAN FRANCISCO, DESCRIBED AS FOLLOWS:

PARCEL ONE

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHEASTERLY LINE OF 50 VARA BLOCK "E", AS SAID BLOCK IS SHOWN ON THAT CERTAIN MAP ENTITLED "RECORD OF SURVEY MAP OF THE GOLDEN GATEWAY," RECORDED SEPTEMBER 29, 1961, IN BOOK "T" OF MAPS AT PAGES 22-24, OFFICIAL RECORDS OF THE CITY AND COUNTY OF SAN FRANCISCO WITH THE NORTHERLY LINE OF WASHINGTON STREET, AS WIDENED BY RESOLUTION NUMBER 859-77, DATED OCTOBER 31, 1977, SAID NORTHERLY LINE OF WASHINGTON STREET TAKEN TO BE $N85^{\circ}54'00''E$ FOR THE PURPOSE OF THIS DESCRIPTION; THENCE ALONG THE EASTERLY PROLONGATION OF SAID LINE OF WASHINGTON STREET $N80^{\circ}54'00''E$ 25.52 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 20 FEET; THENCE ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF $114^{\circ}45'48''$, AN ARC LENGTH OF 40.06 FEET; THENCE TANGENT TO THE PRECEDING CURVE $N33^{\circ}51'48''W$ 237.41 FEET; THENCE $S80^{\circ}54'00''W$ 83.45 FEET TO THE SOUTHERLY PROLONGATION OF THE EASTERLY LINE OF 50 VARA BLOCK "G", AS SAID BLOCK IS SHOWN ON SAID MAP; THENCE ALONG SAID SOUTHERLY PROLONGATION $S09^{\circ}06'00''E$ 50.75 FEET TO SAID NORTHEASTERLY LINE OF 50 VARA BLOCK "E"; THENCE ALONG SAID NORTHEASTERLY LINE $S44^{\circ}52'30''E$ 238.14 FEET TO THE POINT OF BEGINNING.

CONTAINING 20,413± SQUARE FEET.

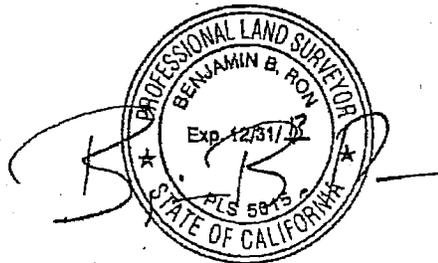
LEGAL DESCRIPTION

"TRUST TERMINATION PARCEL"

PARCEL TWO

COMMENCING AT THE POINT OF INTERSECTION OF THE NORTHEASTERLY LINE OF 50 VARA BLOCK "E", AS SAID BLOCK IS SHOWN ON THAT CERTAIN MAP ENTITLED "RECORD OF SURVEY MAP OF THE GOLDEN GATEWAY," RECORDED SEPTEMBER 29, 1961, IN BOOK "T" OF MAPS AT PAGES 22-24, OFFICIAL RECORDS OF THE CITY AND COUNTY OF SAN FRANCISCO WITH THE NORTHERLY LINE OF WASHINGTON STREET, AS WIDENED BY RESOLUTION NUMBER 859-77, DATED OCTOBER 31, 1977, SAID NORTHERLY LINE OF WASHINGTON STREET TAKEN TO BE $N85^{\circ}54'00''E$ FOR THE PURPOSE OF THIS DESCRIPTION; THENCE ALONG THE EASTERLY PROLONGATION OF SAID LINE OF WASHINGTON STREET $N80^{\circ}54'00''E$ 25.52 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 20 FEET; THENCE ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF $114^{\circ}45'48''$, AN ARC LENGTH OF 40.06 FEET; THENCE TANGENT TO THE PRECEDING CURVE $N33^{\circ}51'48''W$ 350.48 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 2,984.59 FEET; THENCE ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF $1^{\circ}36'20''$, AN ARC LENGTH OF 83.63 FEET TO THE EASTERLY LINE OF 50 VARA BLOCK "G", AS SAID BLOCK IS SHOWN ON SAID MAP; THENCE ALONG SAID EASTERLY LINE $S09^{\circ}06'00''E$ 13.18 FEET TO THE TRUE POINT OF BEGINNING; THENCE $S34^{\circ}17'00''E$ 105.57 FEET; THENCE $S55^{\circ}50'13''W$ 42.07 FEET; THENCE $S80^{\circ}54'00''W$ 6.81 FEET TO SAID EASTERLY LINE OF 50 VARA BLOCK "G"; THENCE ALONG SAID EASTERLY LINE $N09^{\circ}06'00''W$ 113.35 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 2,607± SQUARE FEET.



ATTACHMENT D

SWL 351/8 Washington Port Payment Cash Flow Summary

Year	Activity	Existing Rent	Construction Rent	Subsequent Transfer	Commercial Transfer	Other Payments	On-Going Land Payments	Park Café Lease	TOTAL
NPV		\$1,897,867	\$157,459	\$7,605,642	\$1,404,444	\$2,448,894	\$2,277,641	\$412,732	\$ 14,306,812
Total		\$ 17,680,685	\$ 180,000	\$ 60,893,652	\$ 8,685,698	\$ 3,000,000	\$ 22,781,676	\$ 4,780,586	\$ 100,321,612
1	Construction	\$82,066	\$ 60,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 60,000
2	Construction	\$84,528	\$ 60,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 60,000
3	Condo Closings	\$87,064	\$ 60,000	\$ -	\$ -	\$ 3,000,000	\$ -	\$ -	\$ 5,180,000
4	Operations	\$89,676	\$ -	\$ 396,865	\$ 79,830	\$ -	\$ 120,000	\$ 24,600	\$ 309,538
5	Operations	\$92,367	\$ -	\$ 402,818	\$ 81,027	\$ -	\$ 120,000	\$ 25,338	\$ 312,750
6	Operations	\$95,137	\$ -	\$ 408,860	\$ 82,243	\$ -	\$ 120,000	\$ 26,098	\$ 316,021
7	Operations	\$97,992	\$ -	\$ 414,993	\$ 83,476	\$ -	\$ 120,000	\$ 26,881	\$ 319,353
8	Operations	\$100,931	\$ -	\$ 505,462	\$ 84,728	\$ -	\$ 139,113	\$ 27,688	\$ 376,871
9	Operations	\$103,959	\$ -	\$ 610,766	\$ 85,999	\$ -	\$ 139,113	\$ 28,518	\$ 421,466
10	Operations	\$107,078	\$ -	\$ 619,928	\$ 87,289	\$ -	\$ 139,113	\$ 29,374	\$ 426,129
11	Operations	\$110,290	\$ -	\$ 629,227	\$ 88,599	\$ -	\$ 139,113	\$ 30,255	\$ 430,875
12	Operations	\$113,599	\$ -	\$ 638,665	\$ 89,928	\$ -	\$ 139,113	\$ 31,163	\$ 435,705
13	Operations	\$117,007	\$ -	\$ 648,245	\$ 91,277	\$ -	\$ 161,270	\$ 32,097	\$ 462,779
14	Operations	\$120,517	\$ -	\$ 657,969	\$ 92,646	\$ -	\$ 161,270	\$ 33,060	\$ 467,783
15	Operations	\$124,133	\$ -	\$ 667,838	\$ 94,035	\$ -	\$ 161,270	\$ 34,052	\$ 472,876
16	Operations	\$127,857	\$ -	\$ 677,856	\$ 95,446	\$ -	\$ 161,270	\$ 35,074	\$ 478,061
17	Operations	\$131,693	\$ -	\$ 688,024	\$ 96,878	\$ -	\$ 161,270	\$ 36,126	\$ 483,339
18	Operations	\$135,643	\$ -	\$ 698,344	\$ 98,331	\$ -	\$ 186,956	\$ 37,210	\$ 514,398
19	Operations	\$139,713	\$ -	\$ 708,819	\$ 99,806	\$ -	\$ 186,956	\$ 38,326	\$ 519,868
20	Operations	\$143,904	\$ -	\$ 719,451	\$ 101,303	\$ -	\$ 186,956	\$ 39,476	\$ 525,437
21	Operations	\$148,221	\$ -	\$ 730,243	\$ 102,822	\$ -	\$ 186,956	\$ 40,660	\$ 531,106
22	Operations	\$152,668	\$ -	\$ 741,197	\$ 104,365	\$ -	\$ 186,956	\$ 41,880	\$ 536,878
23	Operations	\$157,248	\$ -	\$ 752,315	\$ 105,930	\$ -	\$ 216,733	\$ 43,136	\$ 572,532
24	Operations	\$161,965	\$ -	\$ 763,599	\$ 107,519	\$ -	\$ 216,733	\$ 44,430	\$ 578,516
25	Operations	\$166,824	\$ -	\$ 775,053	\$ 109,132	\$ -	\$ 216,733	\$ 45,763	\$ 584,610
26	Operations	\$171,829	\$ -	\$ 786,679	\$ 110,769	\$ -	\$ 216,733	\$ 47,136	\$ 590,814
27	Operations	\$176,984	\$ -	\$ 798,479	\$ 112,430	\$ -	\$ 216,733	\$ 48,550	\$ 597,132
28	Operations	\$182,293	\$ -	\$ 810,457	\$ 114,117	\$ -	\$ 251,253	\$ 50,007	\$ 638,087
29	Operations	\$187,762	\$ -	\$ 822,613	\$ 115,829	\$ -	\$ 251,253	\$ 51,507	\$ 644,639
30	Operations	\$193,395	\$ -	\$ 834,953	\$ 117,566	\$ -	\$ 251,253	\$ 53,052	\$ 651,313
31	Operations	\$199,197	\$ -	\$ 847,477	\$ 119,330	\$ -	\$ 251,253	\$ 54,644	\$ 658,109



SAN FRANCISCO PLANNING DEPARTMENT

March 26, 2012

Ms. Angela Calvillo, Clerk
Board of Supervisors
City and County of San Francisco
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

BY peo
2012 MAR 26 AM 11:36
RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

Re: Transmittal of Planning Department Case Number 2007.0030MZ:
8 Washington Street
Z Case: Rezoning (Height Reclassification) 8 Washington Street
M Case: Amendments to the General Plan: Northeastern Waterfront Area Plan

Planning Commission Recommendation: Approval

Dear Ms. Calvillo,

On March 22, 2012, the Planning Commission conducted a duly noticed public hearing to consider proposed amendments to the General Plan and Zoning Map, in association with a proposed development located at 8 Washington Street to demolish the existing Golden Gateway Swim and Tennis Club and the existing surface parking lot on Seawall 351, and construct a new health club, residential buildings ranging from four to twelve stores in height containing 134 dwelling units, ground-floor retail uses totaling approximately 20,000 square feet, and 382 off-street parking spaces.

The proposed Ordinances would do the following:

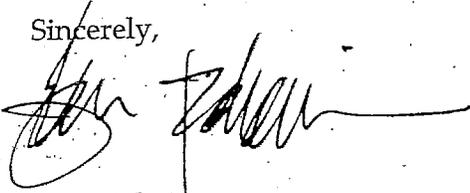
1. San Francisco Zoning Map Amendment: Proposal would amend Zoning Map HT01 to reclassify two portions of the southwestern portion of the development site from the existing 84-E Height and Bulk District to the 92-E Height and Bulk District in one portion, and the 136-E Height and Bulk District in another portion, on Block 0201, Lot 012.
2. General Plan Amendment: Proposal would make conforming amendments to the "Map 2 - Height and Bulk Plan" within the Northeastern Waterfront Area Plan of the General Plan to reflect the proposed rezoning.

At the March 22, 2012 Planning Commission hearing, the Commission certified the Final Environmental Impact Report (FEIR) prepared for the project.

At the March 22, 2012 Planning Commission hearing, the Commission voted to recommend approval of the proposed Ordinances.

Please find attached documents relating to the Commission's action. If you have any questions or require further information please do not hesitate to contact me.

Sincerely,



John Rahaim
Director of Planning

Attachments:

- Planning Commission Resolution No. 18566 (Zoning Map Amendment)
 - Proposed Ordinance Attached as Exhibit A
- Planning Commission Resolution No. 18564 (General Plan Amendment)
 - Proposed Ordinance Attached as Exhibit A
- Planning Commission Executive Summary Case No. 2007.0030ECKMRZ
 - Including attachments



**SAN FRANCISCO
PLANNING DEPARTMENT**

Executive Summary

**ADOPTION OF CEQA APPROVAL FINDINGS
CONDITIONAL USE AUTHORIZATION/
PLANNED UNIT DEVELOPMENT
GENERAL PLAN AMENDMENT
ZONING MAP AMENDMENT
GENERAL PLAN REFERRAL
SECTION 295 SHADOW ANALYSIS**

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

HEARING DATE: JANUARY 19, 2012

Date: January 5, 2012
Case No.: 2007.0030ECKMRZ
Project Address: 8 Washington Street
Zoning: RC-4 (Residential-Commercial, High Density) District
 84-E Height and Bulk District
Block/Lot: 0168/058; 0171/069; 0201/012-013 (including Seawall Lot 351)
Project Sponsor: Simon Snellgrove
 San Francisco Waterfront Partners II, LLC
 Pier 1, Bay 2, The Embarcadero
 San Francisco, CA 94111
Staff Contact: Kevin Guy - (415) 558-6163
 kevin.guy@sfgov.org
Recommendations: *Adopt CEQA Findings*
*Approve Conditional Use Authorization/
 Planned Unit Development with Conditions
 Recommend Approval (General Plan/Zoning Map Amendments)
 Adopt General Plan Referral Findings
 Establish Cumulative Shadow Limit for Sue Bierman Park
 Adopt Findings Regarding Shadow Impacts*

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 MAR 26 AM 11:38
BY: FBC

PROJECT DESCRIPTION

The proposal is to demolish the existing Golden Gateway Swim and Tennis Club and the existing surface parking lot on Seawall 351, and construct a new health club, residential buildings ranging from four to twelve stories in height containing 145 dwelling units, ground-floor retail uses totaling approximately 20,000 square feet, and 400 off-street parking spaces. The health club would be situated in the northern portion of the site, between the ends of the Jackson Street and Pacific Avenue rights-of-way. The enclosed portion of the club would front along the Embarcadero, hosting gym and studio spaces, changing rooms, a cafe, a reception area, and

mechanical and support spaces. The undulating roofline would reach a maximum height of approximately 35 feet, and would be planted as a non-occupied green roof. Green "living walls" are also proposed for portions of the Embarcadero elevation of the building. The exterior portion of the club includes a large rectangular lap pool, a Jacuzzi, deck and seating areas, and other recreational amenities.

The residential portion of the Project would be constructed within two buildings situated on the southerly portion of the site, with frontage along the Embarcadero, as well as Washington and Drumm Streets. The westerly building fronts along Drumm Street and a portion of Washington Street, reaching a height of eight stories (92-foot roof height) near the intersection of Jackson Street, stepping up to a height of twelve stories (136-foot roof height) at the corner of Washington Street. The easterly building is primarily at a height of six stories (70-foot roof height), stepping down to a height of five stories (59-foot roof height) near the health club building.

The project would include a three level subterranean parking garage, accessed from a driveway on Washington Street. The garage holds a total of 400 vehicular spaces and 81 bicycle parking spaces. A total of 145 parking spaces are proposed to serve the residential units, at a ratio of one space per dwelling unit. Conditions of approval have been added to reduce the residential parking to 131 spaces (see further discussion under "Issues and Other Considerations"). A total of 255 parking spaces would operate as general public parking, to serve the health club and other commercial uses on-site, as well as other uses in the vicinity. These spaces are intended, in part, to fulfill contractual obligations of the Port to provide parking to serve the uses in the vicinity of the Ferry Building. Several other parking facilities near the Ferry Building have been recently removed, or are planned for future removal.

The Project includes several new and renovated open space areas. These open space areas consist of areas currently under Port jurisdiction, and areas of private property to be conveyed to the Port pursuant to a public trust exchange authorized under existing state legislation. Shortly after Planning Commission certification of the EIR, the Port Commission is scheduled to consider for approval the design for the open space areas as described here and transactional documents governing the project sponsor's obligations to construct and maintain the public improvements.

An area known as "Jackson Commons" would be located between the residential buildings and the health club, aligned with the existing terminus of Jackson Street. This area includes a meandering pathway, landscaping, and seating areas, serving as a visual and physical linkage through the site to the Embarcadero. The existing Drumm Street walkway, which is aligned north-south between Jackson Street and the Embarcadero, would be re-landscaped and widened by approximately seven feet. A new open space known as "Pacific Park" would be situated at the triangular northerly portion of the Project Site. The park would measure approximately 11,500 square feet, and is proposed to include grass seating areas, a play fountain and other children's play areas, and seating for the adjacent cafe. This park would be accessible from a mid-block pedestrian network that includes the Drumm Street walkway to the south, as well as a pedestrian extension of the Pacific Avenue right-of-way to the west. Immediately adjacent to Pacific Park to the south would be a new retail building to be developed on Port property under a Disposition

and Development Agreement and Ground Lease between the Port and the project sponsor, and would include a restaurant and/or other commercial recreation amenities compatible with the Pacific Park use.

SITE DESCRIPTION AND PRESENT USE

The majority of the Project Site is occupied by the Golden Gateway Swim and Tennis Club, which includes nine outdoor tennis courts, two outdoor pools, a seventeen-space surface parking lot, and seven temporary and permanent structures housing a clubhouse, pro shop, dressing rooms, lockers, showers, and other facilities. The southeasterly portion of the Project Site is comprised of Seawall Lot 351, owned by the Port of San Francisco, which is developed with a 105-space public surface parking lot. The site is irregular, but roughly triangular in shape. The widest portion of the lot fronts along Washington Street, between Drumm Street and the Embarcadero. The site tapers to a narrow point at its northernmost portion, which fronts along the Embarcadero. The Project Site measures approximately 138,681 square feet in total.

SURROUNDING PROPERTIES & NEIGHBORHOOD

The property is located within the Northeastern Waterfront and within the former Golden Gateway Redevelopment Area, which expired in 2009. The existing buildings in the Golden Gateway Center are comprised of predominantly residential uses, within towers and low-rise buildings. Commercial uses, including a full-service grocery store, are situated at the ground floors of some of the buildings within the Center. The Financial District is situated to the south and southwest of the project site, and is characterized by an intense, highly urbanized mix of office, retail, residential, hotel uses, primarily within mid- to high-rise structures. Further to the west is the Jackson Square Historic District, a collection of low-rise structures that survived the 1906 Earthquake and Fire, which are now primarily occupied by office and retail uses. The waterfront extends along the Embarcadero across from the project site, and is characterized by the Ferry Building, along with a series of numbered piers and bulkhead buildings. These structures house a wide variety of maritime, tourism, and transportation functions, retail and office spaces, and public pathways and recreational areas. A number of significant parks and open spaces are located in the vicinity of the project, including Sue Bierman Park, Justin Herman Plaza, and Harry Bridges Plaza to the south, Maritime Plaza to the southwest, the Drumm Street Walkway and Sydney Walton Square to the west, Levi Plaza to the northwest, and Herb Caen Way, a linear pedestrian and bicycle path that runs along the waterfront side of the Embarcadero.

ENVIRONMENTAL REVIEW

On June 15, 2011, the Department published a draft Environmental Impact Report (EIR) for public review (Case No. 2007.0030E). The draft EIR was available for public comment until August 15, 2011. On July 21, 2011, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting to solicit comments regarding the draft EIR. On December 22, 2011, the Department published a Comments and Responses document, responding to comments made regarding the draft EIR prepared for the Project.

HEARING NOTIFICATION REQUIREMENTS

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	December 28, 2011	December 28, 2011	20 days
Posted Notice	20 days	December 28, 2011	December 28, 2011	20 days
Mailed Notice	10 days	January 9, 2012	December 23, 2011	25 days

PUBLIC COMMENT

The Department has received a number of communications in support of the Project from individuals, business owners, and non-profit organizations. These communications express support the height and density of the project, the provision of new open spaces, creation of public parking, and the restoration of an active streetwall along the Embarcadero. Although the Department has not received any specific communications in opposition to the requested entitlements, residents and organizations have expressed opposition to the Project at various public meetings and in response to the Project EIR. Specifically, these comments express concerns over topics such as increased heights near the waterfront, loss of public views, excessive parking, and changes in Public Trust lands to allow housing.

ISSUES AND OTHER CONSIDERATIONS

- **Planned Unit Development Modifications:** The project does not strictly conform to several aspects of the Planning Code. As part of the Planned Unit Development (PUD) process, the Commission may grant modifications from certain requirements of the Planning Code for projects that exhibit outstanding overall design and are complementary to the design and values of the surrounding area. The project requests modifications from regulations related to rear yard, bulk, and parking quantities.
- **Rear Yard.** The Planning Code requires that the project provide a rear yard equal to 25 percent of the lot depth at every residential level. The residential portion of the project proposes two distinct building masses surrounding a central courtyard which does not strictly meet these requirements. However, the proposed configuration reinforces traditional urban development pattern with buildings located at or near property lines, creating an urban streetscape framing an interior core of mid-block open space. By using a courtyard, the Project restores a traditional pattern of mid-block open space within the project site. In addition to the courtyard, the project provides substantial open space for residents in the form of individual private decks and balconies, as well as several newly created public open space areas.
- **Bulk.** Buildings within "-E" Bulk Districts are limited to a maximum horizontal dimension of 110 feet, and a maximum diagonal dimension of 140 feet above a height of 65 feet. Both residential buildings would exceed these bulk limitations. However, the Project meets the intent of the bulk limitations by arranging the residential portion within two separate buildings separated by a wide, oval-shaped courtyard. The buildings are articulated as a series of vertical masses of approximately 35 feet in width, each divided by a recess measuring approximately eleven feet wide and eight feet deep. The pedestrian realm is

defined by a tall ground floor with extensive glazing providing views into active retail spaces, framed by a procession of awnings. The uppermost floors of the residential buildings are set back in a penthouse configuration, finished with curtain wall glazing that is distinct from the grid of solid walls at lower floors. These three elements create a tripartite arrangement that visually breaks the massing of the Project into discrete, legible elements.

- **Off-Street Parking.** The project proposes 145 parking spaces to serve the residential uses, exceeding the maximum of 54 accessory residential spaces permitted within the RC-4 District. The conditions of approval would reduce the amount of residential parking in the project from the proposed 145 spaces (a 1 space per unit ratio) to 131 spaces (an approximately .90 space per unit ratio). This reduced ratio is compatible with the parking ratios permitted within C-3 Districts nearby, and would therefore be appropriate to the transit-rich, pedestrian-friendly context of the Project Site. The Project also includes 255 spaces within the garage that would be accessible to the general public, in order to serve the health club and commercial uses on-site, and to provide parking to serve the uses in the vicinity of the Ferry Building. Several other parking facilities near the Ferry Building have been recently removed, or are planned for future removal. Therefore, the amount of non-residential parking proposed by the Project Sponsor is appropriate for the Project.
- **Height Reclassification.** The westerly residential building would reach roof heights of 92 feet to 136 feet, exceeding the existing height limit of 84 feet that applies to the Project Site. Zoning Map and General Plan Map amendments would be required reclassify these heights and allow the Project to proceed. The Project is massed over the Project Site in a manner that situates the tallest portions of the project at the southwestern corner, relating to the background of taller existing buildings within the Embarcadero Center and the Golden Gateway Center. Buildings within the project step down in height toward the north and to the east, with the eastern residential building and the health club relating to the Embarcadero at a height lower than the permitted 84-foot height limit. The northernmost portion of the Project Site left as a new public open space area ("Pacific Park"), further reinforcing the stepped massing of the overall project. This transition in height sculpts the form of the Project in a manner that is sympathetic to the shorter residential, commercial, and bulkhead buildings situated along the Embarcadero, and preserves the legibility of the progression of taller buildings within the Financial District to the southwest. It should be noted that the increased height at the southwestern corner is consistent with the recommendations of the Northeast Embarcadero Study, published by the Planning Department in June 2010. The City has not revised its zoning ordinance to adopt the recommendations set forth in the Northeast Embarcadero Study.
- **Shadow Analysis.** Section 295 requires that the Planning Commission disapprove any building permit application to construct a structure that will cast shadow on property under the jurisdiction of the Recreation and Park Department, unless it is determined that the shadow would not be significant or adverse. In 1989, the Planning Commission and the Recreation and Park Commission adopted criteria for the implementation of that ordinance, which included the adopting of cumulative shadow limits for certain parks in and around the

Downtown core. Sue Bierman Park did not exist in its current form, size, and configuration when the absolute cumulative limits were adopted. Following the 1989 Loma Prieta earthquake and demolition of the Embarcadero Freeway, portions of the freeway right-of-way were acquired and reconfigured into an expanded open space that is now known as Sue Bierman Park. Therefore, no formal shadow criteria or limits have ever been adopted for Sue Bierman Park, as it exists today.

The Project would cast new shadows onto Sue Bierman Park, equal to approximately 0.00067% of the theoretically available annual sunlight for the Park. This quantity of shadow is relatively small, limited in geographic coverage, and would only be cast for a short duration (approximately 15 minutes) during the early-morning and late-evening hours, from early June through mid-July. This additional shadow would not be adverse to the use of Sue Bierman Park. The Project Sponsor is requesting that the Planning Commission, acting jointly with the Recreation and Park Commission, establish a cumulative shadow limit for the Park in an amount sufficient to account for the additional shadow cast by the Project.

- **Waterfront Design Advisory Committee.** Planning Code Section 240(c) specifies a design review process for proposed development along the waterfront, including the establishment of a Waterfront Design Advisory Committee ("WDAC") to review such projects and submit design recommendations to the Planning Commission and the Port. The WDAC reviewed the proposed project at its meeting on November 21, 2011. The WDAC generally expressed support for the overall site design and the architecture, the configuration of the public realm and open spaces, and the relationship of the project to the surrounding rights-of-way. Minutes of the meeting are included as an attachment to this report.

REQUIRED ACTIONS

In order for the project to proceed, the Commission must 1) Adopt findings under the California Environmental Quality Act, including findings rejecting alternatives as infeasible and adopting a Statement of Overriding Considerations and Mitigation, Monitoring, and Reporting Programs; 2) Approve the Conditional Use Authorization for review of a building exceeding 50 feet in an RC District, to allow a non-accessory off-street parking garage, to allow non-residential uses exceeding 6,000 square feet, to allow commercial uses above the ground floor, and to approve a Planned Unit Development with specific modifications of Planning Code regulations regarding bulk limitations, rear yard, and off-street parking quantities; 3) Recommend approval to the Board of Supervisors of an amendment of the Zoning Map HT01 to reclassify two portions of the southwestern area of the Project Site from the existing 84-E Height and Bulk District to the 92-E Height and Bulk District in one portion, and the 136-E Height and Bulk District in another portion; 4) Recommend approval to the Board of Supervisors of an amendment to Map 2 ("Height and Bulk Plan") within the Northeastern Waterfront Plan of the General Plan (Planning Code Section 340) to reclassify two portions of the southwestern area of the Project Site from the existing 84-E Height and Bulk District to the 92-E Height and Bulk District in one portion, and the 136-E Height and Bulk District in another portion; 5) Adopt the Findings of the General Plan Referral (as described under "Issues and Other Considerations" above); 6) Establish a Cumulative Shadow Limit for Sue Bierman Park; 7) Find that the new shadow cast by the Project on Sue

Bierman Park will not be adverse, and allocate the cumulative shadow limit for Sue Bierman Park to the Project.

BASIS FOR RECOMMENDATION

- The project would add 145 dwelling units to the City's housing stock, in a walkable and transit-rich area suited for dense, mixed-use development.
- Residents would be able to walk or utilize transit to commute and satisfy convenience needs without reliance on the private automobile.
- The project will widen and renovate the existing Drumm Street walkway, and will create new public open spaces that provide recreational opportunities and reestablish connections to the waterfront.
- The parking garage will bolster the commercial viability of the Ferry Building and enable broader access to the recreational amenities of the waterfront.
- The proposed ground-floor commercial spaces will expand the spectrum of retail goods and services available in the area, and will activate the sidewalks surrounding the Project Site.
- The project will include substantial landscaping, street furnishings, and other improvements within the public realm, including widened sidewalks along the Drumm and Washington Street frontages.
- The project represents a continuation of an urban form that transition from taller heights within the Financial District, to lower buildings along the waterfront.
- The project is necessary and desirable, is compatible with the surrounding neighborhood, and would not be detrimental to persons or adjacent properties in the vicinity.

RECOMMENDATION: Approval with Conditions

Attachments:

Draft CEQA Findings Motions, including Mitigation, Monitoring, and Reporting Program
Draft Conditional Use Authorization/Planned Unit Development Motion
Draft Resolution and Ordinance for General Plan Amendment
Draft Resolution and Ordinance for Zoning Map Amendment
Draft General Plan Referral Motion
Draft Resolution to Establish Cumulative Shadow Limit
Draft Motion for Shadow Analysis
Shadow Analysis Technical Memorandum, dated December 13, 2011
Block Book Map
Sanborn Map
Aerial Photographs
Zoning Map
Waterfront Design Advisory Committee Meeting Minutes, November 21, 2011
Letters in Support of Project
Graphics Package from Project Sponsor

Exhibit Checklist

- | | |
|---|---|
| <input checked="" type="checkbox"/> Executive Summary | <input checked="" type="checkbox"/> Project sponsor submittal |
| <input checked="" type="checkbox"/> Draft Motion | Drawings: <u>Existing Conditions</u> |
| <input type="checkbox"/> Environmental Determination | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Zoning District Map | Drawings: <u>Proposed Project</u> |
| <input checked="" type="checkbox"/> Height & Bulk Map | <input checked="" type="checkbox"/> Check for legibility |
| <input checked="" type="checkbox"/> Parcel Map | |
| <input checked="" type="checkbox"/> Sanborn Map | |
| <input checked="" type="checkbox"/> Aerial Photo | |
| <input checked="" type="checkbox"/> Context Photos | |
| <input checked="" type="checkbox"/> Site Photos | |

Exhibits above marked with an "X" are included in this packet



Planner's Initials

KMG: G:\Documents\Projects\8 Washington\Actions\2007.0030ECKMRZ- 8 Washington - Exec Sum.doc



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Affordable Housing (Sec. 415)
- Jobs Housing Linkage Program (Sec. 413)
- Downtown Park Fee (Sec. 412)
- First Source Hiring (Admin. Code)
- Child Care Requirement (Sec. 414)
- Other

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Planning Commission Resolution 18566 Zoning Map Amendment

HEARING DATE: MARCH 22, 2012

Date: January 5, 2012
Case No.: 2007.0030ECKMRZ
Project Address: 8 Washington Street
Zoning: RC-4 (Residential-Commercial, High Density) District
84-E Height and Bulk District
Block/Lot: 0168/058; 0171/069; 0201/012-013 (including Seawall Lot 351)
Project Sponsor: Simon Snellgrove
San Francisco Waterfront Partners II, LLC
Pier 1, Bay 2, The Embarcadero
San Francisco, CA 94111
Staff Contact: Kevin Guy - (415) 558-6163
kevin.guy@sfgov.org

2012 MAR 26 AM 11:36
RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

RESOLUTION OF THE PLANNING COMMISSION RECOMMENDING THAT THE BOARD OF SUPERVISORS AMEND ZONING MAP SHEET HT01 TO RECLASSIFY TWO PORTIONS AT THE SOUTHWESTERN AREA OF BLOCK 0201, LOT 012, FROM THE 84-E HEIGHT AND BULK DISTRICT TO THE 92-E HEIGHT AND BULK DISTRICT IN ONE PORTION, AND THE 136-E HEIGHT AND BULK DISTRICT IN ANOTHER PORTION, AND ADOPTING FINDINGS THAT THE PROPOSED AMENDMENT TO THE GENERAL PLAN IS CONSISTENT WITH THE OBJECTIVES AND POLICIES OF THE GENERAL PLAN AND THE EIGHT PRIORITY POLICIES OF SECTION 101.1(b) OF THE PLANNING CODE.

RECITALS

1. WHEREAS, Pacific Waterfront Partners II, LLC ("Project Sponsor") proposes a development project on a site located at 8 Washington Street (Lot 058 of Assessor's Block 0168, Lot 069 of Assessor's Block 0171, Lots 012 and 013 of Assessor's Block 0201, including Seawall Lot 351, collectively, "Project Site") that would demolish the existing surface parking lot and Golden Gateway Tennis and Swim Club, and construct a new health club, residential buildings ranging from four to twelve stories in height containing 145 dwelling units, ground-floor

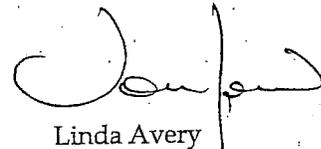
- retail uses totaling approximately 20,000 square feet, and 400 off-street parking spaces ("Project").
2. **WHEREAS**, In order for the Project to proceed, a reclassification of the height district of the southwestern area of the Project Site would be required, as shown on Sheet HT01 of the Zoning Map of the City and County of San Francisco ("Zoning Map"), from the existing 84-E Height and Bulk District to a height limit of 92 feet in one portion, and 136 feet in another portion.
 3. **WHEREAS**, The proposed Project will promote the public necessity, convenience, and general welfare in that it will construct residential, retail, and health club uses in an area well-served by transit, as well as new open spaces and streetscapes amenities accessible to residents and visitors of the area. In addition, the project will include off-street parking accessible to the general public that can be utilized by patrons of the Ferry Building and other attractions in the vicinity.
 4. **WHEREAS**, On August 9, 2011, the Project Sponsor submitted a request to amend Sheet HT01 of the Zoning Map, to reclassify two portions of the southwestern portion of the development site from the existing 84-foot height limit to a height of 92 feet in one portion, and 136 feet in another portion.
 5. **WHEREAS**, The Department published a Draft Environmental Review Report (DEIR) on June 15, 2011 analyzing the Proposed Zoning Map Amendment and other actions related to the Project (Case No. 2007.0030E). On March 22, 2012, the Commission certified the Project's Final Environmental Impact Report (FEIR), as set forth in Motion No. 18560 and adopted findings pursuant to CEQA as set forth in Motion No. 18561, which findings are incorporated herein by this reference thereto as if fully set forth in this Resolution.
 6. **WHEREAS**, The proposed height changes will affect a relatively small area at the southwesterly portion of the Project Site, within a roughly rectangular area measuring 262 feet in length along the Drumm Street frontage of the site, to a depth of up to 88 feet. The area affected by the height changes would measure approximately 22,398 square feet out of a total Project Site of 138,681, or 16.1% of the Project Site area.
 7. **WHEREAS**, The proposed height changes will allow the massing of the Project to be sculpted in a manner that is sympathetic to the shorter residential, commercial, and bulkhead buildings situated along the Embarcadero, and preserves the legibility of the progression of taller buildings within the Financial District to the southwest.
 8. **WHEREAS**, The Project would affirmatively promote, be consistent with, and would not adversely affect the General Plan, including the following objectives and policies; for the reasons set forth set forth in Item #12 of Motion No. 18567, Case #2007.0030C, which are incorporated herein as though fully set forth.

9. **WHEREAS**, The Project complies with the eight priority policies of Planning Code Section 101.1, for the reasons set forth set forth in Item #13 of Motion No. 18567, Case #2007.0030C, which are incorporated herein as though fully set forth.
10. **WHEREAS**, A proposed ordinance, attached hereto as Exhibit A, has been prepared in order to make the amendment to the Sheet HT01 of the Zoning Map by changing the height and bulk district for the a portion of the Project Site, from the existing 84-E Height and Bulk District to a height limit of 92 feet in one portion, and 136 feet in another portion.
11. **WHEREAS**, the Office of the City Attorney has approved the proposed ordinance as to form.
12. **WHEREAS**, Section 4.105 of the San Francisco Charter and Section 302 of the Planning Code require that the Commission consider any proposed amendments to the City's Zoning Maps, and make a recommendation for approval or rejection to the Board of Supervisors before the Board of Supervisors acts on the proposed amendments.
13. **WHEREAS**, On March 22, 2012, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting to consider the Proposed Zoning Map Amendment.
14. **WHEREAS**, The Commission has had available to it for its review and consideration studies, case reports, letters, plans, and other materials pertaining to the Project contained in the Department's case files, and has reviewed and heard testimony and received materials from interested parties during the public hearings on the Project.

NOW, THEREFORE BE IT RESOLVED THAT, the Commission finds, based upon the entire Record, the submissions by the Applicant, the staff of the Department, and other interested parties, the oral testimony presented to the Commission at the public hearing, and all other written materials submitted by all parties, that the public necessity, convenience and general welfare require that Map HT01 of the Zoning Maps, be amended to reclassify two portions of the southwestern portion of the development site from the existing 84-foot height limit to a height of 92 feet in one portion, and 136 feet in another portion, as proposed in Zoning Map Amendment Application No. 2007.0030Z; and,

BE IT FURTHER RESOLVED THAT, the Planning Commission recommends the Board of Supervisors approve the proposed Zoning Map Amendment.

I hereby certify that the foregoing Resolution was ADOPTED by the Planning Commission at its regular meeting on March 22, 2012.


Linda Avery
Commission Secretary

POS!

AYES: Fong, Antonini, Borden, Miguel
NOES: Sugaya, Wu
ABSENT: Moore
ADOPTED: March 22, 2012



HEIGHT RECLASSIFICATION DIAGRAM
 ASK - 0169.R2
 DECEMBER 21, 2011

8 WASHINGTON
 SAN FRANCISCO, CA

SOM



SAN FRANCISCO PLANNING DEPARTMENT



1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Subject to: (Select only if applicable)

- Affordable Housing (Sec. 415)
- Jobs Housing Linkage Program (Sec. 413)
- Downtown Park Fee (Sec. 412)
- First Source Hiring (Admin. Code)
- Child Care Requirement (Sec. 414)
- Other

Planning Commission Motion 18561

HEARING DATE: MARCH 22, 2012

Date: January 5, 2012
Case No.: 2007.0030ECKMRZ
Project Address: 8 Washington Street
Zoning: RC-4 (Residential-Commercial, High Density) District
 84-E Height and Bulk District
Block/Lot: 0168/058; 0171/069; 0201/012-013 (including Seawall Lot 351)
Project Sponsor: Simon Snellgrove
 San Francisco Waterfront Partners II, LLC
 Pier 3, The Embarcadero
 San Francisco, CA 94111
Staff Contact: Kevin Guy – (415) 558-6163
 kevin.guy@sfgov.org

ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, INCLUDING FINDINGS REJECTING ALTERNATIVES AS INFEASIBLE, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPTING A MITIGATION, MONITORING, AND REPORTING PROGRAM, RELATING TO A PROPOSAL TO DEMOLISH AN EXISTING SURFACE PARKING LOT AND HEALTH CLUB, AND TO CONSTRUCT A NEW HEALTH CLUB, RESIDENTIAL BUILDINGS RANGING FROM FOUR TO TWELVE STORIES IN HEIGHT CONTAINING 134 DWELLING UNITS, GROUND-FLOOR RETAIL USES TOTALING APPROXIMATELY 20,000 SQUARE FEET, AND 382 OFF-STREET PARKING SPACES, WITHIN THE RC-4 (RESIDENTIAL-COMMERCIAL, HIGH DENSITY) DISTRICT AND THE 84-E HEIGHT AND BULK DISTRICT

PREAMBLE

On April 25, 2011, Neil Sekhri, acting on behalf of San Francisco Waterfront Partners II, LLC ("Project Sponsor") filed an application with the Planning Department ("Department") for Conditional Use Authorization to allow development exceeding 50 feet in height within an RC District, to allow an accessory off-street parking garage, to allow commercial uses above the ground floor, and to allow non-residential uses exceeding 6,000 square feet, and to approved a Planned Unit Development, pursuant to Planning Code Sections ("Sections") 209.7(d), 209.8(c), 209.8(f), 253, 303, and 304, to allow a project that would demolish an existing surface parking lot and health club and construct a new health club,



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Affordable Housing (Sec. 415)
- Jobs Housing Linkage Program (Sec. 413)
- Downtown Park Fee (Sec. 412)
- First Source Hiring (Admin. Code)
- Child Care Requirement (Sec. 414)
- Other

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Planning Commission Resolution 18562

HEARING DATE: MARCH 22, 2012

Date: January 5, 2012
Case No.: 2007.0030ECKMRZ
Project Address: 8 Washington Street
Zoning: RC-4 (Residential-Commercial, High Density) District
 84-E Height and Bulk District
Block/Lot: 0168/058; 0171/069; 0201/012-013 (including Seawall Lot 351)
Project Sponsor: Simon Snellgrove
 San Francisco Waterfront Partners II, LLC
 Pier 3, The Embarcadero
 San Francisco, CA 94111
Staff Contact: Kevin Guy – (415) 558-6163
 kevin.guy@sfgov.org

RESOLUTION TO RAISE THE ABSOLUTE CUMULATIVE SHADOW LIMIT ON SUE BIERMAN PARK IN ORDER TO ALLOW THE PROPOSED PROJECT AT 8 WASHINGTON STREET.

PREAMBLE

The people of the City and County of San Francisco, in June 1984, adopted an initiative ordinance, commonly known as Proposition K, codified as Section 295 of the Planning Code.

Section 295 requires that the Planning Commission disapprove any building permit application to construct a structure that will cast shadow on property under the jurisdiction of the Recreation and Park Department, unless it is determined that the shadow would not be significant or adverse. The Planning Commission and the Recreation and Park Commission must adopt criteria for the implementation of that ordinance.

Section 295 is implemented by analyzing park properties that could be shadowed by new construction, including the current patterns of use of such properties, how such properties might be used in the future, and assessing the amount of shadowing, its duration, times of day, and times of year of occurrence. The Commissions may also consider the overriding social or public benefits of a project casting shadow.

Pursuant to Planning Code Section 295, the Planning Commission and the Recreation and Park Commission, on February 7, 1989, adopted standards for allowing additional shadows on the greater downtown parks (Resolution No. 11595).

Sue Bierman Park ("Park") is located on two blocks bounded by The Embarcadero, and Washington, Davis, Clay, Streets. The two areas measure a total of approximately 177,202 square feet, and are characterized mainly by expanses of grassy lawn threaded with hardscape walking paths. The surrounding area is characterized by development at various scales. Building heights are generally low to the north and east along the waterfront. Taller buildings, such as the Embarcadero Center and several towers within the Golden Gateway Center are located to the south and to the west. Sunlight reaches the Park primarily during the morning and midday hours, with existing buildings casting shade during the afternoon hours. The easterly portion of the Park receives the most sunlight.

On an annual basis, the Theoretically Available Annual Sunlight ("TAAS") on the Park (with no adjacent structures present) is approximately 659,443,349 square-foot-hours of sunlight. Existing structures in the area cast shadows on the park that total approximately 265,992,877 square-foot hours, or approximately 40.3% of the TAAS. The Park did not exist in its current form, size, and configuration when the absolute cumulative limits were adopted in 1989. At that time, an absolute cumulative limit of zero percent was adopted for "Embarcadero Plaza I (North)", a park which has since been subsumed within the larger Sue Bierman Park. In addition, at the time of the adoption of cumulative limits, Embarcadero Plaza I (North) experienced substantial shading from the Embarcadero Freeway. The freeway has since been demolished following damage in the 1989 Loma Prieta earthquake. Portions of the former freeway right-of-way were acquired and reconfigured into an expanded open space that is now known as Sue Bierman Park. No formal shadow criteria or limits have ever been adopted for Sue Bierman Park, in its present form, size, and configuration.

On April 25, 2011, Neil Sekhri, acting on behalf of San Francisco Waterfront Partners II, LLC ("Project Sponsor") filed an application with the Planning Department ("Department") for Conditional Use Authorization to allow development exceeding 50 feet in height within an RC District, to allow an accessory off-street parking garage, to allow commercial uses above the ground floor, and to allow non-residential uses exceeding 6,000 square feet, and to approved a Planned Unit Development, pursuant to Planning Code Sections ("Sections") 209.7(d), 209.8(c), 209.8(f), 253, 303, and 304, to allow a project that would demolish an existing surface parking lot and health club and construct a new health club, residential buildings ranging from four to twelve stories in height containing 145 dwelling units, ground-floor retail uses totaling approximately 20,000 square feet, and 400 off-street parking spaces, located at 8 Washington Street, Lot 058 within Assessor's Block 0168, Lot 069 within Assessor's Block 0171, Lot 012 of Assessor's Block 0201, and Seawall Lot 351, which includes Lot 013 of Assessor's Block 0201 ("Project Site), within the RC-4 (Residential-Commercial, High Density) District and the 84-E Height and Bulk District. The project requests specific modifications of Planning Code requirements regarding bulk limitations, rear yard, off-street loading, and off-street parking quantities through the Planned Unit Development process specified in Section 304 (collectively, "Project"). On February 17, 2012, the Project Sponsor amended the Project application to reduce

the number of dwelling units from 145 to 134, and to reduce the number of residential parking spaces from 145 to 134.

A technical memorandum, prepared by Turnstone Consulting, was submitted on December 13, 2011, analyzing the potential shadow impacts of the Project to properties under the jurisdiction of the Recreation and Parks Department (Case No. 2007.0030K). The memorandum concluded that the Project would cast approximately 4,425 square-foot-hours of new shadow on Sue Bierman Park, equal to approximately 0.00067% of the theoretically available annual sunlight ("TAAS") on Sue Bierman Park.

The Planning Commission and the Recreation and Park Commission held a duly advertised joint public hearing on March 22, 2012 to consider whether to establish an absolute cumulative shadow limit equal to 0.00067% of the TAAS for Sue Bierman Park.

The Planning Commission and has reviewed and considered reports, studies, plans and other documents pertaining to the Project.

The Planning Commission has heard and considered the testimony presented at the public hearing and has further considered the written materials and oral testimony presented on behalf of the Project Sponsor, Department staff, and other interested parties.

Therefore, the Commission hereby resolves:

FINDINGS

Having reviewed the materials identified in the recitals above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The foregoing recitals are accurate, and also constitute findings of this Commission.
2. The additional shadow cast by the Project, while numerically significant, would not be adverse, and is not expected to interfere with the use of the Park, for the following reasons: (1) the new shadow would be cast on small areas at the northwest and northeast portions of the park, with a maximum area of 670 square feet shadowed at a single time (6:47AM on June 21); (2) the areas to be shaded consists primarily of lawn situated at the outer fringes of the Park, immediately adjacent to the Washington Street sidewalk; (3) larger expanses of grassy seating areas, and pedestrian pathways situated toward the interior of the Park would not be affected ; (4) all net new shadows would be cast for a short duration (approximately 15 minutes) during the early-morning and late-evening hours, from early June through mid-July. Therefore, the Project would not cast shadows during mid-day hours when usage of the park is generally higher.
3. The staff of both the Planning Department and the Recreation and Park Department have recommended establishing a cumulative shadow limit for the Park of 0.00067% of the TAAS, equal to approximately 4,425 square-foot-hours of net new shadow.

4. A determination by the Planning Commission and the Recreation and Park Commission to raise the absolute cumulative shadow limit for the park in an amount that would accommodate the additional shadow that would be cast by the Project does not constitute an approval of the Project.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Planning Department, the recommendation of the General Manager of the Recreation and Park Department, in consultation with the Recreation and Park Commission, and other interested parties, the oral testimony presented to the Planning Commission at the public hearing, and all other written materials submitted by all parties, the Planning Commission hereby ADOPTS, under Shadow Analysis Application No. 2007.0030K, the proposal to establish a cumulative shadow limit for the Park of 0.00067%

I hereby certify that the foregoing Resolution was ADOPTED by the Planning Commission at its regular meeting on March 22, 2012.

Linda Avery
Commission Secretary

AYES: Fong, Antonini, Borden, Miguel

NAYS: Sugaya, Wu

ABSENT: Moore

ADOPTED: March 22, 2012



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Affordable Housing (Sec. 415)
- Jobs Housing Linkage Program (Sec. 413)
- Downtown Park Fee (Sec. 412)
- First Source Hiring (Admin. Code)
- Child Care Requirement (Sec. 414)
- Other

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Planning Commission Motion 18563

HEARING DATE: MARCH 22, 2012

Date: January 5, 2012
Case No.: 2007.0030ECKMRZ
Project Address: 8 Washington Street
Zoning: RC-4 (Residential-Commercial, High Density) District
 84-E Height and Bulk District
Block/Lot: 0168/058; 0171/069; 0201/012-013 (including Seawall Lot 351)
Project Sponsor: Simon Snellgrove
 San Francisco Waterfront Partners II, LLC
 Pier 3, The Embarcadero
 San Francisco, CA 94111
Staff Contact: Kevin Guy – (415) 558-6163
 kevin.guy@sfgov.org

ADOPTING FINDINGS, WITH THE RECOMMENDATION OF THE GENERAL MANAGER OF THE RECREATION AND PARK DEPARTMENT, IN CONSULTATION WITH THE RECREATION AND PARK COMMISSION, THAT NET NEW SHADOW ON SUE BIERMAN PARK BY THE PROPOSED PROJECT AT 8 WASHINGTON STREET WOULD NOT BE ADVERSE, AND ALLOCATE NET NEW SHADOW ON SUE BIERMAN PARK TO THE PROPOSED PROJECT.

PREAMBLE

Under Planning Code Section ("Section") 295, a building permit application for a project exceeding a height of 40 feet cannot be approved if there is any shadow impact on a property under the jurisdiction of the Recreation and Park Department, unless the Planning Commission, upon recommendation from the General Manager of the Recreation and Park Department, in consultation with the Recreation and Park Commission, makes a determination that the shadow impact will not be significant or adverse.

February 7, 1989, the Recreation and Park Commission and the Planning Commission adopted criteria establishing absolute cumulative limits for additional shadows on fourteen parks throughout San Francisco (Planning Commission Resolution No. 11595).

Sue Bierman Park ("Park") is located on two blocks bounded by The Embarcadero, and Washington, Davis, Clay, Streets. The two areas measure a total of approximately 177,202 square

feet, and are characterized mainly by expanses of grassy lawn threaded with hardscape walking paths. The surrounding area is characterized by development at various scales. Building heights are generally low to the north and east along the waterfront. Taller buildings, such as the Embarcadero Center and several towers within the Golden Gateway Center are located to the south and to the west. Sunlight reaches the Park primarily during the morning and midday hours, with existing buildings casting shade during the afternoon hours. The easterly portion of the Park receives the most sunlight.

On an annual basis, the Theoretically Available Annual Sunlight ("TAAS") on the Park (with no adjacent structures present) is approximately 659,443,349 square-foot-hours of sunlight. Existing structures in the area cast shadows on the park that total approximately 265,992,877 square-foot hours, or approximately 40.3 percent of the TAAS. The Park did not exist in its current form, size, and configuration when the absolute cumulative limits were adopted in 1989. At that time, an absolute cumulative limit of zero percent was adopted for "Embarcadero Plaza I (North)", a park which has since been subsumed within the larger Sue Bierman Park. In addition, at the time of the adoption of cumulative limits, Embarcadero Plaza I (North) experienced substantial shading from the Embarcadero Freeway. The freeway has since been demolished following damage in the 1989 Loma Prieta earthquake. Portions of the former freeway right-of-way were acquired and reconfigured into an expanded open space that is now known as Sue Bierman Park. No formal shadow criteria or limits had previously been adopted for Sue Bierman Park, in its present form, size, and configuration.

On April 25, 2011, Neil Sekhri, acting on behalf of San Francisco Waterfront Partners II, LLC ("Project Sponsor") filed an application with the Planning Department ("Department") for Conditional Use Authorization to allow development exceeding 50 feet in height within an RC District, to allow an accessory off-street parking garage, to allow commercial uses above the ground floor, and to allow non-residential uses exceeding 6,000 square feet, and to approved a Planned Unit Development, pursuant to Planning Code Sections ("Sections") 209.7(d), 209.8(c), 209.8(f), 253, 303, and 304, to allow a project that would demolish an existing surface parking lot and health club and construct a new health club, residential buildings ranging from four to twelve stories in height containing 145 dwelling units, ground-floor retail uses totaling approximately 20,000 square feet, and 400 off-street parking spaces, located at 8 Washington Street, Lot 058 within Assessor's Block 0168, Lot 069 within Assessor's Block 0171, Lot 012 of Assessor's Block 0201, and Seawall Lot 351, which includes Lot 013 of Assessor's Block 0201 ("Project Site), within the RC-4 (Residential-Commercial, High Density) District and the 84-E Height and Bulk District. The project requests specific modifications of Planning Code requirements regarding bulk limitations, rear yard, off-street loading, and off-street parking quantities through the Planned Unit Development process specified in Section 304 (collectively, "Project"). On February 17, 2012, the Project Sponsor amended the Project application to reduce the number of dwelling units from 145 to 134, and to reduce the number of residential parking spaces from 145 to 134.

A technical memorandum, prepared by Turnstone Consulting, was submitted on December 13, 2011, analyzing the potential shadow impacts of the Project to properties under the jurisdiction of the Recreation and Parks Department (Case No. 2007.0030K). The memorandum concluded that the Project would cast approximately 4,425 square-foot-hours of new shadow on Sue Bierman

Park, equal to approximately 0.00067% of the theoretically available annual sunlight ("TAAS") on Sue Bierman Park.

The Planning Commission and the Recreation and Park Commission held a duly advertised joint public hearing on March 22, 2012 and adopted Resolution No. 18562 establishing an absolute cumulative shadow limit equal to 0.00067% of the TAAS for Sue Bierman Park.

On March 22, 2012, the Recreation and Park Commission conducted a duly noticed public hearing at a regularly scheduled meeting and recommended that the Planning Commission find that the shadows cast by the Project on Sue Bierman Park will not be adverse.

The Planning Commission has reviewed and considered reports, studies, plans and other documents pertaining to the Project.

The Planning Commission has heard and considered the testimony presented at the public hearing and has further considered the written materials and oral testimony presented on behalf of the Project Sponsor, Department staff, and other interested parties.

FINDINGS

Having reviewed the materials identified in the recitals above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The foregoing recitals are accurate, and also constitute findings of this Commission.
2. The additional shadow cast by the Project, while numerically significant, would not be adverse, and is not expected to interfere with the use of the Park, for the following reasons: (1) the new shadow would be cast on small areas at the northwest and northeast portions of the park, with a maximum area of 670 square feet shadowed at a single time (6:47AM on June 21); (2) the areas to be shaded consists primarily of lawn situated at the outer fringes of the Park, immediately adjacent to the Washington Street sidewalk; 3) larger expanses of grassy seating areas, and pedestrian pathways situated toward the interior of the Park would not be affected ; (4) all net new shadows would be cast for a short duration (approximately 15 minutes) during the early-morning and late-evening hours, from early June through mid-July. Therefore, the Project would not cast shadows during mid-day hours when usage of the park is generally higher.
3. A determination by the Planning Commission and the Recreation and Park Commission to allocate net new shadow to the Project does not constitute an approval of the Project.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Planning Department, the recommendation of the General Manager of the Recreation and Park Department, in consultation with the Recreation and Park Commission, and other interested parties, the oral testimony presented to the Planning Commission at the public hearing, and all other written materials submitted by all parties, the Planning Commission hereby DETERMINES, under Shadow Analysis Application No. 2007.0030K, that the net new shadow cast by the Project on Sue Bierman Park will not be adverse, and ALLOCATES to the Project up to 4,425 square-foot hours of shadow on Sue Bierman Park, equivalent to approximately 0.00067% of the theoretically available annual sunlight on .

I hereby certify that the foregoing Motion was ADOPTED by the Planning Commission at its regular meeting on March 22, 2012.

Linda Avery
Commission Secretary

AYES: Fong, Antonini, Borden, Miguel

NAYS: Sugaya, Wu

ABSENT: Moore

ADOPTED: March 22, 2012



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Affordable Housing (Sec. 415)
- Jobs Housing Linkage Program (Sec. 413)
- Downtown Park Fee (Sec. 412)
- First Source Hiring (Admin. Code)
- Child Care Requirement (Sec. 414)
- Other

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Planning Commission Motion 18565 General Plan Referral

HEARING DATE: MARCH 22, 2012

Date: January 5, 2012
Case No.: 2007.0030ECKMRZ
Project Address: 8 Washington Street
Zoning: RC-4 (Residential-Commercial, High Density) District
 84-E Height and Bulk District
Block/Lot: 0168/058; 0171/069; 0201/012-013 (including Seawall Lot 351)
Project Sponsor: Simon Snellgrove
 San Francisco Waterfront Partners II, LLC
 Pier 3, The Embarcadero
 San Francisco, CA 94111
Staff Contact: Kevin Guy – (415) 558-6163
 kevin.guy@sfgov.org

ADOPTING FINDINGS RELATING TO THE DETERMINATION THAT 1) THE ACQUISITION AND SALE OF PUBLIC PROPERTY, INCLUDING A PUBLIC TRUST EXCHANGE, 2) CHANGE OF USE OF PUBLIC PROPERTY (SEAWALL LOT 351); AND, 3) SUBDIVISION OF THE PROPERTY AT 8 WASHINGTON STREET, IN ASSOCIATION WITH A PROPOSAL TO DEMOLISH AN EXISTING SURFACE PARKING LOT AND HEALTH CLUB, AND TO CONSTRUCT A NEW HEALTH CLUB, RESIDENTIAL BUILDINGS RANGING FROM FOUR TO TWELVE STORIES IN HEIGHT CONTAINING 134 DWELLING UNITS, GROUND-FLOOR RETAIL USES TOTALING APPROXIMATELY 20,000 SQUARE FEET, AND 382 OFF-STREET PARKING SPACES, WOULD BE CONSISTENT WITH THE OBJECTIVES AND POLICIES OF THE GENERAL PLAN AND THE PRIORITY POLICIES OF PLANNING CODE SECTION 101.1; AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

PREAMBLE

On April 25, 2011, Neil Sekhri, acting on behalf of San Francisco Waterfront Partners II, LLC ("Project Sponsor") filed an application with the Planning Department ("Department") for Conditional Use Authorization to allow development exceeding 50 feet in height within an RC District, to allow a non-accessory off-street parking garage, to allow commercial uses above the ground floor, and to allow non-residential uses exceeding 6,000 square feet, and to approve a Planned Unit Development, pursuant to Planning Code Sections ("Sections") 209.7(d), 209.8(c), 209.8(f), 253, 303, and 304, to allow a project that would demolish an existing surface parking lot and health club and construct a new health club, residential buildings ranging from four to twelve stories in height containing 145 dwelling units, ground-floor retail uses totaling approximately 20,000 square feet, and 400 off-street parking spaces, located at 8 Washington Street, Lot 058 within Assessor's Block 0168, Lot 069 within Assessor's Block 0171, Lot 012 of Assessor's Block 0201, and Seawall Lot 351, which includes Lot 013 of Assessor's Block 0201 ("Project Site), within the RC-4 (Residential-Commercial, High Density) District and the 84-E Height and Bulk District. The project requests specific modifications of Planning Code requirements regarding bulk limitations, rear yard, off-street loading, and off-street parking quantities through the Planned Unit Development process specified in Section 304 (collectively, "Project"). On February 17, 2012, the Project Sponsor amended the Project application to reduce the number of dwelling units from 145 to 134, and to reduce the number of residential parking spaces from 145 to 134.

On January 3, 2007, the Project Sponsor submitted an Environmental Evaluation Application with the Department, Case No. 2007.0030E. The Department issued a Notice of Preparation of Environmental Review on December 8, 2007, to owners of properties within 300 feet, adjacent tenants, and other potentially interested parties.

On June 15, 2011, the Department published a draft Environmental Impact Report (EIR) for public review. The draft EIR was available for public comment until August 15, 2011. On July 21, 2011, the Planning Commission ("Commission") conducted a duly noticed public hearing at a regularly scheduled meeting to solicit comments regarding the draft EIR. On December 22, 2011, the Department published a Comments and Responses document, responding to comments made regarding the draft EIR prepared for the Project.

On March 22, 2012, the Commission reviewed and considered the Final EIR and found that the contents of said report and the procedures through which the Final EIR was prepared, publicized, and reviewed complied with the California Environmental Quality Act (California Public Resources Code Sections 21000 et seq.) ("CEQA"), 14 California Code of Regulations Sections 15000 et seq. ("the CEQA Guidelines"), and Chapter 31 of the San Francisco Administrative Code ("Chapter 31").

The Commission found the Final EIR was adequate, accurate and objective, reflected the independent analysis and judgment of the Department and the Commission, and that the summary of comments and responses contained no significant revisions to the draft EIR, and approved the Final EIR for the Project in compliance with CEQA, the CEQA Guidelines and Chapter 31.

The Planning Department, Linda Avery, is the custodian of records, located in the File for Case No. 2007.0030E, at 1650 Mission Street, Fourth Floor, San Francisco, California.

Department staff prepared a Mitigation Monitoring and Reporting program ("MMRP"), which material was made available to the public and this Commission for this Commission's review, consideration and action.

On March 13, 2007, the Project Sponsor submitted a request for review of a development exceeding 40 feet in height, pursuant to Section 295, analyzing the potential shadow impacts of the Project to properties under the jurisdiction of the Recreation and Parks Department (Case No. 2007.0030K). Department staff prepared a shadow fan depicting the potential shadow cast by the development and concluded that the Project could have a potential impact to properties subject to Section 295. A technical memorandum, prepared by Turnstone Consulting, dated December 13, 2011, concluded that the Project would cast approximately 4,425 square-foot-hours of new shadow on Sue Bierman Park., equal to approximately 0.00067% of the theoretically available annual sunlight ("TAAS") on Sue Bierman Park.

Pursuant to Section 295, the Planning Commission and the Recreation and Park Commission, on February 7, 1989, adopted standards for allowing additional shadows on the greater downtown parks (Resolution No. 11595). At the time the standards were adopted, Sue Bierman Park did not exist in its present form and configuration. Therefore, no standards have been adopted establishing an absolute cumulative limit for Sue Bierman Park, in its present configuration. The Planning Commission and the Recreation and Park Commission held a duly advertised joint public hearing on March 22, 2012 and adopted Resolution No. 18562 establishing an absolute cumulative shadow limit equal to 0.00067 percent of the TAAS for Sue Bierman Park.

On March 22, 2012, the Recreation and Park Commission conducted a duly noticed public hearing at a regularly scheduled meeting and recommended that the Planning Commission find that the shadows cast by the Project on Sue Bierman Park will not be adverse. On March 22, 2012, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting and adopted Motion No. 18563 determining that the shadows cast by the Project on Sue Bierman Park will not be adverse, and allocating the absolute cumulative shadow limit of 0.00067 percent to the Project.

On August 9, 2011, the Project Sponsor submitted a request to amend Height Map HT01 of the Zoning Maps of the San Francisco Planning Code to reclassify two portions of the southwestern area of the development site from the 84-E Height and Bulk District to the 92-E Height and Bulk District in one portion, and the 136-E Height and Bulk District in another portion (Case No. 2007.0030Z). On March 22, 2012, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting and adopted Resolution No. 18566, recommending that the Board of Supervisors approve the requested Height Reclassification.

On August 9, 2011, the Project Sponsor submitted a request to amend "Map 2 - Height and Bulk Plan" within the Northeastern Waterfront Area Plan of the General Plan, to reclassify two

portions of the southwestern portion of the development site from the existing 84-foot height limit to a height of 92 feet in one portion, and 136 feet in another portion. On December 8, 2011, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting and adopted Resolution No. 18501, initiating the requested General Plan Amendment. On March 22, 2012, the Planning Commission conducted a duly noticed public hearing at a regularly scheduled meeting and adopted Resolution No. 18564, recommending that the Board of Supervisors approve the requested General Plan Amendment.

On December 1, 2011, the Project Sponsor submitted a request for a General Plan Referral, Case No. 2007.0030R, regarding the exchange of Public Trust Land, changes in use of various portions of the property (including the publicly-owned Seawall Lot 351), and subdivision associated with the Project, to determine whether these actions are consistent with the objectives and policies of the General Plan and the Priority Policies of Section 101.1.

On March 22, 2012, the Commission adopted Motion No. 18561, adopting CEQA findings, including a Statement of Overriding Considerations, and adopting the MMRP's, which findings and adoption of the MMRP's are hereby incorporated by reference as though fully set forth herein.

On March 22, 2012, the Commission conducted a duly noticed public hearing at a regularly scheduled meeting on Conditional Use Application No. 2007.0030C.

The Commission has heard and considered the testimony presented to it at the public hearing and has further considered written materials and oral testimony presented on behalf of the applicant, Department staff, and other interested parties.

MOVED, that the Commission hereby adopts the General Plan Referral described in Application No. 2007.0030R, based on the following findings:

FINDINGS

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes, and determines as follows:

1. The above recitals are accurate and constitute findings of this Commission.
2. **Site Description and Present Use.** The majority of the Project Site is occupied by the Golden Gateway Swim and Tennis Club, which includes nine outdoor tennis courts, two outdoor pools, a seventeen-space surface parking lot, and seven temporary and permanent structures housing a clubhouse, pro shop, dressing rooms, lockers, showers, and other facilities. The southeasterly portion of the Project Site is comprised of Seawall Lot 351 (currently owned by the Port of San Francisco), which is developed with a 105-space public surface parking lot. The site is irregular, but roughly triangular in shape. The widest portion of the lot fronts along Washington Street, between Drumm Street and the Embarcadero. The site tapers to a narrow point at its northernmost portion, which

fronts along the Embarcadero. The Project Site measures approximately 138,681 square feet in total.

3. **Surrounding Properties and Neighborhood.** The property is located within the Northeastern Waterfront and within the former Golden Gateway Redevelopment Area, which expired in 2009. The existing buildings in the Golden Gateway Center are comprised of predominantly residential uses, within towers and low-rise buildings. Commercial uses, including a full-service grocery store, are situated at the ground floors of some of the buildings within the Center. The Financial District is situated to the south and southwest of the project site, and is characterized by an intense, highly urbanized mix of office, retail, residential, hotel uses, primarily within mid- to high-rise structures. Further to the west is the Jackson Square Historic District, a collection of low-rise structures that survived the 1906 Earthquake and Fire, which are now primarily occupied by office and retail uses. The waterfront extends along the Embarcadero across from the Project Site, and is characterized by the Ferry Building, along with a series of numbered piers and bulkhead buildings. These structures house a wide variety of maritime, tourism, and transportation functions, retail and office spaces, and public pathways and recreational areas. A number of significant parks and open spaces are located in the vicinity of the project, including Sue Bierman Park, Justin Herman Plaza, and Harry Bridges Plaza to the south, Maritime Plaza to the southwest, the Drumm Street Walkway and Sydney Walton Square to the west, Levi Plaza to the northwest, and Herb Caen Way, a linear pedestrian and bicycle path that runs along the waterfront side of the Embarcadero.
4. **Project Description.** The proposal is to demolish the existing Golden Gateway Swim and Tennis Club and the existing surface parking lot on Seawall 351, and construct a new health club, residential buildings ranging from four to twelve stories in height containing 134 dwelling units, ground-floor retail uses totaling approximately 20,000 square feet, and 400 off-street parking spaces. The health club would be situated in the northern portion of the site, between the ends of the Jackson Street and Pacific Avenue rights-of-way. The enclosed portion of the club would front along the Embarcadero, hosting gym and studio spaces, changing rooms, a cafe, a reception area, and mechanical and support spaces. The undulating roofline would reach a maximum height of approximately 35 feet, and would be planted as a non-occupied green roof. Green "living walls" are also proposed for portions of the Embarcadero elevation of the building. The exterior portion of the club includes a large rectangular lap pool, a Jacuzzi, deck and seating areas, and other recreational amenities.

The residential portion of the Project would be constructed within two buildings situated on the southerly portion of the site, with frontage along the Embarcadero, as well as Washington and Drumm Streets. The westerly building fronts along Drumm Street and a portion of Washington Street, reaching a height of eight stories (92-foot roof height) near the intersection of Jackson Street, stepping up to a height of twelve stories (136-foot roof height) at the corner of Washington Street. The easterly building is primarily at a height of six stories (70-foot roof height), stepping down to a height of five stories (59-foot roof

height) near the health club building. The residential buildings are articulated as a series of vertical masses of approximately 35 feet in width, each divided by a recess measuring approximately eleven feet wide and eight feet deep. An oval-shaped private open space area would be situated between the two buildings.

The project would include a three level subterranean parking garage, accessed from a driveway on Washington Street. The garage holds a total of 400 vehicular spaces and 81 bicycle parking spaces. A total of 134 parking spaces are proposed serve the residential units, at a ratio of one space per dwelling unit. Conditions of approval have been added to reduce the residential parking to 127 spaces. A total of 255 parking spaces would operate as general public parking, to serve the health club and other commercial uses on-site, as well as other uses in the vicinity. These spaces are intended, in part, to fulfill contractual obligations of the Port of San Francisco ("Port") to provide parking to serve the uses in the vicinity of the Ferry Building. Several other parking facilities near the Ferry Building have been recently removed, or are planned for future removal.

The Project includes several new and renovated open space areas. These open space areas consist of areas currently under Port jurisdiction, and areas of private property to be conveyed to the Port pursuant to a public trust exchange authorized under existing state legislation. Shortly after Planning Commission certification of the EIR, the Port Commission is scheduled to consider for approval the design for the open space areas as described here and transactional documents governing the project sponsor's obligations to construct and maintain the public improvements.

An area known as "Jackson Commons" would be located between the residential buildings and the health club, aligned with the existing terminus of Jackson Street. This area includes a meandering pathway, landscaping, and seating areas, serving as a visual and physical linkage through the site to the Embarcadero. The existing Drumm Street walkway, which is aligned north-south between Jackson Street and the Embarcadero, would be re-landscaped and widened by approximately seven feet. A new open space known as "Pacific Park" would be situated at the triangular northerly portion of the Project Site. The park would measure approximately 11,500 square feet, and is proposed to include grass seating areas, a play fountain and other children's play areas, and seating for the adjacent cafe. This park would be accessible from a mid-block pedestrian network that includes the Drumm Street walkway to the south, as well as a pedestrian extension of the Pacific Avenue right-of-way to the west. Immediately adjacent to Pacific Park to the south would be a new retail building to be developed on Port property which would include a restaurant and/or other commercial recreation amenities compatible with the Pacific Park use.

5. **Public Comment.** The Department has received a number of communications in support of the Project from individuals, business owners, and non-profit organizations. These communications express support the height and density of the project, the provision of new open spaces, creation of public parking, and the restoration of an active streetwall along the Embarcadero. Although the Department has not received any

specific communications in opposition to the requested entitlements, residents and organizations have expressed opposition to the Project at various public meetings and in response to the Project EIR. Specifically, these comments express concerns over topics such as increased heights near the waterfront, loss of public views, excessive parking, and changes in Public Trust lands to allow housing.

6. **General Plan Referral.** San Francisco Charter Section 4.105 and Sections 2A.52 and 2A.53 of the San Francisco Administrative Code require that, for projects that include certain actions, the Department or the Commission must review these actions and determine whether the project is in conformity with the objectives and policies of the General Plan, as well as the Priority Policies of Section 101.1. The following aspects of the project trigger the requirement for a General Plan referral:
 - A. **Acquisition and Sale of Public Property, Public Trust Exchange.** The Project Sponsor and the Port propose to enter a Public Trust Exchange Agreement to remove the public trust use limitations from the portions of Seawall Lot 351 proposed for residential and health club uses, and to impose the public trust use limitations on the portions of the Project Site that are proposed for open space use. The Project Sponsor and the Port also proposed to enter into a Purchase and Sale Agreement for the Port to convey a portion of Seawall Lot 351 to the Project Sponsor for residential and health club development, and for the Project Sponsor to convey to the Port portions of the Project Site for open space uses.
 - B. **Change of Use of Public Property.** The Project would result in changing of use of Seawall Lot 351 from the existing surface parking lot use to a mixed-use development consisting of residential, retail, health club, and open space uses.
 - C. **Subdivision of Project Site.** The Project Sponsor proposes to subdivide the Project Site to create separate land and air space parcels for the various uses within the Project, including the areas of publicly-accessible open space and circulation, such as Pacific Park, the widened Drumm Street walkway, the dedication of Jackson Commons as public right-of-way for park and open space purposes, and the widened Embarcadero sidewalk. In addition, the Project Sponsor proposed to subdivide the residential portion of the Project to create residential and commercial condominium units.
7. **Priority Policy Findings.** Section 101.1(b) establishes eight priority planning policies and requires the review of permits for consistency with said policies. The Project complies with these policies, on balance, as follows:
 - A. A. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses be enhanced.

The new residents in the Project would patronize area businesses, bolstering the viability of surrounding commercial establishments. In addition, the Project would include retail spaces to provide goods and services to residents in the area, contribute to the economic vitality of the area, and would define and activate the streetscape.

- B. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods.

The project would not diminish existing housing stock, and would add dwelling units in a manner that enhances the vitality of the neighborhood.

- C. That the City's supply of affordable housing be preserved and enhanced,

No housing is removed for this Project. The Project Sponsor would be required to contribute to the City's Inclusionary Affordable Housing Program.

- D. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking.

A wide variety of goods and services are available within walking distance of the Project Site without reliance on private automobile use. In addition, the area is well served by public transit, providing connections to all areas of the City and to the larger regional transportation network.

- E. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced.

The Project would demolish the existing health club on the site, however, a new health club would be constructed. In addition, the project would include retail spaces that would provide employment and ownership opportunities for area residents.

- F. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake.

The Project is designed and would be constructed to conform to the structural and seismic safety requirements of the City Building Code.

- G. That landmarks and historic buildings be preserved.

A landmark or historic building does not occupy the Project site.

- H. That our parks and open space and their access to sunlight and vistas be protected from development.

The Project would cast minor additional shadows on Sue Bierman Park, however, these new shadows would not be adverse to the use of the Park. The Project would provide substantial new open space areas that are accessible to the public.

8. **General Plan Conformity.** The Project would affirmatively promote the following objectives and policies of the General Plan:

COMMERCE AND INDUSTRY ELEMENT:

Objectives and Policies

OBJECTIVE 6

MAINTAIN AND STRENGTHEN VIABLE NEIGHBORHOOD COMMERCIAL AREAS EASILY ACCESSIBLE TO CITY RESIDENTS.

Policy 6.4:

Encourage the location of neighborhood shopping areas throughout the city so that essential retail goods and personal services are accessible to all residents.

Policy 6.10:

Promote neighborhood commercial revitalization, including community-based and other economic development efforts where feasible.

The Project would replace an existing surface parking lot and health club with an intense, mixed-use development suited to an urban context. The Project includes 134 dwelling units. Residents of these units would shop for goods and services in the area, bolstering the viability of the existing businesses. In addition, the Project would provide 20,000 square feet of commercial uses, as well as a new health club that would contribute to the economic vitality of the area, fulfill and recreational needs for residents, and would activate the streetscape.

URBAN DESIGN ELEMENT:

Objectives and Policies

OBJECTIVE 1

EMPHASIS OF THE CHARACTERISTIC PATTERN WHICH GIVES TO THE CITY AND ITS NEIGHBORHOODS AN IMAGE, A SENSE OF PURPOSE, AND A MEANS OF ORIENTATION.

Policy 1.1:

Recognize and protect major views in the city, with particular attention to those of open space and water.

Policy 1.2:

Recognize, protect, and reinforce the existing street pattern, especially as it is related to topography.

OBJECTIVE 3

MODERATION OF MAJOR NEW DEVELOPMENT TO COMPLEMENT THE CITY PATTERN, THE RESOURCES TO BE CONSERVED, AND THE NEIGHBORHOOD ENVIRONMENT.

Policy 3.1:

Promote harmony in the visual relationship and transitions between new and older buildings.

Policy 3.5:

Relate the height of buildings to important attributes of the city pattern and to the height and character of existing development.

The Project massing is arranged to locate the tallest portions of the project at the southwestern corner, relating to the background of taller existing buildings within the Embarcadero Center and the Golden Gateway Center. Buildings within the project step down in height toward the north and to the east, with the eastern residential building and the health club relating to the Embarcadero at a height lower than the permitted 84-foot height limit. The northernmost portion of the Project Site left as a new public open space area ("Pacific Park"), further reinforcing the stepped massing of the overall project. This transition in height sculpts the form of the Project in a manner that is sympathetic to the shorter residential, commercial, and bulkhead buildings situated along the Embarcadero, and preserves the legibility of the progression of taller buildings within the Financial District to the southwest.

NORTHEASTERN WATERFRONT AREA PLAN:

Objectives and Policies

OBJECTIVE 2

TO DIVERSIFY USES IN THE NORTHEASTERN WATERFRONT, TO EXPAND THE PERIOD OF USE OF EACH SUBAREA, AND TO PROMOTE MAXIMUM PUBLIC USE OF THE WATERFRONT WHILE ENHANCING ITS ENVIRONMENTAL QUALITY.

Policy 3.1:

Develop uses which generate activity during a variety of time periods rather than concentrating activity during the same peak periods.

OBJECTIVE 7

TO STRENGTHEN AND EXPAND THE RECREATION CHARACTER OF THE NORTHEASTERN WATERFRONT AND TO DEVELOP A SYSTEM OF PUBLIC OPEN SPACES AND RECREATION FACILITIES THAT RECOGNIZES ITS RECREATIONAL POTENTIAL, PROVIDES UNITY AND IDENTITY TO THE URBAN AREA, AND ESTABLISHES AN OVERALL WATERFRONT CHARACTER OF OPENNESS AND VIEWS, WATER AND SKY, AND PUBLIC ACCESSIBILITY TO THE WATER'S EDGE.

Policy 7.1:

Develop recreation facilities attractive to residents and visitors of all ages and income groups.

Policy 7.2:

Provide a continuous system of parks, urban plazas, water-related public recreation, shoreline pedestrian promenades, pedestrian walkways, and street greenways throughout the entire Northeastern Waterfront.

OBJECTIVE 10

TO DEVELOP THE FULL POTENTIAL OF THE NORTHEASTERN WATERFRONT IN ACCORD WITH THE UNUSUAL OPPORTUNITIES PRESENTED BY ITS RELATION TO THE BAY, TO THE OPERATING PORT, FISHING INDUSTRY, AND DOWNTOWN; AND TO ENHANCE ITS UNIQUE AESTHETIC QUALITIES OFFERED BY WATER, TOPOGRAPHY, VIEWS OF THE CITY AND THE BAY, AND ITS HISTORIC MARITIME CHARACTER

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. Larger buildings and structures with civic importance may be appropriate at important locations.

Policy 10.2:

Preserve and create view corridors which can link the City and the Bay.

OBJECTIVE 22

TO DEVELOP A MIXTURE OF USES WHICH WILL PROVIDE A TRANSITION BETWEEN THE INTENSE CONCENTRATION OF OFFICE ACTIVITY IN THE DOWNTOWN AREA AND THE RECREATION ACTIVITIES OF THE WATERFRONT, WHICH WILL GENERATE ACTIVITY DURING EVENINGS AND WEEKENDS TO COMPLEMENT THE WEEKDAY OFFICE USES IN THE ADJACENT DOWNTOWN AREA.

Policy 26.1:

Maintain the Golden Gateway residential community and neighborhood-serving retail uses.

The Project incorporates dwelling units, multiple retail and restaurant spaces, and a new health club, diversifying the mix of land uses in the area and creating new opportunities for residents to satisfy convenience needs in the immediate area. This mix of uses would help to generate pedestrian activity and attract visitors from beyond the immediate area to contribute to an environment that is vibrant throughout the day and evening hours. The provision of public parking would serve help to broaden access to the recreational amenities of the waterfront, and would bolster the viability of the businesses in and around the Ferry Building. The site planning and heights of the buildings proposed buildings within the Project represent a continuation of an urban form that transition from taller heights within the Financial District, to lower buildings along the waterfront.

The project would widen and enhance the existing Drumm Street walkway, and would create a new linear open space ("Jackson Commons") that extends from the existing terminus of Jackson Street. These spaces strengthen and expand an existing network of richly landscaped pedestrian connections that link important open spaces, including Sydney Walton Square, Sue Bierman Park, and Justin Herman Plaza. In addition, Jackson Commons would create a new visual and physical linkage through the site to the waterfront. The project also contributes to the variety of recreational opportunities through the creation of Pacific Park at the northerly portion of the site. This Park is proposed to include passive recreational areas, as well as a play fountain and other play equipment for children, fulfilling a recreational need that is lacking in the area.

HOUSING ELEMENT:

Objectives and Policies

OBJECTIVE 1

TO PROVIDE NEW HOUSING, ESPECIALLY PERMANENTLY AFFORDABLE HOUSING, IN APPROPRIATE LOCATIONS WHICH MEETS IDENTIFIED HOUSING NEEDS AND TAKES INTO ACCOUNT THE DEMAND FOR AFFORDABLE HOUSING CREATED BY EMPLOYMENT DEMAND.

Policy 1.1:

Encourage higher residential density in areas adjacent to downtown, in underutilized commercial and industrial areas proposed for conversion to housing, and in neighborhood commercial districts where higher density will not have harmful effects, especially if the higher density provides a significant number of units that are affordable to lower income households.

Policy 1.3

Identify opportunities for housing and mixed-use districts near downtown and former industrial portions of the City.

Policy 1.4:

Locate in-fill housing on appropriate sites in established residential neighborhoods.

The Project would add residential units to an area that is well-served by transit, services, and shopping opportunities. The site is suited for dense, mixed-use development, where residents can commute and satisfy convenience needs without frequent use of a private automobile. The Project Site is located immediately adjacent to employment opportunities within the Financial District, and is in an area with abundant local- and region-serving transit options.

9. The Commission hereby finds that approval of this General Plan Referral would promote the health, safety and welfare of the City.

DECISION

That based upon the Record, the submissions by the Applicant, the staff of the Department and other interested parties; the oral testimony presented to this Commission at the public hearings, and all other written materials submitted by all parties, the Commission hereby **ADOPTS FINDINGS** that 1) Acquisition and sale of public property, including a Public Trust Exchange, 2) Change of use of public property (Seawall Lot 351); and, 3) Subdivision of property at 8 Washington Street, including the areas of publicly-accessible open space and circulation, such as Pacific Park, the widened Drumm Street walkway, the dedication of Jackson Commons as public right-of-way for park and open space purposes, and the widened Embarcadero sidewalk is consistent with the objectives and policies of the General Plan, and the Priority Policies of Section 101.1.

I hereby certify that the Planning Commission **ADOPTED** the foregoing Motion on March 22, 2012.

Linda D. Avery
Commission Secretary

AYES: Fong, Antonini, Borden, Miguel

NAYS: Sugaya, Wu

ABSENT: Moore

ADOPTED: March 22, 2012



SAN FRANCISCO PLANNING DEPARTMENT

Subject to: (Select only if applicable)

- Affordable Housing (Sec. 415)
- Jobs Housing Linkage Program (Sec. 413)
- Downtown Park Fee (Sec. 412)
- First Source Hiring (Admin. Code)
- Child Care Requirement (Sec. 414)
- Other

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax
415.558.6409

Planning
Information:
415.558.6377

Planning Commission Motion 18567

HEARING DATE: MARCH 22, 2012

Date: March 22, 2012
Case No.: 2007.0030ECKMRZ
Project Address: 8 Washington Street
Zoning: RC-4 (Residential-Commercial, High Density) District
 84-E Height and Bulk District
Block/Lot: 0168/058; 0171/069; 0201/012-013 (including Seawall Lot 351)
Project Sponsor: Simon Snellgrove
 San Francisco Waterfront Partners II, LLC
 Pier 1, Bay 2, The Embarcadero
 San Francisco, CA 94111
Staff Contact: Kevin Guy – (415) 558-6163
 kevin.guy@sfgov.org

ADOPTING FINDINGS RELATED TO THE APPROVAL OF A CONDITIONAL USE AUTHORIZATION FOR A PLANNED UNIT DEVELOPMENT, INCLUDING SPECIFIC MODIFICATIONS OF PLANNING CODE REQUIREMENTS REGARDING BULK LIMITATIONS, REAR YARD, OFF-STREET LOADING, AND OFF-STREET PARKING, AND TO ALLOW DEVELOPMENT EXCEEDING 50 FEET IN HEIGHT WITHIN AN RC DISTRICT, TO ALLOW A NON-ACCESSORY OFF-STREET PARKING GARAGE, TO ALLOW COMMERCIAL USES ABOVE THE GROUND FLOOR, AND TO ALLOW NON-RESIDENTIAL USES EXCEEDING 6,000 SQUARE FEET, PURSUANT TO PLANNING CODE SECTIONS 209.7(d), 209.8(c), 209.8(f), 253, 303, AND 304, WITH RESPECT TO A PROPOSAL TO DEMOLISH AN EXISTING SURFACE PARKING LOT AND HEALTH CLUB, AND TO CONSTRUCT A NEW HEALTH CLUB, RESIDENTIAL BUILDINGS RANGING FROM FOUR TO TWELVE STORIES IN HEIGHT CONTAINING 134 DWELLING UNITS, GROUND-FLOOR RETAIL USES TOTALING APPROXIMATELY 20,000 SQUARE FEET, AND 382 OFF-STREET PARKING SPACES, WITHIN THE RC-4 (RESIDENTIAL-COMMERCIAL, HIGH DENSITY) DISTRICT AND THE 84-E HEIGHT AND BULK DISTRICT, AND ADOPTING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.



**Waterfront Design Advisory Committee
Meeting Minutes
November 21, 2011**

Held at the Port's offices at Pier 1, located on The Embarcadero at Washington Street,
San Francisco, CA

Approved on December 5, 2011

Waterfront Design Advisory Committee (WDAC)

Members Attendance: Dan Hodapp (chair)
David Alumbaugh
Boris Dramov
Marsha Maytum

Absent: Kathrin Moore

The meeting commenced at 6:35 p.m.

1. Adoption of Minutes. The Minutes from the November 7, 2011 meeting were not available for adoption by the Waterfront Design Advisory Committee.

2. 8 Washington – First review of the proposed project, which would be developed with two mixed use residential buildings containing up to 165 residential units, ground floor restaurants and retail, a new indoor and outdoor athletic club facility, public parks and open space and an underground parking garage. Project is located at the northwest corner of Washington Street and The Embarcadero Roadway.

Jonathan Stern, project manager from the Port of San Francisco introduced the Project and provided a brief project history (see staff report for complete description of presentation from all presenters).

Simon Snellgrove of San Francisco Waterfront Partners described the context of the Ferry Building Area and the concept of combining SWL 351 and 8 Washington properties.

Craig Hartman, architect with Skidmore Owings and Merrill presented the overall design of the project and the architectural components.

Pete Walker, landscape architect with PWP Landscape Architects presented the public space designs of the project.

Waterfront Design Advisory Committee
Meeting Minutes: November 21, 2011

Board and Committee Questions

Committee and Board members asked for clarifications on the drawings including:

What are the building materials? A: Domestic Limestone, metal sash windows, teak

What are the Drumm Street uses? A: Commercial at corner, loading/services/back of house and art latrines

Describe the wall around the pool A: Porosity with a bamboo edge. Will have focus groups to review the design.

Did you consider an active park such as Jamison Park in Portland? A: Large park is the place for activity. Sydney Walton has lots of lunching space. The proposed park will be active for kids.

What portion of the roof will be public? A: northern edge

Is the cafe enclosure within the Pacific Street right of way? A: Partially

Are all deliveries on Drumm Street? A: yes

Please clarify the land swap. A: 22,000 square feet of SWL 351 is swapped for Jackson Street commons (west of existing 351) and Pacific Park, which would be maintained by the HOA through a management agreement for this Port land.

Describe how the Embarcadero sidewalk street furnishings are configured? A: From better Streets Program. Sidewalk is part of Embarcadero. PWP has submitted the design to City Planning for their review.

Public Comment

Ernestine Wiess, stated that the project was not consistent with the Port's Waterfront Land Use Plan, did not support the parking garage, did not support placing buildings at the sidewalk, stated that everything about the project was wrong, and stated the need for good lighting.

Sue Hestor, attorney, stated the need to focus on improving Washington Street. The project has shied away from Washington Street improvements, a 420 car garage will be a major entry on to Washington Street. Need to examine the nasty bits of the project.

Lee Radner, Friends of Golden Gate, stated that the project is not paying attention to Washington Street, the development has no concern for current site users, and wanted to know who is underwriting the costs of this proposal.

Fred Alardice, thanked Mr. Walker for designing Sydney Walton Park, stated that this project is stripping away the communities open space system and putting in commercial use. The design so successfully created in 60's and 70's made a small scale neighborhood blocked off at Davis, Front and Pacific Streets.

Bill Hahn, Golden Gate Tenants Association, representing the Davis Street building with 440 units, stated that pile driving won't improve Ernestine's disposition and would cause construction impacts. The 420 space garage and 12 story building are excessive and would aggravate transportation problems in the area. Did not support removal of the 9 tennis courts.

Brad Paul described how Washington Street is the scar of the area and accused the City and this property owner. Noted that the owner of Golden gateway has the most derelict properties in the area, that club owner would upgrade the fence. He also noted that the 2 blocks of Washington Street to the east of the project are lined with a maintenance

Waterfront Design Advisory Committee.
Meeting Minutes: November 21, 2011

yard, parking and blank walls, and stated that the iconic view from Ferry Building to Coit Tower would be gone.

Paula Hewitson stated she had no ulterior motives, just liked the project, and asked how the parking spaces would be allocated?

Jim Chappel, submitted a letter from SPUR and noted two ideas: existing conditions may have made sense 50 years with the elevated freeway; and this is a magnificent project. Craig Hartman and Pete Walker are without peers. Waterfront belongs to everyone not a few neighbors. The project may be too small 4-6 stories is not a highrise as some have implied.

Corrine Woods stated she knows what highrises and pile driving are like. Project has improved over time and would be a very attractive project for the city. Trust swap is a great idea. Opening up Jackson and Pacific Streets is a great idea. Stepping down of the buildings improved it dramatically.

Rod Freebairn Smith, stated there is a public loss of memory of 40-45 years of work. Earlier plans made gateways at Broadway, Chinatown at Washington, with significant architecture at both gateways. Intent was for a signal that turning onto Broadway was the way to North beach. This is first tier port land – Seattle, San Diego, or Long Beach do not have what we have here. This project is crucially important for revenue to the Port. Stated that the public needs to back off – “my view is more important than fiscal stability of the Port” (no one has offered to pay for view easement). Large body of opinion on Russian and Telegraph Hill in favor of this project. Let this happen.

Committee Discussion/Comments

Dan Hodapp, Committee Chair, stated that the role of this Committee as described in the City Planning Code is to evaluate a project's consistency with the Waterfront Design & Access Element (WD&A). The WD&A has policies describing city form, massing, bulk, detailing, and how a project may be consistent with the character of the waterfront and historic district. He also noted that the Committee did not make decisions on a project, but made recommendations to the Planning and Port Commissions based on review of the project and its draft environmental document.

The WD&A members expressed the following general comments to be communicated to the Commissions:

- Complimented the project team for the thoroughness and quality of the presentation.
- Good 3-d building massing, stepping down to waterfront. Waterfront has a large scale – the project responds positively to neighborhood and waterfront scale. The scale change and shaping from the civic to residential, complimented with the sculpted green roof form provides a successful transition.
- Overall organization of the site is very successful. Support placement of residential buildings on a small portion of the site, with the rest being relatively public – even the club.
- Supported the ground plane/public realm plan and its opening of two City street right-of-ways consistent with the WD&A policies.

Waterfront Design Advisory Committee
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- Stated that the project represented an appropriate balance between built and open space. The project helps repair and improve the public realm in the vicinity, and the housing is needed and in the right location.
- Appreciate that the recreation center use is retained and will provide benefits to residents, and glad that the surface parking is gone.
- Project is consistent with WD&A in not placing vehicle access on the Embarcadero, rather places these access points appropriately on Washington and Drumm Streets. Garage does not dominate Washington Street frontage.
- Noted that the open space on Sue Bierman park would benefit by being activated by commercial uses of the project. Elevation of Washington is very active – further down Washington is problematic – but that is a different project. The Washington Street frontage will be a good neighbor to the Park by defining its edge, and through materials and detailing with a human scale. The project might accomplish holding the edge better if it were stronger and taller along Washington Street.
- Supported the detailed thoughts about how to activate the streets. The connection between the public realm and development is a benefit to the City.
- Views to Telegraph Hill are of concern but view connections are primarily along public rights of ways as furthered by this project.
- Building materials are timeless and well thought out. Building treatment along the Embarcadero is a successful addition to the character of the city. The materials and integration of artwork should be developed and maintained in the project.
- The public realm layout makes the public spaces more accessible to more people in more ways, making the project and public spaces more public and less private, bringing in social equity.
- Design of public spaces – successful cafes on corners contribute to activities and park uses. Arrangement of play areas are wise – youngest users closer to commercial.
- Critical of Embarcadero street furnishings layout – benches should not be parallel to roadway, perpendicular would be better. Drawings of streetscape may be an over-exuberant interpretation of the Better Streets program.
- Committee requested to see the materials, treatments, and artistic character of landscape design followed through in next phases of design – these elements should be maintained and implemented.
- Pacific Avenue walk – needs a clear view to the Bay. Project should be further reviewed to ensure that the treatment of the cafe wall is transparent.
- Noted that the WD&A and Waterfront Land Use Plan anticipates this type of project. The WD&A has policies for: opening up street views, stepping down toward waterfront, and architectural character of the Embarcadero, and directs landside projects to take on the character of their neighborhood as opposed to the architectural character of the waterside of the Embarcadero, which this project accomplishes.

3. Public Comment *(for items not on the agenda)*

There was no public comment, and the WD&A meeting was adjourned at about 8:10 p.m.

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TURNSTONE CONSULTING

TECHNICAL MEMORANDUM

DATE: December 13, 2011

TO: Kevin Guy
Planning Department
City and County of San Francisco
1650 Mission Street, Suite 400
San Francisco, CA 94103

FROM: Michael Li

RE: 8 Washington Street
Section 295 Shadow Analysis
Case No. 2007.0030K

This memorandum summarizes the results of a shadow analysis that was conducted by CADP Associates to determine if the proposed project at 8 Washington Street would shadow Sue Bierman Park, which is under the jurisdiction of the Recreation and Park Commission. Pursuant to Section 295 of the Planning Code, properties that are under the jurisdiction of the Recreation and Park Commission are protected from additional shadows cast by proposed development projects that exceed 40 feet in height.

Park Setting

Sue Bierman Park is an approximately four-acre park that covers two city blocks. The eastern block (Assessor's Block 0202) of Sue Bierman Park is bounded by Washington Street on the north, The Embarcadero on the east, Clay Street and Justin Herman Plaza on the south, and Drumm Street on the west. The eastern block has an area of about 111,933 square feet. Trees line the perimeter of the block, and other amenities include lawns, paved walkways, and seating areas. In late 2010, a renovation project was undertaken to reorient the pedestrian walkways, re-landscape the park, and remove a space frame structure that was built as part of the park's original design. The renovation project was completed in September 2011.

The western block (Assessor's Block 0203) of Sue Bierman Park is bounded by Washington Street on the north, Drumm Street on the east, Clay Street on the south, and Davis Street on the west. The western block has an area of about 65,269 square feet. The northern perimeter of the block is at street grade and is generally flat, but the remainder of the block slopes upward from east to west. A network of walkways, stairs, and terraces meanders up the slope to a grove of trees. The western block has been densely planted with trees, and other amenities include lawns, paved walkways, and seating areas. Previously, there was



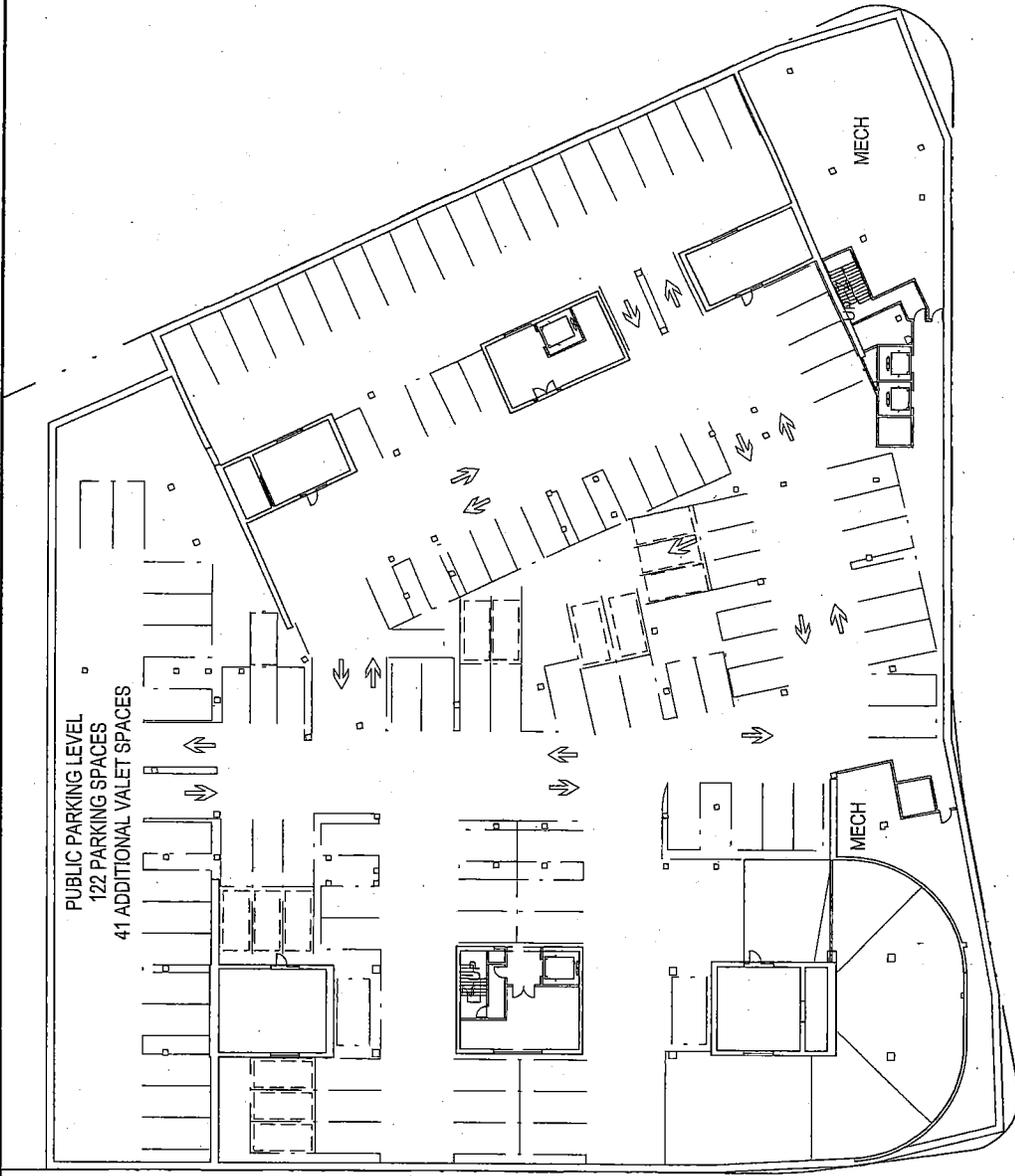
SOM
Skidmore, Owings & Merrill LLP



8 WASHINGTON
SITE PLAN

1/64" = 1'-0"

Issuance 1095	CONDITIONAL USE APPLICATION	Date: 2011.11.23	Drawing Number: (A1.3)
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PUBLIC PARKING LEVEL
 122 PARKING SPACES
 41 ADDITIONAL VALET SPACES

MECH

MECH

SOM
 Skidmore, Owings & Merrill LLP



SAN FRANCISCO
 WATERFRONT
 PARTNERS, LLC

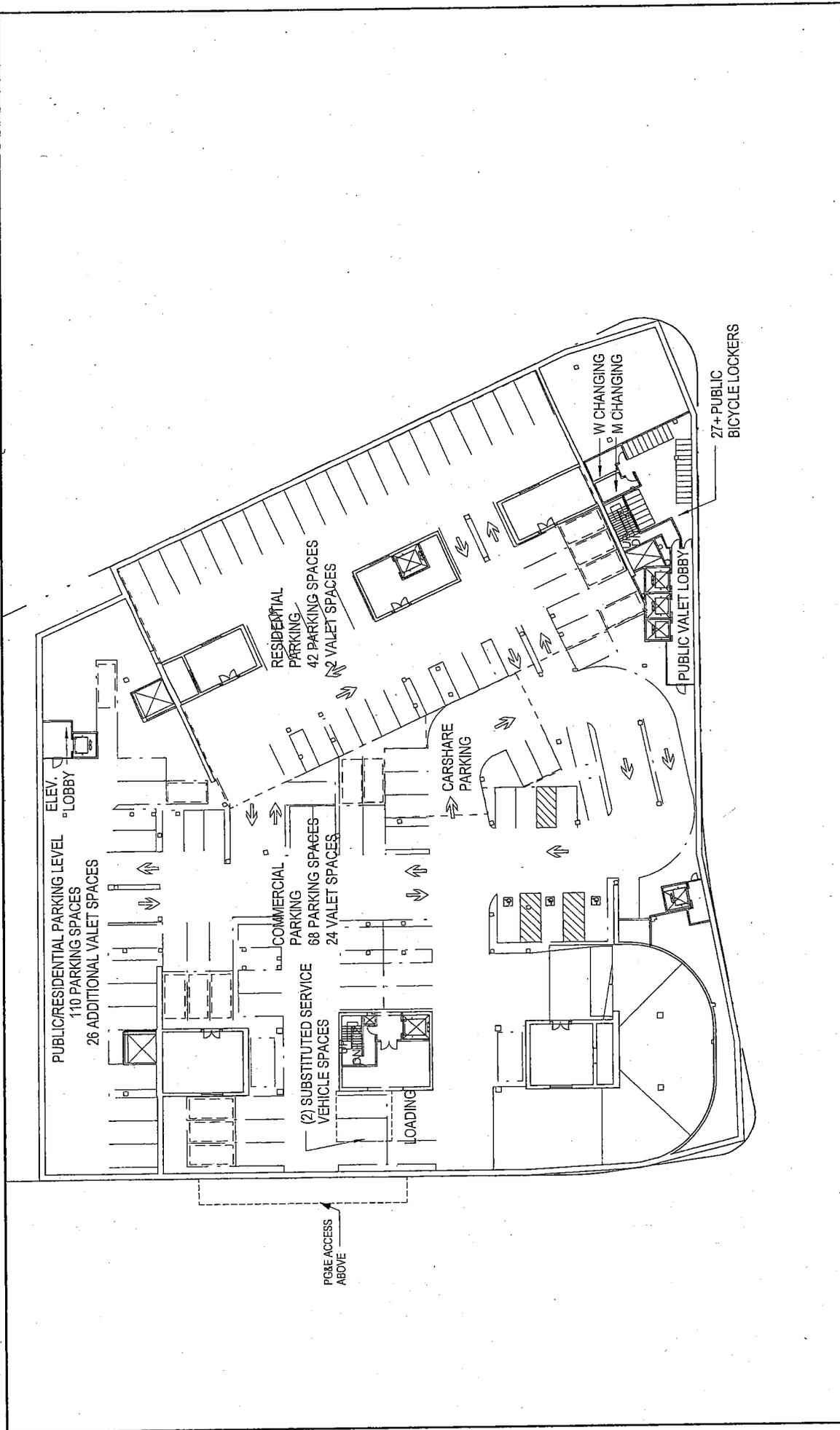
8 WASHINGTON
 LEVEL B3 - FLOOR PLAN PARKING

Scale: 1/32" = 1'-0"

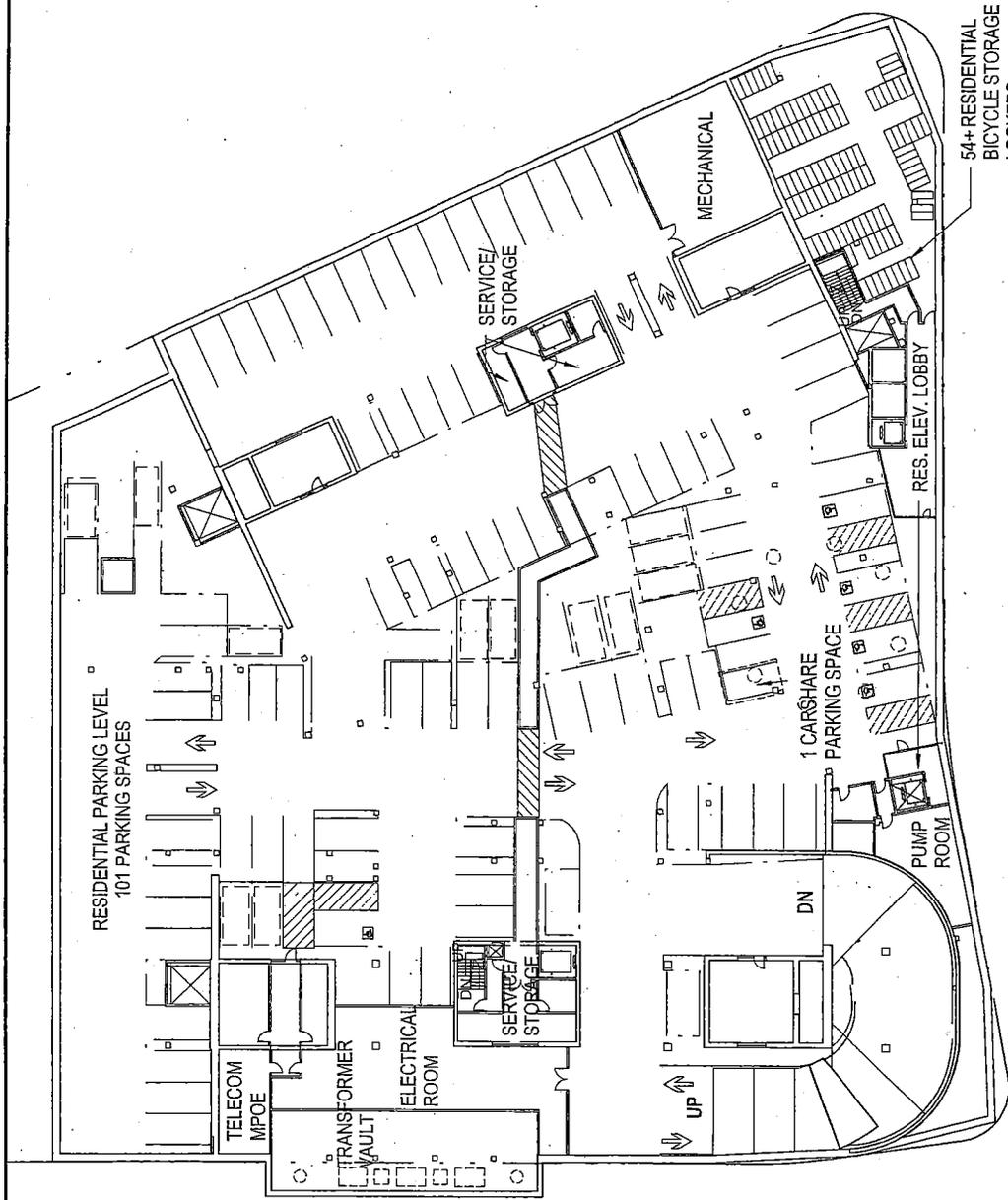
Issuance:
 CONDITIONAL
 USE
 APPLICATION

Date:
 2011.12.21

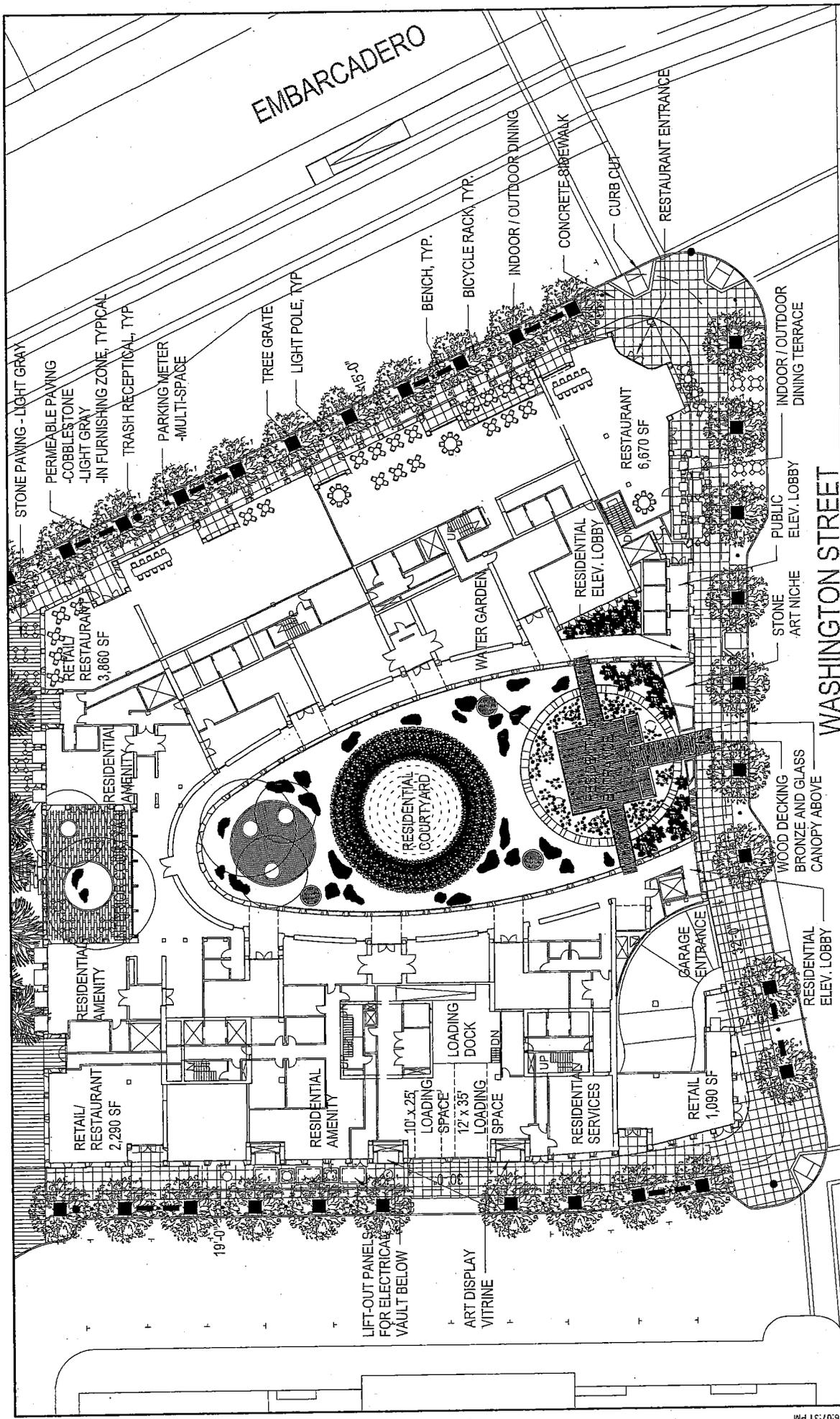
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 <p>SOM Skidmore, Owings & Merrill LLP</p>	 <p>SAN FRANCISCO WATERFRONT PARTNERSHIP, LLC</p>	<p>8 WASHINGTON LEVEL B2 - FLOOR PLAN PARKING</p>	<p>Scale: 1/32" = 1'-0"</p>	<p>Issuance: CONDITIONAL USE APPLICATION</p>	<p>Date: 2011.12.21</p>	<p>Drawing Number: (A2.B2)</p>
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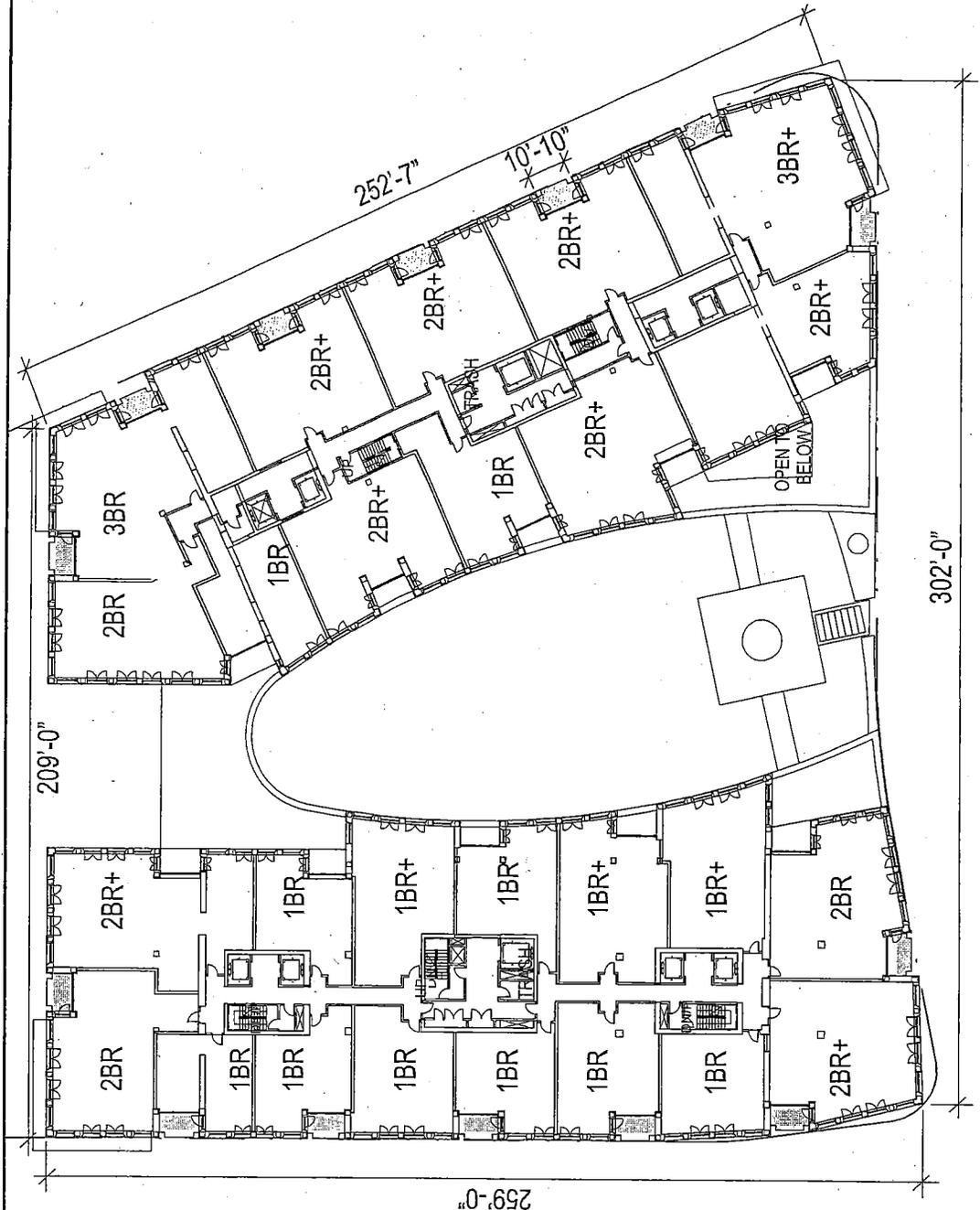


<p>SOM Skidmore, Owings & Merrill LLP</p>	 <p>SAN FRANCISCO WATERFRONT PARTNERSHIP, LLC</p>	<p>8 WASHINGTON LEVEL B1 - FLOOR PLAN PARKING</p>	<p>Scale: 1/32" = 1'-0"</p> <p>Issues: CONDITIONAL USE APPLICATION</p>	<p>Date: 2011.11.23</p> <p>Drawing Number: (A2.B1)</p>
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<p>SOM Skidmore, Owings & Merrill LLP</p>	<p>SAN FRANCISCO WATERFRONT PARTNERSHIP, LLC</p>	Issuance: CONDITIONAL USE APPLICATION Date: 2011.12.21 Drawing Number: (A2.01)
		Scale: 1/32" = 1'-0"

8 WASHINGTON
GROUND LEVEL - FLOOR PLAN



SOM
Skidmore, Owings & Merrill LLP



SAN FRANCISCO
WATERFRONT
PARTNERSHIP, LLC

8 WASHINGTON
LEVEL 2 - FLOOR PLAN

Scale: 1/32" = 1'-0"

Issuance:
CONDITIONAL
USE
APPLICATION

Date:
2011.12.21

Drawing Number:
(A2.02)



Drawing Number: (A2.03)	Date: 2011.12.21	Issuance: CONDITIONAL USE APPLICATION	Scale: 1/32" = 1'-0" 8 WASHINGTON LEVEL 3 - FLOOR PLAN
SAN FRANCISCO WATERFRONT PARTNERS, LLC			SOM Skidmore, Owings & Merrill LLP



Drawing Number:
(A2.05)

Date:
2011.12.21

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CONDITIONAL
USE
APPLICATION

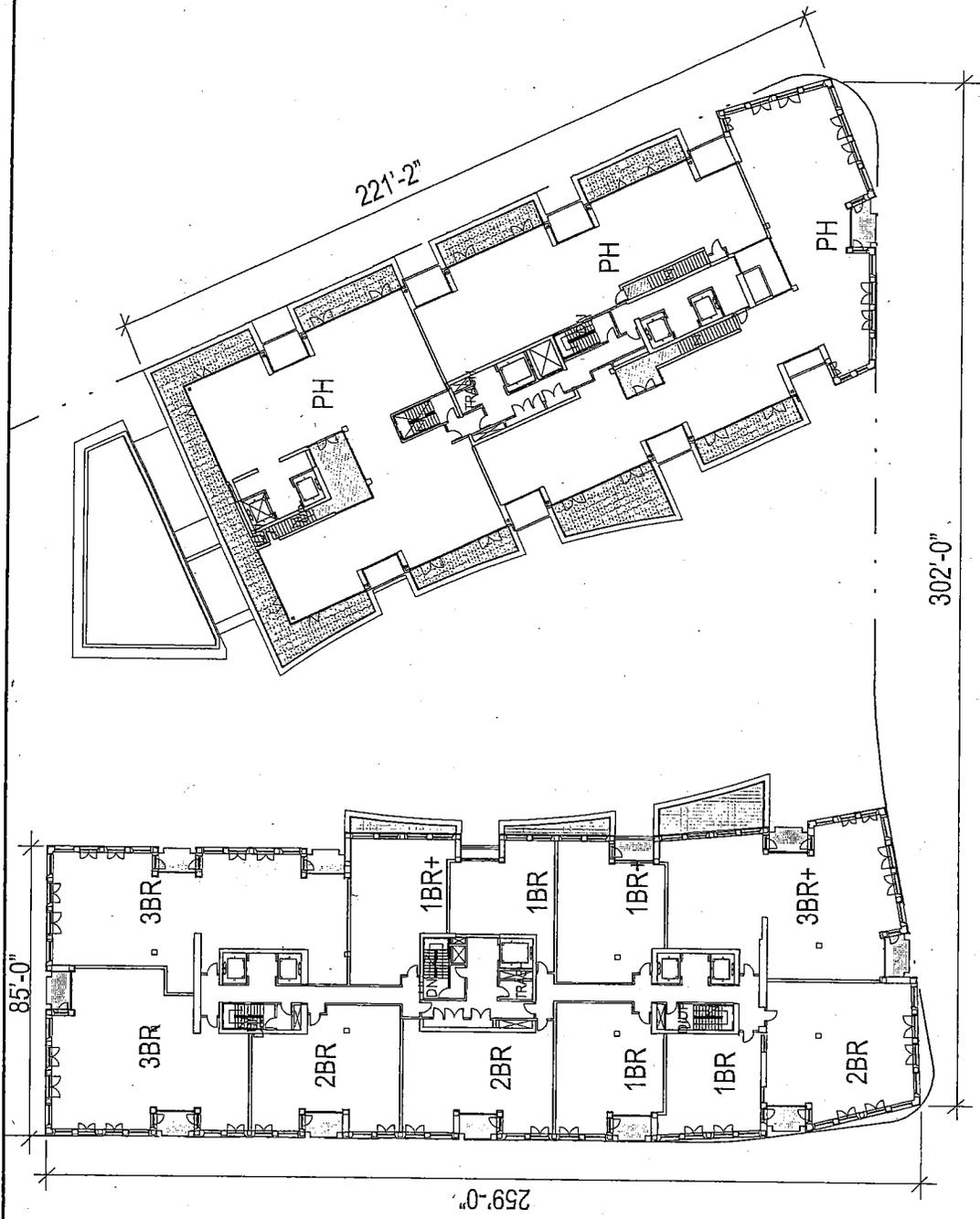
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8 WASHINGTON
LEVEL 5 - FLOOR PLAN

SAN FRANCISCO
WATERFRONT
PARTNERS, LLC



SOM
Skidmore, Owings & Merrill LLP



Issue: CONDITIONAL USE APPLICATION
 Date: 2011.12.21
 Drafting Number: (A2.06)

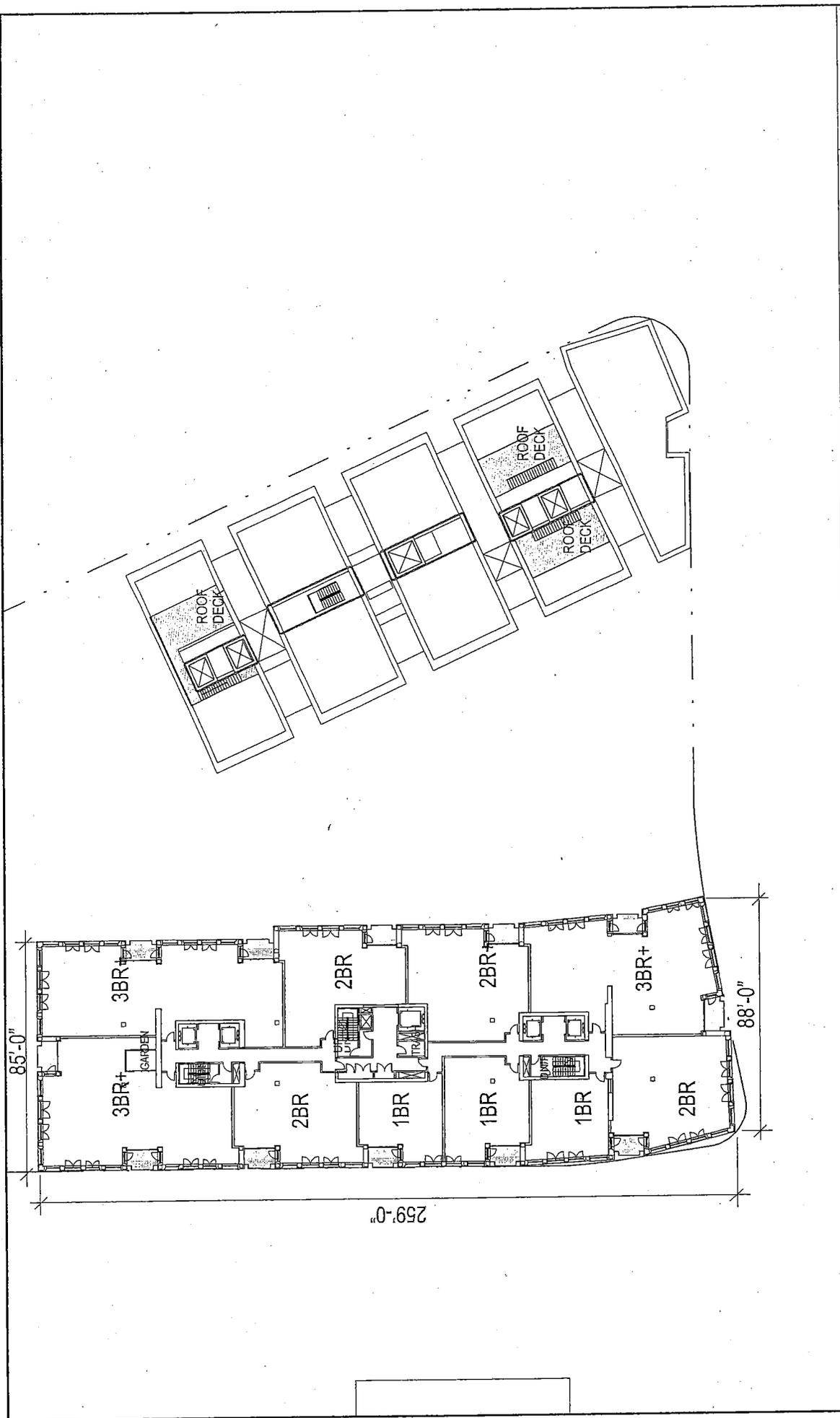
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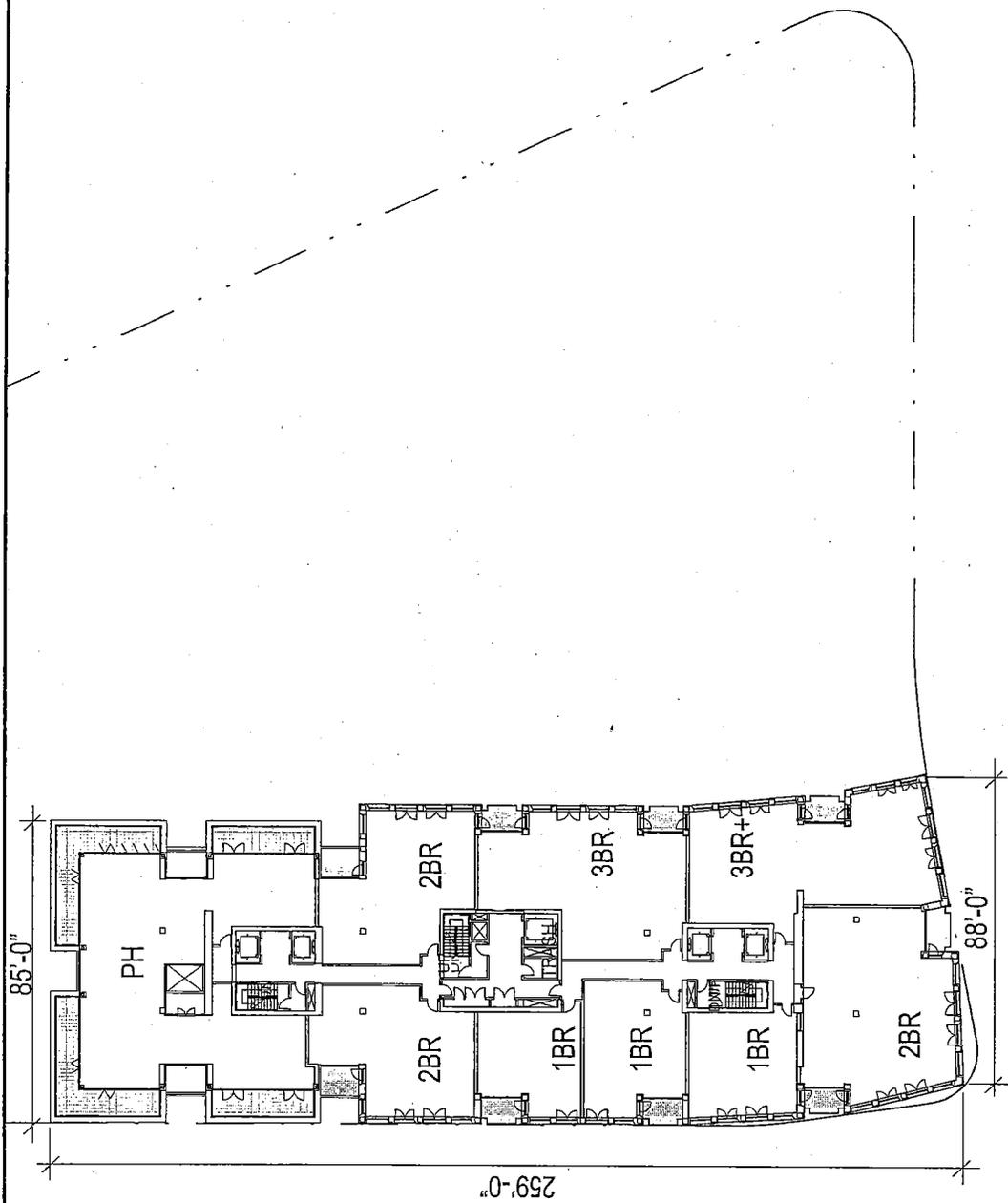
8 WASHINGTON
 LEVEL 6 - FLOOR PLAN

SAN FRANCISCO
 WATERFRONT
 PARTNERS, LLC



Skidmore, Owings & Merrill LLP





Drawing Number:
(A2.08)

Date:
2011.12.21

Instance:
CONDITIONAL
USE
APPLICATION

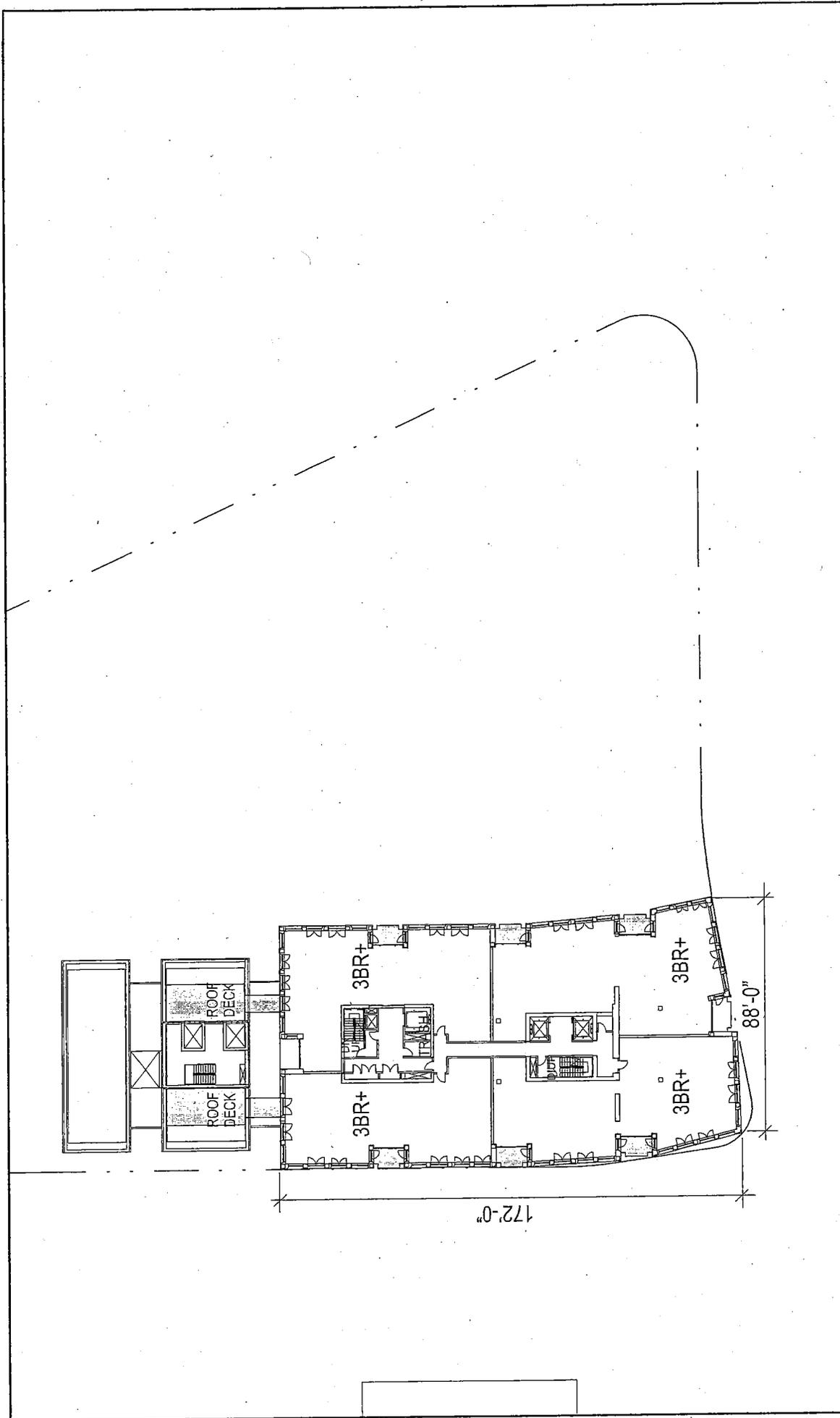
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8 WASHINGTON
LEVEL 8 - FLOOR PLAN

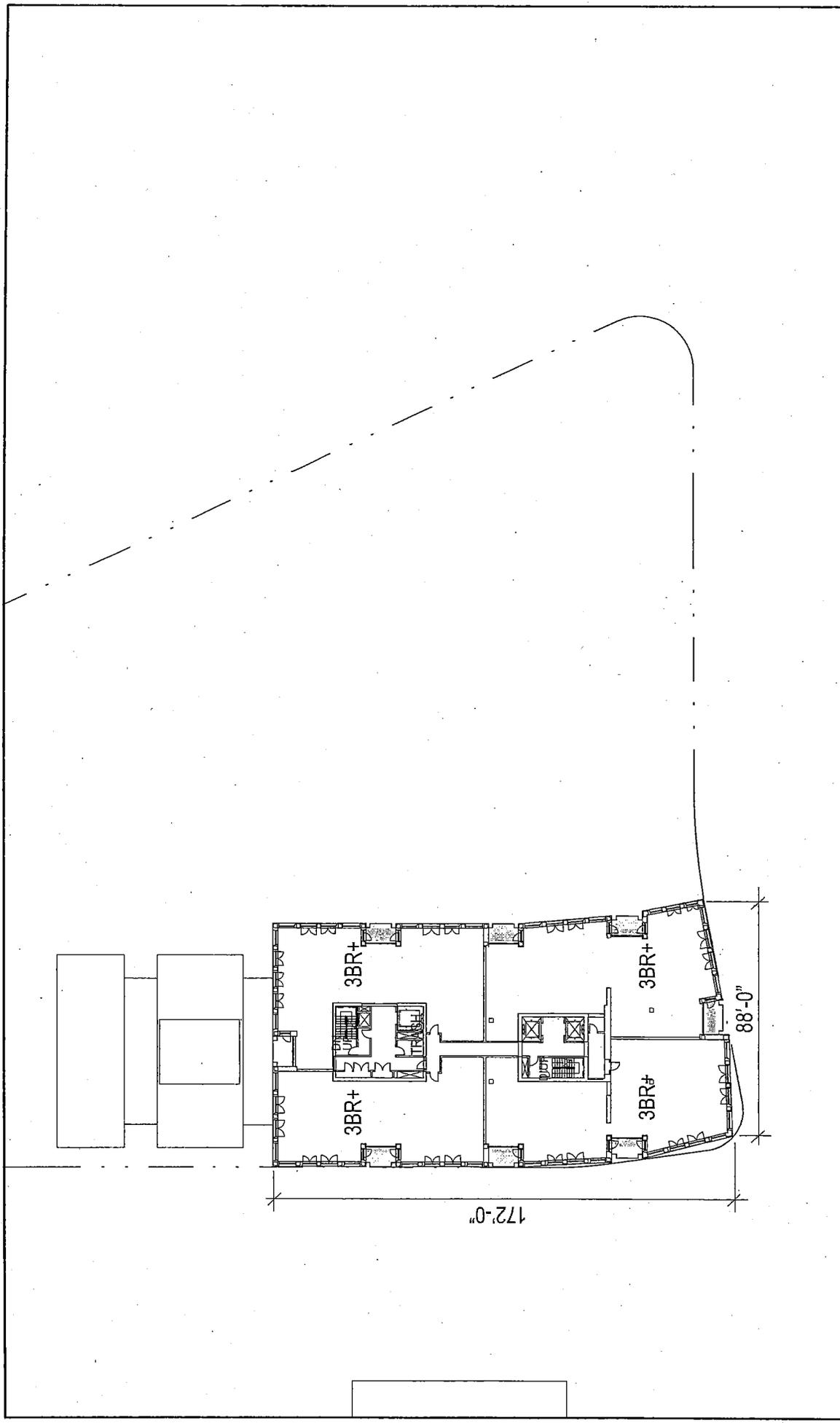
SAN FRANCISCO
WATERFRONT
PARTNERS, LLP



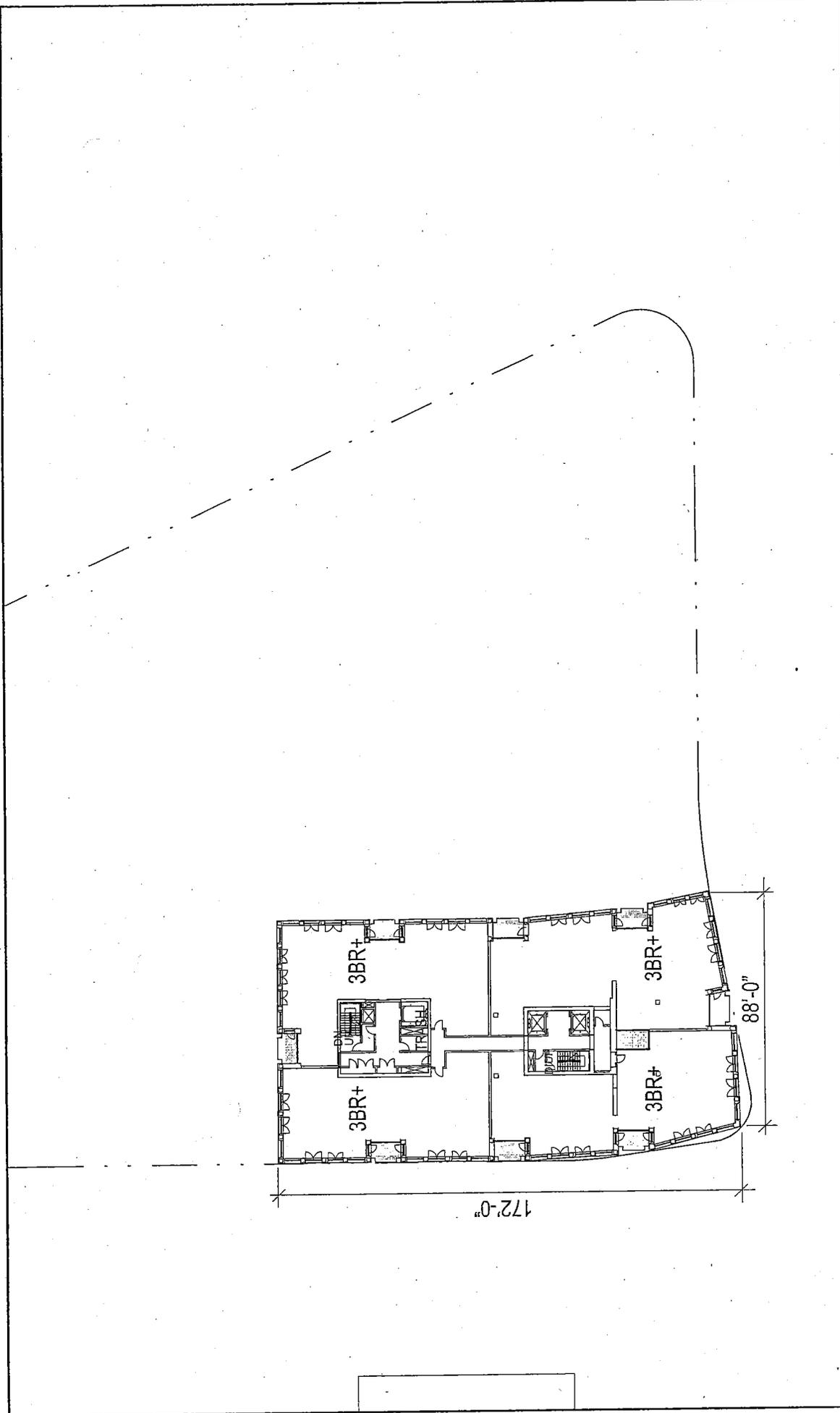
SOM
Skidmore, Owings & Merrill LLP



Drawing Number: (A2.09)	Date: 2011.12.21	Issuance: CONDITIONAL USE APPLICATION	Scale: 1/32" = 1'-0"	8 WASHINGTON LEVEL 9 - FLOOR PLAN	 SAN FRANCISCO WATERFRONT PARTNERS, LLC	 SOM Skidmore, Owings & Merrill LLP
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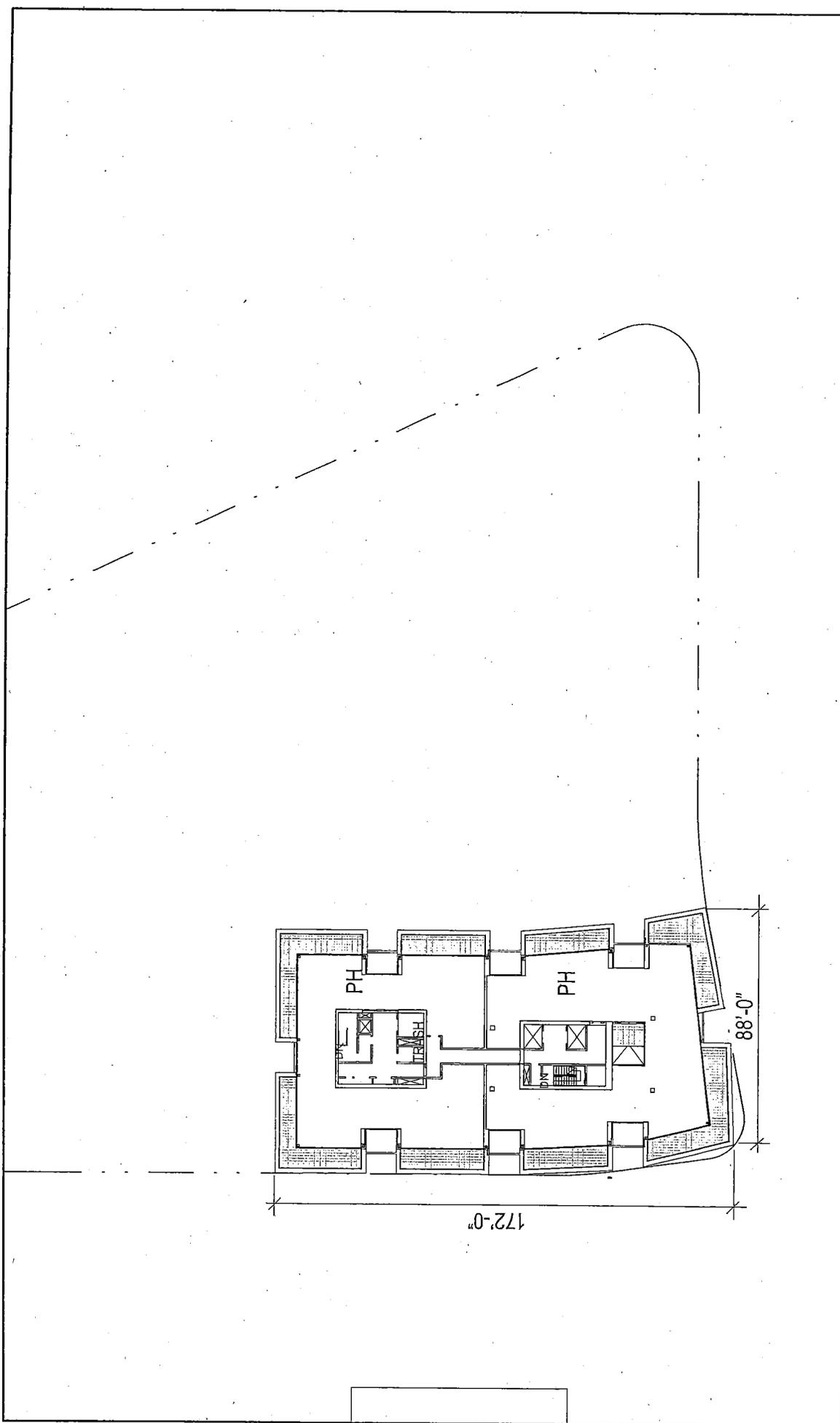


<p>SOM Skidmore, Owings & Merrill LLP</p>	 <p>SAN FRANCISCO WATERFRONT PARTNERS, LLC</p>	<p>8 WASHINGTON LEVEL 10 - FLOOR PLAN</p>	<p>Scale: 1/32" = 1'-0"</p>	<p>Instance: CONDITIONAL USE APPLICATION</p>	<p>Date: 2011.12.21</p>	<p>Drawing Number: (A2.10)</p>
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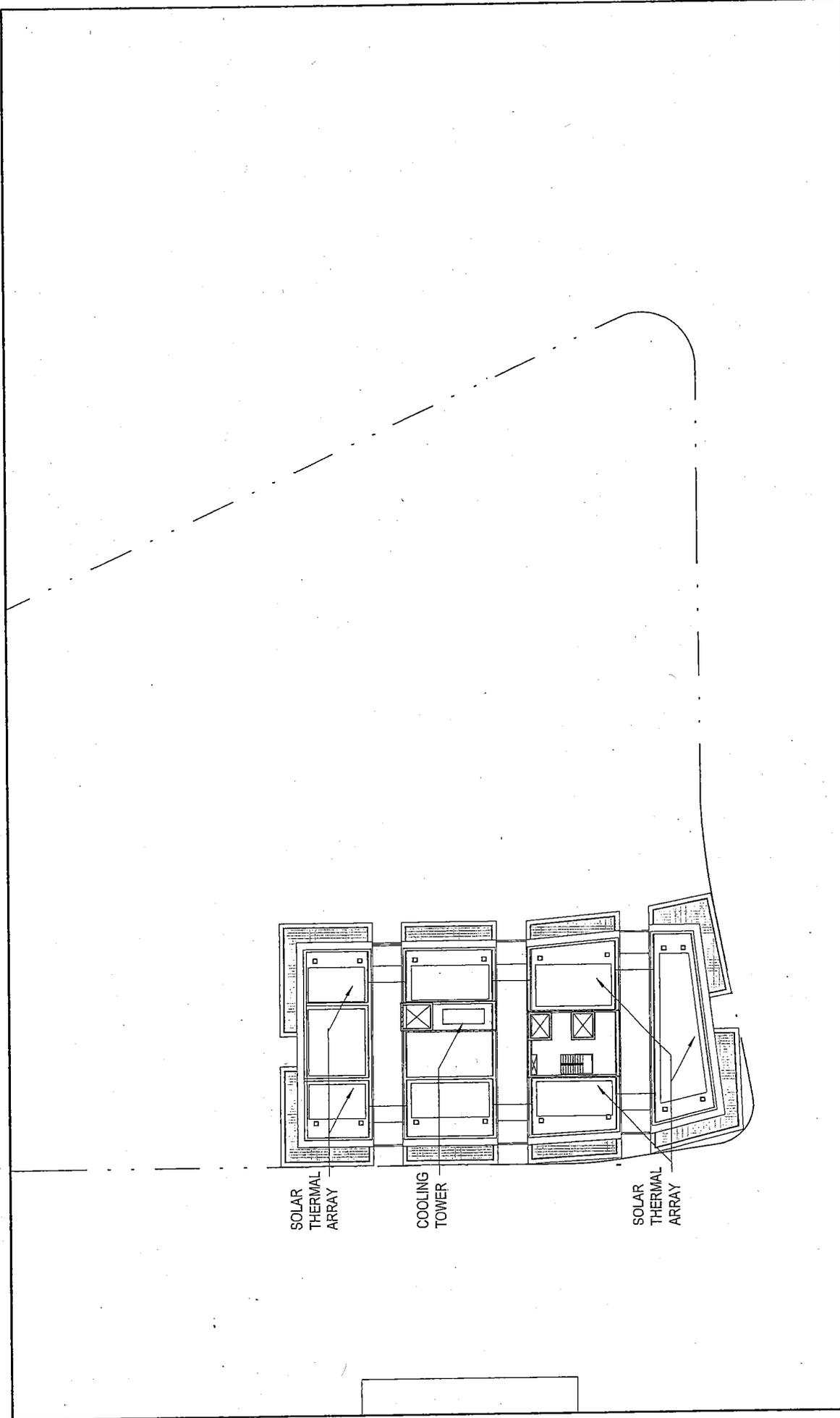
1110

Drawing Number: (02.11)	Date: 2011.12.21	Issuance: CONDITIONAL USE APPLICATION	Scale: 1/32" = 1'-0"
8 WASHINGTON LEVEL 11 - FLOOR PLAN			
 SOM Skidmore, Owings & Merrill LLP		 SAN FRANCISCO WATERFRONT PARTNERSHIP, LLC	



1111

<p>SOM Skidmore, Owings & Merrill LLP</p>		<p>SAN FRANCISCO WATERFRONT PARTNERS, LLC</p>	<p>8 WASHINGTON LEVEL 12 - FLOOR PLAN PENTHOUSE</p>	<p>Scale: 1/32" = 1'-0"</p>	<p>Insurance: CONDITIONAL USE APPLICATION</p>	<p>Date: 2011.12.21</p>	<p>Drawing Number: (A2.12)</p>
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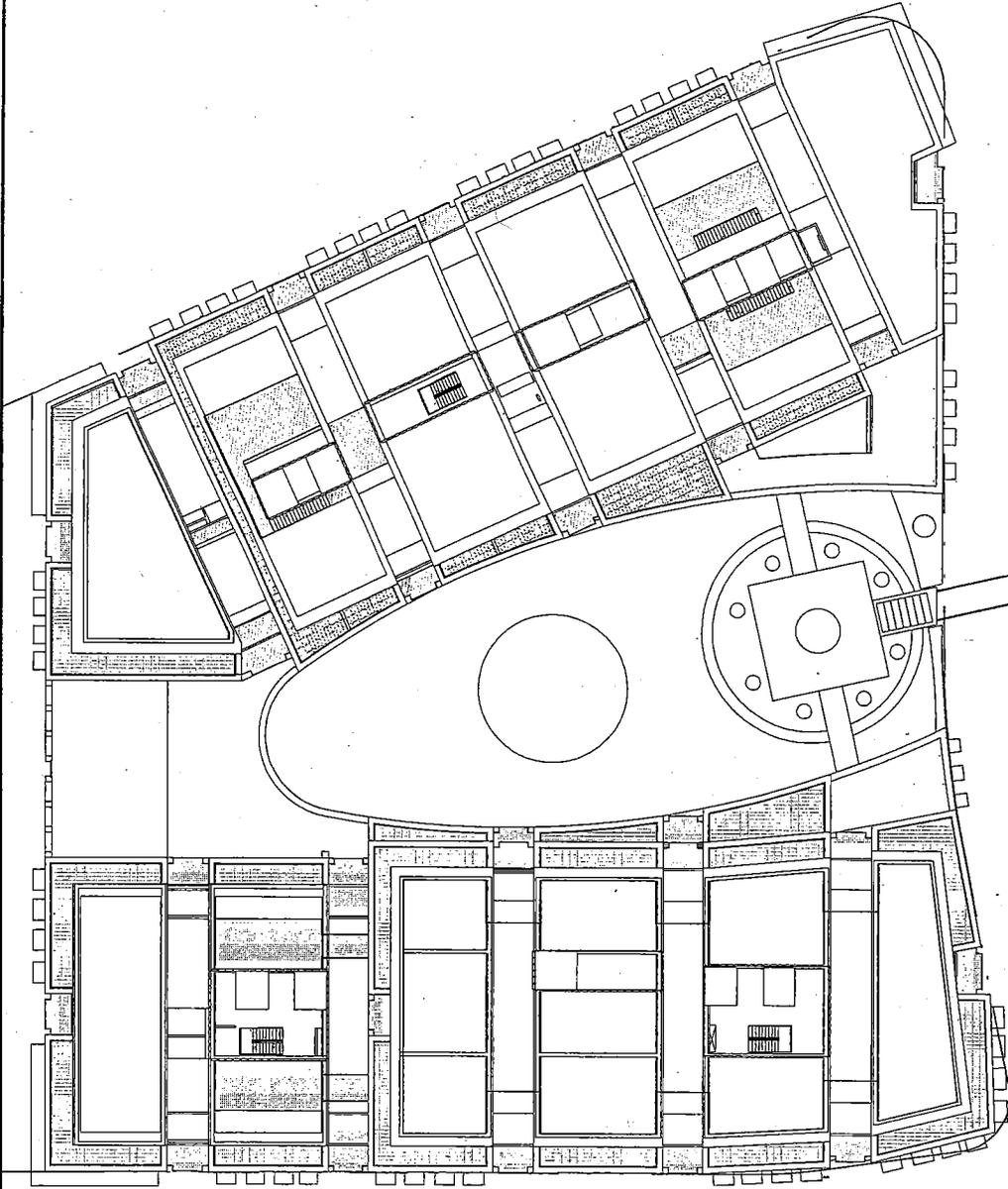


SOLAR
THERMAL
ARRAY

COOLING
TOWER

SOLAR
THERMAL
ARRAY

Drawing Number: (A2.13)	Date: 2011.12.21	Issuance: CONDITIONAL USE APPLICATION	Scale: 1/32" = 1'-0"	8 WASHINGTON LEVEL 13 - MECH ROOF LEVEL PLAN	SAN FRANCISCO WATERFRONT PARTNERS, LLC		SOM Skidmore, Owings & Merrill LLP
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Drawing Number:
(A2.14)

Date:
2011.11.23

Issuance:
CONDITIONAL
APPLICATION

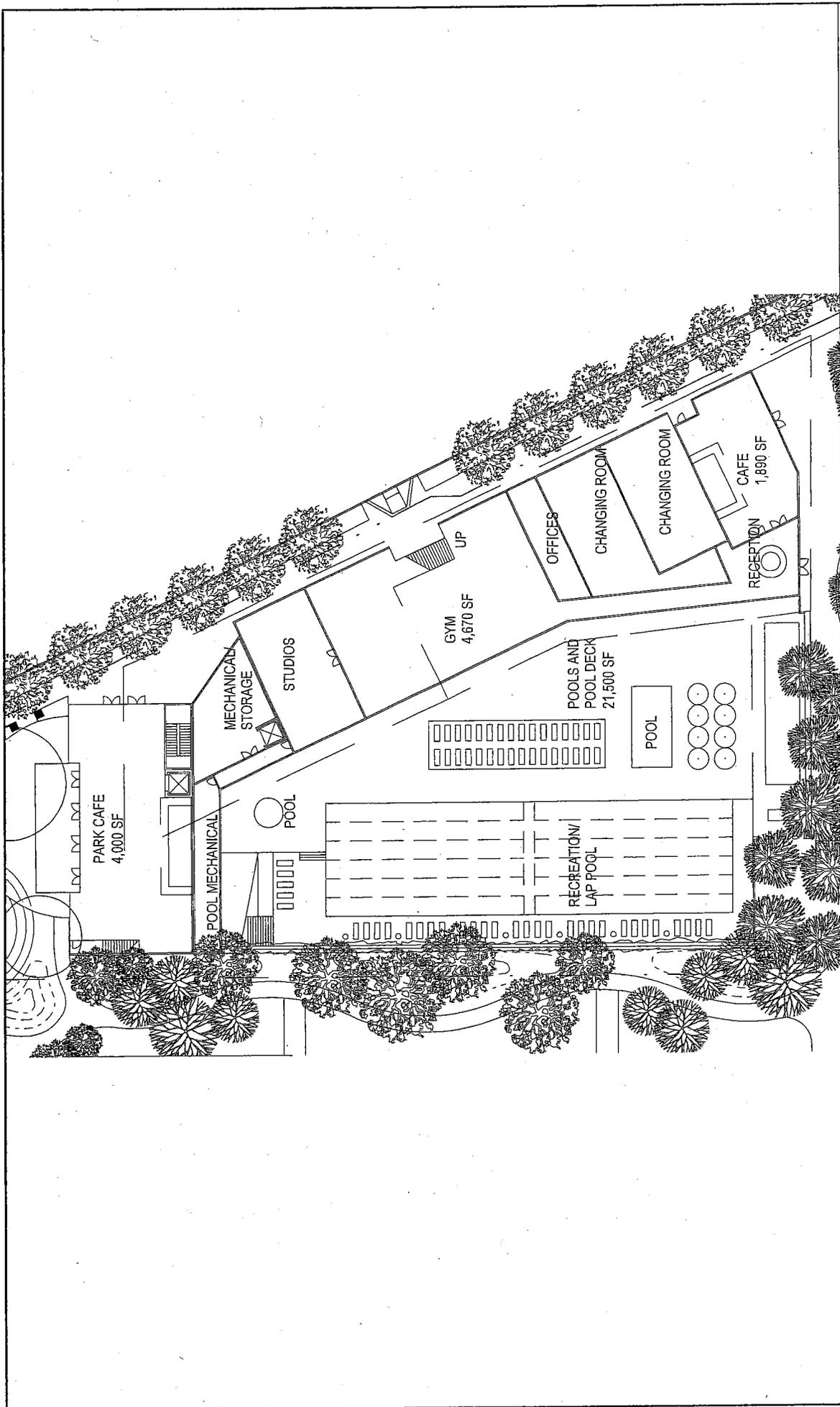
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8 WASHINGTON
ROOF PLAN

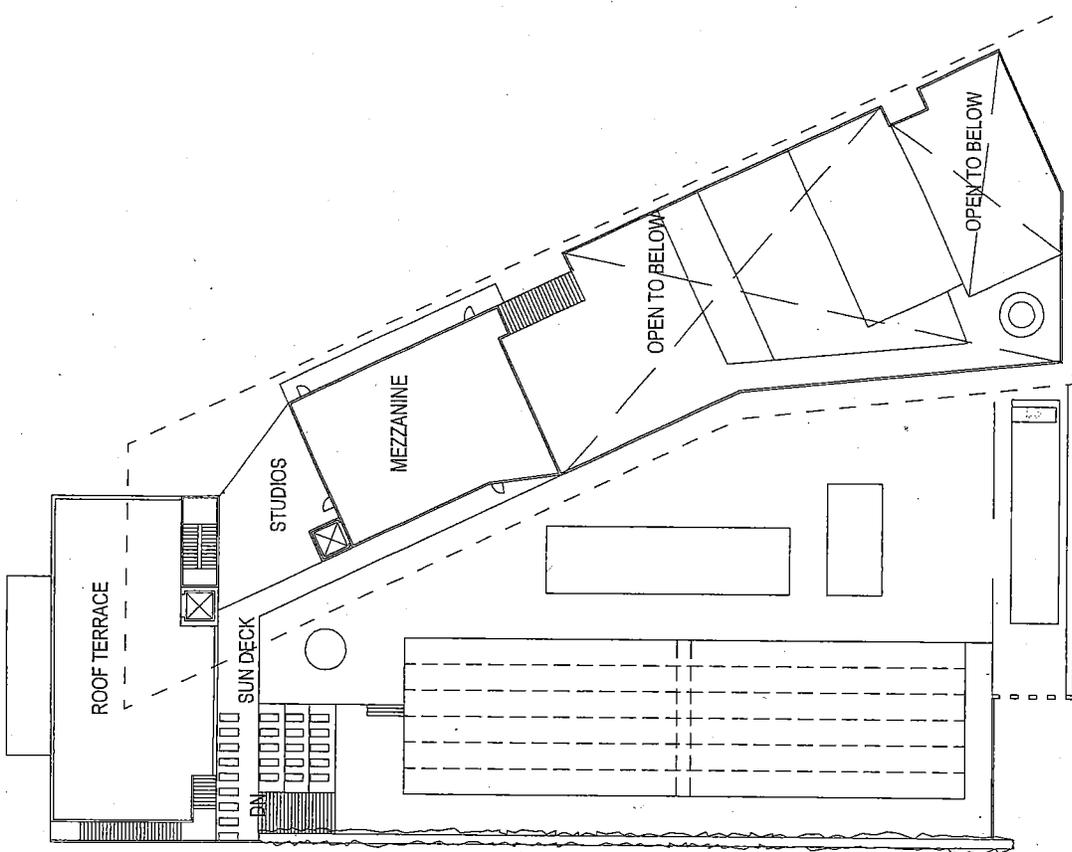
SAN FRANCISCO
WATERFRONT
PARTNERS, LLC



SOM
Skidmore, Owings & Merrill LLP



Drawing Number: (ACS.01)	Date: 2011.12.21	Issuance: CONDITIONAL USE APPLICATION	Scale: 1/32" = 1'-0"	8 WASHINGTON GROUND LEVEL - CLUB	SAN FRANCISCO WATERFRONT PARTNERS, U.S.		SOM Skidmore, Owings & Merrill LLP
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Drawing Number:
(AG2.02)

Date:
2011.11.23

Issued:
CONDITIONAL
USE
APPLICATION

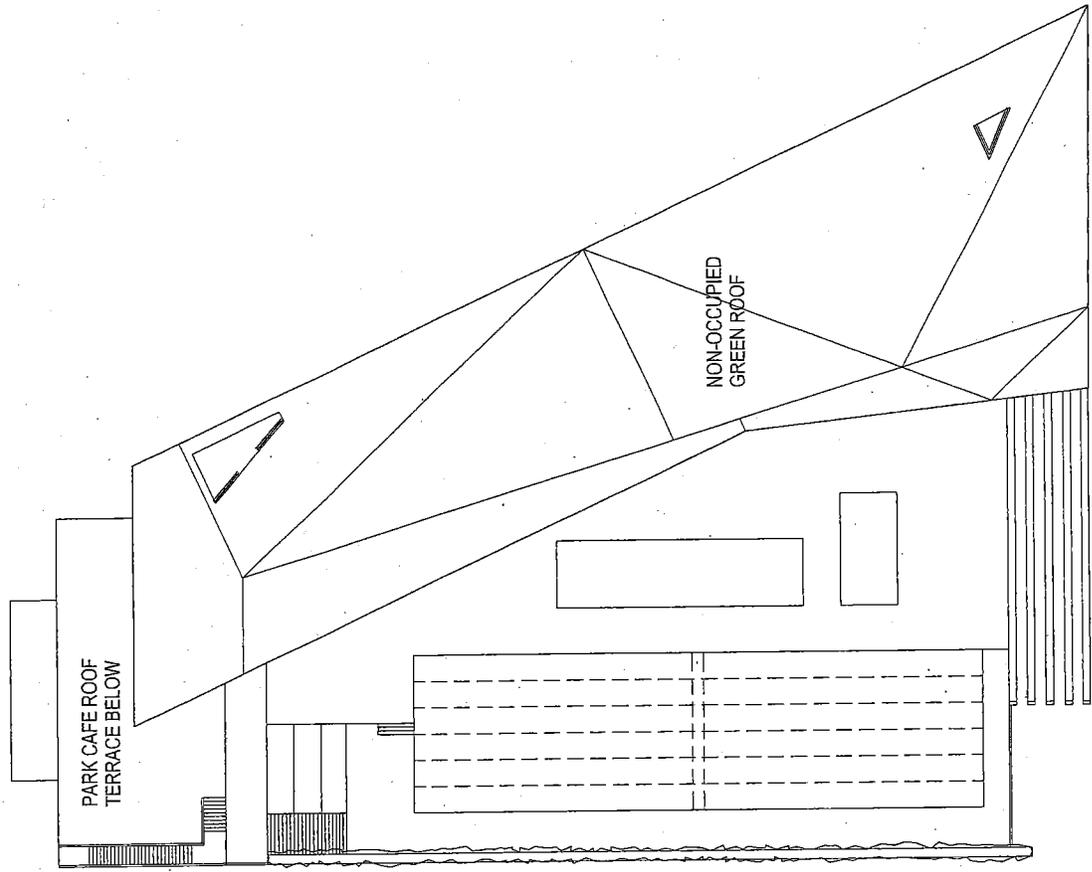
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8 WASHINGTON
LEVEL 2 - CLUB

SAH FRANCISCO
WATERFLOUT
PARTNERS, LLC



SOM
Skidmore, Owings & Merrill LLP

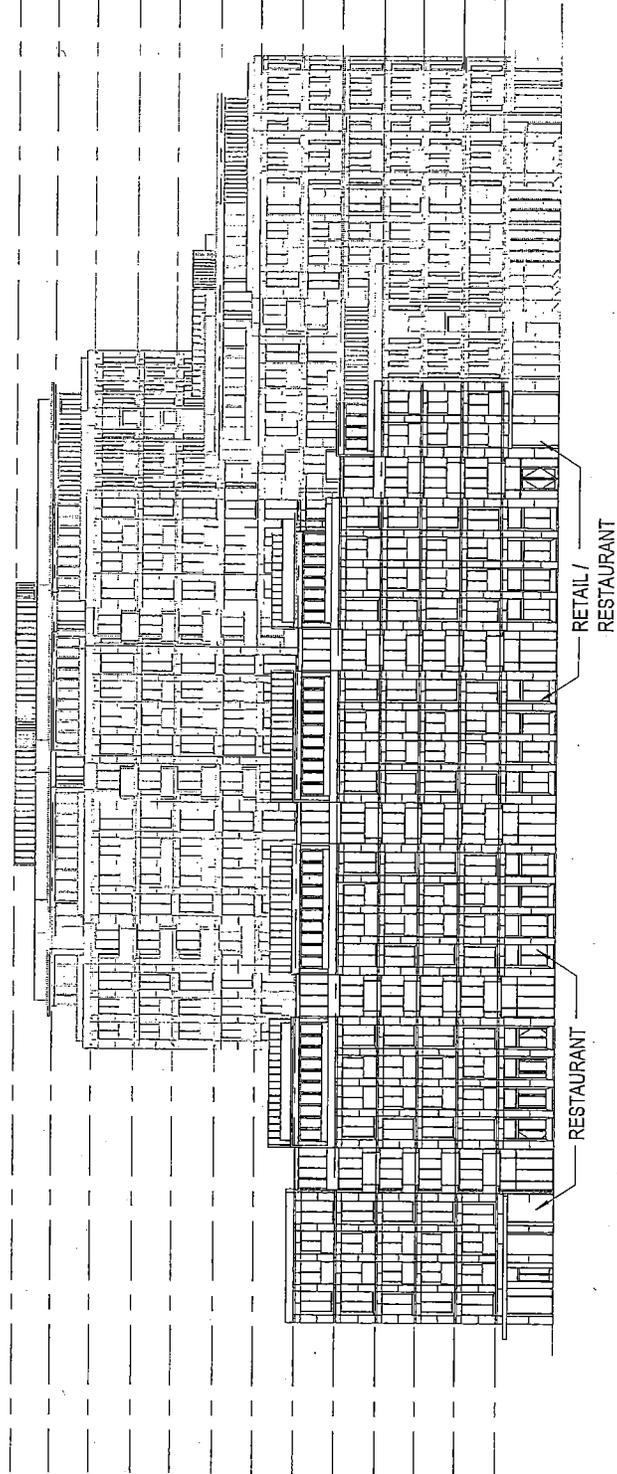


PARK CAFE ROOF
TERRACE BELOW

NON-OCCUPIED
GREEN ROOF

Drawing Number: (ACS.05)	Date: 2011.11.23	Issuance: CONDITIONAL USE APPLICATION	Scale: 1/32" = 1'-0"	8 WASHINGTON ROOF LEVEL - CLUB	SAN FRANCISCO WATERFRONT PARTNERS, LLC		SOM Skidmore, Owings & Merrill LLP
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MECHANICAL SCREEN
146'-0"
ROOF
138'-0"
LEVEL 12 FIN. FL.
129'-3"
LEVEL 11 FIN. FL.
114'-0"
LEVEL 10 FIN. FL.
103'-0"
LEVEL 9 FIN. FL.
92'-0"
LEVEL 8 FIN. FL.
81'-0"
LEVEL 7 FIN. FL.
70'-0"
LEVEL 6 FIN. FL.
59'-0"
LEVEL 5 FIN. FL.
48'-0"
LEVEL 4 FIN. FL.
37'-0"
LEVEL 3 FIN. FL.
26'-0"
LEVEL 2 FIN. FL.
15'-0"



SOM
Skidmore, Owings & Merrill LLP



SAN FRANCISCO
WATERFRONT
PARTNERS, LLC

8 WASHINGTON
ELEVATIONS - RESIDENTIAL EAST

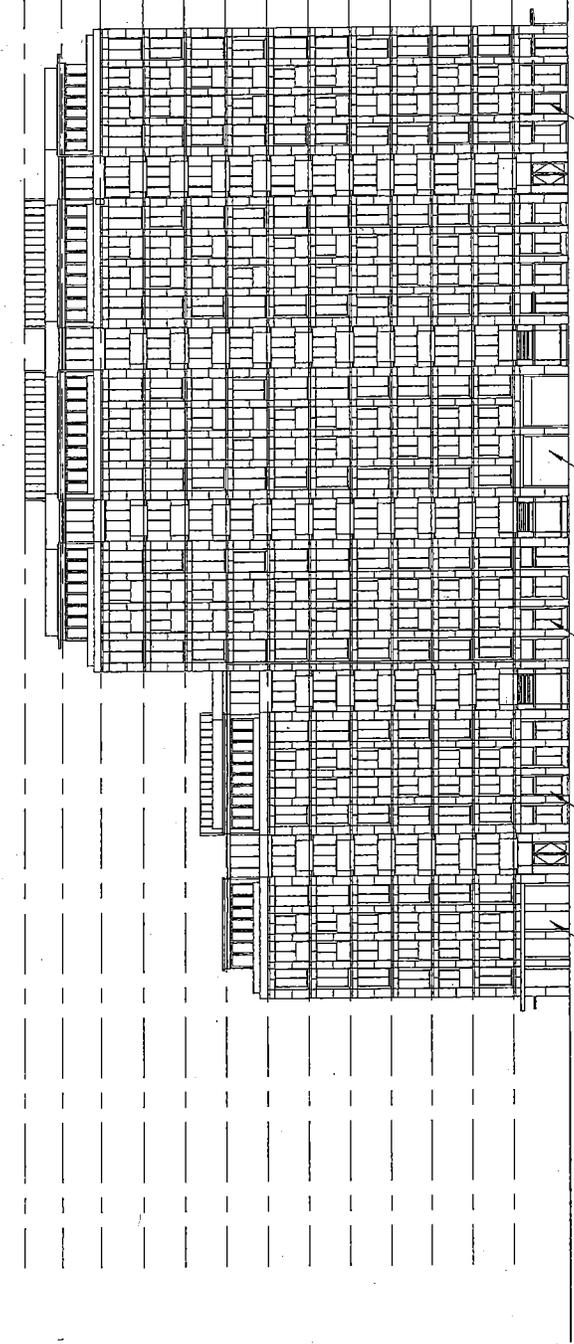
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Issue: CONDITIONAL
USE
APPLICATION

Date: 2011.12.21.

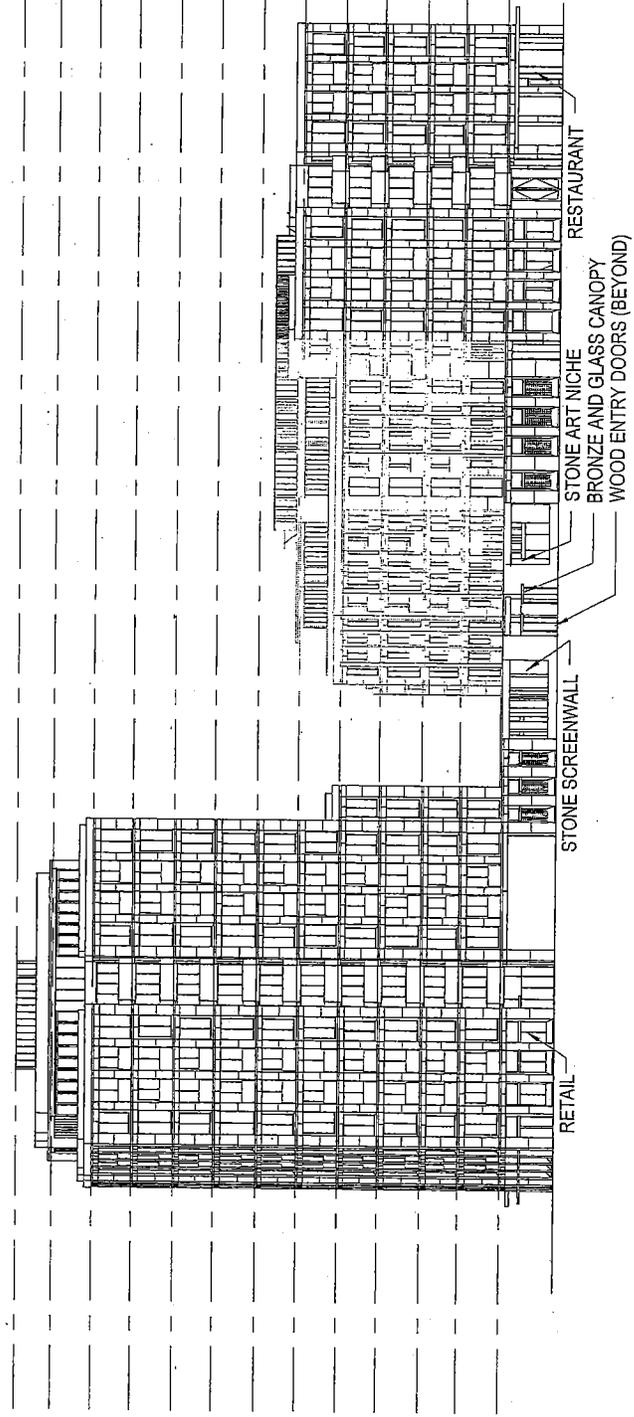
Drawing Number:
(AS.10)

MECHANICAL SCREEN
 146'-0"
 ROOF
 136'-0"
 LEVEL 12 FIN. FL.
 126'-3"
 LEVEL 11 FIN. FL.
 114'-0"
 LEVEL 10 FIN. FL.
 103'-0"
 LEVEL 9 FIN. FL.
 92'-0"
 LEVEL 8 FIN. FL.
 81'-0"
 LEVEL 7 FIN. FL.
 70'-0"
 LEVEL 6 FIN. FL.
 59'-0"
 LEVEL 5 FIN. FL.
 48'-0"
 LEVEL 4 FIN. FL.
 37'-0"
 LEVEL 3 FIN. FL.
 26'-0"
 LEVEL 2 FIN. FL.
 15'-0"



<p>SOM Skidmore, Owings & Merrill LLP</p>		<p>SAN FRANCISCO WATERFRONT PARTNERS, LLC</p>	<p>8 WASHINGTON ELEVATIONS - RESIDENTIAL WEST</p>	<p>Scale: 1/32" = 1'-0"</p>	<p>Instance: CONDITIONAL USE APPLICATION</p>	<p>Date: 2011.12.21</p>	<p>Drawing Number: (A5.11)</p>
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- MECHANICAL SCREEN 146'-0"
- ROOF 138'-0"
- LEVEL 12 FIN. FL. 125'-3"
- LEVEL 11 FIN. FL. 114'-0"
- LEVEL 10 FIN. FL. 103'-0"
- LEVEL 9 FIN. FL. 92'-0"
- LEVEL 8 FIN. FL. 81'-0"
- LEVEL 7 FIN. FL. 70'-0"
- LEVEL 6 FIN. FL. 58'-0"
- LEVEL 5 FIN. FL. 48'-0"
- LEVEL 4 FIN. FL. 37'-0"
- LEVEL 3 FIN. FL. 26'-0"
- LEVEL 2 FIN. FL. 15'-0"



SOM
Skidmore, Owings & Merrill LLP



SAN FRANCISCO
WATERFRONT
PARTNERS, LLC

8 WASHINGTON
ELEVATIONS - RESIDENTIAL SOUTH

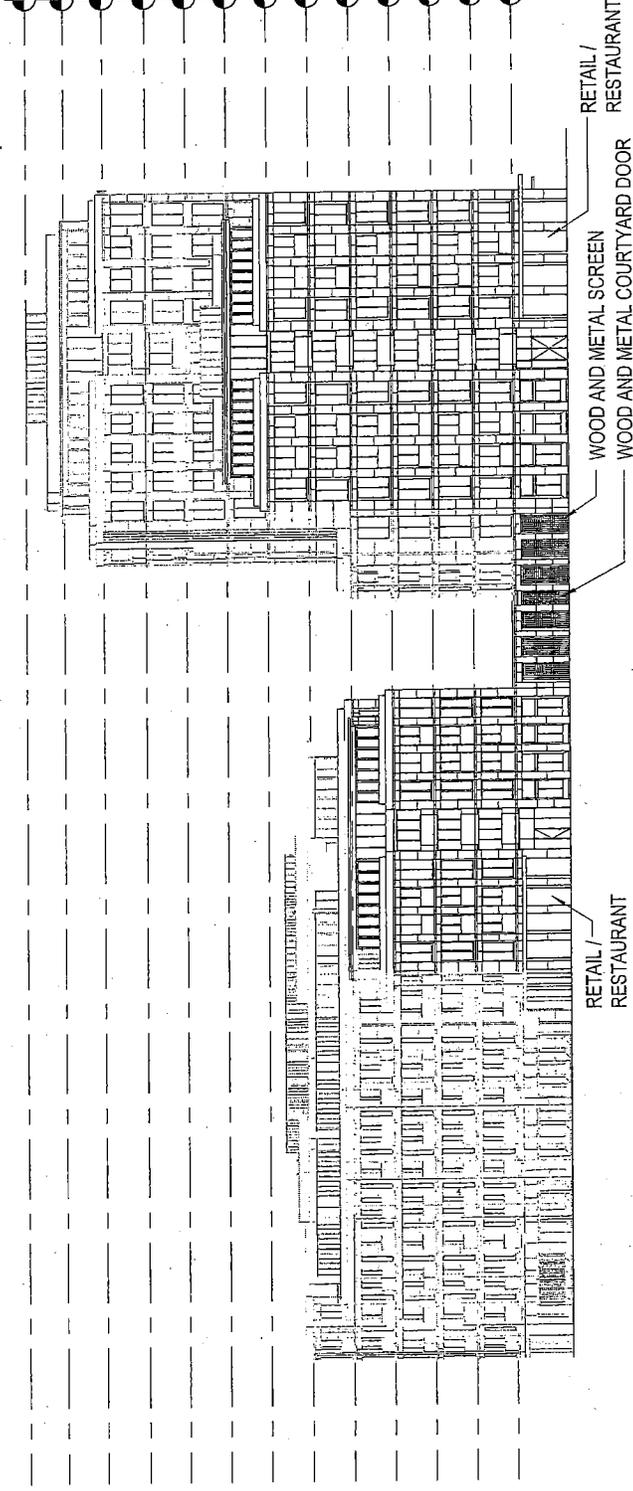
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Reference:
CONDITIONAL
USE
APPLICATION

Date:
2011.12.21

Drawing Number:
(AS.12)

- MECHANICAL SCREEN 148'-0"
- ROOF 136'-0"
- LEVEL 12 FIN. FL. 125'-3"
- LEVEL 11 FIN. FL. 114'-0"
- LEVEL 10 FIN. FL. 103'-0"
- LEVEL 9 FIN. FL. 92'-0"
- LEVEL 8 FIN. FL. 81'-0"
- LEVEL 7 FIN. FL. 70'-0"
- LEVEL 6 FIN. FL. 59'-0"
- LEVEL 5 FIN. FL. 48'-0"
- LEVEL 4 FIN. FL. 37'-0"
- LEVEL 3 FIN. FL. 26'-0"
- LEVEL 2 FIN. FL. 15'-0"



Drawing Number:
(A5.13)

Date:
2011.12.21

Use/Case:
CONDITIONAL
USE
APPLICATION

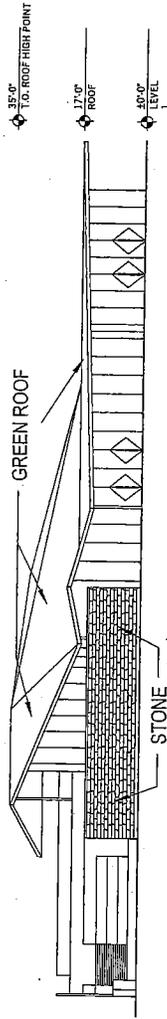
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8 WASHINGTON
ELEVATIONS - RESIDENTIAL NORTH

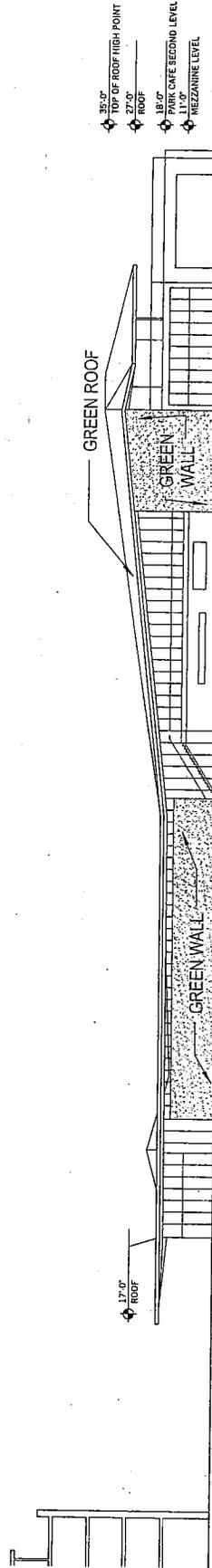
SAN FRANCISCO
WATERFRONT
PARTNERS, LLC



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Skidmore, Owings & Merrill LLP



2 CLUB SOUTH ELEVATION
1/32" = 1'-0"



1 CLUB EAST ELEVATION
1/32" = 1'-0"

SOM

Skidmore, Owings & Merrill LLP



SAN FRANCISCO
WATERFRONT
PARTNERS, LLC

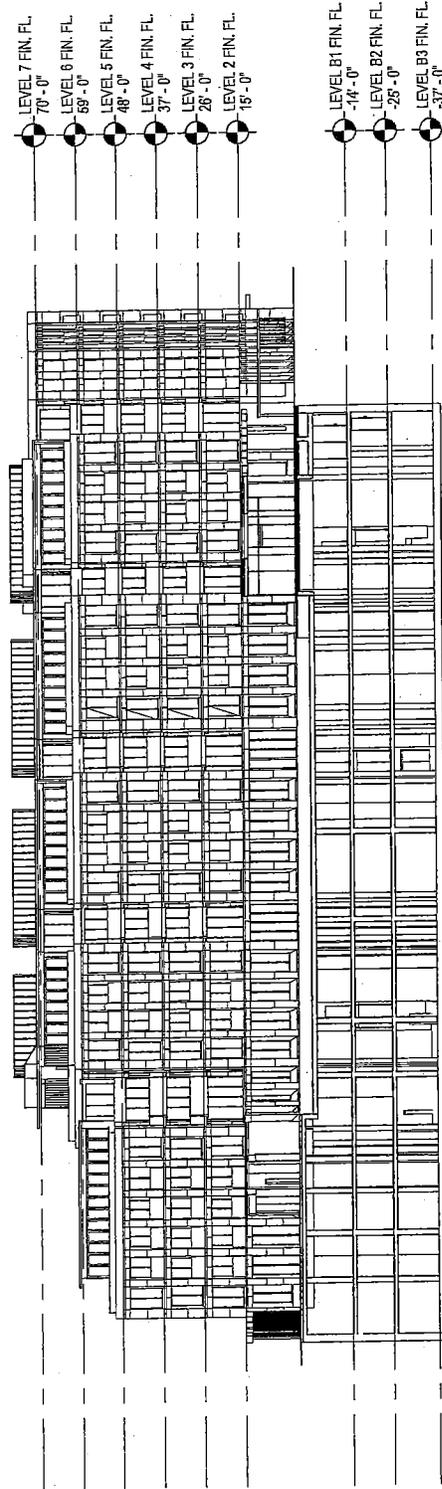
8 WASHINGTON
FITNESS CLUB ELEVATIONS

Scale: 1/32" = 1'-0"

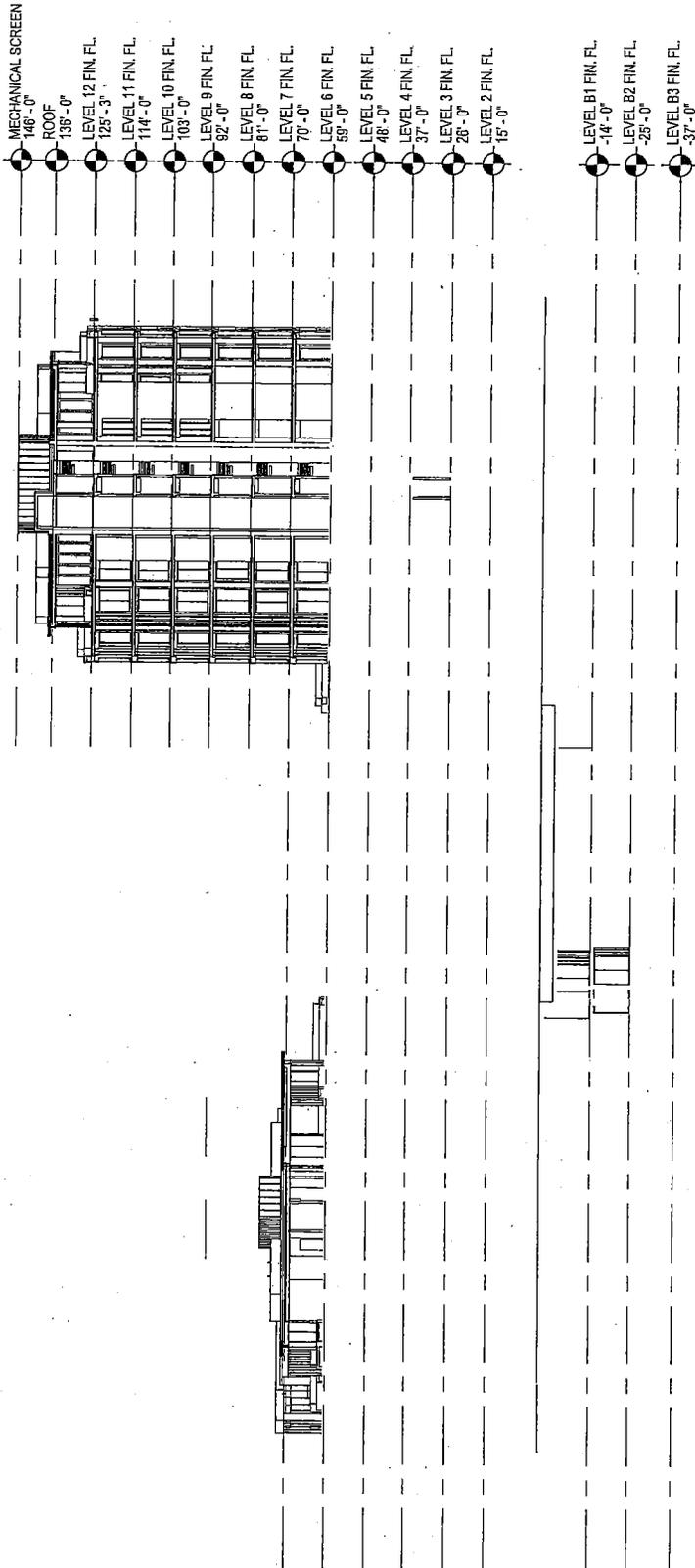
Issues:

Date: 2011.11.23

Drawing Number:
(A6.14)



Drawing Number: (A5.20)	Date: 2011.11.23	Issuance: CONDITIONAL USE APPLICATION	Scale: 1/32" = 1'-0"	8 WASHINGTON SECTIONS	 SAN FRANCISCO WATERFRONT PARTNERS, LLC	 SOM Skidmore, Owings & Merrill LLP
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SOM
Skidmore, Owings & Merrill LLP



SAN FRANCISCO
WATERFRONT
PARTNERS, LLC

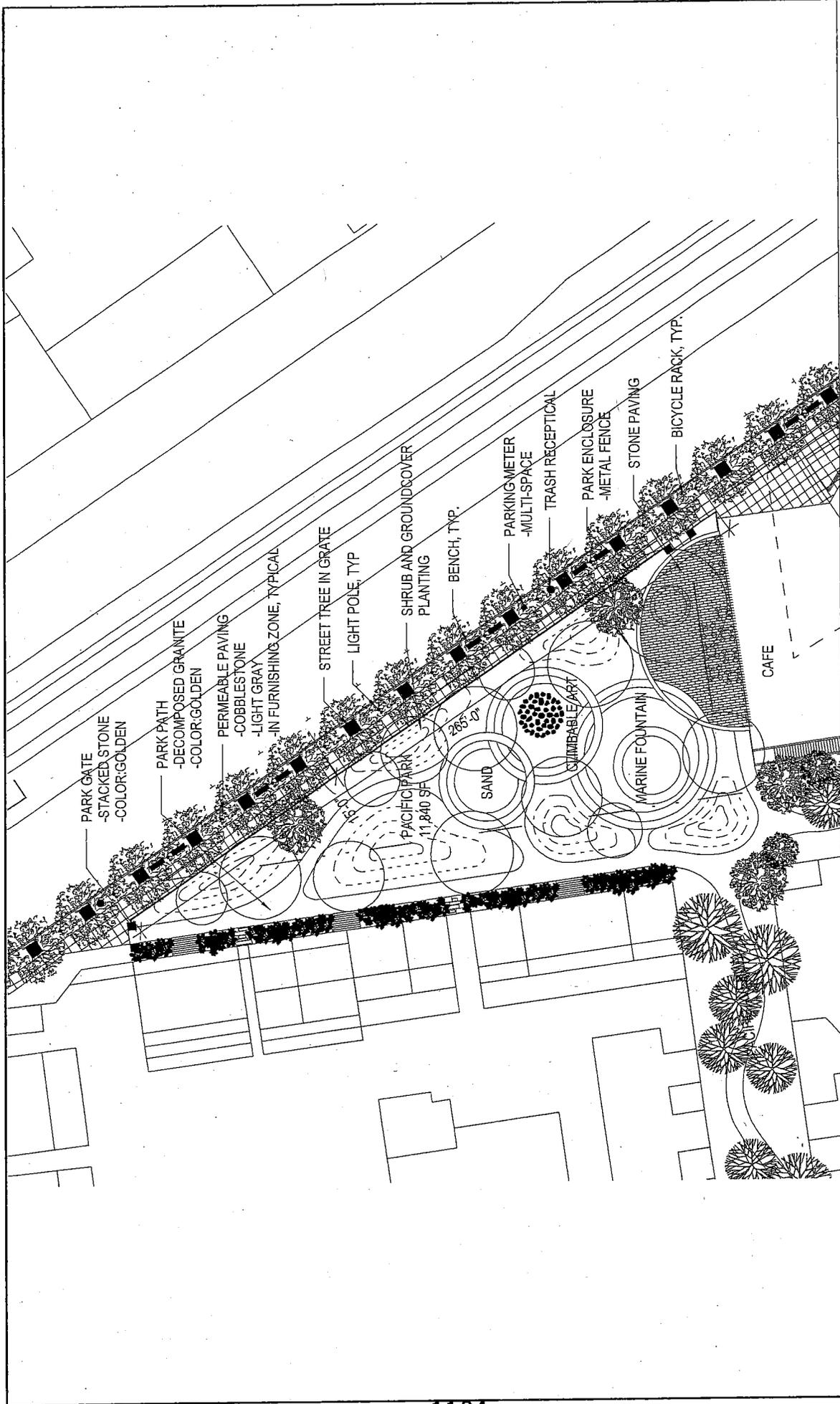
8 WASHINGTON
SECTIONS

Scale: 1/32" = 1'-0"

Estimate:
CONDITIONAL
USE
APPLICATION

Date:
2011.11.23

Drawing Number:
(A5.21)



Drawing Number:
(L1.1)

Date:
2011.12.21

Issue:
CONDITIONAL
USE
APPLICATION

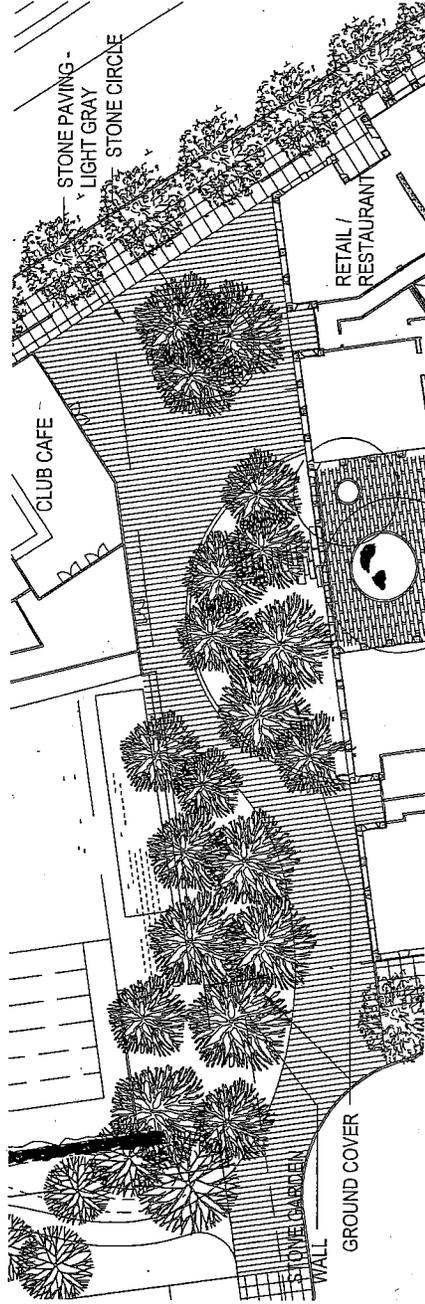
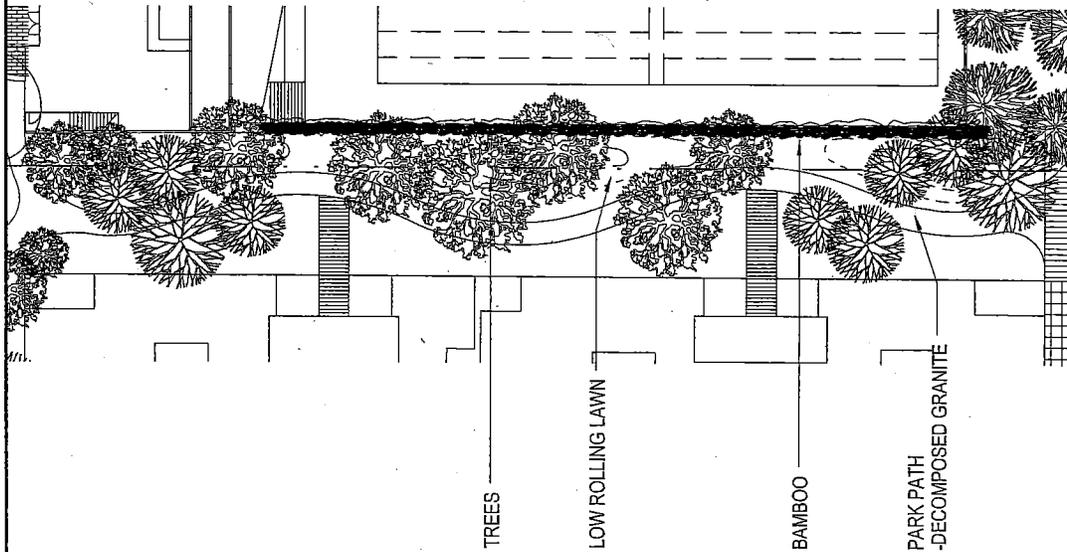
Scale: 1/32" = 1'-0"

8 WASHINGTON
PACIFIC PARK ENLARGEMENT PLAN

SAN FRANCISCO
WATERFRONT
PARTNERS, LLC



SOM
Skidmore, Owings & Merrill LLP



2 DRUMM STREET WALK PLAN
1/32" = 1'-0"

1 JACKSON COMMONS PLAN
1/32" = 1'-0"

SOM
Skidmore, Owings & Merrill LLP



SAN FRANCISCO
WATERFRONT
PARTNERS, LLC

8 WASHINGTON
JACKSON COMMONS / DRUMM ST ENLARGEMENT PLAN
Scale: 1/32" = 1'-0"

Issue No: CONDITIONAL
USE
APPLICATION

Date: 2011.11.23

Drawing Number:
(L1-2)



1126

11/23/2011 12:17:56 PM

SOM
Skidmore, Owings & Merrill LLP



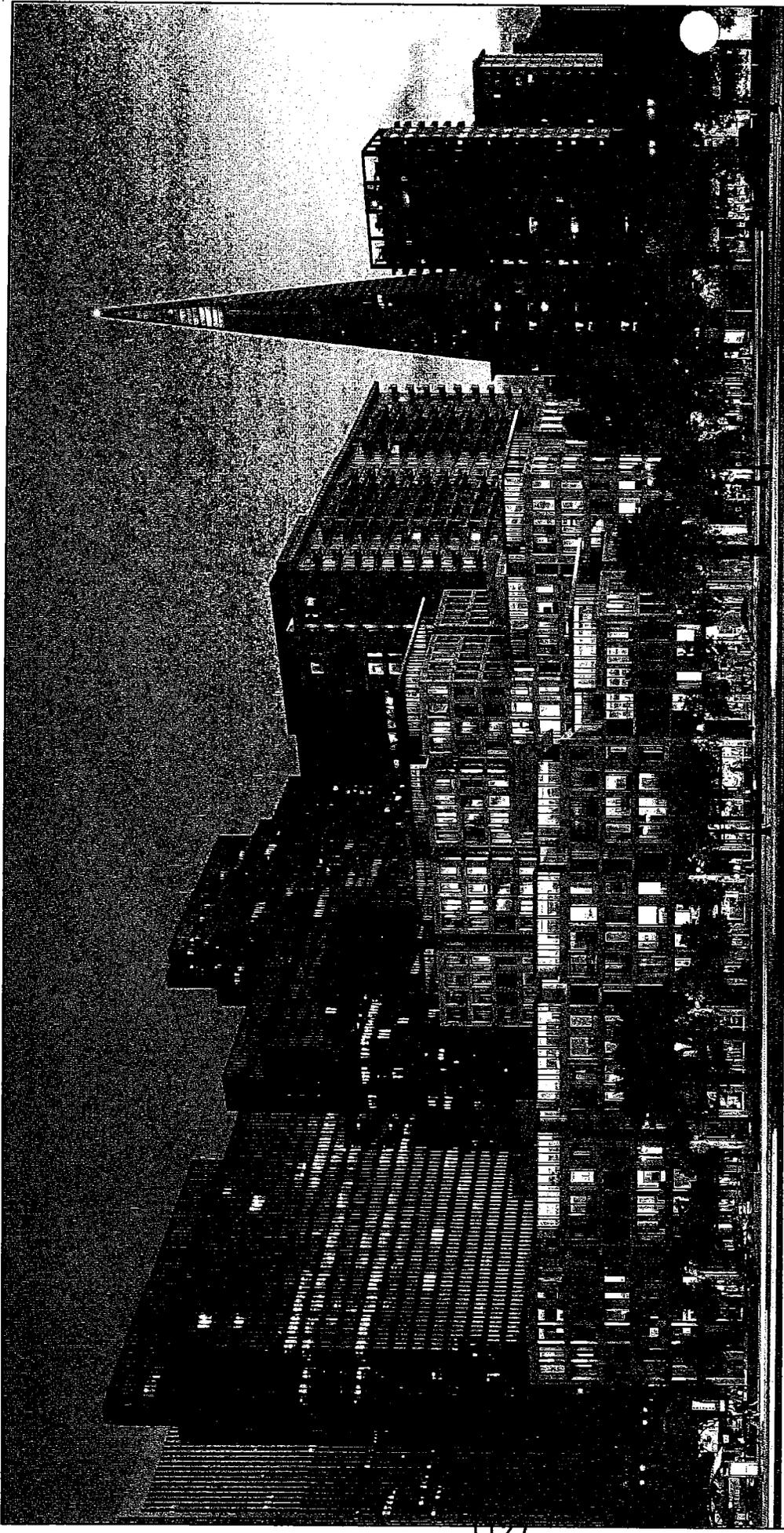
SAN FRANCISCO
WATERFRONT
PARTNERS, LLC

8 WASHINGTON
VIEW FROM EMBARCADERO LOOKING NORTH

Issuance:
CONDITIONAL
USE
APPLICATION

Date:
2011.11.23

Drawing Number:



1711

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SOM
Skidmore, Owings & Merrill LLP



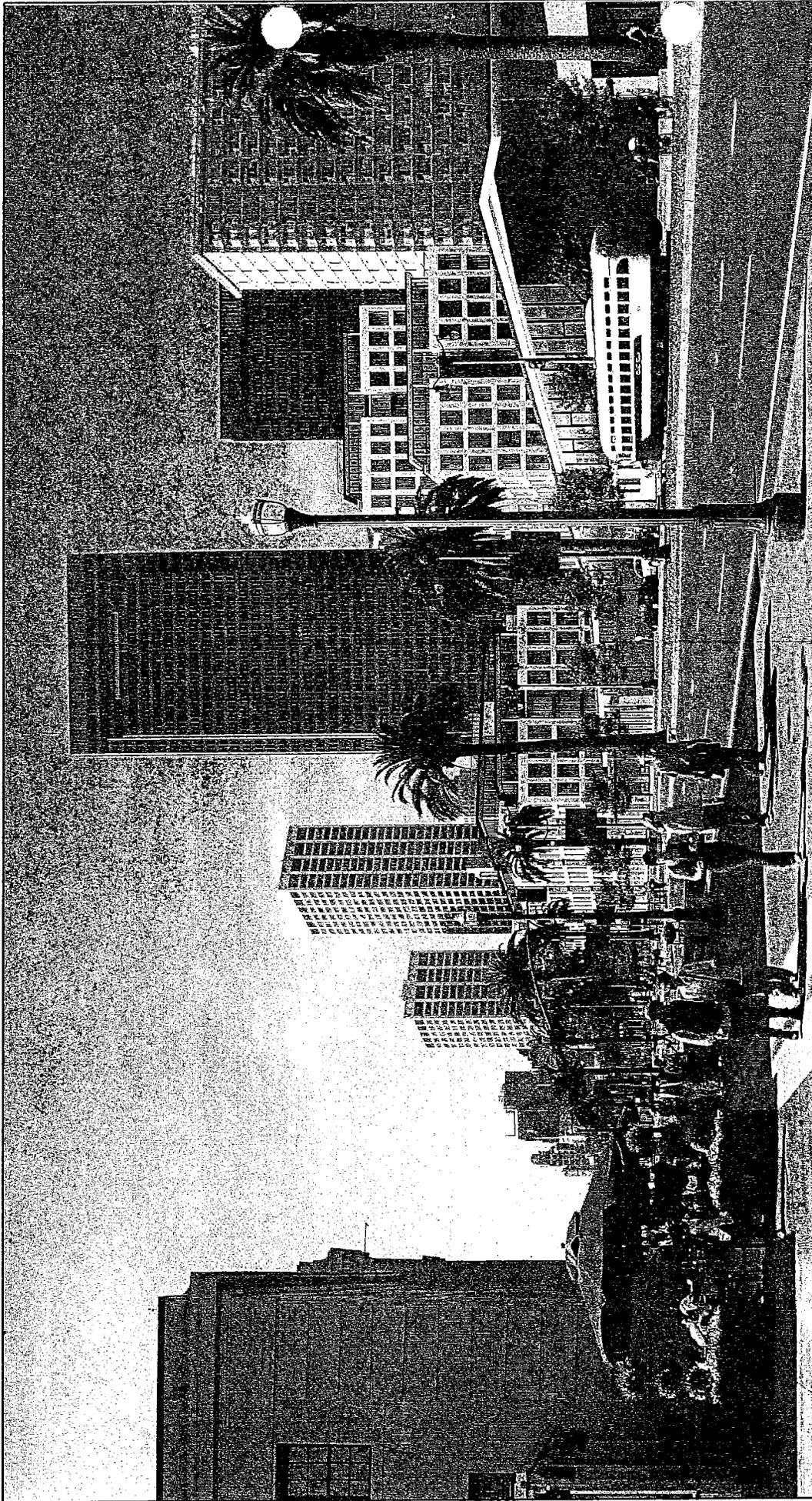
SAN FRANCISCO
WATERFRONT
PARTNERS, LLC

8 WASHINGTON
VIEW FROM EMBACADERO LOOKING WEST

ISSUANCE: CONDITIONAL
USE
APPLICATION

DATE: 2011.11.23

DRAWING NUMBER:



Drawing Number:

2011.11.23

Date:

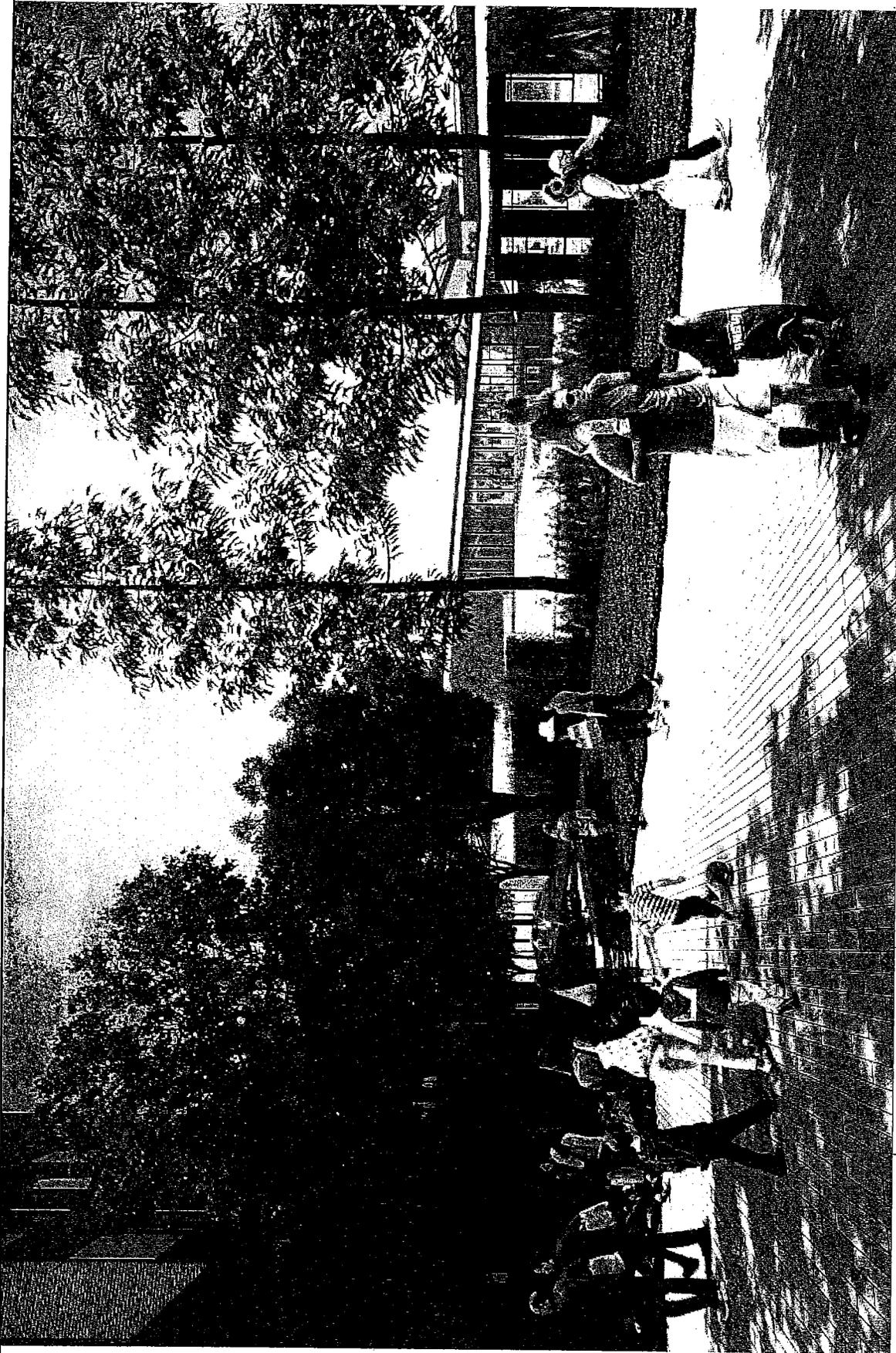
ISSUANCE:
CONDITIONAL
USE
APPLICATION

8 WASHINGTON
VIEW FROM EMBARCADERO LOOKING SOUTH

SAN FRANCISCO
WATERFRONT
PARTNERS, LLC



SOM
Skidmore, Owings & Merrill LLP



Drawing Number:

Date: 2011.11.23

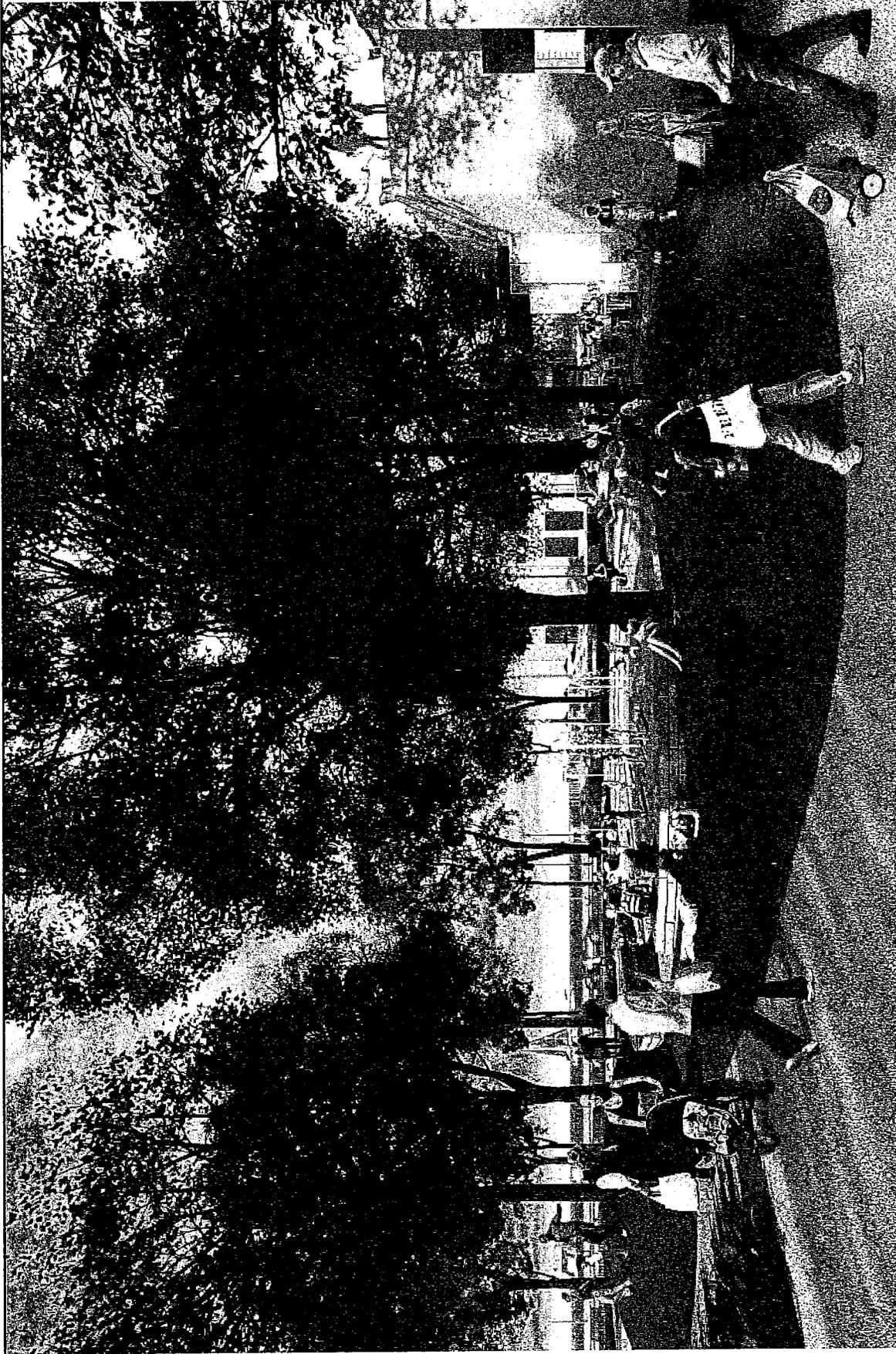
Retainment: CONDITIONAL USE APPLICATION

8 WASHINGTON
VIEW OF DRUMM STREET GARDEN WALK

SAN FRANCISCO
WATERFRONT
PARTNERS, LLC



SOM
Skidmore, Owings & Merrill LLP



Drawing Number:

Date:

Issuance:

2011.11.23

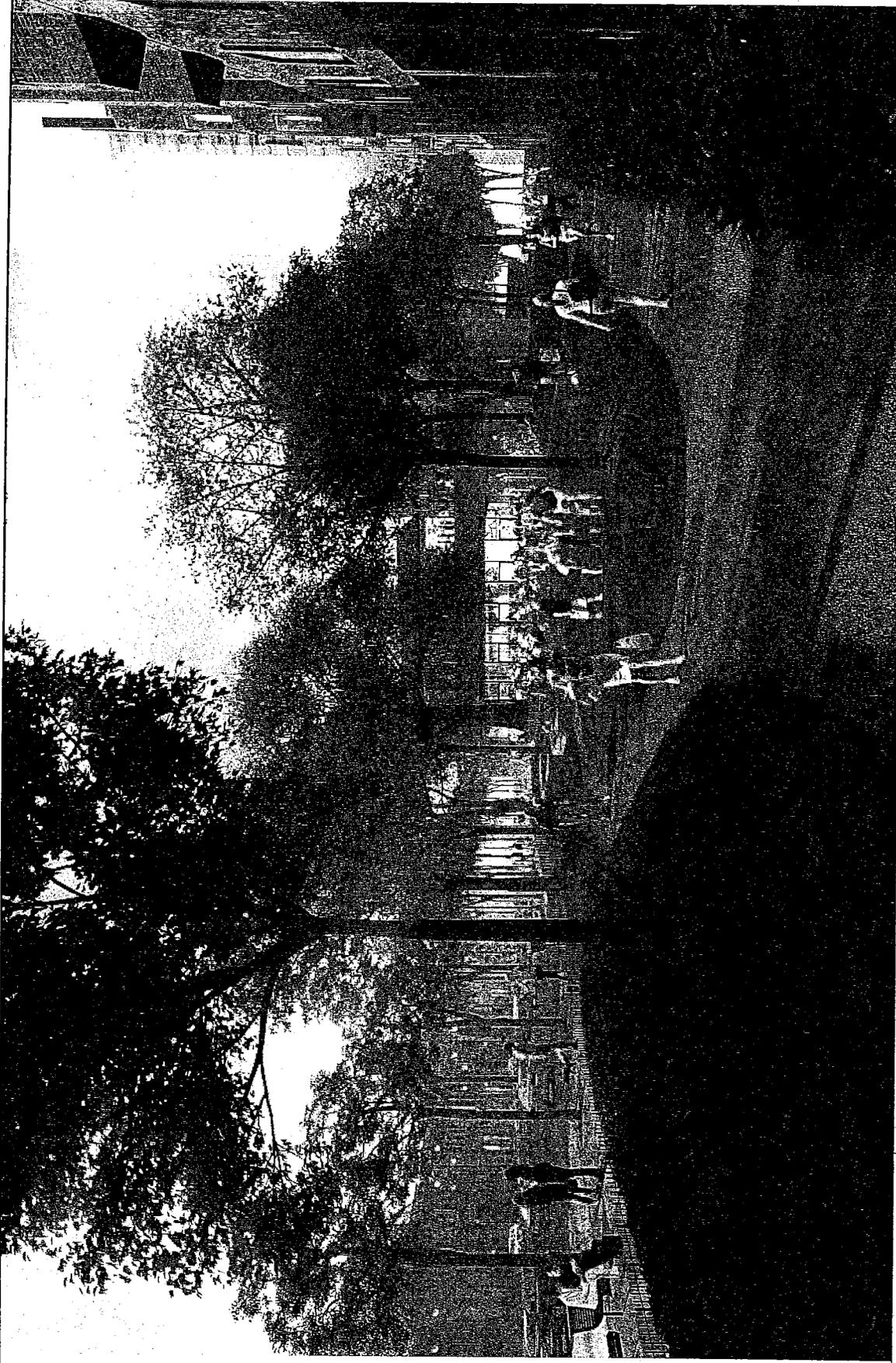
CONDITIONAL
USE
APPLICATION

8 WASHINGTON
VIEW OF PACIFIC PARK LOOKING EAST



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WATERFRONT
PARTNERS, LLC



SOM
Skidmore, Owings & Merrill LLP

**SAN FRANCISCO
WATERFRONT
PARTNERS, LLP**

8 WASHINGTON
VIEW OF PACIFIC PARK LOOKING SOUTH

Instance:
**CONDITIONAL
USE
APPLICATION**

Date:
2011.11.23

Drawing Number:



Drawing Number:

Date: 2011.11.23

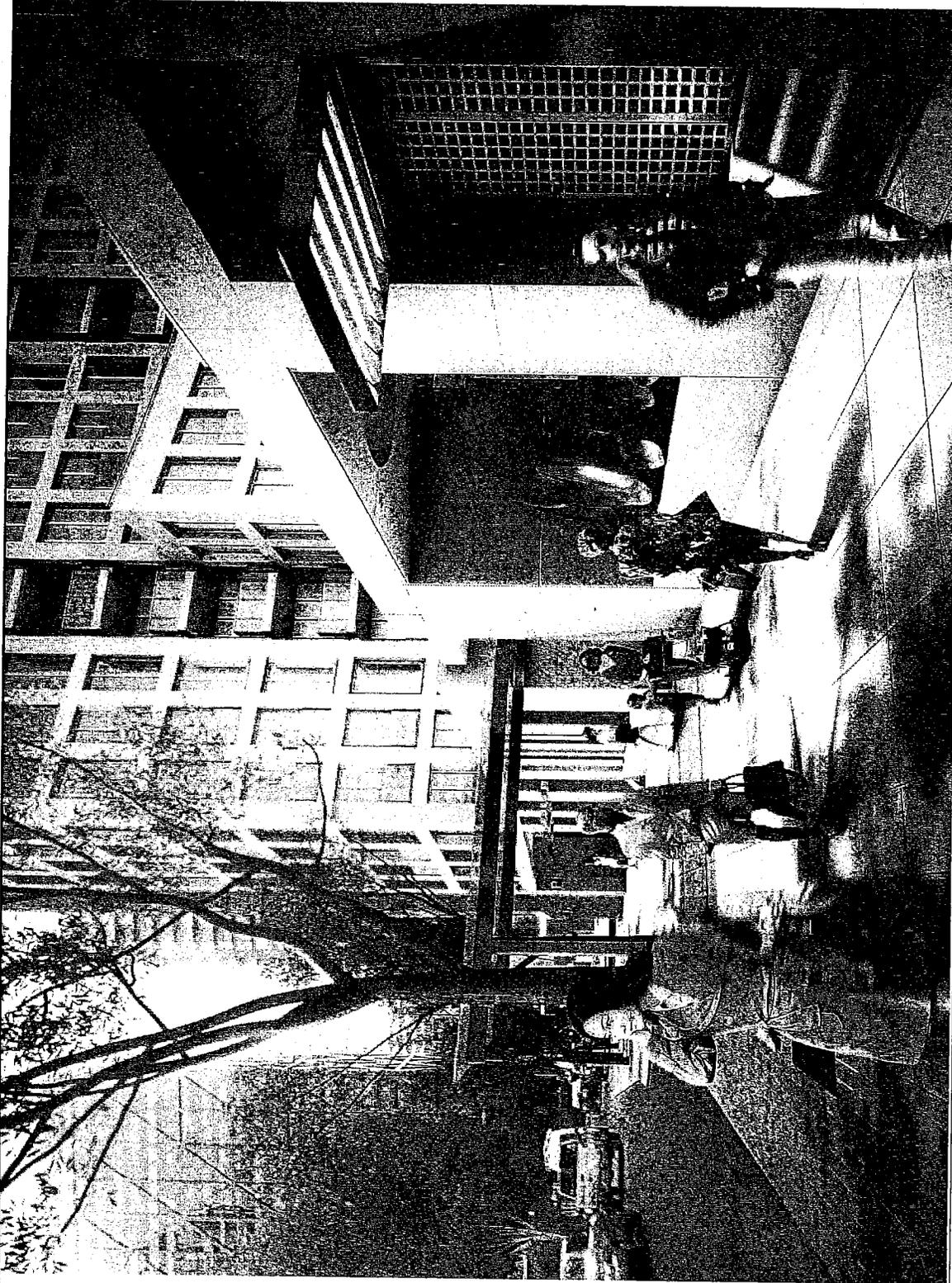
ISSUANCE: CONDITIONAL USE APPLICATION

8 WASHINGTON
VIEW OF EMBARCADERO STREETSCAPE

SAN FRANCISCO
WATERFRONT
PARTNERS, LLP



SOM
Skidmore, Owings & Merrill LLP



Drawing Number:

Date: 2011.11.23

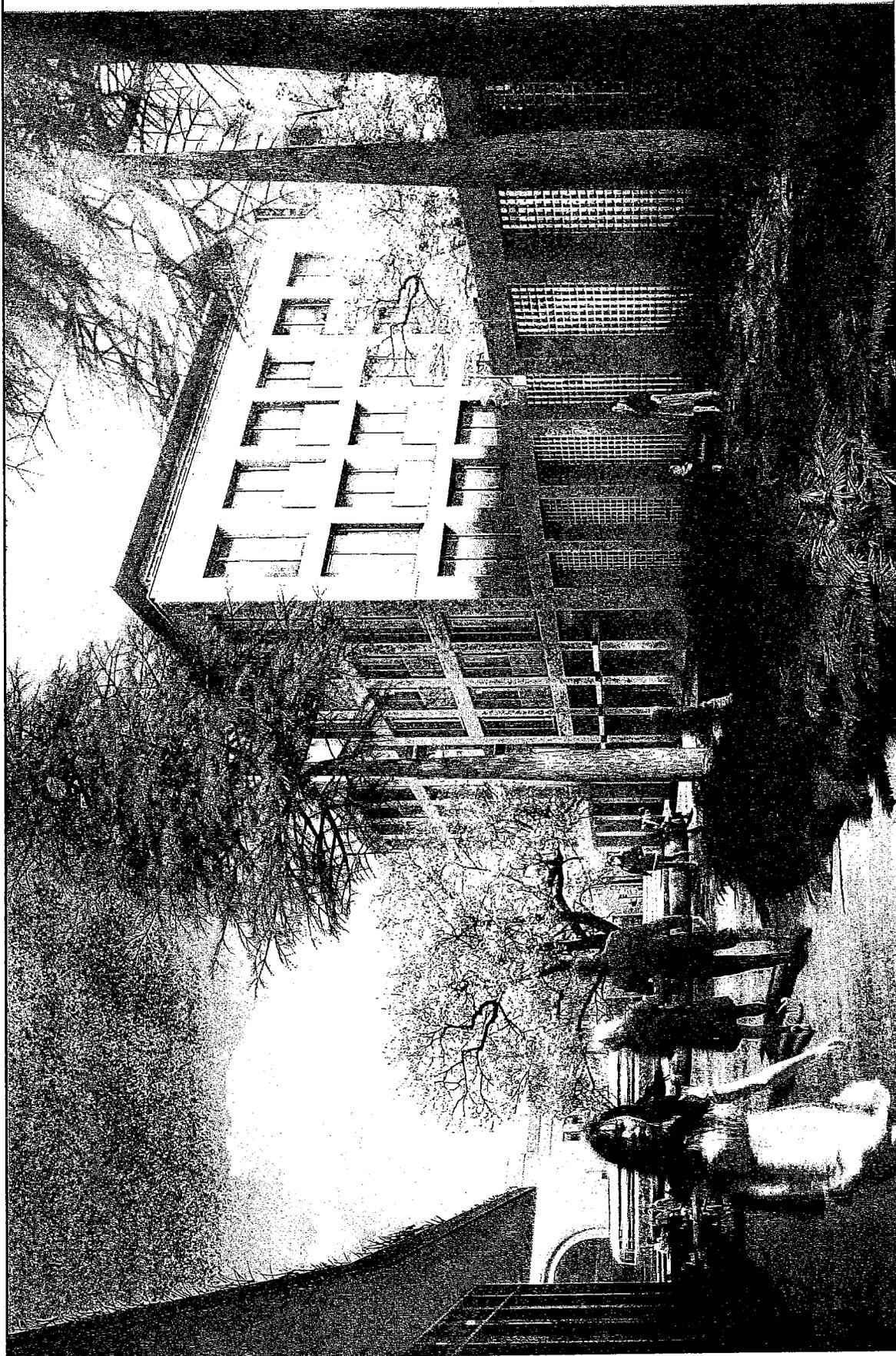
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8 WASHINGTON
VIEW OF WASHINGTON STREET STREETSCAPE

SAN FRANCISCO
WATERFRONT
PARTNERS, LLP



SOM
Skidmore, Owings & Merrill LLP



Drawing Number:

Date: 2011.11.23

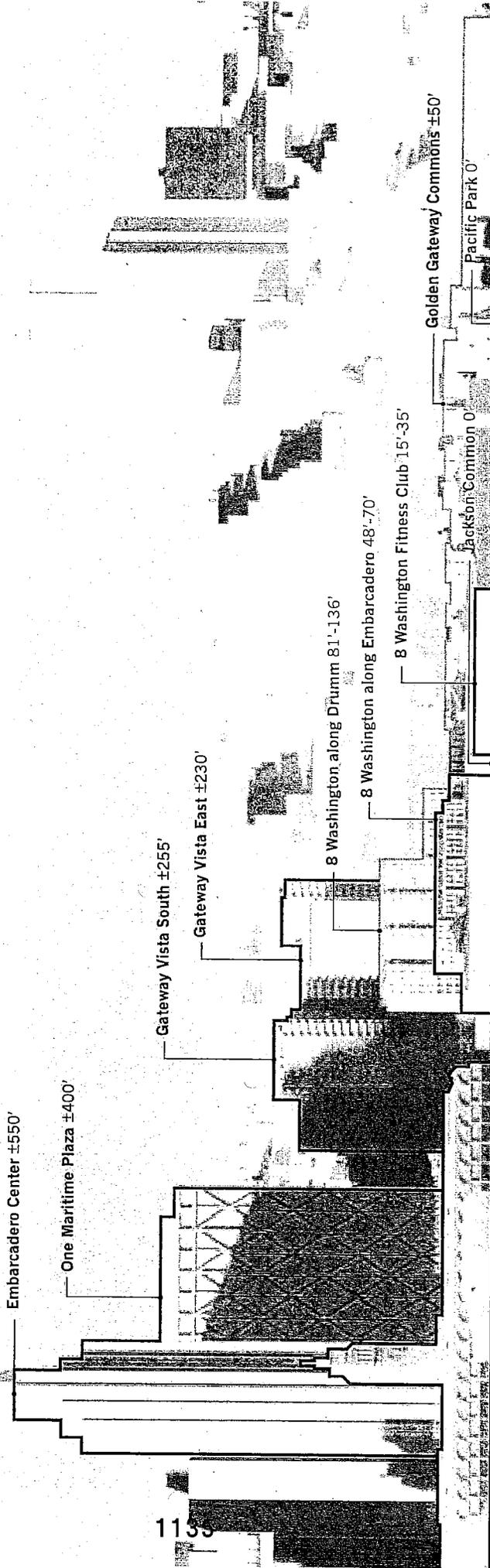
Issue: CONDITIONAL USE APPLICATION

8 WASHINGTON
VIEW OF JACKSON COMMON

SAN FRANCISCO
WATERFRONT
PARTNERS, LLC



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Skidmore, Owings & Merrill LLP



1135

8 WASHINGTON : PACIFIC WATERFRONT PARTNERS
 SKIDMORE, OWINGS & MERRILL LLP

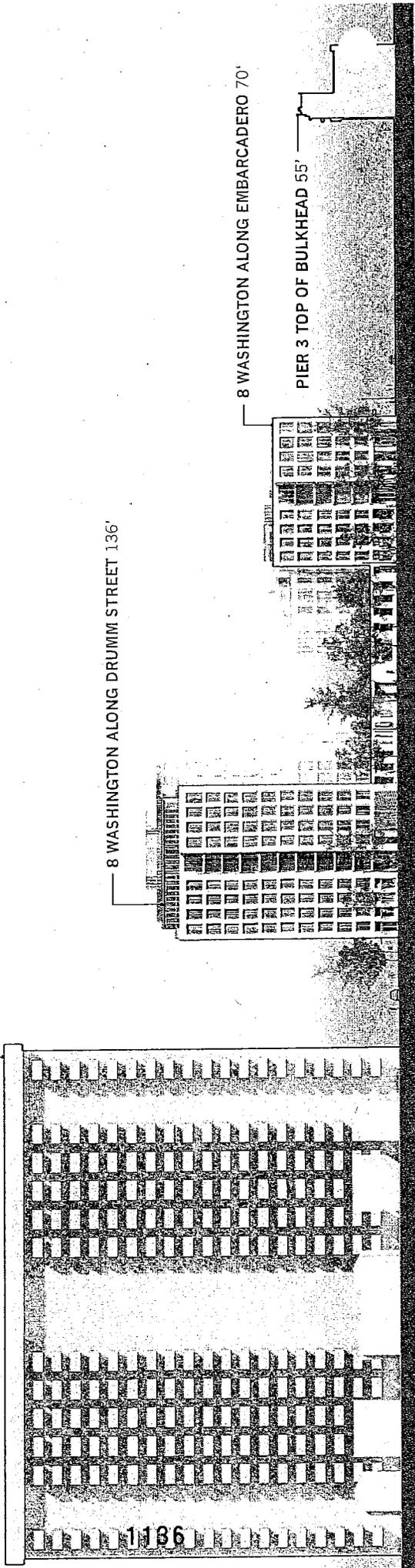
ROOF HEIGHT DIAGRAM FROM EAST
 2012.01.04

GATEWAY VISTA EAST TOWER ±255'

8 WASHINGTON ALONG DRUMM STREET 136'

8 WASHINGTON ALONG EMBARCADERO 70'

PIER 3 TOP OF BULKHEAD 55'



1136

MORRISON | FOERSTER

425 MARKET STREET
SAN FRANCISCO
CALIFORNIA 94105-2482

TELEPHONE: 415.268.7000
FACSIMILE: 415.268.7522

WWW.MOFO.COM

MORRISON & FOERSTER LLP
NEW YORK, SAN FRANCISCO,
LOS ANGELES, PALO ALTO,
SAN DIEGO, WASHINGTON, D.C.
NORTHERN VIRGINIA, DENVER,
SACRAMENTO
TOKYO, LONDON, BRUSSELS,
BEIJING, SHANGHAI, HONG KONG

May 25, 2012

Writer's Direct Contact
415.268.7145
ZGresham@mofocom

By Hand Delivery and Electronic Mail

The Honorable Doreen Woo Ho and
Members of the San Francisco Port Commission
Port of San Francisco
Pier 1, The Embarcadero
San Francisco, CA 94111

Re: **8 Washington / Seawall Lot 351 Project**
(Planning Department Case No. 2007.0030ECKMRZ)

Dear President Woo Ho:

This letter is submitted on behalf of Equity Office Properties (EOP)¹ in anticipation of the San Francisco Port Commission's consideration of the 8 Washington Street / Seawall Lot 351 Project (Project), currently scheduled for the special meeting noticed for May 29, 2012. The Commission proposes to take the following actions with respect to the Project: (1) adopt findings, a Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program under the California Environmental Quality Act (CEQA); (2) approve the execution of the following documents with San Francisco Waterfront Partners: (i) Disposition and Development Agreement, (ii) Lease No. L-15110, (iii) Purchase and Sale Agreement, (iv) Trust Exchange Agreement, and (v) Maintenance Agreement; and (3) approve schematic drawings for the development of Seawall Lot 351.

As you are aware, EOP holds a long-term lease from the City and County of San Francisco (City)² of the San Francisco Ferry Building. As an integral part of the privately funded redevelopment of the Ferry Building, the City granted exclusive control over Seawall Lot 351 (and Pier ½) to EOP for dedicated parking to serve the Ferry Building for the term of that Ferry Building lease. The Project, if approved by the City and built as currently

¹ EOP, with respect to the Ferry Building, includes Equity Office Management, L.L.C., as agent for Ferry Building Associates, LLC and Ferry Building Investors, LLC.

² The City acts administratively through subdivisions of the City, including the Port of San Francisco. All such actions are, of course, actions of the City. Accordingly, although these comments sometimes refer to the various departments of the City, those references all are to the City and County of San Francisco.

San Francisco Port Commission

May 25, 2012

Page Two

proposed, would eliminate the availability of Seawall Lot 351 for EOP's use for Ferry Building parking. Accordingly, approval of the Project, on the terms now proposed by the Port with its co-developer, Pacific Waterfront Partners, would constitute a breach of the City's contractual obligations to EOP under the Parking Agreement for the Ferry Building.

EOP urges the Commission to refrain from taking any action to approve the Project at this time. EOP has a strong interest in the economic vitality of the downtown waterfront and supports responsible development that would sustain and enhance San Francisco's iconic Ferry Building. However, new development should not be approved at the expense of the vibrant, publicly accessible activities at the Ferry Building nor in violation of the contractual rights granted by the City to EOP to induce it to spend over \$125 million to rehabilitate and protect the Ferry Building as the economic anchor of the neighborhood. It would be premature to approve the Project as currently proposed until the Port's obligations to EOP to provide Ferry Building parking are fully satisfied and integrated into the Project.

The City is Contractually Obligated to Ensure that the Ferry Building Has Dedicated Parking under EOP's Control

The Port of San Francisco is rightly proud of the Ferry Building, but it has not always been the jewel that it is today. For decades, the Ferry Building was physically separated from the rest of the City by the raised Embarcadero Freeway. After the 1989 Loma Prieta Earthquake, the Ferry Building and its environs were left derelict and damaged. The eventual removal of the Embarcadero Freeway presented a unique opportunity for change and to reunite the Ferry Building with the City it serves. Rather than leave this area to decay, the City entered into an innovative public-private partnership with EOP to revitalize the waterfront. That partnership culminated in 2001 when EOP invested \$125 million to rehabilitate the Ferry Building and restore its public trust uses. More than ten years later, EOP continues to invest substantially to maintain physical structures underlying the Ferry Building. Because of the public-private partnership, and EOP's large and continuing investment, the Ferry Building today thrives as one of the most famous examples of a successfully rehabilitated public trust resource.

As part of the redevelopment process for the Ferry Building, the City entered into a long-term lease for the Ferry Building and a Parking Agreement with EOP. Under the Parking Agreement, EOP has exclusive control over Seawall Lot 351 for use as dedicated parking to serve the Ferry Building. This agreement was made to induce the private redevelopment of the Ferry Building, for which an assured parking supply was critical. The Parking Agreement thus guarantees that EOP would have close, convenient and easily accessible parking to ensure the Ferry Building's vitality as the iconic, economic anchor of the downtown waterfront.

San Francisco Port Commission
May 25, 2012
Page Three

The Parking Agreement does not preclude any redevelopment of Seawall Lot 351. It does, however, impose quite specific conditions on such development: the Port may develop Seawall Lot 351 as a parking facility to serve the Ferry Building area *only* if the City satisfies its obligations to provide to EOP equal parking, both temporary in a comparable location during construction and permanently at the Seawall Lot 351 site after completion of the Project. This "equal parking" must be exactly that—not just a commitment for a number of unassigned spaces, but the provision to EOP for full management of the use of those spaces, including control over days, times, rates and validation.

As currently proposed, the Project would purport to obliterate all of EOP's rights in Seawall Lot 351 without any provision of substitute equal parking, either during construction or permanently, to EOP. The Port has yet to assure that the Ferry Building's parking rights will be fully respected if the Project is approved and built as proposed. The proposed condition in the draft Purchase and Sale Agreement that would require the Project Sponsor to record a covenant reserving 90 spaces in the Project's proposed parking garage for "waterfront" visitors would not provide dedicated Ferry Building parking under EOP's control and would not satisfy the terms of the Parking Agreement. Further, the Project as currently proposed does not include any provision for temporary replacement parking during construction of the Project.

No project on Seawall Lot 351 can be appropriately and legally approved unless and until the City satisfies its contractual obligations to EOP. Moreover, EOP has advised the Port's co-developer of the Project, Pacific Waterfront Partners, of these contractual obligations, and of EOP's intentions to defend these rights vigorously by all appropriate means. The failure of both the Port and the Project Sponsor to even recognize that EOP is entitled to participate directly with them in the development process and to guarantee that its rights would be fully protected is hard to comprehend. Until they have done so, the Port Commission should take no action on the Project.

Approving the Project, as Currently Proposed, Would Violate the City's Fiduciary Duty to Protect Public Trust Resources

In addition to violating the terms of the Parking Agreement, the City's proposed actions to approve the Project would compromise its obligation to protect and promote the public trust resources entrusted to it by the State.

One of the proposed actions before the Port Commission is approval of a Land Exchange Agreement, in which the public trust designation for Seawall Lot 351 would be extinguished and the property would be exchanged for a different parcel on the Project site. The City can only approve such an exchange if it finds, among other things, that Seawall Lot 351 is no

San Francisco Port Commission
May 25, 2012
Page Four

longer needed or required for the promotion of the public trust and that no substantial interference will occur to other trust uses or purposes.

The City, either acting through the Port Commission or Board of Supervisors, cannot make these findings. Seawall Lot 351 is an essential component of Ferry Building operations and its valuable public trust uses. The current public use of Seawall Lot 351 promotes and protects public trust resources—dedicated parking for the Ferry Building—and the exchange would substantially interfere with and diminish the value of such public trust resources. EOP strongly urges the Port Commission to refrain from any action that would damage the public trust resources of the Ferry Building.

EOP Has Repeatedly Raised These Issues with Port Staff and the Project Sponsor

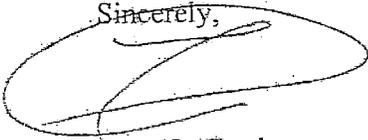
Over the past two years, EOP has repeatedly raised its concerns with Port staff in writing and orally. Indeed after finding that the Port was unresponsive, EOP requested help from the Mayor's Office to resolve the issue. As a result, through the good efforts of the Mayor's Office, only recently has EOP been able to meet with senior Port and other City officials to discuss any possible solutions. However, it was not until Wednesday, May 23, 2012—less than a week before the scheduled hearing on the Project—that Port staff met with EOP to discuss terms of how to satisfy the Port's obligations to EOP with respect to the Project. Even so, as noted above, the Project, as currently proposed, still does not meet the City's full obligations under the Parking Agreement with respect to Seawall Lot 351 and the parking—both during construction and permanently at Seawall Lot 351—that is so crucial to the vitality of the Ferry Building. It is discouraging, this late in the planning and approval process for the Project, that the City's parking obligations to the Ferry Building remain unresolved.

If the Port recommends this Project, and the City ultimately approves it, in its current form, the City will be in breach of its obligations to EOP, with the complicity of Pacific Waterfront Partners. EOP strongly urges the Port Commission to refrain from taking any further action on the Project at this time until the Port's obligations to EOP to provide Ferry Building parking are fully satisfied and integrated into the Project.

As EOP has advised the Mayor's Office and the Port staff, as well as Pacific Waterfront Partners, EOP remains open to real solutions that fully respect EOP's parking rights with respect to the Ferry Building and Seawall Lot 351. There is nothing about this Project, as currently proposed, that is so important that would warrant the City's breach of the Parking Agreement and risking the economic vitality of the Ferry Building.

San Francisco Port Commission
May 25, 2012
Page Five

Sincerely,

A handwritten signature in black ink, appearing to be 'Zane O. Gresham', enclosed within a hand-drawn oval.

Zane O. Gresham

cc: Monique Moyer, Executive Director, Port of San Francisco
Angela Calvillo, Clerk of the San Francisco Board of Supervisors

Toby Levine
255 Berry Street, # 609
San Francisco, Ca. 94158\647-3052
tobylevine@earthlink.net

Board of Supervisors
Land Use Committee
City Hall

June 4, 2012

Dear Supervisor Mar, Cohen and Weiner,

As a member of the Planning Commissioner during the 90's and simultaneously a member of the Waterfront Land Use Plan Advisory Board, we spent 6 years developing a Prop. H mandated plan for the waterfront. That plan was adopted by the Port Commission in 1997 and the Board of Supervisors in 1998. Subsequently, Advisory Groups were established by the Port throughout the Waterfront. For several years, I was the Chair of the Northeast Waterfront Advisory Group and am now Co-Chair of the Central Waterfront Advisory Group.

In the Waterfront Land Use Plan, seawall lot 351 was designated as a "mixed use Opportunity site" and 8 potential uses were identified for that site, including 5 that are a part of the 8 Washington plan. These include **Public** open space, residential housing, parking, retail job generators, and recreational enterprises.

The Waterfront Design and Access Plan, also approved in 1997, is deeply concerned with the issue of reuniting the City with its waterfront. The original Committee may not have dreamt that Jackson and Pacific Streets could join the Waterfront, since they were blocked by an impenetrable green wall. The current 8 Washington plan removes the wall and makes it possible for residents and workers from the nearby neighborhoods to access the waterfront. **This may be the most important Long-term feature of the 8 Washington Plan.**

Public Benefits

1. Pedestrian opening of Jackson and Pacific to the waterfront once again.
2. 33 units of affordable housing during a time of diminished resources
3. Funds for the Port to repair Historic bulkhead buildings and rotting piers
4. A new **public** park for children
5. Parking for the Ferry Building market and businesses.
6. Substantial and ongoing revenue for the City
7. And, of course, the construction employment.

Heights

As you listen to the testimony, you will note that heights appear to be the driving force in the efforts to terminate this project. In general, heights and views are not protected in the Planning Code. The Golden Gateway Tower East directly across from 8 Washington rises 270 feet above the waterfront with no stepping down to soften the image. This very large, double-loaded corridor apartment house, will be made more gentle by the step down provided by 8 Washington. (134', then 84', then 64', then 40', then 20') And actually, if you average the building heights over the entire 8 Washington site, you will find that the average reaches 31 feet.

Aesthetic Benefits

The 8 Washington consists of a team of aesthetically driven architects and planners who will provide the City with a remarkable development which will make us all very proud. They are also receptive to new ideas to improve the project. I have witnessed the Project evolve over several years, and know that Waterfront Partners has delivered a beautiful, historic rehabilitation of piers 1 1/2, 3 and 5. We expect the same high quality at 8 Washington.

I strongly urge you to support this project what will benefit all the citizens of San Francisco.

Thank your for the Opportunity to Speak,

Toby Levine

120270
120271
File 120272

BOS-11

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2012 APR -2 PM 3:29

AK

March 29, 2012

Members, San Francisco Board of Supervisors
City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689

Re: 8 Washington Street

Dear Members of the Board of Supervisors:

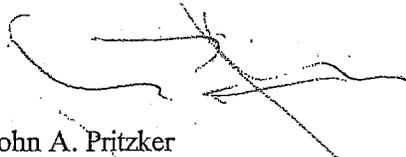
As partner and founder of Geolo Capital, a private equity investment company, I have personally benefitted from the Port's decade long commitment to revitalizing the Waterfront. I consider this waterfront my neighborhood and am acutely interested in the future of our City's largest asset.

The Ferry Building, Pier 1 and Piers 1 ½, 3 & 5 exemplify the successes incurred thus far as a result of the Waterfront Land Use Plan. The parking lot and private tennis fence that currently exist at the site are inconsistent with the vibrant and livable waterfront that the Port and City strive to create. A mixed use development at 8 Washington which is contextual with the surrounding highly urbanized environment is appropriate and would enhance the existing waterfront improvements. Not only would this project provide much needed revenue to the City and Port of San Francisco, but it would also provide the last opportunity to solve the parking crisis in this neighborhood, ensuring the continued success of the Farmers Market and merchants which serve this neighborhood and the entire Bay Area.

I understand that there are neighbors who are opposing the project in order to preserve their club, their surface parking lot or their views. Change is difficult. But in an urban and dynamic city such as ours it is inevitable. It is also necessary. If we are to live up to the urban planning principals that our city has adopted, we need to build dense housing which is proximate to transit and jobs. This project does just that. However, it does so responsibly, giving back over half of the land to public open space and recreation. The club becomes a much more family oriented state of the art fitness and aquatics club and the public open space provides new spaces for the public to enjoy the waterfront – for free. The restaurants and retail will further invigorate and strengthen the surrounding community, providing more places to gather and socialize. Finally, given the sites proximity to the Financial District and adjacent high rise buildings, the heights are extremely modest – and are in response to community feedback.

As elected officials, we ask that you vote in ways which are consistent to the betterment of the city and reflect the greater desires of its citizens. For these reasons and the benefits listed above, I ask that you support 8 Washington when it comes before you.

Sincerely,



John A. Pritzker
Partner

SUE C. HESTOR

Attorney at Law

870 Market Street, Suite 1128 · San Francisco, CA 94102
(415) 362-2778 · FAX (415) 362-8048

File
BOS-11
C.A
COB

415 846-1021

hestor@earthlink.net

April 12, 2012

sent by email and delivered by hand

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO
2012 APR 17 PM 2:08

✓ Angela Calvillo, Clerk of the Board
Board of Supervisors
City Hall
San Francisco CA 94102

David Chiu, President of the Board
Board of Supervisors
City Hall
San Francisco CA 94102

RE: 120271 - Zoning Map Amendment - 8 Washington Street
120272 - General Plan Amendment - 8 Washington Street

Dear Ms. Calvillo and President Chiu:

The Land Use calendar posted this afternoon shows RECEIPT by the Board of the above two legislative proposals from the Planning Department on Monday, March 26, 2012, and their assignment under the 30-day rule to Land use on April 3, 2012.

My first question is HOW and WHEN they were transmitted? The second is whether it was appropriate for the General Plan Amendment to start the clock running before final resolution of at least the CEQA appeal?

The morning of Friday, March 23 I made a formal request that Kevin Guy, the planner on this case, transmit the FINAL MOTIONS electronically as soon as they were available and also offered to pick hard copies. He replied that he would provide them to me when they were complete, but that it was unlikely they would be finalized that day. They were not available later that afternoon when I also emailed him. Since I heard nothing further from Mr. Guy, on Tuesday, March 27 I made a follow-up request for those motions. Mr. Guy forwarded the motions to me on Wednesday, March 28, two days AFTER the Board of Supervisors supposedly received them. It appears that the approval motions were final and available several days before they were provided to my clients. I note that the CEQA appeal of Equity Office Properties was filed on Monday, March 26.

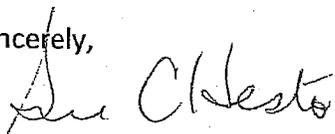
Of particular concern is the transmittal of the Proposed General Plan Amendment. As you are probably aware a 90-day clock starts running on Board action on all General Plan Amendments from the day of receipt. Planning Code 340(d) The 90 days will run on June 24, which means Board action is necessary by their June 19 meeting.

April 12, 2012 - 8 Washington - page 2

There are currently TWO EIR appeals filed with the Board and we anticipate filing an appeal of the Planned Unit Development/Conditional Use early next week. Each of these appeals require hearings by the full Board. No Board action can occur on either of the matters transmitted March 26, 2012, until at least the CEQA appeals are resolved.

Has the Board been advised that hearings on these matters can occur as of 30 days from April 3?

Sincerely,

A handwritten signature in cursive script that reads "Sue C. Hestor".

Sue C. Hestor

Attorney for appellant Friends of Golden Gateway

cc: Kevin Guy
Zane Gresham, attorney for Equity Office Properties
Louise Renne
Lee Radner
Brad Paul



SPUR

SAN FRANCISCO
PLANNING + URBAN RESEARCH
ASSOCIATION

654 Mission Street
San Francisco, California
94105

415.781.8726 t
415.781.7291 f

www.spur.org

December 28, 2011

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Steve Vettel
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Brooks Walker, III
Cynthia Wilusz-Lovell

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

Dear Commissioners:

The San Francisco Planning and Urban Research Association (SPUR) supports the 8 Washington/Sea Wall Lot 351 Project. We believe that the proposed development is a significant improvement for a key intersection on the City's northern waterfront.

8 Washington presents a unique opportunity to replace a surface parking lot and private tennis club with pedestrian friendly, publicly accessible open space, housing, a renovated space-efficient club, ground-floor retail and underground parking. We are pleased with the latest proposal for the project, which includes an aquatics center, the addition of green roofs to the project and a forty-five hundred square foot playground within the public park along the Embarcadero.

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, to reflect the scale of the surrounding buildings and allow for suitable density. Given the proximity of this project to much taller buildings, including the Golden Gateway, the scale of this project is modest and appropriate.

We would like to point out that these heights are also responsive to the planning ideas that came out of the Northeast Embarcadero Design Study. This was a 16-month planning process with community stakeholders, urban design professionals and Planning staff. The Northeast Embarcadero Study yielded the public realm and height guidelines that have shaped the 8 Washington Project into its current form, including the manner in which the project varies in height as it draws closer to the water and nears the park.

In addition, it is important to note that the project is located in close proximity to many major transportation lines, including BART, muni and ferry lines and the F-line streetcar. 8 Washington's proximity to transit, services and the region's densest employment center – San Francisco's Downtown - will encourage residents and visitors to bicycle, walk and ride transit instead of making new car trips.

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. SPUR strongly believes that the project will radically improve the pedestrian experience on the western side of the Embarcadero. Currently pedestrians are met with a high green fence used to protect tennis courts. The current use does nothing to activate this important street frontage and detracts significantly from the pedestrian experience. The proposed project

includes active uses on the ground floor that will reinforce the streetwall and make walking on the western side of the Embarcadero a much more pleasant experience.

We urge you to support the 8 Washington project when it comes before you in January.

Sincerely,

Gabriel Metcalf
Executive Director
SPUR



the Center for Urban
Education about
Sustainable Agriculture

One Ferry Building, Suite 50
San Francisco, CA 94111
tel (415) 291-3276
fax (415) 291-3275
www.cuesa.org
info@cuesa.org

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Executive Director

Dave Stockdale

December 6, 2011

Supervisor David Chiu
City Hall

1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102

Dear Supervisor Chiu:

I am writing on behalf of the Board and Staff of CUESA, and the 125 small businesses that sell at the Ferry Plaza Farmers Market, in support of the revised 8 Washington project proposal.

The neighborhood around the Ferry Building has changed dramatically in recent years. Our farmers market, and the 45+ additional shops and kiosks inside the historic Ferry Building, represent an example of the best use of our building site, a restoration that began the renaissance for this entire stretch of the waterfront.

We believe that the 8 Washington project is an example of best use of that site, transforming a private club and surface parking lot into to a multi-layered project with residences, many more activated public spaces (for our shoppers, visitors, and employees, as well as local residents- myself included), better access to the waterfront from adjacent neighborhoods, new retail spaces, a re-envisioned private club, and underground public parking to support the area retail businesses, including our markets.

We also believe that the current design, as proposed, integrates well into the area, including providing an appropriate transition of building heights from the street level to the skyscrapers of the adjacent Financial District.

We believe that the 8 Washington project would be an appropriate and well-designed addition to the neighborhood.

Sincerely,

Dave Stockdale
Executive Director



San Francisco
HOUSING
ACTION
COALITION

Supervisor David Chiu
San Francisco Board of Supervisors
City Hall, Room 244
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

December 21, 2011

**Ref: 8 Washington Street Mixed-Use Project
San Francisco Waterfront Partners LLP**

Dear Supervisor Chiu:

On behalf of the many member organizations of the San Francisco Housing Action Coalition (SFHAC), I am writing to support the 8 Washington Street proposal.

As you are aware, for the last several years, the San Francisco Waterfront Partners' proposed mixed-use residential project has been working to secure its entitlements and approvals. The SFHAC has long supported its proposed land use and general urban design. We believe it will support SFHAC's mission of increasing the supply of well-located housing that conforms to good urban design principles and meets the needs of present and future San Franciscans. Furthermore, we continue to believe that this project will revitalize the Embarcadero, reconnect the waterfront to its adjacent neighborhoods and bring enormous financial and aesthetic benefits to the City.

We know that there is vocal organized local opposition to this worthy project. We are writing to ask that you consider the reasons why supporting this project plainly benefits the larger interests of San Francisco.

Land Use. Sea Wall Lot 351, perhaps some of the most valuable land in Northern California, is currently being used as a parking lot. Perhaps this made sense when the Embarcadero Freeway was standing – continuing this into the future is a gross misuse of a valuable resource. Other than the proposed 8 Washington project, are there *any* viable alternative proposals that would not perpetuate an ugly parking lot on one of our grandest boulevards? Is it not time to put this land to better use?

Supervisor David Chiu
December 21, 2011
Page Two

Financial Benefits. As we know, the Port of San Francisco faces a crushing capital improvements and infrastructure backlog. Its facilities are crumbling and there are currently few realistic sources of funding to address this critical problem. The City is in scarcely better financial condition. The proposed 8 Washington project would bring badly needed revenue to the Port and the City. Building it would pay for public open space, improved recreational space and provide much-needed jobs. A previous competing proposal for a hotel on Lot 351 was withdrawn as infeasible. Have there been any alternative proposals that do not require the City to *spend* money or forego revenue for this valuable land?

Affordable Housing. Although the proposed 8 Washington project is market-rate, under the City's inclusionary housing ordinance, it is required to provide funding for 33 desperately needed below-market-rate homes in District 3 for families that could otherwise not obtain them. This must not be taken lightly. Does the City place greater value on losing private tennis courts than building 33 affordable homes for District 3 families?

Project Height. The proposed height for the 8 Washington project is 136 feet at its highest point and steps down to the Embarcadero and to the north, averaging a mere 37 feet on a site which is zoned for 84 feet. At its highest point, this is *one-half* the height of the adjacent Golden Gateway, the closest housing and *one-quarter* the height of Embarcadero Center, the closest commercial buildings. The site is located adjacent to the tallest buildings on the City's skyline. This is a modest proposal that fits well with its surroundings and it is this residential density that allows for the creation of the significant public benefits. Does this not represent a sensible progression of building out the northeast waterfront?

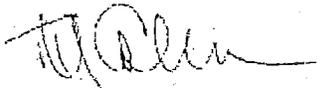
Open Space. The proposal not only provides 30,000 square feet of privately maintained public open space, it creates a pedestrian opening from Jackson Street and Pacific Avenue to the Embarcadero that will help activate the waterfront. Please note that the 30,000 square feet of public open space exceeds the total land area of SWL 351. At the same time, it provides a new private recreational club for the community and its members. We must emphasize that the Golden Gateway Tennis and Swim Club is a private, members-only, facility. The proposed open space use of this land is an improvement for *all* San Franciscans. Are there other proposals that offer the City a better deal?

Supervisor David Chiu
December 21, 2011
Page Three

We are sympathetic to the difficulties in balancing the many competing interests at play. However, we believe that the public benefits offered by the 8 Washington project are plainly in the larger interests of the whole City. We respectfully urge you support this project.

We stand ready to work with you on this important issue in any way you think helpful.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tim Colen', with a long horizontal flourish extending to the right.

Tim Colen
Executive Director

Cc: SF Port Executive Director Monique Moyer
SF Planning Director John Rahaim

Jim Chappell

Strategic Planning | Government and Community Relations

415-285-0910 land
415-577-8913 cell
chappell_jim@att.net
708 Guerrero St., San Francisco CA 94110-1614
December 21, 2011

Planning Commission
RE: 8 Washington Project

I am in full support of the 8 Washington project as designed and have testified on behalf of SPUR and its thousands of members before the Port Commission, the Land Use Committee of the Board of Supervisors, and at numerous other public meetings and hearings.

As you are well aware, San Francisco has a serious housing shortage at all price points. The site, one of the most important remaining waterfront sites on the Pacific coast of North America, is vastly underutilized today. The current uses, a surface parking lot and sub-standard private health club, might have been appropriate as a buffer from the double-decker Embarcadero Freeway fifty years ago, but they are a blight on the landscape today.

The project is a magnificent design, the product of both the extensive public planning process guided by the Planning Department and Port Commission staffs, a team of architect and landscape architect that are among the very best in the world, and a first class developer with a track record of developing excellent waterfront projects in San Francisco. The project provides incredible community benefits in terms of open space, parks, view corridors, reconfiguration of the health club as desired by its owner, and significant revenue for the Port and the City.

It is important for the Commission to fully understand the long history of the community planning process that has gone into this project, in order get a full picture of the planning and urban design principles and guidelines that have shaped the 8 Washington Project to maximize the site for the *public*, not just for private club members and a few neighbors and cars.

The Waterfront Land Use Plan, that was developed over a 7 year period with the help of many thousands of stakeholders, including SPUR, recommended the consideration of combining Seawall Lot 351 with the adjacent Golden Gateway land to develop housing.

The Waterfront Land Use Plan has almost been fully implemented, from the Ferry Building, Pier 1, Piers 1½, 3 and 5. 8 Washington is the last piece of the puzzle. The Plan recommends exactly this type of project. The Port went through a lengthy RFP process, and San Francisco Waterfront Partners was selected to develop the combined Port parking lot with the surrounding privately owned land – for an 84' high conforming project.

Planning Commission
RE: 8 Washington Project
Jim Chappell, page 2

The Project was then put on hold at the request of Board of Supervisors President Chiu, so it could go through a 16-month planning process with community stakeholders, urban design professionals and Planning Department staff. That process, called the Northeast Embarcadero Study, yielded the public realm and height and massing guidelines that have shaped the 8 Washington Project into its current form. That is where the proposed building heights come from – from the *public* planning process. While that planning process did not present a magic solution that satisfied the long standing project opponents, who are seemingly intent on opposing any feasible project, it did indeed recommend the exact type of project that you will see when it is presented to you on January 19.

That will present the true picture of the project and the long professional and community process that has gone into 8 Washington over many, many years, and the widespread public support that has evolved for it.

Much has been made of the desire to retain views from the Northern corner Ferry Building to Coit Tower. There is no particular logic in retaining that one particular view. In many locations along the Embarcadero, the view of Coit Tower is cut off by either trees, the Golden Gateway Apartments themselves (which block the views of Coit Tower from in front of much of the Ferry Building) or the 4-story Golden Gateway Commons. It is a well-established design principle that episodic views are far more interesting than continuous uninterrupted views. This is why a photographer always puts a tree or some other feature in the foreground partially blocking a view, to add depth and interest and a sense of movement.

The 8 Washington project is based on public policy and planning principles of bringing the public to the waterfront, putting surface parking lots underground, while balancing the needs of long-standing project opponents who would like to see their private club and recreation preserved just as it is. I hope you will approve this excellent project as proposed.

Sincerely,

Jim Chappell

Alec Bash
936 Church Street
San Francisco CA 94114
December 16, 2011

Supervisor David Chiu, President, San Francisco Board of Supervisors
Supervisor Eric Mar, Chair, Land Use and Economic Development Committee
Supervisor Malia Cohen, Vice-Chair, Land Use and Economic Development Committee
Supervisor Scott Wiener, Member, Land Use and Economic Development Committee

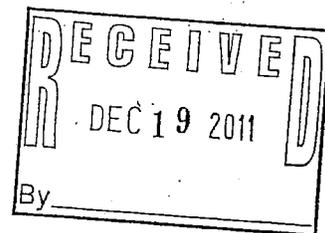
Re: Item 111092 - Hearing on 8 Washington Development and Waterfront Upzoning

Dear Supervisors Chiu, Mar, Cohen and Wiener:

Thank you for the opportunity to testify at this past Monday's Committee Meeting. As I mentioned, I worked 25 years at San Francisco's Planning Department and 5 years at the Port of San Francisco. I serve as an interested citizen on the Port's Northeast Waterfront Advisory Group where we have had numerous presentations on both the 8 Washington Project and the Planning Department's Northeast Embarcadero Study/Urban Design Analysis.

Please consider the following points regarding the 8 Washington Project:

- The project sponsor's original proposal was all within the site's existing 84-foot height limit, they were not seeking changes. Their current proposal followed from public comments during the Northeast Embarcadero Study that they should have lower heights along The Embarcadero and higher in back along Drumm Street.
- The project now provides a desirable transition from the city to the water – next to the 22-story Golden Gateway Tower, the project proposes 8 to 12-stories along Drumm Street, then reducing to 4 to 6-stories along The Embarcadero.
- When the Golden Gateway Towers and the Swim and Tennis Club were developed, nobody could have imagined that the dividing freeway would come down and that in the future the redevelopment should include a transition towards the water. In fact, the fourth and tallest of the Embarcadero Center buildings was proposed closest to the water.
- The project sponsor has demonstrated their commitment to excellence on the waterfront with their Piers 1½-3-5 project immediately across The Embarcadero. Their retail, open space and public access improvements have helped enliven and activate that east side of The Embarcadero, and they would do the same across the street on the west.



- Prior projects proposed for this site were terrible, just like several proposals for a new Giants ballpark before the last one was finally approved and built. This project is the first worthy of the site to complete the Ferry Building waterfront.
- The Planning Department's Northeast Embarcadero Study called for retaining 40-foot height limits along The Embarcadero north of Broadway. Providing a transition from the Golden Gateway Tower to the waterfront would not set a precedent for any other property along The Embarcadero north of Broadway, as there are no other such situations in the Northern Waterfront, near downtown with its much larger buildings.
- The Planning Department's Study also called for opening connections from Sydney Walton Square to The Embarcadero along the Pacific and Jackson Street rights-of-way, as proposed by this project.
- The proposed 420 underground parking spaces are primarily for the project's 165 condominiums (165 spaces) and to replace on-site parking (105 spaces), parking recently removed at Pier ½ (72 spaces), and parking to be removed when Sinbad's Restaurant (20-30 spaces?) is demolished for the proposed expansion of the Downtown Ferry Terminal.
- The proposed loss of tennis courts is in part compensated by the gains in improved swimming and fitness facilities. With members coming from all over the city and beyond, the question boils down to how important are the existing club's nine tennis court and how would their loss compare with the tennis courts available in the rest of the city.
- Finally, my understanding is that the California State Teachers Retirement System is the primary financial investor in this project, and as such California's teachers would be primary beneficiaries of any financial success the project may achieve.

Thank you for your consideration of these comments.

Sincerely,



Alec S. Bash

→ cc. Alicia Esterkamp Albin, Pacific Waterfront Partners

To: Supervisor David Chiu, President Board of Supervisors
From: RENEW SF, a neighborhood organization
Date: December 22, 2011
Subject: 8 Washington St. Project by Pacific Waterfront Partners

RENEW SF is a neighborhood organization that has worked for many years on various projects, both small and large, designed to improve the beautification and cultural and economic life in the northeast sector of San Francisco, particularly North Beach, Telegraph Hill, and the northeast waterfront.

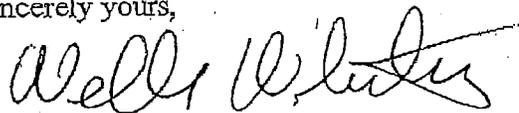
In particular, RENEW SF is very familiar with the above-mentioned project; we have written letters of support and testified previously on its behalf. We have studied the plans in some detail and have met over the past few years with the developers as well as with other neighborhood people and groups. We ask you to also support this project.

At this time we understand that there still may be some concerns about the project. We believe that the heights and height progressions are contextual and consistent with the years of planning efforts through the Waterfront Land Use Plan and the Northeast Embarcadero Study, both planning efforts of which we participated in.

Furthermore, there are many community and public benefits to be gained with the completion of this project. There will be 30,000 SF of public open space created, surface parking will be re-located underground; there will be significant and interesting ground floor restaurants and retail, and an improved and rebuilt recreation club. In addition there will be significant financial benefits to the Port of San Francisco.

We urge you to support this project.

Sincerely yours,



Wells Whitney

Co-founder and present Board Member of RENEW SF

Justin L. Allamano
Waterfront For All
2555 Leavenworth #206
San Francisco, CA 94133

December 12, 2011

Land Use and Economic Development Committee
City Hall, Committee Room 263
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Re: 111092 -- Hearing - 8 Washington Development and Waterfront Upzoning

Supervisors,

- WFA is strongly in support of 8 Washington and believe the proposed project is a meaningful opportunity to continue the waterfront's revitalization spurred by the removal of the Freeway and the renovation of the Ferry Building, Pier 1 and Piers ½, 3 and 5.

8 Washington would provide numerous benefits to the waterfront and to the city of San Francisco including renovating the existing recreational facility and replacing the parking lot and infamous green fence with a vibrant waterfront community of residential housing, new retail and restaurants, below-ground parking and three new public open spaces.

This site is the final piece of the Ferry Building Waterfront Area and this project is a successful example of the types of responsible development that can occur on our waterfront with the support of the Commission.

As to the subject of heights, originally, the site was zoned for 84 feet across the board, even where the Club sits today. Most of us around the table felt that 84 feet was too high for the entire site—that it was important to lower the heights south of Jackson so that the views of the residents of the Commons were preserved and that the feel of that open area was kept in tact. Then as you progress north, the consensus was to step up the heights—gradually. So that the height right on the Embarcadero was lower than 84 feet and the area in the back, adjacent to the tall high-rises, was taller.

This stepped approach overall actually lowers the height of the overall site. The average before was 84 feet. Now the average is 37. The project opponents are claiming spot zoning is taking place to allow for 136 feet. That's really distorting the picture. After a long collaborative planning process that I took part in, the recommendation is to actually lower the heights in some areas, and raise them in others.

That's exactly what 8 Washington does.

Justin L. Allamano
Waterfront For All
2555 Leavenworth #206
San Francisco, CA 94133

Finally, when you weigh what is currently on the site (private tennis club and two parking lots) compared to what the project would provide - housing, renovated club and many public benefits that will be paid by the developer and future homeowners - it is clear that this project is an incredibly deal for the Port, the City and its residents (especially the 99% like myself).

I urge you to support it when it comes before you.

Regards,

Justin Allamano

Toby Levine
255 Berry Street, # 609
San Francisco, Ca. 94158\647-3052
tobylevine@earthlink.net

Dear President Chiu, and
Supervisors Mar, Cohen and Weiner,

December 12, 2011

I am a retired Planning Commissioner from the 90's. During that time, I was also a member of the Waterfront Land Use Plan Advisory Board. We spent 6 years developing a Prop. H mandated plan for the waterfront. That plan was adopted by the Port Commission in 1997. Subsequently, Advisory Groups were established by the Port throughout the Waterfront. For several years, I was the Chair of the Northeast Waterfront Advisory Group, and am currently a member, though I do not speak for the Committee.

In the Waterfront Land Use Plan, seawall lot 351 was designated as a "mixed use Opportunity site" and 8 potential uses were identified for that site, including 5 that are a part of the 8 Washington plan. These include **Public** open space, residential housing, parking, retail job generators, and recreational enterprises.

The Waterfront Design and Access Plan, also approved in 1997, is deeply concerned with the issue of reuniting the City with its waterfront. The original Committee may not have dreamt that Jackson and Pacific Streets could reach the Waterfront, since they were blocked by an impenetrable green wall. The current 8 Washington plan removes the wall and makes it possible for residents and workers from the nearby neighborhoods to access the waterfront. **This may be the most important Long-term feature of the 8 Washington Plan.**

Public Benefits I will list according to my personal priorities:

1. Pedestrian opening of Jackson and Pacific to the waterfront once again.
2. 33 units of affordable housing during a time of diminished resources
3. Funds for the Port to repair Historic bulkhead buildings and rotting piers
4. A new **public** park for children
5. Parking for the Ferry Building market and businesses since they will soon lose the parking garage at Howard Street
6. Substantial and ongoing revenue for the City
7. And, of course, the construction employment.

Heights

As you listen to the testimony, you will note that heights appear to be the driving force in the efforts to terminate this project. In general, heights and views are not protected in the Planning Code. The Golden Gateway Tower East directly across from 8 Washington rises 270 feet above the waterfront with no stepping down to soften the image. This very tall, double-loaded corridor apartment house, will be made more gentle by the step down provided by 8 Washington. (139', then 92', then 81', then 70', then 59', then 48', then 35', then 18', then zero). In fact, everything north of Jackson Street is below 35'. And actually, if you average the heights over the entire 8 Washington site, you will find that the average reaches 37'. This is not a giant, eye-blocking project.

Aesthetic Benefits

The 8 Washington consists of a team of aesthetically driven architects and planners who will provide the City with a remarkable development which will make us all very proud. They are also receptive to new ideas to improve the project. I have witnessed the Project evolve over several years, and know that Waterfront Partners has delivered a beautiful, historic rehabilitation of piers 1 1/2, 3 and 5. We expect the same high quality at 8 Washington.

I strongly urge you to support this project what will benefit all the citizens of San Francisco.

Thank you for providing an opportunity to update 8 Washington,
Toby Levine



532 Folsom Street, Suite 400
San Francisco, CA 94105
(415) 777-2914

April 22, 2010

Mayor Gavin Newsom
City Hall
1 Dr. Carlton B. Goodlett Place, Room 200
San Francisco, CA 94102

Supervisor David Chiu
City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689

Ms. Kate McGee
Department of City Planning
1650 Mission Street, 4th Floor
San Francisco, CA 94103

Ms. Monique Moyer, Port Commissioners & Executive Director,
Port of San Francisco, Pier 1
San Francisco, CA 94111

Re: 8 Washington Street

Dear Mayor Newsom, President Chiu, Ms. McGee, Commissioners, Ms. Moyer:

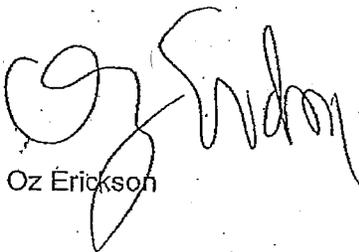
Emerald Fund has been developing properties and working with neighborhoods in San Francisco since 1979. Altogether, we have constructed or substantially renovated some 2000 condominiums and apartments, 420,000 square feet of office space, 376,000 square feet of retail, and, together with Joie de Vivre, built the 200-room luxury waterfront hotel, the Hotel Vitale.

The San Francisco waterfront has enjoyed numerous successes over the years, from the Ballpark to the Ferry Building to Herb Caen Way. None of these projects have come without controversy (remember the palm trees on the Embarcadero?). Combined, however, these waterfront projects have certainly provided the Port and the City with a successful, renewed waterfront. We cannot take this success for granted as our City and waterfront will not prosper without continuing growth and change.

In my personal opinion seawall Lot 351 and the surrounding Golden Gateway land is the right location for a mixed-use development such as 8 Washington Street, the plans for which I have reviewed. Not only does this project maximize the value of an underutilized surface parking lot for the Port, but the additional residents and restaurants and retail, brought in by this project, will continue to help revitalize the neighborhood and strengthen the surrounding businesses. Additionally, the public open space will provide more play space, better views (particularly down Washington Street) and connections to areas that have been blighted and cut off by parking lots and tennis club fences, Existing conditions that are bad for the Ferry Building Waterfront Area.

I urge you to bear in mind the well-being of the local businesses in the area and their value to this waterfront when considering this project. While some of the smart planning on the waterfront has included the removal of over water and surface parking around the Ferry Building, the replacement of this parking must be considered as an integral component to 8 Washington. Many of our businesses depend on the success of the Farmers' Market – a market which cannot survive without some permanent parking solution. Hotel guests at the Vitale love to visit the Farmers' Market, and its loss would be very harmful for the Vitale. 8 Washington, with parking, will help preserve the Farmers' Market, "a consummation devoutly to be wished". It would be very bad for the neighborhood to permanently lose over 400 existing surface and over-water public parking spaces, a loss that could significantly affect the viability of the Waterfront. I thus urge you to support and ensure that a 250 space public garage be included in 8 Washington.

Sincerely,



Oz Erickson

To: Supervisor David Chiu, President board of Supervisors
From: Wells Whitney & Anne Halsted, residents of Telegraph Hill
Date: December 22, 2011
Subject: 8 Washington St. Project by Pacific Waterfront Partners

We are both long term residents of Telegraph Hill and both of us have participated in many community organizations and in community improvement projects over many years.

In particular, we are very familiar with the above-mentioned project; we have written letters of support and testified previously on its behalf. We have studied the plans in some detail and have met over the past few years with the developers as well as with other neighborhood people and groups. We ask you to also support this project.

At this time we understand that there still may be some concerns about the project. We believe that the heights and height progressions are contextual and consistent with the years of planning efforts through the Waterfront Land Use Plan and the Northeast Embarcadero Study.

Furthermore, there are many community and public benefits to be gained with the completion of this project. There will be 30,000 SF of public open space created, surface parking will be re-located underground; there will be significant and interesting ground floor restaurants and retail, and an improved and rebuilt recreation club. In addition there will be significant financial benefits to the Port of San Francisco.

We urge you to support this project.

Sincerely yours,



Wells Whitney

Anne Halsted

1308 Montgomery St., San Francisco, CA 94133

Dear Supervisor Chiu:

My husband and I have looked over and discussed the plans for the 8 Washington Project. We believe it is a good use of the land, which is currently something of an eyesore, and that it will add rather than detract from life on the North Waterfront, even though it will almost certainly bring more traffic.

I have been to one meeting to discuss the project with the architects leading the project, but was unable to attend either of the last two meetings, where I understand that there was very little to no opportunity for people who wanted to speak up in favor the 8 Washington plan rather than attack it, and that the citizens there to criticize the plan were rancorous, rowdy, and rude to those who opposed them. Despite their years of campaigning and their most recent deplorable behavior, there remain more rather than fewer who support 8 Washington.

We want you to know that we hope you will vote for the project, and that we will show up to back you up.

Sincerely,

Judy Cunningham

101 Lombard

From: "Marcy Albert" <marcy@abcg.com> To: "David Chiu" <David.Chiu@sfgov.org> Date: 12/10/2011 02:19 PM Subject: Emails getting thru?

I just sent emails to you, Eric and Malia regarding the 8 Washington project and, in particular, the hearing on Monday. I realized when I received an acknowledgement from Malia that my note had been received, that I did not receive one from you, either from this email nor one I sent several weeks ago about the project. Can you verify that you are getting my emails? Here is the text of the one I sent today: I understand that this project is coming before the Land Use committee on Monday and I urge you to approve their petition for height waivers. We urge you to move this project forward. The developer has designed a project whose height is stepped down toward the waterfront. More importantly the development will replace a large, unsightly green-fenced private club with several lovely public areas as well as a smaller private club being designed in accordance with the current club owners. We will be happy to be able to walk from our condo here in the NE waterfront to the parks and public areas once the project is complete. Please don't buckle under the NIMBY opposition who only want to keep playing tennis on the waterfront instead of one of the other Western Athletic Club facilities. Thank you, Marcy & David Albert Thanks,
Marcy Albert 101 Lombard St., #904-W San Francisco, CA 94111-1121 Home & Office: 415-627-6900

From: Chip Conley [cc@jdvhotels.com]
Sent: Tuesday, January 27, 2009 6:46 PM
To: david.chiu@sfgov.org
Cc: monique.moyer@sfport.com; Alicia Esterkamp
Subject: support for 8 Washington Street

Dear Supervisor Chiu:

Congratulations on your recent election. As you may know, Joie de Vivre Hospitality operates more hotels in San Francisco than any other hotelier (17). We are a San Francisco-based hospitality company which operates three dozen boutique hotels, such as San Francisco's Hotel Vitale, Hotel Kabuki and The Phoenix Hotels. We operate under the philosophy of "creating dreams" for both our employees and customers and pride ourselves on providing unique, quality services and products that become landmarks in the community. Likewise, San Francisco Waterfront Partners is committed to the same level of quality with regard to their work on the waterfront.

Please consider the initial controversy and the subsequent success and revitalization impacts that projects such as the Hotel Vitale and the Ferry Building have brought to the waterfront. Likewise, we believe that this project is a win-win for the Port, the City and the waterfront. This project has committed over half of the land area to public open space and recreation and provides a new collection of restaurants and retail to further add to the vitality of the neighborhood. We urge you to support progress in our City and support 8 Washington.

Happy New Year,

Chip Conley
Founder & CEO
Joie de Vivre Hospitality
415.248.5940 direct
www.jdvhotels.com
Joie de Vivre Hotels - fresh, inventive and casual. - Uniquely California.

*My latest book, **PEAK: How Great Companies Get Their Mojo from Maslow**, is now in bookstores. For more information or to place an online order, please visit www.chipconley.com.*

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Dear Supervisor Chiu,

As a resident/homeowner in your district who lives a block from the Embarcadero, I am excited at the prospect of the enhancements proposed by the 8Washington group. I have no personal connection whatsoever to this group- architects, developers, engineers, etc. but I've attended several meetings and seen their presentations. I feel that their plans are quite attractive and will serve to improve the waterfront area for everyone.

I would like to suggest that the opposition to 8Waterfront (and the America's Cup promoters) is unusually vociferous and my opinion is that they resist change for the sake of resisting change. It's the same small but rude and obnoxious gang of cranky old codgers that turns out to oppose everything new.

I have decided after attending last night's meeting of NEWAG that I need to make my own voice and that of my like-minded neighbors known. I will continue to attend meetings pertaining to waterfront concerns and I will speak up even though I am a bit shy. Mr. Chiu, you have to know that there exists a silent majority who approve the proposed improvements to our waterfront. These people do not yell and whoop or hiss, boo or make catcalls so you may not know we exist. But I pledge that I, at least, will speak up in the future.

Respectfully,

Paula M. Hewitson

101 Lombard St. #603W

SF, CA 94111

November 21, 2011

Pacific Waterfront Partners
Pier 1, Bay 2
San Francisco, Ca 94111

Dear Pacific Waterfront Partners,

I am writing to express my support for your proposed project located at 8 Washington Street along the Embarcadero.

As the Executive Director of the Chinese Historical Society of America, and a lifelong San Francisco resident who grew up in the area of the proposed project, I have a keen interest in the proposed project and its compatibility with the surrounding neighborhood.

After careful review, and after seeing how the project has been revised in response to neighborhood concerns, I believe the 8 Washington project will have a positive impact in the neighborhood.

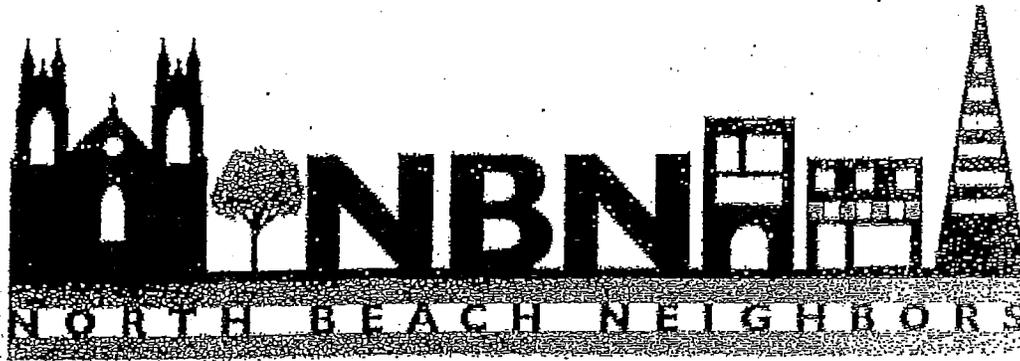
Since the Central Freeway came down, the Embarcadero has become a vibrant lifeline to the Bay. However, residents of Chinatown have not had the access to the Embarcadero that its proximity and history would presume. The land side of the Embarcadero, where the project is proposed, has long been under-used, access has not been user friendly. The proposed project will bring vibrancy and foot traffic to the area, enhancing the area for everyone.

In addition, Chinatown residents, many living in single room occupancy hotels with few options for park and open space will find the proposed new dedicated open space and recreation amenities a godsend. Seniors and families with children will find their way down Jackson Street and Pacific Avenue to take advantage of the open space and playground, and have easier access to the Embarcadero.

Sincerely,



Sue Lee



To: To Pacific Waterfront Partners
Pier 1, Bay 2,
San Francisco, CA 94111

Subject: 8 Washington

Date: 1-Nov-2011

North Beach Neighbors has reviewed the proposed project on 8 Washington and has listened to presentations by both the project sponsor and some of the opponents of the project

After considering the merits of the project and also taking into consideration some of the opposing viewpoints on the project, North Beach Neighbors is in support of the project in its current configuration.

While the project will reduce the size of the current private club on the location, we believe the net increase in total recreational space will have a positive impact on this portion of the city

When taking the overall project into consideration, North Beach Neighbors supports the project

If you have any questions regarding our support of this project, please feel free to contact me at susanmcc@globalnet.net.

Regards,

Susan McCullough

North Beach Neighbors - President

September 27, 2010

Attn: Port Commissioners
San Francisco Port Commission
Port of San Francisco Pier 1
The Embarcadero San Francisco, CA 94111

RE: The Term Sheet for SWL 351 as part of 8 Washington Project

Dear Port Commissioners,

I am writing the San Francisco Port Commission to express my support for Pacific Waterfront Partners' proposed project for 8 Washington. As a local business enterprise in North Beach and partner of Kuth/Ranieri Architects, as well as a twenty-year resident of San Francisco, I am fully supportive of the project, its design excellence and most critically its well considered contribution to the San Francisco's waterfront. The proposed project 8 Washington will promote active and healthy uses for the waterfront.

The development of Seawall Lot 351 and Golden Gateway land is key and affords the City the chance to repair damage done by the Embarcadero Freeway. 8 Washington's program of pedestrian friendly housing, new pedestrian corridors, ground-floor retail, publicly accessible open space, and much needed underground parking is well suited to the Embarcadero; an ideal location for high-density housing on a major transit corridor with open access to the waterfront.

The existing Golden Gate Tennis and Swim Club with its opaque fence, only further privatizes the waterfront. 8 Washington would replace a substantial portion of the club in a positive way, with larger fitness and pool amenities. Removing a portion of the private tennis courts in exchange for public open space is small but civic-minded compromise. This project will strengthen our city as a *walkable city*, extending the pedestrian corridors to connect Jackson Square, North Beach, and Chinatown to the Embarcadero, encouraging more pedestrian and bike traffic to and from the waterfront.

No development is not better development. This project embraces larger planning considerations that will activate our waterfront, providing a vital link to the Embarcadero's urbanism as well as assure design excellence and standards that looks forward rather than backward; assuring San Francisco's urban life as a livable city.

Respectfully,

Elizabeth Ranieri, FAIA, LEED AP, NCARB
Partner



July 7, 2010

To Whom It May Concern

SUBJECT: Northeast Embarcadero Study (NES)

BCDC's staff has followed with interest the Northeast Embarcadero Study over the past 15 months. We have not actively participated in its numerous public meetings and workshops because the NES addresses an area that is inland of BCDC's permit jurisdiction. However, we are highly supportive of this effort because it aims to compliment the improvements BCDC and the Port of San Francisco have achieved on the Bay side of the Embarcadero and enhance the dramatic success of the Embarcadero boulevard itself.

Moving forward with urban design guidelines that encourage appropriate development on the inland side of the Embarcadero is an essential step in achieving the goal embraced by the City of San Francisco, the Port of San Francisco and BCDC--reconnecting the city and the bay that share the name San Francisco. We have reconnected the Bay to the Embarcadero. Now we need to reconnect the Embarcadero to the City. A thread of carefully planned, appropriately scaled and well designed buildings, parks and open spaces along the south side of the Embarcadero will accomplish this. An Embarcadero framed with outstanding architecture and pleasing public open spaces along both sides will surely become one of the grand boulevards of the world.

For all these reasons, our staff commends the Northeast Embarcadero Study and urges that efforts to refine and implement its recommendations move forward as quickly as possible.

Sincerely,

WILL TRAVIS
Executive Director



Inlandboatmen's Union of the Pacific

MARINE DIVISION — INTERNATIONAL LONGSHORE & WAREHOUSE UNION
NATIONAL OFFICE • 1711 W. NICKERSON ST., STE. D • SEATTLE, WA 98119 • (206) 284-6001 • FAX: (206) 284-5043



March 23, 2010

Mr. John Rahaim, Director
San Francisco Planning Department
1650 Mission Street, 5th Floor
San Francisco CA 94103

Re: Comments on Northeast Embarcadero Planning Study Principles
SWL 351 (Embarcadero & Washington) - Supporting Flexible Height Limits

Dear Mr. Rahaim:

Both our unions crew Bay Area commuter ferry routes. For years, we have strongly advocated for expansion of Bay Area's ferry routes and facilities. As explained in our January 4, 2010 letter to you, we view the 8 Washington Street project as the linchpin for the next phase of expansion docks next to the Ferry Building needed for emergency response and commencement of Treasure Island Ferry Service. The replacement parking that is included in the proposed 8 Washington Street Project is needed to get this project delivered. At stake is over \$20 million in state and regional funds that have been allocated to the Downtown Ferry Terminal Expansion project.

We understand that after a lengthy public comment period, your department is now considering a more flexible approach to the original recommendation to lower the height limit to 65 feet. We support this and we are glad to see the progress that has been made in considering less burdensome height limits that will facilitate 8 Washington Street's progress. We ask that your department consider imposing the following height limits that include a "stepping up approach" for SWL 351 that will be responsive to the diverse residential, commercial, labor and public interests:

- Embarcadero Frontage, between Washington and Jackson: 4-6 stories, stepping up to the south toward Washington Street.
- Drumm Street Frontage, between Washington and Jackson: 8-12 stories, stepping up to the south toward Washington Street.

Thank you for your consideration. We look forward to your final recommendations.

Sincerely,
Marina V. Secchitano

Marina V. Secchitano, Regional Director
Inlandboatmen's Union of the Pacific (IBU)

Raymond C. Shipway

Captain Raymond W. Shipway
California Branch Agent International
Organization of Masters,
Mates & Pilots (MMP)

cc: Honorable David Chiu, President
San Francisco Board of Supervisors

Ms. Kate McGee, SF Planning Department
Ms. Kathleen Diohep, Port of SF

REGIONAL OFFICES

PUGET SOUND
1 W. Nickerson, Ste. D
Seattle, WA 98119
(206) 284-5040
AX: (206) 284-5043

REGION 37
1711 W. Nickerson, Ste. D
Seattle, WA 98119
(206) 284-5321
FAX: (206) 284-5043

COLUMBIA RIVER
2435 NW Front Ave.
Portland, OR 97209
(503) 228-5000
FAX: (503) 223-2556

SAN FRANCISCO
450 Harrison Street
San Francisco, CA 94105
(415) 896-1224
FAX: (415) 896-1226

HAWAII
1001 Dillingham Blvd., Rm. 217
Honolulu, HI 96817
(808) 847-0611
FAX: (808) 847-8051

SOUTHERN CALIFORNIA
1911 N. Gaffey, Ste. A-B
San Pedro, CA 90731
(310) 521-9003
FAX: (310) 521-9084

KETCHIKAN
Post Office Box 6300
Ketchikan, AK 99901
(907) 225-6360
FAX: (907) 225-8656

JUNEAU
8017 Clinton Drive, Ste 20
Juneau, AK 99801
(907) 790-9644
FAX: (907) 790-9646

December 12, 2011

The Port Commission
The Ferry Building, Second Floor
San Francisco, CA 94111

Re: 8 Washington

Dear Members of the Port Commission:

I am writing in support of the 8 Washington Project.

The removal of the Embarcadero Freeway has given way to the transformation of the waterfront land and the development of the wonderful civic boulevard that carries San Franciscans and visitors around the waterfront. The Embarcadero is both a major transit corridor and a destination. Developments such as the Ferry Building, AT&T Ballpark, Pier 1, 1½ and 3 are celebrated new assets to the waterfront and to our City as whole. Continuing the improvements on both sides of the Embarcadero, especially where surface parking lots remain is a very important step in continuing the momentum of these projects. The 8 Washington Project is an excellent example of this type of development and the design responds thoughtfully to the guidelines outlined in the Northeast Embarcadero Study that was approved by the SF Planning Commission.

The 8 Washington project is a wonderful example of sustainable urban living with housing located in a beautiful, desirable and convenient location with direct access to a major public transit corridor and in close proximity to the central business district. The high-density 2 and 3 bedroom units will attract families along with the additional retail and restaurants to the waterfront. The new residents will add vitality and safety to this area.

The plan creates public open spaces and a children's park that will provide both recreation areas and pedestrian connections from Jackson and Pacific Streets to the Embarcadero. Currently, these pedestrian ways are blocked by the chain-link fencing around the private tennis courts of the Bay Club. Connections like these are important to both the businesses and residents of Jackson Square, Chinatown and North Beach. The removal of the fencing around the Bay Club would not only improve the aesthetic of the Embarcadero but create better access to these neighborhoods by both residents and visitors.

The Northeast Embarcadero Study (NES) established height limits for this area that connect the downtown area to the south with the residential areas to the north and east. The design and scale of the 8 Washington project reflect the height recommendations within the study and the architectural design thoughtfully responds to transition from the business district "edge" to the residential neighborhood.

In summary, the 8 Washington project will establish the Northeast Embarcadero as one of San Francisco's cherished neighborhoods with close proximity to great restaurants, convenient

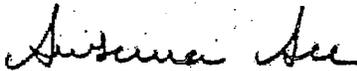
December 12, 2011

Page 2

transportation and public recreation. The project takes a surface parking lot (leftover space) and transforms it into a long-term asset for San Francisco. The design of 8 Washington buildings and site reflect the recommendations of North Embarcadero Study and provides a viable balance of both housing, public amenities and parks. This is a project that the Port and City of San Francisco will be proud of for generations.

Very truly yours,

WSP FLACK + KURTZ



Susanna See, P.E., LEED AP
Executive Vice President

RICK LAUBSCHER
870 MARKET STREET, SUITE 817
SAN FRANCISCO, CALIFORNIA 94102

November 14, 2011

Honorable Members of the San Francisco Port Commission

Ré: 8 Washington Street Project

I am writing to express my personal support for the 8 Washington project. As a fourth generation San Franciscan, I've been here long enough to have lived through the more than 30 years when the Embarcadero Freeway blighted block after block of our northeastern waterfront.

During that period, planning and building decisions were made that turned the city's back on that monstrosity. These may have been the highest and best use of the land at that time, but times have changed. Since the freeway's removal, we have seen the historic buildings on old East Street Row (Embarcadero between Mission and Howard) come alive again; we have seen the vibrant addition of Hotel Vitale with its lively indoor-outdoor Café Americano; we have seen the vitality brought to the area by the F-line streetcars and the bicylists and pedestrian traffic on Herb Caen Promenade. But a shadow of the freeway remains in the eyesore parking lot at Washington and The Embarcadero.

As I understand it, the proposed 8 Washington project preserves the recreational features of the project site. And, importantly, it brings a handsome new face to that critical corner of the greater Ferry Plaza area, with residential units that will provide much needed property tax revenues to the city, while removing the blight of surface parking from that highly visible location.

As evidenced by the Piers Project (Piers 1½-3-5) across The Embarcadero from the project site, this developer has demonstrated a sensitivity to urban context and the ability to create engaging and vibrant spaces for people.

Joining with many others, I encourage your commission to approve this project and further enhance our northeastern waterfront.

Sincerely,



Rick Laubscher

November 10, 2011

Alicia Esterkamp Allbin
Pacific Waterfront Partners
Pier 1, Bay 2
San Francisco, CA 94111

Dear Alicia:

Thank you for taking the time to present your project to the South Beach | Rincon | Mission Bay
Neighborhood Association.

As the waterfront neighborhoods become more established as places where residents can not
just live, but enjoy recreation, shop and have access to transit, I believe your project will be a
positive addition.

In particular, your plans to open Jackson Street and turn what is currently private space, into a
commons for all San Franciscans to enjoy, as well as the improvements for pedestrian access,
will be a welcome addition, and you have my support.

Sincerely,



Katy Liddell
403 Main Street #813
San Francisco, CA 94105
415.412.2207

PAGE & TURNBULL

imagining change in historic environments through design, research, and technology

September 27, 2010

San Francisco Port Commission
Pier 1, The Embarcadero
San Francisco, CA 94111

Email: rodney@waxmuseum.com

RE: Port Commission Hearing - 8 Washington

Dear President Fong and Commissioners:

After studying the plan for 8 Washington and comparing it to the goals of the Northeast Embarcadero Study, we write to offer our support of this project.

8 Washington would begin to establish the western edge of the Embarcadero in an area where the urban edge is currently defined by a parking lot and a chain-link fence. The Northeast Embarcadero Study set into place measures to encourage appropriate height limits for new construction that would accommodate new housing and retail uses in this area. As anyone who has walked along the western edge of the Embarcadero knows, this section of our city's grand promenade needs ground-level uses - not parking lots - to enliven it, to make it safe, and to make it engaging for visitors and residents alike.

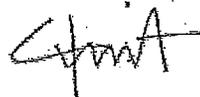
Extending Jackson Street and Pacific Avenue to the Embarcadero as pedestrian thoroughfares would reconnect Chinatown and Jackson Square to the waterfront in a way that has been lost since before the Embarcadero Freeway was built.

The plan for 8 Washington meets the objectives of the Northeast Embarcadero Study, and we are confident that it will be a positive addition to the city's eastern edge. We lend our support to this important project.

Sincerely,



J. Gordon Turnbull, FAIA
President



Carolyn Kiernat, AIA
Principal

Cc:
K. Brandon: kimberly.brandon@morganstanley.com
A. Lazarus: ann@fortmason.org,
M. Moyer: monique.moyer@sfport.com
K. Diohep: kathleen.diohep@sfport.com,
D. Chiu: david.chiu@sfgov.org

ARCHITECTURE
PLANNING & RESEARCH
BUILDING TECHNOLOGY

Eric Staten
22 Montezuma Street
San Francisco, CA 94110
415.265.2714
eric.staten@gmail.com

27 September 2010

Port Commission of San Francisco
Port of San Francisco
Pier 1, The Embarcadero
San Francisco, CA 94111

Members of the Port Commission and Board President David Chiu:

I am a long-time San Francisco resident and user of the Embarcadero, and I am writing to support the 8 Washington project.

8 Washington builds on the momentum of improvements to the central and northern waterfront that began after the removal of the Embarcadero Freeway and responds to the design guidelines within the Northeast Embarcadero Study.

The waterfront needs active – not passive uses. Development of Seawall Lot 351 combined with the adjacent Golden Gateway land affords the City opportunities to repair damage done by the Embarcadero Freeway. It is in the City's best interest to replace surface parking lots with pedestrian friendly projects such as 8 Washington that provide housing, new pedestrian corridors, ground-floor retail, publically accessible open space, and much needed underground parking.

The Embarcadero is a major transit corridor, and as such, is an ideal location for high-density housing. 8 Washington provides 2-3 bedroom units, would accommodate the need for additional housing for families in the City. These new residents along with the additional restaurants and retail will help add to the vitality and safety of our waterfront and is smart growth for our City.

The existing Golden Gate Tennis and Swim Club is clearly an asset its members. However, its opaque fence which surrounds nearly three blocks of waterfront property along with its private nature are no longer an acceptable use in this area. 8 Washington would replace a substantial portion of the club, with larger fitness and pool amenities, albeit reducing the number of private tennis courts. However, the compromise of removing a portion of the private tennis courts in exchange for public open space is the right one for this very civic waterfront and its visitors.

The NES suggests that Jackson Street and Pacific Avenue should be extended as pedestrian corridors connecting Jackson Square, North Beach, and Chinatown to the Embarcadero. These connections are an important part of reconnecting our City with the waterfront and encouraging more pedestrian and bike traffic to and from the waterfront. 8 Washington provides these connections and areas for recreation and views to and from the Bay.

The height limits established in the Northeast Embarcadero Study are appropriate for the area and fit in with the scale of the surrounding neighborhoods. The 8 Washington team has made necessary refinements to the design and scale of the buildings following this Study. The varying heights reflect the topography of the surrounding hills and allow for appropriate density while preserving the episodic views to and from the Embarcadero and Coit Tower. These height limits will allow for creative and quality architectural design deserving of San Francisco.

Projects like 8 Washington, that would improve public life, aesthetics of the area and the pedestrian environment, are appropriate and necessary on our waterfront. Our waterfront is one of our City's greatest assets and has benefitted from developments such as the Ball Park, the Ferry Building, Pier 1 and Piers 1 1/2 3 and 5 on the Bayside of the Embarcadero. It is time for the landside of the Embarcadero to share in this redevelopment to create a world-class waterfront – not a waterfront of surface parking lots and hideous fences.

This project responds to many stakeholders' desires while maintaining urban planning and design excellence. With less than half of the land going to housing and over half of the land going back to public amenities and recreation, this is a generous project, which the Port and City should welcome.

Yours truly,

Eric Staten

Cc: David Chui, President, San Francisco Board of Supervisors
Alicia Esterkamp Allbin, Pacific Waterfront Partners, LLC

9-15-10

Stanley Saitowitz /
Natoma Architects
Inc.

Members of the Port Commission:

I am writing to strongly support 8 Washington.

It is surprising that it is necessary to write this letter for a project that has so many obvious benefits for its neighborhood and the city. It replaces an open parking lot and ugly blind fenced private sports facility on a site in the heart of the waterfront, an area that in the recent past has become one of the most heavily used and delightful places in the city - this is the first area that I now take family and friends when they visit San Francisco. The site for 8 Washington in its present condition is still like the Embarcadero before the freeway was torn down - an urban wasteland. Anyone fearful of change just needs to remember the transformation that has already occurred here.

The project expands the alive and vital qualities of the new Embarcadero onto this site. Not only does it do this, but it achieves this revitalization with the most skillful urban design, making connections and relations to things that were previously blocked or disconnected, providing new public amenities, green space and residents to populate this part of the city. Architecturally the project is first class, and the proposed buildings, their scale and detail, their materials and proportions, are the highest quality. This is an outstanding development that almost any neighborhood in the city, or the world, would welcome, embrace, encourage and want to help facilitate.

Please support this outstanding proposal to transform an absolute nowhere into a very special and memorable place. For the vitality of our city there is nothing to lose, and everything to gain.

1022 Natoma St.
Unit 3
San Francisco
California
94103 -2517

T 415-626-8977
F 415-626-8978

ss@saizowitz.com

Sincerely,



Stanley Saitowitz.
Principal Stanley Saitowitz/Natoma Architects Inc.
Professor Emeritus, University of California, Berkeley.

From: **nathalie sterne** <natsterne@gmail.com>

Date: Mon, Sep 13, 2010 at 8:38 PM

Subject: SWL 351

To: rodney@waxmuseum.com

Cc: ann@fortmason.org, kimberly.brandon@morganstanley.com, kathleen.diohep@sfport.com,
monique.moyer@sfport.com, cameronkathleendeal@gmail.com

Dear Commissioners,

I am writing to you to express my support for the proposed mixed-use development at 8 Washington. As a resident of San Francisco, I visit the waterfront often and am pleased to see that there is a possibility of the vacant seawall lots being developed into such a beautiful attraction.

It is unfortunate that a small group of self-interested neighbors are hoping to stop any sort of progress in the area. San Francisco Waterfront Partners has come up with an amazing vision for 8 Washington – one that will encourage residents and visitors of San Francisco to utilize our unique waterfront. I encourage you to move forward with developing Seawall Lot 351.

Sincerely,

Nathalie Sterne

natsterne@gmail.com

8 July 2010

President Ron Miguel
Members of the Planning Commission
1650 Mission Street, Suite 400
San Francisco, California 94103

Dear Commissioners:

I read with considerable pleasure and agreement the Planning Department's Northeast Embarcadero Study. Its assertion that the San Franciscan pattern of a "moderately scaled, dense city fronting directly on the waterfront" should be continued in this area accorded directly with my own comments in the public process, as did its recognition that the area would be enhanced by encouragement of resident pedestrian traffic through that density, through active ground floor uses, and through the opening of pedestrian corridors.

It countered effectively the arguments of some that more open space was needed in place of density by its repeated statement that the area's "public open space system represents a resource for the neighborhood, the quantity and richness of which few other neighborhoods in the City enjoy."

I appreciated also its acknowledgement at once of the need to open view corridors and of the value of the occasional, discontinuous nature of City views.

My delight extended even to its use of a Wayne Thiebaud painting as illustration.

I urge your approval if it.

Respectfully yours,

Michael Thériault
Secretary-Treasurer

from Alexis Collins <alexis.k.collins@gmail.com>

to David.Chiu@sfgov.org, kate.mcgee@sfgov.org, rm@well.com, c.olague@yahoo.com, wordweaver21@aol.com, plangsf@gmail.com, bill.lee@flysf.com, mooreurban@speakeasy.net, hs.commish@yahoo.com, kathleen.diohep@sport.com,

cameronkdeal@gmail.com

date Wed, Jul 7, 2010 at 2:11 PM

subject Northeast Embarcadero Study

mailed-by gmail.com

signed-by gmail.com

hide details Jul 7 (2 days ago)

To Whom It May Concern:

Over the past year and a half, I have appreciated the opportunity to give my input on the future of San Francisco's waterfront and I fully support the recently released Northeast Embarcadero Study. I hope that with the new set of principles and recommendations, better and more progressive development will soon begin to shape the Embarcadero.

The Seawall lots that are being used as surface parking are not only eyesores; they are halting progress in the neighborhood. They should be developed to bring amenities, jobs and revenue to the Port and the City. Please consider the city as a whole and not just the insularly interests of immediate neighbors wishing to preserve views and a private tennis club.

Please support the NES and projects such as 8 Washington. This neighborhood has so much potential and deserves progress.

Thank you,

Alexis Collins



SAN FRANCISCO
PLANNING + URBAN RESEARCH
ASSOCIATION

654 Mission Street
San Francisco, California
94105

415.781.8726 t
415.781.7291 f

www.spur.org

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March 24th, 2010

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1650 Mission Street, Suite 400

San Francisco, CA 94103-2414

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Terry Michéau

Dear Ms. McGee,

Secretary
Jean Fraser

SPUR would like to offer its general support for the Planning Department's most recent set of Urban Design Guidelines for the Northeast Embarcadero Study. In particular we agree with planning staff that the Northeast Embarcadero Waterfront is an important resource not just for the entire city, but for the region and for the State. The Embarcadero is a public asset well loved by San Franciscans and Bay Area residents, as well as by visitors from across the globe. Decisions about what is allowed to be built on the Embarcadero should be guided not just by the desires of adjacent residents, but by a sense of what is best for this important San Francisco location.

Immediate Past Chair
Vince Hoeftigman

Advisory Council
Co-Chairs
Paul Sedway
Michael Wilmar

SPUR also believes that the relationship of various development parcels along the Northeast Embarcadero to local and regional transit resources should be a major factor in defining the city's thinking about what volume of development should be encouraged along The Embarcadero. Recommendation 4.1 states: "Ensure appropriate land use and adequate density to take advantage of existing urban infrastructure, to support an engaging ground floor, and to add to the area's amenities." We agree with this recommendation.

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As you know there are several opportunity parcels in the Northeast Embarcadero plan that are particularly well served by both local (F line) and regional (BART) transportation infrastructure. For this reason we would like to echo the Planning Department statement that medium to high density development south of Broadway should be encouraged. The Urban Design Guidelines state: "Given 1) this area's strategic location next to downtown, its adjacency to transit, and proximity to the waterfront; 2) the City's need for housing; and 3) the opportunity for new residents to enliven and activate the waterfront, the neighborhood and downtown, the City should maximize the amount of housing, within the limits of good placemaking and urban design and a proper balance of additional public open space." (pg 23).

The area bounded by The Embarcadero, Washington Street, Drumm Street and the south edge of the easterly extension of Jackson Street is particularly ripe for mid to high density development, particularly since the current private tennis and swim club turns its back on The Embarcadero and fails to define an active exciting street edge. We agree that the portion of this area adjacent to Drumm Street should be allowed to rise, at minimum, to the full permitted height of eight stories. Given the context of very high-density development directly adjacent to this area (the Golden Gateway Apartments, a residential development adjacent to this site, is over 200 feet tall) we

would agree with the Department recommendation to explore heights higher than eight stories in this location (pg 24).

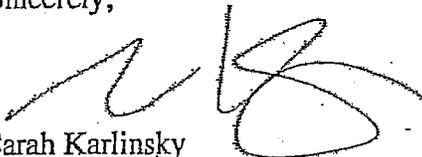
In several of the workshops and public meetings we have attended, many participants have voiced their desire for additional open space on The Embarcadero. We respectfully disagree. We believe that there is already substantial open space in this part of the City and do not feel that additional public resources should be devoted to the creation of additional major parks in this area. Rather we feel that The Embarcadero itself should be strengthened, particularly on its western side, through a combination of streetscape improvements and well designed development that reinforces the western edge of the Embarcadero with exciting ground floor uses that add to the life on this very important street. We agree with the Planning Department statement that "the Embarcadero's width requires a near-continuous built edge along its west side to bring definition to the space. Buildings need to be of sufficient height to prevent pedestrians from feeling disconnected to the City" (pg 23).

We feel that the Planning Department recommendation to adopt parking and access policies that minimize the impact of parked cars on the pedestrian environment (Recommendation 7.6) will also help support a lively Northeast Embarcadero neighborhood.

Also in the workshop discussions much was made of the desire to retain views from the Northern corner Ferry Building to Coit Tower. While we like the idea of retaining episodic viewings of Coit Tower from the Embarcadero, we do not see the logic of retaining that one particular view. In several locations along the Embarcadero, the view of Coit Tower is cut off by either the majestic palm trees in the center of the street or other vegetation, the Golden Gateway Apartments or the Golden Gateway Commons (see photos attached). This seems to us to be an acceptable tradeoff in exchange for having lovely palm trees in the center of one of San Francisco's most important streets, a high density walkable downtown district and residential development along The Embarcadero. For this reason, we support the staff recommendation 2.1 to "preserve views from The Embarcadero towards Coit Tower, while maintaining flexibility for architects to design buildings with massing and heights appropriate to the site" (page 5).

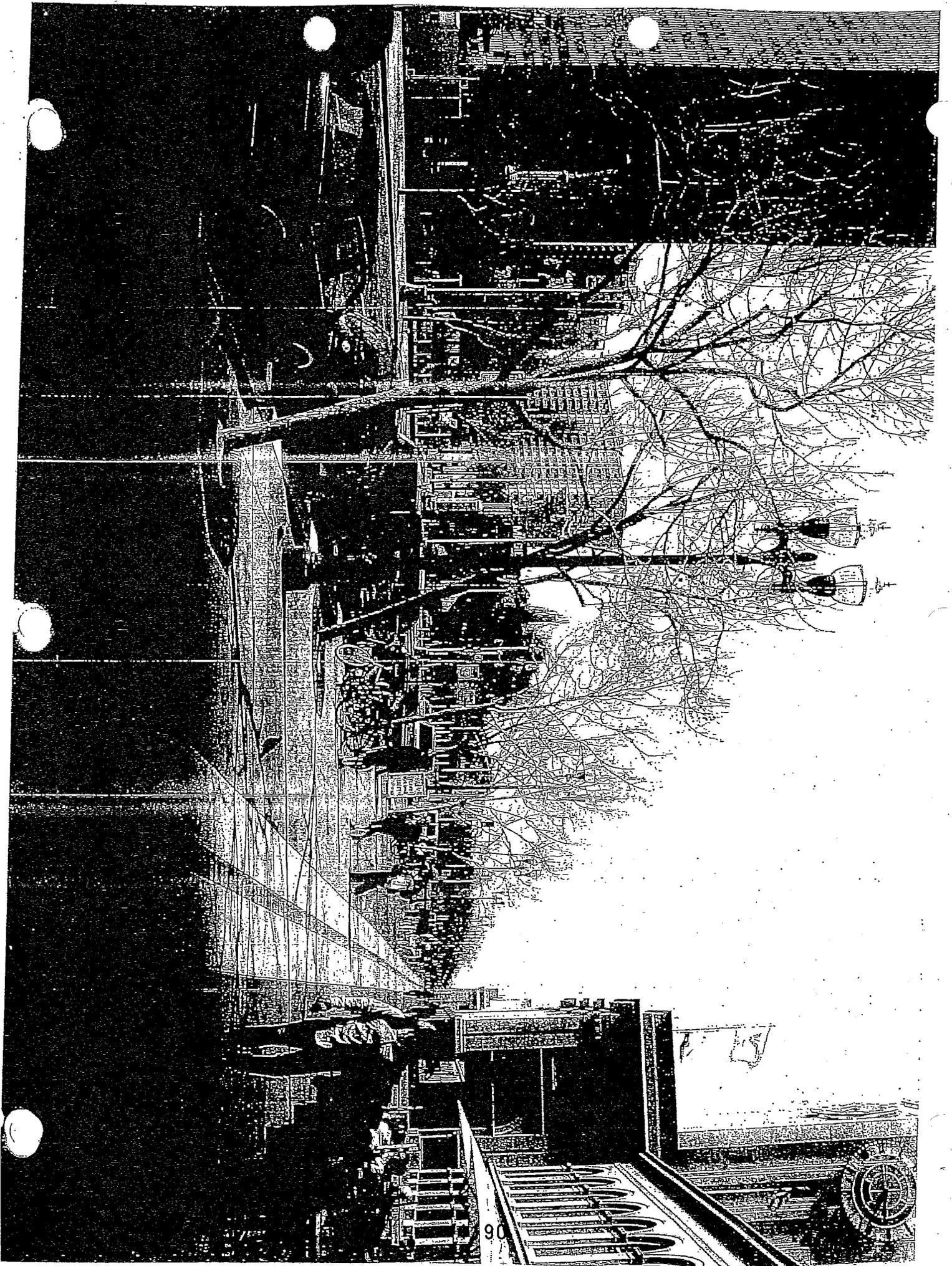
Thank you for your consideration of our position. Should you have any questions, please do not hesitate to contact me at 415-644-4292.

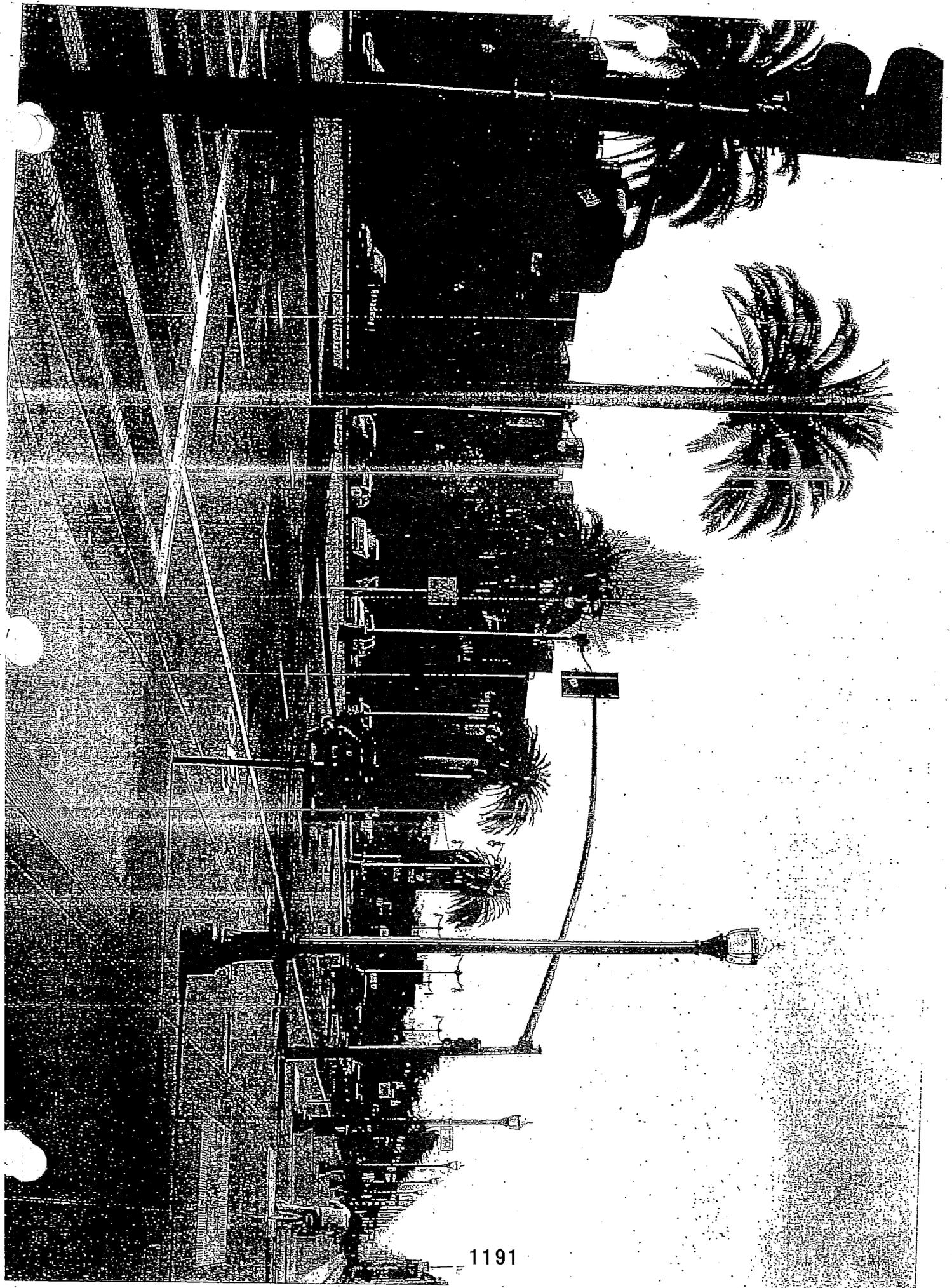
Sincerely,



Sarah Karlinsky
Deputy Director

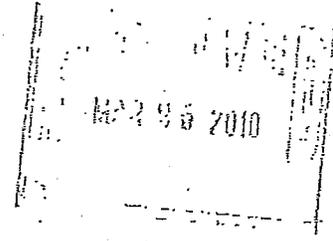






Ellen Joslin Johnck
Executive Director

Wednesday, March 24, 2010



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Kate McGee
San Francisco Planning Department
1650 Mission Street
Suite 400
San Francisco, CA 94103

Re: Northeast Embarcadero Study

Dear Ms. McGee,

The Bay Planning Coalition (BPC) is submitting these comments as part of the official record supporting guidelines that would allow projects like 8 Washington to move forward and provide innumerable benefits to the City and local neighborhood. These guidelines are the ones that encourage the following:

- Active ground-floor uses
- Strengthening pedestrian, bicycle, and view connections to and from the waterfront
- Public open space and recreational facilities
- Reasonable massing and heights to allow for housing
- Proximate off-street below grade parking for the Ferry Building Waterfront Area

Thank you for your thoughtful and visionary approach to the Northeast Embarcadero area.

Sincerely yours,

Ellen Joslin Johnck
Executive Director

William Adams
International Longshore
& Warehouse Union
Louis Armstrong
URS Corporation
Richard Aschleis
Port of Stockton
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Marketing Company
Paul Shepherd
Cargo Salt
Richard Slinkoff
Port of Oakland
Scott D. Warner
S&EC Geomatics
Daniel Wödesenbet
Alameda County Public
Works Agency

From: Meredith Thomas [mailto:mthomas@sfnpc.org]
Sent: Thursday, March 11, 2010 2:35 PM
To: Kate.McGee@sfgov.org
Subject: Northeast Waterfront Project Letter of Support

Dear Kate,

The Neighborhood Parks Council continues to support the 8 Washington Street project because of the significant public open space and connectivity to the waterfront that the project will provide. We believe that the vitality of the northeast waterfront and the ability for neighborhood residents to engage in outdoor recreation in the area will be greatly enhanced by the proposed parks and pedestrian connections.

I appreciate the careful consideration and robust public process that has surrounded this project and thank you and the Planning Department staff for your time.

NPC looks forward to the 8 Washington Street project moving forward so that new public parkland can become a reality along the seawall.

Thank you,
Meredith

Meredith Thomas
Executive Director
Neighborhood Parks Council
451 Hayes Street, Second Floor
San Francisco, CA 94102
p:(415) 621-3260
f:(415) 703-0889
www.sfnpc.org
www.ParkScan.org

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

From: Isabel Wade [mailto:isabelwade@gmail.com]

Sent: Monday, March 08, 2010 6:36 PM

To: Kate.McGee@sfgov.org

Subject: Northeast Waterfront Project

Dear Kate,

I am writing in support of the 8 Washington Project and in particular to the public benefits that will accrue related to open space. The project does an excellent job of including much-needed parkland along the waterfront, but further provides linkages to the waterfront from the west that were previously blocked. We need to eke out every bit of green that we can in the eastern neighborhoods and along the waterfront and the most realistic way to obtain it is with reasonable development projects and with their ongoing commitment to the maintenance of the open space.

Thank you for your consideration of this important element related to the 8 Washington Project.

Sincerely,

Isabel Wade
Founder, Neighborhood Parks Council

December 20, 2011

Dear Planning Commissioners,

I would like to express my support for the 8 Washington project, for the record.

Ours is a healthy waterfront and we need to be careful to plan for future development in a way that best serves San Francisco as a whole. I am aware that the localized neighborhood opposition for 8 Washington is using height limits as an excuse to keep the project from moving forward. As I mentioned in my previous email to you, I feel that it is appropriate to have buildings of moderate heights (which these are!) at the 8 Washington site - they will serve as a stepped down transition between the surrounding buildings which are more than twice as high and are a harsh eyesore along our waterfront to the waterfront piers.

Furthermore, opponents are inaccurately using public views to Coit Tower as another reason to oppose the project. Having just walked along the Embarcadero, it is evident that the project will not have any impact on views in front of the Ferry Building. Furthermore, the views are intermittent due to being blocked by palm trees and existing residential buildings in the Golden Gateway neighborhood (ironically the source of most of the opposition).

These comments reflect the views of my neighbors and everyone else I've talked to about this project. The main group of people opposing this project are doing so because they don't want change and don't want construction going on in front of their homes. They do not have the City's interests at heart. Our city and waterfront deserve better.

Thank you for your consideration,

Matthew Benjamin Harris
North Beach resident

Jeanette Arpagaus
Founder, Coordinator: Green Roof Alliance
San Francisco, California

December 22, 2011

Planning Commissioners of the City and County of San Francisco
c/o The Planning Department
1650 Mission Street, Suite 400
San Francisco, CA 94103

Dear San Francisco Planning Commissioners:

I am a founding member of the **Green Roof Alliance**, a new and fast-growing network of industry professionals, policy advocates, and community representatives who have come together to promote healthy and sustainable green roofs throughout our region. Green roofs will help our region meet its climate goals, cut down on stormwater runoff, increase local biodiversity, help beautify our cities, and boost the health of our communities.

I support the proposed 8 Washington project to transform three blocks along San Francisco's waterfront from an unsightly parking lot and private tennis and swim club to a mix of uses including housing, ground floor retail and 30,000 square feet of public open space and parks.

The project design by SOM and Peter Walker is remarkable featuring 35,000 square feet of green roofs right on the waterfront. This would be San Francisco's largest living roof installation, and the project would do wonders in helping the City join the ranks of other pioneering cities like Chicago, New York and Portland that are promoting green infrastructure to address climate change, improve water quality and green the landscape.

When you combine the 30,000 square feet of public open space and parks with 35,000 square feet of green roofs, 45% of the 8 Washington site will be green. EPA studies show that green roofs at 8 Washington will absorb the CO2 emissions from 2,730 cars a year. The green roofs will also capture, retain and clean stormwater. This is a really important benefit in San Francisco which has a combined sewer system that gets inundated on rainy days increasing the chance of polluted water going straight into the Bay.

Perhaps the most important benefit of the 8 Washington green roofs is their visibility. The Golden Gateway club green roof is sloped and sits on a 1-2 story building, so it will be visible from the Embarcadero making a statement for all to see. The green roofs will also dominate views from adjacent buildings and proximate elevated topography.

Please take this opportunity to green our waterfront. Thank you.

Jeanette Arpagaus
Member of the Green Roof Alliance

