

Carroll, John (BOS)

From: Board of Supervisors, (BOS)
Sent: Tuesday, April 12, 2016 11:54 AM
To: Carroll, John (BOS)
Subject: FW: 160 Folsom Street development

From: Margaret Gunn [mailto:mgunn415@yahoo.com]
Sent: Monday, April 11, 2016 6:45 PM
To: Board of Supervisors, (BOS) <board.of.supervisors@sfgov.org>
Cc: alycedes@gmail.com
Subject: 160 Folsom Street development

To: The Board of Supervisors of San Francisco
From: Margaret Gunn
(Homeowner, Harbor Lofts)
400 Spear Street, #219
San Francisco, CA 94105

I am writing to voice my concerns regarding the increase in the height of the 160 Folsom building development that has been approved by the Planning Dept.

I believe that the increase of 100' to this building comes at a great cost to the neighborhood. I have lived in South Beach since 1995 and have seen the changes first hand. Of course, as the land is developed in the area for more housing, we can expect that the buildings will begin to be built next door or very near existing buildings-which is too be expected. And that there will be some very tall buildings that will be appropriate for certain lots on South Beach-set back further from the Waterfront.

I believe there are many considerations regarding a 100' increase to an already 300' tall design that are more than troublesome:

1) Is there an Environmental Impact Report that is more recent? The 2006 EIR is outdated and cannot adequately examine the current density of buildings/people as well as take into account the 160 Folsom's impact on traffic, wind and noise. This neighborhood has gone through a tremendous change with at least 7-8 new buildings completed in the last 2 years. A 2006 EIR certainly does not seem adequate to properly study the impact of a 400' building so close to the Waterfront.

2) The addition of 44 more BMR units is a worthy endeavor, however, the cost of the land of \$19.2 million (a financial arrangement between the city and the developer) where a similar piece of land 3 blocks away was leased for \$43 million, It is questionable why the City should subsidize the land of this project when the developer is required to offer BMR units anyway. And, can the BMR units be built elsewhere in the City?

3) Approving a 100' height increase sets a precedent for other developers to request a height increase and 160 Folsom is just two blocks from the Embarcadero and Rincon Park. A 300' building is a similar height to those buildings next to it- and would be more acceptable to the area., But a 400' height that close to the Embarcadero will impact the immediate area with shading of open spaces as well as how the park and Embarcadero can be enjoyed by all the residents of South Beach as well as visitors to the neighborhood.

4) The 100' increase to 160 Folsom is a very bad idea that should be not be approved. It is not in the best interest of the immediate area to have that building be that much higher than the neighboring buildings when it is so close to the Embarcadero.

I am opposed to the increase and the new design as it is currently proposed and ask respectfully that the Board of Supervisors defeat this newest design. At the very least, I would like to see a new EIR and an economic analysis done to study the impact this arrangement has on the City.

Margaret Gunn

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April 11, 2016

Via Hand Delivery

SCOTT EMBLIDGE
Partner

emblidge@mosconelaw.com

London Breed, President
San Francisco Board of Supervisors
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, California 94102

Re: 160 Folsom Street Height Increase

Dear President Breed:

I am writing on behalf of Save Rincon Park. At your April 12, 2016 Board of Supervisors meeting you will be considering two items raising from 300 to 400 feet the height limit for a parcel located at 160 Folsom Street, sometimes referred to as Block 1 in the Transbay Redevelopment Area. The developer and the OCII support this height increase in large part because they claim the proposed development at this site will be a good economic deal for the City.

We urge the Board not to approve this height increase because it is bad policy and because it is premature to make the decision now. We urge the Board to either (1) deny the height increase, or (2) refer this matter to the Board's Land Use Committee to hold a hearing about the merits of increasing the height on this parcel after the financial aspects of the proposed deal have been fully analyzed and vetted.

For the developer to ask the Board to approve a deviation from an established height limit, before the Board has had a chance to evaluate the overall deal being presented is truly to put the cart before the horse. Why approve a height increase that is inconsistent with carefully considered planning efforts and well-established City policy before you even understand whether this project will truly benefit the City?

Increasing The Height Limit Would Violate Sound Planning Policies.

Permitting a 100-foot height increase to allow a 426-foot building a block and a half from the waterfront would disregard carefully-considered plans for the area and would not conform with many important objectives and policies of the General Plan that guide development along the waterfront.

Key City plans and policies in the San Francisco General Plan's Urban Design Element and Downtown Area Plan and the Transit Center District Plan call for maintaining the established development pattern characterized by buildings that step down in height to the waterfront. For example,

- Policy 3.5 of the Urban Design Element of the General Plan calls for relating the height of buildings to important attributes of the city pattern and to the height and character of existing development.
- The Urban Design Element also states that “The heights of buildings should taper down to the shoreline of the Bay and Ocean, following the characteristic pattern and preserving the topography and views.”
- Policy 13.1 of the Downtown Area Plan says to “Relate the height of buildings to important attributes of the city pattern and to the height and character of existing and proposed development. (See Map 5) Downtown height controls should be consciously structured and varied to create specific areas which simulate the natural hills that characterize San Francisco. Taller buildings should be clustered to promote the efficiency of commerce and avoid unnecessary encroachment upon other areas. The downtown financial core — the major place of tall buildings in the city — should be kept separate from other less intense activity areas in surrounding low rise development. It should taper down to the shoreline of the Bay.”

An increase in the height limit would erode the urban form and would set a dangerous precedent for allowing projects that are inconsistent with the established development pattern. It would also erode the great work of the former Redevelopment Agency that was carried out under the Rincon Point-South Beach Redevelopment Plan resulting in grand buildings stepping back from the waterfront such as Bayside Plaza, Rincon Center, and the Gap building. The Commission should respect the urban form that took shape as a result of sensitive planning.

An exception to the height limit was already made once for this site to increase the limit from 200 to 300 feet in 2006 at the request of the former Redevelopment Agency when they adopted the Transbay Redevelopment Plan. This should be the maximum height permitted for this project.

You should reject the developer-proposed height increase as it would conflict with these and other important City plans and policies. There simply are no extraordinary circumstances justifying an exception for this high-rise.

Recent developer-initiated proposals to increase building heights along the San Francisco waterfront are nothing new. The would-be developers of 8 Washington wanted to profit from a height increase. The people spoke out and the project was not constructed. The developer of 75 Howard wanted to increase the height on the site from 200 to 350 feet and eventually revised the project after acknowledging that they would not be successful in their quest. The 160 Folsom Street project represents yet another attempt to raise waterfront height limits for profit at the expense of long established, valued City policies.

Voting On This Matter Now Makes No Sense.

You do not yet have the benefit of an economic analysis that will provide information about whether this project is a good or bad financial deal for the City. But this summer OCII will provide you with the report required by California Health and Safety Code Section 33433 that should include a rigorous economic analysis about the merits of this project. After that report is made public, you will undoubtedly then receive additional comments about the economics of the proposed deal.

The developer, Tischman-Speyer and OCII have claimed that this is a great deal for the City and an exception should be made. When we attempted to understand the facts behind this claim we were provided with limited information, including a two-year-old appraisal that appears to undervalue the 160 Folsom site.

The August 2014 appraisal for the 33,762 SF parcel that OCII has agreed to sell to the developer values the property at \$14,471,844 under the current 300-foot height limit (\$429 per square foot) and \$19,184,618 (\$568 per square foot) under a 400-foot height limit.

However, another Transbay Redevelopment site, Block 9, is a similarly sized parcel (approximately 31,564-square feet) on Folsom Street west of First Street. Block 9 sold for \$43,600,000 (approximately \$1,380 per square foot) in February 2015. In February 2015 the BOS determined that this was a fair price and that the project was a good deal for the City and approved it under Resolution No. 23-15 1.

The 160 Folsom Street site is closer to the waterfront and will have more sweeping, valuable views than Block 9. It is difficult to believe that the land is worth less than one third (under the 300-foot height limit) to approximately 40 percent (under the 400-foot height limit) of the value of the Block 9 site. Perhaps OCII has a justification for what appears to be a substantial windfall for the developer. But we do not know because we do not have – and the Board does not have – the economic analysis of this deal that should help the public and the Board understand its merits.

Please either reject the proposed height increase, or defer consideration until you have the information you need.

Sincerely,



Scott Emblidge

cc: Honorable Members of the Board
Angela Calvillo, Clerk of the Board