



COW HOLLOW ASSOCIATION  
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July 13, 2010

**VIA EMAIL: [Andrea.Contreras@sfgov.org](mailto:Andrea.Contreras@sfgov.org)**

Andrea Contreras  
San Francisco Planning Department  
1650 Mission Street, Suite 400  
San Francisco, California 94103-2479

Re: Project Address 3155 Scott Street  
Case Number 2010.0420E  
Edward II / Supportive Housing for Homeless Youth

Dear Ms. Contreras:

We write regarding the San Francisco Planning Department's request for public comments in consideration for the pending California Environmental Quality Act ("CEQA") review proposed project to convert the Edward II Inn (located at 3155 Scott at Lombard) to Transitional-Age Youth housing (the "Project"). The Cow Hollow Association ("CHA")—an organization representing the interests of 1,800 homeowners, tenants, business owners, and concerned citizens who live and work in the Cow Hollow neighborhood. As an organization, we are dedicated to the enhancement and preservation of the residential character and quality of life of the Cow Hollow neighborhood, therefore, ensuring that this Project has been subject to adequate environmental oversight and compliance with local, state and federal stature is of tantamount importance to us.

We have identified a number of areas of concern regarding this project and hereby submit these comments to you to be incorporated into the record and application. Based upon these concerns, we demand that a full and complete Environmental Impact Report ("EIR") be prepared before any further entitlements or approval are issued on this Project. As you are aware, the lead agency (in this case, the San Francisco Department of Planning) has no discretion to avoid preparing an EIR when presented with a "fair argument" that the Project may have a significant effect on the environment. See *No Oil Inc. v. City of Los Angeles* (1974) 13 Cal. 3d. 68.

Specifically, there are a host of issues that require correction and/or mandate an in-depth CEQA review prior to making any determination as to the impact of the Project on the neighborhood. First and foremost, the application and associated file are woefully incomplete and missing information necessary to making any determination as to the potential impact of the Project on the environment. In addition to the significant defects in the notice, we have concerns that the Project will have significant impacts on the following areas that mandate the preparation of a full EIR:

- **Project Impact on Public Services**
- **Project Impact on Land Use and Planning Considerations**
- **Project Impact on Transportation, Circulation and Parking**
- **Project Impact on Population, Employment and Housing**
- **Project Impact on Aesthetic and Cultural Resources**
- **Project Consistency With Plans and Policies**
- **Cumulative Impact of Project**

As a preliminary matter, the application is so incomplete and inadequate as to prohibit any real understanding of potential environmental impact. As you know, the CEQA process begins with a preliminary review of a proposal to determine whether CEQA applies to the activity. 14 Cal Code Regs §§15060-15061. Within 30 days after receiving an application for a project, the lead agency must determine whether the application is complete (14 Cal Code Regs §§15060, 15101) and whether the activity is subject to CEQA or is instead exempt from the act (14 Cal Code Regs §15061).

Here, it is abundantly clear that the Project Sponsor, Community Housing Partnership (“CHP”), has failed to submit a full and complete application and supporting files which would allow for an adequate and substantive review of the Project. Specifically, the file made available under the June 29, 2010 *Notification of Project Receiving Environmental Review* fails to provide sufficient information on the identification of the target population for the housing project, the submitted Project plans are incomplete (for instance, the second and third floors drawings were not included in the file), there is inadequate information provided on proposed transportation uses, the application is internally inconsistent as to the impact the Project will have on neighborhood facilities and services, and little consideration has been given to the Project’s impact on zoning and other planning requirements.

### **1. Project Impact on Public Services**

Under CEQA guidelines, the lead agency is required to consider the impact of the project on “public services” such as fire protection, police protection, parks, schools and other public facilities. Specifically, the lead agency must consider whether the project would result in substantially adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new governmental

facilities, the construction of which could cause significant impacts, *in order to maintain acceptable service ratio, response times or other performance objectives*. As noted above, the application is so devoid of specific information as to the identity or nature of the target population, that it is nearly impossible to make a determination as to the potential impact of the project on public services, such as police or fire protection.

However, anecdotal evidence suggests that the Project may have a potentially significant impact on the maintenance of acceptable service ratios, response times, or other performance objectives. In the last public meeting, CHP staff admitted that no drug testing will be required as a condition of occupancy, and that the occupants will have nearly unlimited rights to have overnight guests (nearly doubling the number of transitional-age youth occupying the facility). Despite such revelations, CHP refuses to commit to any changes in staffing or supervision, or to address how it will deal with the inevitable increase in crime. As a consequence, we believe that the project, as slated, lacks adequate security and supervisory measures, which may result in an increased burden on public services. There have been documented increases in crime and a commiserated strain on public services in every neighborhood where projects similar to this one have been located. CEQA guidelines demand that such impact be fully studied and considered before making determinations on the project.

Moreover, there is a similar group housing center located a block away from the Project site (i.e., the Bridge Motel) which has become a source of serious concern to the City and the neighborhood. It was recently declared a “public nuisance” by the City Attorney and requires significant police and social service involvement on a daily basis. Significantly, the Project proposal admits that the Bridge Motel represents a significant source of concern for the neighborhood, but at the same time CHP staff are seemingly recalcitrant to put any remedial preventative measures in place to prevent the Project from experiencing the same issues with crime and illegal activity. As a result, the potential increase of police resources must be considered in determining the impact on the neighborhood and the environment.

## **2. Project Impact on Land Use and Planning Considerations**

Under CEQA guidelines, the lead agency is required to consider the implication of “land use and planning” considerations with respect to the Project. Specifically, the lead agency must determine whether or not the Project plan conflicts with any applicable land use plan, policy, or regulation of an agency jurisdiction over the Project, *including any zoning ordinance*, adopted for the purpose of avoiding or mitigating an environmental effect. As is well known to the lead agency, the Project is premised on the creation of a Special Use District (“SUD”) to allow the Project to avoid compliance with density restrictions and other zoning requirements (i.e., to eliminate or waive certain restrictions or requirements regarding housing density, open space and parking that are normally required in the zoning district which the property is located.)

Disturbingly, no specifics as to the scope and nature of the SUD have been given in the Project proposal or application. Consequently, it is impossible to comment on the potential impact that the creation of the SUD will have on the neighborhood. At a minimum, the Project application must be updated to include additional information on the proposed SUD before any potential environmental impact can be adequately assessed.

The site is currently zoned NC-3, Moderate-Scale Neighborhood Commercial District, which would ordinarily limit the Project to 16 units. However, the Project is predicated on waiving the density requirements, pursuant to the creation of the SUD, to allow for 25 units to be constructed on the same building footprint. It cannot be seriously proposed that the change in density would not have a significant impact on the neighborhood environment. As noted, the occupants of the Project will have nearly unlimited rights to have overnight guests—nearly doubling the number of transitional-age youth occupying the facility on any given day. As a consequence, not only is the new proposed density not keeping with the typical range of density in the neighborhood, but the change in use from a tourist hotel to a group home facility constitutes a significant alteration in the character of the neighborhood which merits further study.

Furthermore, the SUD purports to exempt the project from open space and parking requirements otherwise expected of housing developers. However, there is no discussion of the potential impact that these exemptions will have on the environment. While, the issue of the parking is further discussed below, as a practical matter the application gives no information on the potential increase in number of automobiles parking in a neighborhood that lacks available parking already.

Likewise, the application lacks detailed plans and specifications sufficient to show even minimal compliance with the Americans with Disabilities Act (“ADA”) and/or San Francisco Planning, Zoning, Building or Fire codes. In short, the plans provided are inadequate to assess the environmental and public health risks contingent with this project. These factors, when considered together, demand a full and complete study of the potential environmental impacts related to land and planning considerations.

### **3. Project Impact on Transportation, Circulation, and Parking**

CEQA guidelines require the lead agency to consider whether the Project would result in an increase of traffic, which is substantial in relation to the existing traffic load and capacity (i.e., congestion or traffic volume), inadequate emergency access or parking capacity, or otherwise conflict with adopted transportation policies, plans, or programs. Again, because the application and file are so inadequate, it is impossible to provide specific comment on the potential environmental impacts. However, given the location of the Project on heavily trafficked Lombard Street, the expected increase density, and the waiver of the parking requirements pursuant to the SUD, it is undeniable that the Project

will have some impact on congestion, traffic patterns, traffic volume, and potentially access of emergency vehicles to areas surrounding the site.

What is known regarding transportation and traffic issues related to the site is equally problematic. Specifically, the plans do not call for any additional loading zones, drop off zones, curb cuts, and as mentioned, any additional parking despite the increase in density and usage. Moreover, Lombard Street traffic is unavoidably increasing in the near future due to the re-routing of Doyle Drive. (Doyle Drive is the southern approach road for the Golden Gate Bridge. During an average weekday it carries over 144,000 travelers.) The increase in congestion and/or traffic circulation of the Project must be considered in conjunction with the Doyle Drive re-routing plan. At a bare minimum, we believe that a transportation study on the intersection of these two projects is required.

#### **4. Project Impact on Population, Employment and Housing**

CEQA guidelines require the lead agency to consider the impact on population, employment and housing. The project is predicated upon the termination of a successful tourist hotel that contributes to the local economy by providing a fresh influx of tourist dollars to area shops, bars, and restaurants. In contrast, the group housing facility is targeted at low to no income youth. This represents a significant change in the socio-economic character of the denizens in the neighborhood and the local micro-economy which merits further consideration.

#### **5. Project Impact on Aesthetic and Cultural Resources**

CEQA guidelines require the lead agency to consider an adverse change to the significance of a historical resource, or substantially downgrade the visual character or quality of the site. The building in question is a historical resource pursuant the guidelines set forth in the California Register of Historical Resources—specifically, the building is associated with events that have made a significant contribution to California's history and cultural heritage. Though the application is completely silent on the issue, the building was constructed in conjunction with the 1912 Panama Pacific International Exposition and the opening of the Golden Gate Bridge—all of which resulted in the development of the Marina district as we know it today. As a consequence, the building is one of the last remaining touchstones to that era and is of great cultural significance to the neighborhood and surrounding areas. As currently set forth, the Project plans call for the destruction or significant alteration of the building and/or building façade. The people of the district as well as the people of the state deserve some consideration be paid to the last remaining ties to a significant event in San Francisco's past.

#### **6. Consistency With Plans and Policies**

The Project proposal indicates that CHP “owns, operates, or serves 738 units of permanent supportive housing with an additional 287 units due to open in the next three years.” As a major developer of group housing using public funds in San Francisco, we believe that it is appropriate for CHP to submit to the guidelines and requirements set forth in Section 304.5 of the San Francisco Planning Code for the development and implementation of an Institutional Master Plan (“IMP”). The main purpose of an IMP is to “provide notice and information to the Planning Commission, community and neighborhood organizations, other public and private agencies and the general public as to the plans of each affected institution at an early stage, and to give an opportunity for early and meaningful involvement of these groups in such plans prior to substantial investment in property acquisition or building design by the institution.”

An IMP would allow the lead agency and the neighborhood to understand the course and impact of future development projects as related to the current Project. Without an IMP in place, it is difficult for any agency or organization to grasp the full impact that the Project will have on any particular neighborhood.

## **7. Cumulative Impact**

As a final level of analysis, the lead agency must consider whether or not the Project has impacts that may be individually limited, but cumulatively considerable. (“Cumulatively considerable” has been defined to mean that “the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.”) As set forth herein, it is undeniable that there are a myriad of impacts inherent to the Project, which taken as a whole, mandate that a full EIR be conducted.

Specifically, the lead agency must consider the Project’s cumulative impact as related to (1) the adequacy of fire and police service ratios and response times, (2) any over extension of social services, (3) the effect of any exemptions and waivers of zoning laws (i.e., waivers of density, open space, and parking requirements), (4) issues related to transportation and traffic, including adequacy of available parking, (5) the effect on cultural and aesthetic resources, and (6) consistency with other plans and policies. Moreover, the lead agency must consider these impacts in light of other past, current, and probable future projects, including but not limited to other group housing and construction projects (such as the Bridge Motel and the Doyle Drive project). Likewise, prior to making any determination on the Project, the lead agency should have an understanding as to the nature and extent of CHP’s future projects in the form of an IMP.

Based upon the foregoing, it is clear that the Project will have considerable individual and cumulative impacts on the neighborhood and the environment so as to mandate conducting a full EIR including adequate studies of the use and impact on public resources, transportation, and the development of an IMP to guide future development.

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Sincerely,

A handwritten signature in black ink, appearing to read 'Lori Brooke', with a stylized flourish at the end.

Lori Brooke

President, Cow Hollow Association

cc: Cow Hollow Association Membership  
Michela Alioto-Pier, District 2 Supervisor  
John Millar - President, Marina Community Association  
Patricia Vaughey - President, Marina Cow Hollow Neighbors and Merchants  
Lesley Leonhardt - President, Union Street Merchant Association  
Alexander Feldman - President, Marina Merchant Association