

Bright Day For FOGG

When SB 815 was adopted by the State Legislature it was a bright day for FOGG.

Seawall Lot 351 at 8 Washington Street (Washington and Drumm Streets) was one of the seawall lots included in, and then exempted from, the bill--thanks to the sponsor, State Senator Carole Migden.

FOGG, BCNA, the Telegraph Hill Dwellers and San Francisco Tomorrow invested much time and energy in getting the amended bill passed. Many members of the waterfront community cooperated in convincing the legislators that throwing the seawall lots up for grabs was a bad idea.

Seawall Lot 351 was considered by the Port to be the keystone lot in the Port's bold plan to subvert the Public Trust Doctrine and open up the lots for unrestricted development. (See story below.)

Removing 351 from the seawall lots list had the desired effect of prohibiting private housing from being built on the site, according to Lee Radner, chair of the Friends of Golden Gateway. He is a Board member of BCNA as well.

FOGG was founded to protect the open recreational space known as the Golden Gateway Tennis and Swim Club, he said.

The latest developer with eyes on their space is Pacific Waterfront Partners, LLC (Simon Snellgrove). Snellgrove is the principal partner in the Piers 1-1/2, 3 and 5 project, which has been well-received.

That favorable opinion has not transferred to his latest plan, which proposes to build two 8-story buildings containing 170 luxury condominiums, a 500-car underground parking garage and a reconstructed (translation: reduced) tennis and swim club on the site.

Radner said that the City of San Francisco, more than 40 years ago, set aside the parcel of land on which the club is located to serve as open recreational space.

BCNA is partners in FOGG's ongoing effort to preserve that recreational space.

Party

The BCNA Invites You to Attend a Celebration of our first year as an organization.

Wednesday, the 14th of November
7:00-9:00pm

Hornblower Yacht
Ferry Boat "Santa Rosa"

Pier 3, The Embarcadero

space near the densely populated Golden Gateway apartment rental complex.

FOGG has been developing its own plans for the area that do not include any buildings on the site.

In mid-October FOGG reported to its 1400-plus members that the would-be developer will try to obtain an exchange of property so he can eventually build his massive condo buildings and underground parking garage complex. This attempt is now under way.

On the legislative front, FOGG is working with Save Our SF Tennis Club and other recreational groups to produce permanent legislation to protect recreational space over 15,000 sq. ft. (both public and private) because the present recreational resolution expires in June 2008.

According to Radner, a call has gone out to beef up FOGG's war chest because FOGG underwent the legal expenses in the recent successful campaign by the coalition in supporting the amended SB 815.

Some opponents of the condos project for 8 Washington Street have said that if approved the result would be to bring the tall wall of buildings that have sprung up south of Market Street to the relatively low-rise area north of Market. [↗](#)

Northeastern Seawall Lots Saved

The Governor signed the seawall lots bill SB 815, and there was a collective sigh of relief along the waterfront.

The BCNA is an organization of people and businesses that call the waterfront Home. It is all volunteer, but its members must work hard and long hours to protect their rapidly-changing environment.

So it was that BCNA and its neighboring organizations fought to get the amended bill through the legislature and applauded when Gov. Arnold Schwarzenegger signed the seawall lots bill as amended October 13th.

Most members are aware of the ups and downs in the Port's attempt to develop its 11 seawall lots--seven of which are in our area north of the Ferry building.

Diana Taylor, indefatigable chair of the Waterfront Action Group which evolved into the BCNA, can tell it best:

"In 2005, a simmering dispute between the Port and its Barbary Coast neighbors over development of Seawall Lot 323-324 boiled over into acrimonious struggle about height limits on the lot, located at the intersection of Broadway and The Embarcadero. The lot is currently surface parking.

"The struggle over this triangle-shaped lot ended with the outsized hotel project, and with the Board of Supervisors passing a 40-foot height limit for the parcel, which lies within the Northeast Waterfront Historic District, which also has 40-foot building height restrictions.

"The Port then spent two years developing state legislation whose goal was both to lift public trust

restrictions from 11 of its seawall lots and to reconsider the Board of Supervisors' 40-foot zoning ordinance. The Port asked Senator Carole Migden, whose district includes the Port, to sponsor the legislation.

"She agreed, and the Port's legislation became SB 815." The bill was introduced last February 23.

"Senator Migden then consulted her Barbary Coast constituents, who were greatly concerned that the Port's legislation was an 'end around' by state legislation of local height zoning in the historic district.

"Residents and local small businesses had formed an alliance, led by the Telegraph Hill Dwellers, Friends of the Golden Gateway, and the Barbary Coast Neighborhood Association, to keep the historically appropriate height limitation on the northeast SWLs.

"Senator Migden crafted a compromise which she characterized as 'giving the Port 80% of what they asked for' and which the THD-FOGG-BCNA accepted, since it both preserved the height limit and loosened public trust restrictions on the Port's seawall lots, allowing for freer development and increased revenue.

"The alliance thought it had a deal, but immense pressure from the Mayor's office, Labor, and the Port itself required Senator Migden to remove the affirmation of the 40-foot height limit from SB 815."

However:

"Senator Migden did protect the northeast by entirely removing the northeast waterfront seawall lots from SB 815. There they remain under public trust restrictions along with their 40-foot height limits north of Broadway and The Embarcadero.

"Four of the Port's largest seawall lots *(Continued on Page 3)*

Broadway Family Housing

CCDC's Broadway Family Housing Project on lower Broadway is nearing completion, according to Ms. Thai-An Ngo, project manager for the Chinatown Community Development Center.

The major affordable housing complex at 810 Battery Street is located on one of the blocks (between Front and Battery Streets) made available for new uses by the demolition of the Embarcadero Freeway in the early 1990s. It is the site of the old Broadway on-ramp.

Miss Ngo said that construction will be finished in mid to late December, and inspection will take place in January 2008. It is a project of the Mayor's Office of Housing.

Leasing of the 81 units has not yet begun, but the first residents will be moving in around February 1st. A full-time resident manager will occupy one of the units. There will be a child care center on the ground floor on Battery Street.

The project also includes retail space on the ground floor. Two 1,000 sq. ft. spaces will be available or could be rented as one space, according to Miss Ngo.

The housing complex consists of three separate buildings that operate as one site. The tallest, at Broadway and Battery, is 84' or 8 stories high. There is a 4-story building (about 48') with a Front Street entrance and a mid-block 3-story building (40') which has to be accessed through the other two buildings.

All the buildings connect at the podium and at the underground parking garage. Two courtyards are formed by the open spaces between the structures.

The majority of the units are three-bedroom, but there also are two-bedroom units and studios with a kitchen and separate bathroom. Most units have views of the city or the Bay, and those facing Front Street are magnificent, Miss Ngo said.

To be "affordable" means that the maximum income allowed by funders is 50% of area median income. According to income, rental of a studio in 2007 would be \$372 to \$966. For a two-bedroom apartment the range would be from \$480 to \$1,243 and for a three-bedroom, from \$553 to \$1,435.

Applicants must be able to prove an ability to pay the rent. Construction of the complex, which began in September 2005, is on an L-shaped lot just under an acre in size.

A grand opening of the Housing Project is set for early March, Miss Ngo said.

For more information about this project visit:
TheBarbaryCoastNews.com [↗](#)



The 81 Unit Broadway Family Apartments

Yes! I'd like to join the BCNA for 2008. I am enclosing a check as indicated below.

Name _____

Address _____

Phone # _____

Email _____

(Email address are not distributed, sold or published. They are used only for official BCNA communications and emergency messages.)

Annual Individual Dues.....\$25

Annual Family Dues.....\$35

Company Membership.....\$50
(Fewer Than 10 Employees)

Company Membership.....\$150
(More Than 10 Employees)

Additional Contribution.....

Total Enclosed.....

Make check payable to:
The Barbary Coast Neighborhood Association.

Mail to:
BCNA

640 Davis Street Suite #28

San Francisco, CA 94111

Northeastern Seawall Lots Saved
(Continued from Page 2)

south of the Ferry Building were removed from the public trust and opened to most-lucrative development.

"The entire process has been sound and fury, signifying *some things*--the willingness of the Port's Barbary Coast neighbors to help the Port develop its property, and their refusal to allow inappropriately high buildings on the land side of The Embarcadero."

Now it's Full Speed Ahead for Seawall Lot 337, a 14-acre parcel currently used for the San Francisco Giants' ballpark parking. The Giants have entered the fray to try to keep as much parking space as they believe they need.

The Port will be able to lease the land in 337 for development not limited to "maritime uses" and certain other restrictions imposed by the State Lands Commission, which oversees Port land usage, in the public trust, Diana Taylor added.

In other words, the sky is the limit on the southern waterfront. Senator Migden gets the last word:

"I am proud of this legislation because we crafted a strong compromise that meets the needs of all entities with ties to, and interest in, the future of San Francisco's waterfront."

"Moreover we ensured that northern waterfront neighborhoods will remain protected against runaway development." [↗](#)



**BARBARY COAST
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The purpose of this newsletter is to provide residents, business owners, employees and those interested in preserving the special qualities of the Barbary Coast with important news regarding change or potential change in our neighborhood. If you would like to find more information on a topic or how you can participate in any of our activities please contact: info@BarbaryNeighbors.org. As we are a non-profit organization, it is critical that we maintain a strong support base of active members. If you or anyone you know is interested in becoming a member, please visit our website: www.BarbaryNeighbors.org

The Barbary Coast Neighborhood Association is a non-profit organization. All donations, proceeds and advertising revenue are used strictly for the purpose of protecting the quality of life in our neighborhood. If you would like to advertise in our newsletter, please contact us at:

info@BarbaryNeighbors.org

BCNA News

Neighborhood News, Events, Politics

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the piers' substructure.

In October two prestigious organizations had decided to give voice to their doubts about the proposal.

In an urgent letter to the Port Commission dated October 19, David Lewis, Executive Director of Save the Bay and Jennifer Clary, President of San Francisco Tomorrow, began by saying: "We strongly encourage you not to consider or approve an Amended and Restated Development Memorandum for the latest version of the Piers 27-31 Mixed-Use Recreation Project presented to the Port Commission on October 9, 2007, by SF Piers 27-31, LLC.

"The project has evolved so significantly from the original site plan and Request for Proposal that it cannot earn broad support from key agencies and constituencies who helped shape these guiding documents, and instead would elicit significant opposition.

"...Proceeding with this inconsistent plan would invite opposition, litigation, and delay, and it would undermine credibility of future Port RFPs."

The two organizations cited inconsistencies with the Port's RFP specifying the need for recreation facilities and with height limits.

The letter also commented that "the current development plans include even more private office space and fewer visitor-serving amenities than its previous proposals."

"The developer again proposes to construct new build-

ings on the piers for primarily private uses, an unprecedented approach that is inconsistent with the State Lands Commission's and the Port of San Francisco's responsibilities for this site."

The letter said that the square footage of office space is "far more than envisioned by the environmental analyses in the adopted Waterfront Land Use Plan for the entire area from Piers 40 to 35."

The organizations recommended, "If new information on the condition of piers, infrastructure costs, changed market conditions, or different maritime priorities require a new approach to redevelopment of the waterfront, the first step should be to update the Waterfront Special Area Plan with input from relevant agencies and constituency groups who continue to rely on the present plan."

The letter ends by encouraging the Port "to undertake the kind of plan update processes that can forge new support for priority uses of San Francisco's public trust properties, and create a vibrant and sustainable waterfront."

On August 19th the Port Commission approved the Sixth Amendment to the Amended and Restated Exclusive Negotiation Agreement (ENA) with SF Piers 27-31, LLC for the Mixed-Use Recreation Project, extending the term and amending the Benchmarks.

The next presentation of revisions of the project is scheduled for the Port Commission's November 13 meeting, and the vote on the revisions is on the December 11 agenda. Ferry Building, 2nd Floor, 3:15 p.m.



Barbary Coast Neighborhood Association News

Winter, 2007

Written by June A. Osterberg

Vol. I, Issue II

Piers 27-31 Proposal Volatile

At this point, only an especially reckless person would place a bet on the eventual outcome of the Shorenstein/Farallon proposal to develop Piers 27-31.

BCNA members are among the many waterfront-watchers fascinated by the number of revisions and how much the many changes have altered the project from the original plans. The version at the start of November was entitled Option 28-E.

There has not been a lack of community outreach. Opposition seems to have developed around the facts that it is an offices project rather than recreation oriented and the height of the new office building to be built, as well as the amount of public financing requested by the developer.

And now the Port's building a new cruise terminal in Pier 27 and berthing big passenger liners there has made a big entrance on the scene.

Shorenstein/Farallon unveiled its plan to build a 48-foot structure for

its offices. Determined defenders of the 40-foot height limit balked.

Shorenstein said it would stop at 40 feet (actually 55 feet with the mechanical penthouse) but then would have to expand the footprint of the building to obtain the same amount of space for their offices, including Shorenstein Properties headquarters and other commercial offices.

The amount allocated to office space had climbed to 520,000 sq. ft.; plans for the amount of space committed to recreational purposes come and go. Even the discredited Mills Mall project, which relied upon retail and restaurants, contained a good deal of recreational facilities.

And then Pier 27 as a cruise terminal came to the fore.

As to financing the major project, Shorenstein/Farallon stated at the outset that offices were to be the economic engine for their project. Next onlookers learned that the developer was requesting public participation beyond the more than \$13 million in rent credits from the Port. This was the result of their discovering unexpectedly high costs of repairing and seismically upgrading *(Continued from Page 4)*

Cruise Ship Terminal Headed To Pier 27

The need for a fine new cruise terminal on the San Francisco waterfront has been evident for a long time.

It was in 1992 that Herb Caen reported a cruise passenger's caustic comment about our aged Pier 35 that "the only terminal worse than San Francisco's was in Port Said, Egypt."

Port administrators probably were not amused. Both former and current staff and Commissioners have been painfully aware that this port is not going to gain its share of the booming worldwide passenger business if it does not provide an attractive, comfortable and safe cruise terminal.

Passenger ship calls to our port were 84 in 2004 and 2005 and were 81 in 2006. For this year 60 is the projected number.

Old Pier 35's future looks grim. The Port has said that it can safely be used only 5 to 7 more years. Attention has swung to Pier 27, part of the SF Piers 27-31 project.

Pier 27, formerly a stand-in for berthing the largest ships and used when other berths were full, is now a dedicated cruise terminal.

Monique Moyer, the Port's Executive Director, had said in an

A Word From Our President:

We have enjoyed living and working in the Barbary Coast Neighborhood because of a confluence of amenities. Our Neighborhood has become so popular there have been numerous proposals and attempts to make changes to the Waterfront, the Commercial and Residential portions of the BCNA. Some changes are welcome and will add to our experience and some proposals can have consequences that may not be welcome. The BCNA hopes to bring you information about the various proposals so that you can make informed decisions about the future of our neighborhood. We also hope to keep you up to date on the latest restaurant and business openings, events, shows, and happenings

Frederick Allardyce

August 9 Memorandum: "The previous project concept by the developer contemplated occasional port-of-call berthing of cruise ships and other vessels at Pier 27 and the use of a portion of the Pier 27 shed for maritime support, and, on non-cruise days, for recreational facilities.

"The parties are now studying the feasibility of building a cruise terminal inside the Pier 27 shed and using Pier 27 as the Port's primary home-port ship terminal facilities."

Pier 27 will replace Pier 35 as the Port's primary cruise terminal, with Pier 35 providing a secondary berth when needed. The Port's 11-member Cruise Terminal Advisory Panel said in September that Pier 27 represents "the most feasible home-port cruise terminal." Pier 27's berth is 1,358 feet in length, and the pier is said to be in good condition.

Early in this year Pier 27 had the only berth that could accommodate the Queen Mary 2, whose arrival brought thousands of excited people thronging the shore and every other vantage point, to see the new star of the seas.

Underscoring the need for better cruise terminal facilities, the Port hosted 10 passenger cruise ships in five days in late September. They were berthed at three different locations--Pier 27, Pier 35 and Piers 30-32 south of the Ferry Building.

A plan for a mixed development project featuring a double-berthed cruise terminal at Piers 30-32 was approved in January 2000. The name was to be the James R. Herman International Cruise Terminal.

The Port and a developer called San Francisco Cruise Terminal, Inc. agreed to a Lease Disposition and Development Agreement. Later an ENA was approved.

However, when the LDDA was to expire in September 2006, the developer withdrew, citing rising construction costs and the inability of the project to generate sufficient financial returns.

The Port and SF Piers 27-31, LLC continue their closed-door negotiations on issues involving Pier 27, which is at the foot of Lombard Street and The Embarcadero. □