

**Crestmont – Mt. Sutro – Forest Knolls Neighborhood Preservation Coalition**

**www.CrestmontPreservation.org – 415-640-3869**

June 11, 2006

Mr. Paul Maltzer  
Environmental Review Officer  
San Francisco Planning Department  
1660 Mission Street, Suite 500  
San Francisco, CA 94103

**Re: Crestmont Hills Residential Project – Case No. 2004.0093E  
Neighborhood Coalition Response to the Initial Study and Notice  
of Preparation of an Environmental Impact Report, May 27, 2006**

Dear Mr. Maltzer,

We represent a coalition of neighbors in the area of Crestmont Drive adjacent to the above development and the larger Forest Knolls neighborhood. We are speaking on behalf of the entire community which has expressed overwhelming opposition to the Crestmont Hills project, as reflected by the innumerable red and yellow anti-Crestmont Hills development posters visible in windows throughout the neighborhood.

We have carefully reviewed the Initial Study and Notice of Preparation and find it inadequate, incomplete, inaccurate, flawed or misleading in numerous aspects which we bring to your attention below.

**I.A. Project Description and Setting (p.1)**

Nowhere in this section, or indeed anywhere in this 56 page document, is there evidence that the Planning Department is aware that this project is located at the end of an existing cul-de-sac which is **already the longest cul-de-sac in the City** and will extend that cul-de-sac even further. This unique situation is nowhere addressed nor considered in the Initial Study. This factor and its implications must be thoroughly studied and considered in numerous sections, including not only Section IB, but Section III.B.1, III.B.3.a, III.B.12, etc.

Throughout the document, the use of language which describes only the new private road as a cul-de-sac (twice on p.48) and never recognizes that it extends an existing cul-de-sac – again, **already the longest in the City** – is misleading and unacceptable.

The specific issue of extending this hillside cul-de-sac **must** be taken into account in consideration of the following environmental effects determined to be “less than significant”: land use, population, public services, and cultural resources.

### **III.A. Compatibility with Zoning, Plans and Policies**

The initial study failed to consider many of the neighborhood’s objections to the project criteria as part of a Planned United Development (PUD). The proposed project does not comply with the Planning Code criteria for PUD development. Under SFPC Sec. 304a(a) the stated objective of allowing PUD is for projects “designed to produce an environment of stable and desirable character which will benefit the occupants, the neighborhood and the city as a whole... in cases of outstanding overall design, complimentary design and values of the surrounding area”. The future occupants will not be happy once they will realize that parking is a permanent problem. No usable public space is provided and the road is constantly wet with streams in winter. A severe landslide occurred recently and landslides are common. Building here could destabilize the earth enough to dislodge some of the homes above, which would fall directly onto the new units.

Furthermore, the proposed PUD development is out of compliance with the Architectural Guidelines of Mt.Sutro Woods Owners’ Association with respect to structure height, parking requirements, and other relevant issues.

The neighborhood is overwhelmingly in opposition to the proposed project. The neighborhood position is that the **project would produce an environment of unstable and undesirable character, which will negatively affect, not benefit, the occupants, the neighborhood and the city as a whole.**

The previous zoning and modifications were ill-conceived, misguided, and failed to take into consideration the unique site situation at the end of an existing cul-de-sac, in an overwhelmingly RH-1(D) zoned neighborhood (Forest Knolls) and totally physically separated by the steep hillside from the adjacent RM-2 and RM-4 districts (Kirkham Heights and Avalon Sunset Towers). “Density and massing of the proposed project... similar to the multi-family residential buildings downhill (to the north)” (i.e. Kirkham Heights and Avalon Sunset Apartments) as stated on p. 14 is totally inappropriate for a development that affects only the adjacent neighborhood to the south and west in respect to population, access, traffic, safety, character of neighborhood, etc. Therefore, “size, scale and density” would incontrovertibly **not** “fit within the existing development controls for the area” (p. 14).

**Site Grading:** The project slopes have a major visual impact from Lawton Avenue and Golden Gate Park. Due to the steep slope at the northwest side, the developer would have to install several retaining walls especially at the end of the cul-de-sac. The SFPC Sec. 136 sets limit for height of these retaining walls at 45 degrees to the

property line, and 7 foot maximum height for each segment. Based on observation of the design plans for the road, we believe that the **current road design is not in compliance with the planning code.**

We request that you require the developer to submit a site-grading plan verifying the existing grades and proposed new grades are in compliance with SFPC Section 136.

### **Summary and Additional Objections**

Sec 304(d) PUD-Criteria and Limitations:

Sec. 304(d)(1) We reject the idea that the proposed project promotes the objectives of the Master Plan.

Sec.304(d)(2) The project does not comply with the requirement for “off-street minimum of two cars per two bedroom dwelling.”

Sec 304(d)(3) The project does not comply nor replace any common usable safe and accessible public open space. The project proposes “Family Housing”, but proposes no safe common public open space. This is criminally unsafe where children’s only outdoor play area is the street, or down the extremely steep cliffs. In fact, this project takes away the only usable public green space in the neighborhood of Forest Knolls.

Sec 304(d)(4) The project density is higher than the Forest Knoll average which is overwhelmingly single-family houses, with a few 2-unit homes. The entire Forest Knolls neighborhood will be affected.

### **III.B. Environmental Effects**

#### **1b. Impact on Existing Character of Neighborhood (p.13)**

For all of the above reasons, we most strongly disagree with the conclusion (p. 14) that the “type of development, size, scale, and density would... not substantially or adversely alter the character of the area.” These topics **must** be included in the EIR.

In addition, please consider in your full EIR that the approved plan also included additional development further down the new 20 foot road. Approval of this development would open the door for the second development. The plan shows the overall subdivision of the area. It is our belief that the owner of lot 27 gave the easement rights and the right to build a road to the proposed 34 condominiums. Once the road is built, there is an overwhelming incentive to continue the second phase of the development on lot 27, and then connect the whole project to Oak Park Lane.

We request that this fact be taken into full account as part of the EIR for the project.

### **3.a. Growth or Concentration of Population (p. 16)**

The boilerplate language in this section shows no evidence that the development's extension of an existing cul-de-sac would have a **major** impact on the immediate population who rely on this single, narrow, no-exit street. Since all automotive and pedestrian traffic must traverse this street, coming or going, the impact of the increased population – estimated at 126 people – would be a **substantial** increase in the population living on and using this cul-de-sac. The fact that the proposed project is larger in terms of rooms than 68% of the other residences in the census tract and that household size is projected to be larger than 81% of other households in the census tract (footnote 2, p. 17), all crammed into an extension of the City's already longest cul-de-sac, makes the population situation unique and untenable. We insist that this issue be analyzed in the EIR.

## **4. Transportation/Circulation (p. 18)**

### **a. Increase in Traffic Load**

Since Crestmont Drive is a cul-de-sac, traffic from the proposed development will increase the traffic burden on the street disproportionately compared to the usual increase anticipated for similar-sized developments which can be accessed by usual thoroughfares. Therefore, traffic on lower Crestmont Drive can be expected to double or triple, a dramatic increase on a narrow, steep, winding street.

Furthermore, traffic patterns throughout Forest Knolls have already been adversely impacted by the newly installed traffic light at the intersection of Clarendon and Laguna Honda. Vehicles which previously traversed Laguna Honda between 7<sup>th</sup> Avenue and Dewey or Woodside, especially during peak volume hours, now turn up Clarendon to avoid the long light and circumvent the stop by using Warren or Oak Park or alternate routes, frequently exceeding the speed limit as they drive on these residential streets. The resultant increase in traffic and threat to safety in Forest Knolls has been a source of increasing concern, aggravation, and discussion among the neighborhood residents. The prospect of yet an additional traffic burden brought about by the Crestmont Hills development (and the possibility of even more potential development in the future) has angered and galvanized the entire neighborhood, as reflected by the increasingly numerous red and yellow "Stop Crestmont Hills Development" signs on windows of homes throughout Forest Knolls.

## **b. Substantial Alterations to Circulation Patterns or Major Traffic Hazards**

The street is already hazardous due to its narrowness, further impeded by parked cars and its sharp bends and blind curves. Two cars cannot pass side-by-side and one must pull over to allow passage. Doubling or tripling the traffic at the lower end of the street obviously will add to the existing risk of accidents.

Furthermore, children living on this street constantly play in the street, since the houses on the lower Crestmont Drive cul-de-sac are built out over the steep hillside and, unlike most San Francisco homes, have **no yards**. Therefore, the street, the turnaround area at the end of Crestmont and the undeveloped green space designated for the development are the only play areas these children have. Increasing the traffic flow on this street will place these children at increased risk on a constant basis year-round and greatly degrade the family-friendly quality of the existing neighborhood.

Making an existing San Francisco neighborhood even less attractive to families with children is exactly the opposite of what the City needs at this time when newspaper articles and public officials decry the loss of such families and the decline of children in the City's population.

## **c. Increase in Transit Demand Which Cannot be Accommodated**

The proposed area has no reasonable access to public transportation. The closest bus service is on Warren Drive, which is **more than 1/2 mile actual walking distance from the westernmost unit of the proposed development**. The City does not police the many parked cars on the sidewalks along Crestmont, where the road is steep, windy and uneven, which forces pedestrians into the street. Where walking on the sidewalk is possible, the path of travel is very steep and winding with **uneven sub-standard sidewalk** (less than 4 feet wide and more than 2% cross slope). Average travel slope is more than 1:12 and at many locations the slope is more than 17%. In addition, due to the steep slopes, the existing sidewalk required sections with steps without guardrails and no nighttime lighting.

Streetlights do not provide the minimum safe lighting level and the fog makes walking even less safe. Access to public transportation from the proposed development would be impossible for the elderly and the disabled.

## **d. Substantial Increase in Parking Demand Which Cannot be Accommodated by Proposed or Existing Parking Facilities**

SFPC Sec. 150: The 55 parking spaces for 34 dwellings are inadequate and not applicable to the proposed project. We as neighbors demand that there be

a minimum of two parking spaces per unit as would be required under San Francisco Planning Code Section 157 "Conditional Use Application for Parking Exceeding Accessory Amount: Additional Criteria".

We request that the full project EIR would consider the Environmental Effect (No. 3: Population (p. 16-17) of the minimum of 124 new residents with no accommodation for at least 2 car parking per household. This issue does create new environmental effects on the existing neighbors with overflow of parking demand and hindrance of emergency vehicle access due to a blocked narrow and winding street. Any day, a drive-by review of on-street parked cars outside the existing one- and two-unit buildings on Crestmont shows between one and two on-street parked cars per unit despite most having 1 or 2 garage spaces. The SFPD initial study indicates 3.7 per household or 126 new residents, with only 55 parking spaces. Since there is no place for overflow cars in the proposed plans, these cars would be parked in front of the new driveways or on Crestmont Drive which is already overburdened with parking and cannot accommodate more: a recent evening count of cars parked on Crestmont Drive from its junction with the proposed road uphill to the first curve revealed every potential space on both sides of the street occupied, with 26 cars parked on the street outside of 13 homes with 21 garage spaces, or 1.24 overflow cars parked on-street for each garage space. Simple extrapolation of the impact of 34 new units with only 55 parking spaces and **no** available adjacent on-street parking gives a clear picture of the untenable impact this additional parking burden would have on the immediate neighborhood.

Furthermore, enforcement of the parking regulations would not be practical since the street is out of the way and enforcement would be dependent largely on neighbors' complaints, a potentially incendiary situation.

In addition, delivery trucks and move-in and move-out trucks would block the street, causing yet another neighborhood hazard (as on lower Warren Drive where moving trucks constantly block the blind turn near the bottom of the hill).

There is no practical way currently to keep the 20 foot driveway clear of parked cars. The residents and guests would park on Crestmont if not along the red zone, then along the curb cuts in front of the houses. This might block the 48" sidewalk creating further pedestrian hazards.

All this calls for additional off-street parking with a minimum of two cars per 2-3 bedrooms, and additional 15 guest/overflow parking. As described above, bus service is a long walk away from this dead end and a car is needed by most people in this remote hilly neighborhood.

**Disabled parking requirements:** Currently there is no disabled parking provided. Since these are not individual houses, but a PUD "Condominium

Development”, all of the proposed components of the development need to comply with the ADA requirements so no disabled member of the community be excluded from the “Crestmont Family Housing” (name used by the developer). Since the new residents would be prohibited from parking in front of their residences and the off-street parking space allowance does not accommodate disabled vans or minimum clearances, **this project is in violation of the ADA.**

In summary, future occupants of this development would find lack of adequate parking to be an insurmountable and permanent problem in this isolated hillside location. There is no way that the requirement for parking generated by this huge development at the end of an existing overburdened cul-de-sac can be accommodated by any of the proposed plans or proposals put forward to date by the developer. Only a drastic revision of the entire project could begin to address this important issue.

### **III.B.7 Police and Fire Protection** (p. 29)

and

### **III.B.12b Response and Evacuation Plans** (p. 45)

Fire and Emergency Vehicle Access: The narrow and winding cul-de-sac makes it difficult for emergency vehicles now. The street can be impassable when moving and delivery vehicles are present. With more congestion and traffic – and the possibility of more than one emergency (e.g. fire and injured resident) requiring several large vehicles (e.g. fire truck(s) and ambulance) – the situation becomes even more unsafe and dangerous.

A development of this magnitude should never have been contemplated at the end of this street. During the construction phase along, when as many as 30 or more large concrete trucks per day (projected from smaller projects on the nearby hillside) may traverse the narrow cul-de-sac of Crestmont Drive, the street will be repeatedly **impassable**. In case of any emergency, residents will be unable to evacuate except on foot and emergency vehicles will be unable to quickly arrive at the scene, or on a worst case basis, not reach the scene at all.

The preliminary review provided by the SFFD does not take real life into consideration. There will be cars parked and blocking the street in violation of the SFFD requirement. The proposed development will bring even more cars parked all along Crestmont, blocking passage and overflowing into the turnaround area at the bottom of the cul-de-sac. Therefore, the mid-day exercises carried out by the SFPD on March 14 and March 15, 2005, do not reflect the real-life conditions which exist now in the evening and night, and which will be compounded by the proposed project.

Although the existing Crestmont roadway measures 26 ft. curb to curb, the presence of cars parked on both sides of the street lining most of the lower Crestmont access route to the proposed development greatly narrows the passageway, allowing only one vehicle to pass. A single emergency vehicle on lower Crestmont beyond the Oakhurst stairs effectively **traps all the residents beyond**, allowing no vehicular traffic to escape since the cul-de-sac has no outlet. The elderly, of which there are many in this neighborhood, and disabled would be particularly at risk if evacuation is required given the steepness and irregularity of the only pedestrian walkways.

The neighborhood already has a higher than expected frequency of emergency calls, perhaps due to the elderly population. Review of fire records in the past year documents 34 runs to Crestmont since 2001. Interviews with residents who have witnessed emergency situations on this street and firefighters who have participated in them describe the scenes as “chaos”. Chief Hayes-White’s assurances that “all the concerns regarding access and emergency response are within the normally accepted guidelines” (letter of March 28, 2005) are inadequate in view of the actual existing conditions on this unique, long, winding and narrow cul-de-sac. Extending this roadway even further, and burdening it with an additional 34 housing units and 126 residents and their vehicles is a recipe for guaranteed disaster in the face of any future emergency.

We insist that real-life scenario testing, including the use of multiple emergency vehicles attempting to negotiate the street on an unannounced basis at varying times, including times of maximum parking congestion on the street during weekday nights, be carried out.

**We demand, for the safety of our neighborhood, that these considerations be fully explored in the EIR and put the City on notice that failure to do so may permit criminal endangerment of existing and proposed residents.**

### **III.B. 7 Schools and Recreation Facilities (p. 30)**

Although “recreation facilities” is specified in section III.B.7, it is nowhere discussed in the text on pp 30-31 which focuses entirely on schools.

### **III.B. 13 b (p. 46)**

“Conflict with established recreational... uses of the area.” No comment is made in this section regarding the loss of recreational space except to say that “the project would not conflict with established recreational... uses of the area.” This statement is simply inconsistent with the facts which are known to every nearby resident.

Far more attention in the Initial Study is given to the environmental impact on animals and vegetation (III.B.8, pp 33-40) than to the recreational needs of the residents and potential residents, especially children. This is totally unacceptable.

Neither the proposed units nor the existing homes on the lower Crestmont cul-de-sac have rear yards as they are built over one of the steepest slopes in the City. Therefore, the **only** usable open space available to residents, and especially children, is the street, the turnaround area at the end of the existing Crestmont cul-de-sac, and the undeveloped green space which is the site of the proposed development. None of the Mt. Sutro forest bordering Crestmont Drive to the south and east can be considered accessible recreational area since it is steeply sloping terrain covered with underbrush and, except for one very steep (and dangerous) dirt trail, completely inaccessible.

The proposed development, which makes no provision whatsoever for recreational or open space, not only removes the neighborhood's only open and accessible green space, but as indicated previously, makes the turnaround and street immeasurably more hazardous to children, who have no other outdoor place to play (see also our comments under III.4b on p.4).

**Failure of the EIR to analyze the impact of loss of recreational area and failure to consider the increased traffic and parking loads as recreational issues in this unique setting is unacceptable to the residents of this community.** Planned unit development requirements for usable open space (see p. 11 of the Initial Study), which have already been violated in the initial development of this neighborhood, cannot be allowed to be ignored again to the detriment of the entire Forest Knolls community.

### **III.B.5 Construction Vibration (p. 21)**

The only reference to slope stability as it relates to vibration (p. 22), uses as its authority a telephone conversation (footnote 10), **which we reject as an adequate foundation for approval of construction activities which could result in immense damage to property and to loss of life.**

Although we are assured that construction vibration will not reach levels that will cause damage to nearby structures, the 30- to 40-year old buildings on the adjacent street above the development site already demonstrate the effects of foundational movement ("hill creep").

Furthermore, the Initial Study refers to these homes as of "normal or modern construction" (p. 21). If "modern" refers to construction techniques from the 1960's and 1970's, the term would be appropriate. However, characterization of these structures as "normal" defies common sense: a cursory visit to the site

reveals that **all of the nearby homes directly above the project** cantilever out over the exceedingly steep hillside (a 30% to 40% slope) and are supported by thin, extremely high 30 to 40 ft. pylons, mostly of reinforced concrete. As the Initial Study fails to fully take into consideration the unique and decidedly not “normal” structural and architectural aspects of the adjacent homes in its assessment of vibration (for example potential amplification of vibration along the length of a pylon in the manner of a vibrating violin string or as seen in the sympathetic vibration of a tuning fork if random, construction vibrations at the pylon’s natural frequency were to occur), it is inadequate, incomplete, and negligent.

Furthermore, the cumulative effects of vibration on structural integrity may not become obvious for years. In this regard it is evident on close inspection that hairline cracks in many of these 30-40 year old concrete pylons and piers have occurred. Vibration generated by the proposed construction activities would have the capacity to cause such cracks to enlarge, allowing water penetration which, over the ensuing years, can rust the steel reinforcement rods within, leading to loss of structural integrity and weakening of the buildings’ main structural support. While this weakening may not be evident for years, it could play a critical role in the collapse of these homes during the next moderate-to-severe earthquake, causing the homes above to cascade down the hillside into the new development. Lifetime insurance against such a disaster, not limited to 10 years, must be demanded of the developer in view of this unique and precarious hillside location and the risk to adjacent properties.

In light of these facts and in view of the recent landslides in the neighborhood (see p. 22), though presumably caused by water saturation, the additional impact of vibration on the already degraded integrity of the hillside and the potential future impact on structure integrity **must be readdressed** in the EIR.

### **III.B.a Geology – Topography (p. 41)**

This section, unlike many of the others discussed above, raises most of the appropriate issues and mandates their inclusion in the EIR. The issues of landslides and erosion and resultant impact on the overall hillside – not only at the construction site, but the adjacent dwellings – are of acute concern to the surrounding neighborhood and in particular the owners and renters living above and below the construction site.

The recent large landslide between 383 and 393 Crestmont demonstrates ample reason for this concern. This slide (one of two major slides on Mt. Sutro during the past season), presumably attributed to water loading (see p. 22) after the recent heavy rains, could be just the first of more slides to come in the immediate area, given the climactic projections for wetter winters in the future.

If this slide demonstrates the vulnerability of the hillside to water loading, does it not also follow that other potential destabilizing factors (e.g. vibration, pp. 21-22) will only accelerate the process and render additional hillside areas more vulnerable to future erosion and instability during rainy seasons or during earthquakes? **This must be given further consideration in the EIR.**

Furthermore, given the observation that, during the recent slide, a boulder large enough to crush a car plummeted down the hillside and came to rest in the area of the planned street (or possibly in the driveway area of the 4<sup>th</sup> condominium cluster), the EIR must address the risks to the proposed structures, their occupants, and their vehicles from such slides and rock falls.

Any plan which does not fully mitigate such hazards at the developer's expense along the entire length of the development would be unacceptable.

Insurance against damage to the new development and its occupants from such hazards, and against damage to the adjacent property owners' dwellings, foundations, and adjacent terrain for considerably longer than the usual 10 years must be provided by the developer given the obvious and demonstrated risk.

Based on past experience in the City of San Francisco, developers have built roads and buildings on potentially unstable hillsides. When actual slides occurred, the City of San Francisco was sued by the homeowners, since the City approved such construction, and damages and repairs were paid from City funds. This is a lifelong liability for the City and for us as taxpayers.

San Francisco has been sued after slides occurred at other building sites and the City attempted to charge the residents of Forest Knolls (via a "special assessment") for costs to the City in our own neighborhood when a house slid into the street at another hillside development on Warren Drive near Devonshire/Oak Park. Such an assessment in case of a slide on Crestmont would be unacceptable and unfair. The approval of the project would expose the city of San Francisco to unacceptable potential liability. For the City to accept the risk of such future costs seems poor economic policy; our taxes should go to making the City a better place, not to pay off the consequences of irresponsible development.

Given the unique location and geologic issues involved in this project, with earth movement already a major problem and visible on Crestmont, Warren, behind the Kirkham Heights Apartments, and previously above the UCSF parking area on Kirkham, and the potential liability to the City described above, the developer should be required to carry lifetime liability responsibility. This may be a matter to be addressed both in the EIR and by the City Attorney.

A further consideration regarding liability concerns the private roadway. It is unclear who will be responsible for road maintenance, both financially and with regard to potential liability. This should be clarified.

## **CONCLUSION**

As indicated by all of the above points, the anticipated environmental impact of this proposed development on the existing neighborhood will be enormous and detrimental. Allowing a project of this size to move forward will compound regrettable and inappropriate zoning errors made in the past and should not be permitted.

We find that this project does not conform to Section 101.1 of the Planning Code Priority Policies, specifically those policies involving protection of neighborhood character, discouragement of commuter vehicles, maximization of earthquake preparedness, and protection of open space.

As representatives of our neighborhood, including the totality of Forest Knolls, and with the support of other impacted and interested neighborhood groups, we will campaign vigorously to see that this development in its present form and size and with its multitude of environmental shortcomings is not imposed on our community.

Sincerely,

Samuel M. Sobol, M.D.  
Chairman  
Crestmont – Mt. Sutro - Forest Knolls  
Neighborhood Preservation Coalition