



ExCom Committee Meeting February 25, 2004

Because we had failed to achieve a quorum at the meeting, we acted as an ad hoc committee. Our actions and positions taken at the meeting were ratified by email.

- We decided: 1. Invite Joe Caruso, Director of the Office of Neighborhood Services to the Feb. 17 meeting. 2. Nominate George Zabeck to fill the vacancy of Jim Andrew to the Member-At-Large position. 3. Invite Vision Blvd to make a presentation at the 2/17 meeting, Mayor Newsom to the 3/16 meeting. 4. Place Daly's Clean Restaurant plan on the New Business agenda. 5. Reported that Rebecca Silverberg spoke for CSFN's position on Prop C at the League of Women Voters debate. (No objections.) 6. Approved Agendas for Feb and March. 7. Nominations for the Nominating Committee were made via email: Evelyn Wilson, Karen Crommie. More nominations may be made from the floor at the February meeting.

Neighborhood Services Director

Dear Coalition for San Francisco Neighborhoods Delegates:

As the newly appointed Director of Neighborhood Services for Mayor Gavin Newsom, I would like to introduce myself and reiterate my commitment to working with your organization. The Mayor's Office of Neighborhood Services is the public's primary point of contact with the Mayor and City government. It acts as a liaison between the City's neighborhoods and City government to assure the voice of the neighborhood is heard, and neighborhood problems and concerns are effectively handled.

As the only organization of neighborhood organizations in the City, I understand the importance of the Coalition for San Francisco Neighborhoods in voicing the concerns of neighborhoods. Thus it is imperative that lines of communication remain open. I hope to maintain the level of integrity and dedication you expect from the Mayor's Office of Neighborhood Services. I forward to working closely with you in the future. My office is always open and I promise to make myself available whenever you are in need of assistance. Respectfully yours, Joe Caruso, Director, Mayor's Office of Neighborhood Services

...Submitted by Ramona Allbright, TPCOSC

Dues Are Due

Agenda

General Assembly Meeting

• February 17, 2004

- 6:30 I. Sign In and Refreshments
7:00 II. Call to Order/Ascertain Quorum
A. Introduction of Delegates and Guests
B. Presentation by Host Organizations:
1. OMI Neighbors In Action
2. North of Panhandle Neighborhood Assn.
7:10 III. Approval of Minutes
A. January 2004
7:15 IV. Officers Reports
A. President (Barbara Meskunas)
B. First Vice President (Doug Comstock)
C. Second Vice President (Judith Berkowitz)
D. Recording Secretary (Steve Gruel)
E. Corresponding Secretary (Dick Millet)
F. Treasurer (Babette Drefke)
7:30 VI. Committee Reports
A. Open Space Task Force
B. Land Use Committee
8:00 VII Program: Vision Boulevard
9:00 VIII. Unfinished Business
A. PRO SF Noise control in the parks
9:30 IX. New Business
9:40 X. Announcements
9:45 XI. Adjournment

Visitors: Please Sign the Visitors' Roster.

Location: Northern Police Station, Fillmore & Turk Streets (Parking in Rear) Public Transit: MUNI #22 Fillmore & Geary Lines

Next Meeting

TUESDAY February 17th

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### How To Reach Us

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### Committee Meetings

Land Use & Housing • Monday, 7:00, Mar. at Northern  
Police Stn. • Judith Berkowitz 824-0617 • sfjberk@mac.com

Bylaws Committee  
Chair: Evelyn Wilson: EvelynWilsRegParl@earthlink.net  
566-7826

Government and Elections Committee  
Chair: Rebecca Silverberg: sfrebecca@aol.com 584-0535

Land Use and Housing Committee  
Chair: Judith Berkowitz: sfberk@mac.com 824-0617

Newsletter Committee  
Chair: Ramona Albright 621-9621

Open Space Task Force  
Chair: Tys Sniffen: tys@ideamountain.com 929-7746

Transportation Committee  
Chair: John Barry: jackbarry99@earthlink.net 564-0225

Water Task Force  
Chair: Joan Girardot: 346-5525

## Minutes of the January 20, 2004 Regular Meeting of the CSFN Assembly

**1. Call to order.** President Barbara Meskunas brought the meeting to order at 7:13 pm at the Northern Police Station.

a. Quorum declared. Delegates and alternates represented 24 CSFN member organizations.

b. Agenda Approved.

c. Introductions.

**2. Presentation by Host Organizations.** Delegates John McGirr / NMTIA and James Lee / NBNA described their organizations, their objectives, history and issues.

**3. Approval of Minutes** from November 18, 2003 meeting. The minutes as reported on page four in the January 4, 2004 newsletter were approved.

### **4. Officers' Reports:**

A. President: Barbara Meskunas / BANG stated that her report was contained in the January 4, 2004 newsletter article entitled "New Year, New Mayor, Same Old Struggles."

B. Vice President: Doug Comstock / PRO SF reported that an ExCom meeting was scheduled for January 28, 2004.

C. Second Vice President: Judith Berkowitz / EMIA C. Second Vice President: Announced that Joe Caruso, new Director Mayor's Office of Neighborhood Services was invited to introduce himself.

D. Recording Secretary: No Report.

E. Treasurer: The treasurer, Babette Drefke / EMIA, filed her report.

F. Corresponding Secretary: No report.

### **5. Committee Reports:**

A. By-Law Committee: Evelyn Wilson / SPEAK reported that the October, 2003 By-Law amendment was postponed until next month.

B. Open Space Task Force: Ramona Albright / TPC & OSC introduced Kathy DeVincenzi to the delegates as someone working with the CSFN on several matters affecting open spaces. Tys Sniffen / NOPNA reported on the work of NAPCAC and the events at the recent supervisors' committee meeting.

C. Land Use & Housing: Chairperson Judith Berkowitz / EMIA directed delegates to page 7 of the CSFN January 4, 2004, newsletter for the report from the committee.

Chairperson Berkowitz introduced three points for adoption by the CSFN regarding the December 18, 2003 discretionary review proposal. These points are:

1. We strongly support the Pre-Application process;

2. We oppose delegation of Planning Commission power of Discretionary Review to Planning Administration;

3. We request that the question of DR process change be severed from the question of establishment of a Pre-Application process, so the Pre-App may be immediately implemented after Public Hearing.

A motion to accept these three points was seconded and passed 23 - 1.

D. Government and Election: Chairperson Rebecca Silverberg / EDIA of Government and Elections (G&E) noted that the minutes of the November, 2003 meeting were reported on page five of the January 4, 2004 newsletter.

Chairperson Silverberg further reported that only one measure was put on the March 2, 2004 ballot - Proposition

I. The proposition entitled the "The Healthful Air Enforcement Act" involves allocating money to replace older generation buses. The cost for replacement busses will be \$30 million.

**6. Program:** Maria Ayerdi, Executive Director of the Transbay Joint Power Authority and Tony Bruzzonie, AC Transit, provided a power point presentation concerning the Transbay Terminal Project.

**7. Unfinished Business:** None

### **8. New Business:**

Evelyn Wilson / SPEAK made a motion that was seconded to commend Commissioner Dr. Mike Antonini for his service as Vice-Chair to the Planning Commission. This passed unanimously.

Kathy DeVincenzi submitted an Emergency Motion regarding the Housing Element's Negative Declaration for CSFN consideration. The motion was reported on page one of the January 4, 2004 CSFN newsletter.

After being deemed an emergency by a vote of 17-1, the motion passed 17-0-1.

Mary Helen Brisco / PRO-SF introduced a resolution concerning violation of Sound Codes to be considered next month. The resolution is found on page seven of the January 4, 2004 newsletter.

**9. Adjournment.** The meeting was adjourned at 9:36 p.m.  
...Steven Gruel, Recording Secretary, GGHNA

## Peace in the Parks

In the January issue of Neighborhood Views there was a column headed, VIOLATION OF SOUND CODES, concerning a proposed emergency Resolution by PROSF to control amplified at Sharon Meadow and other City parks. The resolution was put off until the February meeting.

This isn't a new issue, having had a resolution passed in October 1999 sponsored by CVIA, urging the Department of Recreation & Parks to enforce their permits to provide allow peace and quiet in the privacy of our homes. Our Resolution was not heeded. In 2002, there was some hope that negotiations with Rec. and Parks would result in an improvement but that turned out to be another false promise, which is worse than no promise at all.

A grouping of neighborhood associations bordering Golden Gate Park, including PROSF and CVIA, will present their case at the CSFN meeting on February 17<sup>th</sup>, in hopes that their proposed resolution will be approved in time for the February 19<sup>th</sup> meeting of the Recreation & Parks Commission.

FACTS: There is no question that the sound levels are a violation of the existing noise control law. MPC47.2(7) says that sound should be inaudible in excess of 250 feet of the periphery of the attendant audience; for Sharon Meadow, that means Stanyan. There are other activities in the Park itself that border Sharon Meadow, such as, the Children's Playground, Bowling on the Green, Tennis and the Conservatory.

There only four reasons given to justify of these loud events: 1) they bring people to Golden Gate Park who might otherwise not come, 2) they generate fees to help maintain the Park, 3) they raise money for worthy causes, and 4) they are a tradition since 1991 and many people enjoy and variety of recreation is a function of the park.

If being against the law and a tremendous distress to the residents isn't a sufficient argument against these loud amplified events, here is a response to the four previous rationales:

1) the people who come to these events, crowd into a small space and don't really enjoy the park. They are talking about surrounding Sharon Meadow with a temporary baffle, so the participants wouldn't even know they were in a park except they are on grass,

2) they cause damage to Sharon Meadow turf and the repair consumes most, if not more than the fees, that are collected. They also deprive the other patrons from a full and quiet use of the Park.

3) the NPOs get less than \$10,000 from a \$600,000 gate and have to spend a great deal of time selling tickets. They and the Dept. of Rec. and Parks are only a cover of a blatantly commercial activity, mostly run by Marin event promoters who can't get a permit to do the same event in Marin County,

4) it is a tradition (12 years) only because Recreation and Parks Department has not responded to the complaints of the neighborhoods.

...Martin McIntyre, Submitted by M.Briscoe, PRO/SF

## FEBRUARY LAND USE & HOUSING COMMITTEE REPORT

The CSFN Land Use & Housing Committee held its regular meeting in the Community Room of the Northern Police Station on Monday February 2.

The appeal of the Housing Element's finding of a Neg Dec was filed at the deadline date: Friday January 30. CSFN was one of several neighborhoods' names on the appeal.

There will be a press conference on the Polk Street steps of City Hall on Thursday February 5 of the opponents of Prop J Workforce Housing.

Eastern Neighborhoods continues to be heard at the Planning Commission. Since this portends what the Housing Element will bring to SF, CSFN should take a stand supporting the Interim Policies rather than Interim Controls.

The Rincon Hill project that CSFN opposed was passed at the BoS by a vote of 10-1. Supervisor Ammiano opposed.

The upcoming Planning Commission hearing on change in DR policy is coming up. On the basis of the vote at the January CSFN General Assembly meeting, a letter has been sent to the Commissioners, Jonas Ionin, senior Planning staff, and cc'd to the Board of Supervisors stating the CSFN position on these changes and recommending changes and additions to the policy. The text of the letter is at the end of this Report. We will get in touch with the San Mateo Planning Department in an effort to find out exactly how their Pre-App neighborhood meeting works. We will meet with them to find out the details and study their material. It appears that the SF Planning Staff prior to writing the DR change policy has not yet done this. We will try to meet with Planner Jonas Ionin who wrote the DR policy changes when we get the San Mateo material. CSFN member organizations are strongly urged to send their own letters to the Planning Department and Planning Commission concerning DR policy changes.

### **Text of CSFN position on DR changes:**

- We strongly support the Pre-Application process.
- We oppose delegation of Planning Commission power of Discretionary Review in the act of Administrative Review to Planning Administration.
- We request that the question of DR process change be severed from the question of establishment of a Pre-Application process, so that the Pre-App process may be immediately implemented after Public Hearing.

### **CSFN recommends:**

- 1.) **Implement the Pre-Application process at once after Public Hearing for a period of 12 months.**
- 2.) **Defer the consideration of the Administrative Review protocol.**
- 3.) **Evaluate the results of the Pre-Application process after the 12-month trial. If it is a success, the Administrative Review process will be unnecessary.**

### **Administrative Review: Reasons for Opposition**

- Again, we state CSFN opposition to Administrative Review for reasons following (but not limited to):
  - 1.) These powers are vested in the Planning Commission alone, as set forth in City Law (see City Attorney's Opinions in case file prepared by Mr Ionin)
  - 2.) Planning Commissioners represent the people of San Francisco, whereas the Planning Department has a bias in

weighing facts presented to them. DRs occur when interested parties contest Planning's determination, for instance the Starbucks at 45th and Judah on January 8. After listening to the neighbors, Commissioners voted not to approve, going against Planning's recommendation. That would not have happened if Administrative Review had been in place.  
3.) The citizens' right to DR is a very important due-process right. It must not be given away to "streamline" the process, or for any other reason.

CSFN opposes the Administrative Review process because there will not be a need for "Administrative Review" if there is a Pre-App procedure and if the inconsistencies in the Planning Code and Residential Design Guidelines are clarified. There is an inherent conflict of interest in having the Department Administrative Officer judging his own staff's approval of the permit because the greater the number of DRs passed on would reflect poorly on the work of the department personnel. There is likely to be an effort by the Administrator to avoid such embarrassment; and that would work to the detriment of the interested parties. All in all, we feel that Administrative Review is a flawed concept.

### **Pre-Application Process: Support and Suggestions**

We strongly support the Pre-Application process with the following changes.

We suggest the following items be considered in the Pre-App Process:

- 1.) The Pre-Application process should be broadened from the proposed RH and RM only to include all residential alteration and permit applications that would trigger 311 and/or 312 notice consistent with General Rule 4/96 (p.855, Planning Code).
- 2.) A standard Pre-Application process should be developed, including a mechanism whereby the neighbors submit their comments directly to the Department subsequent to the Pre-Application meeting between the project sponsor and affected parties. This could be accomplished by providing a form with the Pre-App notification packet. It would eliminate the possibility of the project sponsor misinterpreting or misrepresenting neighborhood concerns to the planner. That form should become a part of the project file.
- 3.) The number of requests for DR can be further reduced if the Commission commits to clarifying contradictions between the Planning Code and the new Residential Design Guidelines. Types of concerns that come up repeatedly over time should be dealt with consistently with standards which have been set forth. Those already noted in the draft Residential Design Guidelines (page 5, paragraph 2) should be clarified so staff and the public understand how those conflicts will be resolved in all similar situations in the light of Code and established standards. Any problem that cannot be solved in light of standards already set forth is by definition extraordinary—that is, not resolved with established standards and guidelines. It is this type of problem that will potentially come before the Commission. If clear standards and guidelines are set forth, then Planning's actions will not be seen or thought to be arbitrary.
- 4.) The Department needs to devise a method of assuring that the plan accurately reflects the details and the footprint location of the permitted project.

### Land Use & Housing Report

5.) A Pre-App notification process is pro-active, raising issues up front so they can be addressed early on. As, and if, plans are modified, interested parties should be kept abreast of changes.

6.) Before the Permit Application leaves Planning, standard issues should be resolved. A Planner who needs assistance can and should go to administration for help with issue resolution before the application leaves Planning's jurisdiction.

The Coalition believes that the Pre-Application procedures and the above-referenced suggestions will dramatically reduce the DR caseload. We believe that if consideration of the Pre-App process is severed from the Administrative Review process and implemented immediately, a dramatic decrease in DRs will result.

### **Therefore, CSFN recommends:**

- 1.) Implement the above Pre-Application process at once after Public Hearing for a period of 12 months.
- 2.) Defer the consideration of the Administrative Review protocol.
- 3.) Evaluate the results of the Pre-Application process after the 12-month trial. If it is a success, the Administrative Review process will be unnecessary.

We feel that with implementation of a comprehensive Pre-App Process the number of DRs will undoubtedly be very few, as has proved to be the case in San Mateo. We doubt that there will be many requests for Discretionary Review if you establish a Pre-App procedure, taking into consideration our concerns expressed above.

...Submitted by Judith Berkowitz, Chair Land Use & Housing

## COALITION FOR SAN FRANCISCO NEIGHBORHOODS

**Acting Editor: Doug Comstock**

Neighborhood Views is published monthly, the official voice of the Coalition for San Francisco Neighborhoods, Inc., a 501(c)4 Organization

**To Submit Articles:** email articles by the first of the month (as text) to: dougcoms@aol.com or call 386-4934.

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