

**Minutes of the
Community Advisory Committee of the
Market and Octavia Plan Area
City and County of San Francisco**

<http://www.sf-planning.org/index.aspx?page=1700>

**5th Floor Conference Room
Planning Dept., 1650 Mission Street, Room 528
Wednesday, January 19, 2010; 6:30pm
Regularly scheduled monthly meeting**

Peter Cohen	Carmela Gold
Jason Henderson	Robin Levitt
Ted Olsson	Dennis Richards
Marius Starkey	Ken Wingard
David Winslow	Kearstin Dischinger (<i>ex officio</i>)

The Agenda & Minutes of all community meetings, a matter of public record, are available at the Planning Department, 1650 Mission Street, 4th Floor or on our website (above).

SUMMARY

AGENDA (Exhibit 1: Agenda)

1. Call to order and roll call
2. Announcements, upcoming meetings and general housekeeping [discuss]
3. Approval of Minutes for December 15, 2010 and January 19, 2011 meetings [act]
4. Pipeline Report—Developments in process; CAC project reviews [discuss]
5. Preparation for February 24th Planning Commission hearing—MOP Monitoring Report [discuss]
6. Next Steps on 2011 Community Improvements Program recommendations [discuss/act]
7. Draft Inclusionary Housing Amendment Ordinance for MOP Area [discuss]
8. Committee members' comments and issues the Committee may consider in future meetings [discuss]
9. Public Comment
10. Adjournment

NEXT MEETING: WEDNESDAY, MARCH 23, 2011, 6:30PM, LOCATION 1650 Mission, Rm. 528
(Jan19, Feb23, Mch23, Apr27, May25, Jun22, Jul27, Aug24, Sep28, Oct26, Nov23, Dec28)

NOTE: normal meetings are on the fourth Wednesday of each month (Jan & Feb: exceptions this year)

EXHIBITS (handout documents informing the discussion; name = responsible to provide to Oropeza)

1. Exhibit 1: Agenda [**Oropeza**]
2. Exhibit 2: Minutes (January 19, 2010) [**Olsson**]
3. Exhibit 3: Diagram of Market/Dolores potential improvements for polling CAC [**Dischinger**]
4. Exhibit 4: Pipeline Report—Developments in process; CAC project review [**Dischinger**]
5. Exhibit 5: Combined Dept.& CAC 5th Year MOP Reports to Planning Commission [**Dischinger**]

DECISIONS

1. Decision 1: Adoption of minutes of previous meeting (19Jan2011) approved as corrected.
2. Decision 2: A Project Review Working Group to review significant projects was established.
3. Decision 3: Pipeline Report accepted without discussion.

COMMITMENTS, ASSIGNMENTS, INFORMATION DUE

WHEN WHO WHAT

1. 1/23 CAC Prepare for presentation of CAC report to Planning Commission.

MINUTES

1. CALL TO ORDER AND ROLL CALL

EXHIBIT 1: AGENDA

ROLL CALL (√=present; 0=absent; X=excused)

- √ Peter Cohen (Chair)
- √ Carmela Gold
- √ Jason Henderson (Vice Chair)
- √ Robin Levitt
- √ Ted Olsson (Secretary)
- X Dennis Richards
- N Marius Starkey
- N Ken Wingard
- N David Winslow

Ex Officio Members

- √ Kearstin Dischinger

Others attending:

NONE

A quorum being present, the Chairman opened the meeting at 6:30pm.

2. Announcements, upcoming meetings and general housekeeping [discuss] (CAC)

- 2.1 **Creating a Project Review Working Group (not subcommittee) to review significant projects.**
 - **55 Laguna Street:** this is the first signature project, an exceptional, massive highrise.
 - **209 Buchanan Street** is another.
 - **Significant Projects Review:** Eastern Neighborhoods CAC has established a group to review significant projects to determine how to deal with projects presenting its characteristics. A project is not assigned to the working group for review unless a quorum/majority of the CAC agree. This group looks at selected projects in a deeper way and reports to the whole CAC on the issue that such projects would present. The concept is to assign fewer people to do deeper research and discuss the issues, which then are presented as a draft proposal for further discussion at the next CAC meeting. Such a group would consider how consistent that project is with the goals of the neighborhood plan (MOP). All is done by consensus.
- 2.2 **Tower at 1540 Market.** This is now at the Planning Department in the Environmental Review Strategy phase. It is reported to be going for a CPE. The timing on reviewing this project and this issue is therefore critical.
- 2.3 **245 Valencia Street:** The Greek Orthodox Church is moving ahead on an underground garage, which would also expand the church.
- 2.4 **Trader Joe's for upper Market Street.** A public meeting was held on February 14, 7-10pm, which attracted 150 people to learn more about the planned store and its issues from the company, advocates, and opponents.
- 2.5 **Central Freeway Ancillary Projects.** Levitt will attend a meeting on this topic. Some parcels have been sold, which generated a lot of money.
- 2.6 **Four projects.** Dischinger had briefed us earlier on these projects. This is an update since funding has come through as a result of the sale of some freeway parcels. Levitt thought that the funds instead may be from the sale of the Redevelopment Agency parcels. In any case, the total amount of funds was either \$5 million or \$50 million (we were not sure). These are the projects which would be funded:
 - McCoppin Street
 - the stub on McCoppin Street
 - the alleys at Stevenson, Pearl, Elgin, & Jessie
 - the skateboarding park
 These projects would now be funded and implemented as conceived and designed.
- 2.7 **Parcel P.** Parcel P is located where the Hayes Valley Farm is now operating. This parcel will be constructed by a team of Avalon Bay and Build Inc. Henderson attended a meeting with

them and they seem to be sticking to their plan, though he did not see that. Another meeting is scheduled for March 7th. The alley has to be kept open for fire, garbage, access/egress.

- 2.8 **510 Hayes at Laguna Streets.** This is a plan for six units with retail on the ground floor.
- 2.9 **580 Hayes.** This is caddy-corner from Suppen Kucken with an illegal suburban style parking lot, which is always full of cars. Dischinger explained that this issue is handled by the Department's Enforcement Division. They do not operate until the Department has sent the offenders a preliminary letter, which cannot be done until the issue has been researched by scouring the records back to 1877 to understand the chain of title ownership. Only after the letter is sent does the clock start ticking in 30-day increments. However, until then the department has told the project sponsors that they can have parking there. The owners are sure of their right of parking; they will appeal any obstructions.

Henderson has a real concern with this because one of the purposes of the CAC is to review whatever, he believes, contradicts the spirit of the MOP. Henderson has already notified President Olague of the Planning Commission of his concern. He wants us to bring this issue before the Planning Commission. Cohen indicated that our CAC does not have that ability; so, this would have to be done at by a neighborhood association. However, now that we have a new process for reviewing significant projects (the Project Review Working Group concept), the group could review this issue and propose a position for the CAC, which we could forward to the Commission as a topic which effects the goals of the Plan. We were advised to more carefully pick the path that would best accomplish our purpose, perhaps beginning with the Department staff.

- 2.10 **Infrastructure Finance District update.** The proposal was adopted by the BOS, with its focus on the Rincon Hill project. The next steps will be on other plan areas (e.g., MOP, EN, Balboa Park). To see anything move further on this to other plans would require the sponsorship of one or more supervisors from the affected neighborhoods. It was noted that Sup. Scott Wiener was on the Land Use Committee when this proposal was approved. The recent zoning changes in our MOP area are significant enough that they could warrant one of these Tax Increment Districts in our MOP Area, and Michael Yarney explained the problem and this solution very well to the BOS. However, the political movement in Sacramento is moving in just the opposite direction with the Governor's proposal to eliminate the funding of Redevelopment Agencies, which are currently appealing to the state and local constituents. In any case, San Francisco, being both a congruent City and County, is in a unique position with the State, though any type of local tax capture is rather unfavorable now. The talk now is to eliminate local tax increment entirely. We are trying to find how MOP can have a secondary funding source in the future for Community Improvement projects, in addition to by developers' fees, since reliance on such fees appears to be unreliable.

Levitt asked what are the implications for these parcels should the Redevelopment Agency be disbanded. In reply Dischinger said that essentially no one yet knows the answer but strategic plans will now have to be drawn up to consider such an eventuality.

- 2.11 **Preview & Review of Project.**
Exhibit 3: Diagram of potential Community Improvements for polling CAC

Dischinger announced that she had a plan, approved by the Department, that whenever a major development has been presented to the Department, she will give us an initial introduction to the project. Once it is approved, she will give us a deeper review of the project and its proposed impact upon the neighborhood. As an example, she presented the crossing at Dolores and Market, the primary portal to the Mission Dolores Historic District, showing multiple bulb-outs around the Whole Foods development, as well as creating a continuous, signaled, straight crosswalk across Market Street at the corner of Dolores. These were improvements which the Department presented to the developer Prado.

The Spanish War Statue and the Dolores Median being historic objects, the Department must complete a comprehensive Historic Resource Evaluation Report (HRER) on these objects, since they have far stricter requirements as to what modifications are allowed. So, for now, any such "improvements" to these structures are "off the table".

Whole Foods has expressed an interest in doing the bulb-out at Dolores and Market and the bulb-out at Dolores and 14th Street (~\$400-500k each), of the more than half dozen proposed

bulb-outs, but paying for the remainder with fees. For the moment the Department is trying to understand the preliminary scope and rough budgetary estimates of what is needed.

In answer to Olsson's question, Dischinger stated that not only is the Planning Department but also many of the city agencies are considering narrowing this first block of Dolores to a single lane for traffic mitigation to avoid the right lane becoming blocked as a waiting lane for this Whole Foods development. Dischinger brought this topic before us to find out how our CAC feels about all of these bulb-outs?

In terms of the straight crosswalk at Dolores and Market, DTNA had pushed very hard for this solution and Prado gets the point. Everyone now agrees that this is necessary. Kate Magee of the Department will be staffing this improvement and will meet with us.

Dischinger says that she has received various opinions about modifying the median. Some claim that State law applied to landmarks applies to the curbing, not merely the statue. Others claim that the curbs are not sacred. Others claim that the median itself has been different sizes since first installed; so that there is nothing "sacred" about the median, other than that there is one there. Somehow all have to agree about what is historic and must be preserved and what can be modified before anything can be done with the median. According to Dischinger, there is no agreement as to what aspect is ruling: the fact that the statue has a granite curb; the fact that the road has a median; or where the median is. Cohen suggested that we should preserve a significant amount of the impact fees that go into our funds to pay for things that are not directly related to the project throughout the Plan area. Others felt that urban design symmetry is critical, to encourage pedestrian activity.

Olsson pointed out that there are two distinct problems which the Department's planners must face: 1) the statue is a landmark; 2) the median is a State landmark in its own right. Historical landmarks have a much higher threshold that must be met before they can be modified. History has countervailing rights to the contemporary desires for modifications to accommodate developments. And this is the more so, when the location in question is the portal to an entire historic district, embodying a theme and setting a tone for entering this part of the City. Perhaps the burden should be placed, not on the historic monuments which dramatically herald and provide a distinctive entrance to the district but rather on the store, to use technology and attendants to mitigate traffic congestion as the cost of their doing business at that location. Dischinger agreed that this issue is complex and must await the findings and discussion of the HRER.

Assuming that these two landmarks cannot be changed how does this CAC want to set its priorities in terms of: the crosswalk across Market street; the crosswalk parallel to Market Street across Dolores Boulevard; and the bulb-outs, adjacent to the Prado development or on the other side of the street, Dischinger inquired. The Department must be fair to the developer in assigning improvements which are directly related to their property development and which would be considered a logical extension of their responsibility.

Dischinger took a straw poll of the CAC members on the various potential improvements. Levitt was more concerned at this point with the crosswalk at Buchanan/Duboce/Market than the one at Dolores. He suggested that the Department focus its attention for pedestrians and bicyclists there instead, to provide signals and traffic safety crossings for these populations. He considered that intersection to frame a view of the Mint. Cohen agreed that we should consider this Burchanan/Dolores/Market crosswalk complementary to the Dolores/Market one.

Dischinger refined the polling. The question before us is not What should we do? but rather, Within his financial responsibility, which improvements should we require the developer to do? She considers these improvements as phased: 1) the developer's improvements; then 2) other improvements funded by the City. Henderson's concern was that this grocery store be bike-accessible to those coming along the Duboce Bikeway. Bikes should be planned for both crosswalks and the solution should be considered comprehensively as a whole. Dischinger expected that the whole process would require about three months before it is presented to the Commission: the Department would take a month to research and plan the improvements; then they would present it to our CAC; then they would incorporate our feedback; and a month later they would present it to the Commission—a flexible schedule which would be completed before the beginning of summer. Dischinger agreed to provide the visuals accompanying this polling to be incorporated into the minutes.

In answer to Olsson's question, Dischinger explained that the rationale for bulb-outs was not merely to slow the speed of traffic but rather to better allow pedestrians to safely cross the intersections within the time typically allotted by the timed signals, which are coordinated along Market Street. The bulb-outs also create a sense of place, a place to be where one might meet neighbors, similar to the Noe/Market intersection. Olsson asked why it wouldn't be better to change the timing of the signals. Really the primary goal of the bulb-outs is to encourage pedestrians to enjoy the neighborhood. In that case, Olsson asked, why not extend this bulb-out concept for the length of Market Street. That was considered a suggestion worthy of much more thought.

- 2.12 **MOP applying for grant from Caltrans.** Dischinger has proposed our MOP area for a grant for living-alleyways/priority-pedestrian-improvements/community-planning-process. If it is selected among the various city agencies' proposals it will be submitted to CalTrans by the end of March for competition among other proposals submitted throughout the state. This is a long-shot, but we would try to prioritize alleyways and intersections for funding. We would complete the designs for these, which would be a subset of the Appendix C projects. But at least in competing for this grant, when other monies came in, we would already have well-developed designs for these specific alleyways and intersections, making them "shovel-ready" to implement immediately. She had hoped to know by this meeting, whether the city had selected our proposal to submit to Caltrans, but that has not yet been decided. So, rather than an official CAC resolution advocating this proposal, she will draft a letter of support and ask Peter, individually but in his role as Chair of our CAC, to send it, to aid in getting our proposal adopted to submit to Caltrans.

3. Approval of Minutes from previous meetings [act] (Olsson)

EXHIBIT 2: MINUTES OF JANUARY 19, 2011 CAC MEETING [Olsson]

Acceptance of the minutes were moved, seconded (Levitt/Gold) and unanimously approved with the following corrections by Henderson:

- 1) SFCTA discussion cited 90,000 vehicles per day, not people.
- 2) Executive Summary, item 7: the Commission will hear about the Regional Sustainable Community's Strategy, which will also be important information for this CAC.

NOTE: the December minutes, which had been previously approved, were also approved again.

4. Pipeline Report—Developments in process; CAC project reviews [discuss]

Exhibit 4: Pipeline Report for November [Dischinger]

The report was accepted but Dischinger will send it electronically to CAC members for further study.

Henderson asked the 55 Laguna people if they had been approached by Prado for non-inclusionary housing alternative and they said no.

5. Preparation for Feb.24th Planning Commission hearing—MOP Monitoring Report [discuss]

Dischinger has added our CAC report to the 5th Year Monitoring Report by the Department and together the two reports will be sent to the Commission for their hearing as a single item on their agenda. Theresa will present the Department's report. Typically we will be accorded 15 minutes to summarize our report or to emphasize special issues of concern. Then the hearing will be opened to Public Comment. The hearing will begin at 6:00pm.

The CAC speaking delegation will consist of these people in the following order: 1) Cohen will introduce the main themes of our reports; 2) Henderson will speak on Infrastructure issues; 3) Robin will speak on Transportation; and 4) Olsson on New Trends. It is highly recommended that each committee speaker will have three minutes. Other CAC members could speak for three minutes from the public.

Our report was organized into four main topics: 1) Policy Consequences; 2) New Trends; 3) CAC functioning; 4) Department Report recommendations. Gold reminded us that we do not need to discuss everything; fifteen minutes is a long time and we must focus on specifics; and people cannot absorb more than three points. Robin believed that we should emphasize the original goals of the Plan: a transit-rich, bicycle friendly, walkable community that does not depend upon automobiles and has a diverse population. Cohen said that in his comments he would briefly

mention our suggestions for the Department Report and our CAC functioning. He will state that we have four big sets of topics but that we will focus upon Policy topics and Trends Analysis. He will refer the commissioners to read our report for our recommendations on operations and efficiency and monitoring. Our presentation and comments will focus upon transportation, housing, urban design. Dischinger summarized our key Policy Consequences as: 1) inclusionary housing; 2) impacts of fee deferral; 3) service-related development; 4) transit development; 5) shovel-ready CIPs; 6) conditional use permits for parking and backyard variances; 7) sustainability; and 8) transportation (car-sharing, fuel stations, vehicle size, urban-car parking, bicycle safety & security). These were grouped and assigned as follows:

1. Housing (Cohen): inclusionary housing, CU permits
2. Infrastructure (Henderson): fee deferrable, shovel-ready CIPs
3. Transportation (Robin): mass transit's level of service to meet/anticipate development
4. New Trends (Olsson): Sustainability and adapting the plan to meet the future

**6. Next Steps on 2011 Community Improvements Program recommendations [discuss/act]
POSTPONED until March meeting to allow time to discuss Item 5 more fully.**

**7. Draft Inclusionary Housing Amendment Ordinance for MOP Area [discuss]
POSTPONED until March meeting to allow time to discuss Item 5 more fully.**

8. CAC members comments and issues the CAC may consider in future meetings [discuss].

For next month we'll discuss:

- 1) Inclusionary Ordinance
- 2) Capital Plan Process
- 3) Report on 55 Laguna (alternate affordable housing?)
- 4) 2001 Market In-Kind proposals
- 5) Historic Survey (Levitt/Henderson cannot make next meeting and wish to be present for this) discussion on the status of the historic survey adoption process; there are 4-5 surveys in the MOP area.
- 6) Department of the Environment to speak to us: Ted will coordinate with Dischinger on agenda items for the speaker. We must tell them what we want them to speak about with us.
- 7) Discuss whether current members of our CAC want to continue; review/update our CAC Bylaws; elect our officers and see if our current officers wish to continue in their roles. We should talk together about our CAC process .

9. Public Comment.

No public attending the meeting, this item was dispensed with.

10. Adjournment.

There being no further business, the meeting adjourned at 8:38pm.

NEXT MEETING: WEDNESDAY, MARCH 23, 2010, 6:30PM, CITY HALL, RM. 278

CAC Meetings: (Fourth Wednesday monthly, City Hall, Rm 278, 6:30-8:30pm)

2011 Calendar: 1/19, 2/16, 3/16, 4/20, 5/18, 6/15, 7/20, 8/17, 9/21, 10/19, 11/16, 12/21

Respectfully submitted,
~TED OLSSON, Secretary

MOP-CAC
Attendance
 4th Wednesday monthly

Legend

Y = attended

N = unexcused absence

X = excused absence (i.e., Chairman notified)

<u>CAC Member</u>	<u>1/19*</u>	<u>2/16*</u>	<u>3/23</u>	<u>4/25</u>	<u>5/26</u>	<u>6/22</u>	<u>7/27</u>	<u>8/24</u>	<u>9/28</u>	<u>10/26</u>	<u>11/23</u>	<u>12/28</u>
Peter Cohen	Y	Y										
Carmela Gold	X	Y										
Jason Henderson	Y	Y										
Robin Levitt	Y	Y										
Ted Olsson	Y	Y										
Dennis Richard	Y	N										
Marius Starkey	Y	N										
Ken Wingard	Y	N										
David Winslow	Y	N										
<u>Ex Officio</u>												
Kearstin Dischinger	Y	Y										

* Jan & Feb meetings held monthly on third Wednesday.

MOP-CAC
2011 Draft Schedule of meeting Topics
(as of 23 FEB 2010)

2010 SCHEDULE OF TOPICS

January 19

February 22

- Working session on CIP evaluation and prioritization
 - Explanations and updates on CIP Appendix C projects list
 - Projects evaluation and individual scoring
 - Review and discuss preliminary scoring results
 - Prep for next meeting: finalize 1st year CIP recommendations of projects and process

March 24

- Finalize 1st year program recommendations and text defining continuing refinement of the process
- Monitor and report; overview and discussion

April 24

- Neighborhood Planning and MEA staff presentations and discussions
- Discussion of Monitor Report by key topics of interest

May 28

- Review draft Monitor Report and potential action
- Review CAC draft section of Monitor Report; potential action

June 23

- IPIC presentation and discussion with CAC
- Discuss a process to continually refine and augment Appendix C's list of potential CIPs

July 28

- Finalize proposed process — potential action

August 25

- Implement Appendix C process
- Discuss MOP Fund expenditure categories; potential action
- Discuss additional funding sources for CIPs

September 22

- Update CAC CIP recommendations

October 27 **CANCELLED: Lack of Quorum**

- Finalize 2011 CAC CIP recommendations; potential action

November 24 Postponed to **November 29**: to avoid Thanksgiving holidays

- As needed; potential action to finalize 2011 CAC recommendations

December 22 Moved up to **December 15** to avoid Holidays

- Approve revised CAC Supplementary report.
- Send resolution to CAC Audiences

**LIST OF RELEVANT DOCUMENTS
TO BE INCLUDED ON MOP-CAC WEBSITE
(other than Exhibits, unless cross-referenced_
<http://www.sf-planning.org/index.aspx?page=1700>**

Each member of the CAC should indicate which public documents relevant to the MOP should be incorporated onto our website or at least linked from it. This page should be annotated to explain the document and its relevance to the MOP. The point is to make everything relevant to MOP transparent in order to inform the citizens about the CAC's decisions.

- Parking Nexus Study
- TEP
- NCD-20 (Neighborhood Community District) by Dan Sayer (model of superb government report)
- In-Kind policy
- Department's 5-year Monitoring Report of MOP
- CAC's supplementary to the Department's Monitoring Report of MOP
- List of CAC's Resolutions
- Planning Department's *Fifth Year MOP Monitoring Report*
- CAC's *Supplementary Fifth Year MOP Monitoring Report*