



UPPER NOE NEIGHBORS

February 15, 2010

Land Use Committee
San Francisco Board of Supervisors
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

Re: Discretionary Review (DR) Reform

Dear Supervisors:

On behalf of Upper Noe Neighbors we are sending you our comments on the proposed DR reforms as presented to our group by Planning Department staff on January 21, 2010. The goals of DR reform are laudable in that they could help eliminate the need for residents to constantly struggle to maintain the character of their neighborhoods. However, like many good ideas we need to actually see how the reforms work in the real world. And in the real world, our District (District 8, where Noe Valley is located) has had the most DRs filed of any district, and we are fully aware of the need to have a voice in how our neighborhoods are developed.

One of our initial concerns with DR becoming less of an option for neighbors is that it removes the leverage the "little guy" has to encourage project sponsors to cooperate. With the reforms, the Department (with its Design Review Team) will take over that role. If that works, and if there is still ample communication with neighbors, then we are all for taking that burden off nearby residents. We have not yet met a neighbor who really wanted to file for DR or who did so for a frivolous reason (though we realize that does happen); they did so because they had real concerns and no other options.

Historically, DRs were filed because little or no attention was paid to the Residential Design Guidelines. If the DRT does indeed call attention to projects that violate the Residential Design "Standards" or appear to have "exceptional and extraordinary" elements, then that will be a huge plus. It will be good for nearby neighbors and will ultimately save time, energy and money for project sponsors. If developers know they must make adjustments or go to a staff-initiated DR (potentially with neighborhood support for DR), then it could encourage cooperation. We believe DRT recommendations and subsequent Department follow-through could eliminate the need for many of the types of DRs we've seen in the past.

Here are a few of additional comments:

- We realize the Commission is an independent body that may not always go along with the Department's recommendations. It will still be important for neighbors to be actively involved in projects with which they have concerns.
- The Board of Appeals is not a realistic option if one is unhappy with a Commission determination.
- Early community engagement can be beneficial only if people want to work together and not ultimately be trying to hijack the process (project sponsors often try to get neighborhood support before people really understand what's being proposed, what the impact might be or how the process works)
- Strongly suggest a three-year trial period rather than two years. The economy may change, resulting in more development. Also, it takes time to establish trust in a process. A two-year period goes by quickly and this may not be long enough to really evaluate how the reforms are working.

Upper Noe Neighbors wants to protect neighborhood character while encouraging good, creative design. We want to see a fair process where those of us who are committed to our neighborhood have at least the same rights as developers and house-flippers. If DR reform can help lessen negatives impacts to nearby neighbors and make the whole process less of a crap-shoot, then we are willing to give it a try.

Thank you for considering our comments.

Sincerely,



Vicki Rosen
President

cc: Ron Miguel, President, Planning Commission
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