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

Board of Supervisors — Room 278
City Hall, 1 Dr. Carlton B. Goodlett Place
Wednesday, November 29, 2010; 6:30pm
Regularly scheduled monthly meeting

Peter Cohen	Carmela Gold
Jason Henderson	Robin Levitt
Ted Olsson	Dennis Richards
Marius Starkey	Ken Wingard

Kearstin Dischinger (ex officio)

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 from previous meetings (September 22, 2010) [act]
4. Coordination with Eastern Neighborhoods CAC [discuss; act]
5. Pipeline Report—Developments in process; CAC project reviews [discuss]
6. Extension of Market/Octavia Controls to Upper Market NCD
7. Inclusionary Housing in Market/Octavia Area [discuss; act]
8. Progress to update and augment M/O CIP projects list ("Appendix C") over time [discuss; act]
9. M/O Plan Monitoring Report and prepare for Planning Commission [discuss; act]
10. CAC supplement to Monitoring Report; prepare for Planning Commission [discuss; act]
11. Committee members comments and issues the Committee may consider in future meetings [discuss]
12. Public Comment
13. Adjournment

NEXT MEETING: WEDNESDAY, DECEMBER 15, 2010, 6:30PM, CITY HALL, RM. 278
(Jan27, Feb24, Mch24, Apr26, May26, Jun23, Jul28, Aug25, Sep22, Oct27, Nov24, Dec22)

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

1. Exhibit 1: Agenda [**Oropeza**]
2. Exhibit 2: Minutes (September 22, 2010) [**Olsson**]
3. Exhibit 3: Pipeline Report—Developments in process; CAC project review [**Dischinger**]
4. Exhibit 4: RPD Recommendations [**Cohen**]

DECISIONS

1. Decision 1: Adoption of minutes of previous meeting (22Sep2010) approved.
2. Decision 2: Pipeline Report accepted without discussion.
3. Decision 3: CAC Secretary forwards each resolution to intended audiences.
4. Decision 4: Resolution 22Sep10-2: Inclusionary Housing advisory
5. Decision 5: Pipeline Report will be improved, including quarterly comprehensive updates

COMMITMENTS, ASSIGNMENTS, INFORMATION DUE

#	WHEN	WHO	WHAT
1.	10/31	CAC	Submit suggestions for CAC's supplement.
2.	10/31	PC/JH	Meet with EN-CAC & staff to improve Pipeline Report.
3.	10/10	JH/TO/PC	Subcommittee draft/revise CAC Supplement for adoption at Oct. meeting.

4.	10/20	KD	Dischinger distributes final draft of Department's 5 Year Monitoring Report to CAC for it to critique and incorporate into CAC Supplementary Report as well as for CAC to discuss at its September meeting.
5.	10/28	PC	Meet with RPD to recommend to CAC projects for collaboration.
6.	10/31	PC	Meet with MTA to recommend to CAC projects for collabortion.

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)
√ Dennis Richards
√ Marius Starkey
√ Ken Wingard

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 **1900-1998 Market/Buchanan Streets**. They are asking for modifications in the following areas: 1) affordable housing; 2) no car sharing.

2.2 **2001 Market Street.** They too are asking for offsite affordable housing.

2.3 **Formula Retail [national/chain] stores:** State Farm is trying to get into one of our developments.

2.4 Our **next CAC meeting** will be on Wed., Dec. 15th, 6:30pm; Planning Department, Rm.431.

2.5 **SFCTA's Circulation Study** will be discussed next Thursday at HVNA (Korean Center).

2.6 **MTA** has also completed a study

2.7 **SFCTA's Van Ness Bus Rapid Transit Study** is completed. Our CAC should invite them to our January 2011 meeting for an update on this study.

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

EXHIBIT 2: MINUTES OF SEPTEMBER 29TH CAC MEETING [Olsson]

The minutes were moved, seconded and approved as corrected, with Henderson abstaining.

1) HVNA is proposing a plaque honoring Patricia of Patricia's Green; it has not been placed yet.
2) The Living Alley concept is a proposal of the MOP; Levitt merely mentioned that this would make these streets open spaces shared with automobiles.

4. Coordination with Eastern Neighborhoods CAC [discuss; poss.act] (Cohen)

We will continue to watch the EN-CAC pilot of studying developments in their area.

Dischinger mentioned that the Secretary of each CAC is hereafter requested to forward directly any CAC resolutions to their intended audiences. She will help to identify persons to be notified and to provide email addresses for them.

5. Pipeline Report

Exhibit 3: Pipeline Report for November [Dischinger]

Updates in the report were noted and accepted without comment.

Dischinger announced that the comprehensive Pipeline Report including mapping had been completed. She will get a copy of this for us.

It was announced that the 299 Valencia St. development (beside the Greek Orthodox Church) had broken ground and evidently started construction.

It was noted that a Medical Marijuana Dispensary is applying to move into the old video store as part of the City Suites building on Markiet Street between Church and Fourteenth Streets.

It was repeated here that a State Farm insurance office is likely not covered by the restriction on Formula Retail Stores being within the MOP Area.

It was also noted that the City is beginning to discuss potential health effects of wireless antennae, which might effect new developments in the MOP Area.

6. Extension of Market/Octavia Controls to Upper Market NCD [discuss]

An ordinance is being prepared to extend the controls of the MOP—but the Plan and its area is not being officially extended. Further, development fees within this block will not be invested in the MOP CIP Fund.

The ARCO station on Castro at 17th and Market Streets will accept the controls but does not want to pay fees because it is grandfathered, so long as it becomes entitled within two years. Similarly, the one block of Market between Noe and Castro Streets is grandfathered. The height, density, and unit mix requirements were also not included for any developments on this block.

It was decided that it would be useful for our CAC to create a resolution supporting this ordinance for extending the controls of the MOP to the block of Market Street between Noe and Castro Streets.

7. Inclusionary Housing in Market/Octavia Area [discuss; act]

The CAC is very concerned about the trend of developers asking to "fee-out" of including affordable housing in their developments and instead to pay for such affordable housing elsewhere. The following developments are part of this trend: 1) the Buchanan/Market Street development; 2) the Prado development at 2000 Market Street; 3) the Lightner property at 25-35 Dolores Street; and 4) "the Pit" at Market/Noe/16th Street. This, of course, would allow each developer to make much more money by selling all of their units at higher prices each, since the entire development could be considered much more exclusive. We reflected upon the resolution we had passed at our previous meeting strongly discouraging this practice, strongly encouraging inclusionary affordable housing being required of developers to obtain our CAC's recommendation. However, we were reminded that there is no legal obligation that the developers must include such housing in their developments.

Cohen indicated that Prado would be willing to make a "land dedication" as a means for the developer to get around the inclusionary housing issue. This is a separate issue from CIP funding by developers' fees. The Mayor's Office of Housing and Planning is in favor of using this solution within the MOP Area. This solution requires the developer to buy, build, and manage a plot of land dedicated to affordable housing within a quarter mile of the developer's site. Such land cannot include Redevelopment Agency (RDA) parcels. The logic of the solution is to provide affordable housing on market-rate land. The important corollary to this solution is the multiple developers can combine their fees to acquire a larger site for such affordable housing. Unfortunately, this begins to resemble a Faustian bargain of exchanging newly renamed housing projects for inclusionary housing. The developers are required to provide 15% affordable housing in their developments. They may pay 18% but we require that 15% of these remain in our MOP Area. If they provide inclusionary affordable housing onsite then we think that they should pay 15%, or 20% in fees for offsite housing. It was mentioned that in-lieu fees for offsite affordable housing is the second largest source of funding for the City.

It was agreed that Cohen will incorporate all elements of tonight's discussion into a revision of our earlier resolution and email this wording to us this week. All present approved the updating of that resolution to include the "land dedication" option for developers.

Richards will inform Prado of our intent to incorporate this option into our resolution, which will be mailed to those we are committed to advise—1) the Director of the Planning Department; 2) the IPIC: 3) the Planning Commission; 4) the Board of Supervisors; and 5) the Mayor. The Planning Commission is meeting on December 16th to discuss the Prado development. The CAC Secretary will notify all of our CAC Audience of this revised resolution.

8. Progress to update and augment M/O CIP projects list ("Appendix C") over time [discuss; act]

By consensus this item was postponed until our next meeting on December 15, 2010.

9. M/O Plan Monitoring Report and prepare for Planning Commission [discuss; act]

Because the Department's *MOP Fifth-Year Monitoring Report* is completed and published, no further comments can be used to revise it. Therefore, our residual remarks will be included in our section commenting upon their report.

10. CAC supplement to Monitoring Report; prepare for Planning Commission [discuss; act]

Richards questioned the value of our supplementary report—whether anything would be done or improved by our efforts. Dischinger indicated that she did not expect and extensive critique; instead she thought that it would be more valuable for the CAC to indicate not merely what issues concerned us—e.g., affordable housing; developers "fee-out" of inclusionary affordable housing—but more importantly to recommend solutions for each of these issues.

Our CAC Report in this draft version had three primary purposes and sections: 1) a critique of the department's report; 2) our recommendations for improving CAC functions; and 3) our recommendations on MOP policy issues. A fourth section of appendices was included to state our mission, bylaws, resolutions, as well as Planning Code requirements which mutually define the roles of our CAC and the Planning Department relative to the Market/Octavia Plan.

It was recognized and admitted that most people will not read our entire report; so, we must focus on creating a succinct Executive Summary, which can refer readers to our more detailed discussion if they want more information. However, the CAC also believed that it was important for us to record comprehensively our perspective and recommendations on all aspects of the MOP at this moment. In particular we feel that it is important for us to observe and record new trends in the area, the effect and lessons learned from the implementation of the MOP to this point, and what changes may be needed to the MOP to keep it current by the time the Plan is completed in twenty years.

Gold stated the CAC's expectations that we wanted the department's expert evaluations of the trends effecting the Plan and Area for the next five years, as extrapolated from these past five years. Richards added that we are not finding such expert analysis in the areas of Housing or Transportation.

The CAC determined to place our recommendations for MOP policy and CAC improvements at the beginning of our report, the critique of the department's report after that, followed by our appendices—references which inform the reader about the CAC role and purpose; our resolutions; and citations from the Planning Code which guide our deliberations and reports.

Gold remarked on the increasing housing developments and the impact that these will have on our Area. She noted that our CAC report needed to emphasize action verbs. She felt that the current version of our report was more a record of our deliberations than a record of our CAC positions on various issues. For example, others offered our concern on the issue of parking (it was noted that the development at 1050 Valencia Street does not include any parking) and on rear-yard variances. It was noted that we should recommend metrics (both qualitative and quantitative) by which we could judge how well the implementation was meeting the plan, or whether we needed to adapt the plan to the reality revealed by the implementation.

Dischinger again reminded us that what the Board of Supervisors is looking for is solutions to our concerns and issues. They do not have time nor expertise to create such solutions.

Cohen next assigned revision tasks to various members of the CAC as follows:

1. Richards Executive Summary
2. Cohen CAC Recommendations: MOP Policy
3. Olsson CAC Recommendations: CAC improvements
4. Henderson CAC Comments on Department's Monitoring Report
5. Olsson Appendices

The assignment for each person and each revision was to succinctly reduce each of these sections and the length of the entire report.

Richards repeated his assertion that the Planning Department's report would have been better presented (and evaluated) if it followed the order assigned in the Planning Code. He felt that our critique, if not our recommendations, should follow this order of the requirements.

All editors were asked to send their revisions to Olsson, who would incorporate their revisions into the comprehensive draft. Olsson will distribute each revised draft to the full committee. Because of the time required for the revisions and incorporating them into a comprehensive draft, it is necessary for each member of the CAC to read each division as soon as possible. Given the urgency of our task and the brief time before our next meeting, unless we all study each new revision, it is likely that the CAC will next meet without all members being fully informed.

To further expedite that next meeting, Olsson asked each member to forward to him any comments that they had based upon the revision. Olsson would try to collate all of these comments in the order of our CAC report.

11. Committee members comments and issues the Committee may consider in future meetings [discuss]

The time having expired, this topic was dismissed without comment.

12. Public Comment

There being no public attending, this topic was dismissed.

13. Adjournment

There being no further business, the meeting was adjourned at 8:30pm.

NEXT MEETING: WEDNESDAY, DECEMBER 15, 2010, 6:30PM, CITY HALL, RM. 278

CAC Meetings: (<u>Fourth</u> Wednesday monthly, City Hall, Rm 278, 6:30-8:30pm)
Calendar: 4/28, 5/26, 6/23, 7/28, 8/25, 9/22, 10/27, 11/24, 12/22

Respectfully submitted,
~TED OLSSON
Secretary

MOP-CAC
Attendance
4th Wednesday monthly

Legend
Y = attended
N = unexcused absence
X = excused absence (i.e., Chairman notified)

CAC Member	1/19	2/24	3/24	4/28	5/26	6/23	7/28	8/25	9/22	10/27	11/24	12/22
Cheryl Brinkman	Y	Y	Y	Y	**X**	Y	Y	**Resigned**				
Peter Cohen	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y	
Carmela Gold	Y	**X**	Y	Y	**X**	Y	Y	**X**	**X**		Y	
Jason Henderson	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y	
Robin Levitt	Y	Y	Y	Y	Y	**X**	Y	Y	Y		Y	
Ted Olsson	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y	
Dennis Richard	Y	Y	Y	Y	**X**	**X**	Y	Y	Y		Y	
Brad Villiers	Y	**X**	**Died**									
Marius Starkey				Y	Y	Y	Y	**N**	Y		Y	
Ken Wingard						Y	Y	**X**	Y		Y	
Ex Officio												
Kearstin Dischinger	Y	Y	Y	Y	Y	Y	Y	Y	Y		Y	

MOP-CAC
2010 Draft Schedule of meeting Topics
(as of 24 FEB 2010)

January 27

February 24
- 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
- Impement 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