

LV-2 and J-9

Bill and Bob Clark

Sent: Wednesday, August 22, 2012 1:19 PM

To: Lazar, Howard; Lazar, Howard

Cc: Licouris, Alyssa; DeCaigny, Tom; Lee, Mayor

Mr. Lazar,

I just read the email sent to you from David Berbey. I am asking you and the SF Arts Commission to disregard all of his arguments for not approving LV-2 and J-9 because they are absurd.

First of all, I want to remind you that the 16 street artist sales spaces on the East side of Hyde Street that Mr. Berbey is referring to are no longer legal designated street artist sales spaces because those sales spaces were automatically de-designated when the curb adjacent to them was painted white (passenger loading/unloading zone) at some time in the past.

I asked you to have the Board of Supervisors re-designate those spaces with an exception to the white zone prohibition. However, that has not occurred yet and in the meantime they are not legal designated sales spaces.

Also, contrary to what Mr. Berbey thinks, not all of the designated street artist sales spaces in the Fisherman's Wharf area are viable street artist sales spaces and you can't make a silk purse out of a sow's ear no matter how good of an artist or craftsman you are.

In regards to Mr. Berbey's claim that his business lost \$238,000 because of street artists selling in LV-2, I would like to point out that his enlarged door was not in existence from last June 18th to August 2nd. It's more likely that his increased business from June 18th to August 2nd of this year is a direct result of the construction of his new enlarged door which allows the public to enter his store in greater numbers from Leavenworth Street.

Wasn't it Mr. Berbey's intention to increase his business by enlarging the Leavenworth Street door in order to allow greater access into his store from Leavenworth Street?

It appears to have worked.

It's unreasonable for Mr. Berbey to compare his amount of business one year when his enlarged door wasn't even in existence to the next year's business when his enlarged door was in existence then blame the negative difference in income on street artists selling in LV-1 and LV-2.

It's also unreasonable for Mr. Berbey to take the amount of revenue he claims to have lost during the most lucrative time of the year because of street artists selling in LV-1 and LV-2 then claim he lost the same amount of money during each equivalent time periods throughout the entire year including the off season.

This is just another example of the unreasonableness of a merchant who is just trying to prevent street artists from getting a few viable sales spaces near their business.

William J. Clark