

## Discretionary Review Outreach Meeting

November 12, 2008

6:00 AM – 7:30 PM

Location: 1650 Mission Street, Room 431

Chair: Elaine Forbes

Attendees: Delvin Washington, Elizabeth Watty, Kate Conner, Lisa Chau

Joe Acayan, Jim Westover, Alan Burradell, Lou Felthouse, Alison Heath, Ted Pratt, Julie Denny, Joram Altman, Rosina Tong, Jean Neblet, Victor Tam, Luke O'Brien, Steven Currier, Henry Karnilowicz, Edward Gama, V. Labiaro Abello, Albert Costa, Xiaoliang Han, David Pilpel, Michael Schulte, Cristy Johnston, Fred Gibson, Anita Theoharis, John Lum

Name	Organization name	Comments
		An architect expressed that the DR reform was a great effort and he was impressed with the DR proposal.
		Another architect commented the pre-application meeting does not work.
Elaine Forbes		An architect stated that he liked the idea of Section 311 notification would be sent out even for projects not supported by the Department. Elaine said that by sending out Section 311 notification, the sponsor can appeal the decision.
Henry Karnilowicz	Occidental Express	Henry expressed that he really liked the proposed DR process. It will give people a chance to develop their houses and live better lives. Also, he'd like to see all DRs, including the staff initiated ones, go to the hearing officer.
		An architect stated that some people use the current DR process as a threat. People would file a DR for losing 5% of their view in their bedroom. He said that most architects are rational and they would not submit a project that does not comply with the Residential Design Guidelines.
Anita Theoharis  Elizabeth Watty	Westwood Park Association	Anita expressed the new DR process will take away the most valuable asset from the public and Planning Commission. She said that the current DR process would not get in the morale of the Planning staff since they are professional. She recommended any DR filed in special use district should be heard by the Planning Commission. Also, she wanted to have a couple hearing officers, not just one. Elizabeth agreed with Anita and said policy issues, DRs in special use district or landmark districts, should go to Planning Commission.
Anita Theoharis	Westwood Park Association	Anita expressed that City agencies do not enforce CC&R (The covenants, conditions and restrictions) and she had experience that planners at PIC didn't tell the public

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		that Westwood is a special use district.
John Lum  Elaine Forbes  Elizabeth Watty	John Lum Architects	John expressed that it is frustrating to deal with the current DR filers, ones who do not understand Planning codes. Planners are in an awkward position and can't tell DR filers that their DRs are not legitimate. Besides, it is frustrating for him to explain projects to irrational people. For example, people would file DR only because the building was old and they wanted to "preserve" that old building. Elaine said the Department will revise the DR application form and have applicants explain why they think the project doesn't comply with the Residential design guidelines. Liz added that the proposed DR process would improve the internal review of projects.
Elaine Forbes		Another architect said that he was encouraged by the hearing officer option in the proposed DR process. He said that the current DR process basically allows DR filers to slow down other people's projects. He said that bad DR filers should be paying part of the DR cost. Elaine said it is possible to raise the DR application fee from \$300 to \$500, or to make the DR filers pay 50% of the DR cost, but this would require Commission endorsement and BOS approval.
Elaine Forbes		A gentleman asked how to select a hearing officer. Elaine answered that he/she could be a retired senior planner or someone skilled and impartial, appointed by the Planning Commission.
		Another gentleman said that the current DR process shows that the Planning code has problems, he suggested revising the Planning codes. He said the Department should give some muscles to the Planning codes and not have the neighborhood group design what the future of a neighborhood should be.
Elaine Forbes Elizabeth Watty		An architect asked what is the definition of Exceptional and Extraordinary circumstances and would the definition be documented? Elaine said that it would be defined by the Planning Commission. Liz added that the consistency of what is NOT the exceptional and extraordinary circumstances is very important, for example, security issue would not be considered as exceptional and extraordinary circumstances.
Victor Tam	Homeowner	Victor expressed that increasing the consistency of the DR process is very important. His project was DRed a couple years ago. He felt that every time he gave into the DR filer, something else would come up; DR filer would have a new request. He also felt

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		that the pre-application meeting does not work; people are having the pre-application meetings just to go through the motions. He also suggested that the Department should investigate what is the percentage of owners in the neighborhood represented by the homeowner associations.
David Pilpel Elaine Forbes		David asked if the RDC would end up being a policy body? Elaine said that the RDC is an internal advisory review group that would identify and bring policy issues to the Commission.
Delvin Washington  David Pilpel Delvin Washignton  Elizabeth Watty		A gentleman asked what are the current roles of quadrant team leaders and planners? Delvin said that every problem case would be brought to the attention and be reviewed by quadrant team leaders and the planners. David said that he would like to see that all projects go to the team leaders. Delvin said right now, all projects go to the team leaders and team leaders assign them to planners. Liz reminded everyone that the RDC would review all the projects under the new DR process.
Steven R Currier	OMMRA	A homeowner expressed that DR filers can say whatever they like during the hearing. She asked if the Planning Commissioners review all the packets so that they fully understand the background of each project? Steven said that City Hall used to have people take an oath before they speak at a hearing. Steven said that as a representative from a neighborhood group, he would always ask for an extension for a project, then filing a DR. He felt that it is very important to educate the public on DR.