

Attachment IV Written Comments, received after case report as issued on 12/4/2008

San Francisco Planning Commission
1650 Mission Street
Suite 400
San Francisco, CA 94103-2414

By Hand

SUBJECT: DISCRETIONARY REVIEW REFORM

Dear Commissioners:

The Pacific Heights Residents Association (PHRA) represents 500 member households living within the area bounded by Van Ness Avenue, Presidio Avenue, Union Street and Bush Street. PHRA's mission is to maintain the quality of life and the residential character within these boundaries.

Discretionary Review is an essential tool that helps us in this mission, and the DR process is highly valued by our members.

PHRA agrees that the DR process, as currently implemented, is not the best possible solution, and that improvements to the process are needed. Unfortunately, the proposal ([DRoutreachmaterials.pdf](#)) fails to progress the goal of good planning leading to good projects in a timely manner.

In particular, PHRA strongly opposes the proposal to replace most DR hearings by the Planning Commission with hearings by a Hearing Officer. This attempts to treat a symptom while failing to address a number of the underlying causes that lead people to file DRs.

We are convinced that the Planning Commission hearing process adds significant value. The collective insight and experience of the Commission has repeatedly proven its value.

Expecting a Hearing Officer to provide this group wisdom is unrealistic. In particular, there would be no debate/question by neutral parties with different perspectives on the problems. The range of expertise required by the Hearing Officer would be enormous, probably beyond the ken of ordinary mortals. The evidence is clear: decisions on complex matters by an individual are not as good as decisions by a small group. Furthermore, the stated expectation that the Hearing Officer will not be affected by political considerations is naïve and unrealistic.

That said, several of the proposed measures make a good start towards an improved process, and with additional improvements should reduce the overall DR load at Planning Commission meetings. In particular, we support improving the review process prior to 311/312 notice, with a Residential Design Committee (RDC) made up of senior staff reviewing proposals against Residential Design Guidelines, and recommending changes, approval or rejection. The proposed process needs to be expanded to clearly identify means of incorporating neighborhood feedback early in the process; the current pre-application process unfortunately falls short of expectations and needs.

PHRA also believes that Planning support in resolving disputes over designs will reduce the number of DRs, as well as reduce the time needed in Commission Hearings to deal with DRs. Mediation does not detract from the planner's professional expertise. Rather, the planner's professional expertise and experience make them ideally suited to help neighbors understand how best to resolve conflicts related to planning matters.

Similarly, updating the Residential Design Guidelines, with more attention to neighborhood specific criteria, will improve the planning process.

The public outreach meetings were very helpful at telling us what Planning was proposing, and soliciting an answer to the simple question "Do you like it?" Unfortunately the meetings did not permit the level of dialogue needed to identify complex concerns and identify possible solutions.

PHRA urges the Planning Commission to direct Planning staff to work with neighborhood groups to continue to refine this proposal, understanding how best to incorporate neighborhood input into the overall planning process in a way that minimizes the need for DRs. Until this is completed, the proposal is not ready for a decision on implementation.

Sincerely yours,

PHW/Copy

Paul H Wermer
For PHRA