June 18, 2009

San Francisco Planning Commission
1650 Mission St, 4th Floor
San Francisco CA 94103

Re: DISCRETIONARY REVIEW REFORM
Item No. 16 - No. 2009.0227TU

Dear President Miguel and Planning Commissioners:

On behalf of the Telegraph Hill Dwellers (THD) we are writing to express serious concerns regarding the currently proposed Discretionary Review (DR) Reform.

The THD neighborhood organization was formed in 1954 and has been active since that time in planning and zoning matters in the North Beach and Telegraph Hill neighborhoods, as well as in the Northeast Waterfront and Jackson Square historic districts. As shown by the data presented to you by the Department, the areas in the NE quadrant the City have the smallest number of DR's filed of any other neighborhoods in the City. As a matter of fact, THD has filed only two DRs in the last five years. We believe this is in part the result of THD's work with project sponsors, neighbors and City planners to achieve the best possible solution without the need to file for discretionary review.

However, we are certain that the existence of the Planning Commission's discretionary review authority has been key to being able to effectively resolve development issues *without* filing an application for DR. The proposal before you today to "reform" the DR process will seriously undermine our ability to resolve development issues. Just the existence of the DR reform proposal has already had an impact: at 30 Edith and at 241 Chestnut, for example, the project sponsors have refused to meet with THD and concerned local neighbors because they anticipate that our rights to file a DR application will soon disappear.

Because of the importance of DR applications to preserving neighborhood character and ensuring that the residents of our neighborhood have a effective forum to work out developments disputes, **the THD Board of Directors adopted a motion, by unanimous vote, to oppose the Discretionary Review Reform as proposed.**

We agree that some reforms may be needed, and propose the following recommendations for your consideration:

1. Divide the DR reform into 2 Phases:

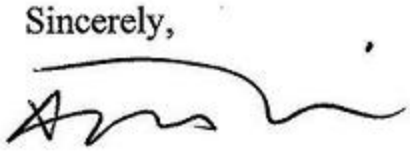
Phase 1: Reform the Planning Department Review process, starting with the implementation of an improved pre-application process, improved early public notice process, and revisions to the "Residential Design Guidelines" to be more specific, which should include neighborhood-by-neighborhood controls as appropriate. After the initial 18-month period, an assessment should be undertaken of the progress made by the Department and whether these reforms have reduced the number and types of DR's that are filed.

Phase 2: Assuming the assessment of the Phase 1 reforms shows positive results, proceed with any necessary amendments to Planning Code Sections 311, 312, etc. We feel the currently proposed amendments are inappropriate without a trial period within which to determine whether the Phase 1 reforms yield positive results. Further, the experience gained during Phase 1 will inform additional reform proposals or refinements, as well as any necessary amendments to the Planning Code.

2. Exempt Established Neighborhood Organizations. Allow established neighborhood organizations like the Telegraph Hill Dwellers to continue to file Discretionary Review applications directly to the Planning Commission.

Thank you for your consideration of our position.

Sincerely,



Vedica Puri
President

cc: John Rahaim, Director
Elaine Forbes, Planning Dept.
David Chiu, President, Board of Supervisors
Neighborhood Network
Coalition for San Francisco Neighborhoods