New District Attorney Appearance

Kamala Harris, newly elected District Attorney, will appear at 7:30 to address our members and answer questions.

Election Presentation

David Binder Research will present an analysis of the last election. CSFN will be the first organization to view the presentation of the March election.

PROGRAM HIGHLIGHTS

The Triangle Park - You Make the Call

CON-In the aftermath of the Board of Supervisor’s 8-3 vote to acquire the triangle of land at 701 Lombard by eminent domain, some are still questioning whether the City made the right call. But thousands of residents and most every local neighborhood organization – with the exception of the North Beach Neighbors – enthusiastically support the Board’s decision to convert the triangle to a public park. Here are the reasons why.

Is there need for Open Space in North Beach? The neighborhoods surrounding the triangle bounded by Columbus, Lombard and Mason are, by far, the most densely populated in San Francisco. With over 55,000 residents per square mile, it is the densest urban area in the United States outside of Manhattan. According to City data, there is a mere 18 square feet of open space per person in the area. The City average is 120 square feet per person - over 5 times as much, but still below current urban planning guidelines. Not surprisingly, North Beach is identified in the San Francisco Master Plan and in Recreation and Park Department guidelines as a “high need” area, with a very high priority for land acquisition and expansion of recreational areas.

Was it appropriate to make District 3’s open space needs a priority? The decision to acquire the triangle will not mean that other districts will not have their needs met. The open space fund is renewed annually. The need for action with respect to the triangle was simply urgent given the pendency of possible construction on the site, which would have meant

Respect Property, Not Eminent Domain

PRO-North beach neighbors came out in full support of the proposed 701 Lombard Project last year during a thorough and public planning review process. We found it to be a thoughtful and well designed project which would greatly improve a problem area along Columbus Avenue. The vast majority of other local residents not affiliated with NBN who commented on the project were in also in support. A small critical minority associated with the Telegraph Hill Dweller’s Planning and Zoning Committee, headed by Supervisor Peskin’s wife, Nancy Shanahan, called for the project to be lowered by one floor and appealed the project on that basis. Last June, that appeal was unanimously rejected by the planning commission and the concerns expressed were found to be without basis.

Not willing to have their agenda stymied by the transparent public process – these critics soon resorted to less open and democratic means. A mere two weeks after the Planning Commission decision, Supervisor Peskin became involved on their behalf and pressured Elizabeth Goldstein, General Manager of Recreation and Park Department, behind the scenes to initiate the process of eminent domain seizure without any neighborhood notification or involvement whatsoever.

The Board of Supervisors finally delivered the vote to seize 701 Lombard through eminent domain on February 10, 2004, over the strong opposition of Supervisors Hall, Ma and Duffy.

(Cont. Pg. 6)
General Assembly Meeting
• March 16, 2004 •

6:30 I. Sign In and Refreshments
7:00 II. Call to Order/Ascertain Quorum
    A. Introduction of Delegates and Guests
    B. Presentation by Host Organizations:
       1. Panhandle Residents Org. Stanyan/Fulton
       2. Outer Mission Residents Association
7:10 III. Approval of Minutes
    A. February 2004
7:15 IV. Officers Reports
    A. President (Barbara Meskunas)
    B. First Vice President (Doug Comstock)
    C. Second Vice President (Judith Berkowitz)
    D. Recording Secretary (Steve Gruel)
    E. Corresponding Secretary (Dick Millet)
    F. Treasurer (Babette Drefke)
7:30 VI. Special Visit: DA Kamala Harris
7:45 VII. Committee Reports
    A. Open Space Task Force
       1. Diamond Hts Resolution (see p.6)
    B. Land Use Committee
8:00 VIII Program: Election Results: Binder Research
9:00 VIII. Unfinished Business
    A. By-law change (see p.7)
    B. 701 Lombard (see p.3)
9:30 IX. New Business
9:40 X. Announcements
9:45 XI. Adjournment

CSFN Appeal of the Housing Element
April 1st: scheduled at the Planning Commission. But two of the Principals as well as the attorney will not be available, so it is hopeful that it will be continued until April 15.

Proposed DR Policy Changes
April 1st: at the Planning Commission

Proposed DR Fee Increases
April 22nd: at the Planning Commission
Proposition J Deserved to Lose – BIG!

Thank You! to every neighbor in every neighborhood who hung a “No on J” sign, talked to your neighbors, or wrote letters opposing the Chamber of Commerce’s Workforce Giveaway. Thanks to the Residential Builders Assn., Randy Shaw, Tony Hall, and all of the progressive Supervisors with whom we often take issue. Proposition J was truly a Trojan Horse and was so poorly written that it had the potential to devastate our neighborhoods, particularly when accompanied by the truly onerous Housing Element.

Thanks to the Independent and the SF Bay Guardian, both of which went No on J. I am still perplexed about why a seemingly bright new publisher at the Examiner would choose Downtown interests (he went Yes on J) over the neighborhoods, particularly when the Chronicle, not the Examiner, will always be Downtown’s propaganda sheet of choice. At least Warren Hinckle stood up for us, in both papers, and told the truth about Prop J, for which we understand the Chamber is making him pay dearly, both in personal threats, and letters to the editor containing both vitriol and fiction. There must have truly been a huge pile of money at stake for the Chamber and its members to so scurrilously attack a columnist.

The voters of San Francisco saw through the lies and handed the Chamber a crushing 70/30 defeat, from which they are already vowing to stage a rematch. Perhaps next time they will have the good sense to come and talk to us, and other potential stakeholders, before spending half a million dollars just to humiliate themselves.

Housing Element Appeal is Alive and Well

By now you’ve learned that our Planning Commission appeal of the Negative Declaration, originally scheduled for March 18, has been put off until at least April 1st. We are hopeful that it will be put off at least a couple more weeks, since some of us will be out of town. Our attorney tells us that our appeal is very solid and should ultimately prevail. But we have not given up hope that Mayor Newsom will keep his promise to stop the “attack on the neighborhoods” and stop this Housing Element in its tracks, making our appeal unnecessary.

Sunshine Amendments

Remember last October’s Planning Commission hearing, when Bradford-Bell threw out all of the speaker cards of neighbors who had patiently waited hours to speak? And allowed the non-profit speakers-for-hire to speak instead? Bradford-Bell, of course, is employed by a non-profit that is funded by the city with our tax money, but no one wants to point out that conflict of interest. But we can certainly see from where her loyalties and lack of judgment originate, particularly when she plays favorites with speaker cards.

One of the amendments being contemplated by the Sunshine Ordinance Task Force is a requirement for speakers at public hearings to be called in the order received, preventing abuses of power like Bradford-Bell’s. Perhaps Doug Comstock and Sue Cauthen, CSFN’s representatives on Sunshine, can name that particular amendment after her.

We hope another amendment will make Sunshine applicable to the School District, the Redevelopment Agency, the Housing Authority, and the Treasure Island Development Authority.

Redevelopment, in particular, seems to be creeping into a number of new neighborhoods and we are hampered in exposing their abuses when we cannot obtain documents quickly and easily.

If you have any other suggestions to improve Sunshine access, get them to Doug and Sue as soon as possible because the ballot language for November is being drafted.

Eminent Domain Abuse

CSFN will consider the 701 Lombard theft of private property by the City, under the cloak of eminent domain, at our March meeting. (Other articles describing the motion, and the project, are elsewhere herein.)

Eminent domain is theft. It occurs when a city deems that it can make better use of your property than you can, and seizes it, paying what it considers to be fair market value. The old Fillmore District was devastated by the Redevelopment Agency not so long ago. Last month we heard how the new Transbay Terminal Development Authority plans to confiscate all buildings in the path of their questionable progress. Plans were crafted to steal people’s houses out from under them in the Bayview to accommodate the new Stadium-Mall fiasco, which thankfully was never built. And now we have the Board of Supervisors attempting to confiscate 701 Lombard Street from its rightful owners, not because North Beach wants to expand a park, (the North Beach Neighbors OPPOSE it), but seemingly for petty political payback.

Eminent domain wars are being waged across the country, usually because cities lust after new tax money redevelopment can bring, and politicians don’t mind the political benefits of handing over ill-gotten property to their more powerful constituents or developer friends. 60 Minutes aired a piece on eminent domain abuses last fall, and there is a national organization, The Castle Coalition, that helps victims organize against it.

Many of the Supervisors who voted to steal 701 Lombard stand for re-election this year. We must remind them that San Francisco is still a part of the United States, which values private property and its inherent rights.

...Submitted by Barbara Meskunas, CSFN President

Pro and Con 701 Lombard/St-Triangle Park...............1
Editorial: Prop J’s Defeat, Housing Element, Sunshine Amendments, Eminent Domain...............2
701 Lombard Motion................................................3
General Assembly February Minutes..................4
Land Use & Housing Report................................. 4
Trinity Plaza Victory..............................................5
Farmers Market in the Panhandle...................... 6
Bylaw Committee Motion......................................7

Ladies & Gentlemen, Pay Your Dues.
...Submitted by Babette Drefke, Treasurer
CROOKED STREET IN THE WORLD

Eight years ago I purchased a small 4000 sq. ft. parcel of land in North Beach to build a 9-unit disabled accessible apartment building in which my 84 year-old disabled mother, Kay, and I planned to reside (we are currently renters). Other units would be available for rent. It was a dream which we had worked long and hard for – having been associated with North Beach since the 1950s.

Obtaining the necessary approvals was a long, arduous process. We had tremendous neighborhood support and very little opposition. The only opposition came from Supervisor Aaron Peskin’s wife and a handful of his close associates within the Telegraph Hill Dwellers (THD). Local groups from the immediate neighborhood, the North Beach Neighbors and the North Beach Chamber of Commerce voiced strong support for our project. The process culminated in the Planning Commission’s unanimous approval of our project in June, 2003, finding the objections of the THD to be without merit.

Just when it looked as though our dreams had been realized, they were brought crashing to a halt when the project was suddenly sabotaged by Supervisor Aaron Peskin. He managed to wield his considerable power as chairman of the Finance Committee, hijacking the public process by initiating a backroom eminent domain action in secret with absolutely no neighborhood notice or discussion. During the course of this process Peskin and THD argued expressly against a more thorough review of their proposal—a strangely atypical planning process position for this group—in this case it suited their narrow objective. The stated purpose of the eminent domain process was to make a park. The real objective, however, was to derail our project, and disregard and violate the City Charter.

The “park” hoax was concocted shortly after their unsuccessful appeal to the Planning Commission. Ironically, there had never been any mention of a park at any time during the lengthy process. As the Planning Department was issuing findings stating that the Rec and Park nor the library had any future plans to use our property, Supervisor Peskin began maneuvering behind the scenes. Sunshine documents reveal that this project came solely from the Supervisor’s office and that its specific purpose was “stopping the condo project.”

THD raised a red herring; a “deed restriction” on the property requiring us to sell the property to the city for use as a park, even though they had been informed early on by the City Attorney that this Notice of Special Restriction (NSR) applied to a previous tenant almost 20 years ago but placed no obligation on current owners. Even if there was a restriction we had clearly satisfied any such obligation through good faith discussions with City Departments in 2002. Opponents repeatedly misrepresented this NSR in testimony and in print. Subsequently, Peskin used the power of his position to ‘persuade’ a few other local groups to give their names in support of the land grab. These groups had little with it.

Eminent Domain is a seldom used, draconian power which allows the government to seize private property. It is limited to extraordinary situations when there is a finding that the “public interest and necessity require the acquisition” and that it is “planned or located in the manner that will be most compatible with the greatest public good and least private injury.” This is clearly not the case with 701 Lombard, where a purely private agenda is masquerading as public interest.

Eminent Domain has never been used in San Francisco to condemn property which has entitlements to build housing. San Francisco joins the growing national scandal surrounding the abuse of eminent domain powers by local governments.

What makes the Supervisors’ split vote in favor of eminent domain even more outrageous was the Rec and Park decision on Nov. 20, 2003 to deny funding for this acquisition. No evidence suggests that there is a need for a park at this location. North Beach Playground is currently undergoing a $6 million+ renovation. This acquisition will funnel an additional $6 to 8 million to this privileged location. Remarkably, in all the studies and community surveys prior to this renovation there was never any identified need for more park or playground space. The fact of the matter is, you would be hard pressed to find a spot in San Francisco better served by parks and facilities than the area around 701 Lombard. This is a misdirection of scarce public funds; an abuse of the power of eminent domain, a misuse of the power of elected office.

We are all losers in Supervisor Peskin’s misadventure. My mother and I are being evicted from our newly entitled home. The people of San Francisco have been disenfranchised from participation in the democratic process. The planning process has been hijacked. The disabled community will lose 9 family-sized rental apartments. The tax base will be significantly reduced. Scarc public park funds will be expropriated by special interests at the expense of genuinely needy neighborhoods; all this to circumvent the public process because the park scheme could not withstand closer scrutiny.

We are determined to fight this egregious action of government tyranny by any means possible including the courts, the ballot, and public opinion.

I respectfully ask for your help. Stop the eminent domain abuse; end the theft of scarce city funds; restore democracy, transparency, accountability and fairness to the public process.

WHEREAS: 701 Lombard is privately owned property and its owners have subscribed and completed the legal planning process, including neighborhood input in its decisions and;
WHEREAS: the Recreation and Park Department voted not to expend funds for the 701 Lombard acquisition and the Board of Supervisors does not have the authority purchase the property for the Department;
THEREFORE, BE IT RESOLVED, the Coalition for San Francisco Neighborhoods urges the mayor and he Recreation and Parks Department to uphold their resolve not to fund the purchase of the property at 701 Lombard, and;
BE IT FURTHER RESOLVED, that CSFN urges the Board of Supervisors to rescind the vote on the property at 701 Lombard Street and oppose the acquisition by eminent domain.

...Submitted by SHARP and NBN
Minutes of the February 17, 2004
Regular Meeting of the CSFN Assembly

1. Call to order: President Barbara Meskunas brought the meeting to order at 7:18 pm at the Northern Police Station.
   a. Quorum declared. Delegates and alternates represented 21 CSFN member organizations.
   b. Agenda Approved.
   c. Introductions.

2. Presentation by Host Organizations. Delegates Mary Harris / OMI-NIA and Tys Siffen / NOPNA described their organizations, their objectives, history and issues.

3. Approval of Minutes from January 20, 2004 meeting. The minutes as reported on page six in the February, 2004 newsletter were approved.

4. Officers’ Reports:
   A. President: Barbara Meskunas / BANG introduced Joe Caruso, the new Director of the Mayor’s Office of Neighborhood Services. President Meskunas also stated that the CSFN has been asked to provide a speaker for the opposition views to Proposition H.
   
   President Meskunas introduced a proposed nominating committee consisting of Mary Harris, Tony Sacco and Mary Helen Briscoe. A motion was made, and seconded, to approve these delegates as the nominating committee. The motion passed unanimously.
   
   Finally, the President announced that materials supporting “No on Proposition J” were available at the meeting. Joe O’ Donahue spoke against Proposition J.

   B. Vice President: Doug Comstock / PRO SF brought a motion that George Zaback / TPIA replace Jim Andrews on the at large committee. The motion was seconded and passed unanimously.

   C. Second Vice President: No Report.

   D. Recording Secretary: No Report.

   E. Treasurer: The treasurer, Babette Drefke / EMIA, submitted her report.

   F. Corresponding Secretary: No report.

5. Committee Reports:
   A. Open Space Task Force: Tys Siffen / NOPNA reported that the NAPCAC report is still in “limbo” and that he has been lobbying the Board of Supervisors to support the report.

   B. Land Use & Housing: Chairperson Judith Berkowitz / EMIA directed delegates to pages 4-5 of the CSFN February, 2004 newsletter for the report from the committee. Included in this report was the CSFN position on the Discretionary Review changes.

   C. Government and Election: Chairperson Rebecca Silverberg / EDIA of Government and Elections (G&E) provided further information regarding Regional Measure 2 and Proposition I. Measure 2 deals with regional transportation needs. Proposition I is entitled the The Healthful Air Enforcement Act and involves allocating money to replace older generation buses. The cost for replacement busses will be $30 million. Muni does not support Proposition I and labeled it a “stop-gap” measure.

   Chairperson Silverberg presented an emergency motion that the CSFN oppose Proposition I. A motion to consider the motion to oppose Proposition I as an emergency was seconded and passed 19-1-1. The emergency motion to oppose Proposition I was seconded and passed by a vote of 18-0-2.

6. Program: Jason Born gave a presentation concerning Vision Boulevard.

7. Unfinished Business:
   Mary Helen Brisco / PRO-SF presented her resolution concerning enforcement of sound ordinances in the parks. Martin MacIntyre spoke in favor of the resolution.

   Resolved, That contract and permits issued by the SF Recreation and Parks Department and the SF Police Department will explicitly state and meet all the applicable codes and ordinances, and that said contracts and permits will be denied if there is evidence of past violation by the applicant and it further

   Resolved, That for any proposed exceptions by the Police Chief, all residents living within the potentially affected area will be contacted by mail announcing a public hearing with a month’s notice and be it further

   Resolved, That the CSFN request the City Attorney’s Office and Controller will review past and present permits issued by the Recreation and parks Department and the Police Department for events in City-owned venues to ensure that they are within the existing codes and ordinances and are being enforced. After discussion, the motion passed 19-0.

8. New Business: A motion by North Beach Neighbors and Sunset Heights Association of Responsible People (SHARP) regarding 701 Lombard.

9. Announcements: Brian O’Flynn presented the 701 Lombard Eminent Domain issue.

10. Adjournment. The meeting was adjourned at 9:36 p.m. 

...Steven Gruel, Recording Secretary, GGHNA

Land Use & Housing Committee Report

Thoughts on Various Planning Issues Which are in the Works Right Now

I wrote the item below when one of the folks answered one of my Broadcast Posts about the proposed DR Fee Increase. He had decided that it wasn’t all that important; he was a tough sell, but I convinced him with the argument below:

If you sit back and look at all the issues up at the Planning Commission right now, it’s all part of a big conspiracy (and I absolutely do not subscribe to conspiracy theories) on the part of the Planning Department against the neighbors.

Look:

• They want to change the Discretionary Review process to cut neighbors out
• They want to raise DR fees to cut neighbors out
• They want to pass the Housing Element, which will open the door to:
  • Legislation such as Secondary Units, increased height, bulk and density on the 1/2-mile Transit Corridor swaths, less required off-street parking, etc.

So, if the DR process is changed and if the fees are astronomical, then the public has no recourse! Which is what they want: to shut us up. We won’t be able to protest those onerous measures if the process is shut to us.

It is, as Barbara Meskunas has called it, de facto Redevelopment. That’s what it is, and it is city-wide de facto Redevelopment.

And I say it is a big deal, because you have to see the whole
Picture of what they are trying to do.

**Proposed DR Fee Increase**

What the Planning Commission April 22 Agenda item concerning the DR Fee Increase doesn’t say is that the Department proposes to raise the DR fee from $133 to $2,500 to gain “full recovery”!

At public comment, Mary Ann Miller of SPEAK promptly requested that the item be continued and asked for staff to meet with neighborhood groups to reach a compromised plan. She told the Commission that we are “your eyes and ears in the community,” working as unpaid staff. She said the threat of a neighborhood-generated DR had been a very good club to hold over the head of a developer.

Staff has used it to get changes made, but with this proposed fee increase developers will be intransigent.

John Bardis, ISAC, said it is the party applying for the permit that causes the expense, stating, “It is absurd that there is a cost to the public!”

Always ready with statistics, Marilyn Amini, GWPNA, testified to some very interesting figures. Of the 228 DRs filed in 2001–02, Planning or the Board of Supervisors initiated 92 and the public initiated 136. Of these, 71 were withdrawn, 5 denied, and 60 approved.

Acting Planning Director Larry Badiner appeared to change his attitude upon hearing the testimony and the Commissioners’ responses. He recommended that an informal sub-committee of the Commission meet with staff to develop criteria for Administrative DRs.

Commissioner Lee made a motion for a continuance until the April 22 meeting, and Commissioner Antonini reminded staff that the delay is to provide them time to meet with the neighborhoods.

Again, fast response on the part of Coalition members — and some fast-talking, too— saved the public from a flagrant misuse of authority. San Franciscans shouldn’t have to pay for protecting the character of the City’s neighborhoods.

When you look at these numbers given above, it is clear what a valuable tool DR is and how it must not be put out of reach by enormous fee increases.

There were only 65 publicly-initiated DRs heard in the whole of a year. It is obvious from this number alone a significant that reason that Planning wants to increase fees is to shut the public out of the process altogether.

...Submitted by Rebecca Silverberg with additions by Judith Berkowitz

**LAND USE & HOUSING COMMITTEE REPORT**

The CSFN Land Use & Housing Committee held its regular meeting in the Community Room of the Northern Police Station on Monday March 1.

Our guests were from Diamond Heights NA. They spoke on the land swap from Edgehill to Diamond Heights and the further swap of a third property in Octavia-Market. The Resolution the Committee recommends is at the end of the LU&H report.

The DR Policy changes will be heard at the Planning Commission on April 1. Once again here is CSFN’s stance. Please shoe up at the hearing to speak to the issue. CSFN recommends:

1.) Implement the Pre-Application process at once after Public Hearing for a period of 12 months.
2.) Defer the consideration of the Administrative Review protocol.
3.) Evaluate the results of the Pre-Application process after the 12-month trial. If it is a success, the Administrative Review process will be unnecessary.

**Pre-Application Process:** Support and Suggestions

- We strongly support the Pre-Application process with the following changes.

  We suggest the following items be considered in the Pre-App Process:

1.) The Pre-Application process should be broadened from the proposed RH and RM only to include all residential alteration and permit applications that would trigger 311 and/or 312 notice consistent with General Rule 4/96 (p.855, Planning Code).

2.) A standard Pre-Application process should be developed, including a mechanism whereby the neighbors submit their comments directly to the Department subsequent to the Pre-Application meeting between the project sponsor and affected parties. This could be accomplished by providing a form with the Pre-App notification packet. It would eliminate the possibility of the project sponsor misinterpreting or misrepresenting neighborhood concerns to the planner. That form should become a part of the project file.

3.) The number of requests for DR can be further reduced if the Commission commits to clarifying contradictions between the Planning Code and the new Residential Design Guidelines. Types of concerns that come up repeatedly over time should be dealt with consistently with standards that have been set forth. Those already noted in the draft Residential Design Guidelines (page 5, paragraph 2) should be clarified so staff and the public understand how those conflicts will be resolved in all similar situations in the light of Code and established standards. Any problem that cannot be solved in light of standards already set forth is by definition extraordinary—that is, not resolved with established standards and guidelines. It is this type of problem that will potentially come before the Commission. If clear standards and guidelines are set forth, then Planning’s actions will not be seen or thought to be arbitrary.

4.) The Department needs to devise a method of assuring that the informed and knowledgeable neighbors who fully reflect the details and the footprint location of the permitted project.

5.) A Pre-App notification process is pro-active, raising issues up front so they can be addressed early on. As, and if, plans are modified, interested parties should be kept abreast of changes.

6.) Before the Permit Application leaves Planning, standard issues should be resolved. A Planner who needs assistance can and should go to administration for help with issue resolution before the application leaves Planning’s jurisdiction.

The Coalition believes that the Pre-Application procedures and the above-referenced suggestions will dramatically reduce the DR caseload. We believe that if consideration of the Pre-App process is severed from the Administrative Review process and implemented immediately, a dramatic decrease in DRs will result.
LU&H Committee Report (Cont from P. 6)

Resolution recommended to CSFN General Assembly

WHEREAS, the Coalition for San Francisco Neighborhoods recognizes the need to preserve the character of our neighborhoods; and

WHEREAS, the three parcels of open space in Diamond Heights known as Portola Park (block 2870, lot 048, bounded by Portola Drive, Clipper Street, and 199 Portola Drive), the Clipper Street Community Garden (block 2850, lot 001, bounded by Clipper Street, High Street, and Clipper Terrace), and the Scenic Overlook (block 2848, lot 001, bounded by Portola Drive, High Street, and 195 Portola Drive) have been informally used by residents of San Francisco as parkland for over 40 years, providing a continuous greenbelt allowing simultaneous cooperative use by gardeners, pedestrians, tourists and dog owners; and

WHEREAS, the majority of residences in Diamond Heights are infill condominiums and apartments, affording residents very little access to private outdoor space, making access to public outdoor space even more valuable and necessary; and

WHEREAS, the overwhelming majority of residents of Diamond Heights wish to preserve these areas as open space;

THEREFORE BE IT RESOLVED, that the Coalition for San Francisco neighborhoods recommend to the Board of Supervisors that they support and uphold any legislation that allows these three parcels of land — Portola Park, the Scenic Overlook, and the Clipper Street Community Garden — to remain as open space.

...Submitted by Judith Berkowitz, Chair Land Use & Housing

PRO/SF to Propose Farmers Market

The Panhandle Residents Organization/Stanyan-Fulton is working on plans to present a Farmers Market Proposal to the Recreation and Park department this month. The market is proposed to take place during the spring and summer months for 4 hours each Saturday and Sunday.

North of the Panhandle Neighborhood Association, Stanyan Fell Neighborhood Association and the Haight Ashbury Merchants Association as well as the Pacific Coast Farmers Market Association are meeting. The next meetings are scheduled for March 29th at 6:30pm at Cup-A-Joes, 1901 Hayes at Ashbury.

Eminent Domain (Cont. from p. 1)

This vote was all the more astounding given the fact that the Park & Recreation Commission had voted specifically against allocating funds to acquire the land last November. The final cost of this seizure could be as high as 6-8 million dollars if all the proposed ideas are put into effect – but there is no way of knowing because there has never been a plan or a budget presented! In purely fiscal terms, at the best of times, this scheme would be completely irresponsible. In the current deficit situation it is pure madness.

The real need for parks is elsewhere in San Francisco. Within District 3 there is a terrible need for parks in the Tenderloin – which has the densest population, the highest percentage of both children and seniors, and virtually no parks.

The neighborhood has never been consulted on any of this. No studies were done to support it. It was ramrodded through because a careful examination does not support this draconian action by the City. It could be years before anything is done with this small 4000 square foot concrete parking lot. And in the meantime, Brian O’Flynn and Martin Coyne are faced with city backed land theft. This has been wrong from the beginning and is contrary to the real interests of all but a tiny, extremely well connected minority of San Franciscans. It should be strongly opposed.

...Submitted by Lynn Jefferson, V.P., North Beach Neighbors

Triangle Park (Cont. from p.1)

to a park. Supervisor Chris Daly, representing the only district with less open space per capita than District 3, voted for the acquisition.

Acquiring the triangle in particular was also particularly important, because of its location adjacent to Joe DiMaggio Playground. The additional open space will be doubly beneficial, for it will create an opportunity to increase available recreation and, simultaneously, to turn Joe DiMaggio playground into a park worthy of his name.

Was it financially responsible for the City to acquire the triangle? The price of the triangle will be considerable for the same reason that the need for open space is so great in District 3. The population density in the district is the highest in the City and property values reflect that density. While the availability of funds was not formally a factor to be considered by the Board in an eminent domain decision, Controller Ed Harrington verified the availability of $1.825 million for acquisition in the resolution of necessity concerning the triangle.

Was the acquisition an appropriate use of the City’s eminent domain power? The legal standard for taking property by eminent domain essentially requires proof of “public interest” and “necessity.” As explained above, those factors were plainly satisfied in the case of the triangle.

Equally importantly, no injustice resulted from the Board’s decision. Unlike many eminent domain cases, no resident stood to lose a long-established home or place of business. Similarly, no historical or cultural resource was lost. The triangle at issue was simply an empty parking lot. The issue was thus primarily a financial one.

The property at issue in this case also had a restriction on its title since 1986 that put the current owners on notice that there was significant civic interest in converting this property...
SPONSORS FOR 2004

BENEFACTORS
Law Offices of Angela Alioto
Joe O’Donoghue, Residential Builders Assn.
San Francisco Association of Realtors
Spotlight Printing

PATRONS
Beideman Area Neighborhood Group
Joe Blue, Committee of Regional Empowerment
Doug Comstock
Karen & David Crommie
Rebecca Silverberg and Malik Looper, Excelsior
Business and Improvement Associations
Greater West Portal Neighborhood Assn.
Retired Firemen & Widows Assn. of SF Fire Dept.
Sunset District Neighborhood Coalition

SPONSORS
John Bardis
Judy Berkowitz
Sue Cauthen
Eddie Chin, SF School Board
Michael Denny
Sharon Eberhardt
Joan Girardot
Sheriff Michael Hennessey
Judge Quentin Kopp
Barbara Meskunas
Retired Employees of the City & County of SF
Lynn Newhouse Segal
Sunset Parkside Ed. & Action Comm. (SPEAK)
Twin Peaks Improvement Association
Patricia Vaughey

THANK YOU!

FROM THE BYLAWS COMMITTEE

In the September 2003 Newsletter, a proposed bylaw amendment was noticed in the Government & Elections Committee report. The Bylaws Committee has approved this amendment and submits it to the membership for its consideration at the October meeting.

Article VII, Section H, presently states in sub-section 2. “The support of a minimum of one-third of the member organizations, which must be at least two-thirds of those voting, is required for adoption. The vote shall be taken by roll call.” The proposed wording is as follows: Approval of a recommendation to support or oppose a ballot measure shall require not less than two-thirds (2/3) vote of the delegates voting, not including abstentions, which shall comprise not less than 25% of the total member organizations.

...Submitted by Evelyn Wilson, Chair, Bylaws Committee

Land Use & Housing • Monday, 7:00, Mar. at Northern Police Stn. • Judith Berkowitz 824-0617 • sfjberk@mac.com

Bylaws Committee
Chair: Evelyn Wilson: EvelynWilsRegParl@earthlink.net 566-7826

Government and Elections Committee
Chair: Rebecca Silverberg: sfrebecca@aol.com 584-0535

Land Use and Housing Committee
Chair: Judith Berkowitz: sfberk@mac.com 824-0617

Newsletter Committee
Chair: Ramona Albright 621-9621

Open Space Task Force
Chair: Tys Sniffen: tys@ideamountain.com 929-7746

Transportation Committee
Chair: John Barry: jackbarry99@earthlink.net 564-0225

Water Task Force
Chair: Joan Girardot: 346-5525