

Pacific Heights News

Official Newsletter of the Pacific Heights Residents Association

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Illegal Home-Based Business Remain Troublesome Issue

One of the most vexing problems, for residents and the PHRA Board alike, is the illegal operation of business from private houses.

When the Board learns of such an operation, it works vigorously to close it. In the words of PHRA President Greg Scott, "If you buy a home you expect to have quiet enjoyment – not coming and going and increased traffic, valet parking and deliveries."

Several such cases are before the Board now.

Most recently PHRA filed a complaint with the city about psychiatric offices in a residence at 2563 Clay Street, a building that also needs maintenance.

A continuing case is 1969 California Street, where a home is used as an art gallery. Neighbors protested to PHRA about deliveries and valet parking for parties. The art gallery owners succeeded in having their home declared a landmark so that under an obscure ordinance they can apply for a Conditional Use permit (CU) to continue operating the gallery. PHRA Directors plan to oppose granting of a CU.

Another nettlesome case is 2221 Pacific Avenue, where neighbors believe a financial advisory company is functioning. Its flourishing activities were even the subject of a *Business Times* article. The owner of that business, Yellow Brick Road, claims he is entirely within the law.

An enforcement officer from the Planning Department inspected a unit there and determined that it appeared totally residential. Neighbors, however, say an additional unit may be functioning as the office and they note the continued traffic pattern, consistent with a standard work week, in the alley behind the building. They believe they have seen staff on the premises and office equipment beyond what anyone would need for personal use.

Over the years, PHRA has squelched several illegal rental operations, another art gallery and a wine sales business, among others.

Many residents are wary of reporting illegal businesses in their neighborhood for fear of retribution. If you know of such activity, please notify PHRA, which will not reveal the source of the information.

What's Legal, What's Not

Businesses operate in many Pacific Heights homes perfectly legally.

Here are some factors that determine the status:

- Are there employees? The business can have lots of employees – but they must be elsewhere. They may not do their work in the residence.
- There may be no signage on the home indicating there's a business there.
- Clients, customers and vendors may not come to the business; the business operator must go out for those appointments.
- There can be no deliveries.
- There can be no on-premises inventory.
- The business cannot occupy more than one quarter of the residence.

All of these rules are intended to maintain the residential character of a neighborhood, which also happens to be part of PHRA's mission statement.

Details are in Section 204.1 of the San Francisco Planning Code, accessible via www.sfgov.org. It's part of Article 2 -- Use Districts.

School Site Gets New Tenant

California's oldest public school is coming to Pacific Heights.

The Spring Valley Elementary School, founded 157 years ago, will move into the old Pacific Heights School building at Webster and Jackson streets in August, for one school term, ending in June 2010.

As with its immediate predecessors, the school is making a temporary move to the Pacific Heights site so that its home base at 1451 Jackson Street can be upgraded. The last occupant at Webster and Jackson Streets was the Chinese Education Center, which moved out after a six-month stay.

Spring Valley has about 340 students, grades K-5. The San Francisco Unified School District's web site *Continued on page 6*

Supervisor Challenges DPW to Solve Street Sweeping Problem

Complaints by PHRA members and directors about the Department of Public Works' new street-sweeping schedule have been heard loud and clear by District 2 Supervisor Michela Alioto-Pier.

DPW staffer Chris Ellen Montgomery stated at a hearing by the City Operations and Neighborhood Services committee in January that DPW was continuing to monitor hot spots where sweeping had been cut back, Alioto-Pier would not accept it.

"Enough!" she responded. "Monitoring" was DPW's activity before a previous hearing. "This hearing was to hear solutions," Alioto-Pier scolded. She pointed out that a DPW email implied that the new schedule "seems to be working" and there was "not a lot of community concern."

"That's a complete misconception," the Supervisor said. She asked for yet another hearing on the subject and said DPW Ed Raiskin "better show up."

Streets scheduled for Monday sweeping often go a month without attention because of the numerous Monday holidays. Alioto-Pier suggested that arrangements be made to take care of those streets the following day or to permanently reschedule sweeping without including Mondays.

Montgomery said new computer software will soon solve another issue: some streets, including Bush and Pine, are swept weekly on one side, bi-weekly on the other.

Irritated neighbors made it clear that Monday sweeping or non-sweeping was not the only issue. Peter McInerny pointed out that the reduction in sweeping didn't result in staff reductions either at DPW or the Department of Parking and Traffic. With fewer parking tickets resulting from the schedule, he said, "We pay more for less cleaning. We absolutely have to have clean streets; this is a tourist haven."

DPW's plan was based partly on what it considers litter that needs to be cleaned up. Leaves from abundant street trees, which sooner or later clog street drains, are not included.

Peter Morse, who lives on the 2800 block of Clay Street, said that with less frequent sweeping, and fewer tickets, many car owners "don't mind getting tickets" because the few they get cost less than renting a parking space.

Former PHRA Director Ian Berke said, "DPW took a successful program and wrecked it," he said. "They

certainly don't respond to complaints. It's a disgrace." He spelled it out in a later communication with Alioto-Pier: "The street sweeping cutbacks have been awful for our block (2800 Clay) and for many other blocks of Clay. Our cutback schedule is the first and third Thursdays of each month. Today, the *fifth* Thursday, no sweeping, and of course the first was a holiday, so no sweeping. This means that it has been more than

two months since our side of the street has been swept. On the third Thursday of January, so many were confused by the dates that virtually the entire block had parked cars, which blocked the sweeper. And for some reason, no meter maids, so no one was ticketed. Similar story in

December. Our block is filthy and DPW is completely unresponsive."

DPW's Montgomery said there is a street sweeping calendar on the DPW website and that printed copies of it would be distributed perhaps with the next garbage bills. Supervisor Sean Elsbernd, a committee member, asked that the department see how other cities solved the problem.

Not a lot of community concern? "That's a complete misconception" -- Supervisor Michela Alioto-Pier

Lafayette Park Playground Getting Parents' Attention

The Friends of Lafayette Park and the Neighborhood Parks Council are forming a coalition of involved parents to address the playground renovation in Lafayette Park. The group's intentions are to create oversight and direction and to raise funds to augment the bond money which may fall short of what is needed to create a playground environment that park users want and need.

The group will meet alternate Wednesday mornings at 9 a.m. beginning February 11. Lafayette Park won over \$8M in bonds in the last election. For more information or to join The Friends of Lafayette Park, email kim@kimbarnes.net or call 415-928-3589.

Separate from the Playground Committee, The Friends of Lafayette Park meet the first Saturday of each month from 9 a.m. to 12 in Lafayette Park starting with coffee at the picnic tables to "clean and green" with SF Rec and Park. In the past five years FOLP has made tremendous improvements in the appearance and cleanliness of the park, raised money for new drinking fountains, and provided a venue for neighbors to get to know each other.

Two Residents Added to PHRA's Board of Directors

Jackie Mohanna joins the board of PHRA with a strong background in San Francisco real estate spanning more than 30 years.

She has been representing buyers and sellers, specializing in property in Pacific Heights, Presidio Heights, Russian Hill, Nob Hill and Seacliff. Her intimate knowledge of the neighborhoods and of the many properties she has marketed, sold or viewed as part of doing business gives her in-depth knowledge of the housing market and the real estate culture unique to San Francisco.

"My desire is to assist in maintaining the unique beauty and character of our city," she said. She also wants "to act as a bridge between opposing points of view and agendas." As part of that wish she said she desires to assist members of the community to be heard through the voice of the association and she welcomes communications with those in need of being heard.

Jackie lives across from Alta Plaza park, where she enjoys children's laughter and people and their dogs happily running around. She also "loves" walking to Fillmore Street to shops and restaurants.

Jackie graduated from the University of Illinois in 1976 with a Business Administration degree. Last year she successfully completed a course at Harvard Business School's Executive program. She obtained her California real estate license in 1978. She was encouraged by her father to move to San Francisco. Her father, a college professor, was living outside the country at the time, but he loved the city so much he asked Jackie to help him find property here, where he has retired. That began her career in real estate. Jackie has two children, Kevin and Vivien, both born and raised in San Francisco. Jackie loves her friendships, good movies, books, exercise, yoga, and enjoys travel.

PHRA Directors

- Judith Duffy
- J. P. Harbour
- Noel Kirshenbaum
- Connie Tompkins McCole
- Jacqueline Mohanna
- Margot Parke
- Lynne Newhouse Segal
- Carola Shepard
- Greg Scott, President
- Ali Tabibian
- Paul Wermer

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- Hennie Wisniewski
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Ali Tabibian grew up in Iran with extended visits to the United States, including a one-year stay in Baltimore, where his father was a visiting Fellow at Johns Hopkins University. He left Iran permanently in 1984 and after stints in Australia and Florida, graduated from high school in Oregon, which he calls his home state, given a base of relatives and friends.

Ali's Bay Area adventure started at Stanford where he earned a BS and MS in engineering, after which he took a seven-year "leave of absence" to live in New York to begin an ongoing career in finance. Since returning to the Bay Area in 1997 he has lived within the PHRA territory -- for the past 10 years with his wife and three young children at Webster and Broadway.

Over the last 12 years Ali and his wife became involved with a number of issues that directly impacted them, including construction projects at local schools. Also, their house in near CPMC and their son is an occasional user of the emergency room, due to his allergy and asthmas problems. They see both sides of having a hospital in the neighborhood.

Ali was motivated to join the PHRA Board and work on neighborhood concerns on a systematic basis on the suggestion of Lynn Newhouse Segal, a PHRA board member who he met while attending (and opposing) a Municipal Transportation Agency plan to redraw traffic patterns on Broadway.

Ali is a partner with his college freshman dorm-mate in GTK Partners. They represent companies that want to sell themselves, buy others or raise capital.

District 2 Coalition to Meet

Together, the coalition of PHRA and all the other neighborhood associations in Supervisorial District 2, will hold its next meeting on **March 26 at Calvary Presbyterian Church, on Fillmore Street at Jackson.**

District 2 Supervisor Michela Alioto-Pier will attend and will address several issues, including street sweeping and the status of the California Pacific Medical Center's redevelopment plans.

The Transportation Authority, which by then will have a new proposal, will also discuss "congestion pricing" for the city.

A schedule will be posted on the PHRA website, www.phra-sf.org, for the benefit of members who wish to attend only one part of the program.

Developer Makes Second Presentation on Condo Project

The sponsors of a major condo project proposed for the corner of Pine and Franklin Streets made a second appearance before the PHRA directors February 2, seeking to allay concerns about their towers' height as they prepare for the first public hearing on their environmental impact report.

The directors remain concerned about the height. They are equally concerned about accepting precedent-setting "spot-zoning," the practice of violating zoning regulations to approve individual projects. In a letter to the Planning Department, with copies to Supervisors Alioto-Pier and Mirkarimi, PHRA asks that zoning for the entire area be reviewed; absent that, that the Pine Street project be held to current limits.

Architect Jeff Heller of Heller Manus said developer AFEvans is proposing a 140-foot tower (the Environmental Impact Report says 155 feet) on the Pine Street side and a 240-foot tower at Franklin Street. Together they will have 283 units, mostly one- and two-bedroom condos priced at \$900-\$1,000 per square foot.

Heller said the idea is to trade height for publicly accessible open space, and is consistent with the city's concept of bringing height to the Van Ness Corridor. He showed many computer projections of what the building would look like if it complied with zoning: a sidewalk to sidewalk block.

At the sidewalk level, Heller said, proportions "residential" with two restaurants on the Pine Street side and townhouses opening directly from both streets.

Marlayne Morgan, president of the Cathedral Hill Neighborhood Association (CHNA) which also includes the site in its boundaries, reminded Heller that the project is not on Van Ness, and that it is moving into residential areas. She also added that in comparing the project to other towers in the area he cited several that are not approved, and are unlikely to be approved as proposed, such as 1481 Post Street. The project faces San Francisco Towers across Pine Street. The 250-foot tall Holiday Inn is across Van Ness at Pine.

CHNA is also concerned about the implications of spot zoning on CPMC's plans for Cathedral Hill.

Heller also noted that there is public park-like space in the complex, but the listeners were not impressed. Morgan noted there is a considerable homeless population problem at the site now. Heller said the new building and its security would deal with it.

The inclusionary housing required by the city will be built off-site. Developers are reluctant to construct anything except market-rate in Pacific Heights.

What Should CPMC Do?

Parking, traffic and potential construction disruptions have been the principal issues between residents and the California Pacific Medical Center, historically at the Pacific complex and more recently and intensely at the proposed Cathedral Hill site.

People in Pacific Heights and across the city are beginning to look at these two facilities in a different light: Where do they fit into the city's Health Care Master Plan?

What? The city doesn't *have* a Health Care Master Plan? No wonder everything seems awry.

A relatively new activist organization, Coalition for Health Planning – San Francisco, is taking on the task of creating a master plan. It was convened by organizations and individuals involved in the Coalition to Save St. Luke's Hospital.

While much attention has been paid to the traffic problems that will arise if the CPMC Pacific complex is turned into out-patient services, and an even more severe situation on Cathedral Hill, where acute care will be concentrated, some are looking at a far bigger question. That is, with CPMC, St. Francis and Kaiser concentrated in a relatively small area of northern San Francisco, shouldn't there be a full range of hospital

How does CPMC Fit Into the City's Health Care Master Plan?

services spread more evenly across the city? Shouldn't some of the services and specialties planned for Pacific Heights or Cathedral Hill be moved to St. Luke's?

The Coalition is asking neighborhood groups to call on the Board of Supervisors not to approve any health care Institutional Master Plan that doesn't reflect several principles. Among them are that services, including hospitals, clinics and other providers should be equitably distributed through the city.

The Coalition includes Bernal Heights Neighborhood Center, California Nurses Association, Cathedral Hill Neighbors Association, Senior Action Network and SEIU-UHW.

PHRA has been asked to sign on, but has not done so. The association's efforts are generally directed to planning issues. The Coalition also asks for support for the healthcare workforce's right to union representation. It also asks for "a participatory process led by the City and County of San Francisco to expand health equity as the market-based healthcare system unravels during the current economic crisis." Those concerns are beyond the PHRA mandate.

Musical Events Worry Nob Hill

A new ad hoc organization, Protect Nob Hill, is reaching out to PHRA, the Nob Hill Association, Telegraph Hill Dwellers and others for help in its battle to retain its residential quality in the face of a new operation at Masonic Auditorium.

Live Nation, the world's largest concert promoter, has signed a 10-year agreement with the Masons. It has already gotten approval to take out seats so that capacity can be increased from the 3,500 the venue now holds.

Nob Hill Asks for Help with New Event Producer

They have applied for a Conditional Use permit, required in the Nob Hill Special Use District, to install permanent food and beverage facilities. Liquor service will encourage attendees to linger at the site, the opponents say. One neighbor, quoting police, said serving hard liquor would be a disaster. There are few incidents at beer and wine establishment, but "all hell breaks loose" when hard liquor is served. But that's not the only problem. Among others:

- Some of the performers live in their buses, which means that the engines are kept running for hours on end.
- Other buses tie up precious parking space for days, including space alongside Grace Cathedral, in the next block. The bus and parking problems are long-standing, but exacerbated by the new arrangement.
- The loading dock and elevators on Pine Street can't handle the bulky apparatus used in today's rock music spectacles, so trucks add to the parking and traffic congestion on California Street.

Protect Nob Hill opposes Live Nation's operation of the Masonic Auditorium on any level. It seeks your attendance at a not-yet-scheduled Planning hearing. It asks for letters of opposition sent to its website, www.protectnobhill.com or to info@protecnobhill.com. And it asks interested parties to send an email blast to their friends asking for attendance at the hearing and submission of letters.

Besides Masonic, Live Nation operates Fillmore Auditorium, Shoreline Amphitheater and Concord Pavilion.

The Pacific Heights Residents Association (PHRA) is a non-profit, member-supported, volunteer group of residents interested in maintaining the quality of life and the residential character within the boundaries of Union to Bush streets, Presidio to Van Ness.

Agreement Paving Way For Foundation Office

An agreement that will enable a philanthropic foundation to operate in a Pacific Heights residence under rules administered by PHRA is in the final stages of negotiation.

PHRA took the unusual position on the house at 2503 Clay Street, just off Fillmore Street, for several reasons. One is that the house will remain at least partially a residence, for a family member. Another is that the foundation brings benefits to the neighborhood, including grants to local schools and to CPMC.

Perhaps most important, the foundation came forward to ask for support and has bent over backwards to create solutions to problems normally associated with businesses in residences. The result will be that operation won't impact the neighborhood and doesn't diminish the housing stock.

A change to NCD (Neighborhood Commercial District) zoning will be required, but under such strong restrictions that should the foundation ever leave, the house could not be used for any kind of commercial operation.

Among the solutions the foundation found so as not to inconvenience neighbors:

- Monthly transit passes will be issued to all employees so there's no need for them to drive.
- There will be a limit of two parking passes, further ensuring that the foundation impacts neither parking nor traffic.
- On-site events will be limited to one every two months. An event is a gathering of 20 or more people or one that has valet parking.
- If there are more than three non-postal service deliveries a week for three months, deliveries will be made elsewhere so there are not, for example, UPS trucks obstructing traffic or driveways.

How to Stay on Top of the News

Would you like to be on the email alert list, to receive notice of important public meetings between newsletters? Just send an email to info@phra-sf.org.

Would you also like to receive your PHRA newsletter by email, instead of via the U.S. Postal Service? Sending by email helps save a tree and helps PHRA reduce its printing and postage costs. It's faster, too. Everybody benefits! Let us know at info@phra-sf.org.

Time to Voice Your Opinion on the City's Parks and Open Space

The public's opinion – that is, yours – on the future of open space in San Francisco is wanted. You can express your vision and priorities on the topic at a community workshop sponsored by the Neighborhood Parks Council (NPC) and PHRA.

The meeting is scheduled February 26, from 6:30 to 8:30 p.m. at the Calvary Presbyterian Church Education Center, 2515 Fillmore St. at Jackson.

The meeting is part of a series of led by NPC, a non-governmental advocacy group for San Francisco's parks.

The meeting will be broken into small group workshops and ideas will be brought forward from within the groups. PHRA Vice President Judith Duffy, who is coordinating the session with NPC, said, "This is a great opportunity to become involved in the future of the neighborhoods open space."

Residents who can't attend the meeting are urged to complete a survey found on NPC's web site (<http://openspacesf.org/event>). It asks demographic questions about the survey respondent, about the local park situation, and asks for priorities in changes to be made.

NPC also hopes to encourage participants to serve as advocates for quality open space in the city."

'Newcomer' Gets New Tenant

Continued from page 1

describes it as a science magnet school and says, "Spring Valley specializes in improving intelligent behavior, high level thinking/problem solving skills, and personal responsibility. Children are involved in appropriate decision making and help run the school by taking on some "jobs" so that teachers spend more time teaching. We fully expect that our students will be prepared to be the Mayor of San Francisco, a rocket scientist or any other profession to which they aspire and will work towards."

Spring Valley received awards from California as a Distinguished School and from the U.S. Office of Education for Excellence in Education.

The long-term fate of Pacific Heights School, or Newcomer High School as some know it for one of its tenants, is still open. It has been declared surplus property by the school district. A consultant's report is due in the next few months.