

OCT-NOV 2009



# DUBOCE TRIANGLE NEWSLETTER

Hand-delivered to **3000** households and businesses bi-monthly

**Monday Oct 19**

**7:00 to 9:00 pm**

## **PUBLIC MEETING**

CPMC Davies Medical Center,  
Auditorium, Lower Level B

### **Meeting Agenda:**

- Meet your neighbors
- Office of Supervisor Bevan Dufty Update
- Formula Retail Update
- Trader Joe's Update
- Height Limit on Market Street Update

Please join us!

### **DATES TO REMEMBER:**

**Tue, Oct 6, 6:00 pm to 8:00 pm**

Market & Octavia Plan Historic Survey  
Integration Meeting  
LGBT Center, 1800 Market St.  
Community Workshop on the survey  
results and building heights on  
Market St.

**Thu. Oct 8 & 12, 6 p.m. to 7:30 p.m.**

Castro/Upper Market CBD Board of  
Directors Meeting  
NEW LOCATION: Chase Bank Commu-  
nity Room, 2112 15th St.

**Sat. Oct 24, 12:30 p.m. to 4:00 p.m.**

Eureka Valley/Harvey Milk Memorial  
Branch Library Grand Re-Opening  
16th Street between Pond and Pros-  
per. Entertainment and food!

**Oct 23,24,29,30,31, 8:00 p.m.**

The LESBIAN/GAY CHORUS OF SAN  
FRANCISCO presents:  
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Metropolitan Community Church of  
San Francisco.  
150 Eureka Street at 18th Street  
Call 1-800-838-3006 or visit  
<http://www.lgcsf.org>

**Tue. Nov 3, 7 a.m to 8 p.m.**

Election Day. Please vote

## **Trader Joe's Eyes the Former Tower Records Site for New Store**



At this writing, Trader Joe's is very close to inking a deal to lease the entire Market & Noe Center, formerly the Tower Records site, next to Café Flore. The family-owned building has been without an anchor tenant since December of 2006 when Tower Records went out of business.

Five years ago, the Triangle wrestled with a proposed Trader Joe's at 15th and Sanchez, the site of the new Chase bank. Ultimately, in the face of strong community objection and other factors, the plans for the grocery were withdrawn. The new site is different in many ways from that first site and the neighborhood is different, with vacant storefronts and many residents with less disposable income.

Other differences abound. Five years ago, the Market Octavia Plan was awaiting adoption. Five years ago, there were not four large Market Street developments somewhere in the planning/permit process, each with condominiums above and large amounts of ground floor retail. And five years ago, plans for a Whole Foods at Dolores and Market, in one of those developments, were not on the advance planning boards. And so, the plans for a Trader Joe's, three blocks from an existing Safeway and a second planned chain supermarket, raise a large banner drawing to it all the issues about formula retail discussed elsewhere in this newsletter.

The "Tower" site has been owned by  
*Continues on page 4*

## Trader Joe's Will Be A Good Fit For Our Neighborhood



*Bevan Dufty  
San Francisco Supervisor*

A few years back, there was a proposal to build a Trader Joe's on the 15th/Market/Sanchez site. As you recall, there were significant concerns about traffic on 15th/Sanchez as both are one lane in each direction; and the location nearby of Fire Station 6.

At the time, I wasn't that familiar with Trader Joe's. In the course of evaluating this location, I learned a lot about Trader Joe's, their great value and food quality, their investment in their employees and diverse workforce, and the incredible results of neighborhood polling evidencing strong support for a Trader Joe's in the Castro. Ultimately Trader Joe's decided not to proceed with a site that was divisive and difficult to mitigate. I pledged that we would look for opportunities.

As residents of the Duboce Triangle know all too well, the old Tower Records site has been vacant for nearly

three years and caused a great deal of strain on local businesses, leaving the once vibrant stretch of Market street with a large void.

Since 2005, I have been working with Trader Joe's and am thrilled that they are working with this complicated site. Over the past six months, the process has sped up and I have put together meetings with Trader Joe's, Kent Jeffrey (the property owner) and City officials to ensure that the site will fit Trader Joe's programmatic needs while also maintaining the character of the neighborhood and reducing traffic and loading impacts.

In the coming weeks, I am hopeful Trader Joe's will finalize their lease with the Jeffrey family. Trader Joe's has known for some time (thanks to their zip code research) how many customers live in the neighborhood and has been seeking a location in the Upper Market/Castro area for more than four years. They anticipate this location to be a walking neighborhood store in the model of their store on Bay and Mason.

Not only will Trader Joe's provide residents of the Duboce Triangle with a new and local location to shop, I anticipate Trader Joe's continuing to be a strong partner with the LGBT Center's economic development program. Since becoming interested in

our neighborhood more than four years ago, Trader Joe's has been a steadfast participant at the Center's job fairs and has continued to build on their strong reputation as an employer of the LGBT community.

I believe this location will draw people coming home from work on Muni who will easily be able to shop for a dinner or for a day or two. I will promote an effort to get households to acquire rolling carts that make it easier for all of us to shop there without relying on autos.

In the coming weeks, Trader Joe's will be meeting with merchant and community leaders from Duboce Tri-

angle and the Castro to get feedback and suggestions on their proposal. I look forward to this process.

I also want to acknowledge the Jeffrey family for working with the community and agreeing not to sign a long term commercial tenant that would not be a good fit. They have also been generous and creative by allowing the No on 8 campaign and other temporary nonprofit tenants to make great use of this large space. I believe Trader Joe's can make our neighborhoods more vibrant and sustainable.

Let me hear your views. Please contact me at 554-6968 or [Bevan.Dufty@sfgov.org](mailto:Bevan.Dufty@sfgov.org)

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**VANGUARD**  
PROPERTIES

## Necessary And Desirable?



*Dennis Richards*  
DTNA President

I think that there are both desirable and undesirable Formula Retailers, also known as “chain stores or restaurants.” Certain chain stores or restaurants can evoke more positive or negative emotion than others. For all the low prices and selection that Wal-Mart offers, there has been a documented downside as well, with nearby main streets and all of their businesses left vacant when a Wal-Mart opens up on the outskirts of town. For some folks, when discussing Wal-Mart, their emotions run very high. In this neighborhood, I bet I'd be hard-pressed to find anybody that would openly argue that everything about Wal-Mart is desirable.

On the flip side, I'd bet that most neighbors here would argue that Peet's Coffee is a desirable business that many of them frequent often. For Peet's, I doubt that I would see the same level of emotion that some might have for

Wal-Mart.

Up until the passage of Proposition G by San Francisco voters in November of 2007, except for a very small number of commercial districts, a chain store or restaurant did not need to go through any special process or get special permission to open in a neighborhood. Prop G calls for an application and a public hearing before the Planning Commission for all Formula Retail use projects in the city's commercial districts. It provides a process for neighborhood voices to be heard, individuals and groups. It enables each voice and group to weigh in on which chain stores and restaurants they do – or do not – consider necessary and desirable.

In the last couple of years, DTNA has taken a position on whether several chain retailers that have attempted to open or expand in our neighborhood were necessary and desirable. Among them: the Levis store on Castro which we supported; Walgreens' expansion where we took no position because we were evenly split; and Chase bank opening at the corner of Castro and 18th which we opposed. In each case we looked at the specific merits and impacts of each retailer before making a choice to support their opening, or not.

Why is the subject of chain stores and restaurants impor-

tant right now? Even though, as mentioned above, we have had chain stores seek approval to open in the neighborhood, there haven't been as many at once and none of them have been as large a footprint and could have as large an impact on the neighborhood and its other businesses as the ones that will be applying soon.

Whole Foods will be applying to open at the corner of Dolores and Market; Trader Joe's at Market and Noe; Radio Shack will apply to open in the former Plant It Earth space across the street as a result of Trader Joe's wanting the entire first floor which now houses Radio Shack. Lastly, the Metro PCS store at Church and Market is applying retroactively for a Conditional Use permit to continue to operate after it opened illegally several months ago.

In order to be as objective as possible and take some of the emotion out of our process, DTNA has developed a set of proposed criteria by which the DTNA Board of Directors evaluates each chain

store or restaurant project as we are formulating and taking a position. Our criteria includes both the Conditional Use guidelines as outlined in the Planning code as well as other criteria that we feel is important in each evaluation. Please see the related article on page 10 for more specific information.

Lastly, the Conditional Use process, by its definition, allows approvals to come with certain conditions to mitigate the impacts of a particular project. Most often, the Planning Department develops a set of conditions. Then, through the public hearing before the Planning Commission, additional conditions are identified and approved along with the project. We think that having conditions attached to project approvals is a valuable tool that must be used in order to allow projects with issues to go forward whether they be chain stores and restaurant projects or not.

**Think global,  
Shop local.**



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the same family since 1928 when the purchaser, Matti Finnila, a brick mason, bought the land and began to build the well loved public sauna, Finnila's, that occupied the site from 1934 until 1986. The baths were then demolished and the Market & Noe Center built. The Center eventually housed Tower Records in most of the space. Since Tower's bankruptcy, most of the building has lay vacant. The presence of such a large, mostly empty building has marked that edge of Duboce Triangle for almost 3 years and has tried the finances and patience of merchants nearby.

Since Tower left, "almost" tenants have included Cost Plus, Office Depot, Urban Outfitters, the San Francisco AIDS Foundation, and a gym.

Trader Joe's intentions, according to building owner Kent Jeffrey, grandson of the builder, are that the retail space occupy the entire ground floor. The second floor would be offices and storage for the store with an elevator installed to move goods. Deliveries would be on Market St. Existing parking is limited and tight and the entry is on Noe St. Existing tenants, including Radio Shack and 3 small, independent, local businesses, would be displaced.

The proposed Trader Joe's project has strong backing from Supervisor (and Mayoral candidate) Bevan Dufty and other city officials. (see Bevan's column, page 2) who see the project as a great step up for revitalizing Upper Market.

But others, neighbors and merchants, point to a myriad of serious issues that must be addressed before the use is approved: Pedestrian safety, the loss of street parking, illegal parking ("just getting a few things, be right back"), exhaust and noise from increased and backed-up traffic (visions of the Trader Joe's store on Masonic Ave.), and impact on nearby stores (and the Farmers' Market) are all serious issues. And what may be the most serious issues are both the cumulative impact of the store and the planning issue of three large food retailers within three blocks of each other on a busy transit corridor, a close proximity of chains with the same use that exists nowhere else in San Francisco.

Merchants in the immediate area are of mixed opinion about the plans for this Trader Joe's.

Nick Vlahiotis, owner of Capri Ristorante Pizza, located on Market St. next door to the site, thinks

that "something has to be there. It has to be someone who has means and is big." He pointed out that it is "too expensive for new small businesses [to start up] right now when there is high rent and business is bad" The empty building, he believes, has made it hard to rent other empty stores, such as the former Plant It Earth store across Market St.

Others are of a different mind. Issa Kort, an owner of Rosenberg Delicatessen on Noe St., is worried that the Trader Joe's will create parking and traffic chaos. He is concerned that customers of small local business will be unable

to find parking. As a result, neighborhood businesses will lose customers—and not just grocery and liquor stores, but also restaurants and coffee shops. Some may be forced out of business. He also worries about a possible influx of homeless people such as the situation at Safeway.

Building owner Kent Jeffrey is acutely aware that some neighbors, both merchants and residents, feel the store "may negatively impact the area." Having spent much of his childhood in what was then called Eureka Valley, Jeffrey

Continued on page 5

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Neighborhood Association

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(415) 621-2570



## Trader Joe's Eyes Former Tower Records Site

Continued from page 4

5

has strong ties to Noe and Market. While the building has stood vacant, he has donated space to many community groups including No on 8 and Under One Roof. He hopes that the Trader Joe's "will revitalize the area and be a positive" for the neighborhood.

Excited about the prospect for the Trader Joe's and his vision of the improvements it will bring for the neighborhood, Jeffrey also is frank about the economic challenges of owning a large building vacant almost 3 years. He does not want the building and his family's long history in the neighborhood to "slip below the waves."

Trader Joe's presents all of us with a large challenge of analysis and decision. In

one package, it presents all of the issues of the impact of formula retail on a small neighborhood: is it necessary and desirable, what is the existing concentration of similar chains, the impact of a large footprint store, what are current vacancy rates, what is the existing mix of citywide-serving and neighborhood-serving businesses in the Neighborhood Commercial District, what is the rate of proliferation of locations of this chain, its impact on commercial rents, impact on quality of life, its community engagement and respect, its impact on neighborhood economics.

Please join us on October 19th at our General Meeting as we continue the discussion of Formula Retail in the neighborhood.

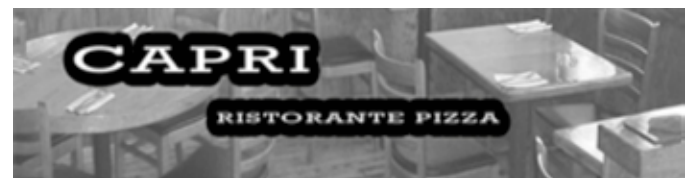


Two homeless dogs hope that someone will come and adopt them at August's "Dog Days" event in Duboce Park held on Aug 29. Several rescue groups participated, and a number of dogs were fortunate enough to find new homes during the event.

**Richard Gullo**  
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## Community Collaboration

When asked to write this article about the relationship between McKinley elementary and the surrounding community, I kept wondering what could be said that wouldn't sound trite. From political ploys to bumper stickers, the idea of "community" has been bounced around like a beach ball until its meaning seems equally full of air. And yet, there is a security in community that we all strive for regardless of the types we choose or the vantage point from which we define them. Whether engineer, entrepreneur, artist, or activist, there is something concrete that comes out of working towards a successful community together. I've seen clear as day at many a McKinley function how expanding the number and quality of relationships in an area promotes resiliency and stability.

At full enrollment for the first time in many years, a diverse community came together at our annual Welcome Back Barbecue and put into practice the school motto, "All of our children are all of our children." Given the chance, community-building within the school can also operate concentrically outside of it.

A recent example is the establishment of a satellite of McKinley's After School Enrichment Program (ASEP) at the Harvey Milk Recreational Arts Center in Duboce Park. This came

about this summer through the generous efforts of the McKinley PTA, The Harvey Milk Center, ASEP and the greater Duboce Triangle community. McKinley fourth and fifth graders can be found playing flag football or stretching on the lush, emerald fields of the park rather than the asphalt they used to use, or shooting hoops on the courts. In addition, this partnership provides ample, modern, and stable classrooms along with the opportunity to take art classes offered at the Rec Center.

To witness how real these benefits are, just ask the staff,

families or children of ASEP about the changes. What you see are smiles all around.

Think global.  
Shop local

### Upcoming Events

Castro Street Fair	Sun, Oct 4th	McKinley event volunteers get portion of gate donations
Lights on After-school Event	Thu, Oct 22nd	
Fall Fix-It-Day	Sat, Oct 24th	Community Volunteers Needed!
ASEP Harvest Festival	Fri, Oct 30th	All kids from the neighborhood welcome to come!!
McKinley Read-a-thon	Starts Mon, Nov 2nd	
Open House at McKinley	Sat, Nov 14th	Come and visit the neighborhood school!
Books, Inc. Fund-raiser	Tue, Dec 1st 6-8pm	20% of all store sales go to McKinley School

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# October 23, 2009


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**STOP AIDS PROJECT**



## Duboce Park Tag Sale Wet, But Successful



*Volunteers man the toy department at this year's annual Friends Of Duboce Park Tag Sale, held Sat, Sep 12th.*

The 12th annual Friends of Duboce Park Tag Sale on Saturday, September 12 was another success, despite a slow start because of a rare tropical thunderstorm with spectacular lightning that started at 4 a.m. and continued with on-and-off rain during early morning setup. When it was still raining at the 9 a.m. start time, organizers decided to wait out the rain and covered boxes, tables, and merchandise with tarps until the storm passed. Fortunately, by about 10 a.m., things began to look pretty normal and people came out and began shopping.

More merchandise was donated this year than in other years and the truck parked in the park during the prior week was filled up by Thursday night. We then used a neighbor's garage for storing Friday donations. The neighborhood's changing demographics showed up in the donations -- a lot more children's merchandise this year.

A special thanks: to the 50 volunteers who helped out, to Duboce Park Café for providing coffee and warm fluids (especially appreciated by volunteers waiting out the storm), to Steve Medoff for providing musical entertainment, and to the community for supporting the event with their generous donations and support. The event had all of the elements Friends of Duboce Park had hoped for -- community participation, fabulous bargains, and an annual park social event.

### Maintenance Updates

The lush, new, upper lawn reopened to the public just before the Labor Day weekend, after being off-limits since June to allow the new sod to take hold. Repairs and improvements to the upper lawn included regrading the area to make it more usable. The bulletin board will be relocated to the base of the knoll right across from the playground since the old location was too steep to meet ADA requirements.

The Carmelita St. stairs will be restored and will replace the steep asphalt "ramp" leading into the park. The new stairs will look very similar to the original ones. An ADA ramp at the same location will make it much easier for wheelchairs and strollers to enter the park. The Pierce St. Dead Enders are sponsoring a fence to enclose the planting circle near the Pierce St. entrance to the park. The fencing will be the same style as the fence around the playground. A curb to keep the sand in the sandbox area will be installed just outside the sandbox and next to the pathway. The curb and the fence at the Pierce St. planting circle will be done at the same time as the Carmelita St. stairs and will take about one week to complete.

The Scott St. Labyrinth was power washed and cleaned. The Scott St. lawn has gophers, creating holes and digging spots for dogs. A work order for installation of "pigeon strips" on top of the east wall of the Rec Center was placed in June. The Harvey Milk quote on the side of that wall is streaked with bird droppings.

### Activities and Projects

The conceptual plan for the Youth Play Area next to the basketball court has been developed and approved by the community and a draft gift acceptance agreement ("gift in place") was presented for to the Park Commission for

approval in September. Once approved, the fundraising phase will formally begin with the goal of breaking ground summer 2010.

A new organizing effort has recently been launched for Duboce Park focusing on parents, families, and kids. It's called Friends of Duboce Park Kids! and will function as a component of Friends of Duboce Park. There's a lot more for kids to do in the park these days and one of the goals is to increase the volunteer base and stewardship commitment. Please sign up on the new listserve, [DuboceParkKids@gmail.com](mailto:DuboceParkKids@gmail.com).

Fall programs at the Harvey Milk Recreational Arts Center will continue to be selected using the following criteria: community surveys, past successes, community input at quarterly Duboce Park Community Meetings, and budget considerations.

Photo Center current hours of operation: Tuesday, Wednesday, Thursday—1 p.m.-10 p.m.; Friday—1 p.m.-6 p.m.; Saturday—10 a.m.-4 p.m.; Sunday, Monday—closed.

Fall 2009 offerings include: Adult Body Toning; After-school Enrichment Program; Ballroom Dancing; Beginning/Intermediate Tap Dancing; Toddlers' Dancin' and Prancin'; Ethni-Jazz

*Continues on page 9*

## Exhibition of Public Art Proposals for the Church and Duboce Public Art Project



A current example of neighborhood public art is Mona Caron's Duboce bikeway mural behind Safeway.

Three proposals for public art for the streetscape at the intersection of Church Street and Duboce Avenue will be on display at the Harvey Milk Recreational Arts Center and on the San Francisco Arts Commission's website for two weeks starting on October 1st. The three project finalists (Rebar Group, Masayuki Nagase and Primitivo Suarez-Wolfe) were selected by an ad-hoc selection panel comprised of two community representatives, three arts professionals, a SFMT/DPW project team member, and an Arts Commissioner. The three finalists have each developed public art concepts, one of which will be selected for implementation through the Arts Commission in conjunction with the Muni Rail Replacement and Streetscape Improvement Project at Church and Duboce.

In addition to creating a sense of place and enliven-

ing and beautifying the urban environment, public art can also help resolve certain challenges related to functionality and use of space, such as those found at the intersection of Church and Duboce. The Arts Commission's Public Art Program strives to provide works of art that are unique to the location and relevant to the community and site. With that in mind, the Arts Commission invites members of the public to preview and comment on the competing proposals.

We encourage members of the community to view these proposals at the Harvey Milk Recreation Center and to provide comments in the on-site exhibition binder (open hours for Center in Duboce Park Update, page 7). Community members may also view the proposals online and send comments via email. Emailed comments must be received by the Arts Commission no

later than 11:59 PM on October 14.

Next steps: Community input on the proposals will be conveyed to the artist selection panel for their consideration prior to panel deliberations and recommendation of a project artist. Afterward, the panel's recommendation will be presented to the Arts Commission's Visual Arts Committee and the full Arts Commission, which must approve the project before the selected artist can begin work.

**Exhibition Dates:**  
**October 1 – 14, 2009**

Exhibition Location: Harvey Milk Recreation Center, 50 Scott St. (at Duboce Ave.)

On-line display: [www.sfartscommission.org/pubartcollection](http://www.sfartscommission.org/pubartcollection)

For further information about the selection process or the artwork proposals, contact Jennifer Lovvorn, Project Manager at the San Francisco Arts Commission, at 415-252-4637 or by email: [jennifer.lovvorn@sfgov.org](mailto:jennifer.lovvorn@sfgov.org).



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## DTNA Board Meeting Notes – Sep 14, 2009

### 1. Call to Order.

Dennis Richards led the meeting. All 10 board members were present, along with three members of the public. Katy Wilcoxon took notes. Dennis noted that this was a special topic Board meeting focusing on DTNA's approach to evaluating proposed formula retail stores (chains) in the neighborhood.

### 2. General Board Business

Dennis announced that there are currently two openings on the Board, with another seat likely to open at the end of the year. Kit Hodge and Mark Paez both stepped down from the board to fulfill personal commitments. Kit will remain involved in transportation issues and Mark in preservation issues as members of DTNA. The Board is looking for qualified people to represent neighborhood-based nonprofit organizations, small businesses, renters, or other neighborhood interests on the DTNA Board.

### 3. Formula Retail Criteria

The discussion of Formula Retail started out with

the Board clarifying that DTNA's official position on formula retail, as established and voted on by the membership in 2008 has not changed. DTNA is opposed to an outright ban on Formula Retail stores in both the Upper Market Neighborhood Commercial District (NCD) and the Castro NCD. Instead, DTNA will review applications for Formula Retail on a case by case basis using various guidelines and using criteria specified in the planning code. Copies of the Formula Retail regulations in the planning code Section 703.3(h) along with the Formula Retail Comparison Matrix (a list of design review guidelines to be considered) were handed out to everyone at the meeting. These two documents served as the basis for discussion. For more information on DTNA's position on formula retail see articles on pages 3 and 10.

The meeting's goal was to refine the criteria DTNA uses to evaluate proposed formula retail projects in the neighborhood. After evaluating the project based on these

criteria, the DTNA Board will make a recommendation to the general membership to either formally oppose, support, or take no position on the business locating in the neighborhood. DTNA membership will then vote to ratify or reject the recommendation of the Board. This special topic was discussed in anticipation of a number of formula retail proposals in the neighborhood in the coming months.

Representatives from Rosenberg's Deli expressed concern about the direct competitive impact on local businesses of a large grocery retailer. In addition, they noted that the primary concern expressed by their customers is the impact on parking and traffic in the immediate area. The guests pointed out that existing local businesses rely on parking to draw customers from beyond the immediate neighborhood and those parking spots will be filled with customers coming only to shop at the large grocery chains. They predict that this pressure will lead to a loss of local businesses.

*Continued from page 7*

Dance; Hula Dancing; Introduction to Costuming and Theater Props; Low Impact Aerobics; Omulu Capoeira; San Francisco Civic Symphony; San Francisco Dance Circle; Midnight Music; and Young People's Teen Musical Theater Company. For further information, a listing of fees for courses, and registration, please visit [www.sfreconline.org](http://www.sfreconline.org)

### Next Park Community Meeting

The next Duboce Park Community Meeting is Wednesday, November 18, 2009, 6:30-8 p.m. at the Harvey Milk Center, Lower Level. Rec and Park offers these quarterly meetings for the public to become acquainted with and discuss issues with key Rec & Park staff members. It is an opportunity to talk with Bob Palacio, Neighborhood Services Manager, who runs the meetings and has been very good about following up on any issues that are brought up to his attention at these community meetings.

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## Chain Stores in our Community—What’s the right position to take....?

It’s happening throughout San Francisco—chain retail stores want to set up shop in neighborhood commercial districts. The Upper Market area is no exception. The specter of chain stores (known as “formula retail” in Planning Code parlance) on our neighborhood landscapes and their Americana symbolism tends to engender a lot of debate. And the debate often boils down to: “are you for them, or against them...?”, with little room for a middle-ground position. The Duboce Triangle Neighborhood Association tries hard not to be an impulsive “yes/no” organization, so we have been faced with challenging decisions on chain store proposals recently. About a year ago the DTNA membership decided that the organization should not take a position in favor of a blanket prohibition on new formula retail in the Upper Market or Castro neighborhood commercial districts. Instead the membership felt it more appropriate to come to positions on a case by case basis.

Our DTNA Board met this past month to refine detailed criteria we suggest be used for evaluating chain store proposals in the Upper Market area. At the October 12th general DTNA community meeting, the membership will be finalizing and adopting the criteria. Once adopted, having these evaluation criteria will not make our decisions on formula re-

tail any less challenging, but they will provide a framework for debating the pros and cons of each proposal and an analytical basis for DTNA’s positions.

### How Chain Stores are Regulated in San Francisco

But first, let’s step back briefly and look at San Francisco’s



*Would this be an appropriate Formula Retail Business for our neighborhood?*

regulations that we’re working from. In 2004 the Board of Supervisors adopted legislation that defined “formula retail uses” in the Planning Code and established regulatory mechanisms and evaluation criteria for their approval by the city. Then in 2006 the voters of San Francisco passed Proposition G, which added a requirement for “conditional use” approval by the Planning Commission of formula retail uses in neighborhood commercial districts. At the time of the

initial 2004 legislation, the Board pointed to research from the Treasurer’s Office showing that 85% of all San Francisco retail businesses have only a single store, and over 95% of retail businesses have five or fewer stores. In other words, small independent businesses are a “backbone” of the city. Some of the Findings in that 2004 legis-

bicycling and the City’s mix of architecture contributes to a strong sense of neighborhood community within the larger City community.”

“San Francisco needs to protect its vibrant small business sector and create a supportive environment for new small business innovations. One of the eight Priority Policies of the City’s General Plan resolves that ‘existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced.’”

“Formula retail businesses can have a competitive advantage over independent operators because they are typically better capitalized and can absorb larger startup costs, pay more for lease space, and commit to longer lease contracts. This can put pressure on existing businesses and potentially price out new startup independent businesses.”

“Money earned by independent businesses is more likely to circulate within the local neighborhood and City economy than the money earned by formula retail businesses which often have corporate offices and vendors located outside of San Francisco.”

“The increase of formula retail businesses in the City’s neighborhood commercial areas, if not monitored and regulated, will hamper the City’s goal of a diverse retail base with distinct  
*Continued on page 11*

lation are particularly important to note:

“San Francisco is a city of diverse and distinct neighborhoods identified in large part by the character of their commercial areas.”

“San Francisco is one of a very few major urban centers in the State in which housing, shops, work places, schools, parks and civic facilities intimately co-exist to create strong identifiable neighborhoods. The neighborhood streets invite walking and

*Continued from page 10*

neighborhood retailing personalities comprised of a mix of businesses. Specifically, the unregulated and unmonitored establishment of additional formula retail uses may unduly limit or eliminate business establishment opportunities for smaller or medium-sized businesses, many of which tend to be non-traditional or unique, and unduly skew the mix of businesses towards national retailers in lieu of local or regional retailers, thereby decreasing the diversity of merchandise available to residents and visitors and the diversity of purveyors of merchandise."

The approvals process for a formula retail business requires that the chain apply for a conditional use ("CU") permit which is then evaluated by Planning Department staff. Once the staff review is complete, the proposal is brought to a hearing of the Planning Commission for consideration. In addition to the normal CU standard that the proposed use be determined by the Commission to be "necessary or desirable for, and compatible with, the neighborhood or the community," the 2004 formula retail legislation established five specific evaluation criteria to guide the Commission's decision:

(1) Existing concentrations of formula retail uses within the Neighborhood Commercial District.

(2) Availability of other similar retail uses within the

Neighborhood Commercial District.

(3) Compatibility of the proposed formula retail use with the existing architectural and aesthetic character of the Neighborhood Commercial District.

(4) Existing retail vacancy rates within the Neighborhood Commercial District.

(5) Existing mix of City-wide-serving retail uses and neighborhood-serving retail uses within the Neighborhood Commercial District.

Moreover, when the proposed use is larger than the normal square foot limitations established in the Planning Code for a neighborhood commercial district, the Commission must consider additional criteria:

The intensity of activity in the district is not such that allowing the larger use will be likely to foreclose the location of other needed neighborhood-servicing uses

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## People of the Triangle: Peter Straus

Peter Straus, Triangle resident since 1972—Henry to Beaver to Sanchez to Pierce—retired at the end of August after 36 years at Muni where he worked first as a driver, then as a planner, then as Director of Planning, survived multiple reorganizations, finally retiring as Manager of Service Planning.

When asked what he thought were the 2 best accomplishments at Muni, he couldn't pick his favorites. His "major involvements" were: 1) Major restructuring of routes to create new major crosstowns (like the 43, 44, 49, 29) in the '80s and work on the Transportation Effectiveness Project more recently (you have to be older to remember when you had to go downtown first to get to another neighborhood), 2) 1980 start-up of the Market Street subway, 3) major

roles in F-line development, 4) redesign of Market Street for transit, 5) development of new trolley coach lines - 1, 24, 33, 31, 5) supervision of planning for the Third Street LRT, 6) implementing Muni service to Pac Bell Park in 2000.

"Yeah, I had a good run at Muni," he said. Peter exemplifies the vision, smarts, and tenacity that we have in mind when we talk about the best in public service. We hope he enjoys his retirement. Maybe now he can find those old DTNA newsletters we'd like to see that are somewhere in his basement.

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## Urban Backyard Farming Taken to New Heights!



*Joe Alfano and Frank Copley show off two of their prized heritage chickens that they are raising in their back yard.*

When Joe Alfano and Frank Copley are not doing their 9 to 5 jobs or fighting for equal rights to marry for gays and lesbians, they tend to their backyard "farm." Living above a store front on Noe Street the couple has taken backyard farming to new heights. In addition to the lettuce, squash, and tomatoes that they are growing, they also are raising chickens for their eggs.

About 2 years ago, the whole sustainability movement, and their desire to get become more knowledgeable about the source of their food, got the couple to think about raising chickens. They value recycling everything and by raising chickens nearly everything that they used to compost is consumed by the chickens.

They stressed that deciding to raise chickens is not something that they recommend that folks "just do," but instead advise that

those who are interested in raising chickens take the time to study all there is to know about raising, including becoming knowledgeable about chicken health. They recommend *Storey's Guide to Raising Chickens*. In addition they also recommend a thorough understanding of the Health Code section 0185-00 (concerning raising farm animals) as well. Frank's and Joe's neighbors (including the president of your neighborhood association) do not mind the fact that there are chickens living close by. They attribute their rigorous attention to "litter management" as mitigating any potential issues that may arise around odor or insects that their neighbors might object to.

Joe's and Frank's experience with chickens is that, as much as they wanted to attribute human like qualities to their animals, chickens are not at all like dogs or cats. They aren't personable

and are not affectionate. But as with dogs and cats, they come with quite a bit of responsibility.

The economics of raising chickens pencils out fairly well. The couple built a beautifully well designed chicken house themselves and the cost of each of their 4 heritage breed chicks was only \$3 each and each chicken will lay on average 20 dozen eggs each year. Frank and Jim say that their fresh raised eggs cannot compare to the store bought organic eggs costing

over \$5 a dozen. Theirs have a fluffier thicker consistency with a deeper orange yolk and obviously come with a better taste.

In an upcoming issue, we will have an article about another one of one of our neighbors who raises bees.

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# Planning Department Proposes Height Increases Along Upper Market Street

**Public Workshop to be held October 6th**

If approved by the Planning Commission, the permitted height on a dozen parcels on Market Street between Church and Noe will be raised from the current 55 feet to 65 feet, while the current height of 85 feet would be maintained on parcels at the intersection of Church/14th/Market Street. This proposal is an attempt to integrate the recently adopted Market Octavia Historic Resource Survey into the larger Market Octavia Plan

The Historic Survey identifies several potential historic districts in our neighborhood, including the "Upper Market Street Historic District", which includes 34 contributing resources along the same stretch of Market Street. The significance of this proposed district derives from the advent of public transportation along Market Street and the resulting 100 years of development along this major transit corridor. Rather than reflect a single era, the proposed district includes buildings from the earliest periods of development to later periods, and includes such diverse buildings as the Swedish American Hall and Beck's Motor Lodge. Most of the contributing buildings are one to four stories in height and include commercial uses on the ground floor.

The Market Octavia Plan originally proposed to increase the height of all

buildings fronting this section of Market Street from 55 feet to 65 feet, as well as maintain the 85 foot height at Church/14th/Market. However, DTNA and historic preservation groups argued that no consideration of heights should be made until the Historic Surveys were completed. Therefore, the current proposal would increase the height only on the non-contributing parcels between Church and Noe.

The proposal was introduced to both the Planning Commission and the Historic Preservation Commission last month, where a number of questions and concerns were raised. Commissioners and members of the public, including DTNA, sought more clarification about the compatibility of the proposed heights with the existing heights of the identified historic resources. Others suggested that the 85 foot height limit at Church/14th/Market should be lowered on the parcels containing historic resources. Subsequently, several department staff, commissioners, and members of DTNA walked the area to look at the existing building and proposed heights.

On October 6th, from 6:00 to 8:00pm at the LGBT Center, 1800 Market St., in the Andrew Spencer Ceremonial Room, the Planning Dept will hold a public

workshop on the proposal. The workshop will address "revisiting the heights along the Upper Market corridor" and incorporating the Historic Survey results into the Market & Octavia Plan.

We urge all residents of the Triangle to attend this meeting and participate.

Prior to the adoption of any change in the heights, the proposal will be heard again at both the Historic Pres-

ervation and the Planning Commissions.

DTNA will continue to monitor the proposal and report to members at the next General Meeting on October 12th. More information about the Historic Survey Integration process is available at the Planning Department link: [http://www.sfgov.org/site/planning\\_index.asp?id=25188](http://www.sfgov.org/site/planning_index.asp?id=25188)

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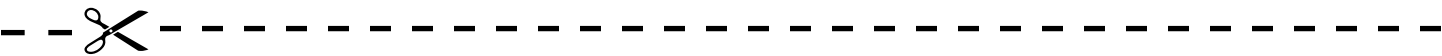


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