

People's panel OKs Zendesk — says no to 5 other CBAs

City administrator signs all tax-break benefit deals anyway

By MARK HEDIN

USING THE ONLY AUTHORITY it has — the power to say no — the Citizens Advisory Committee rejected five of six draft community benefit agreements the city administrator was pressuring the panel to quickly approve.

"I will not be voting for these tonight, because I know it'll just go forward," CAC member Steve Suzuki said just before the agreements were put to a vote Jan. 9 and, in all but one case, unanimously rejected. "We have no teeth; that's a pretty frustrating thing for me personally."

Suzuki got it right. Well before the Jan. 31 deadline, City Administrator Naomi Kelly signed three deals the CAC rejected, plus others. Those are Twitter, Yammer, One Kings Lane and Zoosk, which was drafted too late to make the CAC's agenda. The fifth deal Kelly finalized was the only one the CAC endorsed — Zendesk's.

CBAs for tax break newcomers Spotify and Advsor, rejected by the committee, were expected to sport Kelly's signature by Jan. 31.

Kelly refused, through her executive assistant, Lynn Khaw, a request to discuss the CBAs. However, she did tell *The Extra* on her way into her office Jan. 24 that the deals she had signed so far — she wasn't sure which ones — were inked unchanged by her citizen advisers' comments on Jan. 9.

Mayor Lee refused comment on the CAC vote, but in an email had plenty to say about the Twitter tax break's effectiveness: "Our job creation and economic development efforts in the Central Market and Tenderloin neighborhoods are not only growing businesses, but also benefitting this community. What began as a conversation with Board President David Chiu, Supervisor Jane Kim and Twitter has turned into a policy that is transforming a once blighted area into a thriving and vibrant neighborhood, and has resulted in 17 new companies, 13 new small businesses and six new arts venues that have moved to the area as part of our revitalization efforts."

No mention of the nonprofits shut out, but at least the mayor is candid that Twitter helped set city policy.

District 6 Supervisor Kim, who with Chiu in 2011 co-sponsored the Twitter tax break and then advanced the ordinance creating the CAC, mentioned none of the benefits from the CBAs in her 1,500-word recap of her last year's accomplishments that she emailed Jan. 28. Repeated calls, emails and visits to her office seeking comment on the item that was conspicuous by its absence were repeatedly ignored.

After several visits, phone calls and emails from *The Extra*, Chiu's legislative aide Jordan True on Jan. 30 said, "Supervisor Chiu understands the CAC's perspective on the proposed CBAs, (but) we believe the CBAs as approved go a long way toward fulfilling the spirit of the original legislation — the increased cash payments and greater specificity is heartening."

"We shouldn't need CBAs in order for companies to engage in the civic fabric of their neighborhood, but in this case, it's

NO. 141

PUBLISHED BY THE SAN FRANCISCO STUDY CENTER

FEBRUARY 2014



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PLANNING'S DREAM



Amigo's Market poses problems for city planner Jonathan Purvis because of the paint-coated, wraparound windows and security gates that are covered by soft drink posters.

Un-sightly storefronts

Touring the TL with city official to enforce code

STORY AND PHOTOS BY JONATHAN NEWMAN

THERE ARE MANY RULES for doing business in the city, and small merchants in the Tenderloin are accustomed to a roster of government agencies monitoring their daily commercial activities.

Now, the Planning Department's focused effort to enforce its recent code requirement that merchants maintain a zone of visibility into the interior of their store has been added

to the city's scrutiny of retail operations.

City Planning intends to tackle the aesthetics of storefronts citywide, and its first contact with merchants is centered on the Tenderloin. Planning's dream is to restore the full-windowed, transom-lighted interiors envisaged by the architects and designers who rebuilt the city after the 1906 earthquake and fire.

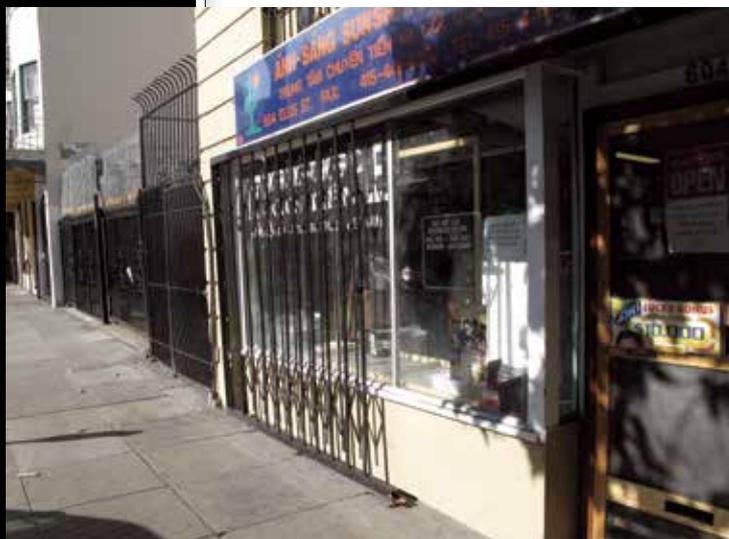
The neighborhood has been the "source of a lot of complaints and the problem has reached a tipping point," according to Jonathan Purvis of the department's General Advertising Sign Team. He says several dozen complaints have come in about cluttered storefronts and blocked sight lines in Tenderloin stores in the past six months. With the city policy of anonymity, of course, the complaints could have come from numerous sources — or one disgruntled citizen.

Under Planning Code Section 145.1(c) (6) most businesses must have transparent windows and doorways for no "less than 60 percent of the street frontage . . . and allow visibility to the inside of the building."

This section, part of an overhaul of the Planning Code sponsored by former Supervisor Ross Mirkarimi and passed unanimously by the board in 2011, was a bit bewildering to planners until, as Purvis acknowledges, "the Planning Department came up with a usable interpretation."

That interpretation resulted in the department's recent creation of a storefront "visibility zone" requirement — "the area inside the building within 4 feet from the surface of the window glass at pedestrian eye level is at least 75 percent open to perpendicular view." In plain language, a retail site is good with Planning if a pedestrian can see everything 4 feet inside the place.

On an unseasonably warm afternoon in mid-January, Purvis, in the company of Offi-



Anh-Sang Sunshine Express gets a thumbs-up from Purvis for clearing its front windows.