

# Prop. D vote to market mid-Market faces an 'uphill battle'

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Diamond said, "but that's what I really like about it. It will bring buzz to the area. It's a big, unusual idea. Maybe it will be what finally brings economic development to mid-Market."

The proposed district includes 52 buildings. Each could sport new signs — though some might be as small as 2 feet by 5 feet — bringing much-needed revenue to an area where half the ground-floor retail is shuttered and, Addington estimates "conservatively," more than 50% of the office space is unoccupied.

Prop. D's biggest hurdle is that it exempts the district from two hard-won zoning laws: One, on the books since 1970, bans all general advertising on Market Street from the Embarcadero to Octavia Boulevard. The other,

and other supporters have been making the rounds looking for ballot endorsements and community support. They've been to the Alliance for a Better District 6, Tenderloin CBD, Tenderloin Economic Development, SPUR, Yerba Buena Alliance, Convention and Visitors Bureau, Golden Gate Restaurant Association, Union Square Association, San Francisco Architectural Heritage and many more.

"Mostly, people have been positive," Diamond said.

But, by late August, Addington conceded, "I know this is going to be an uphill battle."

## WHAT THE ORDINANCE SAYS

Eleven sometimes technical pages long, Prop. D calls the proposed district "a distinct segment of downtown ... a locale for entertainment and arts institutions." The hope is that signage will give a shot of energy to what's there now. Theaters include the Golden Gate, Warfield, Market Street Cinema, Crazy Horse, St. Francis and the Regal (both recently closed). The Guild at 1069 Market and the Centre at 1071 Market, both built in the 1920s, closed in 1987 after decades of showing adult films. The number of arts venues is few, just The Luggage Store and Red Ink Studios.

Prop. G's citywide ban on general advertising may be appropriate for other locales, but Prop. D calls it "an unfair burden" on mid-Market owners who could use the revenue to "maintain or establish entertainment and arts venues in their building, creating a unified and distinctive visual environment."

The initiative limits signs to 500 square feet, which is minuscule compared with the ad on the south side of 995 Market St. (See photo at left.) Allowed, with conditions on height, position, movement and illumination, are roof signs, wind signs, video and digital signs, rotating signs, wall signs, signs with moving parts and illuminated signs. All must conform with the sign district's stated purposes: To make the area attractive as a tourist destination, reinvigorate mid-Market, retain and not compromise the area's historic architectural character, and use portions of ad revenue to fund neighborhood youth and arts activities.

The Central Market Community Benefit District, formed in 2006, with boundaries extending from Fifth to Ninth along Market Street plus parts of Stevenson, Jessie and Mission streets, will be the sign district's administrator and fiscal sponsor. When a building owner wants to sell sign space, the first stop for decisions about its conformity and contract review will be a new CBD subcommittee.

Members won't be named until the initiative passes, if it does, Addington says, but they'll include experts in architectural heritage, reps from the Planning Department and the Arts Commission, members from the Central Market and Tenderloin CBDs, residents, small business owners and other neighborhood stakeholders. After the subcommittee vets a proposed sign, it needs permit approval from the Department of Building Inspection.

Property owners don't get to keep all the revenue from green-lighted billboards. If their building's ground floor is used primarily for arts activities (as defined by the Planning Code), owners must contribute 20% of the revenue from each sign to a special district fund; if the space isn't used for arts, they pay 40%.

## PROGRAMS TO BENEFIT SIGNS

The CBD collects the revenue and decides how to apportion it. The initiative lists priorities: arts education programs for youth — the CBD will probably solicit proposals from neighborhood groups; a Hallidie Plaza booth to sell tickets to arts, entertainment and cultural activities in the district; and CBD expenses for administering the district. The CBD can use leftover revenues to promote arts in the area.

Asked how much revenue the district might rake in, Addington says he has no figures yet but has hired someone to create a financial model.

"Ad revenue is based on 'impressions' — how many people pass a sign on the road or on foot," Addington explained. "The number of impressions in this area is questionable



**Furniture and Carpets**, the store with Greek columns and classic facade at 1019-21 Market St., would be a candidate for one or more signs on the building's side if Proposition D passes.

now, but if Prop. D passes and we can offer exclusives to advertisers and show the area is a cool and interesting destination with real-time excitement, advertisers might be able to see beyond the idea of impressions."

He offered some examples of what ads go for: A sign currently up on the Mission Street side of 995 Market brings its property owner \$18,000 a month. One of comparable size in Union Square might generate \$75,000 a month. A glittery, spectacular billboard in Times Square could pull down \$300,000 a month.

## FOR AND AGAINST

Addington says he's talked with the owners of all 52 buildings in the proposed district. "None have reservations about the initiative except Laurie Lazer and Darryl Smith at the Luggage Store [1007 Market] — they're artists and they have aesthetic concerns."

Smith told The Extra that he admires Addington's enthusiasm, but worries whether there will be a lot of schlock on the two blocks. "I won't actively fight it," he says, "but I won't support it either. I'm wary of the 'artistic presence' of electronic billboards."

Lazer added, "We're such a small city and this idea seems so New York."

The Yes on Proposition D ballot statement calls the sign district "a community solution" and names the S.F. Democratic Party, Chamber of Commerce, Supervisors Chiu, Alioto-Pier, Elsbernd, Duffy, Campos and Maxwell, plus artists, theaters, residents, business and labor as its supporters. Conspicuously absent is Supe Daly. This is his district, but aide Tom Jackson told The Extra that he's taken no official position.

Part of the proposed sign district falls within the Tenderloin CBD's boundaries. Two of its committees reviewed the initiative; one voted to recommend that the full board support it, the other that the full CBD board weigh in with "no recommendation." The full board votes Sept. 21. SPUR has voted to support the proposition. San Francisco Architectural Heritage has yet to take a stand.

"There is a place for signage in that area,"

says Jack Gold, Heritage executive director. "We're eager to work more closely on the issue, but we need to move forward cautiously. I know David is looking to restore the cultural vitality of that area, but our members and neighborhood stakeholders have several concerns. Size is one."

The city attorney's office and Department of Building Inspection have written analyses of Prop. D on the Elections Department Website that take no position. The Planning Department's analysis, however, is harsh: The proposed ordinance could affect the "integrity" of Market Street, allowing not only free-standing roof billboards, banned since 1965, but wind signs "such as balloons, ribbons, streamers and signage similar to and including 'dancing inflatable men.'" It doesn't limit the number of billboards per parcel, so if the side of a building is big enough to hold four 500-square-foot billboards, the owner can sell all 2,000 square feet.

Planning also said the initiative could "put the city at risk of legal liability" for regulating the content of signs, which "may be considered an unconstitutional restriction on speech." Plus, the CBD, "a private entity," would assume some of Planning's review and permitting functions, also exposing the city to possible lawsuits.

Addington, attending the Central Market CBD's Aug. 11 board meeting to update members about Prop. D's progress, told them he'd met with planners "who have deep concerns." CBD board member Joni Marie Theodorsen, artist and manager of Pearl Art & Craft Supplies, wondered if the ordinance interfered with any long-term planning for Market Street.

Addington said it didn't. "Their concern is that it changes the Planning Code and that they weren't properly consulted. But we did what we did because we're not happy with the current plan for these two blocks."

Might dancing, inflatable men really be allowed? a board member asked. Addington said definitely not, because the CBD review subcommittee, which will include Planning, would nix them from the get-go.

"People use the inflatable advertising only when they can't get any other kind of sign permit," he told The Extra later. "We'll be able to do things that are really cool — that are illuminated and digital — so why would we do that?"

Board President Katie O'Brien, development manager for Martin Building Co., pressed for careful crafting of design and attention to preservation with clear controls on signage. The CBD has a reputation to protect, she said.

Addington promised board members that for their next meeting he'd have an initiative master plan, which he's creating with CBD Executive Director Daniel Hurtado, that will cover subcommittee composition, initial funding procedures, contacts with property owners and advertisers, even the possibility of eventually forming a separate nonprofit to administer the district.

## 'VISUAL POLLUTION'

San Francisco Beautiful says the sign district is a terrible idea. Its No on Proposition D ballot statement envisions "the visual pollution...[of] massive, digital billboards...blinking every few seconds, blazing away 24 hours a day."

Executive Director Leigh Ann Baughman told The Extra that anyone walking down the street would be forced to look at general advertising all the time. "It takes away from each individual, without asking." Static billboards are bad enough, but digital ones "are 500 times worse." The city has none now.

She does like the idea of the CBD managing the district and some ad revenues flowing back into the community, but the initiative, she says, is "weakly written" and lacks restrictions. Even now, billboard companies are flaunting general advertising mandates, and she believes a special general advertising district would compound the city's work to keep billboards under control. (See sidebar.)

By late August, others in the "no" camp included South of Market activist Jim Meko, who's running for District 6 supervisor next year and chairs the SoMa Leadership Council, and Michael Nulty, president of Alliance for a Better District 6. Both are opposing as individuals, not as heads of their organizations.

The sign district, Nulty said in an email, is "another special interest measure that silences the average resident's voice," one that excluded people who live in the neighborhood from the process of drafting the ordinance and, he worries, will shut them out of decision-making if it passes.

Meko calls the initiative "ballot-box planning," a "selfish" idea that should have gone instead to the supervisors, who would have held public hearings that also allowed Planning commissioners to weigh in. "Has anyone considered," he asks, "that someday this will be identified as a historic district and future generations will shake their heads at our impudence?"

But for some who live and work in the area, the Mid-Market Special Sign District looks like the best bet to make much-needed changes. Architect William Worthen is a green consultant to the mayor's office, on the board of the S.F. chapter of the American Institute of Architects, owns a condo in Mint Plaza and joined the Central Market CBD board a year ago. He can't think of another two blocks in the city where a special sign district would be more appropriate, he says: "It was an electronically illuminated theater district years ago, and this is a great opportunity to return to that. Also, this is our neighborhood — we have a vested interest in it, so we're going to be careful what goes up."

In two months, Prop. D will go before all the voters, not just mid-Market neighbors. The Extra asked Addington what he would say to the general electorate. "This will enhance

## Half reviewed signs are 'illegal'

PLANNING Department Ombudsman Dan Sider probably knows more about billboards than anyone in the city. He heads Planning's GASP (General Advertising Sign Program), which tries to improve enforcement of signage laws. In a year and a half, GASP has identified 1,509 general advertising signs citywide and evaluated more than half of them.

"Forty-seven percent of the signs we reviewed are completely illegal," Sider said. "They had no permit and were required to be removed. Another 23% reviewed were out of compliance with their permit — they were bigger or taller, for example. The rest were legal."

Sider says that building owners and sign companies make so much money, the incentives to violate laws are great. GASP's penalties, keyed to size, also can be great. If an illegal 2,500-square-foot sign isn't removed within 30 days of notice, the responsible party — the building owner and the sign company together — rack up \$2,500 a day in penalties.

Sider says he can't comment on Prop. D or, if it passes, how likely it is that property owners in the sign district would become scofflaws.

GASP has had successes, but at a cost. As of Aug. 3, 227 signs had been removed, and fierce legal challenges are typical, Sider says. The latest GASP report shows total revenues of \$143,425 for the first quarter of fiscal 2008-09, with \$50,000 of that from fines and penalties. Expenditures were \$199,633 for the same period — and \$123,000 of that went to city attorney staff. ■

—MARJORIE BEGGS

the city's reputation," he said. S.F. Beautiful begs to differ: "San Francisco residents and millions of tourists would suffer a commercially blighted skyline."

Or, maybe, it will push the advertising envelope and force the media to be equal to the challenge of the message. In this case, that means bringing the creative urges that are surging in the central city to public awareness. ■



PHOTOS BY MARJORIE BEGGS

Proposition G, approved in 2002 by 78% of the voters, prohibits new general advertising citywide.

"General advertising" refers to goods or services not sold where the ads are displayed — think a Verizon ad on the Grant Building. Business service advertising, like an iPod ad on an Apple store, isn't regulated by the two billboard laws or Prop. D. Marquees and other historical signs also are outside the purview of Prop. D and are, in fact, encouraged by an ordinance passed last year.

As the election nears, Addington, Diamond



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