

City and County of San Francisco
Land Use and Economic Development Committee

City Hall, Room 263



Meeting Agenda
Monday, March 26, 2007
1:00 PM
Regular Meeting

Members: Sophie Maxwell, Gerardo Sandoval, Jake McGoldrick

Clerk: Mary Red (415) 554-4442

Note: Each item on the Consent or Regular agenda may include the following documents: 1) Legislation 2) Budget Analyst report 3) Legislative Analyst report

Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.

AGENDA CHANGES

REGULAR AGENDA

1. 070102 [Traffic regulations - vehicular closure of Jessie Street between Mint and 5th Streets]

Resolution approving closing Jessie Street between 5th and Mint Streets to vehicular traffic and making environmental findings and findings of consistency with the City's General Plan and priority policies of Planning Code Section 101.1. (Parking and Traffic Department)

1/22/07, RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

2/22/07, CONTINUED. Heard in committee. Speakers: None. Continued to March 8, 2007.

3/8/07, CONTINUED TO CALL OF THE CHAIR. Speakers: None.

3/8/07, TRANSFERRED to Land Use and Economic Development Committee.

2. 070262 [Mint Plaza public improvements on a portion of Jessie and Mint Streets.] Supervisor Daly

Ordinance approving the issuance of a major encroachment permit and encroachment maintenance agreement to Friends of Mint Plaza to permit the construction and maintenance of certain improvements on Jessie and Mint Streets, including authorization to allow certain specified uses and occupancy in said area, including café tables and chairs and moveable public seating; waiving public right-of-way occupancy assessment fees for said permit; conditionally accepting an offer from Friends of Mint Plaza for said improvements; conditionally dedicating said improvements for public use and designating portions of Jessie and Mint Streets as a public plaza; making environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1; accepting offers of quitclaim deeds for abutters' rights of vehicular access to Jessie Street; and authorizing official acts in furtherance thereof.

2/27/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

3/8/07, REFERRED TO DEPARTMENT. Referred to Department of Public Works, Real Estate Department; Arts Commission and Department of Parking and Traffic for review, and Planning Department for environmental review.

3. 061688 [Zoning-Use of Transferable Development Rights (TDRs)] Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending Sections 123, 124, and 128 to address use of Transferable Development Rights (TDRs) under specified circumstances; and adopting findings including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1(b).

12/12/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/11/2007.

12/15/06, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comment.

2/16/07, RESPONSE RECEIVED. Planning Department exemption from CEQA.

3/12/07, RESPONSE RECEIVED. Planning Commission Resolution 17379 and Executive Report.

3/19/07, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in committee. Speakers: Michael Li, Planning Department; Serena Schiller; Supervisor Sandoval; Charles Chase; Tay Via; Carmela Gold; Supervisor McGoldrick. Amendment of the Whole.

3/19/07, CONTINUED AS AMENDED. Continued to March 26, 2007.

4. 070194 [Approving a General Plan Amendment Related to the Trinity Plaza Project at Market and 8th Streets]

Ordinance amending the San Francisco General Plan by amending the height and bulk districts found on Map 5 - Proposed Height and Bulk Districts, and referred to in Policy 13.1 of the Downtown Area Plan, for the proposed Trinity Plaza Special Use District, which encompasses the real property located at 1167 Market Street (Assessor's Block 3702, Lot No. 053), 670 Stevenson Street (Assessor's Block 3702, Lot No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot No. 052), 1164 Mission Street (Assessor's Block 3702, Lot No. 039), and a portion of former Jessie Street between 7th and 8th Streets, by changing the height and bulk classification from 120-X, 150-

X and 240-S to 160-X, 180-X and 240-S; adopting environmental findings and findings that the proposed General Plan amendments are consistent with the General Plan and eight Priority Policies of Planning Code Section 101.1. (Planning Department)

2/1/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/2/2007. (SUPPORTING DOCUMENTS - Executive Summary and Planning Commission Resolution 17363).

3/19/07, CONTINUED. Heard in committee. Speakers: Supervisor Sandoval; Supervisor Daly; Craig Nikitas, Planning Department; Supervisor McGoldrick; Charles Sullivan, Deputy City Attorney; Dave O'Keefe; Leo Cassidy; Ken Werner; Richard Hart; Paul Hogarth; Sis. Bernie Galvin; Michael Theriault; Bruce Allison; Francisco da Costa; Yvonne Sangiacomo; Cesar Garcia; Jim Keith; Father John LoSchiario; Karla Fernandez; Chris Durazo; Tim Dunn; Jim Salinas; Ryu Makoto; Jazzie Collins; Angelica Cabande; Angus McCarthy; Barbara Blong; Jeffery Ferns; Charie Sharp; Richard Robinson; Sean Keeghrein; Brooke Turner; Marc Solomon; Steven Leslie; Supervisor Maxwell; Cheryl Adams, Deputy City Attorney; Jim Rueben, Attorney. Continued to March 26, 2007.

5. 061214 [Approving Zoning Map Amendments for the Trinity Plaza Project at Market and 8th Streets] Supervisor Daly

Ordinance amending the San Francisco Planning Code by amending Sectional Map 1H of the Zoning Map of the City and County of San Francisco to change the height and bulk classification of the property located at 1167 Market Street (Assessor's Block 3702, Lot No. 053), 670 Stevenson Street (Assessor's Block 3702, Lot No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot No. 052), 1164 Mission Street (Assessor's Block 3702, Lot No. 039), and a portion of former Jessie Street between 7th and 8th Streets from height and bulk classifications of 120-X, 150-X and 240-S to 160-X, 180-X and 240-S; amending Sectional Map 1SU of the Zoning Map of the City and County of San Francisco to add the Trinity Plaza Special Use District; and adopting General Plan, Planning Code Section 101.1, and environmental findings.

8/15/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 9/14/2006. (SUPPORTING DOCUMENTS - Planning Commission Executive Summary; Motions 17291 and 17292; Resolution 17294.)

10/4/06, CONTINUED TO CALL OF THE CHAIR. Heard in committee. Speakers: Supervisor Daly; Supervisor Maxwell; Supervisor McGoldrick; Allan Lacayo, Office of Economic Analysis; Dean Macris, Director of Planning; Craig Nikitas, Planning Department; Charles Sullivan, Deputy City Attorney; Aurora Villaflores; Fernanda Romero; Angelica Cabande; Victor Herrera; Jazzie Collins; Robert Pender; Christine Durazo; Nancy Dodson; Todd Radulovich; Calvin Welch; Jim Rueben; Walter Schmidt; Jack Davis.

3/19/07, CONTINUED. Heard in committee. Speakers: Supervisor Sandoval; Supervisor Daly; Craig Nikitas, Planning Department; Supervisor McGoldrick; Charles Sullivan, Deputy City Attorney; Dave O'Keefe; Leo Cassidy; Ken Werner; Richard Hart; Paul Hogarth; Sis. Bernie Galvin; Michael Theriault; Bruce Allison; Francisco da Costa; Yvonne Sangiacomo; Cesar Garcia; Jim Keith; Father John LoSchiario; Karla Fernandez; Chris Durazo; Tim Dunn; Jim Salinas; Ryu Makoto; Jazzie Collins; Angelica Cabande; Angus McCarthy; Barbara Blong; Jeffery Ferns; Charie Sharp; Richard Robinson; Sean Keeghrein; Brooke Turner; Marc Solomon; Steven Leslie; Supervisor Maxwell; Cheryl Adams, Deputy City Attorney; Jim Rueben, Attorney. Continued to March 26, 2007.

6. 061216 [Zoning - Establishing the Trinity Plaza Special Use District] Supervisor Daly

at Market and 8th Streets]

Ordinance amending the San Francisco Planning Code by adding Section 249.34 to establish the Trinity Plaza Special Use District, encompassing the real property located at 1167 Market Street (Assessor's Block 3702, Lot No. 053), 670 Stevenson Street (Assessor's Block 3702, 5Lot No. 051), 693 Stevenson Street (Assessor's Block 3702, Lot No. 052), 1164 Mission Street (Assessor's Block 3702, Lot No. 039), and a portion of former Jessie Street between 7th and 8th Streets, to eliminate floor-area restrictions, maximum dwelling-unit density limits, and sunlight access to public sidewalk requirements, and allow exceptions through the process outlined in Planning Code Section 309 to the dwelling-unit exposure requirements; and adopting General Plan, Planning Code Section 101.1, and environmental findings.

Economic Impact

8/15/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 9/14/2006. (SUPPORTING DOCUMENTS - Planning Commission Executive Summary; Motions 17291 and 17292; Resolution 17295.)

9/21/06, RESPONSE RECEIVED. Economic Impact Report from Office of Economic Analysis.

10/4/06, CONTINUED TO CALL OF THE CHAIR. Heard in committee. Speakers: Supervisor Daly; Supervisor Maxwell; Supervisor McGoldrick; Allan Lacayo, Office of Economic Analysis; Dean Macris, Director of Planning; Craig Nikitas, Planning Department; Charles Sullivan, Deputy City Attorney; Aurora Villaflores; Fernanda Romero; Angelica Cabande; Victor Herrera; Jazzie Collins; Robert Pender; Christine Durazo; Nancy Dodson; Todd Radulovich; Calvin Welch; Jim Rueben; Walter Schmidt; Jack Davis.

3/19/07, CONTINUED. Heard in committee. Speakers: Supervisor Sandoval; Supervisor Daly; Craig Nikitas, Planning Department; Supervisor McGoldrick; Charles Sullivan, Deputy City Attorney; Dave O'Keefe; Leo Cassidy; Ken Werner; Richard Hart; Paul Hogarth; Sis. Bernie Galvin; Michael Theriault; Bruce Allison; Francisco da Costa; Yvonne Sangiacomo; Cesar Garcia; Jim Keith; Father John LoSchiario; Karla Fernandez; Chris Durazo; Tim Dunn; Jim Salinas; Ryu Makoto; Jazzie Collins; Angelica Cabande; Angus McCarthy; Barbara Blong; Jeffery Ferns; Charie Sharp; Richard Robinson; Sean Keeghrein; Brooke Turner; Marc Solomon; Steven Leslie; Supervisor Maxwell; Cheryl Adams, Deputy City Attorney; Jim Rueben, Attorney. Continued to March 26, 2007.

7. 061217 [Trinity Plaza Development Agreement; Property at 1167 Market St., 670-693 Stevenson St., and 1164 Mission St.] Supervisor Daly

Ordinance approving a development agreement between the City and County of San Francisco, and 1169 Market Street, LP, a California limited partnership, for certain real property located at 1167 Market Street (Assessor's Block 3702/Lot 053), 670 Stevenson Street (Assessor's Block 3702/Lot 051), 693 Stevenson Street (Assessor's Block 3702/Lot 052), 1164 Mission Street (Assessor's Block 3702/Lot 039), and a portion of former Jessie Street between 7th and 8th Streets, altogether consisting of approximately 177,295 square feet (4.07 acres) and commonly known as Trinity Plaza for a term of fifteen (15) years with a five (5) year extension option; adopting environmental, General Plan, and Planning Code Section 101.1 (b) findings; amending Administrative Code Chapters 37 and 37A by amending Sections 37.2(r)(5) and 37A.1(g) and by adding Section 37.9(a)(15), to provide that specified residential units constructed pursuant to the terms of a development agreement are subject to the City's residential rent stabilization and arbitration ordinance; and ratifying previous actions taken in connection therewith.

8/15/06, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. (SUPPORTING DOCUMENTS - Planning Commission Executive Summary; Motions 17290,

17291 and 17292; Resolutions 17295 and 17298; and 2006 Draft of Development Agreement.)

10/4/06, CONTINUED TO CALL OF THE CHAIR. Heard in committee. Speakers: Supervisor Daly; Supervisor Maxwell; Supervisor McGoldrick; Allan Lacayo, Office of Economic Analysis; Dean Macris, Director of Planning; Craig Nikitas, Planning Department; Charles Sullivan, Deputy City Attorney; Aurora Villaflores; Fernanda Romero; Angelica Cabande; Victor Herrera; Jazzie Collins; Robert Pender; Christine Durazo; Nancy Dodson; Todd Radulovich; Calvin Welch; Jim Rueben; Walter Schmidt; Jack Davis.

3/19/07, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in committee. Speakers: Supervisor Sandoval; Supervisor Daly; Craig Nikitas, Planning Department; Supervisor McGoldrick; Charles Sullivan, Deputy City Attorney; Dave O'Keeffe; Leo Cassidy; Ken Werner; Richard Hart; Paul Hogarth; Sis. Bernie Galvin; Michael Theriault; Bruce Allison; Francisco da Costa; Yvonne Sangiacomo; Cesar Garcia; Jim Keith; Father John LoSchiario; Karla Fernandez; Chris Durazo; Tim Dunn; Jim Salinas; Ryu Makoto; Jazzie Collins; Angelica Cabande; Angus McCarthy; Barbara Blong; Jeffery Ferns; Charie Sharp; Richard Robinson; Sean Keeghrein; Brooke Turner; Marc Solomon; Steven Leslie; Supervisor Maxwell; Cheryl Adams, Deputy City Attorney; Jim Rueben, Attorney. Amendment of the Whole.

3/19/07, CONTINUED AS AMENDED. Continued to March 26, 2007.

ADJOURNMENT

IMPORTANT INFORMATION

NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Land Use and Economic Development Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.

NOTE: Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the general plan amendments or planning code and zoning map amendments described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

LEGISLATION UNDER THE 30-DAY RULE

(Not to be considered at this meeting)

Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider

subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.

- 8. 070269 [Closing specified streets in Golden Gate Park on Saturdays on a trial basis for six months beginning May 5, 2007] Supervisors McGoldrick, Mirkarimi, Ammiano**
- Ordinance adding Section 6.13 to the San Francisco Park Code to prohibit motor vehicle traffic on Saturdays in Golden Gate Park on John F. Kennedy Drive between Transverse Drive and the western side of Hagiwara Tea Garden Drive and Stow Lake Drive between Stow Lake Drive East and John F. Kennedy Drive from May 26, 2007 until September 29, 2007; requesting development of improvement plan for Middle Drive West between Transverse Drive and Metson Road; requiring reports from the Recreation and Park Department pertaining to the Saturday road closures; and making environmental findings.
- 3/9/07, REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review, Youth Commission and Small Business Commission.
- 3/20/07, RESPONSE RECEIVED. Certificate of Determination of Exemption/Exclusion from Environmental review.
- 9. 070327 [Consent Calendar Procedures - Planning Commission] Supervisor McGoldrick**
- Ordinance amending Planning Code Sections 316.2, 316.3, 316.4, 316.5, 316.6, 316.7 and 316.8 to conform the procedures for consideration of Planning Commission consent calendar items in the Neighborhood-Commercial and South of Market districts and for live-work units in RH and RM districts. (Planning Department)
- 3/8/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/9/2007. (SUPPORTING DOCUMENTS: Planning Commission Resolutions 17373 and 17342)
- 10. 070381 [Amendment to the Visitacion Valley Fee Ordinance] Supervisor Maxwell**
- Ordinance amending Planning Code Sections 319.2 and 319.3 of the Visitacion Valley Community Facilities and Infrastructure Fee and Fund ordinance to set a lower fee level of \$3.00 per square foot for principally permitted projects that do not require material General Plan, Planning Code or Zoning Map amendments, and making findings including findings under the California Environmental Quality Act.
- 3/20/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/19/2007.

Meeting Procedures

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

USING LAPTOP COMPUTERS FOR PRESENTATIONS: Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. **THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.**

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Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

AVISO EN ESPAÑOL: La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.



Disability Access

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N, and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street. In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at sotf@sfgov.org

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

Lobbyist Registration and Reporting Requirements

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site www.sfgov.org/ethics