



City and County of San Francisco

Meeting Minutes

Land Use and Economic Development Committee

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Members: Scott Wiener, Jane Kim, David Chiu

Clerk: Alisa Miller (415) 554-4447

Monday, April 15, 2013

1:30 PM

City Hall, Committee Room 263

Regular Meeting

Present: 3 - Scott Wiener, Jane Kim, and David Chiu

MEETING CONVENED

The meeting convened at 1:35 p.m.

REGULAR AGENDA

130156 [Hearing - Mayor's Pedestrian Safety Strategy and Action Plan]

Sponsors: Kim; Yee and Wiener

Hearing to review the goals, funding, and implementation of the Mayor's Pedestrian Safety Strategy and Action Plan, with presentations from the Mayor's Pedestrian Safety Task Force (co-chaired by the Municipal Transportation Agency and the Department of Public Health), and additional input requested from the County Transportation Authority and the Police Department.

02/12/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

02/20/13; REFERRED TO DEPARTMENT. Referred to the Municipal Transportation Agency, Department of Public Health, Police Department, and Transportation Authority for informational purposes.

Heard in Committee. Speakers: Timothy Papandreou (Municipal Transportation Agency); Dr. Rajiv Bhatia and Ana Validzic (Department of Public Health); Commander Mikail Ali (Police Department); Seleta Reynolds (Municipal Transportation Agency); Christine Olaya (Department of Public Works); Anna LaForte (San Francisco County Transportation Authority); Jonathan Rewers (Municipal Transportation Agency); presented information concerning the matter and answered questions raised throughout the hearing. Pei Juan Zheng; Ernestine Waters Weiss; Kevin Stull; Phil Chin; Elizabeth Stampe; Teresa Dulalas; Marti Dulalas; Rick Smith; Aja Monet; Susan Vaughan; Lillian Mye; Miguel Carrera; Cecilia Cruz; Jesus Perez; Lori Liederman; Mark Bolton; Rissa Dique-Yangson; Gil Criswell; Mela Salvetra; Angelica Cabande; Evangeline; Raymond Castillo; spoke on various concerns regarding the hearing matter.

FILED by the following vote:

Ayes: 3 - Wiener, Kim, Chiu

File Nos. 120901 and 120902 were heard together.

120901 [Planning Code - Upper Market Zoning]

Sponsor: Wiener

Ordinance amending Planning Code, Sections 721.1 and 733.1, to modify the explanation of the boundaries of the Upper Market Street Neighborhood Commercial District and the Upper Market Street Neighborhood Commercial Transit District; Section 703.2(b), to permit in a limited area food processing as an accessory use to a nearby off-site non-residential use; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

09/18/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

09/19/12; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; Small Business Commission for review and recommendation; and Municipal Transportation Agency for informational purposes.

10/16/12; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

10/22/12; REFERRED TO DEPARTMENT. Re-referred the substitute legislation to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; Small Business Commission for review and recommendation; and Municipal Transportation Agency for informational purposes.

12/04/12; REMAIN ACTIVE. Board approved a 90-day extension for Planning Commission review to April 22, 2013 (File No. 121135 / Resolution No. 445-12).

02/25/13; RESPONSE RECEIVED. 2/21/2013 - The Planning Commission held a public hearing and recommended approval with modifications; Resolution No. 18812.

Heard in Committee. Speakers: Sophie Hayward (Planning Department); presented information concerning the matter and answered questions raised throughout the hearing. Sean DeVries; Jimmy Strano; JD Petras; Sara Missueth; Male Speaker; Kevin Blackwell; Paul O'Rourke; Rob Bykoff; Wenda Moggy; Ron Schmidt; Male Speaker; Mr. Brown; Gil Criswall; spoke in support of the hearing matter.

AMENDED on Page 1, Line 7, by adding 'Section 733, making clerical corrections in tables'; Page 10, Lines 7 and 10, by changing '263.18' to '263.20', Line 12, by changing '143' to '138.1', Line 20, by changing 'C#' to 'C', and Lines 22-23, by adding '733.69 - Tobacco Paraphernalia Establishments - § 790.123 - C'; and Page 11, Lines 3-15, by deleting '§ 733.48' in its entirety, by the following vote:

Ayes: 3 - Wiener, Kim, Chiu

Ordinance amending Planning Code, Sections 721.1 and 733.1, to modify the explanation of the boundaries of the Upper Market Street Neighborhood Commercial District and the Upper Market Street Neighborhood Commercial Transit District; Section 703.2(b), to permit in a limited area food processing as an accessory use to a nearby off-site non-residential use; Section 733, making clerical corrections in tables; and making environmental findings, Planning Code, Section 302, findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Wiener, Kim, Chiu

120902 [Planning Code, Zoning Map - Upper Market Zoning Map]**Sponsor: Wiener**

Ordinance amending Planning Code, Sectional Map Sheets ZN07 and HT07, to change the use classification of specified lots on Assessor's Block Nos. 3561 through 3565, now in the Upper Market Neighborhood Commercial District to the Upper Market Neighborhood Commercial Transit District; change the height and bulk classification of Assessor's Block No. 3563, Lot No. 034, from 50-X to 65-B; adopting findings, including environmental findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code, Section 101.1.

09/18/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

09/19/12; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; Small Business Commission for review and recommendation; and Municipal Transportation Agency for informational purposes.

10/16/12; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

10/22/12; REFERRED TO DEPARTMENT. Re-referred the substitute legislation to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; Small Business Commission for review and recommendation; and Municipal Transportation Agency for informational purposes.

12/04/12; REMAIN ACTIVE. Board approved a 90-day extension for Planning Commission review to April 22, 2013 (File No. 121136 / Resolution No. 446-12).

02/25/13; RESPONSE RECEIVED. 2/21/2013 - The Planning Commission held a public hearing and recommended approval with modifications; Resolution No. 18812.

04/03/13; NOTICED. Submitted the 4/18/2013 hearing notice for newspaper publication on 4/5/2013.

Heard in Committee. Speakers: Sophie Hayward (Planning Department); presented information concerning the matter and answered questions raised throughout the hearing. Sean DeVries; Jimmy Strano; JD Petras; Sara Missueth; Male Speaker; Kevin Blackwell; Paul O'Rourke; Rob Bykoff; Wenda Moggy; Ron Schmidt; Male Speaker; Mr. Brown; Gil Criswall; spoke in support of the hearing matter.

AMENDED on Page 1, Line 7, and Page 4, Line 17, by changing '65-B' to '62-B' by the following vote:

Ayes: 3 - Wiener, Kim, Chiu

Ordinance amending Planning Code, Sectional Map Sheets ZN07 and HT07, to change the use classification of specified lots on Assessor's Block Nos. 3561 through 3565, now in the Upper Market Neighborhood Commercial District to the Upper Market Neighborhood Commercial Transit District; change the height and bulk classification of Assessor's Block No. 3563, Lot No. 034, from 50-X to 62-B; and adopting findings, including environmental findings, and findings of consistency with the General Plan and the priority policies of Planning Code, Section 101.1.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Wiener, Kim, Chiu

130128 [Hearing - Street Furniture Clutter]**Sponsor: Wiener**

Hearing to review the efforts and strategies of the Department of Public Works, Municipal Transportation Agency, and Planning Department to reduce clutter on sidewalks, specifically focused on news racks, large kiosks, and Muni bus shelters, including improving pedestrian access, and ensuring that City contractors install and maintain these structures in a manner that respects the needs of neighborhoods.

02/05/13; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

02/27/13; TRANSFERRED to Neighborhood Services and Safety Committee. Transferred pursuant to File No. 130050 (M1-025) approved 3/26/13.

02/27/13; TRANSFERRED to Land Use and Economic Development Committee.

03/04/13; REFERRED TO DEPARTMENT. Referred to the Municipal Transportation Agency, Department of Public Works, and Planning Department for informational purposes.

Speakers: None.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Wiener, Kim, Chiu

130235 [Urging the Municipal Transportation Agency to Implement a Full-Scale Bike Sharing Program by 2014]**Sponsors: Wiener; Chiu**

Resolution urging the Municipal Transportation Agency to implement a full-scale bike sharing program by 2014.

03/05/13; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

03/13/13; REFERRED TO DEPARTMENT. Referred to the Municipal Transportation Agency for informational purposes.

Heard in Committee. Speakers: Heath Maddox (Municipal Transportation Agency); Damien Breen (Bay Area Air Quality Management District); presented information concerning the matter and answered questions raised throughout the hearing. Kit Hodge; spoke in support of the hearing matter. Nick Pasquarello; spoke neither in support nor against the hearing matter.

RECOMMENDED.. by the following vote:

Ayes: 3 - Wiener, Kim, Chiu

120669 [Subdivision Code - Condominium Conversion Impact Fee]**Sponsors: Farrell; Wiener**

Ordinance amending the Subdivision Code, by adding Section 1396.4, to adopt a condominium conversion impact fee applicable to buildings participating but not being selected in the 2012 or 2013 condominium conversion lotteries only, subject to specified requirements, including lifetime leases for non-purchasing tenants; and adopting environmental findings.

(Economic Impact)

06/12/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/12/2012.

06/20/12; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; and Controller, Planning Department, Department of Building Inspection, and Department of Public Works for review and information.

01/04/13; RESPONSE RECEIVED. Statutory exemption per CEQA Section 15273 - Rates, Tolls, Fares and Charges.

01/09/13; NOTICED. The Fee Ad was submitted to the newspaper for publication on January 14 & 21, 2013.

01/15/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

01/28/13; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Supervisor Mark Farrell (Board of Supervisors); John Malamut (City Attorney's Office); Bruce Storrs (Department of Public Works); presented information concerning the matter and answered questions raised throughout the hearing. Chin Hoy Loh; Female Speaker; David Wallace; Mark Bridges; Xi Rong Zhoo; Jaime Alvarez; Marlene Tran; Male Speaker; Stacy Salvi; Male Speaker; Jake Block; Tina Moylin; Mike Moylin; Male Speaker; Fin Hatto; Jennifer Grant; Quitanne Ingalls; Jim Ingalls; Lance Wills; Ms. Taylor; Andy Creager; Brian Basinger; Tom; Marie Kuhns; Cheryl Power; Mike Sullivan; Bessie Tam; Darren Bridgett; Joanne Neidorf; Mark Bryan; Sandra Kazee; Julie Costanzo; Miro Brajenovic; Bryce Dille; Greg Efstatis; Brian; Lothar Schubert; Frank Triska; Sheila McLaughlin; Alex Ku; Bobbi Clemens; Female Speaker; Beth Palmer; Josephine Zhao; Male Speaker; Jennifer Lyon; Amy; Lavinia Turner; Cole Goeppinger; Paul Ron; Gabriela Mehner; Jeff; Elena Olzark; Female Speaker; Jake Sprall; spoke in support of the matter. Kenneth Laverne; Female Speaker; Jeremy Mykaels; Nancy McNally; Max Varazslo; Joe Donohoe; Kelly Meehan; Jane Fox; Renee Gibbons; Gypsy Taub; Karen Babbitt; Female Speaker; Cole Berggren; Elizabeth deYoung; Jazzie Collins; William Hannan; Sarah Sherburn-Zimmer; Amy; Jun Chang Tan; Male Speaker; Steve Woo; Hatty Lee; Ryan Thayer; Mitchell Omerberg; Terrie Frye; Sara Shortt; Jean Yaste; Dean Preston; Ted Gullickson; Fernando Marti; Peter Cohen; Eric Wu; Chester Zemini; Sue Vaughan; spoke in opposition to the matter. Walter Paulson; spoke neither in support nor against the matter.

01/28/13; CONTINUED AS AMENDED. Continued as amended to February 25, 2013.

02/14/13; REFERRED TO DEPARTMENT. Referred to the Youth Commission for informational purposes.

02/25/13; CONTINUED. Speakers: Kristen Henry; spoke in support of the matter. Chris Bollis; spoke in opposition to the matter.

02/27/13; RESPONSE RECEIVED. 2/19/2013 - The Youth Commission voted to take no position, but urged consideration of certain issues.

03/11/13; CONTINUED. Heard in Committee. Speakers: Kristin Henry; spoke in support of the hearing matter. Bruce Allison; Laura Cuzman; Marian Wallace; Ernestine Weiss; Michael Lyon; Gilbert Criswell; spoke in opposition to the hearing matter. Walter Paulson; spoke neither in support nor against the hearing matter.

Continued to March 25, 2013.

03/25/13; CONTINUED. Hearing in Committee. Speakers: Marlene Tran; Josephine Zhao; Alex Ku; spoke in support of the hearing matter. Marian Wallace; spoke in opposition to the matter.

Continued to April 15, 2013.

Heard in Committee. Speakers: Supervisors Mark Farrell and Norman Yee (Board of Supervisors); John Malamut (Office of the City Attorney); presented information concerning the matter and answered questions raised throughout the hearing. Male Speaker; spoke in support of the hearing matter. Wing Hoo Leung; Gum Gee Lee; Ryan Thayer; Tina Cheung; Cynthia Crews; Gil Criswell; Steve Collier; Teresa Dulalas; Marti Dulalas; Sarah Sherburn-Zimmer; Sue Vaughan; Andre Lopez; Miguel Carrera; Jesus Perez; Brian Basinger; Ben Ng; Lori Liederman; Jennifer Friedenbach; Melly; Fernando Marti; Maria Zumuda; Peter Cohen; Sara Short; Ted Gullickson; Jason Hain; Eric Brooks; spoke in opposition to the hearing matter.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 3 - Wiener, Kim, Chiu

Ordinance amending the Subdivision Code, by adding Section 1396.4, to adopt a condominium conversion impact fee applicable to certain buildings that would be permitted to convert during a six year period, and subject to specified requirements, including lifetime leases for non-purchasing tenants; adding Section 1396.5, to suspend the annual condominium conversion lottery until 2024 and resume said lottery under specified circumstances tied to permanently affordable rental housing production; amending Section 1396, to restrict future condominium lotteries to buildings of no more than four units with a specified number of owner occupied units for three years prior to the lottery; and adopting environmental findings.

(Economic Impact)

CONTINUED AS AMENDED to April 22, 2013, by the following vote:

Ayes: 3 - Wiener, Kim, Chiu

ADJOURNMENT

The meeting adjourned at 6:35 p.m.