



City and County of San Francisco
Meeting Minutes
Land Use and Transportation Committee

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

Members: Malia Cohen, Scott Wiener, Jane Kim

Clerk: Andrea Ausberry (415) 554-4442

Monday, July 13, 2015

1:30 PM

City Hall, Legislative Chamber, Room 250

Regular Meeting

Present: 3 - Malia Cohen, Scott Wiener, and Jane Kim

ROLL CALL AND ANNOUNCEMENTS

Chair Malia Cohen called the meeting to order at 1:37 p.m. On the call of the roll, Chair Cohen, Vice Chair Wiener, and Member Kim were noted present. There was a quorum.

Supervisor Christensen was noted present at 1:37 p.m.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

150526 [Amending Ordinance No. 28-15 - Inapplicability of Clean Construction Ordinance to Existing Contracts]

Sponsor: Cohen

Ordinance amending Ordinance No. 28-15, which requires a Construction Emissions Minimization Plan and monitoring for certain public works projects within an Air Pollutant Exposure Zone and establishes controls on emission-producing equipment used for public works projects outside of such zones, to clarify that Ordinance No. 28-15 does not apply to existing contracts and will apply only to construction contracts advertised or initiated on or after the effective date of this Ordinance.

05/19/15; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/18/2015.

06/02/15; REFERRED TO DEPARTMENT. Referred to Public Works; and Department of the Environment for informational purposes.

Heard in Committee. Speakers: None.

Member Kim, seconded by Vice Chair Wiener, moved that this Ordinance be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Kim

150693 [Rescission of Final Environmental Impact Report Certification - 8 Washington Street/Seawall Lot No. 351 Project]**Sponsor: Christensen**

Motion rescinding the certification of the Final Environmental Impact Report for the 8 Washington Street/Seawall Lot No. 351 Project to comply with orders of the San Francisco Superior Court in *Ferry Building Investors, LLC, et al. v. San Francisco Port Commission, et al.*, Case No. CPF-12-512355, and *Neighbors to Preserve the Waterfront, et al. v. City and County of San Francisco et al.*, Case No. CPF-12-512356.

06/23/15; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

07/02/15; REFERRED TO DEPARTMENT. Referred to Small Business Commission for hearing and recommendation; Planning Department; Office of Economic and Workforce Development; Office of Community Infrastructure and Investment; Recreation and Parks; and Port for informational purposes.

Heard in Committee. Speakers: Supervisor Julie Christensen (Board of Supervisors); Christine and Sarah Jones (Planning Department); presented information and answered questions raised during the discussion. Sue Hester and Lee Radner (Friends of Golden Gateway); spoke in support of the hearing matter.

Vice Chair Wiener, seconded by Member Kim, moved that this Motion be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Kim

Supervisor Christensen was noted not present at 2:32 p.m.

150652 [Term Sheet Endorsement - The Regents of the University of California - Ground Lease - Research Facility at 1001 Potrero Avenue - \$180,000 Per Annum]**Sponsor: Cohen**

Resolution endorsing a non-binding term sheet with The Regents of the University of California (the Regents) for the potential lease by the Regents of the B/C Lot of the Priscilla and Mark Zuckerberg San Francisco General Hospital Campus at 1001 Potrero Avenue (a portion of Assessor's Parcel Block No. 4154, Lot No. 001) for development by the Regents of a research facility for an initial lease term of 75 years and initial base rent of \$180,000 per annum.

06/16/15; ASSIGNED to Land Use and Transportation Committee. President Breed waived the 30-Day Rule on June 24, 2015.

06/30/15; REFERRED TO DEPARTMENT. Referred to Department of Public Health; Real Estate; Planning Department; and Office of Community Investment and Infrastructure.

Heard in Committee. Speakers: John Updike, Director (Real Estate Division); Male Speaker and Dr. Carlisle (Regents); presented information and answered questions raised during the discussion. Drs. Alana and Neal (UCSF); Female Speaker; spoke in support of the hearing matter.

Chair Cohen, seconded by Member Kim, moved that this Resolution be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Kim

150648 [Deposit and Reimbursement Agreement - Treasure Island Development Authority - Treasure Island Community Development, LLC - Naval Station Treasure Island - \$100,000 Initial Deposit]

Sponsor: Mayor

Resolution approving a Deposit and Reimbursement Agreement relating to Naval Station Treasure Island between the City, the Treasure Island Development Authority, and Treasure Island Community Development, LLC, in the amount of an initial deposit of \$100,000 for reimbursement of certain eligible expenses incurred by the City in the formation of Community Facilities Districts and Infrastructure Financing Districts on Treasure Island and Yerba Buena Island over an indefinite term up to 20 years.

06/16/15; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

06/30/15; REFERRED TO DEPARTMENT. Referred to Office of Community Investment and Infrastructure; Treasure Island Operations; and Office of the Controller for informational purposes.

Heard in Committee. Speaker: Bob Beck (Treasure Island Development Authority); presented information and answered questions raised during the discussion.

Member Kim, seconded by Chair Cohen, moved that this Resolution be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Kim

Supervisor Campos was noted present at 2:27 p.m.

150584 [Zoning - Interim Prohibition on Commercial Mergers in the Proposed Calle 24 Special Use District]**Sponsors: Mayor; Campos**

Urgency Ordinance approving an interim prohibition on commercial storefront mergers of greater than 799 gross square feet in the proposed Calle 24 Special Use District, which generally includes all lots bounded by 22nd Street, Potrero Avenue, Cesar Chavez Street, Capp Street, and both sides of 24th Street from Capp Street to Bartlett Street, as well as certain additional adjacent lots, for 45 days in accordance with California Government Code, Sections 65858, et seq.; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

06/02/15; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee.

06/29/15; REFERRED TO DEPARTMENT. Referred to Planning Department of environmental review; Small Business Commission for comment and recommendation; Real Estate; and Office of Economic and Workforce Development for informational purposes.

06/30/15; RESPONSE RECEIVED.

07/03/15; NOTICED.

Heard in Committee. Speakers: Supervisors David Campos (Board of Supervisors); Diana Ponce De Leon (Office of Economic and Workforce Development); Diego Sanchez (Planning Department); Jon Givner, Deputy City Attorney (Office of the City Attorney); presented information and answered questions raised during the discussion. Louis Hernandez; Denise DeAna; Alan Martinez; Mr. Medina; Bob Baggett; Diane Loraine; Anastasia Powers; Female Speaker; Annalise; Daniel; Carlos (Mission Small Business Commission); Barbara; Art; Christie Akim; Kay Walker; Sharon; Tricia Hermann (Liberty Hill Neighborhood Association); Leslie; Corina; Julian Bale (ACCE); Iris; Windy Larsley; Tom Ray; Pat Rogers; Patricia Crehan; Female Speaker; Brooke Oliver; Samantha Higgins (Golden Gate Association); Mary; Susan Marsh; Gladys Oro; Hernando Martin; Johnathan Yute; Steven; Marie Source; Chirag Bhakta (Mission SRO Collaborative); Male Speaker; Sue Hestor (Friends of Golden Gateway); Miguel Gusto; spoke in support of the hearing matter. Female Speaker; Toby; Brio Sansincere; Hugh Davis; Female Speaker; Catherine Albright; spoke in opposition to the hearing matter.

Member Kim, seconded by Vice Chair Wiener, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Kim

Member Kim, seconded by Vice Chair Wiener, moved that this Ordinance be RECOMMENDED AS AMENDED to the Board Meeting of July 28, 2015. The motion carried by the following vote:

Ayes: 2 - Cohen, Kim

Noes: 1 - Wiener

Supervisor Avalos was noted present at 4:19 p.m. Supervisor Christensen was noted present at 4:26 p.m. and noted not present at 5:02 p.m.

150348 [Planning Code - Applying Inclusionary Housing Requirements to Group Housing]**Sponsors: Avalos; Kim**

Ordinance amending the Planning Code to clarify that the Inclusionary Affordable Housing Program applies to housing projects, as defined, including group housing projects; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings, including findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

04/07/15; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/7/2015.

04/15/15; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Planning Commission for public hearing and recommendation; Mayor's Office of Housing; Department of Building Inspection; and Rent Board for informational purposes.

04/27/15; RESPONSE RECEIVED.

05/19/15; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

05/27/15; REFERRED TO DEPARTMENT. Re-referred to Planning Department for environmental review; Planning Commission for public hearing and recommendation; Mayor's Office of Housing; Department of Building Inspection; and Rent Board for informational purposes.

07/10/15; RESPONSE RECEIVED.

Heard in Committee. Speakers: Supervisors John Avalos and Julie Christensen (Board of Supervisors); Kimia Haddadan (Planning Department); Jon Givner, Deputy City Attorney (Office of the City Attorney); presented information and answered questions raised during the discussion. Sue Hestor (Friends of Golden Gateway); Kim Mosterio (ERCA); Windy (Hospitality House); Brent; Alexandra Goldman (TNDC); Collen Rebecca; Jennifer Freidboch (Homeless Coalition); Chirag Bhakta (Mission SRO Collaboration); Hernando Martin; spoke in support of the hearing matter.

Vice Chair Wiener, seconded by Member Kim, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE to clarify the application of the inclusionary affordable housing program in C-3 Zoning Districts, monitoring bonus units under the best practices of the inclusionary affordable housing program, and allowing below market rate-units to be made available for rental to households earning up to 120% Area Median Income (AMI) and as ownership units for households earning up to 150% AMI, for the life of the project. The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Kim

Ordinance amending the Planning Code to clarify that the Inclusionary Affordable Housing Program applies to housing projects, as defined, including group housing projects; change certain requirements for group housing projects including eliminating the exemption for group housing projects from certain exposure requirements; allowing a Zoning Administrator partial waiver from the exposure requirements; allowing affordable On-site Units in group housing projects to be exempt from density calculations in certain circumstances; providing that such On-site Units be affordable to households at 90% of Average Median Income (AMI) for rental and 120% of AMI for ownership, and to specify that such On-site Units be priced at 75% of the maximum purchase price for studio units if the bedrooms are less than 350 square feet; and clarify the requirements for Designated Units in certain Downtown Commercial (C-3) districts under Section 124(f), including that they be affordable to households of 120% of AMI for rental and 150% of AMI for ownership and otherwise meet the monitoring and procedures for affordable units under the Inclusionary Affordable Housing Program; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings, including findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Vice Chair Wiener, seconded by Member Kim, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE to apply exposure requirements to group housing and allow Zoning Administrator a partial waiver from the exposure requirements for all group housing bedrooms or the group housing common room. The partial waiver would allow the windows to face an open area of 15 feet by 15 feet. To clarify the inclusionary group housing bedrooms would be priced at 75% of the maximum purchase price for studio units if the bedrooms are less than 350 square feet. Otherwise, the inclusionary group housing bedrooms would be subject to the price for a studio. To allow on-site inclusionary group housing rooms satisfying the inclusionary requirements to be exempt from density calculations. The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Kim

Ordinance amending the Planning Code to clarify that the Inclusionary Affordable Housing Program applies to housing projects, as defined, including group housing projects; change certain requirements for group housing projects including eliminating the exemption for group housing projects from certain exposure requirements; allowing a Zoning Administrator partial waiver from the exposure requirements; allowing affordable On-Site Units in group housing projects to be exempt from density calculations in certain circumstances; specifying that On-site Units in group housing projects be priced as 75% of the maximum purchase price for studio units if the bedrooms are less than 350 square feet; and clarify the requirements for Designated Units in certain C-3 districts under Section 124(f), including that they be affordable to households of 120% of AMI for rental and 150% of AMI for ownership and otherwise meet the monitoring and procedures for affordable units under the Inclusionary Affordable Housing Program; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings, including findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Vice Chair Wiener, seconded by Member Kim, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE to specify below market rate-unit (BMR) group housing units for rental, would be affordable for those applicants earning up to 90% Area Median Income (AMI) and units for ownership earning up to 120% AMI. The motion carried by the following vote:

Ayes: 2 - Cohen, Wiener

Noes: 1 - Kim

Ordinance amending the Planning Code to clarify that the Inclusionary Affordable Housing Program applies to housing projects, as defined, including group housing projects; change certain requirements for group housing projects including eliminating the exemption for group housing projects from certain exposure requirements; allowing a Zoning Administrator partial waiver from the exposure requirements; allowing affordable On-Site Units in group housing projects to be exempt from density calculations in certain circumstances; specifying that On-site Units in group housing projects be priced as 75% of the maximum purchase price for studio units if the bedrooms are less than 350 square feet; and clarify the requirements for Designated Units in certain C-3 districts under Section 124(f) including that they be affordable to households of 120% of AMI for rental and 150% of AMI for ownership and otherwise meet the monitoring and procedures for affordable units under the Inclusionary Affordable Housing Program; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings, including findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

Vice Chair Wiener, seconded by Member Kim, moved that this Ordinance be CONTINUED AS AMENDED to the Land Use and Transportation Committee Meeting of July 20, 2015. The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Kim

ADJOURNMENT

There being no further business, the Committee adjourned at the hour of 5:23 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Land Use and Transportation Committee on the matters stated, but not necessarily in the chronological sequence in which the matters were taken up.