



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, March 2, 2015

1:30 PM

City Hall, Legislative Chamber, Room 250

Regular Meeting

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

MEETING CONVENED

The meeting convened at 1:42 p.m.

REGULAR AGENDA

150087 [Interim Zoning Controls - Building Permits for Commercial Uses in an Area Bounded by Market, 2nd, Brannan, and Division Streets, and South Van Ness Avenue]

Sponsors: Kim; Cohen and Wiener

Resolution imposing interim zoning controls to require that for a 12-month period, in the area bounded by Market Street from Van Ness Avenue east to 5th Street on the north side, and east to 2nd Street on the south side, 2nd Street south to Brannan Street, Brannan Street west to Division Street, and South Van Ness Avenue north to Market Street, certain building permits for any building with some commercial use shall require the posting of a notice and a 15-day delay in starting the work, and the re-establishment of a commercial use that has been converted to residential use shall require Planning Commission approval through either an authorization under Planning Code, Section 320, et seq., or a conditional use authorization; and making environmental findings and a determination of consistency with the eight priority policies of Planning Code, Section 101.1.

01/27/15; ASSIGNED to Land Use and Transportation Committee. 2/18/15 - President Breed waived 30-Day Rule; pursuant to Board Rule 3.23

02/05/15; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Planning Commission for public hearing and recommendation; Small Business Commission for comment and recommendation; and Department of Building Inspection for informational purposes.

02/13/15; NOTICED.

02/17/15; RESPONSE RECEIVED.

02/23/15; AMENDED. Heard in Committee. Speakers: Steve Whetstone; Melissa Bracero; Chris Baker; Karl Haas; Chandra Redack (1049 Market Street Tenants Union); Tommi Avicolti Mecca (Housing Rights Committee); Tory Antoni; Darren Brown; Naomi Ann Cooper; Raymond Castillo and Juvy Barbonio (Somcan); Teresa Imperial (Bill Sorro Housing Program); Steve Collier; Katy Lipscomb (Seniors and Disability Market Action); Female Speaker; Bobby Colman (SF Tenants Union); spoke in support of the proposed legislation. Ryan Patterson (Zacks and Freedman, P.C.); Amy Bogart; Patrick Buacovich; Ryan Patterson; spoke in opposition to the proposed legislation.

Supervisors Cohen and Wiener requested to be added as co-sponsors.

02/23/15; CONTINUED AS AMENDED.

Heard in Committee. Speakers: Chris Baker; Kash; Naomi Cooper; Carl; David Lucey; Tommi Avicolti Mecca (Housing Rights Commission); spoke in support of the proposed legislation. Pat Buscovich; Ryan Patterson (Zacks & Freedman, P.C.); spoke in opposition to the proposed legislation.

AMENDED AMENDED on Page 2, Lines 11 - 24, adding 'WHEREAS, The Board is aware that during the economic downturn, renting commercial space for unpermitted residential use was an attractive economic option for many property owners, but the economic situation has changed rapidly and office use in the Area is in demand; and WHEREAS, The unpermitted residential spaces have become an important source of housing for residents of the City, and preserving the City's housing stock, particularly its relatively affordable housing stock in a climate of scarce housing resources and relative lack of affordability, is of paramount concern; and WHEREAS, On December 18, 2013, in Executive Directive 13-01, Mayor Ed Lee requested City Departments to make recommendations to, among other things, preserve and promote rental housing and to hold public hearings when a loss of housing is proposed; and WHEREAS, The City strictly controls the change of legal uses through the Planning and Building Code, but a change of use in a building that contains unpermitted uses does not afford the public and decision makers the same level of notice and opportunity to consider the'; Page 3, Lines 1 - 2, adding 'impact of such a change in use when surrounding circumstances may have substantially changed'; Page 4, Line 20, deleting 'A', adding 'Any'; Page 4, Line 21, adding ',subject to the posted notice and 15-day hold requirements above,' by the following vote:

Ayes: 3 - Cohen, Wiener, Kim

RECOMMENDED AS AMENDED AS A COMMITTEE REPORT by the following vote:

Ayes: 3 - Cohen, Wiener, Kim

140954 [Planning Code - Exceptions from Dwelling Unit Density Limits and from Other Specified Code Requirements]

Sponsors: Wiener; Breed

Ordinance amending the Planning Code to permit exceptions from dwelling unit density limits and other requirements of the Code when adding Dwelling Units to existing buildings undergoing seismic retrofitting; deleting the requirement that a new In-Law Unit constructed in and near the Castro Street Neighborhood Commercial District be limited to 750 square feet; correcting outdated cross-references and Code language; affirming the Planning Department's California Environmental Quality Act determination; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

09/09/14; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/9/2014.

09/19/14; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; to the Planning Commission for public hearing and recommendation; and referred to the Mayor's Office of Housing and Earthquake Safety Implementation for informational purposes.

02/19/15; RESPONSE RECEIVED.

Heard in Committee. Speakers: Kimia Haddadan (Planning Department); presented information concerning the matter and answered questions raised throughout the hearing. Tom Radulovich (Livable City); Alyssa Kies (SPUR); Tim Colen (Housing Action Coalition); Pat Buscovich; David Lucey; spoke in support of the proposed legislation.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE by the following vote:

Ayes: 3 - Cohen, Wiener, Kim

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Cohen, Wiener, Kim

File Nos. 150122 and 150121 were called together.

150122 [Agreement to Rent Units - Raintree 2051 Third Street, LLC - Eastern Neighborhoods Rental Incentive Option - 2051 Third Street]

Sponsor: Cohen

Resolution approving an Agreement to Rent Units with Raintree 2051 Third Street, LLC, and authorizing the Director of Planning to execute the Agreement on behalf of the City and County of San Francisco, in order to implement the Eastern Neighborhoods Rental Incentive Option under Planning Code, Section 419.5(b), for the residential development proposed at 2051 Third Street (Assessor's Block No. 3994, Lot Nos. 001B, 001C, and 006), for a period of 30 years, to commence following Board approval, as defined within the agreement.

02/03/15; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

02/11/15; REFERRED TO DEPARTMENT. Referred to Planning Department; Planning Commission; Real Estate; and Mayor's Office of Housing for informational purposes.

Heard in Committee. Speaker: Kate Connor (Planning Department); presented information concerning the matter and answered questions raised throughout the hearing.

RECOMMENDED by the following vote:

Ayes: 3 - Cohen, Wiener, Kim

150121 [Agreement to Rent Units - AGI-TMG Housing Partners I, LLC - Eastern Neighborhoods Rental Incentive Option - 1201-1225 Tennessee Street]

Sponsor: Cohen

Resolution approving an Agreement to Rent Units with AGI-TMG Housing Partners I, LLC, and authorizing the Director of Planning to execute the Agreement on behalf of the City and County of San Francisco, in order to implement the Eastern Neighborhoods Rental Incentive Option under Planning Code, Section 419.5(b), for the residential development proposed at 1201-1225 Tennessee Street (Assessor's Block No. 4172, Lot No. 022), for a period of 30 years, to commence following Board approval, as defined within the agreement.

02/03/15; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

02/11/15; REFERRED TO DEPARTMENT. Referred to Planning Department; Planning Commission; Real Estate; and Mayor's Office of Housing for informational purposes.

Heard in Committee. Speaker: Kate Connor (Planning Department); presented information concerning the matter and answered questions raised throughout the hearing.

RECOMMENDED by the following vote:

Ayes: 3 - Cohen, Wiener, Kim

150159 [Lease and Facilities Agreement - The Mexican Museum - 706 Mission Street Co., LLC - \$1 Base Rent]**Sponsors: Mayor; Kim, Campos, Wiener and Cohen**

Resolution authorizing the Lease and Facilities Agreement between the City and County of San Francisco, as Landlord, and The Mexican Museum, as Tenant, of approximately 48,000 square feet in the building to be developed by 706 Mission Street Co., LLC, as Developer, at 706 Mission Street in San Francisco, to operate the Mexican Museum for a term of 66 years, plus a 33-year extension option, at a total base rent of \$1 for the term of the Lease, commencing upon Developer conveying fee title of the Museum Premises to the City; and adopting findings, including environmental findings.

02/10/15; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

02/20/15; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Small Business Commission for comment and recommendation; Real Estate; Arts Commission; Historic Preservation Commission; Recreation and Park Commission; and Office of Community Investment and Infrastructure for informational purposes.

Heard in Committee. Speakers: John Updike, Director (Real Estate); presented information concerning the matter and answered questions raised throughout the hearing. Victor Marquez, Andrew Kluger, Cayetana Gomez, Miguel Bustos, and Alfredo Pedroza (The Mexican Museum); Andrew Cooper; Gloria Romero (Mission Neighborhood Centers); Sam Ruiz (MNC); Roberto Hernandez; spoke in support of the proposed legislation.

Supervisor Cohen requested to be added as a Co-Sponsor.

RECOMMENDED by the following vote:

Ayes: 3 - Cohen, Wiener, Kim

ADJOURNMENT

The meeting adjourned at 3:01 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.