



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, Aaron Peskin

Clerk: Andrea Ausberry (415) 554-4442

Monday, May 23, 2016

1:30 PM

City Hall, Legislative Chamber, Room 250

Regular Meeting

The Land Use and Transportation Committee met in regular session on Monday, May 23, 2016, with Chair Malia Cohen presiding.

Present: 2 - Malia Cohen, and Scott Wiener

Absent: 1 - Aaron Peskin

ROLL CALL AND ANNOUNCEMENTS

Chair Cohen called the meeting to order at 1:36 p.m. On the call of the roll, Chair Cohen and Vice Chair Wiener were noted present. Member Peskin was noted not present. There was a quorum.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

160346 [Planning Code - Mid-Block Alley and Rooftop Screening and Enclosure Controls]

Ordinance amending the Planning Code to allow for greater flexibility in the screening and enclosure of rooftop mechanical equipment, modify mid-block alley controls and their applicability to the South of Market Neighborhood Commercial Transit District, Folsom Street Neighborhood Commercial Transit District, Regional Commercial District and C-3 (Downtown Commercial) District; 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, and findings of public convenience, necessity, and welfare under Planning Code, Section 302. (Planning Commission)

04/07/16; RECEIVED FROM DEPARTMENT.

04/19/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/19/2016.

04/27/16; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Planning Commission for hearing and recommendation; and Department of Building Inspection for informational purposes.

04/28/16; RESPONSE RECEIVED. Not defined as a project under CEQA Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

Heard in Committee. Speaker: Tina Chang (Planning Department); provided an overview and responded to questions raised throughout the discussion.

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

Ayes: 2 - Cohen, Wiener

Absent: 1 - Peskin

Chair Cohen requested File Nos. 160387 and 160382 be heard together.

160387 [Resolution of Intent - Street Vacation - Portions of Jessie Street and Elim Alley - Oceanwide Project]

Sponsor: Mayor

Resolution declaring the intention of the Board of Supervisors to order the vacation of a portion of Jessie Street and a portion of Elim Alley northwest of Mission and First Streets in connection with the Oceanwide Center Project at 50 First Street, subject to certain conditions; and setting a hearing date for all persons interested in the proposed vacation of said street areas.

04/19/16; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

04/27/16; REFERRED TO DEPARTMENT. Referred to Public Works; and Planning Department for informational purposes.

04/28/16; RESPONSE RECEIVED. SFPUC Reso No 16-0079

Heard in Committee. Speakers: Jeff Buckley (Mayor's Office); provided an overview and responded to questions raised throughout the discussion. Tuija Catalano (Reuben, Junius & Rose, LLP); Kevin Yee (Heller Manus Architects); Kristy Wang (SPUR); Grace Ma; Sheryl Davis (Mo'Magic); Michael Warr (Museum of the African Diaspora); Misha Olivas; Nora Brereton (At the Cross-roads); spoke in support of the hearing matter.

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

Ayes: 2 - Cohen, Wiener

Absent: 1 - Peskin

160382 [Administrative Code - Establishing Downtown Neighborhoods Preservation Fund; Street Vacation and Sale of Property at Jessie Street and Elim Alley - Oceanwide Center, LLC - Oceanwide Center Project - Approximately \$36,000,000] Sponsors: Mayor; Kim

Ordinance amending the Administrative Code to establish the Downtown Neighborhoods Preservation Fund; vacating a portion of Jessie Street and a portion of Elim Alley northwest of Mission and First Streets in connection with the Oceanwide Center Project at 50 First Street; approving and authorizing the sale and quitclaim of City's interest in the approximately 5,000 square foot vacation area for \$22,619,000 plus an additional payment to the aforementioned Fund of approximately \$13,000,000 for a total of approximately \$36,000,000; authorizing the City's Director of Property to execute an agreement for the sale of real estate for the vacated area by and between the City and Oceanwide Center, LLC; waiving approximately \$27,000,000 of affordable housing fees under Planning Code, Sections 413 et seq. and 415 et seq., and requiring Oceanwide Center, LLC, as part of the agreement for the sale of real estate, to pay the equivalent fee amount to the aforementioned Fund; approving a vehicular and pedestrian easement and an overland water flow easement over a portion of Assessor's Parcel Block No. 3708, Lot No. 012, where Jessie Street will be rerouted; approving an emergency vehicle access easement and commercial vehicle access easement; accepting the Public Works Order concerning the street vacations; affirming the Planning Department's determination under the California Environmental Quality Act; adopting findings that the street vacation and all other actions contemplated in this ordinance are consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; making findings of public necessity, convenience, and general welfare under Planning Code, Section 302; and authorizing actions in furtherance of this Ordinance, as defined herein.

04/19/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/19/2016.

04/26/16; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; Public Works for findings and determination; Public Utilities Commission for hearing and recommendation; Fire Department; Municipal Transportation Agency; Real Estate for informational purposes.

04/28/16; RESPONSE RECEIVED. CEQA clearance under the Transit District Area Plan and Transit Tower EIR certified by the San Francisco Planning Commission on May 24, 2012, by Motion No. 18628. On April 1, 2016, the project was determined to be consistent with the Transit District Area Plan and Transit Tower EIR and exempt from environmental review per CEQA Guidelines Section 15183 (Planning Case No. 2006.1523E).

04/29/16; RESPONSE RECEIVED.

05/03/16; RESPONSE RECEIVED. SUR Map and DPW Order No. 184851

05/03/16; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

05/06/16; RESPONSE RECEIVED. Recommendation to Adopt Findings of Consistency.

05/11/16; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; Public Works for findings and determination; Public Utilities Commission for hearing and recommendation; Fire Department; Municipal Transportation Agency; Real Estate for informational purposes.

Heard in Committee. Speakers: Jeff Buckley (Mayor's Office); provided an overview and responded to questions raised throughout the discussion. Tuija Catalano (Reuben, Junius & Rose, LLP); Kevin Yee (Heller Manus Architects); Kristy Wang (SPUR); Grace Ma; Sheryl Davis (Mo'Magic); Michael Warr (Museum of the African Diaspora); Misha Olivas; Nora Brereton (At the Cross-roads); spoke in support of the hearing matter.

Vice Chair Wiener moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 11, Line 4, by striking 'An approximately' and adding 'No less than a', and Lines 20-21, by adding 'The Downtown Neighborhoods Preservation Fund shall total no less than \$40 million comprised of the funds received from subsections (a)(1)-(3).'
The motion carried by the following vote:

Ayes: 2 - Cohen, Wiener
Absent: 1 - Peskin

Chair Cohen moved that this Ordinance be REFERRED WITHOUT RECOMMENDATION AS AMENDED to the Board of Supervisors meeting of July 19, 2016. The motion carried by the following vote:

Ayes: 2 - Cohen, Wiener
Absent: 1 - Peskin

ADJOURNMENT

There being no further business, the Land Use and Transportation Committee adjourned at the hour of 2:12 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.