

City and County of San Francisco

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



MEETING MINUTES
Monday, September 29, 2008
10:00 AM
City Hall, Room 263
Rescheduled Meeting

Land Use and Economic Development Committee

Members: Sophie Maxwell, Gerardo Sandoval, Aaron Peskin

Clerk: Linda Laws (415) 554-4441

Members Present: *Sophie Maxwell, Gerardo Sandoval, Aaron Peskin.*
Members Excused: *None.*
Members Absent: *None.*

MEETING CONVENED

The meeting convened at 10:08 a.m.

REGULAR AGENDA

081004 [Interim Controls On Major Rights of Way along and near the Southern 19th Avenue Corridor] Supervisor Elsbernd

Resolution adopting more restrictive interim controls for a period of eighteen months that would require conditional use authorization for new residential developments over 20 units or for new commercial or retail developments over 50,000 square feet on both sides of the following rights of way along and near the Southern 19th Avenue Corridor: commencing at Lake Merced Boulevard where it begins at the County line, north along Lake Merced Boulevard to Sloat Boulevard, east along Sloat Boulevard to 19th Avenue, north along 19th Avenue to Taraval Street, east on Taraval Street to Claremont, south on Claremont to Portola, southwest on Portola to Junipero Serra Boulevard, and south on Junipero Serra Boulevard to the County line; adopting environmental findings and a determination of consistency with the priority policies of Planning Code Section 101.1.

7/16/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

7/22/08, SUBSTITUTED. Supervisor Elsbernd submitted a substitute resolution bearing same title.

7/22/08, ASSIGNED to Land Use and Economic Development Committee.

7/24/08, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comment and Planning Department for environmental review.

9/4/08, RESPONSE RECEIVED. Planning Department - Not a project per Section 15378 of the CEQA Guidelines.

9/9/08, SUBSTITUTED. Supervisor Elsbernd submitted a substitute resolution bearing same title.

9/9/08, ASSIGNED to Land Use and Economic Development Committee.

9/15/08, CONTINUED. Heard in Committee. Speaker: Marilyn Amini. Continued to September 29, 2008.

Heard in Committee. Speaker: Aaron Goodman, Parkmerced Residents Organization.

Continued to October 20, 2008.

CONTINUED by the following vote:

Ayes: 2 - Maxwell, Peskin

Absent: 1 - Sandoval

081005 [19th Avenue Cumulative Impact Study] Supervisors Elsbernd, Chu

Resolution urging the Planning Department and Municipal Transportation Authority to conduct, and continually update, a comprehensive cumulative transportation impact study encompassing all the reasonably foreseeable developments along the 19th Avenue corridor from 19th Avenue and Vicente south to the county line, and expressing the Board of Supervisors' intent that individual environmental reviews of any projects along this corridor must incorporate this on-going and comprehensive cumulative impacts analysis to be considered adequate.

7/16/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

9/9/08, SUBSTITUTED. Supervisor Elsbernd submitted a substitute resolution bearing same title.

9/9/08, ASSIGNED to Land Use and Economic Development Committee.

9/15/08, CONTINUED. Heard in Committee. Speaker: Marilyn Amini. Continued to September 29, 2008.

Heard in Committee. Speaker: Aaron Goodman, Parkmerced Residents Organization.

Continued to October 20, 2008.

CONTINUED by the following vote:

Ayes: 2 - Maxwell, Peskin

Absent: 1 - Sandoval

081122 [Vacation of the Ingleside Path] Supervisor Elsbernd

Resolution declaring the intention of the Board of Supervisors to vacate the Ingleside Path right-of-way between Ocean Avenue and Corona Street and Urbano and Head Streets; setting the hearing date for all persons interested in the proposed vacation of the street area; and adopting environmental findings and findings that the vacation is consistent with the City's General Plan and the eight priority policies of Planning Code Section 101.1.

8/12/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Heard in Committee. Speakers: Supervisor Elsbernd; John Malamut, Deputy City Attorney; Tom Doyle; Tom Kropp; Gail Dent; Natali Reni; Tara Sullivan-Lenane, Planning Department.

9/29/08 Amendment of the whole bearing same title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Maxwell, Sandoval, Peskin

081120 [Ordering vacation of the Ingleside Path] Supervisor Elsbernd

Ordinance ordering the vacation of the Ingleside Path right-of-way between Ocean Avenue and Corona

Street and Urbano and Head Streets subject to reservations of certain utility easements in the vacated area; authorizing the quit claim of the City's interest in the vacated right-of-way pursuant to the terms of the conveyancing documents; declaring such paths abandoned; adopting environmental findings and findings that such actions are consistent with the City's General Plan and the priority policies of Planning Code Section 101.1; and authorizing official acts in connection with this Ordinance.

8/12/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Heard in Committee. Speakers: Supervisor Elsbernd; John Malamut, Deputy City Attorney; Tom Doyle; Tom Kropp; Gail Dent; Natali Reni; Tara Sullivan-Lenane, Planning Department.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Maxwell, Sandoval, Peskin

080720 [Landmark Designation of 1969 California Street (Tobin House)] Supervisors Peskin, Sandoval

Ordinance designating 1969 California Street, the Tobin House, (Assessor's Block Number 0649, Lot Number 016), as a Landmark under Planning Code Article 10; and adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (Planning Department)

5/23/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

6/16/08, REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review.

6/30/08, RESPONSE RECEIVED. Planning Department - Categorically exempt from environmental review. Class 8 - Actions by Regulatory Agencies for Protection of the Environment: designation of landmarks and historic districts, and other such preservation efforts.

Heard in Committee. Speakers: Tara Sullivan-Lenane, Planning Department; Dr. Karen McNeill; Sarah Gelli; Jean Ray; Julian Ray; Anthony Mier.

Supervisors Peskin and Sandoval requested to be added as co-sponsors.

RECOMMENDED by the following vote:

Ayes: 3 - Maxwell, Sandoval, Peskin

081078 [Personal Wireless Service Facilities Site Permits]

Ordinance amending the San Francisco Administrative Code by amending section 11.9 to: (1) establish new standards for review by the Planning Department and the Recreation and Park Department of applications for personal wireless service facilities site permits; (2) establish the right to protest the grant or denial of applications for personal wireless service facilities site permits; (3) authorize the Department of Public Works to establish certain requirements for all applications for personal wireless service facilities site permits; (4) change certain fees applicable to personal wireless service facilities site permits; (5) extend the term of personal wireless service facilities site permits; and (6) make specified technical changes to the application process and requirements for personal wireless service facilities site permits. (Public Works Department)

8/4/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 9/11/2008. 9/11/08 - Submitted fee ad for publication on 9/13 and 9/20/08.

8/19/08, REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review and determination if the proposed fees will impact the environment.

8/24/08, RESPONSE RECEIVED. Planning Department - The proposed fees are statutorily exempt from CEQA per CEQA Guidelines Section 15273. The establishment of standards for review are not a project per CEQA Guidelines Section 15378(b)(5).

Speakers: None.

Continued to October 6, 2008,

CONTINUED by the following vote:

Ayes: 2 - Maxwell, Peskin

Absent: 1 - Sandoval

080520 [Below Market Rate Condominium Conversion Program] Mayor, Supervisor McGoldrick

Ordinance amending the San Francisco Subdivision Code by adding Section 1344 to update and clarify the provisions relating to Below Market Rate Units under the Condominium Conversion Program including provisions related to the calculation of sales price, renting, capital improvements, duration and monitoring of affordability, marketing, and ongoing regulations; and amending Sections 1308, 1309, 1341, 1341B, 1343, 1359, and 1385 to make conforming changes, and making findings including findings under the California Environmental Quality Act (CEQA).

4/15/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/15/2008.

4/18/08, REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review.

5/6/08, RESPONSE RECEIVED. Planning Department - non-physical per Section 15060(c)(2) of the CEQA Guidelines.

7/14/08, CONTINUED. Heard in Committee. Speakers: Supervisor McGoldrick; Doug Shoemaker and Myrna Melgar, Mayor's Office of Housing; Mary Ellen Mannix; Richard Henry; Emily Behr; Thomas Blom; Victor Aiuto; Dee; Joanne Woo Knight; Laura Carroll; Paul Utrecht; Patrick Carroll; Phyllis Lund; Soher Youssef; Cornelia Hoppe; Ren Cujak; Heidi Timken; Leslie Johnson; Francisco Da Costa; David Margolis; Jim Ross; David Schachter, 1220 La Playa HOA; Tracy Parent, SF Community Land Trust; Chad Ryan; Helen Leslie; Kathy O'Laughlin; Peter Horvath, Goldmine Hill HOA; Jay Oakman; Marsha Lee; Robert Mills; Reha Serna, Mission Asset Fund; Rebecca Norelset; Marna Schwartz, Housing Justice; Alex Sasayama; Ricardo Corona and Jane Duong, MEDA; Bob Jeffrey; Matthew Cahill; David Cincotta; Nancy Trogman; Rod Nucella. The Mayor was substituted as sponsor and Supervisor McGoldrick changed to co-sponsor. Continued to August 4, 2008.

8/4/08, CONTINUED. Heard in Committee. Speakers: Doug Shoemaker and Myrna Melgar, Mayor's Office of Housing; Heidi Timken; Leslie Johnson; Kathy Trewin; Laura Carroll; Dee; Rebecca Norelest; Patrick Carroll; David Margolis; Soher Yousef; Tina Tracy; Rose Tracy Reinheimer; Chris Grainger; Tom Blom; Rodney Cella; Paul Utrecht; Marsha Lee; Elsa Dixon; Mohsen Tavakolian; Ben Cujak; Joanne Woo Knight; Jay Oakman; Larry Miller; Barbara Wirth; Matthew Cahill; Cornelia Hoppe; David Schachter; Carlos Alas, Jr.; Ruby Harris. Continued to September 22, 2008.

9/22/08, CONTINUED. Speakers: None. Continued to September 29, 2008.

Speakers: None.

Continued to October 20, 2008.

CONTINUED by the following vote:

Ayes: 2 - Maxwell, Peskin

Absent: 1 - Sandoval

081117 [Zoning - Interim Moratorium on Conversion of Residential Rental Units to Student Housing] Supervisors Daly, Peskin, Maxwell

Urgency Ordinance imposing an interim zoning moratorium on the conversion of residential rental units to student housing for 45 days and making required findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1.

8/12/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

8/19/08, REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review.

8/27/08, RESPONSE RECEIVED. Planning Department - Non-physical per Section 15060(c)(2) of the CEQA Guidelines.

Heard in Committee. Speakers: Sue Hestor; Aaron Goodman, Parkmerced Residents Organization. Supervisors Peskin and Maxwell requested to be added as co-sponsors.

RECOMMENDED by the following vote:

Ayes: 2 - Maxwell, Peskin
Absent: 1 - Sandoval

081152 [Approving General Plan Amendments Related to the Eastern Neighborhoods Area Plans - the Mission, East SoMa, Showplace Square/Potrero Hill and Central Waterfront Area Plans]

Ordinance amending the San Francisco General Plan by adding four new area plans, entitled the Mission Area Plan, the East South of Market (East SoMa) Area Plan, the Showplace Square/Potrero Hill Area Plan and the Central Waterfront Area Plan and approving General Plan amendments to implement the four aforementioned Eastern Neighborhoods Area Plans by amending the Commerce and Industry and Recreation and Open Space Elements, the Land Use Index, and the South of Market, Northeastern Waterfront, and Central Waterfront Area Plans; making environmental findings and findings that the proposed amendments are consistent with the General Plan and the eight priority policies of the Planning Code Section 101.1. (Planning Department)

8/22/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

9/19/08, REFERRED TO DEPARTMENT. Referred to Small Business Commission for comment and recommendation.

Heard in Committee. Speakers: Ken Rich, Larry Badiner, Steve Wertheim, Andres Powers; Pilar Lavaley, Sarah Bennett, Planning Department; John Malamut, Deputy City Attorney; Aaron Goodman, Parkmerced Residents Organization; David Maltz, Friends of Franklin Square; Ariel Braunstein, NEMRA; Sam Ruiz, Mission Neighborhood Centers; Erick Arguello; Steve Vettel, Farella, Braun, Martel; Janet Carpinelli, Dogpatch Neighborhood Association; Hiroshi Fukoda; Andrew Junius and Tuija Catalano, Reuben & Junius; Toby Morris, Kerman Morris Architects; Gus Murod; Jazzie

CONTINUED by the following vote:

Ayes: 2 - Maxwell, Peskin
Absent: 1 - Sandoval

081153 [Planning Code amendments for the Eastern Neighborhoods Area Plans]

Ordinance amending the San Francisco Planning Code by adding and amending various sections to implement the four Eastern Neighborhood Area Plans comprised of the East SoMa, the Mission, the Showplace Square/Potrero Hill, and the Central Waterfront Area Plans; adopting in-lieu fees for on-site open space, trees, and affordable housing; adopting the Eastern Neighborhoods impact fee subject to certain restrictions; and making various findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. (Planning Department)

8/22/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee. 9/11/08 - Submitted fee ad for publication on 9/13 and 9/20/08.

9/19/08, REFERRED TO DEPARTMENT. Referred to Small Business Commission for comment and recommendation.

Heard in Committee. Speakers: Ken Rich, Larry Badiner, Steve Wertheim, Andres Powers; Pilar Lavaley, Sarah Bennett, Planning Department; John Malamut, Deputy City Attorney; Aaron Goodman, Parkmerced Residents Organization; David Maltz, Friends of Franklin Square; Ariel Braunstein, NEMRA; Sam Ruiz, Mission Neighborhood Centers; Erick Arguello; Steve Vettel, Farella, Braun, Martel; Janet Carpinelli, Dogpatch Neighborhood Association; Hiroshi Fukoda; Andrew Junius and Tuija Catalano, Reuben & Junius; Toby Morris, Kerman Morris Architects; Gus Murod; Jazzie

CONTINUED by the following vote:

Ayes: 2 - Maxwell, Peskin
Absent: 1 - Sandoval

081154 [Zoning Map Amendments in connection with the Eastern Neighborhoods Area Plans]

Ordinance amending Zoning Map Sheets ZN01, ZN07, ZN08, HT01, HT07, HT08 and SU08 of the City and County of San Francisco Planning Code with revised use districts and height and bulk districts within the four Eastern Neighborhoods Planning Areas comprised of the East South of Market, Mission, Showplace Square/Potrero Hill and Central Waterfront Area Plans; and creating three special use districts for Life Science and Medical Special Use District bounded generally by Mariposa Street to the north, Illinois Street to the West, Iowa Street to the East, and 23rd Street to the South, for Innovative Industries Incubator Special Use District bounded generally by 3rd Street to the West, Illinois Street to the east, 20th Street to the north and 23rd Street to the South, for 16th Street Retail Special Use District bounded generally by Capp Street to the East, San Bruno Avenue to the West, 15th Street to the North and 17th Street to the South; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Department)

8/22/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

9/19/08, REFERRED TO DEPARTMENT. Referred to Small Business Commission for comment and recommendation.

Heard in Committee. Speakers: Ken Rich, Larry Badiner, Steve Wertheim, Andres Powers; Pilar Lavaley, Sarah Bennett, Planning Department; John Malamut, Deputy City Attorney; Aaron Goodman, Parkmerced Residents Organization; David Maltz, Friends of Franklin Square; Ariel Braunstein, NEMRA; Sam Ruiz, Mission Neighborhood Centers; Erick Arguello; Steve Vettel, Farella, Braun, Martel; Janet Carpinelli, Dogpatch Neighborhood Association; Hiroshi Fukoda; Andrew Junius and Tuija Catalano, Reuben & Junius; Toby Morris, Kerman Morris Architects; Gus Murod; Jazzie

CONTINUED by the following vote:

Ayes: 2 - Maxwell, Peskin

Absent: 1 - Sandoval

081155 [Eastern Neighborhoods Area Plans - monitoring program]

Ordinance amending the Administrative Code Chapter 10E to establish the Eastern Neighborhoods Monitoring Program for purposes of reviewing the effectiveness of the Eastern Neighborhoods Area Plans and implementation of specified improvements; and adopting environmental findings. (Planning Department)

8/22/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

9/19/08, REFERRED TO DEPARTMENT. Referred to Small Business Commission for comment and recommendation.

Heard in Committee. Speakers: Ken Rich, Larry Badiner, Steve Wertheim, Andres Powers; Pilar Lavaley, Sarah Bennett, Planning Department; John Malamut, Deputy City Attorney; Aaron Goodman, Parkmerced Residents Organization; David Maltz, Friends of Franklin Square; Ariel Braunstein, NEMRA; Sam Ruiz, Mission Neighborhood Centers; Erick Arguello; Steve Vettel, Farella, Braun, Martel; Janet Carpinelli, Dogpatch Neighborhood Association; Hiroshi Fukoda; Andrew Junius and Tuija Catalano, Reuben & Junius; Toby Morris, Kerman Morris Architects; Gus Murod; Jazzie

CONTINUED by the following vote:

Ayes: 2 - Maxwell, Peskin

Absent: 1 - Sandoval

ADJOURNMENT

The meeting adjourned at 2:27 p.m.