



# 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: Sophie Maxwell, Eric Mar, David Chiu*

*Clerk: Alisa Somera (415) 554-4447*

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Monday, September 27, 2010

1:00 PM

City Hall, Committee Room 263

#### Regular Meeting

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**Present:** 3 - Sophie Maxwell, Eric Mar and David Chiu

### MEETING CONVENED

*The meeting convened at 1:09 p.m.*

### REGULAR AGENDA

#### **100188 [Zoning - 1800 Market Street Community Center Project Special Use District]**

**Sponsors: Dufty; Mirkarimi**

Ordinance amending the San Francisco Planning Code by adding Section 787 to establish the 1800 Market Street Community Center Project Special Use District for property located at 1800 Market Street (Lot No. 014, Assessor's Block No. 871), located at the northwest corner of Market Street and Octavia Boulevard; amending Sheet No. SU07 of the Zoning Map of the City and County of San Francisco to reflect this new Special Use District; and adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

04/27/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/27/2010. 9/17/10 - Hearing notice was published, mailed and posted.

04/29/10; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; and the Planning Commission for public hearing and recommendation.

07/26/10; RESPONSE RECEIVED. Planning Commission Resolution No. 18151 recommended approval with modifications. Historic Preservation Commission Resolution No. 651 recommended approval with modifications.

*Heard in Committee. Speakers: Boe Hayward, Legislative Aide to Supervisor Bevan Dufty; Rebecca Wolfe and Anthony Phillip, LGBT Center.*

**RECOMMENDED by the following vote:**

Ayes: 3 - Maxwell, Mar, Chiu

**100851 [Planning Code - Rehabilitation and Maintenance of Transfer Lots After Sale of Transferable Development Rights; Zoning Map and General Plan Map Amendments - 680 California Street (Old St. Mary's Cathedral)]**

**Sponsors: Chiu; Maxwell**

Ordinance amending Section 128 of the San Francisco Planning Code to require that proceeds from the sale of Transferable Development Rights (TDR) be spent on rehabilitation and maintenance of the Transfer Lot property, to establish reporting procedures regarding the rehabilitation and maintenance, and to allow the sale of TDR from an individually landmarked building to any lot in a C-3 zoned district except Redevelopment Areas; amending the San Francisco Zoning Map by amending Zoning Use District Map ZN01 to change the use classification of 680 California Street (Old St. Mary's Cathedral), Block No. 0241, Lot Nos. 011 and 012, from Chinatown Visitor Retail District to C-3-0 District and making conforming amendments to the Chinatown and Downtown Area Plans of the San Francisco General Plan; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1. (Planning Department)

06/16/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/16/2010. 9/3/10 - Public Notice was published, mailed and posted.

09/13/10; AMENDED. Heard in Committee. Speakers: Tara Sullivan, Planning Department; Clint Callan, Luce Forward; Greg Holland, Shorenstein Hays-Nederlander; George Williams, SPUR; Charles Kullman, Old St. Mary's Cathedral; Stella Lanuza, Groceries for Seniors; John Meehan, Groceries for Seniors; Jim Foster, Old St. Mary's Cathedral; Father Daniel McCotter, Old St. Mary's Cathedral; Brett Gladstone, Attorney for Shorenstein Nederlander Theatre; Jim Reuben, Beacon Properties – Rincon Center; James Rittell, Noontime Concerts Director, Old St. Mary's Cathedral; Andrew Blyholder, Architectural Resources Group; Gloria Tan, Gum Moon Residence Hall.

Supervisor Chiu requested to be added as the sponsor and Supervisor Maxwell requested to be added as a co-sponsor.

09/13/10; RECOMMENDED AS AMENDED.

09/21/10; DUPLICATED. See File No. 101200.

09/21/10; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

09/21/10; RE-REFERRED to Land Use and Economic Development Committee.

*Heard in Committee. Speakers: Clint Callan, Old St. Mary's Cathedral; Gigi Plaid.*

**RECOMMENDED AS COMMITTEE REPORT by the following vote:**

Ayes: 3 - Maxwell, Mar, Chiu

**101200 [Planning Code - Preservation, Rehabilitation and Maintenance of Preservation Lots; Zoning Map and General Plan Map Amendments - 680 California Street (Old St. Mary's Cathedral)]**

**Sponsors: Chiu and Maxwell**

Ordinance amending Section 128 of the San Francisco Planning Code to require that proceeds from the sale of Transferable Development Rights (TDR) be spent on preservation and rehabilitation of the Transfer Lot property, to establish reporting procedures regarding the preservation and rehabilitation, and to allow the sale of TDR from an individually landmarked building to any lot in a C-3 zoned district except Redevelopment Areas; amending the San Francisco Zoning Map by amending Zoning Use District Map ZN01 to change the use classification of 680 California Street (Old St. Mary's Cathedral), Block No. 0241, Lot Nos. 011 and 012, from Chinatown Visitor Retail District to C-3-0 District and making conforming amendments to the Chinatown and Downtown Area Plans of the San Francisco General Plan; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

09/21/10; DUPLICATED. See File No. 100851.

09/21/10; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

09/21/10; RE-REFERRED to Land Use and Economic Development Committee.

*Heard in Committee. Speakers: Clint Callan, Old St. Mary's Cathedral; Gigi Plaid.*

**AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE**

Ordinance amending Section 128 of the San Francisco Planning Code to require approval of a plan for preservation, rehabilitation, and maintenance of a Preservation Lot property prior to receipt of a Statement of Eligibility for Transferable Development Rights (TDR), to establish reporting procedures regarding the preservation, rehabilitation, and maintenance, and to allow the sale of TDR from an individually landmarked building to any lot in a C-3 zoned district except Redevelopment Areas; amending the San Francisco Zoning Map by amending Zoning Use District Map ZN01 to change the use classification of 680 California Street (Old St. Mary's Cathedral), Block No. 0241, Lot Nos. 011 and 012, from Chinatown Visitor Retail District to C-3-0 District and making conforming amendments to the Chinatown and Downtown Area Plans of the San Francisco General Plan; adopting findings, including environmental findings and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

*Continued to October 4, 2010.*

**CONTINUED AS AMENDED to October 4, 2010 by the following vote:**

Ayes: 3 - Maxwell, Mar, Chiu

**100917 [Planning Code Amendments - Area Plan Impact Fee and Jobs-Housing Linkage Program]**

Ordinance amending the San Francisco Planning Code sections related to Area Plan Impact Fees (Rincon Hill, Market and Octavia, Eastern Neighborhoods, and Balboa Park) and Jobs-Housing Linkage Fee to improve Planning Code readability and ease of application with regard to impact fees; to create consistent definitions and application across the Area Plan Impact Fee and Jobs-Housing Linkage Fee provisions; to better recognize and account for the impact of existing conditions of development sites affected by the Area Plan Impact Fees and the Jobs-Housing Linkage Fee; to promote adaptive re-use of existing buildings in the Eastern Neighborhoods; to clarify the impact fees associated with the Eastern Neighborhoods' on-going "legitimization" program; and adopting findings, including Section 302, environmental findings, and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Department)

07/08/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/19/2010. 9/12/10 - 14-Day Fee Ad published in newspaper; submitted 9/10/10.

07/26/10; REFERRED TO DEPARTMENT. Referred to the Mayor's Office of Housing and Department of Building Inspection for informational purposes.

*Heard in Committee. Speaker: Steve Wertheim, Planning Department.  
Continued to October 4, 2010.*

**CONTINUED to October 4, 2010 by the following vote:**

Ayes: 3 - Maxwell, Mar, Chiu

**100495 [California Environmental Quality Act Procedures, Appeals, and Public Notice]****Sponsor: Alioto-Pier**

Ordinance amending Administrative Code Chapter 31 to provide for appeals to the Board of Supervisors of certain environmental documents and determinations under the California Environmental Quality Act, to clarify procedures and to provide public notice of environmental documents and determinations.

04/20/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/21/2010.

04/27/10; REFERRED TO DEPARTMENT. Referred to the Planning Department for review and recommendation.

05/04/10; RESPONSE RECEIVED. Not a project per CEQA Guidelines Section 15060(c)(2).

07/14/10; RESPONSE RECEIVED. Planning Commission Resolution No. 18116 and Historic Preservation Commission Resolution No. 649 recommended approval with modifications.

07/20/10; SUBSTITUTED. Supervisor Alioto-Pier submitted a substitute ordinance bearing new title.

07/20/10; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

07/26/10; REFERRED TO DEPARTMENT. Referred the substitute legislation to the Planning Department for review and comment.

09/21/10; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee. Supervisor Alioto-Pier submitted a substitute ordinance bearing same title.

09/23/10; REFERRED TO DEPARTMENT. Referred the substitute legislation (version 3) to the Planning Department for review and comment.

*Heard in Committee. Speakers: Bill Barnes, Legislative Aide to Supervisor Alioto-Pier; AnMarie Rodgers and Bill Wycko, Planning Department; Zach Stewart, Canessa; Sue Vaughan, Sierra Club; David Tornheim; Nan Roth, Telegraph Hill Dwellers; Paul Wermer; Bret Gladstone; Tom Radulavich, Livable City; David Pilpel; David Glover.*

*Continued to October 25, 2010.*

**CONTINUED to October 25, 2010 by the following vote:**

Ayes: 3 - Maxwell, Mar, Chiu

**101096 [Setting Nutritional Standards for Restaurant Food Sold Accompanied by Toys or Other Youth Focused Incentive Items]****Sponsors: Mar; Campos and Chiu**

Ordinance amending Article 8 of the San Francisco Health Code by adding Sections 471.1 through 471.8, to set nutritional standards for restaurant food sold accompanied by toys or other youth focused incentive items.

08/10/10; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 9/9/2010.

08/16/10; REFERRED TO DEPARTMENT. Referred to the Small Business Commission and the Youth Commission for review and comment. Referred to the Department of Public Health for informational purposes.

08/24/10; TRANSFERRED to Land Use and Economic Development Committee.

08/26/10; RESPONSE RECEIVED. The Small Business Commission will not be commenting on the legislation.

*Heard in Committee. Speakers: Barbara Garcia and Dr. Rajiv Bahtia, Department of Public Health; Juanita Alvarado; Jessica Marshall; Eileen Woods, Hillwood Academic Day School; Guillermina Castellanos, Maria Dolores Lugo, Theresa Molina, Rosario Hurtado, Adriana Villeda, Dora Castro, Juana Aguilar, and Petra Rosas, Colectiva de Mujeres; Marianne Szeto, Shape Up SF; Charles Collins, YMCA San Francisco; Stefan Harvey, CA Center for Public Health Advocacy; Hannah Thompson, UCSF; Amy Beck, MD, and Adam Schickedanz, MD, UCSF Department of Pediatrics; Matt Richardson, Shape Up SF; Colleen Kavanagh, Campaign for Better Nutrition; Alex Benn; Karen Wells and Dr. Cynthia Goody, McDonald's Corporation; Scott Rodrick, Rodrick Foods; Ming Sue; Albert Chang, Chinatown Merchant Association; Quatan Chong, Chinese News Owner; Jenny Wu, Solid Rock Media; Olivia Xue; Ken Ching; Maggy Mo, Beauty Salon; Amir Sahebalzamani; Regina Yin; Johnnise Downs, California Restaurant Association; John Chin; Marty Martinez.*

**AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**

*Continued to October 4, 2010.*

**CONTINUED AS AMENDED to October 4, 2010 by the following vote:**

Ayes: 3 - Maxwell, Mar, Chiu

**ADJOURNMENT**

*The meeting adjourned at 4:21 p.m.*