



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: Eric Mar, Malia Cohen, Scott Wiener

Clerk: Alisa Somera (415) 554-4447

Monday, July 25, 2011

1:00 PM

City Hall, Committee Room 263

Regular Meeting

Present: 3 - Eric Mar, Malia Cohen, and Scott Wiener

MEETING CONVENED

The meeting convened at 1:06 p.m.

REGULAR AGENDA

110008 [Planning Code - Amending Inclusionary Housing Ordinance to Add New Alternative in Market and Octavia Plan Area]

Sponsor: Wiener

Ordinance amending Planning Code Section 415.5 to provide for a new land dedication alternative in the Market and Octavia Plan Area in lieu of payment of the Affordable Housing Fee; and adding Section 415.10 to provide for the requirements of such land dedication; making findings including environmental findings and findings of consistency with the Priority Policies and the General Plan.

01/04/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/3/2011. 3/8/11 - Introduced extension of Planning Commission review period (File No. 110295). Adopted in Board on 3/15/11; Resolution No. 132-11.

01/10/11; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; Small Business Commission for review and recommendation; and Market and Octavia Citizens Advisory Committee for informational purposes.

01/14/11; RESPONSE RECEIVED. Not a project per CEQA Guidelines Sections 15060(c)(3), and 15378.

01/31/11; RESPONSE RECEIVED. The Small Business Commission had no comment on the matter.

07/06/11; RESPONSE RECEIVED. 6/23/11 - Planning Commission held a public hearing and recommended approval with modifications; Resolution No. 18393.

Heard in Committee. Speakers: AnMarie Rodgers (Planning Department); presented information concerning the matter and answered questions raised throughout the hearing. Peter Cohen; spoke in support of the matter.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

CONTINUED TO CALL OF THE CHAIR AS AMENDED by the following vote:

Ayes: 3 - Mar, Cohen, Wiener

110804 [Hearing - Municipal Transportation Agency Regarding Efficiency Improvements to J-Church Light Rail Vehicle Line Service]**Sponsor: Wiener**

Hearing to follow-up with the San Francisco Municipal Transportation Agency (SFMTA) regarding efficiency improvements to J-Church Light Rail Vehicle Line Service, and discussion with SFMTA and the Recreation and Park Department regarding the MUNI right-of-way in Dolores Park.

06/28/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

07/01/11; REFERRED TO DEPARTMENT. Referred to the Municipal Transportation Agency and Recreation and Park Department for informational purposes.

Heard in Committee. Speakers: John Haley, Director of Transit Operations (Municipal Transportation Agency); Eric Andersen (Recreation and Park Department); Sarah Ballard (Recreation and Park Department); Alex Randolph (Recreation and Park Department); Jake Gilchrist (Recreation and Park Department); presented information concerning the matter and answered questions raised throughout the hearing. Ann Grogan; Robert Brust; shared various concerns on the hearing matter.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Mar, Cohen, Wiener

110813 [CEQA Findings for Firehouse Improvements]**Sponsors: Mayor; Chiu**

Resolution of the Board of Supervisors of the City and County of San Francisco determining and making certain findings under the California Environmental Quality Act relating to the construction and improvement of certain firehouses and determining other matters related thereto.

06/28/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

07/01/11; REFERRED TO DEPARTMENT. Referred to the Planning Department for review and response.

Heard in Committee. Speaker: Charles Higuera (Department of Public Works); presented information concerning the matter and answered questions raised throughout the hearing.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Mar, Cohen, Wiener

110855 [Street Vacation - Resolution of Intention - Portion of Cayuga Avenue]**Sponsors: Mayor; Avalos**

Resolution declaring the intention of the Board of Supervisors to vacate an approximately 8,490 square foot portion of public right-of-way located on Cayuga Avenue, west of Naglee Avenue; and setting a hearing date of September 6, 2011, at 3:00 p.m., for all persons interested in the proposed vacation of said public right-of-way.

07/19/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Heard in Committee. Speaker: John Updike, Acting Director (Real Estate); presented information concerning the matter and answered questions raised throughout the hearing.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Resolution declaring the intention of the Board of Supervisors to vacate an approximately 8,490 square foot portion of public right-of-way located on Cayuga Avenue, west of Naglee Avenue; and setting a hearing date of September 6, 2011, at 3:00 p.m., for all persons interested in the proposed vacation of said public right-of-way.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Mar, Cohen, Wiener

110857 [Street Vacation Order and Jurisdictional Transfer - Mandan Avenue and a Portion of Cayuga Avenue]**Sponsors: Mayor; Avalos**

Ordinance: 1) ordering the vacation of an approximately 8,490 square foot portion of public right-of-way located on Cayuga Avenue, west of Naglee Avenue; 2) approving the jurisdictional transfer of such portion of public right-of-way from the Department of Public Works to the Recreation and Park Department; 3) approving the jurisdictional transfer of Mandan Avenue and portion of Cayuga Avenue, previously vacated by Board of Supervisors Resolution No. 5468, from the Department of Public Works to the Recreation and Park Department; 4) adopting environmental findings and findings that the actions contemplated herein are consistent with the City's General Plan and Planning Code Section 101.1; and 5) authorizing official acts in connection with this Ordinance.

07/19/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Heard in Committee. Speaker: John Updike, Acting Director (Real Estate); presented information concerning the matter and answered questions raised throughout the hearing.

REFERRED WITHOUT RECOMMENDATION to the Board of Supervisors on September 6, 2011, by the following vote:

Ayes: 3 - Mar, Cohen, Wiener

110769 [Transportation Code - Car Share Vehicle Parking Restrictions]**Sponsors: Mayor; Chiu**

Ordinance amending the San Francisco Transportation Code, Division I, Articles 7 and 8, by: 1) adding Section 7.2.52 to establish a violation for unauthorized vehicles to park in a designated car share parking space; and 2) amending Section 8.1 to permit the removal of vehicles parked in violation of Section 7.2.52.

06/21/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/21/2011.

06/30/11; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; and Police Department and Municipal Transportation Agency for informational purposes.

07/07/11; RESPONSE RECEIVED. Statutory exempt per CEQA Guidelines Section 15273: Rates, Tolls, Fares and Charges.

Heard in Committee. Speakers: Sonali Bose (Municipal Transportation Agency); Judson True (Office of Supervisor David Chiu); Tom Fung (Office of the City Administrator); presented information concerning the matter and answered questions raised throughout the hearing. Stephano Castalano; spoke in opposition to the matter.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Mar, Cohen, Wiener

110592 [Planning Code - Inner Clement, Outer Clement, and Geary Neighborhood Commercial Controls]**Sponsors: Mar; Avalos**

Ordinance amending the San Francisco Planning Code Sections 263.20, 712.1, 716.1, and 781.4 to: 1) allow one additional eating and drinking use as principally permitted in the Inner Clement Neighborhood Commercial Districts and allow any additional eating and drinking use in that district as conditionally permitted; 2) allow eating and drinking uses in the Outer Clement Neighborhood Commercial District with a conditional use permit; 3) remove the prohibition on large fast-food restaurants and prohibit formula retail pet supply stores and formula retail eating and drinking uses in the Geary Boulevard Fast-Food Subdistrict; 4) make video stores a principally permitted use on the ground floor in the NC-3 and the Inner Clement and Outer Clement Neighborhood Commercial Districts; and 5) making environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

06/14/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/14/2011.

06/28/11; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; and Small Business Commission for review and recommendation.

07/15/11; RESPONSE RECEIVED. 7/14/11 - The Planning Commission held a public hearing and recommended approval with modifications; Resolution No. 18409.

07/18/11; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: AnMarie Rodgers (Planning Department); Regina Dick-Endrizzi, Executive Director (Office of Small Business); presented information concerning the matter and answered questions raised throughout the hearing. Kathleen Dooley; John Tojua; Susan Leddy; Bobby Wise; Richard Chu; Anna Teal; Lynnette Spiegel; Male Speaker; Mitchell Berg; Male Speaker; spoke in support of the matter. Andrew Junius; Taylor Jordan; Debbie Learman; spoke in opposition to the matter. Walter Paulson; spoke neither in support nor against the matter.

07/18/11; CONTINUED AS AMENDED. Continued as amended to July 25, 2011.

Heard in Committee. Speakers: AnMarie Rodgers (Planning Department); Regina Dick-Endrizzi, Executive Director (Office of Small Business); presented information concerning the matter and answered questions raised throughout the hearing. Eric Brooks; John Tojua; Anna Teal; Female Speaker; Lynnette Spiegel; Jonathan Trung; Pete Weaver; Susan Leddy; Richard Chu; Mitchell Berg; Ms. Barkley; spoke in support of the matter. John Kevlin; Taylor Jordan; spoke in opposition to the matter.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 2 - Mar, Cohen

Noes: 1 - Wiener

110506 [Police, Planning, and Business and Tax Regulations Codes - Limited Live Performance Permits]**Sponsors: Mirkarimi; Wiener, Mar and Campos**

Ordinance amending the San Francisco Police Code Sections 2.26, 2.27, 1060, 1060.1, 1060.1-1, 1060.7.1, 1060.9, 1060.19, 1060.20.4, 1060.24, 1060.35, 2901, 2909, and 2916; adding to the San Francisco Police Code Sections 1060.2.1, 1060.3.1, 1060.5.1, 1060.38, and 1060.38.1; amending the San Francisco Planning Code Sections 102.17, 703.2, 790.38, 803.2, 803.3, and 890.37; and amending the San Francisco Business and Tax Regulations Code Section 8 to 1) create a Limited Live Performance Permit for indoor locales whose primary function is not presentation of live performances, said permit to include noise and hours restrictions but not necessarily security plan requirements; 2) to specify application and license fees and hearing requirements for said permit; and 3) making findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

04/26/11; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 5/26/2011. Fee Ad was published on 7/8/2011 and 7/13/2011.

05/12/11; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; Small Business Commission and Youth Commission for review and recommendation; and Entertainment Commission and Police Department for information.

06/21/11; RESPONSE RECEIVED. 6/13/11 - Small Business Commission recommended approval with modifications.

07/06/11; TRANSFERRED to Land Use and Economic Development Committee.

07/12/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

07/13/11; RESPONSE RECEIVED. 7/7/11 - The Planning Commission held a public hearing and recommended approval with modifications; Resolution No. 18395.

07/18/11; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Supervisor Ross Mirkarimi (Board of Supervisors); Sophie Hayward (Planning Department); Regina Dick-Endrizzi, Executive Director (Office of Small Business); Jocelyn Kane, Executive Director (Entertainment Commission); presented information concerning the matter and answered questions raised throughout the hearing. Alex Walsh; Michael Winger; Kevin Casey; Stefano Cassolato; Elliott Wagner; Henry Callahan; Shawn Manchester; spoke in support of the matter. Walter Paulson; spoke neither in support nor against the matter.

07/18/11; CONTINUED AS AMENDED. Continued as amended to July 25, 2011.

Heard in Committee. Speakers: Supervisor Ross Mirkarimi (Board of Supervisors); presented information concerning the matter and answered questions raised throughout the hearing. Sean Manchester; Male Speaker; Eric Brooks; Stephano Castalano; Steven Lee; spoke in support of the matter. Paul Wermer; Termeh Yeghiazarian; Dawn Trennert; spoke in opposition to the matter.

RECOMMENDED AS COMMITTEE REPORT by the following vote:

Ayes: 3 - Mar, Cohen, Wiener

110731 [Electricity Resource Plan Update]**Sponsors: Mayor; Cohen**

Resolution endorsing an updated Electricity Resource Plan to provide a long-term vision of San Francisco's electricity future, to serve as a policy guide to be used in proposing and implementing specific actions related to electric energy programs and usage in San Francisco, and to identify potential steps toward achievement of San Francisco's goal of having zero greenhouse gas emissions from its electric usage by 2030.

07/12/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

07/18/11; CONTINUED. Heard in Committee. Speakers: Manuel Ramirez (Public Utilities Commission); Bart Broome (Public Utilities Commission); presented information concerning the matter and answered questions raised throughout the hearing. Joe Boss; spoke in support of the matter. Walter Paulson; spoke neither in support nor against the matter.

Continued to July 25, 2011.

Heard in Committee. Speaker: Eric Brooks; spoke in support of the matter.

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

Ayes: 3 - Mar, Cohen, Wiener

ADJOURNMENT

The meeting adjourned at 3:31 p.m.