

**City and County of San Francisco**

**Land Use and Economic Development Committee**

*City Hall, Room 263*



**Meeting Agenda**

**Monday, October 29, 2007**

**1:00 PM**

**Regular Meeting**

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*Members: Sophie Maxwell, Gerardo Sandoval, Jake McGoldrick*

*Clerk: Mary Red (415) 554-4442*

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*Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.*

**AGENDA CHANGES**

**REGULAR AGENDA**

- 1. 071058 [Support for development of City-controlled electric generation project] Supervisors Maxwell, Dufty, Ammiano, Peskin**

Resolution supporting the Combustion Turbine projects proposed by the Public Utilities Commission for the development of a City-controlled combustion turbine project to promote the goals of the City's Electricity Resource Plan, and endorsing the description of the transaction for the projects.

7/17/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

7/24/07, REFERRED to Land Use and Economic Development Committee. Supervisor Daly requested that this matter be referred to Committee. Supervisors Dufty and Ammiano requested to be added as co-sponsors.

10/23/07, SUBSTITUTED. Supervisor Maxwell submitted a substitute resolution bearing new title.

10/23/07, ASSIGNED to Land Use and Economic Development Committee.

*The Chair intends to entertain a motion to send this item to Board on October 30, 2007 as a committee report.*

**2. 070617 [Zoning - modifying the definition of liquor store to remove prohibitions on grocery stores and similar uses] Supervisor Alioto-Pier**

Ordinance amending Planning Code Sections 790.55, 790.102, 249.5, 781.8, 781.9, 782, 783, and 784 to remove grocery stores and other similar uses from prohibitions placed on the establishment of liquor stores in certain districts; and making environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

5/8/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/7/2007.

5/18/07, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comment.

5/25/07, RESPONSE RECEIVED. Planning Department exemption from CEQA. 8/7/07, Board adopted an extension of 45-days for review by Planning Commission; see File 071140.

10/3/07, RESPONSE RECEIVED. Planning Commission Resolution 17488 and Planning Department Executive Summary.

10/10/07, RESPONSE RECEIVED. Office of Economic Analysis, Economic Impact Report.

10/15/07, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in committee. Speakers: Sarah Ballard, Aide to Supervisor Alioto-Pier; Tara Sullivan-Lenane, Planning Department; Supervisor Sandoval; Rich Hollis, Mayor's Office of Economic and Workforce Development; Ted Egan, Controller's Office; Supervisor Maxwell; John Nulty; Giselle Quezada, ACORN; Earl Rogers, S. F. Rescue Mission; Richard Robinson; David Baker, North of Market Planning Coalition; Richard Hopson; Cheryl Adams, Deputy City Attorney; Supervisor McGoldrick; Larry Badiner, Planning Department. Amendment of the Whole

10/15/07, CONTINUED AS AMENDED. Continued to October 22, 2007 .

10/22/07, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in committee. Speakers: Supervisor Alioto-Pier; Supervisor Sandoval; Cheryl Adams, Deputy City Attorney; Antoinette Mobley; Third Street Commercial Corridor Project; Michael Janis, Southeast Food Access Working Group; Jacob Moody, BVHP Foundation; Julian Davis, TEDP; Tomiquia Moss; Christina Carpenter; Earl Rodgers. Amendment of the Whole

10/22/07, CONTINUED AS AMENDED. Continued to October 29, 2007, to go to Board as committee report on October 30, 2007.

**3. 061163 [Zoning - Conditional Use for Change in use of an elementary or secondary school] Supervisor Alioto-Pier**

Ordinance amending the Planning Code to add Section 209.3A and Section 217.1 to require conditional use authorization for any project involving the change in use of an elementary or secondary school; making environmental findings and findings of consistency with the General Plan and priority policies of the Planning Code Section 101.1.

8/8/06, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 9/7/2006.

8/14/06, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comments.

8/22/06, RESPONSE RECEIVED. Exempt from CEQA, non-physical exemption.

11/7/06, RESPONSE RECEIVED. Planning Commission Executive Summary; Map of elementary and secondary schools in S. F.; Planning Resolution 17336 recommending adoption.

11/22/06, CLERICAL CORRECTION. Corrections to page 2 lines 3 and 7, delete the word "motion" and insert the word "Resolution".

12/6/06, CONTINUED. Heard in committee. Speakers: Sarah Ballard, Aide to Supervisor Alioto-Pier; Supervisor McGoldrick; Supervisor Maxwell; Matthew Kellerman, SFUSD; Supervisor Mirkarimi; Miguel Marquez, Attorney for SFUSD; Anita Denz; Richard Kaplan; Robert Klausner; Espanola Jackson. Continued to January 31, 2007.

1/31/07, CONTINUED TO CALL OF THE CHAIR. Heard in committee. Speakers: Supervisor Alioto-Pier; Supervisor Maxwell; Supervisor McGoldrick; David Goldin, Chief Facilities Officer, SFUSD; Bob Klausner.

10/22/07, CONTINUED. Heard in committee. Speakers: Supervisor Alioto-Pier; David Goldin; Supervisor Peskin; Supervisor Maxwell. Continued to October 29, 2007, may go to Board as committee report on October 30, 2007.

**4. 071394 [Urging restoration of two-way traffic on Ellis and Eddy Streets] Supervisor Daly**

Resolution urging the Municipal Transportation Agency to restore two-way traffic on the length of Eddy and Ellis Streets, to consolidate the Muni 31 and 27 routes onto Eddy Street, and to develop detailed plans and a phased implementation strategy for transportation and streetscape improvements to these streets to enhance their role as east-west pedestrian, bicycle, and transit corridors.

10/2/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

**5. 071097 [Urging restoration of two-way traffic on Hayes Street] Supervisor Mirkarimi**

Resolution urging the Municipal Transportation Agency to restore two-way traffic on the block of Hayes Street between Gough and Franklin streets, to restore the pedestrian crossing of Gough Street on the south side of Hayes Street, and develop a detailed plan and implementation strategy for streetscape improvements to the Hayes Valley Commercial District along Hayes Street between Franklin and Laguna streets.

7/24/07, REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

7/31/07, REFERRED to Land Use and Economic Development Committee. Supervisor Mirkarimi requested that this matter be referred to Committee.

**6. 071343 [Street encroachment sensu sculpture as a gateway icon for Japantown on Webster Street] Supervisor Mirkarimi**

Ordinance granting revocable permission to the Japanese Cultural and Community Center of Northern California to occupy a portion of the public right-of-way for the installation of a sensu sculpture on the median of Webster Street between Geary Boulevard and Post Street in the Japantown neighborhood; waiving right-of-way occupancy assessment fees; and making

environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

9/18/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

10/11/07, REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review and Department of Public Works for review and documents.

10/22/07, RESPONSE RECEIVED. Received all necessary documents referred to in legislation.

**7. 071432 [Street encroachment on Linden Street between Gough Street and Octavia Boulevard] Supervisor Mirkarimi**

Ordinance granting revocable permission to 300 Linden LLC to occupy the public right-of-way to construct street encroachment improvements on a portion of Linden Street, an unaccepted public right-of-way, between Gough and Octavia Boulevard, including new landscaping, raised stamped and colored asphalt paving, ADA approved detectable warning material, raised planters and granite curbstones for seating; waiving right-of-way occupancy assessment fees; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

10/16/07, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

10/23/07, RESPONSE RECEIVED. Received all necessary documents referred to in legislation.

## **ADJOURNMENT**

## **IMPORTANT INFORMATION**

*NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Land Use and Economic Development Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.*

*NOTE: Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the general plan amendments or planning code and zoning map amendments described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.*

## **LEGISLATION UNDER THE 30-DAY RULE**

**(Not to be considered at this meeting)**

*Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.*

**8. 071425 [Planning - Union Street Neighborhood Commercial District - full-service restaurants] Supervisor Alioto-Pier**

Ordinance amending Planning Code Sections 725.1 and 725.42 of the Union Street Neighborhood Commercial District to provide for a limited number of new full-service restaurant uses that satisfy specific requirements and obtain conditional use authorization, making environmental findings, and making findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

10/16/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/15/2007.

10/25/07, REFERRED TO DEPARTMENT. Referred to Planning Commission and Small Business Commission for review and comments.

10/26/07, RESPONSE RECEIVED. Planning Department, exemption from CEQA. 1/15/08, Board adopted an extension of 30-days for review by Planning Commission; see File 080072.

**9. 071431 [Planning Code - Restoration of Movie Theater Projecting Signs and Marquees] Supervisor Mirkarimi**

Ordinance amending the San Francisco Planning Code by amending Sections 188, 603, and 604 and by adding Sections 602.25 and 602.26 in order to allow for the preservation, rehabilitation, restoration or reconstruction of noncomplying Historic Movie Theater Projecting Signs and Marquees, as defined; and making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan.

10/16/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 11/15/2007.

10/25/07, REFERRED TO DEPARTMENT. Referred to Planning Commission and Small Business Commission for review and comment.

### **Meeting Procedures**

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

**USING LAPTOP COMPUTERS FOR PRESENTATIONS:** Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer. **THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.**

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Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

**AVISO EN ESPAÑOL:** La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.



### **Disability Access**

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N, and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street. In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

### **Know Your Rights Under the Sunshine Ordinance**

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at [sotf@sfgov.org](mailto:sotf@sfgov.org)

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

### **Lobbyist Registration and Reporting Requirements**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site [www.sfgov.org/ethics](http://www.sfgov.org/ethics)