

City and County of San Francisco

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



MEETING MINUTES
Monday, October 20, 2008
1:00 PM
City Hall, Room 263
Regular 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 1:09 p.m.

REGULAR AGENDA

080840 [Designating and describing amended Treasure Island/Yerba Buena Island Survey Area]

Resolution designating and describing the amended Treasure Island/Yerba Buena Island Survey Area in accordance with California Community Redevelopment Law. (Treasure Island Development Authority) 9/19/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Heard in Committee. Speaker: Michael Timeoff, Office of Joint Development; Cheryl Adams, Deputy City Attorney; Jack Sylvan, Office of Economic and Workforce Development.

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).

9/29/08, CONTINUED. Speakers: None. Continued to October 6, 2008,

10/6/08, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Dan McKenna, Department of Public Works; John Malamut, Deputy City Attorney; Paul Albritton, NextG Networks of California; Steven Bowen, ExteNet Systems. 10/6/08 Amendment of the whole bearing same title.

10/6/08, CONTINUED. Continued to October 20, 2008.

Speakers: None.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Maxwell, Sandoval, Peskin

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, ASSIGNED to Land Use and Economic Development Committee.

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

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

9/29/08, CONTINUED. Heard in Committee. Speaker: Aaron Goodman, Parkmerced Residents Organization. Continued to October 20, 2008.

Heard in Committee. Speakers: Supervisor Elsbernd; Don Dutil, West of Twin Peaks Central Council; Aaron Goodman, Parkmerced Residents Organization; Matt Chamberlain; Eric Castongia, Neighbors of Arden Wood; Marilyn Amini; Blanche Korfmacher; Tim Colen, San Francisco Housing Action Coalition;

Denise La Pointe, West Twin Peaks Central Council; Cheryl Adams, Deputy City Attorney.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Maxwell, Sandoval, Peskin

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.

(9/09/08 - Supervisor Elsbernd submitted a substitute resolution bearing same title.)

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

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

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

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

9/29/08, CONTINUED. Heard in Committee. Speaker: Aaron Goodman, Parkmerced Residents Organization. Continued to October 20, 2008.

Heard in Committee. Speakers: Supervisor Elsbernd; Don Dutil, West of Twin Peaks Central Council; Aaron Goodman, Parkmerced Residents Organization; Matt Chamberlain; Eric Castongia, Neighbors of Arden Wood; Marilyn Amini; Blanche Korfmacher; Tim Colen, San Francisco Housing Action Coalition; Denise La Pointe, West Twin Peaks Central Council; Cheryl Adams, Deputy City Attorney.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Maxwell, Sandoval, Peskin

081281 [Application to Amend San Francisco's Priority Development Area Designation] Supervisors Elsbernd, Chu

Resolution authorizing the San Francisco County Transportation Authority to apply on behalf of the City and County of San Francisco for amendments to the Priority Development Area Designation by the Association of Bay Area Governments.

10/7/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Heard in Committee. Speakers: Supervisor Elsbernd; Don Dutil, West of Twin Peaks Central Council; Aaron Goodman, Parkmerced Residents Organization; Matt Chamberlain; Eric Castongia, Neighbors of Arden Wood; Marilyn Amini; Blanche Korfmacher; Tim Colen, San Francisco Housing Action Coalition; Denise La Pointe, West Twin Peaks Central Council; Cheryl Adams, Deputy City Attorney.

RECOMMENDED by the following vote:

Ayes: 3 - Maxwell, Sandoval, Peskin

080281 [Building Code - Slope Protection Act] Supervisor Peskin

Ordinance amending the San Francisco Building Code by adding Sections 106A.4.1.4 et seq. to establish

the Slope Protection Act and create procedures that require the Structural Advisory Committee to review and make recommendations on specified permit applications for all property within the City that exceeds an average slope of 25% grade, and to require mandatory denial of the permit by the Building Official under specified circumstances; amending Section 105A.6.2 to specify the composition of the Structural Advisory Committee for permit applications subject to the Slope Protection Act; amending Building Code Section 106A.3.2 to require that the applicant for certain permit applications subject to the Slope Protection Act provide substantial documentation that there exists sufficient infrastructure to support the proposed residential development and that the proposed emergency access routes meet standards in effect at the time of the application; amending Building Code Section 1701A.5 to require special inspections throughout the construction process for sites subject to the Slope Protection Act.

2/26/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/24/2008.

3/17/08, REFERRED TO DEPARTMENT. Referred to Building Inspection Commission for review and comment.

Heard in Committee. Speakers: Laurence Kornfield, Chief Building Inspector; Aaron Goodman, Parkmerced Residents Organization; Cheryl Adams, Deputy City Attorney; John Malamut, Deputy City Attorney.

Continued to October 27, 2008.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

Ordinance amending the San Francisco Building Code by adding Sections 106A.4.1.4 et seq. to establish the Slope Protection Act and create procedures to review and make recommendations on specified permit applications for all property that fall within certain mapped areas of the City, and to require mandatory denial of the permit by the Building Official under specified circumstances; amending Section 105A.6.2 to specify the composition of the Structural Advisory Committee for permit applications within the Slope Protection Act area when the Building Official authorizes establishment of such a Committee; amending Building Code Section 106A.3.2 to require that the applicant for certain permit applications subject to the Slope Protection Act provide substantial documentation that there exists sufficient infrastructure to support the proposed residential development and that the proposed emergency access routes meet standards in effect at the time of the application; amending Building Code Section 1701A.5 to require special inspections throughout the construction process for sites subject to the Slope Protection

CONTINUED AS AMENDED by the following vote:

Ayes: 3 - Maxwell, Sandoval, Peskin

080349 [Zoning Map Amendment - 5050 Mission Street, corner of Seneca Ave] Supervisor Sandoval

Ordinance amending the San Francisco Planning Code by amending Zoning Map ZN 12 of the Zoning Map of the City and County of San Francisco to change the use classification of Block 6969, Lot 11, located at the southwest corner of Mission and Seneca Streets, from RH-1 (Residential, House, One Family) District to NC-3 (Moderate-scale Neighborhood Commercial) District; adopting findings, including environmental findings and findings of consistency the General Plan and the Priority Policies of Planning Code Section 101.1.

3/11/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/10/2008.

3/17/08, REFERRED TO DEPARTMENT. Referred to Planning Commission for review and comment and Planning Department for environmental review. 6/17/08, Board adopted 70-day extension for Planning Commission review; see File 080834.

8/19/08, RESPONSE RECEIVED. Planning Commission Resolution 17683 recommending approval without modification; Executive Summary; and Determination of Exemption From Environmental

Review.

Speakers: None.

RECOMMENDED by the following vote:

Ayes: 3 - Maxwell, Sandoval, Peskin

080861 [Bike Plan Injunction] Supervisor Sandoval

Hearing with the Planning Department, Municipal Transportation Agency and the City Attorney's Office to discuss the Bike Plan injunction which has prevented implementation of the City's bike plan, and to discuss bike safety issues.

6/17/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

7/21/08, CONTINUED. Heard in Committee. Speakers: Cheryl Adams, Deputy City Attorney; Leah Shahum and Casey Allen, SF Bicycle Coalition; Cheryl Brinkman, Livable City; J.P. Collins; John Rahaim, Planning Director; Female Speaker, Mayor's Office; Carter Rohan, Municipal Transportation Agency; Marc Salomon; Robin Levitt, Hayes Valley Neighborhood Association; Bob Siegel, SF Bicycle Coalition; Aida Berkovitz; Sean Benward; Peter Pagnucco; Randall Orr; Jon Winston; Janel Sterbentz, SF Bicycle Coalition; Kate McCarthy; Dan Nguyen-Tan, North of Panhandle Neighborhood Association; John Daniel; David Kardapatzke; Patricia Decker; Mike Bloomfield; Blake Cole; Marsha Weisbrot; Jeff Trull; Cathy Cora; Rhonda Winter; Ramon Martinez; David Carroll; Dan Connelly; Jason Henderson, Hayes Valley Neighborhood Association; Mark Duncan; Francisco Da Costa; Rachel Kraai; Andy Thornley, SF Bicycle Coaliton; Keith Saggars; Female Speaker; Supervisor Mirkarimi. Continued to October 20, 2008.

Heard in Committee. Speakers: AnMarie Rogers, Planning Department; Andy Thornley, San Francisco Bicycle Coalition; Leah Shahum, San Francisco Bicycle Coalition.

FILED by the following vote:

Ayes: 2 - Maxwell, Sandoval

Absent: 1 - Peskin

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 Schacter; Carlos Alas, Jr.; Ruby Harris. Continued to September 22, 2008.

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

9/29/08, CONTINUED. Speakers: None. Continued to October 20, 2008.

Speakers: None.

Continued to November 3, 2008.

CONTINUED by the following vote:

Ayes: 3 - Maxwell, Sandoval, Peskin

ADJOURNMENT

The meeting adjourned at 2:15 p.m.