



# 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 Miller (415) 554-4447*

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Monday, February 27, 2012

1:00 PM

City Hall, Committee Room 263

#### Regular Meeting

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

### MEETING CONVENED

*The meeting convened at 1:07 p.m.*

### REGULAR AGENDA

#### **111315 [Planning Code - Automobile Sale or Rental in NC-S Districts]**

**Sponsor: Elsbernd**

Ordinance amending the San Francisco Planning Code Section 713.61 to: 1) allow an automobile sale or rental use in NC-S Districts as a conditional use; and 2) 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.

12/06/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 1/5/2012.

12/21/11; 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.

01/05/12; RESPONSE RECEIVED. Exempt from CEQA per Guidelines Sections 15060(c)(2) and 15378, non-physical exemption.

02/24/12; RESPONSE RECEIVED. 2/23/12 - The Planning Commission held a public hearing and recommendation approval; Resolution No. 18550.

*Heard in Committee. Speakers: AnMarie Rodgers (Planning Department); presented information concerning the matter and answered questions raised throughout the hearing. Jim Lazarus; DeeDee Workman; spoke in support of the hearing matter.*

**RECOMMENDED by the following vote:**

Ayes: 3 - Mar, Cohen, Wiener

**111171 [Hearing - Potrero/Potrero Annex and Terrace Project Rebuild Status]****Sponsor: Cohen**

Hearing on the status of the rebuild Potrero/Potrero Annex and Terrace Project.

10/25/11; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

*Heard in Committee. Speakers: Olson Lee, Director (Mayor's Office of Housing); Amy Tharpe (Mayor's Office of Housing); Charmaine Curtis (BRIDGE Housing); Henry Alvarez (Mayor's Office of Housing); presented information concerning the matter and answered questions raised throughout the hearing. Lee Abel; Jane Fay; Paul Wells; Alfred Perlstein; Dick Millet; Betty Packard; Tessie Ester; Eddie Kittrell; Espanola Jackson; Monica Ferrey; Female Speaker; Tahrio Marshall; Monisha Mustapha; Michael Goreman; Joe Boss; Joseph Leek; Tim Colen; spoke on the hearing matter.*

**CONTINUED TO CALL OF THE CHAIR by the following vote:**

Ayes: 3 - Mar, Cohen, Wiener

**111374 [Planning Code - Creating a New Definition of Student Housing]****Sponsor: Wiener**

Ordinance amending the San Francisco Planning Code by: 1) adding a new Section 102.36 to create a definition of Student Housing; 2) amending Section 135(d)(2) to adjust the minimum open space requirements for dwelling units that do not exceed 350 square feet, plus a bathroom; 3) amending Section 207(b)(3) to exempt Student Housing from the unit mix requirement in RTO, NCT, DTR, and Eastern Neighborhoods Mixed Used Districts; 4) amending Section 307 to permit the conversion of Student Housing into residential uses, when certain conditions are met; 5) amending Section 312 to require notice for a change of use to Group Housing; 6) amending Section 317 to prohibit the conversion of residential units into Student Housing; 7) amending Section 401 to make conforming amendments and amend the definition of Qualified Student Housing; and 7) making findings, including environmental findings and findings of consistency with the priority policies of Planning Code Section 101.1 and the General Plan. (Planning Department)

12/15/11; RECEIVED FROM DEPARTMENT.

01/10/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/9/2012.

02/02/12; RESPONSE RECEIVED. 10/27/2011 - The Planning Commission held a public hearing and recommended approval; Resolution No. 18485.

*Speakers: John Bardis; Espanola Jackson; Caroline Guibert; John Sanger; spoke in opposition to the hearing matter and in support of the continuance.*

*Continued to March 26, 2012.*

**CONTINUED to March 26, 2012, by the following vote:**

Ayes: 3 - Mar, Cohen, Wiener

**110853 [Planning, Administrative Codes - Public Art Fee and Public Artwork Trust Fund]****Sponsors: Mayor; Chiu**

Ordinance: 1) amending the San Francisco Planning Code Section 429 to provide that developers currently required to spend one percent (1%) of construction costs for public artwork on any new development project or addition to an existing building over 25,000 square feet located in a C-3 district have an option to contribute all or a portion of that fee to a City fund dedicated to support public art, and after January 1, 2013, imposing this requirement on any new development project or addition to an existing building over 75,000 square feet located in a zoning district other than C-3; 2) amending the San Francisco Administrative Code by adding Section 10.200-29 to establish a Public Artwork Trust Fund, funded through contributions and Public Art Fees, for the creation, installation, exhibition, conservation, preservation, and restoration of temporary and permanent public art and capital improvements to nonprofit art facilities within the C-3 district and within a half mile of the boundary of the C-3 district or, if the project is in another zoning district, within a half mile of the project boundary, to be administered and expended by the Arts Commission; and 3) 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.

07/19/11; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 8/18/2011.

08/15/11; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; and Department of Building Inspection and Arts Commission for informational purposes.

08/23/11; RESPONSE RECEIVED. Exempt from CEQA per Article 18, Statutory Exemptions, Section 15273 (Rates, Tolls, Fares, and Charges).

10/31/11; RESPONSE RECEIVED. 10/27/11 - The Planning Commission held a public hearing and recommended approval with modifications; Resolution No. 18477.

11/22/11; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

12/16/11; REFERRED TO DEPARTMENT. Re-Referred substitute legislation to the Planning Department for environmental review; Planning Commission for public hearing and recommendation; and Department of Building Inspection and Arts Commission for informational purposes.

12/22/11; NOTICED. 14-Day Fee Ad was submitted for publication on 12/25/2011 & 1/2/2012.

01/09/12; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Jason Elliott (Mayor's Office); Supervisor David Chiu (Board of Supervisors); AnMarie Rodgers (Planning Department); Jill Manton, Director of Programs (Arts Commission); Tom DeCaigny, Director of Cultural Affairs (Arts Commission); Ron Miguel (Planning Commission); presented information concerning the matter and answered questions raised throughout the hearing. Debra Walker; Angelica Cabande; Tony Kelly; Male Speaker; Skot Kuiper; Sean Keigran; Joe Boss; spoke in support of the matter.

01/09/12; CONTINUED AS AMENDED. Continued as amended to January 30, 2012.

01/12/12; NOTICED. 14-Day Fee Ad was submitted for publication on 1/16/2012 & 1/23/2012.

01/30/12; AMENDED. Heard in Committee. Speakers: Supervisor David Chiu (Board of Supervisors); presented information concerning the matter and answered questions raised throughout the hearing. Ray Hart; Francisco Da Costa; spoke in opposition to the matter. Walter Paulson; spoke neither in support nor against the matter.

01/30/12; CONTINUED AS AMENDED. Continued to February 27, 2012.

*Heard in Committee. Speakers: Supervisor David Chiu (Board of Supervisors); AnMarie Rodgers (Planning Department); presented information concerning the matter and answered questions raised throughout the hearing. Steve Huang; spoke in support of the hearing matter. Male Speaker; spoke neither in support nor against the hearing matter.*

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

Ordinance: 1) amending the San Francisco Planning Code Section 429 to provide that developers currently required to spend one percent (1%) of construction costs for public artwork on any new development project or addition to an existing building over 25,000 square feet located in a C-3 district have an option to contribute all or a portion of that fee to a City fund dedicated to support public art, and all non-residential projects that are within zoning districts MUG, MOU, MUR, UMU, SPD, RC-3, RC-4, RH-DTR, TB-DTR, SB-DTR, SLI, SLR, SSO, C-2, and C-M that involve construction of a new building or addition of floor area in excess of 25,000 square feet and that have submitted a complete Development Application on or after January 1, 2013; 2) amending the San Francisco Administrative Code by adding Section 10.200-29 to establish a Public Artwork Trust Fund, funded through contributions and Public Art Fees, for the creation, installation, exhibition, conservation, preservation, and restoration of temporary and permanent public art and capital improvements to nonprofit art facilities within the C-3 district and within a half mile of the boundary of the C-3 district or, if the project is in another zoning district, within a half mile of the project boundary, to be administered and expended by the Arts Commission; and 3) 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.

*Continued to March 5, 2012.*

**CONTINUED AS AMENDED to March 5, 2012, by the following vote:**

Ayes: 3 - Mar, Cohen, Wiener

## **ADJOURNMENT**

*The meeting adjourned at 3:18 p.m.*