



City and County of San Francisco
Meeting Minutes
Land Use and Transportation Committee

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

Members: Malia Cohen, Scott Wiener, Jane Kim

Clerk: Alisa Somera (415) 554-4447

Monday, November 9, 2015

11:00 AM

City Hall, Legislative Chamber, Room 250

Rescheduled Meeting

Present: 3 - Malia Cohen, Scott Wiener, and Jane Kim

ROLL CALL AND ANNOUNCEMENTS

Chair Malia Cohen called the meeting to order at 11:09 a.m. On the call of the roll, Chair Cohen, Vice Chair Wiener and Member Kim were noted present. There was a quorum.

Upon convening, President London Breed was also noted present.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

150622 [Administrative, Planning Codes - Preferences in Affordable Housing Programs]**Sponsors: Mayor; Christensen, Cohen, Breed and Wiener**

Ordinance amending the Administrative Code to clarify existing preferences in allocating City affordable housing units first to Certificate of Preference holders and second to tenants evicted under the Ellis Act, create a third preference for residents in the neighborhood where the affordable housing is located; to make conforming amendments to provisions of the Administrative and Planning Codes; to affirm the Planning Department's determination under the California Environmental Quality Act; and to make findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

06/09/15; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 7/9/2015.

06/30/15; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Planning Commission for hearing and recommendation; Rent Board; Mayor's Office of Housing and Community Development; Housing Opportunity, Partnerships and Engagement; and HOPE SF for informational purposes.

09/22/15; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

09/29/15; REFERRED TO DEPARTMENT. Re-Referred (Version 2) to Planning Department for environmental review; Planning Commission for hearing and recommendation; Rent Board; Mayor's Office of Housing and Community Development; Housing Opportunity, Partnerships and Engagement; and HOPE SF for informational purposes.

10/21/15; RESPONSE RECEIVED. Not defined as a project under CEQA Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

10/26/15; RESPONSE RECEIVED. 9/24/2015 and 10/22/2015 - The Planning Commission held public hearings and recommended approval with modifications.

11/02/15; AMENDED. Heard in Committee. Speakers: President London Breed (Board of Supervisors); Menaka Mohan (Planning Department); Sophie Hayward and Charles MacNulty (Mayor's Office of Housing and Community Development); Susan Cleveland-Knowles (Office of the City Attorney); Mary Benjamin (Mayor's Office of Housing and Community Development); Jon Givner (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Rev. Amos Brown (NAACP/Third Baptist); Rev. Arnold Townsend (EOCSF); Male Speaker; Linda Fadeke Richardson; Gary Banks; Marie Franklin; Rev. Arelious Walker (Bayview Hunters Point Senior Services); Louis Cardonas; Rev. Keva McNeill (NAACP); Female Speaker; Tracy Griffin; Rev. Roland Gordon (Ingleside Presbyterian Church); Jackie Wright; Rev. Martin Hall; Doris Jane Gibson; Michael Baines; Male Speaker; Female Speaker; Female Speaker; Majea Crawford; Peter Cohen; Frank Williams; Bobby Webb; Male Speaker; Female Speaker; Male Speaker; spoke in support of the hearing matter.

11/02/15; AMENDED.

11/02/15; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

11/02/15; DUPLICATED AS AMENDED.

11/02/15; CONTINUED AS AMENDED. See Duplicated File No. 151122.

11/06/15; REFERRED TO DEPARTMENT. Re-Referred (Version 3) to Planning Department for environmental review; Planning Commission for hearing and recommendation; Rent Board; Mayor's Office of Housing and Community Development; Housing Opportunity, Partnerships and Engagement; and HOPE SF for informational purposes.

Heard in Committee. Speakers: President London Breed (Board of Supervisors); Sophie Hayward and Mary Benjamin (Mayor's Office of Housing and Community Development); presented information and answered questions raised throughout the discussion. Dr. Amos Brown (NAACP/Third Baptist Church); Wing Hoo Leung (Community Tenants Association); Rev. Arnold Townsend; Michael Wright; Linda Fadeke Richardson (Bayview Hunters Point Multipurpose Senior Services, Inc.); Shamann Walton (Young Community Developers); Donald

Dewsnup (San Francisco Bay Area Renters' Federation); Kurt Grimes (A. Philip Randolph Institute San Francisco); Grace Martinez (Alliance of Californians for Community Empowerment); Cathy Davis (Bayview Senior Services); Carla Tucker; Menelik (Alliance of Californians for Community Empowerment); Rose Eger; DJ Brookter (Young Community Developers); Dominick Parella; Dr. Veronica Hunnicutt (CAC for the Shipyard); Michelle Le Fleu; Jackie Wright; Alicia Tibido; Vernell Hawkins; spoke in support of the hearing matter. Luis Granados (Mission Economic Development Agency); Malcolm Yeung (Chinatown Community Development Center); Fernando Marti (Council of Community Housing Organizations); Male Speaker; Male Speaker; spoke in opposition to the hearing matter. Theresa Imperial (Bill Sorro Housing Program); Chris Durazo (Bill Sorro Housing Program); spoke neither in support nor against the hearing matter.

Vice Chair Wiener, seconded by Chair Cohen, moved that this Ordinance be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Kim

President Breed was noted not present at 12:32 p.m.

File Nos. 150932, 150787, and 150788 were heard together.

150932 [General Plan - Fifth and Mission Special Use District]

Ordinance amending the General Plan of the City and County of San Francisco by amending Map 1 of the Downtown Plan to reclassify Lot Nos. 005, 006, 008, 009, 012, and 098 in Assessor's Block No. 3725 as C-3-S (Downtown Support); amending Map 5 of the Downtown Plan to reclassify the height and bulk limits in accordance with the Fifth and Mission Special Use District and Sectional Map HT001; amending Figures 2, 3, and 4 of the Downtown Plan to refer to the Fifth and Mission Special Use District, Planning Code, Section 249.74; amending Maps 4 and 5 of the Urban Design Element to refer to the Fifth and Mission Special Use District; amending Maps 2, 3, 5, and 7 of the South of Market Area Plan to remove Lot Nos. 005, 006, 008, 009, 012, and 098 in Assessor's Block No. 3725 from the boundaries of the South of Market Area Plan; and adopting findings, including environmental findings, Section 340 findings, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Planning Commission)

09/18/15; RECEIVED FROM DEPARTMENT.

09/29/15; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 10/29/2015.

10/06/15; REFERRED TO DEPARTMENT. Referred to the Small Business Commission for review and comment.

10/30/15; NOTICED. 10-Day notice of public hearing was published in the Examiner, mailed and posted.

Heard in Committee. Speakers: John Rahaim, Director, and Kevin Guy (Planning Department); Laura Crescimano; Anne Taupier (Mayor's Office of Economic and Workforce Development); Jon Givner (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Nicole Ferrera (WalkSF); Dee Dee Workman (San Francisco Chamber of Commerce); Catherine Noeva Espana (Intersection for the Arts); Dan Falk (Tenderloin Neighborhood Development); Ben Grant (SPUR); Randy Rollison (Intersection for the Arts); Laura Clark (GrowSF); Carrie Motamedi (TechShop); Donald Dewsnup (San Francisco Bay Area Renters' Federation); Kirk Rhimes; Grace Martinez; Kathy Davis; Carla Tucker; Menalik; Rose Eger; Rudy Corpuz (United Playaz); Stephanie Menchavez; Female Speaker; Male Speaker; Oscar Penurada; Devon Biggs (Asian Neighborhood Design); Kyle Pickett; Michael Wright; Moy Eng (Community Arts Stabilization Trust); Nati Galinato; Tyese Wortham (Women's Audio Mission); Rob Poole (San Francisco Housing Coalition); Josephine; Joel Koppel (IBEW Local 6); Virginia Grandi (Yerba Buena Alliance); Danny Campbell (Sheet Metal Workers Local 104); Heather Phillips (City Crossroads); Ray Balberan; Rosalia Tuveric; Conception Zamora; Angelina Levo; Reginald Meadows; Misha Olivas (United Playaz); spoke in support of the hearing matter. Tony Robles (Senior and Disability Action); Andy Blue (Plaza 16 Coalition); Dyan Ruiz (SoMA Community Action Network); Tina Schaaf (SoMa Immigrant Women and Families); Joseph Smooke, Chewy Cabante, Raymond Castillo, and Angelica Cabande (SoMA Community Action Network); Saul Rockman (SMAC); Socorro Campos (SoMA Community Action Network); Chris Grasso (SoMA Community Action Network); Theresa Imperial (Veterans Equity Center); Robert Marquez (SoMA Community Action Network); Vivian Araullo (West Bay Pilipino Center); Noemi Sohn (Alliance of Californians for Community Empowerment); Marie Weiss; Tes Welborn; Ada Chan; Jaymee Faith Cadiz Sagisi (Veterans Equity Center/Bill Sorro Housing Program); spoke in opposition to the hearing matter. Noah Budnick, Executive Director (San Francisco Bicycle Coalition); Silvia Johnson; Caroline Calderon (Veterans Equity Center); spoke neither in support nor against the hearing matter.

Vice Chair Wiener moved that this Ordinance be REFERRED WITHOUT RECOMMENDATION to the Board of Supervisors meeting of November 17, 2015. The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Kim

150787 [Planning Code, Zoning Map - Fifth and Mission Special Use District]**Sponsor: Mayor**

Ordinance amending the Planning Code to add Section 249.74 to create the Fifth and Mission Special Use District; and amending Zoning Sectional Maps ZN001, SU001, and HT001 to reflect the Fifth and Mission Special Use District; and making environmental findings, including a statement of overriding considerations, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

(Economic Impact)

07/21/15; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 8/20/2015.

07/29/15; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Planning Commission for hearing and recommendation; Small Business Commission for review and recommendation; and Department of Building Inspection for informational purposes.

10/30/15; NOTICED. 10-Day notice of public hearing was published in the Examiner, mailed and posted.

Heard in Committee. Speakers: John Rahaim, Director, and Kevin Guy (Planning Department); Laura Crescimano; Anne Taupier (Mayor's Office of Economic and Workforce Development); Jon Givner (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Nicole Ferrera (WalkSF); Dee Dee Workman (San Francisco Chamber of Commerce); Catherine Noeva Espana (Intersection for the Arts); Dan Falk (Tenderloin Neighborhood Development); Ben Grant (SPUR); Randy Rollison (Intersection for the Arts); Laura Clark (GrowSF); Carrie Motamedi (TechShop); Donald Dewsnup (San Francisco Bay Area Renters' Federation); Kirk Rhimes; Grace Martinez; Kathy Davis; Carla Tucker; Menalik; Rose Eger; Rudy Corpuz (United Playaz); Stephanie Menchavez; Female Speaker; Male Speaker; Oscar Penurada; Devon Biggs (Asian Neighborhood Design); Kyle Pickett; Michael Wright; Moy Eng (Community Arts Stabilization Trust); Nati Galinato; Tyese Wortham (Women's Audio Mission); Rob Poole (San Francisco Housing Coalition); Josephine; Joel Koppel (IBEW Local 6); Virginia Grandi (Yerba Buena Alliance); Danny Campbell (Sheet Metal Workers Local 104); Heather Phillips (City Crossroads); Ray Balberan; Rosalia Tuveric; Conception Zamora; Angelina Levo; Reginald Meadows; Misha Olivas (United Playaz); spoke in support of the hearing matter. Tony Robles (Senior and Disability Action); Andy Blue (Plaza 16 Coalition); Dyan Ruiz (SoMA Community Action Network); Tina Schaaf (SoMa Immigrant Women and Families); Joseph Smooke, Chewy Cabante, Raymond Castillo, and Angelica Cabande (SoMA Community Action Network); Saul Rockman (SMAC); Socorro Campos (SoMA Community Action Network); Chris Grasso (SoMA Community Action Network); Theresa Imperial (Veterans Equity Center); Robert Marquez (SoMA Community Action Network); Vivian Araullo (West Bay Pilipino Center); Noemi Sohn (Alliance of Californians for Community Empowerment); Marie Weiss; Tes Welborn; Ada Chan; Jaymee Faith Cadiz Sagisi (Veterans Equity Center/Bill Sorro Housing Program); spoke in opposition to the hearing matter. Noah Budnick, Executive Director (San Francisco Bicycle Coalition); Silvia Johnson; Caroline Calderon (Veterans Equity Center); spoke neither in support nor against the hearing matter.

Member Kim, seconded by Chair Cohen, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by adding language regarding additional affordable housing requirements, and codifying the provisions of the Development Agreement into this Ordinance. The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Kim

Ordinance amending the Planning Code to add Section 249.74 to create the Fifth and Mission Special Use District; amending Zoning Sectional Maps ZN001, SU001, and HT001 to reflect the Fifth and Mission Special Use District; and making environmental findings, including a statement of overriding considerations, and findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1, and findings pursuant to Planning Code, Section 302.
(Economic Impact)

Vice Chair Wiener moved that this Ordinance be REFERRED WITHOUT RECOMMENDATION AS AMENDED to the Board of Supervisors meeting of November 17, 2015. The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Kim

150788 [Development Agreement - 5M Project, LLC - Fifth and Mission Project]**Sponsor: Mayor**

Ordinance approving a Development Agreement between the City and County of San Francisco and 5M Project, LLC, a Delaware limited liability company, for the Fifth and Mission Project at the approximately 4-acre site located at Fifth Street between Mission and Howard Streets; making findings under the California Environmental Quality Act, findings of conformity with the General Plan, and with the eight priority policies of Planning Code, Section 101.1(b); approving the use of Impact Fees and Exactions for affordable housing and other community benefits, as set forth in the Development Agreement, and waiving any conflicting provision in Planning Code, Article 4, or Administrative Code, Article 10; authorizing the acquisition of real property at 967 Mission Street for affordable housing; and confirming compliance with or waiving certain provisions of Administrative Code, Chapters 14B and 56, and ratifying certain actions taken in connection therewith. (Economic Impact)

07/21/15; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 8/20/2015.

07/29/15; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Planning Commission for hearing and recommendation; Small Business Commission for review and recommendation; and the City Controller for informational purposes.

10/30/15; NOTICED. 10-Day notice of public hearing was published in the Examiner, mailed and posted.

Heard in Committee. Speakers: John Rahaim, Director, and Kevin Guy (Planning Department); Laura Crescimano; Anne Taupier (Mayor's Office of Economic and Workforce Development); Jon Givner (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Nicole Ferrera (WalkSF); Dee Dee Workman (San Francisco Chamber of Commerce); Catherine Noeva Espana (Intersection for the Arts); Dan Falk (Tenderloin Neighborhood Development); Ben Grant (SPUR); Randy Rollison (Intersection for the Arts); Laura Clark (GrowSF); Carrie Motamedi (TechShop); Donald Dewsnup (San Francisco Bay Area Renters' Federation); Kirk Rhimes; Grace Martinez; Kathy Davis; Carla Tucker; Menalik; Rose Eger; Rudy Corpuz (United Playaz); Stephanie Menchavez; Female Speaker; Male Speaker; Oscar Penurada; Devon Biggs (Asian Neighborhood Design); Kyle Pickett; Michael Wright; Moy Eng (Community Arts Stabilization Trust); Nati Galinato; Tyese Wortham (Women's Audio Mission); Rob Poole (San Francisco Housing Coalition); Josephine; Joel Koppel (IBEW Local 6); Virginia Grandi (Yerba Buena Alliance); Danny Campbell (Sheet Metal Workers Local 104); Heather Phillips (City Crossroads); Ray Balberan; Rosalia Tuveric; Conception Zamora; Angelina Levo; Reginald Meadows; Misha Olivas (United Playaz); spoke in support of the hearing matter. Tony Robles (Senior and Disability Action); Andy Blue (Plaza 16 Coalition); Dyan Ruiz (SoMA Community Action Network); Tina Schaaf (SoMa Immigrant Women and Families); Joseph Smooke, Chewy Cabante, Raymond Castillo, and Angelica Cabande (SoMA Community Action Network); Saul Rockman (SMAC); Socorro Campos (SoMA Community Action Network); Chris Grasso (SoMA Community Action Network); Theresa Imperial (Veterans Equity Center); Robert Marquez (SoMA Community Action Network); Vivian Araullo (West Bay Pilipino Center); Noemi Sohn (Alliance of Californians for Community Empowerment); Marie Weiss; Tes Welborn; Ada Chan; Jaymee Faith Cadiz Sagisi (Veterans Equity Center/Bill Sorro Housing Program); spoke in opposition to the hearing matter. Noah Budnick, Executive Director (San Francisco Bicycle Coalition); Silvia Johnson; Caroline Calderon (Veterans Equity Center); spoke neither in support nor against the hearing matter.

Member Kim, seconded by Chair Cohen, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, by reducing the number of parking spaces from '463' to '331,' and adding language regarding public benefits and additional affordable housing requirements. The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Kim

Ordinance approving a Development Agreement between the City and County of San Francisco and 5M Project, LLC, a Delaware limited liability company, for the Fifth and Mission Project at the approximately 4-acre site located at Fifth Street between Mission and Howard Streets, with various public benefits including a minimum percentage of affordable housing; making findings under the California Environmental Quality Act, findings of conformity with the General Plan, and with the eight priority policies of Planning Code, Section 101.1(b); approving the use of Impact Fees and Exactions for affordable housing and other community benefits, as set forth in the Development Agreement, and waiving any conflicting provision in Planning Code, Article 4, or Administrative Code, Article 10; authorizing the acquisition of real property at 967 Mission Street for affordable housing; and confirming compliance with or waiving certain provisions of Administrative Code, Chapters 14B and 56, and ratifying certain actions taken in connection therewith.
(Economic Impact)

Vice Chair Wiener, seconded by Chair Cohen, moved to amend the Development Agreement by adding language to the end of 'Section 5.8 Criteria for Approving Subsequent Approvals' to require a meeting between City Departments and the Developer when there is an objection to subsequent approvals based on the proposed width of a sidewalk, street or alley. The motion carried without objection.

Vice Chair Wiener moved that this Ordinance be REFERRED WITHOUT RECOMMENDATION AS AMENDED to the Board of Supervisors meeting of November 17, 2015. The motion carried by the following vote:

Ayes: 3 - Cohen, Wiener, Kim

ADJOURNMENT

There being no further business, the Land Use and Transportation Committee adjourned at the hour of 3:23 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Land Use and Transportation Committee on the matters stated, but not necessarily in the chronological sequence in which the matters were taken up.