



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: Myrna Melgar, Dean Preston, Aaron Peskin

Clerk: Erica Major (415) 554-4441

Monday, March 8, 2021

1:30 PM

Regular Meeting

Present: 3 - Myrna Melgar, Dean Preston, and Aaron Peskin

The Land Use and Transportation Committee met in regular session through videoconferencing, and provided public comment through teleconferencing, on Monday, March 8, 2021, with Chair Myrna Melgar presiding. Chair Melgar called the meeting to order at 1:32 p.m.

Remote Access to Information and Participation

In accordance with Governor Newsom's Executive Order No. N-33-20 declaring a State of Emergency regarding the COVID-19 outbreak and Mayor London N. Breed's Proclamation declaring a Local Emergency issued on February 25, 2020, including the guidance for gatherings issued by the San Francisco Department of Public Health Officer, aggressive directives were issued to reduce the spread of COVID-19. On March 17, 2020, the Board of Supervisors authorized their Board and Committee meetings to convene remotely (via Microsoft Teams) and will allow remote public comment via teleconference. Visit the SFGovTV website at (www.sfgovtv.org) to stream the live meetings, or to watch meetings on demand. Members of the public are encouraged to participate remotely via detailed instructions on participating via teleconference available at: <https://sfbos.org/remote-meeting-call>.

Members of the public may participate by phone or may submit their comments by email to: Erica.Major@sfgov.org; all comments received will be made a part of the official record. Regularly scheduled Land Use and Transportation Committee Meetings begin at 1:30 p.m. every Monday of each month. Committee agendas and their associated documents are available at <https://sfbos.org/committees>.

ROLL CALL AND ANNOUNCEMENTS

On the call of the roll, Chair Melgar, Vice Chair Preston, and Member Peskin were noted present. A quorum was present.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

Chair Melgar requested File Nos. 201385, 201386, and 201387, be called together.

201385 [Planning Code, Zoning Map - 542-550 Howard Street]

Sponsor: Haney

Ordinance amending the Planning Code and Zoning Map to rezone and reclassify a portion of the 542-550 Howard Street project site (Assessor's Parcel Block No. 3721, Lot Nos. 016, 135, 136, and 138, also known as Transbay Parcel F) and as shown on Figure 1 of the Transit Center District Plan, specifically to rezone a portion of the project site from the split P (Public) District/C-3-O (SD) to the C-3-O (SD) Downtown Office Special Development District and to reclassify the height and bulk district designations for a portion of the project site; waiving certain provisions of the Planning Code to allow the project to satisfy its affordable housing requirement through payment of an in-lieu affordable housing fee to the Office of Community Investment and Infrastructure for use within the Transbay Redevelopment Project Area, to modify timing for payment of fees, and to permit the footprint of the portion of the project site dedicated to dwellings to exceed 15,000 square feet; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public necessity, convenience, and welfare under Planning Code, Section 302.

12/15/20; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 1/14/2021.

01/05/21; SUBSTITUTED AND ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee. Supervisor Haney introduced a substitute Ordinance bearing a new title

02/12/21; NOTICED. 10-Day Notice for Land Use and Transportation Committee hearing published in the Examiner and posted, per California Government Code, Sections 65856 & 65090.

02/22/21; CONTINUED. Heard in Committee. Speakers: Abigail Rivamonte Mesa (Office of Supervisor Mat Haney); Nick Foster (Planning Department); Sally Oerth, Interim Director (Office of Community Investment of Infrastructure); Anne Pearson and Heidi Gewertz (Office of the City Attorney); C.J. Wigley (Farella Braun and Martel, LLP); Adam Noble (Fast Cast, LLC); Leigh Lutenski (Office of Economic and Workforce Development); Alisa Somera (Office of Clerk of the Board); presented information and answered questions raised throughout the discussion. Cynthia Gomez (Local 2); John Corso; Matthias Mormino; Anastasia Yovanopoulos; spoke on various concerns relating to the hearing matter.

Heard in Committee. Speakers: Sally Oerth (Office of Community Investment and Infrastructure); Nicholas Foster (Planning Commission); Cameron Falconer (Hines); presented information and answered questions raised throughout the discussion. Cynthia Gomez (Unite Here Local 2); spoke in support of the hearing matter. Tom Radulovich (Livable City); Matthias Mormino (Chinatown Community Development Center); Rudy Gonzalez (San Francisco Building Trades Council); Anastasia Yovanopoulos; spoke on various concerns relating to the hearing matter.

Member Peskin moved that this Ordinance be CONTINUED to the Land Use and Transportation Committee meeting of March 15, 2021. The motion FAILED by the following vote:

Ayes: 2 – Melgar, Preston

Noes: 1 – Peskin

Vice Chair Preston moved that this Ordinance be REFERRED WITHOUT RECOMMENDATION to the Board of Supervisors meeting of March 16, 2021. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

201386 [Development Agreement - Parcel F Owner, LLC - 542-550 Howard Street Transbay Redevelopment Project Area]**Sponsor: Haney**

Ordinance approving a Development Agreement between the City and County of San Francisco and Parcel F Owner, LLC, for certain real property, known as 542-550 Howard Street (Assessor's Parcel Block No. 3721, Lot Nos. 016, 135, 136, and 138, also known as Transbay Parcel F), located in the Transbay Redevelopment Project Area, consisting of four parcels located on the north side of Howard Street, between 1st and 2nd Streets; waiving certain provisions of Administrative Code, Chapter 56; adopting findings under the California Environmental Quality Act; and making findings of conformity with the General Plan, and the eight priority policies of Planning Code, Section 101.1(b), and findings of public necessity, convenience, and general welfare under Planning Code, Section 302.

12/15/20; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 1/14/2021.

02/12/21; NOTICED. 10-Day Notice Published in the Examiner and mailed to property owners and local agencies pursuant to Planning Code Section 56.8, 306.3, and 56.14 and Government Code Section 65867.

02/22/21; CONTINUED. Heard in Committee. Speakers: Abigail Rivamonte Mesa (Office of Supervisor Mat Haney); Nick Foster (Planning Department); Sally Oerth, Interim Director (Office of Community Investment of Infrastructure); Anne Pearson and Heidi Gewertz (Office of the City Attorney); C.J. Wigley (Farella Braun and Martel, LLP); Adam Noble (Fast Cast, LLC); Leigh Lutenski (Office of Economic and Workforce Development); Alisa Somera (Office of Clerk of the Board); presented information and answered questions raised throughout the discussion. Cynthia Gomez (Local 2); John Corso; Matthias Mormino; Anastasia Yovanopoulos; spoke on various concerns relating to the hearing matter.

Heard in Committee. Speakers: Sally Oerth (Office of Community Investment and Infrastructure); Nicholas Foster (Planning Commission); Cameron Falconer (Hines); presented information and answered questions raised throughout the discussion. Cynthia Gomez (Unite Here Local 2); spoke in support of the hearing matter. Tom Radulovich (Livable City); Matthias Mormino (Chinatown Community Development Center); Rudy Gonzalez (San Francisco Building Trades Council); Anastasia Yovanopoulos; spoke on various concerns relating to the hearing matter.

Member Peskin moved that this Ordinance be CONTINUED to the Land Use and Transportation Committee meeting of March 15, 2021. The motion FAILED by the following vote:

Ayes: 2 – Melgar, Preston

Noes: 1 – Peskin

Vice Chair Preston moved that this Ordinance be REFERRED WITHOUT RECOMMENDATION to the Board of Supervisors meeting of March 16, 2021. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

201387 [Consent to Provisions of a Variation Decision - On-Site Affordable Housing Requirement - 542-550 Howard Street (Transbay Parcel F) - Transbay Redevelopment Project Area]

Sponsor: Haney

Resolution acting in its capacity as the legislative body to the Successor Agency to the former Redevelopment Agency of the City and County of San Francisco, approving provisions of a variation decision by the Commission on Community Investment and Infrastructure, modifying the on-site affordable housing requirement for 542-550 Howard Street (Assessor's Parcel Block No. 3721, Lot Nos. 016, 135, 136, and 138, also known as Transbay Parcel F) in the Transbay Redevelopment Project Area; and adopting findings under the California Environmental Quality Act.

12/15/20; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

12/22/20; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; and the Office of Community Investment and Infrastructure for informational purposes.

01/13/21; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the

02/22/21; CONTINUED. Heard in Committee. Speakers: Abigail Rivamonte Mesa (Office of Supervisor Mat Haney); Nick Foster (Planning Department); Sally Oerth, Interim Director (Office of Community Investment of Infrastructure); Anne Pearson and Heidi Gewertz (Office of the City Attorney); C.J. Wigley (Farella Braun and Martel, LLP); Adam Noble (Fast Cast, LLC); Leigh Lutenski (Office of Economic and Workforce Development); Alisa Somera (Office of Clerk of the Board); presented information and answered questions raised throughout the discussion. Cynthia Gomez (Local 2); John Corso; Matthias Mormino; Anastasia Yovanopoulos; spoke on various concerns relating to the hearing matter.

Heard in Committee. Speakers: Sally Oerth (Office of Community Investment and Infrastructure); Nicholas Foster (Planning Commission); Cameron Falconer (Hines); presented information and answered questions raised throughout the discussion. Cynthia Gomez (Unite Here Local 2); spoke in support of the hearing matter. Tom Radulovich (Livable City); Matthias Mormino (Chinatown Community Development Center); Rudy Gonzalez (San Francisco Building Trades Council); Anastasia Yovanopoulos; spoke on various concerns relating to the hearing matter.

Member Peskin moved that this Resolution be CONTINUED to the Land Use and Transportation Committee meeting of March 15, 2021. The motion FAILED by the following vote:

Ayes: 2 – Melgar, Preston

Noes: 1 – Peskin

Vice Chair Preston moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 2, Line 9, by adding '(the "Redevelopment Plan"),' after '(May 9, 2006),'; on Page 3, Line 7, by adding 'in the Project approved by the Planning Commission'; and adding other clarifying and conforming changes. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

Vice Chair Preston moved that this Resolution be REFERRED WITHOUT RECOMMENDATION AS AMENDED to the Board of Supervisors meeting of March 16, 2021. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

201151 [Environment, Public Works Codes - Construction and Demolition Debris Recovery]**Sponsors: Safai; Walton**

Ordinance amending the Environment and Public Works Codes to require transporters of construction and demolition debris to obtain a temporary or annual permit from the Department of Environment for each vehicle and debris box used for such transport and to comply with permit conditions; to require facilities that process such debris to comply with updated registration conditions; to require each person who conducts full demolition projects as permitted by the Department of Building Inspection and submits to the Director of the Department of Environment a material reduction and recovery plan to provide for at least 75% recovery away from disposal instead of 65% as required under existing law and to verify this recovery rate after completing the project; to authorize the Director to impose administrative penalties for violations; and affirming the Planning Department's determination under the California Environmental Quality Act.

10/06/20; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/5/2020.

10/13/20; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Department of Building Inspection, Building Inspection Commission, Department of the Environment, Sheriff's Department, and Board of Appeals for informational purposes.

10/15/20; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it would not result in a direct or indirect physical change in the

11/25/20; NOTICED. First 10-Day Fee Ad for 12/7/2020 Land Use and Transportation Committee hearing published in the Examiner; per Government Code Section 6062(a).

12/02/20; NOTICED. Second 10-Day Fee Ad for 12/7/2020 Land Use and Transportation Committee hearing published in the Examiner; per Government Code Section 6062(a).

12/07/20; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Deborah Raphael, Director, and Jack Macy (Department on the Environment); Crispin Hollings (Sheriff's Department); presented information and answered questions raised throughout the discussion. Amy; Sean Lernahan; Joni Eisen; John Buchar; Speaker (PODER); Jeff Weitzel; Helena Bereke; Gabe Goffman; Rob Hill; Paul Wermer; Speaker; William Turly; Michael Gross; Paul; Daniel Tahara; Chris; Nativa Galinato; Alex Lanceberg; spoke in support of the hearing matter.

12/07/20; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

12/07/20; CONTINUED TO CALL OF THE CHAIR AS AMENDED.

02/26/21; NOTICED. First 10-Day Fee Ad for 03/08/2021 Land Use and Transportation Committee hearing published in the Examiner; per Government Code Section 6062(a).

03/03/21; NOTICED. Second 10-Day Fee Ad for 03/08/2021 Land Use and Transportation Committee hearing published in the Examiner; per Government Code Section 6062(a).

Heard in Committee. Speaker: Supervisor Ahsha Safai (Board of Supervisors); presented information and answered questions raised throughout the discussion.

Member Peskin moved that this Ordinance be CONTINUED to the Land Use and Transportation Committee meeting of May 24, 2021. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

ADJOURNMENT

There being no further business, the Land Use and Transportation Committee adjourned at the hour of 3:18 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.