

File No. 170702 Committee Item No. 5  
 Board Item No. \_\_\_\_\_

**COMMITTEE/BOARD OF SUPERVISORS**

AGENDA PACKET CONTENTS LIST

Committee: Land Use and Transportation Committee Date June 12, 2017

Board of Supervisors Meeting Date \_\_\_\_\_

Cmte Board

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| <input type="checkbox"/>            | <input type="checkbox"/> | Motion                                       |
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| <input type="checkbox"/>            | <input type="checkbox"/> | Budget and Legislative Analyst Report        |
| <input type="checkbox"/>            | <input type="checkbox"/> | Youth Commission Report                      |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Introduction Form                            |
| <input type="checkbox"/>            | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
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| <input type="checkbox"/>            | <input type="checkbox"/> | Grant Budget                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Subcontract Budget                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Contract/Agreement                           |
| <input type="checkbox"/>            | <input type="checkbox"/> | Form 126 – Ethics Commission                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Award Letter                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Application                                  |
| <input type="checkbox"/>            | <input type="checkbox"/> | Public Correspondence                        |

**OTHER (Use back side if additional space is needed)**

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| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Committee Report Request 060817</u> |
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Completed by: Erica Major Date June 9, 2017  
 Completed by: \_\_\_\_\_ Date \_\_\_\_\_

1 [Fee Waiver - LMC San Francisco I Holdings, LLC - 1515 South Van Ness Avenue]

2

3 **Ordinance approving a fee waiver under Building Code, Section 106A.4.13, for LMC San**  
4 **Francisco I Holdings, LLC’s project at 1515 South Van Ness Avenue; and adopting**  
5 **findings under the California Environmental Quality Act.**

6

7 NOTE: **Unchanged Code text and uncodified text** are in plain Arial font.  
8 **Additions to Codes** are in *single-underline italics Times New Roman font*.  
9 **Deletions to Codes** are in ~~*italics Times New Roman font*~~.  
10 **Board amendment additions** are in double-underlined Arial font.  
11 **Board amendment deletions** are in ~~Arial font~~.  
12 **Asterisks (\* \* \* \*)** indicate the omission of unchanged Code  
13 subsections or parts of tables.

14 Be it ordained by the People of the City and County of San Francisco:

15 Section 1. CEQA Findings. For purposes of the California Environmental Quality Act  
16 (California Public Resources Code Sections 21000 et seq.) and this ordinance, the Board of  
17 Supervisors adopts its own environmental findings regarding the Planning Department's  
18 Community Plan Exemption for the project at 1515 South Van Ness Avenue (the "Property").  
19 The Board of Supervisors environmental findings are in Motion No. M17-064 on file with the  
20 Clerk of the Board of Supervisors in File No. 161002, which is incorporated herein by  
21 reference.

22 Section 2. Background.

23 (a) California Government Code Sections 8698 through 8698.2 authorize the  
24 governing body of a political subdivision, including the Board of Supervisors, to declare the  
25 existence of a shelter crisis upon making certain findings. These Government Code  
provisions authorize the City to suspend state or local statutes, ordinances, and regulations  
for new public facilities opened to homeless persons in response to the shelter crisis.

1 (b) In Ordinance No. 57-16, enacted on April 22, 2016, the Board of Supervisors  
2 found that a significant number of persons within the City are without the ability to obtain  
3 shelter, and that the situation has resulted in a threat to the health and safety of those  
4 persons. For that reason, and based on factual findings set forth in that ordinance, the Board  
5 of Supervisors declared the existence of a shelter crisis in the City in accordance with  
6 California Government Code Sections 8698 through 8698.2.

7 (c) In light of the ongoing shelter crisis and the tent encampment crisis in the  
8 Mission District, on May 16, 2017, the Board of Supervisors approved by Resolution  
9 No. 0097-17 (Board File No. 170467) an agreement with LMC San Francisco I Holdings, LLC,  
10 an affiliate of Lennar Multifamily Communities ("Lennar") to allow the City to use the Property  
11 for a temporary navigation center (the "Use Agreement"). Under the Use Agreement, the City  
12 does not pay a use fee to Lennar.

13 (d) Lennar had intended to begin demolition work on the Property in early January  
14 2018, but under the Use Agreement the City negotiated for the right to use the Property for  
15 the temporary navigation center until March 1, 2018, subject to agreement on certain terms  
16 regarding operations, at a significant cost to Lennar. In return for this extension, the City has  
17 agreed to process permits for Lennar's new project on the Property under the City's existing  
18 premium plan check program without payment of the associated fee under San Francisco  
19 Building Code section 106A.4.13 (the "Building Code Fee Waiver"). Lennar is required to  
20 submit all required applications and fees (other than the Building Code Fee Waiver) for  
21 permits, and City retains all rights to issue, deny or condition any permits in keeping with  
22 standard practices under the San Francisco Building Code.

23 (e) On June \_\_, 2017, the Building Inspection Commission held a duly noticed  
24 public hearing on the Building Code Fee Waiver pursuant to Charter Section D3.750-5 and  
25 approved the Building Code Fee Waiver.

1 Section 3. Approval of Fee Waiver. The Board of Supervisors approves the Building  
2 Code Fee Waiver for Lennar's new project on the Property, in accordance with subsection (d)  
3 of Section 2 of this ordinance.


4 Section 4. Effective Date; Retroactive Operation.

5 (a) This ordinance shall become effective 30 days after enactment. Enactment  
6 occurs when the Mayor signs the ordinance, the Mayor returns the ordinance unsigned or  
7 does not sign the ordinance within ten days of receiving it, or the Board of Supervisors  
8 overrides the Mayor's veto of the ordinance.

9 (b) This ordinance shall apply to any contract entered into by the City on or after  
10 June 6, 2017, to provide the Building Code Fee Waiver for Lennar's new project on the  
11 Property.

12 APPROVED AS TO FORM:  
13 DENNIS J. HERRERA, City Attorney

14  
15 By:

  
16 CHARLES SULLIVAN  
17 Deputy City Attorney

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Member, Board of Supervisor  
District 2



MARK FARRELL

City and County of San Francisco

RECEIVED  
BOARD OF SUPERVISORS  
CITY OF SAN FRANCISCO  
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DATE: June 8, 2017  
TO: Angela Calvillo  
Clerk of the Board of Supervisors  
FROM: Supervisor Mark Farrell  
RE: Land Use and Transportation Committee  
COMMITTEE REPORTS

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*Mark S. Farrell*

Pursuant to Board Rule 4.20, as Chair of the Land Use and Transportation Committee, I have deemed the following matters are of an urgent nature and request they be considered by the full Board on Tuesday, June 13, 2017, as Committee Reports:

**170630 Real Property Conveyance - 1 Lillian Court, also known as Shoreview Park - Office of Community Investment and Infrastructure - Recreation and Park - At No Cost**

Resolution authorizing and approving the acceptance of Shoreview Park, located at 1 Lillian Court, from the Office of Community Investment and Infrastructure to the City and County of San Francisco on behalf of its Recreation and Park Department, at no cost; and making findings that such acceptance is in accordance with the California Environmental Quality Act, the General Plan, and the eight priority policies of Planning Code, Section, 101.1.

**170349 Administrative Code - Owner Move-In Reporting Requirements**

Ordinance amending the Administrative Code to require a landlord seeking to recover possession of a rental unit based on an owner move-in ("OMI") or relative move-in ("RMI") to provide a declaration under penalty of perjury stating that the landlord intends to occupy the unit for use as the principal place of residence of the landlord or the landlord's relative for at least 36 continuous months; require a landlord seeking to recover possession of a rental unit based on an OMI or RMI to provide the tenant with a form prepared by the Rent Board to be used to advise the Rent Board of any change in address; require a landlord to file annual documentation with the Rent Board for three years after an OMI or RMI showing whether the landlord or relative is occupying the unit as his or her principal place of residence; require the Rent Board to annually notify the unit occupant of the maximum rent for the unit for three years after an OMI or RMI; and extend the statute of limitations for wrongful eviction claims based on an unlawful OMI or RMI from one year to three years.

**170702 Fee Waiver – LMC San Francisco I Holdings, LLC – 1515 Van Ness Avenue**

Ordinance approving a fee waiver under Building Code, Section 106A.4.13, for LMC San Francisco I Holdings, LLC's project at 1515 South Van Ness; and adopting findings under the California Environmental Quality Act.

These matters will be heard in the Land Use and Transportation Committee at a Regular Meeting on Monday, June 12, 2017, at 1:30 p.m.

OFFICE OF THE MAYOR  
SAN FRANCISCO



EDWIN M. LEE

TO: Angela Calvillo, Clerk of the Board of Supervisors  
FROM: *for* Mayor Edwin M. Lee  
RE: Fee Waiver - 1515 South Van Ness Avenue - LMC San Francisco I Holdings, LLC  
DATE: June 6, 2017

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Attached for introduction to the Board of Supervisors is an ordinance approving a fee waiver under San Francisco Building Code section 106A.4.13 for LMC San Francisco I Holdings, LLC's project at 1515 South Van Ness Avenue; and adopting findings under the California Environmental Quality Act.

Please note that this legislation is co-sponsored by Supervisor Ronen.

I respectfully request a waiver of the 30-day hold and that this item be calendared in Land Use Committee on June 12, 2017.

Should you have any questions, please contact Mawuli Tugbenyoh (415) 554-5168.

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