

**City and County of San Francisco  
Land Use and Economic Development Committee**

*City Hall, Room 263*



**Meeting Agenda  
Monday, December 15, 2008  
1:00 PM  
Regular Meeting**

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***Members: Sophie Maxwell, Gerardo Sandoval, Aaron Peskin***

***Clerk: Linda Laws (415) 554-4441***

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*Note: Each item on the Consent or Regular agenda may include the following documents: 1) Legislation 2) Budget Analyst report 3) Legislative Analyst report*

*Each member of the public will be allotted the same maximum number of minutes to speak as set by the Chair at the beginning of each item, excluding City representatives, except that public speakers using translation assistance will be allowed to testify for twice the amount of the public testimony time limit. If simultaneous translation services are used, speakers will be governed by the public testimony time limit applied to speakers not requesting translation assistance. Members of the public who want a document placed on the overhead for display should clearly state such and subsequently remove the document when they want the screen to return to live coverage of the meeting.*

## **AGENDA CHANGES**

## **REGULAR AGENDA**

- 1. 081398 [Agreement to modify an existing Municipal Railway Easement for the J-Church line] Supervisor Dufty**
- Resolution approving and authorizing agreements for the modification of an existing MUNI easement in exchange for fee interest in a portion of the original easement area and rail transit improvements for the J-Church line at 21st Street and Chattanooga Street; adopting findings that the agreements are exempt from Environmental Review and are consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Executive Director/CEO of the San Francisco Municipal Transportation Agency and the Director of Property to execute documents and take certain actions in furtherance of this resolution.

11/4/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

11/24/08, CONTINUED. Heard in Committee. Speakers: John Updike, Director, Department of Real Estate; Sue Hestor; Jim Nelson, MTA Real Estate. Continued to December 8, 2008.

12/8/08, CONTINUED. Heard in Committee. Speaker: John Updike, Department of Real Estate. Continued to December 15, 2008.

*The Chair intends to entertain a motion to send this item to Board as a Committee Report on December 16, 2008.*

**2. 081275 [Summary Vacation of Stevenson Street east of 10th Street]**

Ordinance ordering the summary vacation of a portion of Stevenson Street east of 10th Street; adopting findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the vacation and sale are in conformity with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing official acts in furtherance of this Ordinance. (Real Estate Department)

10/20/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

12/8/08, AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speaker: Male Speaker. 12/8/08 Amendment of the whole bearing new title.

12/8/08, CONTINUED AS AMENDED. Continued to December 15, 2008.

**3. 081401 [Street Name Change to Timothy Pflueger Place] Supervisor Peskin**

Resolution changing the name of Chelsea Place in the downtown district to "Timothy Pflueger Place," in recognition of Timothy Pflueger's many contributions to the City of San Francisco.

11/4/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

11/21/08, REFERRED TO DEPARTMENT. Referred to Department of Public Works, Department of Parking and Traffic, SFPD and Fire Department for review and comment.

11/26/08, RESPONSE RECEIVED. The Municipal Transportation Agency does not have any objections.

11/26/08, RESPONSE RECEIVED. The Fire Department has no objections and supports resolution; recommends that the Division of Emergency Communications be contacted in order for the street name change to be entered into the Computer Assisted Dispatch system.

12/1/08, RESPONSE RECEIVED. The Department of Public Works has no issues with the proposed renaming.

12/3/08, RESPONSE RECEIVED. The Police Department has no objections and recommends that the Department of Emergency Management be notified so that any changes to geographical data within the Computer Aided Dispatch system are updated.

*The Chair intends to entertain a motion to send this item to Board as a Committee Report on December 16, 2008.*

**4. 080126 [Planning Code-Amending Article 11 Designation of 545-547 Mission Street]**

Ordinance amending the designation of 545-547 Mission Street (Assessor's Block 3721, Lot 082) from Category V (Unrated) to Category III (Contributory) under Planning Code Article 11; and

adopting General Plan, Planning Code Section 101.1(b) and environmental findings. (Planning Department)

1/14/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/13/2008.

2/8/08, SUBSTITUTED. Planning Commission submitted a substitute ordinance bearing the same title.

2/8/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 2/13/2008.

10/17/08, RESPONSE RECEIVED. Planning Commission Resolution No. 17500 recommending approval.

**5. 070546 [Zoning Map Amendment - Northwest corner of Divisadero and O'Farrell Streets, Block 1098, Lot 9] Supervisor Mirkarimi**

Ordinance amending the San Francisco Planning Code by amending Sectional Map 2 of the Zoning Map of the City and County of San Francisco to change the use classification of Block 1098, Lot 9, located at the northwest corner of Divisadero and O'Farrell Streets, from Small-scale Neighborhood Commercial (NC-2) District to Moderate-scale Neighborhood Commercial (NC-3) District; adopting findings, including environmental findings and findings of consistency the General Plan and the Priority Policies of Planning Code Section 101.1.

4/24/07, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/24/2007.

4/26/07, REFERRED TO DEPARTMENT. Referred to Planning Commission for public hearing and recommendation. 10/2/07, Board adopted 90-day extension for Planning Commission review; see File 071382. 11/20/07, Board adopted 120-day extension for Planning Commission review; see File 071566. 02/26/08, Board adopted 90-day extension for Planning Commission review; see File 080248.

6/13/08, RESPONSE RECEIVED. Planning Commission Resolution No. 17593 recommending approval of zoning map amendment.

8/11/08, AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Supervisor Mirkarimi; Fred Blackwell, SF Redevelopment Agency; Arnold Townsend; Alice Barkley; Sandy Mori, Western Addition CAC; James McCray, Jr., Tabernacle Community Development Corporation, Male Speaker. 8/11/08 Amendment of the whole bearing same title.

8/11/08, CONTINUED TO CALL OF THE CHAIR AS AMENDED.

9/24/08, CONTINUED TO CALL OF THE CHAIR. Heard in Committee. Speakers: Tara Sullivan-Lenane, Planning Department; Supervisor Mirkarimi.

**6. 081562 [Establishing City policy supporting Smart Grid technology and protocols for City electric systems] Supervisor Peskin**

Resolution establishing City policy supporting Smart Grid technology and protocols for City electric systems and urging the Public Utilities Commission to prepare a study to identify the most effective and economic means to implement smart grid technology.

12/9/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

*The Chair intends to entertain a motion to send this item to Board as a Committee Report on December 16, 2008.*

**7. 081564 [Administrative Code - Amendment to Large Tourist Hotel Conversion Ordinance] Supervisor Peskin**

Ordinance amending Administrative Code Chapter 41F to clarify the scope and implementation of the Large Tourist Hotel Conversion Ordinance, including minor edits to the definition of "Convert" and additional guidance regarding the conversion process for Large Tourist Hotels Rooms, and making required findings.

12/9/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

*The Chair intends to entertain a motion to send this item to Board as a Committee Report on December 16, 2008.*

**8. 080822 [Residential Rent Ordinance: Tenant Rights for Victims of Domestic Violence or Stalking] Supervisors Chu, Maxwell, Alioto-Pier**

Draft ordinance amending Chapter 37 Residential Rent Stabilization and Arbitration Ordinance by making Findings and amending Sections 37.2 and 37.9 to provide protections for tenants who are victims of domestic violence or stalking, including protection from evictions based on the actions of abusers or stalkers, rental agreement termination rights where personal safety is at substantial risk, and confidentiality protections.

6/10/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 7/10/2008.

6/13/08, REFERRED TO DEPARTMENT. Referred to City Attorney to approve as to form.

**9. 081502 [Preferred Alternative for the South Access for the Golden Gate Bridge: Doyle Drive Project] Supervisor McGoldrick**

Resolution approving the Preferred Alternative for the South Access for the Golden Gate Bridge: Doyle Drive Project.

11/25/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

12/9/08, SUBSTITUTED. Supervisor McGoldrick submitted a substitute resolution bearing same title.

12/9/08, ASSIGNED to Land Use and Economic Development Committee.

*The Chair intends to entertain a motion to send this item to Board as a Committee Report on December 16, 2008.*

## **ADJOURNMENT**

## **IMPORTANT INFORMATION**

*NOTE: Persons unable to attend the meeting may submit to the City, by the time the proceedings*

*begin, written comments regarding the agenda items above. These comments will be made a part of the official public record and shall be brought to the attention of the Board of Supervisors. Any written comments should be sent to: Committee Clerk of the Land Use and Economic Development Committee, San Francisco Board of Supervisors, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102 by 5:00 p.m. on the day prior to the hearing. Comments which cannot be delivered to the committee clerk by that time may be taken directly to the hearing at the location above.*

*NOTE: Pursuant to Government Code Section 65009, the following notice is hereby given: if you challenge, in court, the general plan amendments or planning code and zoning map amendments described above, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.*

## **LEGISLATION UNDER THE 30-DAY RULE**

### **(Not to be considered at this meeting)**

*Rule 5.40 provides that when an ordinance or resolution is introduced which would CREATE OR REVISE MAJOR CITY POLICY, the committee to which the legislation is assigned shall not consider the legislation until at least thirty days after the date of introduction. The provisions of this rule shall not apply to the routine operations of the departments of the City or when a legal time limit controls the hearing timing. In general, the rule shall not apply to hearings to consider subject matter when no legislation has been presented, nor shall the rule apply to resolutions which simply URGE action to be taken.*

### **081504 [Massage Services in South of Market Residential/Service Mixed Use District] Supervisors Daly, Dufty**

Ordinance amending the Planning Code by amending Section 803.4, Section 815, and Table 815 to allow a business operating as a full-service spa to provide massage services with a conditional use authorization; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

11/25/08, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/25/2008.

12/3/08, REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review, Planning Commission for review and recommendation and Small Business Commission for comment and recommendation.

## **Meeting Procedures**

The Board of Supervisors is the Legislative Body of the City and County of San Francisco. The Board has several standing Committees where ordinances and resolutions are the subject of hearings at which members of the public are urged to testify. The full Board does not hold a second public hearing on measures which have been heard in

committee.

Board procedures do not permit: 1) persons in the audience at a Committee meeting to vocally express support or opposition to statements by Supervisors or by other persons testifying; 2) ringing and use of cell phones, pagers, and similar sound-producing electronic devices; 3) signs to be brought into the meeting or displayed in the room; 4) standing in the meeting room.

Citizens are encouraged to testify at Committee meetings and to write letters to the Clerk of a Committee or to its members, City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

**USING LAPTOP COMPUTERS FOR PRESENTATIONS:** Please contact City Hall Media Services at (415) 554-4933 to coordinate the use of laptop computers for presentations at the meeting. Computers to be used are required to be tested in advance. The presenter should arrive 30 minutes prior to the meeting to connect and test their computer.

**THE AGENDA PACKET IS AVAILABLE FOR REVIEW AT CITY HALL, ROOM 244, RECEPTION DESK.**

Agendas are available on the internet at [www.sfgov.org/site/bos\\_meetings](http://www.sfgov.org/site/bos_meetings)

Board meetings are cablecast on SF Cable 26. For video tape copies and scheduling call (415) 554-4188.

Requests for language interpreters at a meeting must be received at least 48 hours in advance of the meeting to help ensure availability. Contact Madeleine Licavoli at (415) 554-7722.

**AVISO EN ESPAÑOL:** La solicitud para un traductor en una reunion debe recibirse antes de mediodia de el viernes anterior a la reunion. Llame a Erasmo Vazquez (415) 554-4909.



### **Disability Access**

The Legislative Chamber (Room 250) and the Committee Room (Room 263) in City Hall are wheelchair accessible. Meetings are real-time captioned and are cablecast open-captioned on SF Cable 26. Assistive listening devices for the Legislative Chamber are available upon request at the Clerk of the Board's Office, Room 244. Assistive listening devices for the Committee Room are available upon request at the Clerk of the Board's Office, Room 244 or in the Committee Room. To request sign language interpreters, readers, large print agendas or other accommodations, please contact Madeleine Licavoli at (415) 554-7722 or (415) 554-5227 (TTY). Requests made at least 48 hours in advance of the meeting will help to ensure availability.

The nearest accessible BART station is Civic Center (Market/Grove/Hyde Streets). Accessible MUNI Metro lines are the J, K, L, M, N, and T (Civic Center or Van Ness Stations). MUNI bus lines serving the area are the 47 Van Ness, 9 San Bruno, and the 6, 7, 71 Haight/Noriega. For more information about MUNI accessible services, call (415) 923-6142.

There is accessible parking in the vicinity of City Hall at Civic Center Plaza and adjacent to Davies Hall and the War Memorial Complex. Accessible curbside parking is available on Dr. Carlton B. Goodlett Place and Grove Street. In order to assist the City's efforts to accommodate persons with severe allergies, environmental illness, multiple chemical sensitivity or related disabilities, attendees at public meetings are reminded that other attendees may be sensitive to perfumes and various other chemical-based scented products. Please help the City to accommodate these individuals.

### **Know Your Rights Under the Sunshine Ordinance**

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City and County exist to conduct the people's business. The Sunshine Ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact Frank Darby by mail to Sunshine Ordinance Task Force, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco CA 94102 by phone at (415) 554-7724, by fax at (415) 554-7854 or by email at [sotf@sfgov.org](mailto:sotf@sfgov.org)

Citizens may obtain a free copy of the Sunshine Ordinance by contacting Mr. Darby or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, at <http://www.sfgov.org/sunshine>

## **Lobbyist Registration and Reporting Requirements**

Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code Sec. 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA 94102; telephone (415) 581-2300; fax (415) 581-2317; web site [www.sfgov.org/ethics](http://www.sfgov.org/ethics)