



# 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: Scott Wiener, Jane Kim, David Chiu*

*Clerk: Alisa Miller (415) 554-4447*

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Monday, June 10, 2013

1:00 PM

City Hall, Committee Room 263

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### Rescheduled Meeting

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**Present:** 3 - Scott Wiener, Jane Kim, and David Chiu

## MEETING CONVENED

*The meeting convened at 1:21 p.m.*

## REGULAR AGENDA

*File Nos. 130296 and 130297 were heard together.*

### 130296 [Improvements - Mission Bay South Park P10]

Ordinance dedicating City property, within portions of State Trust Parcel 2, known as Mission Bay Park P10, lying along Mission Bay Circle and Mission Bay Drive as open public right-of-way and naming the new park Mission Bay Park P10; accepting the irrevocable offer for the acquisition facilities; designating said facilities for open space and park purposes; accepting the Park for maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the General Plan, priority policy findings of Planning Code, Section 101.1, and the Mission Bay South Redevelopment Plan; accepting a Department of Public Works Order; and authorizing official acts in connection with this Ordinance. (Public Works Department)

04/01/13; RECEIVED FROM DEPARTMENT.

04/09/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

*Heard in Committee. Speakers: Barbara Moy (Department of Public Works); Male Speaker; presented information concerning the matter and answered questions raised throughout the hearing.*

### **RECOMMENDED by the following vote:**

Ayes: 3 - Wiener, Kim, Chiu

**130297 [Improvements - Mission Bay Drive Extension Public Infrastructure]**

Ordinance accepting the irrevocable offer of public infrastructure improvements associated with the Mission Bay Drive Extension, including acquisition facilities on Mission Bay Drive, Mission Bay Circle, and a portion of Owens Street; accepting additional property on a portion of Owens Street; declaring City property and additional property as shown on official Department of Public Works maps as open public right-of-way; dedicating such improvements for public use and designating such areas and improvements for street and roadway purposes; establishing street grades and sidewalk widths; accepting said facilities for City maintenance and liability purposes, subject to specified limitations; adopting environmental findings and findings that such actions are consistent with the General Plan, eight priority policy findings of Planning Code, Section 101.1, and the Mission Bay South Redevelopment Plan; accepting a Department of Public Works Order; and authorizing official acts in connection with this Ordinance. (Public Works Department)

04/01/13; RECEIVED FROM DEPARTMENT.

04/09/13; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

*Heard in Committee. Speakers: Barbara Moy (Department of Public Works); Male Speaker; presented information concerning the matter and answered questions raised throughout the hearing.*

**RECOMMENDED by the following vote:**

Ayes: 3 - Wiener, Kim, Chiu

File Nos. 120125, 120193, and 121108 were heard together.

**120125 [Planning Code - Mobile Food Facilities at Certain Institutions in Specified Districts]**

**Sponsor: Wiener**

Ordinance amending the Planning Code, Section 205.4, to allow mobile food facilities at certain types of institutions in RH (Residential House), RM (Residential Mixed), RED (Residential Enclave), and RTO (Residential Transit Oriented) Districts, subject to specified conditions; and making findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code, Section 101.1.

02/07/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/8/2012.

02/16/12; 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.

02/28/12; RESPONSE RECEIVED. Not physical activity subject to CEQA per Guidelines Section 15060(c) (2),

04/23/12; RESPONSE RECEIVED. 4/19/2012 - The Planning Commission held a public hearing and recommended approval with modifications; Resolution No. 18587.

01/16/13; RESPONSE RECEIVED. 11/26/2012 - The Small Business Commission voted 6-0 to recommend approval of the legislation.

*Heard in Committee. Speakers: Sophie Hayward (Planning Department); Nickolas Persky (Youth Commission); Regina Dick-Endrizzi, Director (Office of Small Business); Chris Armentrout (San Francisco Unified School District); Rob Black (Golden Gate Restaurant Association); Matt Cohen (Off The Grid); John Bozeman (BOMA San Francisco); presented information concerning the matter and answered questions raised throughout the hearing. DeeDee Workman (SF Chamber of Commerce); Stan Roth (Stanley's Steamers); spoke in support of the hearing matter. Mike Haro (Kasa Indian Eatery); Carolyn Kissick (Tres Tequila Lounge & Mexican Kitchen); Stacey Bartlett; Patricia Vaughey; spoke neither in support nor against the hearing matter.*

**RECOMMENDED by the following vote:**

Ayes: 3 - Wiener, Kim, Chiu

**120193 [Public Works Code - Mobile Food Truck Facilities Locational Requirements]****Sponsor: Wiener**

Ordinance amending the Public Works Code, Article 5.8, to address various locational and noticing requirements concerning mobile food facilities; and making environmental findings.

02/28/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/29/2012.

03/06/12; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; Small Business Commission and Youth Commission for review and recommendation; and Department of Public Works, Department of Public Health, Municipal Transportation Agency, and Fire Department for informational purposes.

03/09/12; RESPONSE RECEIVED. Exempt from CEQA per Guidelines Sections 15060(c)(3) and 15378; not a project.

04/23/12; RESPONSE RECEIVED. 4/16/2013 - The Youth Commission held a public hearing and voted 11-1 in favor.

09/05/12; REMAIN ACTIVE. Supervisor Wiener requested this matter remain active for an additional six months; 3/5/2013.

11/06/12; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

11/13/12; REFERRED TO DEPARTMENT. Re-Referred substitute legislation to the Small Business Commission, and Youth Commission for review and recommendation; and Planning Department, Department of Public Works, Department of Public Health, Municipal Transportation Agency, Fire Department, Police Department, and Recreation and Park Department for informational purposes.

01/16/13; RESPONSE RECEIVED. 11/26/2012 - The Small Business Commission voted 6-0 to recommend approval of the legislation with modifications.

06/04/13; SUBSTITUTED AND ASSIGNED to Land Use and Economic Development Committee.

*Heard in Committee. Speakers: Sophie Hayward (Planning Department); Nickolas Persky (Youth Commission); Regina Dick-Endrizzi, Director (Office of Small Business); Chris Armentrout (San Francisco Unified School District); Rob Black (Golden Gate Restaurant Association); Matt Cohen (Off The Grid); John Bozeman (BOMA San Francisco); presented information concerning the matter and answered questions raised throughout the hearing. DeeDee Workman (SF Chamber of Commerce); Stan Roth (Stanley's Steamers); spoke in support of the hearing matter. Mike Haro (Kasa Indian Eatery); Carolyn Kissick (Tres Tequila Lounge & Mexican Kitchen); Stacey Bartlett; Patricia Vaughey; spoke neither in support nor against the hearing matter.*

**AMENDED on Page 1, Lines 19-22, by adding 'Restaurants also can create a crowded pedestrian area given waiting list patrons that cannot be accommodated inside and smoking prohibitions, which require patrons to stand outside, as well as the usage of outdoor seating. These factors can contribute to the shortage of space on adjacent sidewalks.'** after 'service uses.'; **Page 2, Lines 5-6, by adding 'and less congested' after 'underserved'; Page 2, Lines 6-9, by adding 'Also, by limiting a single facility's days to use a particular location during the course of a week, this Ordinance will encourage and provide for greater opportunities for diversity of mobile food facilities in the locations where different vendors will appear on a rotating basis.'** after 'day and evening.'; **Page 3, Line 1, by adding 'amending' after 'amended by'; and Page 3, Line 6, through Page 4, Line 7, by deleting the alpha numbering in 'Section 184.80. Definitions.'** by the following vote:

Ayes: 3 - Wiener, Kim, Chiu

**RECOMMENDED AS AMENDED by the following vote:**

Ayes: 3 - Wiener, Kim, Chiu

**121108 [Transportation Code - Selling or Distributing from a Vehicle Restrictions]****Sponsor: Wiener**

Ordinance amending the Transportation Code, Division I, Article 7 (Violations), Section 7.2.82, to prohibit any person to park a mobile food facility vehicle in either a business district or a residential area and, from that vehicle, offer food or beverages for sale unless displaying a valid permit issued by the Department of Public Works, in a format and manner approved by the Municipal Transportation Agency.

11/06/12; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 12/6/2012.

11/14/12; REFERRED TO DEPARTMENT. Referred to the Planning Department for environmental review; and Municipal Transportation Agency, Department of Public Works, and Police Department for informational purposes.

01/16/13; RESPONSE RECEIVED. 11/26/2012 - The Small Business Commission voted 6-0 to recommend approval of the legislation.

01/31/13; RESPONSE RECEIVED. Not a project pursuant to CEQA Guidelines Section 15060(c)(2).

*Heard in Committee. Speakers: Sophie Hayward (Planning Department); Nickolas Persky (Youth Commission); Regina Dick-Endrizzi, Director (Office of Small Business); Chris Armentrout (San Francisco Unified School District); Rob Black (Golden Gate Restaurant Association); Matt Cohen (Off The Grid); John Bozeman (BOMA San Francisco); presented information concerning the matter and answered questions raised throughout the hearing. DeeDee Workman (SF Chamber of Commerce); Stan Roth (Stanley's Steamers); spoke in support of the hearing matter. Mike Haro (Kasa Indian Eatery); Carolyn Kissick (Tres Tequila Lounge & Mexican Kitchen); Stacey Bartlett; Patricia Vaughey; spoke neither in support nor against the hearing matter.*

**RECOMMENDED by the following vote:**

Ayes: 3 - Wiener, Kim, Chiu

**130480 [Subdivision Code - Condominium Conversion Impact Fee]****Sponsors: Farrell; Wiener, Chiu, Yee and Kim**

Ordinance amending the Subdivision Code, by adding Section 1396.4, to adopt a condominium conversion impact fee applicable to certain buildings that would be permitted to convert during a seven year period, and subject to specified requirements, including lifetime leases for non-purchasing tenants; adding Section 1396.5, to suspend the annual condominium conversion lottery until 2024 and resume said lottery under specified circumstances tied to permanently affordable rental housing production; amending Section 1396, to restrict future condominium lotteries to buildings of no more than four units with a specified number of owner occupied units for three years prior to the lottery; and adopting environmental findings.

(Economic Impact)

05/20/13; DUPLICATED. See File No. 120669.

05/20/13; AMENDED.

05/20/13; CONTINUED AS AMENDED. Continued as amended to June 3, 2013.

06/03/13; CONTINUED. Heard in Committee. Speakers: John Malamut (City Attorney's Office); Supervisor London Breed (Board of Supervisors); presented information concerning the matter and answered questions raised throughout the hearing. Tommi Avicelli Mecca; Tony Robles; Kathy Lipscomb; Sandra Lee; Gen Fujioka; Steve Collier; Karen Babbitt; Maria Zamudio; Peter Cohen; Wing Hoo Leung; Mitchell Omerberg; Judy Golden; Ted Gullickson; spoke in support of the hearing matter. Male Speaker; David Fix; Lizbeth Gordon; Male Speaker; Peter Reitz; Female Speaker; Alex Ku; Lee Kuang; Male Speaker; Noni Richen; Carolyn McKenna; Howard Epstein; Mike Sullivan; Paul Utrecht; Becky Lee; Female Speaker; Steve Robinson; Gloria Leung; Hoe Leung; Winnie Kuang; Josephine Zhao; spoke in opposition to the hearing matter. Walter Paulson; spoke neither in support nor against the hearing matter.

Continued to June 10, 2013.

06/04/13; CALLED FROM COMMITTEE. 6/4/13 - Pursuant to Board Rule 3.36, Called from Committee by Supervisors Farrell, Tang, Wiener, and Breed.

**NO ACTION TAKEN. CALLED FROM COMMITTEE.**

## ADJOURNMENT

*The meeting adjourned at 2:42 p.m.*