

City and County of San Francisco

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



MEETING MINUTES

Monday, June 15, 2009

1:00 PM

City Hall, Room 263

Regular Meeting

Land Use and Economic Development Committee

Members: Sophie Maxwell, Eric Mar, David Chiu

Clerk: Linda Laws (415) 554-4441

Members Present: *Sophie Maxwell, Eric Mar, David Chiu.*

Members Excused: *None.*

Members Absent: *None.*

FONTSIZE= +1MEETING CONVENED

The meeting convened at 1:06 p.m.

FONTSIZE= +1REGULAR AGENDA

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090574 [Hunters View - Resolution of Intent for Street Vacation]

Resolution declaring the intention of the Board of Supervisors to vacate portions of Fairfax Avenue and West Point Road and various public service easements in the Hunters View Project; setting a hearing date for all persons interested in the proposed vacation of said street areas. (Public Works Department)

5/5/09, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Heard in Committee. Speakers: Barbara Moy, Department of Public Works; Doug Shoemaker, Mayor's Office of Housing; Margaret Campbell, John Stewart Company; Francisco Da Costa.

6/15/09 Amended on page 3, line 16, after "the" insert "21st"; at line 17 insert "July"; after "at" replace "sometime after 2:30" with "3:00"; and delete "s" at the end of "Chambers".

AMENDED.

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RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Maxwell, Mar, Chiu

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090575 [Hunters View - Street Vacation Order]

Ordinance ordering the vacation of portions of Fairfax Avenue and West Point Road and various public service easements; making environmental findings and findings of consistency with the City's General Plan and the priority policies of Planning Code Section 101.1; quitclaiming the City's interest in the vacation areas; reserving easement rights for various utilities, including AT&T, Pacific Gas and Electric Company, and the City; reserving temporary private access easement to adjacent owner; accepting Department of Public Works Order No. 178,144; and authorizing official acts in connection with this Ordinance. (Public Works Department)

5/5/09, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Heard in Committee. Speakers: Barbara Moy, Department of Public Works; Doug Shoemaker, Mayor's Office of Housing; Margaret Campbell, John Stewart Company; Francisco Da Costa.

REFERRED WITHOUT RECOMMENDATION by the following vote:

Ayes: 3 - Maxwell, Mar, Chiu

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090022 [Streamlining the regulation of small businesses]

Supervisors Chiu, Chu, Maxwell

Hearing on streamlining the regulation of small businesses: a review of the roles and responsibilities of the fifteen City departments that interface with small businesses, pursuant to Administrative Code Section 2A.241 as enacted by Proposition I in November 2007.

1/13/09, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

4/6/09, CONTINUED. Heard in Committee. Speakers: Diane Wesley Smith; Francisco Da Costa; Steven Cornell; Jim Lazarus; Espanola Jackson; Ann Garrison; Willie Ratcliff. Continued to May 4, 2009.

5/4/09, CONTINUED. Heard in Committee. Speaker: Francisco Da Costa, EJA. Continued to May 11, 2009.

5/11/09, CONTINUED TO CALL OF THE CHAIR. Speakers: None.

6/8/09, CONTINUED. Heard in Committee. Speakers: Fire Marshal Barbara Schultheis, SFFD; Barbara Moy, Department of Public Works; Officer Stewart and Lt. Jeanne Schlotz, SFPD; Richard Lee, Department of Public Works; Regina Dick-Endrizzi, Small Business Commission; Howard Duffee; Steven Cornell, Small Business Advocates. Continued to June 15, 2009.

Heard in Committee. Speakers: Bob Davis, Entertainment Commission; Dr. Rajiva Bhatia, Department of Public Health; Amy Brown, Department of Real Estate; Bobby Gekas; Sasha Merritt; Terry McDonough, Great Harvest Bread; Jacalyn Morri; Tom Pugh; Paul Stone, Body Manipulations; John Atkins, Cater Thyme; Kelley Premeaux, The Painted Lady Tatto; John Garrone, Heart of the City; Priscilla Brister; Ralph, Panama Baking Company; Linda Quintana.

CONTINUED TO CALL OF THE CHAIR by the following vote:

Ayes: 3 - Maxwell, Mar, Chiu

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081251 [Planning Code-Appendix K to Article 10, Bush Street-Cottage Row Historic District]

Supervisor Mirkarimi

Ordinance amending the San Francisco Planning Code by amending Appendix K to Article 10, "Bush

Street-Cottage Row Historic District," by adding a new Section 7 to set forth additional requirement for Certificates of Appropriateness; and making findings, including findings of consistency with the General Plan and priority policies of Planning Code Section 101.1 and environmental findings.

9/23/08, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

2/9/09, CONTINUED TO CALL OF THE CHAIR. Speakers: None.

2/12/09, REFERRED TO DEPARTMENT. Referred to Historic Preservation Commission for public hearing and recommendation.

6/1/09, RESPONSE RECEIVED. Planning Commission Resolution No. 17888 recommending approval; Historic Preservation Commission Resolution No. 634 recommending approval with modifications.

Heard in Committee. Speakers: Rick Galbreath, Legislative Aide to Supervisor Mirkarimi; Marlena Byrne, Deputy City Attorney; Jim Siegel.

6/15/09 Amendment of the Whole bearing same title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE.

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RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Maxwell, Mar, Chiu

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090141 [Zoning - Ordinance Making Tobacco Paraphernalia Establishments a Non-Permitted Use in the Haight Street Neighborhood Commercial District and in the newly created Lower Haight Street Tobacco Supervisor Mirkarimi

Ordinance amending the Planning Code to amend Section 227(v), to create a special definition for Tobacco Paraphernalia Establishments applicable in the Haight Street Neighborhood Commercial District and in the Lower Haight Street Tobacco Paraphernalia Restricted Use District, as defined; amending Section 790.123 to refer to this special definition; amending Section 719.1 and the Table at Section 719, to make Tobacco Paraphernalia Establishments, as defined, not permitted in the Haight Street Neighborhood Commercial District; adding new Section 786, to create the Lower Haight Street Tobacco Paraphernalia Restricted Use Subdistrict; amending Section 186.1, to change the period of non-use for a nonconforming Tobacco Paraphernalia Establishment use to be deemed discontinued in the Haight Street Neighborhood Commercial District and in the newly created Lower Haight Street Tobacco Paraphernalia Restricted Use Subdistrict from three years to eighteen months; amending Special Use District Map SU 07 of the Zoning Map of the City and County of San Francisco, to reflect the new Lower Haight Street Tobacco Paraphernalia Restricted

2/3/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 3/5/2009.

2/10/09, REFERRED TO DEPARTMENT. Referred to Planning Commission for public hearing and recommendation. Referred to Planning Department for environmental review. Referred to Small Business Commission for review and comment. 02/07/09 - Response received from Planning, CEQA exempt.

5/15/09, RESPONSE RECEIVED. Planning Commission Resolution No. 17872 recommending approval.

Heard in Committee. Speakers: Rick Galbreath, Legislative Aide for Supervisor Mirkarimi; Marlena Byrne, Deputy City Attorney; Jim Siegel.

RECOMMENDED by the following vote:

Ayes: 3 - Maxwell, Mar, Chiu

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090327 [First Source Hiring Program - expand definitions of "entry level Supervisor Mirkarimi

position" and "economically disadvantaged individual"]

Ordinance amending Section 83.4 of the San Francisco Administrative Code by expanding the definitions of "economically disadvantaged individual" and "entry level position."

3/17/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/16/2009.

3/24/09, REFERRED TO DEPARTMENT. Referred to Small Business Commission for comment and recommendation.

Heard in Committee. Speakers: Rick Gilbreath, Legislative Aide to Supervisor Mirkarimi; Guillermo Rodriguez, Office of Economic Workforce Development.

RECOMMENDED by the following vote:

Ayes: 3 - Maxwell, Mar, Chiu

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**090367 [Planning Code Amendment - Philanthropic Administrative Supervisor Alioto-Pier
Service Use; Zoning Map Amendment - 2503 Clay Street]**

Ordinance amending the San Francisco Planning Code by adding Section 790.107 to define a Philanthropic Administrative Service Use and by adding 718.85 to the Zoning Control Table in Section 718 to authorize a Philanthropic Administrative Service Use as a permitted use in the Upper Fillmore Street Neighborhood Commercial District; amending Sheet ZN02 of the Zoning Maps of the City and County of San Francisco to change the zoning for Assessor's Block 0630, Lot 032 (2503 Clay Street) from RH-2 to NCD; adopting findings, including environmental findings, Section 301 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

3/24/09, ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 4/24/2009.

4/1/09, REFERRED TO DEPARTMENT. Referred to Planning Commission for public hearing and recommendation; referred to Planning Department for environmental review.

6/1/09, RESPONSE RECEIVED. Planning Commission Resolution No. 17889 recommending approval with modifications.

Heard in Committee. Speakers: Supervisor Alioto-Pier; Tara Sullivan, Planning Department; Marlena Byrne, Deputy City Attorney; Female Speaker; Paul Wermer, Pacific Heights Residents Association.
6/15/09 Amendment of the Whole bearing new title.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

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Ordinance amending the San Francisco Planning Code by adding Section 790.107 to define a Philanthropic Administrative Service Use and by adding 718.85 to the Zoning Control Table in Section 718 to authorize a Philanthropic Administrative Service Use as a permitted use in the Upper Fillmore Street Neighborhood Commercial District; amending Sheet ZN02 of the Zoning Maps of the City and County of San Francisco to change the zoning for Assessor's Block 0630, Lot 032 (2503 Clay Street) from RH-2 to Upper Fillmore Street NCD; 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.

Continued to June 22, 2009.

CONTINUED AS AMENDED by the following vote:

Ayes: 3 - Maxwell, Mar, Chiu

FONTSIZE= +1SPECIAL ORDER - 3:00 P.M.

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**090318 [Planning Code-Landmark Designation of 2055 Union Street
(Metro Theater)]**

Supervisor Alioto-Pier

Ordinance designating 2055 Union Street (Metro Theater), Assessor's Block No. 0541, Lot No. 018, as a Landmark under Article 10 of the San Francisco Planning Code; and adopting General Plan, Planning Code 101.1(b) and environmental findings.

3/17/09, RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

3/31/09, RESPONSE RECEIVED. The Historic Preservation Commission failed to pass a resolution approving the proposed landmark designation. Failure to pass a resolution constitutes a procedural approval of the proposed designation. The landmark designation is now before the Board of Supervisors without recommendation by the Commission.

Heard in Committee. Speakers: Supervisor Alioto-Pier; Stephan Warden; Lesley Leonhardt; Male Speaker; Jack Bair, SF Theatre Foundation; Catherine Petrin, SFNTF; Sean Duff; Nate Valentine; Alfonso Felder, SFNTF; Robert Bardell, Golden Gate Valle; Elaine Larkin, Cow Hollow Association; Geoff Wood, Calhollow Association; Mike Seidenberg; David Clay; Megan Levitan, SFNTF; Andrew Stolowitz; Leslie Drapkin; Male Speaker; Rich Stevens; Michael Williams; Lincoln Chris; Richard Tilles; Serena Bardell, GGVNA; Sebastian Batowich; Female Speaker; Tara Sullivan, Planning

CONTINUED by the following vote:

Ayes: 2 - Maxwell, Mar

Absent: 1 - Chiu

FONTSIZE= +1ADJOURNMENT

The meeting adjourned at 5:08 p.m.