



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, September 20, 2021

1:30 PM

Regular Meeting

Present: 4 - Myrna Melgar, Dean Preston, Aaron Peskin, and Connie Chan

The Land Use and Transportation Committee met in regular session through videoconferencing, and provided public comment through teleconferencing, on Monday, September 20, 2021, with Chair Myrna Melgar presiding. Chair Melgar called the meeting to order at 1:35 p.m.

Remote Access to Information and Participation

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

210914 [Acceptance and Recording of Avigation Easement - SHAC Adrian Court Apartments LLC - 1 and 45 Adrian Court, Burlingame]

Resolution authorizing the acceptance and recording of an avigation easement by the City and County of San Francisco from SHAC Adrian Court Apartments LLC for the development at 1 and 45 Adrian Court in Burlingame, California, at no cost to the City and County of San Francisco; and affirming the Planning Department's determination under the California Environmental Quality Act. (Airport Commission)

08/24/21; RECEIVED FROM DEPARTMENT.

09/07/21; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

09/15/21; REFERRED TO DEPARTMENT. Referred to the Real Estate Division for informational purposes.

Heard in Committee. Speaker: Dyanna Volek (Airport Commission); presented information and answered questions raised throughout the discussion.

Member Peskin moved that this Resolution be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

210565 [Planning Code - Landmark Designation - “The Making of a Fresco Showing the Building of a City” - San Francisco Art Institute - 800 Chestnut Street]**Sponsor: Peskin**

Ordinance amending the Planning Code to designate the fresco titled “The Making of a Fresco Showing the Building of a City” in the Diego Rivera Gallery of the San Francisco Art Institute, located at 800 Chestnut Street, Assessor’s Parcel Block No. 0049, Lot No. 001, as a Landmark consistent with the standards set forth in Article 10 of the Planning Code; affirming the Planning Department’s determination under the California Environmental Quality Act; and making public necessity, convenience, and welfare findings under Planning Code, Section 302, and findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1. (Historic Preservation Commission)

05/18/21; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/17/2021.

05/26/21; REFERRED TO DEPARTMENT. Referred to the Planning Commission pursuant to Planning Code Section 302, for public hearing and recommendation and the Planning Department for environmental review.

09/03/21; NOTICED. Notice of Public Hearing for 9/13/2021 Land Use and Transportation Committee meeting mailed to property owners and interested parties.

09/13/21; CONTINUED. Heard in Committee. Speakers: Pilar LaValley (Planning Department); presented information and answered questions raised throughout the discussion. David Pilpel; spoke in support of the hearing matter. Daniel Frattin (Reuben, Junius & Rose, LLP); spoke on various concerns relating to the hearing matter.

Heard in Committee. Speakers: Dan Frattin; spoke on various concerns relating to the hearing matter.

Member Peskin moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 3, Lines 17-22, by adding ‘(7) The Board of Supervisors hereby finds that, notwithstanding the designation of SFAI as Landmark No. 85, pursuant to Ordinance No. 208-77, the addition of a compatible entryway to the Diego Rivera Gallery from the public right-of-way on Chestnut Street, on the south side of the Diego Rivera Gallery, to provide and maintain public visibility of, and enhance access to, the Fresco from the public right-of-way, may be considered, subject to approval of a Certificate of Appropriateness by the Historic Preservation Commission.’ The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

210600 [Planning Code - Small Business Zoning Controls in Chinatown and North Beach and on Polk Street]**Sponsor: Peskin**

Ordinance amending the Planning Code to 1) allow neighborhood-serving Social Service and Philanthropic Facility uses in Chinatown Mixed Use Districts with conditional use authorization; 2) change the provision for abandonment of a use that exceeds a use size maximum in Chinatown Mixed Use Districts; 3) change the use size limit and use size maximum in the Chinatown Community Business District; 4) exempt Institutional Community uses and Legacy Business Restaurants in Chinatown Mixed Use Districts from use size limits; 5) allow lot mergers under certain conditions in the Polk Street Neighborhood Commercial District; and 6) exclude the portion of Powell Street south of Union Street from the North Beach Financial Service, Limited Financial Service, and Business or Professional Service Subdistrict; affirming the Planning Department's determination under the California Environmental Quality Act; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1, and public necessity, convenience, and general welfare findings pursuant to Planning Code, Section 302.

05/25/21; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/24/2021.

06/01/21; REFERRED TO DEPARTMENT. Referred to the Small Business Commission for comment and recommendation; referred to the Planning Commission pursuant to Planning Code Section 302, for public hearing and recommendation and the Planning Department for environmental review.

06/03/21; 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 environment.

08/27/21; RESPONSE RECEIVED. On May 25, 2021, the Planning Commission met and held a duly noticed hearing and recommended approval with modifications.

Heard in Committee. Speakers: Veronica Flores (Planning Department); presented information and answered questions raised throughout the discussion. Mabel Tang; Amy Zhou; Speaker; Carlos Serrano; Jenny Leung; Verne Patel; Sarah Shiu; Sarah Wen; Edward Tackwain; Linda Chapman; Rachel Long; Michelle Chan; spoke in support of the hearing matter.

Member Peskin moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 3, Lines 13 & 14, by changing 'Institutional Use' to 'Institutional Community Use'. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

Member Peskin moved that this Ordinance be CONTINUED AS AMENDED to the Land Use and Transportation Committee meeting of September 27, 2021. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

Supervisor Peskin was noted absent at 4:30 p.m. and for the remainder of the meeting.

President Shamann Walton appointed Supervisor Connie Chan, in place of Supervisor Aaron Peskin, to the Land Use and Transportation Committee for the meeting of September 20, 2021, beginning at 4:30 p.m. and for the remainder of the meeting.

Supervisor Peskin Excused from Attendance

Supervisor Melgar moved that Supervisor Peskin be excused from the Land Use and Transportation Committee meeting of September 20, 2021, beginning at 4:30 p.m. and for the remainder of the meeting. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Chan

Excused: 1 - Peskin

210944 [Creation of a “Beach to Bay” Car-Free Connection and Equitable Access to Golden Gate Park]**Sponsors: Chan; Walton and Peskin**

Resolution calling for the creation of a “Beach to Bay” car-free connection and urging the Recreation and Park Department and San Francisco Municipal Transportation Agency to improve park accessibility and create equitable access to Golden Gate Park.

09/07/21; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

09/15/21; REFERRED TO DEPARTMENT. Referred to the Municipal Transportation Agency, Recreation and Parks Department, County Transportation Authority, Mayor's Office on Disability, and Department of Aging and Adult Services for informational purposes.

Heard in Committee. Speakers: Sarah Jones (Municipal Transportation Agency); presented information and answered questions raised throughout the discussion. Mike Chen; Zack Lipken; Speaker; Carol Branson; Paul Wermer; Harold Finley; Peter Bellvin; Richard Rothman; Linda Chapman; Christopher Martin; Ted Grace; Jack Borchert; Eugene Gregor; Speaker; Dave Morrick; Sarah Katshimen; Alice Schumacher; Kiersten Kissinger; Martin Nunes; Dave Alexander; Rick Gurling; Martilin Dee; Jordan Ling; Brian Hagsman; Shahin Shamesh; Steven Brisch; Speaker; Eric Caplan; Jay Bing; Heidi Middleson; Eric Douglas; Josh; Matt Frozina; Greg Carr; Robin Pan; Stacy Randacker; Elliott Schwartz; Val Maldonado; Jessica Jenkins; Senil Mayer; Anne Chang; Marshawn Kennapel; Shane Sleeper; Sarah Bars; Lisa Church; Bruce Halpren; Jerry Reiber; Angela O'Neil; Speaker; Jeanie Poling; Kimberly Johnson; spoke in support of the hearing matter. Speaker; Parker Day; Lucia Coronel; Michael Collins; Cliff Barker; Speaker; John Elliott; spoke in opposition of the hearing matter. Seth Parsons; Rachel Cloud; Kieran Farr; spoke on various concerns relating to the hearing matter.

Chair Melgar moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 1, Lines 18-20, by changing ‘the Recreation and Park Department (RPD)’ to ‘then-Supervisor Jake McGoldrick in File No. 070489, on file with the Clerk of the Board of Supervisors in File No. 210944, which is hereby declared to be a part of this resolution as if set forth fully herein’; on Page 1, Line 23, through Page 2, Line 2, by adding ‘WHEREAS, In 2005, the Board of Supervisors passed a Resolution File No. 051247, on file with the Clerk of the Board of Supervisors in File No. 210944, which is hereby declared to be a part of this resolution as if set forth fully herein, approving the Golden Gate Park Music Concourse Surface Circulation Plan which prohibited the use of the Music Concourse for cut-through automobile traffic’; on Page 4, Lines 16-17, by adding ‘the Recreation and Park Department (RPD)’; on Page 5, Lines 13-14, by adding ‘such as park shuttle stops, garage signage with parking availability for the Concourse garage’, Lines 18-19, by changing ‘improved’ to ‘accessible, affordable, timely, and reliable’; on Page 5, Line 24, through Page 6, Line 1, by adding ‘, restoration of the 21 Hayes which provides the Western Addition and other city residents with a direct connection to Golden Gate Park at Fulton and Stanyan Street during the weekday and 8th Avenue and Fulton on weekends’; on Page 6, Line 3, by adding ‘accessible park border sidewalks on Lincoln Way’, Line 13, by adding ‘94108’, Lines 17-18, by adding ‘such as providing designated weekend public transit to the Music Concourse for San Francisco residents including 94124, 94112, 94108, 94134, and 94133’; and on Page 7, Lines 4-9, by changing ‘manage access at 8th Avenue and Fulton Street and around the Music Concourse to allow for vehicles to enter and exit 8th Avenue, allowing for disabled, senior, and limited mobility visitors to access the ADA parking behind the bandshell, or for those with limited mobility who may not have a placard to be dropped off along the Music Concourse’ to ‘develop options for considering managed access at 8th Avenue and Fulton Street to allow for vehicles actively transporting seniors, people with disabilities, and visitors with limited mobility’. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Chan

Excused: 1 - Peskin

Member Chan moved that this Resolution be RECOMMENDED AS AMENDED AS A COMMITTEE REPORT. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Chan

Excused: 1 - Peskin

ADJOURNMENT

There being no further business, the Land Use and Transportation Committee adjourned at the hour of 4:52 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.