



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: Sophie Maxwell, Eric Mar, David Chiu

Clerk: Alisa Somera (415) 554-4447

Monday, November 23, 2009

1:00 PM

City Hall, Committee Room 263

Regular Meeting

MEETING CONVENED

The meeting convened at 1:06 p.m.

Present: 3 - Sophie Maxwell, Eric Mar and David Chiu

REGULAR AGENDA

090678 [Bayview Hunters Point Area Plan, Technical Zoning Map Amendments]

Ordinance amending Zoning Map Sheets ZN08, ZN10, and SU10 of the City and County of San Francisco Planning Code with revised used districts within the Bayview Hunters Point Plan Area; and making various findings, including CEQA findings and findings of consistency with the General Plan and Planning Code Section 101.1. (Planning Department)

10/20/09; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

11/09/09; AMENDED. Heard in Committee. Speakers: Mat Snyder, Planning Department; Espanola Jackson; Cheryl Adams, Deputy City Attorney.

11/09/09 Amended on page 8, line 6 replaced "PDR-1-B" with "PDR-2"; line 7 replaced "PDR-1-B" with "PDR-2".

The first vote was recommended but rescinded, to allow technical changes to be read into the record.

11/09/09; RECOMMENDED AS AMENDED.

11/17/09; RE-REFERRED to Land Use and Economic Development Committee.

11/23/09; RECOMMENDED. Heard in Committee. Speakers: Tara Sullivan, Planning Department; Francisco Da Costa.

Heard in Committee. Speakers: Tara Sullivan, Planning Department; Francisco Da Costa.

RECOMMENDED by the following vote:

Ayes: 3 - Maxwell, Mar, Chiu

091059 [Correction to the Vacation of Former Trenton Street]

Ordinance ordering the summary vacation of a portion of Trenton Street south of Jackson Street within Assessor's Block 0192; making findings pursuant to the California Streets and Highways Code Sections 8330 et seq.; establishing conditions to the effectiveness of the vacation; adopting environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1. (Real Estate Department)

08/20/09; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

11/23/09; RECOMMENDED. Heard in Committee. Speakers: John Updike, Assistant Director of Real Estate.

Heard in Committee. Speakers: John Updike, Assistant Director of Real Estate.

RECOMMENDED by the following vote:

Ayes: 3 - Maxwell, Mar, Chiu

091036 [Zoning - Third Street and Le Conte Avenue Affordable Housing Special Use District]

Sponsor: Maxwell

Ordinance amending the San Francisco Planning Code by adding Section 249.43 to establish the Third Street and Le Conte Avenue Affordable Housing Special Use District for property at 6600 Third Street (Lot 9, Assessor's Block 5476), located at the northeast corner of the block bounded by Le Conte Avenue, Third Street and Keith Street; amending Sheet SU10 of the Zoning Map of the City and County of San Francisco, to reflect this new Special Use District, and adopting findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

08/18/09; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

09/01/09; REFERRED TO DEPARTMENT. Referred to Planning Commission for public hearing and recommendation; referred to Planning Department for environmental review.

09/01/09; RESPONSE RECEIVED. No physical impact. Not a project per CEQA Guidelines Section 15060(c)(2).

11/20/09; RESPONSE RECEIVED. Planning Commission Resolution No. 17986 recommending approval.

11/23/09; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Tara Sullivan, Planning Department; Michael Simmons; Linda Richardson, BVHP PAC; Daniel Stanford.

11/23/09; RECOMMENDED AS AMENDED.

Heard in Committee. Speakers: Tara Sullivan, Planning Department; Michael Simmons; Linda Richardson, BVHP PAC; Daniel Stanford.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ordinance amending the San Francisco Planning Code by adding Section 249.43 to establish the Third Street and Le Conte Avenue Affordable Housing Special Use District for property at 6600 Third Street (Lot 9, Assessor's Block 5476), located at the northeast corner of the block bounded by Le Conte Avenue, Third Street and Keith Street; amending Sheet SU10 of the Zoning Map of the City and County of San Francisco, to reflect this new Special Use District, and adopting findings, including environmental findings and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

RECOMMENDED AS AMENDED by the following vote:

Ayes: 3 - Maxwell, Mar, Chiu

091335 [Establishing Infill Opportunity Zones for Congestion Management Planning]**Sponsors: Mirkarimi; Maxwell**

Resolution establishing Infill Opportunity Zones for Congestion Management Planning in the City and County of San Francisco under California Government Code Section 65088.

11/17/09; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

11/23/09; AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. Heard in Committee. Speakers: Rick Galbreath, Supervisor Mirkarimi's Office; Rachel Hiatt, Transportation Authority; Francisco Da Costa; Richard Robinson; Marilyn Amini; Donald Stroh; Andrew Garth, Deputy City Attorney.

11/23/09; RECOMMENDED AS AMENDED.

Heard in Committee. Speakers: Rick Galbreath, Supervisor Mirkarimi's Office; Rachel Hiatt, Transportation Authority; Francisco Da Costa; Richard Robinson; Marilyn Amini; Donald Stroh; Andrew Garth, Deputy City Attorney.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE**RECOMMENDED AS AMENDED by the following vote:**

Ayes: 3 - Maxwell, Mar, Chiu

091306 [San Francisco's African American Infant Health Program]**Sponsor: Maxwell**

Hearing on the disproportionately high fetal and infant mortality rates in San Francisco's African American population.

11/10/09; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

11/18/09; TRANSFERRED to Land Use and Economic Development Committee.

11/23/09; FILED to Land Use and Economic Development Committee. Heard in Committee. Speakers: Twila Brown, Department of Public Health; Janae Johnson, Black Infant Health Program; Dr. Paula Braveman, Family Community Medicine, UCSF; Linda Richardson; Francisco Da Costa; Sayan Bennett; Female Speaker; Bridgett LaBlanc; Perry Lang.

Heard in Committee. Speakers: Twila Brown, Department of Public Health; Janae Johnson, Black Infant Health Program; Dr. Paula Braveman, Family Community Medicine, UCSF; Linda Richardson; Francisco Da Costa; Sayan Bennett; Female Speaker; Bridgett LaBlanc; Perry Lang.

FILED to the Land Use and Economic Development Committee, by the following vote:

Ayes: 3 - Maxwell, Mar, Chiu

091020 [Discretionary Review - Planning Department Fees]

Ordinance amending the San Francisco Planning Code by amending Section 311 and 312 to provide that a request for discretionary review will be heard by the Planning Commission or its designee if the application demonstrates exceptional and ordinary circumstances as defined, to replace the term Residential Design Guidelines with the term Residential Design Standards, and to repeal the ability of a project sponsor to request discretionary review; amending Sections 352 and 355 to allow for collection and refund of fees associated with Planning Department Reconsideration; adopting environmental and Section 302 findings. (Planning Department)

08/12/09; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.
10/13/09 - Submitted fee ad for publication on 10/16/09 and 10/23/09.

10/19/09; CONTINUED. Heard in Committee. Speakers: John Rahaim, Larry Badiner, Elaine Forbes, Craig Nikitas, Planning Department; John Schlesinger, AIA; Seth Brookshire; Henry Karnilowicz, Occidental Express; Jed Lane, Miraloma Park Improvement Club; Joe Butler; Penelope Clark; Hiroshi Fukuda; Marilyn Amini; Sue Hestor; Joe McClane; Ron Miguel, Planning Commission.
Continued to November 2, 2009.

11/02/09; CONTINUED. Heard in Committee: Larry Badiner, Elaine Forbes, John Rahaim, Planning Department; Aaron Goodman, Park Merced Residents Organization; Peter Cohen; Gerri Crowley; Judith Hoyiam; Paul Wormer; Female Speaker; Alex Schoeder; Damien Quisdale; Henry Karnilowicz; Jeremy Shaw, Giberling & Associates; Eugene Philips; Joe McClain; Richard Robinson, Community Outreach Program; Steve Williams; Sean Keighran, Residential Builders Association; Dave Sternberg; John Bardis; Marilyn Amini; Ron Miguel, Planning Commission; Craig Nikitas, Planning Department.
Continued to November 23, 2009.

11/23/09; CONTINUED. Heard in Committee. Speakers: Elaine Forbes, Planning Department; Eric Brooks, SF Green Party; John Kevlin, Reuben and Julius; Penelope Clark, RHN; John Schlesinger; Karen Breslin, Mirahoma Park Improvement Club; Peter Cohen; Donald Stroh; Hiroshi Fukuda; Rose Hi; Demian Quesnel, EVPA; Marilyn Amini; Steve Williams; Judith Hoyiam.
Continued to February 22, 2010.

Heard in Committee. Speakers: Elaine Forbes, Planning Department; Eric Brooks, SF Green Party; John Kevlin, Reuben and Julius; Penelope Clark, RHN; John Schlesinger; Karen Breslin, Mirahoma Park Improvement Club; Peter Cohen; Donald Stroh; Hiroshi Fukuda; Rose Hi; Demian Quesnel, EVPA; Marilyn Amini; Steve Williams; Judith Hoyiam.
Continued to February 22, 2010.

CONTINUED by the following vote:

Ayes: 3 - Maxwell, Mar, Chiu

090583 [Just Cause Eviction Protections for Residential Tenants, Extend to Non-Rent Controlled Units]**Sponsor: Avalos**

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance:" by amending Sections 37.2 and 37.3 to extend just cause eviction requirements and protections to tenants in units that are not now subject to eviction controls (e.g., most residential rental units with a certificate of occupancy issued after June 13, 1979); by amending Section 37.9 to provide that 37.9(a)(8)(vi) limitations on owner move-in evictions do not apply to these newly protected units (new Section 37.9(a)(8)(viii)); by amending Section 37.9 to add a 16th just cause for eviction, to provide for eviction from a condominium unit with separable title that was rented by the developer for a limited time period prior to sale of the unit, where the developer has given specified advance notice to the renters (new Section 37.9(a)(16)); and by amending Chapter 37A "Rent Stabilization and Arbitration Fee" by amending Section 37A.1 to extend the City's current residential rental unit fee to these units; findings in support of the legislation; severability clause; technical corrections.

05/12/09; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee.

05/21/09; REFERRED TO DEPARTMENT. Referred to the Residential Rent Stabilization & Arbitration Board for informational purposes.

11/02/09; CONTINUED. Heard in Committee. Speakers: Cheryl Adams, Deputy City Attorney; Supervisor Avalos; Delene Wolf, Rent Board; Myriam Zamora, St. Peter's Housing Committee; Karen Kerner, Housing Rights Committee; Mariana Viturro, St. Peter's Housing Committee; David Fix; Teola Watson, Housing Rights Committee; Lena Emmerly; Kendra Froshman, Mission SRO Collaborative; Aaron Goodman, Park Merced Residents Organization; Noni Richen and Ilse Cordoni, Small Property Owners of San Francisco; Kathy Lipscomb, Senior Action Network; Fran Taylor; Joel Panzer, PPMA; Randall Kostick; Richard Robinson, Community Outreach Program; Mitchell Omerberg, Affordable Housing Alliance; Sarah Shortt, Housing Rights Committee; Josh Vining, Mission SRO Collaborative; Christine Olague, Senior Action Network; Dean Preston; Miguel Wooding; Alex Kaufman; Walter Paulson; Wing Hoo Leung, Community Tenants Association; Olga Milan-Howells; Female Speaker; William Baird; Peter Wright; Lisa Frieke; Andrew Long, SF Apartment Association; Ted Gulickson, SF Tenants Union; Robin Altman; James Wavewell; Craig Birant; Grace Shanahan and Hannah Duffy, Residential Builders Association; Jose Morales; Richard Hart, Angus McCarthy, Mark Brennan, Redman Lyons, David Sternberg, Sean Keighran, John O'Connor, Kieran Buckley, Residential Builders Association; Joseph Smoot. Continued to November 9, 2009.

11/09/09; CONTINUED. Heard in Committee. Speakers: Delene Wolf, SF Rent Board; Brook Turner, Coalition for Better Housing; Andrew Long; Jeff Kositsky, Community Housing Partnership; Michelle Horneff-Cohen, Professional Property Management Association; James Wavewell; Alex Kaufman; Nato Green, California Nurses Association; Craig Birant; Joanne Bizino; Male Speaker; Robin Altman; Richard Robinson; Jose Morales; Ted Gulickson, SF Tenants Union; Sara Shortt, Housing Rights Committee; Janan New, SF Apartment Association; Bart Murphy, SF Rent Board; Mark Brennan; Joe O'Donoghue, Residential Builders Association; Mitchell Omerberg, Affordable Housing Alliance; Cheryl Adams, Deputy City Attorney. Continued to November 23, 2009.

11/23/09; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Supervisor John Avalos, Board of Supervisors; Wayne Snodgrass, Deputy City Attorney; Marlena Byrne, Deputy City Attorney; Steve Rasasco; Ray Hartman; Chuck Totah; Colin Gallagher; Jerry Augusta; Nick Belloni; Shari Matza; Miguel Wooding; Alex Kaufman; Oz Erickson; Maureen DeBoer; Sara Shortt; Richard Robinson; Jose Morales; Michelle Horneff-Cohen; John McNamerney; Joe O'Donoghue; Rose Hi; Ted Gulickson, SF Tenants Union; Dean Preston, Tenants Together; Elizabeth Miller; Noni Richen, Small Property Owners of San Francisco; Andrew Long; Andrew Smith; Mark Brennan; Female Speaker; James Wavro; Peter Wright; Laura Gray; Casey Allen; Eric Brooks, SF Green Party; John Curley; Bart Murphy, SF Rent Board; Tim McCaffee; Male Speaker; George McMan; Carmen LeBrennan; Delene Wolfe, SF Rent Board.

11/23/09; CONTINUED AS AMENDED. Continued to December 7, 2009.

Heard in Committee. Speakers: Supervisor John Avalos, Board of Supervisors; Wayne Snodgrass, Deputy City Attorney; Marlena Byrne, Deputy City Attorney; Steve Rasasco; Ray Hartman; Chuck Totah; Colin Gallagher; Jerry Augusta; Nick Belloni; Shari Matza; Miguel Wooding; Alex Kaufman; Oz Erickson; Maureen DeBoer; Sara Shortt; Richard Robinson; Jose

Morales; Michelle Horneff-Cohen; John McNamerney; Joe O'Donoghue; Rose Hi; Ted Gulickson, SF Tenants Union; Dean Preston, Tenants Together; Elizabeth Miller; Noni Richen, Small Property Owners of San Francisco; Andrew Long; Andrew Smith; Mark Brennan; Female Speaker; James Wavro; Peter Wright; Laura Gray; Casey Allen; Eric Brooks, SF Green Party; John Curley; Bart Murphy, SF Rent Board; Tim McCaffee; Male Speaker; George McMan; Carmen LeBrennan; Delene Wolfe, SF Rent Board.

AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ordinance amending Administrative Code Chapter 37 "Residential Rent Stabilization and Arbitration Ordinance:" by amending Sections 37.2 and 37.3 to extend just cause eviction requirements and protections to tenants in units that are not now subject to eviction controls (e.g., most residential rental units with a certificate of occupancy issued after June 13, 1979); by amending Section 37.9 to provide that 37.9(a)(8)(vi) limitations on owner move-in evictions do not apply to these newly protected units (new Section 37.9(a)(8)(viii)); by amending Section 37.9 to add a 16th just cause for eviction, to provide for eviction from a condominium unit with separable title that was rented by the developer for a limited time period prior to sale of the unit, where the developer has given specified advance notice to the renters (new Section 37.9(a)(16)); and by amending Chapter 37A "Rent Stabilization and Arbitration Fee" by amending Section 37A.1 to extend the City's current residential rental unit fee to these units; findings in support of the legislation; severability clause; technical corrections.

Continued to December 7, 2009.

CONTINUED AS AMENDED by the following vote:

Ayes: 3 - Maxwell, Mar, Chiu

ADJOURNMENT

The meeting adjourned at 4:31 p.m.