



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: Mark Farrell, Aaron Peskin, Katy Tang

Clerk: Alisa Somera (415) 554-7711

Monday, February 13, 2017

1:30 PM

City Hall, Legislative Chamber, Room 250

Regular Meeting

Present: 3 - Mark Farrell, Aaron Peskin, and Katy Tang

The Land Use and Transportation Committee met in regular session on Monday, February 13, 2017, with Chair Mark Farrell presiding.

ROLL CALL AND ANNOUNCEMENTS

Chair Farrell called the meeting to order at 1:34 p.m. On the call of the roll, Chair Farrell, Vice Chair Peskin, and Member Tang were noted present. There was a quorum.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

161287 [Environment Code - Green Building Requirements for Municipal Buildings]

Sponsors: Mayor; Breed

Ordinance amending the Environment Code to update the green building requirements for the design, construction, and operation of City buildings; and affirming the Planning Department's determination under the California Environmental Quality Act.

11/29/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 12/29/2016.

12/13/16; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; and to Municipal Transportation Agency, Recreation and Parks Department, Department of Emergency Management, Public Library, Fire Department, Department of Public Health, Real Estate Division, Airport Department, Department of the Environment; Public Works, Public Utilities Commission, Office of the City Administrator; Department of Building Inspection, Planning Department and San Francisco Port Department for informational purposes.

12/15/16; RESPONSE RECEIVED. Not defined as a project under CEQA Guidelines Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment.

02/07/17; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee.

02/09/17; REFERRED TO DEPARTMENT. Re-referred substitute (version 2) to Planning Department for environmental review; and to Municipal Transportation Agency, Recreation and Parks Department, Department of Emergency Management, Public Library, Fire Department, Department of Public Health, Real Estate Division, Airport Department, Department of the Environment; Public Works, Public Utilities Commission, Office of the City Administrator; Department of Building Inspection, Planning Department and San Francisco Port Department for informational purposes.

Heard in Committee. Speakers: Deborah Raphael, Director (Department of the Environment); presented information and answered questions raised throughout the discussion. Laura Tam (SPUR); Rich Berman (Port of San Francisco); Brenden McEneaney (US Green Building Council); spoke in support of the proposed legislation. Otto Duffy; spoke neither in support nor against the proposed legislation.

Vice Chair Peskin, seconded by Member Tang, moved that this Ordinance be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Farrell, Peskin, Tang

160748 [Planning Code - Amusement Arcades in the South of Market Service/Light Industrial District]**Sponsor: Kim**

Ordinance amending the Planning Code to allow amusement arcades in all South of Market and Eastern Neighborhoods Mixed Use Districts except for the Residential Enclave Districts; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public convenience, necessity, and welfare under Planning Code, Section 302.

06/28/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 7/28/2016.

07/06/16; REFERRED TO DEPARTMENT. Referred to the Small Business Commission for comment and recommendation; Planning Commission for hearing and recommendation; Planning Department for environmental review.

07/06/16; RESPONSE RECEIVED. Not defined as a project under CEQA Sections 15378 and 15060(c)(2) because it does not result in a physical change.

09/12/16; RESPONSE RECEIVED. 8/8/2016 - The Small Business Commission voted unanimously to recommend approval of the proposed legislation.

11/02/16; RESPONSE RECEIVED. 9/29/2016 - The Planning Commission held a public hearing and recommended approval with modifications; Resolution No. 19750.

02/06/17; CONTINUED. Heard in Committee. Speakers: April Veneracion Ang (Office of Supervisor Jane Kim); Aaron Starr (Planning Department); presented information and answered questions raised throughout the discussion. Hassan Farooq; Eric; Ben Fergosian; Carly Sheer; James Styles; Justine Baly; Female Speaker; spoke in support of the proposed legislation.

Heard in Committee. Speakers: April Veneracion Ang (Office of Supervisor Jane Kim); Jon Givner (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Henry Karnilowicz (South of Market Business Association); Hassan Mahmood (Coin-op Game Room); spoke in support of the proposed legislation.

Member Tang, seconded by Vice Chair Peskin, moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, on Page 1, Line 1, by adding 'the' after 'Arcades in', striking 'and Eastern Neighborhoods Mixed Use', and adding 'Service/Light Industrial', and striking 's' after 'District'; Line 4, by adding 'Service/Light Industrial District', Lines 4-5, by striking 'all South of Market and Eastern Neighborhoods Mixed Use Districts except for the Residential Enclave Districts'; on Page 2, Line 9, by adding '817', by striking 's' after 'Table', by striking 's' after 'Section', and by striking '840, 841, 842, and 845', Line 17, by striking 'amusement game arcade or similar enterprise', and Lines 17-18, by adding 'amusement game arcade or similar enterprise (except as permitted in the Service/Light Industrial District)'; on Page 3, Line 11, by adding 'SEC. 814. SLI - SERVICE/LIGHT INDUSTRIAL DISTRICT.'; and Page 4, Line 4, by adding '817.42', 'Amusement Game Arcade', '\$ 890.4', and 'P'. The motion carried by the following vote:

Ayes: 3 - Farrell, Peskin, Tang

Ordinance amending the Planning Code to allow amusement arcades in the South of Market Service/Light Industrial District; affirming the Planning Department's determination under the California Environmental Quality Act; making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and adopting findings of public convenience, necessity, and welfare under Planning Code, Section 302.

Member Tang, seconded by Vice Chair Peskin, moved that this Ordinance be RECOMMENDED AS AMENDED. The motion carried by the following vote:

Ayes: 3 - Farrell, Peskin, Tang

161066 [Planning, Administrative, and Health Codes - Waiving Fees and Exempting Requirements, Authorizing Land Dedication, Establishing 180 Jones Street Affordable Housing Fund, Accepting Gifts, Authorizing Payment - 950-974 Market Street Project]

Sponsor: Kim

Ordinance waiving the Jobs-Housing Linkage Fee set forth in Planning Code, Section 413 et seq., the Inclusionary Affordable Housing requirements set forth in Planning Code, Section 415 et seq., and the alternative water supply requirements set forth in Health Code, Article 12C; exempting 26,572 square feet from the calculation of gross floor area pursuant to Planning Code, Section 124, to allow the additional floor area, and exempting 26,572 square feet from Planning Code, Sections 123 and 128, to reduce any required transferable development rights by such amount, for a project located at 950-974 Market Street in San Francisco, in exchange for the dedication of real property at 180 Jones Street to the San Francisco Mayor's Office of Housing and Community Development at no cost and payment of approximately \$11,250,000 to the 180 Jones Street Affordable Housing Fund; establishing the 180 Jones Street Affordable Housing Fund; accepting a \$2,700,000 gift to the 180 Jones Street Affordable Housing Fund; accepting a \$300,000 gift to the City, to create the Compton's District Transgender, Lesbian, Gay and Bisexual (TLGB) Stabilization Fund, to support the City's efforts to recognize and support historic and present-day TLGB communities in the Tenderloin neighborhood; authorizing actions in furtherance of this Ordinance; adopting findings regarding the Final Mitigated Negative Declaration under the California Environmental Quality Act; making findings of public necessity, convenience, and welfare under Planning Code, Section 302; and making findings of consistency with the General Plan, and the eight priority policies of Planning Code, Section 101.1.

10/04/16; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 11/3/2016.

10/13/16; RESPONSE RECEIVED. Not defined as a project under CEQA Sections 15378 and 15060(c)(2) because it does not result in a physical change in the environment. The project at 950-974 Mark Street is covered under CEQA with Planning Department Case No. 2013.1049E under a Mitigated Negative Declaration; subsequent environmental review will be required for the 180 Jones Street project.

10/13/16; REFERRED TO DEPARTMENT. Referred to Planning Department for environmental review; Planning Commission for public hearing and recommendation, pursuant to Planning Code, Section 302(b); Mayor's Office of Housing and Community Development for informational purposes.

12/01/16; RESPONSE RECEIVED. 11/17/2016 - The Planning Commission held a public hearing and recommended approval with modifications; Resolution No. 19781.

12/12/16; CONTINUED TO CALL OF THE CHAIR. Heard in Committee: Speakers: Supervisor Jane Kim (Board of Supervisors); provided an overview and responded to questions raised throughout the discussion. Steve Dunlope; spoke neither in support nor opposition on the matter.

02/06/17; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Supervisor Jane Kim (Board of Supervisors); Kate Hartley (Mayor's Office of Housing and Community Development); AnMarie Rodgers (Planning Department); Claudine Asbagh (Planning Department); Steve Vettel; presented information and answered questions raised throughout the discussion. Male Speaker; Ken Stall; Rio Scharff; David Elliott Lewis; Sonya; spoke in support of the proposed legislation. Laura Clark; spoke neither in support nor against the proposed legislation.

02/06/17; CONTINUED AS AMENDED.

Heard in Committee. Speakers: Supervisor Jane Kim (Board of Supervisors); Kate Hartley (Mayor's Office of Housing and Community Development); AnMarie Rodgers (Planning Department); presented information and answered questions raised throughout the discussion. Rob Poole (San Francisco Housing Action Coalition); Helen Bean (Tenderloin Economic Development Project); Josephine Rivera (Local 2); Cynthia Gomez (Local 2); Curtis Bradford (Tenderloin Resident Association); Male Speaker; Stephany Ashley (Compton's Coalition); Noreen Hiroshima; Randy Shaw (Tenderloin Housing Clinic); Ramon Quintero (Tenderloin Neighborhood Development Corporation); Aria Said (Compton's Coalition); Jaimie Mayer (Magic

Theatre); Darnell Boyd (Central City SRO Collaborative); Stephen Tennis (Central City SRO Collaborative); Reginald Meadows; Male Speaker; David Elliott Lewis (Central City SRO Collaborative); Alan Stewart (Magic Theatre); Sonia Fernandez (Magic Theatre); Alan Levonian (Magic Theatre); Gail Seagraves (Central City SRO Collaborative); Felicia Smith (950 Market Coalition); Otto Dufty (ABD6); Julian Dash (Holy Stitch); Wendy Yu; Judy Young; Male Speaker (Local 22); Brenda Washington; Steve Vettel; Dan Jordan; spoke in support of the proposed legislation.

Member Tang, seconded by Vice Chair Peskin, moved that this Ordinance be RECOMMENDED. The motion carried by the following vote:

Ayes: 3 - Farrell, Peskin, Tang

161249 [Conveyance of Real Property - 180 Jones Street - Mayor's Office of Housing and Community Development - \$10]**Sponsor: Kim**

Resolution approving and authorizing an agreement for the conveyance of a parcel of real estate for \$10, consisting of approximately 4,744 square feet in land area for the Mayor's Office of Housing and Community Development, pursuant to the land dedication permitted under a separate Ordinance (File No. 161066); adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the General Plan, and the eight priority policies of Planning Code, Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications, and take certain actions in furtherance of this Resolution, as defined herein.

11/15/16; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

12/12/16; CONTINUED TO CALL OF THE CHAIR. Heard in Committee: Speakers: Supervisor Jane Kim (Board of Supervisors); provided an overview and responded to questions raised throughout the discussion. Steve Dunlope; spoke neither in support nor opposition on the matter.

02/06/17; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Supervisor Jane Kim (Board of Supervisors); Kate Hartley (Mayor's Office of Housing and Community Development); AnMarie Rodgers (Planning Department); Claudine Asbagh (Planning Department); Steve Vettel; presented information and answered questions raised throughout the discussion. Male Speaker; Ken Stall; Rio Scharff; David Elliott Lewis; Sonya; spoke in support of the proposed legislation. Laura Clark; spoke neither in support nor against the proposed legislation.

02/06/17; CONTINUED AS AMENDED.

Heard in Committee. Speakers: Supervisor Jane Kim (Board of Supervisors); Kate Hartley (Mayor's Office of Housing and Community Development); AnMarie Rodgers (Planning Department); presented information and answered questions raised throughout the discussion. Rob Poole (San Francisco Housing Action Coalition); Helen Bean (Tenderloin Economic Development Project); Josephine Rivera (Local 2); Cynthia Gomez (Local 2); Curtis Bradford (Tenderloin Resident Association); Male Speaker; Stephany Ashley (Compton's Coalition); Noreen Hiroshima; Randy Shaw (Tenderloin Housing Clinic); Ramon Quintero (Tenderloin Neighborhood Development Corporation); Aria Said (Compton's Coalition); Jaimie Mayer (Magic Theatre); Darnell Boyd (Central City SRO Collaborative); Stephen Tennis (Central City SRO Collaborative); Reginald Meadows; Male Speaker; David Elliott Lewis (Central City SRO Collaborative); Alan Stewart (Magic Theatre); Sonia Fernandez (Magic Theatre); Alan Levonian (Magic Theatre); Gail Seagraves (Central City SRO Collaborative); Felicia Smith (950 Market Coalition); Otto Dufty (ABD6); Julian Dash (Holy Stitch); Wendy Yu; Judy Young; Male Speaker (Local 22); Brenda Washington; Steve Vettel; Dan Jordan; spoke in support of the proposed legislation.

Vice Chair Peskin, seconded by Member Tang, moved that this Resolution be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 2, Line 14, by adding 'maximize the number of units', and striking 'have at least 50% of the units', Lines 17-18, by adding 'subject to, fair housing laws, financial feasibility, and the Department of Homelessness and Supportive Housing leasing procedures' before 'provide a preference', Lines 20-24, by adding WHEREAS, MOHCD has not assembled all capital subsidy for future affordable housing development at this site, MOHCD shall make its best efforts to secure the balance of the local gap capital funding; WHEREAS, MOHCD has not assembled all operating subsidies for future affordable housing at this site, MOHCD shall make its best efforts to secure operating subsidies such as VASH rental assistance vouchers or the Local Operating Support Program, to meet the intent of this Board; and'. The motion carried by the following vote:

Ayes: 3 - Farrell, Peskin, Tang

Member Tang, seconded by Vice Chair Peskin, moved that this Resolution be RECOMMENDED AS AMENDED. The motion carried by the following vote:

Ayes: 3 - Farrell, Peskin, Tang

ADJOURNMENT

There being no further business, the Land Use and Transportation Committee adjourned at the hour of 3:31 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.