



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: John Carroll
(415) 554-4445 ~ john.carroll@sfgov.org

Monday, July 8, 2024

1:30 PM

City Hall, Legislative Chamber, Room 250

Regular Meeting

Present: 3 - Myrna Melgar, Dean Preston, and Aaron Peskin

The Land Use and Transportation Committee met in regular session on Monday, July 8, 2024, with Chair Myrna Melgar presiding. Chair Melgar called the meeting to order at 1:32 p.m.

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.

COMMUNICATIONS

John Carroll, Land Use and Transportation Committee Clerk, instructed members of the public that public comment is taken on each item on the agenda. Alternatively, written comments may be submitted through email (john.carroll@sfgov.org) or the U.S. Postal Service at City Hall, 1 Dr. Carlton B. Goodlett Place, Room 244, San Francisco, CA 94102.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

240173 [Planning Code, Zoning Map - RED and WMUG Districts, Rezone 135 Kissling Street]

Sponsor: Dorsey

Ordinance amending the Planning Code to conditionally permit vehicle storage lots in the Residential Enclave-Mixed (RED-MX) and Western SoMa Mixed Use-General (WMUG) Districts and to update citations and cross-references in the text and tables of specified Mixed Use Districts; amending the Zoning Map to rezone 135 Kissling Street, Assessor's Parcel Block No. 3516, Lot No. 068, from Residential Enclave (RED) to RED MX; and 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 making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

02/27/24; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 3/28/2024.

03/01/24; REFERRED TO DEPARTMENT. Referred to the Planning Commission for findings of consistency with the General Plan; the eight priority policies of Planning Code, Section 101.1; and findings of public necessity, convenience, and welfare under Planning Code, Section 302. Referred to the Planning Department for environmental review.

03/11/24; 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. Physical changes are covered under Community Plan Evaluation for 1560 Folsom Street Case No. 2018-014795ENV.

06/10/24; RESPONSE RECEIVED. On May 23, 2024, the Planning Commission met and held a duly noticed hearing and recommended approval of the proposed legislation with modifications.

06/21/24; NOTICED. Ten-Day Notice for July 1, 2024 Land Use and Transportation Committee hearing published in the Examiner and posted, per California Government Code, Sections 65856 & 65090.

07/01/24; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speaker(s): Madison Tam (Office of Supervisor Dorsey); Audrey Merlone (Planning Department); presented information and answered questions raised throughout the discussion. Melinda Sarjapur (Reuben, Junius, and Rose LLP); shared various concerns regarding the hearing matter.

07/01/24; CONTINUED AS AMENDED.

Heard in Committee. Speaker(s): Madison Tam (Office of Supervisor Matt Dorsey); presented information and answered questions raised throughout the discussion. John Kevlin (Royal Motors); shared various concerns regarding the hearing matter.

DUPLICATED

See Duplicate File No. 240754.

Chair Melgar moved that this Ordinance be RECOMMENDED AS COMMITTEE REPORT. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

240754 [Planning Code, Zoning Map - RED and WMUG Districts, Rezone 135 Kissling Street]**Sponsor: Dorsey**

Ordinance amending the Planning Code to conditionally permit vehicle storage lots in the Residential Enclave-Mixed (RED-MX) and Western SoMa Mixed Use-General (WMUG) Districts and to update citations and cross-references in the text and tables of specified Mixed Use Districts; amending the Zoning Map to rezone 135 Kissling Street, Assessor's Parcel Block No. 3516, Lot No. 068, from Residential Enclave (RED) to RED MX; and 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 making findings of public necessity, convenience, and welfare pursuant to Planning Code, Section 302.

Duplicated from File No. 240173.

Member Peskin moved that this Ordinance be CONTINUED TO CALL OF THE CHAIR. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

240635 [Mission Bay South - Parks P22 and P19 Acceptance]**Sponsors: Mayor; Dorsey**

Ordinance conditionally accepting a grant deed for property associated with Mission Bay South Park P22; delegating for a three-year period to the San Francisco Port Commission the authority to dedicate Mission Bay South Parks P22 and P19 (bordering Terry François Boulevard) to public use, accept an irrevocable offer for the acquisition facilities that comprise the park improvements, designate said facilities for public park and open space purposes only, and accept these Parks for Port of San Francisco maintenance and liability purposes, subject to specified limitations; delegating for a three-year period to the Public Works Director similar authority for certain Public Utilities Commission assets in Parks P22 and P19; adopting findings under the California Environmental Quality Act; making findings of consistency with the General Plan, the eight priority policies of Planning Code, Section 101.1, and the Mission Bay South Redevelopment Plan; adopting a Public Works Order that recommends delegation of Parks P22 and P19 acceptance and related actions; and authorizing official acts, as defined, in connection with this Ordinance.

06/04/24; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 7/4/2024.

Heard in Committee. Speaker(s): Cathal Hennessy (Public Works); Madison Tam (Office of Supervisor Matt Dorsey); presented information and answered questions raised throughout the discussion.

Chair Melgar moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 4, Line 24, through Page 5, Line 1, to read 'FOCIL-MB, LLC ("FOCIL") will irrevocably offer the Park P22 Improvements to the City as set forth in the draft FOCIL Irrevocable Offer of the Mission Bay Park P22 Improvements;' on Page 5, Lines 5-8, to read 'FOCIL will irrevocably offer the Park P19 Improvements to the City as set forth in the draft FOCIL Irrevocable Offer of the Mission Bay Park P19 Improvements;' on Page 5, Line 23, through Page 6, Line 5, to read 'The following separate acceptance actions shall include for each park: (1) accepting the final P22 FOCIL Offer of Improvements and the final P19 FOCIL Offer of Improvements; (2) dedicating the Park Improvements to public use; (3) designating the properties on which the Park Improvements are located for public park and open space purposes; and (4) accepting these Improvements for Port maintenance and liability. Copies of the PW Order and the draft P22 and P19 FOCIL Offers are on file with the Clerk of the Board of Supervisors in File No. 240635 and are incorporated herein by reference;' on Page 8, Lines 13-16, to read 'the Board of Supervisors delegates to the Port Commission the authority to accept the final Parks P22 and P19 FOCIL Offers, with the exception of the PUC Assets, on behalf of the City and dedicate the Park Improvements for public use after the City Engineer issues a Determination of Completion for each Park;' and making other conforming and clerical edits throughout the ordinance text. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

Chair Melgar moved that this Ordinance be RECOMMENDED AS AMENDED. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

Chair Melgar requested that File Nos. 240409 and 240575 be heard together.

240409 [Planning Code, Zoning Map - Stonestown Mixed Use District, Special Use District, Height and Bulk District, Special Sign District]

Sponsors: Mayor; Melgar

Ordinance amending the Planning Code and the Zoning Map to establish the Stonestown Mixed-Use District (SMD), Stonestown Special Use District (SUD), Stonestown Mixed-Use Height and Bulk District (HBD), and Stonestown Special Sign District (SSD), all generally bounded by Eucalyptus Drive and Buckingham Way to the north, 19th Avenue to the east, Buckingham Way to the south, and Buckingham Way to the west, with the SSD including the Stonestown Galleria Mall and the SMD, SUD, and HBD excluding the mall; abolishing an approximately 15-foot legislated setback on the west side of 19th Avenue between Eucalyptus Drive and Buckingham Way; making findings 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 making findings of public necessity, convenience, and welfare under Planning Code, Section 302.
(Economic Impact)

04/23/24; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/23/2024.

05/01/24; REFERRED TO DEPARTMENT. Referred to the Planning Commission for findings of consistency with the General Plan; the eight priority policies of Planning Code, Section 101.1; and findings of public necessity, convenience, and welfare under Planning Code, Section 302.

05/13/24; RESPONSE RECEIVED. CEQA clearance under Final Environmental Impact Report certified by the San Francisco Planning Commission on May 9, 2024 (M-21559).

06/28/24; NOTICED. Ten-Day Notice for July 8, 2024 Land Use and Transportation Committee hearing published in the Examiner and posted, per California Government Code, Sections 65856 & 65090.

Heard in Committee. Speaker(s): Patrick Race (Planning Department); Jonathan Cherry (Office of Economic and Workforce Development); Christie Donnelly (Brookfield Properties); Ken Cofflin, Fire Marshal (Fire Department); Anne Pearson (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Joel Sanders; Anthony Wallace; Eddie Reyes; Nicholas Rusanoff; Mako Stewart; Corey Smith (Housing Action Coalition); Jane Natoli (YIMBY Action); Mauricio Chavez; Timothy Rife; Speaker; Meghan Pryor; Stephanie Williams; Speaker; Kat Tsakulakis; Tracy Friedman; Jenny Perez; Speaker; shared various concerns regarding the hearing matter.

Chair Melgar moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE, on Page 15, Line 21, by inserting 'or replacement parking;' on Page 23, lines 13-20, to read 'Any existing structure damaged or destroyed by fire, or other calamity, or by Act of God, or by the public enemy, may be restored to its former condition provided that such restoration is permitted by the Building Code and the structure's owner files a building permit application to restore the structure to its former condition within eighteen months and diligently prosecuted to completion. For purposes of this Subsection (B), "started within eighteen months" shall mean that within eighteen months of the fire or other calamity or Act of God, the structure's owner shall have filed a building permit application to restore the structure to its former condition;' and making conforming and clerical changes throughout the ordinance text. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

(Economic Impact)

Chair Melgar moved that this Ordinance be CONTINUED AS AMENDED to the Land Use and Transportation Committee meeting of July 15, 2024. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

240575 [General Plan - Stonestown Development Project]

Ordinance amending the General Plan to revise the Urban Design Element, the Commerce and Industry Element, and the Land Use Index to reflect the Stonestown Development Project; adopting findings 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 necessity, convenience, and welfare under Planning Code, Section 340. (Planning Commission)

(Pursuant to Charter, Section 4.105, the Planning Commission recommends General Plan amendments to the Board of Supervisors for approval or rejection. If the Board fails to act within 90 days of receipt, the proposed General Plan amendment shall be deemed approved. Transmittal Date: May 22, 2024)

05/22/24; RECEIVED FROM DEPARTMENT.

06/04/24; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 6/4/2024.

06/28/24; NOTICED. Ten-Day Notice for July 8, 2024 Land Use and Transportation Committee hearing published in the Examiner and posted, per California Government Code, Sections 65856 & 65090.

Heard in Committee. Speaker(s): Patrick Race (Planning Department); Jonathan Cherry (Office of Economic and Workforce Development); Christie Donnelly (Brookfield Properties); Ken Cofflin, Fire Marshal (Fire Department); Anne Pearson (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Joel Sanders; Anthony Wallace; Eddie Reyes; Nicholas Rusanoff; Mako Stewart; Corey Smith (Housing Action Coalition); Jane Natoli (YIMBY Action); Mauricio Chavez; Timothy Rife; Speaker; Meghan Pryor; Stephanie Williams; Speaker; Kat Tsakulakis; Tracy Friedman; Jenny Perez; Speaker; shared various concerns regarding the hearing matter.

Chair Melgar moved that this Ordinance be CONTINUED to the Land Use and Transportation committee meeting of July 15, 2024. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

ADJOURNMENT

There being no further business, the Land Use and Transportation Committee adjourned at the hour of 2:32 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.