



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, October 16, 2023

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, in-person with remote access and public comment via telephone, on Monday, October 16, 2023, with Chair Myrna Melgar presiding. Chair Melgar called the meeting to order at 1:35 p.m.

Remote Access to Information and Participation

Clerk's Note: On October 17, 2023, the Board of Supervisors approved Motion No. M23-129 that discontinued remote public comment and participation at all Board and committee meetings.

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 Clerk, instructed members of the public, when general public comment is called, to contribute live comments in-person or by dialing the telephone number published on the agenda and scrolling across the screen. Clerk Carroll further announced that in-person public comment will be taken before remote public comment is called.

AGENDA CHANGES

There were no agenda changes.

REGULAR AGENDA

230877 [Commemorative Street Name Designation - “Elsie Tonelli Street” - Mission Street between Santa Rosa Avenue and Excelsior Avenue]

Sponsor: Safai

Resolution adding the Commemorative Street Name “Elsie Tonelli Street” to Mission Street between Santa Rosa Avenue and Excelsior Avenue in recognition of her contribution to San Francisco as a local figure.

07/25/23; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

08/08/23; REFERRED TO DEPARTMENT. Referred to Public Works for informational purposes.

10/06/23; NOTICED. 10-Day Notice for October 16, 2023 Land Use and Transportation Committee hearing posted online and mailed, pursuant to Public Works Code Section 789, et seq.

Heard in Committee. Speakers: Supervisor Ahsha Safai (Board of Supervisors); presented information and answered questions raised throughout the discussion. Paul Tonelli; Diane Tonelli; EJ Jones; Dave Devincenzi; Ed Ryan; Speaker; Bridget Peterson; Michael Petrelis; Tony Ryan; spoke in support of the resolution matter.

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

Ayes: 3 - Melgar, Preston, Peskin

Chair Melgar requested that File Nos. 230941, 230942, and 230943 be heard together.

230941 [Commemorative Street Plaques - Lodginghouse District Historical Markers]

Sponsors: Dorsey; Preston

Resolution authorizing the placement of the Lodginghouse District of San Francisco’s Cultural Heritage District plaques, to be installed on the sidewalks at various historic location markers along the 6th Street corridor between Market Street and Howard Street, and initiating the process set forth in Public Works Code, Sections 789 et seq., to provide for the creation of a program for and installation of commemorative plaques in the Lodginghouse District.

09/05/23; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

09/08/23; REFERRED TO DEPARTMENT. Referred to Public Works and Municipal Transportation Agency for informational purposes.

10/06/23; NOTICED. 10-Day Notice for October 16, 2023 Land Use and Transportation Committee hearing posted online and mailed, pursuant to Public Works Code Section 789, et seq.

Heard in Committee. Speakers: Arun Bhatia (Public Works); presented information and answered questions raised throughout the discussion. Carlo Gomez Arteaga, Co-Executive Director (San Francisco Transgender Cultural District); Raquel Redondiez (SoMa Pilipinas); Aubrey Davis (San Francisco Transgender Cultural District); Rhianna; spoke in support of the resolution matters. Michael Petrelis; Joe Kunzler; shared various concerns regarding the resolutions.

Supervisor Preston requested to be added as a co-sponsor.

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

Ayes: 3 - Melgar, Preston, Peskin

230942 [Commemorative Street Plaques - SoMa Pilipinas Filipino Cultural Heritage District Historical Markers]**Sponsors: Dorsey; Preston**

Resolution authorizing the placement of the SoMa Pilipinas Filipino Cultural Heritage District plaques, to be installed on the sidewalk at various historic location markers along the 6th Street corridor between Market Street and Howard Street, and initiating the process set forth in Public Works Code, Sections 789 et seq., to provide for the creation of a program for and installation of commemorative plaques in the SoMa Pilipinas Cultural District.

09/05/23; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

09/08/23; REFERRED TO DEPARTMENT. Referred to Public Works and Municipal Transportation Agency for informational purposes.

10/06/23; NOTICED. 10-Day Notice for October 16, 2023 Land Use and Transportation Committee hearing posted online and mailed, pursuant to Public Works Code Section 789, et seq.

Heard in Committee. Speakers: Arun Bhatia (Public Works); presented information and answered questions raised throughout the discussion. Carlo Gomez Arteaga, Co-Executive Director (San Francisco Transgender Cultural District); Raquel Redondiez (SoMa Pilipinas); Aubrey Davis (San Francisco Transgender Cultural District); Rhianna; spoke in support of the resolution matters. Michael Petrelis; Joe Kunzler; shared various concerns regarding the resolutions.

Supervisor Preston requested to be added as a co-sponsor.

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

Ayes: 3 - Melgar, Preston, Peskin

230943 [Commemorative Street Plaques - Compton's Transgender Cultural District Historical Markers]**Sponsors: Dorsey; Preston**

Resolution authorizing the placement of the Compton's Transgender Cultural District of San Francisco's Cultural Heritage District plaques, to be installed on the sidewalks at various historic location markers along the 6th Street corridor between Market Street and Howard Street, and initiating the process set forth in Public Works Code, Sections 789 et seq., to provide for the creation of a program for and installation of commemorative plaques in Compton's Transgender Cultural District.

09/05/23; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

09/08/23; REFERRED TO DEPARTMENT. Referred to Public Works and Municipal Transportation Agency for informational purposes.

10/06/23; NOTICED. 10-Day Notice for October 16, 2023 Land Use and Transportation Committee hearing posted online and mailed, pursuant to Public Works Code Section 789, et seq.

Heard in Committee. Speakers: Arun Bhatia (Public Works); presented information and answered questions raised throughout the discussion. Carlo Gomez Arteaga, Co-Executive Director (San Francisco Transgender Cultural District); Raquel Redondiez (SoMa Pilipinas); Aubrey Davis (San Francisco Transgender Cultural District); Rhianna; spoke in support of the resolution matters. Michael Petrelis; Joe Kunzler; shared various concerns regarding the resolutions.

Supervisor Preston requested to be added as a co-sponsor.

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

Ayes: 3 - Melgar, Preston, Peskin

230944 [Resolution of Intent to Establish a Street Plaza at Eagle Plaza 383-12th Street]**Sponsors: Dorsey; Mandelman**

Resolution of Intent establishing a Street Plaza at Eagle Plaza 383-12th Street, under Administrative Code, Chapter 94 and urging Public Works to initiate the process to solicit a Plaza Steward at this location.

09/05/23; RECEIVED AND ASSIGNED to Land Use and Transportation Committee.

09/08/23; REFERRED TO DEPARTMENT. Referred to Public Works for informational purposes.

Heard in Committee. Speakers: Brian Dahl (Office of Supervisor Matt Dorsey); Ian Schneider (Public Works); Supervisor Rafael Mandelman (Board of Supervisors); presented information and answered questions raised throughout the discussion. Lex Montiel (Eagle Bar); Angel Adeyoha, Executive Director (Folsom Street); spoke in support of the resolution matter. Michael Petrelis shared various concerns regarding the resolution.

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

Ayes: 3 - Melgar, Preston, Peskin

220709 [Planning Code - Nighttime Entertainment Castro Street Neighborhood Commercial District]**Sponsor: Mandelman**

Ordinance amending the Planning Code, to change the zoning controls in the Castro Street Neighborhood Commercial District to allow Nighttime Entertainment with a Conditional Use authorization on the second floor; and 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 findings of public necessity, convenience, and welfare under Planning Code, Section 302.

06/07/22; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 7/7/2022.

06/15/22; REFERRED TO DEPARTMENT. Referred pursuant to Planning Code Section 302, for public hearing and recommendation and the Planning Department for environmental review.

07/20/22; 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.

08/04/22; REMAIN ACTIVE. On August 4, 2022, the Board adopted extension Resolution No. 362-22 (Board File No. 220862) extending the Ordinance an additional 90 days, expiring December 12, 2022.

01/26/23; REMAIN ACTIVE. On November 15, 2022, the Board adopted extension Resolution No. 496-22 (Board File No. 221151) extending the Ordinance an additional six months, expiring June 12, 2023.

06/16/23; REMAIN ACTIVE. On June 6, 2023 the Board adopted extension Resolution No. 316-23 (Board File No. 230603) extending the Ordinance an additional six months, expiring August 11, 2023.

06/22/23; RESPONSE RECEIVED.

10/02/23; CONTINUED. Heard in Committee. Speaker: Supervisor Rafael Mandelman (Board of Supervisors); presented information and answered questions raised throughout the discussion.

Heard in Committee. Speakers: Supervisor Rafael Mandelman (Board of Supervisors); Audrey Merlone (Planning Department); presented information and answered questions raised throughout the discussion. Andrea Aiello, Executive Director (Castro/Upper Market Neighborhood Community Benefit District); Mike Murray; Speaker; Andrew Bennett (IATSI Local 16); Kevin; Speaker; spoke in support of the ordinance matter. M. Rockett; Michael Petrelis (see addendum on page 9); spoke in opposition to the ordinance. Thierry Fill; Jen Reck and Tina Aguirre (Castro LGBTQ Cultural District); shared various concerns regarding the ordinance.

Chair Melgar moved that this Ordinance be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE, to exclude Article 10 Landmark buildings from use size limitation. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

Ordinance amending the Planning Code to change the zoning controls in the Castro Street Neighborhood Commercial District to exclude Article 10 Landmark buildings from use size limitation and allow Nighttime Entertainment with a Conditional Use authorization on the second floor; 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 findings of public necessity, convenience, and welfare under Planning Code, Section 302.

Chair Melgar moved that this Ordinance be CONTINUED AS AMENDED to the Land Use and Transportation Committee meeting of October 23, 2023. The motion carried by the following vote:

Ayes: 3 - Melgar, Preston, Peskin

230446 [Planning and Subdivision Codes, Zoning Map - Housing Production]**Sponsors: Mayor; Engardio and Dorsey**

Ordinance amending the Planning Code to encourage housing production by 1) exempting, under certain conditions, specified housing projects from the notice and review procedures of Section 311 and the Conditional Use requirement of Section 317, in areas outside of Priority Equity Geographies, which are identified in the Housing Element as areas or neighborhoods with a high density of vulnerable populations, and areas outside RH (Residential House) Districts within the Family Housing Opportunity Special Use District; 2) removing the Conditional Use requirement for several types of housing projects, including housing developments on large lots in areas outside the Priority Equity Geographies Special Use District, projects to build to the allowable height limit, projects that build additional units in lower density zoning districts, and senior housing projects that seek to obtain double density, subject to certain exceptions in RH Districts in the Family Housing Opportunity Special Use District; 3) amending rear yard, front setback, lot frontage, minimum lot size, and residential open space requirements in specified districts, subject to certain exceptions in RH Districts in the Family Housing Opportunity Special Use District; 4) allowing additional uses on the ground floor in residential buildings, homeless shelters, and group housing in residential districts, and administrative review of reasonable accommodations; 5) expanding the eligibility for the Housing Opportunities Mean Equity - San Francisco (HOME - SF) program and density exceptions in residential districts; 6) exempting certain affordable housing projects from certain development fees; 7) authorizing the Planning Director to approve State Density Bonus projects, subject to delegation from the Planning Commission; and 8) making conforming amendments to other sections of the Planning Code; amending the Zoning Map to create the Priority Equity Geographies Special Use District; amending the Subdivision Code to update the condominium conversion requirements for projects utilizing residential density exceptions in RH Districts; 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.

04/18/23; ASSIGNED UNDER 30 DAY RULE to Land Use and Transportation Committee, expires on 5/18/2023.

04/26/23; 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; referred to the Mayor's Office of Housing and Community Development, Rent Board, Department of Building Inspection, and the Office of the Assessor-Recorder for informational purposes.

05/17/23; 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 then environment. Any physical projects would require separate environmental analysis or General Plan Evaluation under the 2022 Housing Element EIR.

06/06/23; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee. Mayor introduced a substitute Ordinance bearing new title.

06/09/23; REFERRED TO DEPARTMENT. Referred to the Mayor's Office of Housing and Community Development, Rent Board, Department of Building Inspection, and the Office of the Assessor-Recorder for informational purposes.

06/13/23; 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.

06/27/23; SUBSTITUTED AND ASSIGNED to Land Use and Transportation Committee. Mayor introduced a substitute Ordinance bearing the same title.

06/30/23; 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; referred to the Mayor's Office of Housing and Community Development, Rent Board, Department of Building Inspection, and the Office of the Assessor-Recorder for informational purposes.

07/14/23; RESPONSE RECEIVED. The proposed amendments were covered in the San Francisco Housing Element 2022 Update Environmental Impact Report (EIR) certified on November 17, 2022.

07/20/23; RESPONSE RECEIVED. On June 29, 2023, the Planning Commission met and held a duly noticed hearing and recommended approval with modification for this proposed legislation.

09/08/23; NOTICED. 10-Day Notice for 9/18/2023 Land Use and Transportation Committee hearing published in the Examiner and posted, per California Government Code, Sections 65856 & 65090.

09/18/23; CONTINUED. Heard in Committee. Speakers: Aaron Starr (Planning Department); Anne Pearson (Office of the City Attorney); presented information and answered questions raised throughout the discussion. Christopher Roach; Sarah Willmer; Speaker; Calvin Welch; Jane Natoli; Annie Fryman; Susanna Douglas; A. Gordon Atkinson; Christopher Oquist; Tes Welborn; Lev Weisbach; Chanel; Elizabeth; Jake Price; Paul Adamson; Barbara Bei; Adam; Steven; Jonathan Friedman; Veronica Lempert; Peter Papadopoulos; Charles Ayers; Erica Kaplan; Corey Smith; spoke in support of the hearing matter. Zach Karnazes; Lucy; Speaker; Speaker; Kathy Lipscomb; Speaker; Speaker; Speaker; Betty; Tom Gilbert; John Avalos; Nick Pasquariello; Speaker; Steve Leeds; Bridget Maley; Verna Shaheen; Katherine Petrin; Trevor Weinhurst; Chantelle Wilkinson; Erica Sawarage; Sue Hestor; Speaker; David Woo; Carmen Boquin; Speaker; Joseph Smooke; Tab Buckner; Lori Lederman; Anastasia Yovanopoulos; Renee Curran; Don Masumi; Larisa Pedroncelli; Amy Beinart; George Wooding; Eric Brooks; Francisco Carrera; Jonathan Mead; Angelica Segura-Brandi; Tracy Flandrich; Speaker; Bruce Wolfe; Jeannine; Robert Fruchtman; Katherine Howard; Michael Nulty; Speaker; Lea Thea; Speaker; Roisin Isner; Georgia Schuttish; Lorraine Petty; Stephanie Peake; spoke in opposition of the hearing matter. William Railing; Lou Esperante; spoke on various concerns relating to the hearing matter.

09/25/23; REFERRED TO DEPARTMENT. Referred to the Youth Commission for comment and recommendation.

10/02/23; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. Heard in Committee. Speakers: Aaron Starr (Planning Department); Supervisors Rafael Mandelman and Matt Dorsey (Board of Supervisors); Tom Paulino (Office of the Mayor); Rich Hillis, Director (Planning Department); Ozzie Rohm (San Francisco Land Use Coalition); presented information and answered questions raised throughout the discussion. Serena Calhoun; Speaker; Jane Natoli (YIMBY Action); Kevin Prine; Jonathan; spoke in support of the ordinance matter. Don Misumi; Eileen Boken; Anastasia Yovanopolous; Scott (Mission Liberation Center); Joseph Smooke (Westside Community Coalition); Theresa Flandrich (North Beach Tenants Association); Stephanie; Kim Tavaglione (San Francisco Labor Council); Renee; Jeantelle Laberinto (Race and Equity in All Planning Coalition); Max Williams; Skylar Sacoolas (Green Action For Health and Environmental Justice); Magik Altman; Anakh Sul Rama; Speaker; Christie Hanson; Howard Wong; Speaker; Rudy Gonzalez (San Francisco Labor Council); Lori Liederman; Mitchell Omerberg, Director (Affordable Housing Alliance); Katherine Petrin (San Francisco Heritage); Reyna Tello (PODER); Speaker; Steve Lee; Georgia Schuttish; Nancy Méndez, Manager (Excelsior Resource Hub); Layla Stanley (San Francisco Tenants Union); Gilbert Williams; Larissa Pedroncelli; Francisco Herrera; Amy Beinart; spoke in opposition to the ordinance matter. Eric Brooks (Our City San Francisco); Ozzie Rohm (San Francisco Land Use Coalition); Matthew Lew (Chinatown Community Development Center); Gary Gregerson; Molly Goldberg, Director (San Francisco Anti-Displacement Coalition); Regina Islas; Avi Gandhi (Chinatown Community Development Center); Kyle Doole; Kathy Lipscomb (Senior and Disability Action); Yolanda; Jake Price (Housing Action Coalition); Speaker; George Wooding; Christopher Marsh; Speaker; Carmen; Pryia (Race and Equity in All Planning Coalition); Speaker; Peter Papadopoulos (Mission Economic Development Agency); Speaker; Robert Fruchtman; Lorraine Petty; Sue Hestor; Adam; Speaker; Bridget Maley; Speaker; shared various concerns regarding the ordinance matter.

10/02/23; AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE.

10/02/23; CONTINUED AS AMENDED. The Land Use and Transportation Committee requested that the City Attorney prepare a special review copy of the Ordinance, as twice amended, indicating the amendments provided by the Planning Department and Chair Melgar separately through highlighting in different colors.

Heard in Committee. Speakers: Supervisor Rafael Mandelman (Board of Supervisors); Richard Hillis, Director (Planning Department); presented information and answered questions raised throughout the discussion. Annie Fryman; (SPUR); Jake Price: Mike Chan; Jessica; Robert Fruchtman; Joel; Steve; spoke in support of the ordinance matter. Elizabeth; Luisa Roy; Francesca; Peter Warfield; Anastasia Yovanopolous; Speaker; spoke in opposition to the ordinance matter. Thierry Fill, Jonathan Randolph; shared various concerns regarding the ordinance.

Chair Melgar moved that this Ordinance be CONTINUED to the Land Use and Transportation Committee meeting of October 30, 2023. 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 3:21 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.

ADDENDUM

The following information is provided by speaker(s), pursuant to Administrative Code, Section 67.16. The content is neither generated by, nor subject to approval or verification of accuracy by, the Clerk of the Board or the Board of Supervisors.

Michael Petrelis submitted the following additional information during public comment for File No. 220709, as follows:

"Another Planet Entertainment executives are greedy and their only motive in managing the Castro Theatre is profiteering. They care nothing about the interior integrity, film culture and the gayborhood. No effort's been made to either regularly show movies, especially on weekends with kid-friendly programs.

The Nasser family is not a responsible corporate neighbors. Never have they held meetings with film-lovers or neighborhood advocates. As their property deteriorated, the Nasser spent only the absolute minimum on repairs. Appropriate maintenance was of no importance.

The Castro Theatre has been dark 270 nights since APE contracted with the Nassers, harming foot traffic in the gayborhood, and 130 dark nights are project until the end of January 2024. This is unacceptable and an outrage.

Rafael Mandelman has always been in APE's pocket. He held no town halls in the Castro to hear concerns, erroneously claiming it would have violated his alleged neutrality."