[Adopting findings related to the conditional use appeal on property located at 3575 Geary Boulevard.]

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2003.0410CEK!, a lot size in excess of 9,999 square feet, Sections 121.2 and 712.21 to allow non-residential use size in excess of 5,999 square feet, Section 271 to allow exception from the "A" Bulk Controls in an 80-A Height and Bulk District, and Sections 303 and 304 to allow a Planned Unit Development that would include modifications to the rear yard requirement (Planning Code Section 134), the Open space requirement for senior dwelling units (Planning Code Section 135(d)(3)), the dwelling unit exposure requirement (Planning Code Section 140), and the off-street parking and loading requirements (Planning Code Section 151 and 152) located at 3575 Geary Boulevard; Lot 2 in Assessor's Block 1083, and Lot 4 in Assessor's Block 1084.

The appellant, Libby Benedict, on behalf of Jordan Park Improvement Association and Francisco Heights Neighborhood Association, filed a timely appeal on May 4, 2006, protesting the approval by the Planning Commission of an application for a conditional use authorization (Conditional Use Application No. 2003.0410CEK!), to allow lot size in excess of 9,999 square feet, Sections 121.2 and 712.21 to allow non-residential use size in excess of 5,999 square feet, Section 271 to allow exception from the "A" Bulk Controls in an 80-A Height and Bulk District, and Sections 303 and 304 to allow a Planned Unit Development that would include modifications to the rear yard requirement (Planning Code Section 134), the Open space requirement for senior dwelling units (Planning Code Section 135(d)(3)), the dwelling unit exposure requirement (Planning Code Section 140), and the off-street parking and loading requirements (Planning Code Section 151 and 152).
The site is currently occupied by the now closed single-screen Coronet Theater in an NC-3 (Moderate-scale Neighborhood Commercial) District, and an 80-A Height and Bulk District, located at 3575 Geary Boulevard; Lot 2 in Assessor’s Block 1083, and Lot 4 in Assessor’s Block 1084.

On May 23, 2006, the Board conducted a duly noticed public hearing on the appeal from the Planning Commission’s approval referred to in the first paragraph of this motion. Following the conclusion of the public hearing on May 23, the Board disapproved the decision of the Planning Commission (Planning Commission Motion No. 17219 dated April 6, 2006) and approved the issuance of requested Conditional Use Application No. 2003.0410CEK!, subject to the conditions imposed by the Planning Commission, and further subject to amendments to the Planning Commission’s conditions as well as additional conditions imposed by the Board of Supervisors.

In reviewing the appeal of the approval of the requested conditional use authorization, this Board reviewed and considered the written record before the Board and all of the public comments made in support of and in opposition to the appeal.

NOW, THEREFORE, BE IT MOVED, That the Board of Supervisors of the City and County of San Francisco hereby adopts as its own and incorporates by reference herein, as though fully set forth, the findings made by the Planning Commission in its Motion No. 17219 dated April 6, 2006, except as indicated below.

FURTHER MOVED, That on May 23, 2006, the Board of Supervisors disapproved the decision of the Planning Commission by its Motion No. 17219, which approved Conditional Use Application No. 2003.0410CEK!, and approved the requested Conditional Use Authorization subject to the conditions imposed by the Planning Commission, and further subject to the following amendments to the conditions imposed by the Planning Commission and the following additional conditions imposed by the Board:
1. Condition D(1)d is amended by adding after “staging area for its vans,” the following: “and avoid temporary or double parking of vans on neighborhood streets.”

2. Condition D(3) is amended by adding after “may reduce the amount of parking,” the following “after a public hearing at the Planning Commission.”

3. A new condition D(4) is added to read as follows: “IOA shall participate in the Commuter Check Program or a similar program to make transit passes readily available to its employees.”

4. A new condition D(5) is added to read as follows: “Use of the basement level meeting facilities shall be restricted to on-site employees and clients of the facility except on weekdays after 6:00 PM and on weekends when employee parking spaces are vacant and provided for use by meeting attendees.”

5. Condition G(1) is amended to add “through use of directional lighting fixtures.”

FURTHER MOVED, That the Board of Supervisors took notice that a Final Environmental Impact Report was issued and certified by the Planning Department on April 6, 2006, and was affirmed by the Board of Supervisors after a duly noticed hearing on May 23, 2006, prior to the Board's consideration of the conditional use appeal. The Board further finds that there have been no substantial Project changes, no substantial changes in Project circumstances, and no new information of substantial importance that would change the conclusions set forth in the Final Environmental Impact Report that the proposed Project would not have a significant effect on the environment.

FURTHER MOVED, That, on balance, the Project, as revised by the Board of Supervisors, is consistent with the objectives and policies of the General Plan, and is consistent with the Priority Policies of Planning Code Section 101.1.

FURTHER MOVED, That the Board of Supervisors, after carefully balancing the competing public and private interests, disapproved the decision of the Planning Commission
by its Motion No. 17219 dated April 6, 2006, and approved the issuance of Conditional Use Application No. 2003.0410CEKI. on property located at 3575 Geary Boulevard, subject to the conditions imposed by the Planning Commission and the additional amendments and conditions imposed by the Board of Supervisors on May 23, 2006, as referred to earlier in this motion.
Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2003.0410CEK!, a lot size in excess of 9,999 square feet, Sections 121.2 and 712.21 to allow non-residential use size in excess of 5,999 square feet, Section 271 to allow exception from the "A" Bulk Controls in an 80-A Height and Bulk District, and Sections 303 and 304 to allow a Planned Unit Development that would include modifications to the rear yard requirement (Planning Code Section 134), the Open space requirement for senior dwelling units (Planning Code Section 135(d)(3)), the dwelling unit exposure requirement (Planning Code Section 140), and the off-street parking and loading requirements (Planning Code Section 151 and 152) located at 3575 Geary Boulevard; Lot 2 in Assessor's Block 1083, and Lot 4 in Assessor's Block 1084.

May 31, 2006  Board of Supervisors — REFERRED: Board of Supervisors
June 6, 2006  Board of Supervisors — APPROVED
Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick, Mirkarimi, Peskin, Sandoval
Noes: 1 - Alioto-Pier
I hereby certify that the foregoing Motion was APPROVED on June 6, 2006 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board