Motion adopting findings related to the appeal of a decision of the Planning Commission, Motion No. 18342, approving Conditional Use Application 2006.0868CEKTZ on property located at 800 Presidio Avenue.

WHEREAS, the Planning Commission issued a decision by Motion No. 18342, dated April 28, 2011, approving Conditional Use Application No. 2006.0868CEKTZ subject to certain conditions, to allow construction of a 55-foot tall planned unit development containing community facilities and a five-story, residential building with up to 50 affordable housing units within the RM-1 (Residential, Mixed, Low-Density) District, the Presidio-Sutter Special Use District and a 40-X/55-X Height and Bulk District, on property located at 800 Presidio Avenue, Lot No. 013, in Assessor's Block No. 1073; and

WHEREAS, said determination was timely appealed to the Board of Supervisors on May 31, 2011, by Stephen M. Williams on behalf of Neighbors for Fair Planning;

WHEREAS, on June 21, 2011, 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 June 21, the Board disapproved the decision of the Planning Commission (Planning Commission Motion No. 18342, dated April 28, 2011) and approved the issuance of requested Conditional Use Application No. 2006.0868CEKTZ, subject to the conditions imposed by the Planning Commission in its Motion No. 18342, and further subject to the following additional conditions imposed by the Board of Supervisors:

SOUND – While the Board has approved the adequacy of the EIR on this issue, following the project's completion, the City will assess noise related to different kinds of
events, such as basketball tournaments, dances, etc. and any efforts that might be made to address this type of noise.

GYM CONSTRUCTION NOISE INSULATION – The project sponsor will, to the extent possible, use construction methods and materials to insulate the gym so that noise potentially created by the gym be reduced.

2755 SUTTER - THE HOUSE JUST EAST AND BELOW 800 PRESIDIO – The Planning department will work with the residents of 2755 Sutter to address the affects of the project on 2755 Sutter. Issues to be addressed include the project's exterior paint colors and shades, fencing on the border of 2755 Sutter. The project sponsor also is required to work with the tree owner at 2745 Sutter and prune and/or replace the tree with a smaller variety.

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, all of the findings made by the Planning Commission in its Motion No. 18342, dated April 28, 2011, approving Conditional Use Application No. 2006.0868CEKTZ, to the extent said findings are consistent with, and valid under, all provisions of State law and the General Plan as are effective on the date of said approval;

FURTHER MOVED, That the Board of Supervisors took notice that the Board affirmed the Final Environmental Impact Report regarding the project described in paragraph one, above. The Board 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 certification of the Final Environmental Impact Report and require additional environmental review under CEQA.
Motion adopting findings related to the appeal of a decision of the Planning Commission, Motion No. 18342, approving Conditional Use Application 2006.0868CEKTZ on property located at 800 Presidio Avenue.

July 12, 2011 Board of Supervisors - APPROVED
Ayes: 11 - Avalos, Campos, Chiu, Chu, Cohen, Elsbernd, Farrell, Kim, Mar, Mirkarimi and Wiener

I hereby certify that the foregoing Motion was APPROVED on 7/12/2011 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board