

1 [Adopting findings related to the conditional use appeal on property located at 1160 Mission
2 Street.]

3 **Motion adopting findings related to the appeal of the Planning Commission's approval**
4 **of Conditional Use Application No. 2002.0628CEK VX, (which allowed, subject to certain**
5 **conditions, for a Commercial Public Parking Garage with up to 381 parking spaces and**
6 **for Residential-serving off-street parking in excess of accessory amounts, in**
7 **conjunction with the construction of a 23-story apartment building with up to 246**
8 **dwelling units), in a C-3-G (Downtown General Commercial) District and a 150-S and**
9 **240-S Height and Bulk District, on property located at 1160 Mission Street, northwest**
10 **side between Seventh and Eighth Streets, with additional frontage on Stevenson Street**
11 **(Lots 37, 38 and 56 in Assessor's Block 3702).**

12
13 The appellant, Dave Snyder on behalf of Transportation for a Livable City, filed a timely
14 appeal on January 5, 2004, protesting the approval by the Planning Commission of an
15 application for a conditional use authorization (Conditional Use Application No.
16 2002.0628CEK VX), to allow, subject to certain conditions, for a Commercial Public Parking
17 Garage with up to 381 parking spaces and for Residential-serving off-street parking in excess
18 of accessory amounts, in conjunction with the construction of a 23-story apartment building
19 with up to 246 dwelling units, in a C-3-G (Downtown General Commercial) District and a
20 150-S and 240-S Height and Bulk District, on property located at 1160 Mission Street,
21 northwest side between Seventh and Eighth Streets, with additional frontage on Stevenson
22 Street (Lots 37, 38 and 56 in Assessor's Block 3702).

23 On January 27, 2004, the Board conducted a duly noticed public hearing on the appeal
24 from the Planning Commission's approval referred to in the first paragraph of this motion.
25 Following the conclusion of the public hearing on January 27, the Board disapproved the

1 decision of the Planning Commission (Planning Commission Motion No. 16693, dated
2 December 4, 2003) and approved the issuance of requested Conditional Use Application No.
3 2002.0628CEKVX, subject to the conditions imposed by the Planning Commission, and
4 further subject to additional conditions imposed by the Board of Supervisors.

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

8 NOW, THEREFORE, BE IT MOVED, That the Board of Supervisors of the City and
9 County of San Francisco hereby adopts as its own and incorporates by reference herein, as
10 though fully set forth, the findings made by the Planning Commission in its Motion No. 16693,
11 dated December 4, 2003, except as indicated below.

12 FURTHER MOVED, That at the January 27, 2004, public hearing on this appeal the
13 appellant and project sponsor testified that the parties had mutually agreed and stipulated to
14 additional conditions of approval for Conditional Use Application No. 2002.0628CEKVX, which
15 conditions are incorporated and imposed by the Board of Supervisors as set forth below.

16 FURTHER MOVED, That on January 27, 2004, the Board of Supervisors disapproved
17 the decision of the Planning Commission by its Motion No. 16693, which approved
18 Conditional Use Application No. 2002.0628CEKVX, and approved the requested Conditional
19 Use Authorization subject to the conditions imposed by the Planning Commission, and further
20 subject to the following additional conditions stipulated by the appellant and project sponsor
21 and imposed by the Board:

- 22 1. The number of required bicycle parking stalls shall be increased from twenty
23 (20) to forty (40).
- 24 2. The commercial parking garage entrance shall be operated using all reasonable
25 measures to prevent vehicles from blocking the Mission Street sidewalk or bus lane in front of

1 the Project; including such preventative measures as to increase the length of the queuing
2 area entering the Garage.

3 3. The commercial parking garage and the residential-serving off-street parking
4 approved by this Conditional Use Application shall be contained in Four (4) floors instead of
5 five (5) floors without change to the height or bulk of the Garage Podium and Residential
6 Tower.

7 FURTHER MOVED, That the Board of Supervisors took notice that a Final Negative
8 Declaration was issued by the Planning Department on September 22, 2003. The Board
9 further finds that there have been no substantial Project changes, no substantial changes in
10 Project circumstances, and no new information of substantial importance that would change
11 the conclusions set forth in the Final Negative Declaration that the proposed Project would not
12 have a significant effect on the environment.

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

16 FURTHER MOVED, That the Board of Supervisors, after carefully balancing the
17 competing public and private interests, disapproved the decision of the Planning Commission
18 by its Motion No. 16693, dated December 4, 2003, and approved the issuance of Conditional
19 Use Application No. 2002.0628CEK VX on property located at 1160 Mission Street, subject to
20 the conditions imposed by the Planning Commission and the additional conditions imposed by
21 the Board of Supervisors on January 27, 2004, as referred to earlier in this motion.



City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Motion

File Number: 040135

Date Passed:

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2002.0628CEKVX, (which allowed, subject to certain conditions, for a Commercial Public Parking Garage with up to 381 parking spaces and for Residential-serving off-street parking in excess of accessory amounts, in conjunction with the construction of a 23-story apartment building with up to 246 dwelling units), in a C-3-G (Downtown General Commercial) District and a 150-S and 240-S Height and Bulk District, on property located at 1160 Mission Street, northwest side between Seventh and Eighth Streets, with additional frontage on Stevenson Street (Lots 37, 38 and 56 in Assessor's Block 3702).

February 4, 2004 Board of Supervisors — REFERRED: Board of Supervisors


February 10, 2004 Board of Supervisors — APPROVED


Ayes: 10 - Alioto-Pier, Ammiano, Daly, Dufty, Gonzalez, Hall, Ma, Maxwell,
McGoldrick, Peskin

Absent: 1 - Sandoval

File No. 040135

I hereby certify that the foregoing Motion was APPROVED on February 10, 2004 by the Board of Supervisors of the City and County of San Francisco.



 Gloria L. Young
Clerk of the Board