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FILE NO. 990663

MOTION NO. M99-44

1 [Findings – 2161 Sutter Street]
2 ADOPTING FINDINGS RELATED TO THE APPEAL OF THE PLANNING COMMISSION'S
3 APPROVAL OF CONDITIONAL USE APPLICATION NO. 98.809C, AUTHORIZING THE
4 ESTABLISHMENT OF AN 18-BED RESIDENTIAL CARE FACILITY (DEFINED BY
5 PLANNING CODE SECTION 790.50 AS OTHER INSTITUTION, LARGE) FOR
6 AMBULATORY MENTALLY DISORDERED ADULTS IN AN NC-2 (SMALL-SCALE
7 NEIGHBORHOOD COMMERCIAL) DISTRICT WITHIN A 50-X HEIGHT AND BULK
8 DISTRICT, ON PROPERTY LOCATED AT 2161 SUTTER STREET; LOT 5 IN ASSESSOR'S
9 BLOCK 682.

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11 The appellant, Michele Hagan, filed a timely appeal on February 12, 1999, protesting
12 the approval by the Planning Commission of an application for a conditional use authorization
13 (Conditional Use Application No. 98.809C, approved by Commission Motion No. 14763 on
14 January 14, 1999) authorizing the establishment of an 18-bed residential care facility (defined
15 by Planning Code Section 790.50 as other institution, large) for ambulatory mentally
16 disordered adults in an NC-2 (Small-Scale Neighborhood Commercial) District, on property
17 located at 2161 Sutter Street; Lot 5 in Assessor's Block 682.

18 The public hearing before the Board of Supervisors on said appeal was scheduled for
19 March 8, 1999. On that date, the Board conducted a duly noticed hearing on the appeal from
20 the approval of the requested conditional use authorization. Following the completion of the
21 public hearing, the Board of Supervisors continued its consideration of the appeal to March
22 22, 1999. On March 22, 1999, the Board of Supervisors continued its consideration of the
23 appeal to April 5, 1999.

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

4 NOW, THEREFORE, BE IT MOVED, That the Board of Supervisors of the City and
5 County of San Francisco hereby adopts as its own and incorporates by reference herein, as
6 though fully set forth, the findings made by the Planning Commission in its Motion No. 14763,
7 dated January 14, 1999; and, be it

8 FURTHER MOVED, That the Board of Supervisors specifically adopts as its own, and
9 incorporates by reference herein as though fully set forth, the findings made by the Planning
10 Commission in its Motion No. 14763, dated January 14, 1999, that the proposed project is in
11 conformity with the General Plan, and is consistent with the Priority Policies of Planning Code
12 Section 101.1; and, be it

13 FURTHER MOVED, That the Board of Supervisors finds and determines that the public
14 interest would be best served if the City regularly and periodically inspects the facility located
15 at 2161 Sutter Street, and takes all actions necessary to enforce compliance by the applicant
16 with all City laws which apply to the operation of this facility.

17 FURTHER MOVED, That the Board of Supervisors, after carefully balancing the
18 competing public and private interests, disapproves and reverses the decision of the Planning
19 Commission by its Motion No. 14763, dated January 14, 1999, and hereby authorizes the
20 applicant to establish an 18-bed Residential Care Facility (defined by Planning Code Section
21 790.50 as other institution, large) for ambulatory mentally disordered adults in an NC-2
22 (Small-Scale Neighborhood Commercial) District within a 50-X Height and Bulk District on
23 property located at 2161 Sutter Street; Lot 5 in Assessor's Block 682. This approval by the
24 Board of Supervisors is conditioned upon the applicant complying with all of the conditions
25 stated in Motion No. 14763 of the Planing Commission (dated January 14, 1999), and further

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conditioned upon applicant complying with this additional condition:

“The Department of Human Services and the Department of Building Inspection shall conduct regular and periodic inspections of 2161 Sutter Street, and shall take all actions necessary to enforce compliance by the applicant with all City laws which apply to the operation of this facility.”



City and County of San Francisco

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

Tails Motion

File Number: 990663

Date Passed: April 12, 1999

Motion adopting findings related to the appeal of the Planning commission's approval of Conditional Use Application No. 98.809C, authorizing the establishment of an 18-bed residential care facility (defined by Planning Code Section 790.50 as Other Institution, Large) for ambulatory mentally disordered adults in an NC-2 (Small-scale Neighborhood Commercial) District within a 50-X Height and Bulk District, on property located at 2161 Sutter Street; Lot 5 in Assessor's Block 682.

April 7, 1999 Board of Supervisors — ASSIGNED: Board of Supervisors

April 12, 1999 Board of Supervisors — APPROVED


Ayes: 9 - Ammiano, Becerril, Bierman, Katz, Kaufman, Leno, Newsom, Teng,
Yaki

Noes: 1 - Yee

Absent: 1 - Brown

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I hereby certify that the foregoing Motion was APPROVED on April 12, 1999 by the Board of Supervisors of the City and County of San Francisco.



Jean Lum
Acting Clerk of the Board

File No. 990663 continued...