

FILE NO. 021200

MOTION NO. **M02-110**

1 **[Adopting findings related to the conditional use appeal on property located at 2455 Bush**
2 **Street (a.k.a. 1770 Scott Street):]**

3 Motion adopting findings related to the appeal of the Planning Commission's approval
4 of Conditional Use Application No- 99.0818C (which allowed the lot size to exceed 9,999
5 square feet ((77,056 square feet existing)), allowed the use size to exceed 3,999 square feet
6 ((21,000 gross square feet proposed)), allowed the demolition of approximately 5,900 square
7 feet of a two-story building fronting on Bush Street, and allowed the construction of a new two
8 and three story replacement structure and additions of approximately 11,700 gross square
9 feet with new locker and fitness rooms to serve the existing tennis club ((The California Tennis
10 Club)) per Sections 121.1, 121.2, 303, 711.11, 711.21, and 711.81 of the Planning Code) for
11 the property in an NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height
12 and Bulk District, located at 2455 Bush Street (a.k.a. 1770 Scott Street), between Scott and
13 Pierce Streets in the Western Addition neighborhood (Lot 3 in Assessor's Block 680).

14 The appellant, Janice L. Bolaffi, filed a timely appeal on May 10, 2002, protesting the
15 approval by the Planning Commission of an application for a conditional use authorization
16 (Conditional Use Application No. 99.0818C, approved by Planning Commission Motion No.
17 16375) which allowed the lot size to exceed 9,999 square feet ((77,056 square feet existing)),
18 allowed the use size to exceed 3,999 square feet ((21,000 gross square feet proposed)),
19 allowed the demolition of approximately 5,900 square feet of a two-story building fronting on
20 Bush Street, and allowed the construction of a new two and three story replacement structure
21 and additions of approximately 11,700 gross square feet with new locker and fitness rooms to
22 serve the existing California Tennis Club ("CTC") per Sections 121.1, 121.2, 303, 711.11,
23 711.21, and 711.81 of the Planning Code) for the property in an NC-2 (Small-Scale
24 Neighborhood Commercial) District and a 40-X Height and Bulk District, located at 2455 Bush
25

1 Street (a.k.a. 1770 Scott Street), between Scott and Pierce Streets in the Western Addition
2 neighborhood (Lot 3 in Assessor's Block 680).

3 The public hearing before the Board of Supervisors on said appeal was scheduled for
4 June 3, 2002. On June 3 the Board conducted a duly noticed hearing on the appeal from the
5 Planning Commission's approval referred to in the first paragraph of this motion. On June 3
6 the Board heard public comment regarding the appeal, and following the conclusion of the
7 public hearing the Board continued their consideration of the appeal to the meeting of June
8 17, 2002. On June 17 the Board continued their consideration of the appeal to the meeting of
9 July 1, 2002. On July 1 the Board continued their consideration of the appeal to the meeting of
10 July 8, 2002. On July 8 the Board disapproved the decision of the Planning Commission
11 (Planning Commission Motion No. 16375), and approved the issuance of requested
12 Conditional Use Application No. 99.0818C subject to twenty-three (23) conditions imposed by
13 the Planning Commission, and subject to an additional five (5) conditions imposed by the
14 Board of Supervisors.

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

18 NOW, THEREFORE, BE IT MOVED, That the Board of Supervisors of the City and
19 County of San Francisco hereby adopts as its own and incorporates by reference herein, as
20 though fully set forth, the findings made by the Planning Commission in its Motion No. 16375,
21 dated April 11, 2002, except as indicated below.

22 FURTHER MOVED, That the Board of Supervisors took notice that on August 30,
23 2001, the Planning Department issued a Certificate of Exemption/Exclusion from
24 Environmental Review finding that the proposed project is exempt/excluded from
25 environmental review, pursuant to the California Environmental Quality Act, the State

1 Guidelines for Implementation of CEQA and Chapter 31 of the San Francisco Administrative
2 Code, Sections 15301 (e) and (l). Guideline Section 15301 (e) provides for an exemption for
3 the addition to existing structures provided that the addition will not result in an increase of
4 more than 10,000 square feet. The proposed project would only involve the addition of
5 approximately 5,800 square feet. The project also qualified for a Guidelines Section 15301 (e)
6 exemption, which allows for the demolition of up to three small commercial structures
7 designed for an occupant load of 90 persons or less. The Board finds that there have been no
8 substantial Project changes, no substantial changes in project circumstances, and no new
9 information of substantial importance that would change the conclusions set forth in the
10 Certificate of Exemption/Exclusion from Environmental Review finding that the proposed
11 project is exempt/excluded from environmental review.

12 FURTHER MOVED, That at the public hearing on this appeal many members of the
13 public testified that a lack of available off-street parking spaces and consequent demand for
14 additional on-street parking spaces in the area of the CTC occasionally results in a shortage
15 of on-street parking spaces for residences, businesses and other visitors to the neighborhood.
16 Some members of the public also testified that CTC could improve its communication with
17 neighborhood organizations regarding future changes to its facilities. The Board of
18 Supervisors finds that, based upon the public testimony before the Board, that the Project as
19 approved by the Planning Commission, , would not satisfy the requirements of Planning Code
20 Section 303 (c) (1) (A) (ii), as effectively as a Project with additional conditions related to the
21 provision of off-street neighborhood parking, limitations on total CTC membership and
22 provision of neighborhood notice for any future physical changes to the Tennis Club.

23 FURTHER MOVED, That the Board finds that the applicant needs to provide an
24 accommodation for the parking needs of the neighborhood in order for the Project to better
25

1 serve, be desirable for, and compatible with, the neighborhood under the provisions of Section
2 303 (c)(1) (A) (ii) of the Planning Code.

3 FURTHER MOVED, That at its July 8 meeting the Board of Supervisors disapproved
4 the decision of the Planning Commission, approved the issuance of requested Conditional
5 Use Application No. 99.081 Ck, approved and imposed the conditions of the Planning
6 Commission in its Motion No. 16375, and imposed the following additional conditions to those
7 imposed by the Planning Commission:

8 "24. The California Tennis Club ("CTC") will make available some combination of Full
9 Day and/or Evening Parking described below:

10 (a) Full Day Parking - For this option the CTC will make available fourteen (14)
11 parking spaces in its enclosed garage to neighboring residents who reside within three
12 hundred (300) feet of CTC ("Neighborhood Residents") at the market monthly rental rate
13 charged for enclosed off street parking in the neighborhood of CTC. Those Neighborhood
14 Residents who do rent space in the CTC's garage will have access to the garage during the
15 same hours the garage is open to CTC's members. During the hours the garage is closed,
16 cars will not be able to enter or exit the garage, but can be left overnight.

17 (b) Evening Parking - For this option the CTC will make available twenty-one (21)
18 parking spaces in its enclosed garage for use only between the hours of 5:00 p.m. to 9:00
19 a.m. seven (7) days a week to Neighborhood Residents at 50% of the market monthly rate
20 charged for enclosed off street parking in the neighborhood of CTC. Neighborhood Residents
21 who rent evening parking spaces must have their cars out by 9:00 a.m. every day. During the
22 hours the garage is closed, cars will not be able to enter or exit from the garage, but can be
23 left overnight.

24 (c) Combination of Full Day and Evening Parking - Every full day parking rental will
25 be the equivalent of one and one-half (1-1/2) evening parking rentals. Thus, (i) if there are

1 eight (8) full day renters, there may be up to nine (9) evening parking renters, or (ii) if there
2 are twelve (12) evening parking renters, there may be up to six (6) full day parking renters.

3 25. Prior to CTC seeking CU approval to expand any existing building or to develop
4 any new structure, CTC will solicit the view of the Western Addition Neighborhood
5 Association's ("WANA") and forward WANA's view including any letter WANA wishes to
6 include to CTC members as part, of any vote by CTC members on the issue of authorizing
7 CTC to apply for such CU approval.

8 26. CTC will allow WANA to use CTC meeting room space at no charge under
9 standard CTC Club guidelines.

10 27. CTC currently has a total of approximately 1,020 members. CTC may not
11 increase its membership to more than 1,075 members. The CTC General Manager will
12 annually certify in writing on or before January 31st of each year to the Director of City
13 Planning the total number of CTC members and will mail a copy of the certification to the
14 President of WANA.

15 28. The conditional use will be deemed to have been denied unless the membership
16 of the CTC votes to proceed with the Project with the foregoing 27 conditions of approval."

17 FURTHER MOVED, That with the imposition of Conditions 24-28, as listed above, the
18 Board of Supervisors finds that the Project, as proposed and approved with the conditions him
19 posed by the Planning Commission and as amended by the Board's additional conditions, will
20 better meet the requirements of Planning Code Section 303(c)(1)(A)(ii). The revised Project
21 will provide a development that is necessary or desirable for, and compatible with, the
22 neighborhood or the community, and that such use will not be detrimental to the health,
23 safety, convenience or general welfare of persons residing or working in the vicinity, or
24 injurious to property, improvements or potential development in the vicinity, and that such use
25 will not adversely affect the General Plan.

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

4 FURTHER MOVED, That the Board of Supervisors, after carefully balancing the
5 competing public and private interests, disapproved the decision of the Planning Commission
6 by its Motion 16375, dated April 11, 2002, and approved the issuance of Conditional Use
7 Application No. 99.0818C on property owned by the California Tennis Club and located at
8 2455 Bush Street (a.k.a. 1770 Scott Street), subject to the twenty-three (23) conditions
9 imposed by the Planning Commission Motion No. 16375 and an additional five (5) conditions
10 imposed by the Board on July 8, 2002, and referred to earlier in this motion.

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25



City and County of San Francisco

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

Tails Motion

File Number: 021200

Date Passed: July 15, 2002

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 99.0818C (which allowed the lot size to exceed 9,999 square feet ((77,056 square feet existing)), allowed the use size to exceed 3,999 square feet ((21,000 gross square feet proposed)), allowed the demolition of approximately 5,900 square feet of a two-story building fronting on Bush Street, and allowed the construction of a new two and three story replacement structure and additions of approximately 11,700 gross square feet with new locker and fitness rooms to serve the existing tennis club ((The California Tennis Club)) per Sections 121.1, 121.2, 303, 711.11, 711.21, and 711.81 of the Planning Code) for the property in an NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District, located at 2455 Bush Street (a.k.a. 1770 Scott Street), between Scott and Pierce Streets in the Western Addition neighborhood (Lot 3 in Assessor's Block 680).

July 10, 2002 Board of Supervisors — REFERRED: Board of Supervisors

July 15, 2002 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

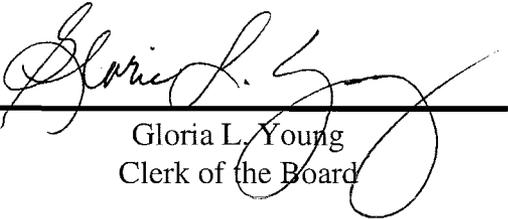
July 15, 2002 Board of Supervisors — APPROVED AS AMENDED

Ayes: 10 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

Noes: 1 - Ammiano

File No. 021200

I hereby certify that the foregoing Motion
was APPROVED AS AMENDED on July 15,
2002 by the Board of Supervisors of the City
and County of San Francisco.



Gloria L. Young
Clerk of the Board