

1 [Adopting findings related to the conditional use appeal on property located at 2690 Harrison
2 Street (aka 3000 23rd Street).]

3 **Motion adopting findings related to the appeal of the Planning Commission's approval**
4 **of Conditional Use Application No. 2000.1311EC (which allowed the construction of**
5 **dwelling units in a C-M (Heavy Commercial) zoning district, by demolishing an existing,**
6 **vacant industrial building and constructing a four-story, 54-unit, 40 foot high**
7 **residential building) on a site within the Northeast Mission Industrial Zone for property**
8 **located at 2690 Harrison Street (aka 3000 23rd Street) (Lot 004 in Assessor's Block**
9 **3639).**

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11 Under the provision of Section 308.1 (b) of the City Planning Code, having determined
12 that they believed there was sufficient public interest and concern in the matter to warrant a
13 hearing before the Board of Supervisors, five members of the Board of Supervisors filed a
14 notice of appeal on April 21, 2003, bringing before the Board the decision of the Planning
15 Commission to approve a conditional use authorization (Conditional Use Application No.
16 200.1311EC), to allow the construction of dwelling units in a C-M (Heavy Commercial) zoning
17 district pursuant to Planning Code Section 215(a) (by demolishing an existing, vacant
18 industrial building and constructing a four-story, 54-unit, 40 foot high residential building) on a
19 site within the Northeast Mission Industrial Zone for property located at 2690 Harrison Street
20 (aka 3000 23rd Street).

21 The public hearing before the Board of Supervisors on said appeal was scheduled for
22 May 13, 2003, On May 13, 2003, the Board conducted a duly noticed hearing on the appeal
23 from the Planning Commission's approval referred to in the first paragraph of this motion.
24 Following the conclusion of the public hearing on May 13, the Board continued its
25 consideration of the matter to May 20, 2003. On May 20, 2003, the Board further continued

1 its consideration of the matter to June 10, 2003. On June 10, 2003, the Board disapproved
2 the decision of the Planning Commission (Planning Commission Motion No. 16546, dated
3 March 20, 2003) and approved the issuance of requested Conditional Use Application No.
4 2000.1311EC, subject to the conditions imposed by the Planning Commission, and further
5 subject to additional conditions imposed by the Board of Supervisors.

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

9 NOW, THEREFORE, BE IT MOVED, That the Board of Supervisors of the City and
10 County of San Francisco hereby adopts as its own and incorporates by reference herein, as
11 though fully set forth, the findings made by the Planning Commission in its Motion No. 16546,
12 dated March 20, 2003; and, be it

13 FURTHER MOVED, That the Board of Supervisors took notice that a preliminary
14 Mitigated Negative Declaration (PMND) was issued by the Planning Department on April 27,
15 2002. An appeal of the PMND was heard before the Planning Commission on June 27, 2002,
16 when the final Mitigated Negative Declaration was adopted, the Commission finding that the
17 project would have no significant impact on the environment. On June 10, 2003, the Board of
18 Supervisors certified that it had reviewed the Final Mitigated Negative Declaration, and
19 adopted as its own the findings of the Planning Commission. The Board further finds that
20 there have been no substantial Project changes, no substantial changes in Project
21 circumstances, and no new information of substantial importance that would change the
22 conclusions set forth in the Final Mitigated Negative Declaration that the proposed Project
23 would have no significant impact on the environment.

24 FURTHER MOVED, That at the June 10, 2003, Board meeting the project sponsor
25 modified the project consistent with plans filed by the sponsor with the Planning Commission

1 that provide for construction of a total of one (1) studio unit, forty (40) one-bedroom units and
2 thirteen (13) two-bedroom units. The project sponsor further agreed to fulfill the 12 % on-site
3 inclusionary housing requirement of Planning Code Sections 315 et seq. through the
4 production of four (4) one-bedroom units and three (3) two-bedroom units.

5 FURTHER MOVED, That at the June 10, 2003, meeting the Board of Supervisors
6 urged in its decision that the project sponsor maintain and accept applicants from waiting lists
7 of the San Francisco Housing Authority (SFHA) Section 8 and San Francisco Redevelopment
8 Agency (SFRA) HOPWA (Housing Opportunity for People with AIDS) eligible voucher
9 recipients for up to three (3) market rate units as market rate units. It shall be the sole
10 responsibility of the SFHA and the SFRA to refer to the project sponsor eligible Section 8 and
11 HOPWA applicants pursuant to this provision.

12 FURTHER MOVED, That the project, as approved by the Planning Commission, called
13 for 1 studio unit, 43 one-bedroom units, and 11 two-bedroom units. The decision of the Board
14 of Supervisors to adopt as an additional condition the project sponsor's revised project will
15 increase the number of two-bedroom units from 11 to 13, and decrease the number of one-
16 bedroom units from 43 to 40.

17 FURTHER MOVED, That the project, as approved by the Planning Commission, called
18 for seven Below Market Rate (BMR) units. The decision of the Board of Supervisors adopts
19 as an additional condition the project sponsor's revised project to provide that four of these
20 BMR units shall be one-bedroom units, and three shall be two-bedroom units.

21 FURTHER MOVED, That the Board of Supervisors finds that by increasing the number
22 of two-bedroom units in the project, and by assuring that at least three of the seven Below
23 Market Rate units will be two-bedroom units, and that the other four BMR units will be at least
24 one-bedroom units, the project will make available more badly-needed units suitable for
25 families, including Inclusionary Affordable Housing units. The Board further finds that a higher

1 proportion of families live in this area of the City than in some other areas of the City, and that
2 there is a shortage of larger units suitable for families in this area of the City. These
3 alterations to the project will better meet identified housing needs and take into account the
4 demand for affordable housing (Planning Code Section 303).

5 FURTHER MOVED, That at its June 10, 2003, meeting the Board of Supervisors
6 disapproved the decision of the Planning Commission, approved the issuance of requested
7 Conditional Use Application No. 2000.1311EC, approved and imposed the conditions of the
8 Planning Commission in its Motion No. 16546, and imposed the additional conditions set forth
9 above in this motion.

10 FURTHER MOVED, That with the imposition of the additional conditions, as listed
11 above, the Board of Supervisors finds that the project, as revised, will meet the requirements
12 of Planning Code Section 303. The revised project will provide a development that is
13 necessary or desirable for, and compatible with, the neighborhood or the community, and that
14 such use will not be detrimental to the health, safety, convenience or general welfare of
15 persons residing or working in the vicinity, or injurious to property, improvements or potential
16 development in the vicinity, and that such use will not adversely affect the General Plan.

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

20 FURTHER MOVED, That the Board of Supervisors, after carefully balancing the
21 competing public and private interests, disapproved the decision of the Planning Commission
22 by its Motion No. 16546, dated March 20, 2003, and approved the issuance of Conditional
23 Use Application No. 2000.1311EC on property located at 2690 Harrison Street (aka 3000 23rd
24 Street), subject to the conditions imposed by the Planning Commission and the additional
25 conditions imposed by the Board of Supervisors on June 10, 2003, as referred to earlier in this

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