

1 [Adopting findings related to the conditional use appeal on property located at 833-881
2 Jamestown Avenue.]

3 **Motion adopting findings related to the appeal of the Planning Commission's approval**
4 **of Conditional Use Application No. 1999.0233C, (which allowed, a Planned Unit**
5 **Development with up to 198 dwelling units and 216 off-street parking spaces within an**
6 **RH-2 (Residential, House, Two-Family) Use District and a 40-X Height and Bulk District,**
7 **on property located at: 833-881 Jamestown Avenue, west of Candlestick park at the**
8 **northern base of Bayview Hill; (Lot 277 in the Assessor's Block 4991).**

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10 The appellant, Ralph D. House, on behalf of the Bayview Hill Neighborhood
11 Association, filed a timely appeal on April 26, 2004, protesting the approval by the Planning
12 Commission of an application for a conditional use authorization (Conditional Use Application
13 No. 1999.0233C), to allow, subject to certain conditions, for a Planned Unit Development with
14 up to 198 dwelling units and 216 off-street parking spaces within an RH-2 (Residential,
15 House, Two-Family) Use District and a 40-X Height and Bulk District, on property located at:
16 833-881 Jamestown Avenue, west of Candlestick park at the northern base of Bayview Hill;
17 (Lot 277 in the Assessor's Block 4991).

18 On May 18, 2004, the Board conducted a duly noticed public hearing on the appeal
19 from the Planning Commission's approval referred to in the first paragraph of this motion.
20 Following the conclusion of the public hearing on May 18, 2004, the Board disapproved the
21 decision of the Planning Commission (Planning Commission Motion No. 16755, dated March
22 25, 2004) and approved the issuance of requested Conditional Use Application No.
23 1999.0233C, subject to the conditions imposed by the Planning Commission, and further
24 subject to additional conditions imposed by the Board of Supervisors.

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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 in opposition 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. 16755,
7 dated March 25, 2004, except as indicated below.

8 FURTHER MOVED, That the Board of Supervisors pursuant to the California
9 Environmental Quality Act ("CEQA"), California Public Resources Code § 21000 et seq., and
10 the CEQA Guidelines, California Code of Regulations, Title 14, § 15000 et seq., has reviewed
11 and relied upon the final mitigated negative declaration adopted by the San Francisco
12 Planning Commission on March 25, 2004, as the basis of its actions. The Board further finds
13 that there have been no substantial project changes, no substantial changes in Project
14 circumstances, and no new information of substantial importance that would change the
15 conclusions set forth in the Final Negative Declaration that the proposed Project would not
16 have a significant effect on the environment. In exercising its independent judgment, this
17 Board concurs with and adopts the findings and conclusions made in the negative declaration
18 and incorporates said findings and conclusions as though fully set forth herein and finds that
19 based on substantial evidence in light of the whole record this project will not have a
20 significant effect on the environment.

21 FURTHER MOVED, That at the May 18, 2004, public hearing on this appeal the
22 appellant and project sponsor testified that the parties had mutually agreed and stipulated to
23 additional conditions of approval for Conditional Use Application No. 1999.0233C, which
24 conditions are incorporated and imposed by the Board of Supervisors as set forth below.

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1 FURTHER MOVED, That on May 18, 2004, the Board of Supervisors disapproved the
2 decision of the Planning Commission by its Motion No. 16755, which approved Conditional
3 Use Application No. 1999.0233C, and approved the requested Conditional Use Authorization
4 subject to the conditions imposed by the Planning Commission, and further subject to the
5 following additional conditions stipulated by the appellant and project sponsor and imposed by
6 the Board:

7 1. Jamestown Ave. Associates will plant street trees of the same size and species
8 along both sides of Jamestown Avenue in front of the project site.

9 2. Jamestown Avenue Associates will cooperate with the appellants to install traffic
10 calming improvements to Jamestown Avenue, such as a new median, subject to city
11 approvals and as more fully described in #5 below.

12 3. Jamestown Avenue Associates will improve Coronado Street for park use as it has
13 proposed, subject to appropriate City approval:

14 a) Jamestown Avenue Associates will obtain permits to improve Coronado
15 Street as it has proposed, with the City retaining land ownership, as
16 approved by the City Attorney

17 b) Jamestown Avenue Associates will remove existing parking spaces
18 adjacent to 860 Jamestown Avenue.

19 c) Jamestown Avenue associates will build a new sidewalk on the northern
20 side of Jamestown Avenue as it passes in front of Coronado Street.

21 d) Jamestown Avenue Associates will plant vegetation in place of existing
22 parking spaces adjacent to 860 Jamestown Avenue.

23 e) Jamestown Avenue Associates will install bollards across both ends of
24 Coronado Street – where it meets Jamestown avenue at the uphill end
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- 1 and where it meets Ingerson Street at the downhill end --such that
2 pedestrians may pass but cars cannot park.
- 3 f) Jamestown Avenue Associates will add more vegetation to its proposed
4 landscaping, pending recommendations/approval by appropriate City
5 agencies.
- 6 g) Jamestown Avenue Associates will work with the Department of Public
7 Works to offer the park improvements to the Recreation and Parks
8 Department for assumption of responsibility for ongoing street
9 maintenance and liability;
- 10 4. Jamestown Avenue Associates will offer to install identical street lights on both
11 sides of Jamestown Avenue, subject to appropriate City approval;
- 12 5. Jamestown Avenue Associates will work with all relevant city agencies including
13 the Department of Parking & Traffic, the Department of Public Works and the Police
14 Department – as well as with neighboring landowners – which include the San Francisco
15 Forty-Niners – to adopt a plan for the city redesign of Jamestown Avenue, both in front of the
16 project site and to the east and west, which will include traffic-calming measures;
- 17 6. Jamestown Avenue Associates will install no less than a 10’ sidewalk and up to
18 a 15’ wide sidewalk directly in front of the project site and extending eastward to a point
19 opposite the intersection of Gilroy Street, subject to appropriate City approval; and
- 20 7. Jamestown Avenue Associates will change the project façade along Jamestown
21 Avenue to make it appear that there are fewer units per building by removing four penthouses,
22 altering porch entryways to double-entryways, painting each 25-foot building segment and
23 entryway a different color and adding a vertical “line” element to separate each 25-foot
24 building segment.
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1 FURTHER MOVED, The Board finds that the conditional use authorization conditions
2 approved by the Board of Supervisors on May 25 and agreed to by the project sponsor will
3 assure that the project is compatible with the neighborhood, will alleviate neighborhood
4 concerns that the project will exacerbate existing parking traffic flow issues and will provide
5 adequate public improvements to support the new housing development.

6 FURTHER MOVED, The Board finds that the project, as revised by the additional
7 conditions imposed by the Board herein, will improve the compatibility of the project with the
8 existing neighborhood by making the façade of the development blend in with the existing
9 single-family developments in the neighborhood. Further, the revised project will assure that
10 the project does not exacerbate parking and traffic flow problems in the neighborhood and
11 that the new housing is supported by adequate public improvements. The Board also finds
12 that the project, as approved by the Planning Commission, did not include appropriate
13 treatment for such aspects as landscaping, lighting and parking controls. The Board finds that
14 the project, as revised by the conditions imposed by the Board herein, will include street trees
15 on both sides of Jamestown of the same size and species, up to 15-foot sidewalks in front of
16 the project site, street lights on both sides of Jamestown, subject to DPW approval, and
17 landscaping and traffic and parking control improvements on the unimproved portion of
18 Coronado Street across from the project site.

19 FURTHER MOVED, That, with the imposition of the additional conditions, the Project is
20 consistent with the objectives and policies of the General Plan, and is consistent with the
21 Priority Policies of Planning Code Section 101.1.

22 FURTHER MOVED, that the Board finds that the revised project, as approved by the
23 Board, will meet the requirements of the Planning Code Section 303. The revised project will
24 provide a development that is necessary or desirable for, and compatible with, the
25 neighborhood or the community, and that such use will not be detrimental to the health,

1 safety, convenience or general welfare of persons residing or working in the vicinity, or
2 injurious to property, improvements or potential development in the vicinity, and that such use
3 will not adversely affect the General Plan.

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 No. 16755, dated March 25, 2004, and approved the issuance of Conditional
7 Use Application No. 1999.0233C on property located at 833-881 Jamestown Avenue, subject
8 to the conditions imposed by the Planning Commission and the additional conditions imposed
9 by the Board of Supervisors on May 18, 2004, as referred to earlier in this motion.

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