

1 [Adopting findings related to the conditional use appeal on property located at 3575 Geary
2 Boulevard.]

3 **Motion adopting findings related to the appeal of the Planning Commission's approval**
4 **of Conditional Use Application No. 2003.0410CEK!, a lot size in excess of 9,999 square**
5 **feet, Sections 121.2 and 712.21 to allow non-residential use size in excess of 5,999**
6 **square feet, Section 271 to allow exception from the "A" Bulk Controls in an 80-A**
7 **Height and Bulk District, and Sections 303 and 304 to allow a Planned Unit**
8 **Development that would include modifications to the rear yard requirement (Planning**
9 **Code Section 134), the Open space requirement for senior dwelling units (Planning**
10 **Code Section 135(d)(3)), the dwelling unit exposure requirement (Planning Code**
11 **Section 140), and the off-street parking and loading requirements (Planning Code**
12 **Section 151 and 152) located at 3575 Geary Boulevard; Lot 2 in Assessor's Block 1083,**
13 **and Lot 4 in Assessor's Block 1084.**

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15 The appellant, Libby Benedict, on behalf of Jordan Park Improvement Association and
16 Francisco Heights Neighborhood Association, filed a timely appeal on May 4, 2006, protesting
17 the approval by the Planning Commission of an application for a conditional use authorization
18 (Conditional Use Application No. 2003.0410CEK!), to allow lot size in excess of 9,999 square
19 feet, Sections 121.2 and 712.21 to allow non-residential use size in excess of 5,999 square
20 feet, Section 271 to allow exception from the "A" Bulk Controls in an 80-A Height and Bulk
21 District, and Sections 303 and 304 to allow a Planned Unit Development that would include
22 modifications to the rear yard requirement (Planning Code Section 134), the Open space
23 requirement for senior dwelling units (Planning Code Section 135(d)(3)), the dwelling unit
24 exposure requirement (Planning Code Section 140), and the off-street parking and loading
25 requirements (Planning Code Section 151 and 152).

1 The site is currently occupied by the now closed single-screen Coronet Theater in an
2 NC-3 (Moderate-scale Neighborhood Commercial) District, and an 80-A Height and Bulk
3 District, located at 3575 Geary Boulevard; Lot 2 in Assessor's Block 1083, and Lot 4 in
4 Assessor's Block 1084.

5 On May 23, 2006, the Board conducted a duly noticed public hearing on the appeal
6 from the Planning Commission's approval referred to in the first paragraph of this motion.
7 Following the conclusion of the public hearing on May 23, the Board disapproved the decision
8 of the Planning Commission (Planning Commission Motion No. 17219 dated April 6, 2006)
9 and approved the issuance of requested Conditional Use Application No. 2003.0410CEK!,
10 subject to the conditions imposed by the Planning Commission, and further subject to
11 amendments to the Planning Commission's conditions as well as additional conditions
12 imposed by the Board of Supervisors.

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

16 NOW, THEREFORE, BE IT MOVED, That the Board of Supervisors of the City and
17 County of San Francisco hereby adopts as its own and incorporates by reference herein, as
18 though fully set forth, the findings made by the Planning Commission in its Motion No. 17219
19 dated April 6, 2006, except as indicated below.

20 FURTHER MOVED, That on May 23, 2006, the Board of Supervisors disapproved the
21 decision of the Planning Commission by its Motion No. 17219, which approved Conditional
22 Use Application No. 2003.0410CEK!, and approved the requested Conditional Use
23 Authorization subject to the conditions imposed by the Planning Commission, and further
24 subject to the following amendments to the conditions imposed by the Planning Commission
25 and the following additional conditions imposed by the Board:

1 1. Condition D(1)d is amended by adding after “staging area for its vans,” the
2 following: “and avoid temporary or double parking of vans on neighborhood streets.”

3 2. Condition D(3) is amended by adding after “may reduce the amount of parking,”
4 the following “after a public hearing at the Planning Commission.”

5 3. A new condition D(4) is added to read as follows: “IOA shall participate in the
6 Commuter Check Program or a similar program to make transit passes readily available to its
7 employees.”

8 4. A new condition D(5) is added to read as follows: "Use of the basement level
9 meeting facilities shall be restricted to on-site employees and clients of the facility except on
10 weekdays after 6:00 PM and on weekends when employee parking spaces are vacant and
11 provided for use by meeting attendees."

12 5. Condition G(1) is amended to add “through use of directional lighting fixtures.”

13 FURTHER MOVED, That the Board of Supervisors took notice that a Final
14 Environmental Impact Report was issued and certified by the Planning Department on April 6,
15 2006, and was affirmed by the Board of Supervisors after a duly noticed hearing on May 23,
16 2006, prior to the Board's consideration of the conditional use appeal. The Board further finds
17 that there have been no substantial Project changes, no substantial changes in Project
18 circumstances, and no new information of substantial importance that would change the
19 conclusions set forth in the Final Environmental Impact Report that the proposed Project
20 would not have a significant effect on the environment.

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

24 FURTHER MOVED, That the Board of Supervisors, after carefully balancing the
25 competing public and private interests, disapproved the decision of the Planning Commission

1 by its Motion No. 17219 dated April 6, 2006, and approved the issuance of Conditional Use
2 Application No. 2003.0410CEK!. on property located at 3575 Geary Boulevard, subject to the
3 conditions imposed by the Planning Commission and the additional amendments and
4 conditions imposed by the Board of Supervisors on May 23, 2006, as referred to earlier in this
5 motion.

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