

1 [Adopting findings related to the conditional use appeal on property located at 1160 Mission  
2 Street.]

3 **Motion adopting findings related to the appeal of the Planning Commission's approval**  
4 **of Conditional Use Application No. 2002.0628CEK VX, (which allowed, subject to certain**  
5 **conditions, for a Commercial Public Parking Garage with up to 381 parking spaces and**  
6 **for Residential-serving off-street parking in excess of accessory amounts, in**  
7 **conjunction with the construction of a 23-story apartment building with up to 246**  
8 **dwelling units), in a C-3-G (Downtown General Commercial) District and a 150-S and**  
9 **240-S Height and Bulk District, on property located at 1160 Mission Street, northwest**  
10 **side between Seventh and Eighth Streets, with additional frontage on Stevenson Street**  
11 **(Lots 37, 38 and 56 in Assessor's Block 3702).**

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13 The appellant, Dave Snyder on behalf of Transportation for a Livable City, filed a timely  
14 appeal on January 5, 2004, protesting the approval by the Planning Commission of an  
15 application for a conditional use authorization (Conditional Use Application No.  
16 2002.0628CEK VX), to allow, subject to certain conditions, for a Commercial Public Parking  
17 Garage with up to 381 parking spaces and for Residential-serving off-street parking in excess  
18 of accessory amounts, in conjunction with the construction of a 23-story apartment building  
19 with up to 246 dwelling units, in a C-3-G (Downtown General Commercial) District and a  
20 150-S and 240-S Height and Bulk District, on property located at 1160 Mission Street,  
21 northwest side between Seventh and Eighth Streets, with additional frontage on Stevenson  
22 Street (Lots 37, 38 and 56 in Assessor's Block 3702).

23 On January 27, 2004, the Board conducted a duly noticed public hearing on the appeal  
24 from the Planning Commission's approval referred to in the first paragraph of this motion.  
25 Following the conclusion of the public hearing on January 27, the Board disapproved the

1 decision of the Planning Commission (Planning Commission Motion No. 16693, dated  
2 December 4, 2003) and approved the issuance of requested Conditional Use Application No.  
3 2002.0628CEKVX, subject to the conditions imposed by the Planning Commission, and  
4 further subject to additional conditions imposed by the Board of Supervisors.

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

8 NOW, THEREFORE, BE IT MOVED, That the Board of Supervisors of the City and  
9 County of San Francisco hereby adopts as its own and incorporates by reference herein, as  
10 though fully set forth, the findings made by the Planning Commission in its Motion No. 16693,  
11 dated December 4, 2003, except as indicated below.

12 FURTHER MOVED, That at the January 27, 2004, public hearing on this appeal the  
13 appellant and project sponsor testified that the parties had mutually agreed and stipulated to  
14 additional conditions of approval for Conditional Use Application No. 2002.0628CEKVX, which  
15 conditions are incorporated and imposed by the Board of Supervisors as set forth below.

16 FURTHER MOVED, That on January 27, 2004, the Board of Supervisors disapproved  
17 the decision of the Planning Commission by its Motion No. 16693, which approved  
18 Conditional Use Application No. 2002.0628CEKVX, and approved the requested Conditional  
19 Use Authorization subject to the conditions imposed by the Planning Commission, and further  
20 subject to the following additional conditions stipulated by the appellant and project sponsor  
21 and imposed by the Board:

22 1. The number of required bicycle parking stalls shall be increased from twenty  
23 (20) to forty (40).

24 2. The commercial parking garage entrance shall be operated using all reasonable  
25 measures to prevent vehicles from blocking the Mission Street sidewalk or bus lane in front of

1 the Project; including such preventative measures as to increase the length of the queuing  
2 area entering the Garage.

3 3. The commercial parking garage and the residential-serving off-street parking  
4 approved by this Conditional Use Application shall be contained in Four (4) floors instead of  
5 five (5) floors without change to the height or bulk of the Garage Podium and Residential  
6 Tower.

7 FURTHER MOVED, That the Board of Supervisors took notice that a Final Negative  
8 Declaration was issued by the Planning Department on September 22, 2003. The Board  
9 further finds that there have been no substantial Project changes, no substantial changes in  
10 Project circumstances, and no new information of substantial importance that would change  
11 the conclusions set forth in the Final Negative Declaration that the proposed Project would not  
12 have a significant effect on the environment.

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

16 FURTHER MOVED, That the Board of Supervisors, after carefully balancing the  
17 competing public and private interests, disapproved the decision of the Planning Commission  
18 by its Motion No. 16693, dated December 4, 2003, and approved the issuance of Conditional  
19 Use Application No. 2002.0628CEKVX on property located at 1160 Mission Street, subject to  
20 the conditions imposed by the Planning Commission and the additional conditions imposed by  
21 the Board of Supervisors on January 27, 2004, as referred to earlier in this motion.

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