

1 [Adopting findings related to the conditional use appeal on property located at 2455 Bush
2 Street (a.k.a 1770 Scott Street).]
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4 **Motion adopting findings related to the appeal of the Planning Commission’s approval**
5 **of Conditional Use Application No. 99.0818C (which allowed the lot size to exceed 9,999**
6 **square feet ((77,056 square feet existing)), allowed the use size to exceed 3,999 square**
7 **feet ((21,000 gross square feet proposed)), allowed the demolition of approximately**
8 **5,900 square feet of a two-story building fronting on Bush Street, and allowed the**
9 **construction of a new two and three story replacement structure and additions of**
10 **approximately 11,700 gross square feet with new locker and fitness rooms to serve the**
11 **existing tennis club ((The California Tennis Club)) per Sections 121.1, 121.2, 303,**
12 **711.11, 711.21, and 711.81 of the Planning Code) for the property in an NC-2 (Small-**
13 **Scale Neighborhood Commercial) District and a 40-X Height and Bulk District, located**
14 **at 2455 Bush Street (a.k.a. 1770 Scott Street), between Scott and Pierce Streets in the**
15 **Western Addition neighborhood (Lot 3 in Assessor’s Block 680).**
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17 The appellant, Janice L. Bolaffi, filed a timely appeal on May 10, 2002, protesting the
18 approval by the Planning Commission of an application for a conditional use authorization
19 (Conditional Use Application No. 99.0818C, approved by Planning Commission Motion No.
20 16375) which allowed the lot size to exceed 9,999 square feet ((77,056 square feet existing)),
21 allowed the use size to exceed 3,999 square feet ((21,000 gross square feet proposed)),
22 allowed the demolition of approximately 5,900 square feet of a two-story building fronting on
23 Bush Street, and allowed the construction of a new two and three story replacement structure
24 and additions of approximately 11,700 gross square feet with new locker and fitness rooms to
25 serve the existing California Tennis Club (“CTC”) per Sections 121.1, 121.2, 303, 711.11,

1 711.21, and 711.81 of the Planning Code) for the property in an NC-2 (Small-Scale
2 Neighborhood Commercial) District and a 40-X Height and Bulk District, located at 2455 Bush
3 Street (a.k.a. 1770 Scott Street), between Scott and Pierce Streets in the Western Addition
4 neighborhood (Lot 3 in Assessor's Block 680).

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

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

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

23 FURTHER MOVED, That the Board of Supervisors took notice that on August 30,
24 2001, the Planning Department issued a Certificate of Exemption/Exclusion from
25 Environmental Review finding that the proposed project is exempt/excluded from

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

13 FURTHER MOVED, That at the public hearing on this appeal many members of the
14 public testified that members of, and visitors to, the Tennis Club often occupy all of the private
15 parking spaces available at the Club, and other arriving members and visitors to the Club
16 must, therefore, rely on street parking while they are attending the Club. This frequent lack of
17 available off-street parking spaces and consequent demand for additional on-street parking
18 spaces in the area of the CTC results in a shortage of on-street parking spaces for
19 residences, businesses and other visitors to the neighborhood, and creates public
20 inconvenience and traffic congestion. The Planning Commission, in its Motion No. 16375,
21 found, in part at Finding 4 (2) (B), that: "The existing 50-space garage usually accommodates
22 all auto traffic generated by Club activities. On occasions when more than 50 cars are
23 expected for an event, the Club voluntarily provides off-street valet service. This has
24 effectively eliminated conflicts with neighbors over on-street parking. The proposed Project
25 does not intensify any use that should generate additional traffic." The Board of Supervisors

1 finds that, based upon the public testimony before the Board, this Planning Commission
2 finding was erroneous. The Project as approved by the Planning Commission, contrary to its
3 findings, would not have met the requirements of Planning Code Section 303, due to the
4 Project's impact on neighborhood parking, traffic and convenience.

5 FURTHER MOVED, That the Board finds that the applicant needs to provide an
6 accommodation for the parking needs of the neighborhood in order for the Project to be
7 desirable for, and compatible with, the neighborhood under the provisions of Section 303 (c)
8 of the Planning Code.

9 FURTHER MOVED, That at its July 8 meeting the Board of Supervisors disapproved
10 the decision of the Planning Commission, approved the issuance of requested Conditional
11 Use Application No. 99.081Ck, approved and imposed the conditions of the Planning
12 Commission in its Motion No. 16375, and imposed the following additional conditions to those
13 imposed by the Planning Commission:

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

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

24 (b) Evening Parking – For this option the CTC will make available twenty-one (21)
25 parking spaces in its enclosed garage for use only between the hours of 5:00 p.m.

1 to 9:00 a.m. seven (7) days a week to Neighborhood Residents at 50% of the
2 market monthly rate charged for enclosed off street parking in the neighborhood of
3 CTC. Neighborhood Residents who rent evening parking spaces must have their
4 cars out by 9:00 a.m. every day. During the hours the garage is closed, cars will not
5 be able to enter or exit from the garage, but can be left overnight.

6 (c) Combination of Full Day and Evening Parking – Every full day parking rental will be
7 the equivalent of one and one-half (1-1/2) evening parking rentals. Thus, (i) if there
8 are eight (8) full day renters, there may be up to nine (9) evening parking renters,
9 or (ii) if there are twelve (12) evening parking renters, there may be up to six (6) full
10 day parking renters.

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

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

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

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

1 FURTHER MOVED, That with the imposition of Conditions 24-28, as listed above, the
2 Board of Supervisors finds that the Project, as proposed and approved with the conditions
3 imposed by the Planning Commission and as amended by the Board's additional conditions,
4 will meet the requirements of Planning Code Section 303. The revised Project will provide a
5 development that is necessary or desirable for, and compatible with, the neighborhood or the
6 community, and that such use will not be detrimental to the health, safety, convenience or
7 general welfare of persons residing or working in the vicinity, or injurious to property,
8 improvements or potential development in the vicinity, and that such use will not adversely
9 affect the General Plan.

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

13 FURTHER MOVED, That the Board of Supervisors, after carefully balancing the
14 competing public and private interests, disapproved the decision of the Planning Commission
15 by its Motion 16375, dated April 11, 2002, and approved the issuance of Conditional Use
16 Application No. 99.0818C on property owned by the California Tennis Club and located at
17 2455 Bush Street (a.k.a. 1770 Scott Street), subject to the conditions imposed by the Board
18 on July 8, 2002, and referred to earlier in this motion.

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