

1 [Zoning Appeal – Disapproving decision of Planning Director, conditional use appeal, 965-985
2 Geneva Avenue and 852 Paris Street (aka Apollo Theater).]

3 **Motion disapproving decision of the Planning Director by Motion No. 16468, approving**
4 **Conditional Use Application no. 2001.1126C, on property located at 965-985 Geneva**
5 **Avenue and 852 Paris Street (aka Apollo Theater); approving Conditional Use Application**
6 **No. 2001.1126C for property located at 965-985 Geneva Avenue and 852 Paris Street,**
7 **subject to the conditions imposed by the Planning Director in his Motion No. 16468, as**
8 **modified herein, and further subject to additional conditions imposed by the Board of**
9 **Supervisors as set forth herein, and adopting findings pursuant to Emergency Ordinance No.**
10 **486-02.**

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12 MOVED, That the decision of the Planning Director, by Motion No. 16468 dated
13 October 10, 2002, received by the Clerk's Office on October 23, 2002, approving conditional
14 use application No. 2001.1126C, subject to modifications, to merge 6 lots into one lot with a
15 total area greater than 9,999 square feet pursuant to Planning Code Section 712.11, to allow
16 the construction of 8 dwelling units without the required off-street parking pursuant to Section
17 161(j), to allow a large retail store (Walgreens Pharmacy) to occupy commercial space
18 (10,000 gross square feet) on the ground floor and on a new mezzanine in excess of 5,999
19 square feet pursuant to Section 712.21 under planning Department's modifications to
20 proposed project, and adopting findings relating to the disapproval of a conditional use
21 application to allow a large retail store (Walgreens Pharmacy) to occupy commercial space
22 (12,800 gross square feet) on the ground floor and on a new mezzanine in excess of 5,999
23 square feet pursuant to Section 712.21 under the proposal submitted to the Department by
24 the project sponsor, located in an NC-3 (Moderate-Scale Neighborhood Commercial) District
25 and in a 65-Height and Bulk District, and in an RH-1 (Residential, One-Family) District in a

1 40-X Height and Bulk District on property located at:
2 965-985 Geneva Avenue, between Paris and London Streets (Lots 5-10 on Assessor's
3 Block 6409)

4 be and the same is disapproved; and, be it

5 FURTHER MOVED, That the Board of Supervisors approves Conditional Use
6 Application No. 2001.1126C for the property located at 965-985 Geneva Avenue and 852
7 Paris Street (aka Apollo Theater), subject to the following Conditions:

8 1. The Board of Supervisors imposes the conditions imposed by the Planning Director
9 in his Motion No. 16468, except as noted in Conditions 2 and 3 below.

10 2. Conditions 1 and 2 imposed by the Planning Director are amended to reflect the
11 following additional condition imposed by the Board of Supervisors:

12 As indicated in the site map included in Board File No. 021766, retail units #1
13 and #2 shall each be at least 15 feet wide, and at least 28' 9" deep (these two units shall each
14 be approximately 450 square feet in area) with the remainder of the available retail ground
15 floor space at the site being reserved for the larger retail unit.

16 3. Condition 5 imposed by the Planning Director is deleted.

17 4. Four of the eight housing units shall be affordable at 100% of median income for
18 fifty years.

19 5. The four remaining housing units shall be affordable at 60% of median income for
20 fifty years.

21 6. Retail unit # 2 on the site map shall be reserved for a neighborhood serving youth
22 retail establishment. If, after one year from the date of availability for occupancy, retail unit #2
23 has not been leased at a reasonable lease rate, and providing that the project sponsor has
24 made a genuine effort to lease retail unit #2, retail unit #2 may be leased by the project
25 sponsor to a business that is not a neighborhood serving youth retail establishment.

1 7. The awning at the site shall be maintained.

2 8. The exterior to the project shall be transparent, relying primarily on glass and similar
3 materials, and shall simulate the character of the exteriors of other commercial buildings in the
4 neighborhood.

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